# AGENDA
# TAVARES CITY COUNCIL

## NOVEMBER 2, 2016
## 4:00 P.M.
## TAVARES CITY HALL COUNCIL CHAMBERS

**I. CALL TO ORDER**

**II. INVOCATION & PLEDGE OF ALLEGIANCE**

**Pastor Greg Watts, Liberty Baptist Church**

**III. APPROVAL OF AGENDA**

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

**IV. APPROVAL OF MINUTES**

**Tab 1) Minutes of the September 7, 2016 City Council Meeting and Budget Public Hearing for the FY 2016-2017 Proposed Millage and Budget**

**V. PROCLAMATIONS/PRESENTATIONS**

**Tab 2) Proclamation in Honor of Retirement of Emogene Stegall - Supervisor of Elections** — **Mayor Pfister**

**Tab 3) Tavares Chamber of Commerce Update by the Executive Director** — **J Scott Barry**

**Tab 4) Downtown Master Plan Update** — **Antonio Fabre**

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

**VII. READING OF ALL ORDINANCES/RESOLUTIONS – City Clerk**

**VIII. CONSENT AGENDA**

**Tab 5) Etowah Phase 3A Final Plat Approval** — **Mike Fitzgerald**

**IX. PUBLIC HEARING – FISCAL YEAR 2016-2017 MILLAGE & BUDGET – READING OF MILLAGE & BUDGET RESOLUTIONS - 5:05 P.M. – Advertising Correction**

| | |
|---|---|
| **Tab 6) Resolution #2016-15A – Final Millage Rate – FY 2016-17** | **Lori Houghton** |
| **Tab 7) Resolution #2016-16A – Final Budget – FY 2016-2017** | **Lori Houghton** |

**X. ORDINANCES/RESOLUTIONS**

**FIRST READING**

| | |
|---|---|
| **Tab 8) Ordinance #2016-30 – Annexation & Rezoning to City Industrial - Vision Conveyor, Inc., Southeast Corner of 448 & Southridge Industrial Drive - 3.14 Acres** | **Mike Fitzgerald** |
| **Tab 9) Ordinance #2016-31 – Small Scale Future Land Use Amendment to City Industrial– Vision Conveyor, Inc. – 3.14 Acres – Southeast Corner of CR 448 and Southridge Industrial Drive** | **Mike Fitzgerald** |
| **Tab 10) Ordinance #2016-33 – Amendment to Police Pension Plan for Compliance with Changes in IRS & Florida Law** | **Lori Houghton** |

**SECOND READING**

| | |
|---|---|
| **Tab 11) Ordinance #2016-32 – Police Pension Buyback Amendment** | **Lori Houghton** |

**RESOLUTIONS**

| | |
|---|---|
| **Tab 12) Resolution #2016-19 – Special Use – Car Sales Establishment 125 E. Burleigh Blvd. – 3.14 Acres** | **Mike Fitzgerald** |
| **Tab 13) Resolution #2016-20 – Final Budget Amendment Fiscal Year 2016** | **Lori Houghton** |

**XI. GENERAL GOVERNMENT**

| | |
|---|---|
| **Tab 14) Update to Mayor's Youth Council Program** | **Mayor Pfister** |
| **Tab 15) Request for Relief from Payment of Building Permitting Fees - David Weis** | **Attorney Williams** |

**XII. OLD BUSINESS**

**XIII. NEW BUSINESS**

**XIIV. AUDIENCE TO BE HEARD**

**XV. REPORTS**

**Tab 16) City Administrator** **John Drury**

**Tab 17) 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.**

# TAVARES CITY COUNCIL
# MINUTES

**September 7, 2016**
**4:00 P.M.**
**TAVARES CITY HALL COUNCIL CHAMBERS**

**COUNCILMEMBERS PRESENT** **ABSENT**

**Lori Pfister, Mayor**
**Kirby Smith, Vice Mayor**
**Bob Grenier, Councilmember**
**Lisa Johnson, Councilmember**
**Troy Singer, 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**
**Chris Thompson, Director of Public Works**

## I. CALL TO ORDER

Mayor Pfister called the meeting to order. She noted there were hearing accessories available and copies of the agenda at the table. She asked those present to complete the Request to Speak form.

## II. INVOCATION

Pastor Watts of Liberty Baptist Church gave the invocation and led those present in the Pledge of Allegiance.

## III. APPROVAL OF AGENDA

**MOTION**

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

## IV. APPROVAL OF MINUTES

**Tab 1) Approval of Minutes – August 3, 2016 Council Meeting**

**MOTION**

**Kirby Smith moved to approve the minutes of the August 3, 2016 City Council meeting, seconded by Troy Singer. The motion carried unanimously 5-0.**

**V. PROCLAMATIONS/PRESENTATIONS**

**Tab 2) Presentation by Alexander Netwal, Eagle Scout**

Mr. Netwal stated he is working on his Eagle Scout project and he would like to propose to clean up Aesop's Pond at Aesop's Park. He said there is dead wood and trash inside the pond and he would like to clean up the pond along with members of his Scout Troop. He said the debris would be taken to Mid Florida Materials for proper disposal.

Mayor Pfister thanked Mr. Netwal.

Vice Mayor Smith asked Mr. Netwal if he would cleaning out the weeds or invasive plant life. Mr. Netwal said he would not be removing any living organisms.

Councilmember Grenier asked for more information. Mr. Netwal reviewed the procedures that he would follow.

Councilmember Johnson commended Mr. Netwal on his project. Vice Mayor Smith thanked Mr. Netwal for choosing Tavares.

**Tab 3) Presentation by Director of Tavares Chamber of Commerce**

J. Scott Perry, Executive Director, reported another six members have joined the Chamber since the previous month. He stated the new Chamber Gala date is October 21st and November 10th will be the Taste of Tavares at the Pavilion. In addition he said the Chamber will host a candidate's forum on October 26th. Vice Mayor Smith asked Mr. Berry if he would provide the number of Saturday visitors in the future.

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

Attorney Williams stated there are no quasi-judicial hearings except for the Public Hearing Budget Resolutions which will need to be read at 5:05 p.m.

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

**VIII. CONSENT AGENDA**

Mayor Pfister asked if anyone in the audience objected to the Consent Agenda items [Tab 4 – Request to Waive Event Fee – YMCA; and Tab 5) Plat Approval for Publix Outparcels]

There were no objections.

**MOTION**

**Kirby Smith moved to approve the Consent Agenda [Tab 4 – Request to Waive Event Fee – YMCA; and Tab 5) Plat Approval for Publix Outparcels], seconded by Bob Grenier. The motion carried unanimously 5-0.**

## X. GENERAL GOVERNMENT

### Tab 8) Update of Economic Development Program

Mr. Tweedie presented a proposed update to the 2008 Economic Development strategy and focus area map and the following report:

*In May of 2008, one year after the establishment of its Economic Development Department, the City Council adopted a comprehensive Economic Development Strategy for the City (attached). The plan was both geographical and component specific focusing on twelve (12) specific Economic Development focus components in 4 geographic quadrants. Since that time the City has experienced a great deal of growth and development and other changes. The previous Economic Development Director has retired and a new Economic Development Director has come on board and re-organized the Department. New members of Council have been elected. Although the vision and objectives established remain focused in the same direction, many of the milestones established have been met, new ones established and it is time to review and update the plan for the next several years. The Economic Development Director has worked with the Economic Development Horizon team to update the plan to be presented to Council for approval.*

Mr. Tweedie reviewed the following components of the Economic Development plan:

1. **Florida Waterman Hospital Campus**
   Focus components in this area includes the Florida Hospital Waterman campus located on the North side of SR441 at the City's Northeast gateway. Plans are in the final stages of development for substantial growth within the approximately 150 acre hospital campus including expansion of existing medical and medical related support facilities and construction of new ones. This campus and its growth and development are key to the enhancement of a vibrant and growing medical village in this sector.

2. **Medical Village**
   The Medical Village Area is centered on the Florida Hospital Waterman campus and the development of medical related facilities in this area. As our population ages with the continued onslaught of the "Baby Boomers" generation, the need for quality health care services is essential and the Florida Hospital Waterman area is the natural place for the concentration of health related facilities and services. The Medical Village continues to grow and expand with new physicians' offices, surgical, radiology and imaging centers as well as a new VA clinic which opened in March of this year. The growth and expansion of the medical industry within this area will also provide opportunities for the development of casual & quick service dining and retail within this quadrant.

**3. Freight/Rail Village**

The development of a Freight Village in the CR 448 area south of Lake Dora in the vicinity of the current business/commerce park. The Freight Village will provide for 1) warehousing/distribution businesses that are serviced by rail; 2) a site to service, maintain, store and refurbish commuter railroad cars 3) a dual track area to accommodate both commuter and freight passing operations, and 4) a Private Rail Car Park (camp ground for private rail car yachts – see American Association of Private Railroad Car Owners web page: www.aaprco.com). With the ever increasing price of gasoline and diesel fuels, the use of railroads for the movement and distribution of goods is seeing a re-birth.

**4. Downtown Professional Services**

Tavares is the County Seat of Lake County and serves as the seat of the 5th judicial circuit. The County Government campus build out has been completed along with the expansion of the Judicial Center, the construction of a new office building for Constitutional Officers, and the building of a 1,200 space parking garage. With the presence of these institutions along with City Hall on the East end of Main Street, the professional services sector such as legal, engineering & architectural firms, counselling practices etc. is strong and continues to grow. The City has prudently expanded mixed use zoning 2 blocks North from the commercial downtown district along Main Street to Caroline Street and slightly Eastward from Ruby street to the West Side of Disston Avenue which will allow for the continued growth and expansion of this vital economic component of our community.

**5. Downtown Retail & Entertainment District**

The creation of a downtown entertainment district has led to the emergence of a growing population of restaurants and bars offering a variety of dining, music and entertainment options. Additionally the development of a 3 building boutique hotel resort complex with restaurant and retail space along with the City's development of the Pavilion on the Lake have helped to make downtown Tavares a destination. The final remaining component of the County Government seat remaining in the East Main Street section of downtown was removed with the City Purchase and demolition of the former Clerk of Courts Records Center in 2015. The property, dubbed Tavares Square, has been temporarily improved and is serving as a "town square" while being marketed and promoted for re-development consistent with the 2009 downtown Master Plan. With all of these improvements, the ground is now fertile for the pursuit and development of retail businesses in the downtown.

**6. Commerce Park**

The "industrial park" area located in the vicinity of the CR 561 / CR 448 intersection is an active hub of commerce populated with a wide range of manufacturing related companies from metal fabricators to food processors & distributors. The existing buildings facilities are near full occupancy with several land parcels available for development on and in the vicinity of the park. Working with existing business, property owners and the Lake County Economic Growth Department to fill remaining vacancies, attract additional companies to develop facilities on vacant land and re-image/promote the "industrial park" as a more contemporary and appealing "commerce park" should be the emphasis. Development of infrastructure, landscape & aesthetic improvements and a robust

marking program will maximize the potential of this area to attract new companies providing high skill, high wage jobs in the manufacturing sector and to grow existing ones. The City's Seaplane manufacturing impact fee waiver program adopted in June of 2015 will also be a valuable tool and asset in attracting new development in this area.

**7. Marina/Ecotourism/Sports Tourism**

Ecotourism and sports tourism are substantial and growing components of the tourism industry within the US and particularly within the State of Florida. With the abundance of lakes, wetlands and waterways accessible directly from Marina facilities at Wooton Park, Hickory Point Park and Tavares Recreation Park this market is ripe for growth and expansion within our community. The Wooton Park West enhancement project is underway with recent construction of two new sand volleyball courts and will be completed in the fall of 2017 with additional amenities to include a new boat ramp/parking area, Restrooms, Tav-Lee Trail extension and an abundance of public open space with enhanced/cleared shoreline. These improvements will support and enhance boating, fishing kayak/canoe launching and other activities on the Lake Dora waterfront in our downtown.

The Hickory Point Beach Sand Volleyball Complex is the Florida's largest permanent sand volleyball complex with 21 professional sand volleyball courts located at the Lake County Water Authority 68-acre Hickory Point Recreational Complex on Lake Harris in Tavares. Sand volleyball is the fastest growing NCAA sport in the Nation and the sport is growing in popularity and participation and all levels. This facility hosts major State, Regional, National and International events and its continued growth and development will have a continued strong, positive impact on or local economy with the thousands of competitors and their families that it brings into our community staying at our hotels, dining at our restaurants and supporting our businesses on an annual basis.

The Big House is a very large, state of the art sports training and community center located in the SR 19/561 corridor of the City. This facility developed, owned and operated by former Major League Baseball player Chet Lemon and his wife Gigi Lemon features 16 indoor volleyball courts, 9 basketball courts and a host of other amenities and planned improvements to include an indoor major league baseball infield. This facility not only provides sports training opportunities for athletes from the local area and beyond, but hosts numerous athletic tournaments and events throughout the year bringing in thousands of athletes and their families who stay at local hotels, dine at restaurants and patronize our communities businesses. The growth, development and marketing of this facility are and additional key component of our sports tourism marketing efforts.

**8. Seaplane Base**

The City completed the first phase of construction of the Marina/Seaplane Basin and Marina facilities at Wooton Park in 2010 and has staffed the facility with professionals to manage, operate and maintain the facilities there. The City has also branded Tavares as America's Seaplane City. The success of the T Seaplane base and brand has been well documented with over 15,000 seaplane arrivals/departures since opening in 2010 and its economic impact is evident with the arrival of new hotels, restaurants and vibrant entertainment district. The based commercial air service provider, Jones Brothers Inc. has grown from a small air tour and flight training operation to include commercial air

charter passenger service receiving FAA Part 135 on demand air taxi certification in July, 2015. Passengers can now from the Tavares Seaplane Bases to destinations such as the Bahamas, Florida Keys and beyond.

The City has undertaken and is near completion of the process of completing an Airport Master Plan for the Tavares Seaplane Base. This will be one of only a handful of Master Plans completed in the US for an entirely water based Seaplane Base. The plan will include a long range capital improvement program which will identify short term, mid-term and long-term needs and identify potential funding sources. The goal of the Master Plan process is to have the Seaplane Base included in the Florida Aviation System Plan (FASP) as an airport eligible for State of Florida Department of Transportation (FDOT) Aviation grant funding.

Continued enhancement of the Seaplane Base services, facilities and experience are an essential component to the continued economic growth and vibrancy of America's Seaplane City.

**9. Special Events**

The City has distinguished itself as the waterfront event venue capital of Central Florida hosting an average of over 20 annual events at the Wooton Park waterfront, which have a very significant and positive economic impact on the downtown business. Efforts to enhance and grow existing events and develop and attract new ones is a vital part of the continued economic development strategy for the downtown/waterfront sector.

**10. Arts, Culture & History**

Building on the City's historical ties to the railroad industry, enhancement of railroad infrastructure and construction of a replica of the Historic Train Depot have been completed and the arrival of a growing, vibrant and popular tourist train operation has enhanced the downtown experience as well. The construction of another historic replica of the original Pavilion on the Lake as the areas premiere boutique wedding and private function venue has infused and continues to boost the economic vibrancy of the downtown area as well. The creation of the "step into the limelight" project within the Tavares Square property is a first step initiative in the development of an arts and cultural element which will enhance economic opportunities for the downtown area.

**11. Highway Commercial/Retail**

The City's 5 "gateway" entrance roadways (SR19, SR441, Old 441, and CR561 & 448) are centers of commerce and commercial development. The development of a new Publix anchored shopping center on SR 19 is complete and 10 to 15 additional new retail and restaurant business will be added in addition to the Publix grocery store within the complex and on adjacent property. The growth and development of additional housing units, including a 1,200 unit planned development of the Shanti Niketan Phases IV through V1 villages (SR19) a large residential/mixed village at Lake Hermosa (441 near Waterman Hospital) will increase the demand and opportunities for additional retail and related highway commercial growth in these corridors. As the natural progression of growth/development and re-development occurs in the direction of the ISBA boundary to the Southeast along the 448/561 corridor and East along the old 441 corridor will increase the potential for additional small strip mall and related commercial/retail

development in these sectors.

**12. Quick Service & Casual Dining**

This component is a key element to maintaining and fostering an attitude, perception and feeling of growth and vibrancy. It is the strongest and fastest growing sector of the restaurant industry and one area in which our City is lacking business growth. With the dynamic, mobile and fast paced nature of our modern culture and the variety of options, specialties and healthy choices available it is the strongest and fastest growing sector of the restaurant industry and one area in which our City is lacking business growth Areas of focus for this development of this component are:

- The SR 441 corridor frontage of the Medical Village across from Waterman Hospital.
- The SR 441 corridor in the Vicinity of the current Winn Dixie/Joanna Fabric Shopping Centers.
- The SR 19 Corridor in the vicinity of the New Tavares Crossing (Publix) retail center.

**13. Light Industrial Manufacturing Center**

The newly adopted ISBA have defined the City's future boundaries in all quadrants. The City's growth along the old 441 corridor to the East, will include industrial properties which are currently located outside City boundaries and currently serving as centers of light industrial and manufacturing activity. Additional transportation and utility infrastructure improvements (roadway, water, waste water and storm water) will enhance the attractiveness of these properties to new businesses and will allow existing businesses in this area to improve and expand and flourish.

Discussion followed about approving the plan at this meeting or placing it on a future agenda.

**MOTION**

**Bob Grenier moved to approve the Economic Development strategy with continuing to add on more components, seconded by Kirby Smith. The motion carried unanimously 5-0.**

**Tab 9) Reclassification of Police Lieutenant Position to Police Officer Position and Addition of Second Police Officer Position**

Mr. Drury stated that over the last eight years the City has been shrinking the top portion of the Police Department and increasing officers out in the community. Recently Lt. Paynter submitted a request to retire one year earlier than planned. He will retire with 25 years of service next year and asked that the City would consider his early retirement if the City would consider buying his prior year of service when he was a Leesburg police officer. This is consistent with the retirement plan. Staff recommends to accept the proposal. This position would be reclassified as a police officer and another police officer would be added. He discussed the cost savings.

Councilmember Grenier asked for clarification on the staff recommendation. Mr. Drury said it would be option #1: *Move to re-classify one of the three Lieutenant positions as a "Police Officer" and add a second "Police Officer" position in next fiscal year and, purchase up to one year of prior credible service for Lt. Paynter at 95% of the cost and complete this so that the net effect is a budget neutral on the current budget and a slight reduction to the proposed FY 17 budget as outlined in the fiscal impact section.*

Vice Mayor Smith said he was concerned about setting a precedent and asked about the other savings. Chief Lubins said this will support the City in creating a street crimes unit.

Mr. Drury said he believed there had to be certain factors in order to make this recommendation: the position has to be eliminated, and the Chief and the City Administrator have to believe the recommendation is in the best interest of the budget and department to function. He noted it should be budgeted neutral or better. In addition there has to be a prior year of creditable service. Discussion followed on proposed salary. Mr. Drury said the positions will be advertised at the entry level salary.

**MOTION**

**Kirby Smith moved to approve Option 1 to re-classify one of the three Lieutenant positions as a "Police Officer" and add a second "Police Officer" position in next fiscal year and, purchase up to one year of prior credible service for Lt. Paynter at 95% of the cost and complete this so that the net effect is a budget neutral on the current budget and a slight reduction to the proposed FY 17 budget as outlined in the fiscal impact section. The motion was seconded by Bob Grenier. The motion carried unanimously 5-0.**

**Tab 10) Procurement of Grant Finder Software**

Mayor Pfister said she had attended the Florida League of Cities recently and had seen a demonstration of the proposed Grant Finder software. She said it provides a streamlined and updated source to search for grants.

Mr. Tweedie said he did look into the software and did an on line demo. He said he had found the program to be user friendly and efficient.

Vice Mayor Smith noted the cost of the annual subscription and that it is currently not budgeted this fiscal year. Mr. Drury said this would require a budget amendment using existing budgets to purchase a one year subscription. The subscription would be funded by five different departments.

**MOTION**

**Bob Grenier moved to authorize a budget amendment using existing funds in the budget (no reserves) which will come back to Council to support a one year subscription of the Grant Finder software, seconded by Kirby Smith.**

Councilmember Singer asked to have a report made by staff in six months to allow Council to evaluate it before next year's budget.

Mayor Pfister asked if there are sufficient funds from each department to purchase the software now. Mr. Drury noted he felt it could come from the existing budgets as the budget is based on predictions and there may be some savings near to the end of the fiscal year.

**The motion carried unanimously 5-0.**

**(At 5:03, the Mayor adjourned the meeting. The meeting was reconvened at 5:05 p.m.)**

## IX. PUBLIC HEARING FY 2016-2017 PROPOSED MILLAGE AND BUDGET

The City Clerk read the following Tentative Millage Rate and Tentative Budget Resolutions for Fiscal Year 2016-17 in their entirety:

**RESOLUTION 2016 - 15**

**A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 7.1000 FOR THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM TAXES FOR FISCAL YEAR 2016-2017; SETTING FORTH THE PERCENT BY WHICH THE MILLAGE RATE IS GREATER THAN THE "ROLLED-BACK" RATE.**

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

**WHEREAS**, the City of Tavares of Lake County, Florida on September 7, 2016, adopted the 2016-2017 Fiscal Year Tentative Millage Rate following a public hearing as required by Florida Statute 200.065.

**WHEREAS**, the City of Tavares of Lake County, Florida, following due public notice as required by law, held a second public hearing on September 21, 2016, as required by Florida Statute 200.065 on the 2016-2017 Millage Rate; and

**WHEREAS,** the gross taxable value for operating purposes not exempt from taxation within Lake County has been certified by the County Property Appraiser to the City of Tavares as $738,313,622.

**NOW THEREFORE, BE IT RESOLVED** by the City of Tavares of Lake County, Florida, that:

1. The City of Tavares Fiscal Year 2016-2017 operating millage rate to be levied is hereby set at 7.1000 mills, which millage rate is greater than the rolled back rate of 6.3762 by 11.35%.

2. The voted debt service millage rate is set at .3680 mills for Fiscal Year 2016-2017.

3. This Resolution will take effect immediately upon its adoption.

**RESOLUTION 2016 - 16**

**A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE CITY OF TAVARES, FLORIDA, FOR THE FISCAL YEAR 2016 - 2017.**

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

WHEREAS, a public hearing on the tentative 2016-2017 budget was held at the Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County, Florida on Wednesday, September 7th, 2016 at 5:05 p.m., as required by Florida Statutes 200.065; and

WHEREAS, the general public was given an opportunity to express its views pertaining to the tentative budget, and

WHEREAS, the City Council approved the tentative budget for 2016-2017, and

WHEREAS, a second public hearing on the proposed 2016-2017 budget was held in the Council Chambers at the Tavares City Hall, 201 East Main Street in the City of Tavares, Florida, on Wednesday, September 21, 2016, at 5:05 p.m.,

NOW, THEREFORE, BE IT RESOLVED that the Budget for 2016-2017 fiscal year for the City of Tavares, Florida is hereby adopted by the Tavares City Council in the amount of $39,410,202 at public hearing this 21st day of September, 2016.

**Tab 6) Resolution #2016-15 – Tentative Millage Rate for FY 2016-2017**

Mr. Drury stated that Council held budget workshops and set a millage rate on the following dates:

- June 15th – City Council Budget Workshop – (General Fund Presentation)
- July 6th – City Council Budget Workshop – (Enterprise Funds and Special Revenue Funds Presentation)
- July 20th – City Council Budget Workshop (CIP Presented) and City Council sets Maximum Tentative Millage
- August 3th – City Council Budget Workshop
- August 17st – City Council Budget Workshop

Mr. Drury asked the Ms. Houghton to review the budget impacts that support the necessary millage rate for the next fiscal years' budget.

Ms. Houghton provided a presentation with the following highlights:

*The Tentative Budget for the General Fund provides for a Tentative Millage of 7.1000 mills and is balanced at $16,326,530, with the following assumptions and details:*

- *Ad valorem millage rate of 7.100 mills which is11.35% above the rollback rate of 6.3762 mills, and .48 mills more than the current millage rate of 6.6166 mills or 7.3% above the current millage rate.*
- *An assessed taxable property value of $738,313,622 which is an increase of 9.44% in value (unadjusted for TIF) from the prior year.*
- *A Fire Assessment at 100% of assessed costs. Rates remain unchanged from the prior year.*
- *A balanced Tentative General Fund Budget of $16,326,530.*
- *4% Pay Increase for all employees*
- *FRS employer contributions are budgeted at blended rates as rate increases are effective July 1, 2016 (7.659% Regular Class & 22.269% Senior Management Class).*
- *Increase in staffing – one full-time; one part-time:*
    - *General Fund:*
        - *Human Resource Assistant – part-time position*
        - *Street Maintenance Worker – full-time with hire date on or after April 1, 2017.*
- *The Fire Pension contribution rate is budgeted at 19.86%*
- *The Police Pension contribution rate is budgeted at to 18.10%.*
- *Health insurance is budgeted at an overall blended increase of 7.65% over prior year premium rates.*
- *An overall workers' compensation rate increase of 5%.*
- *An overall general liability rate increase of 10%.*
- *The Tentative Budget also includes:*
    - *A signature fall event (Boo Festival)*
    - *Art in Square*
    - *Civic Center ADA Upgrades*
    - *Community Grants*
    - *Gateway Sign*
    - *Ruby Street Overhead Lines relocation to underground*
    - *Sidewalk Construction and Repairs*
    - *Road Paving*
    - *Library Expansion Design*
- *The Tentative Budget maintains a similar level of service*

Mayor Pfister opened for public input and asked for comments or questions from the audience. There were none.

**MOTION**

**Kirby Smith moved to approve Resolution 2016-15, seconded by Bob Grenier. The motion carried unanimously 5-0.**

**Tab 7) Resolution #2016-16 – Tentative Budget for FY 2016-2017**

Mr. Drury said the budget was crafted by the City Council, Staff and Department Directors during a series of public workshops over the last several months. He asked Mr. Houghton if she would like to add any items to the highlights.

Ms. Houghton stated for the record that the ad valorem millage rate that supports the budget is 7.10 mils which is 11.35% above the roll back rate of 6.3762. She said the other salient points presented with the previous approval of Resolution 2016-15 stand in support of the budget.

Mayor Pfister opened for public input and asked for comments or questions from the audience. There were none.

Vance Jochim, 12619 Milwaukee Avenue, said he would be providing information on budget methods in the future.

Robert Wolfe, 1308 Lakeshore Boulevard, commended and thanked Staff and Council for producing a great budget.

**MOTION**

**Bob Grenier moved to approve Resolution 2016-16 for the Tentative Budget for FY2017, seconded by Troy Singer.**

Vice Mayor Smith thanked Council and said it was a good journey. Mayor Pfister concurred.

**The motion carried unanimously 5-0.**

Mr. Drury said the second adoption hearing will be held on September 21, 2016 at 5:05 p.m. in the City Council Chambers, City Hall, 201 E Main Street, Tavares. Attorney Williams noted there will be a display ad in the newspaper to remind the citizens.

**CONTINUATION - X. GENERAL GOVERNMENT**

**Tab 11) Tavares High School/City Council Mentoring Program**

Mayor Pfister said she previously received approval from Council to put together a government program with Tavares High School. She said that she met with Dr. Boyd, Principal, Tavares High School and that Mr. Drury came up with a list of items that could be implemented in the program.

Dr. Boyd thanked Mayor Pfister and Council. She said that she looks forward to working with Council in a mentoring program with the students. She said the High School anticipates the program going forward and has already collected interest from the students. She said Diane Dwyer, Assistant Principal, will be spearheading the program.

Ms. Dwyer said that an application process has been developed and provided to the students. She said they have had responses with a closing date in a week and an interview process will be conducted. She said some of the interested students were present and will take more

information back to other students.

Dr. Dwyer said the program will be a great opportunity for the students to experience government firsthand as well as add to their resumes for college and careers.

Mayor Pfister asked for questions from Council.

Vice Mayor Smith thanked and commended Tavares High School for implementing this program.

Mr. Drury said there were seven items that were listed as potential syllabus items. He asked Dr. Boyd and Ms. Dwyer to review the items (add/subtract) and send an email regarding their thoughts in order to create a collaborative syllabus.

Vice Mayor Smith said he assumed it will start in November. Mr. Drury and Dr. Boyd concurred.

Mayor Pfister asked Council to bring forward any items they wished to see included in the program.

Councilmember Singer inquired about other similar projects in the area. Mr. Drury said the Florida League of Cities has a very robust program that takes full time staff. He said this will be unique to Lake County.

Councilmember Grenier noted his support for the program.

**MOTION**

**Kirby Smith moved for approval the program and have Tavares High School work with the City Administrator to come up with a syllabus, seconded by Bob Grenier. The motion carried unanimously 5-0.**

## XII. OLD BUSINESS

None.

## XIII. NEW BUSINESS

None.

## XIV. AUDIENCE TO BE HEARD

Brenda Smith, Tavares Historical Society Representative, noted Ms. Burleigh was not present as she was not feeling well. She thanked the City for going to extra step for putting a more historical roof on the train depot/fire station.

## XV. REPORTS

### Tab 8) City Administrator

Mr. Drury noted the upcoming Homecoming Parade and Rifles, Rails and History events.

City Clerk

Ms. Barnett noted her support for the mentoring program.

Economic Development

Mr. Tweedie said the new Publix is opening September 8th on schedule and the opening ceremony has been moved to 8:00 a.m.

Finance Department

The display ad and notification for the final budget hearing will be in the Daily Commercial on Sunday, September 18th edition.

**Tab 9) Council Reports**

Councilmember Grenier

- Nine years ago this past Labor Day the historic Woodlea House was burned down by arsonist. He said it sparked a vision in Tavares and the beginning of the economic turn and ultimately the Woodlea House.
- Glad to see the Eustis city limit sign moved back 1.5 miles back. Mr. Drury said that project was moved forward by Chris Thompson. He noted Mr. Thompson was in Washing DC participating in the Honor Flight program.

Councilmember Johnson

- Thanked Mr. Tweedie for his presentation and said she is looking forward to seeing more economic development growth in Tavares.
- Looking forward to the Boo Fest and Rifles, Rails and History events.

Councilmember Singer

- Attended his first MPO meeting and will report back any Tavares area initiatives.
- Will not be able to attend the upcoming Lake County League of Cities business meeting and Vice Mayor Smith will be attending in his absence.
- Excited about the Publix grand opening.
- Thanked Ms. Rogers (tour of the library and pavilion); thanked Mr. Tweedie (tour of the City); thanked Chief Keith (EOC and dispatch center tour) for the department tours – recommended everyone check out the Smart 911 program where you can register your cell phone number for quicker dispatch service.
- Thanked staff for the dias improvements.

Vice Mayor Smith

- Noted concerns regarding the Aesop's park workout equipment and asked if staff can look at possibly relocating the equipment to a more visible and public area of the park.
- Asked for a date the Ruby Street Stormwater and Beautification Project will begin. Mr. Drury said he will provide a schedule once it has been received.
- Said he is glad to see the security improvements beginning at City Hall.
- On this day in 1896, the first successful heart operation was conducted; today is National Beer Day.

**ADJOURNMENT**

There was no further business and the meeting was adjourned at 5:44 p.m. by Mayor Pfister.

Respectfully submitted,

_____

Nancy A. Barnett, MMC
City Clerk

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 2**

**SUBJECT TITLE: Proclamation in Honor of the Retirement of Emogene Stegall, Lake County Supervisor of Elections**

## OBJECTIVE:

To have the Mayor read a proclamation in recognition of the retirement of Emogene Stegall, Lake County Supervisor of Elections, and her long standing service and dedication to the citizens of Tavares and Lake County.

## SUMMARY:

Emogene Stegall, Lake County Supervisor of Elections, has been assisting the City Clerk's department and citizens of Tavares in conducting elections since 1958; 14 years as the Chief Deputy Supervisor of Elections and 44 years as the Supervisor of Elections. She holds the distinction of being the longest serving Supervisor of Elections in the State of Florida. Ms. Stegall is well known for her impeccable ethics, professionalism and integrity. The Mayor will read a proclamation in observance of Ms. Stegall's retirement and long standing dedication to the citizens of Tavares.

## OPTIONS:

N/A

## STAFF RECOMMENDATION:

To read a proclamation in honor of the retirement of Emogene Stegall, Lake County Supervisor of Elections, and for her dedicated service to the city and citizens of Tavares.

## FISCAL IMPACT:

N/A

## LEGAL SUFFICIENCY:

N/A

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# *PROCLAMATION*

***WHEREAS***, Emogene Stegall, Lake County Supervisor of Elections, began her career in the Elections Office in 1958 as the Chief Deputy and was elected as the Lake County Supervisor of Elections in 1972; and

***WHEREAS***, Emogene Stegall holds the distinction of being the longest serving Supervisor of Elections in the State of Florida; and

***WHEREAS***, Emogene Stegall is well known for her impeccable ethics, professionalism and integrity; and

***WHEREAS***, Emogene Stegall has been a wonderful resource to the Tavares City Clerk's department by providing assistance, education and training for 58 years; and

***WHEREAS***, among her many accomplishments, Emogene Stegall has been inducted into the Lake County Women's Hall of Fame and awarded the Elected Public Official of the Year by the National Association of Social Workers, Florida Chapter, in 2012; and

***WHEREAS***, the City of Tavares wishes to join in the recognition of Emogene Stegall's service and dedication to the citizens of Tavares and Lake County;

***NOW, THEREFORE, BE IT RESOLVED***, that I, Lori Pfister, Mayor of the City of Tavares, in observance of the retirement of Emogene Stegall, hereby proclaims special thanks and recognition for her many years of dedicated service.

***DONE AND PROCLAIMED*** this 2nd day of November, 2016.

_____

Mayor Lori Pfister
City of Tavares

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 3**

**SUBJECT TITLE: Tavares Chamber of Commerce Update**

**OBJECTIVE:**

To receive an update on the Chamber from the Executive Director, J. Scott Berry.

**SUMMARY:**

Mr. Berry will provide an update on Chamber activities.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

N/A

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 4** **PRESENTATION**

**SUBJECT TITLE: Scheduling for Downtown Tavares Redevelopment Master Plan Update and Public Workshops**

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## OBJECTIVE:

To present to Council a schedule of tasks and workshops planned for implementing the update of the City's Downtown Tavares Redevelopment Master Plan.

## SUMMARY:

The Downtown Redevelopment Master Plan update has been identified as a priority by City Council. The City's Planning Coordinator, Antonio Fabre and the City's GIS Specialist, Corey Mathis have been teamed with Councilor Lisa Johnson, John Drury and Jacques Skutt in a Horizon Team to complete this project. Mr. Fabre will make a presentation to City Council outlining a schedule of tasks and public workshops that will see this project to completion.

## OPTIONS:

1. To accept the presentation, tasks and workshop schedule.
2. To not accept the proposed recommendations within the presentation.

## STAFF RECOMMENDATION:

That City Council moves to approve the proposed schedule of tasks and public workshops recommended by the Community Development Department for updating the Downtown Redevelopment Master Plan.

## FISCAL IMPACT:

N/A

## LEGAL SUFFICIENCY:

Approved for legal sufficiency.

# Downtown Tavares Redevelopment Master Plan Update

## Takeoff: Information & Plan Review (60-90 Days)

- On May 4, 2016, City Council Authorized Staff to Update the Downtown Tavares Redevelopment Master Plan.

- **Set Dates for Public Meetings & Workshops...**
- **Public Announcements & Advertising...**
  - City's Website
  - Social Media
    - City's Facebook Page
  - Flyers/Post Cards
  - Generate a Contact/Mailing List
  - Information Tent at City Events.

- The Horizon Committee set the Task to Study Seven Major Areas.

- On November 2, 2016, City Council Meeting to Review and Approve the Approach & Schedule for Updating the Downtown Tavares Redevelopment Master Plan.

- Input from City Departments (Administration, Economic Development, Public Works, Utilities, Finance, et. al.).
- Identify & Interview with Stakeholders
- Review Mission Statement
- Review and Define the Downtown Area/CRA
- Review & Evaluate Goals, Objectives & Strategies
- Review Accomplishments & Identify Disconnects
  - Implementing the City's Seaplane base
  - Oneway Conversions of Alfred & Carolina Streets.
  - Tav-Lee Completion.
  - Judicial Building Expansion
  - Public Parking Structure
  - Traffic Circle on Main Street
  - Alleyways Improvements
  - Sidewalk Improvements
  - Tavares Prop Shop (Woodlea House)
  - Commercial and Hotel Developments on Ruby Street
  - City Branding & Wayfinding
  - Land Development Regulations
  - Comprehensive Plan
- Prepare for Presentations & Public Meetings.

## Flight: Study Tasks & Public Workshops (30-60 Days)

- **On January 19, 2017 (4pm), Public "Takeoff" Meeting.**

- **On January 26, 2017 (All Day), Workshop Meetings.**

- **Downtown Economic Development**
  - Promote Retail Business
  - Entertainment District
  - Special Events
  - CRA Commercial Corridors (US 441/SR19)
- **Arts & Culture**
  - Amphitheater
  - Downtown Trolley/Shuttle Service for Special Events
  - Community Performing Arts Theater
- **Attracting Residents/Increasing Residential Opportunities**
  - Downtown aesthetics/"picket fences" or other identifiers/markers for downtown.
  - Encouraging residential redevelopment opportunities where consistent with City plans and compatible with surrounding uses.
- **Historic Preservation Planning**
  - Historic Preservation Plan
- **Infrastructure Planning**
  - Transportation: Alleyways, Roads,
  - Streetscape on gateway entries to Sinclair and St. Clair Abrams
  - Alternate Transportation: Bike Paths, Boats, Electric Vehicles/Golf Carts, Seaplanes...
  - Sidewalks: Continuing to improve the City's sidewalk network.
  - Trails: Extending the Tav-Lee Trail east to countywide trails, including the Tremain Street Trail in downtown Mount Dora.
  - Utilities: Electricity/Streetlights, Underground utilities, Telecommunications and wireless network improvements, Water, Sewer, Stormwater.
  - Energy and resources conservation practices, including incorporating green building/development practices, including Leadership in Energy and Environmental Design (LEED)-certified design and building practices for the library expansion, public safety complex, and public works building.
- **Parking**
  - Public works site to become municipal parking garage when Public Works Fleet Maintenance moves from their present location at Disston and Dora.
  - Results of parking study, which begins w/ consultant Summer 2016.
  - Pocket parking lots.
- **Parks**
  - Continuing phased plans for the City's 4.06-acre property located adjacent to the Lake Dora waterfront. Future phases include a restroom/storage building.
  - Creating additional opportunities for public waterfront access adjacent to Lake Dora for recreation and special events.

- **On February 2, 2017 (2pm), Field Trip/Walking Tour.**

- Alternative Planning Concepts
- Gateways and Linkages
- Community Feedback

- **On February 16, 2017 (4pm), Public Meeting / Wrap-up from Workshops.**

- Place results of the Public Meetings on the City's website.

## Landing: Drafting & Documentation (90-120 Days)

- Compile and Analysis: data, comments, workshop study results, and alternative opportunities.
- Draft Master Plan (data, photos, graphics and future Goals, Objectives, Guidelines, Action Strategies, et. al.).
- Complete Draft of the Updated Downtown Tavares Redevelopment Master Plan.

- **On July, 2017, Present Draft Plan to P&Z Board.**
- **On August, 2017, Present Draft Plan to City Council.**

- Revision to Downtown Tavares Redevelopment Master Plan.

- **On August or September, 2017, Final Presentation to City Council, Public Comments.**

- Finalization of the Downtown Tavares Redevelopment Master Plan.

- **On September, 2017, Adoption of the Updated Downtown Tavares Redevelopment Master Plan by the City Council.**

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**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 5** **CONSENT**

**SUBJECT TITLE: ETOWAH PHASE 3A – FINAL PLAT APPROVAL**

## OBJECTIVE:

To approve a subdivision plat for Etowah Phase 3A.

## SUMMARY:

CG Land Services, LLC, property owner, has submitted an application for final plat approval for Phase 3A of the existing Etowah subdivision. This phase of the Etowah subdivision is 7.42 acres in size and consists of 24 single family lots for the purpose of constructing 24 detached dwellings. The plat has been reviewed by staff for compliance with the City's Land Development Regulations and the City's Attorney and Surveyor to insure all applicable laws and platting requirements are met. A copy of the proposed plat is attached to this report.

## OPTIONS:

1. That City Council moves to approve the final plat for Etowah Phase 3A.
2. That City Council denies the proposed final plat for Etowah Phase 3A.

## STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve the final plat for Etowah Phase 3A.

## FISCAL IMPACT:

No fiscal impact.

## LEGAL SUFFICIENCY:

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

# ETOWAH PHASE 3A



PLAT BOOK____ PAGE _____

## BEING A SUBDIVISION OF A PORTION OF SECTIONS 15 AND 16, TOWNSHIP 19 SOUTH, RANGE 26 EAST, AND A REPLAT OF A PORTION OF LOT B, WEBB AND RIDDLE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 18, OF THE PUBLIC RECORDS OF LAKE COUNTY FLORIDA AND CITY OF TAVARES, LAKE COUNTY, FLORIDA

### LEGAL DESCRIPTION:

BEING A SUBDIVISION OF A PORTION OF SECTIONS 15 AND 16, TOWNSHIP 19 SOUTH, RANGE 26 EAST, AND A REPLAT OF A PORTION OF LOT B, WEBB AND RIDDLE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 18, OF THE PUBLIC RECORDS OF LAKE COUNTY FLORIDA AND CITY OF TAVARES, LAKE COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWESTERLY CORNER OF TRACT POND 20, ETOWAH PHASE 2, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 66, PAGES 4 THROUGH 7 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN NORTH 33°52'39" WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF BLUFF POINTE, ETOWAH PHASE 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 60, PAGES 45 THROUGH 49 OF SAID PUBLIC RECORDS FOR A DISTANCE OF 96.59 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 90°00'00" FOR AN ARC LENGTH OF 39.27 FEET, A CHORD BEARING OF NORTH 11°07'21" EAST AND A CHORD DISTANCE OF 35.36 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF LANDING VIEW AS RECORDED IN SAID ETOWAH PHASE 1; THENCE RUN NORTH 33°52'39" WEST, NON-TANGENT TO SAID CURVE AND ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 50.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF LANDING VIEW AS RECORDED IN SAID ETOWAH PHASE 1; THENCE RUN SOUTH 56°07'21" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 11.50 FEET TO THE SOUTHEASTERLY CORNER OF TRACT B OF SAID ETOWAH PHASE 1; THENCE RUN NORTH 33°55'54" WEST FOR A DISTANCE OF 162.22 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF LAKE SHORE DRIVE AS RECORDED IN OFFICIAL RECORDS BOOK 2735, PAGE 1751 THROUGH 1754 OF SAID PUBLIC RECORDS; THENCE RUN THE FOLLOWING FIVE (5) COURSES ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE: NORTH 55°50'34" EAST FOR A DISTANCE OF 65.74 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 3192.43 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 06°16'22" FOR AN ARC LENGTH OF 349.51 FEET, A CHORD BEARING OF NORTH 59°28'34" EAST AND A CHORD DISTANCE OF 349.33 FEET; THENCE RUN NORTH 62°54'49" EAST, NON-TANGENT TO SAID CURVE, FOR A DISTANCE OF 151.05 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 4282.22 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 01°43'01" FOR AN ARC LENGTH OF 128.59 FEET, A CHORD BEARING OF NORTH 61°41'37" EAST AND A CHORD DISTANCE OF 128.59 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 987.76 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 06°11'12" FOR AN ARC LENGTH OF 106.66 FEET, A CHORD BEARING OF NORTH 56°33'26" EAST FOR A CHORD DISTANCE OF 106.60 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE RUN SOUTH 36°32'04" EAST FOR A DISTANCE OF 162.34 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1099.54 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 02°19'01" FOR AN ARC LENGTH OF 44.46 FEET, A CHORD BEARING OF NORTH 52°29'39" EAST AND A CHORD DISTANCE OF 44.46 FEET; THENCE RUN SOUTH 38°39'51" EAST ALONG A RADIAL LINE FOR A DISTANCE OF 50.00 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN SOUTHERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 87°44'28" FOR AN ARC LENGTH OF 38.28 FEET, A CHORD BEARING OF SOUTH 07°27'55" WEST AND A CHORD DISTANCE OF 34.65 FEET TO THE POINT OF TANGENCY; THENCE RUN SOUTH 36° 24'19" EAST FOR A DISTANCE OF 146.38 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 25.00 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 55°51'13" FOR AN ARC LENGTH OF 24.37 FEET, A CHORD BEARING OF SOUTH 64°19'56" EAST AND A CHORD DISTANCE OF 23.42 FEET TO THE POINT OF TANGENCY; THENCE RUN NORTH 87°44'28" EAST FOR A DISTANCE OF 8.35 FEET; THENCE RUN SOUTH 02°15'32" EAST FOR A DISTANCE OF 180.00 FEET TO THE NORTH LINE OF THE SOUTH 45.00 FEET OF LOT B, WEBB AND RIDDLE SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 18 OF SAID PUBLIC RECORDS; THENCE RUN SOUTH 87°44'28" WEST ALONG SAID NORTH LINE FOR A DISTANCE OF 140.05 FEET TO A POINT ON THE EASTERLY LINE OF LOT 140 OF SAID ETOWAH PHASE 2; THENCE RUN NORTH 29°37'36" WEST ALONG THE EASTERLY LINES OF LOTS 140, 139, AND 138 OF SAID ETOWAH PHASE 2 FOR A DISTANCE OF 146.87 FEET TO THE SOUTHWEST CORNER OF LOT 135 OF SAID ETOWAH PHASE 2; THENCE RUN NORTH 53°36'42" EAST ALONG THE SOUTH LINE OF SAID LOT 135 FOR A DISTANCE OF 56.30 FEET TO THE SOUTHEAST CORNER OF SAID LOT 135; THENCE RUN NORTH 32°05'30" WEST ALONG THE EASTERLY LINE OF SAID LOT 135 AND EXTENSION THEREOF FOR A DISTANCE OF 174.64 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF LANDING VIEW AS RECORDED IN SAID ETOWAH PHASE 2, SAID POINT LYING ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1654.01 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 04°27'57" FOR AN ARC LENGTH OF 128.92 FEET, A CHORD BEARING OF SOUTH 60°34'18" WEST AND A CHORD DISTANCE OF 128.89 FEET; THENCE RUN SOUTH 62°34'02" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 69.91 FEET; THENCE RUN SOUTH 62°55'05" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 38.85 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID LANDING VIEW AS SHOWN ON THE PLAT OF ETOWAH PHASE 2; THENCE RUN SOUTH 27°04'36" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 50.01 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 24.98 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 89°46'53" FOR AN ARC LENGTH OF 39.15 FEET, A CHORD BEARING OF SOUTH 72°04'51" EAST AND A CHORD DISTANCE OF 35.27 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF BAYOU LANE AS RECORDED IN SAID ETOWAH PHASE 2; THENCE RUN SOUTH 27°09'03" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 98.79 FEET TO THE NORTHEAST CORNER OF LOT 178 OF SAID ETOWAH PHASE 2; THENCE RUN SOUTH 62°47'15" WEST ALONG THE NORTH LINE OF SAID LOT 178 AND THE NORTH LINE OF TRACT POND 20 FOR A DISTANCE OF 119.94 FEET; THENCE RUN SOUTH 69°39'38" WEST ALONG THE NORTH LINE OF SAID TRACT POND 20 FOR A DISTANCE OF 20.52 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 2915.67 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 07°03'29" FOR AN ARC LENGTH OF 359.17 FEET, A CHORD BEARING OF SOUTH 58°22'46" WEST AND A CHORD DISTANCE OF 358.94 FEET TO THE POINT OF BEGINNING.

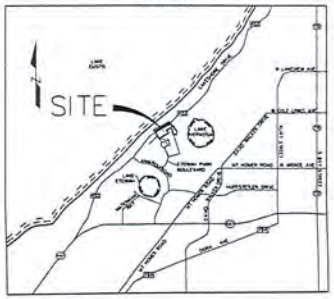
TOGETHER WITH

BEGIN AT THE MOST EASTERLY CORNER OF TRACT P OF SAID ETOWAH PHASE 1; THENCE RUN NORTH 33°55'54" WEST ALONG THE EAST LINE OF SAID TRACT P FOR A DISTANCE OF 8.00 FEET TO THE SOUTHEAST CORNER OF TRACT C OF SAID ETOWAH PHASE 1; THENCE CONTINUE NORTH 33°55'54" WEST ALONG THE EAST LINE OF SAID TRACT C FOR A DISTANCE OF 80.63 FEET TO THE SHORE LINE OF LAKE EUSTIS; THENCE RUN THE FOLLOWING SEVEN (7) COURSES ALONG SAID SHORE LINE: NORTH 69°29'22" EAST FOR A DISTANCE OF 121.57 FEET; NORTH 54°56'46" EAST FOR A DISTANCE OF 194.99 FEET; NORTH 69°03'09" EAST FOR A DISTANCE OF 139.30 FEET; NORTH 58°34'18" EAST FOR A DISTANCE OF 102.75 FEET; NORTH 66°16'05" EAST FOR A DISTANCE OF 94.91 FEET; NORTH 59°26'01" EAST FOR A DISTANCE OF 82.98 FEET; NORTH 50°44'23" EAST FOR A DISTANCE OF 66.16 FEET; THENCE RUN SOUTH 36°32'04" EAST FOR A DISTANCE OF 65.19 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LAKE SHORE DRIVE, SAID POINT LYING ON A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 937.76 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 06°09'16" FOR AN ARC LENGTH OF 100.73 FEET, A CHORD BEARING OF SOUTH 56°32'33" WEST AND A CHORD DISTANCE OF 100.68 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 4232.22 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 01°42'48" FOR AN ARC LENGTH OF 126.56 FEET, A CHORD BEARING OF SOUTH 61°41'50" WEST AND A CHORD DISTANCE OF 126.55 FEET; THENCE RUN SOUTH 62°54'49" WEST FOR A DISTANCE OF 151.01 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 3242.43 FEET, THENCE RUN SOUTHWESTERLY ALONG THE ARC THEREOF THROUGH A CENTRAL ANGLE OF 06°16'22" FOR AN ARC LENGTH OF 354.98 FEET, A CHORD BEARING OF SOUTH 59°28'34" WEST AND A CHORD DISTANCE OF 354.81 FEET; THENCE RUN SOUTH 55°50'34" WEST FOR A DISTANCE OF 65.98 FEET TO THE POINT OF BEGINNING.

TOGETHER ALL CONTAINING 7.42 ACRES, MORE OR LESS.

### VICINITY MAP

NOT TO SCALE




### LEGEND:

| | | | |
|---|---|---|---|
| PC | Denotes point of curvature | ℄ | Denotes centerline |
| PT | Denotes point of tangency | LLC | Denotes limited liability company |
| PI | Denotes point of intersection | N.T.S. | Denotes not to scale |
| NT | Denotes non-tangent | PSM | Denotes Professional Surveyor and Mapper |
| PCC | Denotes point of compound curvature | ⊛ | Denotes set nail & disk # LB 6723 (PCP) |
| UE | Denotes utility easement | ○ | Denotes set 1/2" iron rod & cap LB # 6723 unless otherwise noted |
| DE | Denotes drainage easement | ■ | Denotes set 4" X 4" concrete monument P.R.M. LB # 6723 |
| DUE | Denotes drainage and utility easement | □ | Denotes found 4" x 4" Concrete Monument LB # 7514 (P.R.M.) |
| R | Denotes radius | | |
| L | Denotes arc length | | |
| Δ | Denotes interior angle | P.R.M. | Denotes Permanent Reference Monument |
| CB | Denotes chord bearing | LB | Denotes Licensed Business |
| CH | Denotes chord length | PG | Denotes Page |
| R/W | Denotes right-of-way | PB | Denotes Plat Book |
| N.R. | Denotes non radial | P.O.B. | Denotes Point of Beginning |
| PCP | Denotes Permanent Control Point | L.E. | Denotes Landscape Easement |
| | | ORB | Denotes Official Records Book |

### SURVEYOR'S NOTES:

1. Bearings shown hereon are assumed and are based on the Easterly line of Tract B, Etowah Phase 1, as recorded in Plat Book 60, Pages 45 through 49, in Lake County, Florida, being North 33°55'54" West.
2. All platted utility easements shall also be easements for the construction, installation, maintenance, and operation of cable television and data services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such construction, installation, maintenance, and operation shall comply with the national electrical safety code as adopted by the Florida Public Service Commission.
3. Lot corners will be set in accordance with Chapter 177.091 (9) Florida Statutes.
4. All lot lines are radial, unless otherwise noted non-radial (N.R.).
5. Lots 96A through 108A shall each be conveyed on the deed for the corresponding numbered lot (e.g. Lot 96A shall be included on the deed for Lot 96, Lot 97A shall be included on the deed for Lot 97) and together with the corresponding numbered lot shall be considered one indivisible, building lot. Lots designated as Lot 96A through 108A may be improved with accessory structures only (e.g. docks, boardwalks).
6. Tracts D and E are additional right-of-way for Lake Eustis Drive conveyed to Lake County in Dedication paragraph 6.
7. Tract C (Open Space) shall be owned and maintained by the Etowah Homeowners Association, Inc.
8. The State of Florida may own or claim title to those lands lying waterward of the shoreline which may affect the location of the boundary line of the portion of the property fronting the lake. The exact location of lakeside lot lines for the lots fronting Lake Eustis is not depicted on this plat. In order to ensure that there is no gap between sovereign lands and lots fronting Lake Eustis and that no lots fronting Lake Eustis includes sovereign lands, all lots fronting Lake Eustis shall extend to the shoreline of Lake Eustis notwithstanding the graphical depiction of the lots fronting Lake Eustis abutting a witness line.
9. Lots lying adjacent to and contiguous with Lake Eustis are commonly bounded by the lake's shoreline according to the City of Tavares. These lots lying adjacent to Lake Eustis are subject to change due to natural occurrences relating to the rise and/or recession of the lake's waters. The rear boundary lines of Lots 96A through 108A were established by a field location of the shoreline on May 20, 2016. Lots 96A through 108A are subject to the conservation easement recorded in Official Records Book 4126, Page 742 of the Public Records of Lake County, Florida
10. A Conservation Easement, in favor of the St. Johns River Water Management District pursuant to Section 704.06, Florida Statutes, is located along the rear and side of Lots 96A through 108A. (See Official Records Book 4126, Pages 742-752, Public Records of Lake County, Florida.)
11. The stormwater system shall be owned and maintained by the Etowah Homeowners Association, Inc.

### EASEMENT DEDICATION

Lot line easements: Easements of ten (10.00') feet in width along each front lot line and five (5.00') feet in width along each side and rear lot line are hereby created and provided for the purpose of accommodating overhead, surface and underground utilities and drainage.

SHEET INDEX
Sheet 1 of 2 – Dedication, Surveyor's Notes, Legal Description, and Legend
Sheets 2 of 2 – Boundary, lot, and tract geometry

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

### CERTIFICATE OF APPROVAL OF COUNTY CLERK

I _____ County Clerk of Lake County, Florida, hereby certify that this plat has been examined and it complies in form with all the requirements of the Statutes of Florida pertaining to maps and plats, and that this plat has been filed for record in Plat Book _____ Page _____ Public Records of Lake County, Florida, this _____ day of _____ A.D., 20___

Clerk
Lake County, Florida.

By: Deputy Clerk

### CERTIFICATES OF APPROVAL OF MUNICIPALITY

THIS IS TO CERTIFY, that the plat was presented to the City of Tavares, Lake County, Florida, and approved by said City of Tavares for recording, and the dedication of Street Rights-of-Way, drainage and utility easements, are accepted for municipal purposes of said City on the ____ day of _____, 2016, provided that the plat is recorded in the Office of the Clerk of the Circuit Court of Lake County, Florida within ____ days from the date of approval by said Council of the City of Tavares, Florida.

Mayor

Attest: City Clerk

### ETOWAH PHASE 3A
DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being the owner in fee simple of all of the lands described in the foregoing caption to this plat, hereby dedicate said lands and plat for the uses and purposes thereon.

1. TO ETOWAH HOMEOWNERS ASSOCIATION, INC.: Fee simple title is hereby conveyed to Tract A and Tract B (right-of-way) and Tract C (Open Space). Tract A and Tract B are subject to perpetual rights of ingress and egress by the lot owners of Etowah, their tenants, invitees and licensees, together with those providers of sanitation, postal, fire and law enforcement and emergency and medical services, and their vehicles and personnel as stated below. Tract A and Tract B are subject to utility easements as stated below.

2. TO LOT OWNERS OF ETOWAH: A perpetual ingress and egress easement is hereby granted over, across and upon Tract A and Tract B shown hereon, including the right of ingress and egress for said Lot Owners' tenants, invitees, and licensees.

3. TO PROVIDERS OF ELECTRIC, TELEPHONE, CABLE TELEVISION SERVICES: A utility easement is hereby granted over, across and upon Tract A and Tract B and those areas designated as utility easements shown hereon, including the right of ingress and egress over and across Tract A and Tract B for the purpose of accessing said utility easements.

4. TO THE CITY OF TAVARES: A utility easement is hereby granted over, across and upon Tract A and Tract B and those areas designated as utility easements shown hereon, including the right of ingress and egress over and across Tract A and Tract B for the purpose of accessing said utility easements.

5. TO THE PROVIDERS OF SANITATION, POSTAL, FIRE, LAW ENFORCEMENT AND EMERGENCY MEDICAL SERVICES, THEIR VEHICLES AND PERSONNEL: A perpetual right of ingress and egress over and across Tract A and Tract B.

6. TO LAKE COUNTY: Fee simple title is hereby conveyed to Tract D and E (additional right-of-way) for Lake Eustis Drive.

IN WITNESS WHEREOF, the undersigned owner, has executed this Dedication in the manner provided by law on this ____ day of _____ 2016. Signed, and delivered in our presence as witnesses:

ETOWAH INVESTMENTS, LLC
a Florida limited liability company

Signature of Witness

Printed Name of Witness

By: _____
Name: _____
Title: _____

Signature of Witness

Printed Name of Witness

STATE OF FLORIDA
COUNTY OF _____

I HEREBY CERTIFY, that on this day, before me personally appeared _____ as _____ of Etowah Investments, LLC, a Florida limited liability company, who is ( ) personally known to me or ( ) produced _____ as identification, and did/did not take an oath, the individual and officer described in and who executed the foregoing conveyance and acknowledged the execution thereof to be his free act and deed as such officer thereunto duly authorized, and the said conveyance is the act and deed of said company.

WITNESS my hand and official seal this ____ day of _____ 2016.

Signature of Notary Public

Printed Name of Notary Public

Notary Public in and for the county and state of Florida

My Commission Expires _____

Commission Number: _____

### CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, that I the undersigned, being a registered surveyor and mapper, fully licensed to practice in the State of Florida, does hereby certify that this plat was prepared under his direction and supervision and that this plat complies with all the provisions of Chapter 177, Part 1, Platting, Florida Statutes.

Date. _____

James L. Rickman P.S.M.
Registration # 5633

Allen & Company
Licensed Business # 6723
16 East Plant Street,
Winter Garden, Florida 34787

### REVIEWER STATEMENT

Pursuant to Section 177.081, Florida Statutes I have reviewed this plat for conformity to Chapter 177, Florida Statutes, and find that said plat complies with the technical requirements of that Chapter, provided, however, that my review does not include field verification of any of the coordinates, points or measurements shown on this plat.

Signature Date Registration Number

### CERTIFICATE OF APPROVAL OF THE TAVARES CITY COUNCIL

STATE OF FLORIDA
COUNTY OF LAKE

IT IS HEREBY CERTIFIED, that this plat has been officially approved for record by the City of Tavares, Florida, this ____ day of _____ A.D., 2016.
APPROVED:

Planning Director

Mayor, City of Tavares

City Attorney

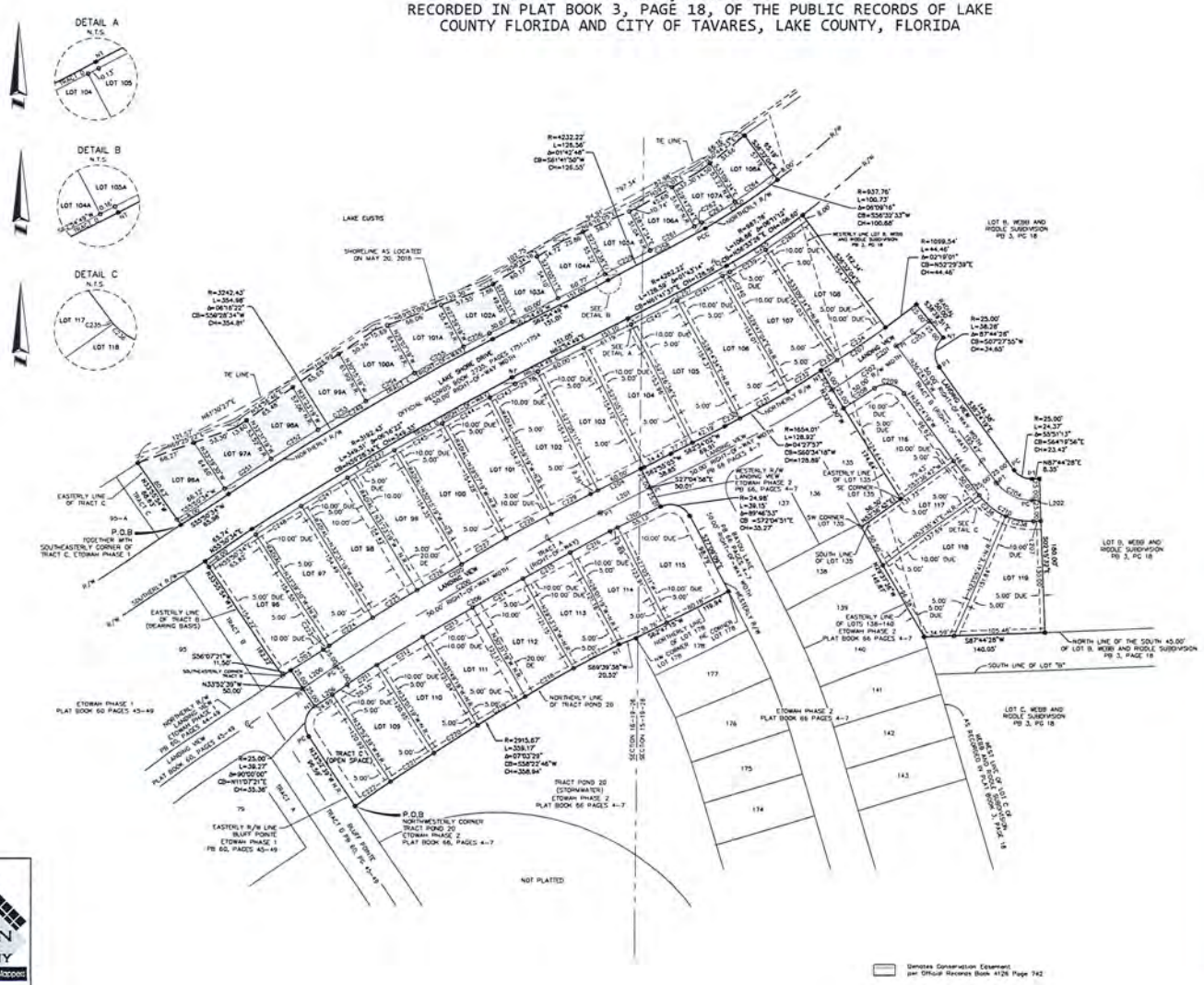
City Clerk

ALLEN & COMPANY
Professional Surveyors & Mappers
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355

# ETOWAH PHASE 3A

BEING A SUBDIVISION OF A PORTION OF SECTIONS 15 AND 16, TOWNSHIP 19 SOUTH, RANGE 26 EAST, AND A REPLAT OF A PORTION OF LOT B, WEBB AND RIDDLE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 18, OF THE PUBLIC RECORDS OF LAKE COUNTY FLORIDA AND CITY OF TAVARES, LAKE COUNTY, FLORIDA






GRAPHIC SCALE

( IN FEET )
1 inch = 60 ft.

| LINE TABLE | | |
|---|---|---|
| LINE | LENGTH | BEARING |
| L200 | 45.42' | S56°07'21"W |
| L201 | 64.94' | N62°35'00"E |
| L202 | 8.75' | S87°44'28"W |
| L203 | 45.42' | S56°07'21"W |
| L204 | 64.94' | S62°35'00"W |
| L205 | 62.02' | S62°35'00"W |
| L206 | 45.42' | S56°07'21"W |
| L207 | 8.75' | S87°44'28"W |

| CURVE TABLE | | | | | |
|---|---|---|---|---|---|
| CURVE | LENGTH | RADIUS | DELTA ANGLE | BEARING | CHORD |
| C200 | 306.35' | 3004.85' | 06°47'44" | S59°31'13"W | 306.18' |
| C201 | 137.32' | 1124.54' | 06°59'48" | N54°56'05"E | 137.24' |
| C202 | 89.28' | 1124.54' | 04°32'56" | N56°52'29"E | 89.26' |
| C203 | 48.04' | 1124.54' | 02°26'52" | N53°33'30"E | 48.04' |
| C204 | 48.74' | 50.00' | 55°51'17" | S84°19'26"E | 46.83' |
| C205 | 350.26' | 3029.85' | 06°47'44" | S59°31'13"W | 350.15' |
| C206 | 353.43' | 2979.85' | 06°47'44" | S59°31'13"W | 353.22' |
| C207 | 89.59' | 1895.54' | 04°41'21" | N55°59'58"E | 89.58' |
| C208 | 42.29' | 1149.54' | 02°05'28" | N57°16'09"E | 42.29' |
| C209 | 34.11' | 23.00' | 87°22'45" | N60°02'42"W | 34.54' |
| C210 | 73.11' | 75.00' | 55°51'17" | S84°19'26"E | 70.25' |
| C211 | 41.15' | 2979.85' | 00°47'28" | S56°31'05"W | 41.14' |
| C212 | 62.41' | 2979.85' | 01°12'00" | S57°30'49"W | 62.41' |
| C213 | 67.61' | 2979.85' | 01°18'00" | S58°45'49"W | 67.61' |
| C214 | 67.62' | 2979.85' | 01°18'00" | S60°03'49"W | 67.61' |
| C215 | 62.42' | 2979.85' | 01°12'00" | S61°15'50"W | 62.42' |
| C216 | 52.22' | 2979.85' | 01°00'35" | S62°24'38"W | 52.22' |
| C217 | 58.88' | 2915.67' | 01°09'36" | S61°19'13"W | 58.88' |
| C218 | 64.87' | 2915.67' | 01°16'29" | S60°05'40"W | 64.87' |
| C219 | 64.87' | 2915.67' | 01°16'29" | S58°49'11"W | 64.87' |
| C220 | 59.88' | 2915.67' | 01°10'36" | S57°35'38"W | 59.88' |
| C221 | 58.68' | 2915.67' | 01°09'22" | S56°22'16"W | 58.68' |
| C222 | 49.99' | 2915.67' | 00°58'57" | S55°20'26"W | 49.99' |
| C223 | 8.17' | 3029.85' | 00°09'16" | S56°13'30"W | 8.16' |
| C224 | 50.08' | 3029.85' | 01°00'10" | S56°56'42"W | 50.08' |
| C225 | 50.93' | 3029.85' | 01°00'00" | S57°56'43"W | 50.93' |
| C226 | 50.94' | 3029.85' | 01°00'00" | S58°56'43"W | 50.93' |
| C227 | 50.94' | 3029.85' | 01°00'00" | S59°56'43"W | 50.94' |
| C228 | 50.94' | 3029.85' | 01°00'00" | S61°56'43"W | 50.94' |
| C229 | 50.35' | 3029.85' | 00°59'17" | S62°55'53"W | 50.35' |
| C230 | 19.76' | 1654.01' | 00°41'08" | N63°27'43"E | 19.79' |
| C231 | 63.57' | 1654.01' | 02°12'19" | N61°00'59"E | 63.56' |
| C232 | 45.47' | 1654.01' | 01°34'30" | N59°07'00"E | 45.47' |
| C233 | 22.22' | 1099.54' | 01°09'24" | N57°40'44"E | 22.22' |
| C234 | 67.74' | 1099.54' | 03°31'47" | N55°25'03"E | 67.73' |
| C235 | 0.03' | 75.00' | 00°01'16" | S36°24'30"E | 0.03' |
| C236 | 39.92' | 75.00' | 30°29'49" | S51°40'34"E | 39.45' |
| C237 | 348.48' | 3184.43' | 06°16'13" | S59°28'36"W | 348.30' |
| C238 | 33.16' | 75.00' | 25°20'00" | S75°35'30"E | 32.88' |
| C239 | 49.03' | 995.76' | 02°49'18" | N58°14'58"E | 49.02' |
| C240 | 5.63' | 4290.22' | 00°07'43" | N60°53'33"E | 5.63' |
| C241 | 56.51' | 4290.22' | 00°47'41" | N61°21'33"E | 56.51' |
| C242 | 39.69' | 4290.22' | 00°47'30" | N62°09'19"E | 39.69' |
| C243 | 33.37' | 3184.43' | 00°36'01" | S62°58'41"W | 33.37' |
| C244 | 62.99' | 3184.43' | 01°06'00" | S61°26'41"W | 62.99' |
| C245 | 62.99' | 3184.43' | 01°06'00" | S60°20'41"W | 62.99' |
| C246 | 62.99' | 3184.43' | 01°06'00" | S59°15'41"W | 62.99' |
| C247 | 62.99' | 3184.43' | 01°06'00" | S58°09'41"W | 62.99' |
| C248 | 63.15' | 3184.43' | 01°06'19" | S56°54'35"W | 63.15' |
| C249 | 355.35' | 3250.43' | 06°16'15" | S59°28'37"W | 355.16' |
| C250 | 99.75' | 929.76' | 06°08'56" | N56°32'23"E | 99.74' |
| C251 | 64.47' | 3250.43' | 01°08'10" | S56°54'34"W | 64.46' |
| C252 | 64.29' | 3250.43' | 01°08'00" | S58°02'40"W | 64.29' |
| C253 | 64.29' | 3250.43' | 01°08'00" | S59°10'40"W | 64.29' |
| C254 | 64.29' | 3250.43' | 01°08'00" | S60°18'40"W | 64.29' |
| C255 | 64.29' | 3250.43' | 01°08'00" | S61°26'40"W | 64.29' |
| C256 | 34.13' | 3250.43' | 00°36'05" | S62°16'42"W | 34.12' |
| C257 | 128.83' | 4290.22' | 01°43'14" | N61°41'37"E | 128.83' |
| C258 | 126.33' | 4224.22' | 01°42'44" | N61°41'52"E | 126.32' |
| C259 | 58.74' | 4224.22' | 00°47'49" | N62°09'13"E | 58.73' |
| C260 | 58.66' | 993.76' | 03°22'30" | N55°39'05"E | 58.65' |
| C261 | 57.74' | 4224.22' | 00°46'39" | N61°21'26"E | 57.74' |
| C262 | 0.75' | 4224.22' | 00°02'56" | N60°34'28"E | 0.75' |
| C263 | 45.02' | 929.76' | 02°46'28" | N58°13'36"E | 45.02' |
| C264 | 54.77' | 929.76' | 03°22'30" | N55°50'16"E | 54.76' |
| C265 | 107.69' | 995.76' | 06°12'46" | N56°32'42"E | 107.63' |

Denotes Conservation Easement per Official Records Book 4126 Page 742

ALLEN & COMPANY
Professional Surveyors & Mappers
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355

SHEET INDEX
Sheet 1 of 2 – Dedication, Surveyor's Notes, Legal Description, and Legend
Sheets 2 of 2 – Boundary, lot, and tract geometry

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 6**

**SUBJECT TITLE: Public Hearing to Re-Adopt Resolution 2016-15A Adopting the Tentative Millage for FY 2017**

## OBJECTIVE:

To receive public input and consider the approval of Resolution 2016-15 (A) to **re-adopt** the Tentative Millage for Fiscal Year 2017.

## SUMMARY:

On October 21, 2016, the Finance Director received notice from the Florida Department of Revenue for TRIM Compliance stating that the City of Tavares' published advertisement for the "Notice of Tax Increase" was in error. The City had advertised a greater tax increase over prior year when the actual increase was lower. Two numbers were transposed.

As Florida TRIM Compliance (F.S. § 200.065) requires exact numbers on the newspaper advertisement, any error on the Advertisement is considered to be in violation , and thus requires re-publishing of the "Notice of Tax Increase", the "Budget Summary" and to re-hold the Public Hearings for approval based on the correct advertisement.

The required Advertisements were published in the newspaper on Monday, October 31, 2016.

The Tentative Budget for the General Fund provides for a Tentative Millage of 7.1000 mills and the budget is balanced at $16,326,530.

Please see the attached Exhibit "A" detailing the assumptions used for the Final Millage and Budget from the September 21, 2016 Hearing.

## OPTIONS:

1. Take Public input and re-approve the Tentative Millage Rate for Fiscal Year 2017 as reflected in Resolution 2016-15 (A) with no changes.

2. Take Public input and re-approve the Tentative Millage Rate for Fiscal Year 2017 as reflected in Resolution Number 2016-15 (A), and any additional changes.

**STAFF RECOMMENDATION:**

Take public input and move to re-approve the Tentative Millage for Fiscal Year 2017 as reflected in Resolution No. 2015-16 (A) with no changes.

**FISCAL IMPACT**: All budgets are balanced.

## EXHIBIT "A"
## Assumptions and Criteria for FY2017 Millage Rate

- Ad valorem millage rate of 7.100 mills which is11.35% above the rollback rate of 6.3762 mills, and .48 mills more than the current millage rate of 6.6166 mills or 7.3% above the current millage rate.
- An assessed taxable property value of $738,313,622 which is an increase of 9.44% in value (unadjusted for TIF) from the prior year.
- A Fire Assessment at 100% of assessed costs. Rates remain unchanged from the prior year.
- A balanced Tentative General Fund Budget of $16,326,530.
- 4% Pay Increase for all employees
- FRS employer contributions are budgeted at blended rates as rate increases are effective July 1, 2016 (*7.659% Regular Class & 22.269% Senior Management Class*).
- Increase in staffing – one full-time; one part-time:
  1) General Fund:
     - Human Resource Assistant – part-time position
     - Street Maintenance Worker – full-time with hire date on or after April 1, 2017.
- The Fire Pension contribution rate is budgeted at 19.86%
- The Police Pension contribution rate is budgeted at to 18.10%.
- Health insurance is budgeted at an overall blended increase of 7.65% over prior year premium rates.
- An overall workers' compensation rate increase of 5%.
- An overall general liability rate increase of 10%.
- The Tentative Budget also includes:
  - ✓ A signature fall event (Boo Festival)
  - ✓ Art in Square
  - ✓ Civic Center ADA Upgrades
  - ✓ Community Grants
  - ✓ Gateway Sign
  - ✓ Ruby Street Overhead Lines relocation to underground
  - ✓ Sidewalk Construction and Repairs
  - ✓ Road Paving
  - ✓ Library Expansion Design
- The Tentative Budget maintains a similar level of service.

Previously the City Council discussed the proposed Fiscal Year 2017 Budget at the following public meetings:

- June 15th – City Council Budget Workshop – (General Fund Presentation)
- July 6th – City Council Budget Workshop – (Enterprise Funds and Special Revenue Funds Presentation)
- July 20th – City Council Budget Workshop (CIP Presented) and City Council sets Maximum Tentative Millage
- August 3th – City Council Budget Workshop
- August 17st – City Council Budget Workshop
- September 7th – City Council approved the Tentative Millage
- September 21st – City Council approved the Final Millage

A Tentative Budget has been prepared for the City Council based on discussions at the previous City Council Budget Workshops including all subsequent changes.

**RESOLUTION 2016 – 15A**

**A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 7.1000 FOR THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM TAXES FOR FISCAL YEAR 2016-2017; SETTING FORTH THE PERCENT BY WHICH THE MILLAGE RATE IS GREATER THAN THE "ROLLED-BACK" RATE.**

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

**WHEREAS**, the City of Tavares of Lake County, Florida on September 7, 2016, adopted the 2016-2017 Fiscal Year Tentative Millage Rate following a public hearing as required by Florida Statute 200.065.

**WHEREAS**, the City of Tavares of Lake County, Florida, following due public notice as required by law, held a second public hearing on November 2, 2016, as required by Florida Statute 200.065 on the 2016-2017 Millage Rate; and

**WHEREAS,** the gross taxable value for operating purposes not exempt from taxation within Lake County has been certified by the County Property Appraiser to the City of Tavares as $738,313,622.

**NOW THEREFORE, BE IT RESOLVED** by the City of Tavares of Lake County, Florida, that:

1. The City of Tavares Fiscal Year 2016-2017 operating millage rate to be levied is hereby set at 7.1000 mills, which millage rate is greater than the rolled back rate of 6.3762 by 11.35%.

2. The voted debt service millage rate is set at .3680 mills for Fiscal Year 2016-2017.

3. This Resolution will take effect immediately upon its adoption.

**PASSED AND RESOLVED** this 2nd day of November 2016 by the City Council of the City of Tavares, Florida. Time Adopted: _____.

_____
Lori Pfister, Mayor
Tavares City Council

ATTEST:

_____
Nancy A. Barnett
City Clerk

_____

Approved as to form:
Robert Q. Williams,
City Attorney

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 7**

**SUBJECT TITLE: Public Hearing to Re-Adopt Resolution 2016-16A Adopting the Tentative Budget for FY 2017**

## OBJECTIVE:

To receive public input and consider the approval of Resolution 2016-16 (A) to **re-adopt** the Tentative Budget for Fiscal Year 2017.

## SUMMARY:

On October 21, 2016, the Finance Director received notice from the Florida Department of Revenue for TRIM Compliance stating that the City of Tavares' published advertisement for the "Notice of Tax Increase" was in error. The City had advertised a greater tax increase over prior year when the actual increase was lower. Two numbers were transposed.

As Florida TRIM Compliance (F.S. § 200.065) requires exact numbers on the newspaper advertisement, any error on the Advertisement is considered to be in violation, and thus requires re-publishing of the "Notice of Tax Increase", the "Budget Summary" and to re-hold the Public Hearings for approval based on the correct advertisement.

The required advertisements were published in the newspaper on Monday, October 31, 2016.

The previously approved Millage Rate of 7.10 mills to support a balanced budget of $16,326,530, is based on the same criteria as previously approved by the City Council and thus there is no change.

Please see the attached Exhibit "A" detailing the assumptions used for the Final Millage and Budget from the September 21, 2016 Hearing.

## OPTIONS:

1. Take Public input and re-approve the Tentative Budget for Fiscal Year 2017 as reflected in Resolution 2016-16 (A) with no changes.

2. Take Public input and re-approve the Tentative Budget for Fiscal Year 2017 as reflected in Resolution Number 2016-16 (A), and any additional changes.

**STAFF RECOMMENDATION:**

Take public input and move to re-approve the Tentative Budget for Fiscal Year 2017 as reflected in Resolution No. 2015-16 (A) with no changes.

**FISCAL IMPACT**: All budgets are balanced.

## EXHIBIT "A"
## Assumptions and Criteria for FY2017 Millage Rate

- Ad valorem millage rate of 7.100 mills which is11.35% above the rollback rate of 6.3762 mills, and .48 mills more than the current millage rate of 6.6166 mills or 7.3% above the current millage rate.
- An assessed taxable property value of $738,313,622 which is an increase of 9.44% in value (unadjusted for TIF) from the prior year.
- A Fire Assessment at 100% of assessed costs. Rates remain unchanged from the prior year.
- A balanced Tentative General Fund Budget of $16,326,530.
- 4% Pay Increase for all employees
- FRS employer contributions are budgeted at blended rates as rate increases are effective July 1, 2016 (*7.659% Regular Class & 22.269% Senior Management Class*).
- Increase in staffing – one full-time; one part-time:
  1) General Fund:
     - Human Resource Assistant – part-time position
     - Street Maintenance Worker – full-time with hire date on or after April 1, 2017.
- The Fire Pension contribution rate is budgeted at 19.86%
- The Police Pension contribution rate is budgeted at to 18.10%.
- Health insurance is budgeted at an overall blended increase of 7.65% over prior year premium rates.
- An overall workers' compensation rate increase of 5%.
- An overall general liability rate increase of 10%.
- The Tentative Budget also includes:
  - ✓ A signature fall event (Boo Festival)
  - ✓ Art in Square
  - ✓ Civic Center ADA Upgrades
  - ✓ Community Grants
  - ✓ Gateway Sign
  - ✓ Ruby Street Overhead Lines relocation to underground
  - ✓ Sidewalk Construction and Repairs
  - ✓ Road Paving
  - ✓ Library Expansion Design
- The Tentative Budget maintains a similar level of service.

Previously the City Council discussed the proposed Fiscal Year 2017 Budget at the following public meetings:

- June 15th – City Council Budget Workshop – (General Fund Presentation)
- July 6th – City Council Budget Workshop – (Enterprise Funds and Special Revenue Funds Presentation)
- July 20th – City Council Budget Workshop (CIP Presented) and City Council sets Maximum Tentative Millage
- August 3th – City Council Budget Workshop
- August 17st – City Council Budget Workshop
- September 7th – City Council approved the Tentative Millage
- September 21st – City Council approved the Final Millage

A Tentative Budget has been prepared for the City Council based on discussions at the previous City Council Budget Workshops including all subsequent changes.

**RESOLUTION 2016 – 16A**

**A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE CITY OF TAVARES, FLORIDA, FOR THE FISCAL YEAR 2016 - 2017.**

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

WHEREAS, a public hearing on the tentative 2016-2017 budget was held at the Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County, Florida on Wednesday, September 7th, 2016 at 5:05 p.m., as required by Florida Statutes 200.065; and

WHEREAS, the general public was given an opportunity to express its views pertaining to the tentative budget, and

WHEREAS, the City Council approved the tentative budget for 2016-2017, and

WHEREAS, a second public hearing on the proposed 2016-2017 budget was held in the Council Chambers at the Tavares City Hall, 201 East Main Street in the City of Tavares, Florida, on Wednesday, November 2, 2016, at 5:05 p.m.,

NOW, THEREFORE, BE IT RESOLVED that the Budget for 2016-2017 fiscal year for the City of Tavares, Florida is hereby adopted by the Tavares City Council in the amount of $39,410,202 at public hearing this 2nd day of November, 2016.

| Fund Name | Fund Number | Estimated Revenues [1] | Reserve Appropriations [3] | Unappropriated Revenues [2] | Estimated Appropriations/ Expenditures |
|---|---|---|---|---|---|
| General Fund | 001 | $ 16,356,093 | $ - | $ (29,563) | $ 16,326,530 |
| Water/Wastewater Utility | 401 | 8,991,859 | 75,757 | - | 9,067,616 |
| Water/Wastewater Impacts | 441 | 1,108,046 | 166,954 | - | 1,275,000 |
| W/WW RR&I Fund | 443 | 300,000 | - | (29,000) | 271,000 |
| SRF Construction Fund | 444 | - | - | - | - |
| W/WW SRF Loan | 445 | 1,820,139 | - | - | 1,820,139 |
| Sunset View Fund | 447 | 127,433 | - | - | 127,433 |
| Solid Waste | 402 | 2,878,163 | 158,008 | - | 3,036,171 |
| Stormwater | 403 | 1,007,044 | - | (1,345) | 1,005,699 |
| Seaplane Base Fund | 405 | 753,246 | - | - | 753,246 |
| Pavilion Fund [5] | 406 | 590,810 | - | - | 590,810 |
| Police Education | 102 | 1,650 | - | - | 1,650 |
| Community Redevelopment | 105 | 230,709 | - | (2,506) | 228,203 |
| Police Impacts | 110 | 30,750 | - | (30,750) | - |
| Fire Impacts | 111 | 57,400 | - | (57,400) | - |
| Park Impacts | 114 | 49,200 | 800 | - | 50,000 |
| Freedom Flag Fund | 117 | - | 7,208 | - | 7,208 |
| Fire Assessment Fund | 122 | 1,652,516 | - | - | 1,652,516 |
| Infrastructure Sales Tax | 150 | 1,427,637 | - | (735,421) | 692,216 |
| Grant Fund | 151 | 275,000 | - | - | 275,000 |
| Road Improvements | 153 | 10,000 | - | (10,000) | - |
| Debt Service Fund | 201 | 1,002,783 | - | - | 1,002,783 |
| Municipal Police Pension [4] | 601 | 1,036,021 | - | (744,101) | 291,920 |
| Firefighter's Pension [4] | 602 | 1,702,364 | - | (767,398) | 934,966 |
| Mildred Hunter Trust | 605 | 40 | - | - | 40 |
| Woodlea Park Playground Trust | 606 | 56 | - | - | 56 |
| | | $ 41,408,959 | $ 408,727 | $ (2,407,484) | $ 39,410,202 |

[1] *Estimated Revenues = anticipated revenue collections*

*Test $ 39,410,202*

[2] *Negative Reserve Appropriations assumes unappropriated revenues*

[3] *Positive Reserve Appropriations assumes appropriating (spending) an amount of reserves.*

[4] *Needs Pension Board approval.*

[5] *Special Revenue Fund.*

This resolution will take effect immediately upon its adoption.

**PASSED AND RESOLVED this 2nd day of November 2016, by the City Council of the City of Tavares, Florida. Time Adopted: _____P.M.**

_____
Lori Pfister, Mayor
Tavares City Council

ATTEST:

_____
Nancy A. Barnett
City Clerk

_____
Approved as to form:
Robert Q. Williams.
City Attorney

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 8** **FIRST READING**
**SUBJECT TITLE: Ordinance 2016-30**
**Annexation & Rezoning –Vision Conveyor- C.R. 448**

## OBJECTIVE:

To consider the annexation and rezoning to Industrial of approximately 3.14 acres of property located on the southeast corner of C.R. 448 and Southridge Industrial Drive (Lot 7).

## SUMMARY:

The subject property, lot 7 of the Southridge Industrial Center, is located at the southeast corner of C.R. 448 and Southridge Industrial Drive. The property is vacant. The applicant, Vision Conveyor, desires to develop a small industrial complex consisting of 6 industrial buildings of about 5,000 square feet each. The property is contiguous to our city boundary and city water and wastewater utilities are available to this site. 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.
The applicant is concurrently seeking a City of Tavares Industrial Future Land Use designation and has also submitted an application for site plan review.
This property is located in the Tavares' "Industrial Park" economic district with existing manufacturing businesses operating within Southridge Industrial and Lake Industrial Subdivisions.

## OPTIONS:

No Council action required at First Reading.

## PLANNING & ZONING BOARD RECOMMENDATION:

At its October 20 meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-30.

## STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2016-30.

## FISCAL IMPACT:

N/A

## LEGAL SUFFICIENCY:

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

# ORDINANCE 2016-30

**AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 3.14 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND SOUTHRIDGE INDUSTRIAL DRIVE; 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.

**Section 2. Rezoning**

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

**Section 3. Severability.**

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

**Section 4. Effective Date.**

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

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

_____
Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

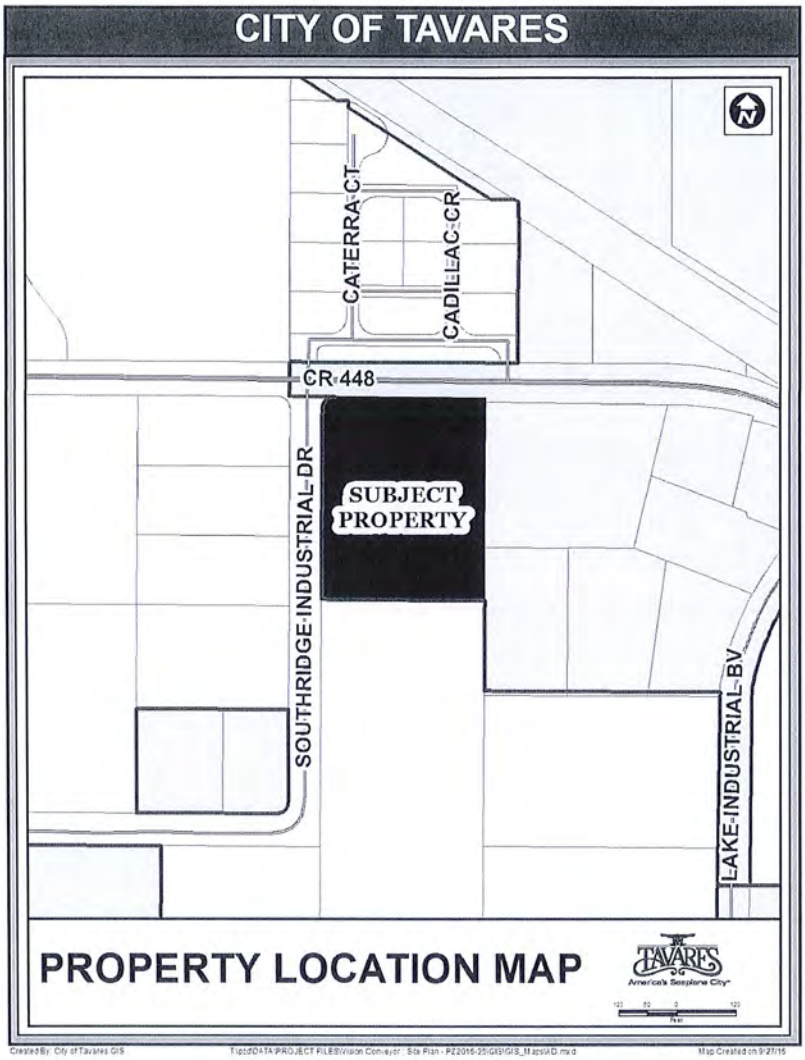
_____
Nancy Barnett, City Clerk

APPROVED AS TO FORM AND LEGALITY:

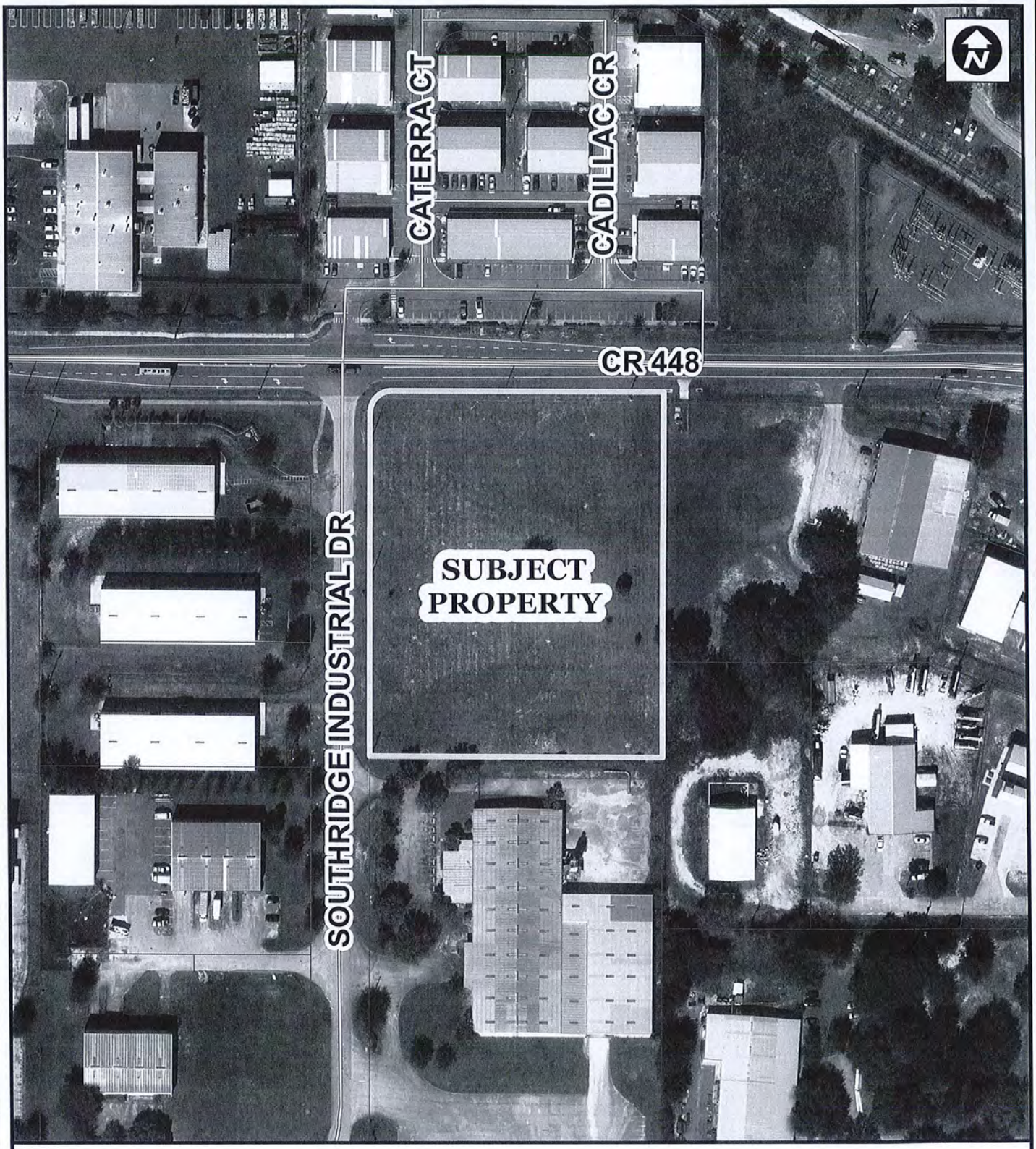
_____
Robert Q. Williams, City Attorney

**EXHIBIT "A"**

LOT 7, SOUTHRIDGE INDUSTRIAL CENTRE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 29, PAGE 59, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



# CITY OF TAVARES

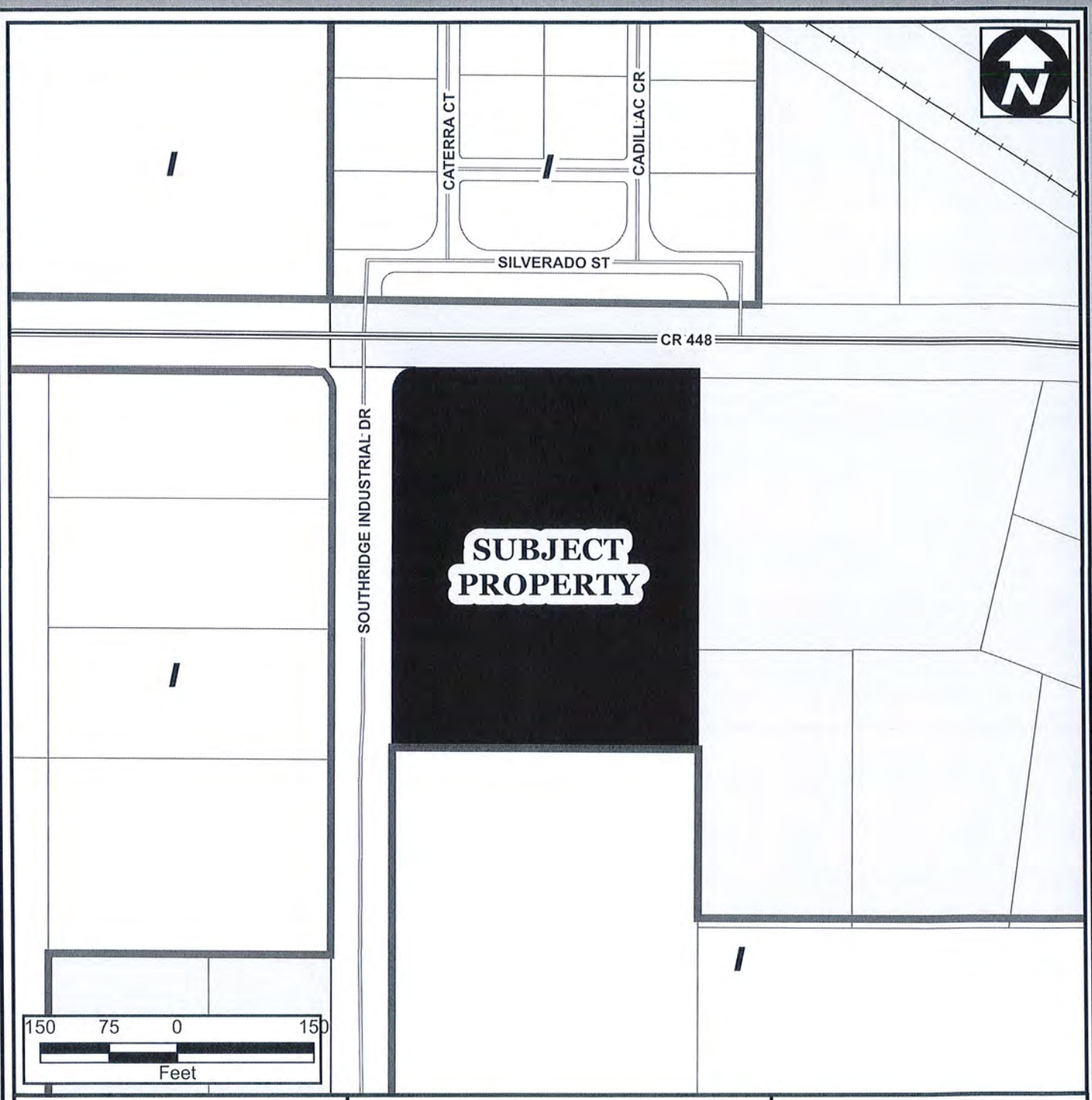



# PROPERTY LOCATION MAP

TAVARES
America's Seaplane City

90 45 0 90
Feet

# CITY OF TAVARES ORDINANCE # 2016-30




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

TAVARES America's Sailing City

## ZONING MAP

## ORDINANCE # 2016-30

**Vision Conveyor**

Current Zoning: Lake County Heavy Industrial
Proposed Zoning: Industrial
03.14 ± Acres

Legend

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

Orlando Sentinel

Publication Date: 10/17/2016

Ad Number: 4505592-2
Insertion Number:
Size: 3 x 10.5
Color Type: B&W
Client Name:
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E002/LAK
Description: ORD 2016-30&31/Legal County Ad

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



YOUR COMMUNITY IN BRIEF

# Library offers look into paranormal research

Staff report

Learn about the tools and equipment used by professional ghost hunters and get a closer look at science-based paranormal research with a Beyond Investigators team at 2 p.m. Saturday at the Leesburg Public Library, 100 E. Main St.

It's part of the library's lineup of Spooktacular October programs and events.

The group will share stories about their investigations, too. The program is not suitable for young children.

Area teens are invited to dress in costume and partake in some Halloween fun and games, treats and drink at 3:30 p.m. Oct. 26.

For adults, a "Ghosts of the Civil War," presentation, led by librarian Tom Wilcox, will include stories of unexplained happenings and ghostly sightings from the battlefields, hospitals, cemeteries and ships haunted by spirits from America's most cataclysmic war.

The program will take place at 2 p.m. Oct. 27.

Visit the library from 11 a.m. to 4 p.m. Oct. 29 and experience bewitching bookshelves and caterwauling catalogs during a Haunted Library event. Residents young and old are invited to wear costumes and travel through the special spellbound stacks and have a chance meeting with the ghost librarian.

All programs are free and open to the public.

For more details, call 352-728-9790 or email josephine.dix@leesburgflorida.gov.

## Trunk or treat

Faith Lutheran Church and School, 2727 S. Grove St., Eustis, is holding two Hallowen events Oct. 30, a free Trunk or Treat event from 3 to 4 p.m. and an Oktoberfest from 4 to 7 p.m.

The earlier activity will include games, treats and a prize for the best-decorated car, while the latter event will include food and live music for $5 per person. Children 5 and under are free. Tickets are available in the church office.

The public is invited.
Details: 352-589-5683.

## Anti-Bullying awareness campaign

The Lake County Anti-Bullying group has joined Stars Clap, a national nonprofit organization devoted to bullying and violence intervention and prevention, and is participating in its October fundraising campaign, "I Ride Against Bullying," by placing posters at area businesses.

Local residents are encouraged to take a picture with the poster and post it on the group's Facebook page, I Ride Against Bullying-Lake County.

Donors are needed to sponsor each picture for $2.

Money raised will support anti-bullying efforts in Lake County, including monthly meetings and possibly award programs for kids who show kindness.

For details, please call Robin Douglas at 352-942-0260.

## Zika Virus webpage

The city of Clermont has created a page on its website in the hopes of alleviating any worries its residents may have about the Zika virus.

In a news release, the city said it is closely monitoring the latest developments on the virus, and its Public Works Department is working closely with the county to spray where mosquitoes, which carry the virus, are most likely to breed.

To date, Lake County has only one confirmed case of Zika, and that person became infected while abroad.

To view the new web page, please go to ClermontFL.gov/zika.

A fact sheet is downloadable in both English and Spanish.

*Submit community news items to jfallstrom@orlandosentinel.com*

FREE SIEMENS HEARING AIDS

HEARING AIDS AT NO COST TO FEDERAL WORKERS AND RETIREES!
That's Right, No Co-Pay! No Exam Fee!
No Adjustment Fee!

Blue Cross Blue Shield Federal Insurance
Pays Total Cost Of
2 Siemens Full Contour Shell 101 Series Aids!
Federal Government Insurance Code #104, #105, #111 or #112.
Factory Pricing For Non-Qualifiers.

Call Today To See If You Qualify!
483-HEAR (4327)

CLERMONT
(352) 243-HEAR (4327)
221 N. Hwy. 27, Suite H
( across from Citrus Tower)

Lake Medical Hearing Centers
Family Owned and Operated

EUSTIS
(352) 483-HEAR (4327)
2755 S. Bay St., Suite F
(across from Tractor Supply)

## 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 2016-30 & Ordinance 2016-31 titled as follows:

**ORDINANCE 2016-30**

**AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 3.14 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND SOUTHRIDGE INDUSTRIAL DRIVE; 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 2016-31**

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 3.14 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND SOUTHRIDGE INDUSTRIAL DRIVE; FROM COUNTY INDUSTRIAL TO CITY INDUSTRIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

Proposed Ordinance 2016-30 & Ordinance 2016-31 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on October 20, 2016, at 3 p.m.; and
2. Tavares City Council meeting on November 2, 2016, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on December 7, 2016, at 4 p.m. (Second Reading)

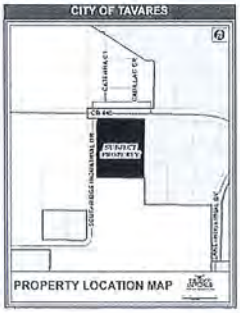
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2016-30 & Ordinance 2016-31 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 Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

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




PARKS & RECREATION

## Lake County Parks

*For more information, call 352-253-4950.*

## Altoona

**M c Tureous Memorial Park:** State Road 19, just north of Umatilla. Playground, picnic tables, grills and the McTureous Museum and Homestead across from the park.

## Astor

**Astor Recreational Park:** South on Alco Road (County Road 9588) off State Road 40. Playground, basketball court, softball fields, soccer field, football field, tennis court, shuffleboard court, picnic pavilion and stage.

## Clermont

**PalatlakahaRiver Park:** Hull Road. Playground, picnic pavilion, picnic tables, grills and fishing pier with boat ramp.

## Eustis

**Marsh Park:** Lake Yale Retreat Road off County Road 452. Playground, picnic tables, grill, basketball court and boat ramp.

## Ferndale

**Ferndale Preserve:** County Road 455. Equestrian trails, nature trails, picnic pavilion.

## Forest Hills

**Lake Mack Park:** Between Lake Mack Road and Lake Drive. Playground, picnic facility, volleyball court, basketball court, beach and canoe launch.

## Lake Jem

**Lake Jem Park:** East of County Road 448 on north side of Apopka-Beauclair Canal. Playground, basketball court, grills, picnic tables, picnic pavilions, nature walk and boat ramp.

## Leesburg

**PalatlakahaEnvironmental Agricultural Research Park (PEAR):** South of County Road 48 on U.S. Highway 27. Playground, picnic pavilion, ball fields, multiuse fields, exercise stations, dog park, nature walk and boardwalk.

**Twin LakesPark:** County Road 473. Features: Playground, picnic pavilion, picnic tables, grills, basketball court and boardwalk.

## Mount Dora

**Sylvan Shores Park:** Park Avenue and Morningside Drive overlooking Lake Gertrude. Promenade for walking and bicycling.

## Mount Plymouth

**Mount Plymouth Park:** Lochmore Circle and Exmoor Drive. Playground, picnic facility and volleyball court.

## Paisley

**Paisley Community** Park: State Road 42. Playground, picnic pavilion, grills, ball fields, volleyball/basketball court.

## Pine Lakes

**Pine Forest:** Off State Road 44, east of Pine Lakes. Playground, basketball court, multiuse field and picnic facility.

## Sorrento

**Sorrento Park:** Off State Road 46, corner of Church Street and DoaneAvenue. Playground, basketball court and picnic pavilion.

## Tavares

**Lake Idamere Park:** County Road 448 and State Road 19. Playground, picnic pavilions, picnic tables, grills, dog park, fishing pier and nature walk.

## Umatilla

**North Lake Community Park:** County Road 450 and Roger Giles Road. Playground, picnic pavilions, picnic tables, grills, baseball fields, multiuse fields, basketball courts, tennis courts, volleyball courts, dog park, exercise stations, nature trail and walking, running and biking trails.

**South Umatilla Park:** Ball Park Road off State Road 19. Playground, picnic pavilions and picnic tables.

## Lake County Water Authority

*For more information, call 352-324-6147 or lcwa.org*

**Bourlay Historic Nature Park:** North of U.S. Highway 441 on Canal Street in Leesburg. Hiking, exercise stations, bicycling, Cracker-style home, chickee hut and amphitheater, picnic tables, lakeside benches, native plant garden, bird-watching, fishing pier and kayak rentals.

**Crooked River Preserve:** On the north shore of Lake Louisa and east side of Palatlakaha River off Lake Louisa Drive in Clermont. Hiking, nature study and picnic tables, canoes available through reservations.

**Flat Island Preserve:** South of Leesburg on Owens Road off County Road 25A. Hiking, picnic tables, nature study, canoe rentals and camping available through reservations.

**Hickory Point Recreational Facility:** North end of the Howey bridge on State Road 19. Playground, 2-story picnic pavilion, picnic tables, grills, horseshoe pits, sand volleyball court, natural trail, swimming beach, fishing pier, boat ramp and docks, and kayaks are available. There is no charge to park.

**Hidden Waters Preserve:** North of U.S. Highway 441 in Eustis between Country Club and Abrams roads. Hiking and bird-watching.

**Sabal Bluff Preserve:** On Leesburg Mobile City Road off County Road 44 east of Leesburg. Hiking, bicycling, picnic tables and bird-watching. Golf cart access.

**Sawgrass Island Preserve:** On the north side of Lake Yale, northwest of Eustis on Thomas Boat Landing Road. Hiking, equestrian trails, picnic tables, bicycling and nature study. Primitive camping available; reservations required.

## Orange County Parks & Recreation

**West Orange Trail:** Killarney Station is on State Road 50 at the Lake-Orange county line, east of Clermont. The 22-mile paved trail stretches to Apopka. Bicycling, skating, walking and running. Details: 407-654-1108.

## State Parks, Trails

**Gen. James A. Van Fleet State Trail:** The 29.2-mile trail begins at Mabel, four miles west of Mascotte on State Road 50, to Polk County. Path for bicycling, in-line skating and hiking. Details: 352-516-7384.

**Lake Griffin State Park:** 3090 U.S. Highway 27-441, Fruitland Park. Fishing, boat ramp, canoe rentals, camping, picnic pavilion, picnic tables, grills, playground, volleyball net, horseshoe pits and nature trail. Admission is $4 single occupant vehicle, $5 per vehicle (two to eight people) and $2 pedestrians and bicyclists. Details: 352-360-6760.

PICKLES

**How to reach us:** Lake County newsroom contacts

COUNTY EDITOR
JERRY FALLSTROM
jfallstrom@orlandosentinel.com
352-742-5916

LAKE NEWS ONLINE
LakeSentinel.com

Delivery issues, wet paper complaints, vacation stops, manager contact:

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

| BOARD MEMBERS PRESENT | BOARD MEMBERS ABSENT |
|---|---|
| Gary Santoro, Chairman | |
| Richard Root , Vice Chairman | |
| Bill Stomp | |
| Norb Thomas | |
| Lou Buigas | |
| Roy Stevenson | |
| Morris Osborn | |

**LAKE COUNTY SCHOOL BOARD**

| STAFF MEMBERS PRESENT | STAFF MEMBERS ABSENT |
|---|---|
| Bob Williams, City Attorney | |
| Jacques Skutt, Community Development Director | |
| Michael Fitzgerald, Development Coordinator | |

## CALL TO ORDER

Gary Santoro called the meeting to order at 3:00 p.m. and those present recited the Pledge of Allegiance.

## AGENDA REVIEW

None.

## APPROVAL OF MINUTES

The September 15, 2016 Planning and Zoning Board minutes were approved as submitted.

## MOTION

**Roy Stevenson moved for the approval of the September 15, 2016 Planning and Zoning Board Minutes, seconded by Richard Root. The motion carried 6-0 with Gary Santoro abstaining.**

## SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Those persons present to provide case testimony were sworn in by Attorney Williams. Lou Buigas disclosed her discussions with business owners abutting 125 E. Burleigh Blvd. (ref. Resolution 16-19)

## PUBLIC HEARINGS:

## CASES HEARD

1. **Ordinance 2016-30 – Vision Conveyor, Inc. – Annexation, Rezoning**

Mr. Skutt provided the following staff report:

*The subject property, lot 7 of the Southridge Industrial Center, is located at the southeast corner of C.R. 448 and Southridge Industrial Drive. The property is vacant. The applicant, Vision Conveyor, desires to develop a small industrial complex consisting of 6 industrial buildings of about 5,000 square feet each. The property is contiguous to our city boundary and city water and wastewater utilities are available to this site. 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.*
*The applicant is concurrently seeking a City of Tavares Industrial Future Land Use designation and has also submitted an application for site plan review.*
*This property is located in the Tavares' "Industrial Park" economic district with existing manufacturing businesses operating within Southridge Industrial and Lake Industrial Subdivisions.*

**DISCUSSION**

Gary Santoro asked the Board if they had questions for staff.

Ted Wicks introduced himself as the applicant's representative. He explained that the plan for the property is similar to what the owner had constructed across the street, a multiple building complex. There would be no platting and individual sale of buildings though. The project would be owned by Vision Conveyor, Inc. He stated that each building would result in employing approximately 4 to 6 people with 6 buildings proposed. He stated that the traffic impact in the area would be minimal.

Gary Santoro asked for detail regarding determination of traffic impact.

Ted Wicks stated that the roads in the area were below capacity and that the traffic generated by the industrial use would have low impact.

Morris Osborn asked about the proposed entrance location.

Ted Wicks stated that the entrance would be from Southridge Industrial Drive.

Bill Stomp asked if staff could provide a map showing city limits and depicting the property that is still in Lake County.

Jacques Skutt stated that a map could be provided.

Bill Stomp asked if there is a plan for using re-use water lines in that area.

Jacques Skutt stated that the City of Tavares Utility Department is working on a utility master plan for Tavares.

Bill Stomp made a recommendation that City staff plan for re-use water lines in the industrial area.

Jacques Skutt stated that fire hydrants could possibly be connected to re-use lines.

Ted Wicks stated that re-use water line installation in the area would require substantial funding, but certainly would benefit businesses as a water service alternative. He stated that grant money would be a possible funding solution.

**MOTION**

**Bill Stomp moved to recommend approval of Ordinance 2016-30, seconded by Richard Root. The motion carried unanimously 7-0.**

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 9** **FIRST READING**

**SUBJECT TITLE:** **Ordinance 2016-31**
**Small Scale FLUM Amendment- Vision Conveyor Property – C.R. 448**

---

## OBJECTIVE:

To consider a Future Land Use Map amendment for approximately 3.14 acres of property located on the southeast corner of C.R. 448 and Southridge Industrial Drive from County Industrial to City Industrial.

## SUMMARY:

Ordinance 2016-31 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 3259327) is 3.14 acres in size, located on the southeast corner of C.R. 448 and Southridge Industrial Drive. An application to annex and rezone this property to an Industrial designation and an application for site plan approval 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 are industrial in nature. The property is located within the City of Tavares' Industrial Park economic area.

Site Conditions
The property is currently vacant. The applicant desires to develop a small industrial complex consisting of 6 buildings on this site. 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 property 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:**

No Council action required at First Reading.

**PLANNING & ZONING BOARD RECOMMENDATION:**

At its October 20 meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2016-31.

**STAFF RECOMMENDATION:**

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2016-31.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

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

# ORDINANCE 2016-31

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APRROXIMATELY 3.14 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND SOUTHRIDGE INDUSTRIAL DRIVE; FROM COUNTY INDUSTRIAL TO CITY INDUSTRIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR 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 City of Tavares is concurrently processing the annexation of this property with proceedings to amend the Future Land Use Map designation pertaining to said property from Lake County Industrial to City of Tavares Industrial; and

**WHEREAS,** the property consists of less than ten acres;

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

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

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

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

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

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

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

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

**Section 1. Future Land Use Amendment**

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

**Section 2. Severability and Conflicts**

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

**Section 3. Transmittal**

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

**Section 4. Effective Date**

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

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

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

_____
Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

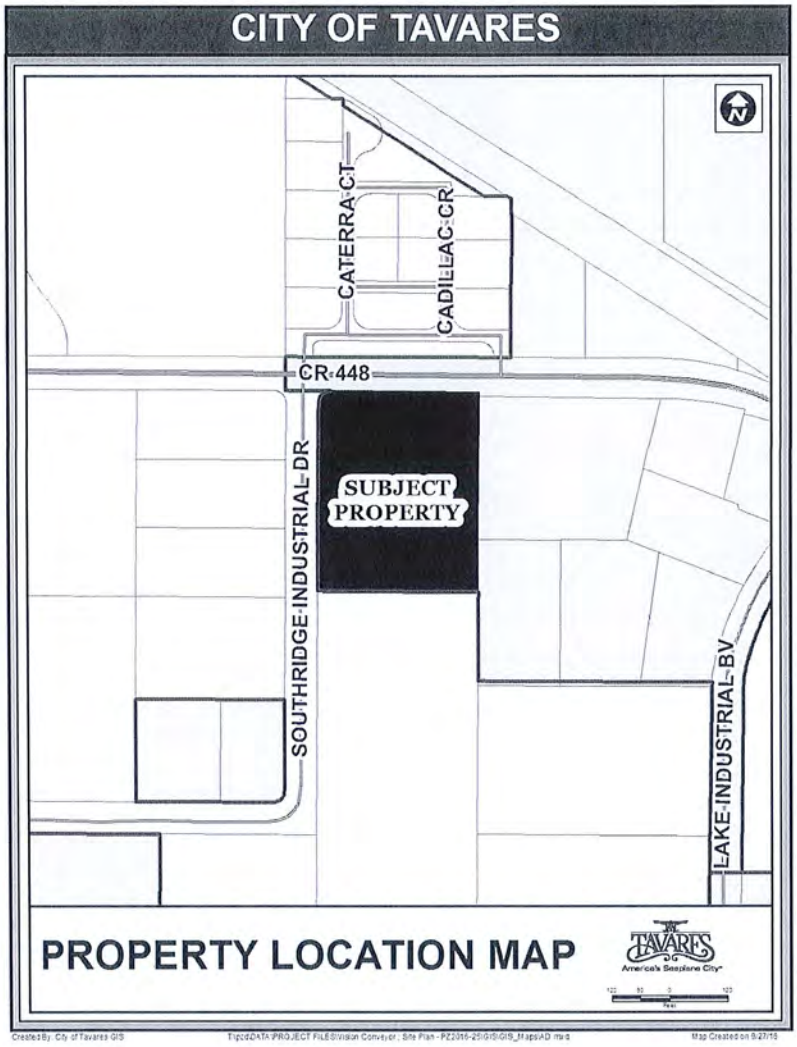
_____
Nancy A. Barnett, City Clerk

Approved as to form:

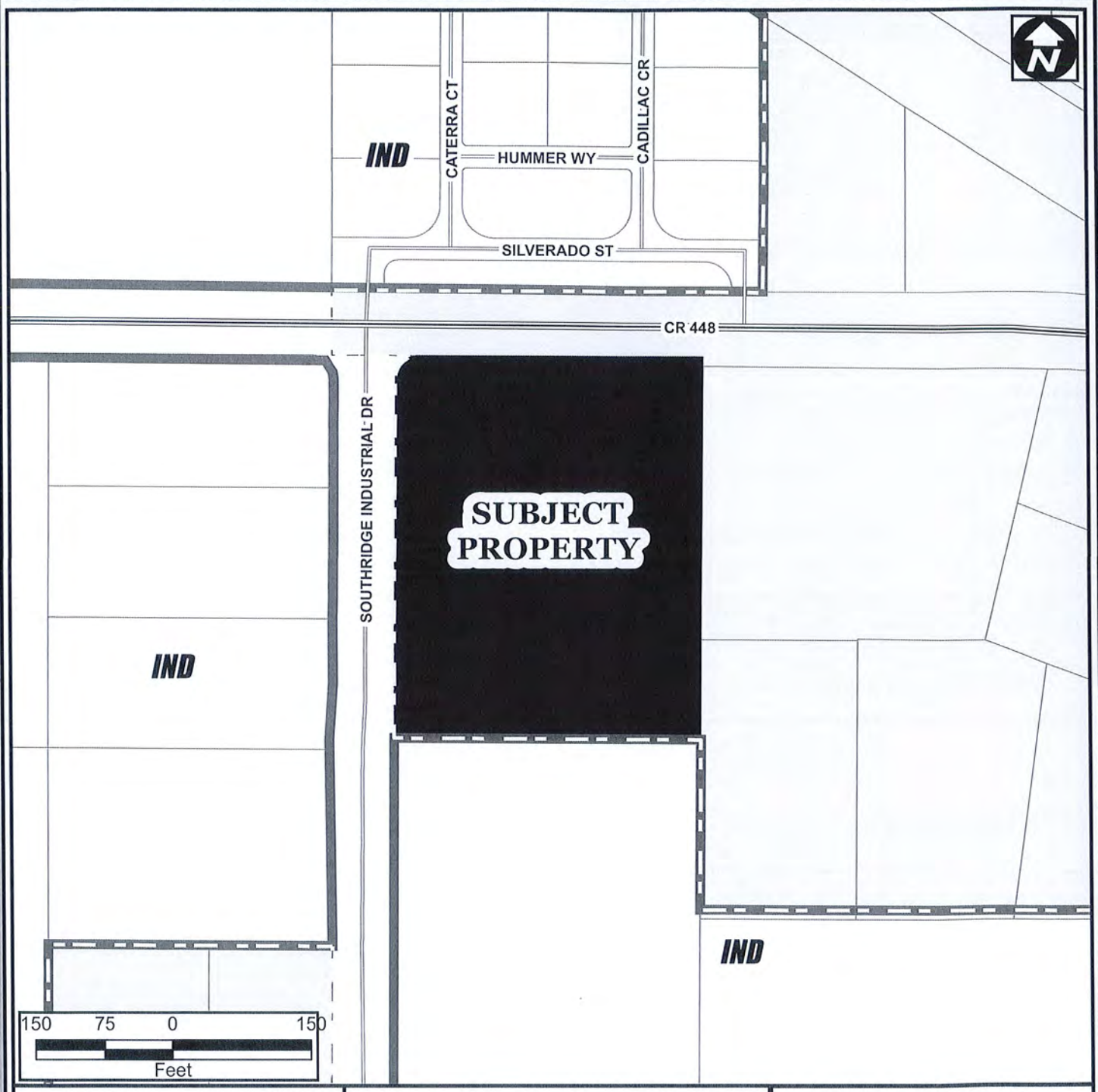
_____
Robert Q. Williams, City Attorney

**EXHIBIT "A"**

LOT 7, SOUTHRIDGE INDUSTRIAL CENTRE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 29, PAGE 59, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



# CITY OF TAVARES ORDINANCE # 2016-31




| | | |
|---|---|---|
| SUB | Suburban | 3.0 DU/Acre |
| SUB EX | Suburban Expansion | 4.0 DU/Acre |
| LOW | Low Density | 5.6 DU/Acre |
| MOD | Moderate Density | 10 DU/Acre |
| MED | Medium Density | 12 DU/Acre |
| HD | High Density | 12-25 DU/Acre |
| MH | Mobile Home | 8.7 DU/Acre |
| MUN | Mixed Use Neighborhood | 12 DU/Acre |
| MUC | Mixed Use Commercial | 25 DU/Acre |
| COM | Comercial | |
| CD | Commercial Downtown | 25 DU/Acre |
| IND | Industrial | |
| PUB | Public Facility/Institutional | |
| CONS | Westlands & Conservation | |

TAVARES
America's Seaplane City

## FUTURE LAND USE MAP

## ORDINANCE # 2016-31

**Vision Conveyor**

Current FLU: County Industrial
Proposed FLU: Industrial

3.14 ± Acres

Legend

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

Orlando Sentinel

Publication Date: 10/17/2016

Ad Number: 4505592-2
Insertion Number:
Size: 3 x 10.5
Color Type: B&W
Client Name:
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E002/LAK
Description: ORD 2016-30&31/Legal County Ad

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



YOUR COMMUNITY IN BRIEF

# Library offers look into paranormal research

Staff report

Learn about the tools and equipment used by professional ghost hunters and get a closer look at science-based paranormal research with a Beyond Investigators team at 2 p.m. Saturday at the Leesburg Public Library, 100 E. Main St.

It's part of the library's lineup of Spooktacular October programs and events.

The group will share stories about their investigations, too. The program is not suitable for young children.

Area teens are invited to dress in costume and partake in some Halloween fun and games, treats and drink at 3:30 p.m. Oct. 26.

For adults, a "Ghosts of the Civil War," presentation, led by librarian Tom Wilcox, will include stories of unexplained happenings and ghostly sightings from the battlefields, hospitals, cemeteries and ships haunted by spirits from America's most cataclysmic war.

The program will take place at 2 p.m. Oct. 27.

Visit the library from 11 a.m. to 4 p.m. Oct. 29 and experience bewitching bookshelves and caterwauling catalogs during a Haunted Library event. Residents young and old are invited to wear costumes and travel through the special spellbound stacks and have a chance meeting with the ghost librarian.

All programs are free and open to the public.

For more details, call 352-728-9790 or email josephine.dix@leesburgflorida.gov.

## Trunk or treat

Faith Lutheran Church and School, 2727 S. Grove St., Eustis, is holding two Hallowen events Oct. 30, a free Trunk or Treat event from 3 to 4 p.m. and an Oktoberfest from 4 to 7 p.m.

The earlier activity will include games, treats and a prize for the best-decorated car, while the latter event will include food and live music for $5 per person. Children 5 and under are free. Tickets are available in the church office.

The public is invited.
Details: 352-589-5683.

## Anti-Bullying awareness campaign

The Lake County Anti-Bullying group has joined Stars Clap, a national nonprofit organization devoted to bullying and violence intervention and prevention, and is participating in its October fundraising campaign, "I Ride Against Bullying," by placing posters at area businesses.

Local residents are encouraged to take a picture with the poster and post it on the group's Facebook page, I Ride Against Bullying-Lake County.

Donors are needed to sponsor each picture for $2.

Money raised will support anti-bullying efforts in Lake County, including monthly meetings and possibly award programs for kids who show kindness.

For details, please call Robin Douglas at 352-942-0260.

## Zika Virus webpage

The city of Clermont has created a page on its website in the hopes of alleviating any worries its residents may have about the Zika virus.

In a news release, the city said it is closely monitoring the latest developments on the virus, and its Public Works Department is working closely with the county to spray where mosquitoes, which carry the virus, are most likely to breed.

To date, Lake County has only one confirmed case of Zika, and that person became infected while abroad.

To view the new web page, please go to ClermontFL.gov/zika.

A fact sheet is downloadable in both English and Spanish.

*Submit community news items to jfallstrom@orlandosentinel.com*

FREE SIEMENS HEARING AIDS

HEARING AIDS AT NO COST TO FEDERAL WORKERS AND RETIREES!
That's Right, No Co-Pay! No Exam Fee!
No Adjustment Fee!

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Pays Total Cost Of
2 Siemens Full Contour Shell 101 Series Aids!
Federal Government Insurance Code #104, #105, #111 or #112.
Factory Pricing For Non-Qualifiers.

Call Today To See If You Qualify!
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CLERMONT
(352) 243-HEAR (4327)
221 N. Hwy. 27, Suite H
(ACROSS FROM CITRUS TOWER)

Lake Medical Hearing Centers
Family Owned and Operated

EUSTIS
(352) 483-HEAR (4327)
2755 S. Bay St., Suite F
(ACROSS FROM TRACTOR SUPPLY)

## 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 2016-30 & Ordinance 2016-31 titled as follows:

**ORDINANCE 2016-30**

**AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 3.14 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND SOUTHRIDGE INDUSTRIAL DRIVE; 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 2016-31**

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 3.14 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND SOUTHRIDGE INDUSTRIAL DRIVE; FROM COUNTY INDUSTRIAL TO CITY INDUSTRIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

Proposed Ordinance 2016-30 & Ordinance 2016-31 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on October 20, 2016, at 3 p.m.; and
2. Tavares City Council meeting on November 2, 2016, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on December 7, 2016, at 4 p.m. (Second Reading)

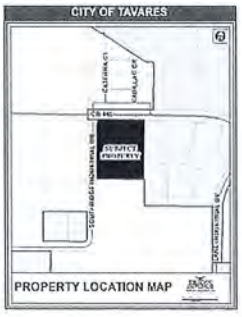
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2016-30 & Ordinance 2016-31 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 Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

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




PARKS & RECREATION

## Lake County Parks

*For more information, call 352-253-4950.*

## Altoona

**M c Tureous Memorial Park:** State Road 19, just north of Umatilla. Playground, picnic tables, grills and the McTureous Museum and Homestead across from the park.

## Astor

**Astor Recreational Park:** South on Alco Road (County Road 9588) off State Road 40. Playground, basketball court, softball fields, soccer field, football field, tennis court, shuffleboard court, picnic pavilion and stage.

## Clermont

**PalatlakahaRiver Park:** Hull Road. Playground, picnic pavilion, picnic tables, grills and fishing pier with boat ramp.

## Eustis

**Marsh Park:** Lake Yale Retreat Road off County Road 452. Playground, picnic tables, grill, basketball court and boat ramp.

## Ferndale

**Ferndale Preserve:** County Road 455. Equestrian trails, nature trails, picnic pavilion.

## Forest Hills

**Lake Mack Park:** Between Lake Mack Road and Lake Drive. Playground, picnic facility, volleyball court, basketball court, beach and canoe launch.

## Lake Jem

**Lake Jem Park:** East of County Road 448 on north side of Apopka-Beauclair Canal. Playground, basketball court, grills, picnic tables, picnic pavilions, nature walk and boat ramp.

## Leesburg

**PalatlakahaEnvironmental Agricultural Research Park (PEAR):** South of County Road 48 on U.S. Highway 27. Playground, picnic pavilion, ball fields, multiuse fields, exercise stations, dog park, nature walk and boardwalk.

**Twin LakesPark:** County Road 473. Features: Playground, picnic pavilion, picnic tables, grills, basketball court and boardwalk.

## Mount Dora

**Sylvan Shores Park:** Park Avenue and Morningside Drive overlooking Lake Gertrude. Promenade for walking and bicycling.

## Mount Plymouth

**Mount Plymouth Park:** Lochmoe Circle and Exmoor Drive. Playground, picnic facility and volleyball court.

## Paisley

**Paisley Community** Park: State Road 42. Playground, picnic pavilion, grills, ball fields, volleyball/basketball court.

## Pine Lakes

**Pine Forest:** Off State Road 44, east of Pine Lakes. Playground, basketball court, multiuse field and picnic facility.

## Sorrento

**Sorrento Park:** Off State Road 46, corner of Church Street and DoaneAvenue. Playground, basketball court and picnic pavilion.

## Tavares

**Lake Idamere Park:** County Road 448 and State Road 19. Playground, picnic pavilions, picnic tables, grills, dog park, fishing pier and nature walk.

## Umatilla

**North Lake Community Park:** County Road 450 and Roger Giles Road. Playground, picnic pavilions, picnic tables, grills, baseball fields, multiuse fields, basketball courts, tennis courts, volleyball courts, dog park, exercise stations, nature trail and walking, running and biking trails.

**South Umatilla Park:** Ball Park Road off State Road 19. Playground, picnic pavilions and picnic tables.

## Lake County Water Authority

*For more information, call 352-324-6141 or lcwa.org.*

**Bourlay Historic Nature Park:** North of U.S. Highway 441 on Canal Street in Leesburg. Hiking, exercise stations, bicycling. Cracker-style home, chickee hut and amphitheater, picnic tables, lakeside benches, native plant garden, bird-watching, fishing pier and kayak rentals.

**Crooked River Preserve:** On the north shore of Lake Louisa and east side of Palatlakaha River off Lake Louisa Drive in Clermont. Hiking, nature study and picnic tables, canoes available through reservations.

**Flat Island Preserve:** South of Leesburg on Owens Road off County Road 25A. Hiking, picnic tables, nature study, canoe rentals and camping available through reservations.

**Hickory Point Recreational Facility:** North end of the Howey bridge on State Road 19. Playground, 2-story picnic pavilion, picnic tables, grills, horseshoe pits, sand volleyball court, natural trail, swimming beach, fishing pier, boat ramp and docks, and kayaks are available. There is no charge to park.

**Hidden Waters Preserve:** North of U.S. Highway 441 in Eustis between Country Club and Abrams roads. Hiking and bird-watching.

**Sabal Bluff Preserve:** On Leesburg Mobile City Road off County Road 44 east of Leesburg. Hiking, bicycling, picnic tables and bird-watching. Golf cart access.

**Sawgrass Island Preserve:** On the north side of Lake Yale, northwest of Eustis on Thomas Boat Landing Road. Hiking, equestrian trails, picnic tables, bicycling and nature study. Primitive camping available; reservations required.

## Orange County Parks & Recreation

**West Orange Trail:** Killarney Station is on State Road 50 at the Lake-Orange county line, east of Clermont. The 22-mile paved trail stretches to Apopka. Bicycling, skating, walking and running. Details: 407-654-3108.

## State Parks, Trails

**Gen. James A. Van Fleet State Trail:** The 29.2-mile trail begins at Mabel, four miles west of Mascotte on State Road 50, to Polk County. Path for bicycling, in-line skating and hiking. Details: 352-516-7384.

**Lake Griffin State Park:** 3090 U.S. Highway 27-441, Fruitland Park. Fishing, boat ramp, canoe rentals, camping, picnic pavilion, picnic tables, grills, playground, volleyball net, horseshoe pits and nature trail. Admission is $4 single occupant vehicle, $5 per vehicle (two to eight people) and $2 pedestrians and bicyclists. Details: 352-360-6760.

PICKLES

**How to reach us:** Lake County newsroom contacts

COUNTY EDITOR
JERRY FALLSTROM
jfallstrom@orlandosentinel.com
352-742-5916

LAKE NEWS ONLINE
LakeSentinel.com

Delivery issues, wet paper complaints, vacation stops, manager contact:

## 2. Ordinance 2016-31 – Vision Conveyor Inc. – SSFLUM

Mr. Skutt provided the following staff report:

*Ordinance 2016-31 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.*

*The subject property (Parcel Alternate Key Number 3259327) is 3.14 acres in size, located on the southeast corner of C.R. 448 and Southridge Industrial Drive. An application to annex and rezone this property to an Industrial designation and an application for site plan approval 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 are industrial in nature. The property is located within the City of Tavares' Industrial Park economic area.*

*Site Conditions*

*The property is currently vacant. The applicant desires to develop a small industrial complex consisting of 6 buildings on this site. 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 property 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)*

**DISCUSSION**

Gary Santoro asked the Board if they had questions for staff.

There was no audience or Board discussion

**MOTION**

**Morris Osborn moved to recommend approval of Ordinance 2016-31, seconded by Bill Stomp. The motion carried unanimously 7-0.**

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**November 2, 2016**

**AGENDA TAB NO. 10**

**SUBJECT TITLE: Ordinance No. 2016-33** Amending Chapter 15 of the City of Tavares Code of Ordinances to comply with the Laws of Florida and Internal Revenue Code Law Provisions

---

**OBJECTIVE**:

Approve Ordinance 2016-33 which amends Section 15 of the City of Tavares Code of Ordinances, City of Tavares Police Officers' Pension Plan to comply with Florida and Internal Revenue Code Law changes.

**SUMMARY:**

Ordinance 2016-33 provides changes to the Police Pension Plan to comply with recent legislative changes by the Florida Legislature as well as changes to the Internal Revenue Code, related Treasury Regulations, and guidance from the Internal Revenue Service.

The Pension Plan Board Attorney, Scott Christiansen, Law Offices of Christiansen & Dehner, P.A., has prepared Ordinance 2016-33 to address these legislative and Internal Revenue Code (IRC) changes. A summary of the changes are as follows:

- Amend definitions for IRC changes and requirements
- Normal Retirement Date amended to include IRC required language
- Amend Disability provisions to more clearly identify eligibility for terminated employees
- Amend Optional Forms of Benefits to clarify language for calculations and clarify language for joint pensioner changes
- Amend Deferred Retirement Option Plan (DROP) in accordance with recent direction from the IRS, to amend provisions for interest calculation and pay
- Add Supplemental Benefit Component for Special Benefits, Chapter Share Accounts due to requirement of FS § 185.35.
- Amend definition of Actuarial Equivalent to match current valuation assumptions for mortality and interest.

The Plan Actuaries, Foster and Foster, has provided a letter of "no-impact" to the plan that no formal Actuarial Impact Statement is required to support adoption. A copy of their letter detailing the Plan changes, and their opinion is attached.

The City's Pension Consultant, The Bogdan Group, has reviewed Ordinance 2016-33 as well and supports the claim of "no-impact" to the Plan. They have provided

a letter detailing their review (attached). The Bogdan Group did however provide additional perspective concerning the establishment of the Shared Plan stating that although the plan has been created, it is subject to mutual agreement between the City and the Union to determine funding.

## OPTIONS:

1. Adopt Ordinance 2016-33 amending Chapter 15 of the Code of Ordinances for the City of Tavares Police Officer's Retirement Plan.

2. Do not Approve Ordinance 2016-33.

## STAFF RECOMMENDATION:

**Option 1.**

**Move to Adopt Ordinance 2016-33** amending Chapter 15 of the Code of Ordinances for the City of Tavares Police Officer's Retirement Plan.

## FISCAL IMPACT:

N/A

## LEGAL SUFFICIENCY:

This Resolution has been reviewed by the City Attorney.

**ORDINANCE NO. 2016-___**

**AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-71, DEFINITIONS; AMENDING SECTION 15-72, MEMBERSHIP; AMENDING SECTION 15-74, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 15-76, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 15-77, PRE-RETIREMENT DEATH; AMENDING SECTION 15-78, DISABILITY; AMENDING SECTION 15-80, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 15-85, MAXIMUM PENSION; AMENDING SECTION 15-86, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 15-89, DOMESTIC RELATIONS ORDERS; RETIREE DIRECTED PAYMENTS; EXEMPTION FROM EXECUTION, NON-ASSIGNABILITY; AMENDING SECTION 15-98, DEFERRED RETIREMENT OPTION PLAN; ADDING SECTION 15-100, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 185 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 IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-71, Definitions, to amend the definitions of "Actuarial Equivalent", "Credited Service", "Effective Date" and "Spouse", to read as follows:

* * * * *

*Actuarial equivalent* means a benefit or amount of equal value, based upon the RP 2000 Combined Healthy ~~Male~~ Unisex Mortality Table ~~with Blue Collar Adjustment projected to the fiscal year commencement date that includes the benefit commencement date for participants and the RP 2000 Combined Healthy Mortality Female Table with Blue Collar Adjustment projected to the fiscal year commencement date that includes the benefit commencement date for beneficiaries, with ages set forward five years for disabled participants~~ 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 police officer with member contributions, when required, omitting intervening years or fractional parts of years when such member was not employed by the city as a police officer. 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 Police Department pending the possibility of being reemployed as a police

officer, without losing credit for the time that he was a member of the system. If a vested member leaves the employ of the Tavares Police Department, his accumulated contributions will be returned only upon his written request. If a member who is not vested is not reemployed as a police officer with the Tavares Police 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 police officer 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 police officer 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 police officer 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 police officer 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 21, 2001.

* * * * *

*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 IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-72, 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 police chief may, ~~within the first three months of~~ upon employment as police 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 police 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 15-75 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 shall not be eligible for any other benefits from the plan.

* * * * *

**SECTION 3**: That Chapter 15, Pensions and Retirement, Article IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-74, 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 2011-1, IRS 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 IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-76, 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 completion of twenty five (25) years of credited service, regardless of age. 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 completion of twenty five (25) years of credited service, regardless of age. 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 IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-77, Pre-Retirement Death, subsection (b)(2), to read as follows:

* * * * *

(b)(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 IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-78, 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 police officer, which disability was directly caused by the performance of his duty as a police officer, shall, upon establishing the same to the satisfaction of the board, be entitled to a monthly pension equal to three (3) percent of his average final compensation multiplied by the total years of credited service, 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 police officer, which disability is not directly caused by the performance of his duties as a police officer shall, upon establishing the same to the satisfaction of the board, be entitled to a monthly pension equal to three (3) percent of his average final compensation multiplied by the total years of credited service. 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 IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-80, 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 15-98, 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 IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-85, Maximum Pension, subsections (f), (h), (l)(2), and by 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. 15-78, or pre-retirement death benefits paid pursuant to Sec. 15-77.

* * * * *

(h) *Ten Thousand Dollar ($10,000) Limit; Less Than Ten Years of Service*. Notwithstanding anything in this Sec. 15-85, 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. 15-85 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. 15-85 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).

* * * * *

(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 IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-86, Minimum Distribution of Benefits, subsection (b)(2)d., to read as follows:

* * * * *

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 IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-89, Domestic Relations Orders; Retiree Directed Payments; Exemption from Execution, Non-Assignability, subsection (b), Retiree Directed Payments, to read as follows:

* * * * *

(b) *Retiree directed payments.* The board may, upon written request by a retiree or by a dependent, when authorized by a retiree or the retiree's beneficiary, authorize the system to withhold from the monthly retirement payment those funds that are necessary to pay for the benefits being received through the city, to pay insurance premiums ~~if~~ as permitted by Chapter 185, F.S., to pay the certified bargaining agent of the city, and to make any payments for child support or alimony.

* * * * *

**SECTION 11**: That Chapter 15, Pensions and Retirement, Article IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-98, Deferred Retirement Option Plan, to read as follows:

**Sec. 15-98. Deferred retirement option plan.**

(a) *Definitions.* As used in this section 15-98, the following definitions apply:

(1) *"DROP"* -- The City of Tavares Police Officers' 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 Police Officer, 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 Police Officer.

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 Police Officer.

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. 15-99.

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 Police Officer, no amounts shall be paid to him from the system until he terminates his employment as a Police Officer. 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 Police Officer.

(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 Police Officer 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 Police Officer.

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 Police Department. A member employed by the Police 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. 15-99.

(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 Police Officer. 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 Police Officer.

(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 15-94.

(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. 15-98 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).

(~~1~~ 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 (3) 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 (3) 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 15-98 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 IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by adding Section 15-100, Supplemental Benefit Component for Special Benefits; Chapter 185 Share Accounts, to read as follows:

**Sec. 15-100. Supplemental benefit component for special benefits; Chapter 185 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 185, premium tax monies for each plan year which are allocated to this supplemental component as provided for in F.S. §185.35. Amounts allocated to this supplemental component ("Share Plan") shall be further allocated to the members and DROP participants in a manner to be agreed upon.

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

**SECTION 15**: 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.

_____
Lori Pfister, Mayor
Tavares City Council

Passed First Reading:_____

Passed Second Reading:_____

ATTEST:

_____
Nancy A. Barnett
CITY CLERK

Approved as to form:

_____
Robert Q. Williams
CITY ATTORNEY

October 6, 2016

VIA EMAL

Ferrell Jenne, Plan Administrator
City of Tavares
Police Officers' Pension Trust Fund
13420 Parker Commons Blvd, Suite 104
For Myers, FL 33912

Re: City of Tavares Police Officers' Pension Trust Fund

Dear Ferrell:

In response to the letter from Scott Christiansen dated September 2, 2016, we have reviewed the proposed Ordinance (identified on page 16 as dm/tav/pol/09-01-16.ord), including, but not limited to the following changes:

1) Section 15-71, Definitions, is being amended for IRC changes and requirements.

2) Section 15-76, 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.

3) Section 15-78, 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.

4) Section 15-80, 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.

5) Section 15-98, 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 clarify investment returns on DROP accounts and add several sections clarifying the DROP provisions as required by the IRS.

    Also being amended are the provisions regarding when the interest is calculated and paid, which will avoid a participants 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.

6) Section 15-100, Supplemental Benefit Component for Special Benefits; Chapter Share Accounts, is a new Section being added to the plan. This Section establishes the defined contribution component ("share plan") as part of the defined benefit pension plan. This is a requirement of Section 185.35, Florida Statues. This Ordinance languages provides that the share plan shall not be activated until and unless Ch. 185 premium tax revenues are allocated to the share plan. At such time as the city and unions mutually agree that Ch. 185 premium tax revenues will be allocated to the share plan, the parties will negotiate the details of the share plan.

Additionally, the definition of Actuarial Equivalent is being amended to match the current valuation assumptions for mortality and interest. While adoption of these assumptions may result in a de minimis impact (either positive or negative) over the life of the Plan, it is not currently measureable, 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

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
DHL/lke

cc: Scott R. Christiansen, Plan Attorney

THE BOGDAHN GROUP
*simplifying your investment and fiduciary decisions*

# MEMORANDUM

FROM: Tony Kay, The Bogdahn Group
TO: **City of Tavares Police Officers' Pension Trust Fund**
DATE: October 21, 2016
RE: Summary of Proposed Pension Ordinance Revisions

I have provided below my review of the proposed ordinance revisions for the City of Tavares Police Officers' Pension Trust Fund ('the Plan').

AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-71, DEFINITIONS; AMENDING SECTION 15-72, MEMBERSHIP; AMENDING SECTION 15-74, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 15-76, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 15-77, PRE-RETIREMENT DEATH; AMENDING SECTION 15-78, DISABILITY; AMENDING SECTION 15-80, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 15-85, MAXIMUM PENSION; AMENDING SECTION 15-86, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 15-98, DEFERRED RETIREMENT OPTION PLAN; ADDING SECTION 15-100, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 185 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 185, 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 185, 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.

**4901 Vineland Road ◌ Suite 600 ◌ Orlando, Florida 32811**
**Telephone (866) 240-7932 ◌ Facsimile (863) 292-8717**
**www.bogdahngroup.com**

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**November 2, 2016**

**AGENDA TAB NO. 11**

**SUBJECT TITLE: Ordinance No. 2016-32** Amending Chapter 15 of the City of Tavares Code of Ordinances for Police Officer's Retirement Pension Fund - **SECOND READING**

**OBJECTIVE**:

Approve Ordinance 2016-32 which permits the City to purchase prior service for an employee without tax consequences to the plan member.

**SUMMARY:**

On September 7, 2016, the City Council approved the reclassification of a Police Lieutenant position to an entry level Police Officer position and authorized the purchase of one year of prior service for retirement purposes for the vacating Police Officer.

Ordinance 2016 – 32 adds sub section (7) to the City of Tavares Police Officer's Retirement Plan, Section 15-97 of the code of City Ordinances titled "Prior police service". The new sub section permits the City to agree to purchase for a member, all or any portion of the service described in the section. In the case of City Purchase, the City will pay to the plan, all or a portion of the amount defined in sub section (1) for the agreed upon specific credited service with the member paying the remainder of the required amount.

Previously, with the Reclassification of a Police Lieutenant position, the City Council approved the purchase of one year of service with the City paying 95% of the cost to purchase one year of service. One year of service was prefaced on an October 1st Retirement Date.

The Police Pension Board Attorney, Scott Christiansen of Christiansen & Dehner, P.A., recommends that this Ordinance be adopted as soon as possible. Further, it is recommended that Lt. Paynter's retirement date be delayed to after approval of this ordinance.

Ordinance No. 2016-32 provides the needed amendment to the Police Officer's Retirement Plan in order to effect the purchase of service for Lt. Paynter by the City for the City's agreed portion of the cost. Please note that the underlined changes are recommended by the City Attorney.

**OPTIONS:**

1. Adopt Ordinance 2016-32 amending Chapter 15 of the Code of Ordinances for the City of Tavares Police Officer's Retirement Plan permitting purchase of prior employee service by the City.

2. Do not Approve Ordinance 2016-32.

**STAFF RECOMMENDATION:**

**Option 1.**

**Move to Adopt Ordinance 2016-32** amending Chapter 15 of the Code of Ordinances for the City of Tavares Police Officer's Retirement Plan permitting purchase of prior employee service by the City.

**FISCAL IMPACT:** N/A

**LEGAL SUFFICIENCY:** This ordinance has been reviewed by the City Attorney.

**ORDINANCE NO. 2016-32**

**AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-97, PRIOR POLICE SERVICE; 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 IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-97, Prior Police Service, to read as follows:

**Sec. 15-97. Prior police service.**

Unless otherwise prohibited by law, and except as provided for in section 15-71, the years or fractional parts of years that a member previously served as a full-time police officer with the city during a period of previous employment and for which period accumulated contributions were withdrawn from the fund, or the years and fractional parts of years that a member served as a full-time police officer for any other municipal, county or state law enforcement department in the State of Florida shall be added to his years of credited service provided that:

(1) The member contributes to the fund the sum that he would have contributed, based on his salary and the member contribution rate in effect at the time that the credited service is requested, had he been a member of the system for the years or fractional parts of years for which he is requesting credit plus amounts actuarially determined such that the crediting of service does not result in any cost to the fund plus payment of costs for all professional services rendered to the board in connection with the purchase of years of credited service. Notwithstanding the previous sentence, a member may request and receive one calculation at no cost to the member, for the purchase of credited service under this Section or this Section combined with Section 15-96, Military service prior to employment.

(2) Multiple requests to purchase credited service pursuant to this section may be made at any time prior to retirement.

(3) Payment by the police officer of the required amount shall be made within six (6) months of his request for credit, but not later than the retirement date, and shall be made in one lump sum payment upon receipt of which credited service shall be given.

(4) The maximum credit under this section for service other than with the City of Tavares combined with service purchased pursuant to Section 15-96, shall be five (5) years of credited service and shall count for all purposes, except vesting and eligibility for not-in-line of duty disability benefits. There shall be no maximum purchase of credit for prior service with the City of Tavares and such credit shall count for all purposes, including vesting.

(5) In no event, however, may credited service be purchased pursuant to this section for

prior service with any other municipal, county or state law enforcement department, 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 15-85, subsection ~~(k)(2)~~ (1)(2).

(6) For purposes of determining credit for prior service as a police officer as provided for in this section, in addition to service as a police officer in this state, credit may be given for federal, other state, county or municipal service if the prior service is recognized by the Criminal Justice Standards and Training Commission within the Department of Law Enforcement, as provided under Chapter 943, Florida Statutes, or the police officer provides proof to the board that such service is equivalent to the service required to meet the definition of a police officer under Sec. 15-71, Definitions.

(7) The City may agree to purchase for a member, all or any portion of the service described in this Sec. 15-97. In that case, the City will pay to the plan, all or a portion of the amount defined in subsection (1) above, for the agreed upon specific credited service with the member paying the remainder of the required amount.

**SECTION 2**: Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Tavares.

**SECTION 3**: All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 4**: That this Ordinance shall become effective retroactively on October 1, 2016.

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

_____
Lori Pfister, Mayor
Tavares City Council

First Reading:_____

Passed Second Reading:_____

ATTEST:

_____
Nancy A. Barnett
CITY CLERK

Approved as to form:

_____
Robert Q. Williams
CITY ATTORNEY

Law Offices
Christiansen & Dehner, P.A.
63 Sarasota Center Blvd. Suite 107 Sarasota, Florida 34240 • 941-377-2200 • Fax 941-377-4848

September 22, 2016

Mr. John H. Drury, City Administrator
City of Tavares
201 E. Main Street
Tavares, Florida 32778

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

Dear Mr. Drury:

Enclosed please find a proposed ordinance amending the City of Tavares Police Officers' Pension Trust Fund This ordinance amends the plan to permit the City to purchase a member's prior police officer service with another department as credited service in our plan. This change is provided to accommodate the action taken by the City Council regarding Lt. Jason Paynter.

By copy of this letter to the plan's actuary, Foster & Foster, I am requesting that they provide an actuarial impact statement or no-impact letter indicating the cost, if any, associated with the adoption of this ordinance. There will, of course, be a cost to the City, to be determined by the plan's actuary, for the purchase of the approximately 11 months (or 10 months as of November 1) of credited service for Lt. Paynter in order for him to have 25 years of credited service to be eligible for normal retirement.. This ordinance simply permits this purchase in this instance and in any future situations which the City deems appropriate.

This ordinance should be adopted as soon as possible to accommodate the City's desired actions. The ordinance change is required in order to permit the City to purchase the service without tax consequences to the member. I recommend that we delay Lt. Paynter's retirement date to November 1 in order to give us time to adopt the ordinance, calculate the required amount to be deposited in the plan for the purchase and give Lt. Paynter sufficient time to arrange for the payment of his 5% portion of the required amount into the plan. We cannot possibly get all this done by October 1. The delay will also reduce the cost of the purchase since only 10 months will be required as of November 1.

If you or any member of your staff have any questions with regard to this ordinance, please feel free to give me a call. In addition, if you feel it would be appropriate for me to be present at the meeting at which this ordinance is considered by the City Council, please contact my office to advise me of the date that the ordinance would be considered.

Yours very truly,

Scott R. Christiansen

SRC/dm
enclosure

e-copy: Doug Lozen, with enclosure
Nancy Barnett, with enclosure
Robert Williams, with enclosure
Ferrell Jenne, with enclosure

**CITY OF TAVARES**

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider Ordinance 2016-32, Second Reading, on November 2, 2016 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

**ORDINANCE NO. 2016-32**

AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-97, PRIOR POLICE SERVICE; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFICT 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.

LAK4537845 10/23/2016

# AGENDA SUMMARY
# TAVARES CITY COUNCIL
# NOVEMBER 2, 2016

**AGENDA TAB NO. 12**

**SUBJECT TITLE:** **Resolution 2016-19**
**Special Use Permit for Automobile Sales Establishment**
**125 East Burleigh Boulevard**

## OBJECTIVE

To consider a petition for a Special Use Permit for an Automobile Sales Establishment proposed to be located at 125 East Burleigh Boulevard.

## SUMMARY:

An application for a Special Use Permit has been received from the owner of the subject property, Rokel Inc., to operate an Automobile Sales Establishment at 125 East Burleigh Boulevard. This property is located on the north side of Burleigh Boulevard, east of New Hampshire Avenue. The vacant building located on this site was most recently occupied by the TD Bank. The property is within the C-2 (Highway Commercial) Zoning District. An Automobile Sales Establishment is allowed only with the issuance of a Special Use Permit from City Council.

This proposed use is compatible with surrounding properties that are commercial in nature. An existing automobile sales establishment is located and operating across the road from this property. The site is developed and paved. Cars offered for sale will be parked on the existing pavement. Minimal or no site improvements will be required.

## OPTIONS:

1. That City Council moves to approve Resolution 2016-19.
2. That City Council moves to deny Resolution 2016-19.

## PLANNING & ZONING BOARD RECOMMENDATION:

At its October 20 meeting, the Planning & Zoning Board voted 5-2 to recommend approval of Resolution 2016-19.

## STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Resolution 2016-19.

## FISCAL IMPACT:

N/A

## LEGAL SUFFICIENCY:

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

# RESOLUTION 2016-19

**A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING A SPECIAL USE PERMIT TO ALLOW AN AUTOMOBILE SALES ESTABLISHMENT FOR PROPERTY ADDRESSED AS 125 E. BURLEIGH BOULEVARD; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE**

**WHEREAS,** the owner of property addressed as 125 E. Burleigh Boulevard (alternate key parcel 1800048) desires this property to be utilized as an Automobile Sales Establishment; and

**WHEREAS,** this property is zoned C-2 (Highway Commercial) under the City of Tavares Land Development Regulations; and

**WHEREAS,** an Automobile Sales Establishment in the C-2 (Highway Commercial) District requires City Council to approve a Special Use Permit for this use under the city's Land Development Regulations; and

**WHEREAS,** City Council may add conditions, limitations or requirements to the approval of a Special Use Permit; and

**WHEREAS,** the City Council has determined an Automobile Sales Establishment is an appropriate use at this location subject to the conditions contained within this Resolution of Approval, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA AS FOLLOWS:**

That property addressed as 125 E. Burleigh Boulevard, (alternate key parcel 1800048) is granted a Special Use Permit for an Automobile Sales Establishment subject to compliance with all regulations applicable to this use.

**THIS RESOLUTION** will become effective upon approval by the Tavares City Council.

**PASSED AND RESOLVED** this _____ day of _____ 2016, by the Tavares City Council.

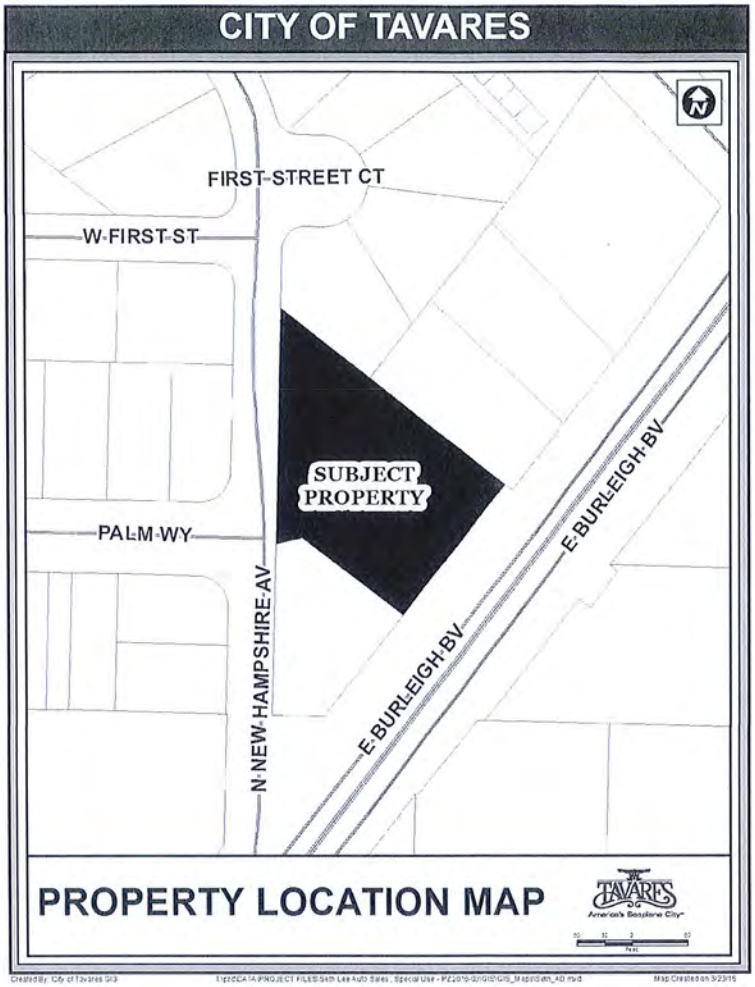
_____
Lori Pfister, Mayor
Tavares City Council

ATTEST:

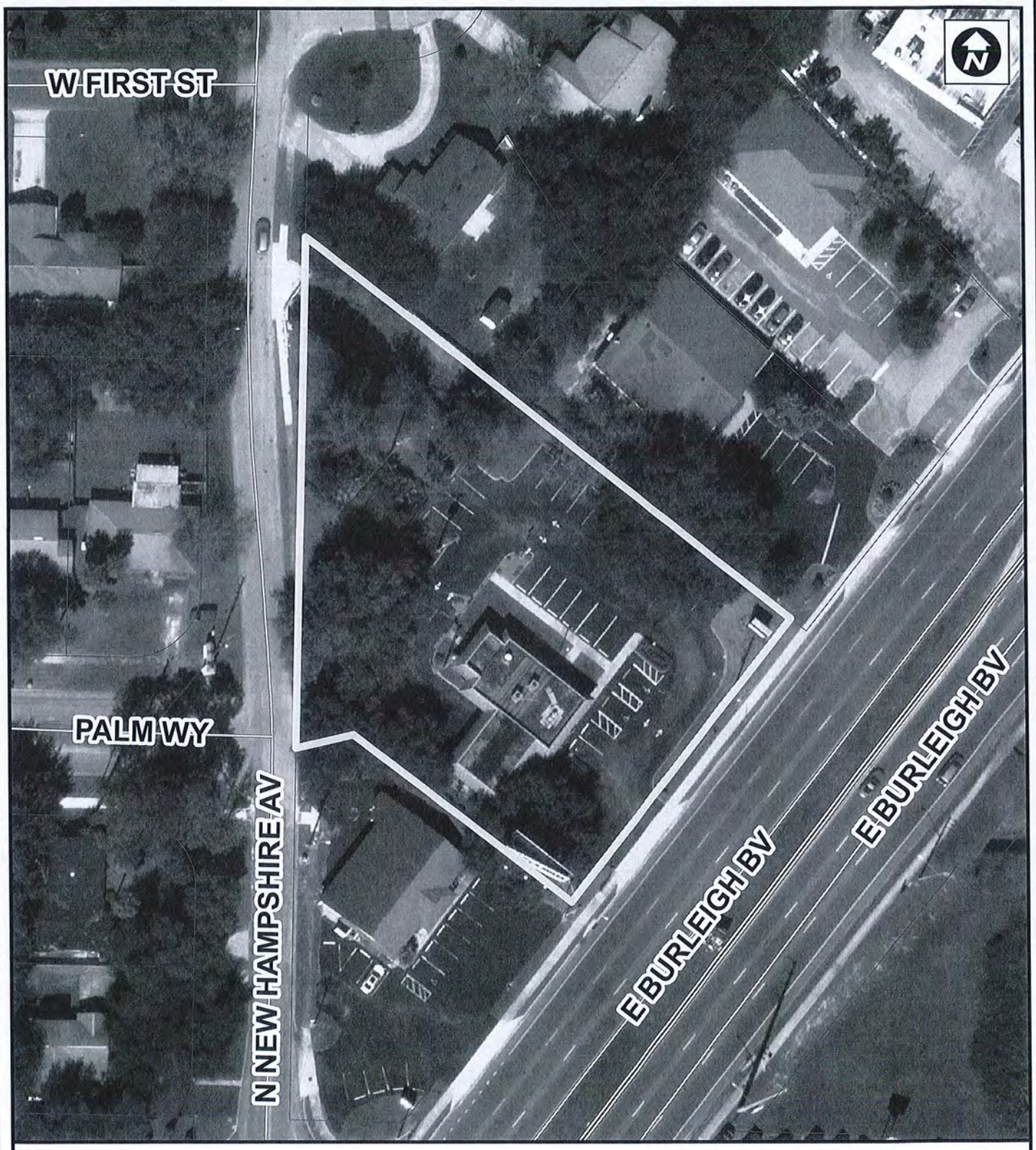
_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney


CITY OF TAVARES
FIRST-STREET CT
W-FIRST-ST
SUBJECT PROPERTY
PALM-WY
N-NEW-HAMPSHIRE-AV
E-BURLEIGH-BV
E-BURLEIGH-BV
PROPERTY LOCATION MAP
TAVARES
America's Seaplane City

# CITY OF TAVARES




# PROPERTY LOCATION MAP

TAVARES
America's Seaplane City

40 20 0 40
Feet

# CITY OF TAVARES RESOLUTION # 2016-19

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

**RESOLUTION # 2016-19**

**Rokel, Inc.**
**125 E. Burleigh Blvd.**

Current Zoning: C-2

00.70 ± Acres

Legend

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

Orlando Sentinel

Publication Date: 10/10/2016

Ad Number: 4505498-1
Insertion Number:
Size: 3 x 10.5
Color Type: B&W

Client Name: City of Tavares
Advertiser:
Section/Page/Zone: Lake Zone/E003/LAK
Description: RES 2016-19/Legal County Ad

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

PHOTOS BY JERRY FALLSTROM/STAFF

A shelter at Round Lake Elementary School in Mount Dora accepted pets. Right, Phil and Faye Hemingway walk outside the Lakeside Inn in Mount Dora as rain caused by Hurricane Matthew drenches the area.

## MATTHEW

*Continued from Page E1*

been, absolutely. We were prepared for the worst."

TV weather forecasters late into the night Thursday continued to predict a major catastrophe from Matthew.

"I went to bed and it was still on course from what we were expecting," Parks said. He said two haulers who remove debris on an emergency basis for the county anticipated extensive damage.

The winds weren't as strong as predicted but still peaked in the 60-mph range. Authorities continued to recommend people stay off the roads despite the better-than-expected outcome.

Lake County Fire Rescue responded to a call of a tree down on a home on Plymouth Circle in Umatilla. No injuries were reported but the residents will be displaced, she said.

Another tree fell on an unoccupied home on the 400 block of Sunrise Lane at the Sunshine Mobile Home Park in Lady Lake.

A light pole was down at the CenterState Bank branch on U.S. Highway 441 in Tavares. The winds also knocked down some large limbs and trees around the county.

In the good-news category, a flood warning for the St Johns River in the Astor area was canceled.

Lake had issued a voluntary evacuation order at 12:30 p.m. Thursday, but the National Weather Service forecast Friday called for water levels to rise to 3.5 feet, about a foot lower that previously predicted though about 7 inches above normal flood levels, Pappacoda said.

The storm disrupted the 42nd annual Mount Dora Bicycle Festival. Organizers originally canceled rides Friday but later extended that to Saturday "to allow our first responders to focus on recovery in the aftermath of Hurricane Matthew."

Rides in the recreational event set for Sunday were set to go on as planned.

Among those in town for the festival were Phil and Faye Hemingway of Lakeland, whose his-and-hers bicycle shirts attest to their passion for cycling.

They didn't complain about the hitch in their plans caused by Matthew.

"This is great," Faye Hemingway said as the couple walked Friday in a drizzle.

At the Round Lake Elementary shelter, Fisher was preparing to load up her mat, quilt and other things and head back to her mobile home. Fisher, whose husband of 72 years, Harlan, 95, died in March, said she had a good time chatting with others and watching kids play.

A voracious reader, she thanked Lake sheriff's Master Deputy Brad Leafers, the shelter manager who brought her a Southern Living magazine to read after she forgot to bring the latest issue of Ladies Home Journal.

A retired bookkeeper and secretary for an Evansville, Ind., department store, she had fun teasing with Leafers. At one point, she mentioned that she walked 4 ½ miles each way to high school.

Said Leafers: "You gonna tell me it was uphill both ways?"

Fisher retorted, "No, but I'll add that the next time."

*jfallstrom@orlandosentinel.com or 352-742-5916*

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Exceptions
Blinds & Shutters
Exceptional Quality And Personal Service
• Faux Wood • Verticals
• Shutters • Woven Wood
• Roller Shades • Arched Windows
• Cellular Shades • In-Home Service
We Do Repairs
COUPON REQUIRED
PREMIUM SHUTTERS
$16.95/sq. ft.
NO MINIMUM REQUIRED
Before tax. May not be combined with any other offer. Some restrictions apply. Must present coupon at time of estimate. Limited Time Offer
COUPON REQUIRED
$50 OFF
purchase of $450 or more
Some restrictions apply. May not be combined with any other offer. Must present coupon at time of estimate. Limited Time Offer
352.217.7556 • www.exceptionsblinds.com

Nobles GOLF CARTS
$300 OFF
Remanufactured Carts with this coupon with cashier check payment only. No other discounts apply
For Over 50 YEARS We've Built a Name You Can Trust
Sales • Service • Parts • Accessories
We Buy Used Carts * We Take Trades
Serving Lake County for 50 Years
1416 North Blvd. Hwy. 441 East Leesburg
787-4440 • www.noblesgolfcarts.net

## 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 2016-30 & Ordinance 2016-31 titled as follows:

**ORDINANCE 2016-30**

**AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 3.14 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND SOUTHRIDGE INDUSTRIAL DRIVE; 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 2016-31**

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 3.14 ACRES OF LAND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF C.R. 448 AND SOUTHRIDGE INDUSTRIAL DRIVE; FROM COUNTY INDUSTRIAL TO CITY INDUSTRIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

Proposed Ordinance 2016-30 & Ordinance 2016-31 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on October 20, 2016, at 3 p.m.; and
2. Tavares City Council meeting on November 2, 2016, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on December 7, 2016, at 4 p.m. (Second Reading)

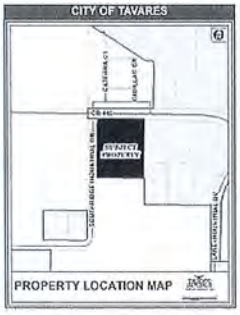
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2016-30 & Ordinance 2016-31 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 Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

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




## THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Resolution 2016-19 titled as follows:

**RESOLUTION 2016-19**

**A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING A SPECIAL USE PERMIT TO ALLOW AN AUTOMOBILE SALES ESTABLISHMENT FOR PROPERTY ADDRESSED AS 125 E. BURLEIGH BOULEVARD; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE**

Proposed Resolution 2016-19 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on October 20, 2016, at 3 p.m.; and
2. Tavares City Council meeting on November 2, 2016, at 4 p.m.

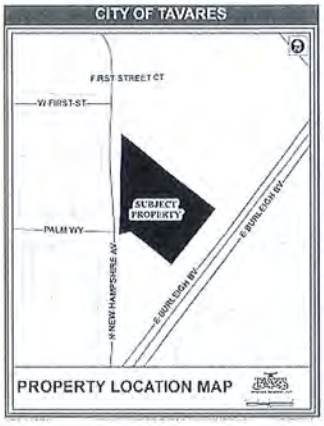
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Resolution 2016-19 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 be heard with respect to the proposed resolution. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

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

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



### 3. Resolution 2016-19 – Rokel, Inc. – Special Use

Mr. Skutt provided the following staff report:

*An application for a Special Use Permit has been received from the owner of the subject property, Rokel Inc., to operate an Automobile Sales Establishment at 125 East Burleigh Boulevard. This property is located on the north side of Burleigh Boulevard, east of New Hampshire Avenue. The vacant building located on this site was most recently occupied by the TD Bank. The property is within the C-2 (Highway Commercial) Zoning District. An Automobile Sales Establishment is allowed only with the issuance of a Special Use Permit from City Council.*

*This proposed use is compatible with surrounding properties that are commercial in nature. An existing automobile sales establishment is located and operating across the road from this property. The site is developed and paved. Cars offered for sale will be parked on the existing pavement. Minimal or no site improvements will be required.*

**DISCUSSION**

Gary Santoro asked the Board if they had questions for staff.

Bill Stomp asked why cars sales are a special use in a C-2 zoning

Jacques stated that a special use for car sales is required per our regulations, and that the City decided that this was a necessary regulation because of the nature of that business.

Bob Williams explained that the special use requirement is related to the possibility of the use being a nuisance to neighboring properties because of lighting, repair work, and noise.

Richard Root asked if this was an additional use to what would normally be permitted.

Bob Williams stated that a special use allows activity that would normally not be permitted.

Jacques Skutt stated that the City's regulations apply specific rules related to car sales.

Bill Stomp stated that he wants to see the property be put to use, but expressed concern that car sales is the best use.

Richard Root stated that it looked as though some remodeling of the property may be necessary. He commended staff for reviewing the submittal in order to get a functioning business opened at the property.

Jacques Skutt stated that the property has been vacant for some time and that the owner has stated that most of the inquiries that he gets for leasing the property is from car dealers.
Lou Buigas expressed concern for the possibility of transient / temporary car sales operations and whether or not the property was large enough for a car dealership.

Gary Santoro expressed doubt that the area could sustain another car lot being that there is one directly across US-441. He asked if it would become a code enforcement issue if cars for sale were parked in the right-of-way.

Lou reiterated her concern that the paved parking area did not have capacity for a car sales lot.

Roy Stevenson stated that he has concerns about the impact of a car lot at that location, but that the market should dictate demand for another car sales lot.

Gary Santoro asked if the number of cars could be limited.

Jacques Skutt stated that the number of cars could not be limited, and that all cars must be parked on a paved surface.

Gary Santoro expressed concern about cars being parked on grass areas.

Morris Osborn stated that he supports the car sales use, but he is concerned about the landscape buffering abutting the residential homes.

Gary Santoro asked if the landscaping could be removed.

Jacques Skutt stated that landscape buffering is required for commercial businesses and that any parking expansion would require permitting.

Norb Thomas stated that he was concerned about car transport vehicles being parked on New Hampshire Ave. while cars were being off loaded.

Gary Santoro stated that he does not see a reason to deny the recommendation, but that the car sales use is not the best for the area.

Bill Stomp agreed that a car sales lot is not the best use for the area.

## MOTION

**Roy Stevenson moved to recommend approval of Resolution 2016-19, seconded by Morris Osborn. The motion carried 5-2 with Norb Thomas and Lou Buigas voting against approval.**

## ADJOURNMENT

**Bill Stomp moved to adjourn the meeting, seconded by Richard Root. The motion carried unanimously 7-0.**

There was no further business and the meeting adjourned at 3:38 p.m.

Respectfully submitted,

_____

Michael Fitzgerald, AICP
Development Coordinator

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO: 13**

**SUBJECT TITLE: Resolution #2016-20 the Third and Final Budget Amendment to the Adopted Budget for Fiscal Year 2016**

**OBJECTIVE:**

To approve Resolution 2016-20, amending the Fiscal Year 2015-2016 City of Tavares Annual Operating Budget

**SUMMARY:**

The attached Resolution represents increases and/or decreases to the Adopted Budget for Fiscal Year 2016. Appropriation increases represent, capital projects, and prior year/project encumbrance rollovers. In addition the Resolution also reflects transfers between individual accounts within the adopted budgets for all departments.

This resolution represents the THIRD AND FINAL AMENDMENT to the Adopted Budget for Fiscal Year 2015-2016.

**OPTIONS:**

1. Approve Resolution 2016-20 amending the FY 2015-2016 City of Tavares Annual Operating Budget.

2. Do not approve Resolution 2016-20.

**STAFF RECOMMENDATION:**

**Move to approve Resolution 2016-20**, amending the Fiscal Year 2015-2016 City of Tavares Annual Operating Budget.

**FISCAL IMPACT:** Estimated final budget amounts are included with the budget detail for this amendment.

**LEGAL SUFFICIENCY:**

The resolution has met legal sufficiency.

## RESOLUTION 2016-20

**A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AMENDING THE 2016 FISCAL YEAR ADOPTED BUDGET FOR THE CITY OF TAVARES, REPRESENTING THE THIRD AND FINAL AMENDMENT TO THE ADOPTED BUDGET, AND PROVIDING FOR A REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.**

**NOW, THEREFORE BE IT RESOLVED BY THE MAYOR, AND CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**

| Fund Name | Fund Number | Estimated Revenues [1] | Reserve Appropriations [3] | Unappropriated Revenues [2] | Estimated Appropriations/ Expenditures |
|---|---|---|---|---|---|
| General Fund | 001 | $ 15,794,435 | $ - | $ (22,242) | $ 15,772,193 |
| Water/Wastewater Utility | 401 | 9,049,938 | - | (287,494) | 8,762,444 |
| Water/Wastewater Impacts | 441 | 759,180 | - | (202,295) | 556,885 |
| WWW RR&I Fund | 443 | 300,000 | - | (4,434) | 295,566 |
| SRF Construction Fund | 444 | 2,567,278 | - | - | 2,567,278 |
| WWW SRF Loan | 445 | 1,802,063 | 83 | - | 1,802,146 |
| Sunset View Fund | 447 | 28 | 782,791 | - | 782,819 |
| Solid Waste | 402 | 2,893,222 | - | (233,138) | 2,660,084 |
| Stormwater | 403 | 1,480,418 | - | (78,477) | 1,401,941 |
| Seaplane Base Fund | 405 | 741,164 | - | (67,278) | 673,886 |
| Pavilion Fund [5] | 406 | 578,082 | - | - | 578,082 |
| Police Education | 102 | 1,452 | 8 | - | 1,460 |
| Community Redevelopment | 105 | 193,916 | - | (15,042) | 178,874 |
| Police Impacts | 110 | 50,556 | - | (38,057) | 12,499 |
| Fire Impacts | 111 | 98,979 | - | (86,480) | 12,499 |
| Forfeiture Fund | 112 | 2,332 | 18,402 | - | 20,734 |
| Park Impacts | 114 | 53,901 | 45,857 | - | 99,758 |
| Freedom Flag Fund | 117 | - | 839 | - | 839 |
| Fire Assessment Fund | 122 | 1,596,768 | - | | 1,596,768 |
| Infrastructure Sales Tax | 150 | 1,278,787 | 224,838 | - | 1,503,625 |
| Grant Fund | 151 | 294,665 | - | | 294,665 |
| Infrastructure Sales Tax | 152 | 11,257,840 | - | (10,504,159) | 753,681 |
| Debt Service Fund | 201 | 285,408 | - | (8,580) | 276,828 |
| Capital Project Fund | 301 | - | 83,493 | | 83,493 |
| Municipal Police Pension [4] | 601 | 1,221,625 | - | (642,498) | 579,127 |
| Firefighter's Pension [4] | 602 | 2,068,705 | - | (936,567) | 1,132,138 |
| ICMA - 401A Pension | 604 | 3,381 | - | (3,381) | - |
| Mildred Hunter Trust | 605 | 58 | - | (58) | - |
| Woodlea Park Playground Trust | 606 | 81 | - | (81) | - |
| | | $ 54,374,262 | $ 1,156,311 | $ (13,130,261) | $ 42,400,312 |

[1] *Estimated Revenues = anticipated revenue collections* $ 42,400,312

[2] *Negative Reserve Appropriations assumes unappropriated revenues*

[3] *Positive Reserve Appropriations assumes appropriating (spending) an amount of reserves.*

[4] *Special Revenue Fund .*

**Section 1.** Whereas the adopted budget for the City of Tavares for Fiscal Year 2016 should be increased from $40,328,077 to $42,400,312 in both revenues and expenditures where the increase represents increases or decreases in estimated revenues due to prior year project/encumbrance rollovers previously approved by the City Council.

**Section 2.** Whereas this resolution represents the third and final amendment to the adopted budget for fiscal year 2016. (Exhibit A)

**Section 3.** Whereas any resolution or portion of a resolution in conflict with this resolution or any portion of this resolution is hereby repealed.

**Section 4.** Whereas if any section, sentence, clause, phrase or word of this resolution is held invalid by a court of competent jurisdiction, the remainder of the resolution shall not be affected and remain in full force and effect.

**Section 5.** Be it be resolved that this resolution shall be effective upon its adoption.

**PASSED and ADOPTED this 2nd day of November 2016,** by the City Council of the City of Tavares, Florida.

_____
Lori Pfister, Mayor
Tavares City Council

ATTEST:

_____

Nancy A. Barnett
City Clerk

_____

Approved as to form:
Robert Q. Williams
City Attorney

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 14**

**SUBJECT TITLE: Mayor's Youth Council Update**

**OBJECTIVE:**

To receive an update on the Tavares High School Mayor's Youth Council program.

**SUMMARY:**

The Tavares High School has selected those students who will be entering the Student Government Mayor's Youth Council mentoring program and will provide an update as to when the program will commence.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

To receive the update.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

N/A

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 15**

**SUBJECT TITLE: Pioneer Realty Service (David Weis)-Permit & Impact Fees**

**OBJECTIVE:**

David Weis of Pioneer Realty has requested to address Council to request relief from Permit and Impact fees applicable for 6 new duplex dwellings on Banning Beach Road.

**SUMMARY:**

On July 1, 2013, Pioneer Realty paid building permit fees for six duplex dwellings on Banning Beach Road (permits 13-605 thru 13-610). These permit applications had been submitted and approved on June 14, 2013 and therefore fell under the impact fee exemption timeframe of Ordinance 2012-42. These buildings were not constructed and the permits expired as per State and City Regulations within 180 days or on December 28, 2013. The impact waiver program is no longer in effect.

The State of Florida that year through House Bill 7023 granted development permit extensions provided certain conditions were met. Our City Attorney was asked if these conditions were met by Pioneer Realty with respect to these permits. His reply:

*In my opinion, HB 7023 does NOT apply in this instance, based on the following:*

- *HB 7023 applied to permits that expired between January 1, 2014 and January 1, 2016. The permit we issued on July 1, 2013, expired 180 days later on December 28, 2013. It did not expire within the statutory extension period;*

- *Additionally, the permittee did not give the statutory written notice of any intent to request the two-year extension; and*

- *Additionally, even if the statute had applied (which it did not), the expiration of the permit in question would have only been extended until December 28, 2015, and it would still have been "expired" when the developer sought to re-initiate construction.*

Pioneer Realty now desires to construct these dwelling units. It is staff's opinion, based on the legal opinion of the City Attorney, that Pioneer must pay the full, usual permit and city impact fees.

**OPTIONS:**

1: Move to not grant relief to Pioneer from payment of full building & impact fees.

2: Move to direct staff to develop an ordinance that would waive all permit fees

3. Move to direct staff to develop an ordinance granting a retroactive extension of impact fee exemption Ordinance 2012-42 for all construction projects that were permitted

between the time the ordinance was enacted (January 16, 2013) and the sunset of the waiver as provided in that ordinance (July 1, 2014)

**STAFF RECOMMENDATION:**

Move to not grant relief to Pioneer from payment of full building & impact fees.

**FISCAL IMPACT:**

$0 impact if no relief is granted. Approximately $46,260 if full relief is granted plus an undetermined amount of fiscal impact should any other projects qualify under Option 2 and 3.

**LEGAL SUFFICIENCY:**

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

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 16**

**SUBJECT TITLE: City Administrator Report**

**OBJECTIVE:** To inform Council on city related matters.

**SUMMARY: Will be presented at meeting**

| | |
|---|---|
| *City Council Regular Meeting* | *November 2, 2016 – 4:00 p.m. (no second meeting in November)*<br>*December 7, 2016* |
| *Library Board* | *November 16, 2016 – 2:30 p.m. – Library Conference Room* |
| *Planning & Zoning Board* | *November 17, 2016 – 3:00 p.m. – City Council Chambers* |
| *Code Enforcement Hearing* | *November 22, 2016 – 5:00 p.m. – City Council Chambers* |

***CITY SPONSORED OR AFFILIATED EVENTS***

| | |
|---|---|
| *Boo Festival Family Fall Festival* | *October 28, 2016 – 6 pm to 9 pm*<br>*Wooton Park* |
| *Monster Splash* | *October 29, 2016 – Wooton Park – contest begins at 11:0 am* |
| *Cornerstone Laying Ceremony* | *November 1, 2016 – 5:00 p.m.*<br>*Future Public Safety Complex – SR 19 and Alfred* |
| *Hydro-Turf Jet Ski* | *November 5-6, 2016 World Championship* |
| *General Election* | *November 8, 2016 (City Hall is a Precinct)* |
| *Tavares Chamber Taste of Tavares* | *November 10, 2016 – Pavilion on the Lake* |
| *CRA Fall Thunder Regatta* | *November 18-20 – Wooton Park* |
| *Christmas Parade & Celebration* | *December 3, 2016*<br>*Parade at 5:00 p.m. on Main Street* |

***OTHER COMMUNITY EVENTS***

| | |
|---|---|
| *Chamber Business Luncheon* | *November 23, 2016 – Civic Center 11:30 – 1:30* |

***OTHER OUTSIDE AGENCY MEETINGS***

| | |
|---|---|
| *Lake County League of Cities* | *Friday, November 18 , 2016 – 12:00 noon*<br>*Lake Receptions* |
| *Lake County League of Cities* | *Friday, December 2, 2016 – noon*<br>*Lake Receptions* |

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**NOVEMBER 2, 2016**

**AGENDA TAB NO. 17**

**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