



**AGENDA
TAVARES CITY COUNCIL**

**March 2, 2011
4:00 P.M.
TAVARES CITY HALL COUNCIL CHAMBERS**

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Tim Green, Liberty Baptist Church

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Tab 1) City Council Regular Meeting February 16, 2011 Mayor Wolfe

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) National Nutrition Month Mayor Wolfe

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS Nancy Barnett

VIII. CONSENT AGENDA

None

IX. ORDINANCES

FIRST READING

Tab 3) Ordinance #2011-02 – Shanti Niketan Senior Condominiums Jacques Skutt
Rezoning of 2.39 Acres from Urban Residential to Planned Development

SECOND READING

None

X. RESOLUTIONS

Tab 4) Resolution #2011-05 – Amending Project Scope for Alfred Street Design (Deferred from previous meeting) Lori Houghton

XI. GENERAL GOVERNMENT

Tab 5) Budget Priorities for Fiscal Year 2011 (tabled from previous meeting) John Drury

Tab 6) Agreement with Chamber of Commerce re: Sale of Alcohol at Colt Ford Concert Tammy Rogers

XII. OLD BUSINESS

XIII NEW BUSINESS

XIV. AUDIENCE TO BE HEARD

XV. REPORTS

Tab 7) City Administrator John Drury

Tab 8) 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.

THIS PAGE INTENTIONALLY LEFT BLANK

THIS PAGE INTENTIONALLY LEFT BLANK



**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
FEBRUARY 16, 2011
CITY COUNCIL CHAMBERS**

COUNCILMEMBERS PRESENT

ABSENT

Robert Wolfe, Mayor
Bob Grenier, Vice Mayor
Sandy Gamble, Councilmember (until 5:07 p.m.)
Lori Pfister, Councilmember
Kirby Smith, Councilmember

STAFF PRESENT

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

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Chief Keith gave the invocation and those present recited the Pledge of Allegiance.

III. APPROVAL OF AGENDA

MOTION

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

IV. APPROVAL OF MINUTES – February 2, 2011

MOTION

1
2 **Sandy Gamble moved for the approval of the minutes of February 2, 2011 as submitted, seconded by**
3 **Bob Grenier. The motion carried unanimously 5-0.**

4
5 **V. PROCLAMATIONS/PRESENTATIONS**

6
7 **Tab 2) Commissioner Sean Parks**

8
9 Commissioner Parks stated as Commissioner for District 2 although he did not represent Tavares he still
10 felt that he represented the City and that he believed communication was important. He invited Council to
11 contact him with any questions. He said he would try to attend Council meetings as often as possible. He
12 said economic development is extremely important for the County and that he believed Tavares is the
13 model for economic development.

14
15 Councilmember Smith said he believed the rail initiative needed Lake County support. Commissioner
16 Parks said he supported the rail initiative.

17
18 Mr. Drury said it had been a pleasure to meet with Commissioner Parks. He said City Council has worked
19 very hard to diversify the economy in Tavares. He said he believed Commissioner Parks was the first
20 Commissioner to come to City Council since he had been with the City.

21
22 **Tab 2A) Mutual Fire Services**

23
24 Mayor Wolfe recognized the Fire Chiefs of Eustis and Mt. Dora and thanked them for attending.

25
26 Chief Keith introduced Chief Ron Snowberger from Mt. Dora and Chief Rex Wynn from Eustis.

27
28 Chief Keith said it is recognized the landscape for fire protection and EMS is changing. He said change can
29 either be accepted or the city can work proactively to bring about its own change. He said the Tavares Fire
30 Department wishes to be as effective and efficient as possible and needs Mt. Dora and Eustis as part of that
31 partnership.

32
33 Chief Keith commented on the meeting held on December 7th with Commissioner Cadwell. He said that the
34 three chiefs have been working together long before December 7th to work on regionalization efforts. He
35 said there are functional Interlocal agreements between the three cities. The departments respond to each
36 other on fires and comprehensive emergencies. He described “move ups and stand bys” which assists in
37 staffing for each department and saves each city money. It also provides each city with equipment
38 resources. He reviewed a map of the area that depicted each city’s fire stations along with the county’s fire
39 stations. He noted the ISO ratings for each city (Tavares is 5; Mt. Dora is 4; and Eustis is 3). He noted
40 some of the areas where all three cities work together: training, sharing equipment, sharing in
41 administrative personnel and chief officers; administrative assistants working together in training records
42 and certificates; inspectors working together; jointly participating under Lake Sumter EMS dispatch
43 system; preplanning efforts; equipment standardization and sharing specifications on equipment.

44
45 Chief Keith discussed Station 27 in Eustis which is a county station. He said he understands that the County
46 would like to turn over the operation of that fire station to Eustis and Mt. Dora. In return Lake County
47 would like Eustis and Mt. Dora to cover the county enclaves.

1 Chief Keith said the departments see an opportunity with the three cities working together to reorganize its
2 personnel positions and to increase their effectiveness and efficiencies; e.g. if Tavares is running short on
3 personnel Eustis may be able to send someone to Tavares so that Tavares does not have to incur overtime.
4 He discussed other areas where the three cities could provide each other assistance: special events, building
5 inspections, increased training and more standardization of services. He discussed Advanced Life Support
6 noting that Mt. Dora has been providing ALS and that Eustis hopes to offer this service. He noted that all
7 three cities have an aerial truck and this could be streamlined to only require one truck.

8
9 Chief Keith said the three departments suggest that there be further cooperative discussions on these issues
10 at the Tri City Summit meeting on March 23rd. He noted that on March 15th there is another meeting
11 between the County and the municipalities which Councilmember Pfister will attend to represent the City.
12 He offered to meet with each Councilmember individually on these issues. He said the issue of ALS had
13 come up at the Mt. Dora council meeting and that as Tavares moves forward to be an equitable match with
14 Eustis and Mt. Dora he hoped Tavares would move in the direction of offering ALS.

15
16 Mayor Wolfe noted this would be one of the main topics at the Tri City Summit Meeting. He thanked Chief
17 Keith for his presentation.

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

20
21 Attorney Williams stated there were no quasi-judicial matters on the agenda.

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

24
25 Ms. Barnett read the resolution by title only:

26
27 **RESOLUTION 2011-05**

28
29 **A RESOLUTION AMENDING RESOLUTION NUMBER 2009-15, CLARIFYING**
30 **THE SCOPE OF THE “PROJECT” TO INCLUDE ADDITIONAL ENGINEERING**
31 **AND DESIGN OF THE ALFRED STREET ONE WAY PAIR AND WIDENING**
32 **PROJECT**

33
34 **VIII) CONSENT AGENDA**

35
36 **None**

37
38 **IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING**

39
40 **Tab 3) Resolution #2011-05 – Amending Project Scope for Street Paving Loan**

41
42 Ms. Houghton stated that in 2008, Resolution 2008-19 was adopted authorizing the issuance of debt
43 through Capital Improvement Note Series 2008 in the amount of \$1,500,000 for paving gravel roads within
44 the city, resurfacing certain roadways, as well as improving certain alleyways. She said over time the city
45 has realized savings due to the economic environment and this resolution would expand the project
46 definition to include Alfred Street improvements and the streetscape improvements for that project. This
47 resolution will allow the city to use those budget savings.

1 Councilmember Gamble clarified that there was no financial impact.

2
3 Councilmember Smith said he noted the original resolution was for capital improvements and asked about
4 the inclusion of Alfred Street as a capital improvement project.

5
6 Ms. Houghton said that in the previous resolutions, the scope had specifically identified unpaved roads and
7 resurfacing and alleyways.

8
9 Councilmember Smith asked if a streetscape design is approved for \$400,000 could those are monies be
10 used for sidewalks if the city is not able to receive a sidewalk grant.

11
12 Ms. Houghton said that was correct. She said approximately \$312,000 is available.

13
14 Councilmember Smith asked if all the alleyways have been paved. Ms. Houghton said she did not know if
15 all of the alleyways have been paved. He asked how much had been paid to the engineering firm already
16 for the design. Ms. Houghton said \$152,000 has been paid.

17
18 Mr. Skutt said the design project is separate from the road design. The \$152,000 was the design for the
19 streetscaping for wider sidewalks, pavers, characteristic benches, street lighting. That design will be used as
20 a template for other streetscape throughout the downtown in the future.

21
22 Councilmember Gamble asked if the resolution needed to be approved at this meeting. Mr. Drury said more
23 information could be provided if Council wished to table the resolution.

24
25 **MOTION**

26
27 **Sandy Gamble moved to table Resolution #2011-05 until the next meeting, seconded by Kirby Smith.**
28 **The motion carried 4-1 as follows:**

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

35
36 **X. GENERAL GOVERNMENT**

37
38 **Tab 4) Fiscal Year 2012 Budget Priorities**

39
40 Mr. Drury presented a power point presentation on the fiscal year 2012 budget priorities with the following
41 report:

42
43 *By way of background, the City operates six (6) governmental operations as follows:*

- 44
45 1. *General Fund (Revenues derived by property taxes, other taxes and fees)*
46 2. *Utility Fund of Water, Sewer, Reclaim (Revenues derived by fees – no property taxes)*
47 3. *Storm Water (Revenues derived from fees – no property taxes)*

- 1 4. *Garbage Collection (Revenues derived from fees – no property taxes)*
- 2 5. *Seaplane and Marina Enterprise (revenues derived from sales and rental income as well as*
- 3 *transfers from the TIF Fund (Tax Incremental Financing – incremental tax revenues within the*
- 4 *CRA District).*
- 5 6. *Capital Projects. Revenues are derived from grants, impact fees and special tax revenues like*
- 6 *“Infrastructure Sales Tax”.*
- 7

8 *This fiscal year, the General Fund expenses were budgeted at \$11,498,516 (\$11,364,840 plus additions for*
9 *Concerts & Dora Canal Bridge) and revenues were budgeted at \$11,498,516 (a balanced budget with*
10 *\$230,126 (\$98,727 with adopted budget and \$131,399 for additions) of Revenues derived from Reserve*
11 *Appropriations. Approximately 40% of the revenues were derived from property taxes and 60% were*
12 *derived from other taxes (electric, sales, gas, communications and state) and fees that the City charges for*
13 *services like permit fees and recreational fees.*

14
15 *At this early point in time, it is virtually impossible to predict with precision the actual revenue or expenses*
16 *for Fiscal Year 2012 as we do not know:*

- 17
- 18 *- how much property values will decrease.*
- 19 *- what the State Shared revenues will be.*
- 20 *- what the increased cost for healthcare will be.*
- 21 *- what future fuel prices will be in 2012.*
- 22 *- what workers compensation will increase to.*
- 23 *-What General Liability cost will increase to.*
- 24 *- etc.....*
- 25

26 *However, a “best guess” scenario based on staff following trends, receiving reports from the state and*
27 *conducting research results in the following estimated budget predictions:*

28
29 *For fiscal year 2012 the City can anticipate:*

- 30
- 31 1. *Revenues are estimated as follows: a 10% decrease in property values and a 4% decrease in other*
- 32 *revenues (the largest component is reserves appropriations).*
- 33 2. *Expenditures are estimated as follows: Increase costs are expected for healthcare, utilities, fuel,*
- 34 *liability insurance, workers compensation insurance, as well as contractual service costs.*
- 35 3. *The Rail Road infrastructure upgrade program will increase by \$16,000. In FY 11 the City*
- 36 *contributed \$84,000 for replacing the Dora Canal RR Bridge to leverage \$1.2 Million in grants. In*
- 37 *2012 the City has programmed \$100,000 to leverage \$19 Million in grants to replace bolted tracks to*
- 38 *continuous weld tracks from Tavares to Plymouth.*
- 39

40 *This results in an \$850,000 shortfall if the following conditions exist:*

- 41
- 42 1. *A similar level of service is maintained*
- 43 2. *Property values drop 10%*
- 44 3. *The same millage rate of 6.95 is maintained*
- 45

46 *The three year historical trend for property values, tax revenue, millage rates and budgets are as follows:*

47

1

Fiscal Year	Tax Roll - FINAL (Property Value)	% CHG in Values	Millage Rate	Tax Revenue (unadjusted for TIF)	General Fund Adoptd Budget
2009	\$ 873,756,581	-4.60%	6.25	\$ 5,460,979	13,176,175
2010	810,116,659	-7.28%	6.25	5,063,229	11,597,912
2011	676,263,560	-16.52%	6.95	4,700,032	11,364,840
2012	608,637,204	-10.00%	?	?	?
TOTAL		-38.41%			

2

3

4

5 *Over the past three years, budget deficits have been addressed by a combination of the following:*

6

7

- *Reduction in forces (RIF)*

8

- *Instituting furlough programs*

9

- *Increasing employee's contribution to healthcare cost*

10

- *Eliminating the employee merit program*

11

- *Reducing Overtime*

12

- *Reducing training*

13

- *Renegotiating vendor contracts*

14

- *Deferring capital equipment replacement (not replacing police vehicles, mowers, Fire engine, etc.)*

15

- *Millage rate adjustments*

16

- *Use of reserves*

17

- *Mowing rights-of-way less frequently*

18

- *A reduction in operations and maintenance across the board*

19

- *Elimination of new programs, like the establishment of a Road Maintenance Department*

20

21 *Persomnel reductions included the following positions:*

22

23

1. *Assistant Police Chief (Major)*

24

2. *Police Officer*

25

3. *Police Officer*

26

4. *Police Officer*

27

5. *Executive Assistant to City Administrator*

28

6. *General Services Supervisor*

29

7. *Public Works Construction Coordinator*

30

8. *Public Works General Services Crew Foreman*

31

9. *Public Works Sanitation Driver*

32

10. *Public Works Sanitation Driver*

33

11. *Public Works P.T. Staff Assistant*

34

12. *Community Development GIS Analyst*

35

13. *Community Development Administrative Assistant*

36

14. *Community Development Permitting Technician*

37

15. *½ Community Development Building Inspector (contractual position)*

38

16. *Computer Services Director*

39

17. *Community Services Parks Maintenance Worker (outsourced some landscaping)*

- 1 18. *Community Services Parks Supervisor*
- 2 19. *Community Services Library Youth Services Specialist*
- 3 20. *Utility Wastewater Treatment Plant Operator*

- 4
- 5 - *On the General Fund side, during this period of time, the city added 2.0 positions (Public*
- 6 *Communications Director, Part-time City Hall Receptionist (contractual) and Sanitation Staff*
- 7 *Assistant. This resulted in a net reduction of 18 positions or 11% decrease in staffing.*
- 8
- 9 - *At the new Seaplane Base and Marina, three full-time and four part-time positions were developed.*
- 10
- 11 - *At the Splash Park, seven seasonal part-time employees were added*
- 12

13 *Tavares has three conditions that negatively affect the property tax rate as follows:*

- 14
- 15 1. *Significant number of Properties Exempt from Taxes (PETs)*
- 16 2. *Significant number of homes valued below the threshold for paying any property taxes*
- 17 3. *An unbalanced Commercial to Residential ratio*
- 18

19 ***PETs:*** *Tavares has a real-estate market condition that is less prevalent in many other cities and is unique*
20 *to Tavares which results in a higher tax rate. That market condition is termed PET (Properties Exempt*
21 *from Taxes). Tavares is "America's Seaplane City" and also the County Seat and as such is home to many*
22 *county and state tax exempt government buildings including all government buildings, Sheriff buildings,*
23 *judicial buildings, jail, Water Authority, School Board Administrative buildings, the three schools, hospital,*
24 *not for profits, churches, etc. No property taxes are collected from these entities; yet all of their facilities*
25 *require costly Police and Fire services that the City provides and pays for. In fact, most PETs are classified*
26 *as "large assembly of people" facilities; and thus become drivers on the need and cost for adequately sized*
27 *police and fire protection - yet they do not pay for the resulting expenses for that protection.*

28

29 ***Low valued Homes:*** *Tavares has a significant number of low valued homes that require costly police and*
30 *fire protection but are exempt from paying any taxes due to the homestead exemption. They need and use*
31 *the service but do not pay for it as the first \$50,000 of value is exempt from property taxation.*

32

33 ***Commercial to Residential ratios:*** *Last year and historically Tavares tax revenues were comprised of*
34 *approximately 80% residential and 20% commercial. This year Tavares experienced an increase in*
35 *commercial contributions resulting in a shift from 20% commercial to 25% commercial contribution which*
36 *lowered the residential contribution from 80% down to 75%. The goal for most communities is a 40%*
37 *commercial contribution and 60% residential contribution. Industry experts assert that for every dollar a*
38 *resident pays towards their municipal tax services contribution they use \$1.20 in services and for every*
39 *dollar a commercial business pays for their municipal tax services contribution they use .80 cents worth of*
40 *services. Thus, a community with a higher commercial tax contribution ratio has a lower tax rate.*

41

42 *In summary, communities with many PETs, low valued homes and low commercial ratios have higher tax*
43 *rates than those communities who have few PETs, higher valued homes and high commercial to residential*
44 *ratios.*

The “roll back” tax rate is the millage rate levy required to bring in the same amount of tax revenue as the prior year. For the 2012 budget discussions, the roll back rate is estimated at 7.722 and would bring in approximately \$470,000 of the \$850,000 shortfall leaving a \$380,000 shortfall.

There are four areas the City Council should opine on when establishing broad budget priorities as follows:

- A) Mitigating the FY 12 estimated \$850,000 budget shortfall
- B) Maintaining similar levels of service
- C) New programs and services
- D) Employee compensation and benefits

A) Mitigating the Budget Shortfall

Although there are many options and combinations of options available to address the estimated \$850,000 budget shortfall, and although some of these options have been brought forward at previous budget workshops and rejected, below are some options offered for discussion purposes with corresponding comments and observation on each one to be built upon (See Exhibit A for comments and observations).

<u>OPTIONS</u>	<u>ESTIMATED REVENUE GENERATED</u>
1. Reduce Reserves from 15.8% to 5%	\$1,200,000 (assumes no change in 2011 revenue or expenditure estimates)
2. New assessments (Street Lights, fire.)	Example: Fire = \$955,000
3. Raise Millage rate to Rollback rate	\$470,000
4. Eliminate/reduce services	? (Would need to identify which ones)
5. Furlough one day per month	\$300,000
6. Raise Fees (Recreation, Permit etc.)	? (would need to identify which ones)
7. Further Department cuts	Same as 4 above: After three years of department cuts and belt tightening this option results in an elimination or reduction of services.

B) Maintaining a Similar Level of Service – Thus far, the City has been able to maintain a similar level of services for its citizens during this recession and has been able to grow the business tax contributions from 20% to 25% by developing a business - friendly environment and recruitment efforts. In fact the city has provided several new services during this time including a new Seaplane Base, Marina, special events and concerts.

C) New Programs and Services

Throughout the year new programs and services are discussed by Council members, staff and constituents. An opportunity is provided for Council to identify any new programs and services that they would like incorporated into the budget. A few of the examples include:

- 1 1. *Sister City Program*
- 2 2. *Senior Center*
- 3 3. *Entertainment District Concerts*
- 4 4. *New Special events (Boating Events, others etc.)*
- 5 5. *Purchasing the Major St. Clair Abrams Home*
- 6 6. *Hickory Point Annexation*
- 7 7. *Security Cameras at Aesop's Park*
- 8 8. *Ingraham Park Improvements*
- 9 9. *Operating Splash Park for Special Events*

10
11 **D) Employee Compensation and Benefits**

12
13 1. *Employee compensation adjustments for last three years were as follows:*

- 14
- 15 • *FY 09 = 2% Cost of Living increase / 0% merit (program placed on hold)*
- 16 • *FY 10 = -2.3% decrease (Furlough) 0% COLA / 0% merit (program remained on hold)*
- 17 • *FY 11 = 2% Cost of Living increase / 0% merit (program remained on hold)*
- 18 • *FY 12 = ?*
- 19

20 *With the exception of Tuition Reimbursement and Healthcare, employee benefits over the last three years*
21 *have remained the same.*

- 22
- 23 • *Tuition Reimbursement Program was eliminated in 2010*
- 24 • *Family healthcare premium contributions by the city were decreased from 78% to 52% and*
25 *Employee's contributions increased from 22% to 48%. Employee contributions to Single coverage*
26 *went from 0 to \$25.00 per month.*
- 27

28 *It is recommended that the Council discuss the four areas identified above:*

- 29
- 30 1. *Mitigating the estimated \$850,000 budget shortfall*
- 31 2. *Maintaining a similar level of service*
- 32 3. *New programs and services*
- 33 4. *Employee compensation and benefits*
- 34

35 *As it relates to priorities for the four (4) other operating funds, the budget goals have been to develop a*
36 *budget where revenues are sufficiently set to offset costs. It is recommended that Council advises of any*
37 *other budget priorities for these operations. The other operations are as follows:*

- 38
- 39 1. *Utility Operation (Water, Waste water, Reclaim)*
- 40 2. *Storm Water*
- 41 3. *Garbage Collection*
- 42 4. *Seaplane and Marina Operation*
- 43 5. *Special Revenue Funds*
- 44 6. *Capital Program*
- 45

46 **Discussion**

47

1 Mayor Wolfe thanked Mr. Drury for the presentation. He noted that Councilmember Gamble had requested
2 this be brought forward in February rather than March and that he would like Council to have a chance to
3 review the information further before making decisions regarding budget priorities.
4

5 Councilmember Gamble said he did not favor going to the rollback rate. He said he did not want to see any
6 more reduction of services than was necessary and he would like to see ways to make cuts without job cuts.
7

8 Councilmember Smith said he agreed with the Mayor and that he would like to review this further and
9 think of ways of reducing expenses. He said he agreed with Councilmember Gamble regarding the rollback
10 rate.
11

12 Councilmember Grenier said he had no comments at this time.
13

14 **At 5:07 p.m. Councilmember Gamble excused himself from the meeting**
15

16 Mr. Drury summarized that he was looking for broad budget direction which he would need ultimately by
17 the end of March in order to be develop a budget in line with Council's priorities.
18

19 Councilmember Smith asked Chief Keith if he could have numbers reflecting the savings from
20 consolidation of the fire department expenses by the next meeting.
21

22 Mr. Drury commented that he would also need broad budget direction on the utility, stomwater, sanitation,
23 Seaplane and Marina Base funds and the Five Year Capital Fund program.
24

25 Mayor Wolfe asked if the audience had comments.
26

27 **Tab 5) Review of Local Match to Improve Florida Central Railroad Corridor**
28

29 Mr. Neron stated at the May 19th meeting Council approved a recommendation for a plan to improve the
30 Florida Central Rail Road corridor plan and a local match proposal and directed the City Administrator to
31 develop a local match of \$383,000 that was brought back to Council during budget considerations. Over the
32 ensuing time, that amount being requested was reduced to \$300,000. The approved 2010-2011 Five Year
33 Capital Improvement program which is within the current budget contains a total appropriation of \$300,000
34 as the city's share for the local match for the \$13.8 million grant. The city's contribution was to have been
35 spread out over three fiscal years with an appropriation of \$100,000 being made in fiscal years 2012, 2013,
36 and 2014. He stated that the MPO Director has now informed the city that he will need the city's total
37 contribution by September 2013; i.e. the full \$300,000 over a two year period rather than the three year
38 period. Staff is suggesting that Council direct the City Administrator to look at the Five Year Capital
39 Improvement program to see if anything can be shifted in order to provide the full \$300,000 by fiscal year
40 2013 and then to bring this back to Council for future consideration in the near future.
41

42 Mayor Wolfe suggested the money might come from the capital savings discussed earlier under Tab 3.
43

44 Ms. Houghton said the source of that debt is infrastructure sales tax and the railroad would not be eligible
45 as the city is not the owner of that improvement.
46

1 Councilmember Smith clarified that the City would need to find an additional \$50,000 per year for the next
2 two years.

3
4 Mr. Neron invited T.J. Fish, MPO Director to speak.

5
6 Mr. Fish said Florida Central Railroad intends to do the construction in a period that overlaps the City's FY
7 2012 and FY 2013 budgets, so it is hoped to be completely finished before September 2013. They will
8 spend their capital for the continuous weld from Apopka to Eustis, then invoice FDOT and get a 75%
9 reimbursement. They are counting on the cities putting their share into escrow similar to the bridge project
10 so that the cash flow can be kept moving. To date Mt. Dora has decided to focus their segment from
11 Tavares and have put a commitment of no more than \$200,000, Eustis is a partner with Tavares on the
12 continuous weld (\$300,000 each) and the request is going before the County Commission next Tuesday. He
13 discussed the support in other local communities in Central Florida.

14
15 Mayor Wolfe asked if the audience had questions.

16
17 **MOTION**

18
19 **Kirby Smith moved to have the City Administrator find an additional \$50,000 in the next two years**
20 **for the capital improvement so it can be taken care of by the 2012-2013 budget, seconded by Bob**
21 **Grenier. The motion passed unanimously 4-0.**

22
23 **Tab 6) Consideration to Fund Portion of Local Match for Federal Grant to Conduct an Alternative**
24 **Analysis Study for Future Commuter Rail**

25
26 Mr. Neron said there is a five to seven year process of a series of studies that the MPO has to undertake to
27 look at future funding for commuter rail over the freight rail tracks. The next study needed is an Alternative
28 Analysis Study for future commuter rail. The estimated cost of the grant is \$1.7 million with a local
29 required match of 25% or \$425,000 to be split equally between the local governments in Orange and Lake
30 County. The \$212,000 share is proposed to be split between Eustis, Mount Dora and Tavares each
31 allocating \$35,000 and Lake County appropriating \$107,250.

32
33 He said he believed both Eustis and Mt. Dora have committed their \$35,000 and staff is requesting that
34 council direct the City Administrator during budget deliberations and if approved by Council in next year's
35 budget it would be available in the first month for the fiscal year to be part of this local match.

36
37 Mr. Fish said if these improvements are made to the infrastructure it removes an obstacle to eventually
38 offering commuter rail. He said FDOT is scoping the study and planning to begin it in July.

39
40 **MOTION**

41
42 **Bob Grenier moved to direct the City Administrator to place this funding in the 2011-12 proposed**
43 **budget for consideration by the Council during its budget deliberations this summer, seconded by**
44 **Kirby Smith. The motion carried unanimously 4-0.**

45
46 **Tab 7) Request to Apply for CDBG Grant to Repair and Install Sidewalks**

47

1 Mr. Thompson stated that this was a request to seek Council approval to pursue applying for the
2 Community Development Block Grant in the amount of \$70,000 to repair broken sidewalks and install
3 needed sidewalks at various locations throughout the City to provide/enhanced safety for the citizens. One
4 area proposed is the east side of St. Clair Abrams Avenue from Caroline up to Hwy. 441 (by the funeral
5 home).

6
7 **MOTION**
8

9 **Kirby Smith moved to direct staff to apply for the CDBG grant in the amount of \$70,000 to repair
10 and install sidewalks, seconded by Bob Grenier. The motion carried unanimously 4-0.**

11
12 **Tab 8) Interlocal Agreement between Tavares and Lake County Relating to the Allotment of CDBG
13 funds to be Used for the Aesop's Park Improvements**
14

15 Ms. Rogers stated that this was a request to authorization the execution of the Interlocal Agreement with
16 Lake County for the CDBG grant for further improvements to Aesop's Park. The City was awarded the
17 2010-2011 Community Development Block Grant (CDBG) allotment in the amount of \$70,000. CDBG
18 funds have been used to improve City parks. Most recently, the first phase of improvements at Aesop's
19 Park was completed with CDBG funds by constructing a site-built restroom facility. This year's allotment
20 will be used to install picnic tables, park benches, grills, trash receptacles, playground stations and outdoor
21 exercise equipment and some parking lot improvements.

22
23 Councilmember Smith asked if surveillance cameras could be included in the scope. Ms. Rogers discussed
24 the issue of the grant application that had included specific parameters and indicated she was not sure how
25 amending the application at this point might affect the process, however, an inquiry could be made.
26

27 Mr. Drury said staff can ask the question and the other option is to put in funding for the cameras in the
28 next budget.
29

30 **MOTION**
31

32 **Bob Grenier moved to approve and enter into the interlocal agreement with Lake County relating to
33 the 2010-2011 allotment of CDBG funds of \$70,000 to be used for Phase 2 of the Aesop's Park
34 improvements, seconded by Kirby smith. The motion carried unanimously 4-0.**
35

36 **Tab 9) Florida Communities Trust Grant Application for Funding to Assist in the Purchase of
37 Property for Wooton Park Expansion**
38

39 Mr. Neron advised this was a request for authorization to file a grant application with the Florida
40 Communities Trust to assist in the purchase of property for Wooton Park expansion.
41

42 He explained that the Florida Communities Trust is a State funded grants program that assists local
43 governments and other not-for-profits in providing matching funds to assist in the purchase of
44 environmentally sensitive lands and preserving these lands for public use.
45

46 Mr. Neron stated that up until the last two years the State used to appropriate \$40 to \$50 million and issue
47 bonds to fund this program. Last fiscal year the funding was cut back substantially and it is also not looking

1 good for next fiscal year However, DCA which administers the program, has opened up the grant process.
2 He said it is understood that Council has not determined whether it wants to pursue this purchase in the
3 future, the city has until February 23 to file the grant application. The application will then be ranked on a
4 point system. He said staff has worked with FCT to formulate the application and he believed it is a
5 competitive application. He said if there is no funding in the next fiscal year and there is funding in the
6 future based on the ranking, even if the city had made other arrangements to purchase the property, the
7 grant would reimburse the city up to 40% of the costs that had already been spent.

8
9 He said staff recommendation is to make the application. If the city is awarded the grant in the future but
10 does not purchase the property the grant becomes moot but without the application there is no possibility of
11 funding under this program.

12
13 Mr. Neron commended Cecilia Smith and Mr. Skutt and his staff for putting together a strong application.

14
15 Mayor Wolfe asked if the audience had comments.

16
17 **MOTION**

18
19 **Bob Grenier moved to approve the filing of a Florida Communities Trust grant application to assist**
20 **in the purchase of property for Wooton park expansion and authorize all necessary signatures**
21 **required, seconded by Kirby Smith. The motion passed unanimously 4-0.**

22
23 **XI. OLD BUSINESS**

24
25 None

26
27 **XII. NEW BUSINESS**

28
29 None.

30
31 **XIII. AUDIENCE TO BE HEARD**

32
33 Mayor Wolfe invited public comment.

34
35 Dave Custar thanked Council for speaking more clearly into the microphones at this meeting. He asked for
36 clarification that the FCT application was for expansion of the Wooton Park property and commented on
37 the opinion by the public in this matter.

38
39 Mr. Neron noted Council had given staff direction to look at alternatives but that no decision has been
40 made to purchase the property. The grant application would provide some funding should the Council
41 and/or the people decide that they want to purchase this property in the future.

42
43 Mr. Custar asked if the city had a use in mind for the property. Mr. Neron said the discussion at this point is
44 just to purchase the property and possibly put in some sidewalks for public use.

45
46 Mr. Custar said Tavares has tried to stress its waterways and that he was concerned about the condition of
47 the Dora Canal underneath the 441 bridge and that the one mile stretch is looking very shabby. He said the

1 property that used to be Gator Inlet has been abandoned and asked if the City or the County could come up
2 with a method of being able to clean up the property. He said the canal is the waterway gateway to the
3 community. He asked Council to keep up the good work.

4
5 Mayor Wolfe asked Chief Lubins about code enforcement. Chief Lubins said that property is on a list of
6 properties that have liens that have not been paid and that he would be coming back to Council to discuss a
7 way of dealing with that issue.

8
9 **XV. REPORTS**

10
11 **Tab 13) City Administrator**

12
13 Mr. Drury stated he had provided a list of meetings and reminded Council of the Golden Triangle Summit
14 Meeting on March 23rd at 4 p.m. at the City of Tavares.

15
16 **Attorney Williams**

17
18 None

19
20 **Finance Director**

21
22 None

23
24 **Community Services Director**

25
26 None

27
28 **Fire Chief**

29
30 None

31
32 **Chief Lubins**

33
34 None

35
36 **Economic Development Director**

37
38 Mr. Neron said event season kicks off on Sunday with the Waterman 5K and there will be back-to-back
39 events for 8 weeks.

40
41 **Communications Director**

42
43 Ms. Ross said she will be celebrating her one year anniversary on Monday with Tavares and she wished to
44 thank the City for inviting her to join the team and that she is enjoying living in the area. She said on
45 Tuesday she and her husband will become Tavares residents.

46
47 **City Clerk**

1
2 No report

3
4 **Tab 14) City Council**

5
6 **Councilmember Smith**

7
8 Councilmember Smith asked how the art on the dugout project is progressing. Ms. Rogers said she is
9 waiting for a contact to call her back and that it is being worked on with Century Link and Hardees is
10 interested.

11
12 **Councilmember Gamble**

13
14 **Councilmember Pfister**

15
16 No report.

17
18 **Vice Mayor Grenier**

- 19
20
 - Complimented staff and expressed appreciation for providing the budget information sooner
 - Said he attended the ground breaking for the Veterans memorial in Leesburg and that he

22 appreciated the donation made by Council

23
24 **Mayor Wolfe**

- 25
26
 - Asked department heads to thank their staff for their work on the African American Heritage

27 Festival

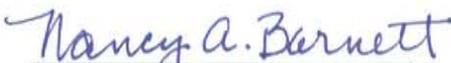
 - Noted this Sunday is the 5K race at 7:00 on Sunday and he would be participating

29

30 **Adjournment**

31
32 There was no further business and the meeting was adjourned by the Mayor at 5:44 p.m.

33
34 Respectfully submitted,

35
36 

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

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 2, 2011**

AGENDA TAB NO. 2

SUBJECT TITLE: Nutrition Month – March 2011

OBJECTIVE:

The Mayor will read a proclamation designating March as Nutrition Month

SUMMARY:

Sue Miller, Tavares resident, on behalf of the Orlando Chapter of the American Dietetic Association has requested that the City recognize National Nutrition Month.

National Nutrition Month is a nutrition education and information campaign created annually in March by the American Dietetic Association. The campaign focuses attention on the importance of making informed food choices and developing sound eating and physical activity habits.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A



PROCLAMATION

WHEREAS, food is the substance by which life is sustained; and

WHEREAS, the United States Department of Health and Human Services in 2010 released new dietary guidelines to help Americans make healthier food choices;

WHEREAS, emphasis is being made through school and nutrition organizations to become educated and practice good eating practices;

WHEREAS, National Nutrition Month focuses attention on the importance of making informed food choices and developing sound eating and physical activity habits;

NOW, THEREFORE, the City Council of the City of Tavares, Florida does hereby proclaim the month of March in Tavares as

NATIONAL NUTRITION MONTH

and encourages all citizens to become concerned about their nutrition and the nutrition of others in the hope of achieving optimum health for both today and tomorrow.

PASSED AND DULY ADOPTED in regular session this 2nd day of March, 2011

Mayor Robert Wolfe
City of Tavares

THIS PAGE INTENTIONALLY LEFT BLANK

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
MARCH 2, 2011**

**AGENDA TAB. 3
SUBJECT TITLE:**

FIRST READING

**Ordinance 2011-02
Planned Development Rezoning-David Walker Road
Amendment of Ordinance 2008-15
Shanti Niketan Phase One Expansion**

OBJECTIVE:

To consider the rezoning of approximately 2.39 acres of property located west of David Walker Drive (northern portion of Stokes Grove) and the amendment of PD Ordinance 2008-15 (Shanti Niketan) to include these additional 2.39 acres.

SUMMARY:

The Shanti Niketan senior condominium community is located on the west side of David Walker Drive, adjacent and south of the YMCA. The developer of this project has purchased 2.39 acres of the abutting Stokes Grove property that fronts onto Lake Elsie. It is the applicant's desire to zone this additional 2.39 acres as Planned Development (PD) and to incorporate this additional land into the existing Shanti Niketan Planned Development. A new conceptual plan (Exhibit "B" in the ordinance) proposes 7 additional dwelling units on this property. The total number of dwelling units for the entire project will now be 61 which is less than the maximum allowable density of 82 dwellings permitted by the city's comprehensive plan.

The development standards established under PD Ordinance 2008-15 (Shanti Niketan) will be applied to the additional 2.39 acres. A setback of 50 feet from Lake Elsie and 10 feet from the remaining Stokes Grove property is stated in this amending ordinance. 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. Staff is recommending approval of this zoning and PD amendment.

OPTIONS:

No Council Action required at First Reading.

PLANNING & ZONING BOARD RECOMMENDATION:

At its February 17th meeting, the Planning & Zoning board voted unanimously to recommend approval of Ordinance 2011-02.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2011-02.

FISCAL IMPACT: None

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

ORDINANCE 2011-02

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA; REZONING APROXIMATELY 2.39 ACRES OF LAND LOCATED GENERALLY WEST OF DAVID WALKER ROAD, ADJACENT AND TO THE REAR OF THE SHANTI-NIKETAN SENIOR CONDOMINIUMS FROM LAKE COUNTY URBAN RESIDENTIAL (R6) TO CITY OF TAVARES PLANNED DEVELOPMENT DISTRICT (PD); AMENDING CITY OF TAVARES ORDINANCE 2008-15 IN PART BY JOINING SAID 2.39 ACRES WITH THE PROPERTY SUBJECT TO ORDINANCE 2008-15 TO FORM ONE PLANNED DEVELOPMENT; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

19 **WHEREAS**, the applicant is requesting to rezone property, legally described in **Exhibit**
20 **"A"** of this ordinance, from a designation of County Urban Residential (R6) to City of Tavares
21 Planned Development (PD); and

22 **WHEREAS**, the applicant would like to combine and develop said property and the
23 property subject to Ordinance 2008-15 as a unified Adult Age-Restricted Apartment or
24 Condominium Community with a PD zoning; and

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

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

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

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

33 **Section 1. Rezoning:**

34 That lands legally described in **Exhibit "A"** is rezoned to a City Planned Development (PD)
35 designation.

1 **Section 2. Property Legally Defined**

2 That land legally defined as **Exhibit "A"** in Ordinance 2008-15 is amended to include those
3 lands described in **Exhibit "A"** of this ordinance.

5 **Section 3. Amendment of Conceptual Plan**

6 That the conceptual plan **Exhibit "B"** in Ordinance 2008-15 is amended to include the
7 development plans for property defined in **Exhibit "A"** and that **Exhibit "B"** of this ordinance
8 shall become the new conceptual plan for this planned development.

10 **Section 4. PD Text Amendments:**

11 That PD Ordinance 2008-15 is amended as follows:

13 **Section 2.2. Land Uses**

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

16	Permitted Uses:	Apartments
17		Condominiums
18		
19	Total Acreage:	6.82 <u>9.21</u> acres
20	Wetland Acreage	1.2 acres
21	Upland Acreage	6.82 (Moderate Density Portion)
22		<u>1.19</u> (Mixed Use Neighborhood Portion)
23	<u>Total upland Acreage</u>	<u>8.01 acres</u>
24		

25 Maximum Allowable Residential Density:

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

28	<u>Moderate density portion</u>	
29	<u>Upland acres x 10 dwelling units per acre:</u>	<u>6.82 x 10 = 68.2 units</u>
30	<u>Mixed Use Neighborhood portion</u>	
31	<u>Upland acres x 12 dwelling units per acre:</u>	<u>1.19 X 12= 14.28 units</u>
32	<u>Total number of allowable units:</u>	<u>82.48 units</u>
33		
34	<u>Total number of dwelling units proposed:</u>	<u>61 UNITS</u>
35		

37 Open Space:

38 Minimum Open Space required shall be 30 % of the gross acreage = ~~2.0~~ 2.76± acres.

40 B. In addition to the planned elements shown on the Land Use Plan, easements and rights-
41 of-way shall be established within or adjacent to the Property as may be necessary or

1 desirable for the service, function or convenience of the Project. Such easements and
2 rights-of-way, if required, shall be indicated on recorded plats of the Property.

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

7 Section 2.3. Development Standards

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

11	Right-of-way of David Walker Drive	25'
12	Property abutting residential zoning (existing PD)	25'
13	<u>Property abutting residential zoning (expanded PD)</u>	<u>12'</u>
14	Accessory Buildings including Dumpster Enclosures	10'
15	<u>Building setback from Lake Elsie</u>	<u>50'</u>

- 16
17
18 B. Impervious Surface Area. The maximum impervious surface area shall not exceed
19 seventy-five percent (75%)

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

- 23 D. Buffer Requirements. The development shall comply with the provisions of this
24 Ordinance as outlined below:

- 25 1. Perimeter Landscape Buffer shall be 10 feet in width.
- 26 2. Perimeter Wall shall be constructed of 6 foot high decorative brick pillars
27 with wrought iron fencing together with a 3 foot continuous hedge.

- 28 E. Landscape Requirements. The development shall comply with Chapter 11, Landscaping,
29 of the Regulations in effect at the time of development.

1 I. Lighting:

2 1. Exterior lighting shall be designed and installed in a sensitive
3 manner so as to prevent direct glare, light spillage and hazardous interference
4 with automotive and pedestrian traffic on adjacent streets and properties.

5
6 2. Lighting shall be designed in a consistent and coordinated manner
7 for the entire site. The lighting and lighting fixtures shall be integrated and
8 designed so as to enhance the visual impact of the project by accenting key
9 architectural elements and/or emphasizing landscape features. The light poles
10 and fixtures shall be earth tones in color.

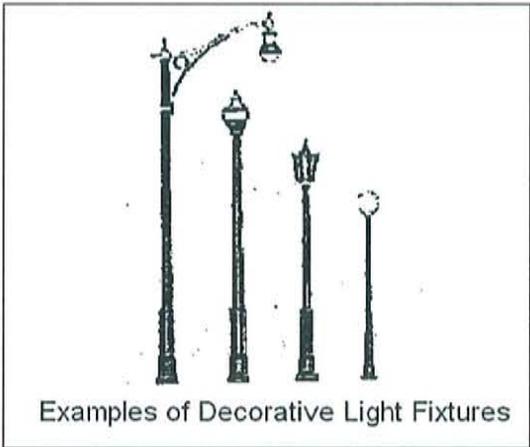
11
12 3. Electrical wiring to all site lighting shall be provided underground.

13
14 4. No light fixtures shall be placed in a position where existing or
15 future tree canopy will reduce the illumination levels.

16
17 5. Lighting fixtures shall be a maximum of fifteen feet (15') high and
18 shall be downward directed.

19
20 (6) All lighting fixtures within parking areas and walkways shall be
21 decorative light fixtures similar to the examples provided below.

22



23

24

25

1 **Section 5. Effective Date**

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

4
5 **PASSED AND ORDAINED** this ____ day of _____, 2011, by the City Council of
6 the City of Tavares, Florida.

7
8 _____
9 Robert Wolfe, Mayor
10 Tavares City Council

11
12
13 First Reading: _____

14
15 Passed Second Reading: _____

16
17
18
19
20
21 ATTEST:

22
23 _____
24 Nancy A. Barnett, City Clerk

25
26
27 APPROVED AS TO FORM AND LEGALITY:

28
29 _____
30 Robert Q. Williams, City Attorney

1 Exhibit "A"
2 Legal Description
3
4
5
6
7

LEGAL DESCRIPTIONS:

THAT PORTION OF THE SOUTH 330 FEET OF THE WEST 792 FEET OF GOVERNMENT LOT 1 IN SECTION 27, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF AFORESAID GOVERNMENT LOT 1; THENCE ALONG THE SOUTH LINE OF GOVERNMENT LOT 1 RUN S89°27'31"E A DISTANCE OF 356.01 FEET TO THE POINT OF BEGINNING; THENCE PARALLEL WITH THE WEST LINE OF GOVERNMENT LOT 1 RUN N00°02'03"E A DISTANCE OF 330.01 FEET TO THE NORTH LINE OF THE SOUTH 330 FEET OF GOVERNMENT LOT 1; THENCE ALONG SAID NORTH LINE RUN N89°27'31"W A DISTANCE OF 356.01 FEET TO THE WEST LINE OF AFORESAID GOVERNMENT LOT 1; THENCE ALONG SAID WEST LINE RUN S00°02'03"W A DISTANCE OF 285.01 FEET; THENCE PARALLEL WITH THE SOUTH LINE OF SAID GOVERNMENT LOT 1 RUN S89°27'31"E A DISTANCE OF 331.01 FEET; THENCE S00°02'03"W A DISTANCE OF 70.00 FEET; THENCE S89°27'31"E A DISTANCE OF 65.00 FEET TO THE WEST LINE OF OAKDALE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 39, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE ALONG SAID WEST LINE RUN N00°02'03"E A DISTANCE OF 25.00 FEET TO THE SOUTH LINE OF AFORESAID GOVERNMENT LOT 1; THENCE ALONG SAID SOUTH LINE RUN N89°27'31"W A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING.
(CONTAINING 2.39 ACRES, MORE OR LESS).

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
March 2, 2011**

AGENDA TAB NO. 4

SUBJECT TITLE: Resolution 2011-05 – Amend scope of Capital Improvement Revenue Note, Series 2008 dated May 2008

OBJECTIVE:

To consider approval of Resolution 2011-05 to expand the project scope for the City of Tavares Capital Improvement Revenue Note, Series 2008 to include engineering and design for the Alfred Street One Way Pair, Road Widening and Streetscape Project.

SUMMARY:

In May 2008 Resolution 2008-19 was adopted, authorizing the issuance of Capital Improvement Note, Series 2008 in the amount of \$1,500,000. The proceeds were intended to provide funding for paving unpaved roadways within the City.

Due to economic conditions, actual bids for the unpaved roads were less than anticipated, and in October 2009, Resolution 2009-15 was adopted to amend Resolution 2008-19 which expanded the project scope to include alleyway improvements and road resurfacing projects and related improvements.

On January 19, 2011, the City Council voted to approve a contract with B.E.S.H. Engineers to incorporate the Downtown Master Plan Streetscape recommendations into the Alfred Street and Caroline Street Improvement Project at a cost of \$152,800 and to use remaining funds from the Capital Improvement Revenue Note, Series 2008 for Streetscape design.

As the original scope and purpose for the Capital Improvement Revenue Note, Series 2008 was for road related projects, this project falls within the general scope for use of the debt proceeds.

OPTIONS:

- 1) Approve Resolution 2011-05 as submitted to expand the project scope of the Capital Improvement Note, Series 2008 to include the additional engineering and design of the Alfred Street One Way Pair, Road Widening, and Streetscape Project.
- 2) Do not approve Resolution 2011-05.

STAFF RECOMMENDATION:

Move to approve Resolution 2011-05 as submitted to expand the project scope of the Capital Improvement Note, Series 2008 to include the additional engineering and design of the Alfred Street One Way Pair, Road Widening, and Streetscape Project.

FISCAL IMPACT:

This approval expands the project scope for the Capital Improvement Note, Series 2008 to include the Alfred Street Project including Streetscape Design as approved by the City Council on January 19, 2011.

LEGAL SUFFICIENCY:

Legally sufficient.

RESOLUTION 2011-05

A RESOLUTION AMENDING RESOLUTION NUMBER 2009-15, CLARIFYING THE SCOPE OF THE "PROJECT" TO INCLUDE ADDITIONAL ENGINEERING AND DESIGN OF THE ALFRED STREET ONE WAY PAIR AND WIDENING PROJECT

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

WHEREAS, on May 21, 2008 Resolution Number 2008-19 was adopted authorizing the issuance of Capital Improvement Note Series 2008 in the amount of \$1,500,000.

WHEREAS, on October 7, 2009, Resolution Number 2009-15 was adopted authorizing the amendment of Resolution Number 2008-19 to include in the scope of services in Section 2(A) alleyway improvements, road resurfacing projects and related improvements;

WHEREAS, due to current market conditions, the City is able to make additional capital improvements with loan proceeds,

NOW, THEREFORE, BE IT RESOLVED that Section (A) of Resolution Number 2009-15 (A) is here by amended as follows:

- (A) The City of Tavares, Florida (the "City"), deems it necessary, desirable and in the best interests of the City and its residents that the City finance certain costs of the City's acquisition, construction and improvement of certain public roadways and other public capital improvements including alleyway improvements and road resurfacing projects and related improvements (the "Project"), **and additional design and engineering costs of the Alfred Street One Way Pair and Widening & Streetscape Project** including all as more particularly described in the Loan Agreement (as defined herein).

PASSED AND RESOLVED this 2nd day of March, 2011, 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 Williams
City Attorney

THIS PAGE INTENTIONALLY LEFT BLANK

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 2, 2011**

AGENDA TAB NO. 5

SUBJECT TITLE: Budget Priorities for Fiscal Year 2011 (Tabled from March 2)

OBJECTIVE:

To continue discussion on the broad budget priorities for FY 2012 and to give the City Administrator direction on priorities.

SUMMARY:

The City Administrator presented the Fiscal year 2012 budget issues and a power point presentation at the City Council Meeting of February 16, 2011. After discussion the City Council decided to table the item until the next meeting for further discussion.

OPTIONS:

- 1) Discuss and set broad budget priorities
- 2) Do not discuss

STAFF RECOMMENDATION:

Discuss and provide broad budget priorities to City Administrator

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient

Attachment
to Tab 5

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

AGENDA TAB NO. 4

SUBJECT TITLE: Establishment of FY 2012 Broad Budget Priorities

OBJECTIVE: To establish the City Council's broad budget priorities for the City Administrator to use in developing the FY 2012 budget (October 1, 2011 through September 30, 2012).

SUMMARY: It has been the practice of the Council to set the broad budget priorities in March; however, Council Member Sandy Gamble requested consideration that the annual budget process begins earlier. Council concurred with this request and therefore we begin the FY 2012 budget process a month early at this February 16 meeting. At this meeting Council is provided an opportunity to discuss and then establish broad budget priorities for the City Administrator to use as a basis to develop the FY 2012 annual budget. The numbers and percentages identified below are, at this point, preliminary estimates subject to change as we are only four months into the current fiscal year.

By way of background, the City operates six (6) governmental operations as follows:

1. General Fund (Revenues derived by property taxes, other taxes and fees)
2. Utility Fund of Water, Sewer, Reclaim (Revenues derived by fees – no property taxes)
3. Storm Water (Revenues derived from fees – no property taxes)
4. Garbage Collection (Revenues derived from fees – no property taxes)
5. Seaplane and Marina Enterprise (revenues derived from sales and rental income as well as transfers from the TIF Fund (Tax Incremental Financing – incremental tax revenues within the CRA District).
6. Capital Projects. Revenues are derived from grants, impact fees and special tax revenues like "Infrastructure Sales Tax".

This fiscal year, the General Fund expenses were budgeted at \$11,498,516 (\$11,364,840 plus additions for Concerts & Dora Canal Bridge) and revenues were budgeted at \$11,498,516 (a balanced budget with \$230,126 (\$98,727 with adopted budget and \$131,399 for additions) of Revenues derived from Reserve Appropriations. Approximately 40% of the revenues were derived from property taxes and 60% were derived from other taxes (electric, sales, gas, communications and state) and fees that the City charges for services like permit fees and recreational fees.

At this early point in time, it is virtually impossible to predict with precision the actual revenue or expenses for Fiscal Year 2012 as we do not know:

- how much property values will decrease.
- what the State Shared revenues will be.
- what the increased cost for healthcare will be.
- what future fuel prices will be in 2012.

- what workers compensation will increase to.
- What General Liability cost will increase to.
- etc.....

However, a “best guess” scenario based on staff following trends, receiving reports from the state and conducting research results in the following estimated budget predictions:

For fiscal year 2012 the City can anticipate:

1. Revenues are estimated as follows: a 10% decrease in property values and a 4% decrease in other revenues (the largest component is reserves appropriations).
2. Expenditures are estimated as follows: Increase costs are expected for healthcare, utilities, fuel, liability insurance, workers compensation insurance, as well as contractual service costs.
3. The Rail Road infrastructure upgrade program will increase by \$16,000. In FY 11 the City contributed \$84,000 for replacing the Dora Canal RR Bridge to leverage \$1.2 Million in grants. In 2012 the City has programmed \$100,000 to leverage \$19 Million in grants to replace bolted tracks to continuous weld tracks from Tavares to Plymouth.

This results in an \$850,000 shortfall if the following conditions exist:

1. A similar level of service is maintained
2. Property values drop 10%
3. The same millage rate of 6.95 is maintained

The three year historical trend for property values, tax revenue, millage rates and budgets are as follows:

Fiscal Year	Tax Roll - FINAL (Property Value)	% CHG in Values	Millage Rate	Tax Revenue (unadjusted for TIF)	General Fund Adoptd Budget
2009	\$ 873,756,581	-4.60%	6.25	\$ 5,460,979	13,176,175
2010	810,116,659	-7.28%	6.25	5,063,229	11,597,912
2011	676,263,560	-16.52%	6.95	4,700,032	11,364,840
2012	608,637,204	-10.00%	?	?	?
TOTAL		-38.41%			

Over the past three years, budget deficits have been addressed by a combination of the following:

- Reduction in forces (RIF)
- Instituting furlough programs
- Increasing employee's contribution to healthcare cost
- Eliminating the employee merit program
- Reducing Overtime
- Reducing training
- Renegotiating vendor contracts

- Deferring capital equipment replacement (not replacing police vehicles, mowers, Fire engine, etc.)
- Millage rate adjustments
- Use of reserves
- Mowing rights-of-way less frequently
- A reduction in operations and maintenance across the board
- Elimination of new programs, like the establishment of a Road Maintenance Department

Personnel reductions included the following positions:

1. Assistant Police Chief (Major)
2. Police Officer
3. Police Officer
4. Police Officer
5. Executive Assistant to City Administrator
6. General Services Supervisor
7. Public Works Construction Coordinator
8. Public Works General Services Crew Foreman
9. Public Works Sanitation Driver
10. Public Works Sanitation Driver
11. Public Works P.T. Staff Assistant
12. Community Development GIS Analyst
13. Community Development Administrative Assistant
14. Community Development Permitting Technician
15. ½ Community Development Building Inspector (contractual position)
16. Computer Services Director
17. Community Services Parks Maintenance Worker (outsourced some landscaping)
18. Community Services Parks Supervisor
19. Community Services Library Youth Services Specialist
20. Utility Wastewater Treatment Plant Operator

- On the General Fund side, during this period of time, the city added 2.0 positions (Public Communications Director, Part-time City Hall Receptionist (contractual) and Sanitation Staff Assistant. This resulted in a net reduction of 18 positions or 11% decrease in staffing.
- At the new Seaplane Base and Marina, three full-time and four part-time positions were developed.
- At the Splash Park, seven seasonal part-time employees were added

Tavares has three conditions that negatively affect the property tax rate as follows:

1. Significant number of Properties Exempt from Taxes (PETs)
2. Significant number of homes valued below the threshold for paying any property taxes
3. An unbalanced Commercial to Residential ratio

PETs: Tavares has a real-estate market condition that is less prevalent in many other cities and is unique to Tavares which results in a higher tax rate. That market condition is termed PET (Properties Exempt from Taxes). Tavares is “America’s Seaplane City” and also the County

Seat and as such is home to many county and state tax exempt government buildings including all government buildings, Sheriff buildings, judicial buildings, jail, Water Authority, School Board Administrative buildings, the three schools, hospital, not for profits, churches, etc. No property taxes are collected from these entities; yet all of their facilities require costly Police and Fire services that the City provides and pays for. In fact, most PETs are classified as "large assembly of people" facilities; and thus become drivers on the need and cost for adequately sized police and fire protection - yet they do not pay for the resulting expenses for that protection.

Low valued Homes: Tavares has a significant number of low valued homes that require costly police and fire protection but are exempt from paying any taxes due to the homestead exemption. They need and use the service but do not pay for it as the first \$50,000 of value is exempt from property taxation.

Commercial to Residential ratios: Last year and historically Tavares tax revenues were comprised of approximately 80% residential and 20% commercial. This year Tavares experienced an increase in commercial contributions resulting in a shift from 20% commercial to 25% commercial contribution which lowered the residential contribution from 80% down to 75%. The goal for most communities is a 40% commercial contribution and 60% residential contribution. Industry experts assert that for every dollar a resident pays towards their municipal tax services contribution they use \$1.20 in services and for every dollar a commercial business pays for their municipal tax services contribution they use .80 cents worth of services. Thus, a community with a higher commercial tax contribution ratio has a lower tax rate.

In summary, communities with many PETs, low valued homes and low commercial ratios have higher tax rates than those communities who have few PETs, higher valued homes and high commercial to residential ratios.

The "roll back" tax rate is the millage rate levy required to bring in the same amount of tax revenue as the prior year. For the 2012 budget discussions, the roll back rate is estimated at 7.722 and would bring in approximately \$470,000 of the \$850,000 shortfall leaving a \$380,000 shortfall.

There are four areas the City Council should opine on when establishing broad budget priorities as follows:

- A) Mitigating the FY 12 estimated \$850,000 budget shortfall
- B) Maintaining similar levels of service
- C) New programs and services
- D) Employee compensation and benefits

A) Mitigating the Budget Shortfall

Although there are many options and combinations of options available to address the estimated \$850,000 budget shortfall, and although some of these options have been brought forward at previous budget workshops and rejected, below are some options offered for discussion purposes with corresponding comments and observation on each one to be built upon (See Exhibit A for comments and observations).

OPTIONS

ESTIMATED REVENUE GENERATED

1. Reduce Reserves from 15.8% to 5%	\$1,200,000 (assumes no change in 2011 revenue or expenditure estimates)
2. New assessments (Street Lights, fire.)	Example: Fire = \$955,000
3. Raise Millage rate to Rollback rate	\$470,000
4. Eliminate/reduce services	? (Would need to identify which ones)
5. Furlough one day per month	\$300,000
6. Raise Fees (Recreation, Permit etc.)	? (would need to identify which ones)
7. Further Department cuts	Same as 4 above: After three years of department cuts and belt tightening this option results in an elimination or reduction of services.

B) **Maintaining a Similar Level of Service** – Thus far, the City has been able to maintain a similar level of services for its citizens during this recession and has been able to grow the business tax contributions from 20% to 25% by developing a business - friendly environment and recruitment efforts. In fact the city has provided several new services during this time including a new Seaplane Base, Marina, special events and concerts.

C) New Programs and Services

Throughout the year new programs and services are discussed by Council members, staff and constituents. An opportunity is provided for Council to identify any new programs and services that they would like incorporated into the budget. A few of the examples include:

1. Sister City Program
2. Senior Center
3. Entertainment District Concerts
4. New Special events (Boating Events, others etc.)
5. Purchasing the Major St. Clair Abrams Home
6. Hickory Point Annexation
7. Security Cameras at Aesop's Park
8. Ingraham Park Improvements
9. Operating Splash Park for Special Events

D) Employee Compensation and Benefits

1. **Employee compensation adjustments for last three years were as follows:**

- FY 09 = 2% Cost of Living increase / 0% merit (program placed on hold)
- FY 10 = -2.3% decrease (Furlough) 0% COLA / 0% merit (program remained on hold)
- FY 11 = 2% Cost of Living increase / 0% merit (program remained on hold)
- FY 12 = ?

With the exception of Tuition Reimbursement and Healthcare, employee benefits over the last three years have remained the same.

- Tuition Reimbursement Program was eliminated in 2010
- Family healthcare premium contributions by the city were decreased from 78% to 52% and Employee's contributions increased from 22% to 48%. Employee contributions to Single coverage went from 0 to \$25.00 per month.

It is recommended that the Council discuss the four areas identified above:

1. Mitigating the estimated \$850,000 budget shortfall
2. Maintaining a similar level of service
3. New programs and services
4. Employee compensation and benefits

As it relates to priorities for the four (4) other operating funds, the budget goals have been to develop a budget where revenues are sufficiently set to offset costs. It is recommended that Council advises of any other budget priorities for these operations. The other operations are as follows:

1. Utility Operation (Water, Waste water, Reclaim)
2. Storm Water
3. Garbage Collection
4. Seaplane and Marina Operation
5. Special Revenue Funds
6. Capital Program

OPTIONS:

1. Discuss and then establish broad budget priorities for the City Administrator to incorporate into the FY 2012 budgets.
2. Do not discuss or establish broad budget priorities for the City Administrator to incorporate into the FY 2012 budgets.

STAFF RECOMMENDATION: That Council discusses and then establishes broad budget priorities for the City Administrator to incorporate into the FY 2012 budgets for all funds.

FISCAL IMPACT: Impacts FY 2012 budget

LEGAL SUFFICIENCY: This is legally sufficient.

EXHIBIT A

Option Comments

1. Reduce Reserves from 15.8% to 5%:

- This is not sustainable (can't do it again next year). If done, next year an equal amount of either new revenue or budget cutting would need to be accomplished.
- Reserves is used to cash flow the first quarter of operations as the City awaits to receive Tax revenue, therefore the City would need to budget the cost of short term borrowing to cash flow itself.
- The 5% reserves amount would not be sufficient for the recommended "three months" of operation in the event of say a Hurricane. Therefore, a line of credit with a bank sufficient to maintain operations for the recommended three month period would be recommended. There would be a cost to maintain that line of credit.
- In the event of a Hurricane/natural unforeseen disaster, there are currently three lines of defense or "nets" as follows: 1) Reserves 2) Ability to Borrow 3) FEMA. Reserves are available immediately, borrowing would take a few weeks, and FEMA reimbursements would take several months to a year.
- In addition lowering reserves to 5% could affect the city's bond rating and costs for future debt

2. New Assessments:

- A City Fire Assessment was proposed and rejected by a previous Council in 2008. Opposition from churches, business and citizens was received. Currently the County has a Fire Assessment on residents, commercial properties and Churches for fire service in the county. This assessment is used by the County to pay for Fire Service thereby reducing the millage rate. The city does not have a Fire Assessment and therefore Fire is funded by the tax payer (Millage Rate). PETs do not pay taxes and therefore do not pay for Fire Service in the city. If an assessment was put in place then PET's would pay for Fire Service as they do in the county.
- The City does not have special assessments for Lighting or Landscaping. Those costs are all paid for out of the General Fund (millage rate). For example the city pays \$365,000 per year for street lighting and \$76,280 per year for main street, State Road 19 and 441 landscaping.) Some communities have a "Lighting Assessment" and "Landscaping Assessment" where the people who benefit from the lighting or landscaping pay for the lighting and landscaping. The County has

lighting assessments which reduce the millage rate. Other communities have landscaping assessments. Tavares has neither so the cost is shared by all through a millage rate.

3. Raise Millage Rate to roll back rate. The "Roll Back" tax rate is the millage rate levy required to bring in the same amount of tax revenue as the prior year. For Fiscal year 2011 the tax rate of 6.95 brought in \$4,523,000. In order to bring in the same tax revenue of \$4,523,000 the roll back rate would need to be approximately 7.722. This would reduce the short fall of \$850,000 down to \$380,000.
4. Eliminate/ Reduce Services: Below is listing of the services the city provides and their associated costs.

2011 BUDGET by Department Function	
Police Department	2,409,663
Fire Department	1,861,569
Parks and Rights of Way	1,103,156
General Services	1,011,494
Community Development	652,663
Accounting & Budget	535,267
Library	512,080
Communications Center	472,573
Recreation	432,055
Fleet Maintenance	385,602
Economic Development	249,036
Customer Svc Utility Billing	320,489
Administration	276,986
General Overhead	242,038
Human Resources	203,700
City Clerk	185,703
Information Technology	158,788
Legal Services	120,000
Public Communications	96,088
Purchasing & Procurement	85,618
Railroad Bridge Upgrade	84,000
Code Enforcement	66,010
City Council	33,938
	11,498,516

5. Furlough one day a month: In FY 2010 the city instituted a ½ furlough program where all employees took off one half day on Friday a month which equated to about a 2.2% decrease in pay (Fire took a 2.2% decrease in pay as stations needed coverage on Fridays). In FY 11 the Council eliminated the Furlough

program. A full day furlough program once a month would equate to approximately \$300,000 in expense savings and a 4.4% decrease in pay for employees.

6. Raise Fees: Fees include building permit fees, Occupational License fees, Civic Center rental fees, youth baseball etc. Where raising fees is an option the amount collected would probably not be enough to offset the deficit. It also would go against the "business friendly" reputation that the city has developed by eliminating impact fees and developing an Economic Development Department that fast tracks permits and conducts routine business recruitment, however, the option does exist.
7. Further Department cuts. After three years of reducing forces and budget cuts across the board any further reduction would be either an elimination or reduction of service. Same as option four (4) above.

THIS PAGE INTENTIONALLY LEFT BLANK

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 2, 2011**

AGENDA TAB NO. 6

SUBJECT TITLE: Agreement with Chamber to provide alcoholic beverage and bottled water sales at the Colt Ford concert

OBJECTIVE: To approve an agreement between the City of Tavares and the Tavares Chamber of Commerce for the Chamber to provide alcoholic beverage and bottled water sales at the Colt Ford concert on April 2, 2011.

SUMMARY:

Some key points are as follows:

- Chamber will pay the city 2/3 of the net profit from beer sales within seven days after the special event. The city will disperse 1/3 of this amount to the land owner
- Chamber will sell only city branded bottled water which will be sold to them at city cost. All profits will be retained by Chamber
- Chamber will provide no less than six, staffed service lines
- Chamber will supply its own ancillary power on concert site
- Chamber will produce appropriate insurance and licensures
- Chamber will provide two identification check point areas to ensure consumers are of legal age limit

OPTIONS:

- 1) Approve the Agreement
- 2) Do not

STAFF RECOMMENDATION:

Make a motion to authorize staff to enter into an agreement with the Chamber of Commerce to provide alcoholic beverage and bottled water sales at the Colt Ford concert.

FISCAL IMPACT: One third profit from beer sales to be received

LEGAL SUFFICIENCY: meets legal sufficiency

SPECIAL EVENT CONCESSION SERVICE AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 2011 between the CITY OF TAVARES, FLORIDA, a municipal corporation (hereinafter, "City"), and TAVARES CHAMBER OF COMMERCE, INC., ("Chamber"):

WITNESSETH:

WHEREAS, City is sponsoring a special event, to wit: April 2, 2011 gated Colt Ford Concert, (the "Special Event"), at which a substantial number of patrons are expected to attend;

WHEREAS, City desires to provide quality alcoholic beverage concessions for the patrons of the aforementioned Special Event; and

WHEREAS, Chamber desires to arrange and provide concessions for special events, and has the knowledge and expertise to coordinate said services for the City's aforementioned Special Event.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, and other good and valuable consideration the receipt of which is hereby acknowledged by each of the parties hereto, the City and Chamber hereby agree and covenant as follows:

1. Chamber hereby agrees to arrange, coordinate and provide the following goods and services for the Special Event, to be held at the property located at Alternate Key #1686962 and Alternate Key #1686971 or another designated location in the City of Tavares, subject to the following terms, conditions and obligations on the part of the Chamber:

A. The Chamber shall provide alcoholic beverage (beer only) concessions for the Special Event. The alcoholic beverage concessions shall be open beginning at 6:00 p.m. (door opening) and shall continue to serve beverages until 9:30 p.m.

B. Chamber shall have the right to collect reasonable fees for its alcoholic beverage sales. The prices of the alcoholic beverage sales are subject to City approval. The proposed price of alcohol shall be presented to the City at least thirty (30) days prior to the Special Event. Within seven (7) days after the Special Event, Chamber shall pay the City two-thirds (2/3) of the total net profits that it collects from its concessions at the Special Event. Chamber agrees to provide to the City a full accounting of all fees collected from its sales, which accounting shall be provided along with the payment due under this paragraph.

C. In addition to alcoholic beverage sales, Chamber shall sell bottled water

water that has been purchased from the City at cost. The Chamber shall sell the bottled water for \$2.00 or less at the Special Event. The Chamber shall retain all profits from the bottled water sales. After the Event, the Chamber shall provide an accounting of the number of bottled waters sold, damaged, or otherwise consumed. Thereafter, the City will send an invoice to be paid by the Chamber. The remaining unopened, undamaged, unsold product will be accepted back by the City free of charge.

D. The Chamber shall provide two (2) check point areas where identification will be checked to ensure persons desiring to consume alcohol are of legal age. Upon receipt of valid identification, the Chamber shall supply a wrist band to those age-appropriate consumers. One identification check point area shall be located at the entrance to the Special Event. This check point is permitted to close after the gates open at 6:00 p.m. The second check point shall be located next to the beer garden and shall remain open throughout the Special Event.

E. The Chamber shall provide six (6) staffed beer taps to facilitate six (6) service lines. Each service line shall be clearly designated in some manner (ropes, cones, etc.).

F. The Chamber shall provide ancillary power for its concessions. The Chamber understands that it will not be provided electrical access at the Special Event.

G. Chamber agrees to indemnify the City for and to hold the City harmless from any and all liability, claims, costs, damages, attorneys' fees, or other charges, liens, or fees of any kind or nature as a result of Chamber's activities or the execution of this agreement. Chamber further agrees to defend any action or claim whatsoever against the City for any damages or for injunction or other relief resulting from Chamber's activities or the execution of this agreement.

H. Chamber shall have all required licenses and/or certificates, and to comply with all state, local or federal laws or regulations pertaining to alcoholic beverage services, including the collection and payment of sales taxes and applicable licensing fees.

I. Chamber shall provide the City proof of in-force commercial general liability insurance, which shall add the City as an additional insured, in an amount of not less than \$ 1,000,000. An Acord certificate of liability insurance listing the City of Tavares as Certificate Holder shall be provided to the City as evidence of said insurance at least ten (10) days prior to the Special Event.

2. City shall have the following obligations:

A. City shall provide an area for the Chamber's booths for its beverage sales.

B. City agrees to grant Chamber the exclusive right and privilege to arrange, coordinate and provide alcoholic beverage concessions for the City's Special Event.

C. City agrees to grant Chamber the exclusive right and privilege to arrange, coordinate and provide bottled water concessions for the City's Special Event.

D. City agrees to provide bottled water at cost to the Chamber for resale as described herein. City agrees to restock bottled water during the Special Event as needed.

E. City agrees to provide some roving police security police in cash collection areas.

3. In the event of rain or any other event beyond the City's control which causes the City to cancel the Special Event, this contract shall be terminated.

4. In the event of any default by Chamber in any of the terms, conditions, or limitations of this agreement, the City shall notify Chamber of such default and provide a reasonable period of time, under the circumstances, in which to cure such default. Failure to cure such default within the time specified in the notice shall be grounds for immediate termination by the City.

5. This agreement shall not be assignable; shall be interpreted, applied, and enforced pursuant to the laws of the State of Florida; and shall not be amended except in writing signed by both of the parties.

6. All rights and remedies of the City herein enumerated shall be cumulative and none shall exclude any other right or remedy allowed by law. Likewise, the exercise by the City of any remedy provided for herein or allowed by law shall not be to the exclusion of any other remedy.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the _____ day of _____, 2011.

CITY OF TAVARES

ATTEST:

Nancy Barnett,
City Clerk

BY: Robert Wolfe
ITS: Mayor

TAVARES CHAMBER OF COMMERCE, INC

Colleen A. McKinley
Signature
Colleen A. McKinley
Printed Name

Tavares Chamber of Commerce
BY: _____
ITS: _____

Signature

Printed Name

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this ____ day of _____, 2011, by **Robert Wolfe, the Mayor of the City of Tavares, Florida,** who is/are personally known to me or who has/have produced _____ as identification.

Notary Signature
Commission Expiration Date:

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 23rd day of February, 2011, by Colleen McKinley the Executive Director of **Tavares Chamber of Commerce, Inc.**, who is/are personally known to me or who has/have produced _____ as identification.



Tamera Jean Rogers
Notary Signature
Commission Expiration Date:

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
March 2, 2011**

AGENDA TAB NO. 7

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 – March 16, 2011
- Code Enforcement Hearing – March 22, 2011 – 5:00 p.m.
- Golden Triangle Summit Meeting – Eustis, Mt. Dora, and Tavares – March 23, 2011 at 4 pm at City of Tavares
- Lake Sumter MPO – Board Meeting – March 23, 2011 – 2 p.m. – Tavares Civic Center
- Library Board – March 11, 2011– 8:30 a.m. Library Conference Room, 314 N. New Hampshire
- Planning & Zoning Board March 23, 2011 – 3 p.m.

EVENTS:

Bassmasters Elite Series – March 10- 13, 2011

Classic Race Boat Association Regatta – March 18-20, 2011

Sunnyland Antique & Classic Boat Society Show – March 24-27, 2011

Planes, Trains and BBQ & Hayfire/Colt Ford Concert – Wooton Park – April 2, 2011

Dragonboat Festival – April 8 and 9, 2011

Seaplane Fly In – April 16, 2011

March of Dimes Walk – April 23, 2011

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
March 2, 2011**

AGENDA TAB NO. 8

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

THIS PAGE INTENTIONALLY LEFT BLANK

