AGENDA
TAVARES CITY COUNCIL

MAY 20, 2015
4:00 P.M.
TAVARES CITY HALL COUNCIL CHAMBERS

(Members of the public wishing to speak on an item that is on the agenda must fill out a Request to Speak form available from the City Clerk or at the Council Meeting prior to the meeting being called to order. In addition, the Mayor will ask for comment under the agendized item titled "Audience to be Heard" for matters not on the Agenda. For further information contact the City Clerk at (352) 742-6209 or nbarnett@tavares.org)

I. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Rick Fountain, First Baptist Church of Tavares

II. CALL TO ORDER

III. APPROVAL OF AGENDA

(The City Council Agenda is subject to change at the time of the Tavares City Council Meeting)

IV. APPROVAL OF MINUTES

Tab 1) Minutes of May 6, 2015 Regular Council Meeting

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) David W. York Award to Utility Department for Reuse System of the Year — Mayor Smith

VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS

VII. READING OF ALL ORDINANCES/RESOLUTIONS

VIII. CONSENT AGENDA

Tab 3) Amendment 1 to the State Revolving Fund Loan Agreement For Time Extension for Pre-Construction Activities – CRA Stormwater Project — Lori Houghton

Tab 4) Amendment 2 to the State Revolving Fund Loan Agreement For Drinking Water Rehabilitation in the CRA — Lori Houghton

Tab 5) Amendment 3 to the State Revolving Fund Loan Agreement for Wastewater Treatment & Stormwater Management for the CRA — **Lori Houghton**

Tab 6) Approval of Contract with H2X Racing for HydroX Tour June 13-14 — **Bob Tweedie**

IX. ORDINANCES/RESOLUTIONS

FIRST READING

Tab 7) Ordinance #2015-11 – Amendment to Land Development Regulations RE: Impact Fee Waivers for Large Commercial Seaplane Enterprises — **Jacques Skutt**

SECOND READING

Tab 8) Ordinance #2015-09 – Amendment to Land Development Regulations for the Keeping of Chickens in Certain Residental Districts — **Jacques Skutt**

Tab 9) Ordinance #2015-06 – Rezoning of 4 Acres located on the North Side of Caroline Street West of St. Clair Abrams from RMF-2 to Mixed Use – City Initiated — **Jacques Skutt**

Tab 10) Ordinance #2015-07 – Small Scale Future Land Use Amendment 4 Acres – located on the North Side of Caroline Street, West of St. Clair Abrams – City Initiated — **Jacques Skutt**

RESOLUTIONS

X. GENERAL GOVERNMENT

Tab 11) FDOT Traffic Signal Maintenance & Compensation Agreement — **Chris Thompson**

Tab 12) Lake County Clerk's Building Disposition Options — **Bob Tweedie**

Tab 13) Update on Community Grant Program — **Nancy Barnett**

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

Tab 14) City Administrator **John Drury**

Tab 15) Council Reports **City Councilmembers**

F.S. 286.0105 □If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352) 253-4546.

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TAVARES

America's Seaplane City™

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
MAY 6, 2015
CITY COUNCIL CHAMBERS
4:00 p.m.

COUNCILMEMBERS PRESENT

Kirby Smith, Mayor
Bob Grenier, Vice Mayor
Lori Pfister, Councilmember
Lisa Johnson, Councilmember

ABSENT

Robert Speaks, Councilmember

STAFF PRESENT

John Drury, City Administrator
Nancy Barnett, City Clerk
Lori Houghton, Finance Director
Robert Q. Williams, City Attorney
Chris Thompson, Public Works Director
Lori Tucker, Human Resources Director
Bob Tweedie, Economic Development Director
Joyce Ross, Communications Director
Tammey Rogers, Community Services Director
Richard Keith, Fire Department
Jacques Skutt, Director of Community Development
Stoney Lubins, Police Chief

I. CALL TO ORDER

Mayor Smith called the meeting to order at 4:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor John Barham, First United Methodist Church, gave the invocation and led those present in the Pledge of Allegiance.

Mayor Smith noted the hearing devices available at the entrance table and requested that cell phones be silenced. He asked those who wished to speak to Council to fill out the form provided at the door.

III. APPROVAL OF AGENDA

MOTION

Mayor Smith stated that Commissioner Leslie Campione was in attendance to address Tab 15 – "Trap Neuter" Program for Feral Cats – and he wished to move her item forward on the agenda.

Bob Grenier moved for approval of the agenda with the proposed change, seconded by Lori Pfister. The motion carried unanimously 4-0.

Tab 15) Proposed Lake County Ordinance to Create a "Trap-Neuter-Return" Program for Feral Cats – Opportunity for Council Comment

Mr. Drury reported that the City of Tavares utilizes the Lake County Sheriff Office Animal Services for managing animals that are found running at large or are nuisance animals. This service is provided at no cost to the City through an Interlocal agreement.

The County Manager has requested feedback from the cities that utilize the Lake County Sheriff Office Animal Services regarding a proposed amendment to their animal ordinance. Currently if a feral or abandoned cat is picked up by Animal Control it is taken to the Animal Control Shelter. The shelter attempts to notify the owner and/or makes a determination whether or not the animal is feral and/or ill. If the animal is determined to be feral and/or the owner cannot be contacted the animal is eventually euthanized. The ordinance, if adopted, would create a Trap, Neuter and Release/Return Program for feral cats in Lake County including those cities using the LCSO Animal Services.

The program would be implemented through Lake County Animal Services but may be delegated to local animal rescue organizations.

The ordinance essentially would allow the capture, sterilization and release (in the original location or other location approved by the LCSO Animal Services Manager) of feral cats. The ordinance includes buffers from parks, schools and conservation lands but allows the buffers to be waived if the property owner grants permission.

Mayor Smith invited comment from Commissioner Campione.

Commissioner Campione thanked Council for the opportunity to speak. She said she was accompanied by Captain Luce and Whitney Lockhart who is working with a not for profit called "Leash" who will hopefully be one of the outside agencies in partnership with Misfits in Tavares.

Ms. Campione noted there is currently a 24 hour waiting period for feral cats and they are essentially euthanized after that time period. She discussed the current ordinance requirements for community cats, definition of kennel for a certain numbers of animals, etc. which needs to be addressed in order for the program to work. She said the goal of the program is to lower the population for unwanted or feral cats.

Councilmember Pfister said she had attempted to get a mandatory spay and neuter ordinance passed but this is the next best solution. She commended Commissioner Campione.

Attorney Williams stated that if the county passes the ordinance and the city does not have one to the contrary, it will have jurisdiction in the city. Councilmember Johnson spoke in support.

Mr. Drury suggested that Council make a motion to authorize the Mayor to forward a letter of support to the Chairman of the County Commission on this ordinance. Mayor Smith noted his support.

MOTION

Councilmember Pfister moved to have the Mayor write a letter to the County with Council's support for this project, seconded by Bob Grenier. The motion carried unanimously 4-0.

IV. APPROVAL OF MINUTES

Tab 1) Minutes of April 15, 2015 Regular Council Meeting

MOTION

Bob Grenier moved for approval of the minutes of April 15, 2015 as submitted, seconded by Lori Pfister. The motion was approved unanimously 4-0.

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) National Public Works Week – May 17-23, 2015

Mayor Smith read a proclamation in recognition of National Public Works Week, May 17-23 and he noted that there will be a Public Works Expo the day before National Public Works Week. The Expo will be on Saturday May 16th from 9:00 to 11:00 a.m. at Wooton Park. Mayor Smith presented the proclamation to Chris Thompson, Public Works Director, and Brad Hayes, Utility Director.

Tab 3) Streetscaping Plan for West Main Street

Rob Ern of BESH, presented a power point presentation on the concept plan for the Streetscaping for West Main Street. Mr. Ern noted his firm has met several times with city staff and property owners on both West Main Street and Ruby Street. He noted the plan is a balancing act between providing for property owners, traffic calming in the Downtown (for both pedestrian safety and the visibility of the merchants); beautification of the corridor; improvement of the parking situation and the traffic flow. He then did a detailed walk through of the proposed concept plan and his recommendations for utilizing more of the public right of way. He noted that where there are opportunities they will be placing more islands in the center of the road to add for more beautification. He summarized that when funding is available to do hard design and surveying there may be some obstacles from other utilities that will require the final design to be adjusted.

Mr. Drury said this is a request to approve the concept plan. If the Board approves the concept plan then every time a city Public Works department has a project in that area that affects the streets, then they will be required to conform to this plan. He said if the city is able to obtain a grant, he will return to the Board and recommend doing sidewalks, lights, etc. consistent with this plan. Vice Mayor Grenier discussed whether Council would be tweaking the concept plan at some future point.

MOTION

Lori Pfister moved to approve the Concept Plan as provided, seconded by Bob Grenier.

Mayor Smith said he was concerned that there are no proposed turn lanes going northbound near Lake Avenue. He said he would like to see turn lanes at all of the major road intersections due to the expected growth rate of the City in the next 20 years.

Mayor Smith questioned whether staff would be installing features according to the master plan without coming back to have it approved again. Mr. Drury said if staff obtains a grant to do all the sidewalks or islands, staff will come back to Council for approval to do that project, however, if Council approves the plan, the goal will be to implement and execute the plan and not have it come back to Council on a continuous basis.

Councilmember Pfister said she liked the concept plan and the traffic calming effect. Mayor Smith said he is concerned about the potential for traffic backing up to SR 19. Mr. Ern said he did not feel there was currently any justification for additional turn lanes, however, when the east end of Main Street was first conceptualized, one of the reasons the lanes were shifted across intersections with added bumpouts was to slow traffic and force drivers who were just passing through quickly to be diverted to Alfred Street. There were problems of speeding at that time when there were no stop signs or islands.

Vice Mayor Grenier discussed the need to beautify the gateways to the city noting the majority of the growth is on the south end.

The motion carried 3 to 1 as follows:

Kirby Smith	**No**
Bob Grenier	**Yes**
Lisa Johnson	**Yes**
Lori Pfister	**Yes**

Tab 4) Streetscaping Plan for Ruby Street

Mr. Ern reviewed the plan for Ruby Street from the west end at Sinclair Avenue to the east end by the Chamber building. He noted much of the corridor is more constrained than the Main Street corridor with existing improvements. There will be a Tav-Lee Trail extension continuing along Sinclair along the west side. He pointed out the improvements that already exist. He said the existing 10 parking spaces on the north side extend further outside of the right of way. That forces pedestrians to walk behind a parked car. The proposal is to keep the grass island as shown, push the sidewalk to the front of those parking stalls and then push the stalls to the edge of the road. The sidewalk would go outside of the right of way but would not affect the parking spaces. He discussed the hotel property noting sidewalks would continue across that property. On the south side of the existing hotels, the sidewalk extensions that go to the curb line will be removed so as not to encourage pedestrians to step out from a curb line (encouraging them to use crosswalk) and to allow more room for beautification. He noted more parallel parking will be added. He

discussed the other areas where sidewalks will be extended. A cross walk will be installed mid block in brick where it exists currently.

Mr. Ern said that the installation of retractable bollards would allow the street to be closed more easily for events. The cost of an installed bollard controlled by key is about $5,000. The other item for consideration would be to pave the entire street in red brick. He said the difference with the recommendation for Ruby Street versus the current city alleys, is that the alleys were put in with pervious surface and over time there will be some shifting due to that. The street would be paved with a compacted crushed impervious concrete base underneath the paver bricks. The cost will be about three times the cost for a standard asphalt base road.

Mr. Drury spoke in support of the red brick paving and the bollards as an alternate. He noted Mr. Hayes is still working on funding for the stormwater collection system and when that project is done it will affect the roadway. He said staff will probably propose to do a bid alternate at that time for the brick paver road versus the standard asphalt design.

Mayor Smith asked whether the county has agreed to the changes in the sidewalk. Mr. Drury said once the plan has been approved he will approach the County to do an Interlocal agreement with the county to do the sidewalk on their property.

MOTION

Bob Grenier moved to approve the conceptual plan for Ruby Street and for the city staff to include a bid alternate for the brick paver when the time comes to do the bid, seconded by Lori Pfister. The motion carried 4-0 unanimously.

VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE CONTACTS

Attorney Williams did the swearing in for the Special Use Permit for a funeral home use (Tab 9). He then asked Council if they had had any ex parte communications on this matter. There were none.

VII. READING OF ALL ORDINANCES/RESOLUTIONS

Ms. Barnett read the following ordinances/resolutions by title only:

ORDINANCE 2015-09

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 3, ENTITLED "DEFINITIONS" TO CREATE A DEFINITION FOR A CHICKEN COOP; AMENDING THE AGRICULTURAL LAND USES ALLOWED UNDER CHAPTER 8, TABLE 8-2, PERMITTED AND SPECIAL USES, BY ALLOWING THE KEEPING OF CHICKENS AS A PERMITTED ACCESSORY USE TO A SINGLE FAMILY DWELLING UNDER CERTAIN CONDITIONS WITHIN THE RFS-A, RSF-1 and RMF-2 ZONING DISTRICTS; ADDING NOTE 31 TO TABLE 8-2 THAT PROVIDES THE CONDITIONS AND REGULATIONS TO BE APPLIED TO THE KEEPING OF BACKYARD CHICKENS; SUBJECT TO THE RULES,

REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2015-06

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING A COMBINED TOTAL OF APPROXIMATELY 4 ACRES OF PROPERTY GENERALLY LOCATED ALONG THE NORTH SIDE OF CAROLINE STREET; FROM RESIDENTIAL MULTI-FAMILY (RMF-2) TO MIXED USE (MU); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2015-07

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON A COMBINED TOTAL OF APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED ALONG THE NORTH SIDE OF CAROLINE STREET FROM ALFRED STREET TO ST. CLAIR ABRAMS AVENUE; FROM MEDIUM DENSITY TO MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FORTRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Smith noted full discussion on these ordinances would take place on second reading.

VIII. CONSENT AGENDA

Mayor Smith asked if anyone in the audience objected to the Consent Agenda item.

MOTION

Bob Grenier moved to approve the Consent Agenda [911 Agreement with Lake County], seconded by Lori Pfister. The motion carried unanimously 4-0.

IX. ORDINANCES/RESOLUTIONS

ORDINANCES

Tab 9) Resolution #2015-06 - Special Use for Funeral Home – 1350 E. Burleigh

Mr. Skutt stated the applicant is Baldwin Brothers Memorial Care Services. The property is located on the south side of US 441 between Nightingale Lane and Mayo Drive. It is within the C-1 general commercial zoning district and the funeral home use is allowed only with a special use permit approved by the City Council. The existing vacant commercial building will be renovated. Embalming or cremation will not be performed at this location. In addition the applicant's business plan does not provide for large formal funeral services. The proposed use is compatible with the

commercial medical uses in this area of the city. The Planning & Zoning Board voted unanimously to recommend approval and staff recommends approval.

Mayor Smith asked what services will be provided. Mr. Skip Knopke stated he is President of Baldwin Brothers. He said they operate six funeral homes in central Florida. He said embalming and cremations general occur in centralized places. He said under the state law a funeral home can do those things but they choose only to do them in specialty places. He said they will offer a small gathering area for small funerals. Mayor Smith noted there could be the possibility of funeral processions. Councilmember Pfister asked for information on "flameless cremations." Mr. Knopke said it is labeled under an "Earth Smart" cremation, is water based and eliminates emissions.

MOTION

Lori Pfister moved to approve Resolution #2015-06, seconded by Bob Grenier. The motion carried unanimously 4-0.

XI. GENERAL GOVERNMENT

Tab 10) Observations and Recommendations from Public Workshop re: Main Street Parking

Mr. Skutt reviewed the findings from the April 16th Public Parking workshop which was chaired by Gary Santaro, Chairman of the Planning & Zoning Board.

He summarized that there was a wide spectrum of perceptions related to parking conditions on Main Street. He said it is difficult to summarize from that workshop just one perception and one recommendation. He said he listed three comments that most of the people who attended the workshop would probably agree to:

- The city would benefit from a long range parking plan that fully considers the impact of the growth anticipated by the Downtown Master Plan.

- The parking garage and county employee and constitutional offices all have a significant impact on the downtown parking. The city and county should continue to work together to formulate parking policies and utilize the facilities that are mutually beneficial.

- If the city desires to adopt temporary remedies prior to a long range plan being developed, these should be inexpensive to implement and easily reversible. (There was a suggestion for a four hour time limit and no opposition was mentioned on that time period.)

Mayor Smith recognized Vance Joachim for public comment.

Mr. Joachim said he had spoken to the County Manager and County Attorney regarding the issue of the parking spaces in the garage on the first floor being taken up by disabled and police and he discussed his observations from their conversaations. He recommended having some time limits on parking

Councilmember Pfister said the discussions held at the workshop had also been discussed previously by Council. She said the long range parking plan could be put into the budget for now however one option would be that during an event only, the staff could place a "two hour limit" parking in front of the businesses.

MOTION

Lori Pfister moved to put into the budget for consideration a long range parking plan and in addition, from this point forwards, during every event in front of any local business on Main Street, put up a two hour snipe sign [for parking] in front of their businesses.

Vice Mayor Grenier asked for clarification.

Councilmember Pfister said she wished to re-word her motion:

Lori Pfister moved to put the parking study into the budget and for each event put out two hour parking signs in the downtown area in front of the businesses that this affects. The motion was seconded by Bob Grenier.

Vice Mayor Grenier said he had observed yesterday a temporary "no parking overnight parking" because of the event that was done at the end of the block. He asked if Councilmember Pfister was stating it would be the same type of sign with just two hours for the event that gets picked up when the day is done. Councilmember Pfister concurred.

Councilmember Johnson commented the problem is not just during events. Vice Mayor Grenier noted a lot of events have participants that may need a place to park closer to the event. Discussion followed on the parking garage option. Councilmember Johnson asked about designating one or two spots per block during the week for the four hour parking which would free up some spaces.

The motion carried 3-1 as follows:

Kirby Smith	**Yes**
Lori Pfister	**Yes**
Lisa Johnson	**Yes**
Bob Grenier	**No**

Tab 11) Agreement with Richard Powell for Commercial Boat Tours

Mr. Tweedie stated this is a request for approval of a contract with Richard Powell for commercial boat tour operations at the Tavares Seaplane Base. Mr. Powell has submitted a business plan in accordance with required minimum standards for commercial operators. Mr. Powell proposes to begin his operations under the name "Canal Tours of Tavares" beginning July 1, 2015 operating a 25 ft. pontoon boat which was built in Tavares. The vessel is coast guard certified for 11 to 14 passengers and he is a coast guard licensed captain.

MOTION

Lori Pfister moved to approve the agreement with Richard Powell to provide commercial boat tour operations at the Tavares Seaplane Base & Marina, seconded by Bob Grenier. The motion carried unanimously 4-0.

Tab 12) Temporary Reduction in Agricultural Reclaim Water Rates

Mr. Hayes reported that the City Council approve Ordinance No. 2013-07 for negotiated pricing for Reclaim Service by Agreement between the City and the Grower/Owner for commercial agriculture uses including but not limited to orange groves, tree farms and nurseries. The city has agricultural reclaimed water agreements with Tavares Citrus Grove and Whittaker Groves in Tavares.

Recently the Citrus Industry in this area, has been affected by the "Asian citrus psyllid" disease, also called "Greening". This disease has caused the industry growers to eradicate orange trees (see attached information). The area growers have requested a temporary reduced pricing for reclaimed water while they recover from this unforeseen epidemic from the current rate of $0.31 per 1000 gallons down to $0.15 per 1000 gallons and this is the staff recommendation. The rates would then be raised incrementally over the next few years back to $.31 per gallon.

Mayor Smith observed that there is minimal use currently for reclaim water and he suggested doing a reduced rate for everyone city wide to encourage its use. Mr. Drury noted the city has a business plan and a rate study. He said he has not had complaints from the golf courses or other users which is consistent with the business plan. This recommendation is for the two orange groves who are experiencing a specific problem because of this disease and it would not adversely affect the business plan. He said once the re-use lines are extended the usage should be increased.

MOTION

Lori Pfister moved to approve a new agricultural reclaimed rate of $0.15 per 1000 gallons for one (1) year, then a 25% increment increase over the next 4 years, seconded by Bob Grenier. The motion carried unanimously 4-0.

Tab 13) Eight-Month Activity Report for the Tavares Pavilion on the Lake

Ms. Rogers asked Carrie Petroski to provide the update.

Ms. Petroski, Pavilion Manager, reported that since the opening on August 30, 2014, until April 23 there has been 124 events on the books; and 42 have taken place, and the comments and feedbacks have been very positive. She noted the report that had been provided breaks down the events in more details. She discussed a new software system that they will be utilizing that will provide information very quickly once implemented. She discussed a new marketing tool of a virtual tour video and a drone aerial video that will be available to the public. Mr. Drury noted the pavilion has only been open for a few months but has accrued over a quarter of a million in revenues and it is on target with the business plan. He commended Ms. Rogers and her staff.

Tab 14) Interlocal Agreement with Lake County re: Distribution of infrastructure Sales Tax

Mr. Drury reviewed the current Interlocal agreement and the formula for distribution to the cities, county and school system. The County will be holding a referendum to agree to the same terms and conditions as the previous agreement (1/3 each based on population). Mr. Drury stated he recommends approving the same agreement in the event that the sales tax passes the referendum if the election is held in November.

Attorney William stated this will be for a 15 year term from 2018 until 2033. The formula for the County and the School Board is set by statute.

MOTION

Lori Pfister moved to approve the Interlocal Agreement with Lake County for the formula of distribution of the proposed infrastructural sales, seconded by Bob Grenier. The motion carried unanimously 4-0.

Tab 16) Authorization to Develop an "Outdoor Adventure Themed" Special Event at Wooton Park

Mr. Tweedie stated this is a request to develop a new themed event which celebrates the spirit of adventure in America's Seaplane City. This proposed event would be built upon the current Monster Splash Fall Fly In and would have the added potential of jeeps, off road vehicles, canoes, kayaks and Oktober Fest elements.

MOTION

Lori Pfister moved to approve the development of an Outdoor Adventure Themed Special Event to host at Wooton Park in the fall, seconded by Bob Grenier. The motion carried unanimously 4-0.

XII. OLD BUSINESS

Councilmember Johnson said she would like an update on the community grant program and money expended. Mr. Drury said staff will provide a report at the next council meeting.

XIII. NEW BUSINESS

Councilmember Johnson commended Mr. Tweedie and his work in economic development. Vice Mayor Grenier also expressed support for Mt. Tweedie.

XIV. AUDIENCE TO BE HEARD

Historical Report:

Betty Burleigh reported that in 1990 Council passed an ordinance requiring two employees on duty at convenience stores from 11 pm to 7 am; it also required that the cash register area be fully visible from the street and that the store had to have a drop safe with security cameras.

Mayor Smith asked Chief Lubins if this was still in effect. Chief Lubins said there are a few new provisions by State law.

XV. REPORTS

Tab 14) City Administrator

Mr. Drury referred to his event list and the events coming up, specifically the Public Works Expo on May16th, and Rifles, Rails and History in September. This evening is the Lake League of Cities annual event.

City Clerk

Economic Development

Human Resources Director

Ms. Tucker noted the Annual Picnic in the Park event will be held May 22nd and she has provided invitations to Council.

Public Works Director

Mr. Thompson thanked the Mayor for the reminder of the Public Works Expo and he hoped everyone could attend.

Finance Director

Ms. Houghton said her department is in the process of updating the on line bill payment process for the customers. In addition they are updating the system of accepting payments from the customers' banks. The bill payment options for the Pavilion are also being improved.

Community Services Director

Tab 15) City Council

Councilmember Pfister

- Thanked Mr. Thompson and Mr. Drury for assisting her in communications with a resident; the resident is very satisfied.
- Thanked Ms. Petroski for doing a spectacular job at the Pavilion.

Vice Mayor Grenier

- Thanked Mr. Thompson and staff for their assistance in the Squibb Park cleanup.

- Last Friday he was at the Tavares Civic Center for the Teen video showcase. This year the Groveland Library was the state winner of the Video Teen Challenge.
- Noted he is supportive of the new signature event being proposed
- This Friday is V.E. Day (Victory in Europe Day 1945)
- There are three military services this month—Memorial Day, Armed Forces Day, and V.E. Day. Noted he has just signed a contract with Arcadia to do a book on Central Florida's World War II Veterans
- Reported on history of Sinclair Avenue. John Sinclair was a wealthy friend of Major Alexander St. Clair Abrams. He was originally from New Hampshire and was part owner in the Orlando Street Railroad Company and a large real estate developer. "Governor" was his middle name and he was a charter member of the Orlando Masonic Lodge.

Councilmember Johnson

- Reminded those present that this Saturday is the collective of the food drive for the mail carriers. She said if everyone would donate one canned item she will give a free smoothie.
- Reminded everyone that Sunday is Mother's Day

Mayor Smith

- Commended Mr. Tweedie, Ms. Farrell and Mr. Rumble on the Seaplane Fly In and noted the historic seaplane the Albatross was present for the first time. He said the pilots and owner were very happy to attend and he hoped they will attend again.
- Commended Mr. Tweedie on his proposed special event
- Noted that on this day in 1733 the first international boxing match was held
- Today is National Nurses Day and National Ride Your Bike to School Day

Adjournment

There was no further business and Mayor Smith adjourned the meeting at 6:09 p.m.

Respectfully submitted,

Nancy A Barnett

Nancy A. Barnett, City Clerk, MMC

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 20, 2015

AGENDA TAB NO. 2

SUBJECT TITLE: Presentation of David W. York Reuse Award

OBJECTIVE:

The Mayor will present the David W. York Reuse Award to the Utilities Director and Utility Department Staff.

SUMMARY:

On May 5th 2015, the City of Tavares Woodlea Water Reclamation Facility was awarded the David W. York Reuse Award for Best Reuse System of the Year within the 1 to < 5 million gallon per day(MGD) category in the entire State of Florida. This award is awarded each year by the Florida Water Environmental Association (FWEA) and is based on best reclaimed water quality, best reuse system, and best in customer service within said category. Projects are evaluated by members of FWEA's (Florida Water Environmental Association) Water Reuse Committee based on environmental quality management, water reuse system, and public education/information aspects of the submittal. This is an annual award to recognize outstanding water reuse projects in Florida. The City of Tavares excelled in all of these categories.

Since the beginning in 2012 of the City's water reuse program, the staff (and support staff) of the WWTP have worked diligently in making advancements and growth with the reclaimed water program. Their hard work and diligence and support of City Council and the community is recognized with this award.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY: Legally sufficient.

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 20, 2015

AGENDA TAB NO. 3

SUBJECT TITLE: Request approval to authorize the Mayor to execute Amendment No. 1 for the State Revolving Fund Loan SW35040 for Downtown CRA Stormwater Improvement Preconstruction Activities.

OBJECTIVE:

Request Council Approval to authorize the Mayor to execute Amendment Number 1 for State Revolving Fund (SRF) Downtown Stormwater Preconstruction Loan No SW350940 from the Florida Department of Environmental Protection (FDEP) to reschedule loan repayments to allow more time for preconstruction activities.

SUMMARY:

As part of the City's Downtown Revitalization initiatives, improvements to the Stormwater System in the CRA are in planned. The total project is estimated at $3,520,000, and the project will be funded with Grants and State Revolving Loan Funds.

Thus far $1,750,000 in grants has been awarded and accepted for this project. The three grants that have been secured and accepted by the City Council for this project are shown below:

1. TMDL Grant from the FDEP in the amount of $750,000
2. 319 FDEP Grant in the amount of $750,000
3. Lake County Water Authority Grant (LCWA) $250,000

On January 15, 2014, the City Council approved Resolution 2014-01 which provided authorization for executing SRF Loan No. SW350940 for Downtown CRA Stormwater Improvement Preconstruction activities. Loan SW35090 was executed by FDEP on March 31, 2014.

This amendment changes the commencement date for the first loan payment. The original loan document provides for loan payments to commence semi-annually on June 15, 2015. This Amendment pushes out the commencement date for semi-annual payments to July 15, 2016. An additional year is provided before loan payments are now required.

OPTIONS:

1. **Move to Approve** Amendment 1 for the State of Florida Department of Environmental Protection Revolving Loan Number SW350940 which extends the loan repayment commencement date from June 15, 2015 to July 15, 2016, and authorize the Mayor to execute the loan amendment documents.

2. **Move to NOT Approve** Amendment 1 for the State of Florida Department of Environmental Protection Revolving Loan Number SW350940 which extends the loan repayment

commencement date from June 15, 2015 to July 15, 2016, and DO NOT authorize the Mayor to execute the loan amendment documents.

STAFF RECOMMENDATION:

1. **Move to Approve** Amendment 1 for the State of Florida Department of Environmental Protection Revolving Loan Number SW350940 which extends the loan repayment commencement date from July 15, 2015 to July 15, 2016, and authorize the Mayor to execute the loan amendment documents.

FISCAL IMPACT:

Debt service requirements for this project were included in a Stormwater Funding Analysis provided by the City's rate consultant, Mike Rocca, of Raftelis & Assoc. Annual Debt Service obligations (**annual** debt service) are scheduled to be $15,576 (including coverage and capitalized interest).

LEGAL SUFFICIENCY: The City Attorney has reviewed the resolution for legal sufficiency.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

MARJORY STONEMAN DOUGLAS BUILDING
3900 COMMONWEALTH BOULEVARD MS 3505
TALLAHASSEE, FLORIDA 32399-3000

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

JONATHAN P. STEVERSON
SECRETARY

April 30, 2015

Mr. Brad Hayes
Director of Utilities
City of Tavares
Post Office Box 1068
Tavares, Florida 32778

Re: SW350940 – Tavares
Stormwater Management

Dear Mr. Hayes:

Attached is a copy of proposed Amendment 1 to the City's State Revolving Fund loan agreement. The amendment provides the City additional time to complete preconstruction activities.

Please have the Mayor sign and seal two copies and return them to us within three weeks at 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida, 32399-3000. We will sign the documents and mail a fully executed original to you. If you have any questions regarding this amendment, please call Sandy Waters at (850) 245-2898.

Sincerely,

Angela Knecht

Angela Knecht, Program Administrator
State Revolving Fund Management

AK/sw

Attachment

cc: Honorable Kirby Smith – City of Tavares
John Drury – City of Tavares
Lori Houghton – City of Tavares
Sharon Simington – Malcolm Pirnie

STATE REVOLVING FUND
AMENDMENT 1 TO LOAN AGREEMENT SW350940
CITY OF TAVARES

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF TAVARES, FLORIDA, existing as a local government agency (Local Government) under the laws of the State of Florida.

WITNESSETH:

WHEREAS, the Department and the Local Government entered into a State Revolving Fund Loan Agreement, Number SW350940 and

WHEREAS, Loan repayment activities need rescheduling to give the Local Government additional time to complete preconstruction activities; and

WHEREAS, revised provisions for audit and monitoring are needed.

NOW, THEREFORE, the parties hereto agree as follows:

1. Subsection 2.03(4) of the Agreement is hereby deleted.

2. Section 8.02 of the Agreement is deleted and replaced as follows:

Books, records, reports, engineering documents, contract documents, and papers shall be available to the authorized representatives of the Department and the U.S. Environmental Protection Agency's Inspector General for inspection at any reasonable time after the Local Government has received a disbursement and until five years after the final amendment date.

3. Unless repayment is further deferred by amendment of the Agreement, Semiannual Loan Payments as set forth in Section 10.05 shall be received by the Department beginning on July 15, 2016, and semiannually thereafter on January 15 and July 15 of each year until all amounts due under the Agreement have been fully paid.

4. The items scheduled under Subsections 10.07 (5), (6), (7), and (8) of the Agreement are rescheduled as follows:

(5) Completion of all Preconstruction Activities for all Project facilities proposed for loan funding no later than January 15, 2016.

(6) Establish the Loan Debt Service Account and begin Monthly Loan Deposits no later than July 15, 2016.

(7) The date for the certification required under Subsection 2.01(10) of the Agreement is hereby revised. The initial annual certification shall be submitted no later than October 15, 2016.

Thereafter, the annual certification shall be submitted no later than September 30 of each year until the final Semiannual Loan Repayment is made.

(8) Unless this Agreement is amended to provide construction financing, the first Semiannual Loan Payment in the amount of $7,788 shall be due January 15, 2017.

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

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

This Amendment 1 to Loan Agreement SW350940 shall be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Program Administrator and the Local Government has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Program Administrator.

for
CITY OF TAVARES

_____
Mayor

Attest:

Approved as to form and legal sufficiency:

_____
City Clerk

_____
City Attorney

SEAL

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

_____
Program Administrator
State Revolving Fund

_____
Date

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 20, 2015

AGENDA TAB NO. 4

SUBJECT TITLE: Authorization to secure funding from the State Revolving Fund Loan and enter into a contract for Construction oversight for Downtown CRA Capital Waste Water Line Improvements SR 19.

OBJECTIVE:

1. To approve Amendment Number 2 for State Revolving Fund (SRF) Downtown CRA Capital Water Line Improvement Loan No. DP350930 from the Florida Department of Environmental Protection (FDEP) in the amount of $139,670 (excluding capitalized interest) with an interest rate of 1.86%.
2. To approve a work order with Arcadias in the amount of $139,670 to cover complete construction oversight , pay application requests, and to oversee the financial requirements of compliance with the Federal Government Davis Bacon Act regarding fair wages.

SUMMARY:

Previously, the City Council entered into contracts with Arcadias to design the sewer line along SR 19 (see attached map) and selected Dallas One to do the work. Staff has negotiated construction oversight services with Arcadias in the amount of $139,670. This contract was submitted to FDEP for Loan approval funding and was subsequently approved by FDEP. Services included complete inspection services, construction over sight to ensure compliance with the plans and specifications, processing construction pay applications and to oversee the financial requirements associated with full compliance of the Federal Government Davis Bacon Act regarding fair wages.

Previously Council secured a loan from SRF in the amount of $8,071,252 for the Downtown CRA utility project. Staff has secured approval from SRF for an amendment to this loan in the amount of $139,670, increasing the loan principal from $8,071,252 to $8,210,922. This project and its associated debt remain consistent with the utility rate study.

OPTIONS:

1. **Approve and Execute SRF Loan DP350930 Amendment No. 2** in the amount of $139,670, increasing the loan principal from $8,071,252 to $8,210,922 (excluding capitalized interest and loan service fees) for construction oversight services for the Waste Water System Improvements in the Downtown CRA along SR 19 and authorize approval of a contract with Arcadias in the amount of $139,670 to do the work.

2. **Do Not Approve the SRF Loan nor the Arcadias contract.**

STAFF RECOMMENDATION:

Option 1: Move to Approve and Execute SRF Loan DP350930 Amendment No. 2 in the amount of $139,670 for construction oversight services for the Waste Water System

Improvements in the Downtown CRA along SR 19 and authorize approval of a contract with Arcadias in the amount of $139,670 to do the work.

FISCAL IMPACT:

Debt service requirements for this project were included in the City's most recent Water, Wastewater, and Reclaim Water Rate Study, and were also included in the affordability analysis provided to the City Council on November 19, 2014.

Semi-annual Debt Service obligations will increase from $186,181 to $188,516 (including coverage and capitalized interest). This change will be reflected in the Next Budget Amendment for FY2015.

LEGAL SUFFICIENCY: The City Attorney has reviewed the resolution for legal sufficiency.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
MARJORY STONEMAN DOUGLAS BUILDING
3900 COMMONWEALTH BOULEVARD MS 3505
TALLAHASSEE, FLORIDA 32399-3000

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

JONATHAN P. STEVERSON.
SECRETARY

April 23, 2015

Mr. Bradley Hayes
Director of Utilities
City of Tavares
2770 Woodlea Road
Tavares, Florida 32778

Re: DW350930 – Tavares
Distribution

Dear Mr. Hayes:

Attached is a copy of proposed Amendment 2 to the City's State Revolving Fund loan agreement. The amendment provides an additional $139,670 for this project.

Please have the appropriate officials sign and seal two copies, and return them to us within three weeks at 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida, 32399-3000. We will sign the documents and mail a fully executed original to you.

If you have any questions, please contact Patty Hatcher at (850) 245-2929.

Sincerely,

Angela Knecht

Angela Knecht, Program Administrator
State Revolving Fund Management

AK/ph

Attachment

cc: Honorable Kirby Smith – City of Tavares
Lori Houghton – City of Tavares
John Drury – City of Tavares

DRINKING WATER STATE REVOLVING FUND
AMENDMENT 2 TO LOAN AGREEMENT DW350930
CITY OF TAVARES

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF TAVARES, FLORIDA, (Project Sponsor) existing as a local government agency under the laws of the State of Florida.

WITNESSETH:

WHEREAS, the Department and the Project Sponsor entered into a Drinking Water State Revolving Fund Loan Agreement, Number DW350930, as amended, authorizing a Loan amount of $8,071,252, excluding Capitalized Interest; and

WHEREAS, the Project Sponsor is entitled to additional financing of $139,670, excluding Capitalized Interest; and

WHEREAS, an interest rate must be established for the additional financing amount awarded in this amendment; and

WHEREAS, a Loan Service Fee must be assessed for the additional financing; and

WHEREAS, the Semiannual Loan Payment amount needs revision to reflect adjustment in the Loan amount; and

WHEREAS, the Project costs need adjustment to reflect revised estimates; and

WHEREAS, revised provisions for audit and monitoring along with related changes to the Project schedule are needed.

NOW, THEREFORE, the parties hereto agree as follows:

1. Subsection 2.03(1) of the Agreement, as amended, is deleted and replaced as follows:

The Project Sponsor agrees to the following audit and monitoring requirements.

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

State Resources Awarded to the Project Sponsor Pursuant to this Agreement Consist of the Following:					
State Program Number	Funding Source	CSFA Number	CSFA Title or Fund Source Description	Funding Amount	State Appropriation Category
Original Agreement	Drinking Water Revolving Loan TF	37.076	Drinking Water Facility Construction	$8,210,922	140129

2. Additional financing in the amount of $139,670, excluding Capitalized Interest, is hereby awarded to the Project Sponsor.

3. An interest rate of 1.86 percent per annum is established for the additional financing amount awarded in this amendment; however, if this amendment is not executed by the Project Sponsor and returned to the Department before July 1, 2015, the interest rate may be adjusted.

4. The estimated principal amount of the Loan is hereby revised to $8,267,559, which consists of $8,210,922 authorized for disbursement to the Project Sponsor and $56,637 of Capitalized Interest. This total consists of the following:

(a) Original Agreement of $7,097,467, including $7,040,830 authorized for disbursement to the Project Sponsor and $56,637 of Capitalized Interest, at an interest rate of 2.00 percent per annum; and

(b) Amendment 1 of $1,030,422, authorized for disbursement to the Project Sponsor and $0 of Capitalized Interest, at an interest rate of 2.29 percent per annum; and

(c) Amendment 2 of $139,670, authorized for disbursement to the Project Sponsor and $0 of Capitalized Interest, at an interest rate of 1.86 percent per annum.

5. An additional Loan Service Fee in the amount of $2,793, for a total of $164,218, is hereby assessed. The fee represents two percent of the Loan amount excluding Capitalized Interest; that is, two percent of $8,210,922. Estimated Loan Service Fee capitalized interest for the fee amount assessed to date is $3,670.

6. The Semiannual Loan Payment amount is hereby revised and shall be in the amount of $188,516. Such payments shall be received by the Department on October 15, 2015 and semiannually thereafter on April 15 and October 15 of each year until all amounts due hereunder have been fully paid. Until this Agreement is further amended, each Semiannual Loan Payment will be proportionally applied, after deduction of the Loan Service Fee is complete, toward repayment of the amounts owed on each incremental Loan amount at the date such payment is due.

The Semiannual Loan Payment amount is based on the total amount owed of $8,435,447, which consists of the Loan principal plus the Loan Service Fee with its capitalized interest (if any).

7. The Project Sponsor and the Department acknowledge that the actual cost of the Project has not been determined. Project cost adjustments may be made as a result of mutually agreed upon Project changes. Capitalized Interest will be recalculated based on actual dates and amounts of Loan disbursements. If the Project Sponsor receives other governmental financial assistance for this Project, the costs funded by such other governmental assistance will not be financed by this Loan. The Department shall establish the final Project costs after its final inspection of the Project records. Changes in Project costs may also occur as a result of the Project Sponsor's Project audit or a Department audit.

Funds disbursed in accordance with Section 4.08 of this Agreement shall be disbursed in the order in which they have been obligated without respect to budgetary line item estimates. All disbursements shall be made from the original Loan amount until that amount has been disbursed; the interest rate established for the original Loan amount shall apply to such disbursements for the purpose of determining the associated Capitalized Interest and repayment amount. The interest rate established for any additional increment of Loan financing shall be used to determine the Capitalized Interest and repayment amount associated with the funds disbursed from that increment.

The estimated Project costs are revised as follows:

CATEGORY	COST($)
Administrative Allowance	42,880
Engineering Allowance	457,384
Construction and Demolition	6,846,625
Contingencies	299,993
Technical Services After Bid Opening	564,040
SUBTOTAL (Disbursable Amount)	8,210,922
Capitalized Interest	56,637
TOTAL (Loan Principal Amount)	8,267,559

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

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This Amendment 2 to Loan Agreement DW350930 shall be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

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

for

CITY OF TAVARES

_____

Mayor

Attest:

Approved as to form and legal sufficiency:

_____

City Clerk

_____

City Attorney

SEAL

for

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

_____

Program Administrator
State Revolving Fund Management

_____

Date

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 20, 2015

AGENDA TAB NO. 5

SUBJECT TITLE: Authorization to secure funding from the State Revolving Fund Loan and enter into a contract for Construction oversight for Downtown CRA Capital Water Line Improvements Lake Dora Drive.

OBJECTIVE:

1. To approve Amendment Number 3 for State Revolving Fund (SRF) Downtown CRA Capital Water Line Improvement Loan No. DP350900 from the Florida Department of Environmental Protection (FDEP) in the amount of $139,670 (excluding capitalized interest) with an interest rate of 1.67%.
2. To approve a work order with Arcadias in the amount of $139,670 to cover complete construction oversight , pay application requests, and to oversee the financial requirements of compliance with the Federal Government Davis Bacon Act regarding fair wages.

SUMMARY:

Previously, the City Council entered into contracts with Arcadias to design the water line along Lake Dora Drive to Dora Drive up to Caroline Street (see attached map) and selected Dallas One to do the work. Staff has negotiated construction oversight services with Arcadias in the amount of $139,670. This contract was submitted to FDEP for Loan approval funding and was subsequently approved by FDEP. Services included complete inspection services, construction over sight to ensure compliance with the plans and specifications, processing construction pay applications and to oversee the financial requirements associated with full compliance of the Federal Government Davis Bacon Act regarding fair wages.

Previously Council secured a loan and amended it twice from SRF with a balance amount of $6,603,990 for the Downtown CRA utility project. Staff has secured approval from SRF for a third amendment to this loan in the amount of $139,670, increasing the loan principal from $6,603,900 to $6,743,660. This project and its associated debt remain consistent with the utility rate study.

OPTIONS:

1. **Approve and Execute SRF Loan DP350900 Amendment No. 3** in the amount of $139,670, increasing the loan principal from $6,603,900 to $6,743,660 (excluding capitalized interest and loan service fees) for construction oversight services for the Water System Improvements in the Downtown CRA along Lake Dora, up Dora to Caroline Street and authorize approval of a contract with Arcadias in the amount of $139,670 to do the work.

2. **Do Not Approve the SRF Loan nor the Arcadias contract.**

STAFF RECOMMENDATION:

Option 1: Move to Approve and Execute SRF Loan DP350900 Amendment No. 3 in the amount of $139,670, increasing the loan principal from $6,603,900 to $6,743,660 (excluding capitalized interest and loan service fees) for construction oversight services for the Water System Improvements in the Downtown CRA along Lake Dora, up Dora to Caroline Street and authorize approval of a contract with Arcadias in the amount of $139,670 to do the work.

FISCAL IMPACT:

Debt service requirements for this project were included in the City's most recent Water, Wastewater, and Reclaim Water Rate Study, and were also included in the affordability analysis provided to the City Council on November 19, 2014.

Semi-annual Debt Service obligations will increase from $145,191 to $148,201 (including coverage and capitalized interest). This change will be reflected in the Next Budget Amendment for FY2015.

LEGAL SUFFICIENCY: The City Attorney has reviewed the resolution for legal sufficiency.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD MS 3505
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

JONATHAN P. STEVERSON
SECRETARY

March 17, 2015

Mr. Bradley Hayes
Director of Utilities
City of Tavares
2770 Woodlea Road
Tavares, Florida 32778

Re: DP350900 – Tavares
Major Sewer Rehabilitation

Dear Mr. Hayes:

Attached is a copy of proposed Amendment 3 to the City's State Revolving Fund loan agreement. The amendment provides an additional $139,670 for this project.

Please have the appropriate officials sign and seal two copies and return them to us within three weeks at 2600 Blair Stone Road, Mail Station 3505, Tallahassee, Florida, 32399-2400. We will sign the documents and mail a fully executed original to you. If you have any questions regarding this amendment, please call Justin Johnson at (850) 245-8381.

Sincerely,

Angela Knecht, Program Administrator
State Revolving Fund Management

AK/jj

Attachment

cc: Thomas Bryant – Black and Veatch
Lori Houghton – City of Tavares
Alexis Stewart – ARCADIS-US

AMENDMENT 3 TO LOAN AGREEMENT DP350900
CITY OF TAVARES

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF TAVARES, FLORIDA, (the "Local Government") existing as a local governmental agency under the laws of the State of Florida.

WITNESSETH:

WHEREAS, the Department and the Local Government entered into a Clean Water State Revolving Fund Loan Agreement, Number DP350900, as amended, authorizing a Loan amount of $6,603,990, excluding Capitalized Interest; and

WHEREAS, the Local Government is entitled to additional financing of $139,670, excluding Capitalized Interest; and

WHEREAS, revised provisions for audit and monitoring are needed; and

WHEREAS, a Financing Rate must be established for the additional financing amount awarded in this amendment; and

WHEREAS, a Loan Service Fee must be estimated for the additional financing; and

WHEREAS, the Semiannual Loan Payment amount needs revision to reflect an adjustment in the Loan amount; and

WHEREAS, the Project costs need adjustment to reflect revised estimates.

NOW, THEREFORE, the parties hereto agree as follows:

1. Subsection 2.03(1) of the Agreement is deleted and replaced as follows:

The Local Government agrees to the following audit and monitoring requirements.

Funds provided under this Agreement have been identified as second-tier monies under the Federal Clean Water Act which are identified as state funds whose use is federally protected.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

State Resources Awarded to the Local Government Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:					
State Program Number	Funding Source	CSFA Number	CSFA Title or Fund Source Description	Funding Amount	State Appropriation Category
Original Agreement	Wastewater Treatment and Stormwater Management TF	37.077	Wastewater Treatment Facility Construction	$6,743,660	140131

2. Additional financing in the amount of $139,670, excluding Capitalized Interest, is hereby awarded to the Local Government.

3. A Financing Rate of 1.67 percent per annum is established for the additional financing amount awarded in this amendment. Individually, the interest rate is 0.835 percent per annum and the Grant Allocation Assessment rate is 0.835 percent per annum. However, if this amendment is not executed by the Local Government and returned to the Department before April 1, 2015, the Financing Rate may be adjusted.

4. The estimated principal amount of the Loan is hereby revised to $6,829,260, which consists of $6,743,660 authorized for disbursement to the Local Government and $85,600 of Capitalized Interest. This total consists of the following:

(a) Original Agreement of $5,506,500, including $5,427,500 authorized for disbursement to the Local Government and $79,000 of Capitalized Interest, at a Financing Rate of 1.62 percent per annum (the interest rate is 0.810 percent per annum and the Grant Allocation Assessment rate is 0.810 percent per annum); and

(b) Amendment 1 of $504,800, including $500,000 authorized for disbursement to the Local Government and $4,800 of Capitalized Interest, at a Financing Rate of 2.06 percent per annum (the interest rate is 1.030 percent per annum and the Grant Allocation Assessment rate is 1.030 percent per annum); and

(c) Amendment 2 of $678,290, including $676,490 authorized for disbursement to the Local Government and $1,800 of Capitalized Interest, at a Financing Rate of 1.86 percent per annum (the interest rate is 0.930 percent per annum and the Grant Allocation Assessment rate is 0.930 percent per annum); and

(d) Amendment 3 of $139,670, including $139,670 authorized for disbursement to the Local Government and $0 of Capitalized Interest, at a Financing Rate of 1.67 percent per annum (the interest rate is 0.835 percent per annum and the Grant Allocation Assessment rate is 0.835 percent per annum).

5. An additional Loan Service Fee in the amount of $2,793, for a total of $134,873, is hereby estimated. The fee represents two percent of the Loan amount excluding Capitalized Interest, that is, two percent of $6,743,660.

6. The Semiannual Loan Payment amount, adjusted to account for repayments received to date, is hereby revised and shall be in the amount of $148,201. Such payments shall be paid to, and must be received by the Department beginning on October 15, 2015 and semiannually thereafter on April 15 and October 15 of each year until all amounts due hereunder have been fully paid. Until this Agreement is further amended, each Semiannual Loan Payment will be proportionally applied toward repayment of the amounts owed on each incremental Loan amount at the date such payment is due.

The Semiannual Loan Payment amount is based on the total amount owed of $6,964,133, which consists of the Loan principal plus the estimated Loan Service Fee.

7. The Local Government and the Department acknowledge that the actual Project costs have not been determined as of the effective date of this agreement. Project cost adjustments may be made as a result of construction bidding or Project changes agreed upon by the Department. Capitalized Interest will be recalculated based on actual dates and amounts of Loan disbursements. If the Local Government receives other governmental financial assistance for this Project, the costs funded by such other governmental assistance will not be financed by this Loan. The Department shall establish the final Project costs after its final inspection of the Project records. Changes in Project costs may also occur as a result of the Local Government's Project audit or a Department audit.

Funds disbursed in accordance with Section 4.08 of this Agreement shall be disbursed in the order in which they have been obligated without respect to budgetary line item estimates. All disbursements shall be made from the original Loan amount until that amount has been disbursed; the Financing Rate established for the original Loan amount shall apply to such disbursements for the purpose of determining the associated Capitalized Interest and repayment amount. The Financing Rate established for any additional increment of Loan financing shall be used to determine the Capitalized Interest and repayment amount associated with the funds disbursed from that increment.

The estimated Project costs are revised as follows:

CATEGORY	COST($)
Allowance costs	$438,680
Construction and Demolition	$5,565,290
Contingencies	$226,765
Technical Services After Bid Opening	$512,925
SUBTOTAL (Disbursable Amount)	6,743,660
Capitalized Interest	85,600
TOTAL (Loan Principal Amount)	6,829,260

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

This Amendment 3 to Loan Agreement DP350900 shall be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this Agreement to be executed on its behalf by the Program Administrator and the Local Government has caused this Agreement to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this Agreement shall be as set forth below by the Program Administrator.

for
CITY OF TAVARES

_____
Mayor

Attest:

Approved as to form and
legal sufficiency:

_____
City Clerk

_____
City Attorney

SEAL

APPROVED AND ACCEPTED BY THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION.

_____
Program Administrator
State Revolving Fund

_____
Date

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 20, 2015

AGENDA TAB NO: 6

SUBJECT TITLE: Approval of Proposal for City to host the 2015 HydroCross Tour World Finals Qualifier Event

OBJECTIVE:

To have City Council approve the attached Agreement for the City to host the World Finals Qualifier Event for the 2015 HydroCross Tour on June 13-14, 2015.

SUMMARY:

Staff has been approached to determine the interest of the City in hosting the Finals Qualifier of the 2015 HydroCross Racing Tour jet ski event in June 2015..

The event is expected to attract an estimated thousand people including spectators, participants, crews and families. These people will visit the Tavares community for approximately three days and stay in area hotels, eat in local restaurants and shop in our area venues.

The cost to host the event is $5,000. City cash expenses will not exceed $2,500 with a $2,500 sponsorship being provided by the Lake County Tourist Development Council.

City expenses are available in the FY 2015 CRA-TIF budget and County matching funds have been approved by the County.

Staff is requesting that Council approve the attached Agreement for the City to host the 2015 HydroCross Tour World Finals Qualifier Event

OPTIONS:

1. To approve the attached Agreement for the City to host the 2015 HydroCross Tour World Finals Qualifier Event.

2. To not approve the attached Agreement for the City to host the 2015 HydroCross Tour World Finals Qualifier Event.

STAFF RECOMMENDATION:

Staff recommends that the Council moves to approve the attached Agreement for the City to host the 2015 HydroCross Tour World Finals Qualifier Event with the $2,500 City funds already being available in the FY2015 CRA-TIF fund budget.

FISCAL IMPACT:

The estimated City out-of-pocket expenditures of $2,500 will be covered by FY 2015 CRA-TIF revenues.

LEGAL CONSIDERATIONS:

The City Attorney has reviewed and approved the attached Agreements.

H2X Racing
3547 53rd Ave W. #221
Bradenton, FL 34210
(850) 376-5495

June 13-14, 2015 World Finals Qualifier Event

Content

I. Introduction

II. Event Services

III. Schedule of Events and Tour Schedule

IV. Hydro-X Tour Information

V. Responsibilities of Host Site

VI. Comments & Suggestions

I. Introduction

The IJSBA was established in order to promote and stage the exciting, action-sport of personal watercraft racing. Mike Young, Director of the HydroX Tour has been producing personal waterfcraft racing, ski shows, hydrodrags, and Freestyle Moto-X events for over 25 years all across the country and beyond. This IJSBA sanctioned watercross tour is the top racing circuit in Southeastern United States. Our events are recognized and sanctioned by the International Jet Sports Boating Association, of Halfmoon Bay, CA, and they are also recognized as World Finals Qualifiers for the IJSBA World Finals in Lake Havasu City, AZ…this event is in its 34th year! The IJSBA has members in over 45 countries!

II. HydroX Tour Information

Our Annual tour attracts several thousand people per the weekend of the event including spectators, participants, crew, and families. As a result the local economy benefits with economic impact of dollars spent at hotels, restaurants, gas stations, and other local businesses. We have a very large demographic of participants including children as young as ten years old and adults in their sixty's, which is why the City of

Tavares would benefit greatly by once again, hosting a HydroX World Finals Qualifier in 2015, building upon the seed we planted seven years ago.

III. Services Provided by H2X Racing Promotions

1.) Provide a two day, on-the-water racing events, professionally run and specifically designed to entertain an audience for six to seven hours each day.
2.) Provide all necessary equipment for the event.
3.) Provide $1,000,000.00 aggregate insurance policy.
4.) Provide Cash and Prizes for prize purse and oversee the distribution of the purse to event participants.
5.) Provide a minimum of 10 qualified officials to run each event.
6.) Provide safety patrol boats for official use.
7.) Pre-Race promotions and mail outs to entice participation.
8.) Prepare all the necessary insurance and official IJSBA paperwork.
9.) Provide all rules regulations for event and the administering of those rules.
10.) Enforce adherence to safety and insurance requirements which include but are not limited to: signing of waivers by all participants and crew members, the enforcement of safety equipment.
11.) Follow a pre-approved racing schedule, which has been tentatively set.
12.) Provide all necessary Permits for this event.
13.) The Tavares event in April will be titled "The Surf and Turf Championships", presented by the City of Tavares and Lake County"
14.) The HydroX Tour is responsible either by direct survey of the event participants or other means of verifying overnight lodging stays of the participating members. This information shall be provided to the City no later than September 7th, 2015. Final payment of host fee will be withheld until verified overnight lodging stay information is submitted.

H2X Racing Promotions is entitled to all series promotional, sponsorship, and merchandising dollars, as well as, the rider entry fees.

H2X Racing Promotions will agree to honor all event sponsorship commitments regarding signage, booth space, and other commitments that the host site makes pertaining the watercraft event, while the host site agrees to honor all series booth space, signage, and sponsorship commitments made by H2X Racing Promotions.

IV. Schedule of Events

Friday

9am-5pm	Event set up
6pm-8pm	Late registration/rider check-in
9pm-???	Welcome Party

Saturday

8am-9am	Late registration/rider check-in

9am	Mandatory Riders Meeting for all competitors
10am-12pm	HydroX Practice (One turn on each side)
12pm-1pm	Blowsion Flat Water Freestyle Qualifying/Lunch
1pm-5pm	All HydroX Classes Qualifying to Top 4 in each Class

Sunday

10am	Riders Meeting
10:30am-12pm	IJSBA Slalom Competition
12pm-1pm	Flatwater Freestyle Competition/Lunch
1pm-4:30pm	All HydroX Racing Finals
4:30pm	Awards Ceremony
5pm-8pm	Event Load Out

2015 H2X Promotions Events

Feb 7	**Bradenton, FL**	**Bradenton Regatta**
April 4-5	**Tavares, FL**	**WFQ Florida**
June 13-14	**Tavares, FL**	**WFQ Regional**
July 17-19	**Warsaw, Poland**	**European Championships**
August 15-16	**Bergen, Norway**	**Nordic Championship**
Nov 7/Nov 8	**Tavares, FL**	**HydroDrag World Finals**

V. Responsibilities of Host Site

1.) Provide a $5,000 bid fee to Mike Young DBA H2X Racing Promotions for costs associated with producing the event such as insurance, sanctioning fees, payroll, and supplies. A deposit of $2,500 will be due on May 13th to secure insurance for the June event and the balance of $2,500 due on June 14th upon receipt of verified overnight lodging stay information provided by H2X Racing Promotions as required.
2.) Provide fencing for pit area.
3.) Provide shelter area for scoring.
4.) Provide Fire and Police (Water)
5.) Provide 4 port a jons
6.) Provide 50 cinder blocks from Prop Shop
7.) Provide 10 trash cans
8.) Provide 2 sets of bleachers

VI. Comments and Suggestions

These are suggestions we recommend that City of Tavares do prior to the event:
- Radio spots of the event through local tourism commission
- Notify local news stations and news papers of the event

H2X Racing Promotions

Mike Young, Managing Director H2X Racing

5/13/15
Date

City of Tavares

John Drury, City of Tavares

Date

AGENDA SUMMARY
TAVARES CITY COUNCIL
MAY 20, 2015

AGENDA TAB NO. 7 **FIRST READING**
SUBJECT TITLE: Ordinance 2015-11
Amendment to Economic Incentives in LDRs
Impact Fee Waiver for Large Commercial Seaplane Enterprises

OBJECTIVE:

To amend the City's Land Development Regulations pertaining to economic development whereby impact fee waivers, deferrals or reductions will hereby be considered for large seaplane commercial enterprises.

SUMMARY:

In 2011, City Council adopted Ordinance 2011-05 that added a new "Community Economic Development Initiatives" chapter to the city's Land Development Regulations.
This new chapter provided for a number of economic incentives to attract new development to the city. One of these incentives was the waiver of impact fees. The city successfully pioneered and utilized this incentive by waiving impact fees for several years and by incrementally reinstating these fees to full cost. A residual, general and non-specific statement remains in the regulation that authorizes City Council to waive impact fees on a case by case basis.

When the city first implemented the Community Economic Development Initiatives Program, Tavares was actively competing with other cities for a large, seaplane manufacturer that desired to relocate their manufacturing operation from California to Florida. The general, case by case waiver was inserted into the regulation to specifically incentivize this company and others that might follow.

Although ultimately this seaplane manufacturer decided not to relocate, Tavares, as "America's Seaplane City" would realize unsurpassed economic benefits and recognition if a large commercial seaplane enterprise were to locate in our city. To target and specify the general impact fee waiver incentive, this proposed ordinance specifies that this incentive is applicable to a large seaplane commercial enterprise that is subject to Capital Charges (Impact Fees) in excess of 25 ERUs or which employs 25 or more full time employees.

OPTIONS:

No Council action required at First Reading

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2015-11

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

This ordinance has been approved for legal sufficiency.

ORDINANCE 2015-11

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 23 , DIVISION 3, SECTION 23-14, IMPACT FEE WAIVERS; PROVIDING THAT CITY IMPACT FEE WAIVERS MAY BE GRANTED AS AN ECONOMIC DEVELOPMENT INCENTIVE ONLY FOR LARGE COMMERCIAL SEAPLANE ENTERPRISES; DEFINING "LARGE SEAPLANE COMMERCIAL ENTERPRISES"; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Tavares' Land Development Regulations, Chapter 23, Division 3, Section 23-14 presently allows City Council to waive or defer city impact fees from time to time as an economic development incentive, but does not provide any standards for when impact fee waivers will be granted; and

WHEREAS, the City of Tavares desires to specify the industries and conditions that City Council deems appropriate for the waiver or deferral of impact fees; and

WHEREAS, the City of Tavares is branded "America's Seaplane City"; and

WHEREAS, ***large commercial seaplane enterprises*** would uniquely support the city's brand; and

WHEREAS, a large commercial seaplane enterprise would economically benefit the city and positively propel the city's brand as "America's Seaplane City" and

WHEREAS, the City of Tavares has determined these changes are appropriate and in the best interest of the community; therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:

Section 1. Text Amendment to the Land Development Regulations

That the City of Tavares Land Development Regulations be hereby amended as follows:

DIVISION 3
IMPACT FEE WAIVERS

Sec. 23-14. Impact Fee Waivers.

~~All impact fees that would normally be due under the terms of Chapter 6 of the City of Tavares Code of Ordinances and under the terms of Section 17-39 of the City's Land Development Regulations shall be waived for building permits issued from January 1, 2010 through June 30, 2013.~~

~~After January 1, 2013, City Council, as an economic development incentive, may from time to time authorize the waiver, deferral or reduction of impact fees due under the terms of Chapter 6 of the City of Tavares Code of Ordinances and under the terms of Section 17-39 of the City's Land Development Regulations.~~

City Council, as an economic development incentive, may from time to time authorize the waiver, deferral or reduction of city impact fees due under the terms of Chapter 6 of the City of Tavares Code of Ordinances and under the terms of Section 17.39 of the City's Land Development Regulations for the development of a large seaplane commercial enterprise . For purposes of this Ordinance, a "large seaplane commercial enterprise" shall mean:

(a) a commercial or industrial enterprise engaged in the sale, manufacture, production, assembly, marketing or passenger service of or for seaplanes, or their components, which either:

(i) is subject to Capital Charges (Impact Fees) in excess of 25 ERUs as defined under Section 17-36 of the Land Development Regulations, or which

(ii) employees twenty-five (25) or more full time employees at its Tavares location as part of its commercial enterprise.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Effective Date

This Ordinance shall take effect immediately upon its final adoption by the Tavares City Council.

PASSED AND ADOPTED this _____ day of _____, 2015 by the City Council of the City of Tavares, Florida.

_____
Kirby Smith, Mayor
Tavares City Council

First Reading: _____

Second Reading: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

AGENDA SUMMARY
TAVARES CITY COUNCIL
MAY 20, 2015

AGENDA TAB NO. 8 **SECOND READING**
SUBJECT TITLE: Ordinance 2015-09
Amendment to LDR Regulations to allow the keeping of chickens within the RSF-A, RSF-1 and RMF-2 Zoning Districts

OBJECTIVE:

To amend Chapter 8, Table 8-2 of the City's Land Development Regulations to allow the keeping of backyard chickens (no roosters) as a permitted accessory use to a single family use in the RSF-A, RSF-1 and RMF-2 zoning districts.

SUMMARY:

On April 15, City Council requested staff to draft a proposed amendment to the city's code to allow the keeping of chickens.

Staff created the attached draft ordinance that mirrors Lake County's regulations for backyard chickens. The County allows the keeping of chickens in residential zonings that allow single family dwellings. They are not allowed in mobile home districts or residential/professional districts (equivalent to our mixed use zoning). The proposed ordinance would allow the keeping of chickens in the RSF-A, RSF-1 and RMF-2 zonings which matches the County's permitted zonings.

The general conditions or regulations of the proposed ordinance are identical to the County's. These address quantity, health, nuisance and setback issues. Many municipalities in Florida have passed similar ordinances.

OPTIONS:

1. That City Council moves to approve Ordinance 2015-09.
2. That City Council moves to deny Ordinance 2015-09.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2015-09

FISCAL IMPACT:

None

LEGAL SUFFICIENCY:

This ordinance has been approved for legal sufficiency.

ORDINANCE 2015-09

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 3, ENTITLED "DEFINITIONS" TO CREATE A DEFINITION FOR A CHICKEN COOP; AMENDING THE AGRICULTURAL LAND USES ALLOWED UNDER CHAPTER 8, TABLE 8-2, PERMITTED AND SPECIAL USES, BY ALLOWING THE KEEPING OF CHICKENS AS A PERMITTED ACCESSORY USE TO A SINGLE FAMILY DWELLING UNDER CERTAIN CONDITIONS WITHIN THE RFS-A, RSF-1 and RMF-2 ZONING DISTRICTS; ADDING NOTE 31 TO TABLE 8-2 THAT PROVIDES THE CONDITIONS AND REGULATIONS TO BE APPLIED TO THE KEEPING OF BACKYARD CHICKENS; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 7, 2005, the City of Tavares adopted the Land Development Regulations, specifying therein permitted and special uses allowed within established zoning districts; and

WHEREAS, the City of Tavares desires to adopt regulations pertaining to the keeping of chickens in Residential Districts as an allowed accessory use to a Single Family Dwelling use; and

WHEREAS, the City of Tavares desires to "mirror" the regulations adopted and enforced by Lake County to provide consistency between properties within the city and abutting properties located in Lake County; and

WHEREAS, the City of Tavares has determined these changes are appropriate and in the best interest of the community; therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:

That the City of Tavares Land Development Regulations be hereby amended as follows:

Section 1. Chicken Coop Defined

Chapter 3-2, Definitions, is amended by adding the following definition:

Chicken Coop: is a structure where hens are kept.

Section 2. Amendment to Table 8-2, Permitted and Special Uses with Associated Notes

Adding "Keeping of Backyard Chickens" as a permitted use in the RSF-A, RSF-1 and RMF-2 subject to Note (31) and adding Note (31).

TABLE 8-2 PERMITTED AND SPECIAL USES (30)

LAND USE	ZONING												
	RSF-A	RSF-1	RMF-2	RMF-3	RMH-P	RMH-S	PD	MU	CD	C-1	C-2	I	PFD
AGRICULTURE													
Citrus Groves	P	P	P	P	P	P		P	P	P	P	P	
Wholesale plant production, wholesale nurseries, and greenhouses.												P	
Boarding and keeping of horses and cattle	P (7)												
Keeping of Backyard Chickens	P (31)	P(31)	P(31)										

NOTES: Table 8-2 Permitted and Special Uses

Note 31: The Keeping of Backyard Chickens, other than roosters, are allowed for personal use as an accessory use to a Single Family Dwelling use within the RSF-A, RSF-1 and RMF-2 zoning districts subject to the following regulations:

A. Any person keeping, harboring, raising or maintaining chickens as an accessory to an occupied dwelling unit shall be subject to the following restrictions:

1. No more than five (5) chickens may be kept;
2. Slaughtering of chickens is prohibited;
3. Chickens must be secured within the chicken coop or fenced enclosure at all times;
4. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with rodents or other pests shall be kept in a rodent and pest-proof container;
5. No manure shall be allowed to accumulate on the floor of the coop or ground. A fly-tight bin for storage of manure shall be utilized; the size shall be sufficient to contain all accumulations of manure. The fly-tight bin shall be kept at least twenty (20) feet away from all property lines; and
6. Composting of chicken manure shall be allowed in an enclosed bin. The composting bin shall be kept at least twenty (20) feet away from all property lines.

B. Chicken coop or fenced enclosure used to house chickens. Any chicken coop or fenced enclosure used to house chickens shall:

1. Not be located in the front or side yards; and
2. Be set back a minimum of twenty (20) feet from all property lines.

Section 3. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 4. Effective Date

This Ordinance shall take effect immediately upon its final adoption by the Tavares City Council.

PASSED AND ADOPTED this _____ day of _____, 2015 by the City Council of the City of Tavares, Florida.

_____
Kirby Smith, Mayor
Tavares City Council

First Reading: _____

Second Reading: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

Print This Page

Publication: Orlando Sentinel; Date: May 10, 2015; Section: Lake Sentinel; Page: JA11

Legal Notices

Fictitious Name

NOTICE UNDER FICTITIOUS NAME

TO WHOM IT MAY CONCERN: Notice is hereby given that the undersigned pursuant to the "Fictitious Name Statute", Chapter 865.09, Florida Statutes, will register with the Division of Corporations, Department of State, State of Florida upon receipt of this notice. the fictitious name, to-wit:

Bruster's Real Ice Cream

under which (I am) (we are) engaged in business at 2450 E Hwy 50 Clermont, FL 34711 That the (party) (parties) interested in said business enterprise is as follows:

Sweet Tusks Holdings LLC

Dated at Clermont, Lake County , Florida, 05/07/2015

LAK3275933 5/10/15

Public Hearing Notices

CITY OF TAVARES

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider Ordinance 2015-09, Second Reading, on May 20, 2015 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

ORDINANCE 2015-09

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 3, ENTITLED "DEFINITIONS" TO CREATE A DEFINITION FOR A CHICKEN COOP; AMENDING THE AGRICULTURAL LAND USES ALLOWED UNDER CHAPTER 8, TABLE 8-2, PERMITTED AND SPECIAL USES, BY ALLOWING THE KEEPING OF CHICKENS AS A PERMITTED ACCESSORY USE TO A SINGLE FAMILY DWELLING UNDER CERTAIN CONDITIONS WITHIN THE RFS-A, RSF-1 and RMF-2 ZONING DISTRICTS; ADDING NOTE 31 TO TABLE 8-2 THAT PROVIDES THE CONDITIONS AND REGULATIONS TO BE APPLIED TO THE KEEPING OF BACKYARD CHICKENS; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

The Ordinance may be inspected by the public at the Office of the City Clerk, at the Tavares City Hall, 201 E. Main Street, Tavares, Florida, between the hours of 8 a.m. and 5 p.m. on business days. All interested parties may appear at the meeting and be heard or submit their comments prior to the meeting.

LAK3257843 5/10/2015

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
MAY 20, 2015

TAB NO. 9 **SECOND READING**

SUBJECT TITLE: Ordinance 2015-06
Rezoning of approximately 4 acres of property located along the north side of Caroline Street from Residential Multi-family (RMF-2) to Mixed Use (MU) (City Initiated)

OBJECTIVE:

To consider a rezoning of a combined total of approximately 4 acres of land generally located along the north side of Caroline Street east of Alfred Street to St. Clair Abrams Ave from Residential Multi-family to Mixed Use.

SUMMARY:

Ordinance 2015-06 proposes a rezoning from Residential Multi-family to Mixed Use for a group of properties at the following addresses and parcel alternate key numbers:

Alt Key	Property Addresses
1685893	403 NORTH JOANNA AVE
1685907	404 NORTH JOANNA AVE
1685851	405 NORTH TEXAS AVE
1768951	405 NORTH NEW HAMPSHIRE AVE
1768926	406 NORTH TEXAS AVE
1376190	103 EAST CAROLINE ST
1686580	203 EAST CAROLINE ST
1686598	403 ST CLAIR ABRAMS AVE
1686547	109 EAST CAROLINE ST
1686539	413 NORTH ROCKINGHAM AVE
1497523	409 NORTH BARROW AVE
2508141	411 NORTH BARROW AVE
3250621	422 WEST CAROLINE ST
1769094	111 CAROLINE ST

The subject properties consist of a total of less than 4 acres in size. The properties are mostly developed with single family homes with the exception of two properties which are vacant. There are multiple independent owners. The City's adopted Downtown Master Plan identifies the Alfred/Caroline Street corridor as the Downtown Transition Mixed Use Neighborhood. With the completion of the one-way pairing of Alfred Street and Caroline Street the time is now appropriate to rezone these remaining properties to Mixed Use. Council has directed staff to bring forth an administrative rezoning of these properties.

The Mixed Use zoning district allows single family uses, multi-family uses as well as certain low intensity commercial uses. Any commercial use would require an approved site plan demonstrating compliance with all applicable Land Development Regulations. The Tavares Historic District, the Downtown Parking Exemption District and the Community Redevelopment Area overlays much of this zoning district. Five of these properties, located between New Hampshire and Texas, already bear a Mixed Use Commercial Land Use designation, making the existing residential zoning inconsistent with the Future Land Use.

The Community Development Department mailed over 80 letters to area residents notifying them of this rezoning and future land use amendment action. Subject property owners received two letters to ensure that they were notified of the rezoning. Included with this report is an example of the notification letters that were mailed.

OPTIONS

1. That City Council moves to approve Ordinance 2015-06.
2. That City Council denies the proposed rezoning.

PLANNING AND ZONING BOARD RECOMMENDATION:

On April 16th, the Planning and Zoning Board voted 3-2 to recommend approval of Ordinance 2015-06.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2015-06.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

Attachment A

	RMF-2	MU
AGRICULTURE		
Citrus Groves	P	P
Wholesale plant production, wholesale nurseries, and greenhouses.		
Boarding and keeping of horses and cattle		
RESIDENTIAL		
Single-family Dwelling	P	P
Two-family Dwellings, Duplexes	P(23)	P(23)
Townhomes	P (24)	P (24)
Multiple-family Dwelling (3 or more attached dwelling units)		P(25)
Manufactured/Mobile Home Dwellings		
Travel Trailer and Motor Home Dwellings		
Ancillary Apartments		P(2)
Guest Apartments	P (3)	P
Boarding and Rooming Houses	P (21)	P (21)
Group Home / Community Residential Home (max. 6 residents)	P (5)	S (5)
Group Home / Community Residential Home (7 or more residents)	S (6)	S (6)
Nursing Home		P
Adult Congregate Living Facilities		P (26)
Adult Activity Center	P(27)	P
PUBLIC/SEMIPUBLIC, INSTITUTIONAL		
Public and Private Schools (Elementary through High School)	S	S
Community Colleges, Colleges or Universities or College annexes		
Libraries		S
Community Centers	S	S
Community Shelters	S	S
Government Facility		
Churches and other places of Worship, with attendant educational and recreational facilities	S	S
Hospitals		
Medical Clinics and Emergency Treatments Centers		
Medical Care Facility, outpatient only		
RECREATIONAL, CULTURAL AND CIVIC USES		
Community recreation buildings, utility buildings, recreation facilities or areas for use of subdivision or park residents.	S	
Community Boat Docks and Boat Houses	S	
Private docks and Boathouses	P (10)	
Private Clubs and Lodges, Community Centers, Civic and Social Organization facilities		P (11)
Parks, play grounds, recreational areas and recreational or community		

structures owned and maintained by any private non-profit or for-profit association		
Public Parks, Play grounds and Recreation Areas		
General Cultural Uses		P (11)
Auditoriums, stadiums, arenas, and expositions		
Health or Fitness uses		P (11)
Family / General Entertainment uses		
BUSINESS AND COMMERCIAL USES		
Business and Professional office uses		P (11)
Banks and Financial Institutions		
Grocery Stores		
Convenience Store (not including gas/fuel sales)		S (11)
Convenience Store (including gas/fuel sales)		
Retail, General Business, or Personal Service		P (11)
Retail, General Business, or Personal Service > 50K sq ft. – single use		
Personal Service or Specialty Shop with light retail		P (11)
Retail plant nursery		
Medical/Dental/Optical Supplies Stores		
Medical and Dental/Optical Laboratories		
Restaurant / Food Service / Food Retail		P (11) (20)
Bar-Beer and Wine		
Bar		
Adult Entertainment Establishments		
Child Care Centers	P (8)	S (9)
Business and Technical Trade Schools		
Vocational and Industrial Trade Schools		
Animal hospital, veterinary clinic or animal boarding with boarding of animals in completely enclosed buildings.		S
Pet Stores that may include retail, grooming services, and boarding of domestic animals		
Laundromats/Dry Cleaning (self service)		S (11)
Laundry/Dry Cleaners without drive-through pickup (no on-site processing, not self service)		S (11)
Laundry/Dry Cleaners with drive-through pick-up (no on-site processing, not self service)		
Laundry/Dry Cleaners with on-site processing		
Automobile/Truck, boat, motorcycle, recreational vehicles sales & rental		
Automobile/Truck Parts Sales		
Automobile/Truck/Motorcycle/Boat repair & service		
Car Wash		
INDUSTRIAL USES		
Manufacturing, fabricating, processing, packaging, storage, and sales / distribution uses		
Mini-warehouse, personal storage facilities (climate controlled, internal entrance only)		
Retail accessory establishments (only for the sale of goods manufactured on site)		
Wholesale Stores		
Research Laboratory		

Radio and Television stations and transmitters, but no radio or television tower		
Wrecking Yards (including automotive vehicle wrecking yards) and junk yards		
Truck Stop		
Mobile home sales yards		
Fuel storage yards, coal, coke or wood yards.		
PUBLIC UTILITY USES		
Refuse Transfer Stations		
Sewage Treatment Facilities, local		
Water withdrawal operations, local		
Gas and water metering stations		
Wireless Communications Towers, Antennas and Equipment Facilities		
LODGING		
Hotel, Motel and Motor Court accommodations		
Bed and Breakfast Accommodations	S (19)	P (19)
Tourist Resort		
MISCELLANEOUS		
Home Owners Association/Park Business Office	P	
Community Storage Areas for use of subdivision and park residents for storage of boats, boat trailers and recreation vehicles.	S	
Public parking lots and parking garages, either rental or free parking.		
Transportation terminals including bus stations, railroad stations or other mass transit systems		
Airports and heliports		
Funeral Homes		
Cemeteries and mausoleums		

Example Notification Letter to Area Residents

THE CITY OF TAVARES

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2015-06 and Ordinance 2015-07 titled as follows:

ORDINANCE 2015-06

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING A COMBINED TOTAL OF APPROXIMATELY 4 ACRES OF PROPERTY GENERALLY LOCATED ALONG THE NORTH SIDE OF CAROLINE STREET; FROM RESIDENTIAL MULTI-FAMILY (RMF-2) TO MIXED USE (MU); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2015-07

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON A COMBINED TOTAL OF APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED ALONG THE NORTH SIDE OF CAROLINE STREET FROM ALFRED STREET TO ST. CLAIR ABRAMS AVENUE; FROM MEDIUM DENSITY TO MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FORTRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2015-06 and Ordinance 2015-07 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on April 16, 2015, at 3 p.m.; and
2. Tavares City Council meeting on May 6, 2015, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on May 20, 2015, at 4 p.m. (Second Reading, Adoption Hearing)

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

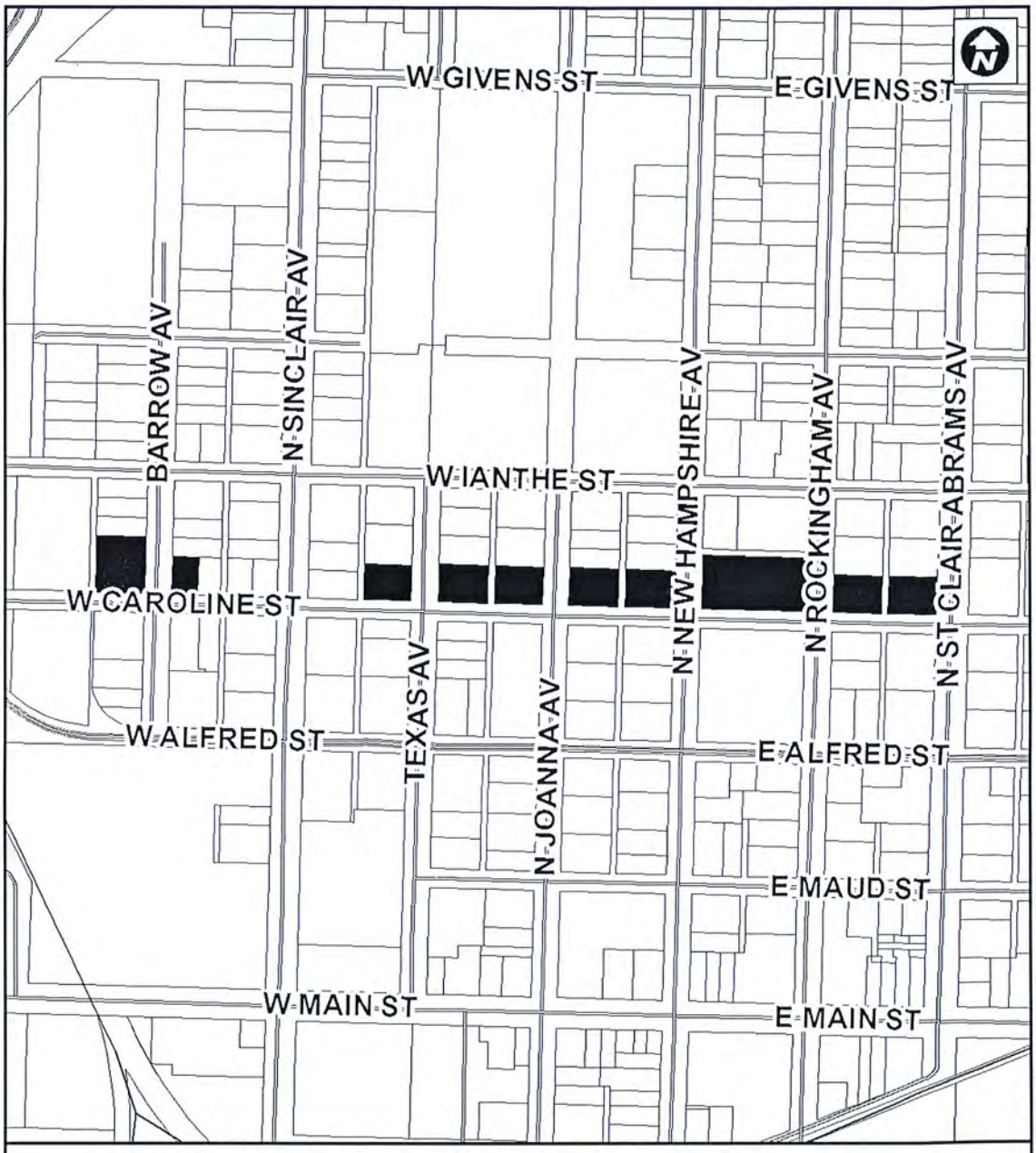
Proposed Ordinance 2015-06 and Ordinance 2015-07 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404.

CITY OF TAVARES



PROPERTY LOCATION MAP

Subject Properties

TAVARES
America's Seaplane City

Created By: City of Tavares GIS T:\pzd\DATA\PROJECT FILES\Downtown Mixed Use Caroline Street Rezoning: Rezone - PZ2014-26\Caroline_AD.mxd Map Created on 3/26/15

ORDINANCE 2015-06

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING A COMBINED TOTAL OF APPROXIMATELY 4 ACRES OF PROPERTY GENERALLY LOCATED ALONG THE NORTH SIDE OF CAROLINE STREET; FROM RESIDENTIAL MULTI-FAMILY (RMF-2) TO MIXED USE (MU); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tavares is initiating a rezoning of the properties identified in Exhibit A from Residential Multi-family to Mixed Use; and

WHEREAS, the city's Downtown Master Plan encourages live/work buildings and low density residential uses consistent with the Mixed Use zoning designation in the Downtown Transition Mixed-Use Neighborhood area; and

WHEREAS, the City of Tavares has advertised in accordance with Florida State 166.041 for two public hearings, as is its option, prior to adoption of this ordinance; and

WHEREAS, the City of Tavares held these duly noticed public hearings before the Planning and Zoning Board and the City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed amended zoning; and

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and

WHEREAS, the City is concurrently processing an amendment to the City's Comprehensive Plan to re-designate the property from Medium Density to Mixed Use Commercial on the Future Land Use Map 2020; and

WHEREAS, the City Council finds this amendment in compliance with the City of Tavares' Land Development Regulations, the City's adopted Downtown Master Plan and the proposed amended Comprehensive Plan; now therefore

BE IT ORDAINED by the City Council of the City of Tavares, Florida, as follows:

Section 1. Rezoning

The said properties, as legally defined in Exhibit "A", attached hereto and made a part herewith, are hereby rezoned from Residential Multi-Family (RMF-2) to Mixed Use (MU), under the specific provisions as established by the City of Tavares Land Development Regulations.

Section 2. Severability.

Upon a determination by a court of competent jurisdiction that a portion of this ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect.

Section 3. Effective Date.

This ordinance shall take effect immediately upon its final adoption by the Tavares City Council.

PASSED AND ORDAINED this _____ of _____, 2015, by the City Council of the City of Tavares, Florida.

_____
Kirby Smith, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

_____
Nancy Barnett, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
Robert Q. Williams, City Attorney

EXHIBIT A

TAVARES LOTS M, N, BLK 27 PB 1 PG 64 ORB 2266 PG 1730 (Alternate Key 1685893

TAVARES LOTS E, F BLK 28 PB 1 PG 64 ORB 2676 PG 535(Alternate Key 1685907)

TAVARES S 45 FT OF LOT M, LOT N, BLK 26 PB 1 PG 64 ORB 1410 PG 11, ORB 1533 PG 1555 (Alternate Key 1685851)

TAVARES, LOTS M, N BLK 28 PB 1 PG 64 ORB 3276 PG 937 (Alternate Key 1768951)

TAVARES LOTS E, F, BLK 27 PB 1 PG 64 ORB 2205 PG 2196(Alternate Key 1768926)

TAVARES, ST CLAIR-ABRAMS SUBDIVISION LOTS E, F BLK 111 PB 4 PG 22 ORB 3852 PG 14 (Alternate Key 1376190)

TAVARES, ST CLAIR-ABRAMS SUBDIVISION LOTS E, F BLK 112 PB 4 PG 22 ORB 4293 PG 2063 (Alternate Key 1686580)

TAVARES, ST CLAIR-ABRAMS SUBDIVISION LOTS M, N BLK 112 PB 4 PG 22 ORB 3031 PG 823 (Alternate Key 1686598)

TAVARES, ST CLAIR-ABRAMS SUBDIVISION LOT D BLK 111 PB 4 PG 22 ORB 1478 PG 675 (Alternate Key 1686547)

TAVARES, ST CLAIR-ABRAMS SUBDIVISION LOTS A, B BLK 111 PB 4 PG 22ORB 2222 PG 363 (Alternate Key 1686539)

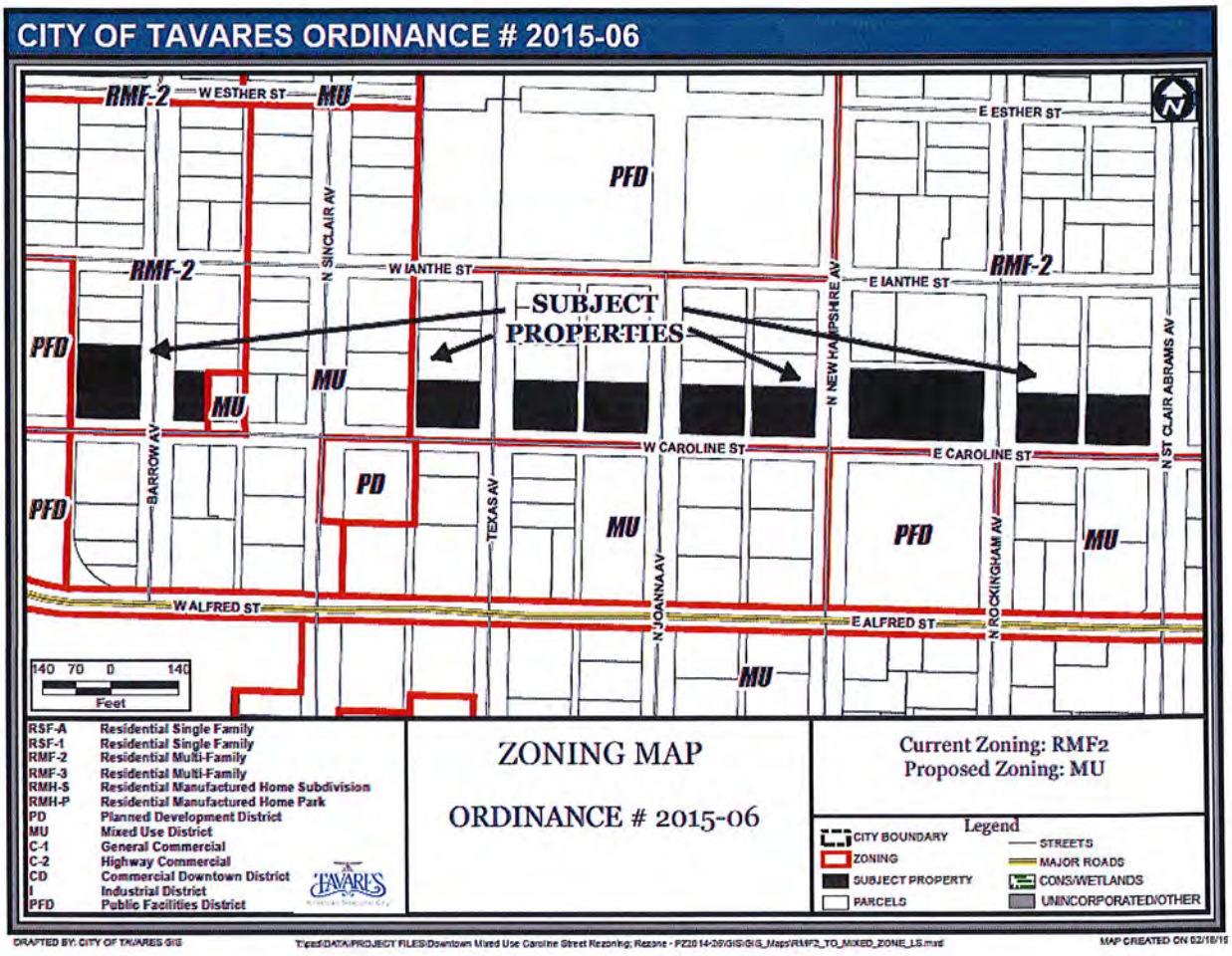
TAVARES S 95 FT OF E 130 FT OF BLK 48 PB 1 PG 64 ORB 4532 PG 2317 (Alternate Key 1497523)

TAVARES, N 55 FT OF S 150 FT OF E 130 FT OF BLK 48 PB 1 PG 64 ORB 4564 PG 2495 (Alternate Key 2508141)

TAVARES, ST CLAIR-ABRAMS SUBDIVISION LOT C BLK 111 PB 4 PG 22 ORB 4069 PG 2120 (Alternate Key 1769094)

TAVARES, W 70 FT OF LOTS E & F BLK 37 PB 1 PG 64 ORB 3141 PG 308 (Alternate Key 3250621)

Map of Area


CITY OF TAVARES ORDINANCE # 2015-06
RMF-2
W ESTHER ST
MU
E ESTHER ST
PFD
N SINCLAIR AV
W IANTHE ST
E IANTHE ST
RMF-2
SUBJECT PROPERTIES
N NEW HAMPSHIRE AV
N ST CLAIR ABRAMS AV
MU
W CAROLINE ST
E CAROLINE ST
BARROW AV
PD
TEXAS AV
N JOANNA AV
N ROCKINGHAM AV
W ALFRED ST
E ALFRED ST
140 70 0 140
Feet
RSF-A Residential Single Family
RSF-1 Residential Single Family
RMF-2 Residential Multi-Family
RMF-3 Residential Multi-Family
RMH-S Residential Manufactured Home Subdivision
RMH-P Residential Manufactured Home Park
PD Planned Development District
MU Mixed Use District
C-1 General Commercial
C-2 Highway Commercial
CD Commercial Downtown District
I Industrial District
PFD Public Facilities District
ZONING MAP
ORDINANCE # 2015-06
Current Zoning: RMF2
Proposed Zoning: MU
Legend
CITY BOUNDARY
ZONING
SUBJECT PROPERTY
PARCELS
STREETS
MAJOR ROADS
CONS/WETLANDS
UNINCORPORATED/OTHER
DRAFTED BY: CITY OF TAVARES GIS
MAP CREATED ON 02/18/15

Orlando Sentinel
Publication Date: 04/06/2015
This E-Sheet(R) is provided as conclusive evidence that the ad appeared in The Orlando Sentinel on the date and page indicated. You may not create derivative works, or in any way exploit or repurpose any content.

Ad Number: 3167451-1
Insertion Number:
Size: 3 x 10.5
Color Type: B&W

Client Name:
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E004/LAK
Description: ff/ORD-15-06-and 07

THE ARTS IN LAKE

Clermont offers smorgasbord of youth art, culture events

By Debbie Manis
Staff Writer

The Clermont Downtown Partnership will sponsor the "Clermont Youth Art & Culture Fest" from 9 a.m. to 2 p.m. May 9 in downtown.

The event will feature vendors, exhibits, demonstrations and workshops for youth from preschool to high school.

Some of the arts will include painting, photography, sculpture, crafts and performing arts.

There also will be entertainment and ethnic food concessions.

The annual sidewalk chalk-art contest also will be held. The contest is divided into age groups: 6 to 10, 11 to 14, 15 to 18 and 19 and older. There may be only one lead artist and one supporting artist. Judging will be based on first impression, creativity, originality and use of color.

Cash prizes of $100 per category will be awarded in each age group among three winners. The winning artwork will be displayed at City Hall for the month following the contest.

Participants will receive a box of pastel chalk and a 38-by-50-inch sidewalk space covered with paper on which they can draw their works. Chalk distribution will be 8:30 to 10 a.m., while supplies last.

Registration is free and begins at 8 a.m. at Seventh and West Montrose streets. Space is limited. Pre-registration is suggested.

The competition begins at 8:30 a.m. and judging will be at noon. Winners will be announced at 2 p.m. Space is limited. Pre-registration is suggested.

Vendors and sponsorships also are needed. The deadline is April 22.

Chalk-art contest, sponsorship or vendor applications may be downloaded at clermontdowntownpartnership.com.

For more information, send email to Ron Smart at info@clermontdowntownpartnership.com or call 352-394-3392.

'Mama Won't Fly'

Outside the Box Productions will present the Jessie Jones, Nicholas Hope and Jamie Wooten comedy "Mama Won't Fly," which opens Friday at the Franklin Pearce Jr. Auditorium, 17401 Sixth St., Montverde.

Mama needs to go to her son's wedding across the country but she won't fly, so she and her daughter are forced to take a road trip accompanied by a surprise guest — the bride-to-be.

The play centers on the misadventures of the three women, who have only four days to get to California for the wedding, including the theft of their car.

The show runs through April 26.

Performances are at 8 p.m. Fridays and Saturdays and 2 p.m. Sundays.

Tickets are $10 for adults and $5 for children and students.

For more information, call 321-663-2608.

'Vegas in the '60s'

The Kiwanis Club of Lady Lake will present "Vegas in the '60s" from 5 to 9:30 p.m. Saturday at the Savannah Center, 1545 Buena Vista Blvd. in The Villages.

The event will include dinner, casino games and a silent auction.

Proceeds will benefit the Lady Lake Unit of the Boys & Girls Clubs of Lake and Sumter Counties.

Tickets are $75 and available by visiting thevillagesentertainment.com and click on "buy tickets" or call 352-753-5258.

Musical shows

■ Magna Campana, a community based hand-bell ensemble, will perform a concert at 4 p.m. Sunday at St Paul's Catholic Church, 1330 Sunshine Ave., Leesburg.

The concert will include music from the movie "Titanic," "America the Beautiful," a Scott Joplin rag and Irish favorite "Londonderry Air." The hand-bell group from St. Timothy Catholic Church also will perform several tunes with Magna Campana.

The concert is free and open to the public. A free-will offering will be taken.

■ Tenor Mark Schmidt will present the "Best of Broadway and Songs You Love" at 3 p.m. Sunday at Leesburg High School auditorium, 1401 Yellow Jacket Way.

He will perform songs from "Phantom of the Opera," "Les Miserables," "South Pacific," "Carousel," "Camelot," "Man of La Mancha" and "Jekyll and Hyde."

Schmidt has been performing in musical theater since he 12. He has a master's degree in vocal performance and literature from Binghamton University. Schmidt has taught music in high schools and colleges for 27 years and has performed in operas and musical theater nationwide and Switzerland and Italy.

Tickets are $20 for adults and $10 for students in kindergarten through college (with identification) and available online at festivalentertainment.com.

Tickets are also available by calling the box office at 352-530-7941 between 9:30 a.m. and 5 p.m. today through Saturday.

Orlando Sentinel, 1108 E. Burleigh Blvd., Tavares, FL 32778, 352-742-5932 or dmanis@tribune.com

THE CITY OF TAVARES
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Resolution 2015-06 titled as follows:

RESOLUTION 2015-06

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING A SPECIAL USE PERMIT TO ALLOW A FUNERAL HOME IN THE GENERAL COMMERCIAL ZONING DISTRICT FOR PROPERTY ADDRESSED AS 1350 E. BURLEIGH BOULEVARD; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE

Proposed Resolution 2015-06 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on April 16, 2015, at 3 p.m., and
2. Tavares City Council meeting on May 6, 2015, at 4 p.m.

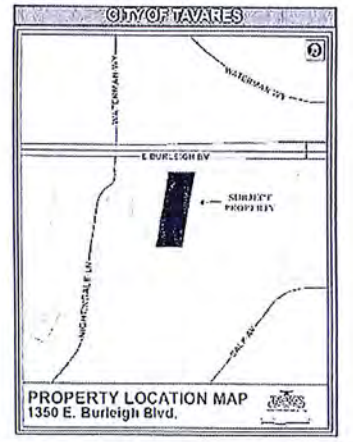
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Resolution 2015-06 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and be heard with respect to the proposed resolution. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404.



THE CITY OF TAVARES
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2015-06 and Ordinance 2015-07 titled as follows:

ORDINANCE 2015-06

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING A COMBINED TOTAL OF APPROXIMATELY 4 ACRES OF PROPERTY GENERALLY LOCATED ALONG THE NORTH SIDE OF CAROLINE STREET; FROM RESIDENTIAL MULTI-FAMILY (RMF-2) TO MIXED USE (MU); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2015-07

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON A COMBINED TOTAL OF APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED ALONG THE NORTH SIDE OF CAROLINE STREET FROM ALFRED STREET TO ST. CLAIR ABRAMS AVENUE; FROM MEDIUM DENSITY TO MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2015-06 and Ordinance 2015-07 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on April 16, 2015 at 3 p.m., and
2. Tavares City Council meeting on May 6, 2015, at 4 p.m (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on May 20, 2015, at 4 p.m (Second Reading, Adoption Hearing)

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2015-06 and Ordinance 2015-07 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director at 742-6404.

The ~~applicant desires to renovate the existing, vacant, commercial building located on the site for this purpose. Embalming or cremation will not be performed at this location. Also, the applicant's business plan does not provide for large formal services or funeral processions.~~

~~This proposed use is compatible with the commercial/medical uses presently existing in this general area of the city. The building has recently been connected to city utilities. Staff will review the present site configuration to insure compliance with applicable land development regulations prior to the issuance of any development permits.~~

~~Mr. Skip Knopke, the project applicant, introduced himself and offered to answer any questions from the board.~~

~~In response to a question regarding parking, Mike Fitzgerald conveyed that there will be thirty spaces provided.~~

~~There was discussion about the nature and frequency of funeral services.~~

~~MOTION~~

~~Mr. Haynes made a moved to recommend approval of Ordinance 2015-05. Mr. Norb seconded the~~ motion. The motion passed 5-0.

1) **Ordinance 2015-06 – Caroline Street Rezoning**

Jacques Skutt, Community Development Director provided the following staff report;

Ordinance 2015-06 proposes a rezoning from Residential Multi-family to Mixed Use for a group of properties at the following addresses and parcel alternate key numbers:

Alt Key	Property Addresses
1685893	403 NORTH JOANNA AVE
1685907	404 NORTH JOANNA AVE
1685851	405 NORTH TEXAS AVE
1768951	405 NORTH NEW HAMPSHIRE AVE
1768926	406 NORTH TEXAS AVE
1376190	103 EAST CAROLINE ST
1686580	203 EAST CAROLINE ST
1686598	403 ST CLAIR ABRAMS AVE
1686547	109 EAST CAROLINE ST
1686539	413 NORTH ROCKINGHAM AVE
1497523	409 NORTH BARROW AVE
2508141	411 NORTH BARROW AVE
3250621	422 WEST CAROLINE ST
1769094	111 CAROLINE ST

The subject properties consist of a total of less than 4 acres in size. The properties are mostly developed with single family homes with the exception of two properties which are vacant. There are multiple independent owners. The City's adopted Downtown Master Plan identifies this area of the community as the Downtown Transition Mixed Use Neighborhood. It anticipated that the reconfiguration of Alfred Street and Caroline Street would create increased

interest in low intensity commercial uses of property as it has. Council has also identified this interest on the part of property owners and directed staff to pursue the administrative rezoning of these properties to address this interest.

The existing single family uses of the properties along Caroline Street will continue to be permitted. This change will only serve to provide property owners with additional commercial use options should they choose to pursue them.

During the public portion of the meeting, resident of an adjacent property, Ms. June Sheppard communicated that she had spoked to Jacques Skutt about the rezoning yet however she still had some concerns. She asked if a convenience store would be permitted and she expressed concern for parking.

In reponse to this question, Mr. Skutt explained that all new development would be required to adhere to the City's Architectural Standards and provide 50% of the standard parking. He also explained the a convenience store use would require a Special Use Permit application.

A resident of a subject property, Mr. Kevin Moore, asked about the significance of the Historic District overlay.

Mr. Skutt explained that this overlay district would not be disrupted by the rezoning.

There was discussion about the process undertaken proceeding the meeting, the City Council's direction to staff to pursue the administrative rezoning and the parking required within the mixed use zoning district.

MOTION

Mr. Osborn made a moved to recommend approval of Ordinance 2015-06. Mr. Santoro seconded the motion. The motion passed 3-2.

1) Ordinance 2015-07 – Caroline Street Future Land Use Amendment

Jacques Skutt, Community Development Director provided the following staff report;

Ordinance 2015-07 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan as recommended in the Downtown Master Plan.

The combined area of the subject property is approximately 2 acres in size and includes the following addresses and parcel alternate key numbers:

Alt Key	Property Addresses
1376190	103 EAST CAROLINE ST
1686580	203 EAST CAROLINE ST
1686598	403 ST CLAIR ABRAMS AVE
1686547	109 EAST CAROLINE ST
1686539	413 NORTH ROCKINGHAM AVE
1497523	409 NORTH BARROW AVE
2508141	411 NORTH BARROW AVE
1769094	111 CAROLINE ST

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
MAY 20, 2015

TAB NO. 10 **SECOND READING**

SUBJECT TITLE: **Ordinance 2015-07**
Small Scale FLUM Amendment along the north side of Caroline Street from Medium Density (MED) to Mixed Use Commercial (MUC)

OBJECTIVE:

To consider a Future Land Use Map amendment of a combined total of approximately 2 acres of land generally located along the north side of Caroline Street from Alfred Street to St. Clair Abrams Avenue Medium Density Residential (MED) to Mixed Use Commercial (MUC).

SUMMARY:

Ordinance 2015-07 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan as recommended in the Downtown Master Plan.

The combined area of the subject property is approximately 2 acres in size and includes the following addresses and parcel alternate key numbers:

Alt Key	Property Addresses
1376190	103 EAST CAROLINE ST
1686580	203 EAST CAROLINE ST
1686598	403 ST CLAIR ABRAMS AVE
1686547	109 EAST CAROLINE ST
1686539	413 NORTH ROCKINGHAM AVE
1497523	409 NORTH BARROW AVE
2508141	411 NORTH BARROW AVE
1769094	111 CAROLINE ST
3250621	422 WEST CAROLINE ST

There are multiple independent owners of these properties. The property owners have been contacted prior to this City initiated action in an effort to promote communication and understanding of the City's vision for this important corridor and the benefits of this action for both the individual owner and the City at large.

This ordinance would amend the current Future Land Use Designation from Medium Density to Mixed Use Commercial. An ordinance to rezone these properties to Mixed Use is concurrently under review.

Future Land Use Amendment/Compatibility

These properties are located just north of the city's downtown core and within the City's Community Redevelopment Area. The City's adopted Downtown Master Plan recommends that these properties be re-designated as mixed use in order to accommodate the areas trend toward live/work buildings and residential structures.

Site Conditions

All of the parcels are developed with single family homes with the exception of two properties which are vacant. The adjacent street, Caroline Street, is part of a newly reconfigured one-way pair of streets which serves a single directional traffic movement. The redesign also included the widening of sidewalks and provision of on-street parking and traffic calming devices such as increased landscaping intended to encourage pedestrian activity.

Impact on City Services

All of the parcels are currently served with municipal water and sewer. The City has recently completed a major infrastructure improvement to the potable water distribution and wastewater collection system in order to reliably serve the growing demands of the downtown. The improvements included the replacement of approximately 77,450 linear feet of water main and 54,950 linear feet of sanitary sewer (gravity and force mains) within the CRA that encompassed approximately 60,000 linear feet of roadway.

The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. It is anticipated that this amendment will not implicate any significant increase on Levels of Service.

FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Mixed Use Commercial Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.

2. Impacts of future development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

OPTIONS

1. That City Council moves to approve Ordinance 2015-06.
2. That City Council denies the proposed Future Land Use amendment.

PLANNING AND ZONING BOARD RECOMMENDATION:

On April 16th, the Planning and Zoning Board voted 3-2 to recommend approval of Ordinance 2015-07.

STAFF RECOMMENDATION:

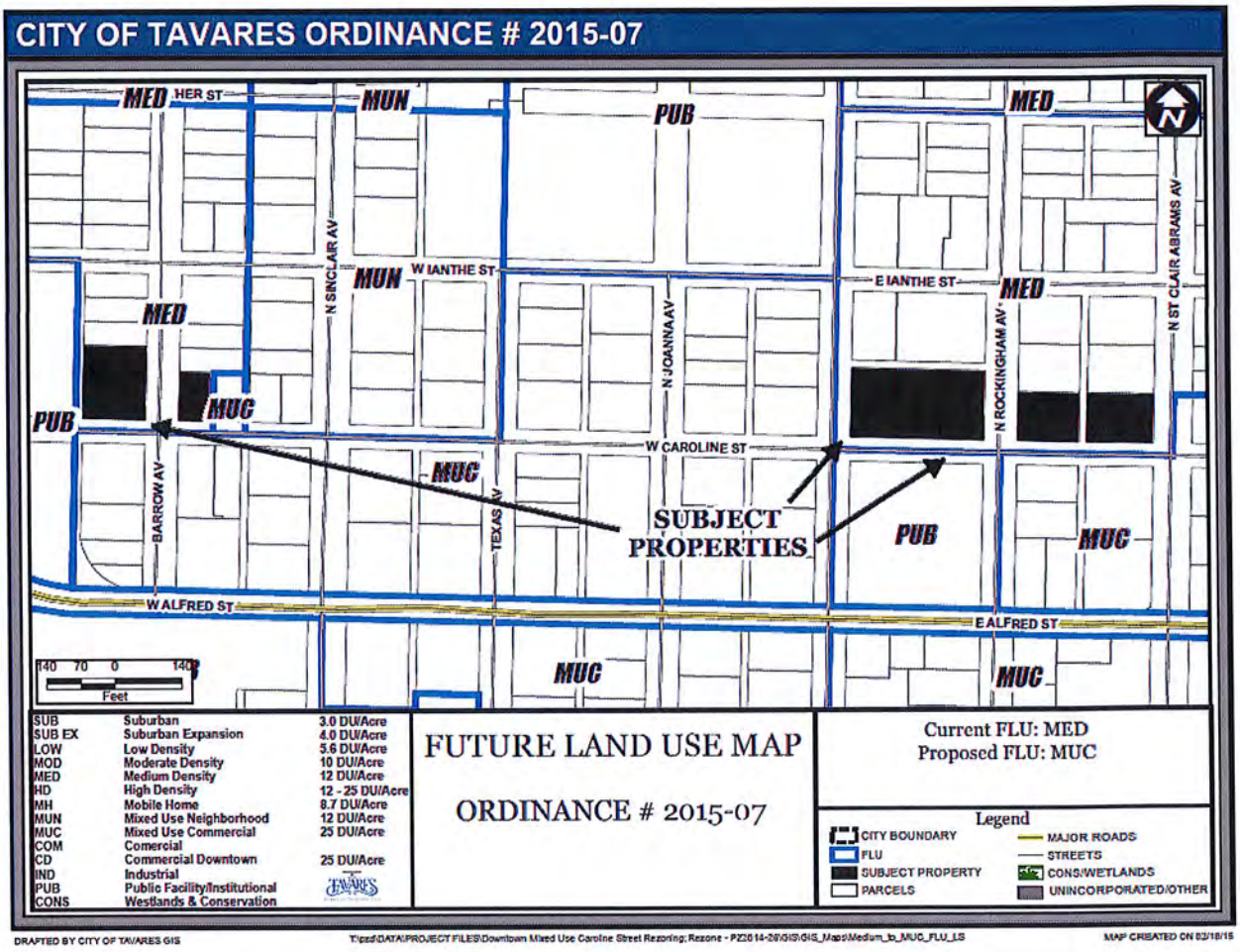
Staff recommends that City Council moves to approve Ordinance 2015-07.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.



ORDINANCE 2015-07

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON A COMBINED TOTAL OF APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED ALONG THE NORTH SIDE OF CAROLINE STREET FROM ALFRED STREET TO ST. CLAIR ABRAMS AVENUE; FROM MEDIUM DENSITY TO MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FORTRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tavares is initiating an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of the properties identified in exhibit A from Medium Density Residential to Mixed Use Commercial; and

WHEREAS, the properties affected consist of less than 2 acres which constitutes a small scale future land use amendment according to Florida Statute 163.3187; and

WHEREAS, the City of Tavares has advertised in accordance with Florida State 166.041for two public hearings, as is its option, prior to adoption of this ordinance; and

WHEREAS, the City has held such public hearings and the records of the City provide that the owners of the land affected have been notified as required by law; and

WHEREAS, the City desires to encourage live/work buildings, low intensity commercial and residential uses around the downtown core of the City; and

WHEREAS, the Mixed Use Commercial designation facilitates these preferred uses; and

WHEREAS, a Mixed Use Commercial designation is compatible with surrounding future land use designations; and

WHEREAS, the City of Tavares Planning and Zoning Board, Local Planning Agency, and City Council held duly noticed public hearings providing opportunity for individuals to hear and be heard regarding the adoption of the proposed map amendment; and

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and

WHEREAS, the City Council finds this amendment in compliance with Chapter 163, Florida Statutes, and the City of Tavares Comprehensive Plan; and

WHEREAS, adoption of this amendment is in the best interest of the health, safety, and general welfare of the citizens of Tavares;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Tavares, Florida as follows:

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map 2020 of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Medium Density Residential to Mixed Use Commercial on certain real properties as legally described in Exhibit "A". All provisions of the Comprehensive Plan shall hereby apply to said property.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Economic Opportunity, and Lake County Growth Management Office and any other governmental agency in the state of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this Ordinance as specified in the State Land Planning Agency's procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after adoption. If timely challenged, this amendment shall become effective on

the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED this _____day of _____, 2015 by the City Council of the City of Tavares, Florida.

_____
Kirby Smith, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

EXHIBIT A

TAVARES, ST CLAIR-ABRAMS SUBDIVISION LOTS E, F BLK 111 PB 4 PG 22 ORB 3852 PG 14 (Alternate Key 1376190)

TAVARES, ST CLAIR-ABRAMS SUBDIVISION LOTS E, F BLK 112 PB 4 PG 22 ORB 4293 PG 2063 (Alternate Key 1686580)

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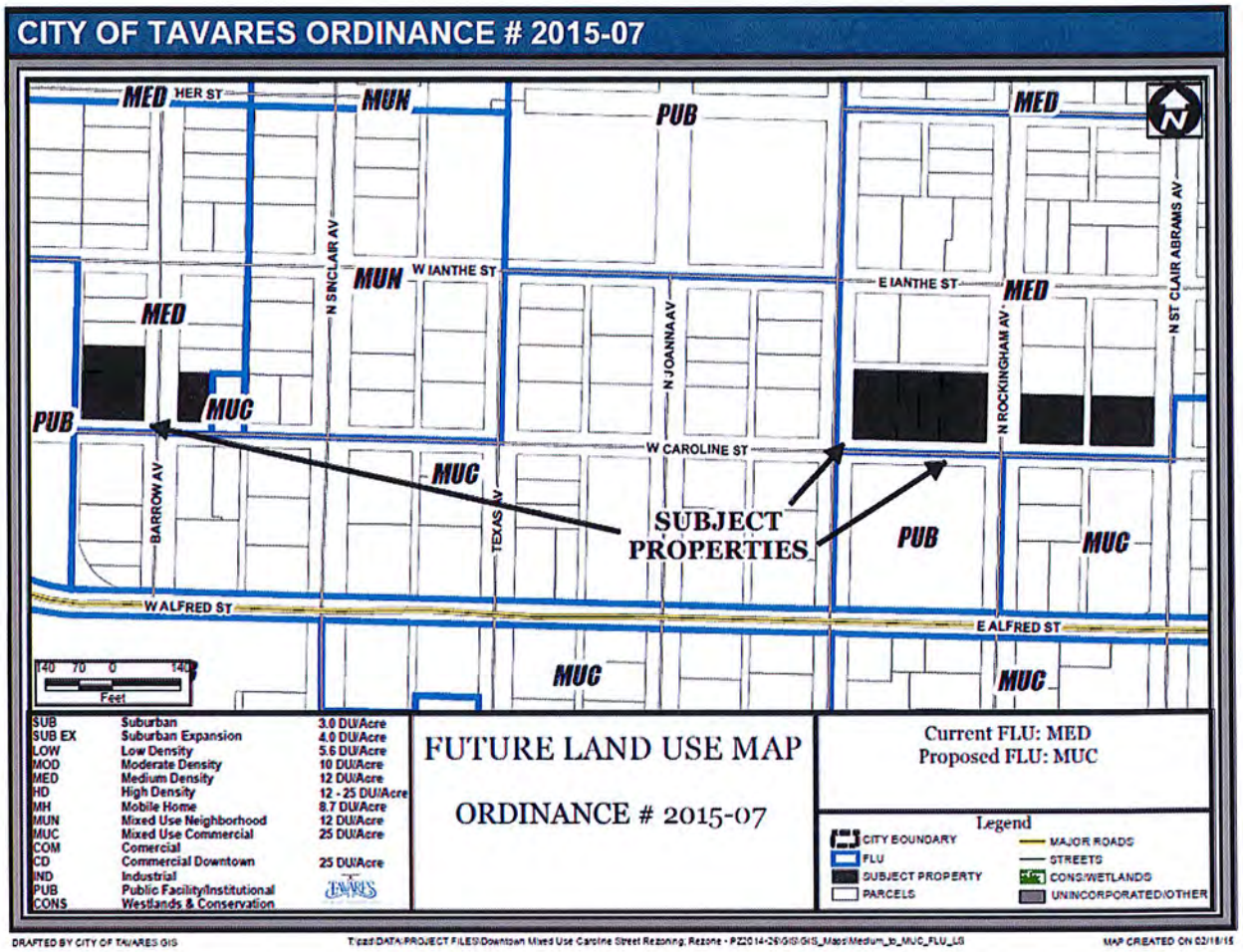
TAVARES S 95 FT OF E 130 FT OF BLK 48 PB 1 PG 64 ORB 4532 PG 2317 (Alternate Key 1497523)

TAVARES, N 55 FT OF S 150 FT OF E 130 FT OF BLK 48 PB 1 PG 64 ORB 4564 PG 2495 (Alternate Key 2508141)

TAVARES, ST CLAIR-ABRAMS SUBDIVISION LOT C BLK 111 PB 4 PG 22 ORB 4069 PG 2120 (Alternate Key 1769094)

TAVARES, W 70 FT OF LOTS E & F BLK 37 PB 1 PG 64 ORB 3141 PG 308 (Alternate Key 3250621)

MAP of AREA


CITY OF TAVARES ORDINANCE # 2015-07
MED
HER ST
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N JOANNA AV
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SUBJECT PROPERTIES
PUB
MUC
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140 70 0 140
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SUB Suburban 3.0 DU/Acre
SUB EX Suburban Expansion 4.0 DU/Acre
LOW Low Density 5.6 DU/Acre
MOD Moderate Density 10 DU/Acre
MED Medium Density 12 DU/Acre
HD High Density 12 - 25 DU/Acre
MH Mobile Home 8.7 DU/Acre
MUN Mixed Use Neighborhood 12 DU/Acre
MUC Mixed Use Commercial 25 DU/Acre
COM Comercial
CD Commercial Downtown 25 DU/Acre
IND Industrial
PUB Public Facility/Institutional
CONS Westlands & Conservation
FUTURE LAND USE MAP
ORDINANCE # 2015-07
Current FLU: MED
Proposed FLU: MUC
Legend
CITY BOUNDARY
FLU
SUBJECT PROPERTY
PARCELS
MAJOR ROADS
STREETS
CONS/WETLANDS
UNINCORPORATED/OTHER
DRAFTED BY CITY OF TAVARES GIS
MAP CREATED ON 02/18/15

minutes P&Z

interest in low intensity commercial uses of property as it has. Council has also identified this interest on the part of property owners and directed staff to pursue the administrative rezoning of these properties to address this interest.

The existing single family uses of the properties along Caroline Street will continue to be permitted. This change will only serve to provide property owners with additional commercial use options should they choose to pursue them.

During the public portion of the meeting, resident of an adjacent property, Ms. June Sheppard communicated that she had spoked to Jacques Skutt about the rezoning yet however she still had some concerns. She asked if a convenience store would be permitted and she expressed concern for parking.

In reponse to this question, Mr. Skutt explained that all new development would be required to adhere to the City's Architectural Standards and provide 50% of the standard parking. He also explained the a convenience store use would require a Special Use Permit application.

A resident of a subject property, Mr. Kevin Moore, asked about the significance of the Historic District overlay.

Mr. Skutt explained that this overlay district would not be disrupted by the rezoning.

There was discussion about the process undertaken proceeding the meeting, the City Council's direction to staff to pursue the administrative rezoning and the parking required within the mixed use zoning district.

MOTION

Mr. Osborn made a moved to recommend approval of Ordinance 2015-06. Mr. Santoro seconded the motion. The motion passed 3-2.

1) **Ordinance 2015-07 – Caroline Street Future Land Use Amendment**

Jacques Skutt, Community Development Director provided the following staff report;

Ordinance 2015-07 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan as recommended in the Downtown Master Plan.

The combined area of the subject property is approximately 2 acres in size and includes the following addresses and parcel alternate key numbers:

Alt Key	Property Addresses
1376190	103 EAST CAROLINE ST
1686580	203 EAST CAROLINE ST
1686598	403 ST CLAIR ABRAMS AVE
1686547	109 EAST CAROLINE ST
1686539	413 NORTH ROCKINGHAM AVE
1497523	409 NORTH BARROW AVE
2508141	411 NORTH BARROW AVE
1769094	111 CAROLINE ST

3250621	422 WEST CAROLINE ST

There are multiple independent owners of these properties. The property owners have been contacted prior to this City initiated action in an effort to promote communication and understanding of the City's vision for this important corridor and the benefits of this action for both the individual owner and the City at large.

This ordinance would amend the current Future Land Use Designation from Medium Density to Mixed Use Commercial. An ordinance to rezone these properties to Mixed Use is concurrently under review.

Future Land Use Amendment/Compatibility

These properties are located just north of the city's downtown core and within the City's Community Redevelopment Area. The City's adopted Downtown Master Plan recommends that these properties be re-designated as mixed use in order to accommodate the areas trend toward live/work buildings and low density residential structures.

Site Conditions

All of the parcels are developed with single family homes with the exception of two properties which are vacant. The adjacent street, Caroline Street, is part of a newly reconfigured one-way pair of streets which serves a single directional traffic movement. The redesign also included the widening of sidewalks and provision of on-street parking and traffic calming devices such as increased landscaping intended to encourage pedestrian activity.

Impact on City Services

All of the parcels are currently served with municipal water and sewer. The City has recently completed a major infrastructure improvement to the potable water distribution and wastewater collection system in order to reliably serve the growing demands of the downtown. The improvements included the replacement of approximately 77,450 linear feet of water main and 54,950 linear feet of sanitary sewer (gravity and force mains) within the CRA that encompassed approximately 60,000 linear feet of roadway.

The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. It is anticipated that this amendment will not implicate any significant increase on Levels of Service.

FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Mixed Use Commercial Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.

2. Impacts of future development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

MOTION

Mr. Osborne made a moved to recommend approval of Ordinance 2015-06. Mr. Steveron seconded the motion. The motion passed 3-2.

There was no further business and the meeting adjourned at approximately 3:18 p.m.

Respectfully submitted,

Orlando Sentinel

Publication Date: 04/06/2015

This E-Sheet(R) is provided as conclusive evidence that the ad appeared in The Orlando Sentinel on the date and page indicated. You may not create derivative works, or in any way exploit or repurpose any content.

Ad Number: 3167451-1
Insertion Number:
Size: 3 x 10.5
Color Type: B&W

Client Name:
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E004/LAK
Description: ff/ORD-15-06-and 07

THE ARTS IN LAKE

Clermont offers smorgasbord of youth art, culture events

By Debbie Manis
Staff Writer

The Clermont Downtown Partnership will sponsor the "Clermont Youth Art & Culture Fest" from 9 a.m. to 2 p.m. May 9 in downtown.

The event will feature vendors, exhibits, demonstrations and workshops for youth from preschool to high school.

Some of the arts will include painting, photography, sculpture, crafts and performing arts.

There also will be entertainment and ethnic food concessions.

The annual sidewalk chalk-art contest also will be held. The contest is divided into age groups: 6 to 10, 11 to 14, 15 to 18 and 19 and older. There may be only one lead artist and one supporting artist. Judging will be based on first impression, creativity, originality and use of color.

Cash prizes of $100 per category will be awarded in each age group among three winners. The winning artwork will be displayed at City Hall for the month following the contest.

Participants will receive a box of pastel chalk and a 38-by-50-inch sidewalk space covered with paper on which they can draw their works. Chalk distribution will be 8:30 to 10 a.m., while supplies last.

Registration is free and begins at 8 a.m. at Seventh and West Montrose streets. Space is limited. Pre-registration is suggested.

The competition begins at 8:30 a.m. and judging will be at noon. Winners will be announced at 2 p.m. Space is limited. Pre-registration is suggested.

Vendors and sponsorships also are needed. The deadline is April 27.

Chalk-art contest, sponsorship or vendor applications may be downloaded at clermontdowntownpartnership.com.

For more information, send email to Ron Smart at info@clermontdowntownpartnership.com or call 352-394-3392.

'Mama Won't Fly'

Outside the Box Productions will present the Jessie Jones, Nicholas Hope and Jamie Wooten comedy "Mama Won't Fly," which opens Friday at the Franklin Pearce Jr. Auditorium, 17404 Sixth St., Montverde.

Mama needs to go to her son's wedding across the country but she won't fly, so she and her daughter are forced to take a road trip accompanied by a surprise guest — the bride-to-be.

The play centers on the misadventures of the three women, who have only four days to get to California for the wedding, including the theft of their car.

The show runs through April 26.

Performances are at 8 p.m. Fridays and Saturdays, and 2 p.m. Sundays.

Tickets are $10 for adults and $5 for children and students.

For more information, call 321-663-2608.

'Vegas in the '60s'

The Kiwanis Club of Lady Lake will present "Vegas in the '60s" from 5 to 9:30 p.m. Saturday at the Savannah Center, 1545 Buena Vista Blvd. in The Villages.

The event will include dinner, casino games and a silent auction.

Proceeds will benefit the Lady Lake Unit of the Boys & Girls Clubs of Lake and Sumter Counties.

Tickets are $75 and available by visiting thevillageentertainment.com and click on "buy tickets" or call 352-787-5258.

Musical shows

■ Magna Campana, a community based hand-bell ensemble, will perform a concert at 4 p.m. Sunday at St. Paul's Catholic Church, 1330 Sunshine Ave., Leesburg.

The concert will include music from the movie "Titanic," "America the Beautiful," a Scott Joplin rag and Irish favorite "Londonderry Air." The hand-bell group from St. Timothy Catholic Church also will perform several tunes with Magna Campana.

The concert is free and open to the public. A free-will offering will be taken.

■ Tenor Mark Schmidt will present the "Best of Broadway and Songs You Love" at 3 p.m. Sunday at Leesburg High School auditorium, 1401 Yellow Jacket Way.

He will perform songs from "Phantom of the Opera," "Les Miserables," "South Pacific," "Carousel," "Camelot," "Man of La Mancha" and "Jekyll and Hyde."

Schmidt has been performing in musical theater since he 12. He has a master's degree in vocal performance and literature from Binghamton University. Schmidt has taught music in high schools and colleges for 27 years and has performed in operas and musical theater nationwide and Switzerland and Italy.

Tickets are $20 for adults and $10 for students in kindergarten through college (with identification) and available online at bestvocalentertainment.com.

Tickets are also available by calling the box office at 352-530-7941 between 8:30 a.m. and 5 p.m. today through Saturday.

Orlando Sentinel, 1898 E. Burleigh Blvd., Tavares, FL 32778, 352-742-5932 or dmanis@tribune.com.

THE CITY OF TAVARES
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Resolution 2015-06 titled as follows:

RESOLUTION 2015-06

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING A SPECIAL USE PERMIT TO ALLOW A FUNERAL HOME IN THE GENERAL COMMERCIAL ZONING DISTRICT FOR PROPERTY ADDRESSED AS 1350 E. BURLEIGH BOULEVARD; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE

Proposed Resolution 2015-06 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on April 16, 2015, at 3 p.m.; and
2. Tavares City Council meeting on May 6, 2015, at 4 p.m.

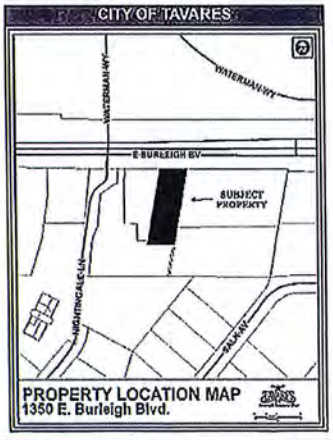
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Resolution 2015-06 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and be heard with respect to the proposed resolution. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skult, Community Development Director, at 742-6404.



THE CITY OF TAVARES
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2015-06 and Ordinance 2015-07 titled as follows:

ORDINANCE 2015-06

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING A COMBINED TOTAL OF APPROXIMATELY 4 ACRES OF PROPERTY GENERALLY LOCATED ALONG THE NORTH SIDE OF CAROLINE STREET; FROM RESIDENTIAL MULTI-FAMILY (RMF-2) TO MIXED USE (MU); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2015-07

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON A COMBINED TOTAL OF APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED ALONG THE NORTH SIDE OF CAROLINE STREET FROM ALFRED STREET TO ST. CLAIR ABRAMS AVENUE; FROM MEDIUM DENSITY TO MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2015-06 and Ordinance 2015-07 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on April 16, 2015, at 3 p.m.; and
2. Tavares City Council meeting on May 6, 2015, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on May 20, 2015, at 4 p.m. (Second Reading, Adoption Hearing)

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2015-06 and Ordinance 2015-07 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skult, Community Development Director, at 742-6404.

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 20, 2015

AGENDA TAB NO. 11
SUBJECT TITLE: FDOT Traffic Signal Maintenance and Compensation Agreement

OBJECTIVE:

Approval of the Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation (FDOT) for a 20 year term beginning July 1, 2015 with reimbursement for the first year of $30,400 and increasing each year thereafter.

SUMMARY:

The City of Tavares has a compensation agreement with the Florida Department of Transportation (FDOT) for traffic signals located on State roads within the City limits. The current agreement was entered into in 2002, and has had annual amendments when new signals are added.

Under the current Traffic Signal Maintenance and Compensation Agreement, the City of Tavares receives an annual compensation payment of $15,998.00. The proposed Traffic Signal Maintenance and Compensation Agreement will increase the annual payment to $30,400 for the first year based on the fee schedule (Exhibit B of the Maintenance Agreement), and increase each year thereafter. The traffic signals covered under this agreement are shown below (Attachment A of the Maintenance Agreement):

City of Tavares

Intersection	Agency	Conf.	fy 15/16
Lk. Shore Blvd.	Tavares	TS	$3,040.00
SR 19 (south leg)/Orange Ave.	Tavares	TS	$3,040.00
CR 452 (St. Clair Abrams Ave.)	Tavares	TS	$3,040.00
Tavares Square/Post Office	Tavares	TS	$3,040.00
Lk. Eustis Dr.	Tavares	TS	$3,040.00
Huffstetler Dr / Mayo Dr	Tavares	TS	$3,040.00
Lane Park Cut-off	Tavares	TS	$3,040.00
Dead River Rd./Lk. Harris Dr.	Tavares	TS	$3,040.00
Main St.	Tavares	TS	$3,040.00
Old 441 / Lakeshore Blvd.	Tavares	TS	$3,040.00

The City currently contracts with Lake County through Interlocal Agreement for maintenance on the traffic signals covered by this agreement. The Traffic Signals listed have been reviewed with County staff to ensure continued maintenance.

OPTIONS:

Option #1 Move to authorize the City Administrator to execute the Traffic Signal Maintenance and Compensation Agreement with FDOT with an amount of $30,400 for Fiscal Year 2015/2016 (first year).

Option #2: Do not authorize the City Administrator to execute the agreement.

STAFF RECOMMENDATION:

Option #1 Move to authorize the City Administrator to execute the Traffic Signal Maintenance and Compensation Agreement with FDOT with an amount of $30,400 for Fiscal Year 2015/2016 (first year).

FISCAL IMPACT: Annual revenue to offset maintenance costs of City Traffic Signals.

LEGAL SUFFICIENCY: Legally sufficient

TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

CONTRACT NO. _____
FINANCIAL PROJECT NO. _____
F.E.I.D. NO. _____

THIS TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT ("Agreement"), is entered into this _____ day of_____,____ between the Florida Department of Transportation, an agency of the State of Florida, herein called the "Department", and _____, Florida, _____ ("Maintaining Agency").

WITNESSETH:

A. The Department is authorized under Section 335.055, Florida Statutes, to enter into this Agreement.

B. The Maintaining Agency is authorized under _____ to enter into this Agreement and has authorized its undersigned representative to enter into and execute this Agreement on behalf of the Maintaining Agency.

NOW, THEREFORE, in consideration of the mutual covenants contained in the Agreement, the sufficiency of which is acknowledged, the parties mutually agree and covenant as follows:

1. The Maintaining Agency shall be responsible for the maintenance and continuous operation of the traffic signals, interconnected and monitored traffic signals (IMTS) (defined as signals that are interconnected with telecommunications and are monitored at a central location), traffic signal systems (defined as central computer, cameras, message signs, communications devices, interconnect / network, vehicle, bicycle & pedestrian detection devices, traffic signal hardware and software, preemption devices, and uninterruptible power supplies ("UPS")), control devices (defined as intersection control beacons, traffic warning beacons, illuminated street name signs, pedestrian flashing beacons (i.e., school zone flashing beacons, pedestrian crossing beacons, and Rectangular Rapid Flashing Beacons)), and emergency/fire department signals and speed activated warning displays. The Maintaining Agency shall be responsible for the payment of electricity and electrical charges incurred in connection with operation of such traffic signals and signal systems and devices upon completion of installation of each signal or device. All traffic signals and control devices mentioned in this paragraph are referred to in this Agreement as "Traffic Signals and Devices".

2. The Department agrees to pay the Maintaining Agency an annual compensation amount based on the Department's fiscal year. The compensation amount consists of the cost of the maintenance and continuous operation of the Traffic Signals and Devices as identified in Exhibit A. Payments by the Department will be made in accordance with Exhibit B. In the case of construction contracts, the Maintaining Agency shall be responsible for the payment of electricity and electrical charges incurred in connection with the operation of the Traffic Signals and Devices, and shall undertake the maintenance and continuous operation of these Traffic Signals and Devices upon final acceptance of the installation by the Department. Prior to any final acceptance of the installation by the Department, the Maintaining Agency will have the opportunity to inspect and request modifications or corrections to the installation(s) and the Department agrees to undertake those modifications or corrections prior to final acceptance so long as the modifications or corrections comply with the Agreement, signal plans, and specifications previously approved by both the Department and Maintaining Agency. Repair or replacement and other responsibilities of the installation contractor and the Department, during construction, are contained in the Department's Standard Specifications for Road and Bridge Construction.

3. The Maintaining Agency shall maintain and operate the Traffic Signals and Devices in a manner that will ensure safe and efficient movement of highway traffic and that is consistent with maintenance practices prescribed by the International Municipal Signal Association (IMSA) and operational requirements of the Manual on Uniform Traffic Control Devices (MUTCD), as amended.

4. The Maintaining Agency's maintenance responsibilities include, but are not limited to, locates, preventive maintenance (periodic inspection, service and routine repairs), restoration of services, and emergency maintenance (trouble shooting in the event of equipment malfunction, failure, or damage). Restoration of services may include temporary poles, stop signs or other methods to maintain traffic. The Maintaining Agency shall record its maintenance activities in a traffic signal maintenance log.

5. The Department intends to conduct a structural inspection of the mast arm structures and strain poles every 60 months, which inspection shall comply with the checklist included in Exhibit C, attached to and incorporated in this Agreement. The inspection report will serve as a 90-day notification to the Maintaining Agency that deficiencies exist which require preventative maintenance and periodic maintenance. Preventative maintenance includes but is not limited to: spot painting, cleaning, all wiring issues, graffiti removal, all signal related issues (lighting, signs and connections), and response to traffic impact including repair and replacement of all components damaged by the traffic impact. For any new painted mast arms installed after the date of this agreement, preventative maintenance includes all items described above and also includes repainting, tightening of nuts, replacing missing or deficient bolts, replacement of missing cap covers or equivalent, replacement of missing or deficient access hole cover plates, and repairing improper grounding. Damaged mast arm structures and strain poles must be properly repaired or replaced by the Maintaining Agency. If the Maintaining Agency is not successful in recovering damage costs from responsible party(ies) within 180 days from the occurrence of damage, the Department will reimburse the Maintaining Agency for costs

incurred due to traffic impacts to mast arms, which reimbursements will be processed after the Department receives a properly completed and supported invoice from the Maintaining Agency. The Department will pursue reimbursements from individuals and/or the third parties who cause damages to mast arms and are liable for replacement/repair costs. Failure to perform preventative maintenance after notification of an inspection deficiency will result in the Maintaining Agency being responsible for the corrective actions. If spot painting or any other described preventative maintenance is not carried out, there shall be a 25% retainage of the annual compensation amount for the affected signal locations until the preventative maintenance is performed. For each month subsequent to the expiration of the 90-day notice given to the Maintaining Agency that preventative maintenance deficiencies exist, 1/12th of the annual compensation amount for the affected signal locations will be forfeited up to 25% of the annual compensation amount. In the case of a total paint failure on a mast arm installed prior to the date of this Agreement, the Department will fund the cost of repainting. This does not include any mast arm that was installed with a separate mast arm painted finish agreement. The terms of that agreement will control.

6. Periodic maintenance includes but is not limited to: repair of cracks in the mast arm structure; removal and/or repair of grout pads; resetting of anchor bolts; and repair or replacement of deteriorated anchor bolts and nuts. For any new mast arm installations after the date of this Agreement, if a Maintaining Agency requests a painted mast arm, the Maintaining Agency agrees to perform all required periodic and preventative maintenance. Any periodic maintenance performed on the mast arm structure by the Maintaining Agency needs Department approval prior to commencement of work and shall be performed within 90 days unless under an emergency situation. Any and all work performed by the Maintaining Agency must conform to the current Department Standard Specifications for Road and Bridge Construction as applicable. Mast arms that the Department determines to be at the end of its useful life will be replaced by the Department so long as documented preventative maintenance and any applicable periodic maintenance was satisfactorily performed by the Maintaining Agency.

   The Table below summarizes the roles of the Maintaining Agency and the Department with regard to preventative and periodic maintenance of mast arms:

Maintaining Agency	**Florida DOT**
Preventative maintenance of all mast arm structures	Periodic maintenance of all mast arm structures (except for any new painted and existing painted structures with signed separate Agreement)
Periodic maintenance of structures (for any new painted and existing painted structures with signed separate Agreement)	
Damage repair or replacement of structures	Compensate Maintaining Agency for damage repair or replacement of structures
	Replacement at end of life cycle of the structure

7. The Department will reimburse the Maintaining Agency for costs incurred due to traffic impacts to traffic signal controller cabinet assemblies, traffic signal battery backup, UPS cabinet assemblies, pedestrian flashing beacons, strain pole repair or replacement, and all devices shown in Exhibit A, if the Maintaining Agency is not successful in recovering damage costs from responsible parties. The Maintaining Agency will be responsible for pursuing reimbursements from individuals and/or the third parties that cause damages. However, if the Maintaining Agency is not successful in recovering damage costs from responsible party(ies) within 180 days from the occurrence of damage, the Department will pursue reimbursements from individuals and/or the third parties who cause damages and are liable for replacement/repair costs to the traffic signal controller cabinet assemblies, traffic signal battery backup, UPS cabinet assemblies, pedestrian flashing beacons, strain poles, and all devices shown in Exhibit A. Applicable reimbursements will be processed after the Department receives a properly completed and supported invoice from the Maintaining Agency.

8. The Maintaining Agency may remove any component of the installed equipment for repair or testing; however, it shall only make permanent modifications or equipment replacements and only if the equipment provided is capable of performing at minimum the same functions as the equipment being replaced. The Department shall not make any modifications or equipment replacements without prior written notice to and consultation with the Maintaining Agency.

   a. The Maintaining Agency shall implement and maintain the timing and phasing of the traffic signals in accordance with the Department's timing and phasing plans, specifications, special provisions, Department re-timing projects, and the Department's Traffic Engineering Manual. The Maintaining Agency shall obtain prior written approval from the Department for any modification in phasing of signals and flash times (where applicable). Signal Systems timings (cycle length, split, offsets, sequence) are considered operational changes and may be changed by the Maintaining Agency to accommodate changing needs of traffic. The Maintaining Agency may make changes in the signal timing provided these changes are made under the direction of a qualified Professional Engineer registered in the State of Florida. The Maintaining Agency shall make available a copy of the timings to the Department upon request. The Department reserves the right to examine equipment, timing and phasing at any time and, after consultation with the Maintaining Agency, may specify modifications. If the Department specifies modification in timing or phasing, implementation of such modifications will be coordinated with, or made by, the Maintaining Agency. All signal timing and phasing records shall be retained by the Maintaining Agency for at least three (3) years, and will be made available to the Department upon request.

9. The Maintaining Agency shall note in the maintenance log any changes in timings and phasings, and keep a copy of the timings and phasings, and any approval documentation in a file. A copy of the log shall be provided to the Department upon request. Maintaining Agencies may provide this information electronically.

10. The Maintaining Agency and the Department shall update Exhibit A on an annual basis which Exhibit A is attached to and incorporated in this Agreement. Exhibit A will contain all Traffic Signals and Devices on the State Highway System which are within the jurisdiction of the Maintaining Agency, those that are maintained by the Maintaining Agency and those that are maintained but not included for compensation. No changes or modifications may be made to Exhibit A during the Department's fiscal year for compensation. New Traffic Signals and Devices added by the Department during its fiscal year must be maintained and operated by the Maintaining Agency upon the Department's final acceptance as stated in paragraph 2. The Maintaining Agency and the Department shall update Exhibit A preceding each Department's fiscal year, which will include all new Department Traffic Signals and Devices added during the Department's previous fiscal year and delete those removed. Exhibit A will need to be incorporated into this Agreement by an amendment to this Agreement each time Exhibit A is updated. The Maintaining Agency will begin receiving compensation for new Traffic Signals and Devices in the Department's fiscal year after the Traffic Signals and Devices are installed and final acceptance is given by the Department. In the event that no change has been made to the previous year's Exhibit A, a certification from the Maintaining Agency shall be provided to the Department certifying that no change has been made to Exhibit A in the Department's previous fiscal year. The annual compensation will be a lump sum payment (minus any retainage or forfeiture) as set forth in Exhibit B. Future payments will be based on the information provided in Exhibit A, in accordance with the provisions as set forth in Exhibit B, attached to and incorporated in this Agreement.

11. Payment will be made in accordance with Section 215.422, Florida Statutes.

12. There shall be no reimbursement for travel expenses under this Agreement.

13. Bills for fees or other compensation for services or expenses shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof.

14. The Maintaining Agency should be aware of the following time frames. Inspection and approval of goods or services shall take no longer than twenty (20) working days. The Department has twenty (20) days to deliver a request for payment (voucher) to the Department of Financial Services. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved.

15. If a payment is not available within forty (40) days, a separate interest penalty at a rate as established pursuant to Section 55.03(1), Florida Statutes, will be due and payable, in addition to the invoice amount, to the Maintaining Agency. Interest penalties of less than one (1) dollar will not be enforced unless the Maintaining Agency requests payment. Invoices returned to a Maintaining Agency because of Maintaining Agency preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department.

16. A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for contractors or vendors who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516 or by calling the Division of Consumer Services at 1-877-693-5236.

17. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the Department at all times during the period of this Agreement and for three (3) years after final payment is made. Copies of these documents and records shall be furnished to the Department upon request. Records of costs incurred include the Maintaining Agency's general accounting records and the project records, together with supporting documents and records, of the contractor and all subcontractors performing work on the project, and all other records of the Contractor and subcontractors considered necessary by the Department for a proper audit of costs.

18. In the event this contract is for services in excess of $25,000.00 and a term for a period of more than one (1) year, the provisions of Section 339.135(6)(a), F.S., are hereby incorporated:

> "The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the Comptroller of the Department that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of $25,000.00 and which have a term for a period of more than 1 year."

19. The Department's obligation to pay is contingent upon an annual appropriation by the Florida Legislature.

20. An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

21. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

22. The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation will be cause for unilateral cancellation of this Agreement.

23. The Maintaining Agency may be subject to inspections of Traffic Signals and Devices by the Department. Such findings will be shared with the Maintaining Agency and will be the basis of all decisions regarding payment reduction, reworking, Agreement termination, or renewal. If at any time the Maintaining Agency has not performed the maintenance responsibility on the locations specified in the Exhibit A, the Department has the option of (a) notifying the Maintaining Agency of the deficiency with a requirement that it be corrected within a specified time, otherwise the Department shall deduct payment for any deficient Traffic Signal(s) and Device(s) maintenance not corrected at the end of such time, or (b) take whatever action is deemed appropriate by the Department. Any suspension or termination of funds does not relieve any obligation of the Maintaining Agency under the terms and conditions of this Agreement.

24. The Department shall monitor the performance of the Maintaining Agency in the fulfillment of the agreement. The Maintaining Agency shall submit an annual Report prior to June 30 of each year detailing the following:

    a. Critical Detection device malfunctions: Critical detection is defined as the detection on side-streets and in left turn lanes on the main streets, and all pedestrian/bicycle detection. Repairs to the side-street and main street left turn detections shall be made within sixty (60) days of discovery and repairs to the pedestrian detection shall be made within 72 hours after notification. All these events shall be logged into the annual report. If repairs cannot be performed within 60 days, the agency shall document the reasons why. Discovery of such events shall be logged into the annual report. The Maintaining Agency shall ensure that 90% of all critical detectors systemwide are operating properly at all time. Any time the level drops below 90%, the Agency would have ninety (90) days to correct the situation. A 5% retainage of the total annual compensation amount (as shown in Exhibit A) will be withheld whenever the 90% critical detection requirement is not met within the 90-day period.

    b. Traffic signal preventative maintenance inspections: All traffic signals shall receive at least one (1) minor preventative maintenance inspection, preferably two inspections, within a twelve (12) month period. Preventative maintenance inspection shall include verification that all detection is working, the signal is cycling properly, the ventilation system is functioning and filters are clean. Basic traffic cabinet maintenance shall also verify power feed voltages, verify that the vehicle and pedestrian indications are functioning properly, test the effective functioning of pedestrian push buttons, and check hinges and door locks. At least one (1) conflict monitor test shall be performed during a twelve (12) month period. Each test is to be documented and included in the annual report to the Department. The inspection report should note the location, date of inspection and any items noted. If the traffic signals do not receive at least one (1) minor preventative maintenance inspection during a twelve (12) month period, there shall be a 20% retainage of the annual compensation amount for the affected signal locations until the preventative maintenance inspection is made. If not performed within the state's fiscal year, the 20% retainage of the annual compensation amount for the affected signal locations will be forfeited.

    c. For any traffic signals that are interconnected with telecommunications and their real-time operation is electronically monitored via software by personnel at a central location and are therefore receiving the higher compensation amount as described in Exhibit B, the name(s), titles of those monitoring those intersections, and the location of the central monitoring facility(s) are to be documented and contained in the annual report submitted to the Department.

    d. In addition to the above requirements, if at least 50% of the traffic signals are not inspected and if at least half of the critical detection requirements as stated in 24a are not met, the Department will retain an additional 25% of the remaining compensation amount.

25. The Maintaining Agency may enter into agreements with other parties pertaining to Traffic Signals and Devices including, but not limited to, agreements relating to costs and expenses incurred in connection with the operation of traffic signals and devices on the State Highway System, provided that such Agreements are consistent with the mutual covenants contained in this Agreement. The Maintaining Agency shall furnish a copy of such agreements to the Department.

26. This Agreement may not be assigned or transferred by the Maintaining Agency in whole or in part without consent of the Department.

27. The Maintaining Agency shall allow public access to all documents, papers, letters, or other material subject to provisions of Chapter 119, Florida Statutes, and made or received by the Maintaining Agency in conjunction with this Agreement. Failure by the Maintaining Agency to grant such public access will be grounds for immediate unilateral cancellation of this Agreement by the Department.

28. This Agreement is governed by and construed in accordance with the laws of the State of Florida. The invalidity or unenforceability of any portion of this Agreement does not affect the remaining provisions and portions hereof. Any failure to enforce or election on the part of the Department to not enforce any provision of this Agreement does not constitute a waiver of any rights of the Department to enforce its remedies hereunder or at law or in equity.

29. This term of this Agreement is twenty (20) years; provided that either party may cancel this Agreement prior to the expiration of the term of this Agreement. A minimum notice period of two (2) years plus the remaining months of the Department's fiscal year shall be provided to the other party in writing. Should the Maintaining Agency provide its written notice of cancellation to the Department, the notice shall be endorsed by the elected body (County Commission, City Council, or local agency governing body) under which the Agency operates.

30. Upon execution, this Agreement cancels and supersedes any and all prior Traffic Signal Maintenance Agreement(s) between the parties, except specific separate Agreements covering painted mast arm maintenance or any other aspect related to the painting of mast arms.

31. The Department reserves the right to remove select critical corridors or critical intersections from the Maintaining Agency's obligation under this Agreement. The remaining intersections and corridors would continue to be covered under this Agreement. The Department will provide a minimum of one year notice prior to take-over of maintenance of critical corridors or critical intersections.

32. The Department agrees that the Maintaining Agency must comply with State law regarding appropriations and budgets. This Agreement shall not be interpreted to conflict with State law applicable to the Maintaining Agency.

33. The Maintaining Agency shall:
    a. utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Maintaining Agency during the term of the contract; and
    b. expressly require any contractors and subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

34. Exhibits A, B, and C are attached and incorporated by reference.

35. This Agreement contains all the terms and conditions agreed upon by the parties.

IN WITNESS WHEREOF, the parties have caused these presents to be executed, the day and year first above written.

_____, Florida
(Maintaining Agency)

By

_____
(Authorized Signature)

Print/Type Name: _____

Title: _____

Attest: _____

Attorney: _____ Date: _____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By

_____
(Authorized Signature)

Print/Type Name: Alan E. Hyman, P.E.

Title: Director of Transportation Operations

Legal Review: _____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

Exhibit A

Compensation for Maintaining Traffic Signals and all other Devices for FY _____

Effective Date: from _____ to _____

Intersection Location	Traffic Signals (TS)	Traffic Signal - Interconnected & monitored (IMTS)	Intersection Control Beacon (ICB)	Pedestrian Flashing Beacon (PFB)	Emergency Fire Dept. Signal (FDS)	Speed Activated Warning Display (SAWD) or Blank Out Sign (BOS)	Traffic Warning Beacon (TWB)	Travel Time Detector	Uninterruptible Power Supplies (UPS)	Compensation Amount (using Unit Rates from Exhibit B)
								Total Lump Sum Amount*		

*Amount paid shall be the Total Lump Sum minus any retainage or forfeiture.

I certify that the above traffic signals will be maintained and operated in accordance with the requirements of the Traffic Signal Maintenance and Compensation Agreement. For satisfactory completion of all services detailed in this Agreement for this time period, the Department will pay the Maintaining Agency a Total Lump Sum (minus any retainage or forfeiture) of $_____.

_____ Maintaining Agency Date

_____ District Traffic Operations Engineer Date

State of Florida Department of Transportation

TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

EXHIBIT A

Compensation for Maintaining Traffic Signals and all other Devices for FY 15/16

Effective Date: July 1, 2015 To: June 30, 2016

Maintaining Agency: City of Tavares

Section	MP	SR No.	Intersection	Agency	Conf.	fy 15/16
11010	14.031	500	Lk. Shore Blvd.	Tavares	TS	$3,040.00
11010	14.226	19/500	SR 19 (south leg)/Orange Ave.	Tavares	TS	$3,040.00
11010	14.852	19/500	CR 452 (St. Clair Abrams Ave.)	Tavares	TS	$3,040.00
11010	14.998	19/500	Tavares Square/Post Office	Tavares	TS	$3,040.00
11010	15.226	19/500	Lk. Eustis Dr.	Tavares	TS	$3,040.00
11010	15.957	500	Huffstetler Dr / Mayo Dr	Tavares	TS	$3,040.00
11080	3.868	19	Lane Park Cut-off	Tavares	TS	$3,040.00
11090	31.177	19/561	Dead River Rd./Lk. Harris Dr.	Tavares	TS	$3,040.00
11090	31.441	19/561	Main St.	Tavares	TS	$3,040.00
11090	31.813	19/561	Old 441 / Lakeshore Blvd.	Tavares	TS	$3,040.00

* Amount paid shall be the Total Lump Sum minus any retainage or forfeiture.

Total Lump Sum*:	$30,400.00

I certify that the above traffic signals will be maintained and operated in accordance with the requirements of the Traffic Signal Maintenance and Compensation Agreement. For satisfactory completion of all services detailed in this Agreement for this time period, the Department will pay the Maintaining Agency a Total Lump Sum (minus any retainage or forfeiture) of:

$30,400.00

Maintaining Agency Date

District Traffic Operations Engineer Date

EXHIBIT B
TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

1.0 PURPOSE

This exhibit defines the method and limits of compensation to be made to the Maintaining Agency for the services described in this Agreement and in Exhibit A and method by which payments will be made.

2.0 COMPENSATION

For the satisfactory completion of all services detailed in this Agreement and Exhibit A of this Agreement, the Department will pay the Maintaining Agency the Total Lump Sum (minus any retainage or forfeiture) in Exhibit A. The Maintaining Agency will receive one lump sum payment (minus any retainage or forfeiture) at the end of each fiscal year for satisfactory completion of service.

Beginning in the fiscal year 2016-17, for traffic signals which are not interconnected with telecommunications and are not monitored at a central location, the compensation amount shall be $3,131. The compensation amount for traffic signals that are interconnected with telecommunications and are monitored at a central location shall be $4,500 per signal location. These differential compensation amounts shall be in effect beginning July 1, 2016. The Table below shows the compensation amount for the various devices for fiscal years 2015-16 and 2016-17, and beyond.

Total Lump Sum (minus any retainage or forfeiture) Amount for each fiscal year is calculated by adding all of the individual intersection amounts.
Pedestrian Flashing Beacon: includes school zone beacons, pedestrian crossing beacons, and rectangular rapid flashing beacons (RRFB). School zones, crosswalks and warning sign locations shall be paid at a unit rate regardless of the number of individual beacons or poles.

Unit Compensation Rates per Intersection on the State Highway System

FY	Traffic Signals (TS)	Traffic Signal - Interconnected & monitored (IMTS)	Intersection Control Beacon (ICB)	Pedestrian Flashing Beacon (PFB)	Emergency Fire Dept. Signal (FDS)	Speed Activated Warning Display (SAWD) or Blank Out Sign (BOS)	Traffic Warning Beacon (TWB)	Travel Time Detector	Uninterruptible Power Supplies (UPS)
2014-15*	$ 2,951		$738	$295	$738	$148	$148		
2015-16	3,040		760	608	1,064	304	304		
2016-17	3,131	4,500	783	626	1,096	313	313	100	100
2017-18	Based on the Consumer Price Index (CPI), the 2016-17 compensation amounts will be revised upwards.								
2018-19	Based on the CPI, the 2017-18 compensation amounts will be revised upwards.								
2019-20	Based on the CPI, the 2018-19 compensation amounts will be revised upwards.								

*Compensation pro-rata based on intersection approaches or legs on State Highway System.

Based on the Consumer Price Index (CPI), the Unit Rate for the following fiscal year will be adjusted accordingly, unless otherwise specified in an amendment to this Agreement. However, if CPI is negative, there shall be no reduction from the previous year's compensation.

3.0 PAYMENT PROCESSING

The Maintaining Agency shall invoice the Department in a format acceptable to the Department, on an annual basis for the reimbursement costs incurred by the Maintaining Agency for the previous year prior to June 30th of each year . For example, the Maintaining Agency shall submit its invoice for the previous year beginning July 1, 2015 through June 30, 2016 no later than June 30, 2016.

EXHIBIT C

TRAFFIC SIGNAL MAST ARM CHECKLIST

Traffic Signal Mast Arm Checklist

- Foundation, including condition of grout pad if present
- Anchor bolts and nuts
- Base plate
- Base plate connection to vertical member
- Hand hole and hand hole covers and inside of vertical member by removing hand hole covers
- Connections between vertical and horizontal members
- Any member splices
- Attachments
- Member caps

Lake County has been involved in the review process in FDOT's development of the Traffic Signal Maintenance And Compensation Agreement. We have reviewed the final agreement and find it acceptable. Lake County Public Works / Engineering / Traffic Operations will be recommending approval to the Lake County Board of County Commissioners. This approval will take place in June.

Lake County Public Works / Engineering / Traffic Operations recommends that the cities approve this agreement.

Thanks,

Denis Dietz

Supervisor
Lake County Traffic Operations
28127 CR 561
Tavares, FL 32778
352-742-1766
ddietz@lakecountyfl.gov

AGENDA SUMMARY
TAVARES CITY COUNCIL
MAY 20, 2015

AGENDA TAB NO. 12

SUBJECT TITLE: Disposition of County Clerk's Public Records Building

OBJECTIVE:

To have council provide staff with direction on disposition of the former Lake County Clerk of Court's Public Records building to be acquired by the City on May 27, 2015.

SUMMARY:

Council previously approved the purchase of the Lake County Clerk of Court's Public Records Center located at 122 E. Main St. from the County, for future development of the city block now occupied by that building consistent with the vision of the Downtown Tavares Redevelopment Master Plan. Council has approved staff to solicit a Request for Proposals (RFP) for development interests to provide proposals and conceptual plans for that parcel consistent with the Master Plan. The property transfer is scheduled for May 27, 2015 at which time the City of Tavares will take ownership and possession of the building.

Staff has explored the potential disposition of this building and it has been determined that the estimated cost of demolition (with no environmental/asbestos issues) would be around $65,000. Currently no funds have been budgeted for this.

As it relates to the presence of asbestos, since portions of the building are older it is prudent to conduct an environmental assessment to identify if there is any asbestos and then identify the cost to remove it. Lake County has two firms under contract that do environmental assessments for buildings. Staff estimates a cost of $5,000 for an asbestos environmental survey and report of the facility to determine the extent of any asbestos present and remediation required. The following options are provided for council to consider.

OPTIONS:

1. Incorporate the asbestos environmental assessment, demolition and re-development into the "Re-Development RFP" This results in a $0 cost to the city.
2. Have the City do the asbestos environmental assessment report using one of the County's contractors and provide that in the "Re-Development RFP". This results in approximately a $5,000 cost to the city to conduct the assessment report.
3. Have the City do the asbestos environmental assessment report and ensuing asbestos removal and provide that the re-developers demo the building and then re-develop it. This results in a $5,000 cost for the report plus the cost to remove the asbestos (cost un-known)
4. Have the City do the asbestos environmental assessment report, ensuing asbestos removal and the entire demolition project and provide a clean site for the re-developers in the RE-Development RFP. (Cost $65,000 to demo the building, $5,000 environmental assessment and asbestos removal cost is un-known).
5. Have the City do the asbestos environmental assessment report using one of the County's contractors and report back to the Council the findings and then make a

decision whether or not to have the city do the complete demolition work or have the developer do the demolition work. This results in a $5,000 cost to the city.

STAFF RECOMMENDATION:

Staff recommends option 5.

FISCAL IMPACT: $5,000 estimated from reserves for contingencies.

LEGAL SUFFICIENCY:

Legally sufficient.

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 20, 2015

AGENDA TAB NO. 13

SUBJECT TITLE: Community Grant Program Update

OBJECTIVE:

To provide City Council with an update on the Community Grant program.

SUMMARY:

At the last Council Meeting, Councilmember Johnson asked for an update on the Community Grant program.

The fiscal year 2014-2015 budget included $2500 for community grants. Council approved a policy in December to allocate grants of up to $500 each to not for profit organizations with 501C3 status with programs for social services, senior services, and children's services and whose programs promote the social and economic well being of the residents and visitors to Tavares. The grant program was advertised in December in the Lake Sentinel and on the city's web site with a deadline of February 1 to submit.

Five applications were received including one received earlier in December from New Life Church. On March 18, 2015, Council approved three grants (Early Learning, Lifestream for the Open Door program, and New Vision for Independence) for a total of $1500.00 leaving $1000.00 in the budget. There was no action taken on a request from New Life Church as staff recommended obtaining further information to ensure that the church's food program met the requirements for a public funded program. The request was made to New Life Church but no further information was provided by New Life Church.

(Staff also recommended that only one grant per agency be awarded, thus did not recommend the award to the Amazing Race for Charity which was a second project submitted by Life Stream.)

The balance in the budget for Community Grants is $1000.00. The program could be re-advertised in order to allocate the remaining funds, or the funds could be rolled over to the next fiscal year. The new budget would reflect $2500 with $1000 provided from this year's program.

OPTIONS:

1) **Move to request staff to re-advertise the Grant Program in order to allocate the remaining funds in the current fiscal year budget.**
2) **Move to roll over the remaining $1000 into the next fiscal year's budget to combine with $1500 for a total of $2500.00 for next year's community grant program.**

STAFF RECOMMENDATION:

Move to roll over the remaining $1000 into the next fiscal year's budget to combine with $1500 for a total of $2500.00 for next year's community grant program.

FISCAL IMPACT:

There is $1000.00 left in this fiscal year's budget for community grants.

LEGAL SUFFICIENCY:

Legally sufficient.

AGENDA SUMMARY
TAVARES CITY COUNCIL
May 20, 2015

AGENDA TAB NO. 14
SUBJECT TITLE: City Administrator Report

OBJECTIVE:
To inform Council on city related matters.

SUMMARY: Will be presented at meeting

UPCOMING MEETINGS: (check with Susie Novack for any last minute changes)

- Regular City Council Meeting – June 3, 2015 – 4:00 p.m.
- Code Enforcement Special Magistrate Hearing – May 26, 2015
- Library Board – June 17, 2015 - Library Conference Room – 2:00 p.m.
- Planning & Zoning Board – May 21, 2015 – City Council Chambers – 3:00 p.m.
- Lake Sumter MPO – May 27, 2015 – 2 p.m. MPO Board Room, Leesburg
- Lake County League of Cities Luncheon Meeting – June 12, 2015 – 12:00

EVENTS

- June 14-15 – Hydro Cross Finals Qualifier
- September 10 - Tavares Chamber of Commerce Red Gala Event
- September 25-27 – Rifles, Rails & History
- October 24, 2015 – Monster Splash
- October 23-24, 2015 – Howl-o-Fest
- October 31 – November 1 2015 – HydroDrags World Championships
- Z- Fest 2015
- November 13-15 – CRA Fall Thunder Regatta

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TAVARES

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AGENDA SUMMARY
TAVARES CITY COUNCIL
May 20, 2015

AGENDA TAB NO. 15

SUBJECT TITLE: City Councilmembers Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

Council will be offered an opportunity to provide a report at the meeting.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

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