

**AGENDA
TAVARES CITY COUNCIL**

**SEPTEMBER 22, 2010
4:00 P.M.**

TAVARES CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Tim Green, Liberty Baptist Church

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Tab 1) Deferred

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Request for Funding from the Early Learning Coalition John Drury

Tab 3) Presentation of Registration Notification of City Logo & Trademark John Drury

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

VII. CONSENT AGENDA

Tab 4) Approval of Bid Award for Lake Frances Sewer Force Main Modifications Brad Hayes

Tab 5) Approval of Bid Award for Sidewalk Construction Chris Thompson

Tab 6) Approval of Amendment to Interlocal Agreement with Lake County for Traffic Light Maintenance to Add School Crossing Lights Chris Thompson

Tab 7) Extension of the CDBG Agreement for the Aesop's Park Restrooms Tamera Rogers

VIII. PUBLIC HEARING – FISCAL YEAR 2011 MILLAGE & BUDGET – 5:05 P.M.

- | | |
|---|---------------|
| Tab 8) Resolution #2010-09 – Final Millage Rate - 2010/2011 | Lori Houghton |
| Tab 9) Resolution #2010-10 – Final Budget – 2010/2011 | Lori Houghton |

IX. GENERAL GOVERNMENT

- | | |
|---|-------------------|
| Tab 10) Approval of Revised Agreement with Florida Central Railway for Fiber Optic Crossing in Wooton Park | Bill Neron |
| Tab 11) Request for Release of Lien and Fines for Dorsey Property | Attorney Williams |
| Tab 12) Approval of Ranking of RFQ for Architecture for Public Safety Complex | Richard Keith |
| Tab 13) Approval of USDA Application for Stormwater Grant Funds for Engineering Services & Environmental Report and for Interim Financing | Brad Hayes |
| Tab 14) Update on TDC Grant Request for Pier and Pavilion Project | John Drury |

X. OLD BUSINESS

XI NEW BUSINESS

XII. AUDIENCE TO BE HEARD

XIII. REPORTS

- | | |
|----------------------------|---------------------|
| Tab 15) City Administrator | John Drury |
| Tab 16) Council Reports | City Councilmembers |

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

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

**The Language of Local Government
Definition of Terms**

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

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

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

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

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

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

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

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

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

contiguous – Sharing a common boundary.

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

DCA – Department of Community Affairs

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

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

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

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

FDOT – Florida Department of Transportation

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

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

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

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

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

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

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

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

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

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

PUD – Planned Unit Development

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

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

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

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

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

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

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

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

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 22, 2010**

AGENDA TAB NO. 2

SUBJECT TITLE: Request for Contribution from Early Learning Coalition of Lake County

OBJECTIVE:

To hear a presentation from the Executive Director of the Early Learning Coalition of Lake County regarding a request for \$5,737 to fund a portion of the Working Poor Child Care program.

SUMMARY:

The City has funded this program in the past but due to budgetary constraints has not funded the community grant program for the past two fiscal years. Agencies have been invited to present information to Council as they so desire.

The Early Learning Coalition of Lake County administers this program to provide financial aid to child care centers and other centers that provide services to families that meet certain financial hardship criteria.

OPTIONS:

- 1) Hear the presentation and approve requested donation of \$5,737
- 2) Approve another amount
- 3) Do not approve a donation

STAFF RECOMMENDATION:

Council provide the Early Learning Coalition an opportunity to present their request.

FISCAL IMPACT:

No funds have been budgeted in next year's budget (FY 11) for this or any other community grant program.

LEGAL SUFFICIENCY:

Legally sufficient



Early Learning Coalition of Lake County

Innovative services for Children of Lake County

August 31, 2010

414 W. Main Street
Suite 301
Leesburg FL 34748
Phone: (352) 435-0566
Fax: (352) 435-0235
www.elclc.org

Board Officers

Will Pruitt, Chair
B. E. Thompson, Vice Chair

Board Members

Hugh Brockington II
Marie Carlberg
Marsha Carpenter
Sabrina Ciceri
Eric English
Hays Ginn
Kimberly Grabert
Porcha Green
Donna Gregory
Dr. Barbara Howard
Maureen Jergins
Melissa Lyford
Dawn Mainville
Sherry Olszanski
Michele Rawls
Cheryl Ridley
Jenie Rowin
Linda Stewart, Commissioner
Melissa Lyford
Kathryn Sutherin
Jennifer Walz
Eddy Workinger

Lesha Buchbinder
Executive Director



Mr. John Drury
City Administrator
201 E. Main St.
P.O. Box 1068
Tavares, FL 32778

RE: REQUEST TO BE ON THE AGENDA FOR THE SEPT. 22, 2010 BUDGET MEETING

Dear Mr. Drury,

For fiscal year 2010-2011, we are requesting a contribution from the City of Tavares in the amount of \$5,737 to assist in meeting the needs of your residents. We are currently serving 139 children in Tavares (see attached report).

Local coalitions are legislatively mandated to seek six percent (6%) in local Working Poor Eligible Match (WPEM) revenues. For every one dollar (\$1) generated locally, State and Federal funding sources contribute sixteen dollars and eighty-five cents (\$16.85).

ELCLC serves working poor families with children ages birth-12, whose income does not exceed 150% of the poverty index. Child care subsidies help Lake County's working poor families achieve and maintain economic self-sufficiency by assisting with their child care expenses.

The program provides financial and other support to 143 licensed child care centers, licensed and/or registered family care homes, religious-exempt, and school-based centers throughout Lake County. Eleven (11) of those centers are in the City of Tavares.

Sincerely,

Lesha Buchbinder, Executive Director
The Early Learning Coalition of Lake County

CC: Mayor Robert Wolfe
Vice Mayor Lori Pfister
Council Member Bob Grenier
Council Member Kirby Smith
Council Member Sandy Gamble



June 25, 2010

Jonathan M. Cherry
President/CEO
LifeStream
PO Box 491000
Leesburg, FL 34749-1000

**RE: Request for Funding for Local Match Funds for Uncompensated Care
and Working Poor Eligible Match Support**

Dear Mr. Cherry:

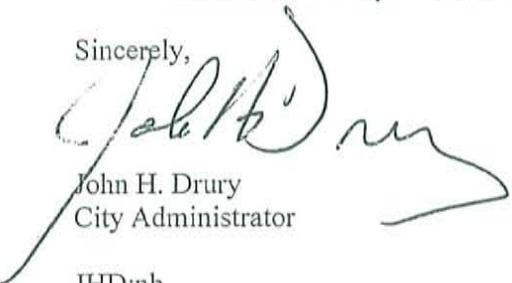
Due to the downturn in the economy, Amendment One, and the State Legislature's new rules pertaining to downsizing local government services, the City Administrator's budget to Council will not include community service grants this year. We are hopeful that in coming years we will be able to re-institute this funding support.

The city's budget will be discussed at several hearings and you are welcome to attend and discuss any concerns with City Council. The schedule of meetings is as follows:

1. July 28, 2010 – Budget Workshop to set Maximum Millage Rate
2. August 8, 2010 – City Council Budget Workshop (same date as regular Council Meeting)
3. August 22, 2010 – City Council Budget Workshop (same date as regular Council Meeting)
4. September 8, 2010 – First Public Hearing to adopt Tentative Budget and Tentative Millage Rate for 2009-2010 Budget

September 22, 2010 – Final Public Hearing to adopt 2009-2010 Budget and Millage Rate.

Sincerely,



John H. Drury
City Administrator

JHD:nb

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 22, 2010**

AGENDA TAB NO. 3

SUBJECT TITLE: Presentation of U.S. Trademark Registration Confirmation

OBJECTIVE:

To receive a presentation from the City Administrator regarding notification received from the United States Patent and Trademark Office confirming the registration and use of the City's logo and trademark as "America's Seaplane City."

SUMMARY:

The City has received notification from its trademark attorney, Allen Dyer, Doppelt, Milbrath, and Gilchrist, confirming the registration of the City's logo and its exclusive right to use it to promote business and tourism. The registration will continue in force for ten years from September 7, 2010. The City is now permitted to indicate the trademark as registered by placing a circle ® near the mark when it is used.

This achievement reflects countless hours of Citizen's work during the visioning process, Council's work for the past several years as they moved forward with branding and our attorney and staff's work to get the job done.

OPTIONS: N/A

STAFF RECOMMENDATION: N/A

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY: N/A

United States of America

United States Patent and Trademark Office



Reg. No. 3,844,138

Registered Sep. 7, 2010

Int. Cl.: 35

SERVICE MARK

PRINCIPAL REGISTER

CITY OF TAVARES (FLORIDA MUNICIPAL CORPORATION)

P.O. BOX 1068

201 EAST MAIN STREET

TAVARES, FL 32778

FOR: ADVERTISING SERVICES, NAMELY, PROMOTING BUSINESS AND TOURISM FOR THE CITY OF TAVARES, FLORIDA, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 10-21-2009; IN COMMERCE 11-23-2009.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TAVARES", AND "AMERICA'S" AND "CITY", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF AN IMAGE OF A SEAPLANE CREATING A WAVE BETWEEN A SINGLE LINE ON BOTH SIDES OF THE SEAPLANE. THE STYLIZED WORD "TAVARES" IS CENTERED BENEATH THE SEAPLANE. AN EXTENSION FROM THE LETTER "A" AND THE LETTER "S" IN THE WORD "TAVARES", CURVES UNDERNEATH THE WORD "TAVARES" AND CREATES A MIRRORED SEMI-SWIRL. THE WORDS "AMERICA'S SEAPLANE CITY" IS CENTERED BELOW THE WORD "TAVARES".

SER. NO. 77-854,139, FILED 10-21-2009.

MICHELLE DUBOIS, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

ALLEN

DYER

DOPPELT

MILBRATH &

GILCHRIST, P.A.

INTELLECTUAL PROPERTY ATTORNEYS

Herbert L. Allen
Robert Dyer
Ava K. Doppelt
Stephen D. Milbrath
Brian R. Gilchrist
Christopher F. Regan
David L. Sigalow
Richard K. Warther
Enrique G. Estévez, Ph.D.
Michael W. Taylor
John F. Woodson II
Stephen H. Luther

Jeffrey S. Boyles
Ryan T. Santurri
Paul J. Ditmyer
Bridget H. Labutta
Gregory B. Allen
Jack G. Abid
David S. Carus
David W. Magana
Allison R. Imber
Jeremy B. Berman
Justin R. Sauer

Of Counsel:
Arthur G. Yeager
Crystal Broughan
Robert H. Thornburg

Patent Agent:
Carl M. Napolitano, Ph.D.

adoppelt@addmg.com

September 15, 2010

Via U.S. Mail

City of Tavares
c/o Robert Q. Williams, Esq.
380 W. Alfred Street
Tavares, FL 32778-3206

Re: U. S. Trademark Registration No. 3,844,138 for the Mark
TAVARES AMERICA'S SEAPLANE CITY and Design in International Class 35
Our File No. 0113013

Dear Bob:

CONGRATULATIONS! We are pleased to enclose Certificate of Registration No. 3,844,138 issued on September 7, 2010 on the Principal Register. Unless cancelled, the registration will continue in force for ten years from that date. It is due for renewal on or before **September 7, 2020**. You are now permitted to indicate that the mark is registered by placing a circle ® near the mark when it is used for identifying the goods.

During the year prior to **September 7, 2016**, this registration must be supported by a Declaration of Continued Use in order to prevent automatic cancellation in the U. S. Patent and Trademark Office. At the same time, it may also be entitled to the status of incontestability if the mark has been used continuously in United States commerce for five years. We have noted these dates for our docket and suggest you do the same.

Please note that U. S. Customs and Border Protection (CBP) maintains a recordation system for marks registered in the U.S. If you are interested in having CBP monitor products coming into the U. S. for possible infringement of your mark, you should consider recording your registered mark with the department. We would be pleased to prepare and file your application for recordation with CBP, or you may do this yourself. Information is available through CBP's website located at www.cbp.gov. Please let us know if you want us to handle recordation of your mark with CBP.

SEP 16 2010

Orlando Office (Main)

255 South Orange Ave.
Suite 1401
Orlando, FL 32801
Mail To: P.O. Box 3791
Orlando, FL 32802-3791

tel: 407-841-2330
fax: 407-841-2343

Jacksonville Office

1301 Riverplace Blvd.
Suite 1916
Jacksonville, FL 32207

tel: 904-398-7000
fax: 904-398-7003

Melbourne Office

1901 S. Harbor City Blvd.
Suite 507
Melbourne, FL 32901

tel: 321-725-4760
fax: 321-984-7078



www.addmg.com

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: Sept 22, 2010**

AGENDA ITEM NO. 4

SUBJECT TITLE: Request to Award Bid to Improve the Lake Francis Sewer Force Main Modifications

OBJECTIVE: To award the Etowah Forcemain Bid to modify the Lake Francis Sewer Force main in the Drainage area in the amount of \$26,200.25 to JAR Construction, Inc.

SUMMARY:

The City has experienced numerous forcemain breaks in one of the existing forcemains that flow to the Caroline Facility. That forcemain was installed with the construction of the Lake Francis development. The solution to this situation is to eliminate the existing forcemain that is made of less than standardized material, sits in a vegetated drainage area and to connect to the new 8" Etowah forcemain that was recently installed with that development. Seven Bids were received based on the design by BES&H as numerated below.

- 1) Professional Direct Service, Inc. \$29,600.00
10 W. Lakeview Avenue
Eustis, FL 32726
- 2) Blue Ox Enterprises, LLC \$72,880.60
235 N. Longwood Street
Longwood, FL 32750
- 3) **JAR Construction, Inc. \$26,200.25**
P.O. Box 941065
Maitland, FL 32794
- 4) Westwind Contracting, Inc. \$37,754.13
3300 US 1 North
Bunnell, FL 32110
- 5) Britt Construction, Inc. \$30,576.00
419 E. Oakland Avenue
Oakland, FL 34760
- 6) Carl Hankins, Inc. \$38,533.00
14512 N. Nebraska Avenue
Tampa, FL 33613
- 7) Croft Contracting, Inc. \$39,325.00
P.O. Box 1594
Inverness, FL 34451

OPTIONS:

1. Award the Bid and the Project to the lowest Bidder JAR Construction in the amount 26,200.25
2. Do **not Award** and the Project to the lowest Bidder JAR Construction in the amount 26,200.25

STAFF RECOMMENDATION:

That Council Award the Bid and the Project to the lowest Bidder JAR Construction in the amount 26,200.25

FISCAL IMPACT: This item was budgeted in 2009/2010 budget under 535.64-25 future projects and is under budget.

LEGAL SUFFICIENCY: It is legally sufficient

Orlando Sentinel

City Of Tavares
PO BOX 1068

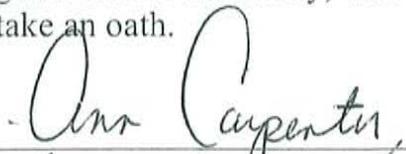
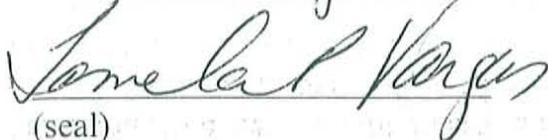
TAVARES, FL 32778-1068

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. 2010-0021 in the Lake County _ Court, was published in said newspaper in the issue(s); of

08/08/10

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 10 day of August, 2010, Ann Carpenter/Tamela Vargas/Deborah M. Toney, who is personally known to me and who did take an oath.



(seal)



TAMELA M. HARRIS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# DD0910491
Expires 6/12/2013

1081149

ADVERTISEMENT/INVITATION TO BID: SIDE-WALK REPLACEMENT

BID NO.: 2010-0021

Sealed bids (including 3 copies and one digital) are invited by the City of Tavares, to be received at the office of the City Clerk, 201 East Main St., Tavares, FL 32778, so as to be received not later than 2:00 PM on September 2, 2010. Bids received after this specified time and date will not be considered. The sealed bids will be publicly opened and read aloud in the City of Tavares Council Chambers on the same date at 2:05 PM for the performance of the following work:

Install new sidewalks at various sites in the City of Tavares per project specifications. The sites will be provided by the Public Works Department.

All contractors intending to bid on the project MUST attend a pre-bid conference Wednesday, August 18, 2010, at 10:00 AM at the Tavares City Hall Council Chambers, located at 201 East Main Street, Tavares, FL 32778.

Bidders with access to DemandStar.com can obtain the front end documents by calling 800-711-1212, or on the web at <http://www.demandstar.com>. For further information contact: John Rumble, Purchasing Manager, at Tavares City Hall, 201 E. Main St., Tavares, Florida 32778 phone: (352) 742-6131; fax (352) 742-6351.

Bidders are required to submit proposals for the above on the Bid Forms provided. No proposals may be withdrawn after the scheduled closing time for the receipt of proposals for a period of thirty (30) days. Please provide 3 copies and one digital copy.

The City of Tavares reserves the right to waive informalities in any bid, to reject any or all bids with or without cause, and/or to accept the bid that in its best judgment will be in the best interest of the City.

John Rumble CPPB, FCPM
Purchasing Manager

LAK1081149

08/08/2010

**CITY OF TAVARES
MANDATORY PRE-BID CONFERENCE
SIDEWALK REPLACEMENT PROJECT**

August 18, 2010

DATE & TIME:

A pre-bid conference was held on Wednesday, August 18, 2010 at 10:00 a.m. in the Council Chambers of City Hall at 201 E. Main Street, Tavares, FL 32778 with regard to the Sidewalk Replacement Project.

PRESENT:

John Rumble, City of Tavares Purchasing Manager
Chris Thompson, Interim Public Works Director
Tonya R. Jones, City of Tavares Public Works Admin. Coord.

CONTRACTORS:

Sign in sheet attached.

Mr. John Rumble called the meeting to order and noted today's date as August 18, 2010 at 10:00 a.m.

Mr. Rumble noted the funding amount for the project. This involved sidewalks and includes ADA compliant ramps. The only area that requires reinforcement is the sidewalk on the north side of Alfred St.

Any questions should be submitted in writing to John Rumble. Mr. Rumble turned the meeting over to Chris Thompson.

Mr. Thompson addressed the sidewalk on Alfred St. stating that the slope is allowing the existing sidewalk to lean therefore it will require a base (fill-in). The City will provide the fill; the Contractor will need to let us know when to dump it. Mr. Thompson noted that although this sidewalk is on a County road, the City is responsible for maintaining the sidewalks as it runs thru our City limits.

Mr. Thompson emphasized the importance of the ramps being ADA compliant. The topography may effect this somewhat but should get it as close as possible. Please call if there are any questions or concerns.

Mr. Rumble asked if anyone had any questions. Joseph Collins of Pillar Construction Group, LLC. Inquired about the name of the transmission shop in that area. Mr. Rumble stated that it was the one across from Caskey's Mower Shop (east of the railroad tracks).

Another question was regarding what type of ADA ramp material was required. Mr. Thompson stated that it requires the mats. Also a question was asked regarding the color requirement of the mats and Mr. Thompson noted that they should be terra-cotta.

The bids are due on September 2, 2010.

No further questions were asked. Mr. Rumble adjourned the meeting at approximately 10:05 a.m.

Respectfully submitted,

Tonya R. Jones, Administrative Coordinator
City of Tavares, Public Works Department

CITY OF TAVARES

MINUTES OF BID OPENING

September 2, 2010

Request for Proposals

Sidewalk Replacement

Bid No. 2010-0021

**TAVARES CITY HALL
CITY COUNCIL CHAMBER**

PRESENT

John Rumble, Purchasing Manager
Kay Mayes, Admin Assistant, Finance

Mr. Rumble noted today's date as Thursday, September 2, 2010. This is the second of three Invitations to Bid being opened. This is the opening of bid packages received in response to RFP 2010-0021, Sidewalk Replacement. There were three proposals received; bids are listed in the order opened:

- | | |
|---|-------------|
| 1) Pillar Construction Group, LLC
1312 Bowman Street
Clermont, FL 34711 | \$29,000.00 |
| 2) Jerome's Masonry, Inc.
P.O. Box 508
Lady Lake, FL 32158 | \$23,123.70 |
| 3) Apolonio Espinoza Father & Son Concrete
511 N. Canal Street
Leesburg, FL 34748 | \$20,436.76 |

Mr. Rumble noted the packages would be forwarded to the engineer of record for technical review and evaluation.

Respectfully submitted,

Kay Mayes
Admin Assistant, Finance

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING:
September 22, 2010**

AGENDA TAB NO. 5

SUBJECT TITLE: Sidewalk Replacement Project

OBJECTIVE: To award the bid for sidewalk replacement and A.D.A. compliant ramps in various locations throughout the City, to Apolonio Espinoza Father & Son Concrete in the amount of \$20,436.76.

SUMMARY: As part of the City's 5-year CIP Program, \$30,000.00 was allotted each year for Sidewalk Improvements/Replacements. Staff has identified damaged sidewalks that need to be replaced and also sidewalks which do not currently have ramps to meet A.D.A. compliance. Three bids were obtained for this work. Below is a list of locations and bids received. Staff recommends negotiating a contract with the lowest bidder, Apolonio Espinoza Father & Son Concrete in the amount of \$20,436.76.

Bids Received:

- 1) Apolonio Espinoza Father & Son Concrete - \$20,436.76
- 2) Jerome's Masonry, Inc. - \$23,123.70
- 3) Pillar Construction Group - \$29,000.00

SIDEWALK REPLACEMENT/REPAIR:

1. Alfred Street 787 feet in length; 4.5 feet wide (from driveway of the transmission shop to the driveway of the old Realty Office). No ramp.
2. Texas Avenue 40 feet in length; 4.5 feet wide (in front of 204 Texas Avenue) This is to include ramps on the southeast and northeast corners – both empty onto Maud.
3. St. Clair Abrams Avenue – begin sidewalk 77 feet from Alfred St. – (near 303 and 305 addresses) 200 feet in length; 4.5 feet wide. (extends to 42 feet from Caroline). No ramp.
4. lanthe, north side (by the High School) from the alley to Sinclair Avenue 155 feet in length; 4.5 feet wide. No ramp.
5. Palm Avenue (south side) from Texas Ave. road right-of-way 73 feet in length; 4.5 feet wide. One ramp at road r.o.w.

6. Texas Avenue- begin sidewalk at Caroline, extend to lanthe. 350 feet in length; 4 feet wide. Two ramps (at northwest and southwest corners of intersection). Redo existing ramp.

SIDEWALK RAMPS NEEDED:

1. Northeast corner of New Hampshire Avenue and Maud Street (sidewalk that empties onto New Hampshire and Maud) 2 ramps.
2. Southeast corner of New Hampshire Avenue and Maud Street (empties onto Maud) 1 ramp.
3. Southwest corner of New Hampshire Avenue and Maud Street (empties onto both streets) 2 ramps.
4. Northwest corner of Sinclair Avenue and Caroline Street (empties onto Caroline) 1 ramp.

OPTIONS:

1. Award the bid to Apolonio Espinoza Father & Son Concrete and negotiate a contract in the amount of \$20,436.76 subject to adoption and approval of the Fiscal Year 2010-2011 operating budget.
2. Do not award the bid or award the contract to Apolonio Espinoza Father & Son in the amount of \$20,436.76.

STAFF RECOMMENDATION:

Award the bid and negotiate a contract to Apolonio Espinoza Father & Son Concrete in the amount of \$20,436.76 subject to adoption and approval of the Fiscal Year 2010-2011 operating budget.

FISCAL IMPACT:

This amount has been budgeted in the tentative budget for fiscal year 2010/11:
General Services Sidewalk Repair & Maintenance 001-4101-541-63-20
\$20,436.76

LEGAL SUFFICIENCY: It is legally sufficient

Orlando Sentinel

City Of Tavares
PO BOX 1068

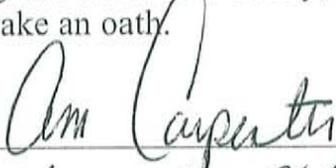
TAVARES, FL 32778-1068

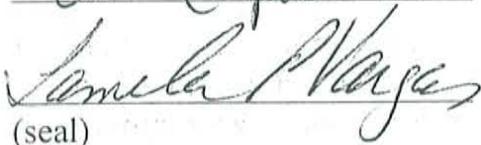
Before the undersigned authority personally appeared Ann Carpenter/Tamela Vargas/Deborah M. Toney, who on oath says that s/he is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published in Lake County, Florida; that the attached copy of advertisement, being a Advertisement for Bid in the matter of Bid No. 2010-0022 in the Lake County _ Court, was published in said newspaper in the issue(s); of

08/08/10

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 10 day of August, 2010, Ann Carpenter/Tamela Vargas/Deborah M. Toney, who is personally known to me and who did take an oath.





(seal)



TAMELA P. VARGAS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# DC0910491
Expires 8/12/2013

1081193

**ADVERTISEMENT/INVITATION TO BID/QUOTE:
FLAGPOLE AND MONUMENT**
BID NO. 2010-0022

Bid/Quote (including 3 copies and one digital) are invited by the City of Tavares, to be received at the office of the City Clerk, 201 East Main St., Tavares, FL 32778 so as to be received not later than 2:00 PM on September 2, 2010. Bids received after this specified time and date will not be considered. The sealed bids will be publicly opened and read aloud in the City of Tavares Council Chambers on the same date at 2:05 PM for the performance of the following work:

Install Monument and Flagpole at the City of Tavares Wootton Park per Project Specifications.

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 E Main St., Tavares, Florida 32778 phone: (352) 742-6131; fax: (352) 742-6351.

Bidders are required to submit proposals for the above on the Bid Forms provided. No proposals may be withdrawn after the scheduled closing time for the receipt of proposals for a period of thirty (30) days. Please provide 3 copies and one digital copy.

The City of Tavares reserves the right to waive informalities in any bid, to reject any or all bids with or without cause, and/or to accept the bid that in its best judgment will be in the best interest of the City.

John Rumble CPPB, FCPM
Purchasing Manager
LAK1081193 08/08/2010

Orlando Sentinel

City Of Tavares
PO BOX 1068

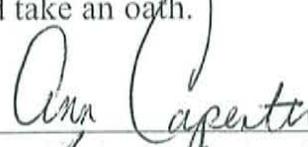
TAVARES, FL 32778-1068

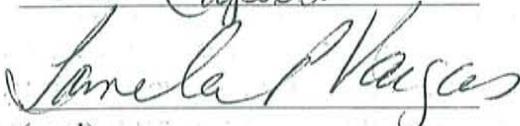
Before the undersigned authority personally appeared Ann Carpenter/Tamela Vargas/Deborah M. Toney, who on oath says that s/he is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published in Lake County, Florida; that the attached copy of advertisement, being a Advertisement for Bid in the matter of Bid No. 2010-0019 in the Lake County _ Court, was published in said newspaper in the issue(s); of

08/08/10

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 10 day of August, 2010, Ann Carpenter/Tamela Vargas/Deborah M. Toney, who is personally known to me and who did take an oath.





(seal)



TAMELA VARGAS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# DD0816491
Exp. 09/2/2013

1081153

ADVERTISEMENT/INVITATION TO BID
THE CITY OF TAVARES
ETOWAH FORCEMAIN MODIFICATIONS

PROJECT NAME: ETOWAH FORCEMAIN MODIFICATIONS
ENGINEER BID NO: 81445.0161
OWNER/BID NO: THE CITY OF TAVARES/2010.0019

LOCATION OF PROJECT: Caroline Street, WWTF, Tavares, Florida

SCOPE OF WORK:
The project generally involves the partial removal of existing 8-inch forcemain and connection to existing 12-inch forcemain.

DESCRIPTION OF WORK:
The work includes the furnishing of all labor, materials and equipment, consisting of the following principle items: Connect existing 8-inch forcemain to existing 12-inch forcemain, partial removal of 8-inch forcemain, site work, and restoration including all related appurtenances.

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, AUGUST 17, 2010 @ 10:00 a.m.

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

RECEIPT OF BIDS:
Sealed bids for the work described herein shall be received until:

Thursday, September 2, 2010 @ 2:00 p.m.

of the City of Tavares, Attn: City Clerk, 201 East Main Street, Tavares, Florida 32778. The bids will be publicly opened and read aloud at 2:10 p.m. ALL BIDS MUST BE CLEARLY MARKED "SEALED BID 2010-0019" 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 three (3) copies of bid and one (1) digital copy.

INFORMATION REGARDING BIDDING MATERIAL, ETC.
Bidders with access to DemandStar.com can obtain the front end documents by calling 800-711-7172, or on the web at <http://www.demandstar.com>. Complete plans and specifications may be reviewed at the office of Booth, Ern, Straughan & Hott, Inc. 350 North Sinclair Avenue, Tavares, Florida, 32778, and obtained from said office for a non-refundable \$50.00 fee. These plans and specifications will be available Monday, August 9, 2010 after 1:00 p.m. 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) 742-6351; e-mail: jrumble@tavares.org.

LAK1081153 08/08/2010

CITY OF TAVARES
MINUTES OF BID OPENING
September 2, 2010
Request for Proposals
Etowah Forcemain Modifications
Bid No. 2010-0019
TAVARES CITY HALL COUNCIL CHAMBERS

PRESENT

John Rumble, Purchasing Manager
Kay Mayes, Admin Assistant, Finance

Mr. Rumble noted today's date as Thursday, September 2, 2010. Bid packages for three Invitations to Bid will be opened, the first is the opening of bid packages received in response to RFP 2010-0019, Etowah Forcemain Modifications. There were 7 proposals received. Bids are listed in the order opened; the amount reflects the total including Performance Bond:

1) Professional Direct Service, Inc. 10 W. Lakeview Avenue Eustis, FL 32726	\$29,600.00
2) Blue Ox Enterprises, LLC 235 N. Longwood Street Longwood, FL 32750	\$72,880.60
3) JAR Construction, Inc. P.O. Box 941065 Maitland, FL 32794	\$26,200.25
4) Westwind Contracting, Inc. 3300 US 1 North Bunnell, FL 32110	\$37,754.13
5) Britt Construction, Inc. 419 E. Oakland Avenue Oakland, FL 34760	\$30,576.00
6) Carl Hankins, Inc. 14512 N. Nebraska Avenue Tampa, FL 33613	\$38,533.00
7) Croft Contracting, Inc. P.O. Box 1594 Inverness, FL 34451	\$39,325.00

Mr. Rumble noted the packages would be forwarded to the engineer of record for technical review and evaluation.

Respectfully submitted,

Kay Mayes
Admin Assistant, Finance



VIA EMAIL & U.S. MAIL
September 10, 2010

Mr. John Rumble
CITY OF TAVARES
Post Office Box 1068
Tavares, Florida 32778

RE: **ETOWAH FORCEMAIN MODIFICATIONS (BESH #881445.0161)**
BID RECOMMENDATION FOR COT BID #20010-0019

Dear Mr. Rumble:

We are in receipt of the bids for the above referenced project, which were opened on Thursday, September 2, 2010. The results of the bid opening, in order of bid price, are as follows:

1.	JAR Construction, Inc.	\$	26,200.25
2.	Professional Dirt Services, Inc.	\$	29,600.00
3.	Britt Construction, Inc.	\$	30,576.00
4.	Westwind Contracting, Inc.	\$	37,754.13
5.	Carl Hankins, Inc.	\$	38,533.00
6.	Croft Contracting, Inc.	\$	39,325.00
7.	Blue Ox Enterprises, LLC.	\$	72,880.60

Following the bid, Booth, Ern, Straughan & Hiott, Inc., reviewed the bids for compliance with the Bid Documents, and for completeness.

Based upon our review of the bids and positive references from previous clients, we would recommend approval of the bid provided by the low bidder, JAR Construction, Inc., in the amount of \$26,200.25.

Should you have any questions with regards to this matter, please feel free to contact our office.

Sincerely,

BOOTH, ERN, STRAUGHAN & HIOTT, INC.

Charles C. Hiott, P.E.
Principal
chiott@besandh.com

CCH\sd

c: Brad Hayes, City of Tavares

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ENGINEERS ♦ SURVEYORS ♦ LAND PLANNERS
350 North Sinclair Avenue ♦ Tavares, Florida 32778
Phone: 352.343.8481 ♦ Fax: 352.343.8495
E-Mail: Info@besandh.com ♦ www.besandh.com

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING:
September 22, 2010**

AGENDA TAB NO. 6

SUBJECT TITLE: 1st Amendment to the Traffic Signal Maintenance Inter-Local Agreement

OBJECTIVE:

To amend the existing Traffic Light Maintenance Inter-Local Agreement with Lake County to include the maintenance of School Zone blinking flashers.

SUMMARY:

On September 26, 2002, the City of Tavares entered into an Inter-Local Agreement with Lake County for Traffic Signal Maintenance and Compensation. The school zone flashers have never been included in this agreement. Maintenance and timer programming have, to date, been restricted to a "call in" schedule. By adding these four flashing lights to our existing contract (two on Sinclair Ave. and two on St. Clair Abrams Ave.), the City will be guaranteed a reliable and responsive agency to maintain, repair, and make seasonal timer adjustments. Staff has obtained a quote from Lake County to include these four additional school zone flashing lights into the existing contract at a cost of \$503.97 per light (\$2,015.88 per year). It is vital to the safety of our school children who walk to school, crossing these streets, that these signals remain in proper working order at all times.

OPTIONS:

1. Accept the amendment to the Inter-local Agreement subject to adoption and approval of the Fiscal Year 2010-2011 operating budget.
2. Do not accept the amendment to the Inter-local Agreement

STAFF RECOMMENDATION:

Staff recommends to accept the amendment to the Traffic Signal Maintenance and Compensation Agreement.

FISCAL IMPACT:

This will become effective October 1, 2010 and there is sufficient funds budgeted in the tentative FY 2011 budget under the line item General Services Contractual Services – 001-4101-541-34-10 \$2015.88

LEGAL SUFFICIENCY:

This is legally sufficient.

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT
BETWEEN
THE CITY OF TAVARES, FLORIDA
AND
LAKE COUNTY, FLORIDA
FOR TRAFFIC SIGNAL MAINTENANCE**

This is a First Amendment to the Interlocal Agreement by and between the City of Tavares, Florida, a municipal corporation organized under the laws of the State of Florida, hereinafter referred to as “City”, and Lake County, Florida, a political subdivision of the State of Florida, hereinafter referred to as “County”.

WHEREAS, the City and the County entered into an Interlocal Agreement on May 1, 2004, to develop a coordinated program for the repair of traffic signal systems to facilitate the safe and efficient flow of traffic in and about Lake County; and

WHEREAS, the agreement originally covered all traffic signals in the City; and

WHEREAS, the City and County now desire to amend the agreement to authorize the County to repair and maintain all of the City’s school speed zone flashers, which currently includes four school speed zone flashers more particularly described in **Exhibit “A”**, attached

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.
2. **Amendment.** The original agreement dated May 1, 2004, shall be amended to include all of the City’s current and future School Speed Zone Flashers in the maintenance plan

with the County as identified in Exhibit "A", attached hereto and incorporated herein, effective October 1, 2010.

Beginning on October 1, 2010, the City shall pay to County the annual amount of Five Hundred Three Dollars and Ninety Seven Cents (\$503.97) per School Speed Zone Flasher per year to cover the cost of maintenance, including parts and labor, to be billed annually. Such monies shall be remitted within thirty (30) days of final execution of this Amendment. The annual amount shall include monthly signal/flasher inspections, annual preventive maintenance routines and planned and emergency maintenance. This amount shall not include repairs catastrophic in nature as set forth in Section 2 (D) of the original Agreement. The annual amount shall automatically increase by three percent (3%) upon each anniversary date of this Amendment.

3. **Other Provisions.** All other provisions of the original Interlocal Agreement dated May 1, 2004 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this First Amendment to Interlocal Agreement on the respective dates under each signature: Lake County, through its Board of County Commissioners, signing by and through its Chairman, authorized to execute same by Board action on the ____ day of _____, 2010 and by the City of

Tavares, signing by and through its Mayor, its representative duly authorized to execute the same.

COUNTY

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

Welton Cadwell, Chairman
This _____ day of _____, 2010.

Approved as to Form & Legality:

Melanie Marsh
Acting County Attorney

CITY

ATTEST:

CITY OF TAVARES

Nancy Barnett, City Clerk

Robert Wolfe, Mayor
This _____ day of _____, 2010.

Approved as to Form & Legality:

Robert Q. Williams
City Attorney

EXHIBIT A

LOCATION	SCHOOL	DESCRIPTION
Sinclair Av.	Tavares High School	Northbound School Flasher
Sinclair Av.	Tavares High School	Southbound School Flasher
St. Clair Abrams Av.	Tavares Elementary School	Northbound School Flasher
St. Clair Abrams Av.	Tavares Elementary School	Southbound School Flasher

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 22, 2010**

AGENDA ITEM NO. 7

SUBJECT TITLE: Extension of the CDBG Agreement for the Aesop's Park Restrooms

OBJECTIVE: To approve a request to the Lake County Board of County Commissioners to seek up to a one-year extension to the 2009-2010 CDBG funding for the Aesop's Park restroom project.

SUMMARY: The FY 2009-10 Partnership Agreement made between the City of Tavares and Lake County was originally drafted for the period of October 1, 2009 through September 30, 2010. Due to a re-bid of the restroom project, it is necessary to extend the grant funding.

OPTIONS:

- 1) Approve the request for the extension
- 2) Do not approve the request for the extension

STAFF RECOMMENDATION:

Move to approve the request for the extension.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY: N/A

**FIRST AMENDMENT TO THE
FY 2009-10 COMMUNITY DEVELOPMENT BLOCK GRANT
PARTNERSHIP AGREEMENT BETWEEN
LAKE COUNTY
AND
THE CITY OF TAVARES
FOR
AESOP PARK IMPROVEMENTS, PHASE I**

The First Amendment to the Agreement is made and entered into this _____ day of _____ 2010 by and between Lake County, Florida, a political subdivision of the State of Florida, hereinafter referred to as the "COUNTY", and the City of Tavares, a municipal corporation, hereinafter referred to as the "CITY".

WITNESSETH:

WHEREAS, the COUNTY has been awarded a Community Development Block Grant (CDBG) from the Department of Housing and Urban Development (HUD) which provides for the development, establishment, and administration of projects to benefit low and moderate income families, aid in elimination of slums or blight, or meet an urgent community development need; and

WHEREAS, the COUNTY did enter into an Agreement with the CITY on December 7, 2009 for administration of the grant in the amount of \$73,700.00; and

WHEREAS, the CITY now desires to amend the Agreement so as to continue the improvements to Aesop Park,

THEREFORE in consideration of the mutual premises and covenants, the parties agree as follows:

Section 1. Amendments.

1. The FY 2009-10 Partnership Agreement was for October 1, 2009 through September 30, 2010. Due to the City Council rejecting all the bids from the construction firms who bid on the restroom facility because of their pricing the City has asked staff to re-bid the restroom project. The CITY now wishes to add twelve (12) months to the agreement, to which the County concurs. Therefore, the FY 2009-10 Partnership Agreement will now expire on September 30, 2011.

Section 2. Other Provisions.

All other provisions of the original Agreement shall remain in full force and effect.

FY 2009-10 Partnership Agreement between the City of Tavares and the Lake County Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto duly execute the Agreement as of the day and year first written.

COUNTY

ATTEST:

LAKECOUNTY, FLORIDA - BOARD
OF COUNTY COMMISSIONERS

Neil Kelly, Clerk of the Board
of County Commissioners of
Lake County, Florida

Welton G. Cadwell, Chairman

Date

Approved as to form and legality:

Melanie N. Marsh
Acting County Attorney

CITY

ATTEST:

City of Tavares

Nancy Barnett, City Clerk

Robert Wolfe, Mayor

Approved as to form and legality

Signature and Title
Robert Q. Williams, City Attorney

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 22, 2010**

AGENDA ITEM NO. 8

SUBJECT TITLE: Resolution #2010-09 -Tentative Millage Rate for FY 2011 & Public Hearing

OBJECTIVE:

To consider the approval of Resolution 2010-09 – Final Millage for FY 2011 and receive public input.

SUMMARY:

Previously, the City Council discussed and approved the Fiscal Year 2011 Proposed Tentative Millage and Draft Budget at the following City Council meetings, workshops, and Public Hearing:

- March 2, 2010
- March 17, 2010
- July 28, 2010
- August 4, 2010
- August 18, 2010
- September 8, 2010

During this process, \$2,998,093 of budget cuts (Exhibit A) were made across various City Departments to arrive at the City of Tavares Fiscal Year 2011 Tentative Budget.

The City Council set the tentative maximum millage rate at 6.95 mills which resulted in a balanced General Fund Draft Budget of \$11,266,112. This budget and budgets for all funds were further adjusted by the City Council on September 8, 2010 at the Tentative Budget Public Hearing to include the final health insurance premium renewal costs and to change the effective date of an employee cost of living increase from April 1, 2011 to October 1, 2011. A summary of final changes to the General Fund Budget is presented below:

ADJUSTMENTS to GEN FUND DRAFT BUDGET FOR TENTATIVE BUDGET AMOUNT	
REVENUES	
Reserve Appropriations	\$ 98,727
	<u>\$ 98,727</u>
EXPENDITURE APPROPRIATIONS	
Adjust for final premium amount for health & dental insurance	\$ 14,390
Adjust for City Administrator compensation agreement	\$ 13,490
Adjust for lost revenue source in fund 103 (Police Automation)	\$ 10,000
Adjust for Employee Cola effective 10-1-2010	\$ 60,847
	<u>\$ 98,727</u>
Draft Gen Fund Budget for 2011	\$ 11,266,113
Adjustments as provided	<u>98,727</u>
Tentative Budget for 2011 as presented 9-8-2010	<u>\$ 11,364,840</u>

In addition to the General Fund, the Tentative Budget includes the following Operating Funds:

1. Water/Wastewater/Reclaim Fund \$6,709,072
2. Sanitation/Garbage Fund \$2,350,825
3. Stormwater Fund \$719,709
4. Tavares Seaplane Base \$518,426

On September 8, 2010, a Public Hearing was held at which the City Council approved the Tentative Millage.

The tentative millage rate is based on the following assumptions and details:

- Ad valorem millage rate of 6.95 mills which is 8.15% less than the rollback rate of 7.5669 mills
- An assessed taxable property value of \$671,531,382 which is a decrease of 17.03% from the prior year
- A cost of living employees increase of 2% for all City employees effective October 1, 2011
- Elimination of the ½ day furlough per month for all employees
- Staffing level decreases – four positions will not be filled
- Fire Pension contribution rate increase from 21.7% to 22%
- Police Pension contribution rate increase from 19% to 20.8%
- Health & dental insurance rate increase of 9.32%
- Workers' compensation rate increase of 5%
- General liability rate increase of 5%
- Push capital replacements until the following year
- Fund only operational costs critical to the service delivery mission
- Maintain a similar level of service.

The average value of a home in Tavares is \$125,000. This equates to a \$521.25 annual or \$43.44 monthly city tax payment for a homesteaded home ($\$125,000 - \$50,000 / 1000 \times 6.95$).

OPTIONS:

1. Take Public input and adopt Final Millage at 6.95 mills as reflected in Resolution No. 2010-09 for Fiscal Year 2011
2. Take Public input, set a millage rate that is different. But less than 6.95 mills and adopt Resolution No. 2010-09 to reflect the adjusted millage rate.

STAFF RECOMMENDATION:

Move to take Public input and adopt Final Millage at 6.95 mills as reflected in Resolution No. 2010-09 for Fiscal Year 2011

FISCAL IMPACT: At this point all budgets are balanced. Changes will be reflected dependent upon Council changes.

RESOLUTION 2010- 09

A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 6.95 FOR THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM TAXES FOR FISCAL YEAR 2010-2011; SETTING FORTH THE PERCENT BY WHICH THE MILLAGE RATE IS LESS THAN THE "ROLLED-BACK" RATE.

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

WHEREAS, the City of Tavares of Lake County, Florida on September 8, 2010, adopted the 2010-2011 Fiscal Year Tentative Millage Rate following a public hearing as required by Florida Statute 200.065.

WHEREAS, the City of Tavares of Lake County, Florida, following due public notice as required by law, held a second public hearing on September 22, 2010, as required by Florida Statute 200.065 on the 2010-2011 Millage Rate; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within Lake County has been certified by the County Property Appraiser to the City of Tavares as \$671,531,382.

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

1. The City of Tavares Fiscal Year 2010-2011 operating millage rate to be levied is hereby set at 6.95 mills, which millage rate is less than the rolled back rate of 7.5669 by 8.15%.
2. The voted debt service millage is 0.00.
3. This Resolution will take effect immediately upon its adoption.

PASSED AND RESOLVED this 22nd day of September 2010, by the City Council of the City of Tavares, Florida. Time Adopted:_____.

Robert Wolfe, Mayor
Tavares City Council

ATTEST:

Nancy A. Barnett
City Clerk

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

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 22, 2010**

AGENDA ITEM NO. 9

SUBJECT TITLE: Resolution #2010-10 –Final Budget for FY 2011 & Public Hearing

OBJECTIVE:

To consider the approval of Resolution 2010-10 – Final Budget for Fiscal Year 2010-2011 and receive public input.

SUMMARY:

Previously, the City Council discussed and approved the Fiscal Year 2011 Proposed Tentative Budget at the following City Council meetings, workshops, and Public Hearing:

- March 2, 2010
- March 17, 2010
- July 28, 2010
- August 4, 2010
- August 18, 2010
- September 8, 2010

During this process, \$2,998,093 of budget cuts (Exhibit A) were made across various City Departments to arrive at the City of Tavares Fiscal Year 2011 Tentative Budget.

The City Council set the tentative maximum millage rate at 6.95 mills which resulted in a balanced General Fund Draft Budget of \$11,266,112. This budget and budgets for all funds were further adjusted by the City Council on September 8, 2010 at the Tentative Budget Public Hearing to include the final health insurance premium renewal costs and to change the effective date of an employee cost of living increase from April 1, 2011 to October 1, 2011. A summary of final changes to the General Fund Budget is presented below:

ADJUSTMENTS to GEN FUND DRAFT BUDGET FOR TENTATIVE BUDGET AMOUNT	
REVENUES	
Reserve Appropriations	\$ 98,727
	<u>\$ 98,727</u>
EXPENDITURE APPROPRIATIONS	
Adjust for final premium amount for health & dental insurance	\$ 14,390
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Draft Gen Fund Budget for 2011	\$ 11,266,113
Adjustments as provided	<u>98,727</u>
Tentative Budget for 2011 as presented 9-8-2010	<u>\$ 11,364,840</u>

In addition to the General Fund, the Tentative Budget includes the following Operating Funds:

1. Water/Wastewater/Reclaim Fund \$6,709,072
2. Sanitation/Garbage Fund \$2,350,825
3. Stormwater Fund \$719,709
4. Tavares Seaplane Base \$518,426

On September 8, 2010, a Public Hearing was held at which the City Council approved the Tentative Budget.

The tentative millage rate and the tentative budget are based on the following assumptions and details:

- Ad valorem millage rate of 6.95 mills which is 8.15% less than the rollback rate of 7.5669 mills
- An assessed taxable property value of \$671,531,382 which is a decrease of 17.03% from the prior year
- A cost of living employees increase of 2% for all City employees effective October 1, 2011
- Elimination of the ½ day furlough per month for all employees
- Staffing level decreases – four positions will not be filled
- Fire Pension contribution rate increase from 21.7% to 22%
- Police Pension contribution rate increase from 19% to 20.8%
- Health & dental insurance rate increase of 9.32%
- Workers' compensation rate increase of 5%
- General liability rate increase of 5%
- Push capital replacements until the following year
- Fund only operational costs critical to the service delivery mission
- Maintain a similar level of service.

The average value of a home in Tavares is \$125,000. This equates to a \$521.25 annual or \$43.44 monthly city tax payment for a homesteaded home ($\$125,000 - \$50,000 / 1000 \times 6.95$).

OPTIONS:

1. Take Public input and adopt the Final Budget as reflected in Resolution No. 2010-10 for Fiscal Year 2011
2. Take Public input, adopt a budget that is different than presented in option number one above, and adopt Resolution Number 2010-10 to reflect an adjusted budget.

STAFF RECOMMENDATION:

Move to take Public input and adopt the Final Budget as reflected in Resolution No. 2010-10 for Fiscal Year 2011

FISCAL IMPACT: At this point all budgets are balanced. Changes will be reflected dependent upon Council changes.

RESOLUTION 2010- 10

**A RESOLUTION ADOPTING THE FINAL BUDGET FOR
THE CITY OF TAVARES, FLORIDA, FOR THE FISCAL
YEAR 2010-2011.**

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

WHEREAS, a public hearing on the proposed 2010-2011 budget was held at the Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County, Florida on September 8, 2010, at 5:05 p.m., as required by Florida Statutes 200.065; and

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

WHEREAS, the City Council approved the tentative budget for 2010-2011, and

WHEREAS, a second public hearing on the proposed 2010-2011 budget was held in the Council Chambers at the Tavares City Hall, 201 East Main Street in the City of Tavares, Florida, on September 22, 2010, at 5:05 p.m.,

NOW, THEREFORE, BE IT RESOLVED that the Budget for 2010-2011 fiscal year for the City of Tavares, Florida is hereby adopted by the Tavares City Council in the amount of \$26,714,630, at public hearing this 22nd day of September, 2010.

Fund Name	Fund Number	Original Budget	Revised Estimated Revenues	Reserve Appropriations or (Non-Appropriated Revenues)	Appropriations
General Fund	001	\$ 11,364,840	\$ 11,266,113	\$ 98,727	\$ 11,364,840
Water/Wastewater Utility	401	6,709,072	6,335,346	373,726	6,709,072
Water/Wastewater Impacts	441	1,256,398	310,000	946,398	1,256,398
W/WW RR&I Fund	443	-	300,000	(300,000)	-
W/WW SRF Construction	444	-	-	-	-
W/WW SRF Loan	445	778,976	778,976	-	778,976
Sanitation	402	2,350,825	2,350,825	-	2,350,825
Stormwater	403	719,709	462,375	257,334	719,709
Tavares Seaplane Base	405	518,426	418,426	100,000	518,426
Police Education	102	3,146	2,500	646	3,146
Police Automation	103	27,875	100	27,775	27,875
Community Redevelopment	105	284,266	188,991	95,275	284,266
Special Events	106	36,491	17,500	18,991	36,491
Police Impacts	110	12,000	4,150	7,850	12,000
Fire Impacts	111	116,583	25,500	91,083	116,583
Forfeiture Fund	112	-	-	-	-
Park Impacts	114	28,700	6,100	22,600	28,700
Infrastructure Sales Tax	150	1,729,077	1,074,163	654,914	1,729,077
Grant Fund	151	82,319	82,319	-	82,319
Debt Service Fund	201	273,473	273,473	-	273,473
Capital Project Fund	301	-	-	-	-
Dental Insurance Fund	501	68,484	68,484	-	68,484
Municipal Police Pension	601	145,743	699,058	(553,315)	145,743
Firefighter's Pension	602	206,967	1,424,284	(1,217,317)	206,967
Mildred Hunter Trust	605	260	260	-	260
Woodlea Park Playground Trst	606	1,000	353	647	1,000
		<u>\$ 26,714,630</u>	<u>\$ 26,089,296</u>	<u>\$ 625,334</u>	<u>\$ 26,714,630</u>

This resolution will take effect immediately upon its adoption.

PASSED AND RESOLVED this 22nd day of September, 2010, by the City Council of the City of Tavares, Florida. Time Adopted: _____ P.M.

Robert Wolfe, Mayor
Tavares City Council

ATTEST:

Nancy A. Barnett
City Clerk

Approved as to form:
Robert Q. Williams
City Attorney

EXHIBIT A

CITY OF TAVARES
PROPOSED BUDGET
FISCAL YEAR 2010-2011E = Existing
P = ProposedSUMMARY OF BUDGET OPTIONS
ITEMS LISTED WERE DELETED FROM THE PROPOSED BUDGET FOR BALANCING PURPOSES

SERVICE DESCRIPTION	DEPT	PERSONAL SERVICES	OPERATING EXPENSES	CAPITAL EQUIPMENT/ SOFTWARE	CAPITAL PROJECTS	DEBT SERVICE, TRANSFER & OTHERS	TOTALS
CITY COUNCIL							
P Sister City Program	40-10 1101		(5,000)				(5,000)
<i>Total City Council</i>			(5,000)				(5,000)
CITY ADMINISTRATOR							
E Regular Salaries & Wages - Executive Assistant	12-10 1201	(41,340)					(41,340)
E FICA and Medicare Taxes - Executive Assistant	21-10 1201	(3,163)					(3,163)
E Florida State Retirement - Executive Assistant	22-20 1201	(4,452)					(4,452)
E Health Insurance - Executive Assistant	23-10 1201	(5,842)					(5,842)
E Dental Insurance - Executive Assistant	23-15 1201	(486)					(486)
E Life Insurance - Executive Assistant	23-20 1201	(248)					(248)
E Dependent Health - Executive Assistant	23-30 1201	(4,777)					(4,777)
E Dependent Dental - Executive Assistant	23-35 1201	(360)					(360)
E Long Term Disability - Executive Assistant	23-40 1201	(227)					(227)
E Workers' Compensation - Executive Assistant	24-10 1201	(66)					(66)
E Travel and Per Diem - Executive Assistant	40-10 1201	(1,075)					(1,075)
E Christmas Bonus	52-10 1201	(510)					(510)
E Books, Pubs, Subs & Mem	54-10 1201	(720)					(720)
<i>Total City Administrator</i>		(63,266)	0	0	0	0	(63,266)
FINANCE/INFORMATION TECHNOLOGY							
E Contractual Svs - Software for Cost of Goods Sold	34-10 1302		(7,000)				(7,000)
E Contractual Svs - Cost Allocation Plan	34-10 1302		(3,000)				(3,000)
E Operating Supplies - City Shirts	52-10 1302		(400)				(400)
E Regular Salaries & Wages - Computer Services	12-10 1302	(58,650)					(58,650)
E FICA and Medicare Taxes - Computer Services	21-10 1302	(4,487)					(4,487)
E Florida State Retirement - Computer Services	22-20 1302	(6,317)					(6,317)
E Health Insurance - Computer Services	23-10 1302	(5,842)					(5,842)
E Dental Insurance - Computer Services	23-15 1302	(486)					(486)
E Life Insurance - Computer Services	23-20 1302	(360)					(360)
E Dependent Health - Computer Services	23-30 1302	(4,777)					(4,777)
E Dependent Dental - Computer Services	23-35 1302	(360)					(360)
E Long Term Disability - Computer Services	23-40 1302	(331)					(331)
E Workers' Compensation - Computer Services	24-10 1302	(94)					(94)
E Voice over internet Protocol Phone System	64-15 1302			(55,000)			(55,000)
<i>Total Finance/IT Costs</i>		(81,704)	(10,400)	(55,000)	0	0	(147,104)
COMMUNITY DEVELOPMENT							
E Regular Salaries & Wages - Admin Assist	12-10 1501	(33,917)					(33,917)
E FICA and Medicare Taxes - Admin Assist	21-10 1501	(2,595)					(2,595)
E Florida State Retirement - Admin Assist	22-20 1501	(3,653)					(3,653)
E Health Insurance - Admin Assist	23-10 1501	(5,842)					(5,842)
E Dental Insurance - Admin Assist	23-15 1501	(486)					(486)
E Life Insurance - Admin Assist	23-20 1501	(209)					(209)
E Dependent Health - Admin Assist	23-30 1501	(4,777)					(4,777)
E Dependent Dental - Admin Assist	23-35 1501	(360)					(360)
E Long Term Disability - Admin Assist	23-40 1501	(191)					(191)
E Workers' Compensation - Admin Assist	24-10 1501	(55)					(55)
E Engineering	34-10 1501		(500)				(500)
E Future Projects	34-10 1501				(200,000)		(200,000)
<i>Total Community Development</i>		(52,085)	(500)	0	(200,000)	0	(252,585)
CITY CLERK							
P Equip - Dehumidifier for Records Room	64-15 1601			(5,000)			(5,000)
P Microfilming for Records Room	64-23 1601			(10,000)			(10,000)
P Digital Imaging	64-23 1601			(60,000)			(60,000)
<i>Total City Clerk</i>		0	0	(75,000)	0	0	(75,000)
HUMAN RESOURCES							
P Click2Gov Applicant Tracking	34-10 1701		(4,056)				(4,056)
P City Appreciation	48-10 1701		(5,550)				(5,550)
P Advertising	49-10 1701		(2,500)				(2,500)
<i>Total Human Resources</i>		0	(12,106)	0	0	0	(12,106)
FLEET MAINTENANCE							
E Vehicle Repair/Maint	46-30 1901		(5,000)				(5,000)
E Uniforms - Polo Shirts	52-25 1901		(120)				(120)
P New Equip - Balancer & Tire Life	64-15 1901			(7,325)			(7,325)
P New Equip - Kit for Tire Changer	64-15 1901			(435)			(435)
<i>Total Fleet Maintenance</i>		0	(5,120)	(7,760)	0	0	(12,880)

CITY OF TAVARES
PROPOSED BUDGET
FISCAL YEAR 2010-2011

SUMMARY OF BUDGET OPTIONS
ITEMS LISTED WERE DELETED FROM THE PROPOSED BUDGET FOR BALANCING PURPOSES

SERVICE DESCRIPTION	DEPT	PERSONAL SERVICES	OPERATING EXPENSES	CAPITAL EQUIPMENT/ SOFTWARE	CAPITAL PROJECTS	DEBT SERVICE, TRANSFER & OTHERS	TOTALS
POLICE SERVICES							
Uniform Division							
E Regular Salaries & Wages - Police Officer	12-10 2101	(33,600)					(33,600)
E FICA and Medicare Taxes - Police Officer	21-10 2101	(2,570)					(2,570)
E Police Pension - Police Officer	22-20 2101	(6,747)					(6,747)
E Health Insurance - Police Officer	23-10 2101	(5,842)					(5,842)
E Dental Insurance - Police Officer	23-15 2101	(486)					(486)
E Life Insurance - Police Officer	23-20 2101	(209)					(209)
E Dependent Health - Police Officer	23-30 2101	(4,777)					(4,777)
E Dependent Dental - Police Officer	23-35 2101	(360)					(360)
E Long Term Disability - Police Officer	23-40 2101	(191)					(191)
E Workers' Compensation - Police Officer	24-10 2101	(860)					(860)
P Code Enforcement Data Sharing	34-10 2101		(13,312)				(13,312)
F Equipment Repairs	46-15 2101		(13,522)				(13,522)
E Fire Arm Supplies	52-35 2101		(7,000)				(7,000)
E Firearm Replacement	64-13 2101			(3,000)			(3,000)
p Video Cam	64-13 2101			(5,000)			(5,000)
p Vehicle (cut prior year)	64-11 2101			(25,000)			(25,000)
p Vehicle (cut prior year)	64-11 2101			(25,000)			(25,000)
Total Police Uniform Division		(55,642)	(33,834)	(58,000)	0	0	(147,476)
Communication/Dispatch Division							
P Spillman Software (MOVED to Automation)	64-23 2102			(12,563)			(12,563)
Total Police Dispatch/Communication Division		0	0	(12,563)	0	0	(12,563)
Code Enforcement							
Total Code Enforcement Division		0	0	0	0	0	0
Total Police Department		(55,642)	(33,834)	(70,563)	0	0	(160,039)
FIRE SERVICES							
E Operating Supplies	52-10 2201		(10,000)				(10,000)
E Durable Goods - Hoses	52-11 2201		(2,000)				(2,000)
E Uniforms - Bunker Gear	52-25 2201		(4,000)				(4,000)
E Training	52-50 2201		(2,000)				(2,000)
P Fire Truck	64-11 2201			(300,000)			(300,000)
Total Fire Department		0	(18,000)	(300,000)	0	0	(318,000)
GENERAL SERVICES							
P Regular Salaries & Wages - Tradesworker I	12-10 4101	(34,421)					(34,421)
P FICA and Medicare Taxes - Tradesworker I	21-10 4101	(2,633)					(2,633)
P Florida State Retirement	22-20 4101	(3,707)					(3,707)
P Health Insurance - Tradesworker I	23-10 4101	(5,842)					(5,842)
P Dental Insurance - Tradesworker I	23-15 4101	(486)					(486)
P Life Insurance - Tradesworker I	23-20 4101	(215)					(215)
P Dependent Health - Tradeworker I	23-30 4101	(4,777)					(4,777)
P Dependent Dental - Tradesworker I	23-35 4101	(360)					(360)
P Long Term Disability - Tradesworker I	23-40 4101	(198)					(198)
P Workers' Compensation - Tradesworker I	24-10 4101	(2,120)					(2,120)
E Contractual Svcs - Moved to Fund 405	34-10 4101		(600)				(600)
E Telephone decrease	41-10 4101		(5,773)				(5,773)
E Wooton Park Maintenance	46-10 4101		(10,500)				(10,500)
E Repairs & Maint Ship Store - MOVE to 405	15-10 4101		(200)				(200)
E Repairs & Maint Gazebos - MOVE to 405	15-20 4101		(120)				(120)
E Sidewalks	63-20 4101				(30,000)		(30,000)
P Alleyway Improvements	64-25 4101				(250,000)		(250,000)
P Street Resurfacing	64-25 4101				(500,000)		(500,000)
Total General Services		(54,759)	(17,193)	0	(780,000)	0	(851,952)
ECONOMIC DEVELOPMENT							
Total Economic Development		0	0	0	0	0	0
LIBRARY SERVICES							
E Regular Salaries & Wages - Youth Svcs Spec	12-10 7101	(30,719)					(30,719)
E FICA and Medicare Taxes - Youth Svcs Spec	21-10 7101	(2,350)					(2,350)
E Florida State Retirement - Youth Svcs Spec	22-20 7101	(3,308)					(3,308)
E Health Insurance - Youth Svcs Spec	23-10 7101	(5,842)					(5,842)
E Dental Insurance - Youth Svcs Spec	23-15 7101	(486)					(486)
E Life Insurance - Youth Svcs Spec	23-20 7101	(185)					(185)
E Dependent Health - Youth Svcs Spec	23-30 7101	(4,777)					(4,777)
E Dependent Dental - Youth Svcs Spec	23-35 7101	(360)					(360)
E Long Term Disability - Youth Svcs Spec	23-40 7101	(168)					(168)
E Workers' Compensation - Youth Svcs Spec	24-10 7101	(62)					(62)
E Carpet for the Lirary	64-25 7101				(20,000)		(20,000)
Total Library Services		(48,257)	0	0	(20,000)	0	(68,257)

EXHIBIT A
CITY OF TAVARES
PROPOSED BUDGET
FISCAL YEAR 2010-2011

E = Existing
P = Proposed

SUMMARY OF BUDGET OPTIONS
ITEMS LISTED WERE DELETED FROM THE PROPOSED BUDGET FOR BALANCING PURPOSES

SERVICE DESCRIPTION	DEPT	PERSONAL SERVICES	OPERATING EXPENSES	CAPITAL EQUIPMENT/ SOFTWARE	CAPITAL PROJECTS	DEBT SERVICE, TRANSFER & OTHERS	TOTALS
PARKS AND RECREATION							
<u>Parks</u>							
P Contractual Svcs - Hydrological Assessment	34-10 7201		(5,000)				(5,000)
E Telephone decrease	41-10 7201		(739)				(739)
E Electric, Water, Gas - Remove Splash Pk Elec	43-10 7201		(7,440)				(7,440)
E Electric, Water, Gas - Remove Splash Pk Water	43-10 7201		(10,482)				(10,482)
E Electric, Water, Gas - Adjust Electric	43-10 7201		(29,018)				(29,018)
E Miscellaneous Repairs & Maintenance	46-14 7201		(2,000)				(2,000)
P 30 Tables	52-11 7201		(3,900)				(3,900)
P 200 Folding Chairs	52-11 7201		(4,000)				(4,000)
P 30 60' Round Tables	52-11 7201		(3,800)				(3,800)
P 2 F-250 4x2 Trucks	64-11 7201			(43,000)			(43,000)
P Resurface Ingraham Basketball Court	64-25 7201				(4,000)		(4,000)
P Flag Pole & Lights at Cemetery	64-25 7201				(3,000)		(3,000)
P Bleachers for Woodlea Football Field	64-25 7201				(30,000)		(30,000)
Total Parks Services Division		0	(66,379)	(43,000)	(37,000)	0	(146,379)
<u>Recreation</u>							
P Outdoor Movie Screen System - Support/Maint	44-10 7202		(3,200)				(3,200)
P Durable Goods - Storage Shed	52-11 7202		(800)				(800)
P Tell-All Phone Service for Babe Ruth	52-11 7202		(800)				(800)
E Program Costs - Spring Ball	55-20 7202		(7,000)				(7,000)
P Outdoor Movie Screen System	64-15 7202			(16,000)			(16,000)
P RecPro Software	64-15 7202			(15,000)			(15,000)
P Inflatable Acoustic Band Shell	64-15 7202			(12,000)			(12,000)
Total Recreation Division		0	(11,800)	(43,000)	0	0	(54,800)
Total Parks & Recreation Department		0	(78,179)	(86,000)	(37,000)	0	(201,179)
TOTAL GENERAL FUND		(355,713)	(180,332)	(594,323)	(1,037,000)	0	(2,167,368)
<i>(2,167,368)</i>							
WATER/WASTEWATER							
<u>Water Treatment</u>							
Uniforms - City Shirts & Boots	52-25 3301		(310)				(310)
Total Water Treatment Division		0	(310)	0	0	0	(310)
<u>Water Transmission Division</u>							
Uniforms - City Shirts	52-25 3302		(280)				(280)
Total Water Transmission Division		0	(280)	0	0	0	(280)
Total Water Department		0	(590)	0	0	0	(590)
WASTEWATER							
<u>Wastewater Treatment Division</u>							
Total Wastewater Treatment Division		0	0	0	0	0	0
<u>Wastewater Lab Division</u>							
Uniforms - City Shirts	52-75 3503		(400)				(400)
Total Wastewater Lab Division		0	(400)	0	0	0	(400)
<u>Wastewater Collection</u>							
Operating Supplies - Bottled Water	52-10 3504		(650)				(650)
Uniforms - City Shirts	52-75 3504		(280)				(280)
Total Wastewater Collection Division		0	(930)	0	0	0	(930)
Total Wastewater Department		0	(1,330)	0	0	0	(1,330)
SANITATION							
Landfill Costs	43-20 3401		(10,000)				(10,000)
Vehicle Repairs & Maintenance	46-30 3401		(6,400)				(6,400)
Reimbursement to General Fund	59-20 3401					(30,000)	(30,000)
Vehicle to Replace Vehicle #616	64-11 3401			(258,500)			(258,500)
Total Sanitation Department		0	(16,400)	(258,500)	0	(30,000)	(304,900)
STORMWATER							
Durable Goods - Hand Tools	52-11 3801		(500)				(500)
Uniforms - City Shirts	52-25 3801		(280)				(280)
Equipment Replacement	64-10 3801			(120,000)			(120,000)
Sinclair Ave. Drainage Improvements	64-25 3801				(403,125)		(403,125)
Total Stormwater Department		0	(780)	(120,000)	(403,125)	0	(523,905)
TOTAL ENTERPRISE FUND OPERATIONS		0	(19,100)	(378,500)	(403,125)	(30,000)	(830,725)
TOTAL ALL CITY WIDE DELETIONS		(355,713)	(199,432)	(972,823)	(1,440,125)	(30,000)	(2,998,093)

CITY OF TAVARES
PROPOSED BUDGET
FISCAL YEAR 2010-2011SUMMARY OF BUDGET OPTIONS
ITEMS LISTED WERE DELETED FROM THE PROPOSED BUDGET FOR BALANCING PURPOSES

SERVICE DESCRIPTION	DEPT	PERSONAL SERVICES	OPERATING EXPENSES	CAPITAL EQUIPMENT/ SOFTWARE	CAPITAL PROJECTS	DEBT SERVICE, TRANSFER & OTHERS	TOTALS
GENERAL GOVERNMENT							
Mayor and City Council		0	(5,000)	0	0	0	(5,000)
City Administrator		(63,266)	0	0	0	0	(63,266)
Finance & technology		(81,704)	(10,400)	(55,000)	0	0	(147,104)
Legal Services		0	0	0	0	0	0
City Clerk		0	0	(75,000)	0	0	(75,000)
Human Resources		0	(12,106)	0	0	0	(12,106)
Fleet maintenance		0	(5,120)	(7,760)	0	0	(12,880)
Economic development		0	0	0	0	0	0
<i>Total General Government</i>		(144,970)	(32,626)	(137,760)	0	0	(315,356)
PUBLIC SAFETY							
Police services		(55,642)	(33,834)	(70,563)	0	0	(160,039)
Fire services		0	(18,000)	(300,000)	0	0	(318,000)
<i>Total Public Safety</i>		(55,642)	(51,834)	(370,563)	0	0	(478,039)
PHYSICAL ENVIRONMENT							
Community development		(52,085)	(500)	0	(200,000)	0	(252,585)
General services		(54,759)	(17,193)	0	(780,000)	0	(851,952)
<i>Total Physical Environment</i>		(106,844)	(17,693)	0	(980,000)	0	(1,104,537)
CULTURE & RECREATION							
Library		(48,257)	0	0	(20,000)	0	(68,257)
Parks & recreation		0	(78,179)	(86,000)	(37,000)	0	(201,179)
<i>Total Culture & Recreation</i>		(48,257)	(78,179)	(86,000)	(57,000)	0	(269,436)
ENTERPRISE OPERATIONS							
Water		0	(590)	0	0	0	(590)
Wastewater		0	(1,330)	0	0	0	(1,330)
Sanitation		0	(16,400)	(258,500)	0	(30,000)	(304,900)
Stormwater		0	(780)	(120,000)	(403,125)	0	(523,905)
<i>Total Enterprise Operations</i>		0	(19,100)	(378,500)	(403,125)	(30,000)	(830,725)
TOTAL ALL FUNCTIONS AND SERVICES		(355,713)	(199,432)	(972,823)	(1,440,125)	(30,000)	(2,998,093)
							0
							(2,998,093)

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AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 22, 2010

AGENDA TAB NO. 10

SUBJECT TITLE: License Agreement with Florida Central Railway for Fiber Optic Crossing at Wooton Park

OBJECTIVE:

To consider approval of a license agreement with Florida Central Railway for Fiber Optic Crossing at Wooton Park with no annual fee to the City.

SUMMARY:

The agreement with Florida Central Railway allows the City to cross the railroad tracks in order to connect the Wooton Park facilities (including video cameras, Prop Shop, etc.) to the City computer network connection.

At its meeting Sept. 8, 2010 the City Council rejected a similar license agreement that contained an annual fee payment of \$800 by the City to the Railroad. Staff has contacted the Railroad which has agreed to remove the annual fee as reflected in the revised attached license agreement.

OPTIONS:

- 1) Approve the revised license agreement that requires no annual fee.
- 2) Do not approve the revised license agreement

STAFF RECOMMENDATION:

Move to approve the revised license agreement with Florida Central Railroad for fiber optic cable access with no annual license agreement fee.

FISCAL IMPACT:

No direct fiscal impact.

LEGAL SUFFICIENCY:

This has been reviewed by the City Attorney.

LICENSE AGREEMENT

THIS LICENSE AGREEMENT is made and entered into as of this ___ day of _____, 2010 by and between **FLORIDA CENTRAL RAILROAD COMPANY, INC.**, a Florida corporation with an address of 3001 Orange Avenue, Plymouth, FL 32768 (“FCRR”) and **THE CITY OF TAVARES, FLORIDA**, a political subdivision of the State of Florida with an address of P.O. Box 1068, Tavares, Florida 32778 (the “Licensee”).

Preliminary Statement

- A. Licensee, for the economical and convenient conduct of Licensee’s business, desires to obtain from FCRR a license to use a portion of FCRR’s right of way leased to FCRR pursuant to a lease agreement between FCRR and CSX Transportation, Inc. (the “CSX Lease”), without establishing, claiming, or possessing any estate or interest therein (the “License”), for the benefit of Licensee.
- B. FCRR has the right, power and authority to enter into this License Agreement, pursuant to the CSX Lease.
- C. Licensee desires to construct and maintain an underground fiber optic cable (the “Cable”) within the License Area, defined below.

NOW THEREFORE, in consideration of the mutual promises contained herein the parties agree as follows:

1. GRANT OF LICENSE
FCRR hereby grants unto Licensee, its successors and assigns a License, with authority to enter upon, construct and maintain, pursuant to this License, the Cable under the FCRR’s tracks and right of way in Tavares, Florida, one hundred fifty (150’) feet East of Railroad Mile Post 24 (the “License Area”), described in Exhibit A, which is attached hereto and incorporated herein, and depicted in a set of plans entitled “City of Tavares Wooton Park Multi-Modal Project Directional Bore Fiber Optic Line” dated June 2, 2010 and prepared by Booth Ern Straughan Hiott, Inc., incorporated herein by reference (the “Plans”).
2. SUBJECT TO MASTER LEASE AGREEMENT
This License shall be subject to the terms and conditions of the CSX Lease, a memorandum of which is recorded in the public records.
3. STATUS OF SUBCONTRACTORS
For purposes of this agreement, all references to Licensee shall include Licensee, its contractors, subcontractors, agents, officers, employees and others acting under its or their authority.

4. USE
Licensee shall use the License Area for the construction, maintenance and operation of the Cable that is the subject of this Agreement only for the conveyance of light. Any other purpose or use is prohibited. Notwithstanding any contrary provisions herein, Licensee agrees that this License shall not be used in any way that will inhibit the use of the License Area by FCRR, its successors or assigns. The Cable shall be constructed, maintained and operated by Licensee in accordance with Exhibit A and the Plans.
5. CONDUCT OF WORK
All work connected with the construction, maintenance, repair, renewal, modification, relocation, reconstruction or removal of the said Cable shall be undertaken within the License Area. However, no such work shall be performed without prior written notice to, and approval of, FCRR's General Manager. Any and all work shall be performed in a manner satisfactory to the FCRR. All work shall be performed at times and in a manner which shall not disturb the reasonable operation of the business of FCRR. At the sole discretion of FCRR's General Manager a flagman may be required during construction and periods of maintenance. Licensee, in accordance with Paragraph 13 below, shall be responsible for all costs and expenses of any flagging service.
6. TERM
The term of the License this Agreement shall run for a period of one (1) year from the above date. Thereafter, this Agreement shall automatically renew for successive one-year periods unless or until it is terminated as provided below. In no event shall the Term of the License or this Agreement extend beyond the term of the CSX Lease.
7. TERMINATION
Notwithstanding any contrary provisions contained herein, this Agreement may be terminated at any time by either FCRR or Licensee by giving to the other party thirty (30) days advance written notice of its intention to so terminate. In the event of termination, Licensee shall remove the Cable and restore the License Area as nearly as possible to as good order and condition as when original entry was made thereon by said Licensee, at its sole expense, cost and liability.
8. GOVERNMENT REQUIREMENTS
Installation of the Cable pursuant to this License Agreement shall be performed in accordance with all appropriate governmental and administrative requirements for the use(s) for which such Cable is to be maintained.
9. FCRR REGULATIONS
Licensee agrees that it shall observe and obey all regulations of FCRR respecting the use of the License and the License Area.

10. NON-PERMANENT LOCATION

Licensee recognizes that it may be in the best interest of FCRR to move the Cable to other areas within FCRR's property, and therefore, Licensee agrees, at Licensee's cost and expense, to move or relocate the said Cable at the reasonable request of FCRR. Licensee hereby agrees to effectuate and perform such move expeditiously and within reasonable constraints of time.

11. RISK, LIABILITY, INDEMNITY

11.1 To the extent authorized by Florida law and without waiving its right to sovereign immunity limitations, Licensee shall defend, indemnify and save FCRR and its officers, shareholders, directors, affiliates, employees and agents harmless, from and against, any and all liability, loss, claim, suit, damage, charge, or expense (including reasonable attorney's fees and experts) which any such party may suffer, sustain, incur or in any way be subjected to, on account of death of, or injury to, any person and damage to or loss of or destruction of any property, arising out of, or resulting from, or in any way connected with, the construction, presence, existence, repair, maintenance, replacement, operation, use, or removal of Licensee's Cable, the use of the License Area pursuant hereto or any structure in connection therewith, or restoration of the License Area to good order or condition.

11.2 Use of FCRR's right of way involves certain risks of loss or damage as a result of FCRR's operations. Licensee expressly assumes all risk of loss and damage to persons or Licensee's property or Cable, in, on, over or under the License Area, including loss of or any interference with use thereof, regardless of cause, including derailment, arising out of FCRR's operations. For purposes of this section, Licensee's property shall include the contents of the Cable as well as property of third parties situated or placed upon FCRR's right of way by Licensee or by such third parties at the request of or for the benefit of Licensee.

11.3 Without limiting the generality of other provisions herein, Licensee also expressly assumes all risk of loss which may result from Licensee's failure to maintain either the Cable or the required depth and support for the Cable.

11.4 Without limiting the generality of other provisions contained herein, Licensee assumes all responsibility for, and agrees to defend, indemnify and hold FCRR and its officers, shareholders, directors, affiliates, and agents harmless from (a) all claims, costs and expenses, including reasonable attorneys' fees as a consequence of any pollution of air, water, land and/or ground water on or off the License Area, arising from, or in connection with, the use of this License Area or resulting from the leaking, bursting, spilling, or escape of the material transmitted in or through Licensee's Cable; (b) any claim or liability arising under federal or state law dealing with pollution of air, water, land, and/or ground water arising therefrom or the remedy thereof; and (c) any subsidence or failure of lateral or subjacent support of FCRR's tracks.

11.5 Obligations of Licensee hereunder to defend, indemnify and hold FCRR and its affiliates harmless shall also extend to FCRR's affiliates' respective shareholders, officers, directors, agents and employees.

12. NOTICES

All notices on the part of Licensee to FCRR shall be given in writing to the General Manager, **FLORIDA CENTRAL RAILROAD COMPANY, INC.**, P.O. Box 967, Plymouth, Florida 32768.

All notices on the part of FCRR to Licensee shall be given in writing to the Attn: John H. Drury, City Administrator, **THE CITY OF TAVARES, FLORIDA**, P.O. Box 1068, Tavares, Florida 32778.

All notices shall be delivered in person, or via overnight courier, facsimile or email.

13. FCRR COSTS AND EXPENSES

Licensee agrees to pay to FCRR all reasonable costs and expenses incurred by FCRR due to FCRR's granting of this License or due to the use, maintenance or existence of said License by Licensee. Such costs and expenses shall include, but are not limited to, FCRR's cost of providing a flagman pursuant to Paragraph 5 above. Licensee's cost for such flagman shall be \$250 per day for each day a flagman is required to be present at the work site.

14. COSTS AND ATTORNEYS FEES

In the event FCRR retains the services of attorneys, other professionals or persons in order to collect fees or other obligations from Licensee hereunder, FCRR shall be entitled to collect from Licensee all such attorney's fees, professional fees and costs so incurred, including but not limited to, said attorney's fees and costs for litigation and appeals thereof.

15. NO WARRANTIES

This License is herein granted without any warranty, express or implied, and Licensee hereby agrees that no damages shall be recoverable from FCRR because of any dispossession of Licensee or because of any failure of, defect in, cancellation of, or termination of, FCRR's property interest in the License Area.

16. ASSIGNMENT

No assignment of rights or privileges hereunder by Licensee shall be valid unless the written consent of FCRR is first obtained.

17. FUTURE PARTIES

This License shall inure to the benefit of, and be binding upon, the Parties hereto and their respective, heirs, legal representatives, successors and assigns.

18. REMEDIES

The remedies under this Agreement are cumulative and shall not exclude any other remedies to which any party may be lawfully entitled. The failure or delay of any party to insist upon the strict or timely performance of a covenant hereunder or any obligation hereunder, shall not be a waiver of such party's right to demand strict compliance therewith in the future.

19. CAPTIONS

All titles or captions are inserted for convenience only and they in no way shall be construed to define, limit or describe the scope of this Agreement or any provision thereof.

20. SEVERABILITY

If any clause or provision of this Agreement shall be deemed to be invalid or unenforceable under present or future laws, then, in that event it is the intention of the Parties that the remainder of this Agreement shall not be affected thereby.

21. CHOICE OF LAW

This instrument is being delivered and is intended to be performed in the state of Florida and shall be construed and enforced in accordance with the laws of that state. Any aggrieved party may proceed to enforce its rights in the appropriate action at law or in equity. Venue for all suits arising out of this instrument shall lie exclusively in the Courts of Lake County, Florida. By execution or adoption of this agreement, each party hereby submits itself to the *in personam* jurisdiction of the Courts of Lake County, Florida.

22. INSURANCE

Licensee shall maintain insurance in the following amounts:

- (a) General liability insurance in the amount of Two Million dollars (\$2,000,000);
- (b) Contractual liability in the amount of Two Million dollars (\$2,000,000);
- (c) Worker's compensation, statutory limits or greater;
- (d) Automobile liability, One Million dollars (\$1,000,000); and
- (e) Railroad Protective Liability with bodily injury protection of Two Million dollars (\$2,000,000) and property damage of Two Million dollars (\$2,000,000).

All such insurance shall name FCRR as an additional insured. The original of the railroad protective liability policy shall be provided to FCRR and certificates of insurance evidencing Licensee's compliance with subparagraphs (a), (b), (c), (d) and (e) above shall be forwarded to FCRR prior to any work commencing on or within the License Area. Notwithstanding anything to the contrary, the insurance required under subparagraph (e) shall only be required during installation of the Cable and whenever the Cable will be reconstructed, updated, maintained or otherwise improved.

23. MODIFICATION

All modifications or waivers to this License Agreement must be in writing and executed by both parties.

24. MERGER

This Agreement represents the final, complete and exclusive understanding of the Parties of the subject matter hereto.

25. LICENSEE'S AUTHORITY TO EXECUTE THIS AGREEMENT

Licensee represents and warrants that it has taken all necessary actions required in order to enter into this License Agreement and cause it to be fully enforceable against Licensee, and that its agent below is authorized to execute this License Agreement.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 22, 2010**

AGENDA TAB NO. 11

SUBJECT TITLE: Request for Release of Lien and Fines – Dorsey Property

OBJECTIVE:

To consider a request for a release of lien in the amount of \$75,295.00 and forgiveness of code enforcement fines in the amount of \$71,780.00 on property owned by Sam Dorsey at 618-620 Main Street. The property incurred fines due to structural deficiencies due to prolonged water intrusion and faulty wiring.

SUMMARY:

The property owned by Sam Dorsey at 618-620 Main Street incurred code enforcement fines from 2007 to 2010. The case was heard before the Special Magistrate on October 23, 2007 and Order of Enforcement recorded on November 1, 2007.

The property remained in noncompliance and therefore a lien was placed on the property in the amount of \$75,295.00 on February 30, 2009 with the fines continuing to accrue. When the building was demolished on February 12, 2010, the fines stopped accruing and remain currently at \$71,780.00.

The attorney representing Mr. Dorsey has sent a letter of petition to the City Attorney (see attached). The City Attorney will present the issue.

By state statute and city code, the lien may be released only by City Council. The Order of Enforcement regarding the fines may also be reduced by Council if done congruent with the release of the lien. Per City Code, no fine shall be reduced below the sum of \$125.00 plus the actual cost to the city of prosecuting the violation and perfecting its lien against the property which is \$223.52. The total costs therefore would be \$348.52

OPTIONS:

- 1) Approve a release of lien in the amount of \$75,295.00 and the code enforcement fines in the amount of \$71,780 less \$348.52 which is the cost to the city of prosecuting the violation with the stipulation that the fine is to be paid within 30 days after approval by Council.**
- 2) Do not approve the lien or the reduction in fines.**

STAFF RECOMMENDATION:

Move to approve a release of lien in the amount of \$75,295.00 and the code enforcement fines in the amount of \$71,780 less \$348.52 which is the cost to the city of prosecuting the violation.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This has met legal sufficiency.

LAW OFFICES
WILLIAMS, SMITH & SUMMERS, P.A.
380 WEST ALFRED STREET
TAVARES, FLORIDA 32778-3298

CHRISTOPHER J. SMITH
GARY L. SUMMERS
ROBERT Q. WILLIAMS
W. GRANT WATSON
LINDSAY C. TAYLOR HOLT
KAELY SMITH FRYE

TELEPHONE:
(352) 343-6655
FAX (352) 343-4267

September 2, 2010

John Drury, City Administrator
City of Tavares
Post Office Box 1068
Tavares, Florida 32778

Re: Sam Dorsey – Code Enforcement Lien

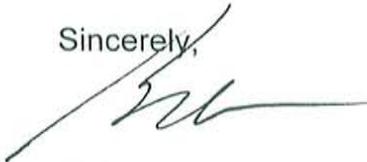
Dear John:

Enclosed is a copy of a letter that I received from local attorney, Patricia R. Mueller, who is representing Sam Dorsey of Tavares, seeking forgiveness or reduction of a code enforcement lien, filed against his property. Since this code enforcement action has been reduced to a lien, the jurisdiction to forgive or reduce this lien rests with the City Council according to law.

Would you please schedule this for an upcoming City Council meeting and give notice Mrs. Mueller so that she can attend and be heard? By copy of this letter to Chris McCormick, I am requesting that he put together the City's costs and expenses involved to date in this matter so that you may include that in the agenda package.

Thanks for your assistance.

Sincerely,



Robert Q. Williams
RQW/clc
Enclosure

cc: Nancy Barnett
Chris McCormick
Patricia R. Mueller, Esquire

Patricia R. Mueller, P.A.

Attorney at Law

3900 Lake Center Drive, Suite A-5
Mount Dora, Florida 32757
Telephone (352) 735-3111
Facsimile (352) 735-3011

August 31, 2010

Robert Q. Williams, Esq.
Williams, Smith & Summers, P.A.
380 West Alfred Street
Tavares, FL 32778

Re: City of Tavares vs. Sam Dorsey / Code Enforcement Lien
Property Address: 618-620 Main Street, Tavares, Florida
Legal Description: Tavares South 60 feet of East 91.71 feet, Block 52, Plat Book 1,
Page 64, Lake County, FL - ORB 2103/1091

Dear Bob:

Please be advised that I represent the property owner, Sam Dorsey, and his daughter, Patricia Dorsey.

An order of enforcement and imposition of fine was filed with regard to this property on November 1, 2007 in OR Book 3533, Page 2223, and a Code Enforcement Lien was filed on February 3, 2009 in OR Book 3726, Page 2053, all in the Public Records of Lake County, Florida (copies attached). The property was brought into compliance by demolition of the building and the property cleaned up on February 10, 2010, and a final inspection done on February 11, 2010 (see attached building permit).

The purpose of my letter is to request, on behalf of Sam Dorsey and Patricia Dorsey, a reduction of the fines imposed and satisfaction or removal of the lien from the property.

Sam Dorsey is an elderly 86 year old man, in frail health and suffering from dementia for several years. He currently resides with his daughter, Patricia Dorsey, in Miami. Patricia Dorsey has recurring health issues and is not able to travel to Tavares on her father's behalf. She recently lost her job. Sam Dorsey was moved to Miami about a year ago and Patricia Dorsey has been attempting to help him with his affairs since the move. Patricia Dorsey believes that her father did not understand the nature and impact of the order of code enforcement and lien. Patricia Dorsey has recently communicated with City Administrator John Drury regarding this matter. Neither Sam Dorsey nor his daughter, Patricia Dorsey, have the financial means to pay the fines imposed by the order of enforcement. Per property tax records, the parcel has a current estimated value of \$17,606.00.

SEP 1 2010 10

August 31, 2010

Page 2

Due to my clients' financial hardship and health issues, I hereby request that the fines either be substantially reduced or eliminated, and the code enforcement lien removed or canceled. You have advised me that there are some costs outstanding for which the City must be reimbursed. Please advise what procedures are required to process this request.

Please do not hesitate to contact me if you have any questions.

Very truly yours,



Patricia R. Mueller

pc: Patricia Dorsey
3825 NW 171st Terrace
Miami, FL 33055

Prepared by:
Sam A. Mackie, Special Magistrate
Return to:
S. Novack-Wilson
Office of the City Clerk
City of Tavares
201 E. Main Street
Tavares, Florida 32778

**CODE ENFORCEMENT/SPECIAL MAGISTRATE IN AND FOR THE
CITY OF TAVARES
LAKE COUNTY, FLORIDA**

CITY OF TAVARES

DATE: 23 October 2007

CASE NO: CET0707-3096

V.

**VIOLATION ADDRESS: 618-620 W. Main Street,
Tavares, Florida 32778**

LEGAL DESCRIPTION:

**TAVARES'S 60 FT OF E 91.71 FT, BLK
52 PB 1 PG 64 ORB 2103 PG 1091**

**SAM DORSEY C/O MARTHA LUCAS
1165 ELM COURT
TAVARES, FLORIDA 32778.**

FINDINGS OF FACT, CONCLUSIONS OF LAW, ORDER OF ENFORCEMENT

This case having come before the Code Enforcement/Special Magistrate of the City of Tavares on 23 October 2007, on a violation hearing, and after due notice having been given to the Respondent and the Special Magistrate having heard testimony under oath of the respective parties present and received evidence as presented, and having been advised by counsel (if any) on the issues in this cause, thereupon issues these findings of fact and conclusions of law, and the following ORDER OF ENFORCEMENT is hereby entered as follows:

FINDINGS OF FACT:

1. The Notice of Violation(s) was properly served upon the above-listed property owner by certified mail, return receipt requested/posting/other statutory notice procedures, on 15 August 2007; and
2. A Notice of Hearing was properly served upon the above-listed property owner by certified mail, return receipt requested/posting/other statutory notice procedures, on 5 October 2007 and 15 October 2007; and in relation to the property as located at the address and under the legal description as noted on the statement of violation, more particularly legal I.D. (Folio) # 29-19-26-010005200000; and

3. The property owner, having been duly served with the Notice of Hearing, did not attend the hearing; and
4. Testimony and evidence having been taken and considered by the Special Magistrate;
5. The Special Magistrate finds by clear and convincing evidence that as of the date of the Notice of Violation, and/or as of the date of the hearing, the subject Property was in violation of the following City of Tavares Code provision(s): LDR § 22-4, Standard Housing Code; §§ 305.3.1, 305.3.2, 305.7, 305.8, and 305.17.

CONCLUSION OF LAW

1. The property owner identified above, Sam Dorsey c/o Martha Lucas, is in violation of the following City of Tavares Code of Ordinances/Land Development Regulations: LDR § 22-4, Standard Housing Code; §§ 305.3.1, 305.3.2, 305.7, 305.8, and 305.17; and
2. This ORDER OF ENFORCEMENT is warranted and fully supported by the evidence and testimony adduced at the hearing, and the above-noted findings of fact and conclusions of law; and
3. The following action to clear/correct/cure the violation(s) is required: the violation(s) is/are to be cured or corrected under the procedures and conditions as noted immediately below.

CORRECTIVE ACTION AND IMPOSITION OF FINE

Based on the foregoing violation(s), the Special Magistrate orders that the Owner shall have ten (10) days from the date of this Order to apply for a roof-repair permit (First Corrective Action Deadline); and forty (40) days from the date of this Order to cure all Code violations as noted above; or, in the alternative, to remove, alter, demolish, or otherwise modify the subject structure; and such that within the forty (40)-day period (Second Corrective Action Deadline) all existing violations shall be cured or corrected, and the subject property shall be violation-free. If the violation(s) on the subject property is/are not corrected/cleared/cured by the foregoing Second Corrective Action Deadline, then the Special Magistrate shall execute and file of record an Order of Fine, imposing a fine of fifty dollars (\$50.00) per day for the noted § 305.3.1 violation; fifty dollars (\$50.00) per day for the noted § 305.3.2 violation; twenty-five dollars (\$25.00) per day for the noted § 305.7 violation; ten dollars (\$10.00) per day for the noted § 305.8 violation; and fifty dollars (\$50.00) per day for the noted § 305.17 violation; and each of these violation amounts to run for each day past the Second Corrective Action Deadline that the violations or any of them, remain on the property; and to which shall be added any violation-abatement, rehabilitation, or related costs, fees, or expenses on the part of the City to cure the above-noted violations or to otherwise secure the Property as referenced in this Order. Pursuant to Chapter 2, § 2-68 of the Tavares City Code, it is also ordered that if the Tavares Building (or other appropriate) official determines that the violations, or any of them, present a serious threat to the public health, safety, or

welfare, then the City representatives may make all reasonable repairs required to bring the Property into compliance, and the Respondent/Owner shall also be charged with any related costs and fees. It is the Respondent or Property owner's obligation, or the obligation of both of them, to call the Code Enforcement Officer or other appropriate City representative for a re-inspection of the subject property so that the City of Tavares can confirm whether the violation(s) has/have been cleared/corrected/cured before the imposition of the above-noted fine(s). Future repeat violations will result in a fine's being levied following a finding of noncompliance at a subsequent hearing.

DONE AND ORDERED on behalf of the City of Tavares, Lake County, Florida this 26th day of October, 2007.

By: 
Sam A. Mackie, Special Magistrate

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me on this 26th day of October, 2007 by Sam A. Mackie, who is personally known to me as Code Enforcement/Special Magistrate, City of Tavares.


Notary Public, State of Florida;

NOTARY PUBLIC-STATE OF FLORIDA
 Elena Hume
Commission # DD419514
Expires: APR. 17, 2009
Bonded Thru Atlantic Bonding Co., Inc.

My Commission Expires:

A True and Correct copy of the foregoing Findings of Fact, Conclusions of Law, and Enforcement Order have been furnished by U.S. Mail/hand-deliver/other statutory procedure to Sam Dorsey
: c/o Martha Lucas 1165 Elm Court Tavares FL 32778
on this 1 day of Nov, 2007, by USPS Certified Return rcpt.,
Code Enforcement Special Magistrate Clerk/Recording Secretary.


M. Sue Novack-Wilson

2

Prepared By/Return To:
Nancy A. Barnett, City Clerk
City of Tavares
201 E. Main Street
Tavares, FL 32778

CFN 2009010990
Bk 03726 Pgs 2053 - 2054; (2pgs)
DATE: 02/03/2009 09:05:37 AM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 18.50

**BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF TAVARES, FLORIDA**

**CITY OF TAVARES, FLORIDA,
Petitioner,**

vs.

Case No: CET0707-3096

**SAM DORSEY,
Respondent.**

CODE ENFORCEMENT LIEN

On the 23rd Day of October 2007, the Code Enforcement Special Magistrate for the City of Tavares, Florida entered an Order of Enforcement in the above referenced case, recorded in Official Records Book 03533, Pages 2223-2225, Public Records of Lake County, Florida. That Order imposed a fine of \$50.00 per day after 10 December 2007 for each day the violations remained on the subject property described in Exhibit "A" attached hereto. That Order imposed a fine of \$50.00 per day after 10 December 2007 for each day the violations remained on the subject property described in Exhibit "A" attached hereto. That Order imposed a fine of \$25.00 per day after 10 December 2007 for each day the violations remained on the subject property described in Exhibit "A" attached hereto. That Order imposed a fine of \$10.00 per day after 10 December 2007 for each day the violations remained on the subject property described in Exhibit "A" attached hereto. That Order imposed a fine of \$50.00 per day after 10 December 2007 for each day the violations remained on the subject property described in Exhibit "A" attached hereto; therefore a fine is due to the City of Tavares in the total amount of **\$75,295.00**, and the City hereby claims a lien on all real and personal property of the violator named above, within Lake County, Florida, pursuant to FS 162.09(3), Florida Statutes, until this fine is paid in full.

DONE and ORDERED at Tavares, Lake County, Florida, this 27th day of January, 2009.

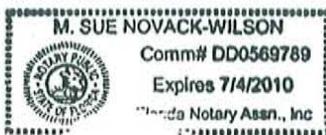
City of Tavares
Code Enforcement Special Magistrate

By: *Sam A. Mackie*
Sam A. Mackie

STATE OF FLORIDA
COUNTY OF LAKE

THE FOREGOING instrument was acknowledged before me this 27th day of January, 2008, by Sam A. Mackie, Code Enforcement Special Magistrate of the City of Tavares, [X] who is personally known to me or [] who has produced _____ as identification.

Seal:



M. Sue Novack-Wilson
Notary Signature
M. Sue Novack-Wilson
Printed Name

Exhibit "A"

TAVARES S 60 FT OF E 91.71 FT, BLK 52 PB 1 PG 64 ORB 2103 PG 1091

From: BJS KRONKRETE

407 297 9709

08/13/2010 15:47

#946 P.001/001

*alpha
Sat w/Andrew*

CITY OF TAVARES
BUILDING PERMITS
PO BOX 1068 - 201 E MAIN ST, TAVARES, FL 32778
PHONE 352-742-6213 FAX 352-742-6087
INSPECTIONS CALL 352-742-6435

Application Number	10-00000080	Date	2/09/10
Property Address	618 W MAIN ST		
PARCEL ID NUMBER:	29-19-26-0100-052-00000		
ALTERNATE KEY NUMBER:	1375045		
Application type description	DEMO, DEMOLITION (1 UNIT)		
Subdivision Name	TAVARES		
Property Use			
Property Zoning	COMMERCIAL DOWNTOWN		
Application valuation	2400		

Application description
DEMO BUILDING

Owner	Contractor
-----	-----
LORSEY SAM	THE APOS GROUP INC / <i>H.B. Walker</i>
C/O PATRICIA DORSEY	2895 MERCY DR
3835 NW 17TH TERR	ORLANDO
MIAMI	FL 32808
(305) 725-2852	(407) 247-8067
FL 33055	

Permit	BUILDING PERMIT		
Additional desc	DEMO BUILDING		
Permit Fee	25.00		
Issue Date		Valuation	2400
Expiration Date	8/08/10		

Fee summary	Charged	Paid	Credited	Due
Permit Fee Total	25.00	.00	.00	25.00
Grand Total	25.00	.00	.00	25.00

*Final insp. Called in at 2:45 2-11-10
Demo was done on Feb. 10, 2010*

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 22, 2010**

AGENDA TAB NO. 12

SUBJECT TITLE:

Approval of Ranking of RFQ for Architecture for Public Safety Complex

Department: Horizon Project Team for Public Safety Facility Replacement

OBJECTIVE:

The objective of this agenda item is to inform City Council about the ranking of architectural firms that was generated through our Request for Qualification (RFQ) process, and provide City Council with the opportunity to approve the ranking committee's recommendation, or provide a different direction. This agenda item is also seeking City Council's authorization to Staff for negotiation of a contract with the prevailing architectural firm.

SUMMARY:

A horizon project team was established by City Administrator John Drury and City Council for the purpose of reviewing the City's current public safety facilities and making recommendations, if necessary, for replacement. The Horizon Project Team had recommended for replacement of the current facilities, and has been working toward that outcome.

The Horizon Project Team, with John Rumble, developed a Request For Qualifications (RFQ) for an architectural firm that would work with us in the project. Due date for the RFQs was July 15, 2010. Thirteen firms responded to the RFQ. The Horizon Project Team met on August 10, 2010 to rank the thirteen respondents. In that meeting, the Horizon Project Team developed a "short list" of three (3) firms as top finishers, and firms that the Team would invite back for interviews.

That Project Team's short list consisted of (in alphabetical order) the following firms:

Architect Design Group of Winter Park
GatorSketch Architects, Inc. of Clermont
Schenkel Shultz Architecture of Orlando

Interviews of the top-three firms were conducted on September 9, 2010. The interview team, representing the City, consisted of City Resident Mr. Norb Thomas, Police Lieutenant David Myers, City Clerk Nancy Barnett, Interim Public Works Director Chris Thompson, and Fire Chief Richard Keith. Purchasing Manager John Rumble moderated the interviews. Each architectural firm made a presentation, followed by a question and answer session.

Following the presentations, the interview team representing the City ranked the competing architectural firms in the following order:

- #1 GatorSkitch Architects, Inc.**
- #2 Architect Design Group**
- #3 Schenkel Shultz Architecture**

Option:

Option 1: City Council may move to approve the ranking of architectural firms as presented by the Horizon Project Team for Public Safety Facility Replacement, recognizing that the Clermont firm of GatorSkitch Architects, Inc. is the prevailing firm, and authorize City Administrator John Drury and Staff to negotiate a contract with GatorSkitch Architects, inc. for preliminary design and engineering for a public safety facility.

Option 2: City Council may move to disapprove of the architectural firm ranking as presented by the Horizon Project Team for Public Safety Facility Replacement, and pick a different architectural firm as prevailing, and authorize Staff to negotiate a contract with Council's approved architectural firm for preliminary design and engineering.

Option 3: City Council may choose to take no action and direct the Horizon Project Team for Public Safety Facility Replacement proceed in an entirely different direction.

STAFF RECOMMENDATION:

Move Option 1: Move to approve the architectural firm ranking as presented by the Horizon Project Team for Public Safety Facility Replacement, recognizing that the Clermont firm of GatorSkitch Architects, Inc. is the prevailing firm, and authorize Staff to negotiate a contract with GatorSkitch Architects, inc. for preliminary design and engineering for a public safety facility.

FISCAL IMPACT:

The City has received promise of a \$500,000 federal earmark for the Emergency Operations Center portion of the Public Safety Facility project. This federal money is allowed to be used for design and engineering. This \$500,000 will be used to fund the architectural firm's preliminary design and engineering efforts.

LEGAL SUFFICIENCY:

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

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: Sept 22, 2010**

AGENDA ITEM NO. 13

SUBJECT TITLE: Request to Approve Work Authorization for submittal of a USDA Grant Funding Application for CRA Stormwater Infrastructure Improvements

OBJECTIVE: To consider the approval of a work authorization in the amount of \$58,774 with Malcolm Pirnie to submit a USDA Grant Funding Application for CRA Stormwater Infrastructure Improvements

SUMMARY: Previously, the city retained Malcolm Pirnie under a 5 year contract that was bid under an RFQ for Engineering Services in 2008 for Water, Wastewater, Reclaim and Stormwater projects. Subsequent to that, the City negotiated a contract with Malcolm Pirnie to assist the City in obtaining grants, loans, design and construction. Before the City Council tonight, is a work authorization for Malcolm Pirnie to file an application with the USDA-RD for a grant, to fund the CRA Stormwater Infrastructure Improvements. The City of Tavares is currently in the process of implementing financial programs to address numerous utility infrastructure needs within the downtown Community Redevelopment Area (CRA) boundaries. The scope of utility improvement includes critical stormwater upgrades necessary to eliminate environmental issues.

The City of Tavares, Florida has embraced forward thinking in pursuing a policy of smart consumption of water. They presently maintain a water reuse facility and are in the design stage of systems to distribute reclaimed water to present customers and future users in new developments. In addition, the City has developed a strategy for water recapture to channel stormwater runoff from the downtown CRA for treatment at the City's Woodlea Road Wastewater Treatment Facility via a proposed water detention facility. This will provide an environmental benefit to Lake Dora, while at the same time increase the available water to a growing customer base.

Lake Dora's pollution levels are in excess of maximum contaminant levels during storm events. This contamination affects quality of life, community vibrancy, and economic development in the City of Tavares, and also affects the chain of lakes within the Lake County. The proposed solution includes a collection and treatment facility to manage runoff from the highly impervious downtown area. The expected pollution reduction in pollution loads to meet EPA requirements in Lake Dora, with phosphorus reduction estimated at almost 80%. This project proposes to implement these facilities over the next two years, for a total expected construction cost of \$10 million.

This work authorization is to include the filing of an application with the USDA-RD and as part of that application a Preliminary Engineering Report (PER) and a Environmental Report(ER) must be completed along with the application. This work must be completed prior to December 15, 2010, so that we meet the deadline prior to the new census being published. If the City is successful in obtaining funding from USDA-RD then this money would be recouped as part of the pre construction activity.

Staff has negotiated with Malcolm Pirnie a "not to exceed" fee of \$58,774 for this work.

OPTIONS:

1. **Approve** the work authorization with Malcolm Pirnie in the amount of \$58,774 to submit a USDA Grant Funding Application for CRA Stormwater Infrastructure Improvements
2. Do **not approve** the work authorization with Malcolm Pirnie in the amount of \$58,774 to submit a USDA Grant Funding Application for CRA Stormwater Infrastructure Improvements

STAFF RECOMMENDATION:

1. Move to **approve** the work authorization with Malcolm Pirnie in the amount of \$58,774 to submit a USDA Grant Funding Application for CRA Stormwater Infrastructure Improvements

FISCAL IMPACT:

Reserve Appropriations.

The Government Financial Officers' Association recommends that at a minimum, general-purpose local governments, regardless of size, maintain unreserved fund balances of an amount no less than three months of regular operating expenditures. Three months operating expenditures for City of Tavares Stormwater Operations is estimated at \$159,078

Estimated available unreserved fund balance as of September 17, 2010, is \$244,190.

LEGAL SUFFICIENCY: This Summary is legally sufficient

Work Authorization for

USDA FUNDING APPLICATION FOR DOWNTOWN STORMWATER INFRASTRUCTURE IMPROVEMENTS

City of Tavares, Florida

This Work Authorization constitutes a Project Agreement under the terms of the Agreement for Continuing Engineering Services per RFQ 2008-0001, between the City of Tavares, Florida and Malcolm Pirnie, Inc. Under the scope of work described herein, Malcolm Pirnie will assist the City by preparing a Preliminary Engineering Report and Environmental Report required for application for funding from the U.S. Department of Agriculture (USDA) for stormwater infrastructure improvements in the downtown area. In addition, Malcolm Pirnie will coordinate the submittal of the USDA Rural Development (RD) application form and other submittals required for funding consideration.

Project Background

The Downtown Tavares Redevelopment Master Plan sets a vision for the future of Downtown Tavares and its potential to develop as a vibrant, pedestrian-oriented, mixed use center. In order to support the anticipated increase in residential and employment population downtown, it is critical that the aging water distribution, wastewater collection, and stormwater management systems be improved and upgraded to reliably serve the additional demands this growth will generate.

The City has completed a study to inventory and assess the condition of the water, wastewater, and stormwater infrastructure downtown. That study, performed by Malcolm Pirnie and InfraMetrix, identified a number of system deficiencies that need to be corrected in the near term, and recommended additional improvements that should be considered to help support the proposed downtown redevelopment.

The City has applied for and received funding from USDA-RD for the water and wastewater infrastructure improvements. USDA has identified additional funds available through Rural Development for stormwater infrastructure improvements. To continue its diligence in pursuing outside funding to assist with making its vision a reality, the City desires to apply for funding from the USDA-RD to help implement improvements to the stormwater infrastructure. The first step in the application process for USDA-RD funding is to develop and submit a Preliminary Engineering report that defines the project, and an Environmental Report that assesses its environmental impacts.

Scope of Work

Under this scope of work, Malcolm Pirnie will perform the following tasks:

Task 1 - Preliminary Engineering Report

Malcolm Pirnie will prepare and submit the Preliminary Engineering Report (PER), which will include the following sections (based on USDA guidelines):

1. EXECUTIVE SUMMARY. A description of the current situation, analysis of alternatives, and proposed specific course of action, from an engineering perspective.
2. PROJECT PLANNING AREA. A description of the area under consideration.
 - A. Location maps, photographs, and sketches.
 - B. Environmental resources present.
 - C. Growth areas and population trends.
 - D. Flows.
3. EXISTING FACILITIES. Describe the existing facilities, including at least the following information:
 - A. Location map.
 - B. History.
 - C. Condition of facilities.
 - D. Financial status of operating central facilities.
4. NEED FOR PROJECT. Describe the needs in the following order of priority:
 - A. Health and safety. Describe concerns and include relevant regulations and correspondence from/to Federal, and State regulatory agencies.
 - B. System Performance. Describe the concerns and indicate those with the greatest impact. Investigate infiltration and inflow, management adequacy, performance and operations limitations, and problem elimination prior to adding additional capacity.
 - C. Growth. Describe the reasonable growth capacity that is necessary to meet needs during the planning period. Facilities proposed to be constructed to meet future growth needs should generally be supported by additional revenues. Consideration should be given to designing for phased capacity increases. Provide number of new customers committed to this project.

After parts 1 through 4 have been developed, Malcolm Pirnie will review the results with the City and USDA, and will also review with them the alternatives to be evaluated.

5. EVALUATION OF ALTERNATIVES. A description and comparison of the reasonable alternatives that were considered in planning a solution to meet the identified need, including the following information on each alternative:
 - A. Description.
 - B. Design criteria.
 - C. Site Plan.
 - D. Environmental impacts.
 - E. Land requirements.
 - F. Construction conditions.
 - G. Cost estimates. (Separate estimates for collection and treatment).
 1. Construction cost estimate by contract.
 2. Total project cost.
 3. Annual Operation and Maintenance.
 4. Present Worth, based on the Federal discount rate for water resources projects, determined annually by the Bureau of Reclamation.
 - H. Advantages/disadvantages.
 - I. Evaluation of principal alternatives.

After part 5 has been developed, Malcolm Pirnie will hold a second review with the City and USDA. The review will cover the analysis of the alternatives and the alternative to be recommended.

6. PROPOSED PROJECT (RECOMMENDED ALTERNATIVE). A fully developed description of the proposed project based on the preliminary description under the evaluation of alternatives.
 - A. Project basis of design.
 - B. Cost estimate.
 - C. Annual operating budget / coordination with Finance Director.
 1. Income.
 2. Operations and Maintenance Costs.
 3. Capital Improvements.
 4. Debt Repayments.
7. CONCLUSIONS AND RECOMMENDATIONS. Any findings and recommendations that should be considered in development of the project. These may include recommendations for special studies,

identification of the need for special coordination, or a recommended plan of action to expedite project development.

The amount of information and level of analysis to be provided in the PER is generally based on the size and complexity of the proposed project. Based on initial discussions with USDA about the proposed project area and scope, it is expected that that the final PER document will not exceed 40 pages in length. Therefore, the budget associated with this task is based on that level of effort. Should information arise during the course of the ER development that results in USDA requiring a more comprehensive report (which is not believed to be likely), Malcolm Pirnie will submit a separate work authorization to the City for approval before commencing with any additional level of effort.

Task 2 - Environmental Report

Malcolm Pirnie will prepare and submit the Environmental Report (ER), which will include the following sections (based on USDA guidelines):

1. PURPOSE AND NEED OF THE PROJECT
2. ALTERNATIVES TO THE PROPOSED PROJECT
3. AFFECTED ENVIRONMENT/ENVIRONMENTAL CONSEQUENCES
4. SUMMARY OF MITIGATION
5. CORRESPONDENCE
6. EXHIBITS
7. LIST OF PREPARERS

The amount of information and level of analysis to be provided in the ER is generally based on the magnitude of construction activities and potential level of environmental impact. Because these are not completely known at the outset of ER development, the required effort to complete the ER can be widely variable. Based on initial discussions with USDA about the proposed project area and scope, it is expected that that the final document will not exceed 30 pages in length. Therefore, the budget associated with this task is based on that level of effort.

Should information arise during the course of the ER development that results in USDA requiring a more comprehensive report (which is not believed to be likely), Malcolm Pirnie will submit a separate work authorization to the City for approval before commencing with any additional level of effort.

Task 3 - Funding Program Support

Funding program support will include:

- Coordination with USDA Rural Development Staff throughout development of the PER and ER documents.

- Assistance with determining financial commitments, addressing financial issues associated with USDA Rural Development and specific funding mechanisms (grant and loan mix).
- Support staff in preparing necessary documentation to proceed with fund request.
- Complete application to the USDA Rural Development for funding.
- Administer the USDA Rural Development process as required and coordinate with City Finance Director.

Schedule

Malcolm Pirnie will commence with this scope of work upon execution of this Work Authorization by the City, which will constitute the Notice to Proceed. Development of the Preliminary Engineering Report and Environmental Report will be require a period of two months. The application will be submitted once USDA approves the Preliminary Engineering Report and Environmental Report.

Fee

The fee for the Scope of Work described above not to exceed \$58,774, as detailed in Exhibit A. Work will be invoiced based upon the progress of work performed.

Execution

This Work Authorization for USDA FUNDING APPLICATION FOR DOWNTOWN STORMWATER IMPROVEMENTS shall be executed upon signed approval and acceptance below:

APPROVED BY:

CITY OF TAVARES

Signature

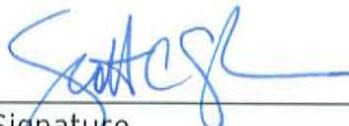
Date

Printed Name

Title

ACCEPTED BY:

MALCOLM PIRNIE, INC.



Signature

09.15.2010

Date

Scott C. Shannon, P.E.

Printed Name

Senior Associate

Title

ATTACHMENT A

City of Tavares
 USDA Funding Application for Downtown Stormwater Infrastructure Improvements
 Engineering Fee Estimate

15-Sep-10

Task	Task Description	Senior Associate	Senior Project Engineer	Senior Scientist	Design Engineer	Technician/CADD	Clerical	Total Hours	Expenses	Total Fee
1	Preliminary Engineering Report	12	8	0	176	0	8	204	\$120	\$21,984
1.1	Report	8	8		160		8			
1.2	Meetings	4			16					
2	Environmental Report	12	8	8	146	0	8	182	\$120	\$20,074
2.1	Report	8	8	8	130		8			
2.2	Meetings	4			16					
3	Funding Program Support	20	0	0	48	64		132	\$220	\$14,316
3.1	Application Submittal	12			40	48				
3.2	Meetings	8			8	16				
Total Labor (or Expenses)		44	16	8	370	64	16	518	\$460	\$56,374
		Hourly Rate	\$149.00	\$140.00	\$101.00	\$82.00	\$62.00			
Subcontractor - Griffey Engineering, Inc.										
TOTAL										
										\$58,774

ATTACHMENT A

City of Tavares
 USDA Funding Application for Downtown Stormwater Infrastructure Improvements
 Engineering Fee Estimate

15-Sep-10

Task	Task Description	Senior Associate	Senior Project Engineer	Senior Scientist	Design Engineer	Technician/CADD	Clerical	Total Hours	Expenses	Total Fee
1	Preliminary Engineering Report	12	8	0	176	0	8	204	\$120	\$21,984
1.1	Report	8	8		160		8			
1.2	Meetings	4			16					
2	Environmental Report	12	8	8	146	0	8	182	\$120	\$20,074
2.1	Report	8	8	8	130		8			
2.2	Meetings	4			15					
3	Funding Program Support	20	0	0	48	64		132	\$220	\$14,316
3.1	Application Submittal	12			40	48				
3.2	Meetings	8			8	16				
Total Labor (or Expenses)		44	16	8	370	64	16	518	\$460	\$56,374
Hourly Rate		\$200.00	\$149.00	\$140.00	\$101.00	\$82.00	\$62.00			
Subcontractor - Griffey Engineering, Inc.										\$2,400
TOTAL										\$58,774

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: September 22, 2010**

AGENDA ITEM NO: 14

SUBJECT TITLE: Update on TDC Grant Request for Pier and Pavilion project.

OBJECTIVE:

To update Council on the request for \$750,000 from the TDC in three \$250,000 annual reimbursement payments for the Pier and Pavilion Project.

SUMMARY:

Previously the Council authorized staff to request a \$750,000 grant from the TDC to match the \$1.5 million budgeted for the Pier and Pavilion project to more closely reflect the anticipated cost of the project.

The City Administrator made a presentation on September 15th to the TDC for the request and Tamera Rogers and Vice Mayor Lori Pfister were present during the TDC meeting.

The TDC voted 9-0 to support the project subject to exploring funding options. Staff has explored funding options and recommends that since the TDC's last annual payment of \$250,000 to the County for a prior Clermont project will be Fiscal year 2012 that TDC fund the Tavares project in three \$250,000 payments in FY 13, FY 14 and FY 15. This results in no need to increase the heads in beds tax rate and results in no need to tap TDC reserves. In other words, the current \$250,000 payment from the TDC fund to the BCC fund for that prior Clermont project would continue for three years to reimburse Tavares for a Tavares project. Staff believes this results in a minimus impact on the TDC budget.

Tavares would cash flow the \$750,000 grant with a short term loan to get started on the project today and then get reimbursed starting in FY 13 for that short term loan.

OPTIONS:

1. Authorize Staff to proceed to the BCC with this funding plan
2. Do not authorize proceeding to the BCC with this funding plan.

STAFF RECOMMENDATION:

Staff recommends that the Council moves to authorize staff to make presentation to the BCC to obtain a \$750,000 grant in three annual reimbursement payments of \$250,000 in FY 13, FY 14 and FY 15.

FISCAL IMPACT: Increases the project budget from \$1.5 million to \$2,250,000

LEGAL CONSIDERATIONS:

Legally sufficient.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
September 22, 2010**

AGENDA TAB NO. 15

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 Regular Meeting – October 6, 2010 – 4:00 p.m.
- Chamber of Commerce Business Luncheon – October 27, 2010 – 11:30 a.m.
- Lake Sumter MPO – Board Meeting – October 27, 2010 – 2 p.m. – Civic Center
- Library Board – October 8, 2010– 8:30 a.m. Library Conference Room, 314 N. New Hampshire
- Planning & Zoning Board – October 21, 2010 – 3:00 p.m.
- Lake County League of Cities Sponsorship Dinner – September 29, 2010 – 6:00 p.m.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
September 22, 2010**

AGENDA TAB NO. 16

SUBJECT TITLE: City Councilmembers Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

Council will be offered an opportunity to provide a report at the meeting. Attached is any additional supporting information.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

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