



**AGENDA
TAVARES CITY COUNCIL**

**June 1, 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) May 4, 2011 Regular City Council Meeting
May 18, 2011, Regular City Council Meeting (deferred)

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Resolution #2011-12 – Approval of Bond Issue for Osprey Lodge Attorney Williams

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS Nancy Barnett

VIII. CONSENT AGENDA

Tab 3) Award of Bid for Fox Run Drainage Project Brad Hayes

Tab 4) Building Code Effectiveness Grading Results – ISO Ratings Jacques Skutt
for City of Tavares

Tab 5) Request to Purchase Used Carry-All Vehicle for Seaplane Base Marina Bill Neron

IX. ORDINANCES

FIRST READING

None

SECOND READING

Tab 6) Ordinance #2011-05 – Creating Chapter 23 of the Land Development Regulations for Economic Initiatives Second Reading Bill Neron

X. RESOLUTIONS

Tab 7) Resolution #2011-11 – Grant Electrical Utilities Easement for Tract C of Chelsea Oaks Subdivision Jacques Skutt

Tab 8) Resolution #2011-13 – Vacation of Utility Easement on Gateway Property Jacques Skutt

XI. PUBLIC HEARING – USDA LOAN

Tab 9) Public Hearing on USDA Grant/Loan for Stormwater Improvements in the Community Redevelopment Area Brad Hayes

XII. GENERAL GOVERNMENT

Tab 10) Request to Reduce Lien on 610 N. New Hampshire Nancy Barnett

Tab 11) Appointment to Lake County Cultural Affairs Committee Mayor Wolfe

Tab 12) Request to Award Bid for Sign Management Plan and City Wide Street Pavement Assessment Report Chris Thompson

Tab 13) Approval for Tavares Rotary to Host a “Red, White & Blue” Wine Tasting Event at 4th of July Event Tammey Rogers

Tab 14) Rezoning of Sprayfield Property – Discussion Jacques Skutt

Tab 15) Location of Proposed Public Works Facility Richard Keith

Tab 16) Report on Senior Services Tammey Rogers

Tab 17) Authorization to Renew Contract for Building Inspection Services with Nova Engineering Jacques Skutt

Tab 18) Request to Donate Cemetery Plot Mayor Wolfe

XIII. OLD BUSINESS

XIV NEW BUSINESS

XV. AUDIENCE TO BE HEARD

XVI. 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.

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

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

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

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

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

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

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

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

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

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

contiguous – Sharing a common boundary.

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

DCA – Department of Community Affairs

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

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

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

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

FDOT – Florida Department of Transportation

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

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

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

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

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

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

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

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

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

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

PUD – Planned Unit Development

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

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

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

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

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

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

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

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

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
MAY 4, 2011
CITY COUNCIL CHAMBERS

COUNCILMEMBERS PRESENT

Robert Wolfe, Mayor
Bob Grenier, Vice Mayor
Sandy Gamble, Councilmember

ABSENT

Lori Pfister, Councilmember
Kirby Smith, Councilmember

STAFF PRESENT

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

I. CALL TO ORDER

Mayor Wolfe called the meeting to order.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. APPROVAL OF AGENDA

Mr. Drury said staff had no changes to the agenda.

MOTION

Bob Grenier moved to approve the agenda, seconded by Sandy Gamble.

The motion carried unanimously 3-0.

IV. APPROVAL OF MINUTES – April 20, 2011 - Deferred

1 V. PROCLAMATIONS/PRESENTATIONS

2
3 VI) SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS

4
5 Attorney Williams stated there were no quasi-judicial matters on the agenda.

6
7 VII) READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

8
9 Ms. Barnett read the following resolution by title only:

10
11 **RESOLUTION #2011-09**

12
13 **RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AUTHORIZING THE**
14 **CITY ADMINISTRATOR TO MAKE APPLICATION FOR GRANTS ON BEHALF**
15 **OF THE CITY; ESTABLISHING PARAMETERS AND CONDITIONS;**
16 **PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.**

17
18 **RESOLUTION NO. 2011-10**

19
20 **A RESOLUTION OF THE CITY OF TAVARES, LAKE COUNTY, FLORIDA,**
21 **AUTHORIZING PARTICIPATION IN A GOLDEN TRIANGLE CITIES**
22 **COMMITTEE ON FIRE SERVICE REGIONALIZATION, DESIGNATING THE**
23 **CITY ADMINISTRATOR AND FIRE CHIEF AS OUR REPRESENTATIVES ON**
24 **THE COMMITTEE, PROVIDING FOR SEVERABILITY AND CONFLICTS, AND**
25 **PROVIDING FOR AN EFFECTIVE DATE.**

26
27
28 VIII) CONSENT AGENDA

29
30 IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING

31
32 Tab 1) Resolution #2011-0 – Authorization for City Administrator to Apply for Grants

33
34 Mr. Drury advised that this resolution will assist in expediting the grant application process. In
35 order to accept or approve a grant and all the conditions associated with it, the issue will always
36 be presented to Council. This is obtain authorization to apply for grants without having to come to
37 Council first under certain conditions: 1) when it is 100% funded with no match required; 2) if a
38 match is budgeted in the current fiscal year and has been approved by the Council for that
39 specific project; or 3) if the match is unbudgeted but the requirement is no more than \$5,000 for
40 the grant match.

41
42 MOTION

43
44 **Bob Grenier moved to approve Resolution #2011-09, seconded by Sandy Gamble. The**
45 **motion was approved unanimously 3-0.**
46

1 **Tab 2) Resolution #2011-10 – Authorization to Create a Golden Triangle Committee on Fire**
2 **Service Regionalization**

3
4 Chief Keith reviewed the actions taken at the March 23, 2011 Tri City Summit Meeting when the
5 three cities indicated support for the formation of a committee to discuss fire service
6 regionalization issues. Mr. Drury noted this is an exploratory committee to evaluate the pros and
7 cons and report back to the respective Councils or at the next Tri City meeting.

8
9 Mayor Wolfe asked if anyone in the audience had comments.

10
11 **MOTION**

12
13 **Bob Grenier moved to approve Resolution #2011-10, seconded by Sandy Gamble. The**
14 **motion carried unanimously 3-0.**

15
16 **X. GENERAL GOVERNMENT**

17
18 **Tab 3) Affordability Evaluation Report for Utilities Capital Projects**

19
20 Mr. Hayes stated that in 2007 the City solicited RFQ's for a qualified consultant firm that was
21 experienced with design and build and solicitation of grants and loans with various regulatory
22 agencies that could fulfill the city requirements for its visioning plan as developed by the Tavares
23 residents. Malcolm Pirnie was selected. He said Scott Shannon from Malcolm Pirnie is the project
24 manager and will be making a presentation on water affordability. In addition Andrew Rheem is
25 also present from Malcolm Pirnie in addition to the city's financial consultants Mike Rocca and
26 Mike Galvin.

27
28 Mr. Shannon reviewed the city's program for embarking on major capital improvements that
29 include replacing antiquated water and sewer systems in the downtown area and creating a
30 reclaim water business. To accomplish this program the city has lined up various funding sources
31 including grants and loans. These have initially been secured as place holders. Now that the
32 amounts are fairly well known and project cost estimates are better defined for the various
33 phases of these projects, Malcolm Pirnie's role was asked to evaluate the extent to which the city
34 is able to afford to carry out this program.

35
36 Mr. Shannon noted the reclaimed project includes three phases. The first involves the
37 construction of a 5 million gallon storage tank for irrigation quality water and six miles of pipeline
38 to distribute the water along Dead River Road and SR 19 from Woodlea Road south to Hickory
39 Point. This project has been designed and the bids have been received. The construction costs
40 will be 2.5 million. The city was actually approved for 4.9 million by FDEP. The funding source for
41 this project includes a two million dollar State Revolving Fund loan from FDEP as well as a
42 \$500,000 grant from the St. Johns River Water Management District.

43
44 Phases 2 and 3 were initially designed to be separate phases and constructed at separate times.
45 The funding for phases 2 and 3 were actually approved together earlier this year, so the plan is
46 now to construct these phases at the same time. These two phases will create an enhanced
47 treatment process at the Woodlea plant to provide additional removal of the nutrient phosphorus

1 from reclaimed water before it is sent out into the distribution system. While the plant currently
2 meets all of its regulatory requirements, since reclaimed water is being used for irrigation, by
3 removing the phosphorus it will prevent water quality from being further degraded. This phase
4 also includes an operations support building to be located at the treatment plant site. The cost
5 estimate for these two phases totals 3.5 million (\$3 million in SRF loan and \$500,000 from the
6 Water Management District).

7
8 The second project is the downtown water and sewer which involves replacing up to 14 miles of
9 water distribution pipes and as much as 10 miles of sewer collection pipes within the CRA. These
10 systems contain old galvanized pipes, many of them too small to provide adequate water quality
11 and fire flow needs under the growth scenario of the city's development plans. The sewer pipes
12 are clay and in many cases more than 60 years old which is beyond their useful life. In addition to
13 replacing what is below the ground, the project will also include replacing some sidewalks and
14 streetscape back to the current standard as defined in the master plan. The funding for this
15 project has been secured through a Rural Development Grant from the USDA for an amount of
16 up to \$17 million (includes 1.2 M in grant money).

17
18 He discussed the proposed time line. Phase 1 is anticipated to begin at the end of this year and
19 completed in late 2012. Phases 2 and 3 will take about six months to design when Phase 1 is
20 finished. The loan agreement from FDEP for Phases 2 and 3 should be presented next month
21 and construction would begin at the earliest late this year or early next year with a construction
22 timeline of about 1 ½ years.

23
24 The downtown water and sewer project design has not been completed. It will take about two
25 years before construction could start. Current plans show the construction occurring from about
26 2013 to 2017.

27
28 The total costs for these projects could be as much as \$23 million. The city will need to make a
29 decision whether to secure the funding.

30
31 Mr. Shannon presented an overview of the findings of the affordability evaluation. He said the
32 definition of "affordability" is that in addition to paying back the loan portions that will finance these
33 projects, the Water and Sewer enterprise fund also has to be able to meet all its usual
34 obligations: regular operations and maintenance expense; continue its level of transfers to the
35 General Fund; set aside approximately \$300,000 per year for renewal and replacement projects;
36 fund additional capital projects that have been identified as well as those that have not yet been
37 identified; and do all of this while staying within the existing water and sewer rate structure. He
38 said two conditions were also added: maintaining a minimum debt service cover ratio of 1.2 (for
39 every dollar of debt that the utility has to repay, the Water and Sewer fund has to have revenues
40 of \$1.20 to be able to apply to that debt after covering its regular O&M expenses). The second
41 part of the test is that a minimum of 90 days of all the fund's fiscal requirements has to be
42 maintained in reserves at all times.

43
44 He said the loan for the reclaim project will be repaid over 20 years and for the downtown project,
45 those loan proceeds are scheduled to be repaid over a period of 40 years. He noted that certain
46 assumptions had to be made in order to develop a forecast that went that far into the future.
47 These include assumptions about inflation, growth, and the number of reclaim users.

1
2 He said staff had requested that the scenarios be developed with two sets of assumptions: one
3 which is most likely to occur in the future and another more conservative worst case scenario.
4

5 Analyzing Affordability under the Likely Scenario
6

7 He noted that the measure of inflation that is used is the CPI. This represents how many goods
8 and services that U.S. consumers buy and the indexes are a measure of how much this changes
9 during the year. He noted that the average change in the CPI over the last 30 years was 3.3% a
10 year. Therefore a 3% CPI increase was assumed between now and 2040.
11

12 Population growth was accounted for as the number of new water and sewer accounts added
13 each year. Over the past five years, the account growth averaged 2.7% per year in the number of
14 residential and commercial accounts. The assumption was based on a .75% increase through
15 2015 and increasing to 1% a year after that (or 50 new connections every year) for the next 30
16 years.
17

18 Initial reclaim system users: the service area covered by Phase 1 of the reclaim system was
19 analyzed. The number of users available between commercial and residential users of irrigation is
20 equivalent to 600 connections. The residential portion which is about 200 connections includes
21 only those homes in neighborhoods with separate reclaim systems. He said these assumptions
22 do not include Royal Harbor.
23

24 The commercial portion includes parks, golf courses, and orange groves in that part of the city
25 and the equivalent water use sums up to 600 equivalent connections. He said the assumption is
26 that only 500 of these connections will be added in the three years following this system
27 ultimately being made available.
28

29 The affordability test: the city is able to exceed the minimum debt service requirements each
30 year of the forecast under these assumptions. Looking at the reserve monies, the fund reserves
31 exceed the minimum balance each year of the forecast.
32

33 Analyzing Affordability Under the Second Set of Assumptions (worst case)
34

35 In the last five years the CPI only averaged a 2.2 increase. The assumption was made therefore
36 of only a 2% increase for the next five years before returning to the more normal 3% in 2016 and
37 beyond. For population growth, the city averaged 2.7% a year for the last five years but during the
38 low growth point between 2007 and 2009; the city only averaged .5% a year in new account
39 growth. The assumption was accordingly made that growth would only be .25% and only .5% a
40 year for the next five years and then ultimately going back to 1% a year 10 years out and through
41 the end of the forecast. For initial reclaim users, only residential accounts were reviewed for
42 existing houses with existing reclaimed systems. The conservative assumption was to expect the
43 200 initial connections in the first three years after the system is available.
44

45 Affordability Test
46

1 Debt Service coverage: The city is still able to meet the minimum debt service requirements in
2 each year of the forecast.

3
4 Reserve monies in the water and sewer fund: In most years the fund reserves still exceed the
5 minimum balance however in 2018, 2019, and 2020, the target fund balance is not met which
6 represents a potential issue with cash flow. The target balance represents 90 days of the utility's
7 financial obligations however the fund balance in 2019 is only 85 days.

8
9 He said recognizing what this means is that the city needs to provide itself with options in order to
10 proceed with caution. Two things can be done if the worst case scenario is encountered. 1) The
11 reserve requirement can be lowered for those three years; 2).Reduce the size of the program
12 which would mean fewer new water and sewer lines in the downtown area and fewer new
13 sidewalks and streetscape. He said the project costs would need to be reduced from 17 million to
14 9.2 million. All three phases of the reclaim could be done and most of the downtown water and
15 sewer project. Under those conditions with a reduced project size, the city would be able to meet
16 its service coverage and target balance in its operating fund.

17
18 Summary

19
20 Mr. Shannon said the city does not need to decide now whether to proceed with a larger or
21 smaller project. He said the bid will be designed to include bid alternates both for the full cost as
22 well as for the reduced project size scenarios.

23
24 Mr. Shannon said since construction is not scheduled to begin for two years it will allow time to
25 see how financial conditions develop relative to the assumptions and to see how construction
26 prices come in relative to cost estimates.

27
28 Observations of Moving Forward

29
30 Mr. Shannon said moving forward allows the city to maintain control for the funding that has been
31 secured which will otherwise be reallocated to other communities.

- 32
33
- 34 • Keeping the funding allows the city to maintain the flexibility over how much of the
35 program is implemented based on actual financial conditions and construction costs at the
36 time the commitment is made.
 - 37 • Cost effectiveness-- construction bids have been coming in well below the estimated
38 costs; waiting to move forward will likely see increasing costs over time as well as having
39 to use cash or some more costlier means of financing these projects should the city
40 decide to move forward much later and not have access to the funding (which could
41 impact water and sewer rates).
 - 42 • Economic Development; these projects will enable further economic development in the
43 city especially in the downtown. All of this will enable the city to continue to progress
44 towards the vision that was developed by City Council, staff, and the residents in the
45 community.

46 City Administrator
47

1 Mr. Drury noted that Council has been delivered the financial package and has now received an
2 overview by Malcolm Pirnie. He noted he has emailed Council with phone numbers of the
3 independent financial advisor and rate analyst. He said he is available as a resource along with
4 Ms. Houghton, Mr. Hayes, and Attorney Williams, who are all familiar with this project.
5

6 He recommended hat Council continue to evaluate the financial forecast and assumptions and
7 then contact any of these resources mentioned on any aspect for which additional information is
8 needed. He said at the next meeting more discussion will be held and if council is ready, staff will
9 recommend that the city go forward with the project.
10

11 Mr. Drury said he will be having individual meetings with Malcolm Pirnie and each of the other two
12 councilmembers who were not able to attend this meeting. He said Council will ultimately need to
13 make the decision on whether to go forward or partially forward based on the information being
14 presented.
15

16 Mayor Wolfe commented that Council did not want to make hasty decisions.
17

18 Vice Mayor Grenier asked about the assumption numbers. Mr. Shannon noted staff had looked
19 over a long period of time and had designed the two different scenarios in order to be
20 conservative and to provide options.
21

22 Councilmember Gamble asked about the reclaim project and was it intended for mainly the west
23 side of SR 19. Mr. Hayes said at this time phase 1, 2, and 3 is designed for the west side. Phase
24 4 which is projected much further out, would bring the service to this side of Dead River. Mr.
25 Shannon added it would be on the east side as well if the developments that are planned, go
26 forward in another 10 years. This was not included in the study.
27

28 Mayor Wolfe asked if there were comments from the audience.
29

30 Gary Santoro, Lake Huron Lane
31

32 Mr. Santoro said he is in favor of reclaimed water but his concern is the assumptions but that will
33 be a decision to be made by Council. He said he thought it was an excellent presentation and he
34 supported the city's vision.
35

36 **Tab 4) Approval of Schedule for the Budget Workshops**
37

38 Ms. Houghton noted this schedule is set up annually to address City Council's budget initiative
39 workshops and to meet the requirements of TRIM (Truth in Millage) under the State's guidelines.
40 The dates for the workshops are open and at Council's discretion. The dates for the public
41 hearings are at Council's discretion but they must meet the TRIM requirements. The first public
42 hearing must be 65 days after July 1 and the second public hearing in September must be within
43 two weeks after the first public hearing. She noted the proposed schedule had been provided in
44 the packet.
45

1 Mr. Drury noted the first budget discussion was two months ago when Council directed the City
2 Administrator on its individual and collective views. He said he has been holding budget meetings
3 with the department heads. The dates are:

4
5 July 13

6 July 27 to set the maximum millage rate

7 August 3

8 August 17

9 September 7 – First public hearing

10 September 20 – Second public hearing to finalize budget and adopt millage rate

11
12 Mayor Wolfe asked Council if the dates were agreeable.

13
14 **MOTION**

15
16 **Bob Grenier moved to approve the budget workshop schedule, seconded by Sandy**
17 **Gamble.**

18
19 Councilmember Gamble asked how much notice had to be given if a change was made in the
20 dates.

21
22 Mr. Drury noted 24 hours was the technical time requirement. Ms. Houghton noted that when the
23 TRIM notice is published those dates for the September public hearings cannot be changed. She
24 said August 1st is the date to set the public hearings.

25
26 Attorney Williams stated in an emergency situation the dates can be changed but it requires a
27 first class notice to every affected property owner.

28
29 Councilmember Gamble said he is not as concerned about the public hearings as he is
30 concerned about the need for additional workshops. Mr. Drury said that can be requested and
31 scheduled at any time. He noted one additional workshop has been added. Councilmember
32 Gamble said two of the dates are scheduled to be part of Council Meetings and he wanted the
33 flexibility if additional meetings are needed.

34
35 **The motion carried unanimously 3-0.**

36
37 **XI. OLD BUSINESS**

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39 **XII. NEW BUSINESS**

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41 **XIII. AUDIENCE TO BE HEARD**

42
43 **XV. REPORTS**

44
45 **Tab 12) City Administrator**

46
47 Mr. Drury noted he had provided dates of other meetings in the agenda packet.

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Attorney Williams

Finance Director

Fire Chief

Chief Lubins

Communications Director

City Clerk

Utility Director

Mr. Hayes stated that the repairs to Hidden Cove are taking longer than anticipated due to power line issues.

Community Services Director

Ms. Rogers invited everyone to attend the Art Stroll this coming Friday night.

Tab 14) City Council

Councilmember Pfister

Councilmember Gamble

Vice Mayor Grenier

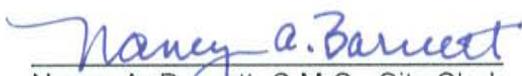
Councilmember Smith

Mayor Wolfe

Adjournment

There was no further business and the meeting was adjourned at 4:58 p.m.

Respectfully submitted,


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

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 1, 2011**

AGENDA TAB NO. 2

SUBJECT TITLE: Resolution #2011-12 – Authorization of the Issuance of Florida Revenue Bonds for Lakeview Crest Project (Osprey Lodge)

OBJECTIVE:

To approve Resolution #2011-12

SUMMARY:

Resolution #2011-12 will authorize the issuance of not exceeding \$15,300,000 Florida Revenue Bonds and other documents required to support the sale and distribution of the bonds for the Osprey Lodge project.

OPTIONS:

- 1) Move to approve Resolution #2011-12 to authorize the issuance of the bonds for the Osprey Lodge project.
- 2) Do not approve the resolution

STAFF RECOMMENDATION:

Move to approve Resolution #2011-12 to authorize the issuance of the bonds for the Osprey Lodge project.

FISCAL IMPACT:

Attorney Williams will discuss.

LEGAL SUFFICIENCY:

To be discussed.

RESOLUTION NO. 2011-12

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$15,300,000 PRINCIPAL AMOUNT OF CITY OF TAVARES, FLORIDA REVENUE BONDS, SERIES 2011A (OSPREY LODGE AT LAKEVIEW CREST) AND NOT EXCEEDING \$10,700,000 CITY OF TAVARES, FLORIDA TAXABLE REVENUE BONDS, SERIES 2011B (OSPREY LODGE AT LAKEVIEW CREST) APPROVING THE SALE OF SOME BONDS TO HERBERT J. SIMS & CO., INC.; DETERMINING THE NEED FOR A NEGOTIATED SALE OF THE BONDS AND DELEGATING TO THE MAYOR OR CITY ADMINISTRATOR, SUBJECT TO COMPLIANCE WITH THE APPLICABLE PROVISIONS HEREOF, THE AUTHORITY TO EXECUTE AND DELIVER TO HERBERT J. SIMS & CO., INC. A BOND PURCHASE AGREEMENT AND A BOND PLACEMENT AGREEMENT; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF THE TRUST INDENTURE; APPROVING U.S. BANK NATIONAL ASSOCIATION AS THE TRUSTEE THEREUNDER; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH LAKEVIEW CREST, LLC AND OSPREY LODGE, LLC; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN OTHER DOCUMENTS; APPROVING THE FORM OF SAID BONDS; APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION BY THE UNDERWRITER OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING AN OFFICIAL STATEMENT; AUTHORIZING CERTAIN OFFICIALS OF THE CITY AND OTHERS TO TAKE ALL ACTIONS REQUIRED IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SAID BONDS; PROVIDING CERTAIN OTHER DETAILS WITH RESPECT TO SAID BONDS; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to the provisions of Chapter 159, Part II, Florida Statutes, as amended (collectively, the "Act"), and other applicable laws.

SECTION 2. FINDINGS. It is hereby found, ascertained, determined and declared that:

(A) The City of Tavares, Florida (the "City") as a "local agency" is authorized and empowered by the Act to provide for the issuance of and to issue and sell its revenue bonds for

the purpose of paying all or any part of the cost of any "project" as defined in the Act and related facilities; and

(B) LAKEVIEW CREST, LLC and OSPREY LODGE, LLC, each a limited liability company duly organized and existing under the laws of Florida and authorized to transact business in the State of Florida (hereinafter collectively referred to as the "Company"), has informed the City of the Company's desire to construct and equip an assisted living facility for the elderly and related improvements, and an Alzheimer/memory care facility and related facilities collectively constituting a healthcare facility within the meaning of the Act for the benefit of the Company, all of which facilities will be located within the boundaries of the City (hereinafter referred to as the "Project"); and

(C) In order to promote the economic growth of the City and the industrial economy of the State of Florida, to increase purchasing power and opportunities for gainful employment and to advance and improve the economic prosperity and the general welfare of the State and its people, it is desirable that:

(1) The City provide for the issuance and sale of its Revenue Bonds, Series 2011A (Osprey Lodge at Lakeview Crest) in the aggregate principal amount of not exceeding \$15,300,000 (the "Tax-Exempt Bonds") and its Taxable Revenue Bonds, Series 2011B (Osprey Lodge at Lakeview Crest) in the aggregate principal amount not to exceed \$10,700,000 (the "Taxable Bonds" collectively with the Tax-Exempt Bonds, the "Bonds");

(2) That the City use the proceeds thereof, to the extent of such proceeds, as follows:

- (i) to pay all or part of the cost of issuance of the Bonds,
- (ii) to pay all or any part of the cost of the construction and equipping

of the Project,

(iii) to pay any other "cost" (as defined in the Act) of the Project; and

(iv) as otherwise provided in the Indenture (as hereinafter defined);

(3) That the City finance the Project for the Company as described in the Indenture from proceeds of the sale of the Bonds, such loan to be payable by the Company in installments sufficient to pay the principal of, premium (if any), and interest and other costs due on the Bonds when and as the same may become due; and

(D) The Project is appropriate to the needs and circumstance of the City and shall make a significant contribution to the economic growth of the City, shall provide gainful employment and shall serve a public purpose by advancing the economic prosperity, the public health or the general welfare of the State of Florida and its people; and

(E) The City is able to cope satisfactorily with the impact of the Project and is able to provide, or cause to be provided when needed, the public facilities, including utilities and public services, that will be necessary for the construction, operation, repair and maintenance for the Project and on account of any increase in population or other circumstances resulting therefrom; and

(F) The Company is financially responsible based on the criteria established by the Act and is fully capable and willing to fulfill its obligations under the Loan Agreement, hereinafter more particularly described, between the Company and the City, including the obligation to repay the loan in installments in the amounts and at the times required, the obligation to operate, repair and maintain the Project at the Borrower's own expense and such other obligations and responsibilities as are imposed under the Loan Agreement (as hereinafter defined). The payments to be made by the Borrower to the City and the other security provided

by the Loan Agreement and the Indenture and the Mortgage, as those terms are hereinafter defined, are adequate within the meaning of the Act for the security of the Bonds; and

(G) The Bonds shall and will be payable solely from the revenues and proceeds derived by the City from the operation, leasing or sale of the Project, and will not constitute a debt, liability or obligation of the City, or the State of Florida or of any other political subdivision thereof; the City shall not be obligated to pay the same nor interest, premiums (if any) or costs thereon except from the revenues and proceeds pledged therefor, and neither the faith and credit nor the taxing power of the City or the State of Florida or of any other political subdivision thereof will be pledged to the payment of the principal, premium (if any), interest, or costs due pursuant to or under such Bonds; and

(H) The issuance of the Bonds and the financing of the Project will otherwise comply with all of the provisions of the Act.

SECTION 3. DEFINITIONS. All words and phrases used herein in capitalized form, unless otherwise defined herein, shall have the meaning ascribed to them in the Indenture (hereinafter defined).

SECTION 4. AUTHORIZATION. There is hereby authorized to be issued not exceeding \$15,300,000 principal amount of the Tax-Exempt Bonds and not exceeding \$10,700,000 principal amount of the Taxable Bonds. The Bonds shall be issued under and secured by that Trust Indenture (the "Indenture") by and between the City and U.S. Bank, National Association as trustee (the "Trustee"). The form of the Indenture is attached hereto as *Exhibit "A"*. By this reference the Indenture is incorporated in this Resolution as if set forth in full herein. The proceeds of the Bonds shall be used for the purposes set forth in the Indenture and the Official Statement (hereinafter defined).

SECTION 5. APPROVAL OF INDENTURE. The Indenture is hereby approved in substantially the form set forth in *Exhibit "A"* hereto and the Mayor or the Vice Mayor of the City are hereby authorized and directed to execute and deliver such Indenture on behalf of and in the name of the City and the City Clerk or any assistant or deputy City Clerk of the City is hereby authorized to attest such execution, with such additions and deletions therein as may be made and approved by the Mayor or the Vice Mayor executing the same, such execution to be conclusive evidence of such approval. The Trustee is hereby approved to serve as Trustee under such Indenture.

SECTION 6. NEGOTIATED SALE. The City hereby determines, based on representations of the Company, that a negotiated sale of the Bonds to Herbert J. Sims & Co., Inc. (the "Underwriter") is in the best interests of the City because the Underwriter has invested substantial time and effort in structuring the issuance of the Bonds and because delays caused by soliciting competitive bids could adversely affect the issuance and delivery of the Bonds at presently favorable interest rates, and because the nature of the security for the Bonds and the sources of payment of debt service on the Bonds requires the participation of an underwriter in structuring the Bond issue.

SECTION 7. AWARD. The Bond Purchase Agreement for the Tax-Exempt Bonds and the Bond Placement Agreement for the Taxable Bonds (collectively, the "Contract") in substantially the form presented at this meeting and attached hereto as *Exhibit "B"* is hereby accepted and the Mayor or Vice Mayor or City Administrator and the City Clerk or any assistant or deputy City Clerk are hereby authorized and directed to execute and deliver the Contract (such acceptance to be conclusively evidenced by the execution of the Contract) on behalf of the City provided the purchase price of the Tax-Exempt Bonds is not less than ninety percent (90%) of

the original principal amount thereof and the average interest rate for the Tax-Exempt Bonds is not in excess of eleven percent (11.00%), and provided the purchase price for the Taxable Bonds is not less than ninety percent (90%) of the original principal amount of the Taxable Bonds and the average interest rate thereon is not in excess of twelve and one-half percent (12.50%). Prior execution of the Contract by the Company shall be a condition precedent to execution thereof by the City. The Mayor or Vice Mayor and the City Clerk or any assistant or deputy City Clerk are hereby authorized and directed to execute and to deliver or cause to be delivered the Bonds to the Trustee for authentication and then to deliver or cause to be delivered the Bonds to or upon the order of the Underwriter, upon payment by the Underwriter of the purchase price of the Bonds plus any interest accrued thereon from the date of the Bonds to their date of delivery to the Underwriter.

SECTION 8. DESCRIPTION OF BONDS. The Bonds shall be dated and shall mature in the years and amounts and shall bear such interest rates and shall be subject to redemption and have such other terms and provisions all as set forth in the Contract and Official Statement.

SECTION 9. PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL STATEMENT. The use by the Underwriter of a Preliminary Official Statement in substantially the form attached hereto as *Exhibit "C"* in connection with the marketing of the Bonds is hereby authorized. The use by the Underwriter of a Official Statement in connection with the marketing of the Bonds is hereby authorized.

SECTION 10. FORM OF BONDS. The Bonds shall be in substantially the form as set forth in the exhibit to the Indenture, with such additions, deletions and other changes thereto as the officials of the City executing the Bonds shall approve, such approval to be conclusively

evidenced by the execution of the Bonds (by manual or facsimile signature) by such officials. The City hereby authorizes and approves the use of a facsimile of the City seal on the Bonds.

SECTION 11. SPECIAL OBLIGATIONS OF ISSUER. The Bonds shall not be or constitute general obligations or indebtedness of the City as "bonds" within the meaning of Article VII, Section 12, of the Constitution of the State of Florida, but shall be payable solely from and secured by a prior lien upon and a pledge of the Trust Estate, as that term is defined in the Indenture. No holder or holders of any Bonds issued thereunder shall ever have the right to compel the exercise of the ad valorem taxing power of the City or taxation in any form of any real property or tangible personal property therein to pay such Bonds or the interest thereon or be entitled to payment of such principal and interest from any other funds of the City except from the special funds in the manner provided in the Agreement and the Indenture.

SECTION 12. AGREEMENT. The form of the Loan Agreement (the "Agreement") between the City and the Company annexed hereto as *Exhibit "D"* and incorporated herein by reference is hereby approved and adopted by the City. The City is hereby authorized to enter into said Agreement, and the Mayor or Vice Mayor of the City is hereby directed to execute such Agreement on behalf of the City and the City Clerk or any assistant or deputy City Clerk is hereby authorized to attest such execution. The Agreement shall be in substantially the form annexed hereto as *Exhibit "D"* subject to such changes, insertions or omissions as may be approved by the officers of the City executing said Agreement and the execution of the Agreement by such authorized officers of the City shall be conclusive evidence of any such approval.

SECTION 13. MORTGAGE AND ASSIGNMENT THEREOF. The form of the Mortgage, Assignment of Rents and Security Agreement (the "Mortgage Agreement") annexed

hereto, as *Exhibit "E"* is hereby accepted. The Mayor or Vice Mayor of the City is hereby authorized to execute and deliver an Assignment of said Mortgage Agreement to the Trustee, and the City Clerk or an assistant or deputy City Clerk of the City is hereby authorized to attest such execution. The assignment of the Mortgage Agreement shall be in substantially the form annexed hereto as *Exhibit "F"* subject to such changes, insertions or omissions as may be approved by the authorized officers of the City and the execution of the Assignment by such officers shall be conclusive evidence of any such approval.

SECTION 14. LAND USE RESTRICTION AGREEMENT. The form of the Land Use Restriction Agreement (the "LURA") between the City, the Company and the Trustee annexed hereto as *Exhibit "G"* and incorporated herein by reference is hereby approved and adopted by the City. The City is hereby authorized to enter into said LURA, and the Mayor or Vice Mayor of the City is hereby directed to execute such LURA on behalf of the City and the City Clerk or any assistant or deputy City Clerk is hereby authorized to attest such execution. The LURA shall be substantially the form annexed hereto as *Exhibit "G"* subject to such changes, insertions or omissions as may be approved by the officers of the City executing said LURA and the execution of the LURA by such authorized officers of the City shall be conclusive evidence of any such approval.

SECTION 15. PROMISSORY NOTE. The loan of the proceeds of the Bonds to the Company will be evidenced by the Promissory Notes of the Company and the assignment of such Notes by the City to the Trustee are hereby authorized.

SECTION 16. PRIOR ACTIONS. All prior actions taken by the City relating to the Bonds are hereby ratified and confirmed in all respects.

SECTION 17. OPEN MEETINGS. It is hereby found and determined that all official acts of the City concerning and relating to the issuance, sale, and delivery of the Bonds, including but not limited to adoption of this Resolution, were taken in open meetings of the members of the City and all deliberations of the members of the City Council that resulted in such official acts were in meetings open to the public, in compliance with all legal requirements including, but not limited to, the requirement of Florida Statutes, Section 286.011.

SECTION 18. OTHER ACTIONS. The Mayor, the Vice Mayor, the City Clerk and any assistant or deputy City Clerk, and the City Administrator of the City (collectively the "City Officers"), Akerman Senterfitt as Bond Counsel and Williams, Smith & Summers, Counsel to the City, are hereby authorized and directed to take all actions necessary or desirable in connection with the issuance and delivery of the Bonds and the consummation of all transactions in connection therewith. The City Officers are hereby authorized and directed to execute all necessary or desirable certificates, documents, papers, and agreements, and the undertaking and fulfillment of all transactions referred to in or contemplated by the Indenture, the Official Statement, this Resolution, and the Contract.

SECTION 19. INCONSISTENT RESOLUTIONS AND MOTIONS. All prior resolutions of the City inconsistent with the provisions of this Resolution are hereby modified, supplemented and amended to conform with the provisions herein contained and, except as so modified, supplemented and amended hereby, shall remain in full force and effect.

SECTION 20. SEVERABILITY. In case any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions of this Resolution, and this Resolution shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. This Resolution is

adopted and the Bonds shall be issued with the intent that the laws of the State of Florida shall govern their construction.

SECTION 21. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Tavares, Florida on June 1, 2011.

THE CITY OF TAVARES, FLORIDA

(SEAL)

By: _____
Robert Wolfe, Mayor

ATTEST:

Nancy A. Barnett, City Clerk

Approved as to Form:

Robert Q. Williams, City Attorney

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 1, 2011**

AGENDA ITEM NO. 3

SUBJECT TITLE: Request to Award the Bid for the Fox Run Drainage North Area

OBJECTIVE: To award the Bid for the Fox Run North Area Drainage Project to the lowest bidder Mora Engineering in the amount of \$142,337.80 for HDPE Option.

SUMMARY:

Fox Run was originally constructed by a private developer that years later were turned over to the City. This development was constructed in a low lying/wet area. This community has had storm drainage problems for many years. Over the years the City has worked with the community to resolve some of these issues making in service repairs and other rehabilitation projects of the drainage area. We have addressed their water pressure problems by installing a new Pressure Regulating System. This Stormwater Project was divided up into two areas for bidding purposes due to Economic Constraints. The South Section was completed in 2009 and the North section was redesigned for cost efficiency. This move has saved the City approximately \$40,000. The City has budgeted the money for the North Section in this year's 2010-2011 budgets.

The City solicited a formal Bid for this construction and has reviewed all the necessary forms to award this bid to Mora Engineering who was the lowest, qualified bidder from a group of 12 bidders. They are listed below:

Contractor	Fox Run + Canal Court Totals	
	PVC Option	HDPE Option
Mora Engineering Contractors, Inc.	\$ 143,570.80	\$ 142,337.80
Wal-rose, Inc.	\$ 156,488.00	\$ 153,475.00
C.E. James, Inc.	\$ 158,953.00	\$ 156,645.00
Boykin Construction, Inc.	\$ 161,091.50	\$ 159,225.60
Professional Dirt Services, Inc.	\$ 195,329.00	\$ 194,341.50
Barracuda Building Corporation	\$ 195,872.00	\$ 192,333.00
Sitek Corporation	\$ 204,301.00	\$ 202,048.00
Daly & Zilch (Florida), Inc.	\$ 209,078.74	\$ 209,537.17
Conpilog	\$ 218,970.80	\$ 216,894.80
Cross Environmental Services, Inc.	\$ 247,691.49	\$ 244,150.55
Masci Corporation	\$ 262,375.00	\$ 262,375.00
CBC Group, LLC	\$ 334,264.82	\$ 335,922.36

OPTIONS:

1. Award the Bid and the Project to the lowest Qualified Bidder Mora Engineering in the amount of \$142,337.80 for HDPE Option
2. Do **not** Award the Bid and the Project to the lowest Bidder Mora Engineering, Inc. in the amount of \$142,337.80 for HDPE Option

STAFF RECOMMENDATION:

1. That Council Award the Bid and the Project to the lowest Qualified bidder Mora Engineering, Inc. in the amount of \$142,337.80 for HDPE Option

FISCAL IMPACT: This project is being funded through the Stormwater Enterprise Fund

LEGAL SUFFICIENCY: This summary and bid met legal sufficiency

5/18/2011

John Rumble, Purchasing Manager
City of Tavares
201 East Main Street
Tavares, FL 32778

RE: Fox Run Subdivision, Canal Court Drainage Improvements – Bid No. 2011-0008

Dear John:

We have reviewed the twelve bids for the referenced project. Each bid is a lump sum cost to complete the work as shown on the design plan. Based on this review, it is my conclusion that the bids conform with the proposed scope of work, and the award process should proceed forward. The following tables summarize the bids from lowest to highest for the two design options (PVC or HDPE on the Fox Run project).

Contractor	Fox Run + Canal Court Totals	
	PVC Option	HDPE Option
Mora Engineering Contractors, Inc.	\$ 143,570.80	\$ 142,337.80
Wal-rose, Inc.	\$ 156,488.00	\$ 153,475.00
C.E. James, Inc.	\$ 158,953.00	\$ 156,645.00
Boykin Construction, Inc.	\$ 161,091.50	\$ 159,225.60
Professional Dirt Services, Inc.	\$ 195,329.00	\$ 194,341.50
Barracuda Building Corporation	\$ 195,872.00	\$ 192,333.00
Sitek Corporation	\$ 204,301.00	\$ 202,048.00
Daly & Zilch (Florida), Inc.	\$ 209,078.74	\$ 209,537.17
Conpilog	\$ 218,970.80	\$ 216,894.80
Cross Environmental Services, Inc.	\$ 247,691.49	\$ 244,150.55
Masci Corporation	\$ 262,375.00	\$ 262,375.00
CBC Group, LLC	\$ 334,264.82	\$ 335,922.36

Also attached with this letter is a detailed comparison of all of the bids.

The low bidder for the project was Mora Engineering Contractors, Inc. From our review of their bid submittal we offer the following comments:

- 1 Contractor's total length of solid pipe plus perforated pipe for the entire job is equivalent to the Engineer's Estimate; however, the contractor's individual quantities per pipe size differ from the estimate.
- 2 Engineer's Estimate shows 490-sy of 6" Concrete Driveway Replacement. Contractor's bid at 150-sy is low in comparison.
- 3 Engineer's Estimate shows 16,100-sf of Finished Grading with Sod. Contractor's bid at 1,550-sf is low in comparison.

5/18/2011

John Rumble, Purchasing Manager

Fox Run Subdivision, Canal Court Drainage Improvements – Bid No. 2011-0008

Page 2 of 2

Based on our review, we recommend that the City award the contract to Mora Engineering Contractors, Inc. for the PVC Option. We also recommend that the City verify with Mora that they will provide sufficient materials to construct the project completely per the bid documents regardless of the quantity amounts that they show in their tabulation.

Sincerely,

Donald A. Griffey, P.E.

Attachment

PRE-BID ITB 2011-0008 Fox Run /Canal Ct

PLEASE PRINT

PLEASE LEAVE BUSINESS CARDS IF POSSIBLE

Date: 5-Apr-11
 Project/Bid

Name	Company	Telephone/Fax	email PLEASE PRINT CLEARLY!!!!
TOEL BLANDUM	C.E.M. ENTERPRISES INC	407-884-9148 407-884-8972 (384) 322-4500	ESTIMATING@cemdlc.com HEATHER KNIGHT@CLF.RR.COM
BOB ALLATAH	MASCI CORP.	877-815-4486 407-834-9200	DAVEO@NU-ENVUDEV.COM
Shav Rubin	NU-ENVIRONMENTAL Dev	813) 753-1688 813) 758-9114	CHYH@nu-environmental.com
LITO DE TORRES	PROF DIET SERVICE	352-500-7000 / 509-7008	LITODI@COMCAST.NET
Brian Martin	MMA Engineering Co.	321 972-9908 321 972-9909	CMOEA@MMAENGINEERING.COM
CHRISTINA TACOR	GSC. INC	407-834-6391	CTABOR@GSCINC.COM
FRED SPICEMAN	WAL ROSE, INC.	407-328-9999 407-328-4229	FRED@WALROSE.COM
Rob Robinson	Carl Hankins Inc	813-977-7270 813-977-7281	carlhankinsinc@yahoo.com

Justin Whitaker
 Marlon Dawn Contracting

(813) 952-5632
 (813) 952-7115

Justin Whitaker
 Marlon Dawn Contracting

Name	Company	Telephone/Fax	email
Billy WHITE	Drey + Zick	352-341-4860 888-813-4861 352-726-3940	BUD@DREY-ZICK.COM SUSHU@DREY-ZICK.COM
Della Knecht	Pospiech Contracting	1-800-995-4959 386-734-1071 FX: 386-738-2692	Estimating@pospiechcontracting.com Rmccie@BaltSouth.Hill
Paul Luzzon	Mt. Mahan Const.	407-265-0784 FX: 407-265-2024	luis.puzzon@complog.com
Luis PIZZONI	COMPLOG.	904-794-1760	DAT@MHIENGINEER.COM
DAT Nguyen	MHI Constructors, INC	352-286-3355 352-286-0538	CBEL@HILLETCONST.COM
Charles D. Bau	Hillett Const.	407-948-0698 407-965-9075	Tyson@Tjconstructioninc.com
Tyson Snyder	STAR Construction inc.	724-353-1322 754-353-2486	gregori@gregori-inc.com
Shannon Gyore	Gregori Const. Eng.	321-331-6748 407-955-3373	GREG@HOLLANDPUMP.COM
GREG CHEVAUER	HOLLAND PUMP	321-914-2816 866-702-5076	Frankm.Pollard@aol.com
Frank Pollard	MIDWESTERN CONST.	352-790-2281	
Steve Smith	Lyric Services Inc	352-754-2826	Nick@LyricServices.com

PRE-BID ITB 2011-0008 Fox Run /Canal Ct

W

PLEASE PRINT

PLEASE LEAVE BUSINESS CARDS IF POSSIBLE

Date: 5-Apr-11
Project/Bid:

Name	Company	Telephone/Fax	email PLEASE PRINT CLEARLY!!!!
RANDY PIRKEN	HAZEN CONSTRUCTION	320 322 8700	RANDY@HAZENCONSTRUCTION.NET
Jackie Tiden	Beesley Construction	352-365-4375	Beesleycost@aol.com
MIKE STUBBS	DIMENSIONAL CONTRACTING	352/324-3224	MIKE.D.CONTRACTING@EMAIL.COM
Bill Anderson	CEC Group	P: 407-298-0005 F: 407-298-0004	banders@cecgroup.net
JIM THOMPSON	BARBARA DABE BLDG. CORP.	407 814 8044	BARBARADABE@EMBARCADERA.COM
DANIEL W. HAKER	Hiero Bldg. Haker Surveying	352-561-5677	D.W.HAKER@comcast.net
Kim Taylor	Done Right Const. & Dem.	305-731-1024	44142000@aol.com
Chris O'Neil	Baykon Const.	Fax 352-394-8456 352-394-5995	BOO@baykonconstruction.com
MIKE STODGISH	CE JAMES	407-359-3533 407-359-3544	MIKEJAMES@YH100.COM

Name	Company	Telephone/Fax	email
Nevin Fard	Sitek (corp.)	407-898-9706 / 407-898-9732	N.Fard@sitek.usg.com
Marcel Lopez	MEL	407-522-5530 / 407-532-8332	Julia Lopez us
Ron Butler	Paco	352-762-0000	N/A

BIDDER	PVC Option	HDPE Option	Canal Court	PVC + Canal	HDPE + Canal	Rank
Barracuda Building Corp. 1000 Ocoee Apopka Road Apopka, FL 32703	\$163,451.00	\$167,155.00	\$28,717.00	\$192,168.00	\$195,872.00	5
Stiek Corporation 11501 S. Orange Avenue Orlando, FL 32824	\$168,301.00	\$166,048.00	\$36,000.00	\$204,301.00	\$202,048.00	7
Complig International Co. 2800 S. Orange Blossom Trail Orlando, FL 32805	\$184,171.80	\$182,095.80	\$34,799.00	\$218,970.80	\$216,894.80	9
Daly & Zlich (Florida) Inc. P. O. Box 937 Lecanto, FL 34460	\$176,068.76	\$176,527.19	\$33,009.98	\$209,078.74	\$209,537.17	8
Boykin Construction, Inc. 116 W. Center Street Milledge, FL 34715	\$136,805.50	\$134,939.60	\$24,286.00	\$161,091.50	\$159,225.60	4
Professional Dirt Service, Inc. 10 W. Lakeview Avenue Eustis, FL 32726	\$159,997.00	\$159,009.50	\$36,332.00	\$195,329.00	\$194,341.50	6
Mora Engineering Contractors, Inc. 1548 Seminola Blvd, Suite 120 Casselberry, FL 32707	\$121,974.20	\$120,741.20	\$21,596.60	\$143,570.80	\$142,337.80	1
CBC Group, LLC 775 S. Kirkman Road, Suite 115 Orlando, FL 32811	\$280,701.00	\$282,429.00	\$53,563.00	\$334,264.00	\$335,992.00	12
Wal-Rose Inc. P. O. Box 728 Sanford, FL 32772	\$132,178.00	\$129,165.00	\$24,310.00	\$156,488.00	\$153,475.00	2
C.E. James, Inc. 826 Eyme Drive Oviedo, FL 32765	\$110,841.00	\$113,149.00	\$45,804.00	\$156,645.00	\$158,953.00	3
Cross Environmental Services, Inc. P. O. Box 1299 Crystal Springs, FL 33524	\$215,313.89	\$211,772.95	\$32,377.60	\$247,691.49	\$244,150.55	10
Masri Corporation 5752 S. Ridgewood Avenue Port Orange, FL 32127	\$228,785.00	\$228,785.00	\$33,590.00	\$262,375.00	\$262,375.00	11

Orlando Sentinel

Published Daily

State of Florida } s.s.
COUNTY OF ORANGE }

Before the undersigned authority personally appeared Tamela Vargas, who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at Tavares in Lake County, Florida; that the attached copy of advertisement, being a Advertisement for Bid in the matter of Bid No. 2011-0008 in the Lake County, was published in said newspaper in the issue; of 03/20/11

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

The foregoing instrument was acknowledge before me this 21 day of March, 2011, by Tamela Vargas, who is personally known to me and who did take an oath.



DEBORAH M. TONEY
NOTARY PUBLIC
STATE OF FLORIDA
COMMITTEE DD938521
Expires 11/18/2013

Tamela Vargas
[Signature]

INVITATION TO BID
FOX RUN DRAINAGE IMPROVEMENTS
BID NO. 2011-0008
For the CITY OF TAVARES, FLORIDA

Sealed proposals will be received at the City of Tavares, 201 East Main Street, Tavares, Florida 32778, in Lake County, until 2:00 PM, Thursday, April 28, 2011 at which time and place they will be publicly opened and read aloud in the City Hall Council Chambers, 201 East Main Street, Tavares, Florida 32778, for:

Furnishing necessary labor, materials, incidental items and equipment for the Fox Run Subdivision, Drainage Improvements, Canal Ct Drainage Improvements.

Probid: All contractors intending to bid on the project MUST attend a Mandatory Pre-Bid Conference on Tuesday, April 5, 2011, 10:00 a.m. at the Tavares City Hall Council Chambers, located at 201 East Main Street Tavares, FL 32778.

Bidders with access to DemandStar.com can obtain the front end documents by calling 800-711-1712, or on the web at <http://www.demandstar.com>. Complete plans and specifications may be reviewed at the City of Tavares, Florida 32778. For further information contact: John Rumble, Purchasing Manager, at Tavares City Hall, 201 East Main St., Tavares, Florida 32778 email: jrumble@tavares.org; phone: (352) 742-6131; fax (352) 742-6001.

Questions regarding this bid should be directed to John Rumble, Purchasing Manager. Sealed bids must be submitted on proposal forms as provided (or exact copies thereof) marked Fox Run Subdivision, Drainage Improvements, for the City of Tavares, Florida. The project includes construction of drainage inlets, storm drainage pipe, a sediment removal device, and reconstruction of roadway, curb and driveways.

All proposals must be accompanied by a certified check, bank draft or bid bond in the amount of five percent (5%) of the base bid, made payable to the City of Tavares. This check, bank draft or bid bond shall guarantee that should the proposal be accepted, the bidder will, within ten (10) days after the acceptance of its proposal, enter into a Contract with the City of Tavares for the services proposed to be performed and will, at that time, furnish a performance bond in the amount of 10 percent (10%) of the Contract, made payable to the City of Tavares, Florida, which bond shall be adequate to guarantee the faithful performance of the Contract. Proposals may be withdrawn prior to the date of opening, but no proposal may be withdrawn for a period of sixty (60) days after the date of the opening of bids.

The City of Tavares reserves the right to waive any informalities or to accept or reject any or all bids in part or in total and award the Contract in the best interest of the City.

John Rumble
CPPB, FCPM, Purchasing Manager
LAK1122506 03/20/2011

Order# 1122506



CITY OF TAVARES

MINUTES OF BID OPENING

April 28, 2011

Request for Proposals

Fox Run Subdivision, Canal Court Drainage Improvements

Bid No. 2011-0008

TAVARES CITY HALL

PRESENT

John Rumble, Purchasing Manager
 Brad Hayes, Utilities Director
 Kay Mayes, Admin Assistant, Finance
 Don Griffey, Griffey Engineering

Mr. Rumble noted today's date as Thursday, April 28, 2011. This is the opening of submission packages received in response to RFP 2011-0008, Fox Run Subdivision, Canal Court Drainage Improvements. There were 12 proposals received; each bid contained bid amounts for drainage improvements using PVC or the option of using HDPE plus the bid for Canal Court Drainage improvements.

BIDDER	PVC Option	HDPE Option	Canal Court
Barracuda Building Corp. 1000 Ocoee Apopka Road Apopka, FL 32703	\$163,451.00	\$167,155.00	\$28,717.00
Sitek Corporation 11501 S. Orange Avenue Orlando, FL 32824	\$168,301.00	\$166,048.00	\$36,000.00
Conpilog International Co. 2800 S. Orange Blossom Trail Orlando, FL 32805	\$184,171.80	\$182,095.80	\$34,799.00
Daly & Zilch (Florida) Inc. P.O. Box 937 Lecanto, FL 34460	\$176,068.76	\$176,527.19	\$33,009.98
Boykin Construction, Inc. 116 W. Center Street Minneola, FL 34715	\$136,805.50	\$134,939.60	\$24,286.00
Professional Dirt Service, Inc. 10 W. Lakeview Avenue Eustis, FL 32726	\$159,997.00	\$159,009.50	\$35,332.00
Mora Engineering Contractors, Inc. 1548 Seminola Blvd, Suite 120 Casselberry, FL 32707	\$121,974.20	\$120,741.20	\$21,596.60
CBC Group, LLC 775 S. Kirkman Road, Suite 115 Orlando, FL 32811	\$280,701.00	\$282,429.00	\$53,563.00
Wal-Rose Inc. P.O. Box 728 Sanford, FL 32772	\$132,178.00	\$129,165.00	\$24,310.00

C.E. James, Inc. 826 Eyrie Drive Oviedo, FL 32765	\$110,841.00	\$113,149.00	\$45,804.00
Cross Environmental Services, Inc. P.O. Box 1299 Crystal Springs, FL 33524	\$215,313.89	\$211,772.95	\$32,377.60
Masci Corporation 5752 S. Ridgewood Avenue Port Orange, FL 32127	\$228,785.00	\$228,785.00	\$33,590.00

Mr. Rumble noted the packages would be forwarded to the Engineer of record for review and technical compliance. He anticipated the review would be completed within three weeks. The bid opening concluded at approximate 2:20 p.m.

Respectfully submitted,

Kay Mayes
Admin Assistant, Finance

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 1, 2011**

AGENDA TAB NO. 4

SUBJECT TITLE: Building Code Effectiveness Grading Results (ISO)

OBJECTIVE:

To advise Council of the results of a recent ISO evaluation of the City's Building Code Enforcement Division.

SUMMARY:

ISO recently evaluated the City of Tavares' effectiveness score. This score is used by property/casualty insurers to assist in their insurance underwriting for residential and commercial properties.

The evaluation is attached to this report. In summary, the city's rating regressed from a Class 4 to a Class 5. The reasons given are:

1. The State Building Codes are based on the 2006 ICC Codes that are now more than 5 years old.
2. The State of Florida has failed to adopt the residential sprinkler ordinance.

ISO acknowledges in their evaluation that the reasons for this regression are mandated by a higher authority (The State of Florida) and that they are not within the control of local jurisdictions. The adoption of the 2010 ICC Code by the state has been delayed because of potential economic impacts on the building industry. The same is true with mandatory residential sprinklers.

ISO has agreed to postpone this reclassification if the city agrees to implement an improvement program to regain our Class 4 rating. Staff has responded to ISO that a proposed improvement program will be devised and submitted to them for evaluation by August 12, 2011.

OPTIONS:

No council action required at this time.

LEGAL SUFFICIENCY:

Approved for legal sufficiency.



4 B EVES DRIVE SUITE 200 MARLTON, NJ 08053 (856) 985-5600 FAX: (856) 810-9065

May 11, 2011

Mr. Jacques Skutt, Director of Community Development
City of Tavares
201 E. Main Street
P.O. Box 1068
Tavares, FL 32778

Re: BCEGS Classification Improvement Plan

Dear Mr. Skutt:

ISO understands that Tavares will be reviewing the possibility of regaining their previous Building Code Effectiveness Grading Schedule (BCEGS) classification. As previously indicated, ISO will postpone the implementation of the regression if, by August 12, 2011 Tavares submits to ISO a plan for an improvement program that will result in a better BCEGS classification. This program is to be completed by April 12, 2012.

If you need more information about the BCEGS program or the ISO evaluation of the building code adoption and enforcement of Corbin, contact ISO at (800) 444-4554.

Thank you once again for your cooperation in this important project. Please feel free to contact ISO at any time for information about the BCEGS program.

Sincerely,

Tracy Shoultz
Community Mitigation Analyst
(800) 444-4554

cc: Mr. John H. Drury, City Administrator



4 B EVES DRIVE SUITE 200 MARLTON, NJ 08053 (856) 985-5600 FAX: (856) 810-9065

rcvd 04.15.11
Jacques Skaff
Mark Jones
SA

April 12, 2011

Mr. John H. Drury, City Administrator
Tavares
201 East Main Street, P.O. Box 1068
Tavares, Florida 32778

RE: Building Code Effectiveness Grading Schedule Classification Results
Tavares, Lake County, FL

Dear Mr. Drury:

We wish to thank you and Mark Jones for the cooperation given to us during our recent Building Code Effectiveness Grading Schedule (BCEGS) survey. Insurance Services Office, Inc. (ISO) is the leading supplier of statistical data, underwriting information, and actuarial analysis to the property/casualty insurance industry in the United States. The BCEGS classifications are distributed by ISO for use by property/casualty insurers to assist in their insurance underwriting and premium development programs for residential and commercial properties. Insurers can use the BCEGS classification number to offer insurance premium discounts to eligible properties in Tavares.

ISO has completed its analysis of the building codes adopted by your community and the effort put forth to enforce those codes. The resulting BCEGS Classification is a Class 5 for 1 & 2 family residential property and a Class 5 for commercial and industrial property. The new Classification is a regression from the former Class 4 for 1 & 2 family residential property and Class 4 for commercial and industrial property. The principal reasons contributing to this regression are:

- The state building codes are based on the 2006 ICC codes that are now more than 5 years old
- The state of Florida has failed to adopt the residential sprinkler ordinance

A revised BCEGS classification would apply to new buildings receiving a Certificate of Occupancy during or after the calendar year in which the revision takes place.

It is apparent that the primary reason for this regression is mandated by a higher authority and not within the control of your jurisdiction. Nevertheless, before we re-classify your community to reflect this change, we would like to know if Tavares desires to develop an improvement program in other areas to better their BCEGS classification.

If this letter is acknowledged by May 12, 2011 advising us that this matter will be reviewed within the next three months we will postpone the implementation of the classification changes.

After review, if it is your decision to begin an improvement program to regain PL Class 4 and CL Class 4, we will need to receive, by August 12, 2011 a list of the changes you intend to make. Additionally, we would appreciate your estimate of the amount of time that will be needed to complete each item. No re-classifying action will be taken if changes are implemented to regain the current classification within one year of the receipt of this letter.

We want to highlight the fact that the ISO Building Code Effectiveness Grading program is an advisory insurance underwriting information and rating tool. It is not intended to analyze all aspects of a comprehensive building code enforcement program. It is not for purposes of determining compliance with any state or local law nor is it for making loss prevention or loss safety recommendations.

If you have any questions about the classification that was developed, please let us know.

Sincerely,

Tracy Shultz

Community Mitigation Analyst
(856) 985-5600 FAX (856) 810-9065

cc: Mr. Mark Jones, Building Official

Tracy Shoultz, Community Mitigation Analyst
ISO Regional Processing Center
4 B Eves Drive
Suite 200
Marlton, NJ 08053

Date: April 29, 2011

We have reviewed your letter of April 12, 2011 advising the results of the recent survey for Tavares. With regards to the regression from our previous classification, we plan to take the following action (please check the appropriate statement below):

- We will review the results of the survey and decide if Tavares, FL will institute programs to regain our previous BCEGS classification number. We understand that we are to notify ISO by May 12, 2011 of our decision.
- We are in the process of developing an action plan or have implemented an action plan to effect changes that will regain our original class. This plan will be submitted to ISO by August 12, 2011 and will include details of condition(s) to be addressed and a timeline for bringing the plan to completion.
- Tavares has completed the action plan and we are attaching the relevant information to be evaluated by ISO for the purposes of re-classifying Tavares.
- The conditions that have resulted in our less favorable classification are mandates Tavares must adhere to. We do not intend to make significant changes in the immediate future to the other aspects of our agency that might improve the BCEGS classification.
- We have reviewed the results of the survey for Tavares and feel our building code enforcement effort at present represents our best interest. We understand that you will contact us in approximately 5-years to update the survey. We can request a new BCEGS survey from ISO if we institute changes that would effect our classification.
- We would like an ISO BCEGS representative to contact us regarding our recent BCEGS evaluation. The person they should call is _____ at the following phone number (____) _____.
- Other, please explain.

Name: Jacques Skutt Title: Director of Community Dev.
Street Address: 201 E. Main St. P.O. Box 1068
City: Tavares State: FL Zip Code: 32778
Phone Number: (352) 742 6213

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: JUNE 1, 2011**

AGENDA TAB NO: 5

SUBJECT TITLE: REQUEST APPROVAL TO PURCHASE USED CARRY-ALL UTILITY VEHICLE FOR USE AT THE SEAPLANE BASE & MARINA

OBJECTIVE:

To seek approval to purchase a used Carry-All Utility vehicle for use at the Seaplane Base & Marina.

SUMMARY:

As part of the project budget for the Seaplane Base & Marina project, the City has purchased 26 metal free-standing garbage receptacle containers to replace the large blue wheeled plastic cans that have to be placed road-side twice a week for pick-up.

The new receptacles will have a plastic liner into which a trash bag will be placed. The trash bags will then be collected and placed in a nearby dumpster. This process will be more sanitary and less obtrusive from an aesthetic viewpoint.

Up until a month ago, the Seaplane Base & Marina was using an old City carry-all type vehicle for the various needs at Wooton Park. Unfortunately, this vehicle has broken down and replacement parts are not available.

The Seaplane Base & Marina needs an overall carry-all type of vehicle to help move seaplanes and boats, collect and dispose of garbage as well as other maintenance purposes.

The City's Fleet Management Department has located a used carry-all type vehicle that is in good condition at a cost of \$3,661 (see attached). Funds are available in the current Seaplane Base & Marina budget. However, since this is deemed as a capital purchase, City Council approval is required.

OPTIONS:

1. To have City Council approve the purchase of the carry-all vehicle at a cost of \$3,661.00.
2. To have the City Council not approve the purchase.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the purchase of a carry-all vehicle at a cost of \$3,661.00 with the funds being provided from the approved 2011-11 Seaplane Base & Marina budget.

FISCAL IMPACT:

The funds will be provided from the approved 2010-11 Seaplane Base & Marina budget.

LEGAL CONSIDERATIONS:

The City Attorney has reviewed this proposal.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 18, 2011**

AGENDA TAB NO. 6

SUBJECT TITLE: ORDINANCE #2011-05 AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS TO CREATE A NEW SECTION "COMMUNITY ECONOMIC DEVELOPMENT INITIATIVES" – SECOND READING

OBJECTIVE:

To consider approval of proposed Ordinance 2011-05 to amend the City's Land Development Regulations to create a new Section "Community Economic Development Initiatives.

SUMMARY:

Currently, the City's Land Development Regulations in various sections provide for waiver of City Impact Fees through 2011 and a deferral in the payment of impact fees for up to six (6) months for water and sewer impact fees upon approval by the City Administrator.

In November 2008, the citizens of Tavares authorized by referendum to grant Ad Valorem Tax Exemptions to New Business and the Expansion of Existing Businesses pursuant to Article VII, Section 3, of the Florida State Constitution and Section 196.1995, Florida Statutes. The proposed Section of this Ordinance specifies the criteria and conditions under which these Ad Valorem Tax Exemptions for City taxes may be granted. The criteria include such factors as the amount of capital investment, the number of jobs created and the wages of the jobs created. Any exemption granted is at the sole discretion of the City Council.

The proposed ordinance also contains a new section that allows City Council to defer the payment of building permit fees from the time of the building permit issuance to such time as the certificate of occupancy is issued or six (6) months whatever is sooner.

The proposed ordinance also contains a current provision that allows the City Administrator to defer the payment of non-residential water and wastewater fees from the time of the building permit issuance to the time as the certificate of occupancy is issued or six (6) months whatever is sooner. This provision is

currently moot as the waiver of all City impact fees is in effect until December 31, 2011. The proposed ordinance provides a revised Section that at such time as impact fees are once again effective that the City Council, rather than the City Administrator would be able to grant non-residential water and wastewater fees from the time of the issuance of the permit to the time of the certificate of occupancy is issued or six (6) months whatever is sooner.

Finally, the proposed Ordinance codifies all the City's Economic Development Initiatives into a single Section of the Land Development Regulations.

OPTIONS:

- 1) Approve Ordinance 2011-05 to create a new Section of the Land Development Regulations titled "Community Economic Development Initiatives".
- 2) Do not approve Ordinance 2011-05.

STAFF RECOMMENDATION:

Staff recommends that the City Council moves after second reading to approve Ordinance 2011-05 to create a new Section of the Land Development Regulations titled "Community Economic Development Initiatives".

FISCAL IMPACT:

The fiscal impact will be dependent on the number, size and type of the various applications that are received.

LEGAL SUFFICIENCY:

This has been reviewed by the City Attorney.

ORDINANCE 2011-05

1
2
3 AN ORDINANCE OF THE CITY OF TAVARES,
4 FLORIDA, AMENDING THE CITY'S LAND
5 DEVELOPMENT REGULATIONS BY REASSIGNING
6 CHAPTER 23 (RESERVED) TO BE NEWLY TITLED
7 "COMMUNITY ECONOMIC DEVELOPMENT
8 INITIATIVES"; CREATING CHAPTER 23 DIVISION 1, IN
9 GENERAL; CREATING CHAPTER 23 DIVISION 2,
10 ECONOMIC DEVELOPMENT AD VALOREM TAX
11 EXEMPTIONS; CREATING CHAPTER 23 DIVISION 3,
12 IMPACT FEE WAIVERS; CREATING CHAPTER 23
13 DIVISION 4, POSTPONEMENT OF BUILDING PERMIT
14 FEES PAYABLE FOR COMMERCIAL DEVELOPMENT;
15 CREATING CHAPTER 23 DIVISION 5, INDUSTRIAL
16 DEVELOPMENT FINANCING; PROVIDING REQUIRED
17 TEXT AMENDMENTS TO THE CODE OF ORDINANCES
18 AND THE LAND DEVELOPMENT REGULATIONS TO
19 REFERENCE THE CREATION OF THIS NEW
20 CHAPTER; PROVIDING FOR SEVERABILITY;
21 PROVIDING AN EFFECTIVE DATE.

22
23 WHEREAS, economic development and the creation of jobs are a priority of the
24 City of Tavares; and

25
26 WHEREAS, the City of Tavares desires to emphasize this priority by creating a
27 new chapter to the city's Land Development Regulations entitled "Community Economic
28 Development Initiatives; and

29
30 WHEREAS, this newly created chapter shall reference the city's current
31 economic initiatives by codifying these initiatives into this new chapter, and

32
33 WHEREAS, it is intended that any future economic initiatives that may from time
34 to time be approved by City Council will also be codified into this newly created chapter
35 so that all city economic initiatives available at any time will be referenced in a single
36 chapter of the Land Development Regulations; and

37
38 WHEREAS, the City of Tavares has determined these changes are appropriate
39 and in the best interest of the community; therefore;

40

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

3
4 **Section 1. Text Amendment to the Code of Ordinances**

5 That the City of Tavares Code of Ordinances is hereby amended as follows:

6 Section 6-6 (e)

7
8 ~~All impact fees that would normally be due under the terms of this Chapter shall be~~
9 ~~waived for building permits issued from January 1, 2010 through December 31, 2011.~~

10
11 Economic initiatives and incentives that may from time to time be approved by City
12 Council, affecting the timing and amount of impact fees payable, shall be referenced in
13 and regulated in accordance with Chapter 23 of the city's Land Development
14 Regulations.

15
16 **Section 2. Text Amendments to the City's Land Development Regulations**

17
18 That the city's Land Development Regulations are hereby amended as follows:

19
20 Section 17-39. Waiver of Impact Fees

21
22 ~~All impact fees that would normally be due under the terms of this Chapter shall be~~
23 ~~waived for building permits issued from January 1, 2010 through December 31, 2011.~~

24
25 Economic initiatives and incentives that may from time to time be approved by City
26 Council, affecting the amount of impact fees payable, shall be referenced in and
27 regulated in accordance with Chapter 23 of the city's Land Development Regulations.

28
29 Section 17-40. Time of Payment

30
31 The water and waste water capital charges for new construction shall be due and
32 payable at the time of the issuance of a building permit by the City. Charges for existing
33 units connecting to the City systems shall be collected prior to the approval of the
34 application for service for water and/or sewer service. ~~The City Administrator, as an~~
35 ~~economic development incentive, may authorize the deferral of payment of non-~~
36 ~~residential water and wastewater capital charges for a period of six (6) months or until~~
37 ~~the issuance of a certificate of occupancy for the new construction, whichever occurs~~
38 ~~first.~~ Economic initiatives and incentives that may from time to time be approved by City
39 Council, affecting the timing of impact fees payable, shall be referenced in and regulated
40 in accordance with Chapter 23 of the city's Land Development Regulations.

41
42 Section 24 (B) Timing of Fee Payments

43
44 (1) Permit fees are due at the submission of the permit.

45
46 (2) Impact fees may be paid at the time of submission but must be paid prior to
47 issuance of the permit.
48

1 (3) Penalty fees and reinspection fees must be paid prior to receiving a
2 Certificate of Completion or Certificate of Occupancy.

3
4 (4) Economic initiatives and incentives that may from time to time be approved by
5 City Council, affecting the amount or timing of impact or permit fees payable,
6 shall be referenced in and regulated in accordance with Chapter 23 of the
7 city's Land Development Regulations.

8
9
10 **Section 3. Amendment of the City's Land Development Regulations,**
11 **Reassigning Chapter 23 (Reserved) to Community Economic Development**
12 **Initiatives**

13
14 That the City of Tavares Land Development Regulations is hereby amended by
15 reassigning Chapter 23 (Reserved) to be newly titled "Community Economic
16 Development Initiatives", and that the regulations referenced in this Chapter shall be as
17 set forth in Exhibit "A", attached hereto as part of this ordinance.

18
19 **Section 4. Severability and Conflicts**

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

26
27 **Section 5. Effective Date**

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

30
31 **PASSED AND ADOPTED** this ____ day of _____, 2011 by the City
32 Council of the City of Tavares, Florida.

33 _____
34
35 Robert Wolfe, Mayor
36 Tavares City Council
37

38
39 First Reading: _____

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41 Second Reading: _____

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ATTEST:

Nancy A. Barnett, City Clerk

Approved as to form:

Robert Q. Williams, City Attorney

1
2 **Exhibit "A"**

3
4 **Chapter 23**
5 **Community Economic Development Initiates**

6
7
8
9 **Table of Contents**

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18 Sec. 23-3 Enactment Authority
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36 COMMERCIAL DEVELOPMENT
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38 Sec. 23-15 Postponement of Building Permit Fees
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40 DIVISION 5. INDUSTRIAL DEVELOPMENT FINANCING
41
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43
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6 **DIVISION 1.**
7 **IN GENERAL**
8

9 **Sec. 23.1 Reserved**

10
11 **Sec. 23.2 Policy and Intent**
12

13 The City of Tavares recognizes that there is a demonstrated need to promote
14 economic activity in the City by providing economic incentives that will encourage
15 diverse new businesses to relocate to the city and current businesses to expand in order
16 to provide a stronger, more balanced and stable economy in the City.
17

18 Businesses that provide a net positive contribution to the economy, provide an
19 above-average wage to its employees and have a commitment to local employees are
20 vital to the economy of Tavares and to the welfare of its citizens and need to be
21 encouraged to relocate or to expand in the City so as to provide an economically sound,
22 sustainable future for the citizens of Tavares.
23

24 In recognition of the economic needs of the community, it is the policy and intent
25 of Tavares City Council to implement economic development incentives designed to
26 encourage new businesses to relocate to Tavares and existing businesses to expand,
27 creating more jobs and sustainable economic growth.
28
29
30

31 **DIVISION 2.**
32 **ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS**
33

34 **Sec. 23.3 Enactment Authority.**
35

36 Article VII, Section 3, of the Constitution of the State of Florida and Section
37 196.1995, Florida Statutes, empowers the City to grant Economic Development Ad
38 Valorem Tax Exemptions to New Businesses and Expansions of Existing Businesses
39 after the electors of the City, voting on the question in a referendum, authorize such
40 exemptions.
41

42 **Sec. 23.4 Findings of Fact.**
43

44 (a) It is a recognized function of local government to promote economic development
45 within its jurisdiction by providing financial incentives that will encourage new
46 businesses to relocate within its jurisdiction and existing businesses to expand creating
47 employment opportunities that will benefit the entire community.
48

49 (b) The current economic climate has resulted in a high unemployment rate in City of
50 Tavares, impacting the quality of life for the city's citizens and the sustainability of local
51 businesses.

1
2 (c) On November 4th, 2008, a voter referendum was passed that authorized the City
3 Council of the City of Tavares to grant, pursuant to Article VII, Section 3, of the
4 Constitution of the State of Florida, property tax exemptions to new businesses and
5 expansions of existing businesses.

6
7 (d) In order to ensure that applications for an Economic Development Ad Valorem
8 Tax Exemption are considered in a non-arbitrary and non-discriminatory manner, it is
9 necessary to establish guidelines that reflect the City Council's economic development
10 policy to assist the City Council in making its determinations.

11
12 (e) Applications for an Economic Development Ad Valorem Tax Exemption shall be
13 considered by the City Council in its legislative capacity on a case-by-case basis, after
14 considering the Property Appraiser's report and the review criteria.

15
16 (f) No precedent shall be implied or inferred by the granting of an exemption to a new or
17 expanding business.

18
19 **Sec. 23-5. Definitions of Terms.**

20
21 The following words, phrases, and terms shall have the same meanings attributed to
22 them in current Florida Statutes and the Florida Administrative Code, except where indicated
23 otherwise:

24
25 **Applicant** – Any person, firm, partnership, or corporation who files an application with the City
26 seeking an Economic Development Ad Valorem Tax Exemption.

27
28 **Business** – Any for-profit activity engaged in by any person, firm, partnership, corporation, or
29 other business organization or entity.

30
31 **City**– City of Tavares, Florida

32
33 **Council**- City Council for the City of Tavares

34
35 **Department** – The Florida Department of Revenue.

36
37 **Economic Development Ad Valorem Tax Exemption** – ad valorem tax exemption granted by
38 the Council in its discretion to a qualifying New Business and/or an Expansion of an Existing
39 Business for up to 100 % of the City ad valorem tax levied on the qualifying property of said
40 Business for a period up to ten (10) years; provided, however, the exemption shall not apply to
41 taxes levied for the payment of bonds or taxes authorized by a vote of the electors pursuant to
42 Section 9 and Section 12, Article VII of the State Constitution.

43
44 **Enterprise Zone** – An area designated as an enterprise zone pursuant to Section
45 290.0065, Florida Statutes.

46
47 **Expansion of an Existing Business** –

48 (1) A business establishing ten (10) or more jobs to employ ten (10) or
49

1 more full-time employees in the City which manufactures, processes, compounds,
2 fabricates, or produces for sale items of tangible personal property at a fixed location and
3 which comprises an industrial or manufacturing plant; or
4

5 (2) A business establishing twenty-five (25) or more jobs to employ twenty five (25)
6 or more full-time employees in the City, the sales factor for which, as defined in this
7 Section, is less than fifty (50%) percent inside the Metropolitan Statistical Area for
8 each year the exemption is claimed; provided that such business increases operations
9 on a site co-located with a commercial or industrial operation owned by the same
10 business, resulting in a net increase in employment of not less than ten (10%) percent or
11 an increase in productive output of not less than ten (10%) percent.
12

13 **Goods** – All personal property when purchased primarily for personal, family, or
14 household use, but not including personal property sold for commercial or industrial use.
15

16 **Improvements** – Physical changes made to raw land, and structures placed on or under
17 the land surface.
18

19 **Metropolitan Statistical Area (MSA)** – Refers to a geographical region with a relatively
20 high population density at its core and close economic ties throughout the area. Such
21 areas are not legally incorporated. For purposes of this Section, the MSA includes Lake,
22 Sumter and Orange counties.
23

24 **New Business** –

25
26 (1) A business establishing ten (10) or more jobs to employ ten (10) or
27 more full-time employees in the City which manufactures, processes, compounds,
28 fabricates, or produces for sale items of tangible personal property at a fixed location and
29 which comprises an industrial or manufacturing plant; or
30

31 (2) A business establishing twenty-five (25) or more jobs to employ twenty-five (25)
32 or more full-time employees in the City, the sales factor for which, as defined in this
33 Section, herein, is less than fifty (50%) percent inside the Metropolitan Statistical
34 Area for each year the exemption is claimed; or
35

36 (3) An office space in the City leased or owned and used by a corporation newly
37 domiciled in the City; provided such office space houses fifty (50) or more full-time
38 employees of such corporation; provided that such business or office first begins
39 operation on a site clearly separate from any other commercial or industrial operation
40 owned by the same business; or
41

42 (4) Any business located in an enterprise zone (pursuant to Section 290.0065,
43 Florida Statutes) and creating new full-time jobs in accordance with the business disciplines
44 identified above.
45

46 **Sales Factor** – The sales factor is a fraction the numerator of which is the total sales of the
47 taxpayer in the MSA during the taxable year or period and the denominator of which is the total
48 sales of the taxpayer everywhere during the taxable year or period.

1
2
3 **Sec. 23-6. Establishment of Economic Development Ad Valorem Tax Exemption.**

4
5 (a) There is herein established an Economic Development Ad Valorem Tax Exemption
6 (hereinafter the "Exemption") for ad valorem taxes levied by the City. The Exemption is a local option
7 tax incentive for a qualifying New Business or Expansion to an Existing Business which may be
8 granted or refused at the sole discretion of Council.

9
10 (b) The Exemption shall not accrue to Improvements to real property made by or for the
11 use of a qualifying New Business or Expansion to an Existing Business when such
12 Improvements have been included on the tax rolls prior to the effective date of the
13 ordinance specifically granting a Business an Exemption.

14
15 (c) At the discretion of the Board, the Exemption may be granted for up to one hundred (100%)
16 percent of the assessed value of all Improvements to real property made by or for the use
17 of a qualifying New Business and of all tangible personal property of such New Business, or up
18 to one hundred (100%) percent of the assessed value of all added Improvements to real property
19 made to facilitate the qualifying Expansion of an Existing Business and of the net increase in all
20 tangible personal property acquired to facilitate such Expansion of an Existing Business,
21 provided that the Improvements to real property are made or the tangible personal property
22 is added or increased on or after the day the Ordinance granting the Exemption is adopted.
23 Property acquired to replace existing property shall not be considered to facilitate a business
24 expansion.

25
26 (d) No Exemption shall be granted for the land upon which a New Business or
27 Expansion of an Existing Business is to be located.

28
29 (e) Any Exemption granted for a New Business or Expansion of an Existing Business is
30 non-transferable between businesses; provided, however, if the only change to the
31 Business is one of ownership and all other provisions of the original Application remain in
32 effect, the Exemption may be transferred, subject to compliance with Section 23-10.

33
34 **Sec. 23-7. Application for Exemption.**

35
36 (a) Application – Any eligible person, firm, partnership or corporation which desires
37 an Economic Development Ad Valorem Tax Exemption shall file with Council a written application
38 prescribed by the Department as set forth in Exhibit "B" of this section. The Application must be
39 filed no later than March 1 of the year the exemption is desired to take effect.

40
41 (b) Review – Upon submittal of the Application, the City Administrator or his designee shall
42 review same and, within ten (10) days of submission, notify the Applicant of any facial
43 deficiencies. Complete Applications shall be scheduled for a public hearing before Council no
44 later than 45 days following receipt of a complete Application. The 45-day period shall include
45 the Property Appraiser's review pursuant to Section 23-8(a). Applicant will be notified of the date
46 and time of the public hearing.

47
48 (c) Agreement — A Business will be required to enter into an agreement with the
49 City stating that the Business will satisfy the Business Maintenance and Continued
50 Performance Conditions set forth in the Application.

1 **Sec. 23-8. Council Consideration of Applications.**

2
3 (a) Property Appraiser Review – Before Council takes action on an Application, a copy of the
4 Application, once deemed complete, shall be delivered to the Property Appraiser for review.
5 Within fifteen (15) days of receipt of the complete Application, the Property Appraiser shall
6 provide a report to Council, which shall include the following:

7
8 (1) The total revenue available to the City for the current fiscal year from ad valorem tax
9 sources or an estimate of such revenue if the actual total available revenue cannot be
10 determined;

11
12 (2) The amount of revenue lost to the City for the current fiscal year by virtue of
13 exemptions previously granted, or an estimate of such revenue if the actual revenue lost
14 cannot be determined;

15
16 (3) An estimate of the amount of revenue which would be lost to the City for the current
17 fiscal year if the exemption applied for was granted had the property for which the
18 exemption is requested otherwise been subject to taxation; and

19
20 (4) A determination as to whether the property for which an exemption is requested is to be
21 incorporated into a New Business or the Expansion of an Existing Business, or into
22 neither, which determination the Property Appraiser shall also affix to the face of the
23 application. Upon request, the Department will provide the Property Appraiser such
24 information as it may have available to assist in making this determination.

25
26 (b) Eligibility Threshold – The threshold for eligibility is whether the Business meets the
27 definition of a New Business or of an Expansion of an Existing Business as
28 provided in Sec. 23-5.

29
30 (c) Economic Development Policy Guidelines – In making its determination as to whether to
31 grant the Exemption, and, if granted, the duration and percentage of the Exemption, Council
32 shall consider the following factors:

- 33
34 (1) Number of current and projected employees of the Business located in the City
35 (2) Average Wage of Employees of the Business located in the City.
36 (3) Amount of Capital Investment.
37 (4) Net positive contribution to the local economy

38
39 In addition to the above factors, Council may consider any such other activity or factor that
40 promotes the sustainability of Economic Development within the City.

41
42 (d) Ordinance – After consideration of the Application and the Property Appraiser's review,
43 the Economic Development Policy Guidelines, and such other information it deems relevant,
44 Council may choose to adopt an ordinance granting the Exemption to the Applicant for up to 100
45 percent of the assessed value of the qualifying property for up to 10 years. If granted, the
46 ordinance shall include the following information:

47
48 (1) The name and address of the New Business or the Expansion of an Existing
49 Business;

50
51 (2) The name of the owner(s) of the New Business or the Expansion of an Existing

1 Business;

2
3 (3) The total amount of revenue available to the City from ad valorem tax sources for the
4 current fiscal year, the total amount of the revenue lost to the City for the current fiscal year
5 by virtue of exemptions currently in effect, and the estimated amount of revenue
6 attributable to the Exemption granted to the new or expanding business;

7
8 (4) The expiration date of the Exemption, which is (10) ten years or less (depending
9 upon the duration of the Exemption granted) from the date Council enacts the Ordinance
10 granting the Exemption; and

11
12 (5) A finding that the business meets the definition of a New Business or an
13 Expansion of an Existing Business as set forth in Sec. 23-5 herein.

14
15 **Sec. 23-9. Application Fee.**

16
17 No fees shall be charged for processing the Exemption Application or any
18 Exemption Ordinance adopted by Council.

19
20 **Sec. 23-10. Continuing Performance.**

21
22 (a) Change in ownership

23
24 (1) The Business granted the Exemption shall be required to inform Council in
25 writing within ten (10) days as to any changes in ownership of the Business
26 granted an Exemption.

27
28 (2) Failure of the Business granted an Exemption to notify Council in writing
29 of any such changes in ownership is cause for revocation of the Ordinance
30 granting the Exemption, at Council's discretion.

31
32 (b) Annual Filings- The Applicant shall be required to submit an Annual Renewal
33 Statement and an Annual Report to the City's Finance Director on or before March 1st of each
34 year for which the Exemption was granted. The Applicant shall also timely comply with all filings
35 required pursuant to Section 196.011, Florida Statutes.

36
37 (1) The Annual Renewal Statement shall certify that information provided in the original
38 Application has not changed.

39
40 (2) The Annual Report shall provide a report on the status of the Business, evidencing
41 satisfaction of the Business Maintenance and Continued Performance conditions set
42 forth in the Application.

43
44 **Sec. 23-11. Council Revocation.**

45
46 Should any Business granted an Exemption pursuant to this Section fail to file the
47 Annual Renewal Statement and/or Annual Report with Council on or before March 1st of each
48 year the Exemption has been granted as required in Sec. 23-10 of this Section, fail to
49 continue to meet the definition of a New Business or an Expansion of an Existing Business
50 as set forth herein, fail to timely file a written report of change of ownership and/or fail to file a new
51 Application upon any other change in the information provided in the original Application, and/or

1 fail to fulfill any other representation made to Council during the Application process, including
2 the creation and maintenance of the total number of new jobs identified by a business in
3 the Application, the Council, may, upon 30 days written notice to the respective Business,
4 adopt an ordinance revoking the ad valorem tax exemption or take such other action with respect
5 to the Exemption it deems appropriate.

6
7 (a) Notification – Upon Revocation, Council shall immediately notify the Property Appraiser.

8
9 (b) Recover Taxes – If it is determined that for any year within the Exemption period the
10 owner was not entitled to receive such Exemption, the owner of the property shall be subject to
11 the taxes exempted as a result of such failure plus annual interest at the maximum rate allowed
12 by law.

13
14 (c) Reapply – Nothing herein shall prohibit a business from reapplying for an ad valorem tax
15 exemption pursuant to State law.

16
17 **Sec. 23-12. Applicability.**

18
19 The provisions of this section shall be applicable within the municipal boundaries
20 of the City of Tavares.

21
22 **Sec. 23-13. Sunset Date.**

23
24 Pursuant to Section 196.1995, Florida Statutes, these provisions of this section
25 shall expire on November 4, 2018, ten (10) years after the date such authority to grant
26 Economic Development Ad Valorem Tax Exemptions was approved by the electors of the
27 City of Tavares in a referendum. No business shall be allowed to begin receiving such
28 Exemption after that date; however, the expiration shall not affect the operation of any
29 Exemption for which a business has qualified under this section prior to November 4,
30 2018.

31
32
33
34 **DIVISION 3**
35 **IMPACT FEE WAIVERS**

36
37 **Sec. 23-14. Impact Fee Waivers.**

38
39 All impact fees that would normally be due under the terms of Chapter 6 of the
40 City of Tavares Code of Ordinances and under the terms of Section 17-39 of the City's
41 Land Development Regulations shall be waived for building permits issued from
42 January 1, 2010 through December 31, 2011.

43
44 After January 1, 2012, City Council, as an economic development incentive, may
45 from time to time authorize the waiver, deferral or reduction of impact fees due under the
46 terms of Chapter 6 of the City of Tavares Code of Ordinances and under the terms of
47 Section 17-39 of the City's Land Development Regulations.

1
2
3 **DIVISION 4**
4 **POSTPONEMENT OF BUILDING PERMIT FEES PAYABLE FOR COMMERCIAL**
5 **DEVELOPMENT**

6 **Sec. 23-15. Postponement of Building Permit Fees Payable.**

7
8 City Council, as an economic development incentive, may authorize the deferral
9 of payment of non-residential building permit fees payable under Section 24-1 of the
10 City's Land Development Regulations for a period of six (6) months or until the issuance
11 of a certificate of occupancy or completion for which the permit was issued, whichever
12 occurs first.
13

14
15 **DIVISION 5**
16 **INDUSTRIAL DEVELOPMENT FINANCING**

17
18 **Sec. 23-16. Implementation of Chapter 159, Part II, Florida Statutes.**

19
20 The City Council of the City of Tavares is hereby authorized to fully implement
21 the provisions of Part II of the Florida Industrial Development Financing Act, which is
22 F.S. Chapter 159, Part II, as amended.
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Orlando Sentinel/Lake Sentinel
Sunday, May 22, 2011 Edition
Ordinance 2011-05

- 2011-05

CITY OF TAVARES

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider the Ordinance 2011-05, Second Reading, on June 1, 2011 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

ORDINANCE 2011-05

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS BY REASSIGNING CHAPTER 23 (RESERVED) TO BE NEWLY TITLED "COMMUNITY ECONOMIC DEVELOPMENT INITIATIVES"; CREATING CHAPTER 23 DIVISION 1, IN GENERAL; CREATING CHAPTER 23 DIVISION 2, ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS; CREATING CHAPTER 23 DIVISION 3, IMPACT FEE WAIVERS; CREATING CHAPTER 23 DIVISION 4, POSTPONEMENT OF BUILDING PERMIT FEES PAYABLE FOR COMMERCIAL DEVELOPMENT; CREATING CHAPTER 23 DIVISION 5, INDUSTRIAL DEVELOPMENT FINANCING; PROVIDING REQUIRED TEXT AMENDMENTS TO THE CODE OF ORDINANCES AND THE LAND DEVELOPMENT REGULATIONS TO REFERENCE THE CREATION OF THIS NEW CHAPTER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance may be inspected by the public at the office of the City Clerk, at the Tavares City Hall, 201 E. Main Street, Tavares, Florida, between the hours of 8 a.m. and 5 p.m. on business days. All interested parties may appear at the meeting and be heard or submit their comments prior to the meeting.

LAK1133290 5/22/2011

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
June 1, 2011**

AGENDA TAB NO. 7

**SUBJECT TITLE: Resolution 2011-11
 Utility Easement to Sumter Electric Cooperative, Inc.
 Chelsea Oaks Tract C**

OBJECTIVE:

To approve a resolution that conveys an eight foot utility easement to Sumter Electric Cooperative, Inc (SECO) on City owned property, Tract C, Chelsea Oaks South Subdivision.

SUMMARY:

SECO Energy desires to relocate and to extend an electrical utility line to serve residents and developing properties on David Walker Road. The most direct and least disruptive route for these lines would be through the east eight feet of Tract C in Chelsea Oaks South Subdivision. A sewage pump station is located on this city-owned tract. SECO will utilize directional boring to install the conduit to insure that there will be no damage or disturbance to city property or equipment. The City's Utility Director has reviewed this request and has no objections. SECO will bear the entire cost of installing the electrical utility line and is seeking a perpetual right of way utility easement to install and maintain this line.

OPTIONS:

1. That City Council moves to approve Resolution 2011-11, a resolution that grants Sumter Electric Cooperative, Inc., an eight (8) foot utility easement on Tract C of Chelsea Oaks South subdivision.
2. That City Council denies the proposed conveyance of easement.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Resolution 2011-11.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

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RESOLUTION 2011-11

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, GRANTING TO SUMTER ELECTRIC COOPERATIVE, INC., AN EIGHT (8) FOOT ELECTRICAL EASEMENT ON CITY OWNED PROPERTY, SPECIFICALLY TRACT C OF CHELSEA OAKS SOUTH SUBDIVISION; SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tavares owns Tract C of Chelsea Oaks South Subdivision; and

WHEREAS, the City has located on this property a utility pump station that serves residents and properties in that area; and

WHEREAS, Sumter Electric Cooperative, Inc. desires to relocate and extend electrical utility lines to serve developing property in that area; and

WHEREAS, the most direct and least disruptive route for the relocated and extended electrical utility lines proposed by Sumter Electric Cooperative, Inc., is through the east eight (8) feet of Tract C of Chelsea Oaks South Subdivision, as more specifically described in Exhibit "A" of this resolution; and

WHEREAS, Sumter Electric Cooperative, Inc. will utilize directional boring and hand digging to install the electrical conduit so that there will be no disturbance or damage done to city equipment or fencing located on city owned property; and

WHEREAS, all costs associated with installing the proposed electrical utility lines will be borne by Sumter Electric Cooperative, Inc. and

WHEREAS, Sumter Electrical Cooperative, Inc. desires a perpetual right of way easement over this property as shown in Exhibit "B" of this resolution; to allow the installation and maintenance of this proposed electrical utility line; and

WHEREAS, the City finds that the granting of this easement will be in the best interest of the health, safety and general welfare of the citizens of the City,

1 **NOW, THEREFORE, be it resolved by the City Council of the City of Tavares,**
2 **Florida as follows:**

3
4 That the City of Tavares hereby grants Sumter Electric Cooperative, Inc. a perpetual right of
5 way easement over the east eight (8) feet of Tract C of Chelsea Oaks Subdivision South.

6
7 This Resolution will become effective upon approval by the Tavares City Council. The easement
8 conveyance, Exhibit "B" of this resolution, shall be executed and recorded in the Public Records
9 of Lake County, Florida.

10
11 **PASSED AND RESOLVED** this _____ day of _____ 2011, by the Tavares City
12 Council.

13
14
15
16 _____
17 Robert Wolfe, Mayor
18 Tavares City Council

19
20
21 ATTEST

22
23
24 _____
25 Nancy A. Barnett,
26 City Clerk

27
28
29
30 Approved as to form and legality:

31
32
33 _____
34 Robert Q. Williams,
35 City Attorney

Exhibit A

The East Eight (8) feet of Tract C, Chelsea Oaks South Subdivision, according to the Plat thereof, as recorded in Plat Book 59 Pages 84-88, of the Public Records of Marion County, Florida.

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Exhibit "B"

Prepared By:
Roxanne Mastrantonio
SUMTER ELECTRIC COOPERATIVE, INC.
P.O. Box 301
Sumterville, Florida 33585-0301
WO# 901043
Section 27 Township 19 Range 26

Property Appraisers Parcel Identification (Folio) Numbers:
Number 27-19-26-008000C00000
Alt. Key # 3854991

PERPETUAL RIGHT OF WAY EASEMENT

(Whenever used herein, the terms "grantor" and "grantee" include all parties to this instrument and the heirs, legal representatives, assigns of individuals, and the successors and assigns of corporations.)

Space above this line reserved for Recording Office Use

THE GRANTOR(S) City of Tavares, P.O. Box 1068, Tavares, Florida 32778

In consideration of the sum of \$1.00 or other good and valuable consideration, the sufficiency of which is acknowledged received from the Grantee, SUMTER ELECTRIC COOPERATIVE, INC., P.O. Box 301, Sumterville, Florida, a corporation existing under the laws of the State of Florida, its successors and assigns, does hereby on this ___ day of ___, 2011, grant and convey to the Grantee an easement, license and privilege of ingress and egress upon and/or under, to place, construct, operate, repair, maintain, relocate and replace thereon, and/or thereunder and to retain ownership thereof, an electric transmission or distribution line or system and all associated appurtenances in connection with above-ground and/ or underground facilities and the Grantee shall at all times have the right to keep the easement clear of all structures, obstructions, trees, shrubbery, undergrowth and roots or objects that might endanger said electric power line assembly on or under the real property in LAKE County, Florida, as described as:

Being the East Eight (8) feet of Tract C, Chelsea Oaks South Subdivision, according to the Plat thereof, as recorded in Plat Book 59 Pages 84-88, of the Public Records of Marion County, Florida.

In granting the above, it is understood that Grantee will make reasonable efforts to locate power line assemblies in a location which will cause the least interference in the use of the property, if in doing so it will not materially increase the cost of construction or maintenance, and Grantor covenants that it is the owner of the fee simple title of the above described land and will defend the title thereto against all persons claiming through, by, or under the Grantor.

Attested by:

GRANTOR(S):
CITY OF TAVARES,
FLORIDA:

(Seal)

BY:

Signature of First Witness

(Seal)

Printed Name of First Witness

(Corporate Seal)

Signature of Second Witness

(Seal)

Printed Name of Second Witness

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this ___ day of May, 2011, by, ___ the ___ of the CITY OF TAVARES, FLORIDA, on behalf of the City. He/she is personally known to me or has produced ___ as identification and who (did) (did not) take an oath.

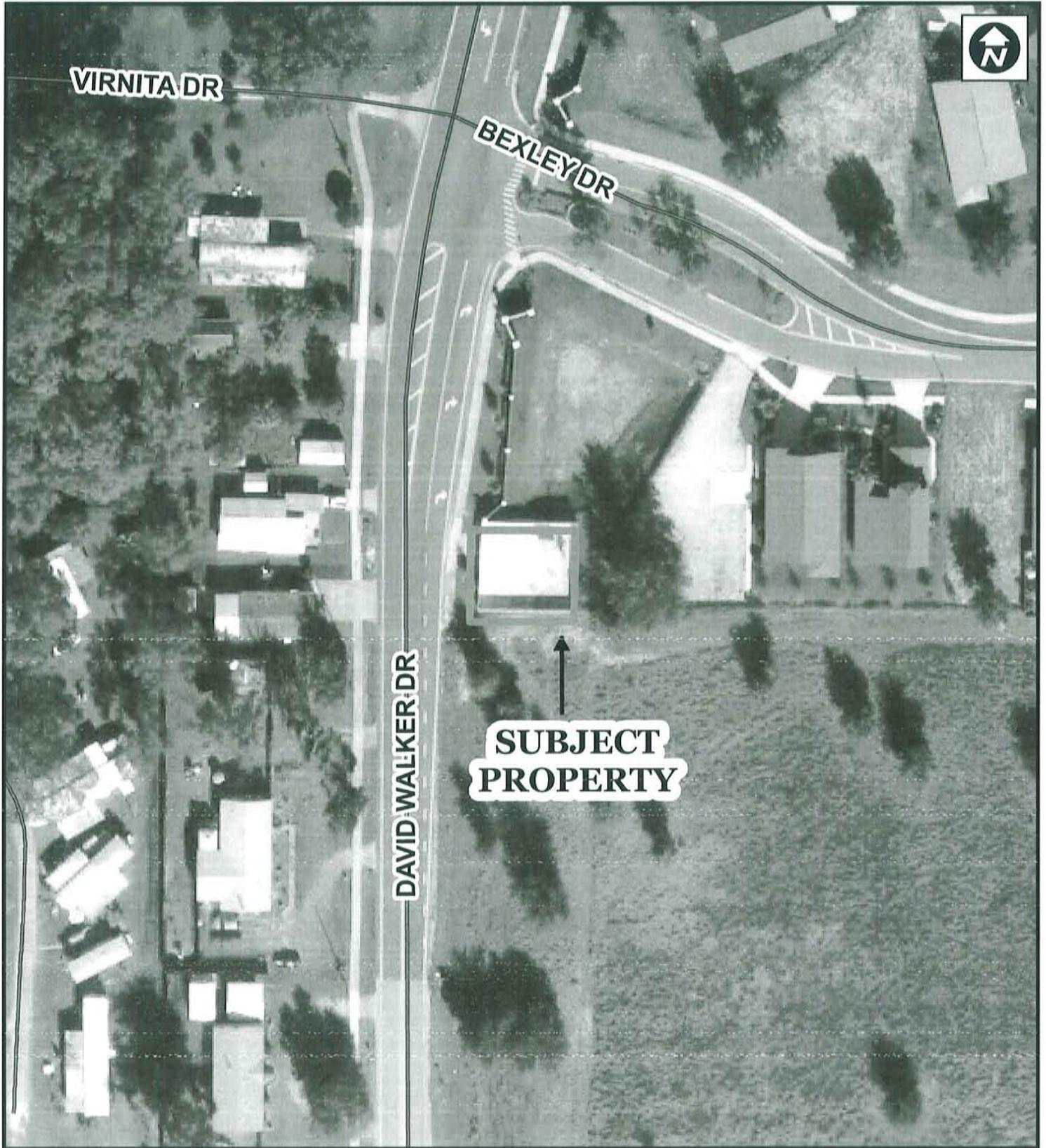
My Commission Expires:
My Commission Number is:

NOTARY PUBLIC SIGNATURE

SECO - Rev. 12/06

PRINTED NOTARY NAME

CITY OF TAVARES



PROPERTY LOCATION MAP

Tract C - Chelsea Oaks South



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**AGENDA SUMMARY
TAVARES CITY COUNCIL
June 1, 2011**

AGENDA TAB NO. 8

**SUBJECT TITLE: Resolution 2011-13
 Vacate of Utility Easement
 Gateway Property**

OBJECTIVE:

To approve a resolution that vacates a city utility easement located on the vacated portion of Pulsifer Street between Alfred Street and Caroline Streets.

SUMMARY:

On February 2, 2011, City Council approved an Interlocal Agreement between Tavares, Lake County and the Lake County School Board pertaining to land transfers that included the transfer of title of the Bus Barn Facility property located at 518 West Alfred Street. On April 18th, 1979, City Council vacated the portion of Pulsifer Street that ran through the Bus Barn Facility and also, through the same resolution, reserved a sixteen foot wide utility easement through the center of the vacated street.

The City's Utility Department has confirmed that there are no existing or proposed utility lines within this easement and it is therefore not required. The proposed vacate will clear this easement from the title of the property.

OPTIONS:

1. That City Council moves to approve Resolution 2011-13, a resolution that vacates a utility easement located on the vacated portion of Pulsifer Street between Alfred and Caroline Streets.
2. That City Council denies the proposed utility easement vacate.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Resolution 2011-13.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

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RESOLUTION 2011-13

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, VACATING AN EASEMENT LOCATED ON THE CENTER SIXTEEN (16) FEET OF THE CLOSED AND VACATED PORTION OF PULSIFER STREET LYING BETWEEN ALFRED AND CAROLINE STREETS; SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has entered into an Interlocal Agreement with the School Board of Lake County, Florida and Lake County, Florida pertaining to land transfers including the Bus Barn Facility Property located between Alfred and Caroline Streets at 518 West Alfred Street; and

WHEREAS, the City has a utility easement on the Bus Barn Facility Property, reserved through Resolution 79-01 of the City of Tavares, that is located on the center sixteen (16) feet of the closed and vacated portion of Pulsifer Street lying between Alfred and Caroline Streets; and

WHEREAS, there are no existing or proposed utilities within this easement and therefore the purpose of the easement is no longer valid; and

WHEREAS, the petition to vacate said easement has been duly noticed as required by law; and

WHEREAS, the proposed vacate is required to clear title to the Bus Barn Property for future development; and

WHEREAS, the City finds that the vacate of this easement will be in the best interest of the health, safety and general welfare of the citizens of the City,

NOW, THEREFORE, be it resolved by the City Council of the City of Tavares, Florida as follows:

The City of Tavares hereby vacates, disclaims and quitclaims any and all interest in the utility easement that is located on the center sixteen (16) feet of the closed and vacated portion of Pulsifer Street lying between Alfred and Caroline Streets.

1 This Resolution will become effective upon approval by the Tavares City Council, and shall be
2 recorded in the Public Records of Lake County, Florida.

3
4 **PASSED AND RESOLVED** this _____ day of _____ 2011, by the Tavares City
5 Council.

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10 Robert Wolfe, Mayor
11 Tavares City Council
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14 ATTEST

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17 _____
18 Nancy A. Barnett,
19 City Clerk
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23 Approved as to form and legality:
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26 _____
27 Robert Q. Williams,
28 City Attorney
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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 1, 2011**

AGENDA TAB NO. 9

SUBJECT TITLE: Stormwater Public Meeting – USDA Grant/Loan

OBJECTIVE: To provide public notice to the residents of Tavares that the City has applied for Grant Loan from the USDA for improvements to the existing stormwater system within the CRA section of the City and that the application is undergoing the approval process through USDA.

SUMMARY:

The City is required to provide public notice to the general public for an opportunity to become acquainted with the proposed project. They can comment on areas of concern within the project such as environmental impact, project alternatives, and general project questions. The City's grant consultant will provide an overview of the project.

STAFF RECOMMENDATION:

To allow the Public to comment on this project

FISCAL IMPACT:

Funding Source: N/A.

LEGAL SUFFICIENCY: This meets legal sufficiency

Orlando Sentinel/Lake Sentinel
Sunday, May 22, 2011 Edition
Notice of Public Hearing

Public Hearing Notices

CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given to the citizens of Tavares of a Public Meeting to be held on Wednesday, June 1, 2011 at 4:00 p.m. in the City Council Chambers, Tavares City Hall, 201 E. Main Street, Tavares Florida 32778. This meeting is to inform the general public regarding a proposed United States Department of Agriculture Grant/Loan for Storm-water Infrastructure Upgrades within the City of Tavares Downtown Community Redevelopment Area. The meeting will provide an opportunity for public comments on such items as economic and environmental impacts, service area, alternatives to the project, or other issues.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 1, 2011**

AGENDA TAB NO. 10

SUBJECT TITLE: Request to Reduce Lien on 610 N. New Hampshire

OBJECTIVE:

To hear a request from the owner of the property, the Federal National Mortgage Association, who will be represented by Freda Realty for a reduction of the code enforcement lien on 610 N. New Hampshire of \$13,400.00.

SUMMARY:

On the 22nd of April 2008, this property was brought before the Special Magistrate for violations of Section 12-23 Storage Prohibited and Section 13-50 Vehicles restricted in residential zones. The property owner was found guilty of violating both sections by placing a commercial delivery truck in the driveway which was being used for storage. Subsequently, fines were imposed at a rate of \$100.00/day per violation. Fines began to accrue on 23 May 2008 and continued until the property was brought into compliance on 29 July 2008. In accordance with Florida Statutes, a lien was place against the property on 31 August 2009, in the amount of \$13,400.00.

The Broker from Freda Realty has stated that the property was taken back through the foreclosure process by Fannie Mae who then assigned the property to their Miami based asset management company, 24 Asset Management who then in turn assigned it to Freda Realty as the local brokerage to market and sell the property. The realty company has indicated there is a current offer for the purchase of the property.

See attached documents from the Code Enforcement file for further information.

OPTIONS:

Council can discuss and determine whether or not to reduce the lien.

STAFF RECOMMENDATION:

Discuss and determine whether or not to reduce any amount of the lien.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient.

Nancy Barnett

From: Jenn Freda [jennfreda@embarqmail.com]
Sent: Friday, May 20, 2011 5:34 PM
To: Nancy Barnett
Cc: 'Matthew Freda'; 'Greg Gil'
Subject: RE: request for information re: 610 N. New Hampshire - Lien
Attachments: FNMA_Master_Listing_Agreement_Freda_Realty_Inc4-2011.pdf; Listing Letter 5-11.pdf; Lake Co Prop Record_FNMA CT.pdf

Sure.... the property was taken back through the foreclosure process by Fannie Mae (FNMA) who then assigned the REO property to their Miami based asset management company, 24 Asset Management then in turn assigned it to Freda Realty as the local brokerage to market and sell the property. There is a Master Listing Agreement in place with FNMA that allows our company to be eligible to market their properties for multiple management companies and then we also receive a Listing Letter or Agreement from the asset management company (in this case 24 Asset) for each individual property we list through them.

I have attached a copy of both agreements. The Master Agreement is executed but I am still waiting on an executed copy of the Listing Letter for this specific property that are usually eSigned. I've also attached a copy of the Lake County Record search showing that a certificate of title was filed in November of 2010 listing FNMA as the owner of record. We have a current offer for the purchase of the property and we are looking to resolve this matter as quickly as possible.

Please don't hesitate to contact me should you have any questions or require additional information.

Kind Regards,
-jenn freda, Broker
Freda Realty, Inc.
407.383.4181 direct



Freda Realty, Inc.
1631 Rock Springs Road, No. 111 . Apopka, FL 32712
8131 Vineland Ave., No 202 . Orlando, FL 32712
407.884.0921 phone . 800.825.9938 fax



From: Nancy Barnett [mailto:nbarnett@tavares.org]
Sent: Friday, May 20, 2011 4:19 PM
To: jfreda@FredaRealtyOrlando.com
Subject: RE: request for information re: 610 N. New Hampshire - Lien

Jean, can you clarify for me again exactly who is the current owner. Will the current OWNER be making the request to have you represent them and to have the lien reduced?

From: Jenn Freda [mailto:jennfreda@embarqmail.com]
Sent: Friday, May 20, 2011 3:58 PM

To: Nancy Barnett
Cc: 'Matthew Freda'
Subject: FW: request for information re: 610 N. New Hampshire - Lien

Hi Nancy – Per our conversation earlier today attached is the eMail I received from 24 Asset Management requesting that Freda Realty appear as a representative at the 6/1/2011 City Council meeting to request a reduction of the Code Violation Lien at the above referenced property. I have requested that the seller send the request in writing along with executed copies of the Property Listing and Master Listing agreements as well as a Power of Attorney granting Freda Realty the ability to appear on their behalf. I will forward these document on to you once I receive them.

If there is anything else you need from me before then please don't hesitate to contact me. Thanks again for your assistance.

Kind Regards,
-jenn freda, Broker
Freda Realty, Inc.
407.383.4181 direct



Freda Realty, Inc.
1631 Rock Springs Road, No. 111 . Apopka, FL 32712
8131 Vineland Ave., No 202 . Orlando, FL 32712
407.884.0921 phone . 800.825.9938 fax



From: Jenn Freda [mailto:jennfreda@embarqmail.com]
Sent: Monday, May 16, 2011 1:49 PM
To: 'Nancy Barnett'
Subject: RE: request for information re: 610 N. New Hampshire - Lien

Thanks Nancy – I appreciate your time and efforts on this issue. I'll forward this information on to the powers that be and let you know when I receive a response.

Kind Regards,
-jenn freda, Broker
Freda Realty, Inc.
407.383.4181 direct



Freda Realty, Inc.
1631 Rock Springs Road, No. 111 . Apopka, FL 32712
8131 Vineland Ave., No 202 . Orlando, FL 32712
407.884.0921 phone . 800.825.9938 fax



From: Nancy Barnett [mailto:nbarnett@tavares.org]
Sent: Monday, May 16, 2011 1:11 PM
To: jfreda@fredarealtyorlando.com
Subject: FW: request for information re: 610 N. New Hampshire - Lien

Trying again...

From: Nancy Barnett
Sent: Monday, May 16, 2011 1:10 PM
To: 'jfreda@fredarealty.com'
Cc: John Drury; Chris McCormick
Subject: request for information re: 610 N. New Hampshire - Lien

Dear Ms. Freda,

This is to confirm our telephone conversation regarding the code enforcement lien of \$13,400.00 on the above property. You have indicated that Fanny Mae through its agent 24 Asset Management Company, has requested that you inquire about the process of reducing this lien.

Any request for a reduction in lien amount would have to be presented to City Council as an agenda item. The next available meeting date is June 1, 2011 at 4 p.m. You would need to be prepared to explain the circumstances and justification for the request to City Council.

Please feel free to contact me for further information.

Sincerely,

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

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





Date: 05-02-11

Agent : JENNIFER FREDA
Agent Company : Freda Realty
Agent Company Address : 1631 ROCK SPRINGS RD No. 111
APOPKA FL 32712

REO No: A102PYC

Dear JENNIFER FREDA

Fannie Mae, referred to throughout this document as the "Seller" grants you sole right and authority to sell this property during the listing period subject to the terms and conditions of the current Fannie Mae Master Listing Agreement.

Listed Property:

Address:
610 N NEW HAMPSHIRE A
TAVARES FL 32778

County: LAKE
Type of Property: Single family detached
REO ID: A102PYC

Listing Terms and Conditions:

Listing Price:\$ 34900.00
List Start Date: 05-02-11
List End Date: 06-29-11
Conditions: Purchase of the property will be by cash at the closing or on terms acceptable to the seller.

Commission and Bonus:

Total Commission:	5.50 %
Listing Commission:	2.50 %
Selling Commission:	3.00 %
Minimum Commission:	2000.00
Minimum Listing Commission:	1000.00
Min Selling Commission:	1000.00

Selling Bonus: 0.00
Selling Bonus Expiration
Buyer's Closing Cost: 0.00
Sealed Bid:
Special Instructions:

HomePath Financing and Incentives

HomePath Mortgage: Yes No
HomePath Renovation
Mortgage: Yes No

For more information about HomePath financing and incentives, please visit
www.HomePath.com.

MLS Listing Instructions

1. Enter the listing in your local MLS and retain a copy of the listing in your files.
2. Enter the MLS ID into AMN.If there is no MLS system available in the property area,
or you cannot provide us the MLS ID,you must include a note in the case comments in AMN.
3. If permitted by your MLS,we expect you to insert the following language in
your listing :
 - - This is a Fannie Mae HomePath property
 - - Purchase this property for as little as 3 % down!
 - - This property is approved for HomePath Mortgage Financing.
 - - This property is approved for HomePath Renovation Mortgage Financing

Other Property Information:

Brief Legal: Tax id 2919260100-092-00000
Fannie Mae Loan Number: 4005107062

Servicing Lender:

Contact: OFFICE

Lender Firm: FANNIE MAE-RCS AS SUBSERVICER

Address:

Phone Number: 8178340032

Foreclosure Date: 11-12-10

Lender Loan Number: 2000102817

The terms of this letter supercede and replace the terms of any prior letter granting authority to sell this property.

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

CFN 2009094151
Bk 03812 Pgs 2251 - 2252 (2pgs)
DATE: 08/31/2009 09:08:39 AM
NEIL KELLY, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 18.50

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

vs.

Case No: CET0802-2591

**MAICO VINASCO & GUIOMAR VINASCO,
Respondent.**

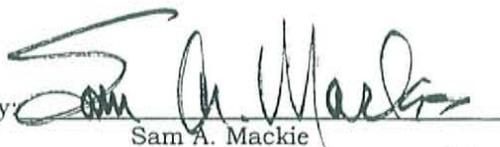
CODE ENFORCEMENT LIEN

On the 5TH Day of May 2008, the Code Enforcement Special Magistrate for the City of Tavares, Florida entered an Order of Enforcement in the above referenced case, recorded in Official Records Book 03621, Pages 1542-1544, Public Records of Lake County, Florida. That Order imposed a fine of \$100.00 per day on the subject property described in Exhibit "A" attached hereto, for violation of Section 12-23 of the Land Development Regulations. That Order imposed a fine of \$100.00 per day on the subject property described in Exhibit "A" attached hereto, for violation of Section 13-50 of the Code of Ordinances; therefore a fine is due to the City of Tavares in the total amount of **\$13,400.00** and the City hereby claims a lien on all real and personal property of the violator named above, within Lake County, Florida, pursuant to FS 162.09(3), Florida Statutes, until this fine is paid in full.

DONE and ORDERED at Tavares, Lake County, Florida, this 25th day of August, 2009.

City of Tavares
Code Enforcement Special Magistrate

By:


Sam A. Mackie

CITY OF TAVARES
POST OFFICE BOX 1068
201 E MAIN STREET
TAVARES, FL 32778

EXHIBIT "A"

The North 62.5 feet of the South 162.5 feet of the West ½ of Block 92, Map of Tavares, according to the plat thereof, as recorded in Plat Book 1, Page 64, Public Records of Lake County, Florida.

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

R

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

CITY OF TAVARES

**DATE: 23 April 2008
CASE NO: CET0802-2591
VIOLATION ADDRESS: 610 N. New
Hampshire Avenue, Tavares, FL 32778**

V.

**LEGAL DESCRIPTION: TAVARES N 62.5 FT OF
S 162.5 FT OF W 1/2 OF BLK 92 PB 1 PG 64 ORB
2449 PG 789**

**Maico Vinasco and Guiomar Vinasco
610 N. New Hampshire Avenue
Tavares, FL 32778.**

FINDINGS OF FACT, CONCLUSIONS OF LAW, ORDER OF ENFORCEMENT

This case having come before the Code Enforcement/Special Magistrate of the City of Tavares on 22 April 2008, on a violation hearing, and after due notice having been given to the Respondent and the Special Magistrate having heard testimony under oath of the respective parties present and received evidence as presented, and having been advised by counsel (if any) on the issues in this cause, thereupon issues these findings of fact and conclusions of law, and the following ORDER OF ENFORCEMENT is hereby entered as follows:

FINDINGS OF FACT:

1. The Notice of Violation(s) was properly served upon the above-listed property owner by certified mail, return receipt requested/posting/other statutory notice procedures, on 3 March, 2008; and
2. A Notice of Hearing was properly served upon the above-listed property owner by certified mail, return receipt requested/posting/other statutory notice procedures, on 3 and 11 April, 2008; and in relation to the property as located at the address and under the legal description as noted on the statement of violation, more particularly legal I.D. (Folio) # 29-19-26-010009200000; and

3. The property owner, having been duly served with the Notice of Hearing, did not attend the hearing; and
4. Testimony and evidence having been taken and considered by the Special Magistrate;
5. The Special Magistrate finds by clear and convincing evidence that as of the date of the Notice of Violation, and/or as of the date of the hearing, the subject Property was in violation of the following City of Tavares Code of Ordinances/Land Development Regulations: Chapter 12-23, Storage Prohibited; and Section 13-50 Vehicles Restricted in Residential Zones.

CONCLUSION OF LAW

1. The property owner identified above, Maico Vinasco and Guiomar Vinasco, is in violation of the following City of Tavares Code of Ordinances/Land Development Regulations: Chapter 12-23, Storage Prohibited; and Section 13-50 Vehicles Restricted in Residential Zones; and
2. This ORDER OF ENFORCEMENT is warranted and fully supported by the evidence and testimony adduced at the hearing, and the above-noted findings of fact and conclusions of law; and
3. The following action to clear/correct/cure the violations is required: the violations are to be cured or corrected under the procedures and conditions as noted immediately below.

CORRECTIVE ACTION AND IMPOSITION OF FINE

Based on the foregoing violations, the Special Magistrate orders that the violations be corrected/cleared/cured within thirty (30) days of this Order (Corrective Action Deadline). If the violations on the subject property are not corrected/cleared/cured by the foregoing Corrective Action Deadline, then the Special Magistrate shall execute and file of record an Order of Fine, imposing a fine of one hundred dollars (\$100.00) per day, per violation, for each day after the Corrective Action Deadline that the subject property remains in violation, and to which shall be added any violation-abatement, rehabilitation, or related costs, fees, or expenses on the part of the City to cure the above-noted violations or to otherwise secure the Property as referenced in this Order. **It is the Respondent or Property owner's obligation, or the obligation of both of them, to call the Code Enforcement Officer or other appropriate City representative for a re-inspection of the subject property so that the City of Tavares can confirm whether the violation(s) has/have been cleared/corrected/cured before the imposition of the above-noted fine(s).** Future repeat violations will result in a fine's being levied following a finding of noncompliance at a subsequent hearing.

DONE AND ORDERED on behalf of the City of Tavares, Lake County, Florida this 25th day of April, 2008.

By: 
Sam A. Mackie, Special Magistrate

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me on this 25th day of April, 2008 by Sam A. Mackie, who is personally known to me as Code Enforcement/ Special Magistrate, City of Tavares.


Notary Public, State of Florida

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

My Commission Expires:

A True and Correct copy of the foregoing Findings of Fact, Conclusions of Law, and Enforcement Order have been furnished by U.S. Mail/hand-deliver/other statutory procedure to Maico Vinasco and Guiomar Vinasco
: 610 N. New Hampshire Ave. Tavares FL 32778
on this 5th day of May, 2008, by USPS Certified Ret. Rec.,
Code Enforcement Special Magistrate Clerk/Recording Secretary.

M. Sue Novack-Wilson CMC

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

Composite Exhibit B
City of Tavares *SM*

CITY OF TAVARES

DATE: 4-3-08
CASE #: CET0802-2591
LOCATION: 610 N. New Hampshire Ave.
Tavares, Florida 32778

vs.

LEGAL:

The North 62.5 feet of the South 162.5 feet of the West 1/2 of Block 92, Map of the Town of Tavares, according to the plat thereof, as recorded in Plat Book 1, Page 64, Public Records of Lake County, Florida.

Maico Vinasco
Guiomar Vinasco
1391 Alfonso Circle
Winter Springs, Florida 32778

NOTICE OF PUBLIC HEARING

STATE OF FLORIDA
COUNTY OF LAKE
CITY OF TAVARES

YOU ARE HEREBY NOTIFIED that you have been charged as a violator of the CITY OF TAVARES CODE OF ORDINANCE as of 3 March 2008. The violation(s) is/are as follows:

Section 12-23 Storage Prohibited

Except as otherwise provided in this chapter, no person shall accumulate junk, cause junk to be accumulated, or allow junk to be accumulated upon any property located within the city regardless of the property's zoning classification or use. The accumulation of junk upon property located within the city, regardless of the property's zoning classification or use, endangers the public's health, safety, and welfare, adversely affects and impairs the value of adjacent property, is a nuisance, and is prohibited.

Junk means scrap metal, or any dismantled, partially dismantled, non-operative, or discarded machinery, appliance, equipment, outside recreational equipment or toys, vehicle, or boat, or part thereof. Any item of tangible personal property, designed to be used in an environment which is protected from the elements, such as the interior of a building, shall be presumed to be junk if the item is stored outside. Further, any vehicle in inoperable condition shall be presumed to be junk. For the purposes of this chapter, inoperable condition shall mean a condition of disrepair which renders the vehicle inoperable in a normal manner, or in the manner for which the vehicle was designed, for a period of time exceeding seven days.

Sec. 13-50. Vehicles restricted in residential zones.

In areas zoned as a residential district of the city, it shall be unlawful for a truck, tractor or semi-trailer having a capacity in excess of one (1) ton to be parked for more than one (1) hour unless engaged in the loading or unloading of materials and supplies.

(Ord. No. 2004-21, 5-19-04; Ord. No. 2005-02, 1-19-05)

Your case will come before the Code Enforcement Special Master on the 22nd of April 2008 at 5:00 PM at the Tavares City Hall, located at 201 E. Main Street, Tavares, Florida.

You must be prepared to present your case at this time; if you fail to appear, the case will be heard in your absence. You should be prepared to present evidence concerning the time required to correct the alleged violation should you be found guilty of same.

Pursuant to Section 162.06 (2), Florida Statutes, If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the enforcement board even if the violation has been corrected prior to the board hearing, and the notice shall so state. Additionally, Pursuant to Section 162.06 (3), Florida Statutes The case may be presented to the enforcement board even if the repeat violation has been corrected prior to the board hearing, and the notice shall so state. If the repeat violation has been corrected, the code enforcement board retains the right to schedule a hearing to determine costs and impose the payment of reasonable enforcement fees upon the repeat violator. The repeat violator may choose to waive his or her rights to this hearing and pay said costs as determined by the code enforcement board.

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Code Enforcement Special Master of the City of Tavares, Lake County, Florida, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to Section 162.11, Florida Statutes, either the City of Tavares or a Respondent may appeal a final administrative order of the Code Enforcement Special Master to the Circuit Court in Lake County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the Code Enforcement Secretary at least two (2) working days in advance of the meeting date and time at (352) 742-6209.

C. McCormick

Chris McCormick
Code Enforcement Officer
Tavares Police Department

CERTIFIED MAIL



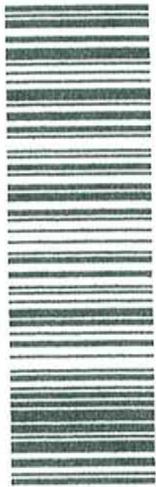
201 E. Main Street
P.O. Box 1068
Tavares, FL 32778

Discover Our Waterways



Code Enforcement Division

A/A



91 7108 2133 3934 5876 1283

Maico Vinasco
Guimar Vinasco
1304 Alfonso Circle

Wii NIXIE 327 4C 1 75 04/11/08

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 32779106968 *1874-06030-11-19





www.tavares.org

DATE: 3 March 2008
OWNER: Maico Vinasco
Guiomar Vinasco
1391 Alfonso Circle
Winter Springs, Florida 32708
LOCATION: 610 N. New Hampshire Avenue
Tavares, Florida 32778
CASE: CET0802-2591

97 7108 2133 3934 5876 7687

WARNING OF CODE VIOLATION

An inspection of this property was on 26 February 2008 and it has been determined that a condition exists which constitutes a violation of the following City of Tavares Code and/or Ordinance:

Section 12-23 Storage Prohibited

Except as otherwise provided in this chapter, no person shall accumulate junk, cause junk to be accumulated, or allow junk to be accumulated upon any property located within the city regardless of the property's zoning classification or use. The accumulation of junk upon property located within the city, regardless of the property's zoning classification or use, endangers the public's health, safety, and welfare, adversely affects and impairs the value of adjacent property, is a nuisance, and is prohibited.

Junk means scrap metal, or any dismantled, partially dismantled, non-operative, or discarded machinery, appliance, equipment, outside recreational equipment or toys, vehicle, or boat, or part thereof. Any item of tangible personal property, designed to be used in an environment which is protected from the elements, such as the interior of a building, shall be presumed to be junk if the item is stored outside. Further, any vehicle in inoperable condition shall be presumed to be junk. For the purposes of this chapter, inoperable condition shall mean a condition of disrepair which renders the vehicle inoperable in a normal manner, or in the manner for which the vehicle was designed, for a period of time exceeding seven days.

Sec. 13-50. Vehicles restricted in residential zones.

In areas zoned as a residential district of the city, it shall be unlawful for a truck, tractor or semi-trailer having a capacity in excess of one (1) ton to be parked for more than one (1) hour unless engaged in the loading or unloading of materials and supplies.

(Ord. No. 2004-21, 5-19-04; Ord. No. 2005-02, 1-19-05)

Violation: The white commercial vehicle parked in the front yard is in violation of the sections listed above and must be removed from the property.

ACTION IS REQUIRED TO AVOID A CODE ENFORCEMENT HEARING

Remove the above listed/described violation before **13 March 2008**.

Upon completion of required work, please call our office at (352) 742-6419 to schedule a final inspection to verify compliance.

Respectfully,

Chris Mc Cormick

Chris McCormick
Code Enforcement Officer

CERTIFIED MAIL



Discover Our Waterways

Code Enforcement Division

201 E. Main Street
P.O. Box 1068
Tavares, FL 32778-

4/9



91 7108 2133 3934 5876 768



UNITED STATES POSTAGE
FIRST CLASS
PERMIT NO. 100
TAVARES, FL 32778
02 1M
0004250610
MAILED FROM ZIP CODE 32778
\$04.080

~~Mario Vinasso
Gilberto Vinasso
1391 Wilson Circle
Wesley~~

[Handwritten signature]
4/18
1
2

03-26

NIXIE 327 DE 1 00 04/08/08

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

32708+4828 BC: 32778106868 *1274-10896-04-39

32778@1068





www.tavares.org

AFFIDAVIT OF POSTING

STATE OF FLORIDA
COUNTY OF LAKE
CITY OF TAVARES

CASE #: **CET0802-2591**

I CHRIS MCCORMICK, UNDER PENALTY OF PERJURY STATE: THAT ON
3 APRIL 2008, I PERSONALLY CAUSED A NOTICE OF PUBLIC HEARING TO BE
POSTED AT THE FOLLOWING PLACE WITHIN THE CITY, COUNTY AND STATE TO WIT:

CITY OF TAVARES
TAVARES CITY HALL
201 E. MAIN STREET
TAVARES, FLORIDA 32778



CODE ENFORCEMENT OFFICER SIGNATURE

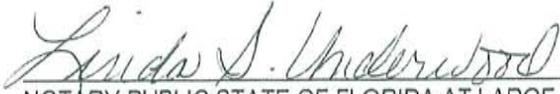
11 APRIL 2008

DATE

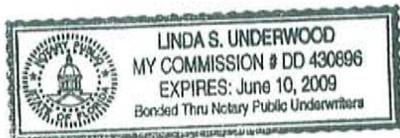
STATE OF FLORIDA
COUNTY OF LAKE
CITY OF TAVARES

The foregoing instrument was acknowledged before me this 11TH day of APRIL, 20 08,
by CHRISTOPHER MCCORMICK. He/she (who is personally known to me)/(who has produced
N/A as identification) and (did)/(did not) take an oath.

My Commission Expires:



NOTARY PUBLIC STATE OF FLORIDA AT LARGE



LINDA S. UNDERWOOD

Typed or Printed Name of Notary Public



www.tavares.org

AFFIDAVIT OF POSTING

STATE OF FLORIDA
COUNTY OF LAKE
CITY OF TAVARES

CASE #: CET0802-2591

I CHRIS MCCORMICK, UNDER PENALTY OF PERJURY STATE: THAT ON
11 APRIL 2008, I PERSONALLY CAUSED A NOTICE OF PUBLIC HEARING TO BE
POSTED AT THE FOLLOWING PLACE WITHIN THE CITY, COUNTY AND STATE TO WIT:

**610 N. NEW HAMPSHIRE AVENUE
TAVARES, FLORIDA 32278**


CODE ENFORCEMENT OFFICER SIGNATURE

11 APRIL 2008
DATE

STATE OF FLORIDA
COUNTY OF LAKE
CITY OF TAVARES

The foregoing instrument was acknowledged before me this 11TH day of APRIL, 20 08,
by CHRISTOPHER MCCORMICK. He/she (who is personally known to me)/(who has produced
N/A as identification) and (did)/(did not) take an oath.

My Commission Expires:


NOTARY PUBLIC STATE OF FLORIDA AT LARGE



LINDA S. UNDERWOOD
Typed or Printed Name of Notary Public

Property Details

General Information	Land Data	Residential Buildings	Misc. Improvements	Sales History	Value
Map of Property	Tax	TRIM Notice			

General Information

Alternate Key:	1375835	Parcel:	29-19-26-010009200000
Owner Name:	FEDERAL NATIONAL MORTGAGE ASSN	Millage:	00T2 (Tavares) : 21.3556
Owner Address:	C/O RESIDENTIAL CREDIT CYNTHIA FORTUNE 282 N FREEWAY FORT WORTH, TX 76104	Property Location:	610 NORTH NEW HAMPSHIRE AVE TAVARES FL 32778
Legal Description:	TAVARES N 62.5 FT OF S 162.5 FT OF W 1/2 OF BLK 92 PB 1 PG 64 ORB 3974 PG 1942		

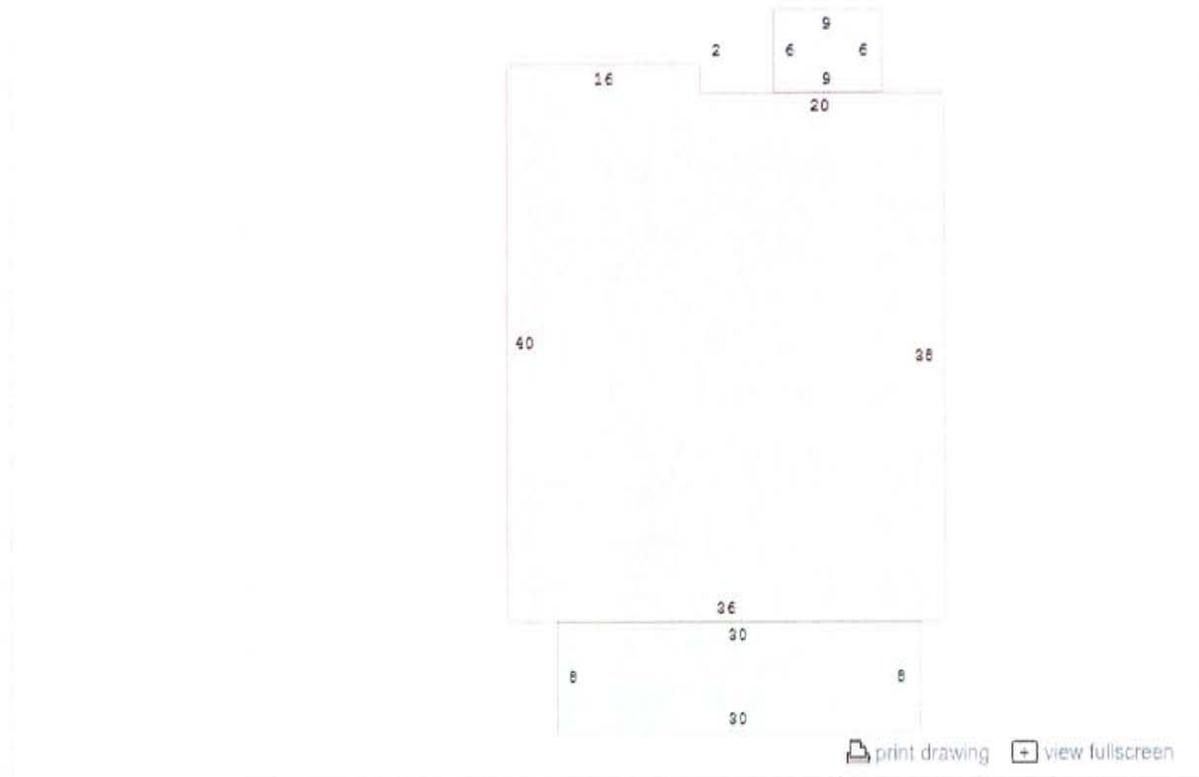
Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	DRY SFR LOT (0100)	63	138		63	FF	\$0.00	\$14,786.00

Residential Building(s)

Building 001

Summary		Section(s)								
Year Built:	1930	Section No.	Section Type	Ext. Wall Type	No. Stories	Floor Area	Finished Attic	Basement	Basement Finished	Map Color
Ground Floor Area:	1400									
Bathrooms (2 Fix):	0	1	FINISHED LIVING AREA (FLA)	Wood (001)	1	1400	N	0%	0%	
Bathrooms (3 Fix):	1	2	SCREEN PORCH (SPF)	No Wall Type (000)	1	240	N	0%	0%	
Bathrooms (4 Fix):	0	3	OPEN PORCH (OPF)	No Wall Type (000)	1	54	N	0%	0%	
Bathrooms (Ex Fix):	0									
Bedrooms:	0									
Built-In Kitchens:	0									
Fireplaces:	0									



print drawing view fullscreen

Miscellaneous Improvements

No.	Type	No. Units	Unit Type	Year	Depreciated Value
0001	UTILITY BUILDING - UNFINISHED (UBU)	171	SF	1930	\$211.00

Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
1136 / 113	10/1/1991	WD	U		\$0.00
1299 / 2216	6/1/1994	WD	Q		\$36,000.00
1488 / 2286	12/1/1996	WD	Q		\$32,000.00
1627 / 74	6/19/1998	WD	Q		\$35,000.00
1793 / 237	2/7/2000	WD	Q		\$45,000.00
2449 / 789	9/30/2003	WD	Q		\$50,000.00
3876 / 101	2/23/2010	QC	U		\$100.00
3974 / 1942	11/10/2010	CT	U		\$0.00

Value

Total Just Value:	=	\$48,962.00
Total Exempt Value:	=	\$0.00
Total Taxable Value:	=	\$48,962.00
Millage Rate:	×	0.0213556
Base Ad-Valorem Tax:	=	\$1,045.62

Non-Exempt School Levies:	+	<u> </u>	\$0.00
Estimated Ad-Valorem Tax:	=		\$1,045.62

* The just values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes. The amounts shown may not include all exemptions. The estimated tax totals do not reflect Non-Ad Valorem assessments. (Fire Fees, Solid Waste, etc.) Please consult the [Tax Collector](#) for actual taxation amounts.

Truth In Millage (TRIM) Notice

- [Notice of Proposed Property Taxes & Proposed or Adopted Non-Ad Valorem Assessments](#)
- [TRIM Notice Informational Supplement](#) (195 KB)

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 1, 2011**

AGENDA TAB NO. 11

**SUBJECT TITLE: Appointment of Lake County Cultural Affairs
Representative**

OBJECTIVE:

To appoint a representative to the Lake County Arts and Cultural Alliance.

SUMMARY:

This opportunity to be considered for reappointment was advertised. The current representative is Debbie Stivender who has indicated her willingness to be reappointed.

OPTIONS:

The Mayor will designate the reappointment.

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A



LAKE COUNTY
FLORIDA

March 1, 2011

Mr. John Drury
City of Tavares
Post Office Box 1068
Tavares, FL 32778-1068

RE: **Lake County Arts and Cultural Alliance**

Dear Mr. Drury:

Lake County Ordinance 2007-21, effective May 24, 2007, created the Lake County Arts and Cultural Alliance (copy enclosed). The Alliance makes decisions regarding cultural and arts activities within Lake County.

The Alliance is composed of a total of seven (7) members and includes one (1) member each from the municipalities of Clermont, Eustis, Leesburg, Minneola, Mount Dora, and Tavares. In addition, there is one (1) member who represents each of the following smaller municipalities on a rotating basis: Astatula, Fruitland Park, Groveland, Howey-in-the Hills, Lady Lake, Mascotte, Montverde, and Umatilla.

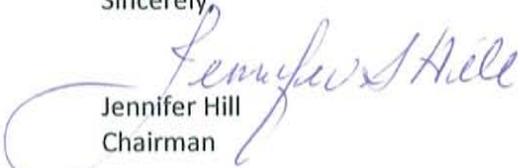
All individuals acting as a representative of a municipality shall be selected by the governing body of that municipality. The Board of County Commissioners appoints members to the Alliance as recommended by the municipality.

Ms. Debbie Stivender was appointed to the Arts and Cultural Alliance as the City of Tavares' representative on August 4, 2009 for an initial term ending July 31, 2011.

At this time, we would greatly appreciate your selection of an individual to represent your municipality for a two (2) year term beginning August 1, 2011. **Please provide us with the name, home address, home phone, business phone, FAX number, and email address of your selection within 60 days of this notification as outlined in Section 2-90.37.(b) Membership.**

Thank you in advance for your assistance.

Sincerely,


Jennifer Hill
Chairman

/gew

cc: Wendy Breeden, Director, Public Resources
Kathy Pagan

BOARD OF COUNTY COMMISSIONERS
P.O. BOX 7800 ♦ 315 W. MAIN ST. ♦ TAVARES, FLORIDA 32778-7800 ♦ P 352.343.9850 ♦ F 352.343.9495
Board of County Commissioners ♦ www.lakccountyfl.gov

Nancy Barnett

From: Stivender, Debbie [StivenderD@lake.k12.fl.us]
Sent: Tuesday, March 15, 2011 12:14 PM
To: Nancy Barnett
Subject: Re: Lake County Arts & Cultural Alliance

Yes if you don't have anyone else who is interested. If you do, I would be happy to step down. Just let me know either way. Thanks Nancy! Debbie

From: Nancy Barnett
To: Stivender, Debbie
Sent: Tue Mar 15 10:55:46 2011
Subject: Lake County Arts & Cultural Alliance
Hi Debbie,

We got a letter from Commissioner Hill notifying us that it was time to appoint someone to the Arts & Cultural Alliance.

Are you interested in being reappointed? It is for a two year term. Your current term ends in July.

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

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



Affidavit of Publication

Daily Commercial

Leesburg, Lake County, Florida

Case No. _____

STATE OF FLORIDA
COUNTY OF LAKE

Before the undersigned authority personally appeared Ron Wallace who on oath says that he is the Publisher of the Daily Commercial, a daily newspaper published at Leesburg in Lake County, Florida, that the attached copy of advertisement, being

_____ 197402
in the matter of Public Notice

in the _____ Court,

was inserted in said newspaper in the issues of _____

_____ April 3, 2011

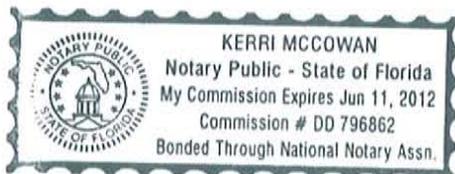
Affiant further says that the said Daily Commercial is a newspaper published in said Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each day and has been entered as second class matter at the post office in Leesburg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

Signed [Signature]
Ron Wallace, Publisher

Sworn to and subscribed before me this 5 day of
April, 2011, by Ron Wallace,
Publisher, who is personally known to me.

(Seal)

[Signature]
Kerri McCowan, Notary Public



Attach Notice Here

**CITY OF TAVARES
APPOINTMENT TO
LAKE COUNTY ARTS
AND CULTURAL ALLIANCE**

The City of Tavares is presently accepting applications to represent the City on the Lake County Arts and Cultural Alliance. The Alliance will meet quarterly and shall advise the Board of County Commissioners on matters relating to arts and cultural affairs with the County. The position is voluntary and is appointed by the Mayor of the City of Tavares. Applicants should be residents of Tavares and interested in the arts.

For additional information or an application contact Nancy Barnett, City Clerk, at (352) 253-4546, between the hours of 8 a.m. and 5 pm Monday through Friday or you can download the application from the city's web site at www.tavares.org Applications should be submitted by Friday, April 15, 2011.

197402-April 3, 2011

[Signature]

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 1, 2011**

AGENDA TAB NO. 12

SUBJECT TITLE: Citywide Street Sign Inventory and Pavement Evaluation

OBJECTIVE:

Staff seeks Council's approval to enter into a contract with Southeast Surveying Inc., of Tavares, Fl., for a Citywide Street Sign and / or Street Pavement Evaluation Report.

SUMMARY:

Under Federal Mandate, agencies have until January 22, 2012 to implement a management method for maintaining traffic sign retroreflectivity at or above MUTCD (Manual on Uniform Traffic Control Devices) minimum standards. To meet this mandate, the City of Tavares would like to enter into a contract with Southeast Survey Co. for an inventory of all City street signs, including total number, type, and GPS location. Retroreflectivity readings for all warning signs would also be recorded. This information will be collected and delivered in a format that can be continually updated by City Staff. The cost associated with this service is \$14,535.00

The City of Tavares is also in need of a Citywide street pavement evaluation. This report would allow staff to better plan and budget for pavement upgrades. Utilizing a Mobil Mapping Vehicle, data is gathered and evaluated using the P.A.S.E.R.S. model (Pavement Surface Evaluation and Rating System). The City will have this information delivered in a format consistent with that used presently by the City's GIS Department. Southeast Survey Co. can supply this service for \$6,410.00

If Council agrees to have staff enter into a contract combining both the Citywide Street Sign Inventory and the Street Pavement Evaluation, the City would realize a savings of \$3,410. The cost associated with the combined services would be \$17,535.00

OPTIONS:

- 1) Approve staff to enter into a contract with Southeast Surveying, Inc., for a Citywide Street Sign Inventory in the amount of \$14,535.00
- 2) Approve staff to enter into a contract with Southeast Surveying, Inc. for a Citywide Street Pavement Evaluation in the amount of \$6,410.00

- 3) Approve staff to enter into a contract with Southeast Surveying, Inc. for a combined Citywide Street Sign Inventory and Street Pavement Evaluation in the amount of \$17,535.00
- 4) Do not approve staff to enter into a contract with Southeast Surveying, Inc.

STAFF RECOMMENDATION:

Staff recommends that Council approves staff to enter into a contract with Southeast Surveying, Inc. for a combined Citywide Street Sign Inventory and Street Pavement Evaluation with Southeast Surveying, Inc. in the amount of \$17,535.00

FISCAL IMPACT:

Road Construction 001-4102-541-65-80 - \$17,535.00

Combined Sign & Pavement Inventory

	Hrs	Fee	Rate
Field Data Collection			
Initial Evaluation Reconnaissance	4	\$300	\$75
GPS Video Capture	14	\$1,610	\$115
Office Data Conversion			
	36	\$2,700	\$75
Retro Reflectivity Measurement			
	85	\$6,375	\$75
Pavement Surface Evaluation & Rating			
	40	\$3,000	\$75
Data Summary & Final Report			
Map & Database	8	\$600	\$75
GIS Shape & Data File Development	4	\$300	\$75
Final Report Preparation	8	\$600	\$75
Non Labor			
GPS Enabled Video Camera	-	\$550 *	
RetroReflectometer Rental	-	\$1,500	
Reproduction x 4 Reports	-	-	
Total		\$17,535	

** Fee Breakdown for GPS Enabled Camera*

<i>a. Camera: Sony Cybershot DSC-HX5V w/ GPS & Compass</i>	<i>\$250.00</i>
<i>b. Software: EXIF Extractor by Alta4 (Camera to GIS Interface)</i>	<i>\$150.00</i>
<i>c. Training (2 hours at \$75.00 / hour)</i>	<i>\$150.00</i>
<i>Total for GPS Enabled Camera</i>	<i>\$550.00</i>

Separate Sign Inventory

	Hrs	Fee	Rate
Field Data Collection			
Initial Evaluation Reconnaissance	4	\$300	\$75
GPS Video Capture	14	\$1,610	\$115
Office Data Conversion	36	\$2,700	\$75
Retro Reflectivity Measurement	85	\$6,375	\$75
Data Summary & Final Report			
Map & Database	8	\$600	\$75
GIS Shape & Data File Development	4	\$300	\$75
Final Report Preparation	8	\$600	\$75
Non Labor			
GPS Enabled Video Camera	-	\$550 *	
RetroReflectometer Rental	-	\$1,500	
Reproduction x 4 Reports	-	-	
Sign Sub-Total		\$14,535	

Separate Pavement Inventory

	Hrs	Fee	Rate
Field Data Collection			
Initial Evaluation Reconnaissance	4	\$300	\$75
GPS Video Capture	14	\$1,610	\$115
Pavement Surface Evaluation & Rating	40	\$3,000	\$75
Data Summary & Final Report			
Map & Database	8	\$600	\$75
GIS Shape & Data File Development	4	\$300	\$75
Final Report Preparation	8	\$600	\$75
Non Labor			
GPS Enabled Video Camera	-	-	
Reproduction x 4 Reports	-	-	
Pavement Sub-Total		\$6,410	
Total Cost for Separate Sign & Pavement Projects		\$20,945	

** Fee Breakdown for GPS Enabled Camera*

<i>a. Camera: Sony Cybershot DSC-HX5V w/ GPS & Compass</i>	<i>\$250.00</i>
<i>b. Software: EXIF Extractor by Alta4 (Camera to GIS Interface)</i>	<i>\$150.00</i>
<i>c. Training (2 hours at \$75.00 / hour)</i>	<i>\$150.00</i>
<i>Total for GPS Enabled Camera</i>	<i>\$550.00</i>

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 1, 2011**

AGENDA TAB NO. 13

SUBJECT TITLE: Wine Tasting Tent at July 4, 2011

OBJECTIVE: To consider permitting a wine tasting component at this year's July 4th celebration and utilizing the Rotary Club as the facilitator.

SUMMARY: This year's theme for the city's July 4th celebration is *Red, White and Blues*. In keeping with this theme, it was suggested that including a wine tasting component this year would befit the theme—participants would sample red and white wine for a fee.

A three-sided tent would be installed near the blues band and Rotary volunteers would inspect identification, collect the tasting fee and would partner with a local provider to pour the wine. Additionally, the Rotary would apply for the Liquor License and would provide the necessary insurance naming the city as an additional insured.

It should be noted, that traditionally, alcoholic beverages have not been served in the park during this family event or during the Christmas holiday event, and therefore staff seeks Council's direction on this change. It should be noted that where this activity would take place in the new entertainment district, the Splash Park area and Wooton Wonderland would continue to remain alcohol free as it does for all of the city events.

OPTIONS:

- 1) Approve
- 2) Do not approve

STAFF RECOMMENDATION:

Move to allow a wine tasting component at this year's July 4th celebration and utilize the Rotary Club as the facilitator.

FISCAL IMPACT: n/a

LEGAL SUFFICIENCY: n/a

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 1, 2011**

AGENDA TAB NO. 14

**SUBJECT TITLE: Rezoning of City Owned Property on Caroline Street East
Old Spray Field Property**

OBJECTIVE:

To obtain Council's direction on the rezoning of the Caroline Street East property to RMF-3, Residential Multi-Family with a corresponding High Density Land Use designation.

SUMMARY:

On April 20th, 2011, Council considered a report that investigated possible sites for a new Public Works Facility. The Spray Field Property on East Caroline Street was eliminated as a possible site. The present zoning of the property is PFD (Public Facilities District). This zoning would allow any city use. Council comments were recorded that the property should be rezoned to High Density Residential and then marketed. Staff requires a motion from Council to authorize the initiation of the rezoning and amending land use of this property.

OPTIONS:

1. That City Council moves to instruct staff to initiate a rezoning of the Caroline Street East property (Old Spray Fields) to RMF-3, Residential Multi-Family with a corresponding High Density Land Use designation and then to market the property.
2. That City Council moves to market the property with its present zoning and any potential purchaser will be responsible to initiate a rezoning as desired.
3. That Council retains the current zoning of PFD which would allow the property to be developed as a city park.

STAFF RECOMMENDATION:

It is easier to address questions during Public Rezoning Hearings if a well conceived development plan is in place. For this reason, it may be best to delay rezoning until a potential purchaser is ready to make an application for a desired project. If Council desires to market the property, staff is recommending Option 2.

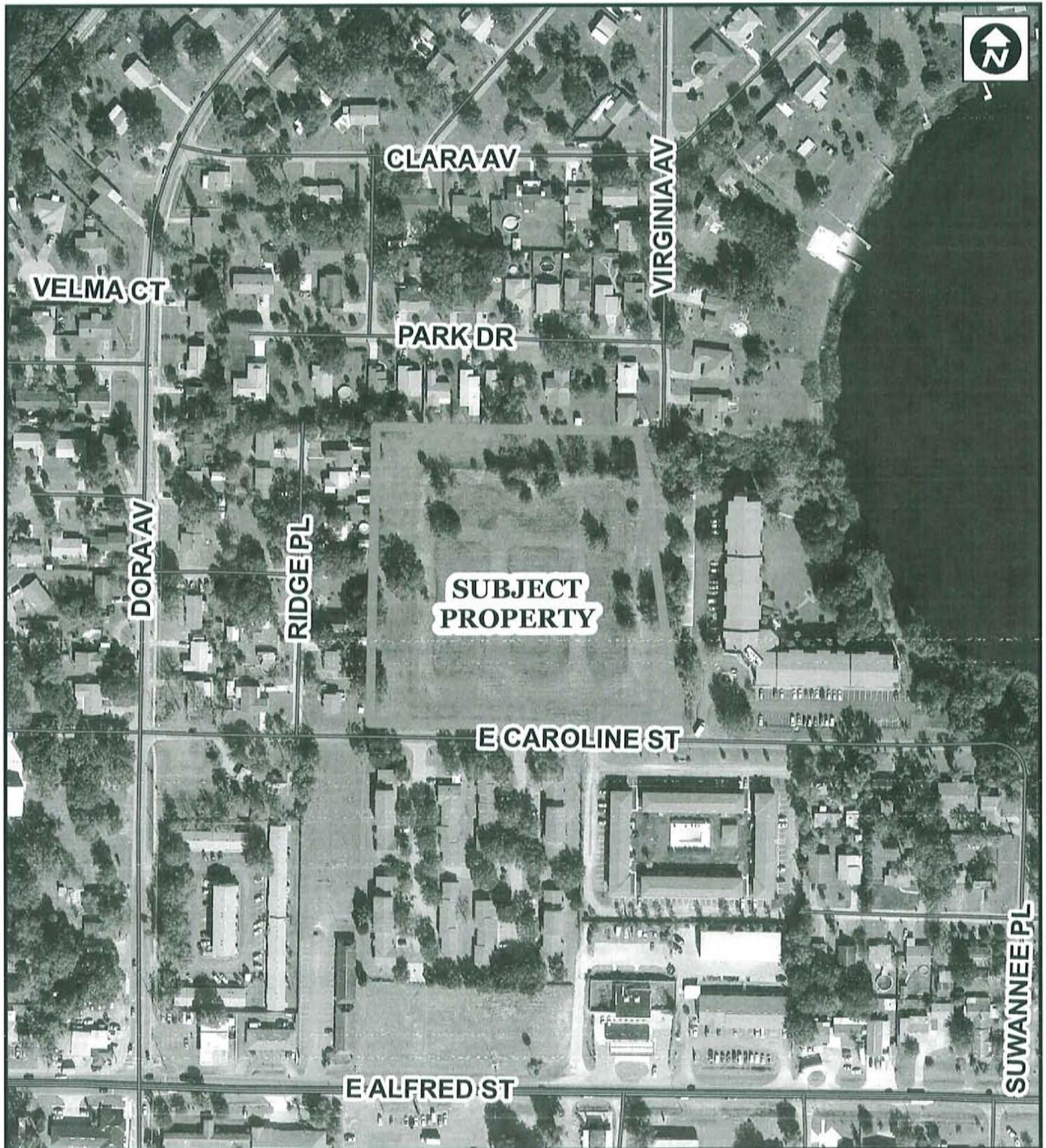
FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Approved for legal sufficiency.

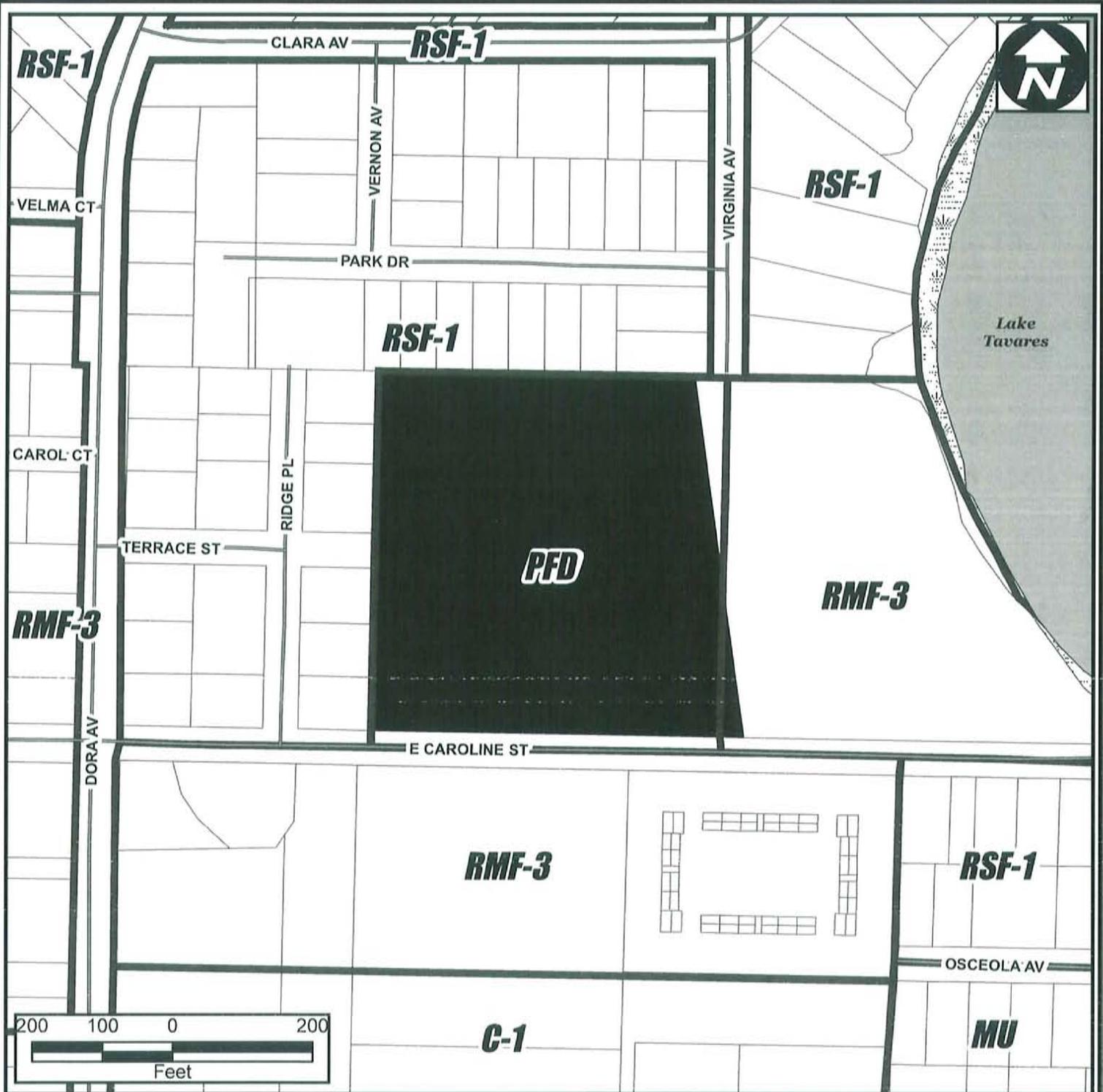
CITY OF TAVARES



PROPERTY LOCATION MAP Caroline St. Spray Field



CITY OF TAVARES - ZONING MAP



- 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



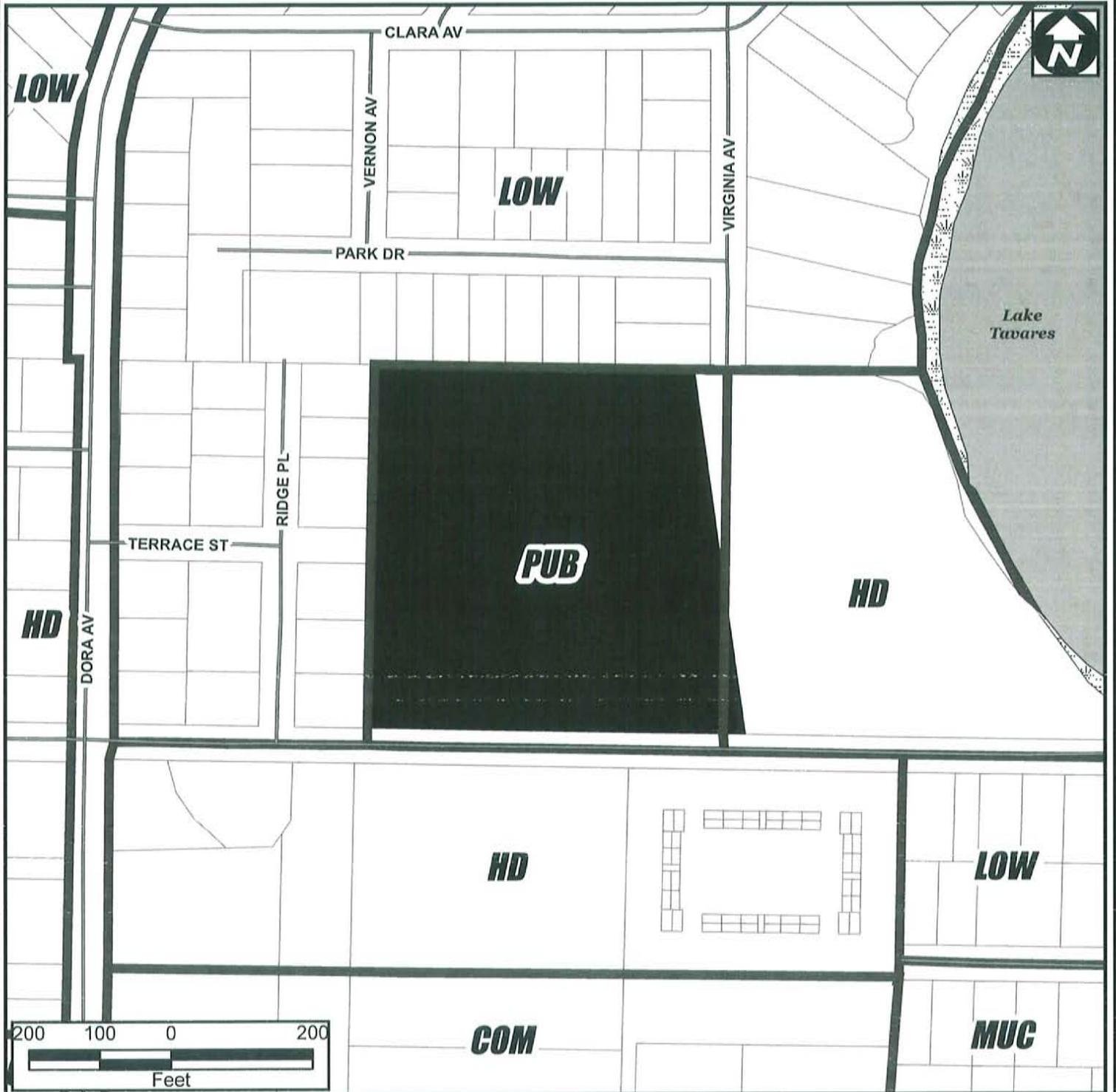
ZONING MAP

Caroline St. Spray Field

Current Zoning:
PFD
05.75 ± Acres

- Legend**
- | | |
|------------------|--------------|
| CITY BOUNDARY | MAJOR ROADS |
| ZONING | STREETS |
| SUBJECT PROPERTY | PARCELS |
| UNINCORPORATED | CONSWETLANDS |

CITY OF TAVARES - FUTURE LAND USE MAP



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 Caroline St. Spray Field

Current FLU:
PUB
05.75 ± Acres

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



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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING:
JUNE 1, 2011**

AGENDA TAB NO. 15

SUBJECT TITLE: Report from the City of Tavares Horizon Project Team for Public Safety and Public Works Replacement Facilities with a request to City Council for land dedication for the Public Works portion of the project.

OBJECTIVE:

The objective of this agenda item is to secure a City Council dedication of certain parcels of land within the City for the proposed Public Works facility.

SUMMARY:

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

On March 24, 2011, members of the Horizon Project Team, joined with Vice-Mayor Grenier and Community Development Director Jacques Skutt, to review land parcels available for the Public Works facility replacement.

Proceeding under the assumption that the Public Safety facility is moving forward on the "Gateway" property, the Horizon Project Team reviewed remaining parcels of land for consideration as a Public Works relocation site. Four parameters were considered as important. Those parameters were, and continue to be:

1. City-owned property.
2. No buildings currently located on the property.
3. The site is located close to the downtown area where the Public Works Department experiences the majority of their service delivery.
4. The property would not require an inordinate amount of remediation, such as raising and drying of wetland.

Based on a preliminary needs assessment of space required for the Public Works project, the Horizon Project Team is adding a fifth consideration parameter:

5. The property must contain at least 4 acres of contiguous, accessible property.

Based on these parameters, the Project Team presented the following five parcels to Council on April 20, 2011. Those parcels were:

1. The land behind and immediately adjacent to City Hall.
2. The land on Woodlea Road, current site of, and attached to, the Tavares Sports Park.
3. The land known as the "old spray field", on East Caroline Street, next to Grand Court A.L.F.
4. The land known as the Caroline Street Waste Treatment Plant.
5. The undeveloped (wet) land between the Caroline Street Waste Treatment Plant and Alfred Street.

Site visits and pro/con "best use" assessments were conducted on each property.

As a result, the Horizon Project Team determined that the old spray field property on East Caroline Street is the appropriate parcel of land to dedicate as the site for the proposed Public Works facility. The dedication of this piece of land was presented to City Council at the regular Council Meeting of April 20, 2011. After lengthy discussion, Council chose to not dedicate the old spray field property as a facility site for Public Works, and directed the Horizon Project Team for Public Safety and Public Works Facility Replacement to continue to develop other options for a different parcel of land for the Public Works portion of the project.

With that direction in mind, the Horizon Project Team reviewed other properties for the proposed facility. Those properties considered after the old spray field were:

1. The Caroline Street "Waste-Water Treatment Plant" property.
2. The two parcels of city-owned, undeveloped (wet) land situated between Alfred Street and the Caroline Street "Waste-Water Treatment Plant" property.
3. The property located in the Northwest corner of the intersection of Woodlea Road and Captain Haynes Road (hereinafter referred to as the "Sports Complex Property").
4. Undeveloped land fronting on Captain Haynes Road that, until the building was burned, held the original Woodlea house (hereinafter referred to as the "Woodlea House Property").

Testimony will be presented at the presentation of this agenda item at the June 4 meeting of City Council, and Council will have opportunity to discuss the "pro and con" issues on any or all of these properties.

The Horizon Project Team presents the following options:

Option 1:

City Council may move to approve the dedication of the "Woodlea House Property" located on Captain Haynes Road as the site of the proposed Public Works facility, directing that all design efforts from this point forward will be made for this property.

Option 2:

City Council may move to approve the dedication of the "Sports Complex Property" located on the Northwest corner of the intersection of Woodlea Road and Captain Haynes Road as the site of the proposed Public Works facility, directing that all design efforts from this point forward will be made for this property.

Option 3:

City Council may move to take no action and direct the Horizon Project Team to continue to develop other options and considerations on the dedicated site for the Public Works facility relocation site.

STAFF RECOMMENDATION:

Move Option 1: Move to approve the dedication of the "Woodlea House Property" located on Captain Haynes Road as the site of the proposed Public Works facility, directing that all design efforts from this point forward will be made for this property.

FISCAL IMPACT:

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

LEGAL SUFFICIENCY:

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

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 1, 2011**

AGENDA TAB NO. 16

SUBJECT TITLE: Senior Center and Senior Services

OBJECTIVE: To authorize staff to develop a partnership and action plan with Mid-Florida Community Services to provide some level of service to Tavares senior citizens who are in need.

SUMMARY: By way of history, Councilmember Lori Pfister requested staff to explore the possibility of delivering some level of service to the city's senior citizens who may have economic needs.

Councilmember Pfister, City Administrator John Drury, Community Services Director Tamera Rogers, and Recreation Project Manager Scott Aldrich recently met with Mid-Florida Community Services Director George Popovitch to learn about how we might work together to deliver some level of service to our community.

Staff is seeking authorization from City Council Members to proceed with developing a partnership and action plan with Mid-Florida Community Services--an organization that provides a large array of senior services and that which is funded through the Department of Elder Affairs and other partnerships—and to bring that plan back to the city council for review at a later date.

OPTIONS:

- 1) Authorize staff to pursue a partnership and plan
- 2) Do not

STAFF RECOMMENDATION: Make a motion to authorize staff to develop a partnership and action plan with Mid-Florida Community Services to provide some level of service to Tavares senior citizens who are in need.

FISCAL IMPACT: n/a

LEGAL SUFFICIENCY: n/a

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 1, 2011**

AGENDA TAB NO. 17

SUBJECT TITLE: Authorization to Renew Contract with Nova Engineering for City Building Inspection Services

OBJECTIVE:

To receive Council's direction on our contract with Nova Engineering, our City Building Inspection Service provider. The terms of the existing contract allows for a one-year extension.

SUMMARY:

The City presently contracts with Nova Engineering and Environmental, LLC, to provide Building Inspection and Plans Examination services for our Building Division. It is a state requirement that local governments enforce the provisions of the Florida Building Code utilizing state-licensed Building Inspectors and Officials. These licensed professionals may either be employed directly by the municipality or retained by contract through a private service provider.

The city's contract with Nova was executed on November 3, 2008. The contract was for a two-year period with the option to renew the contract using the same terms for two additional one-year periods. The contract was extended in 2010 and may be extended for an additional year (Nov. 2011-Nov. 2012).

Staff is satisfied with the services provided by Nova. A cost comparison between outsourcing and providing this service in-house was done in 2010. The study demonstrated that outsourcing to Nova at \$144,000 per year, with all factors considered, was comparable or less than the cost for the city to hire and equip a Building Official to perform this service in-house.

OPTIONS:

1. That Council authorizes the City Administrator to renew the contract with Nova Engineering for Building Inspection Services for a one-year period using the terms of the present contract.
2. That Council directs staff to initiate the RFP process to select a firm to provide Building Inspection Services for the city.

STAFF RECOMMENDATION:

Staff recommends that Council authorizes the City Administrator to renew the contract with Nova Engineering for Building Inspection Services for an additional one-year period using the terms of the present contract.

FISCAL IMPACT:

None

LEGAL SUFFICIENCY:

Approved for legal sufficiency.

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AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 1, 2011

AGENDA TAB NO. 18

SUBJECT TITLE: Donation of Cemetery Burial Plot to Judge Boylston Family

OBJECTIVE: To consider donating a cemetery burial plot, valued at \$700.00, to the family of Judge Boylston.

SUMMARY: Judge Boylston was the longest-serving county judge in Lake County, serving 20 years. His loyalty and dedication to this county has been commended by many. Although he and his family have resided in Leesburg for several years, it was his request to be laid to rest in the Tavares Cemetery.

By way of history, in honor of their many contributions to the City of Tavares, City Council approved the donation of burial plots to Sheriff Chris Daniels' family and to Police Officer Michael Poole's family.

In the same manner, Mayor Robert Wolfe is requesting that Council approve the donation of a cemetery burial plot to the family of Judge Richard Boylston.

OPTIONS:

- 1) Approve the donation
- 2) Do not approve

STAFF RECOMMENDATION:

Staff recommends that Council discuss options.

FISCAL IMPACT: \$700.00

LEGAL SUFFICIENCY: n/a

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 1, 2011**

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 – June 15, 2011
- Code Enforcement Hearing – deferred until selection made of Special Magistrate
- Lake Sumter MPO – Board Meeting – June 22, 2011 – 2 p.m. – MPO Board Room – 1416 S. 14th Street, Leesbug
- Library Board – June 9, 2011– 8:30 a.m. Library Conference Room, 314 N. New Hampshire
- Planning & Zoning Board June 23, 2011 – 3 p.m.

EVENTS:

**Jet Ski Races - June 25-26
July 4th Celebration**

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
May 18, 2011**

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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