**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**DECEMBER 7, 2016**

**AGENDA TAB NO. 19** **SECOND READING**

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

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## 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:**

1. That City Council moves to approve Ordinance 2016-31.
2. That City Council moves to deny Ordinance 2016-31.

**PLANNING & ZONING BOARD RECOMMENDATION:**

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

**STAFF RECOMMENDATION:**

Staff recommends 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:

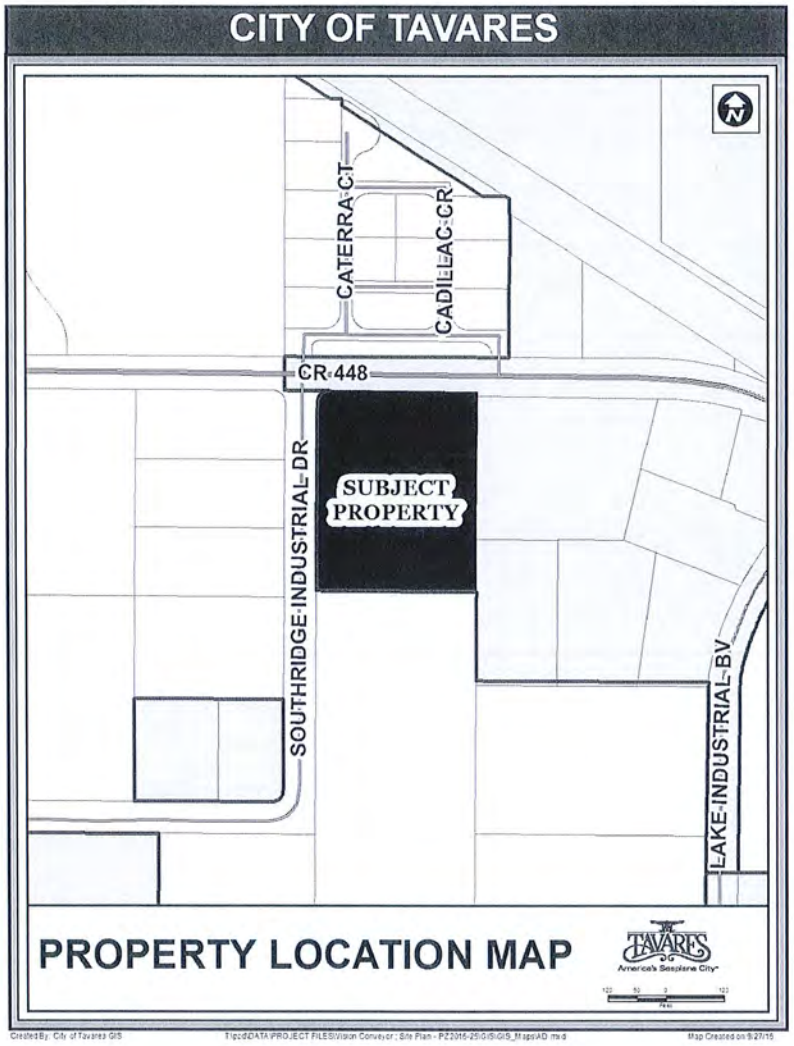
_____
Nancy A. Barnett, City Clerk

Approved as to form:

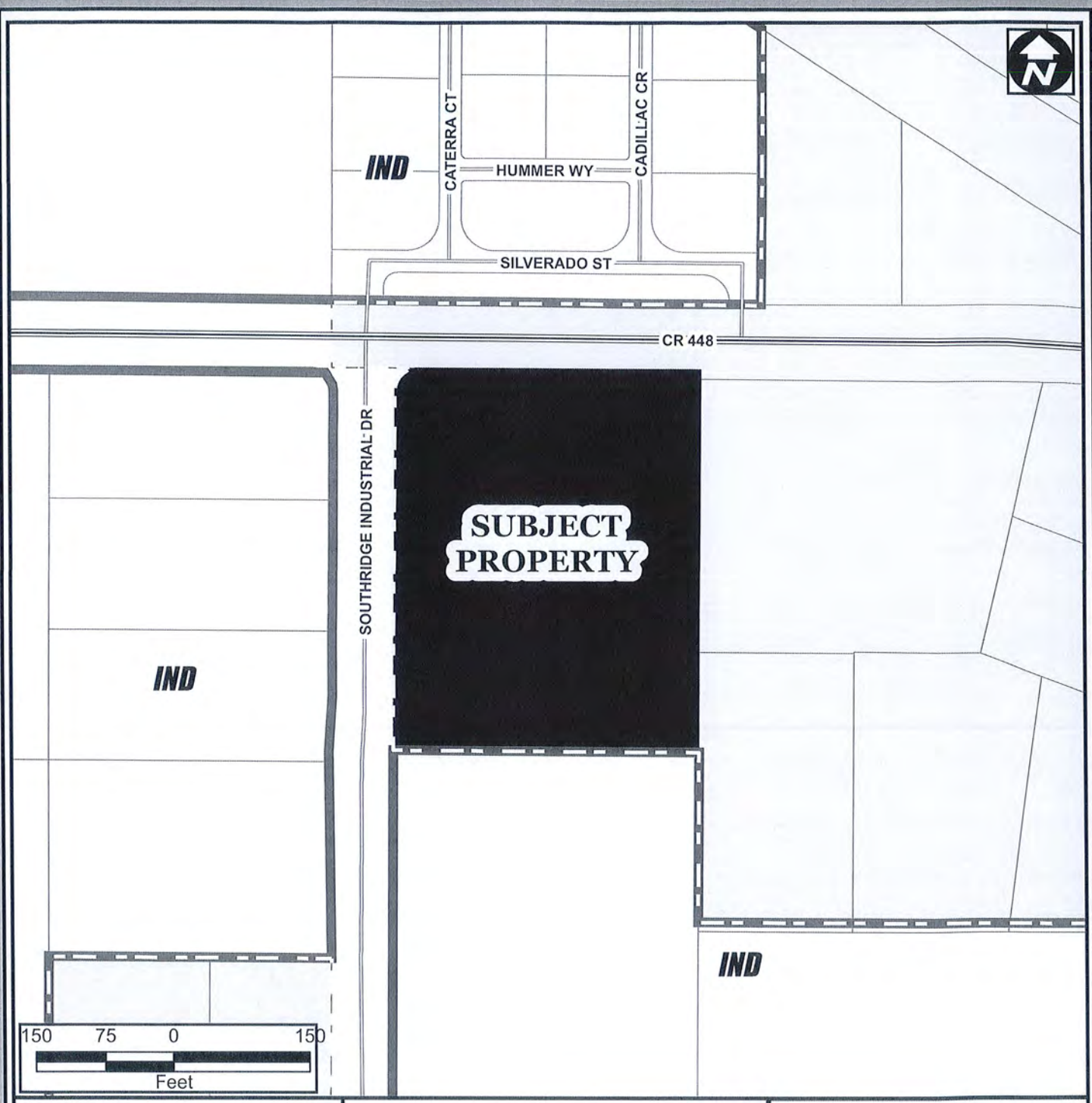
_____
Robert Q. Williams, City Attorney

**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 | |

## 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
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Color Type: B&W

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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

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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 OUTBACK LOBSTER)

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)

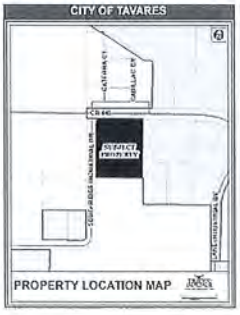
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

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 352-324-6141 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: 407-654-1108.

## 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

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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**
**December 7, 2016**

**AGENDA TAB NO. 20**

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

**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 ordinance has been reviewed by the City Attorney.

**ORDINANCE NO. 2016-33**

**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 <u>any supplemental benefit payable to DROP participants or</u> 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<u>, except as provided for in Sec. 15-99</u>.

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 <u>determined</u> on the <u>last business day of the</u> prior month's ending balance <u>and credited to the member's DROP account as of such date (to be applicable to all current and future DROP participants)</u>; 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

## Miscellaneous Legals

**CITY OF TAVARES**

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider Ordinance 2016-33, Second Reading, on December 7, 2016 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

ORDINANCE NO. 2016-33

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.

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.

LAK4584677 11/27/2016

FOSTER & FOSTER
ACTUARIES AND CONSULTANTS

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**
**DATE OF MEETING: December 21, 2016**

**AGENDA TAB NO: 21**

**SUBJECT TITLE: Resolution 2016-22 - Request to set date for Public Hearing for Equalization Hearing and Approval of Final Assessment Roll for the Sunset View/Three Lakes Water & Sewer Project.**

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**OBJECTIVE:**
Request for Council approval for Resolution 2016-22 which provides for publication and mailing of notice, authorizes and sets forth a date and time for the Equalization Hearing, and provides acceptance of the Final Special Assessment Roll and Special Assessment Map for benefited properties for Water and Wastewater improvements for the project known as the Sunset View/Three Lakes Park Special Assessment Project.

**SUMMARY:**
The City has worked with homeowners at Sunset View subdivision and Three Lakes Park to provide water and sewer services to benefited properties to address and resolve failing septic tanks and poor quality drinking water. A timeline of events for this project are shown below:

- On May 1, 2013, the City Council approved an engineering agreement with Wick's engineering firm to design, engineer and permit the project to provide sewer collection and drinking water to benefited properties.
- On February 5, 2014, the City Council approved a financing plan for the project which included securing debt financing for the project supported by Special Assessments of the benefited properties. The Plan provided for a 10 year debt service term, and residents would be assessed their share of the cost for a 10 year period.
- On May 7, 2014, the City Council approved Resolution 2014-13 initiating the Sunset View and Three lakes Mobile Home Park Water and Wastewater Special Assessment Program.
- On July 16, 2014, Council approved Resolution Number 2014-18 which expressed the City's intent to issue Tax-Exempt debt for design, permitting, and construction for the Sunset View Subdivision and Three Lakes Park Project.
- On July 16, 2014, Council approved a Construction Contract with Morris and Associates, Inc. to construct the project.

- November 19, 2014, Council approved loan financing with BB&T Bank for the Sunset View and Three Lake Parks Project in an amount not to exceed $1,100,000 to cover the estimated construction, engineering, and debt issuance costs.
- On December 3, 2014, Resolution #2014-34 was approved as required under Florida Statute Chapter 170 assessment procedures. This resolution accepted the plans and specifications, preliminary assessment plat and estimate of costs submitted by the consulting engineers.
- Estimated cost of construction, engineering, resulted in the issuance of debt of $1,100,000.
- The Preliminary Assessment Roll estimated project costs at $1,121,300 (excluding interest).
- On December 3, 2014 Council Meeting, Council approved the inclusion of all buildable lots in the allocation formula for determining each property's (lot) assessment. This would result in spreading the assessable costs over 63 properties instead of 53. Properties that connect in the future will be required to pay the assessment, impact fees at time of connection.

Resolution 2016-22 provides for:

1. Mailing of notice and sample language to benefited property owners,
2. Publication of notice for the Public Hearing for Equalization,
3. Sets a date, time and place for the Equalization Hearing,
4. Provides for Acceptance of the Final Assessment Roll.

**OPTIONS:**

1. Move to approve Resolution No. 2016-22.

2. Do not approve Resolution No. 2016-22.

**STAFF RECOMMENDATION:**

**Option No. 1**

**Move to approve** Resolution No. 2016-22.

**FISCAL IMPACT:** This action does not incur a fiscal impact.

**LEGAL SUFFICIENCY:** Legally Sufficient.

**RESOLUTION NO. 2016-22**

**A RESOLUTION PERTAINING TO SPECIAL ASSESSMENT IMPROVEMENTS FOR THE AREA GENERALLY KNOWN AS SUNSET VIEW AND THREE LAKES PARK ADJACENT TO THE CITY OF TAVARES, FLORIDA; ACCEPTING THE ASSESSMENT ROLL PREPARED BY THE FINANCE DIRECTOR, CITY ATTORNEY AND CONSULTING ENGINEER; FIXING THE TIME AND PLACE FOR PUBLIC HEARING ON THE ASSESSMENT ROLL; PROVIDING FOR MAILING AND PUBLISHING NOTICE OF SAID HEARING, WHERE THE COUNCIL SHALL HEAR ALL INTERESTED PERSONS, EQUALIZING SPECIAL ASSESSMENTS AND APPROVE AND CONFIRM SAME; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** The assessment roll heretofore prepared and filed with the City Council of the City of Tavares, Florida (the "City"), by the Finance Director, City Attorney, and Consulting Engineer, and presently on file in the office of the City Administrator, is hereby accepted; and it is hereby ascertained and determined that the assessments as set forth in such assessment roll are upon the properties to be specially benefitted by the proposed local improvements described in the plans and specifications therefor on file in the office of the City Administrator (the "Project"), in proportion to the benefits to be derived therefrom. Such special benefits are determined and prorated according to a per connection basis of the respective properties to be benefitted by the Project.

**SECTION 2.** The 21st day of December, 2016 at 4:00 o'clock p.m. at the Tavares City Hall, 201 East Main Street, Tavares, Florida, is hereby fixed as the time and place at which the owners of the properties to be assessed, or other persons interested therein, may appear before the City Council and be heard as to the propriety and advisability of constructing the project, as to the cost thereof, as to the manner of payment therefor, and as to the amount thereof to be assessed against each property specially benefitted thereby.

**SECTION** 3. Notice of the above time and place of meeting shall be given to the property owners and shall be in substantially the following form:

**NOTICE**

The City Council of the City of Tavares, Florida, will meet on December 21, 2016 at 4:00 o'clock, p.m., at the Tavares City Hall, 201 East Main Street, Tavares, for the purpose of equalizing the assessments on water and sewer improvements along all lots and parcels of Sunset View Subdivision and Three Lakes Park Co-Op. The said assessments shall be levied upon all lots and parcels of Sunset View Subdivision and Three Lakes Park Co-Op as described in plans and specifications prepared by the Consulting Engineers and on file in the office of the City Administrator open to the inspection of the public. The improvements will be financed by special assessments against the properties to be specially benefitted by such improvements, more particularly described on the assessment plat on file in the office of the City Administrator specifying the lots and parcels of land to be specially assessed, (b) the cost thereof, (c) the manner of payment therefor and (d) the amount thereof to be assessed against each property to be so improved.

An assessment roll containing a description of the lots and lands so assessed, the amount of the benefits to and the assessment against each lot and parcel of land and the number of annual installments in which the assessment is divided has been completed by the Finance Director and Consulting Engineers and is on file with the City Administrator. All interested parties are advised that an estimate of the cost of the Project, the description of each property to be assessed and the amount to be assessed to each piece or parcel of property may be ascertained at the office of the City Administrator in the City Hall.

_____
City Administrator
City of Tavares, Florida

**SECTION 4.** The City Administrator is hereby directed to mail, not later than ten (10) days prior to such hearing, a copy of the above Notice to each owner of property to be assessed, at such owner's last known address, the names and addresses of all such property owners to be obtained from the records of the county Property Appraiser of Lake County or from such other sources as the City Administrator or the City Attorney deem reliable, proof of such mailing to be made by affidavit of the City Administrator, said proof to be filed with the City Administrator; provided, however, that failure to mail said notice or notices shall not invalidate any of the proceedings hereunder. The City Administrator is hereby further directed to cause said notice to be published two (2) times, a week apart, in a newspaper of general circulation in the City, in the manner required by Section 170.07, Florida Statutes, as amended, the last publication to be at

least one (1) week prior to the date of hearing. Such publication shall be verified by affidavit of the publisher and filed with the City Administrator.

**SECTION 5.** At the time and place above named, the City Council shall meet as an equalization board as to said assessments, and, when equalized and confirmed, such assessments shall stand as first liens, until paid, upon the respective properties against which such assessments are made; provided, however, upon completion of the Project, each assessment shall be credited the difference in the assessment as originally made, approved and confirmed and the proportionate part of the actual cost of the Project to be paid by special assessments as finally determined; and provided further that in no event shall the final assessments exceed the amount of benefits originally assessed. Said assessments shall bear interest, payable annually at a rate of one percent (3.63%) per annum, 1 % in excess of the City's actual borrowing rate of interest for the Project from the date of the adoption by the City Council of its resolution of acceptance of the Project. The principal amount of said assessments shall be payable in 120 equal monthly installments. If the assessment is paid in installments, the first such installment shall be due and payable in cash, check, money order, or credit card within thirty (30) days after the acceptance of the Project by the City Council. A like payment, together with interest upon the unpaid balance of the assessment, shall be due and payable monthly thereafter until paid in full. If any monthly installment of an assessment and interest on the balance of the assessment shall not be paid when due, there shall be added a penalty of one percent (1%) per month until paid. Said assessments may be paid in full without interest at any time within thirty (30) days after the improvements have been completed and accepted by resolution of the City Council, and the balance due on any assessment may be paid in full at any time thereafter with interest accrued thereon.

**SECTION 6.** All resolutions or parts thereof in conflict herewith are hereby superseded and repealed to the extent of such conflict.

**SECTION 7.** This resolution shall become effective immediately upon its adoption.

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

_____
Mayor

ATTESTED BY:

_____
Nancy A. Barnett, City Clerk

Approved as to Form:

_____
Robert Q. Williams, City Attorney

SUNSET VIEW THREE LAKES PARK
ASSESSMENT OVERVIEW
FOR FINAL ROLL
11-8-2016

| Project Costs | Project Actual | # to be Assessed | | |
|---|---|---|---|---|
| Engineering - Wicks Consulting | 119,431.41 | | | |
| Financial Advisor | 15,200.00 | | | |
| Bond Counsel | 14,500.00 | | | |
| City Attorney | 5,000.00 | | | |
| Bank Counsel | 3,500.00 | | | |
| Permit Fees | | | | |
| Project Cost (Morris, Forcon, Water Resource Tech) | **1,126,574.27** | | | |
| **TOTAL PROJECT COST** | **1,284,205.68** | | | |
| | | | | |
| **Number Assessed** | | **63.00** | **56.00** | **1.00** |
| ASSESSMENT for 63 (56 connected & 7 not connected) | 1,263,744.68 | 20,059.44 | 22,566.87 | |
| ASSESSMENT FOR Buzzard Beach (additional) | 20,461.00 | | | 20,461.00 |
| | **1,284,205.68** | | | |

**Allocation for Project Costs - Funding**

| | |
|---|---|
| TOTAL PROJECT COST TO BE ASSESSED | 1,284,205.68 |
| | |
| Loan Funding | 1,100,000.00 |
| City Funding | 184,205.68 |
| **TOTAL** | **1,284,205.68** |

| | Total to Assess | Calculation | Monthly Assessment Payment | Total Payback - All |
|---|---|---|---|---|
| Assessments - all except unbuildable are assessed | 1,263,744.68 | $20,059.44 x 63 | 199.20 | 1,505,952.00 |
| Assessments - Buzzard Beach Bar | 20,461.00 | $20,462.00 x 1 | 203.19 | 24,382.80 |
| TOTAL | **$ 1,284,205.68** | | | **$ 1,530,334.80** |

| | |
|---|---|
| Interest calculation - simple interest at 3.63% per connection | $ 3,844.56 |
| | |
| Interest we will collect over 10 years - 1 connection (Buzzard Beach) | $ 3,922.00 |
| Interest we will collect over 10 years - 56 connections (actual) | $ 215,295.36 |
| Interest we will not collect over 10 years - 7 connections that chose not to connect now | $ 26,911.92 |
| | $ 246,129.28 |
| | |
| City's Loan Interest - 10 years | 162,282.69 |

**Assumptions:**

1. All buildable lots are assessed - 63 total (NEEDS CONFIRMED - to be changed if should be 56)
2. One extra assessment is assigned to Alt Key No. 1307945 $20,461
3. Bill and Collect monthly assessments from 56 lots - Actual Connections per Final Roll
4. Bill and Collect additional monthly assessment from Buzzard Beach Bar location - Alt Key No. 1307945
5. Lien seven (7) lots that are not connected and collect assessment at time of connection to water & sewer
6. Interest - Simple Interest at 3.63%
7. Term of Special Assessment - 10 years.

# SUNSET VIEW - THREE LAKES PARKS WATER & SEWER PROJECT

SPECIAL ASSESSMENT ROLL - UPDATED 3/15/2016 and Finalized 11/08/2016

| | 56 | 63 Properties | Buzzard Beach Only |
|---|---|---|---|
| ASSESSMENT PERIOD: | 10 Years | 10 Years | 10 Years |
| ASSESSMENT INTEREST Rate: 2.63% Interest + 1% = 3.63% APR | 3.63% | 3.63% | 3.63% |
| BILLING FREQUENCY: | Monthly | Monthly | Monthly |
| TOTAL ASSESSED COST (With OUT Interest) per ERU | $ 22,566.87 | $ 20,059.44 | $ 20,461.00 |
| TOTAL ASSESSED COST (With Interest) per ERU | $ 224.10 | $ 199.20 | $ 203.19 |
| ASSESSMENTS WILL BE INCLUDED ON MONTHLY UTILITY BILLS | Yes | Yes | Yes |
| FIRST BILL FOR ASSESSMENT | 1/1/2017 | 1/1/2017 | 1/1/2017 |

| Project Costs | Bank Loan | City Funds | Project Actual |
|---|---|---|---|
| Engineering | 22,000.00 | | 119,431 |
| Engineering | | 20,300.00 | |
| Financial Advisor | 15,000.00 | | 15,200 |
| Bond Counsel | 14,500.00 | | 14,500 |
| City Attorney | 5,000.00 | | 5,000 |
| Bank Counsel | 3,500.00 | | 3,500 |
| Permit Fees | | 1,000.00 | |
| Project Cost Est | 1,034,224.21 | | 1,126,574 |
| Contingency | 5,775.79 | | |
| | 1,100,000.00 | 21,300.00 | 1,284,205.68 |
| | TOTAL: | 1,121,300.00 | 1,284,205.68 |

| | | | | |
|---|---|---|---|---|
| ASSESSMENT for 53 | 1,105,300.00 | 1,263,744.68 | 63.00 | 20,059.44 |
| ASSESSMENT FOR Buzzard Beach | 16,000.00 | 20,461 | 1.00 | 20,461.00 |
| | 1,105,300.00 | 1,263,744.68 | 56.00 | 22,566.87 |
| TOTAL PROJECT COST TO BE ASSESSED | 1,121,300.00 | 1,284,205.68 | | |
| | | (1,100,000.00) | Loan | |
| | | 184,205.68 | City | |

## Sunset View & Three Lake Properties

| INCLUDED | Not Buildable | EXCLUDED | Alt Key | Lot | H.T.E. CUST ID (City Billing System) | H.T.E. LOC ID (City Billing System) | Meter Number | TOTALFINAL ASSESSMENT AMOUNT (Without Interest) | BUZZARD BEACH ONLY PRELIMINARY ASSESSMENT AMOUNT (Without Interest) | OWNER First Name | Last Nam | Location Address No. | Street Name | City | ST | Zip | Mailing Address No. | Steet Name | City | ST | Zip | August 2016 Assessed Value | August 2016 Taxable Value | Original Assessed Value | Original Taxable Value |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **I INCLUDED PROPERTIES** | | | | | | | | | | | | | | | | | | | | | | | | | |
| **SUNSET VIEW** | | | | | | | | | *Included in Assessment and will be billed monthly.* | | | | | | | | | | | | | | | | |
| 1 | | | 1E+06 | 1 | 46125 | 26628 | 1541208912 | $ 20,059.44 | | Cheryl R. | Hilty-Hut | 12127 | Lakeside Lane | Tavares | FL | 32778 | 12127 | Lakeside Lane | Tavares | FL | 32778 | 184,548 | 134,548 | 181,812 | 131,812 |
| 2 | | | 1E+06 | 2 | 46129 | 26630 | 1541217994 | $ 20,059.44 | | Chad E. and Whi | Frazier | 12131 | Lakeside Lane | Tavares | FL | 32778 | 34237 | Shadewood Circle | Leesburg | FL | 34788 | 130,700 | 130,700 | 128,997 | 78,997 |
| 3 | | | 1E+06 | 3, 1/2 4 | 46131 | 26632 | 1541219000 | $ 20,059.44 | | Everette A. and J | Frazier, T | 12137 | Lakeside Lane | Tavares | FL | 32778 | 12137 | Lakeside Lane | Tavares | FL | 32778 | 132,743 | 82,743 | 130,775 | 80,775 |
| 4 | | | 1E+06 | 1/2 4, 5 | 46133 | 26634 | 1540438284 | $ 20,059.44 | | Gerald R. and Di | Wentwo | 12145 | Lakeside Lane | Tavares | FL | 32778 | 12145 | Lakeside Lane | Tavares | FL | 32778 | 155,755 | 105,755 | 154,124 | 104,124 |
| 5 | | | 2E+06 | 6 | 46135 | 26636 | 1541299994 | $ 20,059.44 | | John M. and Clau | Hennessy | 12203 | Lakeside Lane | Tavares | FL | 32778 | 12203 | Lakeside Lane | Tavares | FL | 32778 | 146,027 | 96,027 | 143,862 | 93,862 |
| 6 | | | 2E+06 | 7 | 46137 | 26638 | 1540437426 | $ 20,059.44 | | Kent A. and Don | Richter | 12207 | Lakeside Lane | Tavares | FL | 32778 | | P.O. Box 895455 | Leesburg | FL | 34789-5455 | 130,367 | 79,867 | 128,641 | 78,141 |
| 7 | | | 2E+06 | 8, 9 | 46137 | 26640 | 1541281642 | $ 20,059.44 | | Kent A. and Don | Richter, | 12213 | Lakeside Lane | Tavares | FL | 32778 | | P.O. Box 895455 | Leesburg | FL | 34789-5455 | 153,243 | 153,243 | 151,370 | 151,370 |
| 8 | | | 2E+06 | 10 | 46139 | 26642 | 1540395526 | $ 20,059.44 | | Bernard Rice | Amber L | 12219 | Lakeside Lane | Tavares | FL | 32778 | 3538 | Flores Avenue | Sarasota | FL | 34239 | 163,811 | 163,811 | 158,659 | 158,659 |
| 9 | | | 2E+06 | 1, 1/2 12 | 46141 | 26644 | 1541300566 | $ 20,059.44 | | Jeffrey S. | Vyhnalek | 12223 | Lakeside Lane | Tavares | FL | 32778 | | P.O. Box 25561 | Sarasota | FL | 34277-2561 | 128,032 | 78,032 | 126,554 | 76,554 |
| 10 | | | 4E+06 | 1/2 12, 13 | 46143 | 26646 | 1541216524 | $ 20,059.44 | | Roy F. | Carter, E | 12227 | Lakeside Lane | Tavares | FL | 32778 | 12227 | Lakeside Lane | Tavares | FL | 32778 | 165,331 | 115,331 | 162,879 | 112,879 |
| 11 | | | 2E+06 | 15 | 46145 | 26648 | 1540826060 | $ 20,059.44 | | Dorothy J. | Ault Life | 12231 | Lakeside Lane | Tavares | FL | 32778 | 12231 | Lakeside Lane | Tavares | FL | 32778 | 216,319 | 165,819 | 214,217 | 163,717 |
| 12 | | | 1E+06 | 15, 16 | 46145 | 26650 | 1542441652 | $ 20,059.44 | | Dorothy J. | Ault Life | 12240 | Lakeside Lane | Tavares | FL | 32778 | 12231 | Lakeside Lane | Tavares | FL | 32778 | 110,170 | 110,170 | 107,529 | 107,529 |
| 13 | | | 2E+06 | | 46157 | 26730 | 1540321040 | $ 20,059.44 | | William H. and N | Nichols | 12245 | Lakeside Lane | Tavares | FL | 32778 | | P.O. Box 490981 | Leesburg | FL | 34749-0981 | 142,002 | 92,022 | 139,916.00 | 89,916.00 |
| 14 | | | 1E+06 | | 46159 | 26732 | 1540426824 | $ 20,059.44 | | Earl B. | Hooton I | 12253 | Lakeside Lane | Tavares | FL | 32778 | 172 | 6th Street | Atlantic Beach | FL | 32233 | 131,544 | 131,544 | 130,778.00 | 130,778.00 |
| 15 | | | 2E+06 | 21, 1/2 22 | 48241 | 26862 | 1541331774 | $ 20,059.44 | | David and Conni | Inwood | 12149 | Canal Street | Tavares | FL | 32778 | 14747 | SW 90th Avenue | Dunnellon | FL | 34433 | 115,239 | 60,239 | | |
| 16 | | | 1E+06 | 1/2 22, 23 | 46149 | 26652 | 1541245584 | $ 20,059.44 | | Lester D. and Jud | Bergman | 12143 | Canal Street | Tavares | FL | 32778 | 12143 | Canal Street | Tavares | FL | 32778 | 103,007 | 53,007 | 101,480 | 51,480 |
| 17 | | | 2E+06 | 24, 25 | 46151 | 26654 | 1541273434 | $ 20,059.44 | | Doreen | Brown | 12137 | Canal Street | Tavares | FL | 32778 | 12137 | Canal Street | Tavares | FL | 32778 | 170,210 | 120,210 | 161,596 | 111,596 |
| 18 | | | 2E+06 | 26 | 46153 | 26656 | 1541269296 | $ 20,059.44 | | John and Rebecc | Faulkner | 12131 | Canal Street | Tavares | FL | 32778 | | P.O. Box 576 | Findley Lake | NY | 14736-0576 | 80,413 | 80,413 | 78,622 | 78,622 |
| 19 | | | 2E+06 | 27, 28 | 49055 | 26658 | 1541247766 | $ 20,059.44 | | Donald E. & Che | Sanders | 12125 | Canal Street | Tavares | FL | 32778 | | | | | | 90,079 | 90,079 | 88,082 | 88,082 |
| 20 | | | 2E+06 | 36 | 48243 | 26870 | 1541255808 | $ 20,059.44 | | Roland/Frances; | Meyer | 12039 | Canal Street | Tavares | FL | 32778 | 10527 | Driver Ave | St Louis | MO | 63114 | 107,099 | 107,099 | | |
| 21 | | | 1E+06 | 37-39 | 49157 | 26872 | 1541273790 | $ 20,059.44 | | Jack & Bettie | Squire | 12105 | Canal Street | Tavares | FL | 32778 | 12105 | Canal Street | Tavares | FL | 32778 | 97,564 | 47,564 | | |
| Count | 21 | | | | | | | | | | | | | | | | | | | | | | | | |

## THREE LAKES PARK

*Included in Assessment and will be billed monthly.*

| INCLUDED | Not Buildable | EXCLUDED | Alt Key | Lot | H.T.E. CUST ID (City Billing System) | H.T.E. LOC ID (City Billing System) | Meter Number | TOTALFINAL ASSESSMENT AMOUNT (Without Interest) | PRELIMINARY ASSESSMENT AMOUNT (Without Interest) | First Name | Last Nam | No. | Street Name | City | ST | Zip | No. | Steet Name | City | ST | Zip | August 2016 Assessed Value | August 2016 Taxable Value | Original Assessed Value | Original Taxable Value |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 18 | | | 3E+06 | 1 | 45699 | 26666 | 1540817468 | $ 20,059.44 | | Warren D. and C | Tinney | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | Highway 441 #1 | Tavares | FL | 32778 | 28,726 | 3,726 | 32,007 | 7,007 |
| 19 | | | 3E+06 | 2 | 45701 | 26668 | 1540812918 | $ 20,059.44 | | Three Lakes Park | Co-Op, Ir | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | Highway 441 | Tavares | FL | 32778 | 7,450 | 7,450 | 10,450 | 10,450 |
| 20 | | | 3E+06 | 3 | 45703 | 26670 | 1540858654 | $ 20,059.44 | | Mark A. | Guarino | 12315 | US Highway 441 | Tavares | FL | 32778 | 29519 | State Road 19 | Tavares | FL | 32778-4254 | 22,873 | 22,873 | 26,510 | 26,510 |
| 21 | | | 3E+06 | 4 | 45705 | 26672 | 1540828636 | $ 20,059.44 | | Alan and Susan H | Anderson | 12315 | US Highway 441 | Tavares | FL | 32778 | 24768 | 148th Place SE | Kent | WA | 98042 | 22,028 | 22,028 | 25,036 | 25,036 |
| 22 | | | 3E+06 | 5 | 45707 | 26674 | 1540832998 | $ 20,059.44 | | Thomas | Hart | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | Highway 441 Lot 5 | Tavares | FL | 32778 | 22,669 | 22,669 | 26,298 | 26,298 |
| 23 | | | 3E+06 | 6 | 45709 | 26676 | 1540815504 | $ 20,059.44 | | McCollough Prog | LLC | 12315 | US Highway 441 | Tavares | FL | 32778 | 1702 | S. Wayne, Suite 1 | Auburn | IN | 46706 | 23,827 | 23,827 | 26,950 | 26,950 |
| 24 | | | 3E+06 | 7 | 45733 | 26678 | 1540777570 | $ 20,059.44 | | Nicholas C. and I | Waggone | 12315 | US Highway 441 | Tavares | FL | 32778 | 501 | E State Rd 434 | Longwood | FL | 32750 | 24,883 | 24,883 | 25,215 | - |
| 25 | | | 3E+06 | 8 | 45713 | 26680 | 1540820628 | $ 20,059.44 | | Harlene M. | Slaght | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | US Highway 441 Unit 8 | Tavares | FL | 32778 | 20,090 | - | 23,749 | - |
| 26 | | | 3E+06 | 10 | 45719 | 26684 | 1540766598 | $ 20,059.44 | | Susanne | Burkhard | 12315 | US Highway 441 | Tavares | FL | 32778 | | P.O. Box 1333 | Aberdeen | MS | 39730-1333 | 47,520 | 47,520 | 57,015 | 57,015 |
| 27 | | | 3E+06 | 11 | 45721 | 26686 | 1540828302 | $ 20,059.44 | | Robert W. | King | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | US Highway 441 #11 | Tavares | FL | 32778 | 40,441 | 40,441 | 49,482 | 49,482 |
| 28 | | | 3E+06 | 12 | 45723 | 26688 | 1540830720 | $ 20,059.44 | | David C. and Ma | Scott | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | US Highway 441 #12 | Tavares | FL | 32778 | 38,408 | 12,908 | 48,158 | 22,658 |
| 29 | | | 3E+06 | 13 | 45725 | 26690 | 1540827700 | $ 20,059.44 | | Pamela A. | Seymour | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | US Highway 441 #13 | Tavares | FL | 32778 | 39,917 | - | 47,638 | 22,638 |
| 30 | | | 3E+06 | 14 | 45727 | 26692 | 1540810688 | $ 20,059.44 | | Robert R. and Ar | Mansuy | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | US Highway 441 Lot 14 | Tavares | FL | 32778 | 45,157 | - | 55,602 | - |
| 31 | | | 3E+06 | 15 | 45729 | 26694 | 1540765368 | $ 20,059.44 | | Robert L. | Burney | 12315 | US Highway 441 | Tavares | FL | 32778 | 217 | Waterway Circle NE | Port Charlotte | FL | 33952 | 44,147 | - | 53,344 | 53,344 |
| 32 | | | 3E+06 | 16 | 45731 | 26696 | 1540822952 | $ 20,059.44 | | Thomas J. | Hart | 12315 | US Highway 441 | Tavares | FL | 32778 | 427 | Key Lime Square SW | Vero Beach | FL | 32968 | 37,147 | 37,147 | 45,961 | 45,961 |
| 33 | | | 3E+06 | 17 | 45733 | 26698 | 1540863880 | $ 20,059.44 | | Nicholas C. and I | Waggone | 12315 | US Highway 441 | Tavares | FL | 32778 | 501 | E. State Road 434 | Longwood | FL | 32750 | 41,604 | 41,604 | 50,161 | 50,161 |
| 34 | | | 3E+06 | 18 | 45735 | 26700 | 1540835188 | $ 20,059.44 | | Zeb L. and Shirle | Vance | 12315 | US Highway 441 | Tavares | FL | 32778 | 3421 | Foxboro Court | Mount Dora | FL | 32757 | 37,638 | 37,638 | 47,291 | 47,291 |
| 35 | | | 3E+06 | 19 | 45737 | 26702 | 1540833142 | $ 20,059.44 | | Leah L. | Stricklan | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | Highway 441 #19 | Tavares | FL | 32778 | 35,122 | 10,122 | 34,602 | 9,602 |
| 36 | | | 3E+06 | 20 | 45739 | 26704 | 1540828788 | $ 20,059.44 | | Dontia | Stanphill | 12315 | US Highway 441 | Tavares | FL | 32778 | 2443 | Iverson Ct | The Villages | FL | 32162 | 38,594 | 38,594 | 30,753 | 5,753 |
| 37 | | | 3E+06 | 21 | 48409 | 26706 | 1540799140 | $ 20,059.44 | | Perry K. | Baschab | 12315 | US Highway 441 | Tavares | FL | 32778 | 107 | S. Beech Street | Foley | AL | 36535 | 21,931 | - | 24,991 | 24,991 |
| 38 | | | 3E+06 | 22 | 45743 | 26708 | 1540824148 | $ 20,059.44 | | Bruce T. Cusic & | Trustees | 12315 | US Highway 441 | Tavares | FL | 32778 | 100 | S. Tremain Street, E2 | Mount Dora | FL | 32757 | 36,983 | 36,983 | 46,033 | 46,033 |
| 39 | | | 3E+06 | 23 | 45745 | 26710 | 1540730010 | $ 20,059.44 | | L. Jeffrey | Herlong | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | Highway 441 Unit 23 | Tavares | FL | 32778 | 40,718 | 15,718 | 50,600 | 25,000 |
| 40 | | | 3E+06 | 24 | 45747 | 26712 | 1540767314 | $ 20,059.44 | | William E. and D | Carey | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | US Highway 441 #24 | Tavares | FL | 32778 | 32,843 | 7,843 | 32,357 | 7,357 |
| 41 | | | 3E+06 | 25 | 45749 | 26714 | 1540827590 | $ 20,059.44 | | Sonny C. and Ro | Haga | 12315 | US Highway 441 | Tavares | FL | 32778 | 2559 | Glenlech Court | Orange Park | FL | 32065 | 36,250 | 36,250 | 45,498 | 45,498 |
| 42 | | | 3E+06 | 26 | 45751 | 26716 | 1540821510 | $ 20,059.44 | | Clarence C. | Patterso | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | Highway 441 #26 | Tavares | FL | 32778 | 34,769 | 9,269 | 44,310 | 18,810 |
| 43 | | | 3E+06 | 27 | 45753 | 26718 | 1540772034 | $ 20,059.44 | | David and Barba | Schell | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | US Highway 441 Lot 27 | Tavares | FL | 32778 | 36,758 | 36,758 | 44,920 | 44,920 |
| 44 | | | 3E+06 | 28 | 45755 | 26720 | 1540830232 | $ 20,059.44 | | Dewey and Marg | Bonner | 12315 | US Highway 441 | Tavares | FL | 32778 | 9 | Ennis Avenue | Pennellville | NY | 13132-3310 | 22,290 | 22,290 | 25,339 | 25,339 |
| 45 | | | 3E+06 | 29 | 45757 | 26722 | 1540818338 | $ 20,059.44 | | Martha L. | Smith | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | Highway 441 Lot 29 | Tavares | FL | 32778 | 19,223 | - | 22,844 | - |
| 46 | | | 3E+06 | 30 | 45759 | 26724 | 1540858188 | $ 20,059.44 | | John J. | Kelley | 12315 | US Highway 441 | Tavares | FL | 32778 | 2575 | NE Hickory Avenue | Jensen Beach | FL | 34957 | 20,702 | 20,702 | 24,249 | 24,249 |
| 47 | | | 3E+06 | 31 | 48247 | 26726 | 1540835092 | $ 20,059.44 | | Charles M., Jr | Castro | 12315 | US Highway 441 | Tavares | FL | 32778 | 19263 | Highway 441 Lot 31 | Tavares | FL | 32778 | 17,487 | - | 20,902 | 20,902 |
| 48 | | | 3E+06 | 32 | 45763 | 26728 | 1540764530 | $ 20,059.44 | | Edward C. and D | Krause | 12315 | US Highway 441 | Tavares | FL | 32778 | 1565 | Brighton Henrietta Tow | Rochester | NY | 14623 | 21,556 | 21,556 | 25,139 | 25,139 |
| 49 | | | 3E+06 | lot 09 CLUBHO | 45701 | 26744 | W-1540772608 I-1541333112 | $ 20,059.44 | | Three Lakes Park | Co-Op In | 12315 | US Highway 441 | | | | | US Highway 441 | Tavares | FL | 32778 | 7,450 | 7,450 | unavailable | unavailable |

Count 32

## MISCELLANEOUS

*Included in Assessment and will be billed monthly.*

| | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 25 | | | 2E+06 | | 46207 | 26830 | 1540829634 | $ 20,059.44 | | Suzanne | Ricciardi | 12335 | US Highway 441 | Tavares | FL | 32778 | 983 | Torchwood Drive | DeLand | FL | 32724-9420 | 103,294 | 103,294 | | |
| 26 | | | 1E+06 | | 36561 | 23918 | 1540410778 | $ 20,059.44 | | Donald R. and M | Koenke, | 2056 | W. Burleigh Boul | Tavares | FL | 32778 | 29714 | Squirrel Point Dr | Tavares | FL | 32778 | 71,190 | 71,190 | 69,862.00 | 69,862.00 |
| 27 | | | 1E+06 | | 36561 | 5345 | 1852077951 | $ 20,059.44 | $ 20,461.00 | Donald R. and M | Koenke, | 2050 | W. Burleigh Boul | Tavares | FL | 32778 | 29714 | Squirrel Point Dr | Tavares | FL | 32778 | 125,190 | 125,190 | 125,748.00 | 125,748.00 |

Count 3

Count 56 $ 1,123,328.60

## II EXCLUDED PROPERTIES

*These Properties included in determining assessment amount per connection, but these lots will not be billed until connected - we will lien.*

## SUNSET VIEW

| | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 54 | 1E+06 | 14 | | EXCLUDED | | $ 20,059.44 | has garage & carport | Dorothy J. | Ault Life Estate | | | | | | 12231 | Lakeside Lane | Tavares | FL | 32778 | 48,182 | 48,182 | 48,182 | 48,182 |
| | | 56 | 2E+06 | 28, 29 | | EXCLUDED | | $ 20,059.44 | SRF | Ralph and Aimee | Bartholo | 12121 | Canal Street | Tavares | FL | 32778 | 12121 | Canal Street | Tavares | FL | 32778 | 98,791 | - | | |
| | | 57 | 2E+06 | 30-32 | | EXCLUDED | | $ 20,059.44 | SRF | Mary L. | Burns | 12115 | Canal Street | Tavares | FL | 32778 | 12115 | Canal Street | Tavares | FL | 32778 | 198,079 | 147,579 | | |
| | | 58 | 1E+06 | 33, 34 | | EXCLUDED | | $ 20,059.44 | SFR | Timothy D. Perry | Sara J. Al | 12101 | Canal Street | Tavares | FL | 32778 | 12101 | Canal Street | Tavares | FL | 32778 | 180,896 | 180,896 | | |
| | | 59 | 1E+06 | 35 | | EXCLUDED | | $ 20,059.44 | Vacant | Gary A. and Adre | Evans | | | | | | 12101 | Canal Street | Tavares | FL | 32778 | 22,234 | 22,234 | | |
| | | 60 | 1E+06 | 40, 41 | | EXCLUDED | | $ 20,059.44 | SFR less Hwy | Natalya V | Yarosh | 12122 | Canal Street | Tavares | FL | 32778 | 12122 | Canal Street | Tavares | FL | 32778 | 111,349 | 61,349 | | |
| | | 61 | 1E+06 | 42-45 | | EXCLUDED | | $ 20,059.44 | V | | ecd Faulkner | | | | | | | P.O. Box 576 | Findley Lake | NY | 14736-0576 | 25,131 | 25,131 | 25,131 | 25,131 |

**Lori H:** Have notes of property transfer, Brad & Mike Brooks were checking to see if included - Flossie received Grinder Pump

Count 7

63

## III UNBUILDABLE

*EXCLUDED COMPLETELY FROM BEING INCLUDED WITH ASSESSABLE PROPERTIES*

| | INCLUDED | Not Buildable | EXCLUDED | Alt Key | Lot | H.T.E. CUST ID (City Billing System) | H.T.E. LOC ID (City Billing System) | Meter Number | TOTALFINAL ASSESSMENT AMOUNT (Without Interest) | PRELIMINARY ASSESSMENT AMOUNT (Without Interest) | First Name | Last Nam | No. | Street Name | City | ST | Zip | No. | Steet Name | City | ST | Zip | August 2016 Assessed Value | August 2016 Taxable Value | Original Assessed Value | Original Taxable Value |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | received Grinder Pump Permit Request | | | | | | | | | | | | | | | | |
| **SUNSET VIEW** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | | 1 | | 1E+06 | 17-20 | ot Buildab | NEED | | | | Albert and Bobb | Reese | 12213 | US Highway 441 | Tavares | FL | 32778 | 11134 | Crossen Street | Leesburg | FL | 34789 | | | | |
| **THREE LAKES PARK** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | | 2 | | 3E+06 | 9 | ot Buildab | 26682 | | | | Three Lakes Park | Co-Op, In | 12315 | US Highway 441 | Tavares | FL | 32778 | 12315 | Highway 441 | Tavares | FL | 32778 | | | 10,450 | 10,450 |
| **MISCELLANEOUS** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | | 3 | | 3E+06 | | Not Build | Need | | | | James E. and Ma | Todd | | | | | 32325 | | E. State Road 44 | Eustis | FL | 32736 | | | | |
| Count | | 3 | | | | | | | | | | | | | | | | | | | | | | | | |

COUNT 66 TOTAL PROPERTIES

Sample letter

November 14, 2016

**RE: Sunset View & Three Lakes Park Water & Sewer Improvement Project**
**Alternate Key Number 3440340-Assessment**

Dear

This is to notify you that the City Council of the City of Tavares, Florida, will meet on December 21, 2016 at 4:00 p.m., at the Tavares City Hall, 201 East Main Street, Tavares, for the purpose of equalizing the assessments on water and sewer improvements along all lots and parcels of Sunset View Subdivision and Three Lakes Park Co-Op. The said assessments shall be levied upon all lots and lands adjoining and contiguous or bounding to and abutting upon such improvements.

Attached is the preliminary assessment roll containing a description of the assessed lots and lands and the assessment against each lot and parcel of land.

The estimated cost of the project is $1,263,744.68, which when divided among the 63 parcels to be assessed results in a per parcel assessment of $20,059.44. Your assessment is for one parcel. This can be paid in a single lump sum within 30 days (due by January 21, 2016) after the Equalization Hearing, or in 120 monthly installments of approximately $199.20, plus interest at 3.63% per annum. (See attached schedule of payments.) All but seven lots have been connected to City Water and Sewer, and will be billed monthly as previously stated. The seven lots not connected and shown on the attached Final Assessment Roll will be required to pay the full assessment plus impact fees at the time they are connected to City water and sewer.

The assessments will be approved formally at the Equalization Hearing on December 21, 2016. You are welcome to attend and address any comments to the City Council at that time.

If you have further questions please do not hesitate to contact my office at 742-6212.

Sincerely,

Lori Houghton

Lori Houghton
Finance Director

lh

C: John Drury, City Administrator
Nancy Barnett, City Clerk
Robert Q. Williams, City Attorney

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**DECEMBER 7, 2016**

**AGENDA TAB NO. 22**

**SUBJECT TITLE: Rose Andre-Request for Waiver of Fees to Process Variance**

**OBJECTIVE:**

To consider a request received from Rose Andre to waive the fees for a variance application.

**SUMMARY:**

Staff has received a request (attached) from Rose Andre to waive the fees associated with a variance application for a screened enclosure. The fee is $794 ($450 for administrative and $344 for advertising). Ms. Andre has claimed a financial hardship as grounds to waive the fees. Staff has requested, but has not received, documentation from Ms. Andre that would support her financial hardship claim. The City does not have a policy addressing the waiving of fees for financial hardships. Staff is seeking Council's direction on this matter.

**OPTIONS:**

1. That City Council moves to waive the variance fee associated with a screened room enclosure for Rose Andre.
2. That City Council moves to deny the requested fee waiver.

**STAFF RECOMMENDATION:**

Staff is seeking Council's policy direction on this matter.

**FISCAL IMPACT**

The $794 variance fee would not realized.

**LEGAL SUFFICIENCY:**

Approved for legal sufficiency.

10-31-2014

To whom it may concern, I Rose Judith andre is writing the city council because I am applying for a variance but due to my circumstances having five childrens three with a Blindness it's very hard. I am trying to built a Screen enclosure in my back yard, my Set back Footage won't allow me too. also I can't not afford the application Fees, The purposes for this letter to built to Protect sunlight For my boys eyes also to get help to waive application Fees.

Thank you (352) 602-5419

P.S help fight Blindness.org

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**DATE OF MEETING: December 7, 2016**

**AGENDA TAB NO: 23**

**SUBJECT TITLE: City Representative to Attend Annual Schoolboard Concurrency Review Meeting**

## OBJECTIVE:

To designate an elected official to attend the annual Lake County Educational Review Concurrency Meeting on December 8, 2016 10:00 am to 12:00 p.m. to be held at the Lake County Schools District Office on Burleigh Blvd.

## SUMMARY:

This is an opportunity for the Council to designate an official to attend this meeting. Staff may attend to observe but an elected official needs to be the city's voting representative.

## OPTIONS:

Discuss and designate a representative to attend the meeting.

## STAFF RECOMMENDATION:

As above.

## FISCAL IMPACT:

None.

## LEGAL SUFFICIENCY:

Legally sufficient.

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**DECEMBER 7, 2016**

**AGENDA TAB NO. 24**
**SUBJECT TITLE: Utility Agreement with Florida Waterman Hospital**

## OBJECTIVE:

To consider approval of a Utility Agreement between the City of Tavares and Florida Waterman Hospital confirming the assignment of existing impact fee credits and for City payment to the Hospital for the proportional cost of upsizing utility lines at the city's request to service future off-site development.

## SUMMARY:

After several meetings and discussions between Florida Waterman representatives and city staff, this Utility Agreement was drafted by the City's Attorney and is proposed for approval.

Florida Waterman Hospital has ownership of 228 ERUs of impact fee credits obtained through an Assignment of Impact Fee Credits related to a land purchase from MI Homes in 2008. A skilled nursing facility is presently nearing construction on Hospital property. The Hospital is requesting that their 228 ERUs of credit not be applied to the nursing home facility, but retained rather for use with another not yet identified hospital project. Under the Agreement, the skilled nursing home facility will pay the required 50 ERUs ($240,000) that is calculated due for this project.

Further, staff is requesting that the Hospital upgrade the size of a new main water line to be installed through their property to accommodate off-site future development. This water line is not considered to be a Capital Asset or Improvement under our city regulations. The cost of this upsizing, confirmed by an independent engineer, is $90,000. The agreement requires that the City pays the hospital for the cost of this infrastructure upsizing upon completion and acceptance by the city.

This Agreement satisfies both the interests of the Hospital and the City and enables the construction of necessary infrastructure to accommodate future off-site development without the necessity of complex "Pioneer Agreements".

## OPTIONS:

1. That City Council moves to approve the proposed Utility Agreement between Florida Waterman Hospital and the City of Tavares.
2. That City Council moves to deny the proposed Utility Agreement.

## STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve the proposed Utility Agreement.

**FISCAL IMPACT**: $90,000 from Water Impact fees.

**LEGAL SUFFICIENCY:** Approved for legal sufficiency.

# UTILITY AGREEMENT

**THIS UTILITY AGREEMENT** (the "Agreement") is made and entered into as of the ____ day of _____, 2016, by and between **THE CITY OF TAVARES, FLORIDA**, a Florida municipal corporation (hereinafter referred to as the "City"), and **FLORIDA HOSPITAL WATERMAN, INC.**, a Florida not-for-profit corporation, ("Developer"), whose mailing address is 1000 Waterman Way, Tavares, Florida 32778.

## RECITALS

1. The City owns and operates a central water and wastewater utility within a designated utility service district.

2. The Developer owns property inside the City and within the City's utility service district. The Developer is in the process of constructing potable water and wastewater lines and facilities and other infrastructure improvements, at its expense, to be connected to the City's utility system to make potable water and wastewater utility services available to the Developer's planned skilled nursing facility to be constructed on its main hospital campus.

3. The Developer has agreed to pay all required water and wastewater impact fees required for its planned skilled nursing facility and has elected not to apply any water or wastewater credits that it may own pursuant to that certain Assignment of Impact Fees dated June 19, 2008, between M/I Homes of Lake County, LLC and Florida Hospital Waterman, Inc.

4. At the City's request, the Developer is agreeable to upsizing certain portions of its potable water lines to provide for improved future flows for the City's water utility system, and in exchange, the City has agreed to reimburse the Developer for the increased costs to construct and install those upsized lines over and above what is necessary to serve the Developer's project.

NOW, THEREFORE, in consideration of the mutual covenants, premises and promises hereinafter set forth, the receipt, adequacy and sufficiency of which are hereby acknowledged, the City and the Developer hereby agree as follows:

1. Recitals. The foregoing recitals are true and correct in all respects and are expressly incorporated herein by this reference.

2. Construction of Lines and Facilities. The City acknowledges that the Developer, at its expense, has agreed to design, permit, and construct the following infrastructure improvements to wit:

(i) Water Improvements: The Developer shall construct approximately 3,749 feet of 10" and 12" water mains as specified and approved by the City, as depicted on Exhibit "A" attached hereto. These improvements include both upsizing and construction of additional water mains to connect to future US 441

infrastructure. The City hereby acknowledges that it has granted to the Developer the right and license to construct said water mains, and expressly consents to such construction.

(ii) Wastewater Improvements: The City hereby acknowledges that it has granted to the Developer the right to use the City's existing gravity sewer lines on the Developer's property, and the Developer will assume the responsibility of operation and maintenance of those lines, at Developer's expense, until such time in the future that new gravity sewer lines are constructed for other development(s). The Developer shall not be required to remove the City's existing gravity sewer lines from the Developer's property if new gravity sewer lines are constructed for other development(s) in the future.

3. Conveyance of Improvements. All of the utility facilities constructed pursuant to this Agreement shall be the property of the City. The Developer agrees that this Agreement, upon full and complete execution, shall act as a bill of sale that shall convey to the City all of Developer's right, title and interest in and to the subject capital utility lines and facilities upon completion of construction of the same in accordance with the plans and specifications approved by the City, and as permitted by the City.

4. Upsizing and Extension of Certain Water Mains. At the City's request, the Developer shall make the following upsizing of water mains on behalf of the City (the "City Upgrades"):

- Increase 1,171 feet of 8" to 12"
- Increase 459 feet of 8" to 10"
- Increase 1,319 feet of 10" to 12"
- Extend 800 feet of 12" to US 441.

The parties agree that the cost of the City Upgrades is $90,000, which amount the City shall pay to the Developer upon completion and acceptance by the City of the water mains and related infrastructure improvements.

5. Water and Wastewater Impact Fees.

The City and the Developer agree that the planned skilled nursing facility will require 50 ERUs of water and wastewater capacity, based on the plans showing 120 beds at .417 ERUs per bed. Accordingly, the water and wastewater impact fees that will be due from the Developer upon the issuance of the building permits for the project are:

a) Water Impact Fees: 50 ERUs at $1,670/ERU = $83,500

b) Wastewater Impact Fees: 50 ERUs at $3,130/ERU = $156,500

TOTAL Impact Fees due: $240,000

The parties acknowledge and agree that the Developer has elected not to apply any water or wastewater credits that it may own pursuant to that certain Assignment of Impact Fees dated June 19, 2008, between M/I Homes of Lake County, LLC and Florida Hospital Waterman, Inc., as part of this project.

6. Documentation from Developer. The Developer shall submit to the City from the Developer's project engineer copies of all applications for draw requests, contractor's affidavits, certifications from the project engineer, and a set of as-built drawings for all of the improvements contemplated hereby. The Developer shall also assign to the City all warranties and guarantees that it has on the improvements.

7. Entire Agreement. This Agreement constitutes the entire agreement between the parties with respect to the transactions contemplated herein, and it supersedes all prior understandings or agreements between the parties relating to this Agreement.

8. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

9. Waiver; Modification. The failure by any party to insist upon or enforce any of their rights shall not constitute a waiver thereof and nothing shall constitute a waiver of any party's right to insist upon strict compliance with the terms of this Agreement. Any party may waive the benefit of any provision or condition for its benefit which is contained herein. No oral modification of this Agreement shall be binding upon the parties and any modification must be in writing and signed.

10. Governing Law. This Agreement shall be governed by and construed under the laws of the State of Florida.

11. Application; Effect. If any provision of this Agreement or the application thereof to any party, person or circumstance shall be held or deemed to be invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provisions to other parties, persons, or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

12. Notices. Any notices which may be permitted or required hereunder shall be in writing and shall be deemed to have been duly given as of the date and time the same are personally delivered, transmitted electronically (i.e. telecopier device) or within three (3) days after depositing with the United States Postal Services, postage prepaid by registered or certified mail, return receipt requested, or within one (1) day after depositing with Federal Express or other overnight delivery service from which a receipt may be obtained, and addressed as follows:

City: John H. Drury, City Administrator
City of Tavares
201 East Main Street
Tavares, Florida 32778
Telephone: (352) 742-6209
Fax: (352) _____

Copy to: Robert Q. Williams, Esquire
Williams, Smith & Summers, P.A.
380 West Alfred Street
Tavares, Florida 32778-3298
Telephone: (352) 343-6655
Fax: (352) 343-4267

Developer: Florida Waterman Hospital, Inc.
Attn: President
1000 Waterman Way
Tavares, Florida 32778
Telephone: (352) 253-3521
Fax: (352) 589-4041

Copy to: Borron J. Owen, Jr., Esq.
Gray Robinson, P.A.
301 E. Pine St., Suite 1400
Orlando, FL 32801
Telephone: (407) 843-8880
Fax: (407) 244-5690

13. Attorneys' Fees. In the event of any dispute hereunder or any action to interpret or enforce this Agreement, any provision hereof or any matter arising herefrom, the prevailing party shall be entitled to recover its reasonable cost, attorneys' fees, expenses, including but not limited to witness fees, expert fees, consultant fees, attorney, paralegal and legal assistant fees, costs and expenses and other professional fees, costs, and expenses whether suit be brought or not, and whether in settlement, in any declaratory action, at trial or on appeal or in bankruptcy.

14. Performance. Time is of the essence in the performance of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in form and manner sufficient to bind them as of the date indicated hereinabove.

**FLORIDA WATERMAN HOSPITAL, INC.**

"Developer"

By: David Ottati

**CITY OF TAVARES, FLORIDA**

"City"

By: John H. Drury, Administrator

Attest:
Nancy Barnett, City Clerk

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**DATE OF MEETING: December 7, 2016**

**AGENDA TAB NO) 25**
**SUBJECT TITLE: Water & Wastewater System Analysis for Lake Hermosa Village**

## OBJECTIVE:

To approve the work authorizations for Arcadis to complete the water and wastewater system analysis for the Lake Hermosa Village.

## SUMMARY:

Lake Hermosa Village is a new 1000-unit development that has been approved to be built along Mount Homer Road north of Huffstetler Drive. For the City to ensure water and wastewater services to this development, an evaluation of the impact of the planned development on these systems under both existing and future flows is recommended.

The existing water hydraulic model was developed in 2009 and will be utilized to determine if the City's existing infrastructure is adequately sized to provide water service to the new development area under current demands, future demands (year 2030), and fire flow demands or if improvements will be needed. This project will also evaluate if adequate water storage is available to serve both the existing and new customers. Recommendations will be made for pipe sizes serving the new development area as well.

The existing wastewater hydraulic model was developed in 2010 and will be utilized to determine if the City's existing infrastructure is adequately sized to provide wastewater service to the new development area under current and future flows (year 2030) or if a small package treatment plant will be needed. If any infrastructure is found to be deficient, recommendations for improvements will be provided.

## OPTIONS:

1. **Move to Approve** the work authorization for the water system analysis of eleven thousand eight hundred dollars ($11,800.00) and the work authorization for the wastewater system analysis of fifteen thousand one hundred dollars ($15,100.00).

2. **Do Not Approve** the work authorizations of $11,800 and $15,100 for the water and wastewater analysis.

## STAFF RECOMMENDATION:

1. **Move to Approve** the work authorization for the water system analysis of eleven thousand eight hundred dollars ($11,800.00) and the work authorization for the wastewater system analysis of fifteen thousand one hundred dollars ($15,100.00).

## FISCAL IMPACT:

$11,800 from Impact Fee Expenditure Line Item 441-3301-533-64-25
$15,100 from Impact Fee Expenditure Line Item 441-3501-535-64-25

## LEGAL SUFFICIENCY:

This task order meets legal sufficiency

**Work Authorization for**

**Wastewater System Analysis for Lake Hermosa Village**
**REVISION 1**

**City of Tavares, Florida**

This Work Authorization constitutes a Project Agreement under the terms of the Agreement for Continuing Engineering Services, between the City of Tavares and ARCADIS. ARCADIS will provide services described herein to assist the City with a Wastewater System Analysis of the proposed Lake Hermosa Village flows using the City's existing hydraulic wastewater model to determine the impact on the City's wastewater collection system to a new 1000-unit development planned to be built along Mount Homer Road north of Huffstetler Drive.

## PROJECT BACKGROUND

The City of Tavares is interested in retaining the services of ARCADIS to assist with evaluating the impact of a planned development project (Lake Hermosa Village) to their wastewater collection system under both existing and future flows. The City would like to utilize their existing hydraulic model, which has been updated frequently over the past several years, but has not been re-calibrated since 2010.

This project will focus on determining if the City's existing infrastructure is adequately sized to provide wastewater service to the new development area (Lake Hermosa Village) under current and future flows (year 2030) or if a small package treatment plant will be needed. If any existing infrastructure is found to be deficient, recommendations for improvements will be provided. Recommendations will be made for pipe sizes serving the new development area as well as if there is adequate capacity in the existing lift station. The detailed Scope of Work is defined below:

## SCOPE OF WORK

### Task 1 – Lake Hermosa Village Flows

1.1 Wastewater flows from the proposed Lake Hermosa Village will be developed based on the projected land use type and the of number of planned units or size of building as provided in the Concept Plan for Lake Hermosa Village by Avalon Park Group. Statistics from the City of Tavares for typical wastewater flows from each land use type will be analyzed to determine a recommended wastewater generated per unit or per square foot to be applied to the development area for the existing flows. These values will be discussed with the City and a decision will be made regarding the final numbers to be used for calculation of the wastewater flows generated by the development.

1.2 The existing and future flows (2030) from the rest of the system currently in the hydraulic model will be assumed to be unchanged.

**Task 2 – System Evaluation**

2.1 Using the Lake Hermosa projected flows from Task 1, new pipes will be added to the model under the 2030 scenario, based on the proposed Concept Plan for Lake Hermosa Village. The model will be used to adequately size pipes serving the development area for both existing and future flows. Additionally, the City's existing wastewater collection system will be evaluated to determine the effect of installing a package treatment plant for Lake Hermosa Village instead of sending all the flows to the existing treatment plant.

**Task 3 - Technical Memorandum**

3.1 A summary of the model results from the System Evaluation for Lake Hermosa Village will be provided in a technical memorandum. ARCADIS will prepare a draft report for submission to the City for review. The draft report will include recommendations for improvements: necessary wastewater conveyance upgrades and package treatment plant option. Estimated costs for the recommended improvements will be included too. Upon receipt of the City's comments, the memorandum will be finalized. ARCADIS will provide two paper copies and one electronic copy (in pdf) of the final submittal.

**ENGINEERING FEE**

ARCADIS will perform the scope of work described above for a fee not-to-exceed **$15,100**, based on the breakdown of tasks as shown below. Compensation will be paid on a monthly basis, in proportion to the actual hours expended plus reimbursable expenses. The fee will not be exceeded unless there is a mutually agreed-upon revision to the scope of the project.

| | |
|---|---|
| Task 1 –Lake Hermosa Village Flows | $ 3,000 |
| Task 2 – System Evaluation | $ 8,200 |
| Task 3 – Technical Memorandum | $ 3,400 |
| Travel/Other misc. costs | $ 500 |
| Total | $15,100 |

**EXECUTION**

This Work Authorization for WASTEWATER SYSTEM ANALYSIS FOR LAKE HERMOSA VILLAGE shall be executed upon signed approval and acceptance below:

APPROVED BY:

**CITY OF TAVARES**

| | |
|---|---|
| Signature | Date |
| Printed Name | Title |

ACCEPTED BY:

**ARCADIS**

| | |
|---|---|
| Signature | November 21, 2016<br>Date |
| Scott C. Shannon, P.E.<br>Printed Name | Vice President<br>Title |

**Work Authorization for**

**Water System Analysis for Lake Hermosa Village**
**REVISION 1**

**City of Tavares, Florida**

This Work Authorization constitutes a Project Agreement under the terms of the Agreement for Continuing Engineering Services, between the City of Tavares and ARCADIS. ARCADIS will provide services described herein to assist the City with a Water System Analysis of the proposed Lake Hermosa Village demands using the City's existing hydraulic water model to determine the impact on the City's water system to a new 1000-unit development planned to be built along Mount Homer Road north of Huffstetler Drive.

## PROJECT BACKGROUND

The City of Tavares is interested in retaining the services of ARCADIS to assist with evaluating the impact of a planned development project (Lake Hermosa Village) to their water distribution system under both existing and future demands. The City would like to utilize their existing hydraulic model, which has been updated frequently over the past several years, but has not been re-calibrated since 2009. The system average demands have remained relatively stable since the last major model update in 2009-2010.

This project will focus on determining if the City's existing infrastructure is adequately sized to provide water service to the new development area (Lake Hermosa Village) under current demands, future demands (year 2030), and fire flow demands or if improvements will be needed. If any existing infrastructure is found to be deficient, recommendations for improvements will be provided. This project will also evaluate if adequate water storage is available to serve both the existing and new customers. Recommendations will be made for pipe sizes serving the new development area as well. The detailed Scope of Work is defined below:

## SCOPE OF WORK

### Task 1 – Lake Hermosa Village Demands

1.1 Demands for the proposed Lake Hermosa Village will be developed based on the projected land use type and the number of planned units or size of building as provided in the Concept Plan for Lake Hermosa Village by Avalon Park Group. Statistics from the City of Tavares for typical demands for each land use type will be analyzed to determine a recommended water usage per unit or per square foot to be applied to the development area for the existing demands. These values will be discussed with the City and a decision will be made regarding the final usage numbers to be used.

1.2 For the 2030 future demand scenario, the following assumptions will be utilized:

- 2030 Average Day Demands = 5.72 MGD plus new Lake Hermosa demands;
- 2030 Max Day Demands = 1.4 times the average 2030 demands;
- Commercial Fire Flow = max day demands plus 2,500 gpm (applied to the Lake Hermosa Village proposed commercial areas only).

These future demand assumptions are based on information provided in the Hydraulic Model Update report dated August 2010 and recent future modeling scenarios conducted for the City.

**Task 2 – System Evaluation**

2.1 Using the Lake Hermosa projected demands from Task 1, new pipes and future demands will be added to the model under a future scenario, based on the proposed Concept Plan for Lake Hermosa Village. The model will be used to adequately size pipes serving the development area for both existing and future demands as well as fire flow demand. Additionally, the City's existing water distribution system will be evaluated to determine if any piping improvements will be needed to provide water to the planned development area under existing, future, and commercial fire flow demand. As previously noted, system water storage will also be evaluated to determine if any additional storage is needed.

**Task 3 - Technical Memorandum**

3.1 A summary of the model results from the System Evaluation for Lake Hermosa Village will be provided in a technical memorandum. Arcadis will prepare a draft report for submission to the City for review. The draft report will include recommendations for improvements: required piping upgrades and additional water storage. Estimated costs for the recommended improvements will be included too. Upon receipt of City's comments, the memorandum will be finalized. Arcadis will provide two paper copies and one electronic copy (in pdf) of the final submittal.

**ENGINEERING FEE**

ARCADIS will perform the scope of work described above for a fee not-to-exceed **$11,800,** based on the breakdown of tasks as shown below. Compensation will be paid on a monthly basis, in proportion to the actual hours expended plus reimbursable expenses. The fee will not be exceeded unless there is a mutually agreed-upon revision to the scope of the project.

| | |
|---|---|
| Task 1 –Lake Hermosa Village Demands | $ 2,300 |
| Task 2 – System Evaluation | $ 5,600 |
| Task 3 – Technical Memorandum | $ 3,400 |

| | |
|---|---|
| Travel/Other misc. costs | $ 500 |
| Total | $11,800 |

**EXECUTION**

This Work Authorization for WATER SYSTEM ANALYSIS FOR LAKE HERMOSA VILLAGE shall be executed upon signed approval and acceptance below:

APPROVED BY:

**CITY OF TAVARES**

| | |
|---|---|
| Signature | Date |
| Printed Name | Title |

ACCEPTED BY:

**ARCADIS**

| | |
|---|---|
| Signature | November 21, 2016<br>Date |
| Scott C. Shannon, P.E.<br>Printed Name | Vice President<br>Title |

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**DATE OF MEETING: December 7, 2016**

**AGENDA TAB NO: 26**

**SUBJECT TITLE: Appointments to Fire and Police Pension Boards**

**OBJECTIVE:**

**To make appointments to the city's representatives to the Fire and Police Pension Boards.**

**SUMMARY:**

Charlotte Hope's position is up for reappointment on the Fire Pension Board. This will be for a four year term. Ms. Hope has agreed to be reappointed.

Art VanDerStuyf's position is up for reappointment to the Police Pension Board. This will be for a two year term. Mr. VanDerStuyf has agreed to be reappointed.

This positions were advertised in the Daily Commercial in September 2016. This are appointments recommended by the Mayor and ratified by City Council.

**OPTIONS:**

1) **Move to ratify the appointments of Charlotte Hope to the Fire Pension Board for a four year term and Art VanDerStuyf to the Police Pension Board for a two year term.**
2) **Do not ratify the appointments**

**STAFF RECOMMENDATION:**

**Move to ratify the appointments of Charlotte Hope to the Fire Pension Board for a four year term and Art VanDerStuyf to the Police Pension Board for a two year term.**

**FISCAL IMPACT:**

None

**LEGAL SUFFICIENCY: Legally sufficient**

## Nancy Barnett

**From:** Norman & Charlotte Hope hopechest352@comcast.net <hopechest352@comcast.net>
**Sent:** Tuesday, November 15, 2016 4:11 PM
**To:** Nancy Barnett
**Subject:** Re: reappointment to Fire Pension Board

Yes Nancy I would be happy to continue on the Fire Pension Board. I am also up to date on my training.

Thanks, Charlotte

Sent from XFINITY Connect Mobile App

-----Original Message-----

From: nbarnett@tavares.org
To: chope@tavares.org,hopechest352@comcast.net
Cc:
Sent: 2016-11-15 11:17:16 AM
Subject: reappointment to Fire Pension Board

**Hi Charlotte,**

**I understand from Ferrell that you are willing to be reappointed as the city representative to the Fire Pension Board for another four year term. Just wanted to touch base for confirmation from you directly.**

**Thanks.**

***Nancy A. Barnett***
***City Clerk***
***City of Tavares***
***PO Box 1068***
***Tavares, FL 32778-1068***

***Phone (352) 253-4546***
***Fax (352) 742-6351***

*"It takes all kinds of people to make a world"* Laura Ingalls Wilder

## Nancy Barnett

**From:** Arthur VanDerStuyf
**Sent:** Friday, September 02, 2016 10:45 AM
**To:** Lori Pfister
**Cc:** Nancy Barnett
**Subject:** Police Pension Board

As my 2-year term comes to an end in November 2016, it would be an honor to be reappointed for another term and continue my service on the City of Tavares Police Pension Board.

Arthur F VanDerStuyf
Chairman
Tavares Police Pension Board

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**DATE OF MEETING: December 7, 2016**

**AGENDA TAB NO: 27**

**SUBJECT TITLE: Mayor's Youth Council Assignments to Councilmembers**

**OBJECTIVE:**

To pair up each student with each Councilmember.

**SUMMARY:**

Previously the City Council approved a Mayor's Youth Council where the Tavares High School would select five (5) students to be paired with each Council member and then complete an introductory program on local government

The Tavares High School has selected the following five (5) students:

Karley H. Paulling
Kayla Livingston
Reagan Hanawalt
Mick Pepper
Abigail Lora

Attached is a cover letter and resume from each student. An opportunity is provided for Council to pair each student with one Council member.

**OPTIONS:**

1. Discuss and pair each student
2. Pair by lottery

**STAFF RECOMMENDATION:**

Discuss and pair each student.

**FISCAL IMPACT: None**

**LEGAL SUFFICIENCY:** Legally sufficient (Students will be required to follow the Sunshine/Ethics laws.

Tavares High School
603 N. New Hampshire Avenue
Tavares, Florida 32778-2699
Phone (352) 343-3007
Fax (352) 343-8614

November 21, 2016

Mayor Lori Pfister
City of Tavares
201 E. Main Street
Tavares, FL 32778

RE: Tavares Youth Council Member Interests

Dear Mrs. Pfister,

Attached please find a copy of my resume which includes some of my interests that would aide in placing me with the proper Council Member for this opportunity.

Thank you again for this opportunity.

Sincerely,

Karley H. Paulling

Karley H. Paulling

Tavares High School
603 N. New Hampshire Avenue
Tavares, Florida 32778-2699
Phone (352) 343-3007
Fax (352) 343-8614

Karley H. Paulling
33919 Valencia Drive, Leesburg FL 34788
352.408.5135 karley.paulling@gmail.com

| | |
|---|---|
| Education | Tavares High School, Freshman, Class of 2020 (3.5 GPA) |
| Activities | FFA Tavares Chapter Member<br>THS Tennis Player<br>Graceway Church Youth Member<br>Tavares Youth Council Member |
| Interests | Lakes and waterway conservation<br>Architecture and Design<br>Well managed community growth |

I'm very concerned about our lakes and how much they are polluted. I have grown up on the lakes, swimming, fishing and water skiing as did my grandmother who is 69 years old, she remembers learning how to swim in the Dora canal and the water being clear. Today people would not dare get in that canal because we have no idea what could be in it. This makes me think, what will or lakes be like in 20 more years?

After high school graduation in 2020, I plan attend college for Architecture and Design. I have always loved drawing and creating buildings and houses virtually.

When I first was informed about this council I wanted to get behind the building and development of The City of Tavares as a general area. I am very excited to learn of what all goes into the development of my city.

| | |
|---|---|
| References | Lake County Judge Terry Neal<br>Tom Valenta, TMS and Graceway Church Youth Director<br>Sean Brooks, Finance Manager – Phillips Buick GMC |

Tavares High School
603 N. New Hampshire Avenue
Tavares, Florida 32778-2699
Phone (352) 343-3007
Fax (352) 343-8614

**Lori Pfister**

Mayor of Tavares

Dear Lori Pfister:

I am a determined and hard-working sophomore at Tavares High School. Which explains why I am preparing for college, dual-enrollment, this summer or next year. I am looking for all the experience I can, in preparing me for the real world. I am most interested in Parks and Recreation, I want to create a safe and environmentally-conscious city for all of our generations, the elders and the kids. But I also am interested in Finance, as I love numbers, math, and problem-solving.

I am exceedingly excited and thankful for a chance to work with a council member, and I hope I will do them and the City of Tavares, proud. I would also like to take this chance, to tell you, thank you for the amazing opportunity you have given me.

**Sincerely,**

Kayla Livingston

**Kayla Livingston**

Tavares High School
603 N. New Hampshire Avenue
Tavares, Florida 32778-2699
Phone (352) 343-3007
Fax (352) 343-8614

Kayla N. Livingston

34010 Green Meadow Lane

Leesburg, FL 34788

(352) 530 – 3264 ◆ kaylalivinstonn@gmail.com

Education:

Sophomore at Tavares High School

All Honors or AP classes

GPA 4.5

Preparing for Dual-Enrollment at LSSC

Athletics:

Last year, I was on the Track team, and plan to be on it this year as well. I used to ride horses, and run cross-country, in middle school.

Work:

I was a paid intern for the Lake County Republican Party during the Presidential Campaign of 2016.

References:

Ryan Brooks (brooksr@lake.k12.fl.us)

Karen Kelly (kellyk@lake.k12.fl.us)

Mark Fisher (407-451-8890)

Tavares High School
603 N. New Hampshire Avenue
Tavares, Florida 32778-2699
Phone (352) 343-3007
Fax (352) 343-8614

# Reagan Hanawalt

**7 December 2016**

Tavares City Council Members

**Dear Tavares City Council Members:**

My name is Reagan Hanawalt. I am currently a sophomore attending Tavares High School. I am very interested in the financial branch of city government. I would be interested in learning about its operations, and to learn where the city's income comes from, how it is managed, and in how it is allotted to successfully run the city.

**Sincerely,**

**Reagan**

Tavares High School
603 N. New Hampshire Avenue
Tavares, Florida 32778-2699
Phone (352) 343-3007
Fax (352) 343-8614

# Reagan Hanawalt

## Objective

I hope to learn about the basic inner workings of city council and government.

## Education

### School

- Treadway Elementary School (2006–2012) **GPA**: 4.0
- Umatilla Middle School (2012–2013) **GPA**: 4.0
- Tavares Middle School (2013–2015) **GPA**: 4.0
- Tavares High School (2015–present) **GPA (unweighted)**: 4.0

## Skills and Achievements

### Science

- Eighth grade: Second place in 2015 Lake Regional Envirothon competition, special recognition for an eCYBERMISSION mission project
- Tenth Grade: Winner of a STEM Award for outstanding achievements in science for high school freshman, nomination for HOBY (tenth grade leadership seminar at Eckerd College)

### English

- Sixth Grade: Second place award in Dr. Martin Luther King Jr. Essay contest
- Eight Grade: First place in middle school spelling bee

### Clubs

- Eighth Grade: STEM Club, Art club, National Junior Honor Society
- Tenth Grade: Astronomy club, FFA

Tavares High School
603 N. New Hampshire Avenue
Tavares, Florida 32778-2699
Phone (352) 343-3007
Fax (352) 343-8614

# MICK PEPPER

## SUMMARY

I am a Junior attending Tavares High School. I am passionate about Jazz music and its long needed pop culture revival. It is a shame that such an important part of American culture has been reduced down to stereotypes in our own country when it is widely appreciated all over the world whether it be through Bebop, Cuban/Latin, Big Band, Funk, etc. I also play Trombone (Jazz and Classical) and participate in the Tavares High School Band, but also have auditioned for and made the Allstate Jazz Band of 2016 and 2017. Besides music, other activities I enjoy are running, biking, film studying, and tutoring other musicians. What brought my interest to the Mayor's Youth Council was simply my history teacher mentioning it in class. I hope that by joining this group I will have a better understanding on how our government runs.

Experience

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|---|---|
| 2017 | Florida Allstate Jazz Band |
| 2016-2017 | Astronomy Club |
| 2016 | Florida Allstate Jazz Band |
| 2014-2015 | Tavares Soccer |

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My name is Abigail Lora and I am a sophomore at Tavares High School. Spending my first two years of high school here has been nothing but a pleasant experience. I am lucky enough to have a school neighboring a public library, which is one of the places I visit often before any after school events, such as after school extracurricular activities. I have neither my parents nor any older siblings who grew up in Tavares so I have been gaining experience as I go.

Ever since my older cousin introduced me to the medical field by showing me her college textbooks at ten years old, I knew I found the one thing I saw my future revolve around. The general knowledge of the way our body functions and how to properly care for it is crucial to our daily lives. I aspire to make it my long term goal to be able to teach and assist others on how to stay healthy as a nurse practitioner. My strongest classes in high school have been biology, chemistry, anatomy, and health science. I feel like I can incorporate those classes in my future career very well. I believe I have good interactive and communication skills and working with others suits me nicely, whether it be with my coworkers or with my patients. I enjoyed speaking at the last council meeting because it made me feel like my opinion actually mattered and I could contribute on new ideas on how to improve the city of Tavares. I can transfer my contributions into my work as a nurse practitioner by leading my patients into a healthy lifestyle.

As a person, I lean towards the happy-go-lucky, all smiles kind of persona. This makes me more enthusiastic and have more energy for my activities such as band and track, which I did last year in the spring. Though this makes me somewhat outgoing, I tend to be more on the quiet side most of the time and I enjoy listening to music, reading, or spending time on my studies. I hope to get an academic scholarship that will help me get into college. So, since I was really young, it has been my goal to get straight A's in all my classes. So far, I have accomplished just that. I hope this club can give me an insight on the real world and how the city actually functions. Putting pieces together on city projects and experiencing the city events will make me feel more prepared for life outside the comfort of my parents' home.

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One of the extracurricular activities that I am currently involved in is the Tavares High School BIG RED band. I began my musical education in the summer of my freshman year. At the time, I knew next to nothing about music except for the fact that the sound of drums and various other percussion instruments made me so happy I just had to take part. Going in blind, I found that I struggled extremely hard. Nonetheless, I had an amazing instructor who was more than willing to help me push through. Over the course of the year, I focused mainly on the xylophone and excelled tremendously. Now, I am part of our school's drumline as a bass drummer and I am currently happier than ever; my only regret is not starting sooner. We recently just got straight superiors at our Marching Performance Assessment and now we are currently practicing and preparing for our concert season.

Aside from band, I am also a member of the Tavares High Astronomy Club. Likewise, I joined at the beginning of my freshman year. The reason I joined was because of my fascination for space and the way the universe functions. Having skipped Earth Space science as a freshman, I knew this was my only chance to learn more since the sixth grade. I found out that it went far beyond space itself. Touching on a little bit of every kind of science, this club has kept me on my toes with all the fun labs and interactive projects, such as experimenting with dry ice or "creating" our own planet with a group. At the end of every year, we take a trip to the Kennedy Space Center and it seems as if everyone can agree that it is the perfect way to end the year together as a club.

Though I have not gotten the chance to do so because of school, I plan to volunteer at the Tavares YMCA in the summer. I have a younger brother, and it has been my time that I have spent with him that makes me look forward to help take care of kids in the mini day care section. It is here that I will get the opportunity to collect my volunteer hours to graduate and to spend my summer having fun.

Going to a good college has always been a concern for me because my family is not in a position to afford everything but I still want to get a good education. The last school program that has and continues to help lead me in the right direction is Take Stock for Children. I have been a member of Take Stock since the end of eighth grade. In this Lake/Sumpter County group, they have taught me important life lessons, such as how to properly apply for a job or how to write a formal college essay or even SAT study tips. In this program, I am also assigned a mentor who comes to my school about once a week to discuss how I am going with my classes and how to better myself in school by performing brain activities like how to discover my learning techniques. Once I graduate high school, I will be award money for tuition to be able to help pay for the college I want to go to and my classes for my future job.

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**DECEMBER 7, 2016**

**AGENDA TAB NO. 28**

**SUBJECT TITLE: City Administrator Report**

**OBJECTIVE:** To inform Council on city related matters.
**SUMMARY: Will be presented at meeting**

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| ***City Council Regular Meeting*** | ***January 18, 2017 – 4:00 p.m. City Council Chambers*** |
| ***Library Board*** | ***December 21 , 2016 – 2:30 p.m. – Library Conference Room*** |
| ***Planning & Zoning Board*** | ***December 15, 2016 – 3:00 p.m. – City Council Chambers*** |
| ***Code Enforcement Hearing*** | ***None in December***<br>***January 24, 2017– 5:00 p.m. – City Council Chambers*** |

***CITY SPONSORED OR AFFILIATED EVENTS***

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|---|---|
| ***Holly Jolly Employee Party*** | ***Friday, December 9th 11:30 – 1:30 – Tavares Pavilion*** |
| ***Love Our Lakes Clean up*** | ***Saturday December 10th 8:30 am Hickory Point and Wooton Park*** |
| ***Ruby Street Stormwater Meeting - Update*** | ***Tuesday December 13th at Lago Dora Restaurant – 2:00 p.m.***<br>***For Business Owners, Residents and all interested*** |
| ***Downtown Redevelopment Master Plan Public Hearing*** | ***City Council Chambers – "Take Off" Meeting includes America in Bloom program***<br>***January 19, 2017 – 4:00 p.m.*** |
| ***Public Meeting- All Day Workshop – Downtown Master Plan*** | ***Thursday January 20, 2017***<br>***City Council Chambers 9 am to 4 pm*** |
| ***Downtown Walking Tour – follow up to Take off Meeting*** | ***Walking Tour beginning at City Hall***<br>***2:00 to 3:00 p.m.*** |

***OTHER COMMUNITY EVENTS***

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|---|---|
| ***Chamber Business Luncheon*** | ***January 25, 2017 - TBA*** |
| ***African American Heritage Festival*** | ***February 4, 2017 – Wooton Park*** |

***OTHER OUTSIDE AGENCY MEETINGS***

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|---|---|
| ***Lake County League of Cities*** | ***Friday, January 13, 2017 – 12:00 noon***<br>***Lake Receptions*** |
| ***Lake Sumter MPO*** | ***January 25, 2017*** |

**AGENDA SUMMARY**
**TAVARES CITY COUNCIL**
**December 7, 2016**

**AGENDA TAB NO. 29**

**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