



America's Seaplane City™

**AGENDA
TAVARES CITY COUNCIL**

May 18, 2016

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 from 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 AND PLEDGE OF ALLEGIANCE

Associate Pastor Josh Paynter, Liberty Baptist Church

II. CALL TO ORDER

Mayor Wolfe

III. APPROVAL OF AGENDA

Mayor Wolfe

IV. APPROVAL OF MINUTES

Tab 1) Approval of Minutes for April 20, 2016

Mayor Wolfe

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Officer Recognition

Chief Lubins

Tab 3) Reuse Person of the Year

Mayor Wolfe

Tab 4) LCS 2016 Business Partner of the Year

Mayor Wolfe

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

**VII. READING OF ALL ORDINANCES/RESOLUTIONS
INTO THE RECORD**

Nancy Barnett

VIII. CONSENT AGENDA

Tab 5) Approval of Agreement with Jones Edmunds for Preparing an SRF Construction Loan Application for the Lake Frances Water & Sewer System Upgrades & Lift Station 49 Improvements Brad Hayes

Tab 6) Approval of Amendment to Lake County Water Authority Stormwater Grant Agreement for Increase in Grant Award and Time Extension of Agreement Brad Hayes

IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING

(All Ordinances under First Reading are not discussed, unless otherwise noted, until the Second Reading)

First Reading

Second Reading

Tab 7) Ordinance #2016-11 - Annexation & Rezoning – 13910 CR 448 – JBN Group – Meat Processing Plant Jacques Skutt

Tab 8) Ordinance #2016-12 – Small Scale Future Land Use Amendment to Industrial – 13910 CR 448 – 9.46 Acres For Meat Processing Plant Jacques Skutt

Tab 9) Ordinance #2016-23 – Amendment to Fire Pension Plan regarding IRC Standards, Reference to Definition of Firefighter, and to Establish a Share Plan Richard Keith

RESOLUTIONS

Tab 10) Resolution #2016-09 – Authorization for FDOT to Manage the Tav Lee Trail Local Agency Project (LAP) Grant Bob Tweedie

GENERAL GOVERNMENT

Tab 11) Approval of Fiscal Year 2016-2017 TRIM Calendar Lori Houghton

Tab 12) Approval of Agreement with Utility Technicians for SR 19 Water Main Relocation Brad Hayes

Tab 13) Special Parking Permits for Residents during Events Bob Tweedie

Tab 14) City Administrator Evaluation & Setting of Annual Goals Mayor Wolfe

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

Tab 15) City Administrator

John Drury

Tab 16) 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.

The Language of Local Government

Definition of Terms

agenda – A list of items to be brought up at a meeting.

annexation – The process by which a municipality, upon meeting certain requirements, expands its incorporated limits.

bid – Formal quotation, based on common specifications, for the provision of goods or services. Opened at public for meeting consideration and award.

budget – A comprehensive financial plan to sustain municipal operations during a given year with related explanation

buffer – A strip of land, vegetation and/or opaque wall that sufficiently minimizes the physical or visual intrusion generated by an existing or future use.

call for the question – Term used to end the discussion and vote on the motion.

capital outlay – Expenditures made to acquire fixed assets or additions to them usually made from the general fund or utility fund where the assets are to be used.

conflict of interest – A term used in connection with a public official's relationship to matters of private interest or personal gain and which prohibits participation in the discussion under decision.

consent agenda – A policy of the governing body to approve, in one motion, routine and/or non-controversial items, which can be determined prior to the meeting

contiguous – Sharing a common boundary.

contingency – An appropriation of funds to handle unexpected events and emergencies which occur during the course of the fiscal year.

DCA – Department of Community Affairs

density – The number of families, individuals, dwellings units, or housing structures per unit of land.

development – A physical change, exclusive of new construction and substantial improvement, to improved or unimproved real estate, including, but not limited to mining, dredging, filling, grading, paving, excavating or drilling operations.

easement – An interest in land owned by another that entitles its holder to a specific limited use or enjoyment

emergency measure – An ordinance recognized by the legislative body as requiring immediate passage.

FDOT – Florida Department of Transportation

general fund – The general operating fund of the municipality used to account for all financial resources except those required to be accounted for in a special fund.

impact fees – Set aside fees collected from developers to pay for infrastructure improvements. Monies used as new development further impacts the municipalities.

infrastructure – The facilities and systems shared or used by all citizens such as transportation, water supply, wastewater and solid waste disposal systems.

intergovernmental agreements – Contract between two or more public agencies for the joint exercise of powers common to the agencies.

intergovernmental revenues – Revenues from other governments in the form of grants, entitlements, shared revenues, or payments in lieu of taxes.

line item – A specific item or group of similar items defined by detail in a unique account in the financial records. Revenue, expenditure and justifications are reviewed, anticipated and appropriated at this level.

non-conforming – A use which does not comply with present

zoning conditions but which existed lawfully and was created in good faith prior to the enactment of the zoning provisions.

ordinance – An enforceable municipal law, statute or regulation which applies to all citizens within that municipality; penalty provisions may apply.

public hearing – Provides citizens the opportunity to express their position on a specific issue, both pro and con, as mandated by either statute or by order of proper authority after due notice.

PUD – Planned Unit Development

quasi-judicial – A governmental body that hears sworn testimony, obtains evidence and provides for cross examination of witnesses, with the decision based solely on the evidence presented.

quorum – The prescribed number of members of any body that must be present to legally transact business.

request for proposals – RFP – Notice and related information from a municipality requesting proposals for professional services.

resolution – A decision, opinion, policy or directive of a municipality expressed in a formally drafted document and voted upon.

right-of-way – Strip of land owned by a government agency over which the public has right of passage such as streets, parkways, medians, side walks, easements and driveways constructed thereon.

Sunshine Law – Legislation providing that all meetings of public bodies shall be open to the public (a/k/a open public meeting law).

vacate – To annul; to set aside; to cancel or rescind.

variance – Modification from the provisions of a zoning ordinance granted by a legislative body upon submission of an application and a hearing.

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**TAVARES CITY COUNCIL
MINUTES**

April 20, 2016
4:00 P.M.

TAVARES CITY HALL COUNCIL CHAMBERS

COUNCILMEMBERS PRESENT

ABSENT

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

STAFF PRESENT

**John Drury, City Administrator
Robert Q. Williams, City Attorney
Nancy A. Barnett, City Clerk
Lori Houghton, Finance Director
Lori Tucker, Human Resources Director
Richard Keith, Fire Department
Jacques Skutt, Director of Community Development
Stoney Lubins, Police Chief
Brad Hayes, Director of Utilities
Tammy Rogers, Director of Community Services
Bob Tweedie, Director of Economic Development**

I. INVOCATION

Tom Cavanaugh, First Baptist Church of Mt. Dora gave the invocation and led those present in the Pledge of Allegiance.

II. CALL TO ORDER

Mayor Wolfe

III. APPROVAL OF AGENDA

Mayor Wolfe

Mayor Wolfe asked if staff had any changes to the agenda. Mr. Drury said there were none.

MOTION

Kirby Smith moved to approve the agenda, seconded by Bob Grenier. The motion carried unanimously 5-0.

IV. APPROVAL OF MINUTES

49 **Tab 1) Approval of Minutes for March 16, 2016**

50

51 **MOTION**

52

53 **Kirby Smith moved to approve the minutes of March 16, 2016 as submitted, seconded by**
54 **Lori Pfister. The motion carried unanimously 5-0.**

55

56 Mayor Wolfe advised the audience that those who wished to speak to Council on any agenda
57 item should fill out a form and bring it to the City Clerk.

58

59 **V.PROCLAMATIONS/PRESENTATIONS**

60

61 **SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX-PARTE CONTACTS**

62

63 Attorney Williams noted there are quasi-judicial items that require swearing in and disclosure:
64 Tabs 5, 6, 7, and 8. He asked those who wished to stand and be sworn in.

65

66 Attorney Williams asked Council to disclose any ex parte communications. Councilmember
67 Smith said he had spoken to someone on Tab 8 in Council Chambers and Mayor Wolfe said he
68 had also spoken to someone on that issue (the Boutique Hotel ordinance) in Council Chambers.
69 Vice Mayor Pfister said she had spoken to Mr. and Mrs. Hauserman outside of Council
70 Chambers on Tab 8.

71

72 **VII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

73

74 Ms. Barnett read the following ordinances by title only:

75

76 **ORDINANCE 2016-07**

77

78 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING**
79 **APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED ON THE**
80 **NORTH SIDE OF DEAD RIVER ROAD, ADJACENT TO TIKI VILLAGE MOBILE**
81 **HOME PARK, FROM RMF-3 (RESIDENTIAL MULTI-FAMILY) TO RMH-P**
82 **(RESIDENTIAL MANUFACTURED HOME PARK); SUBJECT TO THE RULES,**
83 **REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES**
84 **COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.**

85

86 **ORDINANCE 2016-08**

87

88 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**
89 **TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,**
90 **PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON**
91 **APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED ON**
92 **THE NORTH SIDE OF DEAD RIVER ROAD, ADJACENT TO TIKI VILLAGE**
93 **MOBILE HOME PARK FROM MEDIUM DENSITY RESIDENTIAL TO MOBILE**
94 **HOME; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING**
95 **FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

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ORDINANCE 2016-09

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 180 ACRES OF VACANT UNDEVELOPED PROPERTY GENERALLY LOCATED AT THE WESTERLY END OF WOODLEA ROAD AND EAST OF PENINSULA DRIVE FROM PLANNED DEVELOPMENT TO RSF-A (RESIDENTIAL SINGLE FAMILY); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2016-10

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY ADDING A DEFINITION FOR A BOUTIQUE HOTEL UNDER CHAPTER 3, DEFINITIONS; BY AMENDING TABLE 8-2, PERMITTED AND SPECIAL USES UNDER CHAPTER 8 BY ADDING BOUTIQUE HOTELS AS A PERMITTED USE UNDER THE MU, CD, C-1, AND C-2 ZONING DISTRICTS; BY ADDING NOTE 31 TO TABLE 8-2 PROVIDING FOR REGULATIONS APPLICABLE TO BOUTIQUE HOTELS; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

VIII. CONSENT AGENDA

Mayor Wolfe asked if anyone in the audience opposed the three items on the Consent Agenda. There was no opposition.

MOTION

Bob Grenier moved to approve the Consent Agenda, Tab 2 [Approval of Agreement Amendment with Freedom Boat Club of Tampa Bay]; Tab 3 [Agreement with Dennis Schmitz as BBQ Contest Coordinator for Planes, Trains & BBQ Event]; and Tab 4 [Appointment of Dawn McDonald to MPO Committees – Technical Advisory and Bicycle Pedestrian] seconded by Kirby Smith. The motion carried unanimously 5-0.

IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING

(All Ordinances under First Reading are not discussed, unless otherwise noted, until the Second Reading)

FIRST READING – NONE

SECONDING READING

Tab 5) Ordinance #2016-07 – Rezoning of 2 Acres from RMF-3 to RMHP on the North Side of Dead River Road adjacent to Tiki Village to allow RV Park

Mr. Skutt said this application will allow the construction of an RV park to be associated with Tiki Village. The property is vacant and the conceptual plan shows 25 RV lots. Each lot will be

145 equipped with individual sewer, water, and electrical hookups. An approved site plan
146 demonstrating compliance with all applicable development regulations must be approved prior
147 to any construction. Fern Avenue will be upgraded to city specifications. Under the City's Land
148 Development Regulations an RV park is only permitted in a Mobile Home park zoning and only
149 if it is associated with a Mobile Home Park.

150
151 The Planning & Zoning Board voted unanimously to recommend approval on March 17th and
152 staff recommends approval.

153
154 Councilmember Smith asked if there will be a fence requirement between the RV Park and the
155 residential area. Mr. Skutt said there will be a landscape buffering requirement. Councilmember
156 Smith asked if the residents next to the rezoning were notified. Mr. Skutt confirmed and said
157 there had been no objections received.

158
159 **MOTION**

160
161 **Bob Grenier moved to approve Ordinance #2016-07, seconded by Kirby Smith. The**
162 **motion carried unanimously 5-0.**

163
164 **Tab 6) Ordinance #2016-08 – Small Scale Future Land Use Map Amendment for 2 Acres**
165 **on the North Side of Dead River Road adjacent to Tiki Village from Medium Density**
166 **Residential to Mobile Home to allow RV Park**

167
168 Mr. Skutt this ordinance accompanies the rezoning just approved. It will change the existing
169 designation of medium density residential to Mobile Home. This is the only compatible land use
170 designation with a mobile home park zoning. At the March 17th meeting the Planning & Zoning
171 Board voted unanimously to recommend approval and staff recommends approval.

172
173 **MOTION**

174
175 **Bob Grenier moved to approve Ordinance #2016-08, seconded by Lisa Johnson. The**
176 **motion carried unanimously 5-0.**

177
178 **Tab 7) Ordinance #2016-09 – Rezoning of 180 Acres at the Westerly End of Woodlea Road**
179 **(Peninsula PUD) from Planned Development to RSF-A (Low Density Residential)**

180
181 Mr. Skutt said the application will revoke the PUD designation that is part of the old Peninsula
182 PUD that was passed in 1993 and rezone it to RSF-A (Residential Single Family Dwelling –
183 Three Dwellings Units per acre). He said in 2014 the City adopted Ordinance #2014-15 which
184 created a time limit for the development of approved Planned Developments. It also provided for
185 the automatic revocation of Planned Developments that failed to develop within prescribed
186 deadlines, and provided that City Council shall take action to rezone the subject property to the
187 lowest density zoning designation consistent with the Comprehensive Plan.

188
189 The Peninsula PUD approved in 1993 consisted of 500 homes of varying types. Other than the
190 18 lakefront lots in Phase 1, the project was not constructed and portions of the land were sold
191 off. The PUD time limit has expired and the original owner Gorgeous Groves, no longer has
192 unified control over their entire parcel. Gorgeous Groves has consented to a city initiated

193 rezoning of the westerly 213 acres of the PUD in 2015. He noted the property is owned by
194 Caldwell Citrus Grove Management who own the remaining PUD lands zoned under the
195 Peninsula PUD. They have consented in writing to the City to allow the rezoning to RSF-A
196 which is the lowest intensity and zoning that is consistent with the Comprehensive Plan.
197

198 The Planning & Zoning Board voted to recommend approval on March 17th and city staff
199 recommends approval.
200

201 Mayor Wolfe asked if in the future someone purchases the land, can they request a rezoning.
202 Mr. Skutt confirmed.
203

204 **MOTION**

205
206 **Lori Pfister moved to approve Ordinance #2016-09, seconded by Bob Grenier. The**
207 **motion carried unanimously 5-0.**
208

209 **Tab 8) Ordinance #2016-10 – Amendment to Land Development Regulations, Chapter 3,** 210 **Definitions and Chapter 8 – Zoning Regulations for Boutique Hotel in Mixed Use** 211 **Downtown, C1 and C2 Zoning Districts** 212

213 Mr. Skutt advised that this amendment will define, create, and provide governing regulations for
214 Boutique Hotels. He said a definition for Boutique Hotels is not included the current City Land
215 Development Regulations and was not contemplated as a permitted land use when those
216 regulations were developed.
217

218 Mr. Skutt said a request has been received to allow Boutique Hotels within the City. Boutique
219 Hotels have become increasingly popular in communities that are working to attract
220 sophisticated tourists with varied interests. The ordinance defines Boutique Hotels and limits the
221 size to a maximum of 25 guest rooms. The proposed ordinance will allow Boutique Hotels in the
222 Mixed Use, in Commercial Downtown, in General Commercial, and in Highway Commercial
223 Districts. It provides regulations specifying time restrictions for outside functions when the hotel
224 is located in the Mixed Use District and addresses maximum noise levels, parking and site plan
225 requirements. He listed some of the functions that would be allowed and specific time
226 constraints.
227

228 The Planning & Zoning Board voted unanimously to recommend approval with the further
229 recommendation that outdoor events and functions be removed as a permitted use associated
230 with Boutique Hotels and that outdoor events instead be subject to the City's special event
231 permitting process. At the Planning & Zoning Board meeting there were a number of citizens
232 who live and own property adjacent or near the Duncan House who objected to this ordinance.
233 In summary, their objections were based on past experience when the Duncan House was
234 operating, especially with the outside events and the noise generated.
235

236 Staff recommends approval of the ordinance as it is presented. Staff is noting that this
237 ordinance applies city-wide. The objections received were confined to one location only,
238 premised on the assumption that the Duncan House would be converted to a Boutique Hotel
239 and that the business would not comply with the regulations provided by the ordinance.
240

241 Staff offers three options to Council:

- 242
- 243 1. Move to approve Ordinance #2016-10 as presented
 - 244 2. Move to approve an amended Ordinance #2016-10 as proposed by the Planning &
245 Zoning Board which would include the removal of outdoor events and functions, and
246 have Special Events be permitted under the current process.
 - 247 3. Move to deny Ordinance #2016-10
- 248

249 Vice Mayor Pfister asked how many special events can be requested per year. Mr. Skutt said
250 there are no limits. Vice Mayor Pfister asked the criteria for approving the special event and who
251 approves. Mr. Skutt said that staff does the approval and the criteria involves having 300 or
252 more people. Staff may set other conditions during this process and City Council may have to
253 approve road closings or in kind services. Ms. Pfister asked the charge. Mr. Skutt responded
254 that he believed there is a \$250 application fee for events outside of the Downtown
255 Entertainment District.

256

257 Audience to Speak

258

259 Pike Hamlin – 111 South Disston Avenue

260

261 Mr. Hamlin said he thought this issue had been resolved at the Planning & Zoning meeting with
262 regard to the difficulty of controlling the noise issue with the noise ordinance only. He said he
263 has no issue with it being a Boutique Hotel but the way the ordinance is worded it will be
264 Boutique Hotel/Event Venue. He said the outdoor receptions and large weddings will be a
265 nuisance to the neighborhood. He said the Pavilion is only 150 feet away and is having outdoor
266 weddings and receptions now on the pier so there will now be outdoor weddings at the Duncan
267 House in addition to the pier. He said he believed that Mixed Use was supposed to be low
268 density commercial activity. He said at the Planning and zoning meeting there was no one
269 present as a proponent of the ordinance.

270

271 Mr. Hamlin added he could not attend the last City Council meeting as his mother had passed
272 away that day. He said he was bothered that the staff was recommending to overrule the group
273 of citizens and the unanimous recommendation of the Planning & Zoning Board.

274

275 Gail Heneghan – 512 Lake Dora Drive

276

277 Ms. Heneghan said Mr. Hamlin had done a good job explaining the issue. She said she was
278 sorry that Ms. Graham and Mr. Zinkiewicz were not present at the Planning & Zoning Board
279 meeting. She said staff had not listened to all of the complaints from approximately 2008 to
280 2013 regarding the disturbing noise issue at the Duncan House which was not addressed by the
281 City until it ceased in 2013 with a letter from the City Attorney. She said staff has now created
282 an ordinance to make it legal. She asked Council to consider the residents and look on both
283 sides of the issue.

284

285 Kay Hauserman – 504 Lake Dora Drive

286

287 Ms. Hauserman said she lives next to the Duncan House and she feels it is not just the Duncan
288 House being discussed as the ordinance proposed affects other areas. She said she believed

289 Mixed Use is not appropriate for this particular type of hotel because of outdoor events they
290 want to have. She said the city has a number of Mixed Use areas that still have residents. The
291 businesses that have gone up in those areas are attorney offices, or accountants, probate
292 officers, etc. where at the end of the day when they leave, those buildings are vacant and the
293 residents can enjoy the neighborhood and not be disturbed by noise.

294
295 Mark Zinkiewicz

296
297 Mr. Zinkiewicz said he and Ms. Graham are still activity pursuing working with the Duncan
298 House and moving forward and at the very least trying to save it from its current condition as a
299 historic landmark in Tavares. He said he understands the position of adjacent neighbors,
300 however, he cannot be held hostage to what was done in the past and he did not feel that was
301 fair. He said he believed they have clearly stated their vision for the Duncan House. He said
302 they run a similar high end Boutique Hotel in Maine and have the same business model in mind
303 for the Duncan House. He said if they acquire the property they will abide by the City's
304 ordinances. He said they will need outside events to make the plan work.

305
306 Heather Graham

307
308 She said what has prompted this issue is the Duncan House however she said they have
309 observed several properties that may work well for a Boutique Hotel. She said one of the issues
310 is how events are defined and she discussed other examples having to do with noise and
311 outside parties/events. She said the Duncan House will be a tremendous financial undertaking
312 and will require more than six rooms and will require events to make it viable.

313
314 Council Comment

315
316 Councilmember Smith asked if the residents were consulted when the ordinance was written.
317 Mr. Skutt said they were not consulted but they were notified of the Public Hearings.
318 Councilmember Smith said he thought the City had told the residents they would be allowed to
319 come in and have input on the ordinance. Mr. Drury said the input was received on the rezoning
320 of the land, and today is the input on the Boutique Hotel. Councilmember Smith reiterated that
321 he thought they would be invited to help with the creation of an ordinance.

322
323 Mr. Skutt said he did not interpret it that way. He said he thought the Planning & Zoning Public
324 Hearing served that function as they had given the residents the opportunity to give input.

325
326 Councilmember Smith said if this ordinance passes and if there is a problem with the noise
327 issue, would there be an "out." Mr. Skutt said complaints about the noise levels would have to
328 be directed to the Police. Councilmember Smith asked if the ordinance could be amended by
329 Council if there are problems with persons not abiding by the rules. Mr. Skutt confirmed.

330
331 Mayor Wolfe asked what time the noise ordinance stops for single family residences. Chief
332 Lubins said about 10:00 p.m. He said if there is noise that is deemed a nuisance it would
333 inappropriate for any time frame and the Police can take action. He said it depends on the type
334 and nature of the noise, if it is repetitive and it can be enforced in Mixed Use.

335
336 Vice Mayor Pfister said she is not happy with the Mixed Use Zoning and she believed it has

385 4. Not bury the lines

386

387 Audience to Speak

388

389 Alex Cooke of Key West Resort stated they have three buildings on Ruby Street. He said this is
390 an opportunity to aggressively complete the stormwater project in a reasonable amount of time.
391 He discussed a similar situation with a resort on SR 192 that he managed, where many years
392 were spent redeveloping the highway in front of the resort which was difficult. He said
393 businesses can only survive so long in a hostile environment. He said he would like to see the
394 power lines buried sooner rather than later.

395

396 Councilmember Smith asked Mr. Cooke if he supported option 2 (assessment of each building
397 \$4,396 per year for 10 years). Mr. Cooke said he was not in favor of that.

398

399 Janet Noack, Tavares Chamber of Commerce

400

401 Ms. Noack said the Board voted to be in support of this movement for the overhead lines to be
402 put underground. She said she felt it would be a prudent thing to do at this time. She said she
403 had been hearing very positive comments from visitors and this project will help the businesses.

404

405 Freddie Belton, Business Owner

406

407 Mr. Belton said he came to Tavares to teach in 1971 and he began to look at the future of
408 Tavares at that time. He discussed the properties he had purchased over the years which he
409 had done based on his belief that 10 or 15 years down the road things would get better. He said
410 when Mr. Drury started with the city he began attending the meetings that he set up.

411 Subsequently he opened up the Ruby Street Grille which became the second largest restaurant.

412 He said as they progressed with renovations he decided to put electrical service underground.

413 He encouraged Council to approve the underground lines now as it will be much more

414 expensive in the future.

415

416 Mayor Wolfe spoke in support. Councilmember Smith said he was concerned that monies were
417 not saved during the past 10 years for this project.

418

419 Councilmember Smith asked how much money had been added to the project. Ms. Houghton
420 said the estimated project is about 4.2 million for Phase 1 which includes the pond and Ruby
421 Street and the drainage improvements from Main Street. Councilmember Smith asked why
422 conduits could not be run first. Discussion followed.

423

424 Mr. Drury said he and Mr. Hayes are working with the grant agencies for more contributions for
425 the project. He said staff will not do a closing the loan if it is approved until the budget is
426 approved. Councilmember Smith noted he approved handling it in the budgeting process.

427

428 Mr. Drury said if Council authorizes the staff to move forward, he feels optimistic that during the
429 budget season, staff will be coming back with a lower number.

430

431 Vice Mayor Pfister said she is in favor of this project. She said she has been on Council for 10
432 years and feels that the City has worked very smart on its projects. Vice Mayor Pfister asked for

433 more information on the options and what option was the smartest. Mr. Drury said Option 1
434 authorizes staff to move forward with the project and during the upcoming budget there will be
435 an estimated \$62,000 figure for the debt service associated with burying the lines. He said if
436 approved today, staff will include the figure in the budget and move forward with plans to bury
437 the line, but will wait to instigate it until the budget is approved. He said the effect on the millage
438 rate would be .091 mils.

439
440 Attorney Williams noted this is a planning tool only for budgeting purposes. Council is not voting
441 to increase the millage at this meeting.

442
443 Jim Elrodt, West Main Street

444
445 Mr. Eldrodt noted there were meetings regarding landscaping on Main Street before Mr. Drury
446 joined the City. Phase 1 was done but Phase 2 was not done, and then the focus was on Ruby
447 Street. He said he was in favor of burying the power lines but he hoped the city would not forget
448 the west part of Main Street.

449
450 Mr. Drury noted monies have been spent on the west side in paving dirt roads and adding
451 sidewalks. He agreed that more improvements need to be made. He reviewed the various
452 projects that have been completed.

453
454 **MOTION**

455
456 **Bob Grenier moved to approve Option 1, to authorize staff to move forward with the**
457 **undergrounding of the overhead lines with funding option 1; issue debt in the amount of**
458 **\$500,000 plus cost of issuance with estimated annual debt service of \$62,726 and**
459 **increase the FY 2017 Ad Valorem millage rate to offset the cost for debt service**
460 **payments, with the addition that staff will stay aggressive on pursuing grants. The**
461 **motion was seconded by Lori Pfister. The motion carried unanimously 5-0.**

462
463 **Tab 10) Date of November Meeting**

464
465 Ms. Barnett advised that the Election Supervisor's office has notified the city that the
466 Canvassing Board meeting for the 2016 General Election will be taking place at a later date this
467 year in expectation of a large voter turnout. The official certificate of results will not be received
468 until Friday November 18th. As the regular meeting is scheduled now for November 16th, staff is
469 recommending to select an alternate date such as November 21, November 22, or November
470 23rd. November 23rd will be the 4th Wednesday of the month.

471
472 Councilmember Smith suggested having the one November meeting on November 2nd and
473 having the next meeting on December 7th. Attorney Williams said the charter says that the new
474 officers take place at the next meeting after the general election. Ms. Houghton said this may
475 affect some of the finance processes with regard to year end.

476
477 **MOTION**

478
479 **Kirby Smith moved to have one meeting in November (November 2nd) with the next**
480 **regular meeting with the new Council to be the first meeting in December (December 7),**

481 **seconded by Lori Pfister. The motion carried unanimously 5-0.**

482

483 **Tab 11) Acceptance of CDBG grant**

484

485 Ms. Rogers said this is an Interlocal agreement with Lake County for the accepting of the
486 allocation for this funding cycle. She said Mr. Aldrich applied for the grant and the city was
487 awarded \$75,000 for building restrooms at the Tavares Nature Park which has been part of the
488 management plan for that park for many years. The city will need to budget \$50,000 in the
489 upcoming fiscal year to supplement the grant in order to build vandalism proof restrooms with
490 stainless steel fixtures. She said the project has not been bid out so it may come in at a lower
491 price.

492

493 **MOTION**

494

495 **Lori Pfister moved to approve and enter into the Interlocal agreement between Tavares**
496 **and Lake County relating to the 2015-2016 allocation of CDBG funds of \$75,000 to be**
497 **used for the Tavares Nature Park restroom project, seconded by Kirby Smith. The motion**
498 **was approved unanimously 5-0.**

499

500 **XI. OLD BUSINESS**

501

502 **XII. NEW BUSINESS**

503

504 Vice Mayor Pfister said she had been contacted by Fox Run residents regarding access to the
505 new Publix by golf cart. Attorney Williams said it would have to be some way other than State
506 Road 19.

507

508 Mr. Drury said staff will look at that request.

509

510 **XIII. AUDIENCE TO BE HEARD**

511

512 Betty Burleigh, 214 N. Hampshire Avenue, asked how many city attorneys that Council thought
513 we have had since 1925. Ms. Burleigh said there have only been three. She said the first
514 attorney was Royal Hamlin who served until 1956 when Carl Duncan became the attorney. Carl
515 Duncan served until 1984 and the present attorney, Bob Williams, has served since April of
516 1984 and has been here for 32 years.

517

518 **XIV. REPORTS**

519

520 **Tab 14) City Administrator**

- 521
 - Noted the monthly Library Meeting is now at 2:30 p.m.

522

523 **Economic Development Director**

524

525 Mr. Tweedie reminded those present of the upcoming event weekend which is a combination of
526 the annual Planes, Trains and BBQ with the Spring Seaplane Fly In, along with the traditional
527 car show, two air shows, the BBQ competition (28 teams signed up) and 16 vendors. There will
528 be an aviation themed movie in Council Chambers at 5 p.m. and a FAA Pilot Safety Seminar.

529
530 Mr. Tweedie introduced Cherie Moan, the new Events Coordinator and Joseph Maynard, the
531 new Aviation Supervisor.

532
533 **Community Services Director**

534
535 Ms. Rogers discussed the excitement of the new lights at Woodlea fields

536
537 **City Attorney**

538
539 Attorney Williams noted the closing on the Quonset Hut will be this week. He said that when he
540 started in 1984, Council had an elected mayor who was Gene Glenn and some of the people he
541 served with became dignitaries in Lake County, i.e. Sandy Minkoff, Richard Swartz, Jimmy
542 Conner, Robert Moore, Lillian Burd, and Tommy Tamsett.

543
544 **Tab 15) Council Reports**

545
546 **Vice Mayor Pfister**

547
548 Thanked Mayor Wolfe for the work he had done on the bricks for the limelight project.

549
550 Mr. Drury noted Chris Thompson had also volunteered his time over the weekend to help the
551 Mayor and finish the project. The ribbon cutting is May 13th.

552
553 **Councilmember Grenier**

554
555 Councilmember Grenier said the ribbon cutting will be fun. He said with Publix coming in on SR
556 19, the Horizon Team for the south side of Tavares is planning for another Master Plan.

557
558 Councilmember Grenier said while he was in Chicago he had appreciated reading the positive
559 emails. He said Mr. Drury has been a great asset to the City and he appreciated Mr. Drury's
560 communications to Council on everything going on in the City.

561
562 **Councilmember Johnson**

563
564 Councilmember Johnson said this Friday in the downtown there will be a fundraiser for the Best
565 Buddies which is a social inclusion group for people with intellectual and disabilities through one
566 on one friendships through Tavares Middle School. She said it will be similar to a Pub and Grub
567 Crawl. There will be a tent set up at O'Keefe's to buy a wrist band.

568
569 **Councilmember Smith**

570
571 Councilmember Smith thanked the Chamber of Commerce for their golf event.

572
573 He said today is National Cheddar Fry day and on this day in 1861 General Robert E. Lee
574 retired from the U.S. Army to join the Northern Army of Virginia.

575
576 Councilmember Grenier added today is National Pineapple Upside Down Cake day.

577

578 **Mayor Wolfe**

579

580 Mayor Wolfe thanked the audience for its participation in this meeting.

581

582 **ADJOURNMENT**

583

584 There was no further business and the meeting was adjourned at 5:58 p.m.

585

586 Respectfully submitted,

587

588 Nancy A. Barnett, MMC

589 City Clerk

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 18, 2016**

AGENDA TAB NO. 2

SUBJECT TITLE: Recognition of Officers by Police Chief

OBJECTIVE:

To provide an opportunity for the Chief of Police to give special recognition to Officers involved in a recent incident in Tavares.

SUMMARY:

On May 7, 2016 Sergeant Tracy Goodknight, Officer Cullen O'Shea and Officer Christina Connors responded to a structure fire at 347 North Duncan Drive which is called Fire Point Products. This business manufactures products that utilize highly combustible and flammable materials. Upon their arrival, in just under a minute, they immediately saw a metal building heavily engulfed in smoke. They saw a severely burnt man laying outside the door of the business. As the officers assessed the scene, they heard banging from inside the building. Due to the heavy involvement of smoke, they could not enter through the door that was open.

The officers then went to a large roll up metal door on the side of the building. They were unable to lift it by hand because the metal was too hot and the paint was blistering. The officers saw a 16 foot metal pole that was lying nearby and the three officers rammed it through the base of the door. They kept ramming and lifting until a large enough gap occurred so that Officer O'Shea and Officer Connors could reach a woman who was trapped inside and suffering from significant burn injuries and smoke inhalation. Officer Connors and Officer O'Shea grabbed the woman's shoulders and feet and dragged her outside. Sergeant Goodknight had to keep holding the door open with the pipe until the rescue was affected. Once outside the officers carried the woman away from the fire.

Even after this rescue the officers continued their assistance to the fire and EMS personnel. Officer Connors assisted by placing oxygen on the woman and Officer O'Shea helped the fire department with the hoses.

The actions of these officers saved the woman's life. Their quick thinking, decisive action and determination exemplified policing at the highest level while exposing themselves to an extremely dangerous environment. Due to these heroic actions the Tavares Police Department will bestow the Award of Valor, the

department's highest award, to Sergeant Goodknight, Officer O'Shea and Officer Connors.

OPTIONS:

n/a

STAFF RECOMMENDATION:

n/a

FISCAL IMPACT: n/a

LEGAL SUFFICIENCY: n/a

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 18, 2016**

AGENDA TAB NO. 3

SUBJECT TITLE: Reuse Person of the Year

OBJECTIVE:

The Mayor will present Brad Hayes, Utilities Director, with a plaque of recognition as the Reuse Person of the Year from the Florida Water Environment Association.

SUMMARY:

At the recent annual conference of the Florida Water Environment Association, Brad Hayes was given the award of Reuse Person of the Year due to his significant accomplishments for the City in water supply infrastructure projects during his 10 years with the City. Mr. Hayes is credited with conceiving, developing and acquiring funding for a series of infrastructure projects including the Reclaimed Water System which has resulted in the offsetting of over 300,000 gallons per day of groundwater withdrawals from the Floridian aquifer.

In addition to the above award, Mr. Hayes has also recently been accepted into the Select Society of the Sanitary Sludge Shovelers. The Society selects three professionals every year out of the entire industry in Florida (including both government and private sectors) to receive this honor.

OPTIONS:

n/a

STAFF RECOMMENDATION:

n/a

FISCAL IMPACT:

n/a

LEGAL SUFFICIENCY:

n/a

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 18, 2016**

AGENDA TAB NO. 4

SUBJECT TITLE: LCS 2016 Business Partner of the Year

OBJECTIVE:

Carmen Cullen-Batt, Executive Director of the Educational Foundation of Lake County will make a presentation to the City as the LCS 2016 Business Partner of the Year.

SUMMARY:

The City of Tavares will be recognized by the Educational Foundation of Lake County at the Florida Chamber Education Summit on June 2 in Orlando as a Business Partner of the Year.

OPTIONS:

n/a

STAFF RECOMMENDATION:

Provide Carmen Cullen-Batt an opportunity to provide presentation.

FISCAL IMPACT:

n/a

LEGAL SUFFICIENCY: n/a

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 18, 2016**

AGENDA TAB NO. 5

SUBJECT TITLE: Approval of a contract with Jones Edmunds to conduct a Wastewater Facility Plan for the Lake Francis Development and Lift Station #49

OBJECTIVE:

To consider approving contract with Jones Edmunds to provide planning assistance for preparing a Wastewater Facility Plan for the Lake Francis/Lift Station # 49 that is a requirement to ascertain a State Revolving Fund construction loan.

SUMMARY:

Previously on April 6, 2016 the City Council approved agreement with FDEP to provide the loan to prepare the Facility Plan. The SRF program requires the City to submit a planning document, including the Wastewater Master plan, to support the SRF design and construction loan application. To qualify for the loan, the Wastewater Facilities Plan must outline the necessary Sanitary sewer and water distribution improvements within the City's service area and provide project planning documentation in accordance with the SRF funding requirements of section 62-503,FAC. Staff has negotiated a contract to conduct this work with Jones Edmunds who is on the City's Library of Professional Services list. The Design of the project is approximately 90% complete and this agreement keeps the project on track.

OPTIONS:

1. **Move to Approve** the agreement with Jones Edmunds in the amount of \$23,125 and authorize the City Administrator to sign
2. **Do Not Approve** the agreement with Jones Edmunds in the amount of \$23,125 and authorize the City Administrator to sign

STAFF RECOMMENDATION:

3. **Move to Approve** the agreement with Jones Edmunds in the amount of \$23,125 and authorize the City Administrator to sign

FISCAL IMPACT:

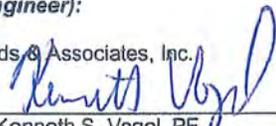
Sufficient funding in the Utilities Budget for Fiscal Year 2016 exists to cover the cost of this planning document.



SHORT FORM CONTRACT BETWEEN CLIENT AND ENGINEER

Jones Edmunds & Associates, Inc. (Engineer)
 730 N.E. Waldo Road ■ Gainesville, Florida 32641
 Phone: 352.377.5821 ■ Fax 352.377.3166
 Website: www.jonesedmunds.com

Return Contract to:
 Jones Edmunds & Associates, Inc., ATTN: Contracts Coordinator, 730 NE Waldo Road, Gainesville, FL 32641
 Email: ContractServices@jonesedmunds.com

Client: <i>(Show Client Name, Street Address, City, State, and Zip Code)</i> City of Tavares 201 E. Main Street Tavares, FL 32778 Contact Person: Brad Hays	Date: <u>May 5, 2016</u> Page <u>1</u> of <u>5</u>
Project: Lake Frances Water and Sewer System Upgrades and Lift Station 49 improvements State Revolving Fund Wastewater Facilities Plan (Opportunity 95409-031-16)	
1. Scope of Work and Schedule: Provide planning assistance to the City of Tavares for preparing a Wastewater Facilities Plan as required for the State Revolving Fund (SRF) construction loan application as outlined in the attached Scope of Services and Fee Estimate.	Price: <i>(Check Appropriate Box)</i> <input checked="" type="checkbox"/> Lump Sum: <u>\$ 23,125</u> <input type="checkbox"/> Time & Materials: <u>\$</u>
2. Attachments: Scope of Services and Fee Estimate.	
3. Documents Incorporated by Reference: None.	
By and in consideration of this Contract and the obligations imposed by it, Client and Engineer agree to the terms stated above and to the terms & conditions stated (i) on Page 2 of this document, (ii) in the attachments, and (iii) in documents incorporated by reference in this Contract (together, "Contract Documents").	
Retainer: Client agrees to pay the following non-refundable amount upon contract execution: <u>\$ N/A</u> . Retainer will be applied to outstanding invoice balance.	
Authorized: (Client): City of Tavares Signature: _____ Name: <u>John H. Priddy</u> Title: <u>City Administrator</u>	Accepted (Engineer): Jones Edmunds & Associates, Inc. Signature:  Name: <u>Kenneth S. Vogel, PE</u> Title: <u>Senior Vice President</u>

Project Manager Approval:	Office Manager Approval: <u>KSV or LRR</u>
---------------------------	--

TERMS AND CONDITIONS (Page 2)
Short Form Contract Between Client and Engineer

1. **Method of Payment:** Monthly, Engineer will invoice Client for all Services rendered during the previous month. Invoices shall be paid by Client in accordance with Florida's Prompt Payment Statute, FS 218.70-80. Unpaid charges will draw interest at the lesser of 1.5% per month or the highest rate allowed by law, commencing 30 days after date of invoice. Client shall notify Engineer in writing of any disputed amount within 15 days after date of invoice; otherwise, all invoice charges are agreed to be acceptable. Should it be necessary for Engineer to initiate collection procedures for unpaid charges, the cost of such procedures will be added to the amount due Engineer from Client. Lump Sum contracts will be invoiced on a percent-complete basis.

2. **Permit Assistance:** Client shall assist Engineer in obtaining all necessary governmental permits and/or approvals required for the performance of the Services. Engineer's obligations hereunder are specifically subject to the issuance of all such permits and/or approvals.

3. **Standard of Care:** Services will be performed for the exclusive benefit of Client. Services shall be conducted by Engineer consistent with that level of care and skill ordinarily exercised by the engineering and consulting professions in the same locale acting under similar circumstances and conditions. Except as set forth herein, Engineer makes no other representation, guarantee, or warranty, express or implied, in fact or by law, whether of merchantability, fitness for any particular purpose, or otherwise concerning any of the services which may be furnished by Engineer to Client. Nothing in this Contract is intended to create, nor shall it be construed to create, a fiduciary duty owed by either party to the other party.

4. **Deliverables:** All deliverables, including, but not limited to, any and all reports, drawings, plans, designs, and specifications prepared by Engineer hereunder shall become Client's property upon final payment for Engineer's Services. Engineer shall retain copies of all deliverables. Deliverables may not be used or reused by Client, its employees, agents, or subcontractors on any extension of the project or on any other project without prior written consent of Engineer, which consent will not be unreasonably withheld.

5. **Limitation on the Scope of Services:** Client acknowledges that Engineer has no role in generating, treating, storing, or disposing of hazardous or toxic substances, pollutants and contaminants, or other waste materials ("Waste Materials") which may be present at the Site. Any Waste Materials connected with the Services shall at no time become the property of Engineer. Nothing herein shall require Engineer to assume the status of generator or a storage, treatment, or disposal facility as those terms are defined by the Resource Conservation and Recovery Act, or any state statute or regulation governing the generation, treatment, storage, or disposal of hazardous or solid waste. Engineer cannot accept ownership, title, or responsibility for Client's waste or responsibility for the disposal of any Waste Materials. Client agrees that it shall evaluate and select the proper site for treatment or disposal of its Waste Materials and shall be solely responsible therefor. Arrangements made by Engineer for treatment, storage, transport, or disposal of any Waste Materials shall be construed as being made solely for Client's benefit and Client shall indemnify and hold harmless Engineer against all claims, damages, losses, liability, and expenses, including attorney's fees, which arise therefrom.

6. **Limitation of Liability:** The liability of Engineer to Client and all other persons and entities for damages due to acts or omissions arising out of the services furnished under this Contract, regardless of the theory under which such damages are awarded or the type of damages awarded, shall not exceed, in the aggregate, the amount of compensation paid under this Contract.

Pursuant to Section 558.0035, Florida Statutes, an individual employee or agent may not be held individually liable for negligence.

7. **Client's Indemnification:** Client shall indemnify and hold harmless Engineer and its shareholders, directors, officers, employees, and agents against all losses or claims, and costs incidental thereto (including costs of defense, settlement, and reasonable attorney's fees) which any or all of them may incur, resulting from bodily injuries (or death) to any person, damage (including loss of use) to any property, or contamination of or adverse effects on the environment, arising out of or which are in any way connected with (i) any release or threatened release of Waste Materials or any other activity relating to Waste Materials; (ii) the intentional or negligent acts or omissions of Client, Client's employees, agents, and subcontractors; or (iii) Client's breach of this Contract.

8. **Required Disclosures by Client:** Client shall provide Engineer all information which is known or readily accessible to Client which may be reasonable and/or necessary for completion of the Services by Engineer.

9. **Force Majeure:** Neither party shall be responsible for damages or delays caused by Force Majeure or other events beyond the control of the other party and which could not reasonably have been anticipated or prevented. For purposes of this Contract, Force Majeure includes, but is not limited to, adverse weather conditions, floods, epidemics, war, riot, strikes, lockouts and other industrial disturbances; unknown site conditions, accidents, sabotage, fire, loss of or failure to obtain permits, unavailability of labor, materials, fuel or services; court orders; acts of God; acts, orders, laws or regulations of the Government of the United States or the several states, or any foreign country, or any governmental agency. Should Force Majeure occur, the parties shall mutually agree on the terms and conditions upon which the Services may be continued.

10. **Termination:** This Contract may be terminated by either party upon 30 days written notice to the other party. Irrespective of which party terminates or the cause therefor, Client shall, within 30 days of termination, compensate Engineer for costs incurred up to the date of termination, plus any reasonable and unavoidable costs incurred due to such termination (such as cancelling orders for equipment, materials, or services).

11. **Site Access:** Client grants a right of entry to the Site to Engineer, its employees, agents, and subcontractors to perform the Services. If Client does not own the Site, Client warrants that it has the permission of the owner of the Site to grant this right of entry to Engineer. If, in order to perform the Services, Engineer damages or alters a site owned by a third party, Client agrees to pay the cost of restoring the Site to its condition prior to the performance of the Services.

12. **Geophysical Services:** Engineer does not guarantee any specific results from sampling or analytical activity. Engineer shall not be liable for loss and/or damage to the surface or subsurface due to subsurface sampling. Engineer shall not be liable for damage to wells caused by subsurface trespass or from operational services. Client will repair or replace any equipment damaged or lost in a well unless caused by Engineer's gross negligence or willful misconduct. Recovery of lost equipment will be Client's responsibility. Engineer is not liable for the accuracy of copies of the original logs or for recommendations based on such copies. Engineer will provide professional interpretation and recommendations if requested in the Scope of Work. Engineer shall not be responsible for obtaining permits or permission to log a well on a Site owned by a third party.

13. **Certifications:** Engineer shall not be required to sign any documents, no matter by who requested, that would result in the Engineer having to certify, guarantee, or warrant the existence of conditions whose existence Engineer cannot ascertain. Client agrees not to make resolution of any dispute with Engineer or payment of any amount due to Engineer in any way contingent upon Engineer's signing any such documents.

14. **Equal Opportunity:** For contracts in excess of \$10,000 - Engineer and its subconsultants, if any, shall abide by the requirements of 41 CFR 60-1.4(a). This regulation prohibits discrimination against qualified individuals on the basis of race, color, religion, sex or national origin and requires affirmative action by covered prime contractors and subcontractors to ensure applicants are employed and that employees are treated without regard to race, color, religion, sex or national origin.

For contracts in excess of \$10,000 - Engineer and its subconsultants, if any, shall abide by the requirements of 41 CFR 60-741.5(a). This regulation prohibits discrimination against qualified individuals on the basis of disability, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified individuals with disabilities.

For contracts in excess of \$100,000: Engineer and its subconsultants, if any, shall abide by the requirements of 41 CFR 60-300.5(a). This regulation prohibits discrimination against qualified protected veterans, and requires affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans.

15. **Entire Contract:** This Contract constitutes the entire agreement between the parties and supersedes any and all prior written or oral agreements existing between the parties. This Contract may be amended only by written instrument signed by each party.

16. **Precedence:** This Contract shall take precedence over any inconsistent or contradictory provisions in any other Contract Documents or any Client-issued purchase order, requisition, notice to proceed, or like document regarding the Project, Services or payment.

17. **Survival:** All obligations arising prior to the termination of this Contract and all provisions of this Contract allocating responsibility or liability between Client and Engineer shall survive the completion of Services hereunder and the termination of this Contract.

18. **Governing Law:** This Contract shall be governed by, construed, and interpreted in accordance with the laws of the State of Florida.

CITY OF TAVARES
LAKE FRANCES WATER AND SEWER SYSTEM UPGRADES AND LIFT STATION 49
IMPROVEMENTS – STATE REVOLVING FUND WASTEWATER FACILITIES PLAN

Jones Edmunds & Associates, Inc.

Opportunity No.: 95409-031-16

Scope of Services and Fee Estimate

Jones Edmunds & Associates, Inc. is pleased to present this proposal to provide planning assistance to the City of Tavares for preparing a Wastewater Facilities Plan as required for the State Revolving Fund (SRF) construction loan application.

PROJECT DESCRIPTION

The City of Tavares is pursuing an SRF loan for the design and construction of two projects: the Lake Frances Water and Sewer System Upgrades, and the Lift Station 49 Improvements. The SRF Loan Program requires the City to submit planning documentation, including a Wastewater Facilities Plan, to support the SRF design and construction loan application. To qualify for the loan, the Wastewater Facilities Plan must outline the necessary sanitary-sewer and water-distribution improvements within the City's service area and provide project-planning documentation in accordance with the SRF funding requirements of Section 62-503, FAC.

Jones Edmunds' Scope of Services is described in the tasks below along with the fee estimate and preliminary schedule for each task.

TASK 1 – WASTEWATER FACILITIES PLAN

Jones Edmunds will prepare a Wastewater Facilities Plan for the Lake Frances Water and Sewer System Upgrades and the Lift Station 49 Improvements. The Wastewater Facilities Plan will be based on the current design outlined in the following report and drawing set prepared by Jones Edmunds: *Preliminary Design Recommendations, Wastewater Collection System Improvements Lake Frances Estates, July 2010*, and *Lake Frances Estates Wastewater Collection System Improvements, December 2014*. Information for Lift Station 49, including a preliminary engineering report, design option evaluations, and costs, shall be provided by ARCADIS and incorporated into the plan by Jones Edmunds.

The Wastewater Facilities Plan will include the following information, as required in Section 62-503, FAC:

Executive Summary

- Project description.
- Need or justification for the project.
- Project location map.

Cost Comparison

- Compare the costs of at least two alternatives, one of which may include the cost of a no-action alternative.

Environmental Effects/Benefits

- Discuss environmental benefits associated with the proposed project.
- Discuss any significant adverse effects upon flora, fauna, threatened or endangered plant or animal species, surface water bodies, prime agricultural lands, wetlands, or undisturbed areas.

- Provide a list of endangered/threatened plant and animal species (obtained from the United States Fish and Wildlife Service) for the project area.
- Discuss any significant adverse human health or environmental effects on minority or low-income communities.
- Discuss investigations/site visits that were performed to determine the environmental effects of the proposed project.

Selected Alternative

- Describe existing and recommended facilities.
- Provide a detailed cost estimate of the selected alternative.

Public Participation Process

- Include minutes of the public meeting and a copy of the advertisement.

Financial Feasibility

- Identify revenues to be dedicated to repaying the loan.
- Discuss the existing/proposed user charge system.
- Complete Capital Financing Plan.

Schedule

- Provide a schedule for implementing the recommended facilities.

Adopting Resolution

- Provide specific authorization to implement the planning recommendations.

Jones Edmunds will submit an electronic copy of the draft Wastewater Facilities Plan to the City for review. Once the City approves it, Jones Edmunds will submit one hard copy of the documents along with a CD to the Division of Water Restoration Assistance, Clean Water SRF, and the State Clearinghouse for review. During the review process, Jones Edmunds will assist with submitting other required documents, including biddable plans/specification and permits.

TASK 2 – PUBLIC PARTICIPATION PROCESS

Jones Edmunds will assist the City in preparing for one public meeting to discuss the project, in accordance with SRF requirements. Assistance will include preparing 10 PowerPoint slides, reviewing additional slides prepared by the City's staff, and preparing/printing/mounting five presentation boards to summarize the project for the public meeting. Jones Edmunds will also attend the public meeting to assist the City in answering questions about the project.

PROJECT SCHEDULE

- Draft Wastewater Facilities Plan: 40 days from receiving Notice to Proceed.
- Final Wastewater Facilities Plan: 20 days after receiving the City's comments on the draft report.

PROJECT FEES

Compensation for this Scope of Services will be billed on a lump-sum basis in the amount of twenty-three thousand one-hundred and twenty-five dollars (\$23,125).

EXCLUSIONS AND CONDITIONS

The following exclusions and conditions apply to this Scope of Services, fee estimate, and schedule:

1. The estimated fees are based on our current understanding of the project needs. The tasks listed in this Scope of Services will be performed on a lump-sum basis. Jones Edmunds will first notify the City if the fees required to complete additional tasks assigned by the City are not provided in the Scope of Services.
2. Information from ARCADIS for Lift Station 49 improvements will be complete and provided in a timely fashion to allow Jones Edmunds to meet the schedule.
3. The City will provide Jones Edmunds with the following information:
 - Meeting minutes from the public meeting and a copy of the advertisement.
 - Adopting resolution.

END OF SCOPE OF SERVICES

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 18, 2016**

AGENDA TAB NO. 6

SUBJECT TITLE: Request to Approve Authorization to Accept the Extension of Time and an increase in the amount of Grant Money with the Lake County Water Authority (LCWA) Program to utilize the funds for construction of a Stormwater Pond

OBJECTIVE: To consider the acceptance of a Grant extension in time and money from the Lake County Water Authority Program for the upgrading of the existing Stormwater infrastructure in the CRA area. This grant will assist the City in the construction of the pond portion of the project that will clean up pollutants from entering Lake Dora.

SUMMARY:

Previously, the City accepted a Grant from the Lake County Water Authority for the construction of the new Stormwater Ruby Street Project. This Grant was due to expire in May 2016 and was in the amount of \$353,000. Staff went back to the LCWA seeking a time extension and consideration of an increase in the funding. After a few meetings LCWA granted the City a time extension and increase in funding. The new extension deadline is September 2017 and the amount of Grant Funding has been increased by \$286,000 to a new total of \$639,330. Staff seeks approval to except this new Grant agreement.

OPTIONS:

1. **Move to Accept** the new Grant agreement for an extension of the time line and increase in funding, in the total amount of \$639,330 from the LCWA for the Stormwater improvements
2. Do not **Move to Accept** the new Grant agreement for an extension of the time line and increase in funding, in the total amount of \$639,330 from the LCWA for the Stormwater improvements

STAFF RECOMMENDATION:

1. **Move to Accept** the new Grant agreement for an extension of the time line and increase in funding, in the total amount of \$639,330 from the LCWA for the Stormwater improvements

FISCAL IMPACT:

Grant revenues will be applied to the Ruby Street Stormwater Program

**AMENDMENT #2 TO LAKE COUNTY WATER AUTHORITY STORMWATER
GRANT PROGRAM AGREEMENT TO FUND THE CITY OF TAVARES'
DOWNTOWN STORMWATER IMPROVEMENT PROJECT**

This AMENDMENT # 2 to LAKE COUNTY WATER AUTHORITY STORMWATER GRANT PROGRAM AGREEMENT TO FUND TAVARES' DOWNTOWN STORMWATER IMPROVEMENT PROJECT (the "Agreement"), made and entered into by and between the LAKE COUNTY WATER AUTHORITY, a Special District of the State of Florida authorized and governed by Chapter 2005-314, Laws of Florida, its successors and assigns, whose address is 107 North Lake Avenue, Tavares, Florida 32778, hereinafter referred to as the "AUTHORITY", through its Governing Board, and the CITY OF TAVARES, whose address is 2770 Woodlea Road, Tavares, Florida, 32778, hereinafter referred to as "TAVARES".

WHEREAS, the AUTHORITY and the CITY OF TAVARES entered into the Agreement on April 11, 2012; and

WHEREAS, it is the intent of the parties to amend the Agreement to reflect the project and term revisions as hereinafter stated.

NOW, THEREFORE, the Agreement is hereby revised, as shown in strike through and underline format, as follows:

Section Two. of the Agreement is amended as follows:

2. This Agreement shall begin upon execution by both parties and end no later than ~~February 29, 2016~~ September 29, 2017, inclusive. The Grantee shall not be eligible for reimbursement for work performed prior to the execution date of the original agreement. This agreement may be amended to provide for additional services if additional funding is made available by the Authority.

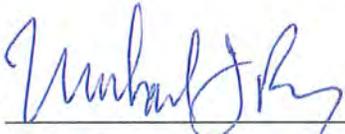
Section Three. of the Agreement is amended as follows:

3. A. As consideration for the services rendered by the Grantee under the terms of this Agreement, the Authority shall pay the Grantee on a cost reimbursement basis an amount not to exceed ~~\$353,000 (Three hundred Fifty three Thousand Dollars)~~, \$639,330 (Six hundred thirty-nine thousand three hundred thirty dollars) or 25% (Twenty-five Percent) of the water quality enhancement PROJECT that is related to treating existing development. Any cost to treat future or proposed development will not be reimbursed and cannot be used as the Grantee's matching funds. The parties hereto agree that the Grantee is responsible for providing a minimum match of \$1,917,990 (One million nine hundred seventeen thousand nine hundred ninety dollars), or 75% (Seventy-five Percent) toward the funded water quality enhancement portion of the project described in **Attachment A**. Regardless of the amount of the grant, expenditures by grantee determined at the sole discretion of the Authority to be unrelated to the enhancement of water quality in the receiving waterbody will not be

funded or reimbursed. If the Grantee finds, after receipt of competitive bids, that the work described in **Attachment A** cannot be accomplished for the current estimated project cost, the parties hereto agree to modify the Grant Work Plan described in **Attachment A** to provide for the work that can be accomplished for the funding identified above.

IN WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this AMENDMENT # 2 TO LAKE COUNTY WATER AUTHORITY STORMWATER GRANT PROGRAM AGREEMENT TO FUND TAVARES' DOWNTOWN STORMWATER IMPROVEMENT PROJECT on the day and year set forth next to their signatures below.

LAKE COUNTY WATER AUTHORITY

Signature: 

Print name: Michael J. Perry
LCWA Executive Director

Date: 06 May 2016

Witness: 

CITY OF TAVARES

Signature: 

Print name: John H. Druery
TAVARES City Manager

Date: 5/5/16

Witness: 

LCWA Amendment 2 to Tavares downtown Stormwater Improvement Project

Attachment A
Grant Work Plan



Lake County
WATER AUTHORITY

Michael J. Perry, Executive Director Neil Kelly, Secretary-Treasurer

107 North Lake Avenue Tavares, Florida 32778-3119 (352) 343-3777 Fax (352) 343-4259 E-mail: info@lcwa.org www.lcwa.org

December 13, 2011

Dear Applicant:

The Lake County Water Authority is contacting you to make you aware of funding that is available through our *2011-2012 Cooperative Stormwater Initiative*. This will be the tenth consecutive year of the program and we continue to gain significant ground reducing Lake County's stormwater problem. Last year alone, the Lake County Water Authority awarded \$350,000 in stormwater retrofit grants. This year, we have made \$500,000 available for new projects.

Although we are making significant improvements, Lake County's stormwater problem will take many more years to correct and will require continued cooperative efforts of multiple agencies. Your agency's help in identifying and funding projects that eliminate direct stormwater outfalls is of the utmost importance. The enclosed cooperative funding application is provided so that you can take advantage of this program. A digital copy of this document can be found on our website at www.lcwa.org. I would encourage you to take this opportunity to stay ahead of any mandatory stormwater discharge regulations that may come about as a result of the Total Maximum Daily Load (TMDL) criteria established by the Florida Department of Environmental Protection.

Thank you for your interest in assisting the Lake County Water Authority with its mission to reduce direct stormwater discharge to our surface waters. We look forward to working with you in the future!

Sincerely,
Michael J. Perry
Executive Director

MP:rh
Enclosures

BOARD OF TRUSTEES

District One	District Two	District Three	District Four	District Five	At-Large	At-Large
Charles C. Clark	Kelly A. Pilcher	Carolyn M. Maimone	Larry M. Everly, Jr.	Linda K. Bystrak	Keith A. Farmer	John N. Harris



LAKE COUNTY

WATER AUTHORITY

107 North Lake Avenue - Tavares, FL 32778

(352) 343-3777 - Fax (352) 343-4259

Stormwater Treatment Grant - Application Form

The Lake County Water Authority (LCWA) initiated a grant program for stormwater retrofitting projects beginning in fiscal year 1996. The grant program targeted municipality/community projects within Lake County that were aimed at enhancing water quality within our waterbodies. The Stormwater Treatment Grant will be administered through the Lake County Water Authority and evaluated by a Technical Evaluation Team (TET), with final award of available grant funds by the LCWA Board of Trustees.

For fiscal year 2011-2012, \$500,000 has been made available to fund this grant program. At the complete discretion of the LCWA Board of Trustees, these funds may be directed to one or more applicants. The LCWA encourages applicants to submit joint community projects where applicable. Priority will be given to capital improvement projects that are ready for construction or implementation, especially where funds can be fully expended or encumbered by the end of fiscal year 2013 (September 30, 2013). The applicant may include land acquisition cost if the purchase must be made specifically to implement the project. Costs for stormwater studies and engineering design associated with construction and/or alternative technologies that can be demonstrated to provide pollutant removal may be included. These projects may receive a lower prioritization than projects that are ready for construction. All applicants must provide an estimate of pollutant loading in the application. Projects submitted without an estimate of pollutant loading may be excluded from further consideration.

The Stormwater Treatment Grant Program is intended to fund the removal of pollutants that are currently discharging into our lakes and wetlands. The program is not intended to fund the treatment of any new or re-developed areas to meet local, state, or federal stormwater permitting requirements. The program is further not intended to fund flooding problems or system repairs with little or no amount of pollution removal. The applicant will be responsible for all maintenance and operation cost associated with each project.

The Lake County Water Authority shall receive applications no later than 4:00 p.m. January 12, 2012 to be considered. The TET will act upon the individual applications in the form of a recommendation by January 31, 2012. TET's formal recommendations will then be sent along with the accompanying applications to the LCWA Board of Trustees for their review. The Lake County Water Authority Board of Trustees will discuss the Technical Evaluation Team's recommendation and make their formal award of the grant(s) during their regularly scheduled meeting on February 22, 2012. Actual payment will be in the form of a reimbursement to the municipality/community of the proposed project in accordance with approved plans as submitted. **Payment will not be provided for work initiated prior to contract execution.**

Please provide five copies of each submittal with at least one electronic copy in word format. There is no limit to the number of projects that can be submitted. Additional copies may be requested for distribution to the LCWA Board

Applicant Information

Municipality or Community Name City of Tavares	Contact Mr. Brad Hayes
Phone Number (352) 742-6485	Title Director of Utilities
Project Name City of Tavares Stormwater Improvements	E-mail bhayes@tavares.org
Mailing Address 2770 Woodlea Road, Tavares, FL 32778	

Location Maps

Please provide the following required information

- Location of proposed stormwater treatment (attach legible aerial photographs, maps or other materials to adequately depict the watershed, receiving water, and area of the proposed treatment including names of affected water bodies and street names where appropriate).

Please provide input on the following criteria that will be evaluated:

- Overall Project:** Description of proposed stormwater treatment project. Discuss the technical merits of the project. Provide the associated cost estimate for the project including a separate cost estimate for any additional work if the stormwater element is part of a larger project, the schedule, and the estimated operation/maintenance plan for the proposed project. **(14 points max)**

Project Purpose:

The City of Tavares (City) is located in northern Lake County (County) within Central Florida. It is bound by Lake Eustis to the north, Lake Dora to the south, the City of Eustis to the east and Lake Harris to the west. The City's Downtown Community Redevelopment Area (CRA) is an area encompassing approximately 400 acres of land area including public roadway rights-of-way, and is comprised of the Central Business District, the Lake Dora waterfront, single-family neighborhoods, and regional commercial corridors.

Lake Dora, located on the CRA's southern boundary, is considered part of the Upper Oklawaha River Basin (UORB). Lake Dora has been established as impaired and the Florida Department of Environmental Protection (FDEP) has established Total Maximum Daily Loads (TMDLs) for total phosphorus (TP). The existing stormwater system provides minimal TP treatment of the stormwater runoff discharging to Lake Dora. This adversely impacts quality of life, community vibrancy, and economic development in the City of Tavares.

Reducing the discharges of TP into the basin will help assist in achieving the water quality standards for Lake Dora. This load reduction will help maintain designated uses established by FDEP for recreational use and for the propagation and maintenance of a healthy, well-balanced population of fish and wildlife.

Project Objectives:

The funding provided under this grant program will go toward the construction of a stormwater interceptor pipeline and wet detention treatment pond system. The project is designed to redirect stormwater from discharging directly into Lake Dora and into the proposed wet detention pond. This project is a portion of a larger multi-faceted approach within the CRA to improve the conveyance and stormwater treatment within the southern portion of the CRA. This overall larger CRA project includes several activities identified in the Basin Management Action Plan (BMAP) for the reduction of TMDL in the UORB. Among these are:

- Stormwater retrofits (drainage upgrades)
- Urban Structural Best Management Practices (BMP) (wet detention stormwater treatment ponds)
- Community stormwater education

Project Design:

The project is to install a stormwater interceptor to divert stormwater from the seven (7) existing direct outfalls into Lake Dora into a wet detention treatment pond system. The wet detention pond system will provide treatment for the southern part of the CRA and will be designed as an off-line system. The interceptor pipe is proposed along Ruby Street along with diversion structures at the crossing of each of the discharge lines leading to the seven existing outfalls into Lake Dora. The initial, first flush of runoff

would be intercepted and directed to the wet detention treatment pond system. Once the wet detention pond filled to its design stage, then the subsequent runoff will continue onto Lake Dora.

This system will include the construction of the following estimated quantities:

- Wet Detention Treatment Pond System
- 1,800 linear feet of 42-inch reinforced concrete pipe
- Associated drainage structures (manholes and inlets)

The area proposed for the pond is an existing County-owned wetland system located south of the County jail located on Main Street between South Bloxham Avenue and North Sinclair Avenue. The County and the City have signed an interlocal agreement that allows the City to use approximately 9 acres of land for the wet detention pond. The property does not have any conservation easements attached to it. Therefore, it will be considered for creation of a wet detention pond. The primary purpose of the pond will be for the reduction of TP and total suspended solids. A second identified purpose may be for the augmentation of the City's reclaimed water system.

The anticipated removal efficiencies for TP are estimated at 61.5 percent using the St. John's River Water Management District (SJRWMD) Lake Apopka Hydrologic Basin Pollutant Loading Analysis. Removal efficiencies for TSS are estimated at 67 percent using the National Pollutant Discharge Elimination System (NPDES) description of wet ponds provided at:
http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=factsheet_results&view=specific&bmp=68.

Public Outreach

A stormwater education campaign will be initiated in conjunction with the construction to heighten awareness of the stormwater system and the pollution it carries to Lake Dora. The City will install a sign near the wet detention pond within public right-of way that will provide information on the project. The sign will also display and educate with information about Lake Dora, such as:

- Nonpoint source pollution associated with stormwater
- Ways the project is working to reduce pollution
- Ways the residents and business owners can also help contribute to the reduction

In addition to the sign, the City will install decals throughout the stormwater system that read "Only Rain Down the Drain" or a similar phrase. The decals will include a phone number where residents and business owners can report unauthorized dumping into the stormwater system.

The City will conduct no less than four outreach demonstrations that discuss the benefits of the wet detention pond as a (BMP) to reduce TP and total suspended solids (TSS). In addition, the demonstrations will educate the public on ways local residents and business owners can help contribute to reducing non-point source pollution.

Effectiveness Monitoring

The effectiveness of the wet detention pond treatment will be measured by recording the influent and effluent concentrations of specified parameters. The interceptor's primary function is to divert untreated runoff from Lake Dora into a new wet detention pond. The City of Tavares proposes to conduct a characterization of both the influent and effluent channels to determine the best sampling technique.

Operation and Maintenance

The City’s stormwater department is part of the utility department that includes maintenance staff and equipment. With installation of stormwater system improvements (as proposed in this project and the larger associated project), maintenance of the system will be facilitated due to installation of new pipelines. The wet detention pond, has limited maintenance activities such as mowing and trimming of vegetation. A significant increase in stormwater maintenance activities is not anticipated.

Project Budget

The overall construction budget for the project submitted for LCWA grant funding is estimated at approximately \$2.3 million dollars. The project is part of a larger projects with construction costs estimated at approximately \$8 million dollars.

Project Schedule

Project Milestones/Deliverables/Outputs:

No.	Task/Activity Description	Start	Complete	Deliverables/ Outputs
1	Design/Permitting/Bidding	2/2012	9/2012	100% design plans, required permits, selected contractor and executed contract documents
2	Construction/BMP Implementation	10/2012 Pre-construction	8/2013 Post-construction	Pond construction and interceptor construction. Quarterly reports of construction activities with photographs.
3	Post-Implementation Monitoring	8/2013	8/2014	Results of water quality testing and stream flow analysis
4	Public Education	8/2013	12/2013	Final Report will summarize completed project (construction), monitoring program and results.

Status of Project: Which phases of the project have been completed? Provide realistic completion dates for the remaining phases. **(5 points max)**

Conceptual Complete
Study – Complete
Design – September 2012
Permits – September 2012
Bid Packages Prepared – September 2012

Public Benefit: Identify the receiving waterbody. Explain the type of existing public access to the receiving waterbody (Public Ramps, Public Docks, Adjacent Public Parks, etc.). Discuss the expected public benefit by implementing the project. **(19 points max)**

The Lake Dora water front, on the southern boundary of the CRA, is part of Wooten Park, a recreational meeting place within the City. Wooten Park includes a sea plane marina, boat docks, boat ramps, a splash park, play ground, picnic areas and a train station. The sea plane marina, boat docks and boat ramps give residents and visitors direct access to Lake Dora. The reduction in pollutant loading within Lake Dora will help maintain its wide range of recreational uses and will contribute to the propagation and maintenance of a healthy, well-balanced population of fish and wildlife.

- Pollutant Removal:** Identify the size of the area (in acres) proposed for treatment, the percent of the watershed that is impervious, the types of pollutants targeted for removal, and the type and percent efficiency of the treatment method selected. Estimate the pounds of the target pollutants that will be removed per year and identify the method used to calculate these totals. Include the acreage and volume of any retention ponds as well as any soil information that may be available. **(29 points max)**

Impacted Watershed Name: Oklawaha River Water Shed/Lake Dora

Size of Project Impact: The proposed project will be constructed below grade within existing right of way and is anticipated impact approximately 0.2 acres during construction. The construction of the associated pond will impact approximately 9 acres of wetland.

Size of Drainage Area: 131 acres

Hydrologic Unit Code: 03080102

Land Uses within the watershed:

Land Use	Acres	%
Residential	20	15
Industrial/Commercial	26	20
Municipal/Public	76	58
Agricultural	--	--
Forested	--	--
Wetlands	9	7
Land Use Totals (Acreage and %)	131	100

Soils:

According to the National Resources Conservation Service (NRCS), soils within the pond area with approximate percentages are as follows:

Arents 30 percent
Swamp 70 percent

According to the NRCS, soils within the area of the interceptor pipe with approximate percentages are as follows:

Arents 40 percent
Candler Sand, 0 to 5 percent slopes 60 percent

Proposed Wet Detention Pond:

Acreage: 8.55 acres
Drainage Area: 130.78 acres
Impervious Area: 101.89 acres
C Composite: 0.88
Treatment Volume:
1st inch of runoff = 474,721 cubic feet
2.5 Times impervious area = 924, 643 cubic feet
Treatment volume = 924, 643 cubic feet

Permanent Pool Volume
Wet Season Rainfall = 30 inches
Residence Time = 21 days
Length of Wet Season = 153 days
Permanent Pool Volume = 1,727,891 cubic feet

Types of Pollutants: Total phosphorus (TP) and total suspended solids (TSS)

Removal Efficiency: The anticipated removal efficiencies for TP are estimated at 61.5 percent using the St. John's River Water Management District (SJRWMD) Lake Apopka Hydrologic Basin Pollutant Loading Analysis. Removal efficiencies for TSS are estimated at 67 percent using the National Pollutant Discharge Elimination System (NPDES) description of wet ponds provided at http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=factsheet_results&view=specifi c&bmp=68

Removal Quantity:

BMPs Installed		TSS	TP
Wet Detention Pond		lbs/yr	lbs/yr
Pollutant Loads	Pre-Project	n/a ⁽¹⁾	111.31
	Post-Project	n/a ⁽¹⁾	42.85
	Load Reduction	n/a ⁽¹⁾	67.46
	% Reduction	67.0	61.5

(1) Pre-project analysis of TSS has not been conducted, therefore a quantity in pound per year (lbs/yr) cannot be determined.

Type of Project: What type of project is proposed by the applicant? (15 points max)

(Circle appropriate answer)

Stormwater Construction Only	15 points
Engineering Design and Construction	9 points

Engineering Design, Construction, and Land Acquisition	6 points
Stormwater Study	3 points
Other Pollutant Removal Items	0 points

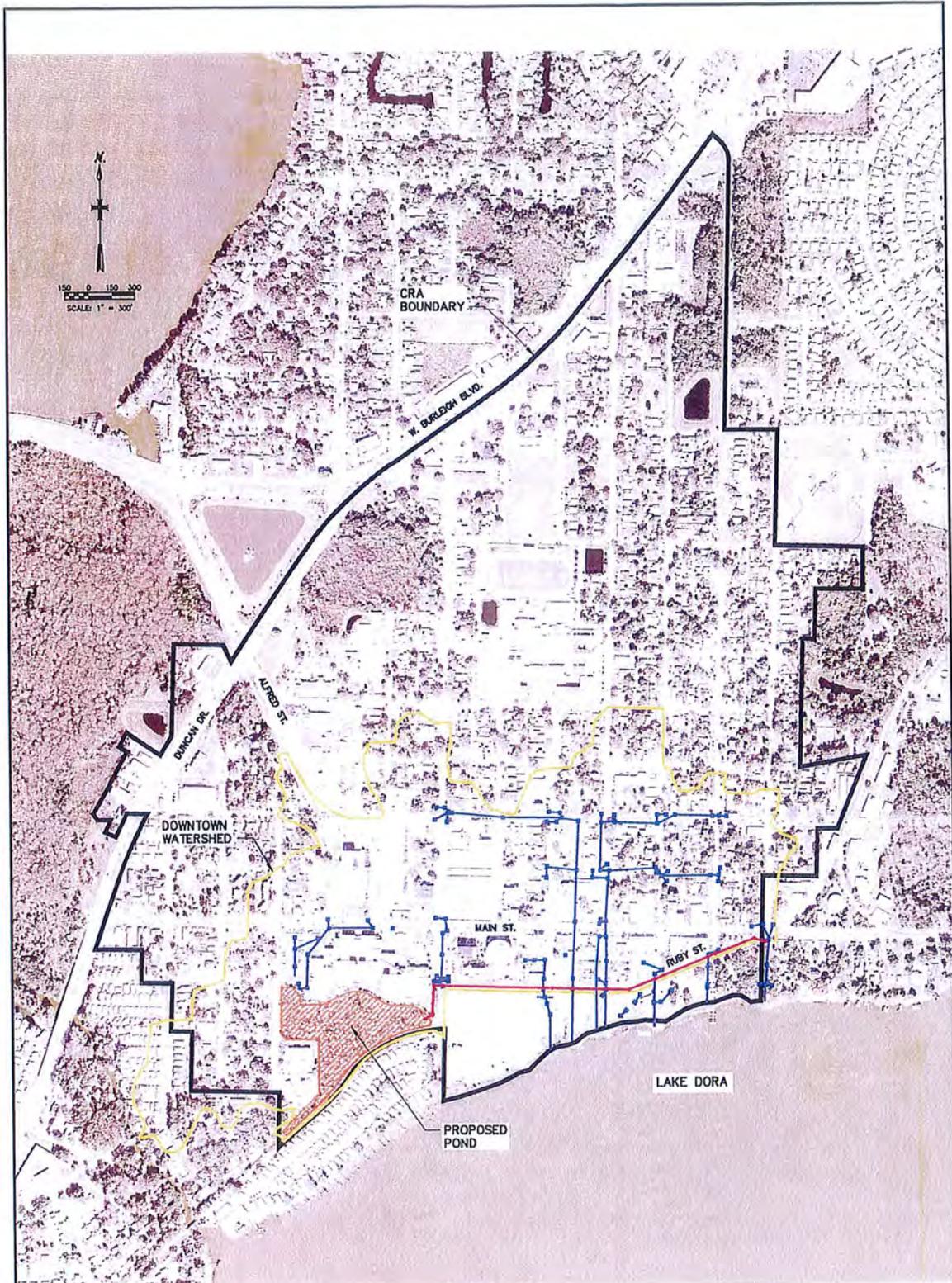
- Cost Sharing:** What level of cost sharing is requested (stormwater element only)?
(18 points max)

(Enter appropriate percentage in correct category)

__ 11 __ %	0 to 25% LCWA reimbursement of project cost	18 points
_____ %	26 to 50% LCWA reimbursement of project cost	12 points
_____ %	51 to 75% LCWA reimbursement of project cost	6 points
_____ %	76 to 100% LCWA reimbursement of project cost	0 points

- List additional funding partners and amount of proposed funding (stormwater element only)

Agency	Amount	Percentage
Florida Department of Environmental Protection	\$750,000	32.6%
Total		32.6%



LEGEND:

- EXISTING STORMWATER PIPE TO REMAIN
- PROPOSED STORMWATER PIPE

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
May 18, 2016**

AGENDA TAB NO. 7

SECOND READING

**SUBJECT TITLE: Ordinance 2016-11
Annexation & Rezoning –Reddy Ice Property- C.R. 448**

OBJECTIVE:

To consider the annexation and rezoning to Industrial of approximately 9.46 acres of property located on the southeast corner of C.R. 448 and Lake Industrial Blvd. (Reddy Ice Facility).

SUMMARY:

The subject property consists of two parcels of property. Located on this site is an existing industrial building from which the Reddy Ice packaging facility operated during 1988-2013. The applicant desires to upgrade and improve the building with the intent to run a USDA meat packaging plant from this site. It is a requirement that a facility of this nature be connected to city water and wastewater utilities. These service lines are available to this site. This property is contiguous to the City of Tavares' boundary. Annexation is a requirement to receive city utilities. The site is zoned Heavy Industrial in the County and the applicant is requesting a City of Tavares Industrial zoning.

This property is located within Tavares' "Industrial Park" with existing manufacturing businesses operating along Lake Industrial, Southridge Industrial and C.R.448. The proposed meat packaging plant may ultimately involve three shifts of workers and provide many new jobs for the area. The applicant is requesting that a short video of their plant operation in Brazil be shown to Council to accompany this report.

OPTIONS:

1. That City Council moves to approve Ordinance 2016-11.
2. That City Council moves to deny Ordinance 2016-11.

PLANNING & ZONING BOARD RECOMMENDATION:

On April 21, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-11.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2016-11.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

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ORDINANCE 2016-11

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 9.46 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND LAKE INDUSTRIAL BOULEVARD; REZONING THE PROPERTY FROM COUNTY HEAVY INDUSTRIAL TO CITY INDUSTRIAL; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of the property described in **Exhibit "A"** has voluntarily petitioned to annex into the City of Tavares, and

WHEREAS, the property legally defined in **Exhibit "A"** is contiguous with the corporate limits of the City of Tavares, and

WHEREAS, the City of Tavares, Florida, is in a position to provide municipal services to the property described herein; and,

WHEREAS, the City Council of the City of Tavares, Florida, deems it in the best interest of the City to accept said petition and to annex said property, and

WHEREAS, the property is currently zoned Lake County Heavy Industrial and the applicant has requested it to be rezoned to City Industrial; and,

WHEREAS, the Applicant has applied for a Future Land Use amendment to a City Industrial designation and the application will be processed concurrently with this annexation and rezoning; therefore

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

Section 1. Annexation

The property legally defined as and depicted in **Exhibit "A"** attached hereto, situated in Lake County, Florida, is hereby incorporated into and made a part of the City of Tavares, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes.

1 **Section 2. Rezoning**

2 The property described in **Exhibit "A"** shall hereby be rezoned from Lake County Heavy
3 Industrial (HM) to City of Tavares Industrial (I).

4
5 **Section 3. Severability.**

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

9
10 **Section 4. Effective Date.**

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

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15 **PASSED AND ORDAINED** this _____ of _____, 2016, by the City Council of the
16 City of Tavares, Florida.

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19 _____
20 Robert Wolfe, Mayor
21 Tavares City Council

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23 First Reading: _____

24
25 Passed Second Reading: _____

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27 ATTEST:
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29 _____
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31 Nancy Barnett, City Clerk

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34 APPROVED AS TO FORM AND LEGALITY:
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36 _____
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38 Robert Q. Williams, City Attorney

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EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

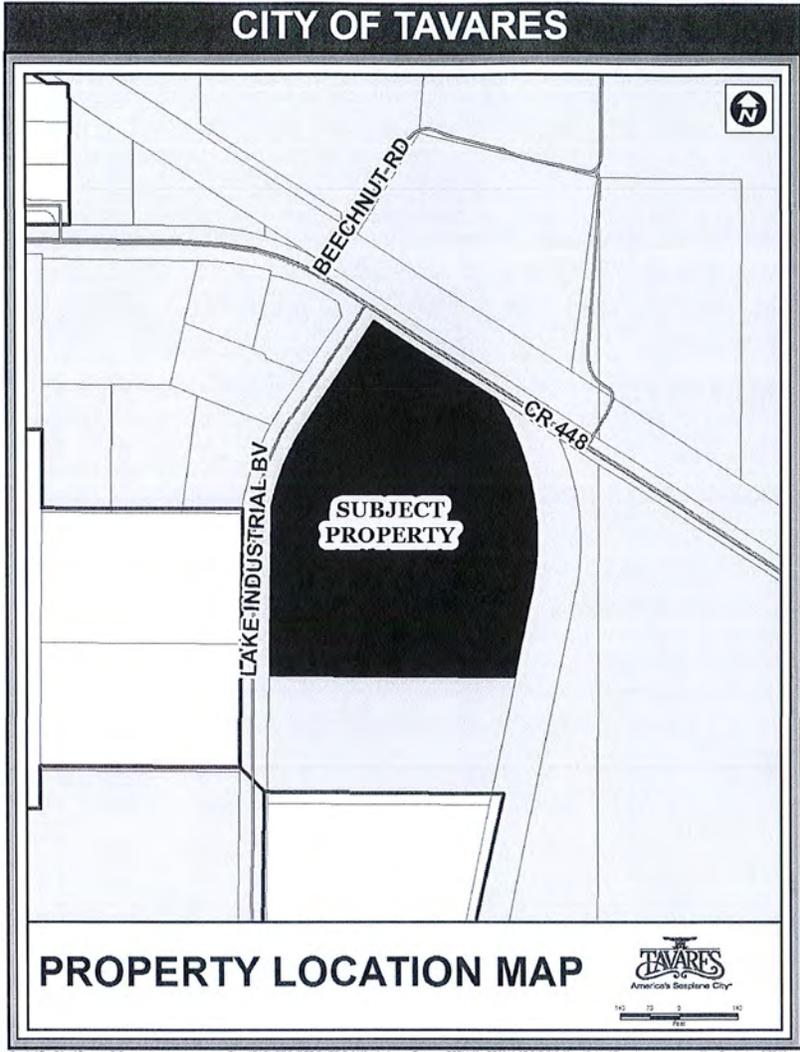
LIBER 0942 PAGE 0444

From the Southwest corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of SECTION 8, TOWNSHIP 20 SOUTH, RANGE 26 EAST, Lake County, Florida, run North $89^{\circ}49'00''$ East along the South line of said Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, 543.14 feet, thence North $0^{\circ}13'00''$ West, 624.28 feet to the Point of Beginning, thence continue North $0^{\circ}13'00''$ West, 41.92 feet to the beginning of a curve concave Easterly and having a radius of 400.0 feet, thence Northerly and Northeasterly along the arc of said curve through a central angle of $32^{\circ}00'00''$ a distance of 223.40 feet to the end of said curve, thence North $31^{\circ}47'00''$ east, 325.0 feet to the Southerly right of way of Highway No. 448, thence South $58^{\circ}13'00''$ East along said right of way of Highway No. 448 a distance of 335.0 feet to the Westerly right of way of Seaboard Coast Line Railroad, thence Southerly along the Westerly right of way of the Seaboard Coast Line Railroad, 373, feet, more or less, to a point that is North $89^{\circ}45'00''$ East of the Point of Beginning, thence South $89^{\circ}45'00''$ West, 626.20 feet to the Point of Beginning.

AND

From the Southwest corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of SECTION 8, TOWNSHIP 20 SOUTH, RANGE 26 EAST, Lake County, Florida, run North $89^{\circ}49'00''$ East along the South line of said Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$, 543.14 feet, thence North $0^{\circ}13'00''$ West, 324.28 feet to the Point of Beginning, thence continue North $0^{\circ}13'00''$ West, 300 feet, thence North $89^{\circ}45'00''$ East, 626.20 feet to the Westerly right of way of the Seaboard Coast Line Railroad, thence Southerly along the Westerly right of way of the Seaboard Coast Line Railroad 304.32 feet, more or less, to a point that is North $89^{\circ}45'00''$ East of the Point of Beginning, thence South $89^{\circ}45'00''$ West, 580.52 feet to the Point of Beginning.

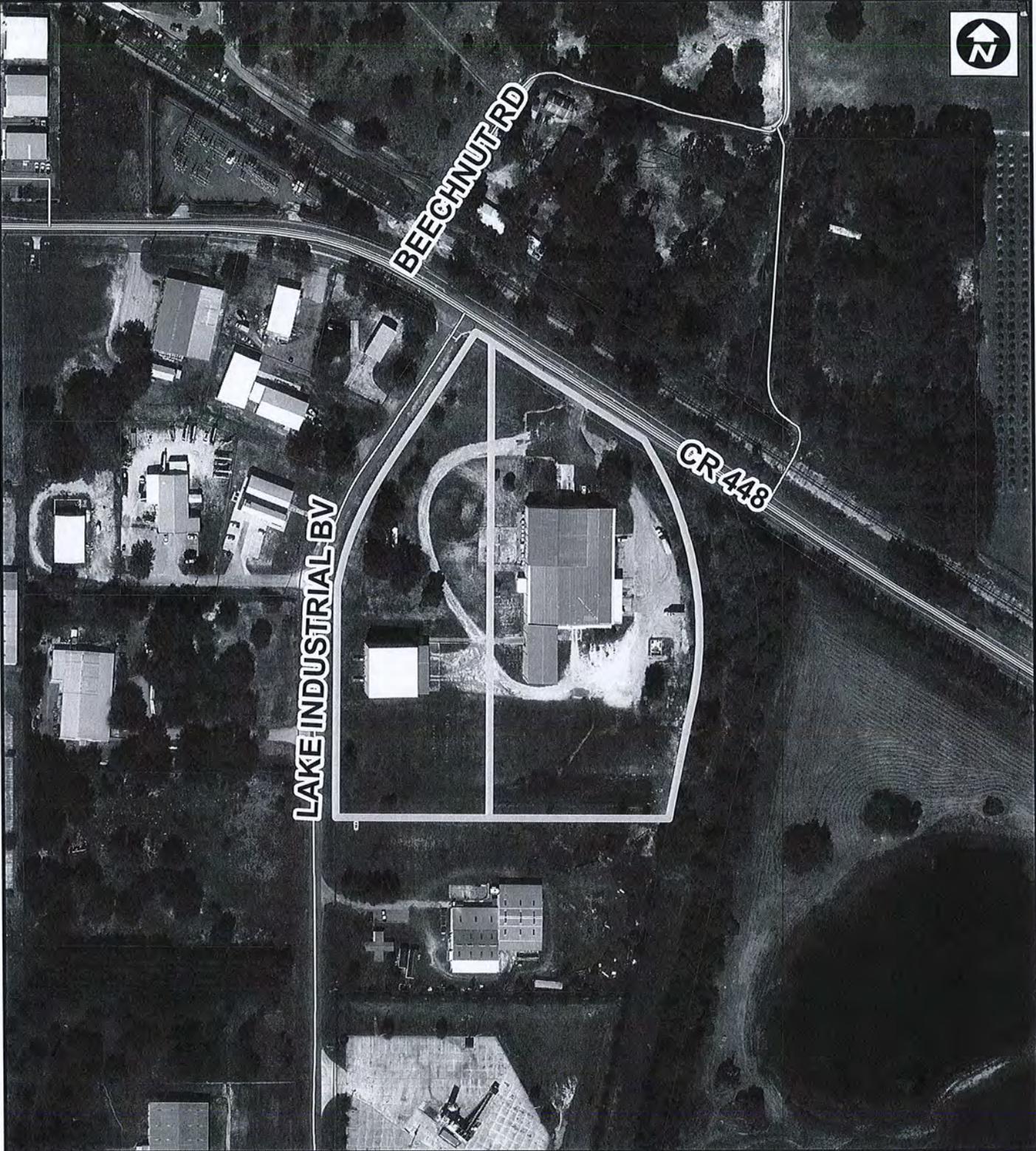
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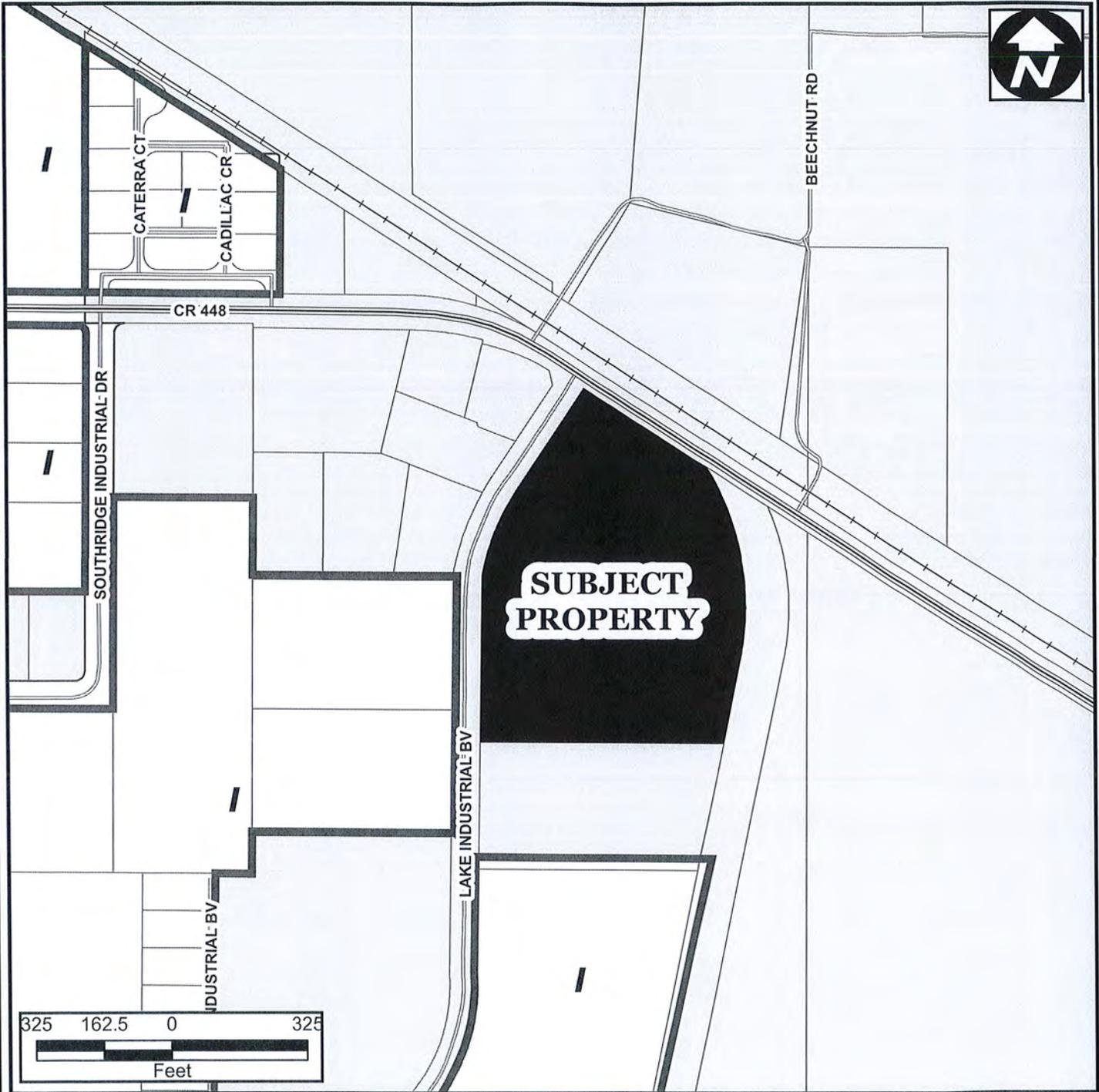
CITY OF TAVARES



PROPERTY LOCATION MAP



CITY OF TAVARES ORDINANCE # 2016-11



- 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 Sub.
- 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 # 2016-11

**LD Plante Inc. /
Gold Meat Co.**

Current Zoning: County
Heavy Industrial
Proposed Zoning: Industrial
09.46 ± Acres

- Legend**
- | | |
|------------------|--------------------|
| CITY BOUNDARY | MAJOR ROADS |
| ZONING | STREETS |
| SUBJECT PROPERTY | PARCELS |
| UNINCORPORATED | CONSERVATION LANDS |

LAKE SENTINEL

YOUR COMMUNITY IN BRIEF

Landscape & Garden Fair: Ideas to dress up yard

Staff report

Lake County's fifth annual Landscape & Garden Fair is slated from 9 a.m. to 4 p.m. Saturday and 10 a.m. to 3 p.m. Sunday at the Lake County Extension Center's Discovery Gardens, 1951 Woodlea Road, Tavares.

Sponsored by the county, The University of Florida's Institute of Food and Agricultural Sciences' Lake County Extension, and the Lake County Master Gardeners.

The indoor/outdoor festival will include kids activities, including the Children's Passport, with stops at five of Discovery Gardens' 24 themed gardens. There also will be a maze scavenger hunt with prizes and a butterfly release at 10 a.m. Saturday.

The fair also will feature landscaping, native plants, roses and fruit trees for sale and expert guest speakers, presenting on a variety of topics including butterfly gardening, unusual edibles, shade gardening and hydroponics.

Free classes will include Unusual Edibles, Plant Recipes for Container Gardens, Hydroponics in a Bucket and Creating a Community Garden.

Details: 352-343-4101 or visit lakecountyfl.gov/gardenfair.

Mock DUI crash

Mount Dora High School juniors and seniors will view a mock DUI crash designed to demonstrate the dangers of drinking and driving at 9 a.m. Thursday.

"Through a dramatization of a DUI crash, the program provides a real-life glimpse into the serious ramifications of impaired driving," said Noble Olasim-

bo, chairman of the Lake County Community Traffic Safety Team, which put together the scenario. "Through this event, we hope to help encourage teenagers to drink and drive."

The mock DUI crash is made possible with the help of numerous law-enforcement agencies as well as others including Lake County Fire Rescue, Lake County Emergency Medical Services, Bales & Langley Towing and Allen J. Harden Funeral Home.

Hazardous-waste collection

In a partnership with the Leesburg Police Department, Lake County Solid Waste is hosting a hazardous-waste collection event from 9 a.m. to noon Thursday at the Home Depot parking lot, located at 10825 U.S. Highway 441, Leesburg.

It's a safe and environmentally sensitive way to get rid of toxic materials piling up, officials said. People can drop off small quantities of unused or unwanted waste products such as lawn and gardening materials, photo and swimming pool chemicals, paint and related products, cleaning solutions, motor oil and used gas, batteries, fluorescent lamps, light bulbs and small propane tanks.

Materials such as infectious waste, solvents, chemical laboratory waste and radioactive waste are prohibited. Large amounts of hazardous materials can be dropped off at the Central Solid Waste Facility, 1330 County Landfill Road in Tavares.

LIFE anniversary luncheon

LIFE, a social group for the widowed, will celebrate its 19th anniversary with a combined buffet-style luncheon of the Leesburg and Eustis groups at 1:30 p.m. Thursday at the Leesburg Community Center, 109 E. Dixie Ave.

The Leesburg High School Madrigals will provide entertainment. The luncheon is \$10.

The public is invited. To RSVP, call program director Rick Reed at 352-787-0403 or email him at Rick.Reed@bevershcf.com.

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For more information, call Pat or Dave Tribbey at 352-343-0376.

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The Lake Hills School advisory council will meet at 9 a.m. April 19 in the media center, 909 S. Lakeshore Blvd., Howey-in-the-Hills.

The agenda includes reports about the principal's performance review plus prom and graduation.

For further information, please call 352-324-3175. Submit community news items to jfallstrom@orlandosentinel.com

Styles & Savings THAT ARE MADE IN THE SHADE



Spring is coming, and now is the time to march into Precision Optics and choose from a brilliant array of name-brand designer sunglasses and save 25%! Every style, every name, every pair is on sale. Just in time to protect your peepers from glare and UV rays, and look amazing doing it. The sale includes prescription and specialty lenses too — so you can pick more than one look without springing a hole in your budget.

But don't dally — this sale ends April 30th.



PRECISION OPTICS of LAKE EYE

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352-365-2021 • www.LakeEye.com



*Discount includes all contact lenses. Discount is not available with insurance or vision plans. Discount does not apply for Multi-Jet, Color Gel Map and Flowers. See store 4/11/16

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 2016-11 & Ordinance 2016-12 titled as follows:

ORDINANCE 2016-11

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 9.46 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND LAKE INDUSTRIAL BOULEVARD; REZONING THE PROPERTY FROM COUNTY HEAVY INDUSTRIAL TO CITY INDUSTRIAL; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2016-12

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2010, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 9.46 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND LAKE INDUSTRIAL BOULEVARD; FROM COUNTY INDUSTRIAL TO CITY INDUSTRIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN

EFFECTIVE DATE.



Proposed Ordinance 2016-11 & Ordinance 2016-12 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on April 21, 2016, at 3 p.m.; and
2. Tavares City Council meeting on May 4, 2016, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on May 18, 2016, at 4 p.m. (Second Reading)

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

Proposed Ordinance 2016-11 & Ordinance 2016-12 may be inspected by the public between the hours of 8:00 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

CONCERT

Continued from Page E1

Selections including "España Cani" and Georges Bizet's "Les Toreadors" from the opera "Carmen" will kick off the evening with gusto, followed by slower, more tender pieces and the playfully romantic "Por Una Cabeza," which people may recognize from the film "Scent of a Woman."

"These are very complex but uplifting pieces that wash over you and touch your heart and soul," said Sanders, whose late husband, noted composer and pianist Guy Saint-Clair, died in 2010. "Like poetry, it is music that reaches your emotions, and this program is meant

to bring as much enjoyment to the audience as spring does."

A taste of Americana will take the audience back to the freedom of pioneering days, wide-open spaces and 20th-century farm life with Aaron Copland's "Hoedown" from "Rodeo" and Leroy Anderson's "Belle of the Ball" and "Blue Tango."

"Every one of these pieces is recognizable and will be fun and exciting for all," she said.

Audience members may be tempted to kick up their heels up during Johannes Brahms' famous "Hungarian Dance #5" and the Celtic "Lord of the Dance," which will cap off the season finale.

"We originally planned to do an evening of Mo-

zart's music, but we decided to do something more cheerful so everyone will come out smiling," Sanders said.

For the orchestra's 12th season, Sanders said Konstantin Dimitrov, the symphony's Bulgarian concert master and first-chair violinist, will continue to step aside at times as more appearances by guest conductors Acqino and Alexey Izmirlijev, also from Bulgaria, will be showcased.

Tickets are \$15 for students, \$25 for parents and/or teachers accompanying a student and \$42 in advance or \$45 at the door for all other adults and are available at floridalakes-symphonyorchestra.com or by calling 352-589-4500.

ASHTON

Continued from Page E1

mother, added, "It's amazing and humbling. We're forever thankful for everybody who make it possible for us."

Ashton was born with spina bifida along with her bowel and bladder exposed and was airlifted to Arnold Palmer Hospital for Children, where she stayed in the neonatal intensive-care

unit for 21 days. Since then, she's had 25-plus surgeries.

The family had been getting to doctor appointments and activities by lifting their child into their vehicle as well as a portable wheelchair, which doesn't weigh as much as the 300-pound power chair.

The van, which came in at \$65,000 with a small amount that needed financing, includes a side entry power lift and seats that come out in the front.

"When we're ready for the hand controls, [the dealership] will put them in at cost," he said. Regarding the prospect of Ashton driving, he added, "I can't even imagine. I'd be a nervous wreck."

Ashton said earlier she wants to be a NASCAR driver someday. She still has the dream.

"Oh boy," she said about learning to drive in the near future. "I'm excited about that."

PICKLES



How to reach us: Lake County newsroom contacts

COUNTY EDITOR LAKE NEWS ONLINE

Ad Number: 4079941-1
 Client Name: / PO# Mike Fitzgerald
 Insertion Number: City of Tavares
 Size: 3 x 10.5
 Color Type: B&W
 Section/Page/Zone: Lake Zone/E002/LAK
 Description: ff/Ord No. 2016-16 & 17

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CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E MAIN STREET, TAVARES
APRIL 20, 2016 – 3:00 PM

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Richard Root , Vice Chairman
Norb Thomas
Roy Stevenson
Morris Osborn
Bill Stomp
Lou Buigas

LAKE COUNTY SCHOOL BOARD

STAFF MEMBERS PRESENT

Bob Williams, City Attorney
Jacques Skutt, Community Development Director
Dawn McDonald, Planning Coordinator
Susie Novack, Deputy City Clerk

CALL TO ORDER

Chairman Santoro, called the meeting to order at 3:00 p.m. and those present recited the Pledge of Allegiance. He asked that all cell phones be turned off or placed on vibrate.

AGENDA REVIEW

Chairman Santoro said he would like to add an update on a previously heard ordinance; Ordinance 2016-10.

APPROVAL OF MINUTES

The March 17, 2016 Planning and Zoning Board minutes were approved as submitted.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Those persons present to provide case testimony were sworn in by Attorney Williams.

CASES HEARD

Case 1) Ordinance 2016-11 – Annexation and Rezoning – Reddy Ice Property/Gold Meat Company

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

1 Mr. Skutt said this ordinance is to consider the annexation and rezoning to Industrial of approximately
2 9.46 acres of property located on the southeast corner of C.R. 448 and Lake Industrial Blvd. (Reddy Ice
3 Facility).

4
5 The subject property consists of two parcels of property. Located on this site is an existing
6 industrial building from which the Reddy Ice packaging facility operated during 1988-2013. The
7 applicant and new tenant desires to upgrade and improve the building with the intent to run a
8 USDA meat packaging plant from this site. It is a requirement that a facility of this nature be
9 connected to city water and wastewater utilities. These service lines are available to this site.
10 This property is contiguous to the City of Tavares' boundary. Annexation is a requirement to
11 receive city utilities. The site is zoned Heavy Industrial in the County and the applicant is
12 requesting a City of Tavares Industrial zoning.

13 This property is located within Tavares' "Industrial Park" with existing manufacturing
14 businesses operating along Lake Industrial, Southridge Industrial and C.R.448. The proposed
15 meat packaging plant may ultimately involve three shifts of workers and provide many new
16 jobs for the area. Mr. Skutt said staff recommends approval of Ordinance 2016-11.

17
18 **DISCUSSION**

19
20 Chairman Santoro asked for comments from the audience; there were none.

21
22 Chairman Santoro asked for comments from the Board.

23
24 Mr. Stomp asked if irrigation and reuse will be extended to the area. Mr. Skutt said the city has the
25 capability and capacity and the Utility Director is studying the extension of reclaimed water to the
26 general area.

27
28 Mr. Santoro asked if meat would be brought in or if animals would be slaughtered on site. Mr. Skutt
29 said animals would not be slaughtered onsite and the business owners confirmed.

30
31 **MOTION**

32
33 **Roy Stevenson moved to recommend approval of Ordinance 2016-11, Bill Stomp seconded the**
34 **motion. The motion passed unanimously 7-0.**

35
36 **Case 2) Ordinance 2016-12 – Small Scale Future Land Use Amendment – Reddy Ice**
37 **Property/Gold Meat Co.**

38
39 Jacques Skutt, Community Development Director provided the following staff report;

40
41 ~~Mr. Skutt said Ordinance 2016-12 proposes a small scale amendment to the Future Land Use Map~~
42 ~~2020 of the Comprehensive Plan for approximately 9.46 acres of property located on the southeast~~
43 ~~corner of C.R. 448 and Lake Industrial Blvd. (Reddy Ice Facility) and a companion to the annexation~~
44 ~~and rezoning that the Board considered and recommended for approval. An Industrial designation is~~
45 ~~the only future land use designation that is compatible with an industrial zoning. Staff recommends~~
46 ~~approval.~~

47
48 **DISCUSSION**

49
50 Chairman Santoro asked for comments and questions. There were none.

51
52 **MOTION**

**AGENDA SUMMARY
TAVARES CITY COUNCIL
MAY 18, 2016**

AGENDA TAB NO. 8

SECOND READING

**SUBJECT TITLE: Ordinance 2016-12
Small Scale FLUM Amendment- Reddy Ice Property – C.R. 448**

OBJECTIVE:

To consider a Future Land Use Map amendment for approximately 9.46 acres of property located on the southeast corner of C.R. 448 and Lake Industrial Blvd. (Reddy Ice Facility).

SUMMARY:

Ordinance 2016-12 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Numbers 2614099 & 2585099) is 9.46 acres in size, located on the southeast corner of C.R. 448 and Lake Industrial Blvd. An application to annex and rezone this property to an Industrial designation is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from Lake County Industrial to City of Tavares Industrial.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated Lake County Industrial. A City Industrial designation is most compatible with surrounding property.

Compatibility

Properties adjacent and across the road from this property are industrial in nature.

Site Conditions

The property consists of two parcels. An existing manufacturing type building is situated on this site. The applicant is proposing to upgrade the existing building and to operate a USDA meat packaging facility from this location. The applicant must demonstrate compliance with all city regulations including applicable state and federal laws prior to the issuance of any building permits.

Impact on City Services

The subject property is located in the City's Utility Service Area. The City of Tavares has municipal water and sewer services available to the subject parcels and the applicant is required to connect to city utilities. 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.

FINDINGS

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

1. An Industrial 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 the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 7A)

OPTIONS:

1. That City Council moves to approve Ordinance 2016-12.
2. That City Council moves to deny Ordinance 2016-12.

PLANNING & ZONING BOARD RECOMMENDATION:

On April 21, the Planning & Zoning Board voted unanimously to approve of Ordinance 2016-12.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2016-12.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2016-12

1
2
3 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE
4 TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,
5 PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON
6 APPROXIMATELY 9.46 ACRES OF LAND GENERALLY LOCATED ON THE
7 SOUTHEAST CORNER OF C.R. 448 AND LAKE INDUSTRIAL BOULEVARD;
8 FROM COUNTY INDUSTRIAL TO CITY INDUSTRIAL; PROVIDING FOR
9 SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND
10 PROVIDING FOR AN EFFECTIVE DATE.
11

12 WHEREAS, the owner of the property described in Exhibit "A" has voluntarily
13 petitioned to annex into the City of Tavares, and
14

15 WHEREAS, the City of Tavares is concurrently processing the annexation of this
16 property with proceedings to amend the Future Land Use Map designation pertaining to said
17 property from Lake County Industrial to City of Tavares Industrial; and
18

19 WHEREAS, the property consists of less than ten acres;
20

21
22 WHEREAS, the City of Tavares has advertised as required by law for two public
23 hearings prior to adoption of this ordinance; and
24

25
26 WHEREAS, the City has held such public hearings and the records of the City provide
27 that the owners of the land affected have been notified as required by law; and
28

29
30 WHEREAS, an Industrial Future Land Use designation is compatible with surrounding
31 designations and such designation is compatible with both City of Tavares and Lake County
32 surrounding future land use designations; and
33

34 WHEREAS, the City of Tavares Planning and Zoning Board, Local Planning Agency,
35 and City Council held duly noticed public hearings providing opportunity for individuals to hear
36 and be heard regarding the adoption of the proposed map amendment; and,
37

38 WHEREAS, the City Council has reviewed and considered all relevant evidence and
39 information and testimony presented by witnesses, the public, and City staff; and,
40

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

3
4 **WHEREAS**, adoption of this amendment is in the best interest of the health, safety, and
5 general welfare of the citizens of Tavares.

6
7 **NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Tavares,
8 Florida as follows

9
10 **Section 1. Future Land Use Amendment**

11 The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida, is
12 hereby amended to reflect a re-designation from Lake County Industrial to City of Tavares
13 Industriall on certain real property as legally described in Exhibit "A". All provisions of the
14 Comprehensive Plan shall hereby apply to said property.

15
16 **Section 2. Severability and Conflicts**

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

21
22 **Section 3. Transmittal**

23 The City Administrator is hereby authorized and directed to transmit the adopted
24 Comprehensive Plan amendments to the Florida Department of Community Affairs, the East
25 Central Florida Regional Planning Council, the St. Johns River Water Management District, the
26 Department of Environmental Protection, the Florida Department of Transportation, and any
27 other governmental agency in the state of Florida that has filed a written request with the City
28 Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this
29 Ordinance as specified in the State Land Planning Agency's procedural rules.

30
31 **Section 4. Effective Date**

32 The effective date of this plan amendment, if the amendment is not timely challenged,
33 shall be 31 days after the state land planning agency notifies the local government that the plan
34 amendment package is complete. If timely challenged, this amendment shall become effective
35 on the date the state land planning agency or the Administration Commission enters a final order

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

6
7

8 **PASSED AND ADOPTED** this _____ day of _____, 2016 by the City Council of
9 the City of Tavares, Florida.

10
11
12
13
14
15

Robert Wolfe, Mayor
Tavares City Council

16
17 First Reading: _____

18
19 Second Reading & Final Adoption: _____

20
21

22 ATTEST:

23
24
25

Nancy A. Barnett, City Clerk

26
27

28 Approved as to form:

29
30
31

32
33 _____
Robert Q. Williams, City Attorney

34

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4

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

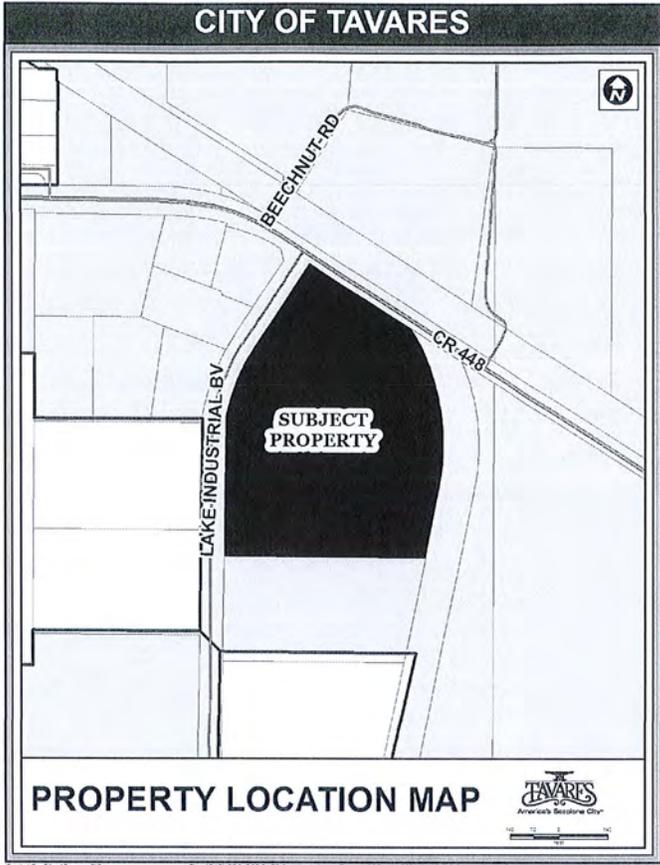
LIBER 0942 PAGE 0444

From the Southwest corner of the Southeast 1/4 of the Northeast 1/4 of SECTION 8, TOWNSHIP 20 SOUTH, RANGE 26 EAST, Lake County, Florida, run North 89°49'00" East along the South line of said Southeast 1/4 of the Northeast 1/4, 543.14 feet, thence North 0°13'00" West, 624.28 feet to the Point of Beginning, thence continue North 0°13'00" West, 41.92 feet to the beginning of a curve concave Easterly and having a radius of 400.0 feet, thence Northerly and Northeasterly along the arc of said curve through a central angle of 32°00'00" a distance of 223.40 feet to the end of said curve, thence North 31°47'00" east, 325.0 feet to the Southerly right of way of Highway No. 448, thence South 58°13'00" East along said right of way of Highway No. 448 a distance of 335.0 feet to the Westerly right of way of Seaboard Coast Line Railroad, thence Southerly along the Westerly right of way of the Seaboard Coast Line Railroad, 373, feet, more or less, to a point that is North 89°45'00" East of the Point of Beginning, thence South 89°45'00" West, 626.20 feet to the Point of Beginning.

AND

From the Southwest corner of the Southeast 1/4 of the Northeast 1/4 of SECTION 8, TOWNSHIP 20 SOUTH, RANGE 26 EAST, Lake County, Florida, run North 89°49'00" East along the South line of said Southeast 1/4 of the Northeast 1/4, 543.14 feet, thence North 0°13'00" West, 324.28 feet to the Point of Beginning, thence continue North 0°13'00" West, 300 feet, thence North 89°45'00" East, 626.20 feet to the Westerly right of way of the Seaboard Coast Line Railroad, thence Southerly along the Westerly right of way of the Seaboard Coast Line Railroad 304.32 feet, more or less, to a point that is North 89°45'00" East of the Point of Beginning, thence South 89°45'00" West, 580.52 feet to the Point of Beginning.

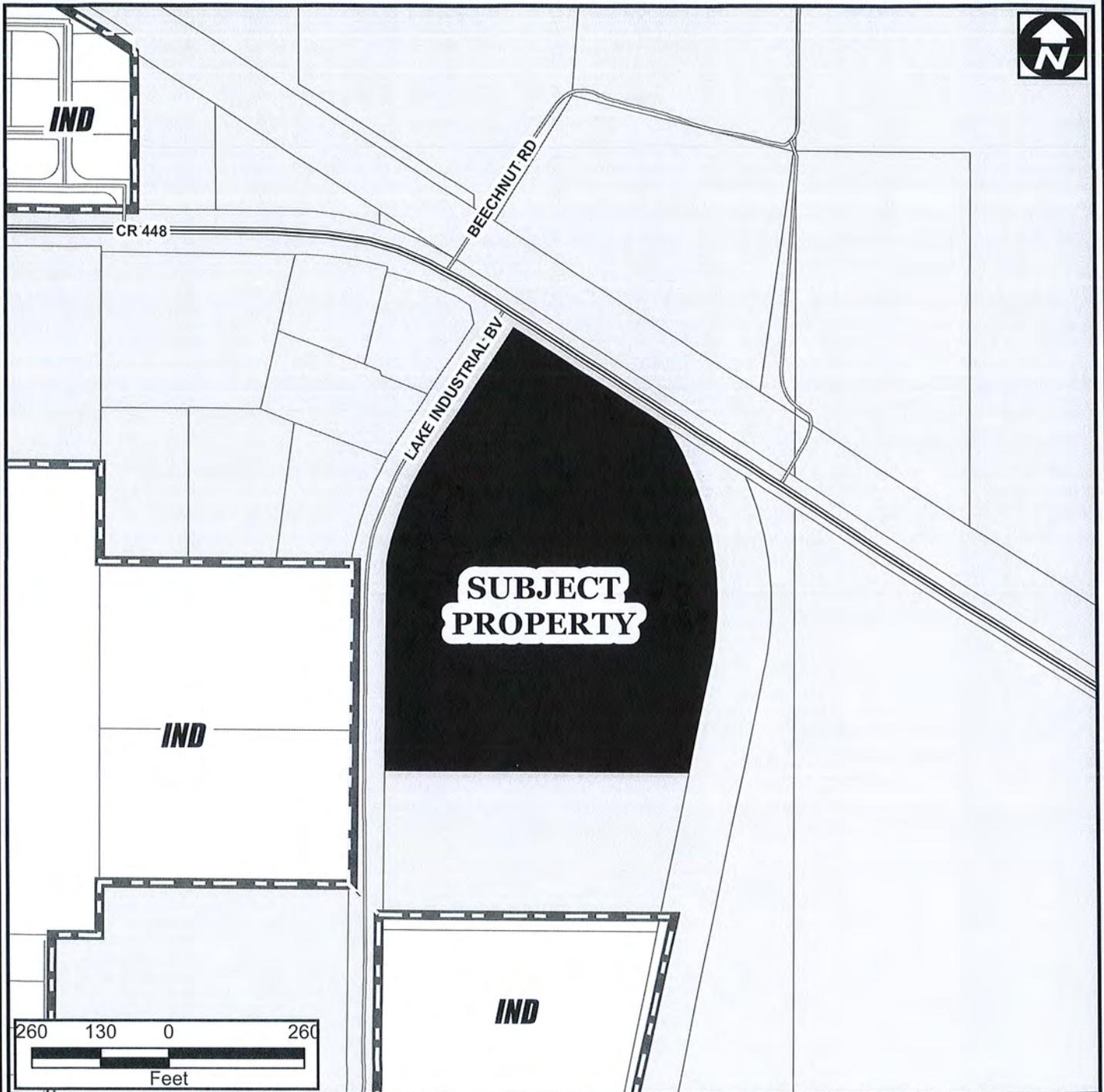
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City of Tavares GIS | T:\2016\PROJECTS\LED\GoldMeat_Aerial_Rezoning_SSFLUM - #22216-2016\GIS_Map\MapGold_40.mxd | Map Created: 10/10/2016

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CITY OF TAVARES ORDINANCE # 2016-12



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	Commercial	
CD	Commercial Downtown	25 DU/Acre
IND	Industrial	
PUB	Public Facility/Institutional	
CONS	Westlands & Conservation	



FUTURE LAND USE MAP ORDINANCE # 2016-12

**LD Plante Inc. /
Gold Meat Co.**

Current FLU: County
Industrial
Proposed FLU: Industrial
09.46 ± Acres

Legend

	CITY BOUNDARY		MAJOR ROADS
	FLU		STREETS
	SUBJECT PROPERTY		CONS/WETLANDS
	UNINCORPORATED		PARCELS

LAKE SENTINEL

YOUR COMMUNITY IN BRIEF

Landscape & Garden Fair: Ideas to dress up yard

Staff report

Lake County's fifth annual Landscape & Garden Fair is slated from 9 a.m. to 4 p.m. Saturday and 10 a.m. to 3 p.m. Sunday at the Lake County Extension Center's Discovery Gardens, 1951 Woodlea Road, Tavares.

Sponsored by the county, The University of Florida's Institute of Food and Agricultural Sciences' Lake County Extension, and the Lake County Master Gardeners.

The indoor/outdoor festival will include kids activities, including the Children's Passport, with stops at five of Discovery Gardens' 24 themed gardens. There also will be a maze scavenger hunt with prizes and a butterfly release at 10 a.m. Saturday.

The fair also will feature landscaping, native plants, roses and fruit trees for sale and expert guest speakers, presenting on a variety of topics including butterfly gardening, unusual edibles, shade gardening and hydroponics.

Free classes will include Unusual Edibles, Plant Recipes for Container Gardens, Hydroponics in a Bucket and Creating a Community Garden.

Details: 352-343-4101 or visit lakecountyfl.gov/gardenfair.

bo, chairman of the Lake County Community Traffic Safety Team, which put together the scenario. "Through this event, we hope to help encourage teens never to drink and drive."

The mock DUI crash is made possible with the help of numerous law-enforcement agencies as well as others including Lake County Fire Rescue, Lake Emergency Medical Services, Bales & Langley Towing and Allen J. Harden Funeral Home.

Hazardous-waste collection

In a partnership with the Leesburg Police Department, Lake County Solid Waste is hosting a hazardous-waste collection event from 9 a.m. to noon Thursday at the Home Depot parking lot, located at 10825 U.S. Highway 441, Leesburg.

It's a safe and environmentally sensitive way to get rid of toxic materials piling up, officials said. People can drop off small quantities of unused or unwanted waste products such as lawn and gardening materials, photo and swimming pool chemicals, paint and related products, cleaning solutions, motor oil and used gas, batteries, fluorescent lamps, light bulbs and small propane tanks.

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The agenda includes reports about the principal's performance review plus prom and graduation. For further information, please call 352-324-3175.

Submit community news items to jfallstrom@orlandosentinel.com

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Styles & Savings THAT ARE MADE IN THE SHADE

Spring is coming, and now is the time to march into Precision Optics and choose from a brilliant array of name-brand designer sunglasses and save 25%! Every style, every name, every pair is on sale. Just in time to protect your peepers from glare and UV rays, and look amazing doing it. The sale includes prescription and specialty lenses too - so you can pick more than one look without springing a hole in your budget.

But don't dally - this sale ends April 30th.

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ELLENTREVOY Calvin Klein VERSACE Ed Hardy Tommy Hilf PUMA IZOD COACH

*Discount includes all contact lenses. Discount is not available with insurance or vision plans. Discount does not apply for Multi-Fit, Contact Map and Frames. See visit 4/30/16

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Proposed Ordinance 2016-11 & Ordinance 2016-12 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on April 21, 2016, at 3 p.m.; and
2. Tavares City Council meeting on May 4, 2016, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on May 18, 2016, at 4 p.m. (Second Reading)

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

Proposed Ordinance 2016-11 & Ordinance 2016-12 may be inspected by the public between the hours of 8:00 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

Mock DUI crash

Mount Dora High School juniors and seniors will view a mock DUI crash designed to demonstrate the dangers of drinking and driving at 9 a.m. Thursday.

"Through a dramatization of a DUI crash, the program provides a real-life glimpse into the serious ramifications of impaired driving," said Noble Olshim-

CONCERT

Continued from Page E1

Selections including "España Cani" and Georges Bizet's "Les Toreadors" from the opera "Carmen" will kick off the evening with gusto, followed by slower, more tender pieces and the playfully romantic "Por Una Cabeza," which people may recognize from the film "Scent of a Woman."

"These are very complex but uplifting pieces that wash over you and touch your heart and soul," said Sanders, whose late husband, noted composer and pianist Guy Saint-Clair, died in 2010. "Like poetry, it is music that reaches your emotions, and this program is meant

to bring as much enjoyment to the audience as a taste of heaven."

A taste of Americana will take the audience back to the freedom of pioneering days, wide-open spaces and 20th-century farm life with Aaron Copland's "Hoedown" from "Rodeo," and Leroy Anderson's "Belle of the Ball" and "Blue Tango."

"Every one of these pieces is recognizable and it will be fun and exciting for all," she said. Audience members may be tempted to kick up their heels up during Johannes Brahms' famous "Hungarian Dance #5" and the Celtic "Lord of the Dance," which will cap off the season finale.

"We originally planned to do an evening of Mo-

zart's music, but we decided to do something more cheerful so everyone will come out smiling," Sanders said.

For the orchestra's 12th season, which begins in November, Sanders said Konstantin Dimitrov, the symphony's Bulgarian concert master and first-chair violinist, will continue to step aside at times as more appearances by guest conductors Acqino and Alexey Izmitiev, also from Bulgaria, will be showcased.

Tickets are \$15 for students, \$25 for parents and/or teachers accompanying a student and \$42 in advance or \$45 at the door for all other adults and are available at floridalakesymphonyorchestra.com or by calling 352-589-4500.

ASHTON

Continued from Page E1

mother, added, "It's amazing and humbling. We're forever thankful for everybody who make it possible for us."

Ashton was born with spina bifida along with her bowel and bladder exposed and was airlifted to Arnold Palmer Hospital for Children, where she stayed in the neonatal intensive-care

unit for 21 days. Since then, she's had 25-plus surgeries.

The family had been getting to doctor appointments and activities by lifting their child into their vehicle as well as a portable wheelchair, which doesn't weigh as much as the 300-pound power chair.

The van, which came in at \$65,000 with a small amount that needed financing, includes a side entry power lift and seats that come out in the front.

"When we're ready for the hand controls, [the dealership] will put them in at cost," he said. Regarding the prospect of Ashton driving, he added, "I can't even imagine. I'd be a nervous wreck."

Ashton said earlier she wants to be a NASCAR driver someday. She still has the dream.

"Oh boy," she said about learning to drive in the near future. "I'm excited about that."

PICKLES

Panel 1: "YES, NERD! IT'S A BIG RESPONSIBILITY FOR YOU BEING MY ONLY SON!"

Panel 2: "ABSOLUTELY!"

Panel 3: "IT MEANS THAT YOU CARRY UPON YOUR SHOULDERS THE BURDEN OF FEELING ALL MY ASPIRATIONS FOR THE FUTURE SUCCESS AND GREATNESS OF THIS FAMILY!"

Panel 4: "MAN, WHO REALLY NEED TO GET ME A LITTLE BROTHER!"

How to reach us: Lake County newsroom contacts
 COUNTY EDITOR LAKE NEWS ONLINE

1 Mr. Skutt said this ordinance is to consider the annexation and rezoning to Industrial of approximately
2 9.46 acres of property located on the southeast corner of C.R. 448 and Lake Industrial Blvd. (Reddy Ice
3 Facility).

4
5 The subject property consists of two parcels of property. Located on this site is an existing
6 industrial building from which the Reddy Ice packaging facility operated during 1988-2013. The
7 applicant and new tenant desires to upgrade and improve the building with the intent to run a
8 USDA meat packaging plant from this site. It is a requirement that a facility of this nature be
9 connected to city water and wastewater utilities. These service lines are available to this site.
10 This property is contiguous to the City of Tavares' boundary. Annexation is a requirement to
11 receive city utilities. The site is zoned Heavy Industrial in the County and the applicant is
12 requesting a City of Tavares Industrial zoning.

13 This property is located within Tavares' "Industrial Park" with existing manufacturing
14 businesses operating along Lake Industrial, Southridge Industrial and C.R.448. The proposed
15 meat packaging plant may ultimately involve three shifts of workers and provide many new
16 jobs for the area. Mr. Skutt said staff recommends approval of Ordinance 2016-11.

17
18 **DISCUSSION**

19
20 Chairman Santoro asked for comments from the audience; there were none.

21
22 Chairman Santoro asked for comments from the Board.

23
24 Mr. Stomp asked if irrigation and reuse will be extended to the area. Mr. Skutt said the city has the
25 capability and capacity and the Utility Director is studying the extension of reclaimed water to the
26 general area.

27
28 Mr. Santoro asked if meat would be brought in or if animals would be slaughtered on site. Mr. Skutt
29 said animals would not be slaughtered onsite and the business owners confirmed.

30
31 **MOTION**

32
33 Roy Stevenson moved to recommend approval of Ordinance 2016-11, Bill Stomp seconded the
34 motion. The motion passed unanimously 7-0.

35
36 **Case 2) Ordinance 2016-12 – Small Scale Future Land Use Amendment – Reddy Ice**
37 **Property/Gold Meat Co.**

38
39 Jacques Skutt, Community Development Director provided the following staff report;

40
41 Mr. Skutt said Ordinance 2016-12 proposes a small scale amendment to the Future Land Use Map
42 2020 of the Comprehensive Plan for approximately 9.46 acres of property located on the southeast
43 corner of C.R. 448 and Lake Industrial Blvd. (Reddy Ice Facility) and a companion to the annexation
44 and rezoning that the Board considered and recommended for approval. An Industrial designation is
45 the only future land use designation that is compatible with an industrial zoning. Staff recommends
46 approval.

47
48 **DISCUSSION**

49
50 Chairman Santoro asked for comments and questions. There were none.

51
52 **MOTION**

1
2 **Morris Osborn moved to recommend approval of Ordinance 2016-12, seconded by Richard**
3 **Root. The motion carried unanimously 7-0**

4
5 **Case 3) Resolution 2016-08 – Special Use Permit – Seth Lee Auto Sales**

6
7 Mr. Skutt said the application was revoked and Resolution 2016-08. Attorney Williams confirmed that
8 no further action was required from the Board and the applicant would have to re-apply for
9 consideration in the future.

10
11 **Update on Ordinance 2016-10**

12
13 Chairman Santoro said he attended the April 20, 2016 Tavares City Council Meeting. Mr. Santoro said
14 the City Council did not approve the Board recommendation for Ordinance 2016-10 regarding Boutique
15 Hotels, and did approve the staff recommendation which allows outdoor activities in a 3-2 vote.

16
17 Tim Lambert and Luiz Silva, representatives for Gold Meat, asked the Board to view a video on Gold
18 Meat. Discussion was held and the representatives said this is their first plant in the United States and
19 the similarity of Tavares to their home city in Brazil brought them to Tavares. They said that they
20 mainly package pork with beef coming in second. At this time they have their equipment in place and
21 are remodeling the plant. The board thanked and welcomed Gold Meat to Tavares.

22
23 **ADJOURNMENT**

24
25 **Morris Osborn moved to adjourn the meeting, seconded by Roy Stevenson. The motion carried**
26 **unanimously 7-0.**

27
28 There was no further business and the meeting adjourned at 3:18 p.m.

29
30 Respectfully submitted,

31
32
33
34 _____
35 Susie Novack, MMC/FCRM
Deputy City Clerk

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 18, 2016**

AGENDA TAB NO. 9

SUBJECT TITLE:

Ordinance #2016-23 – Amendment to Fire Pension Plan regarding IRC Standards, Reference to Definition of Firefighter, and to establish a Share Plan – Second Reading

OBJECTIVE:

The objective of this agenda item is to present a proposed ordinance amendment to Tavares City Council, providing City Council with an opportunity to consider, discuss, and perhaps adopt, this ordinance amendment.

SUMMARY:

This is second reading on this proposed ordinance.

Mr. Scott Christiansen, the attorney representing the City of Tavares Firefighters Pension Trust Fund, has prepared an amended City of Tavares ordinance. This amended ordinance is being presented to Council for consideration and possible adoption.

The proposed change to ordinance brings this City ordinance into compliance with changes made by the State Legislature with the recent adoption of Chapter 2015-39, Laws of Florida, and with changes to the Internal Revenue Code (IRC).

The cover letter from Mr. Christiansen (attached) provides a summary overview of the changes and the driving forces behind those changes.

The amended ordinance (attached) prepared by Mr. Christiansen has the changes highlighted with strikethrough (~~example~~) for deleted language, and underline (example) for new language.

A letter from Foster & Foster - Actuaries and Consultants (attached), the professional actuarial consultant for the Tavares Firefighters Pension Trust Fund, is included. In this letter, Actuarial Mr. Doug Lozen, concludes his first paragraph, with the statement; "It's been determined that the adoption of these provisions will have no impact on the assumptions used in determining the funding requirements of the program."

A letter from Daniel Johnson and Tony Kay of The Bogdahn Group (attached) presents the results of their formal review of the amended ordinance. As a reminder, the services of The Bogdahn Group have been retained by the City Administrator to provide expert review of pension issues on behalf of the City. In this letter, The Bogdahn Group concludes that; in their opinion, there are no items presented in the ordinance they feel would present any concern for sustainability of the Plan or adversely impact either the City or the City's funding requirement of the Plan. Their conclusion ends with the statement that they "would recommend adoption of the proposed ordinance by the City of Tavares".

Option:

Option 1: Move to approve Ordinance #2016-23, amendment to Fire Pension Plan.

Option 2: Do not approve.

STAFF RECOMMENDATION:

Move Option 1: Move to approve Ordinance #2016-23 amendment as presented.

FISCAL IMPACT:

None.

LEGAL SUFFICIENCY:

City Attorney Robert Q. Williams has reviewed the issue for legal sufficiency.

ORDINANCE NO. 2016-23

AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-101, DEFINITIONS; AMENDING SECTION 15-102, MEMBERSHIP; AMENDING SECTION 15-104, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 15-106, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 15-107, PRE-RETIREMENT DEATH; AMENDING SECTION 15-108, DISABILITY; AMENDING SECTION 15-110, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 15-115, MAXIMUM PENSION; AMENDING SECTION 15-116, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 15-127, PRIOR FIRE SERVICE; AMENDING SECTION 15-128, DEFERRED RETIREMENT OPTION PLAN; ADDING SECTION 15-130, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 175 SHARE ACCOUNTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-101, Definitions, to amend the definitions of "Actuarial Equivalent", "Credited Service", "Effective Date", "Firefighter", and "Spouse", to read as follows:

* * * * *

Actuarial equivalent means a benefit or amount of equal value, based upon the RP 2000 Combined Healthy Unisex Mortality Table and an interest rate of ~~eight (8%) percent per annum~~ equal to the investment return assumption set forth in the last actuarial valuation approved by the Board. This definition may only be amended by the city pursuant to the recommendation of the board using the assumptions adopted by the board with the advice of the plan's actuary, such that actuarial assumptions are not subject to city discretion.

* * * * *

Credited service means the total number of years and fractional parts of years of service as a firefighter with member contributions, when required, omitting intervening years or fractional parts of years when such member was not employed by the city as a firefighter. A member may voluntarily leave his accumulated contributions in the fund for a period of five (5) years after leaving the employ of the Tavares Fire Department pending the possibility of being reemployed as a firefighter, without losing credit for the time that he was a member of the system. If a vested member leaves the employ of the Tavares Fire Department, his accumulated contributions will be returned only upon his written request. If a member who is not vested is not reemployed as a firefighter with the Tavares Fire Department within five (5) years, his accumulated contributions, if one-thousand dollars (\$1,000.00) or less shall be returned. If a Member who is not vested is not reemployed within five (5) years, his Accumulated Contributions, if more than one-thousand dollars (\$1,000.00), will be returned only upon written request and upon completion of a written election to receive a cash lump sum or to rollover the lump sum amount on forms designated by the Board. Upon return of a member's accumulated contributions, all of his rights and benefits under the system are forfeited and terminated. Upon any reemployment, a firefighter shall not receive credit for the years and fractional parts of years of service for which he has withdrawn his accumulated contributions from the fund, unless the firefighter repays into the fund the contributions he has withdrawn, with interest, as determined by the board, within ninety (90) days after his reemployment.

The years or fractional parts of a year that a member performs "Qualified Military Service" consisting of voluntary or involuntary "service in the uniformed services" as defined in the Uniformed Services Employment and Reemployment Rights Act (USERRA) (P.L.103-353), after separation from employment as a firefighter with the city to perform training or service, shall be added to his years of credited service for all purposes, including vesting, provided that:

- (1) The member is entitled to reemployment under the provisions of USERRA.
- (2) The member returns to his employment as a firefighter within one (1) year from the earlier of the date of his military discharge or his release from active service, unless otherwise required by USERRA.
- (3) The maximum credit for military service pursuant to this paragraph shall be five (5) years.
- (4) This paragraph is intended to satisfy the minimum requirements of USERRA. To the extent that this paragraph does not meet the minimum standards of USERRA, as it may be amended from time to time, the minimum standards shall apply.

In the event a member dies on or after January 1, 2007, while performing USERRA Qualified Military Service, the beneficiaries of the member are entitled to any benefits (other than benefit accruals relating to the period of qualified military service) as if the member had resumed employment and then died while employed.

Beginning January 1, 2009, to the extent required by section 414(u)(12) of the code, an individual receiving differential wage payments (as defined under section 3401(h)(2) of the code) from an employer shall be treated as employed by that employer, and the differential wage payment shall be treated as compensation for purposes of applying the limits on annual additions under section 415(c) of the code. This provision shall be applied to all similarly situated individuals in a reasonably equivalent manner.

Leave conversions of unused accrued paid time off shall not be permitted to be applied toward the accrual of credited service either during each plan year of a member's employment with the City or in the plan year in which the member terminates employment.

* * * * *

Effective date means ~~the date on which this ordinance becomes effective~~ November 7, 2007.

Firefighter means an actively employed full-time person, employed by the city, including his initial probationary employment period, who is certified as a firefighter as a condition of employment in accordance with the provisions of F.S. §~~633.35~~ 633.408, and whose duty it is to extinguish fires, to protect life and to protect property of Florida. The term includes all certified, supervisory, and command personnel whose duties include, in whole or in part, the supervision, training, guidance, and management responsibilities of full-time firefighters, part-time firefighters, or auxiliary firefighters but does not include part-time firefighters or auxiliary firefighters.

* * * * *

Spouse means ~~the lawful wife or husband of a member or retiree~~ member's or retiree's spouse under applicable law at the time benefits become payable.

* * * * *

SECTION 2: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-102, Membership, subsection (c), Opt-out Option, to read as follows:

* * * * *

(c) *Opt-Out option.* Notwithstanding subsection (a) above, a new employee who is hired as the fire chief may, ~~within the first three months of~~ upon employment as fire chief, notify the board and the city, in writing, of his election to not be a member of the system. Current employees of the City who are selected to become fire chief are not eligible for the opt-out provided for herein. In the event of any such election, he shall be barred from future membership in the system ~~and any contributions made after employment and prior to opting out shall be refunded.~~ Thereafter, contributions to the plan in accordance with Section 15-105 shall not be required, he shall not be eligible to be elected as a member trustee on the board or vote for a member trustee and he shall not be eligible for any other benefits from the plan.

* * * * *

SECTION 3: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-104, Finances and Fund Management, subsection (f)(2)c., to read as follows:

* * * * *

- c. In addition, the Board may, upon recommendation by the Board's investment consultant, make investments in group trusts meeting the requirements of Internal Revenue Service Revenue Ruling 81-100, ~~and Revenue Ruling 2011-1IRS Notice 2012-6 and Revenue Ruling 2014-24~~ or successor rulings or guidance of similar import, and operated or maintained exclusively for the commingling and collective investment of monies, provided that the funds in the group trust consist exclusively of trust assets held under plans qualified under Section 401(a) of the Code, individual retirement accounts that are exempt under Section 408(e) of the Code, eligible governmental plans that meet the requirements of Section 457(b) of the Code, and governmental plans under 401(a)(24) of the Code. For this purpose, a trust includes a custodial account or a separate tax favored account maintained by an insurance company that is treated as a trust under Section 401(f) or under Section 457(g)(3) of the Code. While any portion of the assets of the Fund are invested in such a group trust, such group trust is itself adopted as a part of the System or plan.
1. Any collective or common group trust to which assets of the fund are transferred pursuant to subsection c. shall be adopted by the board as part of the plan by executing appropriate participation, adoption agreements, and/or trust agreements with the group trust's trustee.
 2. The separate account maintained by the group trust for the plan pursuant to subsection c. shall not be used for, or diverted to, any purpose other than for the exclusive benefit of the members and beneficiaries of the plan.
 3. For purposes of valuation, the value of the separate account maintained by the group trust for the plan shall be the fair market value of the portion of the group trust held for the plan, determined in accordance with generally recognized valuation procedures.

* * * * *

SECTION 4: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-106, Benefit Amounts and Eligibility, subsection (a), Normal Retirement Date, to read as follows:

* * * * *

(a) *Normal retirement age and date.* A member's normal retirement date shall be the first day of the month coincident with, or next following the earlier of the attainment of age fifty five (55) and the completion of ten (10) years of credited service or the attainment of age fifty-two (52) and the completion of twenty five (25) years of credited service. A member may retire on his normal retirement date or on the first day of any month thereafter, and each member shall become one hundred (100) percent vested in his accrued benefit on the member's normal retirement date. Normal retirement under the system is retirement from employment with the city on or after the normal retirement date. A member's normal retirement age is the earlier of the attainment of age fifty-five (55) and the completion of ten (10) years of credited service or the attainment of age fifty-two (52) and the completion of twenty-five (25) years of credited service. Each member shall become one hundred percent (100%) vested in his accrued benefit at normal retirement age. A member's normal retirement date shall be the first day of the month coincident with or next following the date the member retires from the City after attaining normal retirement age.

* * * * *

SECTION 5: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-107, Pre-Retirement Death, subsection (b)(2), to read as follows:

* * * * *

- (2) If the deceased member was eligible for normal or early retirement, the spouse beneficiary shall receive a benefit payable for ten (10) years, beginning on the first day of the month following the member's death or at the deceased member's otherwise ~~early or~~ normal retirement date, at the option of the spouse beneficiary. The benefit shall be calculated as for normal retirement based on the deceased member's credited service and average final compensation as of the date of his death and reduced as for early retirement, if applicable.

* * * * *

SECTION 6: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-108, Disability, subsection (a), Disability Benefits In-Line of Duty, and subsection (c), Disability Benefits Not-in-Line of Duty, to read as follows:

* * * * *

(a) *Disability benefits in-line of duty.* Any member who shall become totally and permanently disabled to the extent that he is unable, by reason of a medically determinable physical or mental impairment, to render useful and efficient service as a firefighter, which disability was directly caused by the performance of his duty as a firefighter, shall, upon establishing the same to the satisfaction of the board, be entitled to a monthly pension equal to two (2) percent of his average final compensation multiplied by the total years of credited service prior to September 30, 1996 and three (3) percent of average final compensation for years subsequent to that date, but in any event the minimum amount paid to the member shall be forty-two (42) percent of average final compensation. Terminated persons, either vested or non-vested, are not eligible for disability benefits, ~~except that those terminated by the city for medical reasons may apply for a disability within thirty (30) days after termination.~~ Notwithstanding the previous sentence, if a member is terminated by the city for medical reasons, the terminated person may apply for a disability benefit if the application is filed with the board within thirty (30) days from the date of termination. If a timely application is received, it shall be processed and the terminated person shall be

eligible to receive a disability benefit if the board otherwise determines that he is totally and permanently disabled as provided for above.

* * * * *

(c) *Disability benefits not-in-line of duty.* Any member with ten (10) years or more credited service who shall become totally and permanently disabled to the extent that he is unable, by reason of a medically determinable physical or mental impairment, to render useful and efficient service as a firefighter, which disability is not directly caused by the performance of his duties as a firefighter shall, upon establishing the same to the satisfaction of the board, be entitled to a monthly pension equal to two (2) percent of his average final compensation multiplied by the total years of credited service prior to September 30, 1996 and three (3) percent of average final compensation for years subsequent to that date. Terminated persons, either vested or non-vested, are not eligible for disability benefits, ~~except that those terminated by the city for medical reasons may apply for a disability within thirty (30) days after termination.~~ Notwithstanding the previous sentence, if a member is terminated by the city for medical reasons, the terminated person may apply for a disability benefit if the application is filed with the board within thirty (30) days from the date of termination. If a timely application is received, it shall be processed and the terminated person shall be eligible to receive a disability benefit if the board otherwise determines that he is totally and permanently disabled as provided for above.

* * * * *

SECTION 7: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-110, Optional Forms of Benefits, subsections (a)(4) and (b), to read as follows:

* * * * *

- (4) For Members who do not participate in the DROP pursuant to Section 15-128, the Member may elect a percentage of benefit in a lump sum as follows:
- a. Ten percent (10%) of the total actuarial equivalent value of the benefit paid as a lump sum with the remaining ninety percent (90%) paid under the normal form or as per (1), (2) or (3) above.
 - b. Fifteen percent (15%) of the total actuarial equivalent value of the benefit paid as a lump sum with the remaining eighty-five percent (85%) paid under the normal form or as per (1), (2) or (3) above.
 - c. Twenty percent (20%) of the total actuarial equivalent value of the benefit paid as a lump sum with the remaining eighty percent (80%) paid under the normal form or as per (1), (2) or (3) above.
 - d. Twenty-five percent (25%) of the total actuarial equivalent value of the benefit paid as a lump sum with the remaining seventy-five percent (75%) paid under the normal form or as per (1), (2) or (3) above.

(b) The member, upon electing any option of this section, will designate the joint pensioner (subsection (a)(2) above) or beneficiary (or beneficiaries) to receive the benefit, if any, payable under the system in the event of member's death, and will have the power to change such designation from time to time. Such designation will name a joint pensioner or one (1) or more primary beneficiaries where applicable. A member may change his beneficiary at any time. If a member has elected an option with a joint pensioner and member's retirement income benefits have commenced, member may thereafter change his designated beneficiary at any time, but may only change his joint pensioner twice. Subject to the restriction in the previous sentence, a member may substitute a new joint pensioner for a deceased joint pensioner. In the absence of proof of good health of the joint pensioner being replaced, the actuary will assume that the joint pensioner has deceased for purposes of calculating the new payment.

* * * * *

SECTION 8: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-115, Maximum Pension, subsections (f), (h), and (l)(2) and adding subsection (m), to read as follows:

* * * * *

(f) *Less than Ten (10) Years of Participation ~~or Service~~.* The maximum retirement benefits payable under this section to any member who has completed less than ten (10) years of ~~credited service with the City~~ participation shall be the amount determined under subsection (a) of this section multiplied by a fraction, the numerator of which is the number of the member's years of ~~credited service~~ participation and the denominator of which is ten (10). The reduction provided by this subsection cannot reduce the maximum benefit below 10% of the limit determined without regard to this subsection. The reduction provided for in this subsection shall not be applicable to pre-retirement disability benefits paid pursuant to Sec. 15-108, or pre-retirement death benefits paid pursuant to Sec. 15-107.

* * * * *

(h) *Ten Thousand Dollar (\$10,000) Limit; Less Than Ten Years of Service.* Notwithstanding anything in this Sec. 15-115, the retirement benefit payable with respect to a member shall be deemed not to exceed the limit set forth in this subsection (h) of Sec. 15-115 if the benefits payable, with respect to such member under this system and under all other qualified defined benefit pension plans to which the City contributes, do not exceed ten thousand dollars (\$10,000) for the applicable limitation year ~~and~~ or for any prior limitation year, and the City has not at any time maintained a qualified defined contribution plan in which the member participated; provided, however, that if the member has completed less than ten (10) years of credited service with the City, the limit under this subsection (h) of Sec. 15-115 shall be a reduced limit equal to ten thousand dollars (\$10,000) multiplied by a fraction, the numerator of which is the number of the member's years of credited service and the denominator of which is ten (10).

* * * * *

(l)(2) No member of the system shall be allowed to receive a retirement benefit or pension which is in part or in whole based upon any service with respect to which the member is already receiving, or will receive in the future, a retirement benefit or pension from a different employer's retirement system or plan. This restriction does not apply to social security benefits or federal benefits under Chapter ~~67~~ 1223, Title 10, U.S. Code.

(m) *Effect of Direct Rollover on 415(b) Limit.* If the plan accepts a direct rollover of an employee's or former employee's benefit from a defined contribution plan qualified under Code Section 401(a) which is maintained by the employer, any annuity resulting from the rollover amount that is determined using a more favorable actuarial basis than required under Code Section 417(e) shall be included in the annual benefit for purposes of the limit under Code Section 415(b).

SECTION 9: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-116, Minimum Distribution of Benefits, subsection (b)(2)d., to read as follows:

* * * * *

- (b)(2) d. If the member's surviving spouse is the member's sole designated beneficiary and the surviving spouse dies after the member but before distributions to the surviving spouse begin, this subsection (b)(2), other than subsection (b)(2)a., will apply as if the surviving spouse were the member.

For purposes of this subsection (b)(2). ~~and subsection (e)~~, distributions are considered to begin on the member's required beginning date or, if subsection (b)(2)d. applies, the date of distributions are required to begin to the surviving spouse under subsection (b)(2)a. If annuity payments irrevocably commence to the member before the member's required beginning date (or to the member's surviving spouse before the date distributions are required to begin to the surviving spouse under subsection (b)(2)a.) the date distributions are considered to begin is the date distributions actually commence.

* * * * *

SECTION 10: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-127, Prior Fire Service, subsection (5), to read as follows:

* * * * *

- (5) In no event, however, may credited service be purchased pursuant to this section for prior service with any other municipal, county or special fire district, if such prior service forms or will form the basis of a retirement benefit or pension from a different employer's retirement system or plan as set forth in section 15-115, subsection ~~(k)(2)~~ (l)(2).

* * * * *

SECTION 11: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-128, Deferred Retirement Option Plan, to read as follows:

Sec. 15-128. Deferred retirement option plan.

- (a) *Definitions.* As used in this section 15-128, the following definitions apply:

- (1) "*DROP*" -- The City of Tavares Firefighters' Deferred Retirement Option Plan.
- (2) "*DROP account*" -- The account established for each DROP participant under subsection (c).
- (3) "*Total return of the assets*" -- For purposes of calculating earnings on a member's DROP account pursuant to subsection (c)(2)b.2., for each fiscal year quarter, the percentage increase (or decrease) in the interest and dividends earned on investments, including realized and unrealized gains (or losses), of the total Plan assets.

- (b) *Participation.*

- (1) *Eligibility to participate.* In lieu of terminating his employment as a Firefighter, any member who is eligible for normal retirement under the system may elect to defer receipt of such service retirement pension and to participate in the DROP.
- (2) *Election to participate.* A Member's election to participate in the DROP must be made in writing in a time and manner determined by the Board and shall be effective on the first

day of the first calendar month which is at least fifteen (15) business days after it is received by the Board.

- (3) *Period of participation.* A member who elects to participate in the DROP under subsection (b)(2), shall participate in the DROP for a period not to exceed sixty (60) months beginning at the time his election to participate in the DROP first becomes effective. An election to participate in the DROP shall constitute an irrevocable election to resign from the service of the city not later than the date provided for in the previous sentence. A member may participate only once.
- (4) *Termination of participation.*
 - a. A member's participation in the DROP shall cease at the earlier of:
 1. the end of his permissible period of participation in the DROP as determined under subsection (b)(3); or
 2. termination of his employment as a Firefighter.
 - b. Upon the member's termination of participation in the DROP, pursuant to subsection 1 above, all amounts provided for in subsection (c)(2), including monthly benefits and interest, shall cease to be transferred from the system to his DROP account. Any amounts remaining in his DROP account shall be paid to him in accordance with the provisions of subsection (d) when he terminates his employment as a Firefighter.
 - c. A member who terminates his participation in the DROP under this subsection (b)(4) shall not be permitted to again become a participant in the DROP.
- (5) *Effect of DROP participation on the system.*
 - a. A member's credited service and his accrued benefit under the system shall be determined on the date his election to participate in the DROP first becomes effective. For purposes of determining the accrued benefit, the Member's Salary for the purposes of calculating his Average Final Compensation shall include an amount equal to any lump sum payments which would have been paid to the Member and included as Salary as defined herein, had the Member retired under normal retirement and not elected DROP participation. Member contributions attributable to any lump sums used in the benefit calculation and not actually received by the Member shall be deducted from the first payments to the Member's DROP Account. The member shall not accrue any additional credited service or any additional benefits under the system (except for any supplemental benefit payable to DROP participants or any additional benefits provided under any cost-of-living adjustment for retirees in the system) while he is a participant in the DROP. After a member commences participation, he shall not be permitted to again contribute to the system nor shall he be eligible for disability or pre-retirement death benefits, except as provided for in Sec. 15-129.
 - b. No amounts shall be paid to a member from the system while the member is a participant in the DROP. Unless otherwise specified in the system, if a member's participation in the DROP is terminated other than by terminating his employment as a Firefighter, no amounts shall be paid to him from the system

until he terminates his employment as a Firefighter. Unless otherwise specified in the system, amounts transferred from the system to the member's DROP account shall be paid directly to the member only on the termination of his employment as a Firefighter.

(c) *Funding.*

(1) *Establishment of DROP account.* A DROP account shall be established for each member participating in the DROP. A member's DROP account shall consist of amounts transferred to the DROP under subsection (c)(2), and interest or earnings on those amounts.

(2) *Transfers from retirement system.*

a. As of the first day of each month of a member's period of participation in the DROP, the monthly retirement benefit he would have received under the system had he terminated his employment as a Firefighter and elected to receive monthly benefit payments thereunder shall be transferred to his DROP account, except as otherwise provided for in subsection (b)(4)b. A member's period of participation in the DROP shall be determined in accordance with the provisions of subsections (b)(3) and (b)(4), but in no event shall it continue past the date he terminates his employment as a Firefighter.

b. Except as otherwise provided in subsection (b)(4)b., a member's DROP account under this subsection (c)(2) shall be debited or credited ~~with earnings or interest after each fiscal year quarter~~ with either:

1. Interest at an effective rate of six percent per annum compounded monthly determined on the last business day of the prior month's ending balance and credited to the member's DROP account as of such date (to be applicable to all current and future DROP participants); or
2. Earnings, to be credited or debited to the member's DROP account, determined as of the last business day of each fiscal year quarter and debited or credited as of such date, determined as follows:

The average daily balance in a member's DROP account shall be credited or debited at a rate equal to the net investment return realized by the system for that quarter. "Net investment return" for the purpose of this paragraph is the total return of the assets in which the member's DROP account is invested by the board net of brokerage commissions, transaction costs and management fees.

For purposes of calculating earnings on a member's DROP account pursuant to this subsection (c)(2)b.2., brokerage commissions, transaction costs, and management fees shall be determined for each quarter by the investment consultant pursuant to contracts with fund managers as reported in the custodial statement. The investment consultant shall report these quarterly contractual fees to the board. The investment consultant shall also report the net investment return for each manager and the net investment return for the total plan assets.

Upon electing participation in the DROP, the member shall elect to receive either interest or earnings on his account to be determined as provided above. The member may, in writing, elect to change his election only once during his DROP participation. An election to change must be

made prior to the end of a quarter and shall be effective beginning the following quarter.

- c. A member's DROP account shall only be credited with interest or a return and monthly benefits while the member is a participant in the DROP. A member's final DROP account value for distribution to the member upon termination of participation in the DROP shall be the value of the account at the end of the quarter immediately preceding termination of participation ~~date for participants electing the net plan return~~ and at the end of the month immediately preceding termination of participation for participants electing the flat interest rate return, plus any monthly periodic additions made to the DROP account subsequent to the end of the previous quarter or month, as applicable, and prior to distribution. If a member fails to terminate employment after participating in the DROP for the permissible period of DROP participation, then beginning with the member's 1st month of employment following the last month of the permissible period of DROP participation, the member's DROP account will no longer be credited or debited with interest or returns, nor will monthly benefits be transferred to the DROP account. All such non-transferred amounts shall be forfeited and continue to be forfeited while the member is employed by the Fire Department. A member employed by the Fire Department after the permissible period of DROP participation will still not be eligible for pre-retirement death or disability benefits, nor will he accrue additional credited service, except as provided for in Sec. 15-129.

(d) *Distribution of DROP accounts on termination of employment.*

- (1) *Eligibility for benefits.* A member shall receive the balance in his DROP account in accordance with the provisions of this subsection (d) upon his termination of employment as a Firefighter. Except as provided in subsection (d)(5), no amounts shall be paid to a member from the DROP prior to his termination of employment as a Firefighter.

(2) *Form of distribution.*

- a. Unless the member elects otherwise, distribution of his DROP account shall be made in a lump sum, subject to the direct rollover provisions set forth in subsection (d)(6). Elections under this paragraph shall be in writing and shall be made in such time or manner as the board shall determine.
- b. Notwithstanding the preceding, if a member dies before his benefit is paid, his DROP account shall be paid to his beneficiary in such optional form as his beneficiary may select. If no beneficiary designation is made, the DROP account shall be distributed to the member's estate.

(3) *Date of payment of distribution.*

Except as otherwise provided in this subsection (d), distribution of a member's DROP account shall be made as soon as administratively practicable following the member's termination of employment. Distribution of the amount in a Member's DROP account will not be made unless the Member completes a written request for distribution and a written election, on forms designated by the Board, to either receive a cash lump sum or a rollover of the lump sum amount.

- (4) *Proof of death and right of beneficiary or other person.* The board may require and rely upon such proof of death and such evidence of the right of any beneficiary or other person to receive the value of a deceased member's DROP account as the board may

deem proper and its determination of the right of that beneficiary or other person to receive payment shall be conclusive.

- (5) *Distribution limitation.* Notwithstanding any other provision of subsection (d), all distributions from the DROP shall conform to the "Minimum Distribution Of Benefits" provisions as provided for herein.
- (6) *Direct rollover of certain distributions.* This subsection applies to distributions made on or after January 1, 2002. Notwithstanding any provision of the DROP to the contrary, a distributee may elect to have any portion of an eligible rollover distribution paid in a direct rollover as otherwise provided under the system in section 15-124.
- (e) *Administration of DROP.*
 - (1) *Board administers the DROP.* The general administration of the DROP, the responsibility for carrying out the provisions of the DROP and the responsibility of overseeing the investment of the DROP's assets shall be placed in the board. The members of the board may appoint from their number such subcommittees with such powers as they shall determine; may adopt such administrative procedures and regulations as they deem desirable for the conduct of their affairs; may authorize one or more of their number or any agent to execute or deliver any instrument or make any payment on their behalf; may retain counsel, employ agents and provide for such clerical, accounting, actuarial and consulting services as they may require in carrying out the provisions of the DROP; and may allocate among themselves or delegate to other persons all or such portion of their duties under the DROP, other than those granted to them as trustee under any trust agreement adopted for use in implementing the DROP, as they, in their sole discretion, shall decide. A trustee shall not vote on any question relating exclusively to himself.
 - (2) *Individual accounts, records and reports.* The board shall maintain records showing the operation and condition of the DROP, including records showing the individual balances in each member's DROP account, and the board shall keep in convenient form such data as may be necessary for the valuation of the assets and liabilities of the DROP. The board shall prepare and distributed to members participating in the DROP and other individuals or filed with the appropriate governmental agencies, as the case may be, all necessary descriptions, reports, information returns, and data required to be distributed or filed for the DROP pursuant to the Code and any other applicable laws.
 - (3) *Establishment of rules.* Subject to the limitations of the DROP, the board from time to time shall establish rules for the administration of the DROP and the transaction of its business. The board shall have discretionary authority to construe and interpret the DROP (including but not limited to determination of an individual's eligibility for DROP participation, the right and amount of any benefit payable under the DROP and the date on which any individual ceases to be a participant in the DROP). The determination of the board as to the interpretation of the DROP or its determination of any disputed questions shall be conclusive and final to the extent permitted by applicable law.
 - (4) *Limitation of liability.*
 - a. The trustees shall not incur any liability individually or on behalf of any other individuals for any act or failure to act, made in good faith in relation to the DROP or the funds of the DROP.
 - b. Neither the board nor any trustee of the board shall be responsible for any reports furnished by any expert retained or employed by the board, but they shall be entitled to rely thereon as well as on certificates furnished by an accountant or an actuary, and on all opinions of counsel. The board shall be fully protected with respect to any action taken or suffered by it in good faith in reliance upon such

expert, accountant, actuary or counsel, and all actions taken or suffered in such reliance shall be conclusive upon any person with any interest in the DROP.

- (f) *General provisions.*
- (1) *The DROP is not a separate retirement plan.* Instead, it is a program under which a member who is eligible for normal retirement under the system may elect to accrue future retirement benefits in the manner provided in this Sec. 15-130 for the remainder of his employment, rather than in the normal manner provided under the plan. Upon termination of employment, a member is entitled to a lump sum distribution of his or her DROP account balance or may elect a rollover. The DROP account distribution is in addition to the member's monthly benefit.
 - (2) *Notional account.* The DROP account established for such a member is a notional account, used only for the purpose of calculation of the DROP distribution amount. It is not a separate account in the system. There is no change in the system's assets, and there is no distribution available to the member until the member's termination from the DROP. The member has no control over the investment of the DROP account.
 - (3) *No employer discretion.* The DROP benefit is determined pursuant to a specific formula which does not involve employer discretion.
 - (4) *IRC limit.* The DROP account distribution, along with other benefits payable from the system, is subject to limitation under Internal Revenue Code Section 415(b).
 - (4 5) *Amendment of DROP.* The DROP may be amended by an ordinance of the city at any time and from time to time, and retroactively if deemed necessary or appropriate, to amend in whole or in part any or all of the provisions of the DROP. However, except as otherwise provided by law, no amendment shall make it possible for any part of the DROP's funds to be used for, or diverted to, purposes other than for the exclusive benefit of persons entitled to benefits under the DROP. No amendment shall be made which has the effect of decreasing the balance of the DROP account of any member.
 - (2 6) *Facility of payment.* If a member or other person entitled to a benefit under the DROP is unable to care for his affairs because of illness or accident or is a minor, the board shall direct that any benefit due him shall be made only to a duly appointed legal representative. Any payment so made shall be a complete discharge of the liabilities of the DROP for that benefit.
 - (3 7) *Information.* Each member, beneficiary or other person entitled to a benefit, before any benefit shall be payable to him or on his account under the DROP, shall file with the board the information that it shall require to establish his rights and benefits under the DROP.
 - (4 8) *Prevention of escheat.* If the board cannot ascertain the whereabouts of any person to whom a payment is due under the DROP, the board may, no earlier than three years from the date such payment is due, mail a notice of such due and owing payment to the last known address of such person, as shown on the records of the board or the city. If such person has not made written claim therefor within three months of the date of the mailing, the board may, if it so elects and upon receiving advice from counsel to the System, direct that such payment and all remaining payments otherwise due such person be canceled on the records of the System. Upon such cancellation, the System shall have no further liability therefor except that, in the event such person or his beneficiary later notifies the board of his whereabouts and requests the payment or payments due to him under the DROP, the amount so applied shall be paid to him in accordance with the provisions of the DROP.

(5 9) *Written elections, notification.*

- a. Any elections, notifications or designations made by a member pursuant to the provisions of the DROP shall be made in writing and filed with the board in a time and manner determined by the board under rules uniformly applicable to all employees similarly situated. The board reserves the right to change from time to time the manner for making notifications, elections or designations by members under the DROP if it determines after due deliberation that such action is justified in that it improves the administration of the DROP. In the event of a conflict between the provisions for making an election, notification or designation set forth in the DROP and such new administrative procedures, those new administrative procedures shall prevail.
- b. Each member or Retiree who has a DROP account shall be responsible for furnishing the board with his current address and any subsequent changes in his address. Any notice required to be given to a member or Retiree hereunder shall be deemed given if directed to him at the last such address given to the board and mailed by registered or certified United States mail. If any check mailed by registered or certified United States mail to such address is returned, mailing of checks will be suspended until such time as the member or Retiree notifies the board of his address.

(6 10) *Benefits not guaranteed.* All benefits payable to a member from the DROP shall be paid only from the assets of the member's DROP account and neither the city nor the board shall have any duty or liability to furnish the DROP with any funds, securities or other assets except to the extent required by any applicable law.

(7 11) *Construction.*

- a. The DROP shall be construed, regulated and administered under the laws of Florida, except where other applicable law controls.
- b. The titles and headings of the subsections in this section 15-128 are for convenience only. In the case of ambiguity or inconsistency, the text rather than the titles or headings shall control.

(8 12) *Forfeiture of retirement benefits.* Nothing in this section shall be construed to remove DROP participants from the application of any forfeiture provisions applicable to the system. DROP participants shall be subject to forfeiture of all retirement benefits, including DROP benefits.

(9 13) *Effect of DROP participation on employment.* Participation in the DROP is not a guarantee of employment and DROP participants shall be subject to the same employment standards and policies that are applicable to employees who are not DROP participants.

SECTION 12: That Chapter 15, Pensions and Retirement, Article V, Firefighters' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by adding Section 15-130, Supplemental Benefit Component for Special Benefits; Chapter 174 Share Accounts, to read as follows:

Sec. 15-130. Supplemental benefit component for special benefits; Chapter 175 share accounts.

There is hereby established an additional plan component to provide special benefits in the form of a supplemental retirement, termination, death and disability benefits to be in addition to the benefits provided for in the previous Sections of this Plan, such benefit to be funded solely and entirely by F.S.

Chapter 175, premium tax monies for each plan year which are allocated to this supplemental component as provided for in F.S. §175.351. Amounts allocated to this supplemental component ("Share Plan"), if any, shall be further allocated to the members and DROP participants as follows:

(a) *Individual Member Share Accounts.* The board shall create individual "member share accounts" for all actively employed plan members and DROP participants and maintain appropriate books and records showing the respective interest of each member or DROP participant hereunder. Each member or DROP participant shall have a member share account for his share of the F.S. Chapter 175 tax revenues described above, forfeitures and income and expense adjustments relating thereto. The board shall maintain separate member share accounts, however, the maintenance of separate accounts is for accounting purposes only and a segregation of the assets of the trust fund to each account shall not be required or permitted.

(b) *Share Account Funding.*

(1) Individual member share accounts shall be established as of September 30, 2015 for all members and DROP participants who were actively employed as of October 1, 2014. Individual member share accounts shall be credited with an allocation as provided for in the following subsection (c) of any premium tax monies which have been allocated to the share plan for that plan year, beginning with the plan year ending September 30, 2015.

(2) Any forfeitures as provided in subsection (d), shall be used as part of future allocations to the individual member share accounts in accordance with the formula set forth in subsection (c)(1).

(c) *Allocation of Monies to Share Accounts.*

(1) *Allocation of Chapter 175 Contributions.*

a. Effective as of September 30, 2015, the amount of any premium tax monies allocated to the share plan shall be allocated to individual member share accounts as provided for in this subsection. Members retiring on or after October 1, 2014 and prior to September 30, 2015 shall receive an allocation. In addition, all premium tax monies allocated to the share plan in any subsequent plan year shall also be allocated as provided for in this subsection. Available premium tax monies shall be allocated to individual member share accounts at the end of each plan year on September 30 (a "valuation date").

b. On each valuation date, each current actively employed member of the plan not participating in the DROP, each DROP participant and each retiree who retires or DROP participant who has terminated DROP participation in the plan year ending on the valuation date (including each disability retiree), or beneficiary of a deceased member(not including terminated vested persons) who is otherwise eligible for an allocation as of the valuation date shall receive a share allocation as follows:

c. The total funds subject to allocation on each valuation date shall be allocated to each member share account of those eligible for an allocation in an amount equal to a fraction of the total amount, the numerator of which shall be the individual's total years and fractional parts of years of credited service as of the valuation date, and the denominator of which shall be the sum of the total years and fractional parts of years of credited service as of the valuation date of all individuals to whom allocations are being made. Beneficiaries shall receive an

allocation based on the years of credited service of the deceased member or DROP participant.

d. Re-employed retirees shall be deemed new employees and shall receive an allocation based solely on the credited service in the reemployment period.

(2) Allocation of Investment Gains and Losses. On each valuation date, each individual member share account shall be adjusted to reflect the net earnings or losses resulting from investments during the year. The net earnings or losses allocated to the individual member share accounts shall be the same percentage which is earned or lost by the total plan investments, including realized and unrealized gains or losses, net of brokerage commissions, transaction costs and management fees.

Net earnings or losses are determined as of the last business day of the fiscal year, which is the valuation date, and are debited or credited as of such date.

For purposes of calculating net earnings or losses on a member's share account pursuant to this subsection, brokerage commissions, transaction costs, and management fees for the immediately preceding fiscal year shall be determined for each year by the investment consultant pursuant to contracts with fund managers as reported in the custodial statement. The investment consultant shall report these annual contractual fees to the board. The investment consultant shall also report the net investment return for each manager and the net investment return for the total plan assets.

(3) Allocation of Costs, Fees and Expenses. On each valuation date, each individual member share account shall be adjusted to allocate its pro rata share of the costs, fees and expenses of administration of the share plan. These fees shall be allocated to each individual member share account on a proportionate basis taking the costs, fees and expenses of administration of the share plan as a whole multiplied by a fraction, the numerator of which is the total assets in each individual member share account (after adding the annual investment gain or loss) and the denominator of which is the total assets of the fund as a whole as of the same date.

(4) No Right to Allocation. The fact of allocation or credit of an allocation to a member's share account by the board shall not vest in any member, any right, title, or interest in the assets of the trust or in the Chapter 175 tax revenues except at the time or times, to the extent, and subject to the terms and conditions provided in this Section.

(5) Members and DROP participants shall be provided annual statements setting forth their share account balance as of the end of the plan year.

(d) Forfeitures. Any member who has less than ten (10) years of service credit and who is not otherwise eligible for payment of benefits after termination of employment with the city as provided for in subsection (e) shall forfeit his individual member share account. Forfeited amounts shall be included and used as part of the Chapter 175 tax revenues for future allocations to individual member share accounts on each valuation date in accordance with the formula set forth in subsection (c)(1).

(e) Eligibility For Benefits. Any member (or his beneficiary) who terminates employment as a firefighter with the City or who dies, upon application filed with the board, shall be entitled to be paid the value of his individual member share account, subject to the following criteria:

(1) Retirement Benefit.

a. A member shall be entitled to one hundred percent (100%) of the value of his share account upon normal or early retirement pursuant to Section 15-106, or if the member enters the DROP, upon termination of employment.

b. Such payment shall be made as provided in subsection (f).

(2) Termination Benefit.

a. In the event that a member's employment as a firefighter is terminated by reason other than retirement, death or disability, he shall be entitled to receive the value of his share account only if he is vested in accordance with Section 15-109.

b. Such payment shall be made as provided in subsection (f).

(3) Disability Benefit.

a. In the event that a member is determined to be eligible for either an in-line of duty disability benefit pursuant to Section 15-108, subsection (a) or a not-in-line of duty disability benefit pursuant to Section 15-108, subsection (c), he shall be entitled to one hundred percent (100%) of the value of his share account.

b. Such payment shall be made as provided in subsection (f).

(4) Death Benefit.

a. In the event that a member or DROP participant dies while actively employed as a firefighter, one hundred percent (100%) of the value of his member share account shall be paid to his designated Beneficiary as provided in Section 15-107.

b. Such payment shall be made as provided in subsection (f).

(f) Payment of Benefits. If a member or DROP participant terminates employment for any reason or dies and he or his beneficiary is otherwise entitled to receive the balance in the member's share account, the member's share account shall be valued by the plan's actuary on the next valuation date as provided for in subsection (c) above, following termination of employment. Payment of the calculated share account balance shall be payable as soon as administratively practicable following the valuation date, but not later than one hundred fifty (150) days following the valuation date and shall be paid in one lump sum payment. No optional forms of payments shall be permitted.

(g) Benefits Not Guaranteed. All benefits payable under this Section 15-130 shall be paid only from the assets accounted for in individual member share accounts. Neither the City nor the board shall have any duty or liability to furnish any additional funds, securities or other assets to fund share account benefits. Neither the board nor any trustee shall be liable for the making, retention, or sale of any investment or reinvestment made as herein provided, nor for any loss or diminishment of the member share account balances, except due to his or its own negligence, willful misconduct or lack of good faith. All investments shall be made by the board subject to the restrictions otherwise applicable to fund investments.

(h) Notional account. The member share account is a notional account, used only for the purpose of calculation of the share distribution amount. It is not a separate account in the system. There is no change in the system's assets, and there is no distribution available to the member or DROP participant until the member's or DROP participant's termination from employment. The member or DROP participant has no control over the investment of the share account.

(i) No employer discretion. The share account benefit is determined pursuant to a specific formula which does not involve employer discretion.

(j) Maximum Additions. Notwithstanding any other provision of this Section, annual additions under this Section shall not exceed the limitations of Section 415(c) of the code pursuant to the provisions of Section 15-115, subsection (k).

(k) IRC limit. The share account distribution, along with other benefits payable from the system, is subject to limitation under Internal Revenue Code Section 415(b).

SECTION 13: Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Tavares.

SECTION 14: If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 15: All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 16: That this Ordinance shall become effective upon its adoption.

PASSED AND ORDAINED ON this _____ day of _____, 2016, by the City Council of the City of Tavares, Florida.

Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Nancy A. Barnett
CITY CLERK

Approved as to form:

Robert Q. Williams
CITY ATTORNEY

dm/tav/fire/03-15-16.ord

Legal Notices

Miscellaneous Legals

CITY OF TAVARES

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider Ordinance 2016-23, Second Reading, on May 18, 2016 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

ORDINANCE NO. 2016-23

AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS' PENSION TRUST FUND OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-101, DEFINITIONS; AMENDING SECTION 15-102, MEMBERSHIP; AMENDING SECTION 15-104, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 15-106, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 15-107, PRE-RETIREMENT DEATH; AMENDING SECTION 15-108, DISABILITY; AMENDING SECTION 15-110, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 15-115, MAXIMUM PENSION; AMENDING SECTION 15-116, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 15-127, PRIOR FIRE SERVICE; AMENDING SECTION 15-128, DEFERRED RETIREMENT OPTION PLAN; ADDING SECTION 15-130, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 175 SHARE ACCOUNTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND 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.

LAK4152625

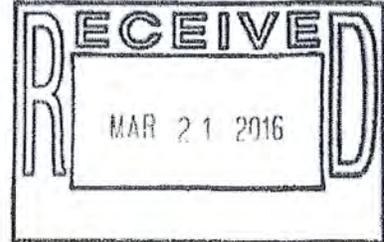
5/8/2016

Law Offices

Christiansen & Dehner, P.A.

63 Sarasota Center Blvd. Suite 107 Sarasota, Florida 34240 • 941-377-2200 • Fax 941-377-4848

March 17, 2016



Chief Richard Keith
Tavares Firefighters Pension Trust Fund
424 E. Alfred St.
Tavares, Florida 32778

Re: City of Tavares Firefighters' Pension Trust Fund - Proposed Ordinance

Dear Richard:

Enclosed please find a proposed ordinance amending the City of Tavares Firefighters' Pension Trust Fund. With the recent adoption by the Florida Legislature of Chapter 2015-39, Laws of Florida, and changes to the Internal Revenue Code (IRC) and its associated Regulations, as well as guidance from the Internal Revenue Service (IRS), the following amendments to the pension plan are proposed:

1. Section 15-101, Definitions, is being amended for IRC changes and requirements, to amend the definitions of:
 - a. Actuarial Equivalent - to amend the definition to incorporate the Mortality Table currently being used by the plan's actuary and to provide amended language regarding the interest rate assumption for actuarial equivalent calculations. With this new language, the City will not have to adopt an ordinance every time the interest rate changes.
 - b. Credited Service - to clarify IRC regulations on leave conversions
 - c. Effective Date - to clearly state the effective date of the restatement of the plan
 - d. Firefighter - to update a reference in Florida Statutes.
 - e. Spouse - To clarify the definition in accordance with a recent US Supreme Court ruling
2. Section 15-102, Membership, has been amended to limit those individuals eligible to opt-out of the system, to comply with recent IRC Treasury Regulation requirements.
3. Section 15-104, Finances and Fund Management, is being amended to further incorporate recent IRC requirements with regard to investments in commingled funds.

4. Section 15-106, Benefit amounts and eligibility, is being amended to change the Normal Retirement Date to include IRC required language regarding Normal Retirement Age and Normal Retirement Date.
5. Section 15-107, Pre-Retirement Death, subsection (b)(2), is being amended to remove unnecessary language.
6. Section 15-108, Disability, is being amended to more clearly identify those individuals who may be eligible to apply for a disability pension who have been terminated by the City due to medical reasons.
7. Section 15-110, Optional Forms of Benefits, has been amended to:
 - a. Amend the optional form of benefit known as a partial lump sum option (PLOP), to clarify that the percentage chosen is calculated as a percent of the total actuarial equivalent value of the member's benefit.
 - b. Amend subsection (b) to clarify that if proof of good health of a joint pensioner who is being replaced is not provided, the actuary will assume that the joint pensioner is deceased for purposes of calculating the revised benefit amount.
8. Section 15-115, Maximum Pension, has had several subsections amended to comply with IRC changes.
9. Section 15-116, Minimum Distribution of Benefits, is being amended for a reference clarification in subsection (b)(2)d.
10. Section 15-127, Prior Fire Service, subsection (5), is being amended to correct a reference.
11. Section 15-128, Deferred Retirement Option Plan, is being amended in accordance with recent direction from the IRS in connection with the issuance of several recent Favorable Determination Letters to: i) clarify investment returns on DROP accounts, and ii) add several sections clarifying the DROP provisions as required by the IRS. We have also amended the provisions regarding when interest is calculated and paid, which will avoid a participant's forfeiture of interest accrued during the first or second month of the quarter should the member terminate DROP participation at the end of the first or second month of the quarter.

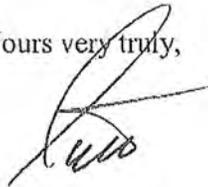
12. Section 15-130, Supplemental Benefit Component for Special Benefits; Chapter 175 Share Accounts, is a new Section being added to the plan. This Section creates a 'Share Plan', or defined contribution component, and the addition of a share plan is a requirement of recently adopted Chapter 2015-39, Laws of Florida, for all pension plans that are subject to the provisions of Chapters 175 and 185, Florida Statutes.

This Share Plan provides for a share account for each member of the plan. The Share Plan is to be funded solely and entirely by Chapter 175, Florida Statutes, premium tax monies for each plan year that funding is made available to it in accordance with governing Florida Statutes and/or mutual agreement between the City and the Union. This supplemental benefit, therefore, may or may not be funded.

If the share plan is funded, at retirement, termination (vested), disability or death, there is an additional lump sum benefit paid to the eligible member. In this ordinance available share plan funding is allocated to the members' accounts based on a formula which provides an allocation based on years of credited service. Other allocation methods (i.e. equal allocation) could be considered if requested by the Union. Each share account receives its proportionate share of the income or loss on the assets in the plan.

By copy of this letter to the Board's actuary, Foster & Foster, Inc., I am requesting that they provide you with a letter indicating the cost, if any, associated with the adoption of this ordinance. If you have any questions with regard to this ordinance, please feel free to give me a call.

Yours very truly,



Scott R. Christiansen

SRC/dm
enclosure

cc: Doug Lozen, with enclosure ✓

April 1, 2016

VIA EMAIL AND MAIL

Ms. Ferrell Jenne
Lead Plan Administrator
Foster & Foster, Inc.
13420 Parker Commons Blvd.
Fort Myers, FL 33912

Re: City of Tavares Firefighters' Pension Trust Fund

Dear Ferrell:

In response to Scott Christiansen's letter dated March 17, 2016, we have reviewed the proposed Ordinance (identified on page 18 as dm/tav/fire/03-15-16.ord) which includes, but is not limited to amending the Plan to meet new IRC standards, to update a reference in the definition of a firefighter, and to establish a Share Plan. It's been determined that the adoption of these provisions will have no impact on the assumptions used in determining the funding requirements of the program.

Additionally, the definition of Actuarial Equivalence is being amended to match the current valuation assumption for interest. While adoption of this assumption may result in a de minimis impact (either positive or negative) over the life of the Plan, it is not currently measurable, and therefore does not result in an immediate change to the Plan's funding requirements.

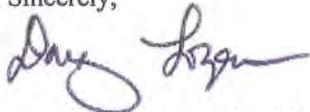
Because the changes do not result in a change in the valuation results, it is our opinion that a formal Actuarial Impact Statement is not required in support of its adoption. However, since the Division of Retirement must be aware of the current provisions of all public pension programs, it is recommended that you send a copy of this letter and a copy of the fully executed Ordinance to each of the following offices:

Mr. Keith Brinkman
Bureau of Local Retirement Systems
Division of Retirement
P. O. Box 9000
Tallahassee, FL 32315-9000

Ms. Sarah Carr
Municipal Police and Fire
Pension Trust Funds
Division of Retirement
P.O. Box 3010
Tallahassee, FL 32315-3010

If you have any questions, please let me know.

Sincerely,



Douglas H. Lozen, EA, MAAA

cc: Scott R. Christiansen, Board Attorney
Chief Richard Keith



MEMORANDUM

FROM: Daniel Johnson and Tony Kay, The Bogdahn Group
TO: **City of Tavares Firefighters' Pension Trust Fund**
DATE: April 25, 2016
RE: Summary of Proposed Pension Ordinance Revisions

We have provided below our initial review of the proposed ordinance revisions for the City of Tavares Firefighters' Pension Trust Fund ('the Plan').

AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-101, DEFINITIONS; AMENDING SECTION 15-102, MEMBERSHIP; AMENDING SECTION 15-104, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 15-106, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 15-107, PRE-RETIREMENT DEATH; AMENDING SECTION 15-108, DISABILITY; AMENDING SECTION 15-110, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 15-115, MAXIMUM PENSION; AMENDING SECTION 15-116, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 15-127, PRIOR FIRE SERVICE; AMENDING SECTION 15-128, DEFERRED RETIREMENT OPTION PLAN; ADDING SECTION 15-130, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 175 SHARE ACCOUNTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

The proposed ordinance revisions are comprehensive and encompass multiple aspects of the Plan. The revisions have been prepared to address items including changes to Internal Revenue Code (IRC) standards, State of Florida legislative updates, and clarifications to existing verbiage. It is important to note this proposed ordinance has been accompanied by a letter from the Plan's actuary which indicates there will be no impact to the assumptions used in determining the funding requirements of the Plan and these changes will not change the Plan's current valuation results.

Our review found the presented revisions to the ordinance are consistent with the required updates to maintain the Plan consistent with IRC and State of Florida statutory requirements. We do, however, want to address one of the proposed items for further perspective as it relates to the required creation of a Share Plan. This establishment of the Share Plan is now required for plans subject to Chapter 175, Florida Statutes. However, the City should be aware the funding mechanism for the Share Plan is not identified in the statutes or ordinance, which is consistent with correspondence from the Plan's attorney, Scott Christiansen:

This Share Plan provides for a share account for each member of the plan. The Share Plan is to be funded solely and entirely by Chapter 175, Florida Statutes, premium tax monies for each plan year that funding is made available to it in accordance with governing Florida Statutes and/or mutual agreement between the City and the Union. This supplemental benefit, therefore, may or may not be funded.

Although the Share Plan has been created, it is subject to mutual agreement between the City and the Union to determine its funding.

Considerations: The Pension Plan utilizes legal counsel that provides oversight to the required compliance updates from the Internal Revenue Service and State of Florida. Accordingly, this proposed revision to the ordinance covers current changes needed to amend the language in the ordinance to allow Plans to continue to maintain compliance. Similar language has been proposed across the State of Florida for other local government clients of The Bogdahn Group in accordance with these compliance provisions.

Conclusion: In our opinion, there are no items presented in the ordinance we would feel present any concern for sustainability of the Plan or adverse impacts to either the City or City's funding requirements of the Plan. With the understanding the proposed ordinance has been presented along with the Plan actuary's "*no-impact*" letter, we would recommend adoption of the proposed ordinance by the City of Tavares.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
May 18, 2016**

AGENDA TAB NO. 10

SUBJECT TITLE: Resolution #2016-09 – FDOT - TAV-LEE TRAIL EXTENSION

OBJECTIVE:

For Council to approve Resolution #2016-09 endorsing and authorizing the State of Florida Department of Transportation administration and delivery of the construction of the phase 2, Tav- Lee Trail Extension component of the Wooton Park Enhancement Project.

SUMMARY:

The Wooton Park Enhancement project has 2 phases, which have different components and funding sources:

1. Phase 1

Construction of a Parking Lot; Entrance Road; Boat Ramp, Open Area; Volley Ball Courts etc. funded through the City bond and a Lake County Tourism Development Capital Projects grant. This phase is currently going through the bid process and will be brought to Council with an update and award recommendations at a future Council Meeting.

2. Phase 2

Construction of Tav-Lee trail extension to Sinclair Ave; Lighting; Restroom/Storage Building; Utilities; Landscaping and Railroad Crossing (Gates/Signalization). This component is funded through a State of Florida FDOT grant programmed for FY 17.

The funding for phase 2 is allocated through a Local Agency Program (LAP) grant whereby Federal Highway Administration Funding is allocated through FDOT to the City. Construction administration of this type of grant funding requires the City to be LAP certified. The City is not LAP certified, nor does it have the resources and staffing required to become LAP certified however, the FDOT is certified. Adoption of a local resolution is required to initiate this process.

OPTIONS:

1. Move to approve Resolution #2016-09 endorsing and authorizing the State of Florida to administer and deliver the Tav-Lee Trail Extension project within the City.
2. Do not approve Resolution #2016-09 endorsing and authorizing the State of Florida Department of Transportation to administer and deliver the Tav-Lee Trail Extension project within the City.

STAFF RECOMMENDATION:

Move to approve Resolution #2016-09 endorsing and authoring the State of Florida to administer and deliver the Tav-Lee Trail Extension project within the City

FISCAL IMPACT: There is no fiscal impact associated with this item.

LEGAL SUFFICIENCY: Legally sufficient

RESOLUTION 2016-09

RESOLUTION OF CITY OF TAVARES, FLORIDA ENDORSING AND AUTHORIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO ADMINISTER THE CONSTRUCTION PHASE OF THE TAV-LEE TRAIL EXTENSION FROM WOOTON PARK TO NORTH OF SINCLAIR AVENUE/RUBY STREET INTERSECTION (FDOT FINANCIAL MANAGEMENT #433673-1)

WHEREAS, the Tav-Lee Trail is a non-motorized shared-use regional trail that, upon completion, will connect downtown Tavares and with downtown Leesburg and will further the multi-modal goals of the City of Tavares Downtown Master Plan and Comprehensive Plan; and

WHEREAS, a portion of the Tav-Lee Trail was constructed by the Florida Department of Transportation from Main Street in downtown Tavares west to along US 441 to just west of CR 473; and

WHEREAS, FDOT provided funds in 2004 for the construction of a trailhead for the Tav-Lee Trail in Wooton Park in downtown Tavares; and

WHEREAS, a gap in trail connectivity exists between the trailhead and existing trail in Wooton Park and the existing trail at Main Street; and

WHEREAS, the Tav-Lee Trail Extension Project begins at Wooton Park and ends north of the intersection of Sinclair Avenue and Ruby Street at Main Street; and

WHEREAS, funding for construction for the Tav-Lee Trail Extension is programmed in the FDOT Work Program in FY 2016/17 as a Local Agency Program (LAP) project with the City of Tavares; and

WHEREAS, LAP certification is required to manage this project and the City of Tavares is not currently able to meet the LAP certification requirements.

WHEREAS, FDOT is authorized to administer LAP projects for local governments that do not have the necessary resources to become LAP certified but have received funding for a project that utilizes the LAP process.

NOW, THEREFORE, BE IT RESOLVED the City of Tavares endorses and authorizes FDOT assume the responsibility of administering and delivering the construction phase of the Tav-Lee

Trail Extension Project (FDOT Financial Management #433673-1), which is funded in FDOT FY 2016/17 and was awarded to the City Tavares as a LAP project.

DULY PASSED AND ADOPTED this _____ day of _____, 2016.

Robert Wolfe, Mayor

Attested by:

Nancy A. Barnett, CMC, City Clerk

Approved as to form and legality:

Robert Q. Williams, City Attorney

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 18, 2016**

AGENDA TAB NO. 11

SUBJECT TITLE: FY 2016 – 2017 Budget Workshop and TRIM Calendar

OBJECTIVE:

To approve budget workshop calendar for the City Council for the 2016/2017 Operating Budget and TRIM (Truth in Millage) Requirements.

SUMMARY:

Attached is the proposed comprehensive calendar for the 2016-2017 TRIM and Budget process including the Fire Assessment roll update. The calendar includes presentation of the General Fund Budget at a Regular City Council meeting, presentation of the Enterprise Funds at a Regular City Council Meeting, and setting of the Tentative Maximum Millage Rate at a regular City Council Meeting, and to update the Fire Assessment Roll. In addition budget workshops will be included with Regular August City Council Meetings. Finally, the calendar includes two Public Hearings for adoption of the budget and millage rate (September).

Truth in Millage statues require that the first public hearing for the budget and millage rate (Tentative Budget Hearing) be held no less than 65 days after the first day of TRIM, July 1st, which is the date that the City receives the Certification of Taxable Value from the Property Appraiser for determining the 2017 (FY 2017) millage rate calculations.

1. July 6, 2016 – Budget Workshop with Regular City Council Meeting to present the Draft FY 2017 Budget and the draft Maximum Tentative Millage Rate
2. July 20, 2016 – Budget Workshop with Regular City Council Meeting to present the Draft FY 2016 Enterprise and Special Fund Budgets and to set the Maximum Tentative Millage Rate.

*The millage rate may be decreased throughout the budget process, but it **cannot** be increased above the rate submitted to the property appraiser on July 29, 2016 (Due: August 4, 2016).*

3. August 3, 2016 – City Council Budget Workshop (same date as regular Council Meeting)
4. August 17, 2016 – City Council Budget Workshop (same date as regular Council Meeting)
5. September 7, 2016 (Thursday) – First Public Hearing to adopt Tentative Budget and Tentative Millage Rate for 2016-2017 Budget.

6. September 21, 2016 – Final Public Hearing to adopt 2016-2017 Budget and Millage Rate.

Regular Council Meetings for September 2016 are September 7, 2016 and September 21, 2016.

OPTIONS:

1. Move to approve the Fiscal Year 2017 TRIM Calendar as submitted which meets the requirements of TRIM.
2. Move for further discussion of the Proposed FY 2017 Proposed TRIM Calendar.

STAFF RECOMMENDATION:

Move to approve the Fiscal Year 2017 TRIM Calendar as submitted which meets the requirements of TRIM.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY: A copy of this Calendar has been provided to the City Attorney.

CITY OF TAVARES
TRIM COMPLIANCE CALENDAR
SCHEDULE
For Fiscal Year 2017 Proposed Budget

March 2, 2016	Council sets Broad Budget Goals
March 4, 2016	Budget Module opened for departments
March 8, 2016	Budget Handbooks distributed to departments
April 1, 2016	Department Budget Entry closed
April 18, 2016 - April 29, 2016	City Administrator Department Budget Workshops
May 6, 2016	CIP forms due from Departments
May 9, 2016 - May 12, 2016	City Administrator CIP Reviews with Departments
May 31, 2016	Receive Property Appraiser “Best Estimate” of taxable values for FY2017 (2016 Tax Year)
May 31, 2016 – June 3, 2016	Individual Budget Meetings with Council Members to review Proposed Budget
June 11, 2016	Deliver/upload electronic budget and deliver printed budget binder to City Council (Flexible to 6-12-2016)
June 15, 2016	Proposed Budget Presentation to City Council (GENERAL FUND – Other funds to be presented at the July 6, 2016 City Council Meeting)
July 1, 2016	Receive Certified DR 420 (Taxable Value) from Lake County Property Appraiser
July 6, 2016	Proposed Budget Presentation to City Council for UTILITY FUNDS & SPECIAL FUNDS . Discuss GENERAL FUND PROPOSED BUDGET
July 20, 2016	Proposed Budget Presentation (CIP) to City Council and Discuss FY 2017 GENERAL FUND, UTILITY FUNDS, and SPECIAL FUNDS, and City Council Budget Workshop to set <u>Maximum Millage Rate for DR-420 Submittal</u> . The proposed millage rate may be lowered after submitting the DR-420, but it may not be increased. This workshop only sets a Maximum Tentative Millage rate.
July 29, 2016	Return completed DR 420 to Lake County Property Appraiser. (No later than August 4, 2016)

- August 3, 2016 City Council Budget Workshop - 4:00 PM (City Council Meeting)
- August 17, 2015 City Council Budget Workshop – 4:00 PM (City Council Meeting)
- September 7, 2016 First public hearing to Adopt Tentative Millage Rate and Tentative Budget – 5:05 PM and Approve Tentative Fire Assessment roll for FY 2017.** Hearing must be within 65 days of First Day of TRIM (July 1, 2016), and cannot be less than 10 days after mailing of TRIM Notice by the Property Appraiser.
- September 14, 2016 Send Information to Newspaper for September 14, 2016 Final Budget Hearing Advertisement
- September 18, 2016 Advertise in Newspaper for the Final Hearing to adopt Millage Rate and Final budget. SUNDAY Advertisement. (ADVERTISEMENT MUST BE AT LEAST 2 DAYS BEFORE SECOND PUBLIC HEARING, BUT NOT MORE THAN 5 DAYS PRIOR.)**
- September 18, 2016 Save entire page(s) from advertisement from newspaper – 2 copies.
- September 19, 2016 Contact newspaper for Receipt of Certification of Publication for TRIM package.
- September 21, 2016 Hold second public hearing to adopt Millage rate and Final Budget and Final Adoption for FY2017 Fire Assessment Roll– 5:05 P.M. (Must be adopted in this order)**
- September 23, 2016 Hand deliver resolution adopting budget, and resolution adopting millage rate **to the Property Appraiser and the Tax Collector (MUST BE DELIVERED WITHIN 3 DAYS OF ADOPTION). FRIDAY**
- September 30, 2016 Forward certification to the State of Florida Department of Revenue, Property Tax Administration Program. Mail complete TRIM PACKAGE even if Lake County has not provided a completed DR-422 (TRIM package must go to the State within 30 days of Budget adoption.)

Municipal Budget Hearings are prohibited by state statutes from being held on the same dates that County and School Board Hearings will be held.

1. 2017 School Board Hearing Dates: July 25, 2016 & September 12, 2016
2. 2017 Lake County Budget Hearing Dates: September 13, 2016 & September 27, 2016

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 18, 2016**

AGENDA TAB NO. 12

SUBJECT TITLE: Approval of Bid Award & Contract for the State Rd. 19 Bridge Waterline Relocation

OBJECTIVE:

To accept the lowest qualified and responsive bidder on the relocation of a waterline on SR 19 that is in the pathway of the new proposed bridge being built by FDOT in the amount of \$35,794.86 and authorize City Administrator to sign the contract.

SUMMARY:

In 2011, the FDOT started conducting a preliminary survey and design for widening of the SR 19 and the new bridge. FDOT purchased a parcel of land at the end of SR 19 that had originally been site developed for commercial purposes, which included the water and wastewater infrastructure. The privately owned wastewater infrastructure was removed by the state in 2015 at no cost to the City. The water line was incorporated in the FDOT plans for relocation in 2012.

In late 2015 the state was moving forward with the bridge plans and the Utility Department looked at the proposed cost and timeline. After further review, a decision was made, that in the best interest of the City it would be more cost effective as well as allow the city to have more control of the installation, for the City to contract out the work, rather than have FDOT do the work.

The City consequently requested quotes on the project received two quotes. One quote came from a FDOT contractor at \$61,200.00 and the other from Utility Technicians at \$35,794.86. Utility Technicians are presently conducting the work at 3 Lakes Mobile home park. They have worked for the City in the past and have always done a superb job.

OPTIONS:

1. **Move to Accept** the bid from Utility Technicians in the amount of \$35,794.86 and authorize the City Administrator to sign the contract.
2. **Do Not Accept** the bid from Utility Technicians in the amount of \$35,794.86

STAFF RECOMMENDATION:

3. **Move to Accept** the bid from Utility Technicians in the amount of \$35,794.86 and authorize the City Administrator to sign the contract.

FISCAL IMPACT:

This project will be paid for using funds from the 443-3501-6425, which was previously budgeted for the mixers at the Caroline wastewater plant. This money will be transferred over to 443-3301-6425 account for budgeting purposes. The mixers will be budgeted and installed next Fiscal Year.

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

Utility Technicians, Inc.

Water and Sewer Specialty Contractor
State Licensed Utility Contractor #CUCO52605

Office (352) 669-5822
Fax (352) 669-6037

Proposal

630 Goodbar Avenue
Umatilla, Florida 32784

NAME / ADDRESS

City of Tavares
P.O. Box 1068
Tavares, FL 32778

DATE 4/22/2016 Proposal # 6579

Job:
State Road 19

Utility Technicians to supply all materials, equipment and labor to install the following improvements on State Road 19 north of the Lake Harris bridge and to assist the City staff and engineer in relocating the water main and fire hydrant. Work with the city engineer to design and implement the scope described as follows.

1. Install 8"x8" and 10"x8" wet taps on existing PVC water mains.
2. Install new 8" PVC water main between the wet taps, around the intersection of Flagship Ave and SR 19.
3. Pressure test and chlorinate 8" PVC water line between the wet tap valves.
4. Pull bacteriological samples for testing.
5. After receiving clearance from FDEP, install line stops and cap the 8" and 10" PVC water main.
6. Relocate existing fire hydrant to new 8" PVC water main.
7. Excavate and remove the existing 900+/- 8" PVC water main and supply lines to parking area along SR 19; backfill and compact the disturbed area.
8. Excavate existing 130 +/- feet of 8" PVC water main and pour 2' wide x 6" high concrete cap under new pavement along Flagship Ave; backfill and compact the disturbed area.

NOTES:

1. Existing sanitary sewer gravity mains and force mains within the project limits will be maintained and remain in service during project.
2. The water main shall be installed utilizing FDOT, City of Tavares, and FDEP standards.
3. Any sewer lines, services, and manholes that may need to be adjusted during this project will be at an additional cost and will be quoted in a change order.
4. There will be no interruption in the water service to residents during construction.
5. City of Tavares staff or their representatives shall be onsite during the water main construction for inspection of the new water main placement.

TOTAL: \$35,794.86

All material and workmanship is guaranteed for for one year or as stated. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an additional charge over and above estimate. All agreements contingent upon strikes, accidents, delays beyond our control. Our workers are fully covered by Worker's Compensation Insurance.

Terms: Proposal valid for thirty (30) days from date of proposal. Payment due 15 days from invoice or as stated above.

SIGNATURE: _____

Wesley Byrd

DATE: 4/22/2016

ACCEPTANCE OF CONTRACT: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified above:

SIGNATURE: _____

DATE: _____

CBC
License # cbc1252765

UNDERGROUND
License # cuc 1224071

Ref: S.R. 19 & Flagship

CDR2
28750 S.E. 175th PLACE
UMATILLA FL 32784
(352)516-0555

Bob Dunn

Date: 04/28/16

TO: John Rumble/City of Tavares

Proposal

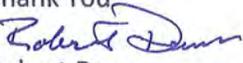
John:

This proposal is for the work to be done at S.R, 19 and Flagship on the water line. This includes labor and equipment to complete this project. Items included are listed below.

- Removal of 940' of 8" water Main
- Tie in the new 90' of 8" water main
- Relocate the existing fire hydrant
- Pressure testing and chlorination of line
- Install 2' x 130' of 6" concrete above old waterline
- Mill asphalt and re pave 24' x 130'
- Repave road crossing
- Soil testing and as built

Total cost 61,200.00

This proposal is good for 30 days from date above

Thank You

Robert Dunn V.P

SCHEDULE OF QUOTE ITEMS
SR 19 WATER PIPE CONSTRUCTION

For the City of Tavares Request for quote

Accordingly, the Bidder proposes to furnish all materials, equipment, services, and labor for the completion of the project listed above in full accordance with the Contract Documents, for the following Unit Price Sum Amount of money:

TOTAL UNIT PRICE BID AMOUNT (*written in words*):

Sixty one thousand Two hundred

PROJECT SUBSTANTIAL COMPLETION TIME: 45 calendar days

PROJECT FINAL COMPLETION TIME: 60 calendar days

Bidder: CDR2 LLC

By: Robert Dunn

Name: Robert Dunn

Title: V.P.

Date: 4-28-16

2016-0009



Request for Quote

SR 19. Water Line Construction

Owner

City of Tavares
201 E. Main Street, Tavares, FL 32778

Quotes are invited by the City of Tavares, to be received by The City of Tavares so as to be received not later than until

5:00 p.m., (Local Time) on **April 29th, 2016**

Please provide completed submission sheets

City of Tavares
Tavares, FL
John Rumble, Purchasing Manager

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
May 18, 2016**

AGENDA TAB NO. 13

SUBJECT TITLE: SPECIAL PARKING PERMITS FOR RESIDENTS DURING EVENTS

OBJECTIVE:

For Council to approve and authorize staff to develop and implement a special parking permit program for residents within the downtown entertainment district during special events.

SUMMARY:

The Tavares Downtown Master Plan encourages residential growth and development in the downtown entertainment district (see attached map) as a means of stimulating economic and cultural vibrancy. In order to stimulate and facilitate residential growth within this area, the City's land development regulations allow for this type of residential development to be permitted without private, off-street parking.

Throughout the year, the City hosts special events, parades etc. (4th of July & Christmas Parades, Planes Trains & Barbecue Classic Car Show etc.) which restrict or prohibit parking within this area, for periods of time which impact residents within this area.

A special events parking permit program for residents will help offset these impacts and accommodate the needs of these residents to park in close proximity to their homes while adjacent on-street parking is restricted or prohibited during these events. Under this program, residents would be issued a parking permit which would be visibly displayed in their vehicle or vehicles, allowing them to park within designated City owned parking lots identified for this use during these events (City Hall, Tavares Square South, Tavares Square West). In order to be eligible to receive this permit, residents would be required to provide to the Utility Billing Department:

1. Photo I.D.
2. Proof of residency within the downtown entertainment district
3. Proof of vehicle registration

An annual permit would then be issued authorizing the residents to park within these designated areas, during these periods of restricted/prohibited on-street parking.

OPTIONS:

1. Approve staff's request to develop and implement a residents special event parking permit program.
2. Do not approve staff's request to develop and implement a residents special event parking permit program.

STAFF RECOMMENDATION:

Move to approve option 1

FISCAL IMPACT: There is no fiscal impact associated with this item.

ENTERTAINMENT DISTRICT LOCATION MAP



Lake Dora



F:\PZ\DATA\PROJECT FILES\DR Clinger\Entertainment District\GIS_Images\Entertainment_District.mxd

Legend



Entertainment Boundary



Parcels



Streets



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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 18, 2016**

AGENDA TAB NO. 14

SUBJECT TITLE: City Administrator Evaluation & Setting of Annual Goals

OBJECTIVE: To discuss the annual performance evaluation of the city Administrator and set City Council's collective annual goals for Administrator to achieve over the next year.

SUMMARY:

Each Council member has conducted their individual performance evaluation of the City Administrator and has identified their goals for him to achieve over the next year.

Attached is a copy of

- 1) Each Performance Evaluation conducted by each Council member
- 2) Status of Prior Year Council's Collective Goals
- 3) A listing of next year's Council Goals that each member provided

An opportunity is made available for Council to discuss the City Administrator's performance over the prior year and to go through the list of each Council member's goals for next year to develop one set of collective Council Board goals for the Administrator to achieve.

Note 1: There is one school of thought that "Goals" should be SMART:

- Specific
- Measurable
- Achievable
- Realistic
- Time Framed

Note 2: A discussion on the Administrator's annual pay adjustment, if any, will be agenzized at an upcoming meeting.

OPTIONS:

1. Discuss annual performance evaluation of City Administrator and set the Council Collective goals.
2. Discuss performance evaluation and set Council goals at a later date.
3. Do not discuss performance evaluation nor goals at this time.

STAFF RECOMMENDATION:

That Council discuss the annual performance evaluation of City Administrator and set "SMART" Councilmember collective goals.

FISCAL IMPACT None.

LEGAL SUFFICIENCY: Legal sufficiency

Dear Mr. Drury,

As you know, I prefer a more personal approach in addressing your evaluation as the Tavares City Administrator. So here is your 2016 Performance Evaluation.

I have known you during your entire tenure as the Tavares city administrator - mostly as a member of the City Council. Over this period of time, you have remained the most consistent administrator I have ever been associated with in my lifetime. You have stayed "Gold" in your efforts to make the vision of the citizens of Tavares, the City Council, community and civic organizations, local businesses, and investors in our city, come to fruition - as witnessed by just walking the streets of our city.

No item on the list of Council initiatives has been swept aside or deemed not important by you. The term "Horizon" does not mean to you that it's so far in the future that you're not going to give it any deep meaning or thought. To have the "Vision" you possess means that - what you see in the "Horizon" is not just a mirage, but an obtainable goal.

Your communication skills are superior. You know how to "listen" as well as administer. Council members are made aware of everything that happens daily in Tavares - which is vital. And very importantly is that you listen, and are respectful, to the concerns of the citizens, whom we as Council serve and represent.

America's Seaplane City is prosperous and thriving. We have never looked back, except to honor our history and heritage – and that history and heritage is the foundation we use as a guide to build an economically successful future.

I can go on and on about you and Team Tavares, and what has become of our beautiful city. But I'll end it by giving you the same evaluation score I did last year – **9.99!**

Sincerely,
Bob Grenier
Councilman

CITY ADMINISTRATOR PERFORMAMNCE APPRAISAL
TAVARES, FLORIDA
For the Period: May 1, 2015 – April 30, 2016

Administrator's Name: John H. Drury, ICMA-CM, AAE
 Appraiser's Name: Council Member Lisa Johnson

Ratings 1 to 10 with 1 being poor and 10 being excellent

Competency Area	Comments	Rating
Strategic Leadership - Able to inspire, influence and enable others to achieve a specific mission.		10
Council Board Relations - Is responsive to Board direction.	listens greultly + advises in best intrest	10
Citizen Relations - Maintains positive and responsive relation with citizens	Professional	10
Staffing/Selection of People - Recruits and retains competent personnel	OUR STAFF IS AMAZING	10
Knowledge of Governmental Operations - Solid knowledge of governmental functions	Very knowledgable	10
Decision Making - Acts on and makes timely decisions.		10
Personnel Management - Able to lead, motivate and manage personnel		10
Execution of Policy - Able to understand, implement and execute Board Policy		10
Fiscal Management - Manages, maintains and recommends fiscally sound practices		10
Budget Management -Able to develop and manage municipal budget		10
Communications -Able to effectively communicate with Board and Staff	Communicates effectly	10
Delivery of Municipal Services - Develops and maintains an organization that delivers timely services efficiently		10
Council Meetings - Is prepared for meeting and develops well organized and informative agendas	Very well prepared	10
Public Relations - Has effective media program and responsive to citizens concerns		10

Visionary/Direction Setting - Able to develop, articulate implement and direct community visions.		10
Character/Attitude - Acts as a positive role model with a positive and infectious attitude. Maintains highest degree of ethical standards		10
Problem Solving - Able to solve problems, be creative and initiate solutions		10
Planning - Able to develop, manage, implement and execute plans		10
Community Involvement - Maintains a presence in community and actively participates in community events.		10
Relationship with Governmental Agencies - Maintains good relations with other governmental agencies		10
Able to implement Council Goals (See Listing of status on Council's prior year Goals)		10

Overall Comments:

John has helped me learn how the city is run and made me always feel "apart" of the team of managers.

Council Member's Goals for next year

Council Member should identify the FY 2017 goals (Next Year's Goals) for the City Administrator to strive towards accomplishing, after which the City Council Board will discuss and vote upon. Once the Board has completed its discussions and vote on its collective goals for the Administrator to work on, Administrator will work over the next year to achieve the collective goals of the Council. Goals should be broad based goals as compared to a listing of tasks. Goals should be specific, measurable, achievable, timely and realistic.

FY 2014 Council Member's Goals for next year:

- 1) Entire new business downtown
- 2) develop tavares square
- 3) Clean up + spruce up west end of main st Entrance to city
- 4) monthly employee appreciation Program
- 5) _____

Please feel free to use additional sheets to expound upon your goals.

**CITY ADMINISTRATOR PERFORMAMNCE APPRAISAL
TAVARES, FLORIDA
For the Period: May 1, 2015 – April 30, 2016**

Administrator's Name: John H. Drury, ICMA-CM, AAE

Appraiser's Name: Vice Mayor Lori Pfister

Ratings 1 to 10 with 1 being poor and 10 being excellent

Competency Area	Comments	Rating
Strategic Leadership - Able to inspire, influence and enable others to achieve a specific mission.		10
Council Board Relations - Is responsive to Board direction.		10
Citizen Relations - Maintains positive and responsive relation with citizens		10
Staffing/Selection of People - Recruits and retains competent personnel		10
Knowledge of Governmental Operations - Solid knowledge of governmental functions		10
Decision Making - Acts on and makes timely decisions.		10
Personnel Management - Able to lead, motivate and manage personnel		10
Execution of Policy - Able to understand, implement and execute Board Policy		10
Fiscal Management - Manages, maintains and recommends fiscally sound practices		10
Budget Management -Able to develop and manage municipal budget		10
Communications -Able to effectively communicate with Board and Staff		10
Delivery of Municipal Services - Develops and maintains an organization that delivers timely services efficiently		10
Council Meetings - Is prepared for meeting and develops well organized and informative agendas		10
Public Relations - Has effective media program and responsive to citizens concerns		10

Visionary/Direction Setting - Able to develop, articulate implement and direct community visions.		10
Character/Attitude - Acts as a positive role model with a positive and infectious attitude. Maintains highest degree of ethical standards		10
Problem Solving - Able to solve problems, be creative and initiate solutions		10
Planning - Able to develop, manage, implement and execute plans		10
Community Involvement - Maintains a presence in community and actively participates in community events.		10
Relationship with Governmental Agencies - Maintains good relations with other governmental agencies		10
Able to implement Council Goals (See Listing of status on Council's prior year Goals)		10

Overall Comments: **TAVARES IS SOARING!**
~~John continues to exceed all expectations and lead the city higher and higher to achieve goals never thought achievable. Dreams become reality!~~
Council Member's Goals for next year

Council Member should identify the FY 2017 goals (Next Year's Goals) for the City Administrator to strive towards accomplishing, after which the City Council Board will discuss and vote upon. Once the Board has completed its discussions and vote on its collective goals for the Administrator to work on, Administrator will work over the next year to achieve the collective goals of the Council. Goals should be broad based goals as compared to a listing of tasks. Goals should be specific, measurable, achievable, timely and realistic.

FY 2014 Council Member's Goals for next year:

- RUBY ST.**
- 1) library expansion
 - 2) Community Theater
 - 3) add signature Fall event
 - 4) amphitheater
 - 5) expand senior programs
 - 6) balance budget with no or minimum mil increase
- 
 ruby red brick

Please feel free to use additional sheets to expound upon your goals.

- * Complete projects already approved and near completion.
- 7) employee appreciation & compensation
- 8) take ownership in schools in city
 "support" "students"

**CITY ADMINISTRATOR PERFORMAMNCE APPRAISAL
TAVARES, FLORIDA
For the Period: May 1, 2015 – April 30, 2016**

Administrator's Name: John H. Drury, ICMA-CM, AAE

Appraiser's Name: Council Member Kirby Smith

Ratings 1 to 10 with 1 being poor and 10 being excellent

Competency Area	Comments	Rating
Strategic Leadership – Able to inspire, influence and enable others to achieve a specific mission.	Excellent leadership skills with great conflict resolution abilities	9
Council Board Relations - Is responsive to Board direction.	Does a good job in this area	8
Citizen Relations - Maintains positive and responsive relation with citizens	Always helpful	8
Staffing/Selection of People - Recruits and retains competent personnel	Keeps good quality people	7
Knowledge of Governmental Operations - Solid knowledge of governmental functions	Keeps up to date	6
Decision Making - Acts on and makes timely decisions.	Great decision making skills	9
Personnel Management - Able to lead, motivate and manage personnel	Same as leadership	9
Execution of Policy - Able to understand, implement and execute Board Policy	Does a good job	7
Fiscal Management - Manages, maintains and recommends fiscally sound practices	Does a good job	6
Budget Management -Able to develop and manage municipal budget	Stays within the budget or finds other areas where funding is available	6
Communications -Able to effectively communicate with Board and Staff	Does a good job	7
Delivery of Municipal Services - Develops and maintains an organization that delivers timely services efficiently	Excellent	9
Council Meetings - Is prepared for meeting and develops well organized and informative agendas	Excellent	10
Public Relations	Does a good job in making sure positive stories are printed for Tavares	8

- Has effective media program and responsive to citizens concerns		
Visionary/Direction Setting - Able to develop, articulate implement and direct community visions.	Does a good job	7
Character/Attitude - Acts as a positive role model with a positive and infectious attitude. Maintains highest degree of ethical standards	Always up beat when speaking to his team, council, and general public	8
Problem Solving - Able to solve problems, be creative and initiate solutions	Excellent – has a can do attitude	9
Planning - Able to develop, manage, implement and execute plans	Does a very good job	7
Community Involvement - Maintains a presence in community and actively participates in community events.	Is at most council meetings and special events	6
Relationship with Governmental Agencies - Maintains good relations with other governmental agencies	Does a good job	6
Able to implement Council Goals (See Listing of status on Council's prior year Goals)	Excellent with the budget he has	7

Overall Comments: __John is a team leader and uses his skills very well. We have come a long way with our City and our brand and I am convinced that without John's leadership, personality, community relations skills and governmental skills we would not be where we are today.

Council Member's Goals for next year

Council Member should identify the FY 2017 goals (Next Year's Goals) for the City Administrator to strive towards accomplishing, after which the City Council Board will discuss and vote upon. Once the Board has completed its discussions and vote on its collective goals for the Administrator to work on, Administrator will work over the next year to achieve the collective goals of the Council. Goals should be broad based goals as compared to a listing of tasks. Goals should be specific, measurable, achievable, timely and realistic.

FY 2016 Council Member's Goals for next year:

- 1) Special Events – try to start handing off some events to organizations such as chamber of commerce.
- 2) Create a sound budget keeping millage rate at same level or with less than 2% increase
- 3) Increase road budget to at least 75% above what it is today
- 4) Finish landscaping project along Alfred St.
- 5) Have Wooten park west end completed
- 6) Start work on getting bike trails from Tavares to Eustis and Mt. Dora utilizing railroad right of way as much as possible (will be multiyear but conversations and evaluation can be done within 1 year)
- 7) Increase reserve budget by 2%

CITY ADMINISTRATOR PERFORMAMNCE APPRAISAL
TAVARES, FLORIDA
For the Period: May 1, 2015 – April 30, 2016

Administrator's Name: John H. Drury, ICMA-CM, AAE

Appraiser's Name: Mayor Robert Wolfe

Ratings 1 to 10 with 1 being poor and 10 being excellent

Competency Area	Comments	Rating
Strategic Leadership - Able to inspire, influence and enable others to achieve a specific mission.	MOTIVATES EVERYONE AROUND HIM.	10
Council Board Relations - Is responsive to Board direction.	EXECUTES IMMEDIATELY	10
Citizen Relations - Maintains positive and responsive relation with citizens	INTERACTS ON A DAILY BASIS QUICKLY RESPONDS WHEN CITIZENS HAVE ISSUES	10
Staffing/Selection of People - Recruits and retains competent personnel	TAVARES HAS THE BEST STAFF	10
Knowledge of Governmental Operations - Solid knowledge of governmental functions		10
Decision Making - Acts on and makes timely decisions.	GETS THINGS DONE QUICKLY	10
Personnel Management - Able to lead, motivate and manage personnel		10
Execution of Policy - Able to understand, implement and execute Board Policy		10
Fiscal Management - Manages, maintains and recommends fiscally sound practices	CITY HAS BECOME TALK OF THE STATE.	10
Budget Management - Able to develop and manage municipal budget		10
Communications - Able to effectively communicate with Board and Staff	COMMUNICATES ON A DAILY BASIS AND ALWAYS IS AVAILABLE	10
Delivery of Municipal Services - Develops and maintains an organization that delivers timely services efficiently		10
Council Meetings - Is prepared for meeting and develops well organized and informative agendas	YES,	10
Public Relations - Has effective media program and responsive to citizens concerns		10

Visionary/Direction Setting - Able to develop, articulate implement and direct community visions.	MASTER PLAN FROM CITIZEN INPUT ALMOST COMPLETE	10
Character/Attitude - Acts as a positive role model with a positive and infectious attitude. Maintains highest degree of ethical standards	Always looks at glass half full.	10
Problem Solving - Able to solve problems, be creative and initiate solutions	BETTER THAN ANYTHING I HAVE EVER SEEN	10
Planning - Able to develop, manage, implement and execute plans		10
Community Involvement - Maintains a presence in community and actively participates in community events.	ATTENDS NEARLY ALL THE EVENTS AND IS ACTIVE LOCALLY	10
Relationship with Governmental Agencies - Maintains good relations with other governmental agencies	GREAT RELATIONSHIP WITH SURROUNDING GOVT AGENCIES	10
Able to implement Council Goals (See Listing of status on Council's prior year Goals)		10

Overall Comments:

DURING THE 10 YEARS JOHN HAS BEEN THE CITY ADMINISTRATOR, TOWNSHIP HAS GONE FROM A GHOST TOWN TO THE MOST TALKED ABOUT TOWN IN CENTRAL FLORIDA. TOWN'S "AMERICAN SWAMP CITY" IS THE TOWN THAT EVERYONE IS TRYING TO COPY NOW. Council Member's Goals for next year

Council Member should identify the FY 2017 goals (Next Year's Goals) for the City Administrator to strive towards accomplishing, after which the City Council Board will discuss and vote upon. Once the Board has completed its discussions and vote on its collective goals for the Administrator to work on, Administrator will work over the next year to achieve the collective goals of the Council. Goals should be broad based goals as compared to a listing of tasks. Goals should be specific, measurable, achievable, timely and realistic.

FY 2014 Council Member's Goals for next year:

- 1) START CONSTRUCTION OF PUBLIC SAFETY COMPLEX
- 2) BUDGET NO LESS THAN 300K FOR STREETS
- 3) SAME LEVEL OF SERVICE / REWARD EMPLOYEES WITH RAISE
- 4) BURY LINES DURING RUBY STREET PROJECT
- 5) SECURE MORE MONEY FROM COUNTY FOR WOODS CEN SPORTS COMPLEX
START/FINISH WOODS CEN EXPANSION

Please feel free to use additional sheets to expound upon your goals.

**Individual City Council Member Goals in Alphabetical Order
For
City Administrator to achieve
(May 2016 through April 2017)**

1. Bobby Grenier:

- Continue Economic Development initiatives in the 19/561/448 corridors. Create an even balance between commercial, light industrial, residential, and green space. I believe with our movement into this area, that Squibb Park and Tavares Nature Park could be improved and spotlighted as an attraction to visit.
- We have an award-winning Master Plan in place. Continue to refer to the MP and pick and choose items from the MP that can be reached economically at this time.
- Maintain our vision of "Building on a Historic Foundation" being at the forefront of all our ideas and plans. There may be ideas yet to occur to us during this upcoming season that we may want to move forward with ASAP
- Redevelop Clerks Building Site
- Passenger Service from Seaplane Base to other Florida locations.
- Continue alleyway improvement program
- Continue to work on current year goals as follows:
 - a. Complete Wooton Park West
 - b. Secure Grants for Woodlea Sports Complex from Lake County
 - c. Develop Funding program for Public Works Facility
 - e. Develop Public Safety Complex
 - f. Install Gateway signs at the Chris Daniels Fountain Park
 - g. Upgrade Ruby Street (sidewalks, lighting, brick pavers, bury electric lines)

- h. Performing/Cultural Center
- i. Continue to work with County on paying their fair share of fire protection.
- k. Have City Flags installed at city buildings (where appropriate).
- m. Implement Street repaving plan
- n. Increase retail community in down town

2. Lisa Johnson:

- Entice New Business Downtown
- Develop Tavares Square
- Cleanup & Spruce up west end of entrance to city
- Monthly employee appreciation program

3. Lori Pfister:

- Library expansion
- Community Theater
- Add a signature fall event
- Amphitheater
- Expand senior programs
- Balance budget with no or minimum mil increase
- Complete projects already approved and near completion
- Employee appreciation and compensation
- Take ownership in schools in city: "Support students"

4. Kirby Smith:

- Special Events – Start handing off some events to organizations such as Chamber of Commerce
- Create a sound budget keeping millage rate at same level or with less than 2% increase
- Increase road budget to at least 75% above what it is today
- Finish Landscaping project along Alfred Street
- Have Wooton Park west end completed
- Start work on getting bike trails from Tavares to Eustis and Mount Dora utilizing railroad right of way as much as possible (will be multiyear but conversations and evaluation can be done within 1 year)

- Increase reserves budget by 2%

5. Robert Wolfe:

- Start Construction of Public Safety Complex
- Budget no less then 300K for streets
- Same level of service/reward employees with a raise
- Bury electric lines during Ruby Street project
- Secure more money from County For Woodlea Sports Complex
- Start/Finish Wooton Park West end

Status On

Fiscal Year 2016 City Council Goals for City Administrator

- Continue Economic Development initiatives in the 19/561/448 corridors with a balance between commercial, light industrial, residential, and green space: Staff is working with an International meat packing company that will be developing a facility in the 448 Commerce Park (Lakeside Ridge). The Publix's Shopping Center is under development and generating additional property sales along the 19 corridor (Both Commercial and Residential). The Bartch office park just south of ACE Hardware which was empty is now sold out – most recent relocated tenant is Excellent Design from Down Town Leesburg. The city is in discussions with the State of Florida on the green space at/near the intersection of 561 and 19 as a possible gateway feature. The City's new Planning Coordinator has been hired and is spearheading a Horizon Project Team to plan out this area. Hide-A-Way Bar/Grill is working to annex into the city and improve water/sewer to the area as are other property owners.
- Choose items from the Master Plan that can be reached economically: Most of the these items in the Master Plan are completed and thus a New Horizon Project Team has been established this year to take it to a new level. Examples of items in the Master Plan completed include: Entertainment District, Ruby Street Reconstruction (out to bids), one way pair (Caroline/Alfred), Removal Clerks Building, Alleyway Brick pavers, Gateways, Utility Upgrades.....
- Maintain vision of "Building on a Historic Foundation": This remains a constant thread in the organization from the selection of the roof for the Train Station (Fire Station/Future site of Historical Society) to supporting initiatives to save the Duncan House, staff maintains this vision in its day to day work
- Redevelop Clerks Building Site: Building removed. Site improved. Real-estate Developer selected.
- Passenger Service from Seaplane Base to other Florida locations: Jones Brothers has developed packages that can take passengers to just about any location in Florida. The Seaplane Base is being expanded to accommodate this anticipated growth.
- Continue with achievable current year goals: On Going
- Develop signature fall event: Roctoberfest was created.
- Way finding program: Gateway Sign at Hospital installed. Gateway Sign at Fountain Park under design. Directional Signs along 441 all installed. Existing KIOSKS being evaluated for digital informational display upgrades. Additional KIOSKS signs being budgeted for Caroline/Alfred streets.

- Ruby Street re-construction: **Designed, out to bid and public meetings being conducted.**
- Grow Tavares Library: **Horizon Team completing the expansion plans.**
- Begin work in 2015 on Wooton Park West End. **Project split into two projects. Phase one is out to bids.**
- Ensure Wooton Park's shoreline is maintained in a clean style: **A constant effort is being made. Conditions do erode efforts with rocks becoming exposed from time to time as the sand erodes away. Area being monitored to decide if a shore line "scrubbing/rock removal" project is warranted.**
- Begin "sprucing up" any and all City buildings located along the Alfred/Caroline Street corridor: **Plans to upgrade Library underway.**
- Assist in the collaboration between the School Board and the County for the Fred Stover/Woodlea Sports Complex sale and build out: **Discussions were held with School on Fred Stover. They do not have dollars at this time to purchase athletic fields. Woodlea Sports complex received a grant from County to light the fields. Project underway. Additional grants with the State are being pursued to expand it further.**
- Create a CRA for Old Hwy 441 from Disston Avenue to Bay Road and start implementing improvement plan. **Now that ISBA is complete for this area. Discussions with County on this area are underway.**
- Continue in being creative and aggressive in getting our Brand out to others: **On going – Large signs on 441 with 45,000 vehicles passing by every day will be effective on getting the brand out. Articles in SPA magazine continue to promote the brand too.**
- Finish Alfred Street Project (streetscape and lighting): **Out for bids (Caroline part this year and budget consideration for Alfred part).**
- Restart talks on Golden Triangle Fire District. **Now that ISBA is complete (which addressed fire coverage in this area) and due to the departure of the City Managers in Eustis and Mt. Dora, there does not appear to be interest in pursuing this at this time by the partner cities.**
- Street resurfacing (get it kicked off and budget money) **Done. Small amount approved for FY16. Larger amount being budgeted for FY17.**
- Work on getting vacant buildings filled: **On going. There is only one "vacant building" left on main street – the "run down old Ace Hardware store". All others are occupied. Some are only partially occupied and available for rent.**

- Continue to seek income producing revenues +10% On going. Pavilion On The Lake, Train Station, Seaplane Base all generate revenues in addition to there very effective economic impact on the community.
- Look to hold expenses to a minimum -10%. On Going. Labor is the most costly part of any municipal budget. This City has a reputation in the "Florida municipal trade" as having the least amount of employees as it relates to the services provided for the population it has. (Road Department of one, smallest Police Department per capita, no Assistant City Manager nor Executive Assistant, HR Department of 2 etc. Throughout the organization, each Department is very lean when it comes to staffing levels. This organization is lean.
- Secure funding/grants for Phase III of Pavilion (Seaplane/Boat Dock Area): Done. Seaplane Dock Built.
- Secure Grants for Woodlea Sports Complex from Lake County: Done.
- Develop Funding program for Public Safety Complex: Done.
- Install Gateway sings at the Chris Daniels Fountain Park and Florida Hospital Water property: Done at Hospital/under design at fountain park.
- Upgrade Ruby Street (sidewalks, lighting, and brick pavers): Side walk and lighting Done. Brick Pavers out to bid.
- Performing/Cultural Center: In order to establish a "center", the community must first have "pockets" of performing arts to "create the demand". Step Into the Lime Light project complete. Small Tavares Theater group performing at "Bridges". Most of the entertainment district restaurants now have music and a new fall event "Roctoberfest" has been established. As these pockets of performing art mature the demand for a center will materialize.
- Develop necessary parking for the Pavilion: Done (both sides of Lake shore, Public Works lot and new golf cart lot)
- Continue to work with County on paying their fair share of fire protection: Done – ISBA Agreement addressed this.
- Have City Flags installed at city buildings (where appropriate) and for sale in Prop Shop: Done at prop shop. Staff is budgeting for that cost of poles and mounts at the buildings. In the meantime flags flying on main street, Wooton Park, in City Hall and at residential homes.
- Increase retail community in Downtown. Economic Development Department budgeting in FY 17 for a "retail consultant" to develop a "retail outreach marketing program". Retail requires "lots of people" walking through out a community on a

continuous bases as down town retail primarily depends on impulse purchasing and not destination purchasing. In order to have people walking through out a community continuously the community needs to create it as a destination. The city is getting people to Tavares by creating non retail destinations (Pavilion, Seaplane Base, Wooton Park, Restaurants, Special Events, Entertainment District, Hotels, train rides, seaplane rides, music, County Judicial and Government Center....). There is one "destination" retail center the city is developing and that is the Seaplane Themed Prop Shop. At what point will the scale be tipped in terms of sufficient number of people to attract individual retailers? The retail consultant will greatly assist in not only determining the answer to this question but will also assist in reaching out to individual retailers as well as franchises.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
May 18, 2016**

AGENDA TAB NO. 15
SUBJECT TITLE: City Administrator Report

OBJECTIVE: To inform Council on city related matters.

SUMMARY: Will be presented at meeting

<i>Planning & Zoning Board</i>	<i>May 19, 2016 – 3 pm – City Council Chambers</i>
<i>Code Enforcement Special Master Hearing</i>	<i>May 24, 2016 – 5:30 p.m.</i>
<i>City Council Regular Meeting</i>	<i>June 1, 2016 – 4:00 p.m. – City Council Chambers</i>
<i>Library Board</i>	<i>June 15, 2016 – 2:30 p.m. – Library Conference Room</i>
<i>Police & Fire Pension Board Meetings</i>	<i>September 16, 2016 – 1:30 – 3:30 – City Council Chambers</i>

CITY SPONSORED OR AFFILIATED EVENTS

<i>Limelight Ribbon Cutting</i>	<i>May 13, 2016 – 7:00 p.m.</i>
<i>Public Works Expo</i>	<i>May 14, 2016</i>
<i>Employee Picnic in the Park</i>	<i>May 27, 2016</i>
<i>Hydro-Turf Jet Ski</i>	<i>June 4-5, 2016</i>
<i>4th of July Celebration Independence Day</i>	<i>Monday July 4th 5:00 p.m. Parade – Fireworks approximately 9:00 pm.</i>
<i>Tavares Chamber Business of the Year Gala</i>	<i>September 8, 2016</i>
<i>Rifles, Rails & History</i>	<i>September 23-25, 2016 – Wooton Park</i>
<i>Un-Boo-Lievable Family Fall Festival</i>	<i>October 28, 2016 – 6 pm to 9 pm Wooton Park</i>
<i>Monster Splash</i>	<i>October 29, 2016</i>
<i>Hydro-Turf Jet Ski</i>	<i>November 5-6, 2016 World Championship</i>
<i>General Election</i>	<i>November 8, 2016 (City Hall is a Precinct)</i>
<i>Tavares Chamber Taste of Tavares</i>	<i>November 10, 2016</i>
<i>Christmas Parade &</i>	<i>December 3, 2016</i>

<i>Party in the Park</i>	<i>Parade at 5:00 p.m. on Main Street</i>
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OTHER COMMUNITY EVENTS

<i>Food for Fines Program</i>	<i>May 16 – 28 – Tavares Library - \$1.00 off fine per can or food item</i>
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OTHER OUTSIDE AGENCY MEETINGS

<i>Lake County League of Cities</i>	<i>Friday, June 10, 2016 – 12:00 noon Elks Lodge</i>
<i>Lake - Sumter MPO mtg</i>	<i>May 25, 2016 – 2:00 p.m.</i>

**AGENDA SUMMARY
TAVARES CITY COUNCIL
May 18, 2016**

AGENDA TAB NO. 16

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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