

**AGENDA
TAVARES CITY COUNCIL**

December 1, 2010
4:00 P.M.

TAVARES CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Chaplain Lincoln Haynes, Florida Hospital Waterman

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Tab 1) City Council Meetings – October 6, 2010

V. PROCLAMATIONS/PRESENTATIONS

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS Nancy Barnett

VIII. CONSENT AGENDA

Tab 2) Amendment to Interlocal Agreement with Lake County for Fire Inspections of County Owned Buildings Richard Keith

Tab 3) Approval of IAFF Contract John Drury

IX. ORDINANCES/RESOLUTIONS

First Reading

Tab 4) Ordinance #2010-22- Amendment to Ordinance 2009-34 Bill Neron
- Impact Fee Waiver Program to Extend for Additional Year

Second Reading

- Tab 5) Ordinance #2010-19 – Planned Development Amendment to Conceptual Plan for Oak Bend, 56.73 Acres – Convert Land Designated for Multi-Family Dwellings to Detached Dwellings – (Morris Engineering Developers) Jacques Skutt
- Tab 6) Ordinance #2010-20 – Rezoning from RMF to Planned Development for Senior Apartment Complex at Northeast Corner of David Walker Dr. & Old U.S. 441 (Shantiniketan Developers) Jacques Skutt

RESOLUTIONS

- Tab 7) Resolution #2020-18 – Fiscal Budget 2011 – Roll Forwards First Amendment Lori Houghton
- Tab 8) Resolution #2010-19 Wayfinding Program Signage Criteria Jacques Skutt

X. GENERAL GOVERNMENT

- Tab 9) Approval of Interlocal Agreement with Lake County Board of County Commissioners for Woodlea Sports Complex Contribution Tammy Rogers
- Tab 10) Agreement with Angel Flight at Planes, Trains & BBQ Event Bill Neron
- Tab 11) Agreement for Air Show at Planes, Trains & BBQ Event Bill Neron
- Tab 12) Update on City Programs and Projects John Drury
- Tab 13) Current Board and Horizon Project Representation John Drury
- Tab 14) Appointments to Police & Fire Pension Boards Mayor Wolfe
- Tab 15) Request to Sell City Bottled Water Brad Hayes
- Tab 16) Request to Paint Ingraham Tower & Place New City Logo Brad Hayes
- Tab 17) Approval of Utility Fee Policy for Vacant Properties Lori Houghton
- Tab 18) Discussion of Holding One Meeting in November to Receive Certified Election Results John Drury

XI. OLD BUSINESS

XII NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

Tab 19) City Administrator

John Drury

Tab 20) 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.

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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
OCTOBER 6, 2010
CITY COUNCIL CHAMBERS**

COUNCILMEMBERS PRESENT

ABSENT

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

STAFF PRESENT

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

I CALL TO ORDER

Mayor Wolfe called the meeting to order at 4:02 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Chaplain Carlos Colon gave the invocation and those present recited the Pledge of Allegiance.

III. APPROVAL OF AGENDA

1 Mr. Drury stated he would like to add under New Business, Tavares High School Year
2 Book Donation request.

3
4 **MOTION**

5
6 **Sandy Gamble moved for approval of the Agenda as presented with the addition
7 of the Tavares High School Yearbook donation request, seconded by Bob
8 Grenier. The motion carried unanimously, 5-0.**

9
10 **IV. APPROVAL OF MINUTES – July 21, 2010, August 4, 2010, and August 18, 2010**

11
12 **MOTION**

13
14 **Lori Pfister moved for approval of the minutes of the July 21, 2010 City Council
15 Regular Meeting, seconded by Sandy Gamble. The motion carried unanimously
16 5-0.**

17
18 **Lori Pfister moved for approval of the minutes of the August 4, 2010 City Council
19 Regular Meeting, seconded by Sandy Gamble. The motion carried unanimously 5-
20 0.**

21
22 **Lori Pfister moved for approval of the minutes of the August 18, 2010 City Council
23 Regular Meeting, seconded by Sandy Gamble. The motion carried unanimously 5-
24 0.**

25
26 **V. PROCLAMATIONS/PRESENTATIONS**

27
28 **Tab 2) Tavares Alert**

29
30 Ms. Ross stated that Council had approved the contract with Blackboard Connect
31 earlier in the year to provide the mass notification service. She noted the service had
32 been renamed "Tavares Alert" and the Blackboard Connect service will allow the city to
33 communicate with its citizens 24 hours a day, seven days a week utilizing landlines, cell
34 phones, text messaging and email. She said the broadcast can be configured to specific
35 groups. She stated a policy has been developed by a staff committee which has been
36 included in the agenda packet. The policy sets guidelines for sending messages and
37 assures that the citizens receives the appropriate messages in the appropriate manner.
38 She said there are two categories of messages: priority notifications for emergencies
39 and outreach messages. She discussed how the system would be publicized to the

1 citizens and the options for data that can be entered. She said the system should be
2 launched within seven days of Council approving the policy.

3
4 Mayor Wolfe asked if anyone in the audience had comments. He expressed
5 appreciation to Ms. Ross for her work on this project.

6
7 **MOTION**

8
9 **Kirby Smith moved to approve the Tavares Alert notification system, seconded by**
10 **Sandy Gamble. The motion carried unanimously 5-0.**

11
12 **Tab 3) Proclamation for Blood Bank Awareness**

13
14 Mayor Wolfe read a proclamation designating November as “Be a Hero Month” in
15 support of Florida's Blood Bank Centers.

16
17 **VI) SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE**
18 **CONTACTS**

19
20 Attorney Williams swore in those who wished to give testimony on Resolution #2010-11.
21 He asked Council if they wished to disclose ex-parte contacts.

22
23 **VII. CONSENT AGENDA**

24
25 Mayor Wolfe asked if anyone in the audience wished to oppose the Notice of Intent for
26 the Stormwater USDA project.

27
28 **MOTION**

29
30 **Bob Grenier moved to approve the Consent Agenda [Notice of Intent for**
31 **Stormwater USDA Project], seconded by Sandy Gamble. The motion carried**
32 **unanimously 5-0.**

33
34 **VIII) READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

35
36 Ms. Barnett read the resolutions by title only:

37
38 **RESOLUTION 2010-11**
39

1 A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, GRANTING A
2 VARIANCE TO THE CITY OF TAVARES LAND DEVELOPMENT
3 REGULATIONS, SPECIFICALLY, TABLE 8-3, DEVELOPMENT
4 STANDARDS, MAXIMUM HEIGHT OF STRUCTURES FOR THE
5 INDUSTRIAL DISTRICT; INCREASING THE MAXIMUM HEIGHT FROM
6 50 TO 67 FEET; SUBJECT TO THE RULES, REGULATIONS AND
7 OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL;
8 PROVIDING AN EFFECTIVE DATE.

9
10 RESOLUTION 2010-12

11
12 A RESOLUTION OF THE CITY OF TAVARES, FLORIDA,
13 RECOGNIZING THE SISTER CITY PROGRAM ESTABLISHED BY THE
14 PRESIDENT OF THE UNITED STATES IN 1956 AND ENDORSING THE
15 PRELIMINARY INVITATION EXTENDED BY THE REPUBLIC OF
16 CHINA (TAIWAN) AND PEOPLE OF THE CITY OF XINDIAN, TAIWAN
17 TO ENTER INTO A SISTER CITY PROGRAM WITH THE CITY OF
18 TAVARES.

19
20 VIII. RESOLUTIONS – PUBLIC HEARING

21
22 Tab 5) Resolution #2010-11 – Variance – Increasing Maximum Height – 1544 Lane
23 Park Cutoff – Chet Lemon Sports Complex

24
25 Mr. Skutt presented the following report:

26
27 *The applicant is proposing to construct a 3 storey, 161,643 square foot sports complex*
28 *(across from the Tavares Middle School). The facility will be a regional center for*
29 *volleyball, basketball and baseball training and competition. The building also includes*
30 *numerous ancillary uses that will support and enhance its primary functions.*

31
32 *The maximum building height within the industrial district is 50 feet. The proposed*
33 *building is 67 feet in height at its highest point. The highest section of the building faces*
34 *the rear of the property and is designed so that the height impact is shielded by the*
35 *building's front façade. An existing communication tower, which exceeds the height of*
36 *the proposed building, is situated on lands directly behind the subject property.*
37 *Due to the design of the building and the nature of the surrounding property, the*
38 *requested variance is considered minor in nature and is therefore supported by staff.*
39

1 Mr. Skutt noted the Planning & Zoning Board had voted unanimously to recommend the
2 variance.

3
4 Mayor Wolfe asked if Council had questions or if the audience had comments.

5
6 **MOTION**

7
8 **Bob Grenier moved to approve Resolution #2010-11, seconded by Sandy Gamble.**
9 **The motion carried unanimously 5-0.**

10
11 **Tab 6) Resolution #2010-12 – Declaring Sister City with Xindian, Taiwan**

12
13 Mr. Drury stated this item is before Council in order to discuss the Sister City program
14 with Xindian in Taiwan. He reviewed the information presented at the May 19, 2010
15 meeting. He noted Council had indicated support and requested more information. He
16 stated that since that meeting the Director General in Miami has been promoted to the
17 Taiwan Ambassador for St. Kitts in the Caribbean Islands. His promotion along with
18 some changes in geographic lines in Taiwan caused some delay in reporting back from
19 May 19th to this time.

20
21 Mr. Drury reviewed the city's history with the Taiwanese government through the annual
22 dragonboat racing event at Wooton Park which is put on by the Tavares Rotary Club.
23 He said the Taiwanese government has extended an offer for the City of Xindian to
24 become a Sister City with Tavares. He said he had included general information about
25 Taiwan, Taipei, and Xindian in the agenda packet.

26
27 Mr. Drury said should the City decide to become a Sister City, the Taiwanese
28 government has also invited the mayor and mayor's spouse to visit Xindian and its
29 government officials for seven days. He said the Taiwanese government would pay for
30 the hotel accommodations and meals while visiting the country. Tavares would be
31 expected to pay the airfare and travel costs which is estimated at around \$4,226.00 (a
32 detail of all costs was presented).

33
34 Mr. Drury said that Sister Cities International (an association that promotes Sister City
35 relationships) states that the purpose of having official relationships with other nations is
36 to learn more about one another and to develop friendly and meaningful exchanges. He
37 discussed some of the reasons for supporting the relationship including possible
38 economic benefits. He pointed out that Taiwan has established a historic site honoring
39 its Seaplane base established in 1931. He said the new seaplane manufacturing facility
40 in Tavares has a presence in China.

1
2 Staff recommended approval of the resolution and authorization of the funds to allow
3 the mayor and his spouse to travel to Xindian to present the resolution should it be
4 approved.

5
6 Mayor Wolfe asked for comment from the audience.

7
8 Rick Gonzales

9
10 Mr. Gonzales spoke in support of the resolution and discussed economic benefits of the
11 Sister City program he had observed in other cities he had lived in.

12
13 Betty Burleigh

14
15 Ms. Burleigh suggested that the City approach the Rotary to assist in funding.

16
17 Rick Gonzales

18
19 Mr. Gonzales said he was a member of Rotary and although he was not present as an
20 official representative, he was aware that the Rotary grant funds are earmarked for
21 youth scholarships.

22
23 Charlotte Hope

24
25 Ms. Hope spoke in favor of the Sister City program. She said she understood the issues
26 with the budget but that Council should be very careful about matters of protocol with
27 foreign governments. She cautioned the Council on who should be sent.

28
29 Council Discussion

30
31 There was consensus of the approval of the Sister City relationship with Xindian.
32 Council expressed some differing viewpoints on whether or not to fund the trip because
33 of budgetary concerns.

34
35 **MOTION**

36
37 **Lori Pfister moved to approve the Sister City with Xindian Resolution but not**
38 **authorize the expenditure of up to \$4,500 to fly the Mayor and his spouse to**
39 **Taiwan, at this time, to present the Sister City resolution. The motion was**
40 **seconded by Sandy Gamble.**

1
2 Councilmember Smith said he thought it would not be a good idea to approve the Sister
3 City resolution but not allow the Mayor to present the resolution.

4
5 Discussion followed on the past use of the travel and per diem budget.

6
7 **The motion was denied 3-2 as follows:**

8
9 **Robert Wolfe** **No**
10 **Lori Pfister** **Yes**
11 **Sandy Gamble** **Yes**
12 **Bob Grenier** **No**
13 **Kirby Smith** **No**

14
15 **MOTION**

16
17 **Kirby Smith moved to approve the Sister City with Xindian Resolution and**
18 **authorize the expenditure of up to \$4,500 to fly the Mayor and his spouse to**
19 **Taiwan to present the Sister City resolution. The motion was seconded by Bob**
20 **Grenier.**

21
22 Discussion followed with some opinions reiterated about the importance of sending the
23 mayor with other concerns expressed regarding the budgetary restrictions being faced
24 by the city. Vice Mayor Pfister expressed concern about who should be sent to
25 represent the City, suggesting the City Administrator or the Economic Development
26 Director would be appropriate.

27
28 **The motion carried 3-2 as follows:**

29
30 **Robert Wolfe** **Yes**
31 **Lori Pfister** **No**
32 **Sandy Gamble** **No**
33 **Bob Grenier** **Yes**
34 **Kirby Smith** **Yes**

35
36 **X. GENERAL GOVERNMENT**

37
38 **Tab 7) Official Naming of Pavilion**

1 Mayor Wolfe recognized Betty Coven Wilcox whose father, Leo Coven built the first
2 pavilion in 1912. He thanked Ms. Wilcox for attending and supporting the pavilion
3 project.

4
5 Joyce Ross presented the following report:

6
7 *The city is currently moving forward with the construction of a pier and pavilion which*
8 *will extend over Lake Dora in Wooton Park. When completed, the facility will be a*
9 *center for events, weddings and conferences, which will draw thousands of visitors to*
10 *the downtown entertainment district each year.*

11
12 *As we proceed through the design and bidding process this project will be brought to*
13 *the attention of hundreds of people via blueprints, bid documents and construction*
14 *signs. Once the City breaks ground, the construction will be viewed by thousands*
15 *more. As the walls go up and the building takes shape, the project may appear in*
16 *media coverage, as a backdrop for various activities in the park, and will be discussed*
17 *by visitors, residents and the business community. Therefore, it is important that the*
18 *City consider officially naming the project now so that we can begin the branding*
19 *process and build name recognition. By cultivating this positive energy we can begin*
20 *marketing the facility well in advance of opening day.*

21
22 *Informal polling of the community and City staff resulted in a variety of*
23 *recommendations centered upon the waterfront theme, the city name, or the intended*
24 *usage of the facility. The Council may consider one of these suggestions or look for an*
25 *alternative.*

26
27 *Suggested names for the new pavilion are:*

- 28
29
- 30 • *Tavares Pavilion*
 - 31 • *Wooton Park Pavilion*
 - 32 • *Pavilion on the Lake*
 - 33 • *The Pavilion*
 - 34 • *The Pavilion at Wooton Park*
 - 35 • *Tavares Pier & Pavilion on the Waterfront*
 - 36 • *Tavares Event Center—Waterside*
 - 37 • *Tavares Waterside Event Center*
 - 38 • *Waterside Pavilion in Tavares*
 - 39 • *"Reflections" on the Pier*
 - 40 • *The Pavilion on the Pier*
 - *Tavares Pier & Pavilion*

1
2 Mayor Wolfe asked for comments from Council.

3
4 Councilmember Smith said he has spoken to members of the Historical Society and he
5 believed the original name was the "Tavares Pavilion". Councilmember Grenier
6 concurred; he suggested "Tavares Pavilion on the Lake."
7

8 Mayor Wolfe asked for comment from the audience.
9

10 Betty Burleigh, 214 North New Hampshire Avenue
11

12 Ms. Burleigh said this is a historic replica and it was known as the "The Pavilion." She
13 said "Tavares Pavilion" would be acceptable but it should not include other descriptions.
14

15 Linda Spencer, Artist
16

17 Ms. Spencer said she thought a longer name would be preferable; she recommended
18 "Tavares Pier and Pavilion on the Lake" or "on Lake Dora."
19

20 Councilmember Grenier said he did not want the name "Dora" included.
21

22 Councilmember Drury noted that Council had decided early on to make any historical
23 structure that is replicated to be economically viable.
24

25 Councilmember Smith said he believed that no matter what name is chosen, the local
26 people will call it "The Pavilion" but that to have a more recognizable name would be
27 helpful for visitors and marketability.
28

29 Vice Mayor Pfister said she though the pier aspect was very significant and that it
30 should be included in the name.
31

32 Bob Blais, Architect for the Pavilion
33

34 Mr. Blais said it is anticipated that the project will be completed on the centennial of the
35 previous pavilion, so perhaps it could be "Tavares Centennial Pavilion on the Lake."
36

37 Councilmember Smith asked Ms. Ross her professional opinion on what would be the
38 most marketable. Ms. Ross said "Tavares" needed to be included however since the
39 intent is to have weddings, some names with a romantic element were included. She

1 said she thought "Tavares Pavilion on the Lake" would be good or the "Waterside
2 pavilion in Tavares."

3
4 Councilmember Pfister reiterated that she thought the differentiation on the pier was
5 important.

6
7 Mr. Drury said piers are often associated with fishing and that he thought either the
8 "Tavares Pavilion on the Lake" or the "Pier and Pavilion on the Lake", would assist in
9 marketing that it is not just a fishing pier.

10
11 Bill Stomp, Tavares

12
13 Mr. Stomp commented on the various suggestions that had been made. He said by
14 including the word "pier" the first thing that came to his mind was a fishing pier. He said
15 "waterfront" meant to him an area where boats would dock. He suggested to keep it
16 short enough to be easy to remember and recommended "Tavares Pavilion on the
17 Lake."

18
19 Councilmember Gamble asked if the city was going to ban fishing from the pier.

20
21 **MOTION**

22
23 **Kirby Smith moved to approve the name "Tavares Pavilion on the Lake"**
24 **seconded by Bob Grenier. The motion carried 4-1 as follows:**

25
26 **Robert Wolfe** **Yes**
27 **Kirby Smith** **Yes**
28 **Bob Grenier** **Yes**
29 **Sandy Gamble** **Yes**
30 **Lori Pfister** **No**

31
32 **Tab 8) Approval of Contract with BESH Engineering for Design and Engineering**
33 **of the Alfred Street Widening and One Way Pair**

34
35 Mr. Skutt presented the following report:

36
37 *On March 8th, City Council selected BESH Engineering as the top ranked firm to*
38 *perform this design project. City and County staff negotiated a scope of work with BESH*
39 *that resulted in a proposed contract valued at \$566,196.68. This includes roadway*
40 *design and analysis, drainage analysis, utility coordination, environmental permitting,*

1 *surveying and mapping, geotechnical investigation, street lighting design, public*
2 *meetings and reimbursables. Through an amended interlocal agreement with Lake*
3 *County, the County has agreed to pay \$565,196.68 to fund this contract through their*
4 *transportation impact program. The \$1,000 discrepancy is a result of a typing error on*
5 *the agenda item that was submitted to the County Commission for approval. The*
6 *agreement allows the City to negotiate change orders up to \$50,000. If approved, the*
7 *design contract with BESH will be executed and the work on this project will begin.*
8 *Landscaping, irrigation and streetscape design, although an integral part of the original*
9 *RFQ, are not part of this contract since these costs are not covered by the County's*
10 *transportation impact program. Contracts for these designs will be awarded as funding*
11 *becomes available.*

12
13 Councilmember Gamble asked Mr. Ern if the architect for the public safety complex is
14 aware of the Alfred Street design. Mr. Ern confirmed.

15
16 Mayor Wolfe asked if the audience had comments.

17
18 **MOTION**

19
20 **Sandy Gamble moved to approve Option 1, the proposed contract with BESH**
21 **Engineering for the engineering and design of the Alfred Street One Way Pair**
22 **project and authorize the City Administrator to execute the contact attached,**
23 **seconded by Bob Grenier. The motion carried unanimously 5-0.**

24
25 **Tab 9) Request for Qualifications to Design and Construct the Pavilion**

26
27 Ms. Rogers clarified that the item should be called Request for Proposals and not
28 Request for Qualifications. She then presented the following report:

29
30 *Oftentimes governmental capital projects utilize the Design-Bid-Build method of*
31 *construction and the order of procuring the construction services is thusly:*

- 32
33 1) *Design*
34 2) *Solicitation for Bids*
35 3) *Selection of lowest most responsive bid*
36 4) *Construct*
37 5) *COMMON RESULTS: project costs can be higher than original bid due to*
38 *change orders. Quality of products and services needs constant monitoring as*
39 *this is a low bid methodology. Builder/contractor cannot provide valuable input*

1 *during design, including value engineering with potentially cost savings*
2 *suggestions.*

3
4 *Other methods of construction services for governmental projects do exist including the*
5 *Construction Manager at Risk method.*

6
7 *For the pavilion project, staff and Pavilion Architect Bob Blaise are recommending that*
8 *the city utilize the "Construction Manager at Risk" method of procuring construction*
9 *services for this project which provides the following:*

- 10
11 1) *Select a contractor prior to designing the project. The selected contractor is at*
12 *the design table from the beginning, providing input that speaks to the practicality*
13 *of design and its ability to fall within the budget.*
14
15 2) *Contractor establishes a control budget at 30% of design and evaluates the*
16 *control budget at 60% and then fixes a guaranteed Maximum Price (GMP), which*
17 *is the maximum cost to build.*
18
19 3) *Contractor selects the most qualified (not necessarily the lowest price, but best*
20 *quality) sub-contractors for the various trades, with the input of the design team*
21 *and the City. City has right to approve all subcontractors and materials vendors.*
22
23 4) *Contractor serves as the Construction Manager and is incentivized to stay on*
24 *budget because the budget is established at the beginning (similar to a "not to*
25 *exceed"). Contractor stands to make incentive bonus if project comes in on time*
26 *and under budget.*
27
28 5) *Contractor provides "Open Book" accounting of all aspects of the project for the*
29 *city utilizing the City's tax exempt status to purchase materials thereby saving*
30 *approximately 3.5% of the project cost.*
31
32 6) *COMMON RESULTS: Quality project that comes in on budget and on time*
33 *without the Contractor attempting to make additional monies via change orders.*

34
35 Ms. Rogers stated that staff recommendation was Option 2.

36
37 Mayor Wolfe asked what would happen if the project does not come in on time and is
38 over budget.

39

1 Mr. Drury said if the contingency is out of funds at the end of the project, the “at risk”
2 component kicks in and it would be a loss to the contractor. He said if it is under budget
3 the city receives the difference.
4

5 Councilmember Grenier asked Mr. Blais to comment. Mr. Blais said he has had better
6 success with projects in this format because it gives the opportunity to include the
7 contractor on the team during design. Councilmember Smith asked if he has found the
8 quality better in this process. Mr. Blais discussed his experience with cost savings. Mr.
9 Drury noted three quotes will still be received for specific areas such as plumbing,
10 however, this allows for the option to take qualified contractors in the area and then get
11 the best price. Councilmember Gamble noted that the School Board has used this
12 process successfully for several years.
13

14 Councilmember Gamble asked if Council approves option 2, would the city be restricted
15 to using this type of procedure.
16

17 Mr. Drury answered that he envisioned the city using this procedure on very large
18 complicated construction projects; standard projects would be design, bid, and build.
19 The recommendation would be for Council to go through the selection process for a
20 construction management at Risk Company and advertise that it is good for five years
21 (which meets the Competitive Consultants Negotiations Act required by the State of
22 Florida). Every project would be evaluated and staff would ask Council if they wished to
23 use the construction management at risk process for that specific project. Staff would
24 recommend the company that was previously selected be used if Council is satisfied
25 with them. This gives the option to use the firm without going through the 90 day
26 selection process each time but it does not restrict the City to this process.
27

28 Mayor Wolfe asked for comment from the audience.
29

30 MOTION

31
32 **Sandy Gamble moved to approve Option 2 – allow the staff to advertise for the**
33 **RFP for a construction manager at risk for the pier and pavilion project and any**
34 **other project the city deems appropriate and advantageous including but not**
35 **limited to the Public Safety Complex, amphitheater if it passes in November, etc.**
36 **The motion was seconded by Kirby Smith. The motion carried unanimously 5-0.**
37

38 Tab 10) Alleyway Signs – Approval of Final Graphics for Sign Faces

39

1 Mr. Skutt stated that on June 2nd, Council approved and assigned names to the City's
2 downtown alleyways. The alleyways were named after famous seaplane aviators and
3 after pioneering families that have made a historical impact on Tavares. On July 21st,
4 Council approved alleyway signs with white, bold lettering on a blue background. The
5 signs are to be mounted on a decorative black sign pole. Council discussed placing our
6 city logo on the upper left face of the sign. He showed the proofs for Council approval.
7

8 CTI Signs has provided three proposed designs for the alleyway sign faces. Staff is
9 seeking Council's final recommendation on the graphics that they still prefer the design
10 on the right with the city logo.
11

12 Mayor Wolfe asked for comment from the audience.
13

14 Bill Stomp, 5892 Britannia Blvd.
15

16 Mr. Stomp said he believed the signs on the right were supposed to have the Seaplane
17 City logo not the word "Tavares."
18

19 Councilmember Smith stated he thought the signs on the right did show the logo.
20

21 Mr. Drury asked for clarification on whether Council wanted the logo.
22

23 Councilmember Smith agreed. Councilmember Gamble suggested the font on the
24 name of the alley be smaller and enlarge the logo area. Mr. Drury noted the branding
25 manual has information on the font and font size and staff will ensure the graphic is
26 consistent and will do the best to make the logo recognizable.
27

28 Linda Spencer
29

30 Ms. Spencer said it was not necessary to say "Alleyway" just "Alley" which would allow
31 more room on the sign.
32

33 MOTION 34

35 **Sandy Gamble moved to approve the signs on the right absent of "way" after**
36 **alley and with the intent if possible to enlarge the logo, and keep the font the**
37 **same size. The motion was seconded by Kirby Smith. The motion carried**
38 **unanimously 5-0.**
39

40 Tab 11) Tavares Celebration of Art Event

1
2 Ms. Rogers said she has received a proposal from Christina Smith and Sydra
3 Nightingale to bring a fine arts festival to Tavares. She said she had included their
4 proposal in the agenda packet. The event would be January 21-23, 2011. She said their
5 preferred weekend is the last weekend in January but an event has already been
6 scheduled for that date. She said in 2012 the event would move to that weekend. She
7 explained that the artists are traveling throughout the state and this would provide an
8 opportunity for out of state artists. The city's contribution would police, fire, EMS, waste
9 management and some volunteers. She said Mr. Neron has agreed to provide \$500
10 from his budget for advertising.

11
12 Ms. Smith thanked Ms. Rogers for her assistance. She said she has worked with Ms.
13 Nightingale for 12 years on event planning. Ms. Smith discussed the marketing
14 opportunities for the city. She said they would complete a Hold Harmless agreement.
15 She said they would provide the music and specialty foods. She said it will be an
16 invitational, juried based show. They expect 30,000 people to attend the event.

17
18 Colleen McGinley, Tavares Chamber

19
20 Ms. McGinley spoke in support of the event.

21
22 Rick Gonzales

23
24 Mr. Gonzales spoke in support of the event.

25
26 Vice Mayor Pfister asked if there was any conflict with Mt. Dora events.

27
28 Ms. Nightingale said there is no conflict with dates in other cities.

29
30 Vice Mayor Pfister expressed concerns over whether the event would be in competition
31 with Mt. Dora and if the organizers had any conflicts. Ms. Nightingale said there may be
32 some of the same artists, particularly the internationally award winning artists. She said
33 this festival will be unique for Tavares. Ms. Nightingale said there would be no conflict of
34 interest.

35
36 Councilmember Smith asked how it fit in with other events scheduled. Mr. Neron stated
37 in January is the Bass Pro event and this will be the second event in January. The only
38 event in February is the African American Festival.

39
40 **MOTION**

1 Mr. Drury said the Tavares High School Year Book staff had requested a \$300 donation
2 in exchange for a full page ad in the 2011 yearbook. He suggested Council consider a
3 half page ad at \$75.00 since it was not in the budget and to tie it in with the city's
4 seaplane theme.

5
6 Councilmember Smith asked if it could be taken out of the public relations budget. He
7 asked Ms. Ross for her opinion. Ms. Ross concurred that it was a good idea, but said
8 she did not have the money in her budget.

9
10 Councilmember Gamble said if the \$300 ad was purchased it would provide more room
11 for photos, etc.

12
13 Mr. Drury commented on the longevity of yearbooks.

14
15 Betty Coven Wilcox, resident

16
17 Ms. Wilcox said she wished to say how proud and excited she is about the Tavares
18 pavilion.

19
20 **Consensus to purchase the full page ad. Mayor Wolfe offered to donate the**
21 **amount needed to make it a full page ad.**

22
23 **XIV. AUDIENCE TO BE HEARD**

24
25 **Betty Burleigh**

26
27 Ms. Burleigh thanked the staff for adjusting the air conditioning in the council chambers.

28
29 **Charlotte Hope**

30
31 Ms. Hope said there is a huge banner in Leesburg that says "Leesburg – America's
32 Real Plane City."

33
34 **XV. REPORTS**

35
36 **Tab 12) City Administrator**

37
38 Mr. Drury said he had no report other than the meetings listed.

39
40 **Finance Director**

1
2 Ms. Houghton stated the the Finance Department is working on getting Council copies
3 of the final budget and wished everyone a happy (fiscal) new year.

4
5 **Community Services**

6
7 Ms. Rogers asked everyone to note that October 23rd will be the opening of the dog
8 park and the Harvest Moon on the Lake Dora Bayou event.

9
10 **Public Works**

11
12 Mr. Thompson said that a public meeting was held on September 28th regarding
13 connecting Willow and Colerain Avenue. He said everyone at the meeting was
14 opposed. He asked for Council direction.

15
16 Councilmember Gamble said that the people that had approached him originally have
17 changed their mind.

18
19 Mr. Drury said that the residents appreciated Councilmember Gamble making the
20 recommendation to have the meeting at the Ingraham Center in the evening and
21 appreciated his outreach to the citizens.

22
23 **Human Resources**

24
25 Ms. Tucker thanked Council for the proclamation regarding the Blood Drive.

26
27 **Tab 13) City Council**

28
29 **Vice Mayor Pfister**

30
31 None.

32
33 **Councilmember Gamble**

- 34
35
- 36 • Apologized to Mr. Thompson for questioning the sidewalk width at the last
37 meeting. He noted they are four feet and that Mr. Thompson had confirmed that
38 as well immediately after the meeting.
 - 39 • Asked for verification of the date of the Crappie Master tournament. Mr. Neron
40 responded that is the last weekend in January.

- 1 • Said he has received comments when the water from irrigation is going on the
2 median on SR 19.
- 3 • Said recently when there was an electrical outage at Main Street and SR 19 he
4 had called the city and the Police responded quickly and he appreciated that.
- 5 • Commented on the baseball with the city logo and thanked Ms. Rogers

6
7 **Councilmember Grenier**

- 8
- 9 • Stated he appreciated everyone's patience with his love of history
- 10 • Expressed appreciation for Ms. Wilcox's attendance and her support of the
11 pavilion
- 12 • Stated he appreciated Mr. Thompson's report on the Colerain meeting

13
14 **Councilmember Smith**

- 15
- 16 • Spoke to a citizen who complimented Mike Fitzgerald at the Planning & Zoning
17 Board meeting and said he was very helpful
- 18 • Complimented John Rumble on fixing the sound in the council chambers
- 19 • Asked if the baseballs with the city logo could be sold in the Prop Shop

20
21 **Mayor Wolfe**

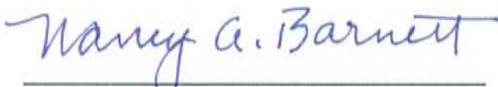
- 22
- 23 • Asked the Chief to comment on the traffic laws when the power is out

24
25 Chief Lubins stated that when approaching an intersection and the lights are all out it
26 should be treated as a four way stop.

27
28 **Adjournment**

29
30 There was no further business and the meeting was adjourned at 6:15 p.m.

31
32 Respectfully submitted,

33
34 

35
36

Nancy A. Barnett, C.M.C.
37 City Clerk

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010**

AGENDA TAB NO. 2

SUBJECT TITLE: Amendment to Inter-local Agreement between Lake County and the City of Tavares Regarding Inspections.

DEPARTMENT: FIRE

OBJECTIVE:

To have Tavares City Council officially amend the existing inter-local agreement between Lake County and the City of Tavares regarding Inspections.

SUMMARY:

On August 31, 2007, City Council entered into an inter-local agreement with Lake County for inspections of County-owned buildings and construction projects. The agreement at that time contained two basic components; (1) the construction-phase inspections for county-owned construction projects within the City of Tavares would be accomplished by Lake County employed building inspectors; and (2) annual life-safety and fire prevention inspections of County-owned buildings within the City of Tavares would be accomplished by Lake County employed fire inspectors.

For a variety of reasons, since the inter-local agreement was executed, the County has not been able to conduct the annual life safety and fire prevention inspections in County-owned buildings.

The County is proposing to amend the inter-local agreement that was established in 2007 to put the responsibility for the annual life safety and fire prevention inspections back onto the City of Tavares Fire Department.

OPTIONS:

Option 1 – Council could approve the amendment of the Inter-local Agreement between Lake County and the City of Tavares regarding inspections, authorizing the Mayor to execute the agreement by affixing signature.

Option 2 – Council could choose to deny the amendment of the inter-local agreement and direct Staff to pursue another course of action.

Option 3 – Council could choose to take no action on the issue.

STAFF RECOMMENDATION:

Staff recommends that Council approve the amendment of the inter-local agreement with Lake County regarding inspections (attached), authorizing the Mayor to execute the agreement by affixing signature.

FISCAL IMPACT:

The fiscal impact involves the “employee-hour” salary costs (already budgeted) associated with having the City’s Fire Inspector (Captain Luckcock) conduct annual Life Safety and Fire Prevention Inspections in every County-owned property within the City of Tavares (approximately 80 to 120 hours per year).

LEGAL SUFFICIENCY:

City Attorney Robert Q. Williams has reviewed the inter-local agreement and found the document to be legally sufficient.

**AMENDMENT TO
INTERLOCAL AGREEMENT BETWEEN
LAKE COUNTY AND THE CITY OF TAVARES
REGARDING INSPECTIONS**

This Amendment entered into between the City of Tavares, a political subdivision of the State of Florida, hereinafter referred to as “City” and Lake County, a political subdivision of the State of Florida, hereinafter referred to as “County”.

WHEREAS, on August 31, 2007, City and County entered into an Interlocal Agreement regarding inspections; and

WHEREAS, City and County wish to amend the Interlocal Agreement to provide City with the ability to conduct annual fire inspections for the County projects so that the citizens of Lake County will be best served, while at the same time protecting the interests of City and its residents, **NOW THEREFORE, IT IS AGREED AS FOLLOWS:**

1. The recitals above are hereby incorporated into this agreement.
2. Section 2 is hereby amended to read as follows:

County agrees as follows:

- a. For projects which are located in the City limits to design such projects in a way to meet all City Land Development Regulations and Comprehensive Plan Policies, including any architectural design criteria.
- b. For projects which are located in the City limits to obtain City site zoning, comprehensive plan, and site plan approvals prior to commencing development. For purposes of this agreement, development does not include demolition of structures which may occur prior to zoning, site plan approval with an appropriate demolition permit. County shall pay City its normal fee amount for such zoning, comprehensive plan or site plan applications and approval processes.
- c. For projects which are located in the City limits to design such projects in a way to meet the Florida Building Code. County building department is hereby designated by the parties as the appropriate agency to review building construction plans, to issue building permits, and to conduct necessary building

and fire inspections for the County projects. County shall provide scheduling information for any ongoing building construction to City on a monthly basis, and shall provide access to County building permit files as requested by City. Upon request by City, County will make any construction site available for inspection by City officials.

- d. For any County owned building located within the City limits, including buildings which will be constructed in the future, ~~County~~ City shall conduct an annual fire life safety inspection and provide copies of such inspection reports to ~~City~~ County. The annual inspection conducted by ~~County~~ City shall meet City requirements for an annual fire life safety inspection.
 - e. County shall pay any applicable impact fees that may be due in connection with the construction or remodeling of any County owned building located within City or which will utilize City services.
3. Section 3 is hereby amended to read as follows:
City agrees as follows:
- a. For projects which are located in the City limits to review zoning, comprehensive plan and site plan submittals by County and to provide comments and approvals to County projects which meet City Land Development Regulations and Comprehensive Plan Policies, including any architectural design criteria.
 - b. To authorize County building department to be the plans review and building inspection agency for County construction projects located within City.
 - ~~e. To accept the annual fire life safety inspection conducted by County on County owned buildings as compliance with City requirements.~~
4. Term of Agreement. This agreement shall become effective on the date upon which the agreement is executed by both parties. This agreement shall remain in force until terminated by either of the parties. Either party to this agreement may terminate the agreement by providing ninety (90) days written notice to the other.

IN WITNESS WHEREOF, the parties hereto have made and executed this Interlocal Agreement on the respective dates under each signature: Lake County, through its Board of County Commissioners, signing 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.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

Welton G. Cadwell, Chairman

This _____ day of _____, 2010.

ATTEST:

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

Approved as to form and legality:

Melanie Marsh
Acting County Attorney

Amendment to Interlocal Agreement between Lake County and City of Tavares Regarding Inspections

CITY OF TAVARES

_____, Mayor
Tavares City Council

This _____ day of _____, 2010.

ATTEST:

Nancy A. Barnett, City Clerk

Approved as to form and legality:

Robert Q. Williams, City Attorney

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010**

AGENDA TAB NO: 3

SUBJECT TITLE: Approval of IAFF (Fire Department Union) Contract

OBJECTIVE:

To approve the Professional Fire Fighters of Tavares Local #3245 International Association of Fire fighters union contract changes.

SUMMARY:

The Management negotiations team consisting of Mayor Robert Wolfe, City Administrator John Drury and Fire Chief Richard Keith have met on several occasions with the Fire Department Union negotiating team and recommend the following changes to the contract:

1. Elimination of Furlough Program effective retroactively to October 1, 2010 (Consistent with all other employees) – Page 32.
2. A 2% COLA adjustment effective retroactively to October 1, 2010 (Consistent with all other employees) – Page 42
3. Staffing levels back to standard staffing levels – Page 9
4. Elimination of floating fire fighter position –Page 19
5. A grammatical correction on page 15 and 29

OPTIONS:

1. Approve Contract Changes
2. Do not approve contract changes.

STAFF RECOMMENDATION:

Approve contract changes

FISCAL IMPACT:

Changes consistent with FY 11 budget

LEGAL CONSIDERATIONS:

All options are legally sufficient.

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AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010

AGENDA TAB NO: 4

SUBJECT TITLE: Ordinance #2010-22 – Amendment to Ordinance 2009-24 to Extend City-wide Impact Fee Waiver Program for Additional Year

OBJECTIVE:

To consider the approval of Ordinance #2010-22 to extend the impact fee waiver program for one year.

SUMMARY:

At its meeting held December 9, 2009, the City Council approved Ordinance 2009 – 34 which waived the imposition of City impact fees City-wide for the period Jan.1 2010 – Dec. 31, 2010. On November 17, 2010, Council directed staff to prepare an ordinance to extend the program for an additional year to December 31, 2011.

Impact Fees

The imposition of impact fees by local governments became popular in the mid-1990's as the State of Florida was experiencing rapid growth and local governments could not keep up with the needed funding for infrastructure necessary to support that new growth.

The theory was that impact fees were a method for new growth to pay for the costs of local government infrastructure needed to support the new growth that was occurring. Initially, impact fees were levied for water and sewer infrastructure soon to be followed by transportation impact fees. Many local governments then implemented impact fees for fire, police, recreation and libraries. Finally, many counties in conjunction with the local School Board began implementing school impact fees.

Based on case law developed over time, there had to be a "rational nexus" in that the cost of an impact fee had to be equitably spread among the various land use categories for the specified fee being charged and the fees collected for a specified function had to be spent in the general geographic area in which the fee has been collected.

Over time, impact fees levied for various functions by various levels of government - city, county and school boards – have resulted in a multi-level and sometimes confusing impact fee structure.

City of Tavares – Background Information

From information presented during past budget discussions, it was shown that the property tax base of the City of Tavares is approximately 80% residential and 20% non-residential. The goal of the City Council has been through its economic development program to encourage commercial development to more evenly spread the costs of local government between residential and commercial land uses. The ideal breakdown would be a tax base of 60% residential and 40% commercial.

Exhibit 1 depicts two separate sets of information: (1) the construction value and number of residential and non-residential building permits issued for the five-year period 2005 – 2009 and (2) the taxable assessed value of residential and commercial real property for the six-year period 2005 – 2010.

The total value of building permits issued ranged from a high in 2005 of \$102 million to a low of \$11.2 million in 2009. The total number of building permits issued ranged from a high of 610 in 2005 to a low of 31 in 2009. For the years 2005 – 2007 the percentage value of residential construction value ranged from 94% to 75% of the total value of construction. In the two-year period of 2008 – 2009, the percentage value of commercial construction as a percentage of the total value of construction ranged from 47% to 65%.

Over the five-year period of 2005 – 2009, the number and value of building permits issued in the City dropped precipitously with the percentage value of commercial construction ranging from 47% to 65% in 2008 and 2009.

The taxable assessed value of residential and commercial property roller-coasted in the period 2005 – 2010. The total taxable assessed value increased from \$395 million in 2005 to a high of \$854 million in 2008 back down to \$529 million in 2010. This steep decline in taxable residential value reflects the total downturn of residential values in the housing market coupled with the doubling of the homestead exemption in 2009. The recovery of the taxable value of residential property will be very slow due to the glut of the current housing market with foreclosed homes, as well as the "Save Our Homes" valuation cap on the annual increase of homestead residential properties.

The taxable assessed valuation of commercial property increased from a low of \$80 million in 2005 to \$198 million in 2009, an increase of \$118 million or 247%. The percentage of commercial taxable assessed value as a percentage of total taxable assessed value increased from 20.4% in 2005 to 25% in 2010. This indicates a slow shift in the taxable value of the tax base to a higher level of

commercial value.

City-Wide Impact Fee Waiver Program – January – October 2010

Since January 2010 the City has waived all City impact fees for all construction within the City Limits of Tavares.

Exhibit 2 shows the results of the impact fee waiver program for the first ten months of 2010.

Permits have been approved for new construction valued at \$31,016,761 with resulting impact fee waivers of \$1,817,254. For every dollar of impact fee waived results in \$17.07 of new value construction.

Of the \$31 million in new construction, \$22.6 million or 73% was for commercial construction and \$8.3 million or 27% was for residential construction. It should be noted that since no new subdivisions have been approved in the last year, all of the residential construction is in-fill of existing subdivisions.

It should be noted that permits for all of the projects have been approved but all of the permits have not been pulled. Final financing approvals on a few of the larger projects are still awaiting approval.

City of Tavares Tax Base and Impact Fees

The first 10 months of the City-wide Impact Waiver program has produced positive results in that new commercial construction has been encouraged and limited new residential construction has resulted in the infill of existing residential areas.

The estimated \$31 million of new construction value in the first 10 months of 2010 is almost three times the new construction value of \$11million in year 2009.

In speaking with the owners of several of the large commercial projects for which building plans have been approved, all have stated that the current impact fee waiver program was a major consideration in moving their projects forward at this time.

Of the estimated \$1.8 million in impact fees waived in 2010, the majority would be for water and sewer impact fees. While the City has been fortunate to receive sizeable water and sewer grants and loans to upgrade the existing system, at some point the need for some level of water and sewer impact fees needs to be addressed.

In considering whether or not to extend the current impact fee waiver program, the basic dichotomy of the issue is the immediate growth in the property tax

base, primarily in the commercial area that will continue over time, versus one-time impact fee revenue that can be used to offset the costs of public infrastructure.

Over the last 24 months, the economy in our Nation and State has been in the worst recession since the Great Depression in the 1930's. Millions of jobs have been eliminated and unemployment is at record levels. The housing market is primarily being fueled by the sale of foreclosed homes and short sales. While recent economic indicators seem to point to a "bottoming out" of the recession it will take years for the job market to recover and the construction industry to rebound.

Based on these conditions and the fact that the current City-wide impact fee waiver program has produced positive impacts, it is recommended that the current City-wide impact fee waiver program be extended through December 2011 or in the alternative that the City-wide impact fee waiver program be extended through June 2010 and that thereafter impact fees can be paid over a five-year period with interest charged at the prevailing rate.

At its meeting held November 8, 2010, the CRA Advisory Committee reviewed this issue and the two options. After review and discussion, the CRA Advisory Committee by a vote of 4 – 0 approved recommending that the City Council select Option 1 below to extend the impact fee waiver program through December 2011.

OPTIONS:

1. Move to approve Ordinance #2010-22 to extend the current City-wide impact fee waiver program through December 2011, and thereafter allow that impact fees can be paid over a five-year period with interest charged at the prevailing rate.
2. Do not approve Ordinance #2010—22 to extend the current City-wide impact fee waiver program through June 2010 and thereafter allow that impact fees can be paid over a five-year period with interest charged at the prevailing rate.

STAFF RECOMMENDATION:

Staff recommends that the Council approval of Option 1:

Move to approve Ordinance #2010-22 to extend the current City-wide impact fee waiver program through December 2011.

FISCAL IMPACT:

The fiscal impact will be dependent on the level and type of building permits that are pulled during the 12 month time frame. Based on the results of the first 10 months of the current City-wide impact fee waiver program, every dollar of impact fees that were waived resulted in \$17.07 of new construction value.

LEGAL REVIEW:

This proposal has been reviewed and approved by the City Attorney.

EXHIBIT 1

City of Tavares

Residential and New Construction Permits Issued per Fiscal Year

Fiscal Year	Commercial & Residential Property	Residential Property	No.	% Residential	Commercial Property	No.	% Commercial
2005	\$102,543,594.00	\$96,326,540.00	583	93.94%	\$6,217,054.00	27	6.06%
2006	\$75,767,506.00	\$57,453,714.00	365	75.83%	\$18,313,792.00	28	24.17%
2007	\$32,350,749.00	\$24,038,524.00	155	74.31%	\$8,312,225.00	13	25.69%
2008	\$31,094,860.00	\$16,333,398.00	86	52.53%	\$14,761,462.00	17	47.47%
2009	\$11,272,027.00	\$3,880,011.00	24	34.42%	\$7,392,016.00	7	65.58%

Taxable Assessed Value of Real Property

Fiscal Year	Residential & Commercial Property	Residential Property	% Residential	Commercial Property	% Commercial
2005	\$395,057,039.00	\$314,292,456.00	79.56%	\$80,764,583.00	20.44%
2006	\$571,345,791.00	\$449,730,616.00	78.71%	\$121,615,175.00	21.29%
2007	\$730,057,781.00	\$578,959,639.00	79.30%	\$151,098,142.00	20.70%
2008	\$854,994,055.00	\$668,605,480.00	78.20%	\$186,388,575.00	21.80%
2009	\$762,026,655.00	\$563,727,801.00	73.98%	\$198,298,854.00	26.02%
2010	\$529,262,580.00	\$396,449,871.00	74.91%	\$132,812,709.00	25.09%

EXHIBIT 2

City of Tavares

Impact Fee Waiver program

January 2010 to -October 31st, 2010

The City of Tavares adopted its impact fee waiver ordinance on December 16th, 2009. Since that date, the City has processed building permits for the following new construction projects:

<u>Types of Project</u>	<u>Valuation</u>	<u>Total Fees Waived</u>
Commercial:		
Alzheimer/Assisted Living Facility *	\$15,000,000	\$882,278
Massey's	382,523	8,171
Bartch Annexation	161,300**	1,252
Ellrodt Office	185,000	6,332
Lane Park Storage Complex*	1,640,518	1,438
Kooser's BBQ	115,000	42,853
Dollar Tree	650,000	28,954
Lemon's Sports Complex*	<u>4,500,000</u>	<u>562,392</u>
Total Commercial	\$22,634,341	\$1,533,670
Residential:		
Multi-Family	\$3,123,015	\$179,407
Single Family	<u>5,259,405</u>	<u>104,177</u>
Total Residential	\$8,382,420	\$283,584
GRAND TOTAL	\$31,016,761	\$1,817,254

*A building permit application has been received for this project. It has been reviewed and is expected to be issued in the near future.

**Assessed Value of annexed property connecting to city utilities.

All individuals that have received impact fee waivers since the inception of this program have indicated, in writing, that the waivers contributed significantly with their decision go ahead with their projects.

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ORDINANCE 2010-22

AN ORDINANCE AMENDING ORDINANCE 2009-34 OF THE CITY OF TAVARES, FLORIDA PERTAINING TO THE WAIVER OF IMPACT FEES; EXTENDING THE WAIVER TO DECEMBER 31, 2011; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance 2009-34 provides for a waiver of impact fees provided by Chapter 6 and Chapter 17 of the City's Code of Ordinances until December 31, 2010, and

WHEREAS, the City of Tavares finds that an extension of the waiver will further its legitimate public interest in encouraging economic growth and development in and around the City, since said growth provides jobs, provides additional customers for the City's services, and increases the City's tax base; and

WHEREAS, the limited impact fee waiver provided herein will not result in a disproportionate impact fee for past or future development; and

WHEREAS, the payment of City police, fire/rescue, parks, recreation, water, and wastewater capital charges still pose a significant expense for new residential and commercial businesses and enterprises that are facing other start up expenses; and

WHEREAS, the Florida Legislature has recognized the validity of waivers of impact fees to promote economic development in Section 163.2517, Florida Statutes, and

WHEREAS, City impact fee revenues have not been pledged for the repayment of any municipal bonds or obligations, and the provision of an additional twelve (12) month waiver of such fees will not impair the City's capital improvement plans for its police, fire, recreation, water and wastewater utility departments, and

WHEREAS, the City Council desires to waive payment of impact fees for an additional twelve (12) month period as a citywide economic development incentive as provided herein; now therefore,

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

Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

47 **Section 2. Amendment.** Chapter 6 of Part II of the City of Tavares Code of
48 Ordinances is hereby amended to read as follows:

49 **Section 6-6.** Payment of impact fees.

50
51
52 (a) Any person who seeks to develop land within the city, by applying
53 for a building permit or final development order, is hereby required to pay impact
54 fees in the manner and amount set forth in the fee schedule. The impact fee due
55 prior to the issuance of a building permit or final development order, except as
56 otherwise provided by this article, shall be the sum of the applicable police
57 facilities, fire/rescue facilities, and parks and recreation facilities impact fee.

58
59 (b) No building permit or final development order requiring payment of
60 an impact fee pursuant to this article shall be issued unless and until impact fees
61 herein required have been paid.

62
63 (c) No extension of a building permit or final development order for any
64 activity requiring payment of an impact fee, pursuant to the fee schedule, shall be
65 granted unless and until the impact fees in effect at the time of the extension
66 request have been paid.

67
68 (d) In the event impact fees are paid concurrently with the issuance of
69 a building permit or final development order and subsequently, the building
70 permit or final development order is amended, the applicant shall pay impact fees
71 in effect at the time the amended building permit or amended final development
72 order is issued with credit being given for the previous fees paid.

73
74 (e) All impact fees that would normally be due under the terms of this
75 Chapter shall be waived for building permits issued from January 1, 2010,
76 through December 31, 2011.

77
78 **Section 3. Amendment.** Section 17-39 of the City of Tavares Land
79 Development Regulations is hereby amended to provide as follows:

80
81 **Section 17-39.** Waiver of Impact Fees.

82
83 All impact fees that would normally be due under the terms of this
84 Chapter shall be waived for building permits issued from January 1, 2010,
85 through December 31, 2011.

86
87 This Ordinance shall take effect immediately upon its final adoption by the
88 Tavares City Council.

89
90 **PASSED AND ORDAINED** this 1st day of December, 2010, by the City
91 Council of the City of Tavares, Florida.

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ATTEST:

Nancy A. Barnett
City Clerk

First Reading: November 17, 2010

Passed and Adopted Second Reading

Approved as to form:
City Attorney

Robert Wolfe, Mayor
Tavares City Council

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DECEMBER 1, 2010**

AGENDA TAB NO. 5

SECOND READING

**SUBJECT TITLE: Ordinance 2010-19
PD Amendment – Oak Bend Subdivision-S.R. 19**

OBJECTIVE:

To consider Ordinance 2010-19, an ordinance that amends Oak Bend's PD Ordinance 2005-04, by substituting the provision for 96 single-family attached dwellings (townhomes) for 53 single-family detached dwellings.

SUMMARY:

The Oak Bend subdivision is located on the west side of S.R. 19, across from Royal Harbor. The PD ordinance for this subdivision was approved in 2005. The Planned Development zoning permitted 111 single-family detached dwellings and 96 single-family attached dwellings. The property was platted to provide lots for these two types of dwellings.

No attached dwellings have been constructed or sold and it is the owner's opinion that the property can best be developed exclusively as a single-family detached subdivision. This is generally consistent with the City's Comprehensive Plan that encourages higher residential densities within our urban core. The proposed amendment will reduce the net upland density of this property from 4.81 dwelling units per acre to 3.93 dwelling units per acre. Impacts on all city services will be reduced proportionately to this change in density. Other than amending the permitted dwelling types, the Planned Development regulations for this subdivision shall remain unchanged. The owner will be required to submit updated utility and drainage plans to address the reconfiguration of the lots. The roads within the subdivision have already been constructed and will not be altered. A new plat of subdivision, reflecting the amended conceptual plan, must be approved and recorded.

Oak Bend is located on the southern extremity of the city. Staff is recommending approval of the amendment due to the potential reduction of impacts on city services in a manner that is consistent with the encouragement of higher residential densities within the urban core.

OPTIONS:

1. That City Council moves to approve Ordinance 2010-19 as presented.
2. That City Council moves to deny the proposed rezoning.

PLANNING & ZONING BOARD RECOMMENDATION:

At its October 21st meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2010-19.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2010-19.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2010-19

1
2
3 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA
4 AMENDING PUD ORDINANCE 2005-04; AN ORDINANCE THAT
5 GOVERNS THE DEVELOPMENT OF THE OAK BEND
6 SUBDIVISION ON S.R. 19; SUBSTITUTING THE PROVISION
7 FOR 96 SINGLE-FAMILY ATTACHED DWELLINGS FOR 53
8 SINGLE-FAMILY DETACHED DWELLINGS; AMENDING THE
9 CONCEPTUAL MASTER PLAN FOR THE SUBDIVISION TO
10 REFLECT THIS CHANGE; SUBJECT TO THE RULES,
11 REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY
12 OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.
13
14
15

16 **WHEREAS**, on March 2, 2005, the City of Tavares adopted Ordinance 2005-04, an
17 ordinance generally known as the Oak Bend (Rhodes Property) Planned Development Zoning
18 Ordinance; and
19

20 **WHEREAS**, Ordinance 2005-04 permitted 111 single-family detached dwellings and 96
21 single-family attached dwellings and the property, legally described in that ordinance and shown
22 as Exhibit "C" to this ordinance, was platted (**Exhibit "B"**) to provide lots for the permitted
23 dwellings; and
24

25 **WHEREAS**, no single-family attached dwellings have been constructed or sold on this
26 property; and
27

28 **WHEREAS**, the property owner desires to amend Ordinance 2005-04 by substituting the
29 96 single-family attached dwellings provided for in that ordinance for 53 single-family detached
30 dwellings; and
31

32 **WHEREAS**, the City of Tavares City Council has determined that adoption of this
33 ordinance is in the best interest of the general health, welfare and safety of the citizens of
34 Tavares; therefore:
35

36 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**
37

1 **Section 1. PUD Amendment:**

2 That Sections 2.2 and 2.3 of Ordinance 2005-04 are amended as follows:

3
4 **Section 2.2 Land Uses**

5 A. The Conceptual Master Plan for the project is attached hereto and made a part herewith
6 as **Exhibit "A"**. Elements in the Conceptual Master Plan include residential (single-
7 family detached ~~and single-family attached~~) acreage, recreation space, open space, and
8 jurisdictional wetlands. The general location of each of these land uses has been
9 established as depicted in the Conceptual Master Plan. Out of the 57.64-acre site, the
10 approximate acreage devoted to each land use shall be as follows:

11			
12	Permitted Uses	Single-family Detached Residential	
13		Single-family Attached Residential	
14			
15	Total Acreage	57.64 gross acres	
16	Maximum Units	207 164 dwelling units	
17		Single-family Detached Residential	414 164 dwelling units
18		Single-family Attached Residential	96 dwelling units
19	Gross Density	3.59 <u>2.84</u> dwelling units per acre	
20	Net Upland Density	4.84 <u>3.93</u> dwelling units per acre	

21
22 **Site Specific Acreage Breakdown:**

23 Common Areas:

24	Stormwater Retention Areas	3.49 acres
25	Recreational Space	4.03 acres
26	Jurisdictional Wetlands	15.96 acres
27	Total Common Areas	23.48 acres
28	Total Residential Acreage	<u>34.16 acres</u>
29		
30	Total Gross Acreage	57.64 acres

31
32 B. The jurisdictional wetlands may include an elevated boardwalk, picnic area and trail
33 system subject to permitting requirements of the St. Johns River Water Management
34 District and/or the Florida Department of Environmental Protection.

1 C. A minimum of five percent (5%), or approximately 2.88 acres, of the upland areas shall
2 be dedicated to recreational uses.

3
4 D. In addition to the planned elements shown on the Master Plan, such easements and
5 rights-of-way shall be established within or adjacent to the project site as may be
6 necessary or desirable for the service, function or convenience of the project, said
7 easements and rights of way to be determined and indicated on recorded plats of the
8 property or any portion thereof.

9
10 E. The development may be constructed in multiple phases, consistent with the Tracts
11 proposed in the Conceptual Master Plan. Each phase shall be platted and developed so
12 that it constitutes a self-contained unit, not dependent on any other phases of the
13 development.

14
15 **Section 2.3 Development Standards**

16
17 Unless otherwise specified herein the development standards of the City of Tavares
18 Land Development Code shall apply as follows:

19
20 Single-family detached dwelling units shall comply with the RSF-1 zoning district
21 standards.

22
23 ~~Single-family attached dwelling units shall comply with the RMF zoning district~~
24 ~~standards, and specifically section 8-39. The single-family attached dwelling units shall~~
25 ~~not be developed as rental units. The attached dwelling units shall be limited to 6~~
26 ~~dwelling units per single building and each such building shall comply with the~~
27 ~~commercial architectural standards of the Land Development Regulations.~~

28
29 A. Setbacks. All setbacks shall be measured from the property line to the foremost vertical
30 face of the structure. Where any setbacks conflict with required easement widths, the
31 easement widths, if larger, shall prevail.

32
33 1. Single-Family Detached Dwelling Units

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(a) Principal Structure

Front setback	25'
Rear setback	20'
Side setback 50-foot lots (internal)	5'
Side setback 60-foot lots (internal)	6'
Side adjacent to ROW	12.5'
From Jurisdictional Wetlands Line	25'

(b) Accessory Structures, Pools and Screen Enclosures, Detached Garages.
All accessory structures, pools and screen enclosures shall be located in the rear yard.

Rear setback	5'
Side setback (internal)	same as principle structure
Side adjacent to ROW	same as principle structure
From Jurisdictional Wetlands Line	25'

~~2. Single Family Attached Dwelling Units:
Single-family attached dwelling units shall be limited to six (6) dwelling units per single building. The setbacks per building are as follows:~~

~~(a) Principal Structure~~

Front setback	25'
Rear setback	15'
Side adjacent to ROW	15'
Distance between buildings	10'
From Jurisdictional Wetlands Line	25'

1 ~~(b) — Accessory Structures, Pools and Screen Enclosures, Detached Garages.~~
2 ~~All accessory structures, pools and screen enclosures shall be located in~~
3 ~~the rear yard.~~

4
5 ~~Rear setback ————— 5'~~

6 ~~Side setback (building) ————— same as principle structure~~

7 ~~Side adjacent to ROW (building) — same as principle structure~~

8 ~~Side setback (internal units) ————— 5'~~

9 ~~From Jurisdictional Wetlands Line ————— 25'~~

10
11 B. Lot Requirements

12 1. Minimum Lot Widths and Areas. The minimum lot size for single-family dwelling
13 units shall be no less than five-thousand-five-hundred (5,500) square feet with
14 minimum lot width of fifty feet (50'). ~~Minimum lot size equivalent for town-house~~
15 ~~dwelling units shall be two thousand seven-hundred and fifty square feet (2,750).~~

16 2. Corner Lots. Corner lots shall be fifteen percent (15%) larger in area and width
17 than as required above.

18 3. Maximum lot coverage and impervious surfaces. Maximum lot coverage by
19 impervious surfaces shall not exceed sixty percent (60%) of the total lot area.
20 Impervious surfaces shall not exceed thirty-five percent (35%) of any front yard.

21 4. Lot widths and areas shall substantially conform to those indicated on the
22 attached Conceptual Plan.

23
24 C. Dwelling size. The minimum dwelling size for all single-family ~~and town-home~~
25 residences shall be one-thousand-two-hundred (1,200) square feet of heated/air-
26 conditioned space under roof, exclusive of a garage.

27
28 D. Height of Structures. The height of a structure shall be determined by measuring the
29 distance from mean grade elevation to the highest point of the roof and shall not exceed
30 thirty-five feet (35').

1 ~~E. Architectural Standards~~

2 ~~1. Each single-family attached dwelling unit shall have a garage, attached or~~
3 ~~detached, placed a minimum of 3-feet (3') to the rear of the front façade of said~~
4 ~~dwelling unit.~~

5 ~~2. Each single-family attached building shall comply with specific sections of the~~
6 ~~City's Architectural Standards as set forth in Chapter 9 of the Land Development~~
7 ~~Regulations as follows:~~

- 8 ~~• Section 8-29(B) Roof Standards.~~
- 9 ~~• Section 8-29(D) Massing Standards~~
- 10 ~~• Section 8-29(E) Design Elements~~
- 11 ~~• Section 8-29(F) Building Materials Standards~~
- 12 ~~• Section 8-29(G) Exterior Colors~~

13
14 F. Lighting. Street lighting shall be installed by the Developer at each intersection and at
15 the end of each cul-de-sac in accordance with the minimum standards as set forth by the
16 local power provider. Design of fixtures shall be subject to approval of the City of
17 Tavares, with submission of said design required at time of application of construction
18 plans. Design shall incorporate a theme. Lighting shall be at least fifteen feet (15') in
19 height and no more than thirty feet (30') in height, with lighting focused in a downward
20 direction. Fixture locations shall be approved by the City prior to installation.

21
22 G. Landscaping and Buffer Requirements.

23 1. State Road 19. Buffering along State Road 19 shall consist of the following:

- 24 • There shall be a six foot (6') wall along the property line adjacent to S.R.
25 19. The wall shall be either brick, block/stucco or split-face block. The
26 ends of the walls shall extend inward toward the development a minimum
27 of 20 feet (20').
- 28 • A continuous hedge, planted thirty-six inches (36") on center, two feet (2')
29 high at the time of planting shall be planted on the roadway side of the
30 wall.
- 31 • One (1) canopy tree each fifty lineal feet (50') shall be planted on the
32 roadway side of the wall. Sub-canopy trees may be substituted for canopy

1 trees at a ratio of 3 to 1 up to a maximum of one-fourth (1/4) of the
2 canopy trees required.

3 2. Perimeter Buffering. Along the perimeter of the parent tract that is not adjacent to
4 State Road 19, landscaping and buffering shall be required per the Land
5 Development Regulations effective at the time of development.

6 3. Plant material specifications and approved species shall meet the requirements of
7 Chapter 11 of the City of Tavares land Development Regulations in effect at the
8 time of development.

9 4. All landscaped and common areas shall be in place at time of final plat approval and
10 shall be properly irrigated and maintained by the established Homeowners
11 Association or by the Developer.

12 5. All landscaped and common areas shall be in a self-contained tract or easement
13 that is maintained by the Homeowners Association or by the Developer.

14 6. Each single-family detached lot ~~or single family attached lot area equivalent~~ shall
15 contain a minimum of number of trees as follows:

- 16 • Lots 6000 square feet and greater – 3 trees
- 17 • Lots less than 6000 square feet – 2 trees

18 Trees shall be considered canopy trees per the approved species list as set forth in
19 the Land Development Regulations, a minimum of 2.5 inches in diameter breast
20 height. Existing trees greater than 6 inches diameter breast height may be counted
21 toward this minimum requirement.

22
23 H. Fences. Any fencing or walls located along the perimeter of the parent tract shall be
24 uniform in design, materials, color, and height, with such requirement incorporated into
25 the deed restrictions recorded at the time of final plat recording. No fences abutting
26 right-of-way shall consist of wood or chain link.

27
28 I. Signage. Signage shall conform to the City of Tavares Land Development Regulations
29 regarding subdivision signage.

30
31 J. Recreation Area. Recreational equipment approved by the City of Tavares at time of
32 final platting shall be located in an area designated on the attached Conceptual Plan as

1 "Tract A, Recreational Area." The designated recreational area shall provide, at a
2 minimum, a five-foot-wide (5') trail and exercise course consisting of a minimum of ten
3 (10) amenity items including benches, barbeque grills, and components of the exercise
4 course. Said trail shall be in place prior to the issuance of the first certificate of
5 occupancy issued within this development. Said trail may consist of a paved or a
6 stabilized mulch surface.

7
8 K. Tree Preservation.

9
10 1. Under no circumstances shall any tree, regardless of size or species, be
11 removed from any designated wetland or conservation easements.

12
13 2. A minimum of one-quarter of the existing trees measured 6 inches in diameter
14 breast height or greater shall be preserved on site. Should preservation of these
15 trees interfere with reasonable development of the site, replacement trees may
16 be planted at the following ratio.

17 (a) Existing trees 6 to 12 inches dbh may be replaced with 1 tree a minimum
18 of 2.5 inches dbh.

19 (b) Existing trees 13 to 20 inches dbh may be replaced with 2 trees a
20 minimum of 2.5 inches dbh.

21 Replacement trees shall be considered canopy trees per the approved species
22 list as set forth in the Land Development Regulations.

23 3. All trees twenty inches in diameter or greater shall be preserved and lot design
24 shall accommodate said preservation.

25 (a) Said trees may be removed upon application to the City for a tree removal
26 permit subject to the following conditions:

27 (1) The tree is located within the building pad of the proposed
28 dwelling unit or within 10 feet of the building pad.

29 (2) The tree materially interferes with the location, servicing or
30 function of the utility lines or services, right-of-ways, or stormwater
31 retention areas.

32 (3) The tree is diseased or weakened by age, abuse, storm or fire and

1 is likely to cause injury or damage to people, buildings or other
2 improvements.

3 (b) Replacement Requirements. Trees required to be preserved under
4 subsection 3 and which have been approved for removal subject to
5 subsection 3(a) shall be replaced in accordance with the following:

6 (1) For each inch of tree removed an inch of tree shall be replaced,
7 said tree being measured at diameter breast height. Replacement
8 trees shall be a minimum of six inches in diameter breast height.

9 (2) Replacement trees shall be considered canopy trees per the
10 approved species list as set forth in the Land Development
11 Regulations.

12 4. Replacement tree may be moved from one location to another within the
13 development subject to each lot meeting the minimum planting standards as set
14 forth in G.6 above.

15 5. Trees removed pursuant to the criteria specified in this section shall be replaced
16 at the expense of the applicant.

17
18 **Section 2. Severability and Conflicts**

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

24
25 **Section 3. Effective Date**

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

28
29 **PASSED AND ADOPTED** this _____ day of _____, 2010 by the City Council of
30 the City of Tavares, Florida.

31
32 _____
33 Robert Wolfe, Mayor
34 Tavares City Council
35
36

1 First Reading: _____

2

3 Passed Second Reading: _____

4

5 ATTEST:

6

7 _____

8 Nancy A. Barnett, City Clerk

9

10

11 Approved as to form:

12

13 _____

14 Robert Q. Williams, City Attorney

15

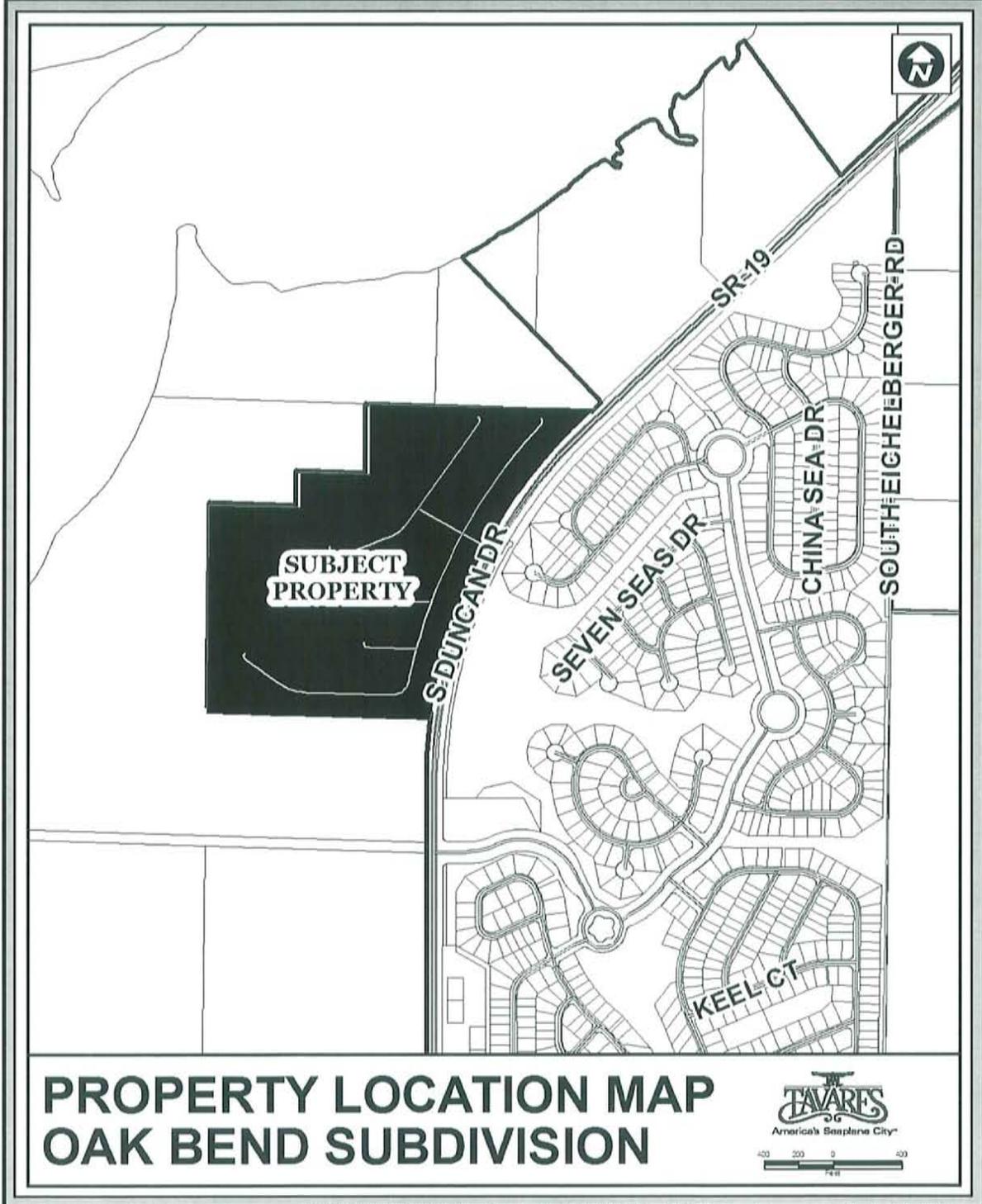
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CITY OF TAVARES



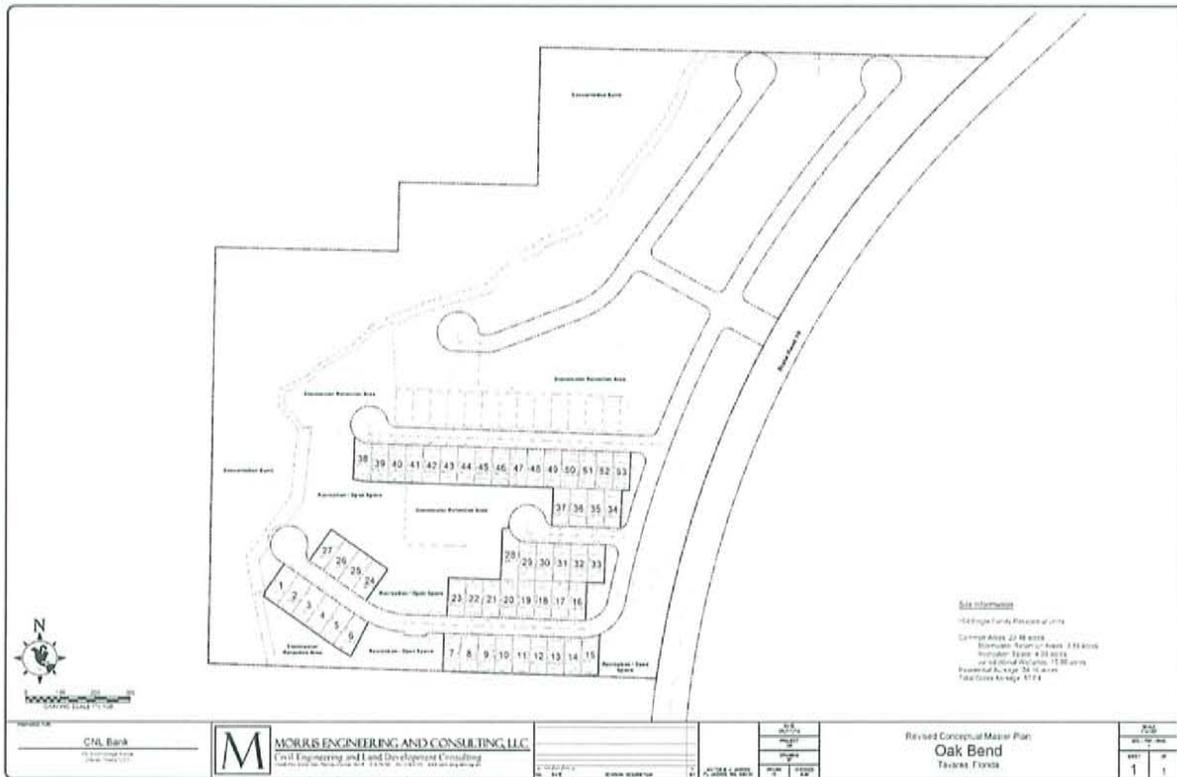
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Map Created on 10/1/10

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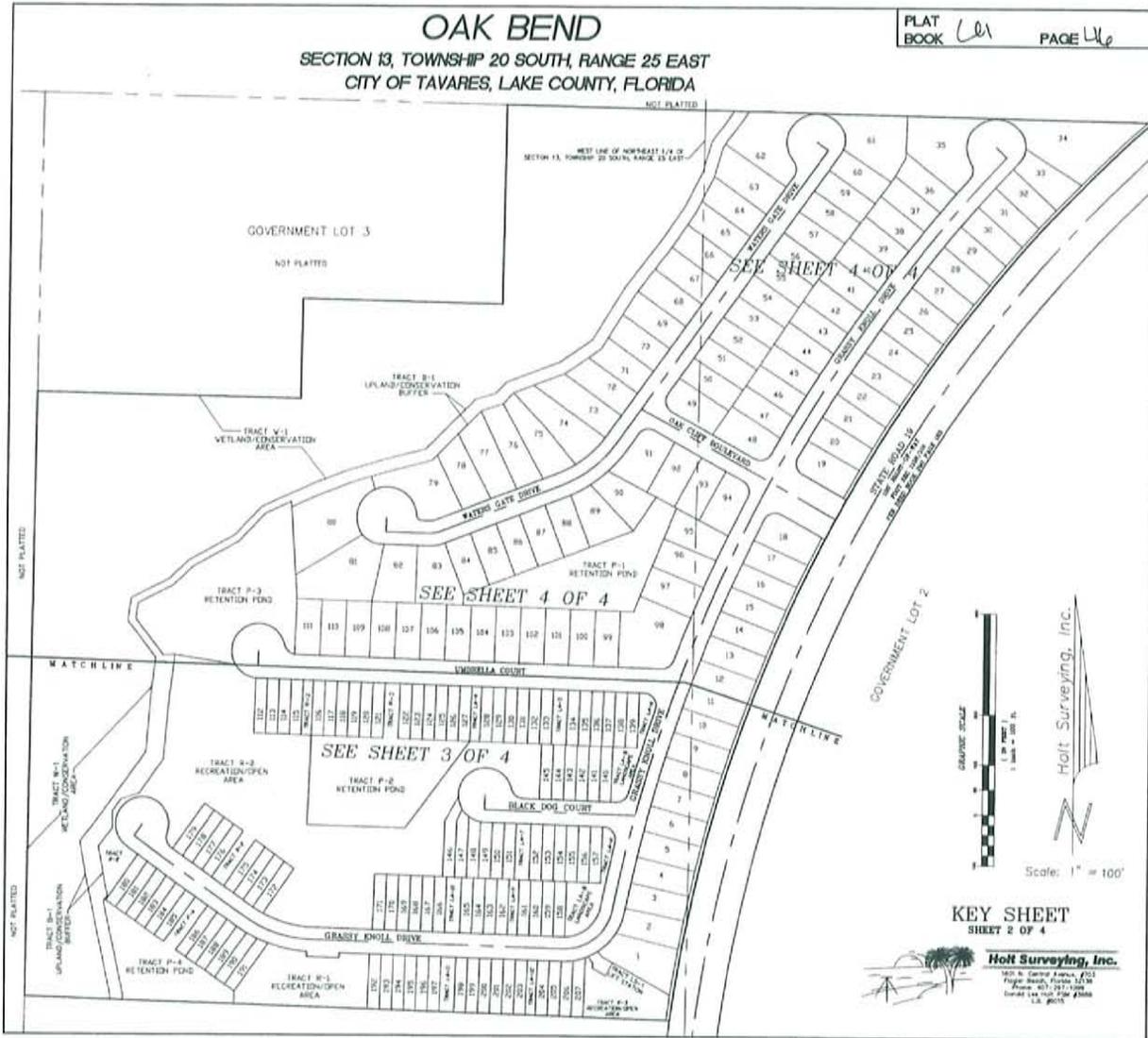
Exhibit "A" Revised Master Conceptual Plan



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Exhibit "B" Current Plat



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Exhibit "C"
Legal Description

GOVERNMENT LOT 3, LESS THE SOUTH 810.00 FEET THEREOF.

ALSO LESS: THAT PART OF THE SOUTH 200.00 FEET OF THE NORTH 600.00 FEET THEREOF, LYING WEST OF A LINE, SAID LINE BEING 800.00 FEET WEST OF AND PARALLEL WITH, THE EAST LINE OF SAID GOVERNMENT LOT 3, WHEN MEASURED AT RIGHT ANGLES THERETO.

ALSO LESS: THAT PART OF THE NORTH 400.00 FEET THEREOF, LYING WEST OF A LINE, SAID LINE BEING 400.00 FEET WEST OF, WHEN MEASURED AT RIGHT ANGLES THERETO, THE EAST LINE OF SAID GOVERNMENT LOT 3, ALL BEING IN SECTION 13, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

ALSO: THAT PART OF THE NORTHEAST 1/4 OF SAID SECTION 13, LYING WESTERLY AND NORTHWESTERLY OF THE WESTERLY AND NORTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 19, AS IT EXISTS THIS 10TH DAY OF DECEMBER, 1986.

ALL OF THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A RECOVERED TWO INCH IRON PIPE BEARING NO LAND SURVEYOR IDENTIFICATION NUMBER MARKING THE NORTHWEST CORNER OF THE NORTHEAST ONE QUARTER, AND THE NORTHEAST CORNER OF GOVERNMENT LOT 3, OF SECTION 13, TOWNSHIP 20 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; RUN THENCE SOUTH 88 DEGREES 44 MINUTES 01 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 13 A DISTANCE OF 901.95 FEET TO THE WEST RIGHT OF WAY LINE OF STATE ROAD 19, A 100.00 FEET WIDE RIGHT OF WAY; THENCE RUN SOUTH 46 DEGREES 23 MINUTES 59 SECONDS WEST ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 110.07 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 2914.90 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND AFORESAID RIGHT OF WAY LINE 1968.90 FEET THROUGH A CENTRAL ANGLE OF 38 DEGREES 42 MINUTES 04 SECONDS TO THE NORTH LINE OF THE SOUTH 810.00 FEET OF THE AFOREMENTIONED GOVERNMENT LOT 3; THENCE RUN NORTH 88 DEGREES 06 MINUTE 01 SECONDS WEST ALONG SAID NORTH LINE A DISTANCE OF 1298.31 FEET TO THE WEST LINE OF AFOREMENTIONED GOVERNMENT LOT 3; THENCE RUN NORTH 00 DEGREES 47 MINUTES 29 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 1202.72 FEET TO THE SOUTH LINE OF THE NORTH 600.00 FEET OF SAID GOVERNMENT LOT 3; THENCE RUN SOUTH 88 DEGREES 44 MINUTES 01 SECONDS EAST ALONG SAID SOUTH LINE A DISTANCE OF 529.41 FEET TO THE WEST LINE OF THE EAST 800 FEET OF SAID GOVERNMENT LOT 3; THENCE RUN NORTH 00 DEGREES 47 MINUTES 29 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 200.01 FEET TO SOUTH LINE OF THE NORTH 400.00 FEET OF SAID GOVERNMENT LOT 3; THENCE RUN SOUTH 88 DEGREES 44 MINUTES 01 SECONDS EAST ALONG SAID SOUTH LINE A DISTANCE OF 400.01 FEET TO THE WEST LINE OF THE EAST 400.00 FEET OF SAID GOVERNMENT LOT 3; THENCE RUN NORTH 00 DEGREES 47 MINUTE 29 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 400.01 FEET TO THE NORTH LINE OF THE NORTHWEST ONE QUARTER OF AFORESAID SECTION 13 AND THE NORTH LINE OF THE AFORESAID SECTION 13 AND THE NORTH LINE OF THE AFOREMENTIONED GOVERNMENT LOT 3; THENCE RUN SOUTH 88 DEGREES 44 MINUTES 01 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 400.01 FEET TO THE POINT OF BEGINNING.

CONTAINING THEREIN 56.73 ACRES, MORE OR LESS.

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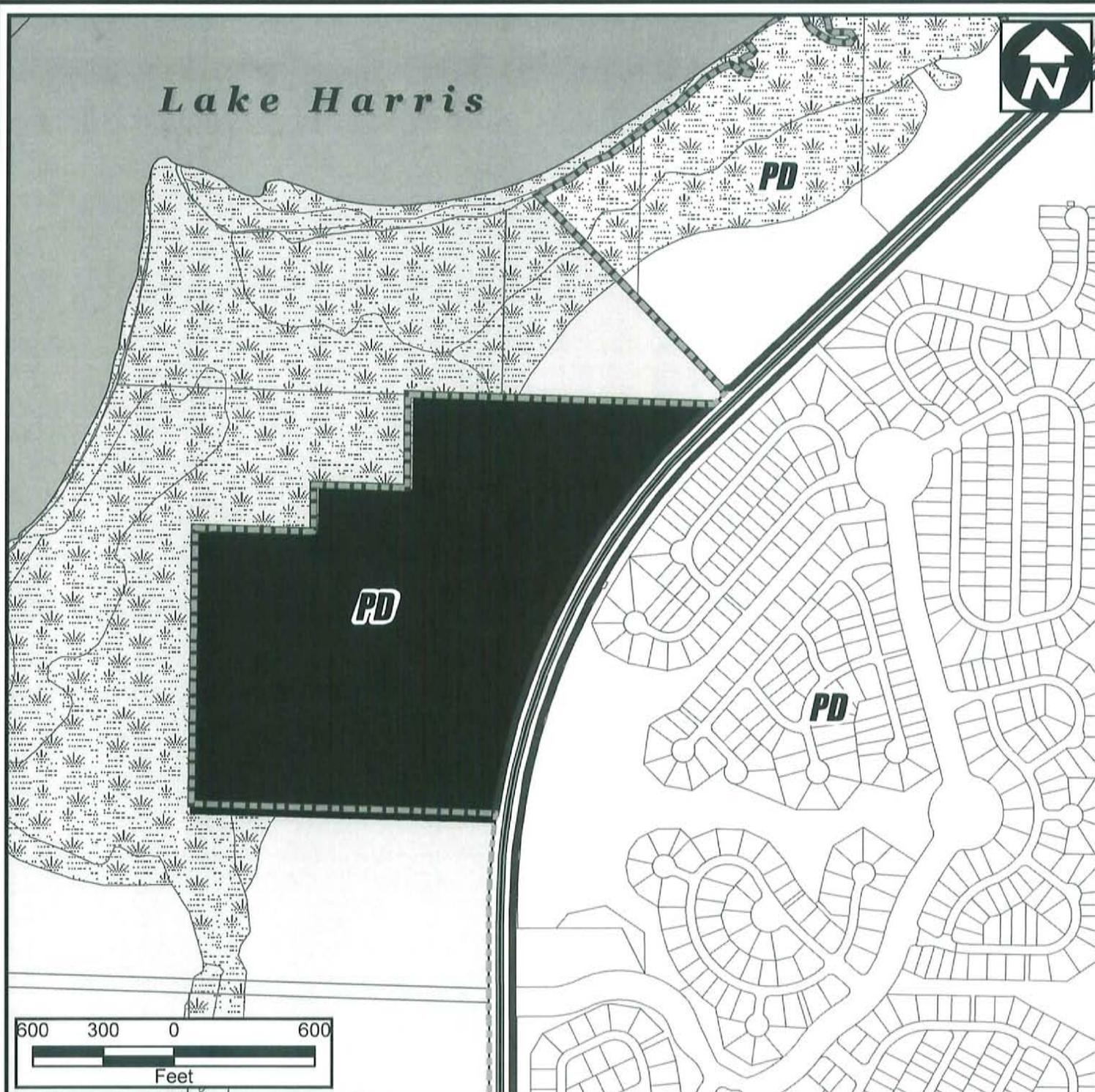
CITY OF TAVARES



PROPERTY LOCATION MAP OAK BEND SUBDIVISION



CITY OF TAVARES ORDINANCE # 2010-19



- RSF-A Residential Single Family
- RSF-1 Residential Single Family
- RMF-2 Residential Multi-Family
- RMF-3 Residential Multi-Family
- RMH-S Residential Manufactured Home Sub.
- RMH-P Residential Manufactured Home Park
- PD Planned Development District
- MU Mixed Use District
- C-1 General Commercial
- C-2 Highway Commercial
- CD Commercial Downtown District
- I Industrial District
- PFD Public Facilities District



ZONING MAP

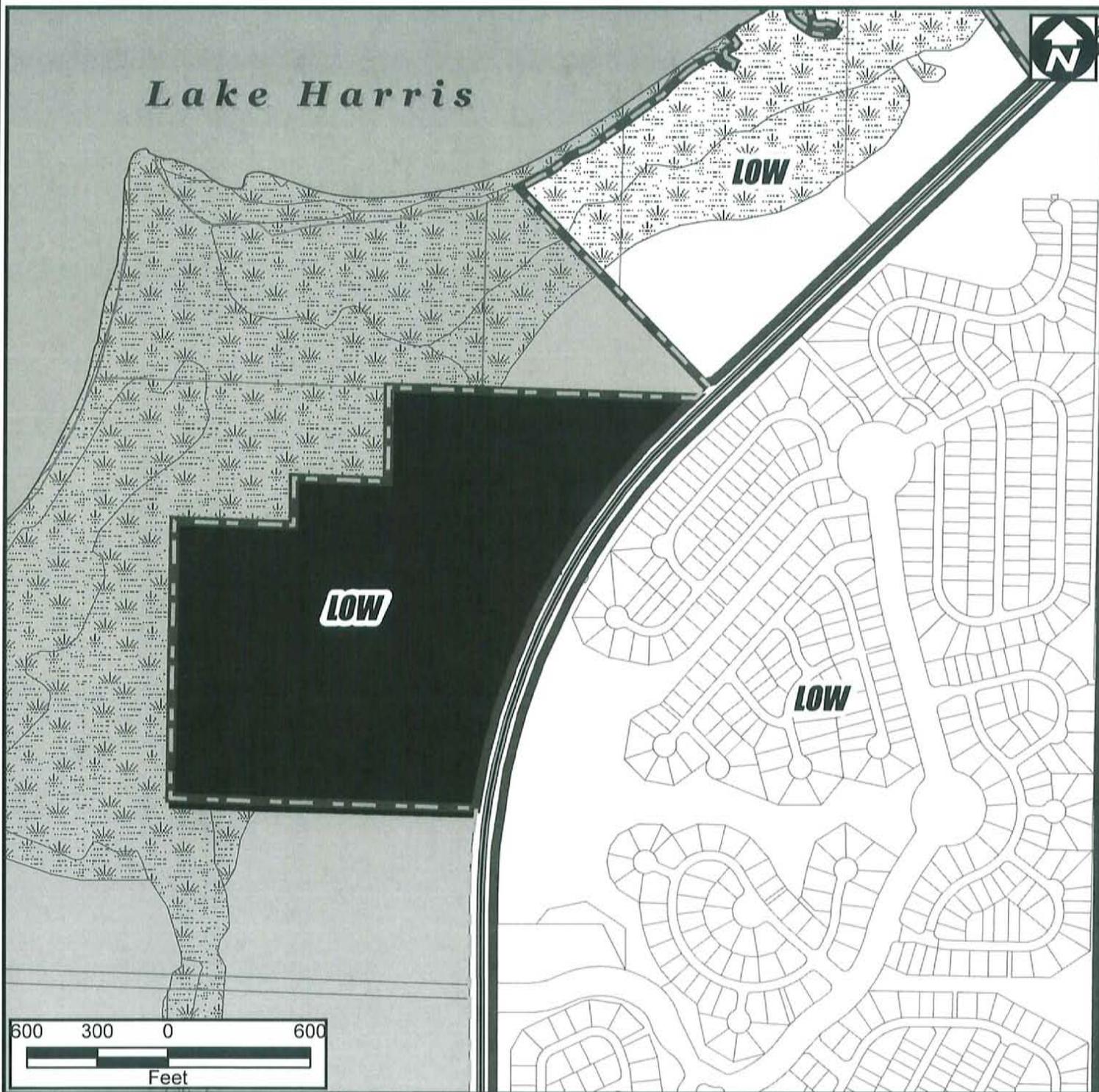
ORDINANCE # 2010-19

OAK BEND SUBDIVISION

Current Zoning:
City PD
56.73 ± Acres

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

CITY OF TAVARES ORDINANCE # 2010-19



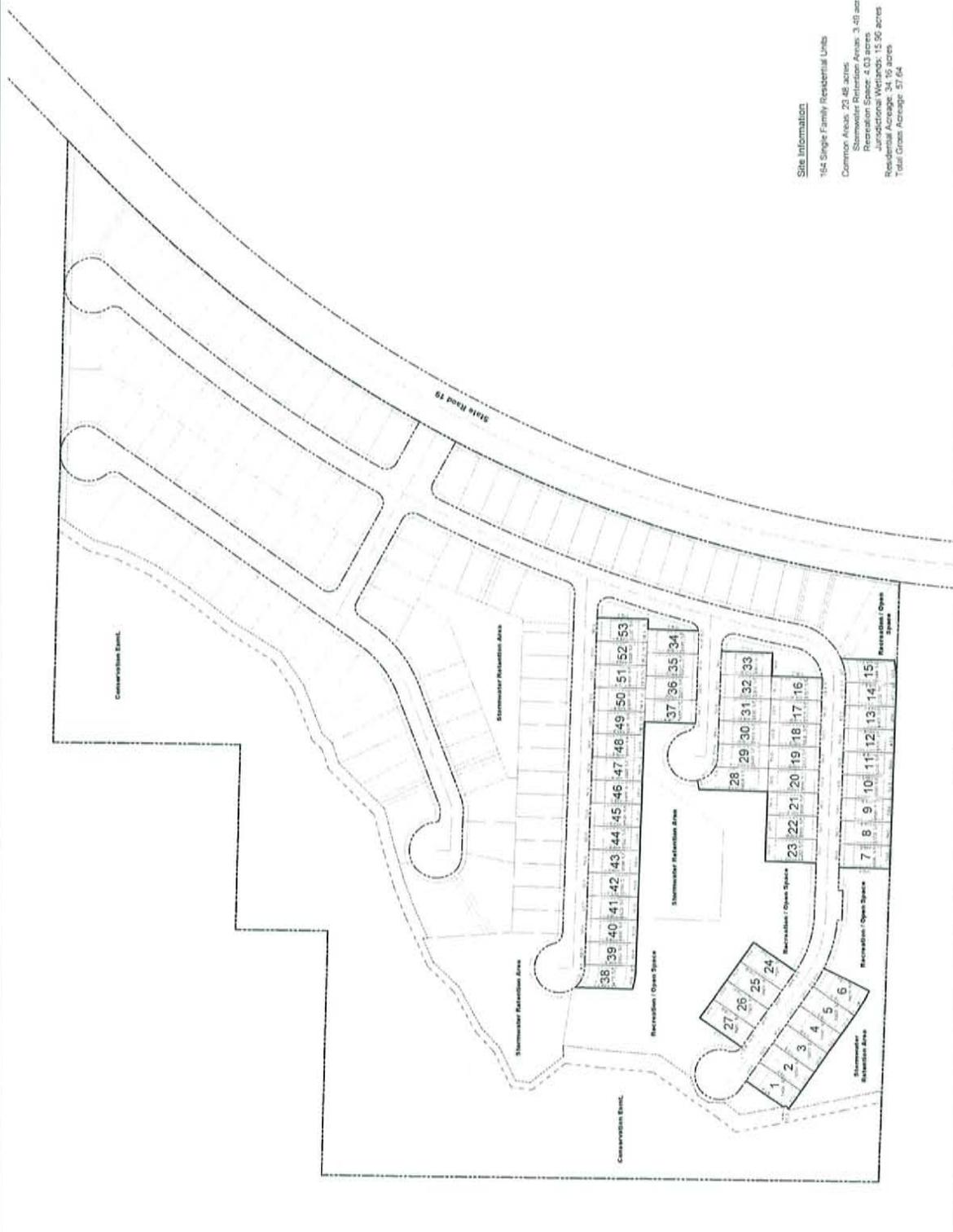
SUB	Suburban	3.0 DU/Acre
SUB EX	Suburban Expansion	4.0 DU/Acre
LOW	Low Density	5.6 DU/Acre
MOD	Moderate Density	10 DU/Acre
MED	Medium Density	12 DU/Acre
HD	High Density	12-25 DU/Acre
MH	Mobile Home	8.7 DU/Acre
MUN	Mixed Use Neighborhood	12 DU/Acre
MUC	Mixed Use Commercial	25 DU/Acre
COM	Commercial	
CD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



FUTURE LAND USE MAP ORDINANCE # 2010-19 OAK BEND SUBDIVISION

Current FLU:
City LOW
56.73 ± Acres

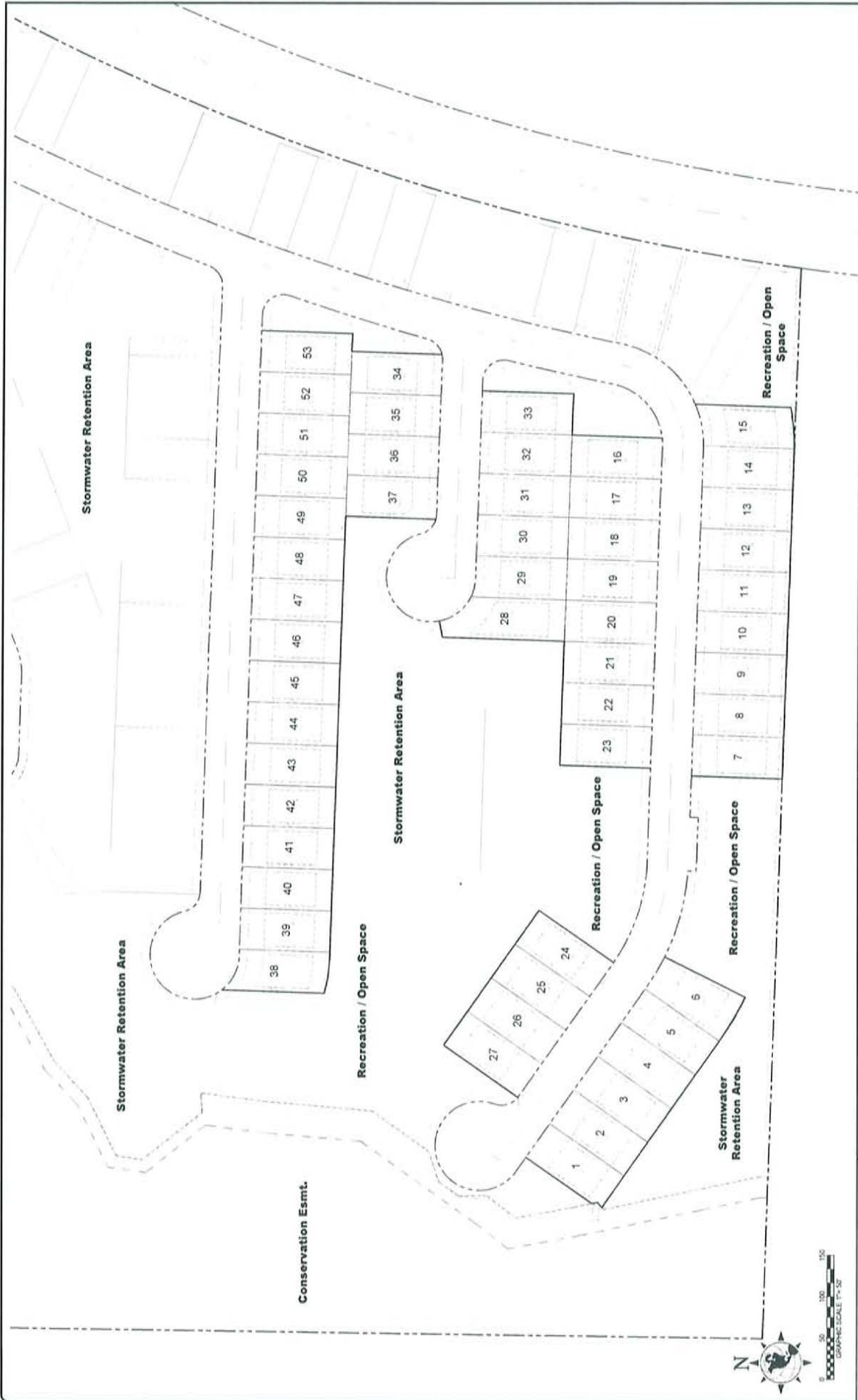
Legend	
	CITY BOUNDARY
	FLU
	SUBJECT PROPERTY
	UNINCORPORATED
	MAJOR ROADS
	STREETS
	CONS/WETLANDS
	PARCELS



Site Information
 154 Single Family Residential Units
 Common Area: 23.48 acres
 Summer Retention Area: 3.40 acres
 Recreational Open Space: 4.03 acres
 Jurisdictional Wetlands: 15.56 acres
 Residential Acreage: 34.19 acres
 Total Gross Acreage: 51.04



MORRIS ENGINEERING AND CONSULTING, LLC Civil Engineering and Land Development Consulting 400 South Orange Avenue Orange, Florida 32707 Phone: (407) 251-1111 Fax: (407) 251-1112 www.morriseng.com		DATE: 08/17/10 PROJECT: [blank] DRAWN BY: [blank] CHECKED BY: [blank]		REVISION DESCRIPTION: [blank] NO. [blank]	ATTORNEY & COUNSELOR AT LAW: [blank]	Revised Conceptual Master Plan Oak Bend Tavares, Florida		TOTAL SHEETS: 1 SHEET NO.: 1 OF: 1
		SCALE: [blank]						



CNL BANK 400 South Orange Avenue Orange, Florida 32801		MORRIS ENGINEERING AND CONSULTING, LLC Civil Engineering and Land Development Consulting Project: 2024-001, 2024-002, 2024-003, 2024-004, 2024-005, 2024-006, 2024-007, 2024-008, 2024-009, 2024-010, 2024-011, 2024-012, 2024-013, 2024-014, 2024-015, 2024-016, 2024-017, 2024-018, 2024-019, 2024-020, 2024-021, 2024-022, 2024-023, 2024-024, 2024-025, 2024-026, 2024-027, 2024-028, 2024-029, 2024-030, 2024-031, 2024-032, 2024-033, 2024-034, 2024-035, 2024-036, 2024-037, 2024-038, 2024-039, 2024-040, 2024-041, 2024-042, 2024-043, 2024-044, 2024-045, 2024-046, 2024-047, 2024-048, 2024-049, 2024-050, 2024-051, 2024-052, 2024-053	DATE: 10/20/24 PROJECT: 2024-001 DRAWING: 01	SCALE: 1" = 30' SHEET: 1 OF 1
			PREPARED FOR: CNL BANK	PROJECT: OAK BEND LOCATION: TAVARES, FLORIDA

THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2010-20 titled as follows:

ORDINANCE 2010-20

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA; REZONING APPROXIMATELY 10 ACRES OF LAND LOCATED GENERALLY AT THE NORTHEAST INTERSECTION OF DAVID WALKER ROAD AND OLD U.S. 441 FROM RMF-2 (RESIDENTIAL MULTI-FAMILY) TO PD (PLANNED DEVELOPMENT DISTRICT); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

- Proposed Ordinance 2010-20 will be considered at the following public meetings:
1. Tavares Planning & Zoning Board meeting on October 21, 2010, at 3 p.m.; and
 2. Tavares City Council meeting on November 3, 2010 at 4 p.m. (Introduction and First Reading by Title Only); and
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AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING PUD ORDINANCE 2005-04; AN ORDINANCE THAT GOVERNS THE DEVELOPMENT OF THE OAK BEND SUBDIVISION ON S.R. 19; SUBSTITUTING THE PROVISION FOR 96 SINGLE-FAMILY ATTACHED DWELLINGS FOR 53 SINGLE-FAMILY DETACHED DWELLINGS; AMENDING THE CONCEPTUAL MASTER PLAN FOR THE SUBDIVISION TO REFLECT THIS CHANGE; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

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Client Name: CITY OF TAVARES
Advertiser: Lake/D 8/LAK
Section/Page/Zone: ORD-2010-19
Description:
Ad Number: 072083502
Insertion Number: 072083502
Size: 3 x 10.5
Color Type: B&W

Orlando Sentinel

Publication Date: 10/18/2010

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• Leather
• Chrome Pkg.

\$27,499

NEW 2010 GMC SIERRA CREW CAB

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• Power Windows/Locks
• Loaded

\$24,690

NEW 2010 GMC ACADIA SLT

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• White Diamond
• Trailer Tow Pkg.

\$35,495

NEW 2010 GMC YUKON XL

• 20 Wheels
• Back-Up Camera
• Bose Sound System

\$38,595

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ALL BRANDS RIGHT ON THE MONEY

1 ~~Bob Williams, City Attorney, gave the oath to staff and those members of the audience who~~
2 ~~indicated they would be giving testimony.~~

3
4 **CASES TO BE HEARD**

5
6 **1) Recommendation of Ordinance 2010-19 - Oak Bend Subdivision – Rezoning (PD**
7 **Amendment)**

8
9 Jacques Skutt provided the following staff report;

10
11 Objective – To consider Ordinance 2010-19, an ordinance that amends Oak Bend’s PD
12 Ordinance 2005-04, by substituting the provision for 96 single-family attached dwellings
13 (townhomes) for 53 single-family detached dwellings.

14
15 Summary – The Oak Bend subdivision is located on the west side of S.R. 19, across
16 from Royal Harbor. The PD ordinance for this subdivision was approved in 2005. The
17 Planned Development zoning permitted 111 single-family detached dwellings and 96
18 single-family attached dwellings. The property was platted to provide lots for these two
19 types of dwellings.

20
21 No attached dwellings have been constructed or sold and it is the owner’s opinion that
22 the property can best be developed exclusively as a sing-family detached subdivision.
23 This is generally consistent with the City’s Comprehensive Plan that encourages higher
24 residential densities within our urban core. The proposed amendment will reduce the
25 net upland density of this property from 4.81 dwelling units per acre to 3.93 dwelling
26 units per acre. Impacts on all city services will be reduced proportionately to this
27 change in density. Other than amending the permitted dwelling types, the Planned
28 Development regulations for this subdivision shall remain unchanged. The owner will be
29 required to submit updated utility and drainage plans to address the reconfiguration of
30 the lots. The roads within the subdivision have already been constructed and will not be
31 altered. A new plat of subdivision, reflecting the amended conceptual plan, must be
32 approved and recorded.

33
34 Oak Bend is located on the southern extremity of the city. Staff is recommending
35 approval of the amendment due to the potential reduction of impacts on city services in
36 a manner that is consistent with the encouragement of higher residential densities within
37 the urban core.

38
39 Vice Chairman Gardner asked for comments from the Board.

40
41 Mr. Grist noted that the PD ordinance was originally approved in 2005 and asked if there was a
42 time limit placed on that approval. Mr. Skutt said there was a time limit in the original PD that
43 required the platting to be completed within a certain time period. He said that once a property
44 has been platted that plat remains forever whether structures/homes are placed on the
45 property or not. He noted this property has been platted as required.

46
47 Ms. Russ asked how many homes were currently occupied within the subdivision. Mr. Skutt
48 said 2-3 homes with the remainder being model homes.

49
50 Matt Morris, representing the property owner (C & L Bank), said homes have been constructed
51 on individual lots and that he does not know how many are occupied. Ms. Russ asked if the
52 bank was the new owner of the property. Mr. Morris said the bank owns the portion under

1 consideration and noted there are private single family owners and/or lots which are not
2 included in the proposed changes.

3
4 Mr. Grist stated his support and noted his approval regarding the reduction in the number of
5 dwelling units. Vice Chairman Gardner noted his support.

6
7 **MOTION**

8
9 **Dolores Russ moved for approval, seconded by Jimmy Horner. The motion carried**
10 **unanimously, 5-0.**

11
12 **2) Recommendation on Ordinance 2010-20 – Liberty Baptist Church, Inc. – Rezoning**

13
14 Jacques Skutt provided the following staff report;

15
16 Objective – To consider the rezoning of approximately 10 acres of property located on
17 the northeast intersection of David Walker Drive and Old U.S. 441 from RMF-2
18 (Residential Multi-Family) to PD (Planned Development District)

19
20 Summary – The subject property is located in the northeast intersection of David Walker
21 Drive and Old U.S. 441 adjacent and south of the Chelsea Oaks Subdivision. The
22 property is approximately 10 acres in size and is currently vacant. The owners of the
23 property, the Liberty Baptist Church, had once considered relocating their church on
24 these lands. They concluded, however, it was in their best interest to sell this property.
25 The owners of the Shanti Niketan condominiums on David Walker Road have decided
26 to buy this property and develop it as Phase 2 of their project. The applicant is
27 requesting to rezone the property from RMF-2 (Residential Multi-Family) to PD (Planned
28 Development District).

29
30 The proposed Planned Development consists of a maximum of 120 age-restricted,
31 apartment or condominium dwelling units. The property bears a Future Land Use
32 designation of Medium Density (12 dwelling units per acre). The conceptual plan shows
33 multiple wings of one and two storey residential buildings with attached garages.
34 Parking is calculated on the basis of 1.35 spaces per dwelling unit. No commercial uses
35 will be allowed within this development. The community will be landscaped and
36 buffered in accordance with the City's Land Development Regulations. The applicant
37 shall obtain all necessary permits from applicable local, regional, state and federal
38 agencies as well as city site plan approval prior to any construction.

39
40 A traffic analysis has been submitted with a determination that the project will generate
41 an additional 12 new peak hour trips and is therefore exempt from requiring a full traffic
42 impact study under the Methodology Guidelines developed by the Lake Sumter MPO.
43 The applicant has elected to defer concurrency determination until the issuance of a
44 final development order (site plan).

45
46 The project is modeled after Phase 1 of the Shanti Niketan development further north on
47 David Walker Road. Phase 1 has proven to be very successful and has sold out.

48
49 The proposed rezoning is consistent with the existing Future Land Use designation of
50 Medium Density. The need for this type of residential housing has been established by
51 the success of Shanti Niketan Phase 1. Staff is recommending approval of the
52 rezoning.
53

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DECEMBER 1, 2010**

AGENDA TAB. 6

SECOND READING

**SUBJECT TITLE: Ordinance 2010-20
Planned Development Rezoning-David Walker Road
Shanti Niketan –Phase 2**

OBJECTIVE:

To consider the rezoning of approximately 10 acres of property located on northeast intersection of David Walker Drive and Old U.S. 441 from RMF-2 (Residential Multi-Family) to PD (Planned Development District).

SUMMARY:

The subject property is located on the northeast intersection of David Walker Drive and Old U.S. 441 adjacent and south of the Chelsea Oaks Subdivision. The property is approximately 10 acres in size and is currently vacant. The owners of the property, the Liberty Baptist Church, had once considered relocating their church on these lands. They concluded, however, it was in their best interest to sell this property. The owners of the Shanti Niketan condominiums on David Walker Road have decided to buy this property and develop it as Phase 2 of their project. The applicant is requesting to rezone the property from RMF-2 (Residential Multi-Family) to PD (Planned Development District).

The proposed Planned Development consists of a maximum of 120 age-restricted, apartment or condominium dwelling units. The property bears a Future Land Use designation of Medium Density (12 dwelling units per acre). The conceptual plan shows multiple wings of one and two storey residential buildings with attached garages. Parking is calculated on the basis of 1.35 spaces per dwelling unit. No commercial uses will be allowed within this development. The community will be landscaped and buffered in accordance with the City's Land Development Regulations. The applicant shall obtain all necessary permits from applicable local, regional, state and federal agencies as well as city site plan approval prior to any construction.

A traffic analysis has been submitted with a determination that the project will generate an additional 12 new peak hour trips and is therefore exempt from requiring a full traffic impact study under the Methodology Guidelines developed by the Lake-Sumter MPO. Meals are provided on-site for residents. The applicant has elected to defer a full concurrency determination until the issuance of a final development order (site plan).

The project is modeled after phase one of the Shanti Niketan development located further north on David Walker Road. Phase one has proven to be very successful and has sold out.

The proposed rezoning is consistent with the existing Future Land Use designation of Medium Density. The need for this type of residential housing has been established by the success of Shanti Niketan Phase One. Staff is recommending approval of the rezoning.

OPTIONS:

1. That City Council moves to approve Ordinance 2010-20 as presented.
2. That City Council denies the proposed rezoning.

PLANNING & ZONING BOARD RECOMMENDATION:

At its October 21st meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2010-20.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2010-20.

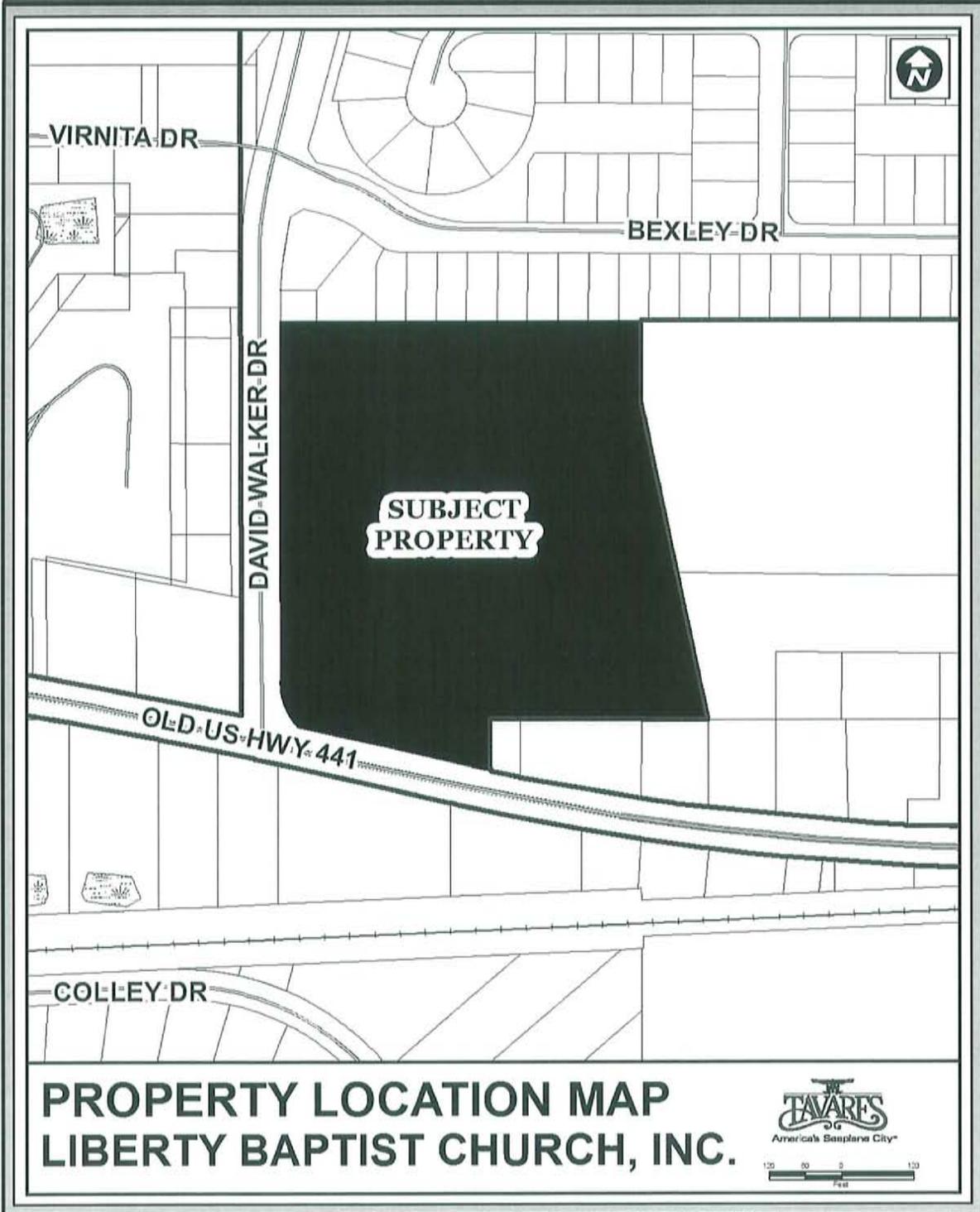
FISCAL IMPACT:

None

LEGAL SUFFICIENCY:

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

CITY OF TAVARES



**PROPERTY LOCATION MAP
LIBERTY BAPTIST CHURCH, INC.**



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Exhibit "A"
Legal Description

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PARCEL NO. 1

ALL OF THAT CERTAIN TRACT OF LAND LYING AND BEING IN LAKE COUNTY, FLORIDA, DESCRIBED AS ALL OF THAT PART OF LOT "A", ACCORDING TO THE MAP OF VIRGINIA LAND CORPORATION FILED MARCH 21, 1914, AND RECORDED IN PLAT BOOK 2, PAGE 29, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING NORTH OF THE NORTH BOUNDARY OF STATE HIGHWAY 500, U.S. HIGHWAY 441, LESS THE EAST 250 FEET THEREOF.

AND

PARCEL NO. 2

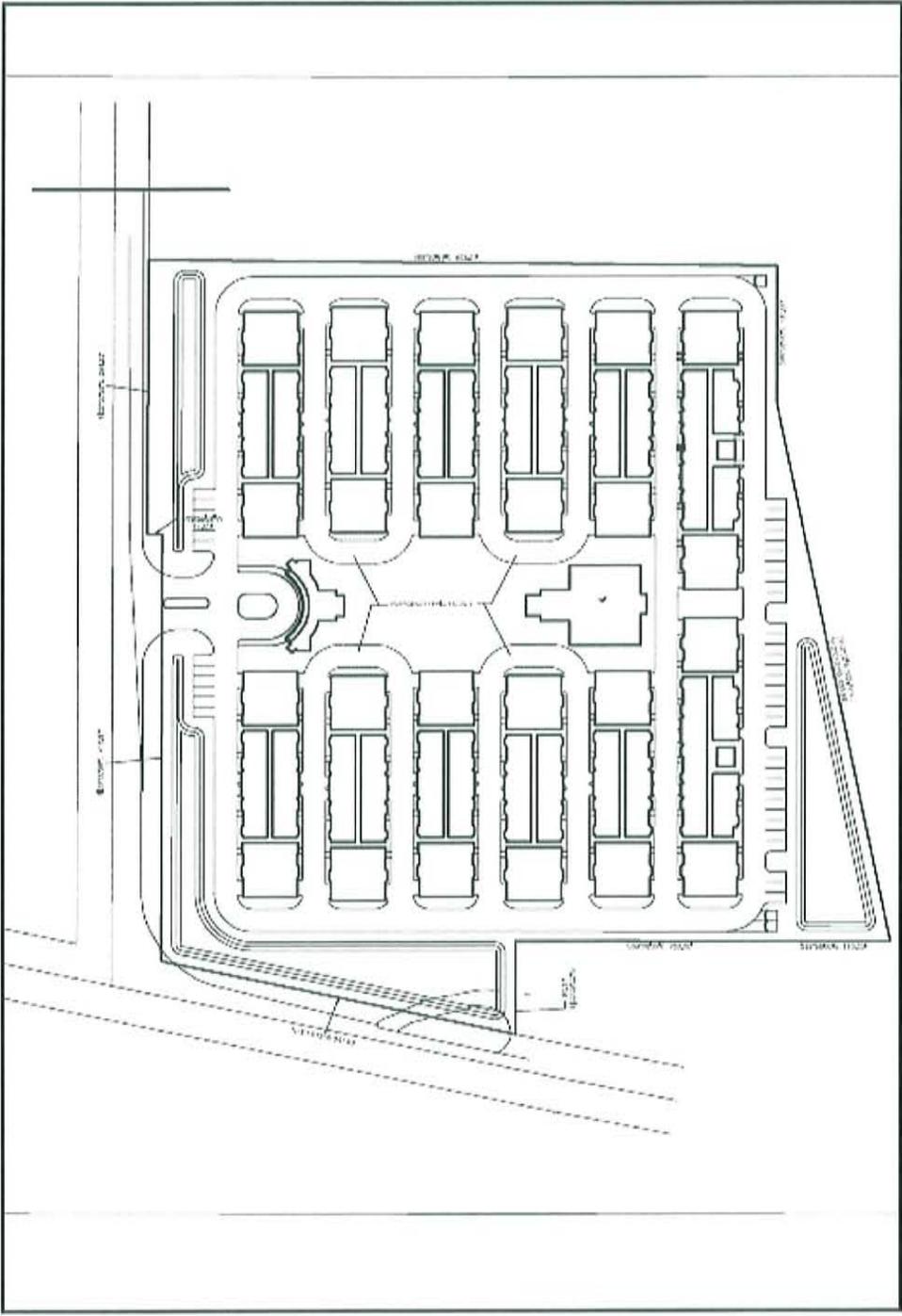
LOTS 10 AND 11 AND THAT PART OF LOT 16 IN THE PLAT OF LAND OF JAMES M. CONNER, AS RECORDED IN PLAT BOOK 1, PAGE 32, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE NORTHWEST CORNER OF THE SAID LOT 16, RUN SOUTH 0° 08' EAST, ALONG THE WEST LINE OF THE SAID LOT 16 A DISTANCE OF 131 FEET FOR A POINT OF BEGINNING; FROM SAID POINT OF BEGINNING RUN THENCE SOUTH 0° 08' EAST ALONG THE WEST LINE OF THE SAID LOT 16 A DISTANCE OF 521.94 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THE SAID LOT 16; THENCE RUN SOUTH 89° 58' EAST ALONG THE SOUTH LINE OF THE SAID LOT 16 A DISTANCE OF 110 FEET; THENCE RUN NORTH 12° 02' WEST 533.42 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD, IF ANY, HOWEVER, THIS REFERENCE SHALL NOT OPERATE TO REIMPOSE THE SAME.

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Exhibit "B" Conceptual plan



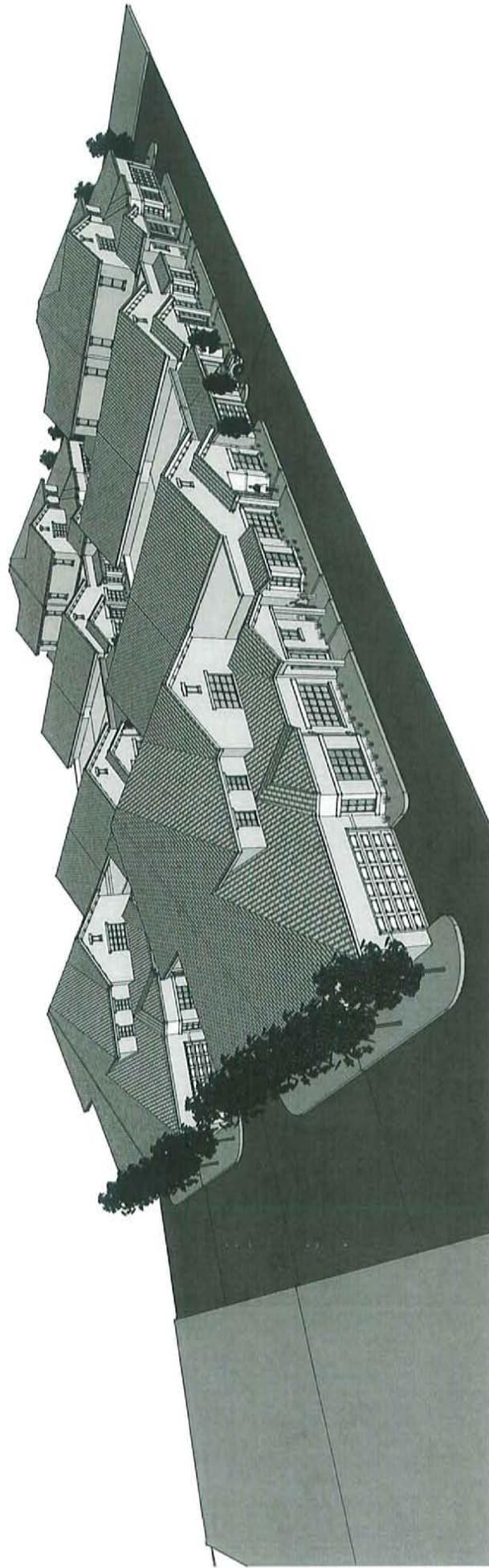
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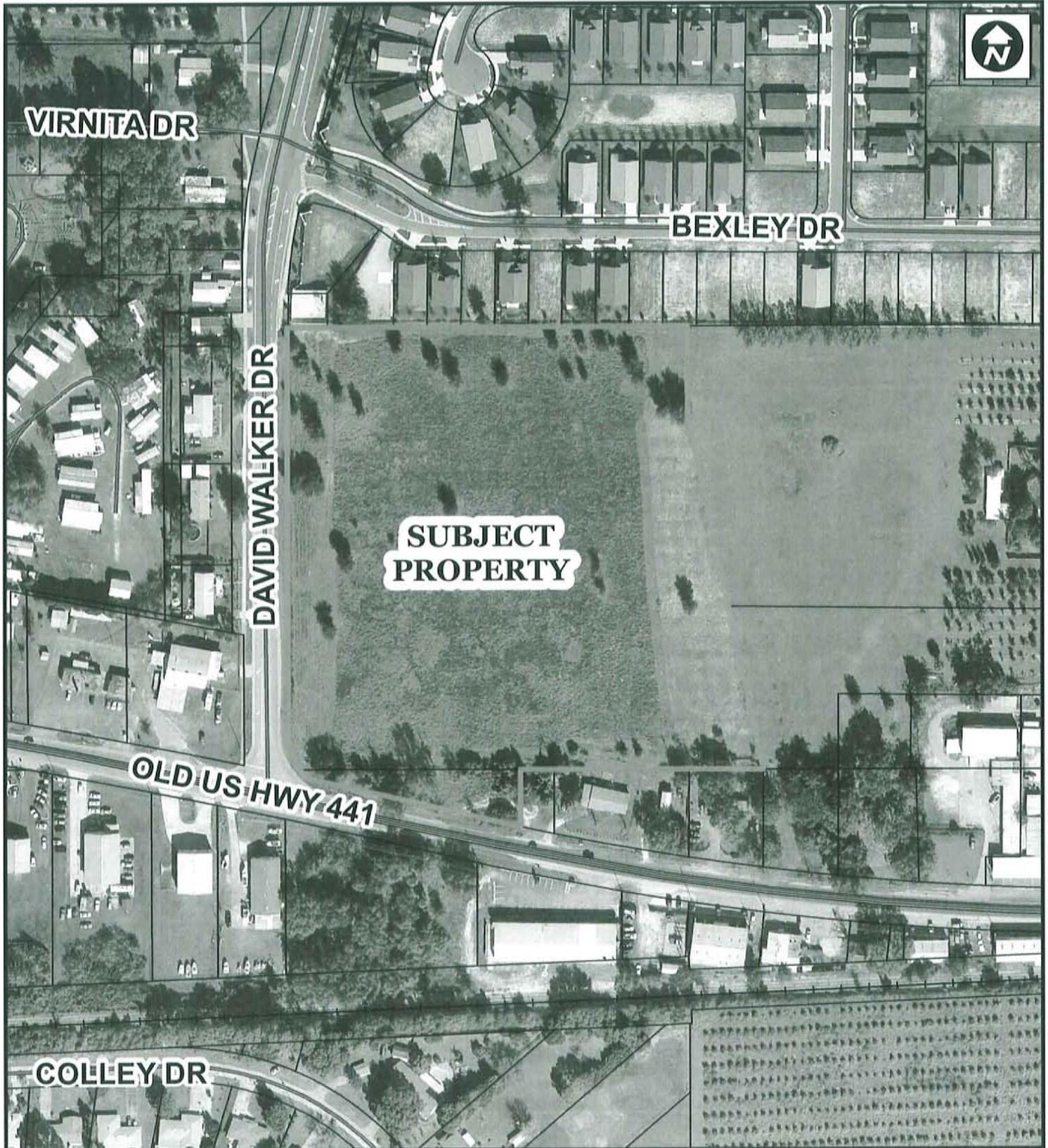
Exhibit "C" Architectural Design



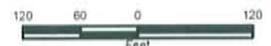
4
5



CITY OF TAVARES



PROPERTY LOCATION MAP LIBERTY BAPTIST CHURCH, INC.



CITY OF TAVARES ORDINANCE # 2010-20



- RSF-A Residential Single Family
- RSF-1 Residential Single Family
- RMF-2 Residential Multi-Family
- RMF-3 Residential Multi-Family
- RMH-S Residential Manufactured Home Sub.
- RMH-P Residential Manufactured Home Park
- PD Planned Development District
- MU Mixed Use District
- C-1 General Commercial
- C-2 Highway Commercial
- CD Commercial Downtown District
- I Industrial District
- PFD Public Facilities District



ZONING MAP

ORDINANCE # 2010-20

**LIBERTY BAPTIST
CHURCH, INC.**

Current Zoning: RMF-2
Proposed Zoning: PD
10.0 ± Acres

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

CITY OF TAVARES ORDINANCE # 2010-20



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

FUTURE LAND USE MAP ORDINANCE # 2010-20

**LIBERTY BAPTIST
CHURCH, INC.**

Current FLU: MED
10.0 ± Acres

Legend	
	CITY BOUNDARY
	FLU
	SUBJECT PROPERTY
	UNINCORPORATED
	MAJOR ROADS
	STREETS
	CONSVETLANDS
	PARCELS

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YOUR NEW TIRE RETAILER!
ALL BRANDS RIGHT ON THE MONEY

1 ~~consideration and noted there are private single family owners and/or lots which are not~~
2 ~~included in the proposed changes.~~

3
4 ~~Mr. Grist stated his support and noted his approval regarding the reduction in the number of~~
5 ~~dwelling units. Vice Chairman Gardner noted his support.~~

6
7 **MOTION**

8
9 ~~Dolores Russ moved for approval, seconded by Jimmy Horner. The motion carried~~
10 ~~unanimously, 5-0.~~

11
12 **2) Recommendation on Ordinance 2010-20 - Liberty Baptist Church, Inc. – Rezoning**

13
14 Jacques Skutt provided the following staff report;

15
16 Objective – To consider the rezoning of approximately 10 acres of property located on
17 the northeast intersection of David Walker Drive and Old U.S. 441 from RMF-2
18 (Residential Multi-Family) to PD (Planned Development District)

19
20 Summary – The subject property is located in the northeast intersection of David Walker
21 Drive and Old U.S. 441 adjacent and south of the Chelsea Oaks Subdivision. The
22 property is approximately 10 acres in size and is currently vacant. The owners of the
23 property, the Liberty Baptist Church, had once considered relocating their church on
24 these lands. They concluded, however, it was in their best interest to sell this property.
25 The owners of the Shanti Niketan condominiums on David Walker Road have decided
26 to buy this property and develop it as Phase 2 of their project. The applicant is
27 requesting to rezone the property from RMF-2 (Residential Multi-Family) to PD (Planned
28 Development District).

29
30 The proposed Planned Development consists of a maximum of 120 age-restricted,
31 apartment or condominium dwelling units. The property bears a Future Land Use
32 designation of Medium Density (12 dwelling units per acre). The conceptual plan shows
33 multiple wings of one and two storey residential buildings with attached garages.
34 Parking is calculated on the basis of 1.35 spaces per dwelling unit. No commercial uses
35 will be allowed within this development. The community will be landscaped and
36 buffered in accordance with the City's Land Development Regulations. The applicant
37 shall obtain all necessary permits from applicable local, regional, state and federal
38 agencies as well as city site plan approval prior to any construction.

39
40 A traffic analysis has been submitted with a determination that the project will generate
41 an additional 12 new peak hour trips and is therefore exempt from requiring a full traffic
42 impact study under the Methodology Guidelines developed by the Lake-Sumter MPO.
43 The applicant has elected to defer concurrency determination until the issuance of a
44 final development order (site plan).

45
46 The project is modeled after Phase 1 of the Shanti Niketan development further north on
47 David Walker Road. Phase 1 has proven to be very successful and has sold out.

48
49 The proposed rezoning is consistent with the existing Future Land Use designation of
50 Medium Density. The need for this type of residential housing has been established by
51 the success of Shanti Niketan Phase 1. Staff is recommending approval of the
52 rezoning.
53

1 Vice Chairman Gardner asked for comments from the Board.

2
3 Mr. Hope stated his support for the project and noted that it appears the traffic study numbers
4 are low with 12 new peak hour trips for a 120 unit development.

5
6 Chuck Hiott, BESH, confirmed that the study was conducted by Griffey Engineering and said
7 the study was based on the senior housing calculation (edition 8 traffic manual) for a one hour
8 period between 4:00 – 6:00 p.m. He said that 95% of the community will eat on the grounds
9 as they cook and dine together in the clubhouse. Mr. Hiott confirmed that the development
10 provides meals for the owners.

11
12 Iggy Ignatius, Project Manager, said the club caters to a yoga vegetarian food style and the
13 residents prefer a health conscious lifestyle including dining within the community. He said
14 that Phase 1 of the project has sold out and due to the demand for the project they are moving
15 forward with Phase 2.

16
17 Mr. Grist inquired about the age restriction for the community. Mr. Hiott said the development
18 is restricted to 55 years and older. Mr. Ignatius said no one under the age of 18 years can stay
19 in the development for more than a maximum of 30 days.

20
21 Mr. Horner and Mr. Grist noted their approval for the improvement that the development will
22 bring to the Old 441 corridor.

23
24 **MOTION**

25
26 **Norman Hope moved for approval of Resolution 2010-20, seconded by Sam Grist. The**
27 **motion carried unanimously, 5-0.**

28
29 **OTHER BUSINESS**

30
31 ~~Mr. Skutt said the Tavares City Council adopted the EAR (Evaluation and Appraisal Report for~~
32 ~~the Comprehensive Plan) that was previously recommended by the Board. The EAR has been~~
33 ~~submitted to the Department of Community Affairs (DCA) for a compliance review.~~

34
35 ~~Chairman Adams entered the meeting at 3:24 p.m.~~

36
37 **ADJOURNMENT**

38
39 ~~Norman Hope moved for adjournment, seconded by Dolores Russ. The motion carried~~
40 ~~unanimously, 5-0.~~

41
42 ~~The meeting adjourned at 3:25 p.m.~~

43
44 Respectfully submitted,

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47 _____
48 Susie Novack, C.M.C.
49 Deputy City Clerk

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ORDINANCE 2010-20

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AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA; REZONING APPROXIMATELY 10 ACRES OF LAND LOCATED GENERALLY AT THE NORTHEAST INTERSECTION OF DAVID WALKER ROAD AND OLD U.S. 441 FROM RMF-2 (RESIDENTIAL MULTI-FAMILY) TO PD (PLANNED DEVELOPMENT DISTRICT); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

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WHEREAS, the applicant is requesting to rezone property, legally described in **Exhibit "A"** of this ordinance, from a designation of RMF-2 (Residential Multi-Family) to PD (Planned Development District); and

WHEREAS, the applicant would like to develop the entire property as an Adult Age-Restricted Apartment or Condominium Community with a PD zoning; and

WHEREAS, the City of Tavares held duly noticed public hearings before the Planning and Zoning Board, and the City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed rezoning; and,

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

WHEREAS, the City Council of the City of Tavares, Florida, deems it in the best interest of the City to apply a PD zoning designation to said property; therefore,

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

Section 1. Definition.

"Owner" or "Applicant" means the title holder of the Property

Unless otherwise noted, the definitions of all terms shall be the same as the definitions set forth in the City of Tavares Land Development Regulations or the City Comprehensive Plan.

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Section 2.1. Rezoning

The purpose of this section is to set forth basic development regulations and to generally describe the Property which is being developed as a Planned Development (PD) as specified in Chapter 8 of the Regulations and shall hereafter be referred to as "the Project".

Development of this Project shall be governed by the contents of this Ordinance and applicable sections of the City's Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City in effect at the time of development of the Project. Unless otherwise noted, where in conflict, the terms of this document shall take precedence over the Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City.

Section 2.2. Land Uses

A. The Conceptual Land Use Plan for the Project is attached to this Ordinance as **Exhibit "B"** and is an integral part of this PD document. Uses are as follows:

Permitted Uses:	Apartments
	Condominiums
Total Acreage:	10 acres

Maximum Allowable Residential Density:

The number of residential dwelling units shall be determined at the following maximum densities:

Upland acres x 12 dwelling units per acre:	10 x 12 = 120 units
Maximum number of dwelling units allowed:	120 UNITS

Open Space:

Minimum Open Space required shall be 30% of the gross acreage = 3.0 ± acres.

1 B. In addition to the planned elements shown on the Land Use Plan, easements and rights-
2 of-way shall be established within or adjacent to the Property as may be necessary or
3 desirable for the service, function or convenience of the Project. Such easements and
4 rights-of-way, if required, shall be indicated on recorded plats of the Property.

5 C. Prior to construction, a site plan shall be submitted proposing comprehensive
6 development of the Property regarding stormwater management, utilities, access,
7 parking, landscaping, future location of structures, amenities and other information as
8 required by the Regulations.

9
10 **Section 2.3. Development Standards**

11 A. Setbacks. All setbacks shall be measured from the Property line to the foremost vertical
12 face of the structure. Where any setbacks conflict with required easement widths, the
13 easement widths, if larger, shall prevail. Setbacks are as follows:

14	Right-of-way of David Walker Drive	25'
15	Property abutting residential zoning	25'
16	Accessory Buildings including Dumpster Enclosures	10'

17
18
19 B. Impervious Surface Area. The maximum impervious surface area shall not exceed
20 seventy-five percent (75%).

21 C. Height of Structures. The height of a structure shall be determined by measuring the
22 distance from mean grade elevation to the highest point of the roof and shall not exceed
23 thirty-five feet (35').

24 D. Buffer Requirements. The perimeter Landscape Buffer shall be 10 feet in width.

25 E. Landscape Requirements. Landscaping shall comply with the City of Tavares
26 Development Regulations in effect at the time of development.

- 27 1. A landscaping master plan shall be submitted concurrent with site plan
28 submittal.
- 29 2. All landscaped and common areas shall be properly irrigated and
30 maintained by the management company (as described in this
31 Ordinance) (the "Manager").

32 F. Signage. All signage shall comply with the requirements of Chapter 21 of the Land
33 Development Code.

1 G. Site Parking and Traffic Circulation:

- 2 1. All internal roads and access aisle widths shall have a minimum 10-foot
- 3 travel lane.
- 4 2. Employee /Guest Parking lot shall have a minimum 22' aisle width.
- 5 3. Parking required shall be calculated at a minimum of 1.35 spaces per
- 6 dwelling unit;
- 7 4. Employee/Guest Parking spaces shall be 10' x 18'.
- 8 5. All Handicap Parking shall be constructed in accordance with the
- 9 Americans with Disabilities Act Standards.
- 10 6. All streets and storm water management areas shall remain private and
- 11 shall be maintained by the Home Owners Association.

12
13 H. Architectural Design: The architectural artist renderings attached as **Exhibit "C"** to this
14 ordinance represents an architectural template that shall be used in conjunction with the
15 City of Tavares commercial architectural standards in effect at time of development.
16 The proposed structures must be constructed to substantially conform to the
17 appearance and architectural form suggested by the rendering.

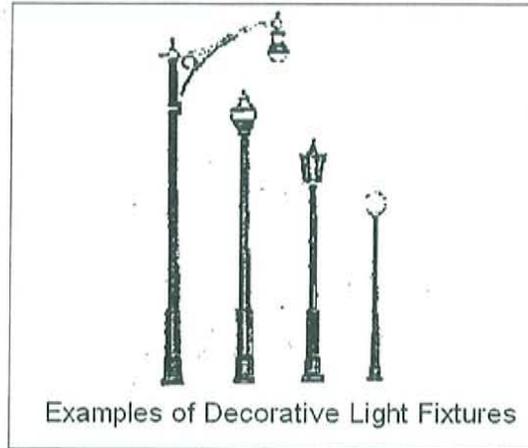
18
19 I. Lighting:

- 20 1. Exterior lighting shall be designed and installed in a sensitive manner so
- 21 as to prevent direct glare, light spillage and hazardous interference with
- 22 automotive and pedestrian traffic on adjacent streets and properties.
- 23
- 24 2. Lighting shall be designed in a consistent and coordinated manner for the
- 25 entire site. The lighting and lighting fixtures shall be integrated and
- 26 designed so as to enhance the visual impact of the project by accenting
- 27 key architectural elements and/or emphasizing landscape features. The
- 28 light poles and fixtures shall be earth tones in color.
- 29
- 30 3. Electrical wiring to all site lighting shall be provided underground.
- 31
- 32 4. No light fixtures shall be placed in a position where existing or future tree
- 33 canopy will reduce the illumination levels.
- 34

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5. Lighting fixtures shall be a maximum of fifteen feet (15') high and shall be downward directed.

(6) All lighting fixtures within parking areas and walkways shall be decorative light fixtures similar to the examples provided below.



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Section 2.4. Public Facilities.

A. Impact Fees. The Developer acknowledges that the City has impact fees for water, wastewater, fire and police, while Lake County has impact fees for transportation. The Project shall be subject to such impact fees or any additional impact fees effective at the time of issuance of any building permit.

B. Potable Water. Potable water shall be provided by the City and impact fees shall be paid by the Developer. The Developer may be required to extend or improve potable water facilities located within the public right-of-way contiguous with the Property for use by third parties. If the Developer makes such improvements, the Developer may be entitled to receive impact fee credits for a portion of the cost of the improvements made for the benefit of third parties.

C. Wastewater. Wastewater treatment service shall be provided by the City and the Developer shall pay the impact fees. The Developer may be required to extend or improve wastewater treatment facilities (including a lift station) located within the public

1 right-of-way contiguous with the Property for use by third parties. If the Developer
2 makes such improvements, the Developer may be entitled to receive impact fee credits
3 for a portion of the cost of the improvements made for the benefit of third parties.
4

5 D. Drainage. Retention pond design shall incorporate a naturalistic approach in
6 accordance with Chapter 9 of the Land Development Regulations. Prior to receiving any
7 development approvals, the Developer shall submit a master site drainage plan for
8 review and approval by the City. All applicable St. John's River Water Management
9 District permits shall be required prior to approval of any development order. The
10 maintenance of the drainage system shall be the responsibility of the Manager.
11

12 E. Reuse Water. The Developer shall be required to install a water reuse distribution
13 system to serve all irrigation needs within the Property. The lines will be served by
14 potable water until such time as reclaimed water is available for irrigation.
15

16 F. Site Ingress/ Egress and Traffic Circulation. The project will be limited to one driveway
17 as shown on **Exhibit "B"**. The driveway shall conform to Lake County Access
18 Management and Spacing Standards. Subject to Lake County requirements, turn lanes
19 may be required at the driveway intersection. Construction of said turn lanes shall be
20 the responsibility of the developer.
21

22 G. Sidewalks and Pedestrian Access. Sidewalks shall be connected to the internal
23 pedestrian system allowing accessible routes to the entrances of each building on site,
24 per federal requirements of the American with Disabilities Act. An internal pedestrian
25 access plan shall be submitted concurrent with site plan submittal providing for
26 connectivity among the rights-of-way, structures and amenities.
27

28 Section 2.5. Platting

29 All plats shall be filed in accordance with all applicable rules and regulations of the City.
30 All conditions to platting within this ordinance must be satisfied prior to acceptance of
31 any final plat for public hearing by the City Council. Any required analyses shall be
32 submitted prior to plat acceptance, including but not limited to transportation analysis and
33 environmental assessment.

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Section 2.6. Timing

- A. The Developer shall submit for site plan approval within twenty-four (24) months from the effective date of this Ordinance and such plan shall be developed in conformance with the requirements of the Regulations and other applicable local or state regulations in effect at the time of application for any development order. If the City Council finds, on the basis of substantial competent evidence, that there has been failure to comply with the terms of this Ordinance, the Ordinance may be revoked or modified by the City through action of the City Council after notification to the Developer and the opportunity to be heard.
- B. Concurrency tests shall be deferred until the filing of a development order (site plan) and shall be conducted pursuant to Chapter 10 of the Regulations. Future rights to develop the Property are subject to such concurrency tests and no vested rights have been or will be granted to the Applicant until concurrency tests are complete and a final development order issued for the portion of the Property for which the concurrency tests were required.

Section 2.7. Covenants, Conditions and Restrictions

Submitted and approved with the first final plat, Covenants, Conditions and Restrictions shall be adopted and recorded and an established structure shall be designated whereby the Manager of the Project selected by the title holder of the dominant parcel within the Project will oversee and maintain any open space, water retention area, required buffer and any other component of the overall Project.

Section 2.8. Permits

Prior to platting or construction, the Developer shall obtain all necessary permits from the applicable local, regional, state and federal agencies. Copies of all permits shall be furnished to the Community Development Director of the City.

Section 3. Effective Date

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

1 **PASSED AND ORDAINED** this ____ day of _____, 2010, by the City
2 Council of the City of Tavares, Florida.

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Robert Wolfe, Mayor
Tavares City Council

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9 First Reading: _____

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11 Passed Second Reading: _____

12

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14

15 **ATTEST:**

16

17 _____

18 Nancy A. Barnett, City Clerk

19

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21 **APPROVED AS TO FORM AND LEGALITY:**

22

23

24 _____

25 Robert Q. Williams, City Attorney

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010**

AGENDA TAB NO 7

SUBJECT TITLE: Resolution #2010-18 - FY2009-2010 First Budget Amendment

OBJECTIVE:

To approve Resolution 2010-18, amending Fiscal Year 2010-2011 City of Tavares Annual Operating Budget

SUMMARY:

The attached resolution represents increases to the adopted budget for Fiscal Year 2011. The increases represent adjustments to the budget for additional expenditure requirements and estimated revenue adjustments for the Harvest Moon Festival, and **encumbrance roll forwards** from the prior fiscal year. A description is provided (Exhibit A) for each account where the budget amount will be increased for prior year commitments.

This resolution represents the FIRST AMENDMENT to the Adopted Budget for Fiscal Year 2010-2011.

OPTIONS:

1. Approve Resolution 2010-18, the First Amendment to the FY 2010-2011 City of Tavares Annual Operating Budget.
2. Do not approve Resolution 2010-18.

STAFF RECOMMENDATION:

Motion to approve Resolution 2010-18, the First Amendment to the FY 2010-2011 City of Tavares Annual Operating Budget.

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

LEGAL SUFFICIENCY:

The resolution has met legal sufficiency.

RESOLUTION 2010 - 18

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AMENDING THE 2011 FISCAL YEAR ADOPTED BUDGET FOR THE CITY OF TAVARES, REPRESENTING ADJUSTMENTS TO THE ADOPTED BUDGET, AND PROVIDING FOR A REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

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

Section 1. That the adopted budget for the City of Tavares for Fiscal Year 2010 should be decreased from \$26,714,630 to \$28,744,864 in both revenues and expenditures where the increase represents increases in reserve appropriations in operating funds for prior year encumbrance commitments, and the change represents the first amendment to the adopted budget for fiscal year 2011. (Exhibit A)

Section 2. Any resolution or portion of a resolution in conflict with this resolution or any portion of this resolution is hereby repealed.

Section 3. If any section, sentence, clause, phrase or word of this resolution is held invalid by a court of competent jurisdiction, the remainder of the resolution shall not be affected and remain in full force and effect.

Section 4. This resolution shall be effective upon its adoption.

Fund Name	Fund Number	Original Budget	Revised Estimated Revenues	Reserve Appropriations or (Non-Appropriated Revenues)	Revised Estimated Appropriations
General Fund	001	\$ 11,364,840	\$ 11,268,390	\$ 131,544	\$ 11,399,934
Water/Wastewater Utility	401	6,709,072	6,335,346	579,851	6,915,197
Water/Wastewater Impacts	441	1,256,398	310,000	1,272,244	1,582,244
W/WW RR&I Fund	443	-	300,000	(300,000)	-
W/WW SRF Construction	444	-	-	584,531	584,531
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	388,033	850,408
Marina/Seaplane Base	405	518,426	418,426	107,032	525,458
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	98,224	287,215
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	764,359	1,838,522
Grant Fund	151	82,319	82,319	-	82,319
Debt Service Fund	201	273,473	273,473	-	273,473
Capital Project Fund	301	-	-	628,513	628,513
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>\$ 26,091,573</u>	<u>\$ 2,653,291</u>	<u>\$ 28,744,864</u>

Original Budget Amount does not include reserve appropriations or reserve additions.

PASSED and ADOPTED this 1st day of December, 2010, by the City Council of the City of Tavares, Florida.

 Robert Wolfe , Mayor
 Tavares City Council

ATTEST:

 Nancy A. Barnett
 City Clerk

 Approved as to form:
 Robert Q. Williams
 City Attorney

Prepared 9/30/10,
PROGRAM: GM365L

CITY OF TAVARES
ACCOUNT BALANCE LIST
00-0000-000.00-00 THRU

2011 FROM ACCOUNT:

DEPT DESC	ACCOUNT	DESCRIPTION	BUDGET	REVISED		DESCRIPTION
				Encumbrances	ADJUSTED BUDGET	
	001-0000-369.10-13	SPONSORSHIPS	0.00	2,277.00	2,277.00	Harvest Moon
	001-0000-389.90-00	APPROPRIATED RESERVES	98,727.00	32,817.00	131,544.00	Encumbrance Rollovers
City Admin	001-1201-512.52-21	PUBLIC INFORMATION		2,772.00	2,772.00	Advertising for Referendum
Finance	001-1301-513.40-10	TRAVEL & PER DIEM	4,290.00	268.00	4,558.00	H.T.E. Training
Comm Develop	001-1501-515.34-10	CONTRACTUAL SERVICES	159,430.00	22,750.00	182,180.00	E.A.R. Comp Plan Study
City Clerk	001-1601-512.31-20	ELECTION EXPENSE	500.00	3,150.00	3,650.00	Lake Co. Supervisor of Elections - Ballot Printing
City Clerk	001-1601-512.49-10	ADVERTISING	2,000.00	117.00	2,117.00	Daily Commercial - Ballot Display Ads
Fire	001-2201-522.34-10	CONTRACTUAL SERVICES		3,200.00	3,200.00	Ductz of Greater Orlando -Duct Cleaning
Econ Dev	001-5901-559.48-60	SPONSORED EVENTS	0.00	2,837.00	2,837.00	Harvest Moon
	105-0000-389.90-00	APPROPRIATED RESERVES	95,275.00	2,949.00	98,224.00	Encumbrance Rollovers
Comm Redevlop	105-5901-559.34-10	CONTRACTUAL SERVICES	20,000.00	1,656.00	21,656.00	Bill Deese - Fishing Events
						FRA Conference - R. Root & Redev Training - C.
Comm Redevlop	105-5901-559.40-10	TRAVEL & PER DIEM	6,000.00	1,293.00	7,293.00	Smith
	150-0000-389.90-00	APPROPRIATED RESERVES	654,914.00	109,445.00	764,359.00	Encumbrance Rollovers
Sales Tax	150-4101-541.63-20	SIDEWALK REPAIR/CONST.		20,437.00	20,437.00	Sidewalk Projects
Sales Tax	150-4101-541.64-25	FUTURE PROJECTS		1,095.00	1,095.00	Griffey Eng - Alley Proj Oversight
Sales Tax	150-7201-572.64-15	EQUIP - NEW		908.00	908.00	Replagix LLC - Video System Woodlea Park
						DMC - Floating Docks - TRP DMC - Grading Design
Sales Tax	150-7201-572.64-25	FUTURE PROJECTS	367,630.00	87,005.00	454,635.00	& Permitting Woodlea Ballfields
	301-0000-389.90-00	APPROPRIATED RESERVES		628,513.00	628,513.00	Encumbrance Rollovers
Capital Proj	301-4102-541.63-30	PAVING		177,167.00	177,167.00	Griffey Eng - Alleyways - \$1,361; Miller Legg - Road Resurfacing - \$2,150; Hubbard Construction Road Resurfacing - \$17,718; Pillar Const.- Alleyways - \$155,938
Capital Proj	301-7201-572.31-15	ENGINEERING		143.00	143.00	Wooton Park Project
						B.E.S.H. Wooton Park Project - \$7,881; B.C.B.E. Wooton Park Project - \$256,301; LPG Environmental - Wooton Park Project - 7,245; B.E.S.H. - Pavilion - \$179,776
Capital Proj	301-7201-572.64-25	FUTURE PROJECTS		451,203.00	451,203.00	Encumbrance Rollovers
	401-0000-389.90-01	RETAINED EARNINGS	373,726.00	206,125.00	579,851.00	Encumbrance Rollovers
Water Treatment	401-3301-533.31-15	ENGINEERING	2,500.00	57,215.00	59,715.00	Malcolm Pirnie - CUP Renewal

DEPT DESC	ACCOUNT	DESCRIPTION	BUDGET	Encumbrances	ADJUSTED BUDGET	DESCRIPTION
						Malcolm Pirnie - Allern Water Supply - \$16,702; TES Electrical-Mgmt System Woodlea Elec - \$4,820; Malcolm Pirnie - USDA GRANT - \$7,500; Water Conserv - Water Conserv Prog - \$1,000; Layne Christensen - Video Surveillance for Plant - \$21,898
Water Treatment	401-3301-533.34-10	CONTRACTUAL SERVICES	105,016.00	51,920.00	156,936.00	
Water Treatment	401-3301-533.64-15	EQUIP - NEW	10,000.00	7,133.00	17,133.00	Repligix - Cameras Wells 3&4
WW Treatment	401-3501-535.31-15	ENGINEERING	25,000.00	8,166.00	33,166.00	Miller Legg - Canal Court Utility Assess - \$429; B.E.S.H. - Etowah Force Main - \$668; Griffey Eng. - Fox Run Imprv \$4,750; SMW GEO Sciences - 10 Yr Water Supply - \$2,319 Woodard & Curran - Scada - \$8,039;
WW Treatment	401-3501-535.34-10	CONTRACTUAL SERVICES	140,650.00	15,869.00	156,519.00	Malcolm Pirnie - USDA Grant - \$7,500;
WW Treatment	401-3501-535.46-15	EQUIPMENT	35,000.00	2,380.00	37,380.00	Water Treatment - Chlorine Feed Units Repligix - Cameras for Woodlea - \$1,261; Mintek - Lift Station Maint - \$2,286; Sunstate Meter - Wasting Values - \$12,280; TAW Orlando - Refurbished Blower for Plant - \$5,717;
WW Treatment	401-3501-535.64-15	EQUIP - NEW	25,000.00	21,544.00	46,544.00	
WW Collection	401-3504-535.64-15	EQUIP - NEW	217,500.00	41,898.00	259,398.00	Multitrade - Scada Control Panels
	403-0000-389.90-00	APPROPRIATED RESERVES	257,334.00	130,699.00	388,033.00	Encumbrance Rollovers
						Griffey Eng - CRA Stormwater Study - \$30,975;
Stormwater	403-3801-538.31-15	ENGINEERING	10,000.00	89,749.00	99,749.00	Malcolm Pirnie - Stormwater FDEP 319 Funding - \$58,774;
Stormwater	403-3801-538.34-10	CONTRACTUAL SERVICES	12,500.00	40,950.00	53,450.00	Griffey Eng - Sinclair Ave. SW Design - \$3,950;
	441-0000-389.90-01	RETAINED EARNINGS	946,398.00	325,846.00	1,272,244.00	Malcolm Pirnie - USDA SW App - \$37,000 Encumbrance Rollovers
W/WW Impacts	441-3301-533.64-25	FUTURE PROJECTS		12,717.00	12,717.00	Farner Barley - WTP Upgrades
						Malcolm Pirnie - Utilities Assessment - \$35,745; Malcolm Pirnie - WW Hydraulic Model - \$5,286; Malcolm Pirnie - Woodlea Liftstation Upgrades - \$3,766; Graybar - Elec Room Mod - \$2,735; Malcolm Pirnie - Royal Harbor Eval - \$24,468; Control Eng - Elec Room Upgrades - \$91,045; Utility Technicians - WTP Mod - \$123,884; JAR Construction - Lake Francis Force Main - \$26,200
W/WW Impacts	441-3501-535.64-25	FUTURE PROJECTS	1,056,398.00	313,129.00	1,369,527.00	
	444-0000-389.90-01	RETAINED EARNINGS		584,531.00	584,531.00	Encumbrance Rollovers

DEPT DESC	ACCOUNT	DESCRIPTION	BUDGET	Encumbrances	ADJUSTED BUDGET	DESCRIPTION
SRF Construction	444-3301-533.65-35	WATER PLANT IMPROVEMENTS		59,758.00	59,758.00	McMahon Construction - WTP Upgrades - \$57,106;
SRF Construction	444-3501-535-65-75	CONSTRUCTION IN PROG - REUSE		524,773.00	524,773.00	Malcolm Pirnie - Admin Svcs WTP Upgrades - \$2,652
	405-0000-389.90-01	RETAINED EARNINGS	100,000.00	7,032.00	107,032.00	Malcolm Pirnie - Reclaimed Facility Design
Prop Shop	405-4301-543.52-11	DURABLE GOODS		7,032.00	7,032.00	Encumbrance Rollovers
						Diversified Metal Fabricators - Trash Receptacles

TOTAL 2,030,234.00

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DECEMBER 1, 2010**

AGENDA TAB NO. 8

SUBJECT TITLE: Resolution 2010-19

Criteria for Signage for Wayfinding Program

OBJECTIVE:

To approve a resolution that establishes the criteria for the destinations that may be displayed and advertised on signage that is part of the Wayfinding Program for the city.

SUMMARY:

City Council has approved a Wayfinding System for the city and has authorized staff to negotiate contracts with Don Bell Signs to engineer, fabricate and install signage associated with this program. FDOT must approve and permit those signs that are located on or are in the proximity of State Roads (US 441 and SR 19). On November 5th, city staff met with District 5, FDOT representatives in Deland, to obtain their opinions on our proposed sign designs, including our major Gateway signs which are all themed in support of our brand...**America's Seaplane City**. The FDOT representatives were enthusiastically supportive of the designs. Minor recommendations that were made have been incorporated into the designs.

The Florida Administrative Code, Part V of Chapter 14-51, outlines the procedure that local governments must follow to obtain FDOT permits for Wayfinding Signs. Key to this process is the necessity for the local government to adopt a resolution that establishes the criteria for the destinations shown on the Wayfinding Sign System Plan. This is intended to set the ground rules of what may be advertised on our Wayfinding signs and will eliminate future disputes from individuals or business that may seek off-site advertising opportunities on our Wayfinding signs that are not intended for this purpose. Our plan provides for the advertising of individual businesses on Kiosk signs that will be located in the downtown core area. Our Gateway, Main Directional and Vehicular signs will announce to visitors that they are entering Tavares, America's Seaplane City, direct them from the State roads to our Downtown/Seaplane Base and guide them to public and cultural points of interest, recreational facilities, shopping and entertainment districts and government facilities. The Kiosk signs will lead pedestrians to specific business and buildings within our downtown core.

Council adoption of this resolution will satisfy the requirements of the Florida Administrative Code and will enable the city to commence the permitting of our Wayfinding signage.

OPTIONS:

1. That Council moves to approve Resolution 2010-19 that establishes the criteria for the destinations that may be displayed and advertised on signage that is part of the Wayfinding Program for the city.

2. That Council moves to deny Resolution 2010-19.

STAFF RECOMMENDATION:

Staff recommends that Council moves to approve Resolution 2010-19.

FISCAL IMPACT:

There is no fiscal impact associated with this agenda item.

LEGAL SUFFICIENCY:

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

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RESOLUTION 2010-19

**A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, THAT
ESTABLISHES THE CRITERIA FOR THE DESTINATIONS THAT
MAY BE DISPLAYED AND ADVERTISED ON SIGNAGE THAT IS
PART OF THE WAYFINDING PROGRAM AND PLAN ADOPTED
BY THE CITY OF TAVARES**

WHEREAS, as part of the City's Branding Initiative, Wilesmith Advertising designed a Public Wayfinding System for the city; and

WHEREAS, on May 5, 2010, this design was presented to City Council and at that meeting, Council moved to authorize staff to issue a Request for Proposals for firms to engineer, fabricate and install the signs specified by the Public Wayfinding System designed by Wilesmith; and

WHEREAS, on August 18th, 2010, City Council moved to recognize Don Bell Signs, LLC as the number one ranked firm for this RFQ and authorized staff to negotiate contracts with Don Bell Signs, LLC to engineer, fabricate and install signage for the city's Public Wayfinding System; and

WHEREAS, on November 5th, city staff met with District 5, FDOT representatives to review the proposed signage for the Public Wayfinding System; and

WHEREAS, the FDOT representatives present at that meeting positively received the City's proposed signage for the Public Wayfinding System and minor improvements suggested at the meeting by FDOT have been made to the plan; and

WHEREAS, Chapter 14-51.051(3) of the Florida Administrative Code mandates that local governments develop and approve through local resolution the criteria for the destinations shown on Wayfinding Signage; and

WHEREAS, the adoption of this Resolution shall satisfy the requirements of the F.A.C. and is a necessary component in the FDOT permitting process for Wayfinding Signage, therefore,

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

That the City of Tavares hereby adopts the following criteria for the City's Wayfinding

1 System including the destinations that may be displayed and advertised on signage that is part
2 of the City's Wayfinding System.

3
4 The City's Wayfinding System shall consist of four distinct types of signs, strategically placed to
5 efficiently and safely guide motorists and pedestrians to key civic, cultural, visitor and
6 recreational destinations within the city. Each type of sign is designed to embrace and emphasis
7 the City's brand...**America's Seaplane City**. A color graphic representation of each type of sign
8 is attached to this resolution as Exhibit "A". The criteria for each type of sign is as follows:

9
10 **1. Gateway Signs-** These signs will be located at or near the City's boundaries on the major
11 arterial roads (US 441 & SR 19) entering the city. The only lettering allowed on this type of sign
12 will be **Tavares** and **America's Seaplane City**. A seaplane, either a reproduction or an actual
13 plane, will be permanently mounted in the proximity of the sign to visually announce the city's
14 brand.

15
16 **2. Main Directional Signs-** These signs will be located near the intersections of the major
17 arterial roads (US 441 & SR 19) and the main local roads that lead to the city's downtown and
18 seaplane base. The only lettering allowed on these signs will be **Tavares** and **Downtown and**
19 **Seaplane Base**.

20
21 **3. Vehicular Directional Signs-** These signs will be strategically located throughout the city's
22 downtown area. They will be located only on City or County Roads. No vehicular directional
23 signs will be allowed on State Roads. These signs will direct visitors to public and cultural points
24 of interest, recreational facilities, shopping and entertainment districts and government facilities.
25 Individual businesses will not be allowed to advertise on these signs.

26
27 **4. Kiosk Signs-** These signs will be located in the city's downtown core and are designed for
28 pedestrian use only. Each kiosk will include a map of the immediate area showing the location of
29 specific businesses and buildings within that area. The city intends to update the map
30 periodically to keep the business locations current.

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

2

3 **PASSED AND RESOLVED** ___ day of _____, 2010, by the Tavares City Council.

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Robert Wolfe, Mayor
Tavares City Council

10 **ATTEST**

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Nancy Barnett, City Clerk

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Approved as to form and legality:

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Robert Q. Williams, City Attorney

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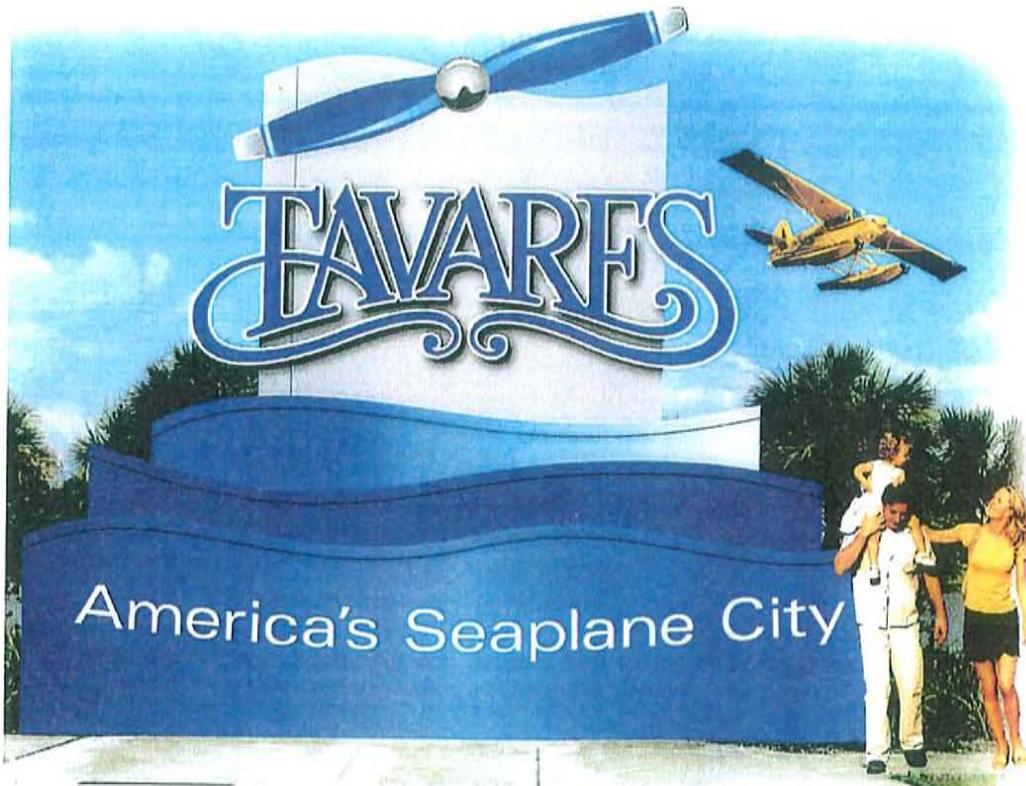
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EXHIBIT A

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Gateway Sign

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Main Directional Sign

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1 **Vehicular Directional Sign**

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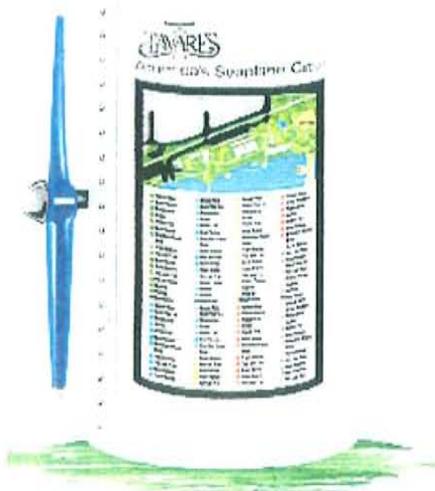
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5 **Kiosk Sign**

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AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010

AGENDA TAB NO. 9

**SUBJECT TITLE: Interlocal Agreement Between Tavares and Lake County
Relating to Contribution of Funds for the Beginning Phase of Construction
of Woodlea Sports Complex**

OBJECTIVE: To enter into an interlocal agreement with Lake County government for the acceptance of contributing funds to begin the site work for constructing the Woodlea Sports Complex.

SUMMARY: At the June 16, 2010 city council meeting, council authorized staff to apply for a reimbursable grant from Lake County in the amount of \$250,000.00 to begin site work for constructing Woodlea Sports Complex. This interlocal agreement facilitates this contribution of funds and a few of the salient points are thusly stated:

- Funding will be provided as reimbursement for construction costs paid by the city for completed work
- Funding can only be used for construction costs (not for design, permitting, engineering, etc.)
- City will not be eligible for assistance under the County's Youth Assistance Recreation Grant Program for 10 years (grant has ranged from \$11,000.00 to as much as \$32,000.00 per year.)
- Completed park will serve as a county/city central community park (regional park)
- Funds have to be spent for completed work by September 30, 2011, unless the county agrees to extend the commitment

OPTIONS:

- 1) Approve and enter into the interlocal agreement as submitted
- 2) Do not

STAFF RECOMMENDATION: make a motion to approve and enter into this interlocal agreement between Tavares and Lake County relating to the contribution of funds for the beginning phase (site work) of constructing the Woodlea Sports Complex.

FISCAL IMPACT: n/a

LEGAL SUFFICIENCY: Meets legal sufficiency

**INTERLOCAL AGREEMENT
BETWEEN LAKE COUNTY AND
THE CITY OF TAVARES, FLORIDA
RELATING TO CONTRIBUTION OF FUNDS
FOR CONSTRUCTION OF WOODLEA SPORTS COMPLEX**

This is an Interlocal Agreement between Lake County, Florida, a political subdivision of the State of Florida, by and through its Board of County Commissioners (hereafter the "COUNTY"), and the City of Tavares, Florida, a municipal corporation organized and existing under the laws of the State of Florida (hereafter the "CITY").

WITNESSETH:

WHEREAS, Chapter 125, Florida Statutes, subsection 125.01(1)(f), authorizes counties to provide community recreational facilities; and

WHEREAS, the CITY is developing a sports complex that is intended to include baseball, softball, and multi-use fields substantially consistent with the attached conceptual plan (hereafter the "Sports Complex"); and

WHEREAS, the Sports Complex will provide leisure and community recreational activities for citizens of all ages, races and creeds residing in CITY; and

WHEREAS, the COUNTY desires to assist the CITY in constructing the Sports Complex and provide these leisure and community recreational activities for residents of the COUNTY; and

WHEREAS, the CITY and the COUNTY desire to enter into this Agreement to memorialize the terms of the funding arrangement between the CITY and COUNTY for the Sports Complex; and

WHEREAS, this Agreement is for the benefit of the general public and is authorized by, and entered into pursuant to, Chapter 163, Florida Statutes.

NOW, THEREFORE, for and in consideration of the mutual covenants, promises, conditions and payments contained herein, the parties agree as follows:

Section 1. **Recitals.** The above recitals are true and correct and incorporated herein.

Section 2. **Obligations of COUNTY and CITY.** COUNTY agrees to reimburse

CITY for construction costs incurred for the project located at 2770 Woodlea Road, Tavares, Florida 32778, and substantially consistent with the conceptual plan, attached hereto and incorporated herein as Exhibit A (hereafter the "Sports Complex."). "Construction costs" include, but are not limited to, grading, clearing, grubbing, tree removal, and any other site work necessary to prepare the site for construction. The COUNTY's total funding reimbursement shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). Funding payments made to CITY by COUNTY shall be subject to the following terms and conditions:

A. CITY shall submit requests for reimbursement to the COUNTY accompanied by documentary evidence of CITY's expenditures incurred in the construction of the Sports Complex. Such documentary evidence shall include a detailed description of the services provided, proof that payment has been made to all contractors, subcontractors and suppliers providing any labor, materials or equipment related to the construction of the Sports Complex, as well as acceptance and approval of such labor, materials or equipment from an authorized CITY representative. Under no circumstances shall the requests for reimbursement be submitted to COUNTY in advance of the delivery and acceptance of the services.

B. The time of payment and the amount of funds reimbursable to CITY by COUNTY at any one time during the term of this Agreement is directly dependent on the costs incurred by CITY for the construction of the Sports Complex as evidenced by the corresponding documentation specified in paragraph A above. Within thirty days of the CITY providing said documentation to the COUNTY, the COUNTY shall reimburse the CITY as described herein. Notwithstanding the foregoing, in no event shall COUNTY be obligated to reimburse to CITY total monies in excess of Two Hundred Fifty Thousand Dollars (\$250,000.00).

C. CITY shall comply with all the terms and conditions of this Agreement.

Section 3. Expenditure of Funds by CITY. The CITY understands and agrees that COUNTY shall only provide reimbursement for costs incurred by CITY on or before September 30, 2011, for the purposes enumerated herein. In the event the construction of the Sports Complex is not complete and the COUNTY has not provided the total reimbursement amount by September 30, 2011, the parties shall have the option to extend reimbursement funding for one (1) additional year. Provision of reimbursement for costs incurred beyond September 30, 2011 is a COUNTY prerogative and not a right of the CITY. Any extension of reimbursement funding shall be in writing and fully executed by the parties, with the same formality and of equal dignity

herewith.

Section 4. Design, Construction and Operation of Facility. CITY shall be solely responsible for the design, construction and operation of all community recreation facilities and equipment funded hereby, and for the content and supervision of programs at the Sports Complex. No portion of the funds provided by COUNTY shall be used for design, engineering, permitting, administration or any other expense other than actual construction costs as those are defined herein.

Section 5. Identifying Funding Sign. Upon execution of this Agreement, the CITY shall erect a permanent sign identifying the COUNTY as a funding partner for the Sports Complex. The COUNTY will provide the sign to be posted by the CITY.

Section 6. Use of Sports Complex by COUNTY Residents. The COUNTY and CITY understand and expressly agree that the Sports Complex is to be utilized by both CITY and COUNTY residents. In the event that CITY implements a fee for the use of the Sports Complex, such user fee for the Sports Complex and any ancillary property, such as parking lots adjacent thereto, shall be the same for COUNTY residents as it is for CITY residents.

Section 7. Designation of Park as County/City Central Community Park. Upon the parties entering into a cost-sharing agreement acceptable to the CITY wherein the COUNTY agrees to contribute to the CITY's ongoing operation, maintenance, and repair costs associated with the Sports Complex, the CITY shall agree to allow the COUNTY to designate the Sports Complex as a County/City Central Community Park in accordance with the COUNTY's Park Master Plan.

Section 8. Eligibility for Youth Assistance Recreation Grant Program. The City shall not be eligible for assistance under the County's Youth Assistance Recreation Grant Program until January 1, 2020.

Section 9. Termination. This Agreement may be terminated by either party with thirty (30) days written notice of its intent to terminate. However, upon termination, the COUNTY shall reimburse the CITY for any coverable costs incurred up to the date of termination. In addition, upon termination, all CITY obligations or concessions described herein shall be extinguished. Notice pursuant to this section shall be sent as provided herein.

Section 10. Project Completion. The parties understand that the construction of the Sports Complex will take place over several years and will be completed as funding becomes available to the CITY.

Section 11. Grant Funding. In the event any of the Sports Complex project is funded by grant monies, the COUNTY shall not be liable for any non-compliance with the provisions of the grant. It is the CITY's sole responsibility to ensure successful completion of the Sports Complex and compliance with any grant requirements, as applicable.

Section 12. Sale or Sublease of Sports Complex Property. The CITY shall not sell the Sports Complex property or sublet the property without the prior written approval of the COUNTY. In the event the property is sold or sublet, the CITY shall compensate the COUNTY in an amount agreed upon and determined by the parties at the time the COUNTY approves such sale or sublease.

Section 13. Insurance. CITY shall require that all contractors and suppliers provide Certificates of Insurance to CITY evidencing that the COUNTY is named as additional insured on all applicable insurance policies. CITY shall provide evidence of conforming certificates of insurance upon request by COUNTY.

Section 14. Indemnification. To the extent permitted by Florida law and without waiving its sovereign immunity, CITY shall indemnify and hold harmless the COUNTY and its agents, officers, commissioners, or employees for any and all damages, losses, penalties, settlements, costs, charges, professional fees or other expenses or liabilities to the extent resulting from the negligent act, error or omission of the CITY, its agents, employees or representatives, in the performance of the construction or operation of the Sports Complex.

Section 15. Notices. When provision is made in this Agreement for the giving, service or delivery of any notice, statement or other instrument, such notice shall be in writing and shall be deemed to have been duly given, served and delivered, if (1) personally delivered, (2) sent by certified United States mail, return receipt requested, or (3) sent by Federal Express or other equivalent overnight letter delivery company, addressed as follows:

COUNTY
County Manager
Lake County Administration Building
315 West Main Street, Suite 308
Post Office Box 7800
Tavares, Florida 32778

CITY
City Administrator
201 East Main Street
Post Office Box 1068
Tavares, Florida 32778

cc: Parks and Trails Division

Either party may change its mailing address or notice information by notifying, in writing, the other party in a manner designated for the filing of notice hereunder.

Section 16. Modification. No modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by the parties hereto, with the same formality, and of equal dignity herewith.

Section 17. Incorporation. This Agreement incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein, and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreement whether oral or written.

Section 18. Severability. In the event any provision of this Agreement is held to be unenforceable for any reason, the unenforceability thereof shall not affect the remainder of the Agreement which shall remain in full force and effect and enforceable in accordance with its terms.

Section 19. Scope of Agreement. This Agreement is intended by the parties to be the final expression of their Agreement, and it constitutes the full and entire understanding between the parties with respect to the subject of this Agreement, notwithstanding any representations, statements, or agreements to the contrary heretofore made. This Agreement contains the following exhibits:

Exhibit A Sports Complex Conceptual Plan

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: Lake County through its Board of County Commissioners, signing by and through its Chair, authorized to execute same by Board action on the ___ day of _____, 2010; and City of Tavares through its City Council, signing by and through its Mayor, authorized to execute same by Council action on the ___ day of _____, 2010.

COUNTY

ATTEST:

LAKE COUNTY, through its
Board of County Commissioners

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

_____, Chair

This ____ day of _____, 2010.

Approved as to form and legality:

Melanie Marsh
Acting County Attorney

Interlocal Agreement between Lake County and City of Tavares for Funding of Woodlea Sports Complex

CITY

ATTEST:

CITY OF TAVARES

Nancy A. Barnett, City Clerk

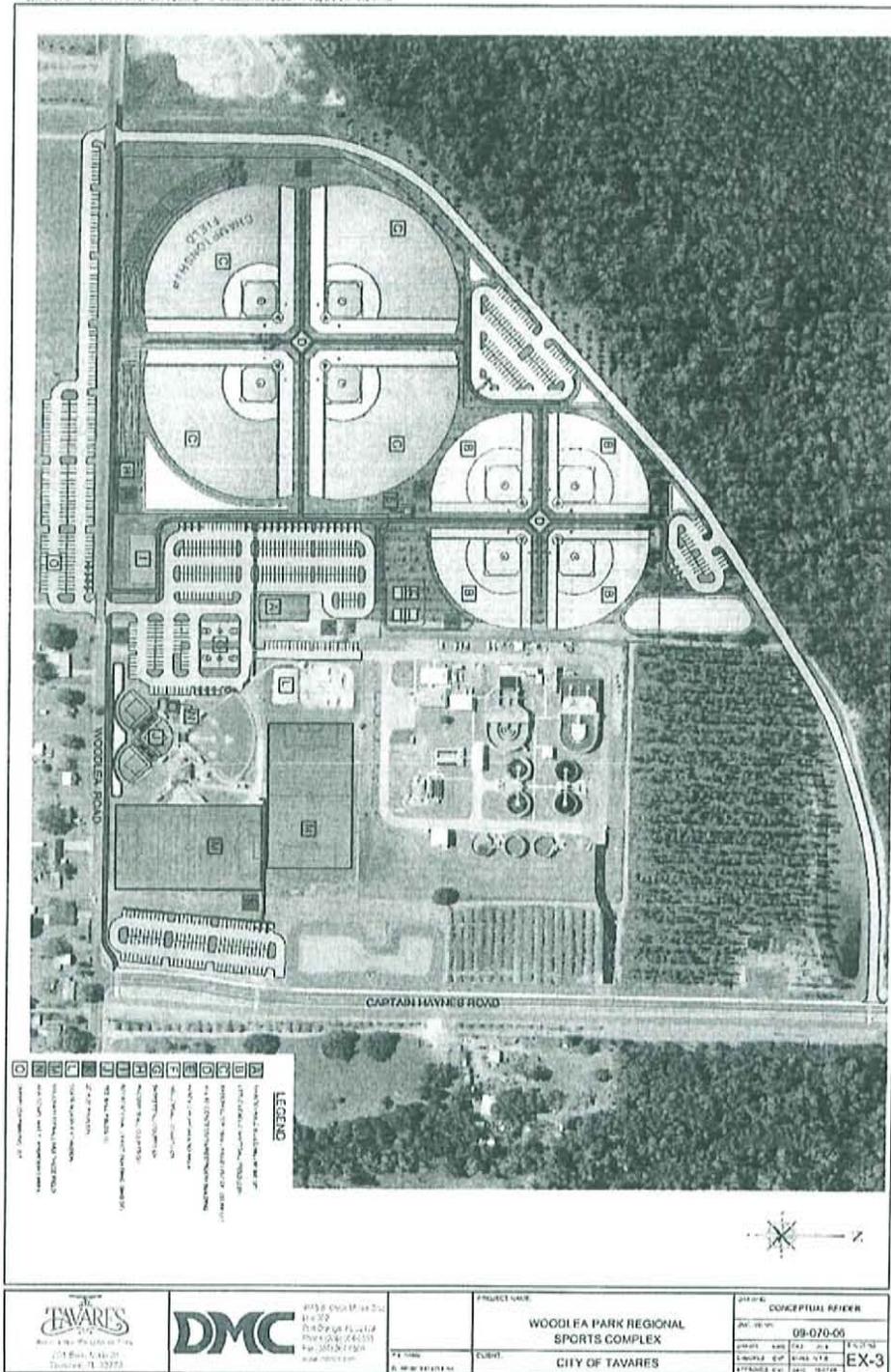
Robert Wolfe, Mayor

This _____ day of _____, 2010.

Approved as to form and legality:

Robert Q. Williams, City Attorney

EXHIBIT A SPORTS COMPLEX CONCEPTUAL PLAN



		415 S. OGDEN ST. SUITE 202 701 S. OGDEN PL. SUITE 108 P.O. BOX 246 246111 TAMPA, FL 33624 WWW.DMC.COM	PROJECT NAME: WOODLEA PARK REGIONAL SPORTS COMPLEX	PROJECT NO.: CONCEPTUAL REVIEW
201 BIRDAVE, SUITE 201 TAMPA, FL 33624			CLIENT: CITY OF TAVARES	DATE: 09-07-05
				DRAWN BY: EX-3

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: NOVEMBER 17, 2010**

AGENDA TAB 10

SUBJECT TITLE: Approval of Agreement with Mercy Flight Southeast, Inc. (Angel Flight) relating to providing an Air Show in conjunction with Planes, Trains and Barbecue Event

OBJECTIVE:

To have City Council approve the attached Agreement with Mercy Flight Southeast, Inc. (Angel Flight) relating to having an Air Show in conjunction with the Planes, Trains and Barbecue Event on April 2, 2011 at Wooton Park.

SUMMARY:

Staff has been working to expand the activities at the annual Planes, Trains and Barbecue (PTB) Event being held at Wooton Park on April 2, 2011.

For the first time in 2010, a professional air show was added to the line-up of activities for the Planes, Trains and Barbecue event and was deemed to be a great success.

It is proposed to again conduct an air show as part of the PTB event in 2011. The estimated cost to for the Air Show is \$20,000.00. This will cover the cost of the four professional air acts performing in the morning and afternoon, the expenses for the professional "Air Boss" to direct the air show activities, all required FAA and other permits and the cost of a \$5 million liability insurance policy.

Angel Flight Southeast which provides "air transportation services" to people in need for medical or other related services will be the named "charity" for the event. A gate fee of \$2.00 per person will be charged for the PTB event with the proceeds of the gate fee going to Angel Flight Southeast. In return, Angel Flight Southeast will cover \$10,000 of the \$20,000 cost of the air show. A greater share of the air show cost will be absorbed by Angel Flight in future years..

City expenses would be covered by 2010 - 2011 CRA-TIF revenues.

Staff is requesting that Council approve the attached Agreement with Mercy Flight Southeast, Inc. (Angel Flight) to hold an Air Show in conjunction with the Planes, Trains and Barbecue event on April 2, 2011.

OPTIONS:

1. To approve the attached Agreement with Mercy Flight Southeast, Inc. (Angel Flight) to hold an Air Show in conjunction with the Planes, Trains and Barbecue Event on April 2, 2010.
2. To not approve the attached Agreement with Mercy Flight Southeast, Inc. (Angel Flight) to hold an Air Show in conjunction with the Planes, Trains and Barbecue Event on April 10, 2011.

STAFF RECOMMENDATION:

Staff recommends that the Council moves to approve the attached Agreement with Mercy Flight Southeast, Inc. (Angel Flight) to hold an Air Show in conjunction with the Planes, Trains and Barbecue Event on April 2, 2011.

FISCAL IMPACT:

Mercy Flight Southeast, Inc. will provide \$10,000 toward the \$20,000 cost of the Air Show.

LEGAL CONSIDERATIONS:

The City Attorney has reviewed and approved the attached Agreement.

AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2010, between the City of Tavares, Florida (hereinafter referred to as "City") and Mercy Flight Southeast, Inc., a non-profit organization (hereinafter referred to as "Charity").

RECITALS

1. The City desires to host an air show at the City of Tavares waterfront in accordance with the terms described herein;
2. Charity agrees to make a contribution to the City's costs related to the air show in exchange for the benefits described herein; and
3. The parties desire to enter into this agreement to memorialize the terms and conditions of their agreement, and further agree to be bound by the terms and conditions described herein.

THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, receipt of which is hereby acknowledged, the City and Charity hereby covenant and agree as follows:

1. The foregoing recitals are true and correct, and hereby incorporated as a material part of this Agreement as fully set forth herein.
2. In exchange for Charity's obligations (described below), the City agrees to:
 - (a) Secure a vendor to host an air show on April 2, 2011, which will consist of five (5) Air Show "Acts" (as that term is commercially understood). Each Act will provide two performances, one in the morning and one in the afternoon (hereinafter referred to as "Air Show");

(b) Name Charity as the charitable sponsor of the Air Show;
(c) Charge a gate fee of \$2.00 per person (to be collected by Charity's volunteers), and assign the total proceeds of the gate fee to Charity;

(d) Provide drink vending opportunities for Charity as approved by the City; and

(e) Provide an area for Charity's designated sponsors.

3. In exchange for City's obligations, Charity agrees to the following:

(a) Pay the City TEN THOUSAND DOLLARS (\$10,000) by April 15, 2011, as a partial contribution to the City's cost of hosting the Air Show; and

(b) Arrange for volunteers to collect the admission fee for the Air Show.

4. Charity shall not be permitted to assign any benefit or obligation described herein without first obtaining the written consent of the City.

5. Should Charity breach the terms of this agreement, causing the City to employ an attorney for the enforcement of the provisions hereof, or for the collection of damages as a result of a breach, then the City's attorney's fees and court costs shall be paid by Charity.

Dated this ___ day of _____, 2010.

CITY

CHARITY

John Drury, City Administrator
City of Tavares, Florida

Mercy Flight Southeast, Inc.
By: _____

Attest:

Attest:

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: NOVEMBER 17, 2010**

AGENDA TAB NO: 11

SUBJECT TITLE: Approval of Agreement relating to Air Show to be held in conjunction with the Planes, Trains and Barbecue Event

OBJECTIVE:

To have City Council approve the attached Agreement relating to having an Air Show in conjunction with the Planes, Trains and Barbecue Event on April 2, 2011 at Wooton Park.

SUMMARY:

Staff has been working to expand the activities at the annual Planes, Trains and Barbecue (PTB) Event being held at Wooton Park on April 2, 2011.

For the first time in 2010, a four act professional air show was added to the line-up of activities for the Planes, Trains and Barbecue event and was deemed to be a great success.

It is proposed to again conduct an air show as part of the PTB event in 2011. The estimated cost to for the Air Show is \$20,000.00. This will cover the cost of the four professional air acts performing in the morning and afternoon, the expenses for the professional "Air Boss" to direct the air show activities, all required FAA and other permits and the cost of a \$5 million liability insurance policy.

Angel Flight Southeast which provides "air transportation services" to people in need for medical or other related services will be the named "charity" for the event. A gate fee of \$2.00 per person will be charged for the PTB event with the proceeds of the gate fee going to Angel Flight Southeast. In return, Angel Flight Southeast will cover \$10,000 of the \$20,000 cost of the air show. A greater share of the air show cost will be absorbed by Angel Flight in future years..

City expenses would be covered by 2010 - 2011 CRA-TIF revenues.

Staff is requesting that Council approve the attached Agreement to hold an Air Show in conjunction with the Planes, Trains and Barbecue event on April 2, 2011.

OPTIONS:

1. To approve the attached Agreement to hold an Air Show in conjunction with the Planes, Trains and Barbecue Event on April 2, 2010.
2. To not approve the attached Agreement to hold an Air Show in conjunction with the Planes, Trains and Barbecue Event on April 10, 2011.

STAFF RECOMMENDATION:

Staff recommends that the Council moves to approve the attached Agreement to hold an Air Show in conjunction with the Planes, Trains and Barbecue Event on April 2, 2011 and to provide the needed funds from the 2010 – 11 CRA – TIF fund budget.

FISCAL IMPACT:

The estimated City out-of-pocket expenditures of \$10,000 will be covered by 2010 – 11 CRA – TIF revenues.

LEGAL CONSIDERATIONS:

The City Attorney has reviewed and approved the attached Agreement.

AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2010, between the City of Tavares, Florida (hereinafter referred to as "the City") and Air Boss and Consulting International, Inc. (hereinafter referred to as "Vendor").

RECITALS

1. The City desires to enter into an agreement with Vendor for the provision of an air show event to be held at the City of Tavares waterfront in accordance with the terms described herein.

2. Vendor desires to enter into an agreement with the City to provide said services, and further agrees to be bound by the terms and conditions of this Agreement.

THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, receipt of which is hereby acknowledged, the City and Vendor hereby covenant and agree as follows:

1. The Vendor agrees to provide an air show (hereinafter called "Air Show"). The Air Show shall consist of five (5) Air Show "Acts" (as that term is commercially understood). Each Act shall provide two performances, one in the morning and one in the afternoon.

2. The Air Show is to be held on the Tavares Waterfront on April 2, 2011.

3. In addition to holding the Air Show as described in Paragraph 1, Vendor shall be responsible for the following:

a. Provide all necessary planes and equipment for the Air

Show.

b. Employ a Qualified "Air Boss" (as that phrase is generally understood) to supervise the Air Show.

c. Provide insurance as agreed to and approved by the City's Risk Manager with a maximum \$5,000,000 aggregate liability coverage. Vendor shall provide the City with the Certificate of Insurance or other proof of said insurance at least ten (10) days prior to the event.

d. Obtain all FAA and other permits required for the Air Show.

4. In exchange for the Vendor's obligations, the City shall pay Vendor TWENTY THOUSAND DOLLARS (\$20,000). The payment shall be split into two separate payments. The City shall make the first payment in the amount of TEN THOUSAND DOLLARS (\$10,000) on March 15, 2011. The City shall make the second payment in the amount of TEN THOUSAND DOLLARS (\$10,000) on April 2, 2011, constituting the remaining portion of the cost.

5. Vendor agrees to indemnify the City and hold it harmless from any claims or damages (including attorney's fees) that it may incur by reason of the operation of the Air Show by Vendor.

6. The parties agree that if Vendor violates the terms and conditions of this Agreement, or violates any other applicable state, county or municipal ordinances, the City shall have the option to immediately terminate this Agreement.

7. Vendor shall be responsible for obtaining any and all necessary licenses, health certificates, permits, or other documents required for the operation of the Air Show. Vendor shall also be responsible for any and all sales or income tax

liability that it may incur by reason of its operation of the Air Show.

8. Vendor shall not be permitted to sublet or assign any part of the Air Show or related services as set forth in this Agreement without first obtaining the written consent of the City.

9. Should Vendor breach the terms of this Agreement, causing the City to employ an attorney for the enforcement of the provisions hereof, or for the collection of damages as a result of a breach, then the City's attorney's fees and court costs shall be paid by the Vendor.

Dated this ___ day of _____, 2010.

CITY

VENDOR

John Drury, City Administrator
City of Tavares, Florida

Air Boss and Consulting International, Inc.
By: Wayne G. Boggs, President

Attest:

Attest:

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AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010

AGENDA TAB NO: 12

SUBJECT TITLE: Update on City Programs and Projects

OBJECTIVE:

To provide the City Council with an update on City Programs and Projects.

SUMMARY:

The new fiscal year commenced on October first and an opportunity is presented to the Council to be updated on Horizon Team projects and other projects that have rolled forward from prior fiscal year into this new fiscal year and for any questions to be asked/answered that Council members may have on the listed projects or any other project.

1. **Public Safety Facility:** (Council Liaison – Mayor Wolfe/Staff manager- Richard Keith). Council selected the design Team (Gator Sktch) and authorized staff to negotiate an engineering contract. A \$500,000 Federal Grant has been secured to get the project going. The team is pursuing the “bus barn” location as the number 1 priority location for the facility. A placeholder site behind City Hall has been identified to get the project moving forward. It is anticipated that the engineering firm’s grant writing staff will assist the City in obtaining a grant to construct the project. The estimated cost to construct is \$8 million.
2. **Seaplane Base and Marina:** (Council Liaison –Councilmember Lori Pfister/Staff manager - Bill Neron). Grand Opening completed this past April with Governor. Punch list items to be completed include improving the welded and hinged dock connections with rubber connections, installing a fueling pump adjacent to the aircraft apron for the larger twin aircraft and boats who prefer to fuel on shore, installing the flag pole and associated plaques (Historical and Dedication). Project should be closed out within the next several months.
3. **Tavares Pavilion on the water:** (Council Liaison – Councilmember Lori Pfister/Staff manager - Tamera Rogers). DEP permit has been secured. This took a year to obtain. Council previously selected the BESH team to design the project. Awaiting decision on TDC grant application in the amount of \$750,000 to add to the budget of \$1.5 million for a total budget of \$2,250,000. Presentation to TDC scheduled for December 15. If approved then TDC grant application goes to County Commission in January for approval. If approved then notice to proceed on design will be

issued. The Council has also instructed staff to obtain proposals from "Construction Management At Risk" firms to do the work. Proposals have been received and are being ranked after which they will go to Council for approval.

4. **Dora Canal Bridge Replacement** (Council Liaison – Councilmember Kirby Smith/Staff manager - Bill Neron). Project funded by Rail Road, Water Authority and City. Agreements have been executed by all parties. Rail Road to commence construction/replacement after new year. Awaiting grant agreement from State.
5. **Tavares Outdoor Sports Park** (Council Liaison – Councilmember Sandy Gamble/staff manager - Tamera Rogers). Design Team DMC is developing plans for a Master Permit from DEP/St Johns of the entire complex. Permitting is underway with Florida Wildlife and Game Commission for the relocation of gopher tortoises. Once the tortoises are removed and the stormwater permitting is completed, the land will be cleared and grading will begin. Interlocal Government Agreement between County and City is being developed between city and County attorney on the funding component for council's approval in the near future. County has budgeted \$250,000 to assist with the project and City has budgeted \$300,000. Total sports complex estimated to cost \$8 million. The first phase will be limited to environmental permitting, gopher tortoise removal and clearing and grubbing.
6. **Alleyways and alleyway signage** (Council Liaison – Vice Mayor Bob Grenier/staff manager - Chris Thompson). Three Alleyways under construction. Naming of alleyways approved by City Council. Signs for those alleyways that are completed or under construction have been installed.
7. **Gateway and Kiosk signs:** (Council Liaison – Vice Mayor Bob Grenier/staff manager - Jacques Skutt). Sign manufacture selected by Council. A work order for the first KIOSK, to be placed off Main Street in the City Hall court yard, has been issued. After it is installed and accepted, two more are scheduled. One for Ruby Street in a grassy area near O'Keefe's and one at the west end of Main Street near the County Parking Garage. Gateway signs off 441 and 19 and the entire wayfinding program has been submitted to FDOT for approval. Approval is pending the City's development of sign specifications. Once sign specifications have been completed then FDOT will conduct final approval and wayfinding signs can be programmed into the Capital Improvement program.
8. **Alfred Street Project** (Council Liaison – Councilmember Lori Pfister/Staff manager - Jacques Skutt). BESH was selected to design project. Contract has been approved by County (who is paying for project) and notice to proceed issued. A separate streetscape design that reflect the City's Master plan is being negotiated with BESH and will be presented to Council in the near future. .
9. **Community Backyard Project** (Council Liaison – Councilmember Lori Pfister/staff manager - Tamera Rogers). Includes Dog Park, catch and

release fishing pond, Butterfly Park, community vegetable garden, exercise trail/stations, grilling stations, park benches and park furniture. Dog Park is complete. Pond has been cleaned out, graded and seeded. Trees and underbrush were removed and cleaned out. Parking area off Disston Ave was created. Restrooms are under construction. Small pumpkin patch was planted. Over this fiscal year, Parks Department will work to stock pond with fish and put in place a butterfly attracting plants and raised beds for community vegetable gardening and parking will be enlarged and improved.

10. **Public Works Facility** (Council Liaison – Vice Mayor Bob Grenier/staff member Chris Thompson. Team continues to evaluate site locations. The Caroline property that City owns is rising to the top of the preferred list. No funding available at this time to move forward. Funding will be addressed in a future year through the Capital Improvement Programming process.
11. **Rail upgrades:** (Council Liaison – Councilmember Kirby Smith/Staff member Bill Neron) \$13,000,000 in grants secured for continuous welded tracks to Orlando. MPO trying to secure the grant match of \$4 million from Lake County, Orange County, R.R., Tavares, Eustis, Mt. Dora and Umatilla. Cities and County continue to meet on this issue with MPO. No funding available this year for the grant match. Project on hold until grant match can be identified and secured. City programmed \$300,000 over a three year period beginning next year in the Capital Improvement Program.
12. **Economic Development:** (Council Liaison – Councilmember Kirby Smith/Staff member Bill Neron).The Tavares Economic Development Strategy continues to include support towards: Hospital, Medical Village, Rail Village, County Government Campus, Commerce Park, Seaplane Base and Marina, Special Events, Multi Modal Transportation system, Sports Park and growing our own businesses. This strategy was developed by the city three years ago and is making progress on all fronts. The team is engaged on all fronts and most recently is focusing on business recruitment for companies that offer high wage jobs (manufacturing) and growing or own (down town businesses). The other economic development programs include the Impact Fee Waiver Program and fast track permitting program.
13. **Banking RFP:** Finance Department is currently in process of developing a scope of desired services and requirements for banking services. The preferred bank will provide services that will provide efficiency for financial reporting, enhance customer service delivery, and provide safety for City of Funds.
14. **Meter Reading RFP:** Finance Department is currently in process of developing a scope of services and requirements for meter reading services. The desired vendor will provide meter reading services in a timely fashion and within City customer service guidelines.

15. **Golf Cart Crossing:** Staff Manager – John Drury. Two locations on State Road 19 and 441 have been applied for with FDOT (Dead River Road and St. Clair Abrams Road). FDOT is developing standards for Golf Cart crossings at state roads. City awaits approval and standards.
16. **City Comprehensive Plan** – The Evaluation and Appraisal Report has been completed and submitted to DCA for approval. City awaits determination of approval.
17. **CRA Water Sewer Upgrades.** Staff Manager – Brad Hayes. \$17 million in grant and loans secured. Scope of work to design is being negotiated and will be submitted to Council and Grant/Loan Funding Agency (USDA) in near future.
18. **CRA Storm Water upgrades.** Staff Manager – Brad Hayes. \$10 million grant/loans have been applied. City awaits determination of grant award.
19. **Reclaim Facility and Water Utility bld.** Staff Manager Brad Hayes. \$18 million grant/loans applied for. \$900,000 St John's grant received for construction and \$1.2 million DEP loan received for design services of the reclaimed facility. Project under design.
20. **Water Treatment Plant Upgrades:** Staff Manager Brad Hayes: 95% complete, using \$2.5M –ARRA Grant money. Construction completion estimated by this year's end.
21. **Sidewalk Replacement/Ramps:** Staff Manager Chris Thompson: Replacement of 1605 ft of sidewalk and 11 ramps. Project commenced in October and continues throughout the city.
22. **Traffic Circle at West Main Street.:** Staff Manager – Jacques Skutt. County has agreed to fund and construct at the completion of the Judicial project which is scheduled to be complete within two years.
23. **Storm Water Pond Behind Jail:** Staff Manager – Brad Hayes. County and City negotiating an interlocal government Agreement which will be brought back to respective boards after the new year.
24. **Sister City Program:** (Council Liaison- Mayor Robert Wolfe/Staff Manager Joyce Ross). Sister Cities Tavares and Taiwan's Xindian have both passed resolutions codifying the sister city relationship. After the first of the year, an agreement defining the level of the relationship will be developed and presented to both cities for approval.
25. **Special Events Team:** (Council Liaison - Robert Wolfe/Staff Manager Bill Neron). Crappie Masters 1/27 Bass Master Elite 3/10 Classic Race Boat Regatta 3/18 Antiques Classic Boats 3/24 Planes Train BBQ and Colt Ford 4/1 Dragon Boat Races 4/8 Jet Ski races (May and June) Bass Jr. (August).
26. **Community Events:** Staff Manager Tamera Rogers. Light-up 12/4 July 4th Art Festival 1/21 African American 2/5 Harvest Moon Festival October.
27. **Expansion of Wooton Park:** (Council Liaison – Councilmember Lori Pfister/Staff Manager – Bill Neron). Project included an Amphitheater and was presented to the voters in November for approval. By a vote of 2,328 to 2,717 the bond issue to pay for the expansion failed. No further work is being done on this project.

OPTIONS:

1. City Administrator to review projects with input from Liaisons and Project Managers.
2. Do not review projects.

STAFF RECOMMENDATION:

City Administrator to review projects with input from Liaisons and Project Managers

FISCAL IMPACT: None

LEGAL CONSIDERATIONS:

All options are legally sufficient.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010**

AGENDA TAB NO. 13

SUBJECT TITLE: Horizon Team and Board Representation - Update

OBJECTIVE:

To present information to Council on current board representation to Horizon Project Teams, Boards and Committees by elected officials and/or other individuals.

SUMMARY:

HORIZON PROJECTS

Existing Active Teams

1. Special Events Project Team (Robert Wolfe, Bill Neron and Cecilia Smith)
2. Seaplane/Marina Project Team (Lori Pfister, Bill Neron, John Drury)
3. Community Back Yard (Lori Pfister, Tamera Rogers, John Drury)
4. Alfred Street-Carolina Street one way pair (Lori Pfister, Jacques Skutt)
5. Public Safety Complex & School Board Bus Barn Property (Richard Keith, Stoney Lubins, Nancy Barnett, Norb Thomas, Robert Wolfe)
6. Public Works Complex (Chris Thompson, John Drury, Bob Grenier)
7. Rail upgrades (John Drury, Kirby Smith, Bill Neron, Lori Houghton)
8. Tavares Sports Park Complex (John Drury, Sandy Gamble, Tamera Rogers)
9. Tavares Pavilion on the Water Project – John Drury, Lori Pfister, Tamera Rogers
10. Alleyway Signage (Chris Thompson, Vice Mayor Grenier)
11. Gateways (Jacques Skutt, Vice Mayor Grenier)
12. Economic Development (Councilmember Smith, Bill Neron)
13. Dora Canal Bridge Replacement (Councilmember Smith, Bill Neron)
14. Sister City Program (Mayor Wolfe, Joyce Ross)

BOARD REPRESENTATION

Florida League of Cities Legislative Committees

Urban Administration – Richard Keith

Environment & Energy Council – Robert Wolfe (Brad Hayes alternate)

Growth Management & Transportation – Jacques Skutt

Finance & Taxation – Lori Houghton

Lake Community Action Agency – 4th Wed. at 7 p.m.

Sandy Gamble – Representative

Lake County Library Advisory Board – 3rd Thursday at 5 p.m.

Tamera Rogers – Representative (through 2014)
Beth Sindler, Library Director - Alternate

Lake County League of Cities – 2nd Friday at 11:30 a.m.

Robert Wolfe – Representative
Bob Grenier - Alternate

Lake County League of Cities - Solid Waste Advisory Committee

Lori Houghton – Representative

Lake County School Board – Lake County Schools Local Preference Committee:

Lori Houghton, Member

Lake County Water Alliance Technical Committee

Brad Hayes – Representative
Burney Vaughn - Alternate

Metropolitan Planning Organization

Kirby Smith – appointed to four year term through 2013
Alternate - Councilmember Lori Pfister - appointed November 2007 - 2011

Metropolitan Planning Organization – Technical Advisory Committee

Jacques Skutt – Representative
Alisha Maraviglia - Alternate

Metropolitan Planning Organization – Bicycle/Pedestrian Committee

Alisha Maraviglia - Effective through December 31, 2012
Councilmember Lori Pfister - Alternate

Metropolitan Planning Organization – Citizens Advisory Committee

David Clutts – Effective through December 31, 2012

Myregion.org

Mayor Wolfe – Representative

Tavares Chamber of Commerce

Bob Grenier - Representative

School Concurrency Committee

Council Representative - Sandy Gamble

School Concurrency Technical Advisory Committee – Jacques Skutt/Alisha Maraviglia

OPTIONS

That Councilmembers discuss and advise of any changes

STAFF RECOMMENDATION

That Council discuss and indicate any changes to teams or Boards

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This has met legal sufficiency.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010**

AGENDA TAB NO. 14

SUBJECT TITLE: Appointments to Fire Pension Board and Police Pension Board

OBJECTIVE:

The Mayor will designate appointments to the Fire Pension Board and the Police Pension Board.

SUMMARY:

The city has two citizen appointments to the Police and Fire Pension Boards (and one mutual appointment which is designated after the Boards vote in December). The Fire Pension Board has two vacancies. One application was received from Denise Laratta for reappointment.

This will leave one vacancy on the Fire Pension Board. The Board openings were advertised on October 3, 2010 and are posted on the web site.

The Police Pension Board has one vacancy. Arthur VanDerStuyf has requested reappointment.

OPTIONS:

- 1) Move to approve the Mayor's recommendations
- 2) Do not approve the Mayor's recommendations

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A



MEMORANDUM
City of Tavares

TO: Mayor Wolfe
Nancy Barnett, City Clerk

FROM: Susie Novack, Deputy City Clerk

DATE: October 26, 2010

RE: Board Appointments – Police/Fire Pension Boards

The following are the current Board vacancies or reappointments for your consideration:

Fire Pension Board

Two vacancies for two year terms: November 2010-2011

A letter from Denise Laratta has been received requesting consideration for reappointment. If you choose to reappoint Ms. Laratta, that will leave one remaining vacancy on the Fire Pension Board. We have not received any applications to date.

Police Pension Board

One vacancy for a two year term: November 2010-2012

A letter from Arthur VanDerStuyf has been received requesting consideration for reappointment.

Nancy Barnett

From: Denise Laratta
Sent: Wednesday, September 22, 2010 10:44 PM
To: robwolfetavares@yahoo.com
Cc: Nancy Barnett; Richard Keith
Subject: Fire Pension Board

Robbie,

My term on the Fire Pension Board is due to expire in November, 2010. I would appreciate it if you would reappoint me for another term.

Thank you.

Denise Laratta
Fire Pension Board
City of Tavares
America's Seaplane City
dlaratta@tavares.org

Nancy Barnett

From: artvds2@comcast.net
Sent: Friday, September 10, 2010 11:14 AM
To: Nancy Barnett
Cc: Art Vanderstuyf
Subject: Police Pension Board

Septemer 10, 2010

I would be honored to be reappointed to the Tavares Police Pension Board so that we may continue to provide dedicated police officers a strong and well-managed pension fund.

Sincerely,

Art VanDerStuyf

Daily Commercial

Sunday, October 3, 2010 Edition

CITY OF TAVARES CITIZEN BOARDS/COMMITTEES

The City of Tavares is presently accepting applications for the following Board:

Fire Pension Board
Police Pension Board

The position is voluntary and is appointed by the Mayor of the City of Tavares. Applications may be obtained by calling (352) 253-4546, between the hours of 8 a.m. and 5 pm Monday through Friday or by downloading the application from the city's web site at www.tavares.org

Applications should be submitted by Friday, October 22, 2010. For additional information please call Nancy Barnett, City Clerk, at 352-4546.

202894-October 3, 2010

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010**

AGENDA TAB NO. 15

SUBJECT TITLE: Request to Bottle Tavares Water

OBJECTIVE: To consider the approval of the City entering into a contract with Ultra Pure Water Co. of Tampa, FL. to bottle Tavares water, using Tavares' brand, for the purposes of marketing and event promotion.

SUMMARY:

The City has established Wooton Park as a center for numerous functions throughout the year. The City is working diligently at marketing Tavares as "Americas Seaplane City". Staff is constantly looking for new and creative ways to accomplish this task. Staff would like Council to consider the bottling of Tavares Water for use in marketing the City and its events. Presently there are no local cities bottling water to promote themselves.

There are two different methods for a City to bottle and label water.

1. Contract with a bottling company to use their water that has been treated, but the source is unknown, and affix a label with our logo to the bottle.
2. Use our water from our City facility and truck it to the bottling plant, enabling us to use "Pure Tavares Water on the label, providing a distinctive difference when it comes to the general public and residents of Tavares.

Should we choose to use our own water as a source then Ultra Pure Company is a propriety company in this area. If we choose to use water from somewhere other than Tavares, then it would be necessary to solicit an RFP for competitive bidding.

Should the Council decide to move forward with this project and choose to bottle its own water, then the Tavares Utility Department would work with the Ultra Pure to tanker our water to their facility where it would receive an added treatment to meet regulations. It would then be labeled and shipped back to Tavares in cases on pallets for distribution.

Suggested distribution channels:

- Sell the bottled water at the Prop Shop
- Sell the bottled water at Fred Stover concession stands and at Woodlea Sports Complex
- Require that only Tavares Bottled Water be sold by vendors at Wooton Park events
- Offer the bottled water to other organizations, free of charge, for distribution at various events, charity fund raisers, etc.
- Investigate other venues and vendors

OPTIONS:

1. **Approve** staff to continue to negotiate with Ultra Pure Bottling Company to promote our water and to market America's Seaplane City
2. Do **not approve** staff to continue to negotiate with Ultra Pure Bottling Company to promote our water and to market America's Seaplane City
3. **Approve** staff to solicit an RFQ for competitive bidding using the water of the bottling company
4. Do not take any action

STAFF RECOMMENDATION:

Staff is recommending the using of Ultra Pure bottling company to use our own source water for this promotional activity.

FISCAL IMPACT - Potential cost for 1584 cases (38,016 bottles) that includes graphic set up of labels, labels, delivery, and bottling is \$13,328.80. The approximate cost per bottle would be \$.36 for a 16 oz bottle. This would enable us to recoup our investment and provide some give away for souvenirs. These bottles of water could sell for a minimum of \$1.00 per bottle. Vendors are selling the bottled water for \$1.50 or \$2 with no knowledge of the source water. (Lori to add from reserves w/ replenishment from sales)

LEGAL SUFFICIENCY: This meets legal sufficiency. (Bob Williams to weigh in)

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010**

AGENDA TAB NO. 16

SUBJECT TITLE: Ingraham Water Tower Painting

OBJECTIVE: To approve a contract with Utility Service Co. in the amount of \$16,428 to paint the Ingraham Water Tower with the City's new Logo.

SUMMARY: Previously, the Ingraham Water Tower had surpassed its useful life as a water tower. The board authorized staff to inspect its structural integrity so that the City could utilize the Water Tower as a "Landmark Beacon" for Tavares. The City procured bids from vendors in 2007 to repair and paint the structure and to add the City Logo. The color scheme at that time was a light blue with our logo.

The vendor is recommending painting the tank a neutral color, close to white, because of potential fading from the sun. This will set the appropriate background for our new logo, while inviting the public to our City.

Utility Services was selected to paint, repair, and maintain the Water Tower for a 9 year period through the RFP process. The color, Tank White, is recommended by the company based on experience with thousands of tanks throughout the nation. In an effort to keep costs down, staff recommends that only the bowl of the tower be painted, which will present the water tower with a nice two tone appearance. Four (4) possible graphic designs are attached for your review.

OPTIONS:

1. Approve a contract in the amount of \$16,428 with The Utility Service Holding Co. to paint the Water Tank to include the new city logo with the standard size logo (Design EWT E0)
 - Meets our branding size lettering requirements (1ft lettering)
 - Longer lasting appearance before fading is noticeable
 - "America's Seaplane City" may not be readable because approved branding color may be too light
 - Tank White w/ Slate Gray 31 GR & True Blue 11SF

2. Approve a contract in the amount of \$16,428 with The Utility Service Holding Co. to paint the Water Tank to include the new city logo with the "America's Seaplane City" in a darker gray (Design EWT F0)
 - Meets our branding size lettering requirements (1ft lettering)
 - Longer lasting appearance before fading is noticeable
 - "America's Seaplane City" while darker, may not be readable
 - Tank White w/ Whirlpool 68BL Gray & True Blue 11SF

3. Approve a contract in the amount of \$16,428 with The Utility Service Holding Co. to paint the Water Tank to include the new city logo with the Larger Font and darker grey on “America’s Seaplane City” portion of the logo (Design EWT G0)
 - Tweaks our branding requirements for sizing of font (2ft lettering)
 - Longer lasting appearance before fading is noticeable
 - “America’s Seaplane City” would be readable
 - Tank White w/ Whirlpool 68BL Gray & True Blue 11SF

4. Approve a contract in the amount of \$18,428 with The Utility Service Holding Co. to paint the Water Tank to include the new city logo with the standard size logo in white and the tank in blue(Design EWT H0)
 - Reverses the color of our logo to white on blue (Safety Blue 11SF/Tank White 15BL)
 - Meets our branding size lettering requirement (1 ft lettering of America’s Seaplane City)
 - Would cost more to paint because of darker tank color and extra protective paint
 - Shorter lasting appearance before fading would be more noticeable
 - Would need to replace the existing lighting system for night time visibility and illumination. This would be an added cost.

5. Approve a contract in the amount of \$18,428 with The Utility Service Holding Co. to paint the Water Tank to include the new city logo with the larger America’s Seaplane City, and tank in blue (Design EWT I0)
 - Reverses the color of our logo to white on blue (Safety Blue 11SF/Tank White 15BL)
 - Tweaks our branding requirements for sizing of font (2ft lettering)
 - Would cost more to paint because of darker color and extra protective paint.
 - Shorter lasting appearance before fading would be more noticeable
 - Would need to replace the existing lighting system for night time visibility and illumination. This would be an added cost.

6. Do not approve a contract in the amount of \$16,428 with The Utility Service Holding Co. to paint the Water Tank to include the new city logo

STAFF RECOMMENDATION:

1. Approve a contract in the amount of \$16,428 with The Utility Service Holding Co. to paint the Water Tank to include the new city logo with the Larger Font on “America’s Seaplane City” size logo (Design EWT G0)
Option # 3

FISCAL IMPACT:

This project was budgeted in the 2010-2011 Operation and Maintenance

LEGAL SUFFICIENCY: This meets Legal sufficiency.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010**

AGENDA TAB NO 17

SUBJECT TITLE: Approval of Utility Fee Policy for Vacant Properties

OBJECTIVE:

To consider approval of a City-wide policy for removal of Water Meters.

SUMMARY:

During the fiscal year 2011 budget process, the City Council had requested that staff develop a policy for removal of water meters in order to provide some relief of base fees to those parcels where meters had been installed, but structures had either been removed or not built.

A draft policy was presented to Council on September 8, 2010, as part of the Tentative Budget Hearing. At that meeting the City Administrator stated that staff would bring this policy statement back to the City Council for approval.

A copy of the policy as presented on September 8, 2010 is attached for review and consideration by the City Council.

OPTIONS:

1. Move to approve the Meter Removal Policy (attached) as submitted by staff.
2. Move to not approve the Meter Removal Policy as submitted by staff.
3. Move to approve a Meter Removal Policy as amended by the City Council.

STAFF RECOMMENDATION:

Motion to approve the Meter Removal Policy (attached) as submitted by staff.

FISCAL IMPACT: The impact is estimated to be minimal, but the actual fiscal impact cannot be determined at this time.

LEGAL SUFFICIENCY:

A copy of the Policy has been provided to the City Attorney.

1 Mr. Drury said the issue was raised about the requirement for the property owner to pay
2 the base water rate when the property is vacant. He said staff has reviewed the
3 question and has developed a policy whereby if application is made, the water meter
4 can be removed and the base fee payment can be stopped.

5

6 Ms. Houghton commented on the analysis she had done and noted it will be a policy
7 decision by Council. She then read the proposed policy into the record:

8

The City of Tavares shall own and maintain all water meters metering water consumption by City of Tavares' customers. The customer shall own and maintain all attachments up to the water meter on the customer's side of the meter.

All meters shall be set and reset by a City of Tavares Water Utility employee unless otherwise authorized by the Utility Director.

When a water meter has been removed for unauthorized meter access, the property owner is required to complete a Meter Reset application and pay the cost for a new meter and reset fees.

Single Family Residence

A property owner may request a **potable water meter** to be removed under the following conditions:

The structure that the meter serviced has been demolished or removed from the property.

A replacement structure will not be erected within one year.

The property owner is required to pay all costs associated with the installation for any new meter installation. No other meters will remain active on the property.

Multi-Family and Commercial

A property owner may request a **potable water meter** to be removed under the following conditions:

The structure that the meter serviced has been demolished or removed from the property and no structures remain that were attached to the demolished structure.

A replacement structure will not be erected within one year.

The property owner is required to pay all costs associated with the installation for a new meter installation. No other meters will remain active on the property

Irrigation meters currently installed and servicing a vacant parcel may not be removed.

Fees for meter removals will be assessed at the Voluntary Service Disconnection Rate and require advance payment.

All requests for meter removals require approval of the Utility Director and the Finance Director

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Ms. Houghton described the application she has prepared with detailed information.

Mr. Drury said this policy will be brought back to a future council meeting for approval.

Capital Improvement Program

Mr. Drury stated Council had been given an updated Capital Improvement Program. The change was made to add Page 10 which has a description of the projects.

Discussion of Public Hearing Process

Mr. Drury asked Attorney Williams to comment on the millage and budget hearing process. Attorney Williams stated that the final resolutions are not adopted until the second hearing. However, Council is required to finish its deliberations on the budget and adopt a tentative budget and a tentative millage rate at this meeting.

Ms. Barnett read the draft resolutions in their entirety as follows:

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 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

APPLICATION FOR REMOVAL OF WATER METER

1 Date of Request: _____

2 Name of person requesting meter to be pulled: _____

3 Meter Number: _____

4 Utility Account Number CUST NO. _____ LOC NO. _____

5 Meter Type: POTABLE _____ IRRIGATION _____

6 Property Address: _____

7 Subdivision Name if applicable: _____

8 Please check one:

- a. Single Family Residence _____
- b. Single Family - Manufactured _____
- c. Multi-family _____
- d. Commercial Structure _____

9 Owner's name _____

10 Owner's Address _____

11 Owners phone number _____

12 Is the property vacant? YES _____ NO _____

13 If yes - for how long? YEARS _____ MONTHS _____

14 Is a permit in process for the property YES _____ NO _____

15 If yes, provide permit number and date: PERMIT NO _____ DATE _____

16 If no, will a permit be applied for?: YES _____ NO _____

17 Reason for meter to be pulled: _____

18 Owner's Signature _____
Date

19 Utility Director Approval _____
Date

20 Finance Director Approval _____
Date

Attach a copy of this form to the work order

CITY OF TAVARES WATER METER REMOVAL POLICY

- 1 The City of Tavares shall own and maintain all water meters metering water consumption by City of Tavares' customers. The customer shall own and maintain all attachments up to the water meter on the customer's side of the meter.
- 2 All meters shall be set and reset by a City of Tavares Water Utility employee unless otherwise authorized by the Utility Director.
- 3 When a water meter has been removed for unauthorized meter access, the property owner is required to complete a Meter Reset application and pay the cost for a new meter and reset fees.

Single Family Residence

- 4 A property owner may request a **potable water meter** to be removed under the following conditions:
 - a) The structure that the meter serviced has been demolished or removed from the property.
 - b) A replacement structure will not be erected within one year.
 - c) The property owner is required to pay all costs associated with the installation for any new meter installation.
 - d) No other meters will remain active on the property.

Multi-Family and Commercial

- 5 A property owner may request a **potable water meter** to be removed under the following conditions:
 - a) The structure that the meter serviced has been demolished or removed from the property, and no structures remain that were attached to the demolished structure.
 - b) A replacement structure will not be erected within one year.
 - c) The property owner is required to pay all costs associated with the installation for a new meter installation.
 - d) No other meters will remain active on the property
- 6 Irrigation meters currently installed and servicing a vacant parcel may not be removed.
- 7 Fees for meter removals will be assessed at the Voluntary Service Disconnection Rate and require advance payment.
- 8 All requests for meter removals require approval of the Utility Director and the Finance Director

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 1, 2010**

AGENDA TAB NO 18

SUBJECT TITLE: Discussion re: Holding One Meeting in November

OBJECTIVE:

To have one meeting in November after the election results have been received.

SUMMARY:

In the past the city swore in new candidates and held elections of the mayor and vice mayor at the first Wednesday meeting following the election (the day after the election). Due to changes in the election law regarding provisional ballots for persons who vote without identification and in order to allow time for overseas and military ballots, the city determined in 2009 to not swear in the newly elected council until the second meeting in November. This was because the Supervisor of Elections was not able to "certify" the election by the first Wednesday in November.

Although there was no "certification" issue for candidates, (since there were no candidates on the ballot) in the recent 2010 election, there two referendums on the ballot and the official results for the referendum vote were not available until November 12th, but were in time to be placed on the agenda for the second meeting in November (November 17th).

Council may want to consider setting a policy to hold only one meeting in November, the third Wednesday, which would allow for a consistent procedure. It would be understood that any policy decision set by this Council would be subject to change by future Councils. The Charter (Section 3.06) requires that "Council meet at least once in every month at such times and places as the council may prescribe rule." In addition, Special Meetings may be called upon 12 hours notice to the public as needed. Therefore if Council chose to approve a policy to hold only one meeting in November it would meet the requirements of the City Charter and it would allow the City to receive the official Certification of Election results from the Supervisor of Elections before swearing in the newly elected councilmembers and holding elections.

OPTIONS:

- 1) Discuss and set a policy to only hold one meeting in November which would be the third Wednesday
- 2) Do not set a policy

STAFF RECOMMENDATION:

Move to set a policy to hold only one meeting in November which would be the third Wednesday after the election results have been received.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
December 1, 2010**

AGENDA TAB NO. 19

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 – December 15, 2010
- Chamber of Commerce Business Luncheon — 11:30 a.m.
- Fire Pension Board – December 17, 2010 – 3:30 p.m.
- Lake Sumter MPO – Board Meeting – December 8, 2010 – 2 p.m. – Location to be announced
- Library Board – December 10, 2010– 8:30 a.m. Library Conference Room, 314 N. New Hampshire
- Planning & Zoning Board – December 16, 2010 – 3:00 p.m.
- Police Pension Board – December 17, 2010 – 1:30 p.m.
- **EVENTS:**
 - Light Up Tavares – December 4, 2010 – 5:30 p.m. Parade
 - Jolly Holly Luncheon – December 10, 2010 – 11:30 a.m.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
December 1, 2010**

AGENDA TAB NO. 20

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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