



AGENDA
TAVARES CITY COUNCIL
July 7, 2010
4:00 P.M.
TAVARES CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Carlos Colon, Tavares Fire Department Chaplain

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Tab 1) City Council Regular Meeting, June 2, 2010
City Council Special Meeting, June 9, 2010
City Council Regularly Meeting, June 16, 2010
Mayor Wolfe

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Election Proclamation for City Election
Mayor Wolfe

Tab 3) Dispatch Officer of the Year
Chief Lubins

Tab 4) USDA Presentation – Discussion and Follow Up to
Presentation on May 19
Brad Hayes

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS
INTO THE RECORD
Nancy Barnett

VIII. CONSENT AGENDA

Tab 5) Award of Bid for Restrooms at Aesop's Park
Tammy Rogers

IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING

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

First Reading

None

Second Reading

Tab 6) Ordinance #2010-07 – Request to Put Site Built Homes in Mobile Home Parks (Tabled from May 19)	Jacques Skutt
Tab 7) Ordinance #2010-14 - Amendment to Land Development Regulations – Chapter 17 – Management of Oil and Grease	Jacques Skutt
Tab 8) Ordinance #2010-15 - Amendment to Land Development Regulations – Chapter 17 – Irrigation	Jacques Skutt

X. GENERAL GOVERNMENT

Tab 9) City Administrator Contract	John Drury
Tab 10) Approval of Wooton Park Landscape Contract	Bill Neron
Tab 11) Discussion of Draft Ordinances for Referendum	Attorney Williams
Tab 12) Request to Approve Expenditures for Referendum	Joyce Ross
Tab 13) Discussion of Roadway Connectivity Issue	Chris Thompson
Tab 14) CRA Stormwater Study – Griffey Engineering	Brad Hayes
Tab 15) Harvest Moon Festival Funding	John Drury
Tab 16) 2011 Planes, Trains & BBQ Event Entertainment	Vice Mayor Pfister

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

Tab 17) City Administrator

John Drury

Tab 18) Council Reports

City Councilmembers

This Agenda is provided to the City Council only as a guide, and in no way limits their consideration to the items contained hereon. The Council has the sole right to determine those items they will discuss, consider, act upon, or fail to act upon. Changes or amendments to this Agenda may occur at any time prior to, or during the scheduled meeting.

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

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

The Language of Local Government

Definition of Terms

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

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

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

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

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

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

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

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

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

contiguous – Sharing a common boundary.

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

DCA – Department of Community Affairs

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

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

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

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

FDOT – Florida Department of Transportation

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

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

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

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

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

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

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

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

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

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

PUD – Planned Unit Development

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

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

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

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

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

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

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

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

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
JUNE 2, 2010
CITY COUNCIL CHAMBERS

COUNCILMEMBERS PRESENT

ABSENT

Robert Wolfe, Mayor
Lori Pfister, Vice Mayor
Sandy Gamble, Councilmember
Bob Grenier, Councilmember
Kirby Smith, Councilmember

STAFF PRESENT

John Drury, City Administrator
Bob Williams, City Attorney
Nancy Barnett, City Clerk
Lori Houghton, Finance Director
Jacques Skutt, Director of Community Development
Chief Richard Keith, Fire Department
Chris Thompson, Interim Public Works Director
Tamera Rogers, Director of Community Services
Brad Hayes, Director of Utilities

I CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Greg Watts, Associate Pastor, Liberty Baptist Church, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

Mayor Wolfe stated he wished to add Tab 13 – Update on Special Event Council Horizon Team.

MOTION

1
2 **Bob Grenier moved to approve the agenda, seconded by Kirby Smith. The motion**
3 **carried unanimously 4-0 (Vice Mayor Pfister absent).**

4
5 **IV. APPROVAL OF MINUTES**

6
7 **MOTION**

8
9 **Bob Grenier moved to approve the minutes of the May 19, 2010 City Council**
10 **Meeting, seconded by Kirby Smith. The motion carried unanimously 4-0.**

11
12 **V. PROCLAMATIONS/PRESENTATIONS**

13 **None**

14
15 **VI) SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE**
16 **CONTACTS**

17
18 Attorney Frye advised that anyone who wished to give testimony on Tab 7 (Ordinance
19 #2010-11) should stand and be sworn in by the City Clerk. Ms. Barnett administered the
20 oath.

21
22 Attorney Frye asked if Council wished to disclose ex parte contacts.

23
24 Councilmember Smith stated that he would not be participating in the discussion or
25 voting on Resolution #2010-04 as he is one of the property owners.

26
27 **VII) READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

28
29 Ms. Barnett read the following ordinances by title only:

30
31 **ORDINANCE 2010-13**

32
33 **AN ORDINANCE AMENDING SECTION 2-1 OF THE CITY OF**
34 **TAVARES CODE OF ORDINANCES PROVIDING FOR LIEN SEARCH**
35 **FEEES AND AMENDMENT OF OTHER PUBLIC INFORMATION**
36 **REQUEST FEES; PROVIDING FOR CODIFICATION; PROVIDING FOR**
37 **AN EFFECTIVE DATE.**

38
39 **ORDINANCE NO. 2010- 11**

1 Mr. Drury said there are a couple of issues; one is to meet the legal requirements that
2 the meetings do not conflict with other governmental meetings, and the second is to
3 provide enough opportunities to review the budget. He said there will be five public
4 workshops. The first meeting will be on July 28 when the maximum millage rate must be
5 set and there will be four meetings after that for further discussion. Ms. Houghton said
6 this is consistent with the process during the last few years and that additional meetings
7 can always be scheduled. She noted the tentative budget is presented the first meeting
8 in September and the final budget the second meeting in September.
9

10 Ms. Houghton advised that per the TRIM calendar the city must hold its tentative budget
11 hearing no less than 65 days after the start of TRIM which is July 1st so that will require
12 a change in council meeting dates for September. Those meetings will be September 8
13 and 22. She said staff may not be able to provide a final printed document by
14 September 22 but will provide any changes to the accounts per Council direction.
15

16 Councilmember Gamble commented on the Employee Health Care Clinic Workshop on
17 July 7th. Mr. Drury said he has been looking at ways to reduce health care costs. One of
18 those ways is through a healthcare clinic. The workshop will present the information and
19 find out if the Board has any interest in putting it into the budget.
20

21 Councilmember Gamble said he had attended meetings recently where this was
22 discussed. He said the School Board is hoping to start this in October. Mr. Drury said
23 the feasibility will depend on the partnerships. Councilmember Gamble asked if the city
24 has a wellness program with the insurance company where money is refunded every
25 year. Mr. Drury stated the city has a wellness program but not that arrangement. He
26 said at the workshop all of the questions should be answered. He said Ms. Tucker has
27 been meeting with the other cities regularly discussing this topic for the past year.
28

29 **MOTION**

30
31 **Sandy Gamble moved to approve the Budget Workshop Calendar, seconded by**
32 **Kirby Smith. The motion carried unanimously 5-0.**
33

34 **IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING**

35
36 **Tab 6) Ordinance #2010-11 – Amendment to Golf Cart Ordinance**
37

38 Attorney Frye stated the proposed ordinance will mirror Florida Law in that the
39 requirement for a driver's license will be removed. She said there are three competing

1 interpretations of whether the city can actually require everyone to have a driver's
2 license:

- 3 1) 2002 Attorney General Opinion – the City should not pass a more restrictive age
4 requirement than the Florida Statutes which allows a golf cart to be driven at age
5 14.
- 6 2) The statutory language changed in 2005 which is subsequent to the AGO
7 perhaps rendering that nullified. She said that the amendment is subject to
8 interpretation but that the determination has been made is that it means one of
9 two things: the city now can require everyone to have a drivers license to drive a
10 golf cart but that restrictions can be imposed on an unlicensed driver, such as
11 hours of operation.

12
13 Attorney Frye said that she had been asked by Attorney Williams to communicate that,
14 whatever decision Council makes, a legal argument can be made to support that action.
15

16 Mr. Drury added that in researching this law, staff has attempted to find out who passed
17 the amended law in order to obtain more information. He said the legislative Committee
18 Reports were vague on the background of the law.
19

20 Councilmember Smith said he did not think the concern before was the drivers license;
21 it was decreasing the age from 16 to 14.
22

23 Vice Mayor Pfister said it is the responsibility of the parent and she did not want to do
24 anything that would cause the city legal issues. She said until something clearer comes
25 about in the statutes she would prefer to mirror that statute that now allows for 14 year
26 olds.
27

28 Councilmember Grenier discussed his preference for a driver's license and problems he
29 had observed while working at Disney World with children driving golf carts
30

31 Mayor Wolfe said he agreed with Vice Mayor Pfister. He then asked for audience
32 comment.
33

34 James Best, Groves at Baytree

35 Mr. Best spoke in opposition to the proposed ordinance citing his experience working
36 with adolescents and problems with children not being supervised in his subdivision
37 who were driving golf carts.
38

39 Betty Burleigh, 214 N. New Hampshire Ave.
40

1 Ms. Burleigh said she agreed with Mr. Best. She expressed concern about people
2 driving who had lost their licenses due to DUI and other infractions.

3
4 Denise Laratta, Royal Harbor

5 Ms. Laratta said she agreed that the limit should be kept at 16 but that she believed the
6 issue of whether a driver's license should be required was a separate matter. She said
7 at the last meeting there was the example given of a disabled veteran who no longer
8 can have a driver's license and his only means of transportation is by golf cart. She said
9 she hoped those type of circumstances should be taken into consideration.

10
11 Brenda Smith, 1250 Smith Avenue

12 Ms. Smith said her grandsons cannot drive a golf cart at a golf course unless they are
13 16 so they have either a grandparent or parent who go with them. She said she
14 believed it is an issue of maturity and those few years does make a difference.

15
16 **Council Discussion**

17
18 Councilmember Gamble said although initially he had supported going with the state
19 law, since then he has had conversations regarding the issue that the city is able to
20 have a more stringent law than the State because it involves city streets.

21
22 Councilmember Smith said he had received one call supporting the ordinance and he
23 had advised the caller about his reservations concerning the age limit. He said he did
24 not object to not requiring a driver's license but that he still had an issue with the age of
25 14.

26
27 Vice Mayor Pfister said she understood the comments of Council but she continued to
28 support the ordinance and believed the city was opening itself to a liability not to support
29 the state law.

30
31 Councilmember Smith said he disagreed as there appeared to be at least three options
32 that were permitted by law.

33
34 Councilmember Gamble said he could agree not to require a driver's license but
35 disagreed with lowering the age and still had some concern about allowing someone to
36 drive who had lost their license.

37
38 **MOTION**

39
40 **Lori Pfister moved to approve Ordinance #2010-11 as presented.**

1 **Tab 8) Workshop to Consider Draft of the Evaluation and Appraisal Report**

2
3 Mr. Skutt stated the purpose of the workshop was to present the first draft of the
4 Evaluation and Appraisal Report for the Comprehensive Plan. He noted that Mr.
5 Anderson, the City's consultant, would be making the report. He stated that on May 20,
6 the Planning & Zoning Board recommended approval of the draft EAR.
7

8 Mr. Anderson summarized the major issues that are contained within the Evaluation and
9 Appraisal Report and showed a power point presentation. He noted that after the report
10 is adopted, the next step will be to do the EAR based amendments which will be
11 amendments to the Comprehensive Plan. The seven issues approved by Council
12 previously were sent to DCA and they have developed a Letter of Understanding which
13 is a document that provides some guarantees that when the EAR based amendments
14 are adopted in the future, there will be no change to the rules. He discussed these plan
15 elements and issues concerning those elements: Future Land Use, Transportation,
16 Housing, Public Facilities, Conservation, Intergovernmental Coordination, Capital
17 Improvements, Concurrency Management, and Public School Facilities.
18

19 Mr. Anderson recommended that Council approve the Draft EAR for transmission to the
20 Department of Community Affairs so that the next step of approving the EAR based
21 amendments can be initiated.
22

23 Mayor Wolfe asked if Council had questions. He asked the audience if they had
24 comments on the report.
25

26 **MOTION**

27
28 **Kirby Smith moved to authorize staff to transmit the draft EAR to DCA for review,**
29 **seconded by Bob Grenier. The motion carried unanimously 5-0.**
30

31 **Tab 9) Presentation of Light Weight Truss System**

32
33 Chief Keith stated the purpose of the presentation was to inform Council on the
34 procedures that are going to be instituted to ensure compliance with state mandates
35 requiring identification of buildings with light weight truss systems. He discussed the
36 issue that led to the development of the state code when two firefighters died in a fire at
37 Disney several years ago because the building had a type of roof built of light weight
38 construction. He showed examples of trusses and the type of signs that will be placed
39 on the buildings. He noted that Captain Luckock will be advising the businesses.
40

1 Mayor Wolfe asked if there was comment from the audience.

2
3 **Tab 10) Award of Bid for Wastewater Plant Modifications**

4
5 Mr. Hayes stated the Woodlea Treatment Plant has experienced some process control
6 issues over the years and the FDEP noticed those issues in their last Sanitary Survey.
7 The City hired Malcolm Pirnie to assist them in the design of these modifications to
8 enhance the process control. Seven bids were received based on the design. Utility
9 Technicians was the low bidder of \$133,100. The funding source will be Water and
10 Wastewater Reserves

11
12 Vice Mayor Pfister said she was glad to see a Lake County company being awarded the
13 bid. Councilmember Smith said he had noticed in the mandate that a bid bond would
14 not be required and asked if the City would be at risk.

15
16 Mr. Drury said the bid bond is to hold the bid at the time of award and the City will
17 require a payment and performance bond.

18
19 Mayor Wolfe asked if the audience had questions.

20
21 **MOTION**

22
23 **Sandy Gamble moved to approve the staff recommendation of the award of the**
24 **bid to Utility Technicians in the amount of \$133,100, seconded by Bob Grenier.**
25 **The motion carried unanimously 5-0.**

26
27 **Tab 11) Naming of Alleyways**

28
29 Councilmember Grenier thanked Ms. Houghton for her idea of naming the alleyways.
30 He said the Historical Society of Tavares had met and developed a list of names for the
31 15 alleyways. He gave the following report:

32
33 Alleyways #2, 7, 8 and 12 are large alleyways that intersect both Alfred Street and
34 Caroline Street. Alfred Street is the busiest road through the Historic and Entertainment
35 District and with the future possibility of Alfred and Caroline being a one pair, those
36 streets would combine to be the two busiest streets in the district. Those four alleyways
37 will therefore receive the names of famous seaplane aviators in keeping with the city's
38 brand of America's Seaplane City. He said he had also wanted to ensure that the
39 people being named from Tavares history also be of great strength of character. He

1 said these people are the elite of Tavares history and are people who do not have
2 places or things named for them at this time.

3
4 Mayor Wolfe asked if there was comment from the audience.

5
6 **MOTION**

7
8 Kirby Smith moved to approve the names recommended to Council [for the
9 alleyways]

10
11 [Alleyway #1 – Cromartie for William Reed Cromartie active African American
12 School Trustee;

13 Alleyway #2 – Henri Fabre; French aviator;

14 Alleyway #3 – Gardner for Mr. Gardner who owned Gardner’s Garage;

15 Alleyway #4 – Blanche Sperry – Began first school lunchroom program;

16 Alleyway #5 – Boulware – Doc Boulware;

17 Alleyway #6 – Marie King – owner of the Tavares Inn;

18 Alleyway #7 – Glenn Curtiss – inventor of the hydroaeroplane;

19 Alleyway #8 – John Cyril Porte – Flying boat pioneer associated with the WW I
20 Seaplane Experimental Station;

21 Alleyway #9 – T. A. Hux – early confederate veteran who settled in Astatula and
22 then moved to Tavares;

23 Alleyway #10 – J. N. Flowers – first Tavares Police Chief;

24 Alleyway #11 – Tally – Judge Emmett M. Tally;

25 Alleyway #12 – Clara Adams – pioneer aviatrix who flew around the world as a
26 passenger;

27 Alleyway #13 – Benny Kinsler – African American school teacher associated with
28 Tavares Elementary School and recognized by Governor Chiles;

29 Alleyway #14 – Shorts – outstanding African American leader in the Mt. Mariah
30 Missionary Church;

31 Alleyway #15 – Coven – Early building contractor in Tavares – some of his
32 buildings include the Duncan House, the Lake Abstract Building and the 1912
33 pavilion on Lake Dora].

34
35 The motion was seconded by Sandy Gamble. The motion carried unanimously 5-
36 0.

37
38 Mayor Wolfe thanked Councilmember Grenier for his work on this project.

39
40 **Tab 12) Discussion of Donation for Veterans Memorial**

1
2 Councilmember Grenier said he thought most of the cities and the County would be
3 making a donation to this project. He noted that he and the mayor had attended the
4 groundbreaking for this new 60 foot war memorial that will be built at Fountain Lake
5 Park in Leesburg. It will be a memorial to all of the veterans in Lake County. He said he
6 would like to research further to find out what the average donation will be and that he
7 would be bringing back this possible donation at a future meeting during the budget
8 process.

9
10 Mayor Wolfe asked if there were comments from the audience.

11
12 **Tab 13) Update from Special Events Horizon Project Team Meeting**

13
14 Mr. Drury stated that the Horizon Project Team is comprised of Mayor Wolfe, the City
15 Administrator, Ms. Rogers, Mr. Neron, Ms. Houghton, and Ms. Cecilia Smith. The team
16 met recently to discuss adding another special event to the slate of special events that
17 was discussed at a previous meeting that would be more recreationally boating related.
18 The conclusion of the Horizon Project Team was that October 22 – 24th would probably
19 be the best date as it gives several months between other large events. He said before
20 the team moves forward it was determined that Council should discuss and make a
21 decision as to whether it is interested in the event and if Councilmember Smith would
22 be interested in working on the boating component and Vice Mayor Pfister on the music.

23
24 Councilmember Smith said he would accept the recommendation based on the ability of
25 staff to put together the grand opening of the marina in April. Councilmember Gamble
26 spoke in support of having a fall signature event.

27
28 Mayor Wolfe asked if the audience had comments.

29
30 **Brenda Smith**

31
32 Ms. Smith said she and her husband had visited Palatka recently and attended a
33 seafood festival. She said she thought those vendors would be willing to attend this
34 event.

35
36 **Council Discussion**

37
38 Mayor Wolfe asked Vice Mayor Pfister if she would be willing to be on the team to work
39 on the music. Vice Mayor Pfister agreed.

1 Mr. Drury said if Council has names or thoughts or themed ideas if they send them to
2 him he will make sure that the Horizon Project Team receives those names so
3 everything can work together and be themed together.

4
5 Vice Mayor Pfister asked if Ms. Rogers could share her thoughts on this topic.

6
7 Ms. Rogers said that Vice Mayor Pfister had come up with some very creative
8 conceptual ideas. She asked that the handouts be given to Council. She said that
9 October is the Harvest Moon month which falls on October 23rd. This theme of “Harvest
10 Moon on the Lake Dora Bayou” is being suggested. Ms. Rogers presented several
11 ideas for the festival around this theme.

12
13 **Mr. Drury said if Council is comfortable heading in this direction the Horizon**
14 **Project Team will workshop the ideas, Mr. Neron and Councilmember Smith will**
15 **research the boating aspect and Vice Mayor Pfister will work on the music aspect.**
16 **Updates will then be provided about once a month on how the event is**
17 **progressing.**

18
19 **XI. OLD BUSINESS**

20 None

21
22 **XII. NEW BUSINESS**

23 None

24
25 **XIII. AUDIENCE TO BE HEARD**

26 None

27
28 **XIV. REPORTS**

29
30 **Tab 12) City Administrator**

31
32 Mr. Drury reported that the Civil War News recently had a feature about Tavares and
33 about the grand opening which was because of the historic Haynes house. Mr. Drury
34 said in addition that Water Flying Magazine is the premier international seaplane flying
35 magazine and just this week featured on its cover a picture of Tavares with Lake Dora.
36 The title of the front cover is “The Biggest Little Seaplane City in the U.S.A.” He quoted
37 from the article as follows: “Seattle watch out, Anchorage check your six [seaplane
38 bases], Minnesota - St. Paul better take notice. There is an unlikely but feisty new
39 contender for the title of America Seaplane City. In fact, little Tavares Florida which
40 resides in appropriately named Lake County northwest of Orlando, has gone so far as

1 to apply for a trademark for the slogan America's Seaplane City because it has
2 identified seaplanes as the draw for its aggressive downtown revitalization effort.”
3

4 Chief Keith
5

6 Chief Keith distributed a copy of the identification sign for the light weight truss
7 buildings.
8

9 Tammy Rogers
10

11 Ms. Rogers complimented Mr. Drury on the magazine exposure for the city.
12

13 Tab 13) City Council
14

15 Councilmember Gamble
16

- 17 • Discussed problem with potholes on Givens Street- Mr. Drury noted Givens is the
18 next street to be overlaid
- 19 • Insurance with the Wellness Program – the school board is going to be offering a
20 “50 days” wellness program – Ms. Tucker noted the city has a wellness program
21 but she is not familiar with the 50 Days program.
- 22 • Spoke at the Tavares Historical Society luncheon – complimented
23 Councilmember Grenier on his knowledge of the history of the community and
24 his efforts with the community and the Board members
- 25 • Noted today was a memorial to Ed Stegall a pioneer of Tavares who passed
26 away on Monday. He said he knew Mr. Stegall for many years. He discussed Mr.
27 Stegall's history in the community.
- 28 • Noted Jonathon Lucroy who played in the Tavares Babe Ruth program has been
29 called to play major league baseball.
30

31 Councilmember Grenier
32

- 33 • Noted he appreciated Councilmember Gamble attending the Historical Society
34 meeting
- 35 • Congratulations to Tavares High School for winning the Green Award for the
36 Fairchild Challenge for the second year in a row
- 37 • Reminded everyone that June 12th is the Flag Retirement Ceremony (Boy
38 Scouts)
- 39 • This Saturday at June 5th on the local 7:90 a.m. radio station, he and Ms. Rogers
40 will be interviewed and will be discussing the grand opening on April 10th

- 1 • This Saturday at June 5th on the local 7:90 a.m. radio station, he and Ms. Rogers
2 will be interviewed and will be discussing the grand opening on April 10th
3

4 **Councilmember Smith**
5

6 None
7

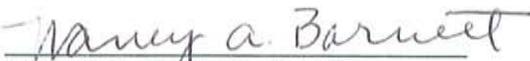
8 **Mayor Wolfe**
9

10 None
11

12 **Adjournment**
13

14 There was no further business and the meeting was adjourned at 6:04 p.m.
15

16 Respectfully submitted,
17

18 
19

20 Nancy A. Barnett, C.M.C.
21 City Clerk

1 October was too late for the boating community (temperature, weather, end of season
2 etc...) and that Labor Day weekend would be a better time frame for a boating event.
3

4 As it relates to the music component Vice Mayor Pfister had developed an October 22nd
5 and 23rd "Harvest Moon on the Lake Dora bayou" concept that would complement a "Fish
6 Fry and Boat Bash" special event with music.
7

8 Should the Council decide that a "Boating Festival" would best be served on Labor Day
9 weekend 2011 an opportunity exists to go forward with the "Harvest Moon on the Lake
10 Dora Bayou" special event focusing more on the food aspects of the event and less on the
11 boat portion reserving the boat aspects for the Labor Day 2011 event. If this is the direction
12 of the Council then Council can re-appropriate the 2010 budget of \$30,000 for music
13 (\$15,000 reserves and \$15,000 sponsorship) and \$10,000 for to the event (\$5,000
14 reserves and \$5,000 sponsor) for the "Harvest Moon on Lake Dora bayou event and
15 instruct staff to develop a 2011 budget for the Boating event.
16

17 Mr. Drury recommended that Council discuss specifics of the boating event and the
18 Harvest Moon event, appropriate a budget for the Harvest Moon event of the \$20,000 from
19 reserves and the \$20,000 sponsorship and then put in next year's budget the boating event
20 and pick the date for that event for next year.
21

22 He suggested that Councilmember Smith discuss the boating portion and Vice Mayor
23 Pfister the music portion.
24

25 Councilmember Smith said he had done extensive research. He said when the City
26 provides a special event it should mainly be for economic development for the Downtown
27 area. He said he had consulted with the downtown business owners about their slow time
28 and was told it was June, August, and September. He then spoke to local boating
29 businesses and asked their best time to sell boats. He was advised that was March. He
30 said he also contacted the president of the Marine Industry of Central Florida and asked
31 her about doing an event in June, August or September and was advised that it should not
32 be August because that is when the two biggest boat shows in Central Florida occur and
33 that Labor Day is not ideal as that when the boat businesses allow their employees to be
34 off. He said he would like to have 30 days to provide information regarding a
35 recommended date in 2011 for the boat show.
36

37 Vice Mayor Pfister questioned the concept of having boat sales at a recreational boating
38 event.
39

40 Councilmember Smith said a lot of boating events have boating certifications, safety
41 classes, etc. for people attending the event, so it is not considered only "boat sales." It
42 gives boaters other options to get their boats certified and is an economic event for
43 everyone involved.
44

45 Vice Mayor Pfister said she would like to keep the October event but that she would like to

1 keep some aspect of boating. She noted that a lot of time has already been invested in
2 planning the event and that some of the people downtown have invested time and money.

3
4 Councilmember Gamble said he liked the idea of the Harvest Moon in October but that he
5 understood the comments made by Councilmember Smith. He said he would be in favor of
6 having that event without the boating events except for the water taxis.

7
8 Councilmember Smith said he did not mind the Harvest Moon idea; it just did not fit for
9 pleasure boating which is what Council had voted on previously.

10
11 Councilmember Grenier said he would like a signature fall event whether it happened this
12 year or in 2011 to better plan it, but he was waiting for the Horizon Team report.

13
14 Mayor Wolfe questioned if the Harvest Moon event would take away from the community
15 Halloween event being held the following weekend.

16
17 Vice Mayor Pfister said she had spoken with the business owners and most of them were
18 excited about the October event. She said she had also spoken with Mr. Drury about
19 possibly changing the theme every year; i.e. this year would be Harvest Moon with the
20 Cajun theme but next year it could be Harvest Moon over Munich and could be a German
21 theme, etc.

22
23 There was discussion as to the purpose of the workshop. Mr. Drury noted there was an
24 issue with the need to set a date in order to confirm with the bands. He said he believed
25 both events could be done. He discussed two new businesses that opened up recently
26 noting Tavares is being seen as model city for its downtown redevelopment. He reiterated
27 that both events could be done: the boating event in 2011 (after Councilmember Smith
28 recommends the best date) and the Harvest Moon event in October 2010. He said it would
29 mean a signature event would occur every quarter of the year and as long as sponsorships
30 are achieved it will be in the interest of both the downtown business community and the
31 taxpayers.

32
33 Councilmember Grenier said the proposed title for the Harvest Moon includes a boat bash.
34 Mr. Drury said the discussion seemed to suggest that the boating aspect should be
35 removed and emphasis made on the music and food.

36
37 Mayor Wolfe asked for audience comment.

38
39 Roger Kooser

40 .
41 Mr. Kooser spoke in support of both events.

42
43 Denise Laratta

44
45 Ms. Laratta discussed her impressions of Council's decision at the previous meeting. She

1 said she thought the discussion of the last meeting regarding Harvest Moon and
2 recreational boats had to do with residents bringing their boats onto the lake. She
3 questioned the budget implications of having a 5th event.
4

5 Council Discussion
6

7 Councilmember Gamble questioned the impact of hurricane season. He said he still liked
8 the concept of pleasure boating associated with the October event.
9

10 Councilmember Grenier said he had anticipated that the October event would include a
11 boat bash.
12

13 Mr. Drury discussed the staff recommendation. Various titles that would include
14 recreational boating were discussed. Mayor Wolfe suggested "Float in and Fish Fry."
15

16 MOTION
17

18 **Sandy Gambled moved to leave the Harvest Moon on the Lake Dora Bayou event**
19 **alone with the activities described in the draft flyer except change the title to "Float**
20 **In and Fish Fry". The motion was seconded was Kirby Smith.**
21

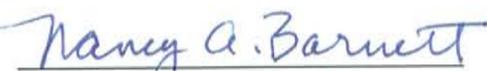
22 Councilmember Smith said he believed this was a rough draft and that the Horizon Team
23 should determine the final name. He said his only concern about the October date was the
24 possible conflict with the Halloween event put on by the Tavares chamber of Commerce.
25 Vice Mayor Pfister said she thought the business owners were not concerned about a
26 conflict since they have indicated an interest in giving sponsorships for this event.
27

28 **The motion carried unanimously 5-0.**
29

30 Adjournment
31

32 There was no further business and the meeting was adjourned at 4:57 p.m.
33

34 Respectfully submitted,
35
36

37 
38 Nancy A. Barnett
39 Nancy A. Barnett, C.M.C.
40 City Clerk

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
JUNE 16, 2010
CITY COUNCIL CHAMBERS

COUNCILMEMBERS PRESENT

Robert Wolfe, Mayor
Lori Pfister, Vice Mayor
Bob Grenier, Councilmember

ABSENT

Sandy Gamble, Councilmember
Kirby Smith, Councilmember

STAFF PRESENT

Lori Houghton, Acting City Administrator
Bob Williams, City Attorney
Nancy Barnett, City Clerk
Bill Neron, Economic Development Director
Chief Lubins, Police Department
Jacques Skutt, Director of Community Development
Chief Richard Keith, Fire Department
Chris Thompson, Interim Public Works Director
Tamera Rogers, Director of Community Services
Brad Hayes, Director of Utilities

I CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Mark Andrews, Bridges, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

MOTION

Bob Grenier moved to approve the agenda, seconded by Lori Pfister. The motion carried unanimously 3-0.

1 **IV. APPROVAL OF MINUTES**

2
3 Mayor Wolfe noted that the approval of minutes for the meeting of June 2, 2010 would
4 be deferred until the next Council Meeting.

5
6 **V. PROCLAMATIONS/PRESENTATIONS**

7
8 **Tab 2) Park and Recreation Proclamation**

9
10 Mayor Wolfe read a proclamation designating July as Parks and Recreation Month.

11
12 **Tab 3) Community Corrections Proclamation**

13
14 Mayor Wolfe read a proclamation designating July 18-24 as Probation, Parole and
15 Community Supervision Week. The proclamation was presented to Supervisor Israel
16 Branton.

17
18 **VI) SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE**
19 **CONTACTS**

20
21 No quasi-judicial items on agenda.

22
23 **VII) READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

24
25 Ms. Barnett read the following ordinances by title only:

26
27 **ORDINANCE 2010-14**

28
29 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING**
30 **THE LAND DEVELOPMENT REGULATIONS; BY AMENDING**
31 **CHAPTER 17, SECTION 17-31, UTILITIES, REMOVING TEXT**
32 **RELATED TO INTERCEPTORS AND ADDING LANGUAGE RELATED**
33 **TO THE INSTALLATION AND MANAGEMENT OF OIL AND GREASE**
34 **MANAGEMENT DEVICES, PROVIDING FOR THE INSPECTION OF OIL**
35 **AND GREASE MANAGEMENT DEVICES AND PROVIDING FOR**
36 **ADDITIONAL ENFORCEMENT AUTHORITY IN CASES OF**
37 **VIOLATIONS OF OIL AND GREASE MANAGEMENT REGULATIONS,**
38 **SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS**
39 **ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN**
40 **EFFECTIVE DATE.**

1 **Tab 9) Ordinance #2010-15 – Read by Title only**

2
3 **Tab 10) Ordinance #2010-13 – Provision of Lien Search Fee**

4
5 Ms. Barnett stated this is a request for the City to establish a fee to charge for lien
6 searches in the amount of \$50.00 per parcel searched. She said that currently staff
7 does the research for the title companies in order to clear the title and conduct the
8 property closing and that the research and certification is done at no cost.

9
10 Mayor Wolfe asked if the audience had comments.

11
12 **MOTION**

13
14 **Bob Grenier moved to approve Ordinance #2010-13, seconded by Lori Pfister. The**
15 **motion carried unanimously 3-0.**

16
17 **X – GENERAL GOVERNMENT**

18
19 **Tab 11) Award of Bid for Alleyway Paving Project**

20
21 Mr. Thompson stated that the objective was to approve the bid award to Sunshine
22 Hardscapes in the amount of \$126,162.00. This will include four alleyways (#3, #7 and
23 #8). He discussed their location and provided the background of the project. He noted
24 that all applicants were given the opportunity to bid on the original base design and also
25 an alternate design of aquaflo pavers. He discussed the problem that has occurred of
26 road settling using regular pervious pavers and that staff has now recommended that
27 the alternate material be utilized.

28
29 Mr. Griffey, Project Engineer, came forward to answer questions. He said the goal is to
30 infiltrate the water as much as possible but a balance has to be struck between the
31 strength of the road and the ability for the water to flow as well as costs. Vice Mayor
32 Pfister questioned why garbage trucks have to use the alleyways. Mr. Thompson
33 discussed the original plan of the city to utilize alleyways and the reasons.

34
35 Mayor Wolfe asked if anyone in the audience wished to speak.

36
37 **Charlotte Hope, Fox Run resident**

38
39 Ms. Hope said that she had lived in a community in Texas that was built around
40 alleyways; all the utilities, garbage trucks, and mail delivery was done on alleyways

1 which made the town much more attractive. In addition there was less damage to the
2 city streets.

3
4 Councilmember Grenier said he agreed with Ms. Hope and that he had been
5 accustomed to using alleyways living in Chicago. He said in addition he wished to
6 identify that Alleyway #3 is Garner Alley, #7 is Glen Curtiss, and Alleyway #8 is John
7 Cyrile Porte.

8
9 **MOTION**

10
11 **Bob Grenier moved to approve Option #2, accept the lowest bid submitted by**
12 **Sunshine Hardscapes using the alternate material of aquaflo pavers to prevent**
13 **road settling, seconded by Lori Pfister. The motion carried unanimously 3-0.**

14
15 **Tab 12) Appointment to Community Redevelopment Area Advisory Committee**

16
17 Mayor Wolfe said that he wished to appoint Denise Laratta to this Committee.

18
19 **Council voted to approve the appointment 3-0.**

20
21 **Tab 13) Consideration of Local Match for \$1.3 Million State Grant to Replace the**
22 **Dora Canal Bridge**

23
24 Mr. Neron reported that as part to the economic development strategy approved by
25 Council on May 8, 2008, improvements to the Central Florida railroad corridor is part of
26 that policy. The Dora Canal bridge was rebuilt in the 1950's and is now over 50 years
27 old. The support pilings for the bridge are very narrow and are not conducive to the
28 safety of water traffic through the canal. He said that in working with the MPO and the
29 Tallahassee lobbyist, surplus money has been found in the FDOT budget in the current
30 fiscal year which ends June 30th from some of the projects that did not get funded or
31 have excess revenues. He said there is a \$1.3 million grant for the replacement of the
32 Dora Canal Bridge that has been approved by FDOT. Of that grant \$975,000 would be
33 state funds with a local match of \$325,000. The Lake County Water Authority has
34 committed to \$112,500 of the match and the railroad is committed to \$128,500 leaving
35 an uncommitted balance of \$84,000. Staff is requesting Council to appropriate the
36 \$84,000 from Reserves. The Reserves contingency balance is \$1,823,784.

37
38 He added that in addition the issue went before the County Commission as well as the
39 cities of Eustis and Mt. Dora to participate in the match. The County postponed their
40 decision for two weeks and the other cities are unsure. The request is to approve the

1 \$84,000 match required with the potential that there may be some additional funds
2 coming from the County.

3
4 Mayor Wolfe stated he agreed with the recommendation.

5
6 Mayor Wolfe asked for audience comment.

7
8 T.J. Fish, MPO Director

9
10 Mr. Fish stated there are two other entities that want to partner but that there is more
11 concern and interest in the larger federal grant money coming for commuter rail. He
12 discussed the various options that may be available. He recommended approval of the
13 issue under discussion.

14
15 **MOTION**

16
17 **Lori Pfister moved to approve Option #1, for the city to provide the \$84,000 share**
18 **of the needed local match for the \$1.3 million Dora Canal Bridge replacement**
19 **grant with the funds coming from the General Fund Reserves for Contingency**
20 **account, seconded by Bob Grenier. The motion carried unanimously 3-0.**

21
22 **Tab 14) Charter Referendum Issues**

23
24 Attorney Williams noted this issue had come up in a previous meeting regarding going
25 from two to four year terms and staff was directed to prepare an ordinance to put this on
26 the ballot. He said in preparing that ordinance he had reviewed the Charter and some
27 prior charter initiatives and brought this back after discussion with staff. He said the
28 question is whether Council would also want to amend the charter to create seats. He
29 said there are two issues: going from two year to four year terms, and the other issue is
30 whether to create seats that would be assigned randomly. Candidates would then file to
31 run against a specific seat. He said from a political science standpoint the more
32 common way to do it is to assign seats. The seats allow for a better discussion of the
33 issues which may provide for more voter participation and avoid the scenario of "super
34 votes" when only one person is voted upon.

35
36 Ms. Barnett commented that it is difficult to analyze how many ballots were cast in
37 Tavares in 2008 because there were a number of undervotes which means that if there
38 were three people running the voters could have voted for just one person or just two. It
39 may mean an advantage to the person receiving the undervotes over the other
40 candidates.

1
2 Vice Mayor Pfister said she had no problem with doing it that way but that this year she
3 was a little concerned because too many amendments may be confusing.

4
5 Attorney Williams said it should be clear for persons who understand the basics. He
6 noted however, that this has been before the voters in the past and not passed. He said
7 the different issue this year will be that we have a Public Communications director who
8 will be involved in providing better information to the public. He acknowledged Ms.
9 Pfister had a legitimate concern, but that the wording will be clear.

10
11 Attorney Williams discussed the transitions of the terms. He said the councilmembers
12 present who are running this year would automatically receive four year terms if the
13 amendment passed and the other two councilmembers' terms would be extended to
14 2012.

15
16 Mayor Wolfe stated he agreed. Vice Mayor Pfister said she wanted confirmation that it
17 would not be confusing to the voters. Attorney Williams said he did not think it would be
18 confusing but that he could not make a promise. Ms. Ross said she would provide
19 information to Council in the future regarding a proposed educational campaign.

20
21 Attorney Williams said it did not require a motion and that the ordinance would come
22 back to Council for further discussion.

23
24 Mayor Wolfe asked for audience comment.

25
26 Denise Laratta, Royal Harbor

27
28 Ms. Laratta said she is favor of a four year term for both financial and educational
29 reasons but was not in favor of having seats.

30
31 T.J. Fish,

32
33 Mr. Fish said that the Chamber Board will be interested in this issue and would like to
34 be part of the educational outreach. He said the Chamber has been supportive in the
35 past for the four year terms.

36
37 Attorney Williams explained that the issue of seats did not create districts and that they
38 would be voted on city wide.

39
40 Betty Burleigh, 214 New Hampshire Avenue

1
2 Ms. Burleigh said she is against the seats because she liked to vote for those most
3 qualified.

4
5 Norb Thomas

6
7 Mr. Thomas said they are two separate issues and that one of the problems with the
8 current system is the undervote because that may create an unfair advantage. He said
9 the decision should be up to the electorate one way or the other.

10
11 Council Discussion

12
13 **Mayor Wolfe and Councilmember Grenier indicated a desire to have the City**
14 **Attorney bring back two separate ordinances for discussion by the full Council.**

15
16 **Tab 15) Request to apply for a Grant from Lake County for Development of the**
17 **Woodlea Sports Complex**

18
19 Ms. Houghton said that in the past the city has received grants from the County for
20 youth assistance which offsets the cost of providing services to those residents in the
21 county but not in the city. This grant will take the place of that grant for this year. In
22 subsequent years application will again be made for the youth assistance grant.

23
24 Mayor Wolfe asked if the audience had comments.

25
26 **MOTION**

27
28 **Lori Pfister moved to approve for the application to Lake County for a**
29 **reimbursable grant in the amount of \$250,000.00 for the development of the**
30 **Woodlea Sports complex, seconded by Bob Grenier. The motion carried**
31 **unanimously 3-0.**

32
33 **XI. OLD BUSINESS**

34
35 None.

36
37 **XII. NEW BUSINESS**

38
39 None.

40

1 **XIII. AUDIENCE TO BE HEARD**

2 None.

3
4 **XIV. REPORTS**

5 **Tab 16) Acting City Administrator**

6
7 None.

8
9 **Economic Development Director**

10
11 Mr. Neron reminded Council of the jet ski races this weekend.

12
13 **Tab 13) City Council**

14
15 **Vice Mayor Pfister**

16
17 Ms. Pfister discussed a fundraising event that was held at ALS Landing to raise money
18 for the music at the October event. She provided \$537.00 to Ms. Houghton that was
19 raised and noted that the owner will be donating additional funds.

20
21 **Councilmember Grenier**

22
23 Councilmember Grenier commended Vice Mayor Pfister. He said he wished to say
24 congratulations to his other hometown, Chicago, for the Blackhawks winning the
25 Stanley Cup hockey tournament this past week in Chicago.

26
27 **Mayor Wolfe**

28
29 No report.

30
31 **Adjournment**

32
33 There was no further business and the meeting was adjourned at 5:55 p.m.

34
35 Respectfully submitted,

36
37 

38 Nancy A. Barnett, C.M.C.
39 Nancy A. Barnett, C.M.C.
40 City Clerk

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TAVARES

1836

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: July 7, 2010**

**AGENDA TAB NO. 2
SUBJECT TITLE: 2010 Election Proclamation**

OBJECTIVE:

The Mayor will read the 2010 Election proclamation.

SUMMARY:

See attached.

OPTIONS:

N/A

STAFF RECOMMENDATION:

Mayor to read the election proclamation.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient.



***PROCLAMATION
BY ORDER OF THE MAYOR OF THE CITY OF
TAVARES***

NOTICE OF ELECTION

The 2010 City Election will be held on Tuesday, November 2, 2010 in the City Hall Council Chambers, First United Methodist Church, Lake County Agricultural Center Lake Frances Estates Clubhouse, Tavares Masonic Lodge Building, Imperial Terrace Clubhouse East, Royal Harbor Social Hall, and Haines Creek Baptist Church for the purpose of electing three non-partisan Councilmembers to serve at large for two year terms of office.

NOTICE IS HEREBY GIVEN that the registration for Lake County is now open for registration of all qualified voters of the City of Tavares at the office of the Supervisor of Elections for Lake County in the Administrative Building, 315 W. Main Street, Tavares, Florida, during the usual office hours.

Registration of electors of the City of Tavares who have registered on or prior to October 4, 2010 will be processed for voting at the City Election to be held on the 2nd day of November, 2010.

Persons who wish to be qualified as a candidate for City Council, must submit a petition signed by at least twenty-five (25) qualified electors of the City of Tavares, along with other required documents , to the City Clerk by 12:00 noon, at City Hall on or before the 16th day of August, 2010.

Dated this 7th day of July, 2010.

Robert Wolfe, Mayor
City of Tavares

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AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: July 7, 2010

AGENDA TAB NO. 3

SUBJECT TITLE: Presentation of Dispatch Officer of the Year

OBJECTIVE:

To have the Police Chief make the presentation of Dispatch Officer of the Year for 2010

SUMMARY:

Chief Lubins will make a presentation.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: July 7, 2010**

AGENDA TAB NO. 4

SUBJECT TITLE: Answers to Councilmember Questions Regarding the USDA Grant /Loan

OBJECTIVE:

Staff was requested to answer some questions that Council members requested at the May 19th City Council meeting pertaining to the Grant /Loan from the USDA for the upgrading of the existing Water and Sewer infrastructure in the CRA

SUMMARY:

Previously staff requested approval of a Grant /Loan from the USDA for the upgrading of the existing Water and Sewer infrastructure in the CRA area in the amount of \$1,195,000 grant and \$15,805,000 loan and to authorize the Mayor to sign the "Letter of Condition" and the related forms. Sandy Gamble moved to accept the \$1,195,000 million grant and the \$15,805,000 loan from the USDA for the upgrading of the existing water and sewer infrastructure in the CRA and to authorize the Mayor to sign the letter of condition and the related forms. The motion was seconded by Lori Pfister. The motion carried unanimously 5-0.

Councilmember Smith confirmed that the City could back out of this grant loan program at a later date if Council at a later date decided not to pursue this grant loan program. Further, he asked for additional time to review the entire program and an opportunity to gain additional information. He also requested that it be brought back to Council should he or others have additional questions. Attached is the Agenda summary of the previous meeting on this issue. Tami Ray from Malcolm Pirnie will be available to answer any additional questions.

Attached is the May 19th agenda summary

NO ACTION IS REQUIRED

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 19, 2010**

AGENDA ITEM NO. _____

SUBJECT TITLE: Acceptance of USDA Grant and loan to upgrade the Water and Wastewater infrastructure in the Community Redevelopment Area (CRA)

OBJECTIVE: To accept a \$1,195,000 grant and \$15,805,000 low interest loan from USDA to upgrade the Water and Sewer infrastructure in the CRA area.

SUMMARY:

Previously the Council and Citizen's of Tavares met for several years to define its future and at the conclusion of these meetings crafted a Vision Statement to culminate the work of its citizens that among other things called for becoming the "Capital Water Front City of Lake County". This work lead in to the crafting of a Down Town Redevelopment Master Plan that the Council and its citizens worked on for over a year. The 169 page Plan was completed in 2008, adopted by the City Council and included an "Implementation Plan" which called for utility water and sewer upgrades under section 3.I. of the implementation plan. The down town CRA has old clay pipes and galvanized water lines that are broken or too small to provide adequate utility service and therefore were identified to be replaced. The estimated cost to replace all of these old lines is \$17 million. The Downtown Redevelopment Master Plan sets a vision for the future of Downtown Tavares to develop as a vibrant, pedestrian-oriented, mixed use center in order to support the anticipated increase in the residential and commercial population. It is critical that the aging water distribution and wastewater collection systems be improved and upgraded to reliably serve the additional demands this growth will generate.

In January 2009 the City Council authorized Malcolm Pirnie to assist the City by preparing the Preliminary Engineering Report and Environmental Report required to apply for grant funds and low interest loans from the United States Department of Agriculture (USDA) to replace these utility lines. The Utilities Department submitted this application to secure the grant and loan funds to rehabilitate the aging CRA infrastructure. As a result the USDA is prepared to issue a letter of condition providing the city a \$1,195,000 grant and \$15,805,000 low interest loan for a total of \$17 million to reconstruct the CRA water and sewer system. The estimated annual debt service on the \$15,805,000 low interest loan of 3.25% over 38 years is \$730,350 per year. The recommended source of funding for this debt service is \$300,000 from the Renewal and Replacement fund, \$300,000 from those funds pledged for retiring debt service and \$130,350 from Impact Fees. The Impact Fee fund has approximately \$5 million in it and the Impact Fee Waiver Program ends in nine months.

The USDA Financial Advisors in Washington D.C.; City's independent Financial Advisor (Mike Rocca) and the City's Finance Director have evaluated the City's ability to pay the debt services as outlined. All three entities have concluded that the City is in a financial position to meet the debt service obligations as proposed and all three are available to answer questions at this meeting.

If the City Council would like to move forward with this project, Council would need to authorize the Mayor to sign the "Letter of Condition" and the related forms.

OPTIONS:

1. Move to accept the \$1,195,000 Grant and \$15,805,000 Loan from the USDA for the upgrading of the existing Water and Sewer infrastructure in the CRA area and authorize the Mayor to sign the “Letter of Condition” and the related forms.
2. Do not move to accept the Grant and Loan from the USDA.

STAFF RECOMMENDATION:

That Council move to accept the \$1,195,000 Grant and \$15,805,000 Loan from the USDA for the upgrading of the existing Water and Sewer infrastructure in the CRA area and authorize the Mayor to sign the “Letter of Condition” and the related forms

FISCAL IMPACT: The estimated annual debt service on the \$15,805,000 low interest loan of 3.25% over 38 years is \$730,350 per year. The recommended source of funding for this debt service is \$300,000 from the renewal and Replacement fund, \$300,000 from those funds pledged for retiring debt service and \$130,350 from Impact Fees.

LEGAL SUFFICIENCY: This meets legal sufficiency.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: July 7, 2010**

AGENDA TAB NO. 5

SUBJECT TITLE: Bid Award and Authorization to Negotiate Contract for Restrooms at Aesop's Park

OBJECTIVE: To approve the recommended low bidder for the construction of ADA-compliant restrooms at Aesop's Park and to authorize staff to negotiate a contract with selected bidder in the amount of \$71,335.10..

SUMMARY: On May 23, 2010, the City of Tavares advertised an Invitation to Bid for the construction of an ADA-compliant restroom facility at Aesop's Park.

Four companies responded to the invitation with local company Pillar Construction Group, LLC of Clermont, Florida, being the lowest bidder at \$71,335.10.

The submission by this company has been reviewed by staff and by the engineer of record and has met compliance in all areas.

This is a fully funded project through the Federally-funded Community Development Block Grant program. This project is expected to be completed no later than September 30, 2010.

Note: Pillar Construction was the low bid. The minutes reflect \$65,035.00 however the amount read into the record was incorrect. Per the comments of the Engineer from DMC as noted in the email attached, it should have read "\$71,335.10" because the tile option was listed separately. The other companies included the tile option in their total figure.

1.	Pillar Construction Group, LLC 1312 Bowman Street Clermont, FL 34711 \$65,035.00 + tile option \$6,300.00 TOTAL BID: \$71,335.10
2.	Southern Building Services, Inc. 617 Glenview Drive Winter Garden, FL 34787 \$79,826.00
3.	B & M construction Co., Inc. 3706 DMG Drive Lakeland, FL 33811 \$93,967.00

4.	Jerome's Masonry P.O. Box 508 Lady Lake, FL 32158 \$99,204.66
----	---

OPTIONS:

- 1) Approve the recommended low bidder Pillar Construction Company and authorize staff to negotiate a contract in the amount of \$71,335.10.
- 2) Do not approve

STAFF RECOMMENDATION: Move to approve the recommended low bidder, Pillar Construction Group, LLC, for the construction of ADA-compliant restrooms at Summerall Park and authorize staff to negotiate a contract in the amount of \$71,335.10.

FISCAL IMPACT: \$71,335.10 budgeted in F/Y10—Community Development Block Grant (CDBG)

LEGAL SUFFICIENCY: meets sufficiency

CITY OF TAVARES

MINUTES OF BID OPENING
June 17, 2010
Request for Proposals
Aesop's Park ADA Restroom Facility
Bid No. 2010-0015

TAVARES CITY HALL

PRESENT

John Rumble, Purchasing Manager
Tammey Rogers, Community Services Director
Kay Mayes, Admin Assistant, Finance

Mr. Rumble noted today's date as Thursday, June 17, 2010. This is the opening of submission packages received in response to RFP 2010-0015, Aesop's Park ADA Restroom Facility. There were four proposals received (listed in the order opened):

- | | |
|--|--------------|
| 1) Southern Building Services, Inc.
617 Glenview Drive
Winter Garden, FL 34787 | \$79, 826.00 |
| 2) Jerome's Masonry
P.O. Box 508
Lady Lake, FL 32158 | \$99,204.66 |
| 3) Pillar Construction Group, LLC
1312 Bowman Street
Clermont, FL 34711 | \$65,035.00 |
| 4) B&M Construction Co., Inc.
3706 DMG Drive
Lakeland, FL 33811 | \$93,967.00 |

Mr. Rumble noted the packages would be forwarded to the Engineer of Record for review and technical compliance and estimated the recommendation to award the contract would be on the City Council Agenda within two weeks. The bid opening concluded at approximate 2:10 p.m.

Respectfully submitted,

Kay Mayes
Admin Assistant, Finance

Tamera Rogers

From: Curtis Todd [ctodd@dmces.com]
Sent: Thursday, June 24, 2010 1:35 PM
To: John Rumble
Cc: Tamera Rogers
Subject: Bids Review and Contractor Recommendation for Aesop's Park Restroom Building (Bid No. 2010-0015)
Attachments: J Condon_Bidder Experience Questionnaire 6-22-10.doc; D Davis_Bidder Experience Questionnaire 6-22-10.doc; T Dampman_Bidder Experience Questionnaire 6-22-10.doc; IMG_2822.JPG

John,

I have reviewed the bids and have the following comment:

The low bidder was Pillar Construction Group, LLC. from Clermont, FL. Please note that their bid sheet had the following note added to it "– Plan calls for tile option Add \$ 6300 for Tile ". This would make his total Bid \$ 71, 335.10, not the \$65,035.00 that is included on the city's minutes of bid opening dated June 17th, 2010. I have talked to Pillar Construction Group, LLC. about this item. It was not the intent of this project to have tile option. This was also discussed at the Pre-Bid Meeting. Pillar's bid is still the lowest bid for the project. He was unsure if the non-skid floor tile was optional and he wanted to clarify his bid in case it was not.

I have attached our experience references questionnaire for Pillar Construction Group , LLC. References were all contacted by me. All references were very pleased with their work and all projects were completed on time. The Learning Center Building by the Lake County Horticultural Center in Tavares was constructed by Pillar . This project was completed about six months ago. I have attached a photo of the building.

DMC is recommending that the city of Tavares award Pillar Construction Group, LLC. the contract for this project. Our understanding is that Tammy will be requesting the awarding of the bid for this project be placed on the July 7th City Council meeting and that she will have to have documentation ready to give to the Clerk by June 30th.

If you should need additional information or have any questions please contact me as soon as possible. John , I will send you a formal letter once you review this e-mail .

Thanks,
Curt



Dredging & Marine Consultants
DMC
ENGINEERS • SCIENTISTS

4643 S. Clyde Morris Blvd. - Unit 302 - Port Orange, FL 32129

Curtis Todd, P.E.
Project Engineer
Phone : 386-304-65
Fax : 386-304-65
Mobile : 386-562-02
email : ctodd@dmces
www.dmces.com



John Rumble
Purchasing Manager
(352)742-6131

City of Tavares
201 E. Main St.
Tavares, FL 32778
(352) 742-6209

PROJECT: Aesop's Park ADA Restroom Facility
Bid 2010-0015

The Watauga Company Statement of Experience References questionnaire completed on 6-22-10 by DMC staff via phone.

Time: 3:10 PM
Project Name: Lake County Horticultural Center
Interviewee: Jim Condon
Interviewee Title: Facilities Management Coordinator

1. Question: What was the project?
Answer: **Constructed small (2500 sq. ft.) learning center with 2 ADA restrooms**
2. Question: When was the project?
Answer: **Completed about 6 months ago**
3. Question: Cost of project?
Answer: **\$192,817**
4. Question: Completed on time?
Answer: **Yes, ahead of schedule**
5. Question: Where there change orders?
Answer: **Yes**
6. Question: Overall Satisfaction?
Answer: **Very pleased**



John Rumble
Purchasing Manager
(352)742-6131

City of Tavares
201 E. Main St.
Tavares, FL 32778
(352) 742-6209

PROJECT: Aesop's Park ADA Restroom Facility
Bid 2010-0015

The Watauga Company Statement of Experience References questionnaire completed on 6-22-10 by DMC staff via phone.

Time: 3:35 PM
Project Name: Sheriff's Community Center
Interviewee: Dawn Davis
Interviewee Title: Senior Project Manager

1. Question: What was the project?
Answer: **Constructed 40' x 40' building in Brooksville, FL**
2. Question: When was the project?
Answer: **About 1 year ago in July**
3. Question: Cost of project?
Answer: **\$247,000**
4. Question: Completed on time?
Answer: **Yes**
5. Question: Where there change orders?
Answer: **Yes, at owner's request only**
6. Question: Overall Satisfaction?
Answer: **Rating given was 9 out of 10**



John Rumble
Purchasing Manager
(352)742-6131

City of Tavares
201 E. Main St.
Tavares, FL 32778
(352) 742-6209

PROJECT: Aesop's Park ADA Restroom Facility
Bid 2010-0015

The Watauga Company Statement of Experience References questionnaire completed on 6-23-10 by DMC staff via phone.

Time: 3:00 pm
Project Name: Good Neighbor Trail Gazebo
Interviewee: Tom Dampman
Interviewee Title: _____

1. Question: What was the project?
Answer: **Gazebo Construction**
2. Question: When was the project?
Answer: **Completed about 9 months ago.**
3. Question: Cost of project?
Answer: **\$14,020**
4. Question: Completed on time?
Answer: **Yes**
5. Question: Where there change orders?
Answer: **No**
6. Question: Overall Satisfaction?
Answer: **Very pleased**

Orlando Sentinel

City Of Tavares
PO BOX 1068
CITY OF TAVARES
TAVARES, FL 32778-1068

Before the undersigned authority personally appeared Ann Carpenter/Tamela Vargas/Deborah M. Toney, who on oath says that s/he is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published in Lake County, Florida; that the attached copy of advertisement, being a Advertisement for Bid in the matter of Bid No. 2010-0015/Engineer Bid No. 09-070-09 in the Lake County _ Court, was published in said newspaper in the issue(s); of

05/23/10

Affiant further says that the said Orlando Sentinel is a newspaper published in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, each week day and has been entered as second-class mail matter at the post office in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that s/he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The foregoing instrument was acknowledged before me this 25 day of May, 2010, Ann Carpenter/Tamela Vargas/Deborah M. Toney, who is personally known to me and who did take an oath.







DEBORAH M. TONEY
NOTARY PUBLIC
STATE OF FLORIDA
Comm# DD0938521
Expires 11/18/2013

ADVERTISEMENT/INVITATION TO BID
THE CITY OF TAVARES

PROJECT NAME: AESOP'S PARK ADA RESTROOM FACILITY

ENGINEER BID NO.: 09-070-09

OWNER/BID NO.: THE CITY OF TAVARES/2010-0015

LOCATION OF PROJECT: AESOP'S PARK, 501 E. CAROLINE STREET, TAVARES, FLORIDA

SCOPE OF WORK: The project generally involves the construction of an American Disabilities Act (ADA) compliant restroom facility.

DESCRIPTION OF WORK: The work includes the furnishing of all labor, materials and equipment, consisting of the following principle items: Construction of an American Disabilities Act (ADA) compliant restroom facility and associated concrete walkway, slab and utility connections at Aesop's Park in Tavares, Florida.

MANDATORY PRE-BID CONFERENCE: A mandatory pre-bid conference will be held at the City of Tavares, Council Chambers, 201 East Main Street, Tavares, Florida 32778, on

TUESDAY, JUNE 1, 2010 @ 10:00 a.m.

All bidders must be in attendance in order to submit a bid.

RECEIPT OF BIDS:
One original; three (3) hard copies and one digital copy (preferably in PDF format) for the work described herein shall be received until

THURSDAY, JUNE 17, 2010 @ 2:00 p.m.

at the City of Tavares, Attn: City Clerk, 201 East Main Street, Tavares, Florida 32778. The bids will be publicly opened and read aloud at the City Council Chamber at 2:05 p.m. ALL BIDS MUST BE CLEARLY MARKED "SEALED BID: 2010-0015" AND WHETHER HAND DELIVERED OR MAILED MUST BE AT THE OFFICE OF THE CITY CLERK, CITY OF TAVARES CITY HALL BEFORE THE ABOVE STATED DEADLINE TO BE CONSIDERED. Please provide one original, three (3) hard copies and one digital copy (preferably in PDF format) of the bid.

INFORMATION REGARDING BIDDING MATERIAL, ETC: Bidders with access to DemandStar.com can obtain the front end documents by calling 800-711-1712, or on the web at <http://www.demandstar.com>. For further information, contact John Rumble, Purchasing Manager, at Tavares City Hall, 201 East Main Street, Tavares, Florida 32778, phone: (352) 742-6131; fax: (352) 742-6001; e-mail: jrumble@tavares.org.

LAK1069331 5/23/2010

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
JULY 7, 2010**

AGENDA TAB NO. 6

SECOND READING

**SUBJECT TITLE: Ordinance 2010-07
Land Development Regulations Amendment – Allowing conventional site-built and modular homes as a permitted use in the RMH-S and RMH-P zoning districts.**

OBJECTIVE:

To consider an amendment to the Land Development Regulations, Chapter 8, allowing conventional site-built and modular homes as a permitted use in the RMH-S and RMH-P zonings thus providing flexibility on the types of replacement homes otherwise permitted in these zones.

SUMMARY:

The City's Land Development Regulations presently prohibit the construction of conventional site-built homes within the RMH-S (Residential Mobile Home Subdivision) and RMH-P (Residential Mobile Home Park) zonings. Staff has received inquiries from park owners and home owner associations concerning flexibility to replace aging mobile homes with more energy efficient and sustainable modular or site-built homes. Small, cottage type dwellings could be affordably constructed and could be designed to fit into lots previously occupied by single wide trailers. Site-built homes are cheaper to insure, and may provide increased fire and hurricane protection over mobile homes, especially those mobile homes that are older in vintage.

The proposed ordinance does not change required yard setbacks within the Mobile Home Subdivision zoning. Within this zoning, the lots are owned by the residents and generally the lot sizes and building setbacks are well established. The City has not received any requests to alter the setbacks within this zoning.

Within the Mobile Home Park zoning, the residents do not own their land. Setbacks are generally governed by a Master Plan for the park. Many of the homes located within this zoning are older single-wide units and we are experiencing difficulties in replacing aging units while complying with new building and fire regulations. The proposed ordinance allows for the construction of site-built homes in this zoning provided their location conforms to the Park's Master Plan and provided that the homes comply with building and fire code regulations for the reduced spatial distance between dwellings. This will eliminate the need for special variances provided the park owner complies with the terms of this ordinance. Mobile Home Parks established after the effective date of this ordinance must comply with the present day Development Standards set by Table 8-3 of our LDRs.

This ordinance does not supersede existing deed restrictions or home owner association rules, so the ultimate choice whether to allow site-built homes will continue to lie with the owners of the park or property.

Modular Homes are factory built homes that are constructed to Florida Building Code Standards which differ from Mobile Homes that are constructed to HUD Standards. It has been determined that legally, Modular Homes may be placed in any zoning allowing residential dwellings. The proposed ordinance clarifies this so Modular Homes may be considered as another option.

This proposed Ordinance was tabled on May 19th; to allow staff to redraft the ordinance in a manner that would eliminate the need for variance applications provided park owners adequately address Fire and Building Code regulations for reduced setbacks. This revised draft ordinance accomplishes this.

OPTIONS:

1. That City Council moves to approve Ordinance 2010-07 as presented.
2. That Council denies the proposed ordinance.

PLANNING & ZONING BOARD RECOMMENDATION:

At its April 15th meeting, the Planning & Zoning Board voted 4-1 to recommend approval of Ordinance 2010-07.

STAFF RECOMMENDATION:

Staff recommends that Council moves to approve Ordinance 2010-07 as presented.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

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ORDINANCE 2010-07

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AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS; BY DELETING SECTION 8-11(B)(3)(C) THAT RESTRICTS CONVENTIONAL CONSTRUCTION WITHIN THE RMH-S (RESIDENTIAL MANUFACTURED HOME SUBDIVISION) AND RMH-P (RESIDENTIAL MANUFACTURED HOME PARK) ZONINGS; BY AMENDING TABLE 8-2, PERMITTED AND SPECIAL USES, TO ALLOW SINGLE FAMILY DWELLINGS IN THE RMH-S AND IN THE RMH-P ZONINGS; BY ADDING NOTES 28 AND 29 TO TABLE 8-2 REQUIRING ALL MODULAR AND CONVENTIONAL SITE-BUILT DWELLINGS WITHIN THE RMH-S AND RMH-P ZONINGS TO BE CONSTRUCTED IN ACCORDANCE WITH APPLICABLE FLORIDA BUILDING AND FIRE CODES AND IN COMPLIANCE WITH TABLE 8-3 DESIGN STANDARDS UNLESS OTHERWISE SPECIFIED; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

22
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25

WHEREAS, on September 7, 2005, the City of Tavares adopted the Land Development Regulations, specifying therein standards and regulations governing development within the city; and

26
27
28
29

WHEREAS, the Land Development Regulations are designed to put forth requirements to ensure that development occurs in a manner that preserves and protects the health, safety, welfare and property values of the community while encouraging economic growth; and

30
31
32

WHEREAS, the City desires that affordable, safe, energy-efficient and sustainable housing is available to its residents; and

33
34
35
36

WHEREAS, the city's present Land Development Regulations prohibit the construction of conventional site-built homes within the RMH-S (Residential Mobile Home Subdivision) and RMH-P (Residential Mobile Home Park) zonings; and

37
38
39

WHEREAS, allowing the flexibility of permitting the replacement of older mobile homes with conventional site-built or modular homes provides alternate types of affordable housing that may be more sustainable than mobile homes; and

1
2 **WHEREAS**, the City of Tavares has proposed these changes and has determined that it
3 is appropriate and in accordance with protecting the health, safety and welfare of the
4 community; therefore;

5
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**

7
8 **Section 1. Text Amendments.**

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

10
11 Section 8-11 (B) (3)

12 (1) Prohibited Uses. A prohibited use is considered inappropriate in a given zoning district.
13 Generally, any use or structure not specifically, provisionally, or by reasonable implication
14 permitted or permissible by special use, as provided in *Table 8-2* shall be considered
15 prohibited. Uses that are specifically prohibited within particular zoning districts are as
16 follows:

17
18 (a) Any use in any zoning district which is potentially dangerous, noxious, or
19 offensive to neighboring uses in the district or to those who pass on public ways
20 by reason of smoke, odor, noise, glare, fumes, gas vibration, threat of fire or
21 explosion, emission of particulate matter, interference with radio or television
22 reception, radiation, or likely for other reasons to be incompatible with the
23 character of the district shall be prohibited.

24
25 (b) Restriction of location of manufactured or mobile homes. No manufactured or
26 mobile home shall be permitted to be located in the City, except within the RMH-
27 S and RMH-P zoning districts. Only conventionally constructed structures and
28 manufactured structures meeting the Florida Building Code and the Department
29 of Community Affairs requirements shall be allowed in other residential zoning
30 districts.

31
32 (c) ~~Except for park offices, community buildings and utility buildings, no buildings of~~
33 ~~conventional construction, with the exception of residential design manufactured~~
34 ~~homes, are permitted within a RMH-P or RMH-S district.~~

35
36
37
38 **Table 8-2 Permitted and Special Uses**

39

LAND USE	ZONING												
Residential	RSF-A	RSF-1	RMF-2	RMF-3	RMH-P	RMH-S	PD	MU	CD	C-1	C-2	I	PFD

Single family dwelling	P	p	P		<u>P(29)</u>	<u>P(28)</u>	(1)	P					
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Notes: Table 8-2 Permitted and Special Uses

28. Modular or conventional site-built homes are permitted provided they are constructed in compliance with all applicable Florida Building and Fire codes. Development Standards including minimum yard requirements shall be as described in Table 8-3 of this Chapter

29. Dwelling locations shall be established by an approved Master Plan for the park. Modular or conventional site-built homes are permitted provided they are constructed in compliance with applicable Florida Building and Fire Codes for the spatial distance between dwellings approved by the Master Plan. All Mobile Homes Parks established after the effective date of this ordinance shall comply with the development standards set forth within Table 8-3 of this chapter.

Section 2. Severability and Conflicts

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

Section 3. Effective Date

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

PASSED AND ADOPTED _____ day of _____, 2010 by the City Council of the City of Tavares, Florida.

Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Second Reading: _____

1 ATTEST:

2

3

4 _____
Nancy A. Barnett, City Clerk

5

6

7

8

9 Approved as to form:

10

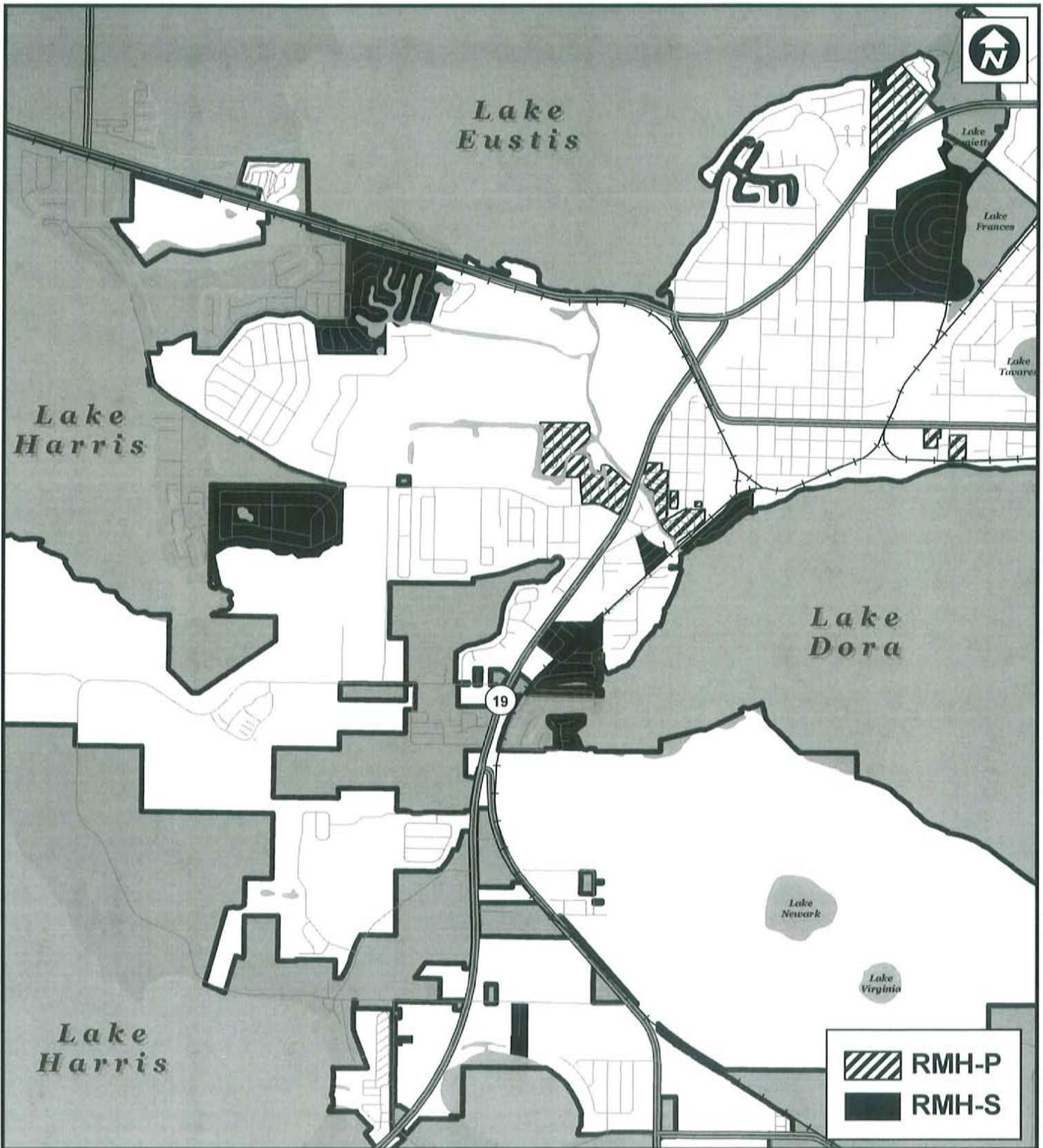
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13

14 _____
Robert Q. Williams, City Attorney

CITY OF TAVARES



ZONING MAP MOBILE HOME PARKS / SUBDIVISIONS



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

- 3
- 4 1. An Industrial Future Land Use designation would serve as the most appropriate land use for
5 the subject property in accordance with Future Land Use policy 1-1.1.8.
- 6
- 7 2. Impacts of the proposed development of the subject property shall be monitored through the
8 City's Concurrency Management System. (Comp Plan, Chapter 7A)
- 9

10 **OPTIONS:**

- 11
- 12 1. That the Planning & Zoning Board moves to recommend to City Council approval of Ordinance
13 2010-10 as presented.
- 14 2. Move to deny the proposed ordinance.
- 15

16 **STAFF RECOMMENDATION:**

17
18 Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance
19 2010-10 presented.

20
21 **FISCAL IMPACT:** N/A.

22
23 **LEGAL SUFFICIENCY:**

24
25 This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

26
27 **MOTION**

28
29 **Norman Hope moved to approve Ordinance 2010-10, seconded by Dolores Russ. The**
30 **motion carried unanimously 6-0.**

31
32 **4.) Recommendation on Ordinance 2010-07 – Land Development Regulation**
33 **Amendment – Housing Options in RMH-S & RMH-P Zoning Districts**

34
35 John Tanner abstained from sitting on the dais and voting on this issue as he owns a mobile
36 home park and it would be a conflict of interest.

37
38 **OBJECTIVE:**

39
40 To consider an amendment to the Land Development Regulations, Chapter 8, allowing conventional
41 site built and modular homes as a permitted use in the RMH-S and RMH-P zonings thus providing
42 flexibility on the types of replacement homes otherwise permitted in these zones.

43
44 **SUMMARY:**

45
46 The City's Land Development Regulations presently prohibit the construction of conventional site-built
47 homes within the RMH-S (Residential Mobile Home Subdivision) and RMH-P (Residential Mobile Home
48 Park) zonings. Staff has received inquiries from park owners and home owner associations concerning
49 flexibility to replace aging mobile homes with more energy efficient and sustainable modular or site-built
50 homes. Small, cottage type dwellings could be affordably constructed and could be designed to fit into
51 lots previously occupied by single wide trailers. Site-built homes are cheaper to insure, and may
52 provide increased fire and hurricane protection over mobile homes, especially those mobile homes that

1 are older in vintage. The proposed ordinance does not change required yard setbacks and these will
2 remain as they presently exist. This ordinance does not supersede existing deed restrictions or home
3 owner association rules, so the ultimate choice whether to allow site-built homes will continue to lie with
4 the owners of the park or property. Modular Homes are factory built homes that are constructed to
5 Florida Building Code Standards which differ from Mobile Homes that are constructed to HUD
6 Standards. It has been legally determined that Modular Homes may be placed in any zoning allowing
7 residential dwellings. The proposed ordinance clarifies this so Modular Homes may be considered as
8 another option.

9
10 **OPTIONS:**

- 11
12 1. That the Planning & Zoning Board moves to recommend to City Council approval of Ordinance
13 2010-07 as presented.
14 2. That the Planning & Zoning Board recommends denial of the proposed ordinance.

15
16 **STAFF RECOMMENDATION:**

17
18 Staff recommends that the Planning & Zoning Board moves to recommend the approval of Ordinance
19 2010-07 as presented.

20
21 **FISCAL IMPACT:**

22
23 N/A

24
25 **LEGAL SUFFICIENCY:**

26
27 This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

28
29 Sue Patterson of 1413 County Drive, Mobile Home Estates, asked if the covenants of the community
30 supersede what the City is recommending, would the covenants be the priority. Mr. Skutt responded
31 the HOA covenants would be the priority if they are more restrictive than the City. If the covenants do
32 not address it, the City ordinance would apply.

33
34 Ms. Patterson stated there are homes in her park that did not comply with setbacks and they sit on
35 other owner's property. Mr. Skutt stated that is one of the reasons for Staff suggesting this ordinance.
36 The 5-foot setback is stated in the LDR's and also a fire code requirement between combustible
37 buildings. However, if someone wants to build a site built home and they had to be 2-feet from the
38 property line, they could apply for a variance to the regulations. If they can demonstrate that they are
39 going to be building the wall that is 2-feet from the property line as a non-combustible construction, no
40 window openings and non-flammable sheathing on the roof, there are ways to build walls close to the
41 property line and still meet the fire code requirements. The P&Z Board and City Council could then
42 entertain a variance for a house closer than 5-feet. For mobile homes there is no way to get a variance
43 because they do not make mobile homes of that kind of construction.

44
45 Ms. Patterson stated that a lot of the mobile home parks were built years ago in Tavares and the lots
46 are very close together. Ms. Patterson asked if plans must be submitted for building a site built home.
47 Mr. Skutt responded that when building a site built home, plans need to be submitted. For a mobile
48 home a site plan and tie-down details are required.

49
50 Mr. Skutt stated he envisions that on some of the smaller lots the owners will get a modular unit which
51 would fit on the small lots. If needed, the owner could apply for a variance and the home would need to
52 be constructed with proper fire protection on the wall that does not have the setbacks. Mr. Skutt stated

1 that, with this ordinance, Staff is not attempting to get rid of mobile homes altogether, but is trying to
2 provide flexibility to owners of mobile home parks or lots.
3

4 John Tanner of 40 Mango Place stated that he is now speaking as a citizen of Tavares, not a member
5 of the Board. Mr. Tanner stated some of the older mobile homes are a 10-wide which are no longer
6 manufactured. Park models are made in 12-wide. The advantage to this ordinance is you can build a
7 12-wide and have 10-feet between homes. It allows the owner to put something on the lot which is
8 liveable and useable and of a lot more value than a park model for the same cost or slightly more. The
9 park owners currently only have a couple of choices: either re-build the old 10-wide to keep it viable or
10 find a way to replace it. Mr. Tanner sees this ordinance as a positive.
11

12 Mr. Vernon C. Hinkle of 1118 Rue de Dore, Las Chateau Villas stated his home currently has the
13 required setbacks. Mr. Hinkle asked if with this ordinance he would still have the choice to put in a
14 mobile, conventional or modular home as long as the setbacks are in compliance. Mr. Skutt responded
15 that owners would have a choice of those three options as long as it complies with the 5-foot setback.
16

17 Norman Hope asked if the covenants in his park restrict homes to only manufactured homes if the City
18 ordinance would overrule their covenants. Mr. Skutt responded stated the City would not overrule the
19 covenants of the park.
20

21 Jimmy Horner asked if all the mobile homes in Tavares personally notified of this ordinance other than
22 through the newspaper advertisement. Mr. Skutt responded that letters were sent to all the Presidents
23 of HOA's in the mobile home parks. Mr. Horner asked, if when referring to modular homes, it would be
24 a permanent home on a concrete slab or a manufactured home that would be set on the lot fully
25 completed. Mr. Skutt responded that modular homes are factory built homes that do not have a
26 chassis on them where they can be moved. They are not intended to be moveable as a mobile home.
27 Mr. Horner asked if the lots in the mobile home parks were to be rentals or permanent. Mr. Tanner
28 responded that he cannot sell a rental lot. Mr. Tanner stated that in the State of Florida a modular
29 home can be placed in any area where there are residents.
30

31 Dolores Russ asked how big the lots are where the modular homes would be placed. Mr. Tanner
32 responded that in a lot of the mobile home parks there are no lot lines because the land belongs to the
33 mobile home park owner.
34

35 Ms. Russ asked why someone would put a modular home on property they don't own. Mr. Tanner
36 responded they cannot.
37

38 Mr. Tanner stated there are manufactured home subdivisions and manufactured home parks. Parks
39 are a rental owned by one individual. The subdivisions consist of sub-divided lots.
40

41 Ms. Russ asked if the discussion was only about lots which people own. Mr. Tanner responded they
42 were also talking about the mobile home park owners.
43

44 Ms. Russ asked if the cost to the person who is renting or leasing would be prohibitive. Mr. Tanner
45 responded there is currently no way to get income from a lot that is too old and decrepit to refurbish.
46 Mr. Tanner stated he has refurbished several homes and spent as much as \$10-\$12K doing that. A
47 brand new double-wide mobile home is in the \$70-\$100K range. A brand new 14-wide is between
48 \$40K and \$50K. Mr. Tanner stated he would prefer to spend the money and put in something newer.
49

50 Ms. Russ asked Mr. Tanner where he expected to find his market for people to rent or lease. Mr.
51 Tanner responded the owner of the mobile home park is responsible for finding the market.
52

1 John Adams stated this ordinance gives owners an option to replace what they currently have with a
2 brand new unit.

3
4 Dolores Russ stated she has been in real estate most of her life and it made no sense to her in that
5 people would be paying more to rent or lease a new unit.
6

7 **MOTION**

8
9 **Jimmy Horner moved to approve Ordinance 2010-07, seconded by Norman Hope. The**
10 **motion carried 4 to 1.**

- 11
12 **John Adams - Approve**
13 **James Gardner - Approve**
14 **Norman Hope - Approve**
15 **Jimmy Horner - Approve**
16 **Dolores Russ - Deny**
17 **John Tanner - Abstain**
18

19 **OTHER BUSINESS**

20
21 Mr. Skutt apologized to the Board for the City's Attorney not being present for the meeting and
22 assured the Board he would do his best to ensure there is representation from the City
23 Attorney's office going forward. John Adams asked if Staff would like to discuss the Sunshine
24 Law. Mr. Skutt responded he would prefer to wait until the next meeting when the City's
25 Attorney would be present.
26

27 **ADJOURNMENT**

28
29 **James Gardner moved to adjourn the meeting, seconded by Dolores Russ. The motion**
30 **carried unanimously 6-0. The meeting adjourned at 4:03PM.**

31
32 Respectfully submitted,
33
34

35
36 _____
37 Pamela Huckins
Administrative Assistant

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TAVARES

**AGENDA SUMMARY
TAVARES CITY COUNCIL
JULY 7, 2010**

AGENDA TAB NO. 7

SECOND READING

**SUBJECT TITLE: Ordinance 2010-14
An amendment to the Utilities Chapter of the Land Development
Regulations addressing the management of Oil and Grease.**

OBJECTIVE:

To amend Chapter 17, Section 17-31 of the City's Land Development Regulations. This section regulates the management of oil and grease introduced into our city sewer system.

SUMMARY:

Large amounts of oil and grease have been introduced into the City's wastewater system in recent times. This practice continues even though it is largely prohibited. The result creates a costly, unnecessary hardship on the City infrastructure and city staff must delay standard operations to pump and clean wastewater lines and transport the oil and grease material to appropriate dumping locations. To prevent this trend from continuing, staff is proposing an amendment to Chapter 17 (Utilities) of the Land Development Regulations.

The goal of the amendment is to provide for greater control of oil and grease management and to clarify enforcement options.

Highlights of the proposed ordinance include:

1. Oil and grease interceptors and oil/water separators shall be pumped out periodically as needed to prevent carryover of oil and grease into the collection system.
2. Pumpage from oil and grease interceptors and oil/water separators shall be tracked by a manifest that confirms pumping, hauling and disposal of waste. This manifest shall include a log of pumping activities maintained by the user.
3. If a user violates or continues to violate the provisions set forth in this section or fails to initiate/complete corrective action within the specified time period in response to a Notice of Violation, then among other actions, the Code Enforcement Officer and/or Director of Utilities may pump the oil and grease interceptor or oil/water separator and place the appropriate charge on the user's monthly sewer bill.

OPTIONS:

1. That City Council moves to approve Ordinance 2010-14.
2. That City Council denies the proposed ordinance.

STAFF RECOMMENDATION:

Staff recommends that Council moves to approve Ordinance 2010-14 as presented.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

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

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ORDINANCE 2010-14

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS; BY AMENDING CHAPTER 17, SECTION 17-31, UTILITIES, REMOVING TEXT RELATED TO INTERCEPTORS AND ADDING LANGUAGE RELATED TO THE INSTALLATION AND MANAGEMENT OF OIL AND GREASE MANAGEMENT DEVICES, PROVIDING FOR THE INSPECTION OF OIL AND GREASE MANAGEMENT DEVICES AND PROVIDING FOR ADDITIONAL ENFORCEMENT AUTHORITY IN CASES OF VIOLATIONS OF OIL AND GREASE MANAGEMENT REGULATIONS, SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 7, 2005, the City of Tavares adopted the Land Development Regulations, specifying therein standards and regulations governing development within the city; and

WHEREAS, the Land Development Regulations are designed to put forth requirements to ensure that development occurs in a manner that preserves and protects the health, safety, welfare and property values of the community while encouraging economic growth; and

WHEREAS, the City of Tavares has determined these changes are appropriate and in accordance with protecting the health, safety and welfare of the community; therefore;

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

Section 1. Text Amendments

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

Sec. 17-31. — Interceptors.

~~Grease, oil and sand interceptors or traps shall be provided at the owner's expense when, in the opinion of the director they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection. When installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.~~

1
2 **Sec. 17-31 Oil & Grease Management**
3

- 4 **A. General Criteria. The discharge by a user to the City wastewater system of certain liquids**
5 **or wastes may be prohibited or limited by the provisions of this Chapter.**
6
7 1. Wastes, which contain oil and grease, may be discharged to the City wastewater
8 system in accordance with the conditions set forth in this Chapter.
9
10 2. Wastes containing oil and grease, including materials processed through garbage
11 grinders, shall be directed to the grease interceptor or trap.
12
13 3. Wastes containing residual (trace amounts) petroleum based oil and grease shall be
14 directed to the oil/water separator.
15
16 4. Sanitary facilities and other similar fixtures shall not be connected or discharged to
17 the oil and grease interceptor or the oil/water separator.
18
19 5. Liquid wastes shall be discharged to the oil and grease interceptor or oil/water
20 separator through the inlet pipe only and in accordance with the design/operating
21 specifications of the device.
22
23 6. Oil and grease interceptors and oil/water separators shall be installed in a location
24 that provides easy access at all times for inspections, cleaning and proper
25 maintenance, including pumping. The location of the oil and grease interceptor or
26 oil/water separator shall be approved by the Director of Utilities prior to installation.
27
28 7. Nonresidential establishments (users) that prepare, process or serve food or food
29 products shall have an approved oil and grease interceptor. Nonresidential
30 establishments that have the potential to discharge wastes containing residual
31 petroleum based oil and grease, such as commercial laundries, car washes and
32 automotive related facilities, shall have an approved oil/water separator. Other users
33 may be required by the Director of Utilities to install an approved oil and grease
34 interceptor or an oil/water separator, as appropriate, for the proper handling of
35 wastes containing oil and grease.
36
37 8. Other types of users which manufacture or prepare large quantities of food, such as,
38 but not limited to, commissaries, commercial kitchens and caterers shall install an oil
39 and grease interceptor. Oil and grease interceptors shall be sized using design
40 guidelines outlined within the adopted Construction Specifications Manual of the City
41 of Tavares.
42
43 9. Multifamily dwellings or areas of intensified dwelling which are found by the Director
44 of Utilities to exceed oil and grease parameters identified in Section 17-17 of this
45 chapter shall be required to install a grease and oil interceptor. The capacity of the
46 oil and grease interceptor shall be evaluated based on the adopted Construction
47 Specifications Manual of the City of Tavares.
48
49 10. Automotive related enterprises, commercial laundries and laundry mats and other
50 users, which contribute wastes containing petroleum (hydrocarbon) based oils and
51 greases shall install an oil/water separator. Oil/water separators shall be sized as
52 outlined within the adopted Construction Specifications Manual of the City of
53 Tavares.
54
55 11. Oil and grease interceptors and oil/water separators shall be installed solely at the
56 user's expense. Proper operation, maintenance and repair shall be done solely at
57 the user's expense.

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12. The Director of Utilities may request that the non-residential user provide documentation on the design and performance of the oil and grease interceptor or oil/water separator. Information to be submitted includes, but may not be limited to, catalog cuts, performance data, materials of construction, installation instructions and operation and maintenance manual.

B. Design and Capacity.

- 1. Oil and grease interceptors and oil/water separators shall be designed and constructed in accordance with this Chapter, the City's Construction Specifications Manual, latest edition, and other applicable State and local regulations.
- 2. Alternative oil and grease removal devices or technologies such as under the sink applications shall be subject to written approval by the Director of Utilities and shall be based on demonstrated (proven) removal efficiencies.
- 3. The capacity of the approved oil and grease interceptor and oil/water separator shall be in accordance with the requirements set forth in the latest edition of the City's Construction Specifications Manual.

C. Installation.

- 1. New Facilities. Oil and grease interceptors or oil/water separators shall be installed prior to the opening or reopening of said facilities.
- 2. Existing Facilities. Existing facilities are encouraged to install a new oil and grease interceptor or oil/water separator.

D. Maintenance.

- 1. Cleaning and maintenance shall be performed by the user.
- 2. Decanting, back flushing or discharging of removed wastes back into the oil and grease interceptor or oil/water separator from which the waste was removed or any other oil and grease interceptor or oil/water separator, for the purpose of reducing the volume to be hauled and disposed is prohibited.
- 3. Oil and grease interceptors and oil/water separators shall be pumped out periodically as needed to prevent carryover of oil and grease into the collection system. Under-the-sink oil and grease traps shall be cleaned at a minimum frequency of once per week, or more often as necessary to prevent pass through of grease and other food solids to the collection system. Cleaning and maintenance shall include removal of materials from the tank walls, baffles, cross pipes, inlets and outlets.
- 4. The user shall be responsible for maintaining the oil and grease interceptor or oil/water separator in such a condition for efficient operation. An interceptor shall be considered to be out of compliance if the grease layer on top exceeds six (6) inches and the solids layer on the bottom exceeds twelve (12) inches or if removal efficiencies as determined through sampling and analysis indicate less than eighty (80%) percent.
- 5. Wastes removed from each oil and grease interceptor or oil/water separator shall be disposed at a facility permitted to receive such waste. In no way shall the

1 pumpage be returned to any private or public portion of the collection system or
2 the treatment plants, without prior written approval from the Director of Utilities.

- 3
4 6. The use of additives in no way shall be considered as a substitution to the
5 maintenance procedures required herein.
6
7 7. Flushing the oil and grease interceptor or oil/water separator with water having a
8 temperature in excess of 140°F shall be strictly prohibited.
9
10 8. All maintenance of oil and grease management devices, including proper
11 disposal, shall be performed by the user at the user's sole expense.

12
13 E. Monitor.

- 14
15 1. The Director of Utilities and/or his or her designee is authorized to perform
16 inspections of oil and grease interceptors.
17
18 2. Pumpage from oil and grease interceptors and oil/water separators shall be
19 tracked by a manifest that confirms pumping, hauling and disposal of waste. This
20 manifest shall include a log of pumping activities maintained by the user. The log
21 shall be kept on site and made available immediately to City personnel. The log
22 shall include the date, time, volume pumped, hauler's name and license number
23 and hauler's signature.

24
25
26 F. Enforcement.

- 27
28 1. The City of Tavares Code Enforcement Officer is authorized to enforce the
29 regulations outlined in this regulation in accordance with standard code
30 enforcement procedures as outlined in the City of Tavares Municipal Code.
31 Additionally, the Code Enforcement Officer may serve any user a written notice
32 stating the nature of oil and grease regulation violation. The user shall have
33 seven days to complete corrective action and submit evidence of compliance to
34 the Code Enforcement Officer and/or Director of Utilities.
35
36 2. A Notice of Violation shall be issued to a user for failure to:
37
38 (a) report pumping activities,
39
40 (b) properly maintain (clean-out or pump) the interceptor or separator,
41
42 (c) maintain and post the log of pumping activities,
43
44 (d) maintain a file of records on site at all times,
45
46 (e) provide logs, files, records or access for inspection or monitoring
47 activities.
48
49
50 3. If a user violates or continues to violate the provisions set forth in this section or
51 fails to initiate/complete corrective action within the specified time period in
52 response to a Notice of Violation, then among other actions, the Code
53 Enforcement Officer and/or Director of Utilities may pursue the following options:
54
55 (a) pump the oil and grease interceptor or oil/water separator and place the
56 appropriate charge on the user's monthly sewer bill; and/or
57

1 (b) if an extreme health or safety hazard exists, immediately terminate
2 water and sewer service.

3
4 4. Progressive enforcement action shall be pursued against users with multiple
5 violations of the provisions of this section including, but not limited to, termination
6 of water service.

7
8 5. The user shall pay all outstanding fees, penalties and other utility charges prior to
9 reinstatement of water and sewer service.

10
11 **Section 2. Severability and Conflicts**

12
13 The provisions of this ordinance are severable and it is the intention of the City Council of
14 Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of
15 competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the
16 decision of such court shall not impair any remaining provisions of this ordinance.

17
18 **Section 3. Effective Date**

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

21
22 **PASSED AND ADOPTED** this ___ day of _____, 2010 by the City Council of the City of
23 Tavares, Florida.

24
25 _____
26 Robert Wolfe, Mayor
27 Tavares City Council

28
29 First Reading: _____

30
31 Second Reading: _____

32
33
34 ATTEST:

35
36 _____
37 Nancy A. Barnett, City Clerk

38
39
40 Approved as to form:

41
42 _____
43 Robert Q. Williams, City Attorney

CITY OF TAVARES

NOTICE IS HEREBY GIVEN that the City of Tavares will consider of the public hearings set forth below enactment of proposed Ordinance 2010-14 titled as follows:

ORDINANCE 2010-14

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS; BY AMENDING CHAPTER 17, SECTION 17.31, UTILITIES, REMOVING TEXT RELATED TO INTERCEPTORS AND ADDING LANGUAGE RELATED TO THE INSTALLATION AND MANAGEMENT OF OIL AND GREASE MANAGEMENT DEVICES, PROVIDING FOR THE INSPECTION OF OIL AND GREASE MANAGEMENT DEVICES AND PROVIDING FOR ADDITIONAL ENFORCEMENT AUTHORITY IN CASES OF VIOLATIONS OF OIL AND GREASE MANAGEMENT REGULATIONS, SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

Proposed Ordinance 2010-14 will be considered at the following public meetings:

1. Tavares City Council meeting on June 16, 2010, at 4:00 p.m. (Introduction and First Reading by Title Only); and
2. Tavares City Council meeting on July 7, 2010, at 4:00 p.m. (Second Reading)

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 City Council Second Reading and be heard or submit their comments prior to the meeting. All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

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TAVARES

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
JULY 7, 2010**

AGENDA TAB NO. 8

SECOND READING

**SUBJECT TITLE: Ordinance 2010-15
An amendment to the Landscaping and Buffering Regulations
Chapter 11 of the Land Development Regulations addressing
irrigation and promoting water conservation.**

OBJECTIVE:

To amend Chapter 11, Section 11-6, of the City of Tavares Land Development Regulations. This section addresses the conditions under which the City shall permit irrigation systems.

SUMMARY:

According to St. John's River Water Management District, more than half of residential water usage is used for watering lawns and landscaping. Therefore, substantial water savings can be realized through efficient, water-conserving irrigation methods. To promote the City of Tavares' water conservation goals, this proposed ordinance provides basic water conserving regulations for the installation and operation of landscape irrigation systems.

Highlights of the proposed ordinance include the following:

1. Irrigation systems shall be water efficient irrigation systems designed to provide no more than the minimum amount of water required by any specific landscape material to ensure survival of that material.
2. Irrigation systems shall be designed with low trajectory heads, micro irrigation or low-volume water distributing devices in order to prevent overspray onto impervious areas.
3. A rain sensor device or switch shall be installed to regulate the controller's operation that will override the irrigation cycle of the sprinkler system when one-half to three-quarter inches of rainfall has occurred on any day.

OPTIONS:

1. That Council moves to approve Ordinance 2010-15.
2. That Council denies the proposed ordinance.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2010-15 as presented.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

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

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ORDINANCE 2010-15

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA
AMENDING THE LAND DEVELOPMENT REGULATIONS; BY
AMENDING CHAPTER 11, LANDSCAPING AND BUFFERING
REGULATIONS, SECTION 11-6, ADDRESSING THE
INSTALLATION OF IRRIGATION SYSTEMS AND WATER
CONSERVATION, SUBJECT TO THE RULES, REGULATIONS
AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES
COUNCIL; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on September 7, 2005, the City of Tavares adopted the Land Development Regulations, specifying therein standards and regulations governing development within the city; and

WHEREAS, the Land Development Regulations are designed to put forth requirements to ensure that development occurs in a manner that preserves and protects the health, safety, welfare and property values of the community while encouraging economic growth; and

WHEREAS, the City of Tavares has determined these changes are appropriate and in accordance with protecting the health, safety and welfare of the community; therefore;

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

Section 1. Text Amendments

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

Section 11-6 Irrigation

~~All landscaping required under this Section will be required to have an adequate irrigation system as required for the maintenance of the plant material. An irrigation plan shall be required and irrigation systems shall be installed in accordance with Appendix F of the Florida Building Code. Any property owner electing to install an irrigation system is to comply with the following regulations and obtain a permit from the City of Tavares Community Development Department.~~

~~(A) Single Family Residential Uses.~~

~~Irrigation plans for single family uses shall be submitted prior to construction of the irrigation system. The plans shall be clearly readable, drawn to a reasonable scale, show the entire site to be irrigated and must include all improvements. Drawings may be prepared by a properly licensed qualified contractor.~~

~~(B) Multi-family, Commercial, Industrial and Governmental Uses.~~

1 Irrigation plans for multi-family, commercial, industrial and governmental uses shall be submitted along
2 with the landscape plan in conjunction with the site development plans and application. The plans shall be
3 clearly readable, drawn to a reasonable scale, show the entire site to be irrigated, including all
4 improvements, and shall include but not be limited to: date, scale, revisions, legend, specifications which
5 list all aspects of the equipment and assembly thereof, water source, water meter and/or point of
6 connection, backflow prevention devices, pump station size, pump station location, design operation
7 pressure and flow rate per zone, locations of pipe, controllers, valves, sprinklers, sleeves, gate valves,
8 etc. The plans and specifications shall be prepared by, and each sheet shall bear the impress seal of a
9 Professional Engineer or Landscape Architect, registered in the State of Florida, or other recognized
10 certified design professional, who is competent in this field of expertise.

11
12 (A) All irrigation permits shall be reviewed by Utilities Department authorized personnel.

13
14 (B) Irrigation plans for single family uses shall be submitted prior to construction of the irrigation
15 system. The plans shall be clearly readable, drawn to a reasonable scale, show the entire
16 site to be irrigated and must include all improvements.

17
18 (C) Irrigation plans for multi-family, commercial, industrial and governmental uses shall be
19 submitted along with the landscape plan in conjunction with the site development plans and
20 application. The plans shall be clearly readable, drawn to a reasonable scale, show the
21 entire site to be irrigated, including all improvements, and shall include but not be limited to:
22 date, scale, revisions, legend, specifications which list all aspects of the equipment and
23 assembly thereof, water source, water meter and/or point of connection, backflow
24 prevention devices, pump station size, pump station location, design operation pressure and
25 flow rate per zone, locations of pipe, controllers, valves, sprinklers, sleeves, gate valves, etc.
26 The plans and specifications shall be prepared by, and each sheet shall bear the impress
27 seal of a Professional Engineer or Landscape Architect, registered in the State of Florida, or
28 other recognized certified design professional, who is competent in this field of expertise.

29
30
31 (D) Irrigation systems shall comply with the following requirements:

32
33 1. Irrigation systems shall be water efficient irrigation systems designed to provide no more
34 than the minimum amount of water required by any specific landscape material to ensure
35 survival of that material. Irrigation system piping shall be underground. Such systems shall
36 utilize a combination of sprinkler mechanisms and zones to accommodate the individual
37 irrigation requirements of each type of landscape material, including trees, shrubs, ornamentals
38 and turf areas.

39
40 2. Irrigation systems shall be designed to provide 100 percent coverage and to prevent
41 overspray, runoff, low land drainage and other conditions where water flows onto or over
42 adjacent property, non-irrigation areas, water features and impervious areas.

43
44 3. Irrigation systems shall be operated by an automatic irrigation controller or timer which has
45 sufficient programming flexibility to respond to the needs of the irrigation devices being used
46 and is capable of irrigating high requirement areas on a different schedule from low water
47 requirement areas (provided that separate zones exist), has program flexibility (to allow repeat
48 cycles and multiple program capability) and battery backup (to retain programs).

1
2 4. The design of the irrigation system shall include sprinkler heads and devices appropriate for
3 the landscape material to be irrigated. Sprays and rotors shall not be on the same control value
4 circuit and shall have matching application rates within each zone. Sprinkler spacing shall not
5 exceed 55 percent of the sprinkling diameter of coverage.
6

7 5. Irrigation systems shall be designed with low trajectory heads, micro irrigation or low-volume
8 water distributing devices in order to prevent overspray onto impervious areas. Micro irrigation
9 systems shall not be used to irrigate turf areas. Sprinkler heads in and adjacent to lawn areas
10 shall be designed to be flush with the ground surface when not in use.
11

12 6. Irrigation systems shall be designed to place high water demand areas, such as lawns, on
13 separate zones from those areas with reduced water requirements.
14

15 7. A rain sensor device or switch shall be installed to regulate the controller's operation that will
16 override the irrigation cycle of the sprinkler system when one-half to three-quarter inch of rainfall
17 has occurred on any day.
18

19 8. Irrigation rates for each zone shall be calculated and noted on the irrigation plans.
20

21 (E) Water conservation. The Utilities Director or his/her designee or other authorized person
22 shall ensure the following tasks are complete:

23 (1) The irrigation contractor has provided the property owner an irrigation plan and maintenance
24 checklist, and;

25 (2) The property owner possesses a St. John's River Water Management District's seasonal
26 watering guideline.
27

28 (F) Enforcement. Any owner with irrigation as required under these regulations not being
29 maintained in an orderly manner consistent with this regulation shall be notified of a violation and
30 will be referred to the Code Enforcement Officer.
31

32 33 **Section 11-7 Installation and Maintenance**

34 Proper installation and maintenance of landscape areas is required in order to ensure their
35 proper function and reduce or eliminate nuisances and/or conflicts.
36

37 (A) Professional installation. All landscaping is to be installed in a professional manner following
38 good nursery practices as set by the Florida Nurserymen's Association and/or the Florida
39 Irrigation Society.
40

41 (B) Irrigation maintained. All irrigation systems are to be maintained in an operable manner and
42 managed to ensure water efficiency and prevent wasteful practices.
43

44 (C) Owner responsible for maintenance. The responsibility for maintenance of required
45 landscaping shall remain with the owner of the property, his successors, heirs, assignees or any
46 consenting grantee to include banks and/or mortgage holders.
47

1 **Section 2. Severability and Conflicts**

2
3 The provisions of this ordinance are severable and it is the intention of the City Council of
4 Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of
5 competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the
6 decision of such court shall not impair any remaining provisions of this ordinance.

7
8 **Section 3. Effective Date**

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

11
12 **PASSED AND ADOPTED** this ___ day of _____, 2010 by the City Council of the City of
13 Tavares, Florida.

14
15 _____
16 Robert Wolfe, Mayor
17 Tavares City Council
18

19
20 First Reading: _____

21
22 Second Reading: _____

23
24
25 ATTEST:

26
27 _____
28 Nancy A. Barnett, City Clerk
29

30
31
32 Approved as to form:

33
34
35
36 _____
37 Robert Q. Williams, City Attorney

CITY OF TAVARES

NOTICE IS HEREBY GIVEN that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2010-15 titled as follows:

ORDINANCE 2010-15

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS; BY AMENDING CHAPTER II, LANDSCAPING AND BUFFERING REGULATIONS, SECTION II-6, ADDRESSING THE INSTALLATION OF IRRIGATION SYSTEMS AND WATER CONSERVATION, SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

Proposed Ordinance 2010-15 will be considered at the following public meetings:

1. Tavares City Council meeting on June 16, 2010, at 4:00 p.m. (Introduction and First Reading by Title Only); and
2. Tavares City Council meeting on July 7, 2010, at 4:00 p.m. (Second Reading)

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 City Council Second Reading and be heard or submit their comments prior to the meeting. All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: July 7, 2010**

AGENDA TAB NO. 9

SUBJECT TITLE: Mayors recommendation on City Administrator's Annual Compensation adjustment

OBJECTIVE: To adjust the City Administrator's annual compensation.

SUMMARY: Previously Council voted to have the Mayor negotiate the City Administrator's annual compensation adjustment. The Mayor has completed his negotiations and has provided a memo dated June 1, 2010 to each Council member outlining his recommendation and the reasons for that recommendation (see attachment). The City Administrator is a contracted employee. The contract calls for annual compensation adjustments. An opportunity is provided for Council to discuss the recommendation.

OPTIONS:

1. Move to accept the recommendation and authorize the City Attorney to develop a contract amendment reflecting the recommendation and authorize the mayor to execute the contract amendment.
2. Do not accept the recommendation.

MAYORS RECOMMENDATION:

Move to accept the recommendation and authorize the City Attorney to develop a contract amendment reflecting the recommendation and authorize the Mayor to execute the contract amendment.

FISCAL IMPACT: The recommendation would be incorporated into next fiscal year's budget (FY 11) and would not take effect until October 1, 2010.

LEGAL SUFFICIENCY: Legally sufficient.



TO: Council Members

FROM: Robert Wolfe

DATE: June 1, 2010

RE: Mr. Drury's Annual Compensation Adjustment

I have completed my negotiations with Mr. Drury on his annual compensation adjustment and am prepared to give Council a recommendation. Mr. Drury is being recruited to move on with his career to significantly higher compensated jobs. I believe it is in the best interest of this city that we keep Mr. Drury as City Administrator and incentivize him to stay for at least the next five years if not longer. Therefore my negotiations reflect this approach. In the past, previous Mayors would present the negotiations at a Council meeting at which the Council would vote the recommendation either up or down. This year I want to give each Council member plenty of time to evaluate the negotiated recommendation before voting. Before negotiating with Mr. Drury I consulted community leaders and experts in CEO/City Administrator compensation negotiations. For example, City Attorney Robert Williams has negotiated compensation packages for City Administrators and Hospital Administrators and provided me valuable insight as did Edd Holder who is a professional in this area.

I would like to give Council members a month to evaluate and conduct any research that you deem appropriate and will place this on the July 7th City Council meeting for a vote.

Below is the recommended salary and benefits adjustments I am recommending. Attached are the reasons for the adjustments. I hope you will support the recommendation on July 7th.

COMPENSATION/BENIFITSS ADJUSTMENTS

1. \$25,000 raise from \$132,600 to \$157,600
2. \$500 month car allowance (Turns in City Car)
3. Execu-Care Medical Insurance coverage. (Covers out-of-pocket medical expenses). Estimated cost \$2,380.
4. Reimbursement for Life insurance cost 2.5 times annual salary. Estimated cost \$2,400.
5. Short Term and Long Term Disability Insurance. Estimated cost \$2,000
6. Family Health Care, Dental and Vision Coverage premiums = \$4,048
7. Five year retention incentive program of \$35,000 per year times five years = \$175,000. (\$35,000 is placed into an interest bearing account every year for five years. If Mr. Drury leaves prior to five years then he receives \$0. This means if Mr. Drury resigns or is terminated for cause, Mr. Drury receives \$0. If he stays for the full five years then he receives the accumulated funds plus interest less taxes). Mr. Williams is well versed on this CEO retention program for additional information.

Tavares City Administrator
Pay Adjustment Reasoning/Justification
Mayor Robert Wolfe

Note: Current Pay for the Tavares City Manager is \$129,540 (\$132,600 annual pay – \$3,060 (Furlough)

Plus Car, retirement contributions, healthcare, payout of unused sick/vacation time

Six issues were looked at:

1. What's the job worth?
2. What's Mr. Drury worth?
3. How has Mr. Drury been performing?
4. Commitment to the City?
5. Results?
6. Business Approach?

What's the City Manager job worth?

1. Naples City Manager \$185,000
 2. Lakeland City Manager salary \$185,000
 3. Pompano Beach City Manager \$175,000
 4. Lake County Manager - \$157,800
 5. Assistant City Manager for Savanna GA - \$145,000
 6. Clermont City Manager salary \$141,000
 7. Eustis City Manager salary \$140,000
 8. Leesburg City Manager salary \$135,000
 9. Tavares City Manager salary \$132,600
 10. Mt. Dora City Manager salary \$122,000
- Note: As the City of Tavares is the County Seat, the City Administrator position encounters some unique challenges and opportunities compared to non county seat cities.

What's Mr. Drury worth?

1. Mr. Drury is a Credentialed City Manager (CM) by the International City Managers Association (ICMA). In order to become a credentialed City Manger Mr. Drury took the comprehensive City

manager exam, had to pre-qualify and be in the City Manager business at the CEO level for a minimum of 10 years and annually has to maintain a minimum level of educational credits to maintain that status. Mr. Drury continues to maintain his CM status. This is the recognized mark in the industry of a qualified professional city manager.

2. Mr. Drury is the only Accredited Airport Executive (AAE) in Lake County. This is the mark in the industry of a qualified professional Airport Executive Director. In order to become an AAE by the American Association of Airport Executives he had to have a minimum of five years experience at the CEO level running airports, pass a comprehensive airport management written exam, pass an oral interview by the Board of Examiners and have written thesis on an original airport topic accepted by the Board of Examiners and then registered in the AAE Washington D.C. Library. As an AAE, Mr. Drury is certified to run a "Medium Hub Airport". Annual salaries for Accredited Airport Directors at Medium Hub Airports range. For example:
 - Sarasota Airport Director makes over \$200,000
 - Palm Beach Airport over \$200,000
 - Ft. Myers Airport over \$228,000
 - Ft. Lauderdale Airport \$243,000.
3. Mr. Drury is a Certified Airplane Pilot.
4. Mr. Drury owned and operated his own company for four years "Two Dog Lodge" in Stowe, Vermont. This business background of making payroll, investing in a community, service delivery etc. , private sector entrepreneurialship is not commonly found in City Managers.
5. Now that Tavares is Florida's newest certified airport and "America's Seaplane City", having and keeping a Certified Airport Manager, Certified City Manager, Certified Airplane Pilot and entrepreneur is a benefit to the operations of the city. Mr. Drury has all four of these certifications and attributes and is therefore uniquely qualified for this job. Retaining these credentials in one position at the city's highest level brings credibility as well as financial assistance in the form of grants to the city and investment by the private sector.

How has Mr. Drury Been Performing?

Performance evaluations by City Council, residents and Business Community indicate "Exceed Expectations". The City Council, Tavares' citizens and Tavares' business community gave its City an incredible task – reinvent the city, reinvigorate its downtown, bring new business, bring in new tax revenues to the city and do it during one of the hardest economic times this country has ever been in and do it in short order. Done! America's Seaplane City was born (just made the front cover of Seaplane Magazine) and many new businesses have arrived in the downtown including a seaplane manufacturing facility – in fact the value of the new Commercial businesses enterprises in just that last year in Tavares is \$18.8 million dollars or \$117,560 per year in new property tax revenues. Many new jobs were created by these businesses. Mr. Drury was the CEO of this city during this time and although many others including the City Council, citizens of Tavares, business community and city staffs are credited for this success, Mr. Drury was at the helm of implementation and created a culture that permitted all participants to exceed expectations.

Commitment to the City: Mr. Drury moved into the heart of this city with his family – he lives in the city’s downtown. His youngest daughter was born at the Tavares Hospital and his 15 year old attends Tavares high school. He leads by example. When the city passed a golf cart ordinance he went out and purchased a golf cart to drive to work. When the employees had to take a pay cut and take a furlough day off, Mr. Drury ignored his contract and took the pay cut and the furlough day along with the employees.

Positive Press Results: The city has received outstanding positive press. From editorials to featured articles in news papers, magazines and TV. Attached is a sampling of just the Color articles produced recently. The cost to produce and then distribute this kind of authentic marketing program with color advertisements to the wide spread audience it went out to to promote this community would have cost a hundred thousand dollars plus. The actual cost to the city produce and distribute was \$0.

Grant Dollars Results: Grant dollars recently obtained include:

- \$500,000 Federal grant for Public Safety Complex
- \$975,000 State grant for Dora Canal Bridge Replacement
- \$13.8 million state grant for RR track upgrades
- \$1.3 million federal grant for CRA water/sewer
- \$600,000 Trail Head Building
- \$910,000 St. Johns Re-Use grant
- \$2,200,000 Water Plant Upgrades
- \$3,000,000 County Impact Fee revenues for Alfred Street
- \$200,000 County grant for Sports Complex
- \$200,000 Boat Ramps
- \$25,000 County grant for relocating Sea Rey to Tavares
- \$112,500 Water Authority grant for Dora Canal Bridge replacement
- \$128,500 Grant from Florida Central Rail for Dora Bridge
- \$23,951,000 Total**

Low Interest Loans for infrastructure Projects:

- \$15,000,000 – CRA Water Sewer upgrades
- \$7,400,000 – Seaplane Base and Marina

\$22,400,000 – Total

Grants applied for and in process

\$9,000,000 Public Safety Complex

\$18,000,000 Reclaim Facility

\$10,0000 CRA Storm Water Upgrades

\$1,100,000 Rail Road Crossings, Signalization upgrades

\$38,100,000 - Total

GRAND TOTAL IN PLAY = \$84,451,000

Service Delivery Results: The Crime rate in Tavares has double digit decreases and all services and enterprises are operating smoothly both fiscally sound as well as customer oriented. Complaints on the delivery of services are minimal for a city of this size doing as much as it is with its very limited resources.

Creativity and civic entrepreneurial business approach to government: Seaplanes, Splash Park, Impact Fee Waivers, Community Back Yard, Commuter Rail initiatives, Rail village, Special Events, Golf Cart Ordinances, re-creation of the Woodlea House as the Airports Terminal building, Porous Paver Block alleyway program, entertainment district – these initiatives are outside the box, creative and civic/entrepreneurial oriented and are all just about done or well on their way and in a very short period of time.

Summary: Although many of the success listed above are the culmination of many people’s work including the entire City Council, City Staff, Business Community and Citizens of Tavares, Mr. Drury was the CEO of this city during this time and facilitated a culture that permitted all participants to exceed expectations and deliver results during one of the hardest economic times of our City. Mr. Drury is being recruited to move on with his career for significantly higher compensated jobs and it is the Mayors belief that it is in the best interest of the City that Mr. Drury be retained and incentivized to stay the course with the city of Tavares for the next five years and therefore a compensation adjustment has been negotiated that reflects this as follows:

1. \$25,000 raise from \$132,600 to \$157,600
2. \$500 month car allowance (Turns in City Car)
3. Execu-Care Medical Insurance coverage. (Covers out-of-pocket medical expenses). Estimated cost \$2,380.
4. Reimbursement for Life insurance cost 2.5 times annual salary. Estimated cost \$2,400.
5. Short Term and Long Term Disability Insurance. Estimated cost \$2,000

6. Family Health Care, Dental and Vision Coverage premiums = \$4,048

7. Five year retention incentive program \$35,000 per year times five years =\$175,000.

Daily Commercial

www.dailycommercial.com

Friday, October 17, 2008 • Leesburg, Florida • 50¢

A city transformed



Tavares embraces growth with new city plan

BENJAMIN ROODE
Staff Writer

They've found their road map. Stops along the way for Tavares? Splash park, seaplane basin, downtown beautification and partnerships with business, county government and other large entities to improve downtown Tavares. Officials hope those improvements to the city's downtown over the next decade will put Tavares on other people's road maps as a good example of community building and smart growth in the face of economic turmoil.

Rest stops, a children's

beautified downtown streets and development from Lake County government are featured in the plan.

It transforms the downtown into the city's entertainment, recreation, living and working centerpiece, city officials say.

City council members this week adopted the new plan, which lays out the city's downtown and waterfront planned growth over the coming decades.

The 5-plus year project could cost more than \$50 million alone for city improvements like sidewalks, wastewater upgrades and amenities

It's an investment that will better the city of Tavares and incubate business growth, said city Director of Economic Development Bill Neron. That business growth can spread through the area, much like the residual benefits other cities in the county see during large festivals in Lake

"It's not Tavares against the world," Neron said. "It's like the Bass Pro Shops Crappie Masters Classic Tournament in Tavares this weekend. We don't have enough hotels in Tavares; they're staying all over the county. Everybody benefits from that."

Already at work

The new government building and parking garage are already rising in downtown Tavares.



AMERICA'S *Seaplane City*



By John Drury, Tavares City Administrator

"Distinguishing itself as the defining vision of where you want to be" is how a dedicated group of Tavares citizens and stakeholders summed up their precisely penned "vision statement" after spending eighteen months together with Mayor Nancy Clutts conversing and planning for the future of their hometown.

Then in 2008, the citizens completed a very detailed Master Plan to support their vision, and last autumn, they developed a brand that supported both the Vision Statement and Master Plan—"America's Seaplane City—Land and See".

Through this process, the citizens re-discovered their well documented past, and also learned of a significant "new" historical affiliation with seaplanes when it was discovered that the first recorded seaplane operation, off the shores of Tavares on Lake Eustis, occurred in March of 1914. That first operation was in none other than the intrepid Thomas Flying Boat, just a few years after the airplane was invented. That flight carried famed aviatrix, Clara Adams, Amelia Earhart's equally famous friend, the first woman air passenger to circle the world in 1939.

Clara Adams changed the public perception of aviation from a dangerous enterprise for daredevils in leather helmets to something all Americans could enjoy. Also, her courageous pioneering flights led to the creation of the passenger airline industry. Adams' passion for aviation began in Tavares and seaplanes have been operating from the shores of Tavares ever since. The citizens have honored this historic event and the continued operation of seaplanes by branding itself as "America's Seaplane City."

With this exciting piece of history providing another dimension to Tavares' multi-modal environment, an FAA approved Seaplane virtual east-west runway has been established on Lake Dora. The Tavares Seaplane Port will include seaplane docks with a fueling station, paved parking, and an access ramp.

In addition to the "visioning project," Tavares waived impact fees as an economic development tool. Though the long term economic impact of this 2010 project and impact fee waiver program is yet to be seen, the

(Continued on Page 32)

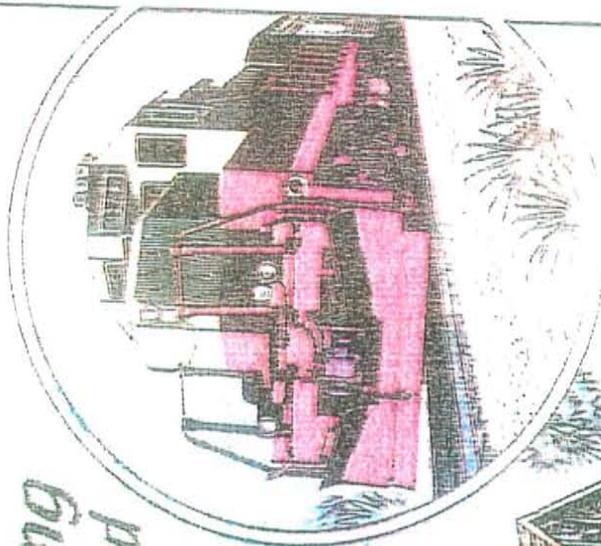
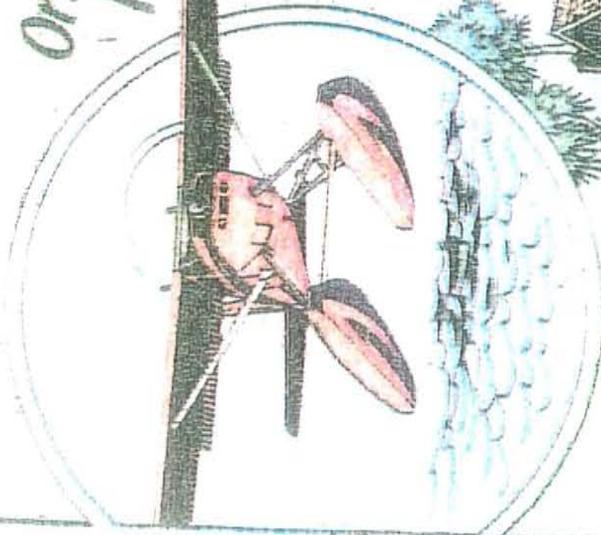
Sunday, April 18, 2010

The Daily Commercial

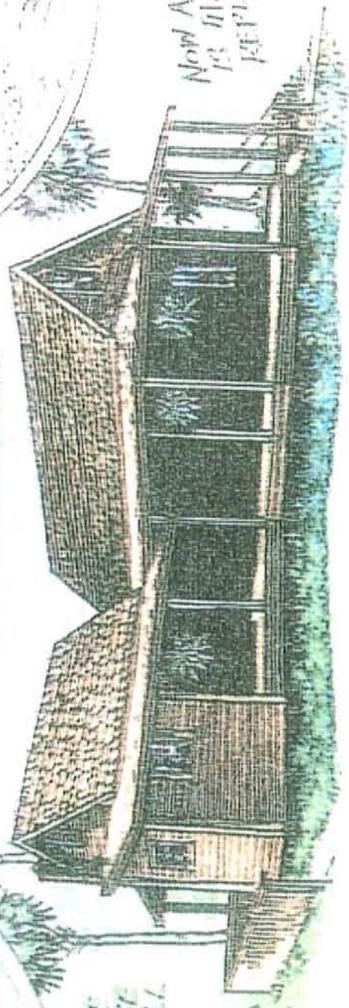
SECTION C

CONGRATULATIONS TAVARES

On your outstanding
PLANES, TRAINS and
BBQ event!



THE AIR SHOW WAS THRILLING!
THE TRAIN RIDE WAS FUN!
THE BBQ WAS DELICIOUS!
THE MUSIC WAS GREAT!
THE ANTIQUE CAR SHOW
WAS IMPRESSIVE!
CAN'T WAIT TIL NEXT YEAR!



THE REPLICA OF THE
1871 WOODLEA HOUSE
IS BEAUTIFUL. IT WILL
SERVE AS A SHIPS
STORE AND
GIFT SHOP.

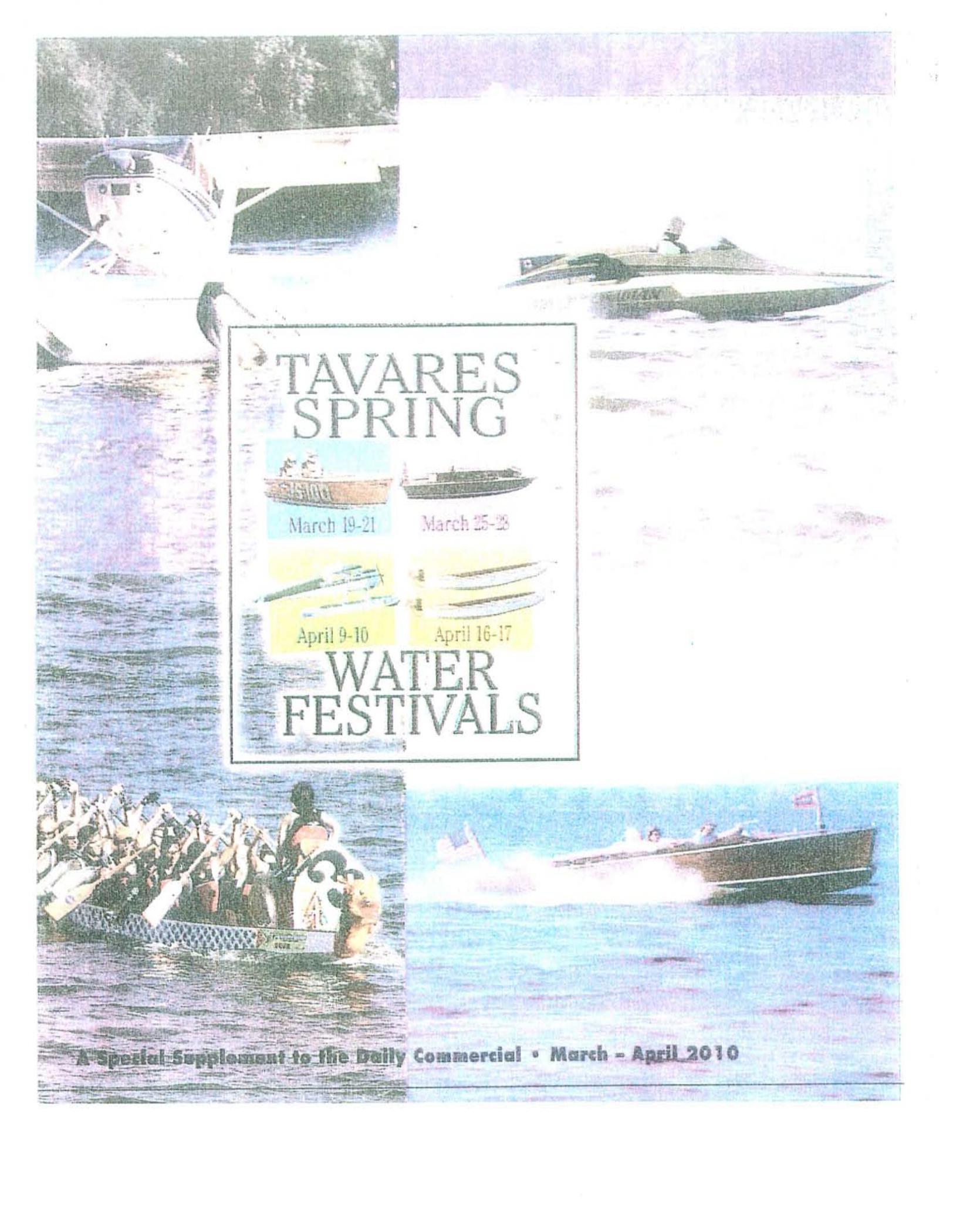
NOW ALL WE NEED
IS THAT FAVOURITE
REPLICA CAR SHOW!
LIVE!

Richie

Richie

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TAVARES SPRING



March 19-21



March 25-28



April 9-10



April 16-17

WATER FESTIVALS

A Special Supplement to the Daily Commercial • March - April 2010

Tavares - America's Seaplane City

Seaplane Base Dedication at Annual Planes, Trains, & BBQ

Article by Heather Graham and Lisa Rast and Photos by Bonnie Whicher



After years of planning and months of construction, the much anticipated Seaplane Base & Marina Dedication and Ribbon Cutting was celebrated, amidst the roars of the seaplanes, choo choo of the train, and the tantalizing scents of barbecue. The day started early with the barbecue competitors firing up their smokers and getting their meat started. The event was sanctioned by the Florida Barbecue Association and held at Wooton Park. One block over, on Main Street, visitors could stroll downtown and check out a classic car show or meander into City Hall to enjoy

the quilt exhibit or the model train display. At eleven and three, event goers were treated to a breathtaking air show. Four pilots showed their daredevil spirit with rolls, dives, and free falls over the beautiful backdrop of Lake Dora, to the oohs and aahs of a completely ruptured crowd. At 1pm the much awaited dedication



ceremony took place, with special guest, Florida Governor, Charlie Crist in attendance for the big event. City officials spoke of the journey to see their vision come to life for the City of Tavares, before three seaplanes flew over symbolically and made the first official

landings at the new Seaplane Base, then parading up on land and cutting the traditional red ribbon strung across the boat ramp entrance. Nearby kids squeals could be heard as they enjoyed the beautiful day at Wooton Wonderland and the Splash Park before later lining up for a Wild West Train ride, which guaranteed "robberies" on every ride.

The festivities continued into the night with rockin' country bands Restless Heart and Little Texas headlining a free concert to commemorate the grand opening of the Seaplane Base & Marina. Grammy award-winning Restless Heart opened the concert, performing their popular hits Why Does It Have

To Be (Wrong or Right), The Bluest Eyes in Texas, and When She Cries. Bassist Paul Gregg brought the crowd to its feet with the soon-to-be-released patriotic ballad Home. Little Texas rocked the crowd with their Billboard Top 10 hits God Blessed Texas, Some Guys Have All the Love, and the No. 1 hit single My Love. Lead vocalist and guitarist Dwayne O'Brien is an acrobatic pilot with a lifelong love of aviation.

In tribute to the theme of the day, he performed High Flight from his own Song Pilot album, and presented City



Administrator John Drury with a copy of the CD. Drury presented each band member with Tavares "Land and See" T-shirts.

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TAVARES

Seaplane City

Also in this issue:

Dragonboat Festival
South Lake Relay for Life
Taste in Mount Dora
Bikefest

VOLUME 3 ISSUE 3
MAY 2010

FOCUS

LAKE COUNTY EDITION

THE FREE
MAGAZINE.COM
SEPTEMBER 2009

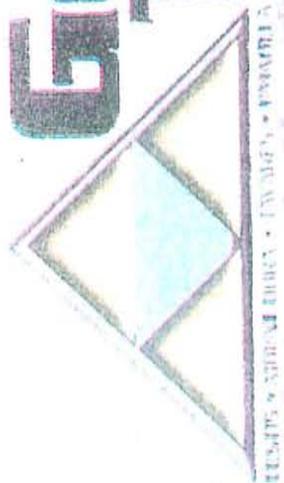
CITY OF TAVARES OPENS

SPLASH PARK



GOLDEN TRIANGLE

magazine



Tavares

Seaplane Airport

SeaRey to move to 'America's Seaplane City'

Posted by [Janice Wood](#) · March 24, 2010



Progressive Aerodyne, Inc., which manufactures SeaRey amphibious seaplanes, is relocating to [Tavares](#), Florida, from Orlando.

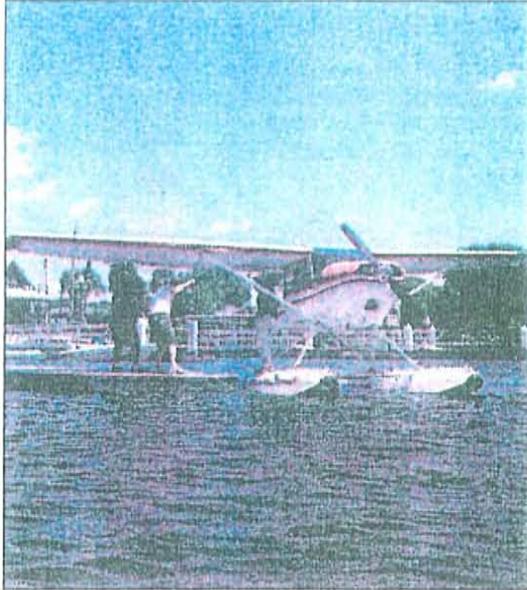
The successful recruitment of a seaplane manufacturing company strengthens Tavares' brand of "America's Seaplane City," according to City Administrator John Drury, who notes, "A year's worth of work went into attracting this company to Tavares. It never would have happened without the new downtown seaplane base."

The Tavares Seaplane Base is slated to open April 10.

Progressive Aerodyne officials noted that the pro-business attitude of the city was instrumental in making the move from Orlando. "We are very excited to be a part of America's Seaplane City," said Darrell Lynds, acting general manager.

The company plans to make its move in mid-May. The new location will house kit manufacturing, research & development, sales, parts, showroom and hangars. Over time, the company plans to expand the location to include maintenance and flight training.

For more information: [SeaRey.com](#).



KERI RASMUSSEN-BEKIER / DAILY COMMERCIAL

A sea plane docks in Tavares on April 26.

Progressive gets ready to make move

City's first seaplane manufacturer heading to 24,000-square-foot facility

LARRY ELL
Staff Writer

Before they started building their brand, city officials were working at rebuilding their economy. Now, they're realizing the fruits of both those labors.

On the shore of Lake Idamere, a seaplane manufacturing company is about ready to reopen for business. Progressive Aerodyne is in the final stages of moving into its new 24,000-square-foot facility that will serve as a factory, showroom and hangar.

"The city attracted us to it," Progressive Aerodyne president Kerry Richter said. "They built a seaplane base and wanted to have a seaplane manufacturer. So this building on a lake made it an ideal place to operate from."

The location will allow seaplanes to roll out of the facility right onto Lake Idamere and a city ordinance gives planes a permanent permit to take off and land.

The deal to get Progressive Aerodyne to move from Orlando to Tavares took more than a year.

"This deal took a lot of patience," said city Economic Development Director Bill Neron. "This one died two or three times and we used the AED and brought it back to life. Now they've got a showcase facility to showcase their products and land right there on the lake."

The facility was initially too big for Progressive's needs. However, the company will share the space with original occupant Trident Pontoon Boats. There's also the possibility the companies will be able to take advantage of each's technical expertise.

"There could be a lot of interaction here," Richter said. "Some of the processes are really not that far different from each other. So it looks like it should set up quite well."

Progressive Aerodyne currently manufactures the SeaRey seaplane kit, but is only a few months away from being certified to build ready-to-fly seaplanes. When that happens, the city will realize one of its goals of truly cementing its unique identity.

"You can't be America's Seaplane City if you're not making seaplanes," City Administrator John Drury said. "So, now we're making seaplanes and that solidifies the people's vision for our brand."

In the long run, this first step also could trigger a revival of the area's sluggish commerce.

"For me it's a small step towards Lake County's economic recovery and a large step towards Tavares' economic recovery efforts," Drury said. "This really begins the process of diversifying our economy, which creates a healthy economy. We're excited to do our part in getting this economy going again."



PHOTOS BY TOM BENITEZ/ORLANDO SENTINEL

EXTREME ACTION

TAVARES

Peaceful Lake Dora was transformed into an extreme watersport arena during the weekend when watercraft and runabout racers from throughout the Southeast competed in the first leg of Mike Young's Pro Hydro-X Tour. Spectators lined the lake Saturday and Sunday armed with supplies to fend off the sun and watched as competitors sped through the water and performed tricks. This year was Tavares' second time hosting the race, which was sponsored by the city, Lake County and watercraft company Sea-Doo. Since last year, the city put more than \$4 million into the area, including the addition of a seaplane base and a ship store modeled after the historic Woodlea House. According to Tavares City Administrator John Drury, the race was a successful family event that drew business to local stores and restaurants. "We're always excited to hold small, specialty waterfront events in Tavares," he said. "This weekend was a perfect example."

— Emily Fuggetta



Tavares is Lake's 'top city'

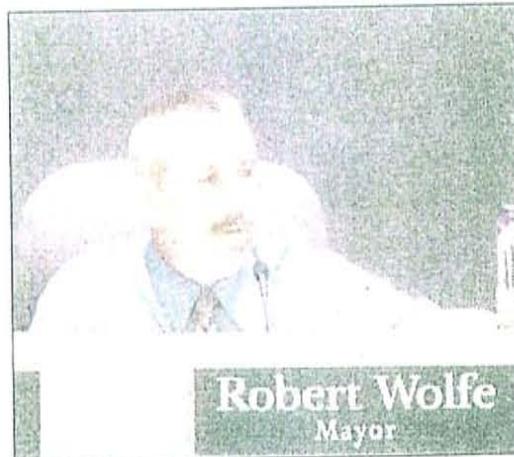
Historical Society says
county seat was innovative

LARRY ELL
Staff Writer

TAVARES — It's been a busy year for the city. After months of planning and work, the Seaplane Base and Marina officially opened, giving the city a unique identity and a greater ability to boost its economy.

The project was one reason why Tavares was named Municipality of the Year by the Lake County Historical Society. At its last meeting, the city council accepted the award that also brought with it other dis-

See TOP, A4



LARRY ELL / DAILY COMMERCIAL

Tavares Mayor Robert Wolfe speaks at a recent council meeting

The Daily Commercial

Monday, May 17, 2010

TOP
From A1

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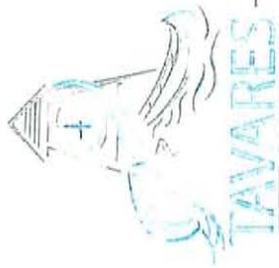
"In the four year history thus far of the Lake County Historical Society awards, this is the first time that any nominee in all ten categories took every single vote unanimously," Councilmember Bob Grenier said. "What makes it even more special is that the two cities that were up for this award, Clermont

and Minneola, the voters from those two cities also voted for the city of Tavares as municipality of the year. So it was a wonderful feat that everybody recognized what we are doing here."

The city is trying innovative ways to attract visitors to its revamped lakefront and making it easier for new businesses to relocate

or existing businesses to expand. Although the economic plans aren't complete yet, city officials still appreciate the recognition for their efforts so far.

"I want to say thanks to everybody on staff on what a great job they've done and they're doing," Mayor Robert Wolfe said. "I think this is pretty nice honor."

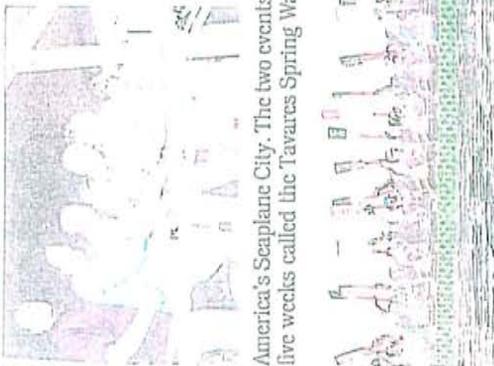


BUSINESS JOURNAL

CHAMBER OF COMMERCE

MAY 2010

Kelly Pisciotto, President • T.J. Fish, Communications Director



Spring Water Festivals Propel America's Seaplane City

TAVARES - Back-to-back April weekends proved the plan is working as Planes, Trains & BBQ and the Central Florida Dragon Boat Festival attracted thousands of visitors to America's Seaplane City. The two events capped off a series of four festivals spanning five weeks called the Tavares Spring Water Festivals.

April 10, it became official. Lake County's capital cut the ribbon on the Tavares Seaplane Base. The ribbon-cutting was done with style as Gov. Charlie Crist addressed the crowd from the porch of the Woodlea House replica now serving as the ship store for the new downtown marina and an actual
See page 6

Spring Festivals - from page 1

seaplane climbed the ramp out of Lake Dora to cut the symbolic sash.

In addition to the christening of the Wootton Park improvements, the day featured air shows, train rides, a sanctioned barbecue event and a free concert by Restless Heart and Little Texas.

The City of Tavares was the organizer of the third annual event. Planes, Trains & BBQ and the free evening concert attracted thousands to downtown Tavares, making it the most attended year for the three-year-old festival.

The following weekend, the park pulsated to the beat of drums rhythmically guiding the paddling of hundreds of dragon boaters. The Central Florida Dragon Boat Festival saw its eighth year as teams from throughout Florida competed for the championship. The Rotary Club of Tavares in conjunction with the Tavares Chamber presented the event.

Twenty-seven teams paddled three times throughout the day to establish which team is the fastest. The day was optimal for dragon boating with Lake Dora remaining placid throughout the day. While the action picked up pace on the water, the landside activities kept the crowds engaged with Chinese entertainers, live music, authentic food and festival fun.

Teams set up camp in a makeshift tent city comprised of more than two dozen canopies providing a shaded refuge. Teammates enjoyed cool drinks, picnic lunches and friendship while awaiting their next race. Meanwhile, the Tavares Splash Park saw a constant stream of kids looking to cool off from the spring sunshine.

The Tavares Spring Water Festivals began in March with the Classic Race Boat Association Regatta, which was followed by the Sunnyland Antique & Classic Boat Society Show. The Tavares community took a festival break for Easter weekend and then completed the spring series with Planes, Trains & BBQ and the Central Florida Dragon Boat Festival.

Plans are already underway for next year's string of festivals. Meanwhile, other events are forthcoming to Wootton Park including a jet ski competition May 8 - 9 and June 19 - 20 with the Independence Day Celebration following on July 3.

For event information, contact the Tavares Chamber, 352.343.2531 or go to TavaresChamber.com.



Doris Ragan had a few words with Governor Crist when he arrived April 10 for the Seaplane Basin and Marina dedication.



above: Spectators view the wide array of classic boats on display at the 21st annual Sunnyland Antique Boat Festival on March 29 at Wootton Park in Tavares. **Below:** Boats prepare to enter the water on Saturday afternoon at Wootton Park in Tavares.

BRANDING TAVARES



City trying to brand downtown area in lead-up to master plan

BENJAMIN ROODE
Staff Writer

TAVARES — Boaters and enthusiasts in and around Tavares have enjoyed antique and classic boats at the city's Wootton Park for the past two weeks.

This weekend, Thomas the Tank Engine, the children's television character and modern version of the toy train, will make an appearance on the city's tracks.

Late May will see the first Tri-Cities and Barbecue event in downtown Tavares. Sense a trend?

Tavares builds on city festivals like Dragon Boat and the inaugural barbecue event to help brand the city as a future



MATT SOWERS / DAILY COMMERCIAL

transportation hub. The strategy works in tandem with the city's downtown master plan that will feature a seaplane basin, light commuter rail station, golf cart and other electric vehicle trans-

PHOTOGRAPHY BY MATT SOWERS
DAILY COMMERCIAL

port lanes and more trails for pedestrian travel.

Train and boat travel to and from recent events is just a taste

See **BRAND, A2**

The Daily Commercial

BRAND

From A1

of how organizers see the future of downtown Tavares, said city economic development director Bill Neron.

"I think that's part of what we want to be," Neron said.

City residents said they wanted their city to focus on its history and its possible role as a transport hub when they helped develop a downtown master plan.

The types of festivals Tavares features complement that plan and work to plant the idea of multiple modes of transportation into residents' and visitors' minds, said city manager John Drury.

"If the vision was completely different and residents said they were looking for a high-tech corridor, we would probably have special events relat-

ed to computers, computer science and software," Drury said. "That's not what the citizens came up with."

The tie-in seems to be working. The last two events either met or exceeded attendance estimates, Drury said. About 1,000 people used a water taxi service between Tavares and Mount Dora on Lake Dora during March's 21 Annual Sunnyland Antique Boat Show. Officials were expecting less than half that.

The transportation aspect, combined with the family nature of the special events, could be attracting more people, Drury said.

"I think this is creating a buzz about the city of Tavares as a place well-worth looking at," he said.



A seaplane base can be a vibrant stimulus to the local economy.

SEAPLANE SELECTION

Tavares, Florida: Mark your calendars for Saturday, April 10, 2010, the Sunday before Sun'n Fun. This beautiful spring day in central Florida may mark one of the top five most significant milestones of the year for the nation's seaplane community. April 10 will be the dedication of the new \$9,000,000 seaplane-themed waterfront redevelopment of the city of Tavares, northwest of Orlando.

What is so significant about a new seaplane base, even an expensive city seaplane facility? While many municipalities throughout the country draft "no seaplanes" ordinances enforced by stiff fines and negative newspaper rants, the visionary leaders of Tavares look at seaplanes as a vibrant stimulus to their economy. Tavares is now officially "America's Seaplane City," proudly proclaimed on waterfront markers and official stationery. What a breath of fresh air to see city leaders with the wisdom to establish a seaplane base that will instantly differentiate and distinguish the city in the competitive tourism marketplace.

Following examples set by the

great seaplane-centered metropolitan areas of Seattle, Vancouver, and Victoria, British Columbia, the lake-side town of Tavares is reinventing itself as a destination delivering a unique experience. "Tavares will be the place to come to see the seaplanes," says Tavares Economic Development Manager Bill Neron.

On your trip to Sun 'n Fun this year, join me, Jim McManus, water-side at Tavares on Saturday, April 10, to help congratulate this beautiful town and join their celebration of the birth of "America's Seaplane City." Follow the developments on the SPA Blog and News Briefs at www.seaplanes.org.



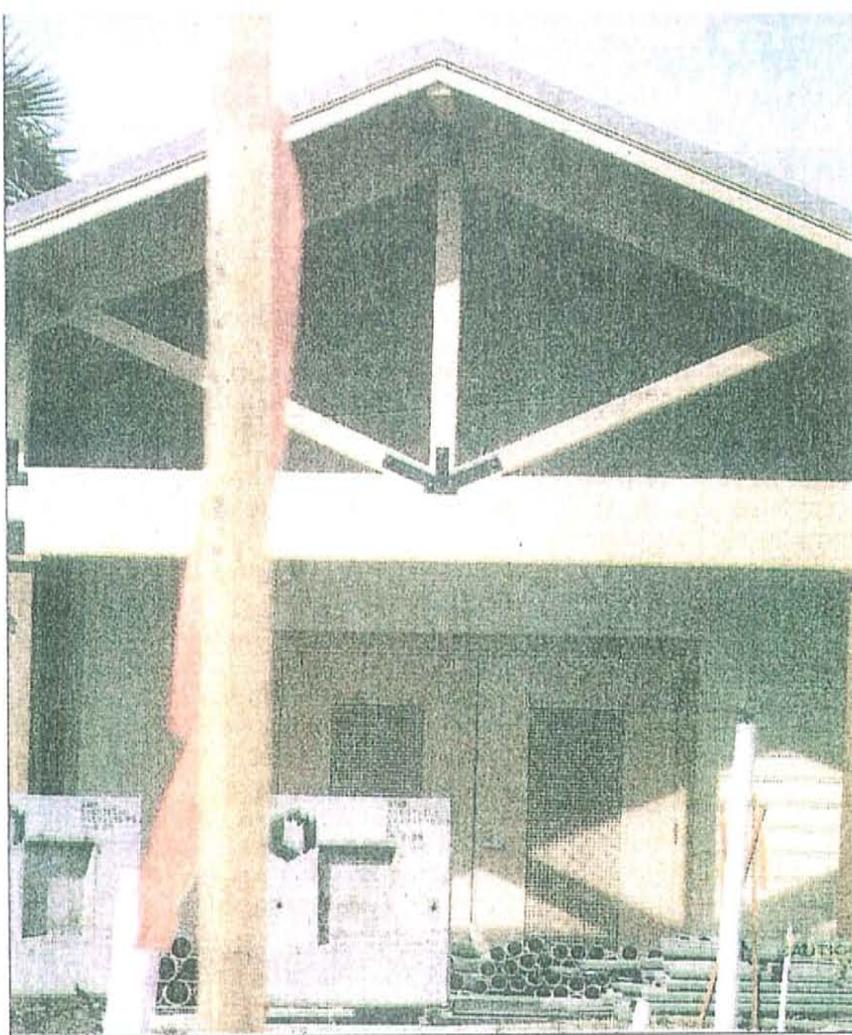
Tavares is located in Central Florida's lake region northwest of Orlando.

ADVOCACY: INVASIVE SPECIES

The non-native zebra mussel has become such a threat to the economy and ecosystems of many western regions that states like California have imposed strict regulations and procedures for all boaters to help prevent the spread of zebra mussels from lake to lake. Boat hulls, props and submerged engine parts, and trailers are inspected for hitchhiking invasive organisms at boat ramps throughout the state. Following inspection, boaters receive a sticker to be displayed on their boat, along with an associated fee. Boaters must obtain a different sticker for each lake they use.

To date, seaplanes have not been included on the list of vessels requiring inspection. But how long will it be before the state includes seaplanes in its inspection process? An inspection, window sticker, and fee for every lake you might land on?

New York State's invasive species problem may be even more insidious than California's zebra mussels. A primary culprit in New York and New England waters is the VHS Virus, a near-microscopic viral organism that is deadly to native fish. Not visible to the naked eye, the VHS virus can hide within the fibers of rope and within the cooling water of engines. Beautiful lakes in the Adirondacks that histori-



KERI RASMUSSEN-BEKIER DAILY COMMERCIAL

Construction continues along the lake front at Tavares Station on Monday in Tavares.

Tavares finds its unique brand

LARRY ELL
Staff Writer

TAVARES — Some cities conjure images by the mere mention of their name. You hear Nashville, you think music. Sonoma, wine. Detroit, cars. But what about Tavares?

That's what's stumped city leaders for years, until they finally found their own unique brand. At last week's City Council meeting, that vision was unveiled to the public.

Tavares will now be known as America's Seaplane City.

"I am very excited about what the citizens have chosen," said City Administrator John Drury. "They began that process three years ago and now they've developed a mission statement and a master

plan."

That master plan involves building Tavares into a transportation hub of Lake County, featuring its land, air and water-based connections. And it all pivots on Wooton Park, where the three modes of transportation come together.

A marina and seaplane base is at the heart of redevelopment ongoing at Wooton Park.

Once the seaplane concept was decided upon for a brand, the Wilesmith Advertising and Design firm from West Palm Beach went to work turning it into a tangible brand. Margaret Wilesmith was visibly excited as she

TAVARES

Land and Sea

See BRAND, A2



TOM BENITEZ/ORLANDO SENTINEL

Children try out a water slide at Splash Park in Tavares on Thursday. 'Our vision has arrived,' a city official said of the park.

Splish, splash

Long-awaited park opens in Tavares

By Christine Show | SENTINEL STAFF WRITER

TAVARES — A group of eager children wearing bathing suits zipped through the Splash Park's entrance this week as city leaders celebrated its official opening.

The long-anticipated \$500,000 project was up and running after construction delays pushed back planned opening dates earlier in the summer. City officials and staff marked the occasion with a ribbon-cutting ceremony at the park, along East Ruby Street at Wooton Park, just days before children head back to school.

"What you're seeing here is the result of a community," Mayor Nancy Clutts told a crowd of dozens of people. "You all are experiencing history."

Water sprinkled out of spouts shaped like cat tails and small alligators as officials spoke about the city's long-term vision. The

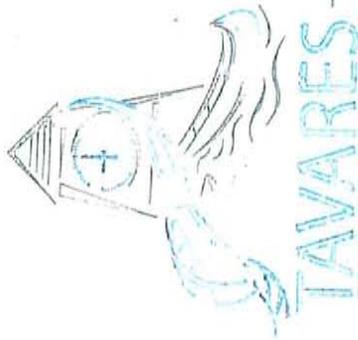
attraction has water cannons, a bucket that fills with water and then drops it on whoever is underneath, a slide and — the coolest part for youngsters — a replica seaplane that propels water onto the ground.

"Our vision has arrived," City Administrator John Drury said. "This is the beginning. There is more to come."

The Splash Park is part of a series of projects city officials have planned to rejuvenate downtown. Construction of a marina and seaplane basin, which is likely to become a multimillion-dollar project, is in the works, to be completed in 2010. In the past year, fishing and water-related events were held on Lake Dora.

The Splash Park ceremony

PLEASE SEE **PARK, J5**



BUSINESS JOURNAL

MAY 2010

Kelly Pisciotta, President • T.J. Fish, Communications Director

From the Executive Director:

I can't congratulate the City of Tavares enough for the Planes, Trains & BBQ event on April 9 & 10. The out-of-town folks who attended were really impressed and you could see the pride in the local folks. The park was full as the morning air show completed and there was standing room only at the dedication of the Sea Plane Basin and Marina when Governor Crist arrived.

The evening concert was exciting with folks moving to the beat of the music and sharing time with their friends. Ruby Street was alive with music, food and drink as Restless Heart and Little Texas entertained.

My husband teased me when tears came to my eyes as John Drury received a gift from the band and talked about our fine city. I feel so lucky to be a part of the community and am blessed with the support I have at the Chamber.

We finished our Tavares Spring Water Festivals with the Central Florida Dragon Boat Festival. Being a Tavares Rotarian and the Chamber being a partner in the event, I had the privilege of volunteering with the gate, t-shirt booth, beer tent and even helped on the docks with the teams. The teams had such electricity and determination; you could feel their intensity. Watching the races, I had a hard time cheering for just one team.

If you missed any of these events, just know that these events are getting bigger and better every year. Plan to make next year's events and contact us to volunteer and be a part of this exciting community.

Warm Regards,

Colleen A. McGinley, Executive Director



President's Message

What an exciting time to be in Tavares, with the opening of the Sea Plane Basin to all of the exciting events these past few weeks. We need to thank our Board of Directors and all of our wonderful volunteers for all of their hard work to make all of these events so successful.

In a time when things could be negative, it is nice to look around and see all of the positive energy that is flowing through our community.

If you have not taken the time please visit our downtown to see the amazing things that are happening. While you are downtown please stop in and congratulate our own Andrew O'Keefe and O'Keefe's Irish Pub & Restaurant for receiving a 2010 Lake County Community Service Award for medium business. — Kelly Pisciotta

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: JULY 7, 2010**

AGENDA TAB NO: 10

SUBJECT TITLE: Approval of Agreement with Valley Crest Landscape Maintenance, Inc. to provide landscaping maintenance at Wooton Park

OBJECTIVE:

To have City Council approve for the attached Scope of Work as an amendment to the existing Agreement with Valley Crest Landscape Maintenance, Inc. for landscape maintenance services at Wooton Park.

SUMMARY:

In March of 2010, the City Council approved a Business Plan for the City to operate the Wooton Park Seaplane Base/Marina including the Splash Park.

The staffing included in the Business Plan called for one full-time Maintenance Worker to do landscaping maintenance (mowing, weed eating, mulching) as well as maintaining the Splash Park, daily cleaning of restrooms, garbage collection and spray washing of the marina and portable boat docks. Even with some assistance from the part-time Marina Technicians, this limited staff has not been able to perform the necessary work to maintain the building and grounds in the "pristine" condition expected for this destination venue.

In order to improve the level of landscape and other maintenance services to a "pristine" level expected at a destination venue, staff is recommending that a contracted landscaping maintenance program as outlined in the attached Scope of Work be implemented. This will then allow the full-time maintenance worker to concentrate on other non-landscaping related duties.

In April 2010, the City Council approved a contract with Valley Crest Landscaping, Inc. to provide landscaping maintenance services for the US Highway 441 medians and City staff has been pleased with the services provided to date.

Staff has negotiated as an amendment to the existing Agreement the attached Scope of Work with Valley Crest Landscaping, Inc. to provide landscaping maintenance services at Wooton Park at an annual cost of \$38,892.

OPTIONS:

1. To approve the attached Scope of Work as an amendment to the existing Agreement with Valley Crest Landscaping, Inc. to provide landscaping maintenance services at Wooton Park.
2. To not approve the attached Scope of Work as an amendment to the existing Agreement Valley Crest Landscaping, Inc. to provide landscaping maintenance services at Wooton Park.

STAFF RECOMMENDATION:

Staff recommends that the Council moves to approve the attached Scope of Work as an amendment to the existing contract with Valley Crest Landscaping, Inc. to provide landscaping maintenance services at Wooton Park..

FISCAL IMPACT:

The annual fiscal impact of \$38,892 will be absorbed within the Seaplane Base/Marina budget. Fiscal impact for the remainder of the 2009/10 fiscal year will be pro-rated at an estimated cost of \$9,723.

LEGAL CONSIDERATIONS:

This proposal has been reviewed by the City Attorney.



Practical Specifications

June 22, 2010

LANDSCAPE MANAGEMENT SERVICES

City of Tavares – Wooten Park
 201 East Main Street
 Tavares, Florida 32778

Attention: Bill Neron, Economic Development / Grants

We appreciate the opportunity to propose to you how ValleyCrest Landscape Maintenance, Inc. can help you enhance the quality of your landscape. Our team is committed to integrating the specific landscape needs of your property with your service expectations and budget considerations. Giving careful consideration to the individuality of each landscape, ValleyCrest Landscape Maintenance, Inc., provides competitive pricing, which may include landscape maintenance, irrigation, tree care, and seasonal color programs. Our Proposal includes Scope of Work, Practical Specifications for Landscape Management and General Terms and Conditions. The General Terms and Conditions are attached as Exhibit "A" and fully incorporated herein by reference.

An effective landscape management program is sustainable and provides value. We are confident that your property would benefit greatly from our efforts to create beauty in the appearance of your landscape while our operational efficiencies create value to your budget.

We hereby propose the following for your review:

Exterior Landscape Management

Client's Initials	Service	Price Per Year	Price Per Month
	Base Management Price	\$23940.00	\$1995.00
	Fertility, Disease, Pest Control	Included	Included
	Monthly Irrigation Inspections	\$2100.00	\$175.00
	Mulch (220 cy per occurrence)	\$9900.00	\$825.00
	Annuals (125 units rotated 4 times)	\$825.00	\$68.75
	Palm Pruning (109 units per occurrence)	\$2127.00	\$177.25
	Pressure Cleaning (Sidewalks, docks & portable docks)*	\$16,116.00	\$1343.00
	Total Management Cost	\$33,592	

~~*This price reflects quarterly service in all areas except the Wooten Wonderful Sidewalk and the Wooten Splash Park Sidewalk. These areas will be done monthly.~~

~~*The monthly cost for the pressure cleaning of all areas is \$3212.50~~

Billing for additional services will be upon completion

All the terms of this Landscape Management Agreement including Exhibit "A" hereto, are acknowledged and agreed to upon execution of the signature page at the end of Exhibit "A". This agreement shall be in effect for the period of _____ to _____. Unless terminated pursuant to Section III of the General

Terms and Conditions at the expiration of the term, this agreement shall be automatically extended on a month to month basis.

The prices stated under this Agreement are binding unless Owner/Client fails to accept this agreement within 30 days from the date on which it was submitted by Contractor or unless the scope of services changes.

PRACTICAL SPECIFICATIONS FOR CONTRACT LANDSCAPE MANAGEMENT

I. Scope of Work:

Contractor shall furnish all horticultural supervision, labor, material, equipment and transportation required to maintain the landscape throughout the contract period, as specified herein.

The scope of our services shall be based exclusively on those items approved and initialed on Page One (1) of our Proposal document.

II. Lawn Care:

A. Mowing and Edging:

Lawns shall be mowed more frequently during the active growing season and as needed during other seasons. During extended rainy or dry periods mowing will take place as conditions dictate. Mowing height will be based on what is horticultural correct for the turf variety taking into account the season.

Clippings shall not be caught and removed from lawn area unless they are lying in swaths which may damage the lawn.

Edges shall be trimmed to maintain a neat appearance.

B. Fertilization:

Lawns shall be fertilized as warranted with a commercial fertilizer. The number of applications will be dependent on the type of nitrogen used and the type of turf grass.

C. Disease control:

Disease control is maintained through proper fertilization, mowing and water management. In the event that disease problems occur Contractor will use treatments to stop or slow progression of disease. This program does not include the prevention of disease with weekly or monthly applications of disease control products although such protection is available at substantial additional cost.

D. Insect control:

Contractor will provide control of turf damaging insects using Federal and State registered insect control products as needed to prevent or mitigate turf damage. These treatments do not include the prevention of fire ant infestation which is available at added cost.

Disease caused by infestation of nematodes (microscopic round worms that feed on roots) is not included. Currently, there is no effective nematode control product registered for use on landscapes. Contractor will recommend additional treatments and procedures to minimize damage should nematodes become a problem. These treatments will be provided at additional cost. Nematode control is available for some sports turf locations and will be quoted separately if required.

E. Weed control:

Contractor will use proper fertilization, mowing and watering practices to promote the growth of weed resistant turf. Additionally, applications of pre and post emergence weed controls will be applied at times if warranted to control weeds without damaging desirable turf. Recent changes in Federal regulations have resulted in our loss of ability to selectively control some weeds including crabgrass when they are present in St Augustine. The only control of these weeds is to treat infested turf with non selective products such as Roundup. These treatments require the resodding which will be quoted at additional charge.

III. Ground Cover Area/ Shrub Areas:

A. Edging:

Edge ground cover as needed to keep within bounds and away from obstacles.

B. Pruning:

Shrubs shall be pruned only as necessary to maintain the natural form of the plant, to maintain growth within space limitations, and to eliminate damage or diseased wood. This excludes pruning necessitated by storm damage, disease, neglected overgrowth or winterkill.

C. Weed Control:

Keep beds reasonably free of broadleaf or grassy weeds, preferably with pre-emergent and/or selective post-emergent/contact herbicides.

Pre-emerge: This type of control should be used only if a known weed problem warrants its use.

Post-emerge: Control broadleaf weeds with selective herbicides.

The chosen chemical will be recommended and legally approved for the specific weed problem.

D. Fertilization:

Apply fertilizer as warranted. The number of applications will be dependent on the type of nitrogen used and the type of plant material.

E. Fungicide:

Apply recommended, legally approved fungicides to control disease-causing damage to ornamentals if warranted.

F. Pesticide:

Apply recommended, legally approved pesticides to control insects causing damage to ornamentals if warranted.

G. Control of imported pests:

Certain locations in the United States have a record of accidental introduction of pests from other countries. These imported pests can be very damaging and difficult or impossible to control with available products. Where such pests become a problem Contractor will recommend the most cost effective alternatives for pest mitigation. Such recommendations may include plant replacement or intensified treatment schedules that may require additional cost to the customer..

IV. Tree Care:

A. Pruning:

Height limitation for tree pruning covered in the specification is 12 feet. On trees over 12 feet in height only low-hanging branches that present a hazard to pedestrian or vehicular traffic will be raised. Trees under 12 feet are scheduled to be pruned in the winter months except for safety-related pruning, which will be done only if necessary. Evergreen trees under 12 feet shall be thinned out and shaped only if necessary to minimize wind and storm damage.

B. Staking:

Stakes are to be inspected and adjusted or removed as necessary. When trees attain a trunk caliper of 4" or substantial root development stability, removal will be discussed with client.

V. Mulched Areas:

Mulched areas will be inspected on our days of service. Weeds and grasses shall be controlled with recommended, legally approved herbicides only if necessary. In those areas with excessive mulch build-up alternatives will be discussed with the client

VI. Irrigation System:

Watering shall be scheduled with automatic controllers to supply quantities and frequencies consistent with seasonal requirements of the plant materials in the landscape. In some circumstances, water scheduling may be limited by local watering restrictions.

Where practical, watering shall be done at night or early morning if the system is automatic, unless notified otherwise by the owner.

Any damages to the irrigation system caused by the Contractor while carrying out maintenance operations shall be repaired without charge. Where practical, repairs shall be made within one watering period.

Faulty equipment, vandalism or accidental damage caused by others shall be reported promptly to owner. Cost of labor and material to perform repair is an extra and shall be paid for by the owner upon authorization.

Whenever possible, owner's representative shall be instructed on how to turn off system in case of emergency. Our office is to be advised at once or by next business day.

If the Contractor is required to make emergency repairs or adjustments on other than regularly scheduled visits, a minimum charge of \$45.00 emergency calls will apply.

VII. Debris Cleanup:

All landscape areas shall be inspected on days of service and excess debris removed. Gardening debris, generated from our work, shall be removed from paved areas on days of service. This excludes leaf fall pickup from parking areas, sidewalks, pools, etc.

ADDITIONAL SERVICES

Scope of Work

Contractor shall furnish all horticultural supervision, labor, material, equipment and transportation required to maintain the landscape throughout the contract period, as specified herein.

The scope of our services shall be based exclusively on those items approved and initialed on Page One (1) of our Proposal document.

I. Shrub Bed Area

A. Mulching:

Mulched beds will be replenished with a 2 inch depth of mulch. In those areas with excessive mulch build up, alternatives will be discussed with the client. Mulched beds will be top dressed with 1 - 2 inches of fresh mulch annually.

II. Palm Pruning

A. Fronde Removal:

Dead or dying fronds should be removed. It is best to leave healthy fronds when possible. Remove fronds that are less than 45°. When pruning is finished, the palm fronds remaining should droop over enough to reach a horizontal plane.

II. Annual Color

A. Installation:

Install annual color beds with the specified variety, size, spacing, and frequency. Clean beds and thoroughly prepare soil prior to planting.

B. Fertilization:

Apply appropriate fertilizer at a rate and frequency needed to promote plant vigor and flowering.

C. Weeding:

Control weeds by chemical means where effective, otherwise remove by hand.

D. Fungicide:

Apply recommended, legally-approved fungicides to control disease causing damage to annual color area.

E. Pesticide:

Apply recommended, legally-approved pesticides to control insects causing damage to annual color area.

F. Weed Control:

Pre-emerged: This type of control should be used only if a known weed problem warrants its use. The chosen chemical will be recommended and legally approved for the specific weed problem.

➤ Schedule of Frequencies

Schedule of Frequencies														
Turf Maintenance	As Needed	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
St Augustine - Mow		2	2	3	4	4	5	4	4	5	4	2	3	42
Bahia - Mow		2	2	2	2	4	4	5	4	4	3	2	2	36
Bermuda - Mow		4	4	5	10	8	8	10	8	8	10	4	5	84
Overseed Bermuda											1			
Hard Edge		3	2	2	4	5	4	5	5	4	3	2	3	42
Bed Edge		2	1	1	2	3	2	3	3	2	2	1	2	24
Pre-emergent Weed Control	X			1							1			2
Post-emergent Weed Control	X			1				1			1			3
Fertilizer			1			1		1			1			4
Disease Control	X													
Insect Control	X													
Shrub & Bed Maintenance	As Needed	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Trim			1		1	1	1	1	1	1		1	1	9
Weed		1	1	1	1	1	1	1	1	1	1	1	1	12
Fertilizer				1							1			2
Post/Pre Emergent Weed Control		2	2	2	4	5	4	5	5	5	4	2	2	42
Disease Control	X													
Tree Care	As Needed	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Trimming up to 12 Ft	X	1												1
Palm Pruning									1					1
Misc. Maintenance	As Needed	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Policing & Debris Clean-up		4	4	4	4	5	4	5	5	5	4	4	4	52
Mulch Beds												1		1
Irrigation Service	As Needed	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Check & Adjust		1	1	1	1	1	1	1	1	1	1	1	1	12
Seasonal Color	As Needed	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Install seasonal flowers				1			1			1			1	4
Bed Preparation				1			1			1			1	4
Fertilization				1			1			1			1	4

Included in the Base Maintenance

Additional Service

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AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: July 7, 2010

AGENDA TAB NO. 11

SUBJECT TITLE: Charter Referendum – Discussion of Draft Ordinances

OBJECTIVE:

To discuss the proposed draft ordinances provided by the City Attorney and make a decision on ballot language

SUMMARY:

At the meeting of June 16, there was discussion regarding the proposed referendum ordinance to ask the voters if they would like to extend the Councilmember terms from two years to four years. (See attached previous agenda summary and minutes). In addition the City Attorney presented the issue of Council seats for consideration which was discussed. The City Attorney was directed to develop two separate ordinances for Council review and discussion before a final ordinance is approved.

Enclosed are two draft ordinances prepared by the City Attorney. Ordinance A provides for both referendum questions—terms and seats. Ordinance B provides for terms question only.

OPTIONS:

- 1) Move to direct staff to develop the referendum ordinance to include both the change from two year terms to four year terms and the issue of whether or not to have candidates run for seats (Ordinance A).
- 2) Move to direct staff to develop the referendum ordinance to only address the issue of changing to four year terms (Ordinance B).
- 3) Move for another option.

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY: Legally sufficient.



ORDINANCE 2010-__

AN ORDINANCE AMENDING THE CITY OF TAVARES CHARTER PERTAINING TO TERMS AND ELECTIONS OF COUNCILMEMBERS; PROVIDING FOR FIVE (5) COUNCIL SEATS TO BE ELECTED AT LARGE; CHANGING THE TERM OF OFFICE FOR COUNCILMEMBERS FROM TWO (2) YEARS TO FOUR (4) YEARS; PROVIDING FOR MUNICIPAL ELECTIONS IN EVEN NUMBERED YEARS; PROVIDING FOR TRANSITION; PROVIDING FOR A REFERENDUM; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in 1984, the Tavares City Charter was substantially amended to provide for a council-manager form of government, and

WHEREAS, under the 1984 Charter, councilmembers run for election at large, without particular designated seats, and are elected to office for a two (2) year term; and

WHEREAS, the City Council desires to place on the ballot at the upcoming general election in November a proposed amendment to the Tavares City Charter providing for five (5) distinct council seats, to be elected at large by the electors of the City, and further providing for the extension of councilmember terms from two (2) years to four (4) years; and

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

Articles III and X of the City of Tavares Charter are hereby amended to provide as follows:

Section 3.01. City Council; powers and composition.

There shall be a city council of five (5) members who shall be electors of the city, elected at large by the electors of the city to one of five (5) seats. All powers of the city shall be vested in the council, except as otherwise provided by law or this Charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.

Section 3.02. Qualifications.

An elector of the city shall be eligible to hold the office of city councilmember. The council shall be the judge of the election and qualifications of its members.

Section 3.03. Election and terms.

Terms for newly elected councilmembers shall commence at the first regular meeting following the general municipal election. The members of the city council shall hold their

46 office for the term of ~~two (2)~~ four (4) years or until their successors are elected and qualified.

47
48
49 **Section 3.04. Mayor and vice mayor.**

50
51 The council shall elect from its members, a mayor and vice mayor. Election of the
52 mayor and vice mayor shall be held annually at the first regular meeting following the ~~general~~
53 ~~municipal election~~ first Tuesday in November. The city administrator shall conduct the
54 election of the mayor. The mayor shall preside at meetings of the council, and shall have the
55 power to enforce such rules as may be adopted by the council for its government, and shall
56 be recognized as the head of city government for service of process, execution of contracts,
57 deeds and other documents, and as the city official designated to represent the city in all
58 agreements with other governmental entities or certifications to other governmental entities,
59 but shall have no administrative duties except as required to carry out the responsibilities
60 herein. The vice mayor shall act as mayor during the absence or disability of the mayor.

61
62 **Section 3.05. Vacancies; forfeiture of office; filling of vacancies.**

63
64 (a) Vacancies. The office of a councilmember shall become vacant upon death,
65 resignation, removal from office in any manner authorized by law or forfeiture of the office,
66 such forfeiture to be declared by the remaining members of the council.

67
68 (b) Forfeiture of office. A councilmember shall forfeit the office if the member lacks
69 at any time during the term of the office, any qualification for the office prescribed by this
70 Charter or by law, or if the member fails to attend four (4) consecutive regular council
71 meetings. A member charged with conduct constituting grounds for forfeiture of the office
72 shall be entitled to a public hearing on demand before the city council, and notice of such
73 hearing shall be published in one (1) or more newspapers of general circulation in the city at
74 least one (1) week in advance of the hearing. A member may be removed from office upon
75 an affirmative vote of four-fifths of all councilmembers.

76
77 (c) Filling of vacancies. Should a vacancy occur on the city council, the mayor shall
78 appoint an elector of the city to fill the vacancy. This appointment is subject to the approval
79 by a majority of the remaining members of the city council. The appointee approved in such
80 a manner shall serve in the office until the next general city election at which time a
81 councilmember shall be elected for the unexpired portion of the existing term or to a full
82 term, whichever is applicable.

83
84 **Section 3.06. Procedure.**

85
86 (a) Meetings. The council shall meet regularly at least once in every month at such
87 times and places as the council may prescribe by rule. Special meetings may be held on the
88 call of the mayor, or of a majority of the members and, whenever practicable, upon no less
89 than twelve (12) hours' notice to each member and the public.

90
91 (b) Rules. The council shall determine its own rules and order of business.

92
93 (c) Voting. Voting on ordinances and resolutions shall be by roll call on final action
94 and shall be recorded in the minutes. A majority of the council shall constitute a quorum; but
95 a smaller number may adjourn from time to time and may compel the attendance of absent
96 members in the manner and subject to the penalties prescribed by the rules of the council.
97 No action of the council shall be valid or binding unless adopted by the affirmative vote of the
98 majority of a quorum present.
99

100 **Section 10.01. Nonpartisan elections.**

101
102 All qualifications and elections for the office of city council shall be conducted on a
103 nonpartisan basis without regard for or designation of political party affiliation of any nominee
104 on any nomination petition or ballot.
105

106 **Section 10.02. Qualifications.**

107
108 Candidates for the office of city council shall qualify for such office by the filing of a
109 written petition with the designated city official in the following manner:
110

111 Any elector of the city may qualify for election ~~as a councilmember at large~~ to one of
112 the five (5) council seats by a petition signed by twenty-five (25) or more electors of the city.
113 An elector may qualify and run for only one (1) seat in any given election. The signatures to a
114 petition need not all be affixed to one (1) paper, but to each separate paper of a petition,
115 there shall be attached an affidavit executed by its circulator stating the number of signers of
116 the paper, that each signature of it was affixed in the elector's presence, and that the
117 elector believes each signature to be the genuine signature of the person whose name it
118 purports to be. Each petition shall name the individual, the office particular council seat
119 sought, and the election date. Each candidate so qualified, shall sign a sworn statement that
120 the candidate shall serve if elected. The signatures shall be executed in ink or indelible
121 pencil. Each signed shall indicate next to the signature, the date of the signing and place of
122 residence.
123

124 Candidates must file the petition by noon on August 15 prior to the date of election. If
125 this day should fall on a Saturday, a Sunday or a legal holiday, then the petition is required to
126 be filed by noon on the next working day following August 15.
127

128 **Section 10.03. Form of ballots.**

129
130 The council by ordinance, shall prescribe the form of the ballot including the method
131 for listing candidates for city council elections and any other city election. A Charter
132 amendment, to be voted on by the city, shall be presented for voting by ballot title. The ballot
133 title of a measure may differ from its legal title and shall be a clear, concise statement
134 describing the substance of the measure without argument or prejudice. There shall be a
135 method by which voters can indicate "Yes" for approval, or "No" for disapproval of ballot
136 items.
137

138 **Section 10.04. Elections.**

139
140 (a) General election. A general election shall be held on the first Tuesday after the
141 first Monday in November of each even-numbered year to choose a successor to each
142 councilmember whose term will expire before the next general election and, except as
143 provided in the city Charter, to fill each vacancy in elective office for the unexpired portion of
144 the term.

145
146 (b) Council positions. For each council positions, ~~if only one (1) council position seat~~
147 ~~that is up for election, the candidate who receives the highest number of votes cast for the~~
148 ~~office shall be declared elected. If two (2) council positions are up for election, the two (2)~~
149 ~~candidates who receive the highest number of votes cast for the office shall be declared~~
150 ~~elected. If three (3) council positions are up for election, the three (3) candidates who~~
151 ~~receive the highest number of votes cast for the office shall be declared elected. In case two~~
152 ~~(2) or more persons shall receive an equal number of votes for the same office, a runoff~~
153 ~~election shall be held on the fourteenth day after the general election. In the event it is~~
154 ~~necessary to elect a councilmember to fill the remainder of an unexpired term pursuant to~~
155 ~~Section 3.06(c), the candidate receiving the third or fourth highest number of votes~~
156 ~~(depending upon the number of two-year positions that are up for election) shall be declared~~
157 ~~elected to fill the remaining unexpired term. For instance, if two (2), two-year council seats~~
158 ~~and one(1) one-year unexpired council term are all up for election, the two (2) candidates~~
159 ~~receiving the highest number of votes shall be declared elected to the two-year council~~
160 ~~seats, and the candidate receiving the third highest number of votes shall be declared~~
161 ~~elected to fill the one-year, unexpired term.~~

162
163 **TRANSITIONAL PROVISIONS.**

164
165 In the event Charter Referendum #1 is approved by the voters at the November,
166 2010, election, the Councilmembers elected in November, 2010, shall be randomly assigned
167 either Seat One, Seat Three or Seat Five. The Councilmembers not standing for election in
168 November, 2010, shall be randomly assigned either Seat Two or Seat Four. Beginning at
169 the election in November, 2012, and continuing for each election thereafter, candidates for
170 election to Council shall qualify for a specific seat.

171
172 In the event Charter Referendum #1 is approved by the voters at the November,
173 2010, election, the terms of Councilmembers holding Seats Two and Four shall be extended
174 until the general election in November 2012, at which time those seat shall stand for
175 election. Thereafter, Seats Two and Four shall be elected every four (4) years. The term of
176 Council Seats One, Three and Five shall run for four (4) years, and they shall stand for
177 election in November, 2014, and the Councilmembers elected to those seats shall be
178 elected every four (4) years thereafter.

179
180 The Charter amendments set forth in this Ordinance shall become effective on
181 November __, 2010, at the adjournment sine die of the regular council meeting held that
182 date, only if they are approved by a majority of the City of Tavares electors voting at the
183 November, 2010 general election. The Charter amendment referendum questions are

184 independent of one another, and any or all of them may approved by the electors. The
185 following referendum questions shall be placed on the ballot for that election:
186

187 **CHARTER REFERENDUM #1**

188
189 DO YOU FAVOR AN AMENDMENT TO THE CITY OF TAVARES CHARTER
190 THAT WOULD PROVIDE FOR FIVE (5) SEPARATE COUNCIL SEATS, TO
191 BE ELECTED AT LARGE TO A TERM OF FOUR (4) YEARS?
192

193 _____ YES FOR APPROVAL
194
195 _____ NO FOR DISAPPROVAL
196

197 PASSED AND ORDAINED this _____ day of _____,
198 2010, by the City Council of the City of Tavares.
199

200
201
202
203 _____
204 Robert Wolfe, Mayor
205 Tavares City Council

206 ATTEST:

207
208
209 _____
210 Nancy A. Barnett
City Clerk

Passed First Reading _____
Passed Second Reading _____

Approved as to form:
City Attorney

B

ORDINANCE 2010-__

AN ORDINANCE AMENDING THE CITY OF TAVARES CHARTER
PERTAINING TO TERMS AND ELECTIONS OF COUNCILMEMBERS;
CHANGING THE TERM OF OFFICE FOR COUNCILMEMBERS FROM TWO
(2) YEARS TO FOUR (4) YEARS; PROVIDING FOR MUNICIPAL
ELECTIONS IN EVEN NUMBERED YEARS; PROVIDING FOR TRANSITION;
PROVIDING FOR A REFERENDUM; PROVIDING FOR AN EFFECTIVE
DATE

WHEREAS, in 1984, the Tavares City Charter was substantially amended to provide for a council-manager form of government, and

WHEREAS, under the 1984 Charter, councilmembers run for election at large and are elected to office for a two (2) year term; and

WHEREAS, the City Council desires to place on the ballot at the upcoming general election in November a proposed amendment to the Tavares City Charter providing for the extension of councilmember terms from two (2) years to four (4) years; and

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

Articles III and X of the City of Tavares Charter are hereby amended to provide as follows:

Section 3.01. City Council; powers and composition.

There shall be a city council of five (5) members who shall be electors of the city, elected by the electors of the city. All powers of the city shall be vested in the council, except as otherwise provided by law or this Charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.

Section 3.02. Qualifications.

An elector of the city shall be eligible to hold the office of city councilmember. The council shall be the judge of the election and qualifications of its members.

Section 3.03. Election and terms.

Terms for newly elected councilmembers shall commence at the first regular meeting following the general municipal election. The members of the city council shall hold their office for the term of ~~two (2)~~ four (4) years or until their successors are elected and qualified.

Section 3.04. Mayor and vice mayor.

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The council shall elect from its members, a mayor and vice mayor. Election of the mayor and vice mayor shall be held annually at the first regular meeting following the first Tuesday in November. The city administrator shall conduct the election of the mayor. The mayor shall preside at meetings of the council, and shall have the power to enforce such rules as may be adopted by the council for its government, and shall be recognized as the head of city government for service of process, execution of contracts, deeds and other documents, and as the city official designated to represent the city in all agreements with other governmental entities or certifications to other governmental entities, but shall have no administrative duties except as required to carry out the responsibilities herein. The vice mayor shall act as mayor during the absence or disability of the mayor.

Section 3.05. Vacancies; forfeiture of office; filling of vacancies.

(a) Vacancies. The office of a councilmember shall become vacant upon death, resignation, removal from office in any manner authorized by law or forfeiture of the office, such forfeiture to be declared by the remaining members of the council.

(b) Forfeiture of office. A councilmember shall forfeit the office if the member lacks at any time during the term of the office, any qualification for the office prescribed by this Charter or by law, or if the member fails to attend four (4) consecutive regular council meetings. A member charged with conduct constituting grounds for forfeiture of the office shall be entitled to a public hearing on demand before the city council, and notice of such hearing shall be published in one (1) or more newspapers of general circulation in the city at least one (1) week in advance of the hearing. A member may be removed from office upon an affirmative vote of four-fifths of all councilmembers.

(c) Filling of vacancies. Should a vacancy occur on the city council, the mayor shall appoint an elector of the city to fill the vacancy. This appointment is subject to the approval by a majority of the remaining members of the city council. The appointee approved in such a manner shall serve in the office until the next general city election at which time a councilmember shall be elected for the unexpired portion of the existing term or to a full term, whichever is applicable.

Section 3.06. Procedure.

(a) Meetings. The council shall meet regularly at least once in every month at such times and places as the council may prescribe by rule. Special meetings may be held on the call of the mayor, or of a majority of the members and, whenever practicable, upon no less than twelve (12) hours' notice to each member and the public.

(b) Rules. The council shall determine its own rules and order of business.

(c) Voting. Voting on ordinances and resolutions shall be by roll call on final action and shall be recorded in the minutes. A majority of the council shall constitute a quorum; but a smaller number may adjourn from time to time and may compel the attendance of absent

93 members in the manner and subject to the penalties prescribed by the rules of the council.
94 No action of the council shall be valid or binding unless adopted by the affirmative vote of the
95 majority of a quorum present.

96
97 **Section 10.01. Nonpartisan elections.**

98
99 All qualifications and elections for the office of city council shall be conducted on a
100 nonpartisan basis without regard for or designation of political party affiliation of any nominee
101 on any nomination petition or ballot.

102
103 **Section 10.02. Qualifications.**

104
105 Candidates for the office of city council shall qualify for such office by the filing of a
106 written petition with the designated city official in the following manner:

107
108 Any elector of the city may qualify for election as a councilmember at large by a
109 petition signed by twenty-five (25) or more electors of the city. The signatures to a petition
110 need not all be affixed to one (1) paper, but to each separate paper of a petition, there shall
111 be attached an affidavit executed by its circulator stating the number of signers of the paper,
112 that each signature of it was affixed in the elector' s presence, and that the elector believes
113 each signature to be the genuine signature of the person whose name it purports to be.
114 Each petition shall name the individual, the office sought, and the election date. Each
115 candidate so qualified, shall sign a sworn statement that the candidate shall serve if elected.
116 The signatures shall be executed in ink or indelible pencil. Each signed shall indicate next
117 to the signature, the date of the signing and place of residence.

118
119 Candidates must file the petition by noon on August 15 prior to the date of election. If
120 this day should fall on a Saturday, a Sunday or a legal holiday, then the petition is required to
121 be filed by noon on the next working day following August 15.

122
123 **Section 10.03. Form of ballots.**

124
125 The council by ordinance, shall prescribe the form of the ballot including the method
126 for listing candidates for city council elections and any other city election. A Charter
127 amendment, to be voted on by the city, shall be presented for voting by ballot title. The ballot
128 title of a measure may differ from its legal title and shall be a clear, concise statement
129 describing the substance of the measure without argument or prejudice. There shall be a
130 method by which voters can indicate "Yes" for approval, or "No" for disapproval of ballot
131 items.

132
133 **Section 10.04. Elections.**

134
135 (a) General election. A general election shall be held on the first Tuesday after the
136 first Monday in November of each even-numbered year to choose a successor to each
137 councilmember whose term will expire before the next general election and, except as

138 provided in the city Charter, to fill each vacancy in elective office for the unexpired portion of
139 the term.
140

141 (b) Council positions. For council positions, if only one (1) council position is up for
142 election, the candidate who receives the highest number of votes cast for the office shall be
143 declared elected. If two (2) council positions are up for election, the two (2) candidates who
144 receive the highest number of votes cast for the office shall be declared elected. If three (3)
145 council positions are up for election, the three (3) candidates who receive the highest
146 number of votes cast for the office shall be declared elected. In case two (2) or more
147 persons shall receive an equal number of votes for the same office, a runoff election shall be
148 held on the fourteenth day after the general election. In the event it is necessary to elect a
149 councilmember to fill the remainder of an unexpired term pursuant to Section 3.06(c), the
150 candidate receiving the third or fourth highest number of votes (depending upon the number
151 of two-year positions that are up for election) shall be declared elected to fill the remaining
152 unexpired term. For instance, if two (2), two year council seats and one(1) one year
153 unexpired council term are all up for election, the two (2) candidates receiving the highest
154 number of votes shall be declared elected to the two year council seats, and the candidate
155 receiving the third highest number of votes shall be declared elected to fill the one year,
156 unexpired term.
157

158 **TRANSITIONAL PROVISIONS.**
159

160 In the event Charter Referendum #1 is approved by the voters at the November,
161 2010, election, the Councilmembers elected in November, 2010, shall serve four (4) year
162 terms. The current terms of those Councilmembers not standing for election in November,
163 2010, shall be extended until the general election in November 2012, at which time those
164 Councilmembers shall stand for election to a four (4) year term. Councilmembers elected
165 thereafter shall serve four (4) year terms.
166

167 The Charter amendments set forth in this Ordinance shall become effective on
168 November __, 2010, at the adjournment sine die of the regular council meeting held that
169 date, only if they are approved by a majority of the City of Tavares electors voting at the
170 November, 2010 general election. The Charter amendment referendum questions are
171 independent of one another, and any or all of them may approved by the electors. The
172 following referendum questions shall be placed on the ballot for that election:
173

174 **CHARTER REFERENDUM #1**
175

176 DO YOU FAVOR AN AMENDMENT TO THE CITY OF TAVARES CHARTER
177 THAT WOULD EXTEND THE TERM OF COUNCILMEMBERS FROM TWO
178 (2) YEARS TO FOUR (4) YEARS?
179

180 _____ YES FOR APPROVAL

181 _____ NO FOR DISAPPROVAL
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PASSED AND ORDAINED this _____ day of _____,
2010, by the City Council of the City of Tavares.

Robert Wolfe, Mayor
Tavares City Council

ATTEST:

Nancy A. Barnett
City Clerk

Passed First Reading _____

Passed Second Reading _____

Approved as to form:
City Attorney

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 16, 2010

AGENDA TAB NO. 14

SUBJECT TITLE: Charter Referendum – Discussion re: Council Seats

OBJECTIVE:

To discuss the question of whether to include the creation of Council Seats in the proposed charter referendum,

SUMMARY:

Staff are in the process of developing the referendum ordinance for four year terms. The City Attorney has recommended the consideration of an additional issue concerning elections.

Currently the City Charter provides for the election of councilmembers on a system of the highest vote getters instead of specific seats. Depending on the number of persons up for re-election, it is the three or two receiving the highest number of votes. Candidates cannot choose to run against a specific seat.

In Lake County, the only other city that chooses its public officials through this system is Montverde (who also chooses the number of candidates who will run through a town caucus system).

The other surrounding cities' systems are as follows:

Eustis	Seats
Umatilla	Seats
Lady Lake	Seats and districts
Leesburg	Seats and districts
Mt. Dora	Two at large (one at large seat in the odd year and one in the even year), 4 districts, and separate mayor position.

In even numbered years when the city's election is concurrent with the gubernatorial or the presidential election, there is significantly more turn out than the odd numbered years:

2009 - 1,385 ballots cast
2008 - 6,995 ballots cast

The system in the Tavares charter allows for the possibility of some candidates to receive an advantage in that there are many options that may result in an undervote or overvote. Undervotes are when the voter chooses to only vote for one candidate (when two or running) or two (when three are running), or none – see attached email from Supervisor Elections for more information). In addition, the system does not allow clear analysis to understand the results of an election, i.e. the numbers that determined the outcome of the election. In the example given by the Supervisor of Elections, in 2008 the referendum Ordinance 2008-18 received 2601 “yes” votes and 3,803 “no” votes, however, there were also 583 persons who did not vote on the issue at all and 3 people who voted both “yes” and “no.”

Although the current system is legally sufficient, staff is recommending that the City propose on its referendum to include councilmember seats in order to have an election process that is fairer to all candidates who may wish to run for office. In addition such a system would generate clearer data for the city to utilize when analyzing the results of its elections.

OPTIONS:

- 1) Move to direct staff to develop the referendum ordinance including the question of whether or not to have candidates run for seats
- 2) Do not direct staff to develop the referendum ordinance to include this issue.

STAFF RECOMMENDATION:

Move to direct staff to develop the referendum ordinance for four year terms to include the question of whether or not to have candidates run for seats.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient

1 \$84,000 match required with the potential that there may be some additional funds
2 coming from the County.

3
4 Mayor Wolfe stated he agreed with the recommendation.

5
6 Mayor Wolfe asked for audience comment.

7
8 T.J. Fish, MPO Director

9
10 Mr. Fish stated there are two other entities that want to partner but that there is more
11 concern and interest in the larger federal grant money coming for commuter rail. He
12 discussed the various options that may be available. He recommended approval of the
13 issue under discussion.

14
15 **MOTION**

16
17 **Lori Pfister moved to approve Option #1, for the city to provide the \$84,000 share**
18 **of the needed local match for the \$1.3 million Dora Canal Bridge replacement**
19 **grant with the funds coming from the General Fund Reserves for Contingency**
20 **account, seconded by Bob Grenier. The motion carried unanimously 3-0.**

21
22 **Tab 14) Charter Referendum Issues**

23
24 Attorney Williams noted this issue had come up in a previous meeting regarding going
25 from two to four year terms and staff was directed to prepare an ordinance to put this on
26 the ballot. He said in preparing that ordinance he had reviewed the Charter and some
27 prior charter initiatives and brought this back after discussion with staff. He said the
28 question is whether Council would also want to amend the charter to create seats. He
29 said there are two issues: going from two year to four year terms, and the other issue is
30 whether to create seats that would be assigned randomly. Candidates would then file to
31 run against a specific seat. He said from a political science standpoint the more
32 common way to do it is to assign seats. The seats allow for a better discussion of the
33 issues which may provide for more voter participation and avoid the scenario of "super
34 votes" when only one person is voted upon.

35
36 Ms. Barnett commented that it is difficult to analyze how many ballots were cast in
37 Tavares in 2008 because there were a number of undervotes which means that if there
38 were three people running the voters could have voted for just one person or just two. It
39 may mean an advantage to the person receiving the undervotes over the other
40 candidates.

1
2 Vice Mayor Pfister said she had no problem with doing it that way but that this year she
3 was a little concerned because too many amendments may be confusing.

4
5 Attorney Williams said it should be clear for persons who understand the basics. He
6 noted however, that this has been before the voters in the past and not passed. He said
7 the different issue this year will be that we have a Public Communications director who
8 will be involved in providing better information to the public. He acknowledged Ms.
9 Pfister had a legitimate concern, but that the wording will be clear.

10
11 Attorney Williams discussed the transitions of the terms. He said the councilmembers
12 present who are running this year would automatically receive four year terms if the
13 amendment passed and the other two councilmembers' terms would be extended to
14 2012.

15
16 Mayor Wolfe stated he agreed. Vice Mayor Pfister said she wanted confirmation that it
17 would not be confusing to the voters. Attorney Williams said he did not think it would be
18 confusing but that he could not make a promise. Ms. Ross said she would provide
19 information to Council in the future regarding a proposed educational campaign.

20
21 Attorney Williams said it did not require a motion and that the ordinance would come
22 back to Council for further discussion.

23
24 Mayor Wolfe asked for audience comment.

25
26 Denise Laratta, Royal Harbor

27
28 Ms. Laratta said she is favor of a four year term for both financial and educational
29 reasons but was not in favor of having seats.

30
31 T.J. Fish,

32
33 Mr. Fish said that the Chamber Board will be interested in this issue and would like to
34 be part of the educational outreach. He said the Chamber has been supportive in the
35 past for the four year terms.

36
37 Attorney Williams explained that the issue of seats did not create districts and that they
38 would be voted on city wide.

39
40 Betty Burleigh, 214 New Hampshire Avenue

1
2 Ms. Burleigh said she is against the seats because she liked to vote for those most
3 qualified.

4
5 Norb Thomas

6
7 Mr. Thomas said they are two separate issues and that one of the problems with the
8 current system is the undervote because that may create an unfair advantage. He said
9 the decision should be up to the electorate one way or the other.

10
11 Council Discussion

12
13 **Mayor Wolfe and Councilmember Grenier indicated a desire to have the City**
14 **Attorney bring back two separate ordinances for discussion by the full Council.**

15
16 **Tab 15) Request to apply for a Grant from Lake County for Development of the**
17 **Woodlea Sports Complex**

18
19 Ms. Houghton said that in the past the city has received grants from the County for
20 youth assistance which offsets the cost of providing services to those residents in the
21 county but not in the city. This grant will take the place of that grant for this year. In
22 subsequent years application will again be made for the youth assistance grant.

23
24 Mayor Wolfe asked if the audience had comments.

25
26 **MOTION**

27
28 **Lori Pfister moved to approve for the application to Lake County for a**
29 **reimbursable grant in the amount of \$250,000.00 for the development of the**
30 **Woodlea Sports complex, seconded by Bob Grenier. The motion carried**
31 **unanimously 3-0.**

32
33 **XI. OLD BUSINESS**

34
35 **None.**

36
37 **XII. NEW BUSINESS**

38
39 **None.**

40

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
July 7, 2010**

AGENDA TAB NO. 12

SUBJECT TITLE: Proposed Communications Budget for Charter Amendments Referendum

OBJECTIVE: To consider the approval of a budget in the amount of \$5,000 in order to communicate effectively and clearly with the public regarding the City Charter amendments on the November 2010 ballot.

SUMMARY: Previously, the Council discussed moving forward with placing amendments to the City Charter on the November ballot. These amendments are important because they will permanently change how council seats are filled and, if passed, would save the City a considerable amount of money over the long term.

The Council has expressed a desire to better communicate with the public on these issues and insure that every resident understands, not only the importance of voting and being heard on these issues, but also the impact these amendments could have on the City.

Therefore, a communications plan is being developed. It is estimated that \$5,000 will be needed to implement the plan including, but not limited to, printing, mailing and ads.

The communications plan will assist in informing City residents on the issues through speaking engagements, printed materials and email blasts.

OPTIONS:

1. Authorize staff to implement the communications plan and approve the proposed budget of \$5,000.
2. Authorize staff to implement the communications plan and approve a revised budget.
3. Do not implement a communications plan.

STAFF RECOMMENDATION:

Staff recommends that the Council move to implement the communications plan and approve \$5,000 from reserves for this initiative.

FISCAL IMPACT:

The cost to the City for communications relating to the Charter amendments on the November 2010 ballot is \$5,000.

Funding Source: There are sufficient funds in reserves to cover the expenditure.

LEGAL SUFFICIENCY:

Legally sufficient

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING:
July 7, 2010**

AGENDA TAB NO. 13

SUBJECT TITLE: Roadway Connectivity Issues at Colerain and Willow

OBJECTIVE:

Staff is seeking direction from Council to pursue the possible acquisition of a privately owned parcel of property located between Colerain Avenue and Willow Court. (map attached)

SUMMARY:

Currently, Colerain Avenue can only be accessed via SR19. Because of the median separating the north and south lanes of SR19, vehicles are limited to turning left onto north SR19 when leaving the area serviced by Colerain Avenue. Conversely, the only way to enter this same area is to be south of the intersection traveling north on SR19. This many times involves a u-turn from the southbound lane. If the City acquired the narrow strip of property, now dividing Colerain Avenue and Willow Court, these two streets could be connected thereby giving the residents an additional ingress/egress. This would not only create a more convenient and safer route but could also be of importance in emergency situations.

OPTIONS:

1. Direct staff to begin the process of possible land acquisition located between Colerain Avenue and Willow Court.
2. Do not direct staff to begin the process of possible land acquisition located between Colerain Avenue and Willow Court.

STAFF RECOMMENDATION: Move to direct staff to begin the process of possible acquisition of the strip of land located between Colerain Avenue and Willow Court. and supply Council with all information and costs associated with this possible purchase.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY: Legally sufficient.



Location Map



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TAVARES

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: July 7, 2010**

AGENDA TAB NO. 14

SUBJECT TITLE: CRA Stormwater Design Study and Mitigation Plan

OBJECTIVE:

To consider for approval the Proposal from Griffey Consulting Firm to conduct Phase II of the CRA Area Stormwater Master Plan and Wetland Mitigation Plan in the amount of \$37,500.

SUMMARY:

The City owns and maintains a Stormwater Collection and Drainage System in the CRA to protect the Lakes from pollutants, public health, integrity of our roadways, the property of our businesses, residents and other infrastructure. Previously, Griffey Engineering was retained, utilizing our Consulting Engineering Library, to prepare a Phase I Master Plan that addresses improvements to the storm water system. This plan for phase I is complete and is being used to obtain funding to do final design, permitting and construction of Phase I. The Phase I area includes the lower portion of the CRA Area and that portion of Sinclair that floods. The phase I area makes up approximately 50% of the CRA area (See attached map).

The Phase II Master Plan includes the Wetland Mitigation Plan for the extreme lower portion of the CRA area that would be receiving the flow of the stormwater from the majority of CRA Area. It also included that area north of Phase I (See attached map). Phase II also will address how the City would reduce the TMDL's through treatment. This phase II master plan study will also be used to obtain grants to do the final design, permitting and construction.

Staff has negotiated a scope of work with Griffey Engineering in the amount of \$37,500 that accomplished the Phase II Master Plan as described above. Once complete the city will have all the necessary documentation to obtain grants to improve the storm water for the entire CRA. As previously reported to the City Council, the stormwater system is old, antiquated and failing. This is the first step in a series of steps to repair the antiquated and failing system.

OPTIONS:

1. **Approve** the Proposal for Griffey Consulting to provide engineering services to the City to complete phase II of the CRA Stormwater Master Plan in the amount of \$37,500.

2. Do **not** approve the Proposal.

STAFF RECOMMENDATION:

That Council move to enter into a contract with Griffey Consulting in the amount of \$37,500 consistent with the presented proposal to complete the Phase II CRA stormwater master plan.

FISCAL IMPACT:

Funding Source: Stormwater Reserves in the amount \$37,500. There are sufficient reserves in this fund to accomplish this work.

LEGAL SUFFICIENCY: Legally sufficient.

GRIFFEY ENGINEERING, INC.

June 9, 2010

Brad Hayes, Utility Director
City of Tavares
P.O. Box 1068
Tavares, Florida 32778

RE: CRA Stormwater Study

Dear Brad:

Attached is our proposal for the above referenced work. Should the Terms of Agreement be acceptable, please execute one (1) copy and return it to our office.

Should you have any questions or comments regarding the above or attached, please do not hesitate to contact me.

Sincerely,



Donald A. Griffey, P.E.
President

Attachments

June 9, 2010
City of Tavares
CRA Stormwater Study
Project #09034SWR

SCOPE OF SERVICES

PROJECT DESCRIPTION

This project involves performance of an engineering design study of the City's stormwater system in the Community Redevelopment Area (CRA). The intent of the study is to identify stormwater improvements and provide preliminary engineering to be used as a basis for future final design and permitting. The work will be a follow-up on the City of Tavares Stormwater Management Study, 1988 by HNTB. The study area will be the portions of the CRA not included in the Downtown Stormwater Study and the Sinclair Avenue Study.

Engineering services do not include surveying, final design, application fees, securing of permits, flood studies, or other services not described in this scope

WORKSCOPE

TASK I: DATA COLLECTION

This task entails the collection of all readily available data needed for the performance of the work effort. This shall include aerial topographic mapping, survey data from other projects, historical data search, and field reconnaissance. If detailed field survey is also needed, that would be out of this scope and would need to be provided by the City.

TASK II: DETAILED ANALYSIS

This task includes the analysis of the existing conditions and alternatives for improvement. The systems will be evaluated for both stormwater quality and quantity. The intent is to improve both the hydraulic capacity of the system and to also improve the quality of the stormwater discharged into the receiving water body.

TASK III: PRELIMINARY ENGINEERING

This task is the preparation of preliminary engineering drawings depicting the recommended improvements. The work product shall include plan sheets identifying preliminary engineering design and details.

TASK IV: REPORT PREPARATION

This task includes write up of results, CAD work, preparation of a draft report for client review, final report preparation, and copying and assembly of the final document.

June 9, 2010
City of Tavares
CRA Stormwater Study
Project #09034SWR

TASK V: OTHER SERVICES

SubTask A: Requested Meetings

The extent and number of meetings, other than those previously identified, are not known and none are proposed. Meetings requested by the Client or by regulatory agencies will be considered outside the above workscope and will be invoiced on a time and materials basis. Verbal requests by the Client or regulatory agencies to attend meetings will be considered authorization and subsequently the Client will be invoiced for such meetings.

SubTask B: Requested Services

Requested work items outside the above described services will be considered additional work and will be invoiced on a time and materials basis or by separate letter agreement. No work will be performed under this subtask without the prior approval from the Client. Verbal requests by the Client will be considered authorization and subsequently the Client will be invoiced for such work.

June 9, 2010
 City of Tavares
 CRA Stormwater Study
 Project #09034SWR

FEE PROPOSAL

TASK	DESCRIPTION	FEE
Task I	Data Collection	\$6,000.00
Task II	Detailed Analysis	\$9,000.00
Task III	Preliminary Engineering	\$9,000.00
Task IV	Report Preparation	\$6,000.00
Task V	Other Services	
Subtask A	Requested Meetings	T/M
Subtask B	Requested Services	T/M
TOTAL*		\$30,000.00

ACCEPTED BY GRIFFEY ENGINEERING:

NAME: _____

Donald A. Griffey

TITLE: President

DATE: 6-9-10

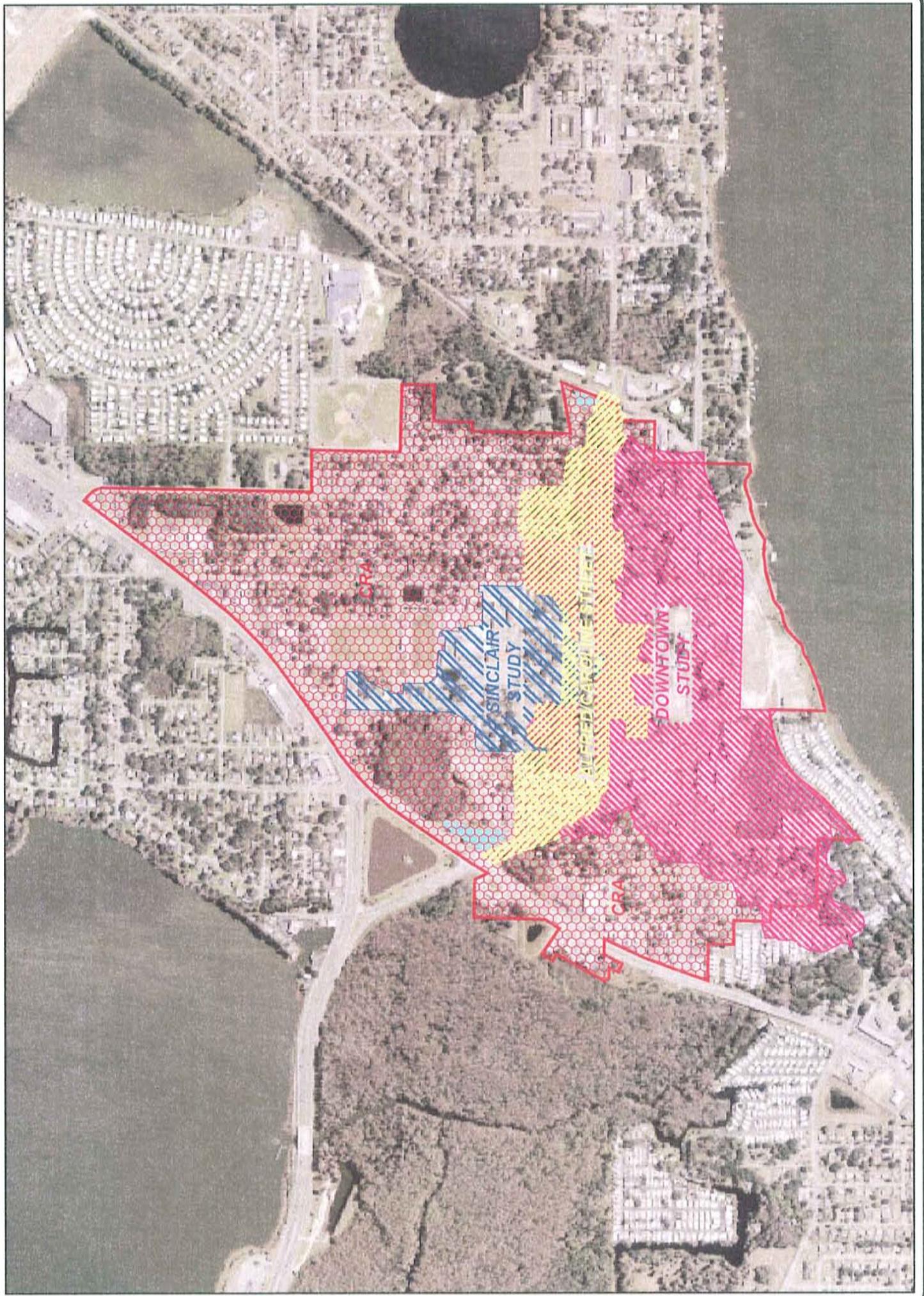
ACCEPTED BY CITY OF TAVARES:

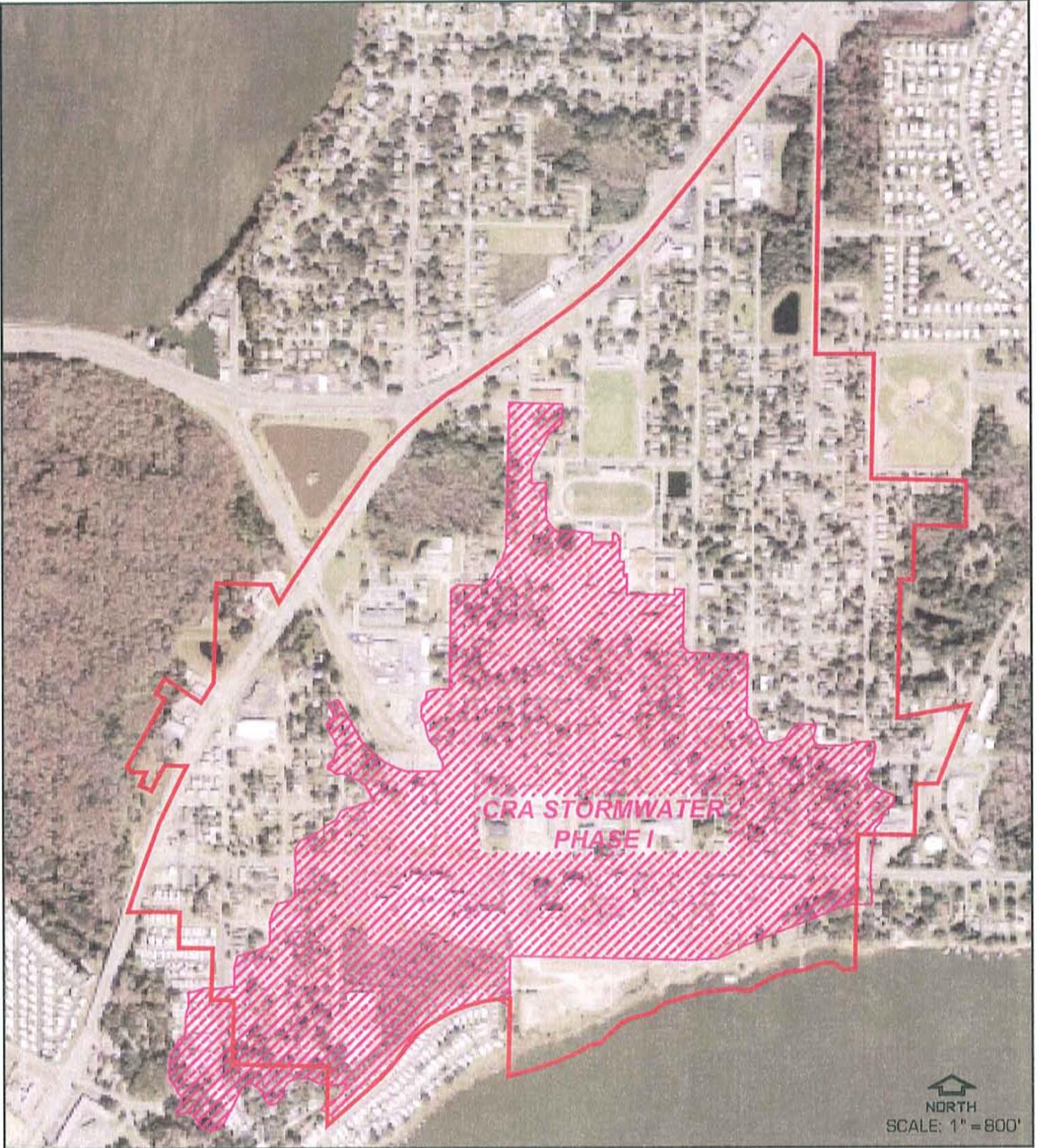
NAME: _____

John Drury

TITLE: City Manager

DATE: _____





CRA STORMWATER
CITY OF TAVARES
PHASE I

GRIFFEY ENGINEERING

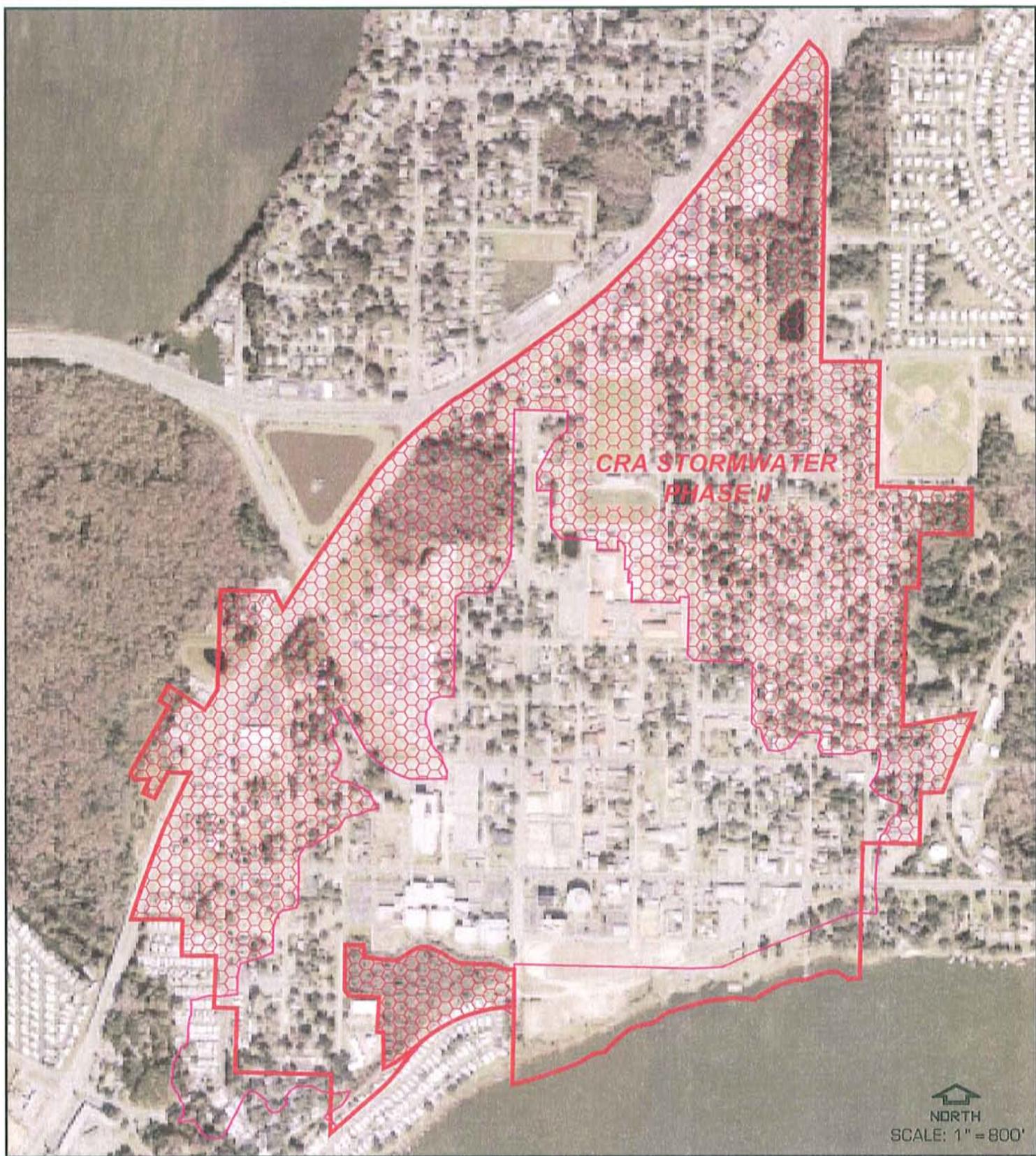
406 N. CENTER STREET
EUSTIS, FLORIDA 32726
PHONE (352) 357-3528
FAX (352) 357-3219

FLORIDA CERT. OF AUTH # 8082

Donald A. Griffey, PE #36799

DATE: 07-02-2010

DRAWN: DMK



CRA STORMWATER
CITY OF TAVARES
PHASE II

GRIFFEY ENGINEERING
406 N. CENTER STREET
EUSTIS, FLORIDA 32726
PHONE (352) 357-3528
FAX (352) 357-3219

Donald A. Griffey, PE #36799

DATE: 07-02-2010

DRAWN: DMK

FLORIDA CERT. OF AUTH # 8082

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: July 7, 2010**

AGENDA TAB NO. 15

SUBJECT TITLE: Harvest Moon Festival Funding

OBJECTIVE: To fund the \$40,000 budget

SUMMARY: Previously, Council appropriated a budget of \$40,000 (\$20,000 from Reserves and \$20,000 through fund raising initiatives) to coordinate the Harvest Moon on the Lake Dora "bayou" event scheduled for October 23, 2010 (see attached previous agenda summary). Council also appointed the Vice-Mayor to find the music talent and sponsorship dollars for the event. Vice-Mayor Lori Pfister has obtained \$2,200 in sponsorship dollars for the event.

Currently, the Buckwheat Zydeco band, a local dixieland band and a local blues band (the Accelerators) have been secured for this event. The budget thus far is as follows:

Table #1

Entertainment	Cost
Buckwheat Zydeco	\$ 8,750.00
Dixieland Band	250.00
Accelerators	600.00
Production (estimate)	
Stage, lights, sound, backline (if needed)	9,000.00
Talent Buyer (manages contracts, bands, & production)	
Call Me Entertainment	1,500.00
Hotel Rooms & Meals	
Rooms	600.00
Meals/beverages/snacks	175.00
Insurance	
Inclement Weather Insurance	1,350.00
Miscellaneous	
Car show, and other miscellaneous expenses	1,200.00
SUBTOTAL	\$23,425.00

Table #2 (if adding Atlanta Rhythm Section)

Entertainment	Cost
Atlanta Rhythm Section	\$12,500.00
Production	
Production (in addition to above amount –estimate only— unknown contract requirements)	1,000.00
Talent Buyer (additional amount for extra band)	
Call Me Entertainment	500.00
Hotel Rooms & Meals	

Rooms	720.00
Meals/beverages/snacks	200.00
Insurance	
Inclement Weather Insurance	1,350.00
Transportation to hotel (van)	
Van rental	250.00
SUB TOTAL (table #1)	\$23,425.00
SUB TOTAL (table #2)	16,520.00
TOTAL	\$39,945.00

Vice Mayor Lori Pfister would like to add the ATLANTA RHYTHM SECTION band to the event. The estimated cost for that band is \$12,500 and factoring in a variety of other associated costs brings the estimated subtotal for this addition to \$16,520 and a combined event total of \$39,945.00.

Although this amount is \$55.00 under the \$40,000 budget, only \$22,200 is "in the bank" and \$23,425 is already committed. Vice-Mayor Lori Pfister points out that without a more recognized band like the ATLANTA RHYTHM SECTION under contract with the city to perform, it is hard for her to fund raise sponsorship dollars. The city cannot enter into a contract with ATLANTA RHYTHM SECTION unless it has the "money in the bank". To resolve this issue the Council would need to appropriate \$17,745. from reserves to secure ATLANTA RHYTHM SECTION and any sponsorship money obtained would pay back or replenish reserves.

OPTIONS:

1. Council appropriate the \$17,745 from reserves to secure ATLANTA RHYTHM SECTION and any sponsorship money obtained will replenish reserves.
2. Continue fund raising without a contract with the band until \$17,745 is secured which, as pointed out above, makes fund raising difficult and the band may get booked and then not be available.
3. Leave the event as is with no additional band

STAFF RECOMMENDATION:

Move to appropriate \$17,745 from reserves to secure ATLANTA RHYTHM SECTION and any sponsorship money obtained shall replenish reserves.

FISCAL IMPACT: There are sufficient reserves to accomplish this recommendation.

LEGAL SUFFICIENCY: Legally sufficient.

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TAVARES

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: July 7, 2010**

AGENDA ITEM NO. 16

SUBJECT TITLE: 2011 Planes Trains and Barbeque Event Entertainment

OBJECTIVE: To secure the music entertainment for the April 2, 2011 Planes, Trains and Barbeque event.

SUMMARY: Vice-Mayor Lori Pfister is recommending that Colt Ford and his band be retained for the Tavares signature event "Planes, Trains, and Barbeque" (PTB) on April 2, 2011. This year, Little Texas and Restless Heart bands were retained for the PTB event and it was a free concert. The recommended budget for the Colt Ford band, stage and insurance is \$38,500.

It is further recommended that the music portion be a gated event and that the gate fee for the music be \$20.00. At an estimated turnout of 2,500 people, that would bring in \$50,000 less any cost to collect the gate fees, promotion, security etc. The goal would be to break even so as no tax dollars are used for the music portion of the event (Civic Entrepreneurialship). It should be noted that Colt Ford played in Eustis recently with John Anderson and the tickets were \$30.00 each and approximately 3000 people attended.

In order to secure nationally recognized bands, it is recommended that it be done one year in advance before they are booked elsewhere. If Council chooses to move in this direction then \$38,500 would need to be appropriated from reserves and ticket revenues would need to replenish reserves.

OPTIONS:

1. Council appropriate \$38,500 from reserves to secure Colt Ford and all gate fees obtained are to replenish reserves.
2. Do not secure Colt Ford for the event.

STAFF RECOMMENDATION:

Council move to appropriate \$38,500 from reserves to secure Colt Ford and all gate fees obtained are to replenish reserves.

FISCAL IMPACT: There are sufficient reserves to accomplish this recommendation.

LEGAL SUFFICIENCY: Legally sufficient.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
July 7, 2010**

AGENDA TAB NO. 17

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY: Will be presented at meeting

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

- City Council Special Meeting – Wooton Park Property - July 20, 2010 – 5 p.m.
- City Council Regular Meeting – July 21, 2010 – 4 p.m.
- City Council Budget Workshop – July 28, 2010 – 4 p.m.
- Chamber of Commerce Business Luncheon – July 28, 2010 – 11:30 a.m.
- Community Redevelopment Advisory Area Committee – July 12, 2010 – 2 p.m.
- Lake County League of Cities Luncheon – July 9, 2010 – 11:30 a.m.
- Lake Sumter MPO – Board Meeting – July 28, 2010 – 4 p.m. – Ag Center, Bob Norris Auditorium
- Library Board – July 9, 2010– 8:30 a.m. Library Conference Room, 314 N. New Hampshire
- Planning & Zoning Board – July 22, 2010 – 3:00 p.m

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
July 7, 2010**

AGENDA TAB NO. 18

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. Attached is any additional supporting information.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

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