

AGENDA  
TAVARES CITY COUNCIL

OCTOBER 5, 2011  
4:00 P.M.  
TAVARES CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Carlos Colon, Chaplain, Fire Department

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Tab 1) City Council Regular Meeting September 7, 2011  
City Council Regular Meeting September 21, 2011

V. PROCLAMATIONS/PRESENTATIONS

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

VII. CONSENT AGENDA

Tab 2) Agreement with Lake Emergency Management Services      Richard Keith  
- Dispatch Services

VIII. ORDINANCES/RESOLUTIONS

FIRST READING

Tab 3) Ordinance #2011-07 - Comprehensive Plan Amendment      Jacques Skutt  
- Remove Transportation, School and Parks & Recreation Concurrency

Tab 4) Ordinance #2011-09 – Banning Beach Rezoning to Planned      Jacques Skutt  
Development – David Weis

SECOND READING

- |   |               |
|---|---------------|
| Tab 5) Ordinance #2011-10 - Amendment to Section 11-2 of Code Of Ordinances – Discharge of Firearms – Second Reading      | Stoney Lubins |
| Tab 6) Ordinance #2011-11- Amendment to Noise Ordinance - Chapter 12 of the Land Development Regulations – Second Reading | Stoney Lubins |
| Tab 7) Ordinance #2011- 12 Liening of Utility Accounts Second Reading   | Lori Houghton |

**RESOLUTIONS**

- |  |               |
|--|---------------|
| Tab 8) Resolution #2011-21 – Criteria for Wayfinding Signage | Jacques Skutt |
|--|---------------|

**IX. GENERAL GOVERNMENT**

- |   |                |
|---|----------------|
| Tab 9) Award of Bid for Voice Over Protocol Telephone System                                | Lori Houghton  |
| Tab 10) Request from New Beginnings (Not for Profit Agency) to Hold Event at Wooton Park    | Bill Neron     |
| Tab 11) Review Bid Options for Improvements to Todd Way Cul de Sac in Imperial Terrace East | Chris Thompson |
| Tab 12) Rebuild Train Station at Wooton Park  | Bill Neron     |

**X. OLD BUSINESS**

**XI NEW BUSINESS**

**XII. AUDIENCE TO BE HEARD**

**XIII. REPORTS**

- |                            |                     |
|----------------------------|---------------------|
| Tab 13) City Administrator | John Drury          |
| Tab 14) 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.

**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.

**ex parte communications** – Direct or indirect communication on the substance of a pending matter without the knowledge, presence, or consent of all parties involved in the matter.

**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.

**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  
SEPTEMBER 7, 2011  
CITY COUNCIL CHAMBERS  
4:00 p.m.

COUNCILMEMBERS PRESENT

ABSENT

Robert Wolfe, Mayor  
Bob Grenier, Vice Mayor  
Sandy Gamble, Councilmember  
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 Stoney Lubins, Police Department  
Jacques Skutt  
Chief Richard Keith, Fire Department  
Joyce Ross, Communications Director  
Bill Neron, Economic Development Director  
Tammy Rogers, Community Services Director  
Brad Hayes, Utilities Director  
Lori Tucker, Human Resources Director

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Doug Dykstra, Mid Lake Christian Church, gave the invocation and those present recited the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor Wolfe noted that the Public Hearing on the Millage and Budget would be held at 5:05 pm.

MOTION

1 Bob Grenier moved to approve the agenda with the Public Hearings on Millage and Budget  
2 to be heard at 5:05 as noted by the Mayor, seconded by Kirby Smith. The motion carried  
3 unanimously 5-0.  
4

5 **IV. APPROVAL OF MINUTES**

6  
7 **MOTION**

8  
9 Sandy Gamble moved to approve the minutes of the Golden Triangle Meeting of March 23,  
10 2011, the Budget Workshop of July 27, 2011, and the Regular Council Meetings of August  
11 3 and August 17, 2011 as submitted, seconded by Bob Grenier. The motion carried  
12 unanimously 5-0.  
13

14 **V. PROCLAMATIONS/PRESENTATIONS** - None

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

17  
18 Attorney Williams noted there were no quasi-judicial items on the agenda.  
19

20 Councilmember Smith stated that he owns property south of the parcel mentioned in the Minor  
21 Subdivision Plat Amendment for Lake Elsie Reserves.  
22

23 Attorney Williams advised that he had recommended Councilmember Smith bring up this issue.  
24 He said there is no voting conflict for Councilmember Smith as he has no pecuniary interest in  
25 this matter.  
26

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

28  
29 Ms. Barnett read the following ordinances by title only:  
30

31 **ORDINANCE 2011-10**

32  
33 **AN ORDINANCE REPEALING SECTION 11-2 OF CHAPTER 11 OF THE CITY**  
34 **OF TAVARES CODE OF ORDINANCES RELATING TO THE DISCHARGE OF**  
35 **FIREARMS; PROVIDING FOR AN EFFECTIVE DATE.**  
36

37 **ORDINANCE 2011- 11**

38  
39 **AN ORDINANCE AMENDING SECTION 12-1 (G) OF CHAPTER 12 OF THE**  
40 **CITY OF TAVARES LAND DEVELOPMENT REGULATIONS RELATED TO**  
41 **DEFINITIONS, PROVIDING FOR AN EFFECTIVE DATE.**  
42

43  
44 **VIII. CONSENT AGENDA**

45  
46 Mayor Wolfe asked if anyone in the audience had objections to the items on the Consent Agenda.  
47

1 **MOTION**  
2

3 Bob Grenier moved to approve the Consent Agenda [Tab 2 – Approval of Minor Plat  
4 Amendment for Lake Elsie Reserve; Tab 3 – Solid Waste Services – Palm Gardens RV Park  
5 & Cottage Report; and Tab 4 – Draft Ordinance for Liening Utility Accounts], seconded by  
6 Sandy Gamble. The motion carried unanimously 5-0.  
7

8 **VIII. PUBLIC HEARING – FISCAL YEAR 2012 MILLAGE & BUDGET – 5:05 PM**  
9

10 **Tab 5) Resolution #2011-18 – Tentative Millage Rate Fiscal Year 2011/2012**  
11

12 Ms. Barnett read the resolutions in their entirety as follows:  
13

14 **RESOLUTION 2011- 18**  
15

16 **A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 6.95**  
17 **FOR THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM**  
18 **TAXES FOR FISCAL YEAR 2011-2012; SETTING FORTH THE**  
19 **PERCENT BY WHICH THE MILLAGE RATE IS LESS THAN THE**  
20 **"ROLLED-BACK" RATE.**  
21

22 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**  
23

24 **WHEREAS**, the City of Tavares of Lake County, Florida on September 7, 2011, adopted  
25 the 2011-2012 Fiscal Year Tentative Millage Rate following a public hearing as required by  
26 Florida Statute 200.065.  
27

28 **WHEREAS**, the City of Tavares of Lake County, Florida, following due public notice as  
29 required by law, held a second public hearing on September 21, 2011, as required by Florida  
30 Statute 200.065 on the 2011-2012 Millage Rate; and  
31

32 **WHEREAS**, the gross taxable value for operating purposes not exempt from taxation  
33 within Lake County has been certified by the County Property Appraiser to the City of Tavares as  
34 \$624,303,974.  
35

36 **NOW THEREFORE, BE IT RESOLVED** by the City of Tavares of Lake County, Florida,  
37 that:  
38

- 39 1. The City of Tavares Fiscal Year 2011-2012 operating millage rate to be levied is  
40 hereby set at 6.95 mills, which millage rate is less than the rolled back rate of  
41 7.6618 by 9.29%.  
42  
43 2. The voted debt service millage is 0.00.  
44  
45 3. This Resolution will take effect immediately upon its adoption.  
46

47 **PASSED AND RESOLVED** this 21st day of September 2011, by the City Council of the

1 City of Tavares, Florida.

2  
3 **RESOLUTION 2011- 19**

4  
5 **A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE**  
6 **CITY OF TAVARES, FLORIDA, FOR THE FISCAL YEAR 2011-**  
7 **2012.**

8  
9 BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:

10  
11 WHEREAS, a public hearing on the proposed 2011-2012 budget was held at the  
12 Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County, Florida on  
13 September 7, 2011, at 5:05 p.m., as required by Florida Statutes 200.065; and

14  
15 WHEREAS, the general public was given an opportunity to express its views  
16 pertaining to the proposed budget, and

17  
18 WHEREAS, the City Council approved the tentative budget for 2011-2012, and

19  
20 WHEREAS, a second public hearing on the proposed 2011-2012 budget was held  
21 in the Council Chambers at the Tavares City Hall, 201 East Main Street in the City of Tavares,  
22 Florida, on September 21, 2011, at 5:05 p.m.,

23  
24 NOW, THEREFORE, BE IT RESOLVED that the Budget for 2011-2012 fiscal year  
25 for the City of Tavares, Florida is hereby adopted by the Tavares City Council in the amount of  
26 \$31,503,654, at public hearing this 21st day of September, 2011.

27  
28 Ms. Houghton stated the tentative millage rate is based on the ad valorem rate of 6.95 mills which  
29 is 9.29% less than the rollback rate of 7.6618 mills and assessed taxable property value of  
30 \$624,330,974 which is a decrease of 7.89% from the prior year.

31  
32 Other points and assumptions presented:

- 33  
34
- 35 • Ad valorem millage rate of 6.95 mills which is 9.29%% less than the rollback rate of  
36 7.6618 mills
  - 37 • An assessed taxable property value of \$624,303,974 which is a decrease of 7.89% from  
38 the prior year
  - 39 • No Cost of Living increases for employees (CPI as of March 2011 = 2.7)
  - 40 • No Merit increases for employees
  - 41 • FRS employer contributions are budgeted at blended rates as rates will increase effective  
42 July 1, 2012 (5.331% *Regular Class* & 8.838% *Senior Management Class*)
  - 43 • Staffing level decreases – do not fund 2 positions (GIS Technician, Police Officer)
  - 44 • Fire Pension contribution rate decrease from 22% to 21.1%
  - 45 • Police Pension contribution rate remains unchanged at 21.2%
  - 46 • Health insurance increases budgeted at blended rate of 7% (*assumes 50% participation in*  
47 *new health plan*)
  - Employees will pay 50% of premium cost for family health coverage

- 1 • Employees will pay 50% of premium increases for health insurance
- 2 • Proposed budget includes capital lease for a VOIP Phone System for telephone
- 3 expenditure savings
- 4 • Proposed Budget includes capital lease for purchase of replacement solid waste
- 5 automated truck
- 6 • Proposed Budget includes capital lease for purchase of replacement street sweeper
- 7 • Proposed Budget includes sponsorship for the Renaissance Faire in the General Fund in
- 8 the amount of \$4,000.
- 9 • Workers' compensation rate increase of 5%
- 10 • General liability rate increase of 5%
- 11 • Push capital replacements until the following year
- 12 • Fund only operational costs critical to the service delivery mission
- 13 • Maintain a similar level of service.
- 14 • Reserve appropriations of \$390,059 (revised from draft budget to include maximum
- 15 millage rate of 6.95, additional revenues anticipated from CST Tax and Municipal
- 16 Revenue Sharing)
- 17 • The General Fund proposed Reserve Fund Balance is proposed at \$1,296,257 or 11.1%.
- 18

19 Attorney Williams noted the justification for the record is only technically required by the Statute if  
20 the tax is being increased.

21  
22 Mayor Wolfe asked if there was public comment on the millage. There was none.

### 23 24 Discussion

25  
26 Councilmember Smith asked why Council had decided to go from 6.89 to 6.95 as he was not at  
27 the meeting [of July 27, 2011].

28  
29 Mayor Wolfe said it was set at 6.95 knowing it could go back down. He noted additional funds  
30 have been received for forfeitures and liens and asked if that amount could go back into the  
31 General Fund. Ms. Houghton said those funds will go into the General Fund in the current year  
32 and when the result of operations is known, it will be determined if there are additional funds to  
33 roll forward to the next fiscal year. Mayor Wolfe asked if Council decided to lower the millage  
34 back to 6.89 would that amount be taken from reserves. Ms. Houghton confirmed.

35  
36 Mayor Wolfe asked if there was comment from the audience on the tentative millage rate for  
37 2012.

### 38 39 Discussion

40  
41 Councilmember Gamble asked about information received this week from the Property  
42 Appraiser's office. Ms. Houghton said that the Lake County Property Appraiser has a Fraud  
43 Investigative Unit which has been working with cities to compare utility bills with the tax roll. They  
44 have identified \$997,000 in property values that equate to Homestead Exemptions that were  
45 improperly provided to taxpayers. She said that will result in a little over \$6,000 in additional taxes  
46 to Tavares

1  
2 **MOTION**

3  
4 **Lori Pfister moved to approve Option 1, to approve the 2012 millage as reflected in**  
5 **Resolution #2011-18. The motion was seconded by Bob Grenier.**

6  
7 **Discussion**

8  
9 Councilmember Smith said he understood the millage could go down but that he would like it to  
10 stay at 6.89. He said the budget is balanced presently at 6.89. Mayor Wolfe concurred. He said  
11 there has been extensive discussion on possible cuts but nothing further has been brought up.  
12 Vice Mayor Grenier said it was his intention in seconding the motion to ensure that all issues  
13 would have the opportunity to be brought up for discussion before the adoption hearing.

14  
15 Councilmember Pfister said she did not want to make the final decision on the millage until the  
16 next hearing.

17  
18 Councilmember Gamble said he understood from his meeting with Mr. Drury that the department  
19 heads would not be able to spend any funds left over in the budget without approval of Council.  
20 He said if it is not a line item approved by Council, it should come back to Council before it is  
21 allowed to go forward. He said by lowering the millage, it will show a good faith effort by Council  
22 to try to lower the taxes for the residents.

23  
24 **The motion failed 3-2 as follows:**

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

31  
32 **MOTION**

33  
34 **Kirby Smith moved to approve the tentative millage rate at 6.89, seconded by Sandy**  
35 **Gamble.**

36  
37 Vice Mayor Grenier asked for clarification on the motion. Attorney Williams noted the statutes  
38 require that council hear the resolution in two hearings. He said the resolution is not adopted  
39 technically until September 21<sup>st</sup>. He said this is to give notice on what will be adopted at that  
40 meeting.

41  
42 Mr. Drury noted a cut will have to be made to the budget to balance it at the lower rate and staff  
43 will probably recommend a transfer from reserves to balance the budget.

44  
45 Councilmember Pfister asked for the total amount of reserves at 6.89. Ms. Houghton responded  
46 that it will be \$414,823; the new roll back rate will be 7.5945 and the 6.89 millage rate is 9.27%  
47 less than the roll back rate.

1  
2 The motion carried 4-1 as follows:

3  
4 Robert Wolfe Yes  
5 Kirby Smith Yes  
6 Sandy Gamble Yes  
7 Bob Grenier Yes  
8 Lori Pfister No  
9

10 Tab 6) Resolution #2011-19 – Tentative Budget

11  
12 Ms. Houghton said she did not need to read the information into the record again unless Council  
13 wished her to do so.

14  
15 Mayor Wolfe asked if anyone in the audience would like to speak on the budget.

16  
17 Norman Hope, Fox Run

18  
19 Mr. Hope said he had met with Mr. Drury and Ms. Houghton and had gone through the budget  
20 line by line. He said all his questions had been answered and he could not find additional cuts  
21 unless some of the parks are closed, books are not purchased, etc. He said he appreciated  
22 Council's action of 6.89 which shows that Council is trying to be more austere.

23  
24 MOTION

25  
26 Kirby Smith moved to approve the original budget proposed at 6.89 mils, seconded by  
27 Sandy Gamble. The motion carried 4-1 as follows:

28  
29 Robert Wolfe Yes  
30 Kirby Smith Yes  
31 Sandy Gamble Yes  
32 Bob Grenier Yes  
33 Lori Pfister No  
34

35 IX. ORDINANCES/RESOLUTIONS

36  
37 Tab 7) Ordinance #2011-10 – Amendment to Section 11-2 of Code of Ordinances –  
38 Discharge of Firearms – Read for First Reading Only

39  
40 Tab 8) Ordinance #2011-11 – Amendment to Noise Ordinance to Chapter 12 of the Land  
41 Development Regulations – Read for First Reading only

42  
43 X. GENERAL GOVERNMENT

44  
45 Tab 9) Approval of Agreement with BESH Engineering for Design and Administration of  
46 the Pavilion Project  
47

1 Ms. Rogers stated that BESH was hired to construct the Wooton Park project and the pavilion  
2 construction is a continuation of the project. The pavilion was left to the end to allow for the FDEP  
3 permitting phase to be completed. The agreement is with BESH and their subcontractor is the  
4 architectural firm, Blais and Fiebach. The cost is about 11% of the project cost which is budgeted  
5 at \$3.36 million.  
6

7 Councilmember Smith asked Mr. Ern for clarification on his role with the the project. Mr. Ern  
8 answered that his firm will be overseeing the design of the marina components and Mr. Sapp will  
9 be the general contractor in charge of the construction. Councilmember Smith asked Mr. Ern if  
10 there was a problem between the general contractor and the subcontractor, would he be involved  
11 with those negotiations. Mr. Ern confirmed.  
12

13 Vice Mayor Grenier asked for clarification on the marina consultant. Mr. Ern answered that  
14 Dredging and Marine Consultants is their subcontractor to design the marina portion of the job  
15 which is the floating docks that will house the water taxis and the gangway leading to those  
16 docks. He said DMC was involved with the city on several other phases of the project as well.  
17

18 Mayor Wolfe asked if the audience had comments.  
19

20 **MOTION**

21  
22 **Kirby Smith moved to approve the BESH contract, seconded by Bob Grenier. The motion**  
23 **carried unanimously 5-0.**  
24

25 **Tab 10) Approval of Agreement with Emmett Sapp for the Construction of the Pavilion**  
26

27 Ms. Rogers stated that the construction fee is 10% of the cost of the project. The construction  
28 manager will be at the design table from the very beginning of the project and then will oversee  
29 the construction when it begins. The contractor will then be able to advise if changes need to be  
30 made in the design which will keep the costs in line and the design will coincide with the  
31 construction. Ms. Rogers reviewed the history of the bid process that had been done and noted  
32 Councilmember Pfister was the liaison to the project and served on the selection committee. She  
33 said Emmett Sapp was in attendance.  
34

35 Mayor Wolfe asked if there will still be a minimum of five bids for every component. Mr. Sapp  
36 indicated agreement from the audience.  
37

38 Councilmember Pfister stated she is thankful the agreement is being approved and noted the city  
39 and staff have worked very hard on this project.  
40

41 **MOTION**

42  
43 **Lori Pfister moved to approve the contract with Emmett Sapp Builders, seconded by Bob**  
44 **Grenier. The motion carried unanimously 5-0.**  
45

46 **Tab 11) Request to Approve Proposal with Malcolm Pirnie for Water Pressure Study at**  
47 **Royal Harbor**

1  
2 Mr. Hayes stated this is a request to approve a work authorization for the potable water pressure  
3 monitoring and data evaluation work. He noted the hydraulic model was submitted to Council in  
4 September 2010. It included options to increase water pressure: of constructing a booster pump  
5 station at an estimated cost of approximately \$600,000 or installing a reclaim water distribution  
6 system throughout Royal Harbor (\$2.5 million). Due to the costs, the city decided to explore less  
7 costly options. Mr. Hayes said staff worked with the Royal Harbor Homeowners Association to  
8 obtain information on the proposed alternative option. The proposal is to monitor the pressure of  
9 15 of the homes for an extended period to collect data and to look for the unknowns, such as  
10 partially closed valves or improperly sized lines and to do some field monitoring of selected  
11 hydrants.  
12

13 Mr. Drury discussed the city's efforts in analyzing the water pressure problem at Royal Harbor.  
14 He said most of the work has been focused on the meter to the city's side. He said the city has  
15 concluded there is an adequate pressure to the meters. The city has requested that every  
16 resident that has had a problem report that problem to the HOA (82 homeowners have  
17 responded). Malcolm Pirnie will investigate the area from the meter into their homes. Some  
18 volunteers will be recruited to monitor their homes 24/7 for a period of time and find out if during  
19 construction something from the meter to these homes is the problem or will a larger water meter  
20 at the home produce the needed pressure.  
21

22 Vice Mayor Grenier asked if the city will be reviewing the drawings and the work that was done  
23 originally. Mr. Drury agreed and added that the focus will also be on when the problem is  
24 occurring.  
25

26 Mr. Shannon of Malcolm Pirnie stood to speak. He said the plan is to bridge the gap between  
27 what has been done in the past and where the complaints are originating. He noted that the  
28 complaints are widespread. He said normally this indicates that there would be something on the  
29 city's side of the system which is why the initial investigations were carried out in that model.  
30 Although instances were found when pressures were lower they were not low enough to justify  
31 the complaints that had been received. He said this study will look at what is occurring on both  
32 sides of the meter at the same time. He said that will be done long term for about 15 homes,  
33 however, in addition to that all 80 homes will be measured at the hose bib with portable meters.  
34 He said in addition a survey will be sent out that will ask specific questions about time of day, time  
35 of year and where in the home the problem occurs.  
36

37 Councilmember Pfister asked if this would fix the problem. She noted she has voted for every  
38 measure that has been presented since she came on Council and she had promised this would  
39 be fixed as part of her election to Council.  
40

41 Mr. Shannon said that to say unequivocally would require him to predict what will be found. He  
42 said he could not say with 100% certainty but that the design of the study has allowed for every  
43 reasonable possibility that could be causing the problem.  
44

45 Vice Mayor Grenier agreed that it makes sense that there is a need to go inside the boundaries of  
46 the subdivision and look in more detail.  
47

1 Councilmember Gamble asked if the 82 homes were at the top of the hill. Mr. Shannon said for  
2 the most part they are at the higher elevations however there are some down below.  
3

4 Mayor Wolfe invited public comment.  
5

6 Bob Shapiro, 3268 Seven Seas Drive  
7

8 Mr. Shapiro stated he does back flow testing and has read pressures on many of the houses  
9 when there is no watering going on and has noted 25-35 lbs. of pressure in the houses on top of  
10 the hill. He said he did not think sizing of the piping will make a lot of difference. He said the  
11 pressure at the bottom of the hill is good.  
12

13 Ted Robbins, 3576 Tropical Seas Loop  
14

15 Mr. Robbins said he has been involved with the water issue since 2001 when he bought his  
16 house. He said there were less than 150 homes at that time. He said the majority of the homes  
17 on the top of the hill were built out. He said he changed fixtures to try to get better pressure. He  
18 said he came before Council in 2003 for the first time. He said he was told that the pressure  
19 meets Florida code at 40 psi. He said the people at the bottom of the hill were getting 60-65 psi  
20 and they were having problems blowing relief valves on top of their water heaters. He said his  
21 main concern is that at one of the last meetings he attended he told that in order to fight a fire  
22 involving more than one home, they would have to bring in a water tank.  
23

24 Gary Santaro, Lake Huron Lane  
25

26 Mr. Santaro said he has a five minute presentation. He said he wanted to bring Council's  
27 attention to some issues. He reviewed the work done by Jones Edmunds in 2008. He said they  
28 had recommended a second pressure zone within the subdivision by installing a booster pump,  
29 two pressure reducing valve systems, and closing the isolation valves (cost of \$600,000). He said  
30 the report found another contributor came from outside the subdivision. The subdivision is a  
31 looped system but is on a dead end main. In 2010 Malcolm Pirnie produced a water distribution  
32 system hydraulic model update. The monitoring period was conducted from September 18, 2009  
33 to October 1, 2009 however based on the limited flow and pressure data, a second pressure  
34 investigation was recommended (probably because the winter residents were not back in Royal  
35 Harbor). The second phase of the monitoring occurred between February 20<sup>th</sup> and March 4, 2010.  
36 No water pressure deficiencies were detected during either monitoring period. He noted their  
37 recommendation was to install a dedicated reclamation system.  
38

39 Mr. Santaro noted very little building construction has occurred along SR 19 corridor that would  
40 impact the water supplied by the water main on SR 19 and Royal Harbor is still served by a dead  
41 end water main. He discussed the Royal Harbor community and their landscaping system.  
42

43 Mr. Santaro recommended that the city not spend the \$61,000 on the study at this time, and wait  
44 until the reclaimed water distributions system comes on line which will provide the opportunity for  
45 a study to be done based on facts rather than computer modeling.  
46

47 Denise Laratta, Royal Harbor

1  
2 Ms. Laratta said a lot of people in Royal Harbor will not respond to the survey because they do  
3 not believe anything will be done about the problem. She said if the city is basing its assumption that  
4 it is only 82 homes in Royal Harbor that have a problem that may be incorrect. She questioned  
5 how the city will know what needs to be fixed in all of the homes. She noted Royal Harbor is  
6 already on a very complex irrigation schedule that was worked out with the city. She said if  
7 Council decided on either of the other recommendations today that the actual costs will probably  
8 be much lower due to construction costs coming down.

9  
10 Councilmember Gamble said he wanted the problem to be fixed but that he did not want to  
11 continue to spend money on studies. He questioned whether the study will provide the answers.  
12 He asked if the \$2.5 million fee would be spent by the city or was that something that would have  
13 to come from the residents. He said he has been asked that question by residents.

14  
15 Mr. Shannon said the risk of not doing the study is that if the city proceeds with installing the  
16 booster pump or designing a reclaim system there is a risk that the money will be spent and  
17 residents will still be experiencing low pressure. He said it is possible there is a simpler fix and  
18 this is the opportunity to determine that.

19  
20 Councilmember Smith said he supported the additional study noting it will provide more facts.

21  
22 Mr. Drury added that when there is clarity on the source of the problem it can be solved.

23  
24 Councilmember Gamble asked when the research will begin. Mr. Shannon said the  
25 measurements need to be done when the water usage is the higher which will be in April. Mr.  
26 Hayes said based on the history of water production, between the end of March and the middle of  
27 May there is more water produced than at any other time of the year. Councilmember Gamble  
28 said that is their concern because the residents begin going back in April. Mr. Hayes said it can  
29 be shifted to some extent, but in April their sprinkler systems are on automatic. Mr. Drury  
30 suggested March, April, and May. Councilmember Smith suggested starting in November and  
31 then repeating it in March and April. Mr. Shannon said the budget prepared was based on  
32 equipment and the work scheduled of the contractor over about a month's time frame.

33  
34 Councilmember Pfister said although she is not an expert on engineering and utilities the problem  
35 is that they do not have water pressure and the scientific method has not resolved the problem.  
36 She said she will not support spending additional funds until she hears a guarantee that will fix  
37 the problem for a reasonable cost.

38  
39 Vice Mayor Grenier debated whether Royal Harbor was unique in this situation. Mr. Shannon said  
40 if the complaints all came from the top elevation it would be easier to analyze.

41  
42 **MOTION**

43  
44 **Kirby Smith moved to approve the work authorization with Malcolm Pirnie for the study**  
45 **(Option 1), seconded by Bob Grenier. The motion carried 3-2 as follows:**

46  
47 **Robert Wolfe**

**Yes**

1	<b>Kirby Smith</b>	<b>Yes</b>
2	<b>Bob Grenier</b>	<b>Yes</b>
3	<b>Sandy Gamble</b>	<b>No</b>
4	<b>Lori Pfister</b>	<b>No</b>

5  
6 **Tab 12) Approval of Renewal of Work Authorization with Malcolm Pirnie for Consumptive**  
7 **Use Permit**

8  
9 Mr. Hayes stated that previously Council approved the Consumptive Use Process which  
10 consisted of three phases that would take 3-5 years at a cost of approximately \$400,000. The first  
11 phase was the data collection and permit submittal to St. Johns (\$110,000) and the second phase  
12 was responding to St. Johns Water District management for RIA's (Request for Additional  
13 Information) (\$120,000). The final phase will require final studies and questions that need to be  
14 answered. This work authorization will bring the total costs to approximately \$345,000 and it will  
15 have taken about three years to accomplish. Staff recommendation is to approve this Work  
16 Authorization at a cost of \$115,088.

17  
18 Councilmember Smith asked if St. Johns has asked for additional information that should have  
19 been provided before. Mr. Hayes explained the process which consists of submitting the  
20 application, and then responding to questions from St. Johns. Councilmember Smith questioned  
21 the price of the contract.

22  
23 Mr. Shannon stated that the firm will only be responding to further questions from St. Johns. If it  
24 takes less, then that will be monies the city does not have to spend.

25  
26 Mayor Wolfe asked if there was audience comment

27  
28 **MOTION**

29  
30 **Sandy Gamble moved to approve the work authorization with Malcolm Pirnie to continue**  
31 **with Phase Three of the Consumptive Use Permit process with the St. Johns River Water**  
32 **Management District in the amount of \$115,088, seconded by Bob Grenier. The motion**  
33 **carried unanimously 5-0.**

34  
35 **Tab 13) Discussion of Annexation of Hickory Point Park**

36  
37 Mr. Drury stated that he had provided Council the previous agenda summary from 2009 when this  
38 issue was discussed. The summary provided a list of pros and cons of annexation. It was noted  
39 that if they do not annex in they pay a higher water and sewer rate and the county provides the  
40 sheriff and fire protection at no cost to the city. If they do annex in they pay a lower water and  
41 sewer rate and the city will provide police and fire protection. On the other hand, the city Fire  
42 Station is closer to the property than the county fire station; city police is patrolling the area in  
43 front of the area to be annexed because they go to Royal Harbor but they have no jurisdiction  
44 within the Hickory Point property; the Renaissance Faire is held there (an event advertised as  
45 being in Tavares) as well as the soccer games; and there is property behind the Water Authority  
46 that is currently an orange grove with an ingress and egress easement.

1 Mr. Drury reviewed the past action when the Water authority entered into an agreement to obtain  
2 city water and as part of that agreement they agreed to annex in at some time in the future when  
3 the property became contiguous.  
4

5 Vice Mayor Grenier noted he and Councilmember Smith had both requested this issue be  
6 brought back to Council and he was pleased to see it under review.  
7

8 Mr. Drury said he believed the Water Authority's position on whether they have to annex in is not  
9 the same as the opinion of this Council. He said if Council decides they wish this property to be  
10 annexed into Tavares, they should instruct the City Attorney to meet with the Water Authority  
11 attorney and discuss the legal issues involved.  
12

13 Attorney Williams said when water was extended to Hickory Point the city entered into an  
14 agreement and as part of that agreement they were required to sign a Covenant to Annex when  
15 they became legally contiguous. He said they never signed the Covenant but did sign the contract  
16 that contained that obligation. He said when they became contiguous, the former City  
17 Administrator went to them to ask them to annex but they refused and the City did not pursue it  
18 further. More recently he said he and Mr. Drury had approached the Water Authority again but  
19 they had taken the same position that they are not required to annex even though they signed the  
20 utility agreement.  
21

22 Attorney Williams said there are three options: 1) continue as is by selling water only that includes  
23 a 25% surcharge; 2) demand them to annex under the covenant; and 3) pull the water meter  
24 (legal but extreme). He said option 2 would require a Declaratory Action with the court if they  
25 refused to annex. He said he thought their main concern is that there is property to the west side  
26 of their property which has access by an easement. He said he believed their concern is that the  
27 acreage to the west would then be contiguous and could annex into the city and be developed.  
28

29 Mr. Drury reiterated that Council needs to be aware of the requirements for the city to respond to  
30 all the public safety issues. Mayor Wolfe asked if the city would be responsible for the roads and  
31 stormwater problems. Attorney Williams responded the city would just be responsible for traffic  
32 enforcement. Mr. Drury commented that their infrastructure would probably not meet city  
33 requirements but they would be responsible for their roads, stormwater and sewer lines. He said  
34 the other property could technically annex in.  
35

36 Councilmember Pfister said economically it would not be an advantage to the city to annex them  
37 at this time.  
38

39 Councilmember Smith said they need to honor their agreement and it would resolve the issue of  
40 the Renaissance Faire event not being in the city.  
41

42 Mayor Wolfe said he thought it would be good for the city to have all of its major lakefront be in  
43 the City and he thought that was always the long term plan.  
44

45 Councilmember Gamble said the past minutes also reflected that some properties may be able to  
46 annex without being contiguous. Attorney Williams confirmed but noted it that also requires an  
47 Interlocal agreement with the County. Councilmember Gamble said the Water Authority Board

1 members have indicated to him their concern about some of the city's permit requirements for  
2 events.

3  
4 Councilmember Pfister expressed concern about the effect on the budget for providing services  
5 noting it will probably result in more overtime. Discussion followed on the process for special  
6 events and requirement to pay the city for overtime costs.

7  
8 Mayor Wolfe asked for comment from the audience.

9  
10 **Norb Thomas, New Hampshire Avenue**

11  
12 Mr. Thomas said he agreed that they should honor their agreement. He noted that the city has  
13 already been sending public safety support to Hickory Point and incurs the liability for that  
14 support. He spoke in support of the annexation.

15  
16 **MOTION**

17  
18 Kirby Smith moved to direct staff and the City Attorney to approach the Water Authority  
19 and express the willingness of the City to have them come into the City, seconded by  
20 Sandy Gamble. The motion carried 4-1 as follows:

21  
22 Robert Wolfe Yes  
23 Kirby Smith Yes  
24 Bob Grenier Yes  
25 Sandy Gamble Yes  
26 Lori Pfister No

27  
28 **Tab 14) Discussion for Options for Expansion of Wooton Park**

29  
30 Mr. Neron noted that in November 2010 the City Developed a bond referendum to purchase 3.61  
31 acres and make other improvements at Wooton Park, in addition to building an amphitheater. The  
32 results of the election were very close—it was not approved by a margin of about 400 votes.

33  
34 After the vote, Council directed staff to explore less expensive options to secure the additional  
35 waterfront property without an amphitheater and associated concession buildings. Since that time  
36 staff has continued to work with the principals of Tavares Station LLC to develop less expensive  
37 alternatives without the amphitheater.

38  
39 Mr. Neron noted staff has presented three levels of detail as to the four options and noted that  
40 detailed information has been provided for each option:

41  
42 He presented the following four options:

- 43  
44  
45 1. **Lease 1.5 acres** to build additional boat ramp, restroom, and parking and wild life  
46 observation gazebo. (10 year cost = \$1,009,310)

47

- 1       2. **Purchase 1.5 acres** to build additional boat ramp, parking, restroom, wildlife observation  
2       gazebo and complete the Tav-Lee trail connection between the park and Sinclair Ave.  
3       **(Cost = \$1,898,881)**
- 4
- 5       3. **Lease 3.61 acres** to build additional boat ramp, parking, restroom, wildlife observation  
6       gazebo and complete the Tav-Lee trail connection between the park and Sinclair Ave.,**(10**  
7       **year cost = \$2,262,452)**
- 8
- 9       4. **Purchase 3.61 acres** to build additional boat ramp, parking, restroom, wildlife observation  
10      gazebo and complete the Tav-Lee trail connection between the park and Sinclair Ave.,  
11      leaving approximately 2 acres of open space. **(Cost = \$3,301,652)**
- 12

13 Mr. Neron said that for either of the purchase options, staff recommends that there be a general  
14 obligation bond referendum with the associated costs and that the referendum be held sometime  
15 after the first of the year in 2012. If Council approves either of the purchase options, staff will  
16 return to Council with referendum dates and options. He said staff recommends option number  
17 four.

18

19 Mr. Drury discussed the branding campaign of the city noting the amount of aircraft and response  
20 was not anticipated. He discussed his concerns about the aircraft having to share the ramp with  
21 boats although said that staff is doing everything it can to ensure the safety of the upcoming  
22 season. He said this would solve the problem by putting the boat ramp to a different location and  
23 limiting the current ramp to aircraft only and it will add additional recreation for the boaters.

24

25 Mr. Neron said the city is averaging 150 seaplanes per month.

26

27 Councilmember Smith said 15 spaces for boats would not be enough. He asked what the price of  
28 the property was during the first referendum. Mr. Neron answered that it was four million dollars  
29 and this is a 40% reduction. Councilmember Pfister asked if there had been a recent appraisal.  
30 Mr. Neron said there has not been a recent appraisal but had been given an estimate by the  
31 Property Appraiser's office of anywhere from anywhere from 1.5 to 1.9 million. He said the  
32 problem is that there are no recent sales for comparables. He said he believes it is a unique piece  
33 of property and is the last opportunity for the city to preserve its waterfront.

34

35 Mayor Wolfe asked for comment from the audience.

36

37 **Andrew O'Keefe, O'Keefe's Irish Pub**

38

39 Mr. O'Keefe stated on behalf of the Tavares Business Committee they would like to encourage  
40 Council to move forward with the purchase of the 3.6 acres to build the boat ramp, the parking  
41 and the waterfront improvements.

42

43 **Norm Hope**

44

45 Mr. Hope said he has been 100% in support of this project from day one. He said this year as the  
46 city would be asking for less from the voters it should be more palatable. He said he would hate

1 to see the waterfront be lost. The improvements to the water would also be a positive aspect. He  
2 asked Mr. Drury about the city's ability to promote the referendum.

3  
4 Mr. Drury answered that the city as a whole cannot promote the referendum but each individual  
5 councilmember can speak to it. Attorney Williams said the city can provide information but cannot  
6 campaign.

7  
8 Councilmember Smith asked if the information in the agenda packet was available to be copied  
9 and given out. Attorney Williams responded that it was public record.

10  
11 Attorney Williams said Ms. Ross has extensive experience with referendums. Ms. Ross said staff  
12 can educate voters on the issue but cannot advocate a position. She said that would be the role  
13 of individual councilmembers and private citizens. Mr. Drury added there is no budget currently to  
14 provide the information. Ms. Ross said last time \$7,000 was authorized but only \$5,000 was  
15 spent. She said she anticipated approximately \$5,000 needed for this referendum depending on  
16 the timing of the election.

17  
18 **Charlotte Hope**

19  
20 Ms. Hope asked if there should be another Political Action Committee formed. Mr. Drury  
21 responded the city cannot advocate or get involved with a PAC. Ms. Ross said individual groups  
22 can form their own or have one large PAC but it is up to the individuals.

23  
24 **Linda Bennett, President of the Chamber of Commerce**

25  
26 Ms. Bennett said she has always been impressed by how well the city and the county works  
27 together and how Tavares has taken the lead in developing this part of the county. She said this  
28 would complete the waterfront and it would be an asset to the city. She said the Councilmembers  
29 would be invited to come to a Chamber event and the chamber would support the city as much as  
30 possible.

31  
32 **Discussion**

33  
34 Councilmember Gamble asked if the referendum would include both of the options. It was noted  
35 that the referendum could not contain more than one option. Councilmember Gamble stated there  
36 has been concern about taking waterfront property off of the tax roll so this would not support the  
37 city's efforts to increase commercial over residential. However, it will also make the waterfront  
38 more appealing to those buying on the north side of the railroad tracks in the future.

39  
40 **MOTION**

41  
42 **Bob Grenier moved to approve Option #4 [purchase 3.61 acres to build additional boat  
43 ramp, parking, restroom, wildlife observation gazebo and complete the Tav-Lee trail  
44 connection between the park and Sinclair Ave., leaving approximately 2 acres of open  
45 space]. The motion was seconded by Kirby Smith.**

46  
47 **The motion carried unanimously 5-0.**

1  
2 Mayor Wolfe thanked staff and for the support expressed by the audience members.

3  
4 **XIII. OLD BUSINESS**

5  
6 None

7  
8 **XV. AUDIENCE TO BE HEARD**

9  
10 **Norb Thomas**

11  
12 Mr. Thomas said as a former councilmember and resident since 1993 he has been concerned  
13 about the waterlines going out to Royal Harbor for some time. He said he believes the city owes it  
14 to the residents of Royal Harbor to solve their issue. He said he would hate for the city to wait  
15 until April when there are people with insufficient flows currently.

16  
17 **Norman Hope**

18  
19 Mr. Hope said [with regard to the upcoming 10<sup>th</sup> anniversary of September 11<sup>th</sup>) that on  
20 September 11, 2001, it was the only day since he retired that he had felt useless because his  
21 expertise with the FBI had been counter terrorism. He said this weekend there will be a prayer  
22 vigil at the First Methodist Church starting at 8:00 Saturday morning until 8:00 Sunday morning.  
23 He said the police officers will have security there. He encouraged those present to attend to pray  
24 for the military, for the police and fire, and for the enemies of the United States so they will learn  
25 they were wrong. He said the people that died had not done anything wrong other than being  
26 Americans.

27  
28 **XVI. REPORTS**

29  
30 **Tab 12) City Administrator**

31  
32 Mr. Drury said he provided meeting dates. He said the Tavares Chamber of Commerce Red  
33 Carpet Gala is September 15<sup>th</sup>. He said he will be providing the State of the city Address and it  
34 has generally had a good turnout of from businesses and individuals supporting Tavares. He said  
35 that Mr. Thompson had broken his leg yesterday while removing a tree but is already looking  
36 forward to getting back to work.

37  
38 **Economic Development Director**

39  
40 Mr. Neron noted service should be starting for the tourist train in early October. Vice Mayor  
41 Grenier asked to be kept informed. He said the National Railroad Historical Society has been  
42 following this project. He said they ask him frequently for an update. He said they have a chapter  
43 in Winter Garden.

44  
45 **Fire Chief**

46

1 Chief Keith said to add on to Mr. Hope's comments, Friday morning there is a memorial  
2 dedication at the Lake County Administrative Building in the atrium area. He said they have a  
3 piece of the World Trade Center they will be dedicating it as a memorial.

4  
5 **Community Services Director**

6  
7 Ms. Rogers said that she had brought the low bidder to Council a few months prior for the  
8 Woodlea Sports Complex. She said staff has met with some complications during contract  
9 negotiations and have decided it is in the best interest of the project to rebid the project. She said  
10 there is a need for better clarification on the term "play-ready sod."

11  
12 **Finance Director**

13  
14 Ms. Houghton said the advertisement for the budget and the millage rate will be in the newspaper  
15 on Sunday, September 17<sup>th</sup> and the banking RFP will also go out the same day.

16  
17 **City Attorney**

18  
19 Attorney Williams read from an article published in Florida Trend about the trains. He thanked Ms.  
20 Ross for her efforts in getting press coverage for the City.

21  
22 **Tab 14) City Council**

23  
24 **Councilmember Gamble**

25  
26 None

27  
28 **Councilmember Pfister**

29  
30 None

31  
32 **Vice Mayor Grenier**

33  
34 Vice Mayor Grenier acknowledged the 100<sup>th</sup> anniversary of the First Baptist Church in Tavares.  
35 He said a presentation will be made at the Tavares Historical Society luncheon on Monday.

36  
37 **Councilmember Smith**

38  
39 Councilmember Smith expressed appreciation for the hard work done by Cecilia Smith [Economic  
40 Development Coordinator] and stated he had wanted to wish her well in her future ventures.

41  
42 **Mayor Wolfe**

43  
44 Mayor Wolfe asked Vice Mayor Grenier if he could have the plaque from the Railroad Historical  
45 Society in Winter Garden that says "Tavares Gulf Rail" moved to Tavares.

46

1 Vice Mayor Grenier said he would like to see a railroad connection between Tavares and Winter  
2 Garden.

3  
4 **Adjournment**

5  
6 There was no further business and the meeting was adjourned at 6:48 p.m.

7  
8 Respectfully submitted,

9  
10  
11 

12  
13 

---

Nancy Barnett, City Clerk

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CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
SEPTEMBER 21, 2011  
CITY COUNCIL CHAMBERS  
4:00 p.m.

COUNCILMEMBERS PRESENT

ABSENT

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

STAFF PRESENT

John Drury, City Administrator  
Lori Houghton, Finance Director  
Robert Q. Williams, City Attorney  
Nancy Barnett, City Clerk  
Chief Stoney Lubins, Police Department  
Chief Richard Keith, Fire Department  
Chris Thompson, Public Works Director  
Joyce Ross, Communications Director  
Bill Neron, Economic Development Director  
Tammey Rogers, Community Services Director  
Lori Tucker, Human Resources Director

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Mark Andrews, Bridges, gave the invocation and those present recited the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor Wolfe noted that the Public Hearing on the Millage and Budget would be held at 5:05 pm. He asked if staff or Council had changes to the agenda.

MOTION

Kirby Smith moved to approve the agenda with the Public Hearings on Millage and Budget to be heard at 5:05 as noted by the Mayor, seconded by Sandy Gamble. The motion carried unanimously 5-0.

1  
2 **IV. APPROVAL OF MINUTES**

3  
4 The minutes of September 7, 2011 were deferred until the next meeting

5  
6 **V. PROCLAMATIONS/PRESENTATIONS**

7  
8 None.

9  
10 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

11  
12 Attorney Williams noted there was one quasi-judicial item on the agenda which is the adoption  
13 hearing for the Meade Family Trust property. He asked Council if they wished to report on any ex-  
14 parte contacts.

15  
16 **VII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

17  
18 Ms. Barnett read the following ordinances by title only:

19  
20 **ORDINANCE 2011-12**

21  
22 **AN ORDINANCE AMENDING SECTION 17-57 OF THE CITY OF TAVARES**  
23 **LAND DEVELOPMENT REGULATIONS TO PROVIDE FOR COLLECTION OF**  
24 **LATE FEES FOR RECLAIMED WATER; PROVIDING A LIEN FOR UNPAID**  
25 **WATER, WASTEWATER, RECLAIMED WATER CHARGES; AND PROVIDING**  
26 **AN EFFECTIVE DATE.**

27  
28 **ORDINANCE 2011-06**

29  
30 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**  
31 **TAVARES COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT BY**  
32 **ADOPTING A LAKESIDE MIXED USE FUTURE LAND USE CATEGORY**  
33 **INCLUDING POLICIES ASSOCIATED WITH THIS CATEGORY; AND A**  
34 **FUTURE LAND USE MAP AMENDMENT PROVIDING FOR A CHANGE OF**  
35 **FUTURE LAND USE DESIGNATION ON APPROXIMATELY 1352 ACRES OF**  
36 **PROPERTY FROM COUNTY SUBURBAN AND URBAN EXPANSION TO CITY**  
37 **LAKESIDE MIXED USE FOR PROPERTY GENERALLY LOCATED ALONG**  
38 **THE SOUTH SHORELINE OF LAKE DORA; PROVIDING FOR SEVERABILITY**  
39 **AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR**  
40 **AN EFFECTIVE DATE.**

41  
42  
43 **VIII. CONSENT AGENDA**

44  
45 Mayor Wolfe asked if anyone in the audience had objections to the items on the Consent Agenda.

46  
47 **MOTION**

1  
2 **Bob Grenier moved to approve the Consent Agenda [Tab 2 – Agreement with Lake County**  
3 **to Put SCADA Antenna on Lake County Parking Garage; Tab 3 – GASB 54 Implementation**  
4 **– Approval of Governing Body; Tab 4) Resolution #2011-20 – Authorization to Seek**  
5 **Reimbursement for Pavilion Loan to Water Enterprise Fund; and Tab 5 – Request from**  
6 **New Vision to Hold White Safety Day Event at City Hall], seconded by Sandy Gamble. The**  
7 **motion carried unanimously 5-0.**

8  
9 **IX. PUBLIC HEARING – FISCAL YEAR 2012 MILLAGE & BUDGET – 5:05 PM**

10  
11 **Tab 5) Resolution #2011-18 – Tentative Millage Rate Fiscal Year 2011/2012**

12  
13 Ms. Barnett read the resolutions in their entirety as follows:

14  
15 **RESOLUTION 2011- 18**

16  
17 **A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 6.89**  
18 **FOR THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM**  
19 **TAXES FOR FISCAL YEAR 2011-2012; SETTING FORTH THE**  
20 **PERCENT BY WHICH THE MILLAGE RATE IS LESS THAN THE**  
21 **"ROLLED-BACK" RATE.**

22  
23 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**

24  
25 **WHEREAS**, the City of Tavares of Lake County, Florida on September 7, 2011, adopted  
26 the 2011-2012 Fiscal Year Tentative Millage Rate following a public hearing as required by  
27 Florida Statute 200.065.

28  
29 **WHEREAS**, the City of Tavares of Lake County, Florida, following due public notice as  
30 required by law, held a second public hearing on September 21, 2011, as required by Florida  
31 Statute 200.065 on the 2011-2012 Millage Rate; and

32  
33 **WHEREAS**, the gross taxable value for operating purposes not exempt from taxation  
34 within Lake County has been certified by the County Property Appraiser to the City of Tavares as  
35 \$624,303,974.

36  
37 **NOW THEREFORE, BE IT RESOLVED** by the City of Tavares of Lake County, Florida,  
38 that:

- 39  
40 1. The City of Tavares Fiscal Year 2011-2012 operating millage rate to be levied is  
41 hereby set at 6.89 mills, which millage rate is less than the rolled back rate of  
42 7.6618 by 10.07%.
- 43  
44 2. The voted debt service millage is 0.00.
- 45  
46 3. This Resolution will take effect immediately upon its adoption.
- 47



1 Mayor Wolfe invited public comment on the budget that has been established at 6.89 mils. There  
2 were no comments.

3  
4 **MOTION**

5  
6 **Bob Grenier moved to approve Resolution #2011-19, final budget for fiscal year 2012 at**  
7 **5:11 pm, seconded by Kirby Smith. The motion carried unanimously 5-0.**

8  
9 Mayor Wolfe thanked staff and Council for their work on the budget.

10  
11 **XIV. ORDINANCES/RESOLUTIONS**

12  
13 **Tab 8) Ordinance #2011-12 – Procedure to Lien Delinquent Utility Accounts – First Reading**  
14 **Only**

15  
16 **Tab 9) Ordinance #2011-06 – Comprehensive Plan Amendment – Adoption Hearing for**  
17 **Meade Family Trust Property – 1352 Acres on South Side of Lake Dora – Lakeside Mixed**  
18 **Use**

19  
20 Mr. Skutt presented the following staff report:

21  
22 *In July, Council recommended approval of the transmittal of Ordinance 2011-06, a proposed text*  
23 *amendment creating the Lakeside Mixed Use Category and an associated Large Scale Future*  
24 *Land Use Map amendment applying the Lakeside Mixed Use Category to the approximately*  
25 *1,300 acre parcel south of Lake Dora.*

26  
27 *The ordinance was transmitted to the State Land Planning Agency and other State Review*  
28 *Agencies. Pursuant to State Statute, the agencies have reviewed the ordinance for its potential*  
29 *impacts on important state resources and provided their comment letters which staff has made*  
30 *available for review following this report. The State Planning Agency (DCA) summarized that the*  
31 *amendment does not adversely impact important state resources or facilities.*

32  
33 *Based on comments received by all State agencies, the applicant has elected to make minor*  
34 *amendments to the proposed ordinance. The ordinance now outlines the limits of development*  
35 *within natural open space sub areas and requires the submission of a traffic study at the time of*  
36 *any rezoning of any portion of the property.*

37  
38 *At the time of development, the City shall contact the Florida Department of State, Division of*  
39 *Historical Resource, Bureau of Historic Preservation, if and when construction activities reveal*  
40 *suspected historical or pre-historical archaeological sites may be affected. When suspected*  
41 *findings occur, construction activity in the immediate vicinity of the finding (no less than a 10 foot*  
42 *radius) shall be halted until the above referenced agencies have determined the required*  
43 *mitigative action.*

44  
45 Mr. Skutt noted there is a 30 day appeal period where affected persons may challenge the  
46 amendment according to the new state laws through the State Division of Administrative

1 Hearings. If no challenges are received this amending ordinance becomes effective 31 days after  
2 DCA receives the adoption package.

3  
4 Mayor Wolfe asked if there were questions. He asked the applicant if he wished to make a  
5 statement.

6  
7 **Clay Henderson of Law firm Holland & Knight**

8  
9 Mr. Henderson stated that on behalf of Northern Trust and the applicant, Ty Maxey, he wished to  
10 congratulate the city for adopting the first Comprehensive Plan Amendment under the new law.  
11 He said it is the fastest a Comprehensive Plan has ever been considered and approved by the  
12 State of Florida. He said that it is the intent of the new law, to create an expedited process for  
13 comprehensive plans to be considered. He noted the issues regarding schools, traffic, historic  
14 preservation, etc. would be addressed when the applicant has a more specific plan to bring back  
15 to the City.

16  
17 Mayor Wolfe asked if anyone wished to speak from the audience.

18  
19 **MOTION**

20  
21 **Sandy Gamble moved to approve Ordinance #2011-06, seconded by Bob Grenier. The**  
22 **motion carried unanimously 5-0.**

23  
24 **XI, GENERAL GOVERNMENT**

25  
26 **Tab 10) Request to Develop Plan to Offer Advanced Life Support Services – Fire**  
27 **Department**

28  
29 Chief Keith stated this item is a request to ask Council if it wishes staff to develop a plan to  
30 upgrade the city's emergency medical service to the advanced level. He presented a power point  
31 presentation on the history of emergency medical services in Florida. He noted that Randy Boaz  
32 was the first emergency medical services instructor in Miami, who was a relation to Finance  
33 Director, Lori Houghton.

34  
35 Chief Keith reviewed the steps needed to progress to Advanced Life Support training, the training  
36 hours required, and the approximate costs.

37  
38 Mr. Drury commented that from a practical standpoint the Fire Department responds to  
39 emergencies first and the first three minutes determine the outcome. He said the service will cost  
40 money but it also has proven to have a better outcome.

41  
42 Councilmember Gamble said he was in support of proceeding to investigate but he said when the  
43 information is brought back to Council he would like to see a breakdown of how many firefighters  
44 would be going at a particular time so that the city is not short for the current shifts. In addition, he  
45 said in terms of the joint effort with Eustis and Mt. Dora, the city is the only one of the three that  
46 does not provide this service and in order to do that joint agreement the city will need to be equal.  
47

1 Mayor Wolfe said the report should also contain the overtime that will occur during the training  
2 period.

3  
4 Mayor Wolfe asked for audience comment.

5  
6 **MOTION**

7  
8 **Sandy Gamble moved to instruct staff to develop a Fire Department Advanced Life**  
9 **Support Plan with associated costs and bring back that information to City Council,**  
10 **seconded by Bob Grenier. The motion carried unanimously 5-0.**

11  
12 **Tab 11) Amendment to Baker Groves – Capital Water Line Utility Agreement**

13  
14 Ms. Houghton reported the City entered into a Utility Agreement in 2008 with Baker Groves Inc.  
15 for the construction of potable water lines and facilities that would serve the Lake View Center  
16 Subdivisions. Baker Groves, Inc. incurred the cost, \$80,000, of construction of the water  
17 transmission lines.

18  
19 In order to provide a mechanism for Baker Groves to recover the \$80,000, the City agreed to  
20 reimburse the Developer for the transmission element of the water impact fees collected (Pioneer  
21 Credits) from new water utility customers/connections within Lake View Center who connect to  
22 the City water system known as the "Benefited Customers". No interest accrues on collected  
23 amounts, and the agreement states that the City shall only be obligated to reimburse the  
24 Developer from the transmission element of the water capital charges actually received from the  
25 "Benefitted Customers". Further the agreement states that the City's obligation to reimburse the  
26 Developer (for the Pioneer Credits) shall terminate 10 years from the date of the agreement. In  
27 addition the agreement may not be transferred or assigned.

28  
29 During the impact fee waiver program the city has not reimbursed on Pioneer Agreements. The  
30 attorney for Baker Groves has requested a mutual agreeable resolution. Ms. Houghton said the  
31 City Attorney and staff have reviewed the Pioneer Agreement and the request for modification.  
32 She said although the City has no legal obligation to modify the agreement, extending the term of  
33 the agreement to a period of time equal to the duration of the Impact Fee Waiver Program would  
34 mitigate the impact to Mr. Baker and does not appear to cost the city additional dollars.

35  
36 Ms. Houghton said staff has provided three options: 1) to approve a partial request to extend the  
37 termination date of the agreement to a term equal to the duration of the impact fee waiver  
38 program not including reimbursement of capital charges and authorize the City Attorney to  
39 develop an amendment to the agreement; 2) approve a full request that would include the capital  
40 charges and 3) to not approve the request. She said staff was recommending the first option, that  
41 this request be granted, and that each request from any other pioneer agreement stand on its  
42 own merit. Staff believes that this case is directly related to the city's economic emphasis for the  
43 Medical Village.

44  
45 Mayor Wolfe asked if the applicant wished to speak.

46

1 Bill Baker of Baker Groves said he had some handouts to distribute to Council. He said he agreed  
2 with the city waiving the impact fees but this has a negative impact for his business. He spoke  
3 about the history of the capital line, stating it had been installed at the city's request. He noted  
4 Osprey Lodge is being constructed but they will not collect any fees for that development.  
5

6 Attorney Williams said the city has had a long history with the Bakers and two utility agreements.  
7 He reviewed the utility agreement process. He noted there is no obligation for a city to have a  
8 pioneer agreement that allows the developer to install a line ahead of when it is needed for  
9 development and to recoup some of those costs as the properties come on line.

10  
11 Attorney Williams said this line that was put in was a line that ran along Mt. Homer Road. The line  
12 was installed at Mr. Hayes' request as a condition of approval. He referred to an email from  
13 Attorney Vason that was received. He said initially Mr. Hayes took the position that the line was  
14 not a capital line. He said he and Mr. Drury had intervened on behalf of the city when the dispute  
15 arose and agreed that because the Bakers understood they would get capital line credit, it was  
16 decided to treat this as a capital line. He said when the City did the impact fee waivers he had  
17 provided an opinion regarding the pioneer agreements which was that the city only has the  
18 obligation to repay from dollars it receives from impact fees. He said he did not think the city owes  
19 Mr. Baker anything on Osprey Lodge but that the city might want to attach two more years onto  
20 the amendment.

21  
22 Mr. Baker stated the city is getting a lot of revenues from the Osprey Lodge for building permits  
23 and property taxes and to be fair they needed some way to recoup their costs.

24  
25 Councilmember Smith said he agreed with the City Attorney to extend the agreement for two  
26 more years, however, he noted the Osprey Lodge would never have been built unless the city  
27 had instituted the waiver. He said he believed the Bakers were still getting a good value for their  
28 property and the city is assisting in marketing the property.

29  
30 Mr. Baker requested the extension be made as long as the impact fee waiver program continues.

31  
32 Mayor Wolfe asked if anyone in the audience wished to speak.

33  
34 Mr. Baker asked why the 1999 agreement included both the transmission and the capital line.  
35 Attorney Williams said there was an impact fee amendment done a few years before. He said he  
36 could not recall why it was done differently in 1999. He said the old transmission fee and  
37 treatment fees were only \$350 and \$250, a small fraction of the total impact fee which was  
38 revised.

39  
40 **MOTION**

41  
42 Kirby Smith moved to approve Option 1 to approve partial request from William F. Baker,  
43 Jr. on behalf of Baker Groves, Inc. to extend the termination date of the City's Utility  
44 Agreement with Baker Groves, Inc. dated February 6, 2008, to a term equal to the duration  
45 of the City's Impact Fee Waiver Program, and *not include reimbursement of capital*  
46 *charges* from "Benefited Customers" and authorize the City Attorney to develop an

1 **agreement with Baker Groves. The motion was seconded by Sandy Gamble. The motion**  
2 **carried unanimously 5-0.**

3  
4 **XIV. OLD BUSINESS**

5  
6 **XV. NEW BUSINESS**

7  
8 **XV. AUDIENCE TO BE HEARD**

9  
10 None.

11  
12 **XVI. REPORTS**

13  
14 **Tab 12) City Administrator**

15  
16 Mr. Drury stated that he had identified upcoming meetings. He noted the tourist train is coming to  
17 town. He said there was an event recently held in Orlando where the city received an innovation  
18 of the year award.

19  
20 **Economic Development Director**

21  
22 Mr. Neron stated he was happy to report that the city has a signed agreement with the Tavares-  
23 Eustis Gulf Railroad, LLC to operate a steam engine train in Tavares. He said they will be moving  
24 their equipment in and they have been approved the Federal Railroad Administration to operate.  
25 The equipment will come from Arkansas by tractor trailer next Wednesday and should be in  
26 operation by October 8<sup>th</sup>.

27  
28 **Tab 14) City Council**

29  
30 **Councilmember Pfister**

31  
32 No report.

33  
34 **Councilmember Gamble**

35  
36 Councilmember Gamble said on the way back from receiving the award in Orlando he and Chief  
37 Keith observed a small fire on the side of the road and stopped to assist.

38  
39 **Vice Mayor Grenier**

40  
41 Vice Mayor Grenier said he was very excited about the train service and he was pleased with  
42 how the city respects its history.

43  
44 **Councilmember Smith**

45  
46 Councilmember Smith thanked Mr. Neron for all his work on the tourist train. He reminded Vice  
47 Mayor Grenier about the train plaque in Winter Garden.

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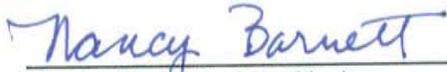
**Mayor Wolfe**

No report.

**Adjournment**

There was no further business and the meeting was adjourned at 5:10 p.m.

Respectfully submitted,

---

Nancy Barnett, City Clerk

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: October 5, 2011**

**AGENDA TAB NO. 2**

**SUBJECT TITLE: Agreement between Lake Emergency Medical Services Inc. and the City of Tavares for Dispatch Services**

---

**OBJECTIVE:**

To consider the approval of the agreement with Lake Emergency Medical Services for dispatch services.

**SUMMARY:**

The City signed the existing agreement for fire dispatch services with Lake Sumter Emergency Medical Services in exchange for providing space for an EMS ambulance and staff at Fire Station #2 when it was constructed in 2003. With the reorganization of Lake Sumter Emergency as Lake Emergency Medical Services, this amended contract reflects the change in name of the agency. All other aspects of the contract remain the same.

**OPTIONS:**

- 1) Move to approve the Agreement between Lake Emergency Medical Services and the City of Tavares for Fire Dispatch Services
- 2) Do not approve the agreement.

**STAFF RECOMMENDATION:**

**Move to approve the Agreement between Lake Emergency Medical Services and the City of Tavares for Fire Dispatch Services**

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

This agreement has been reviewed by the City Attorney.

**AGREEMENT BETWEEN**  
**LAKE EMERGENCY MEDICAL SERVICES, INC.**  
**AND**  
**CITY OF TAVARES**  
**FOR**  
**DISPATCH SERVICES**

This Dispatch Services Agreement, hereinafter the "Agreement," is made by and between Lake Emergency Medical Services, Inc., a not-for-profit corporation authorized to do business in the State of Florida, hereinafter "LEMS," and the City of Tavares, a municipal corporation organized under the laws of the State of Florida, hereinafter the "CITY".

**WITNESSETH:**

**WHEREAS,** the CITY has sought to maintain a high level of professional fire telecommunication services for the benefit of the citizens located within the municipal limits; and

**WHEREAS,** the CITY recognizes the continued escalation of costs to the CITY for the provision of such services and wishes to continue to minimize the cost of government for the benefit of the citizens located within the municipal limits; and

**WHEREAS,** the CITY desires to continue to maintain competent professional fire department dispatch services in conjunction and in harmony with its program of fiscal responsibility; and

**WHEREAS,** the CITY desires that LEMS provide fire department dispatch services within the corporate limits of the CITY; and

**WHEREAS,** LEMS is willing to augment their telecommunications staff to provide such services to the CITY and to the citizens located within the municipal limits.

**NOW, THEREFORE,** in consideration of the mutual promises, covenants and conditions hereinafter contained, LEMS and the CITY agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and hereby incorporated herein by reference.
2. **Dispatch Services.** LEMS shall provide to the CITY competent professional fire department dispatch services within and throughout the municipal limits of the CITY under the

authority given LEMS by the laws of the State of Florida, by providing fire department dispatch services each day of the year on a twenty-four (24) hour per day basis. In exchange for LEMS providing dispatch services to the CITY, the CITY shall cooperate with LEMS by allowing LEMS to co-locate its services with the CITY'S fire services if space is available, or by providing other assistance as reasonably requested by LEMS.

3. **Term of Agreement; Payment.** This Agreement shall become effective on the day this Agreement is executed by the last party and shall continue for a period of one (1) year. One (1) year renewals under the same terms and conditions shall be automatic unless one of the parties terminates this Agreement upon sixty (60) days written notice. Either party may additionally terminate this Agreement at any time upon providing the other party sixty (60) days written notice.

4. **Appointment of Personnel.** LEMS shall provide adequate and professional services as they see fit and proper. The CITY shall not be required to assume any liability for direct payment of any salaries, wages or other compensation, contributions to pension funds, insurance premiums, workers compensation funds, vacation or compensatory time, sick leave benefits, or any other amenities or employment to any personnel of LEMS performing the services, duties and responsibilities pursuant to this Agreement for the benefit of the CITY and its residents or any other liabilities whatsoever.

5. **Performance of Services.** LEMS shall have and maintain the responsibility and control and rendering of all fire dispatch services, duties and responsibilities described and contemplated in this Agreement. Nothing in this Agreement shall be construed to mean that the CITY is contracting away its constitutional authority. However, LEMS shall remain responsible for any and all damages, actions, suits, claims and demands of whatsoever kind made by or on behalf of any person or entity which are alleged to have arisen out of, in connection with, or by reason of any fire department dispatch services and administrative actions concerning fire department dispatch services taken by LEMS during the term of this Agreement.

6. **Sovereign Immunity.** The parties agree that nothing contained herein shall in any way waive the sovereign immunity that they presently enjoy under the Constitution and Statutes of the State of Florida, particularly with respect to Chapter 768, Florida Statutes. The parties agree that the CITY'S determination to provide fire dispatch services by this Agreement is an exercise of the legislative planning function of the CITY and that at no time shall the CITY exercise any specific operational control over the activities of any of the telecommunicators, their supervisors, or other personnel of LEMS nor shall the CITY perform or undertake any acts that are over and above a planning level function with regard to the administration of fire department dispatch services within the CITY during the term of this Agreement.

7. **Liability Insurance for Official Acts.** The personnel appointed and employed by LEMS shall be covered in all respects, as are other members of LEMS, either through LEMS'S self-insurance fund or through a private company with comparable coverage.

8. **Governing Law.** This Agreement and all of the rights and obligations of the parties hereto shall be governed both procedurally and substantively and construed according to

the laws of the State of Florida. The parties further agree that jurisdiction regarding the rights and obligations of either party under this Agreement shall be in the appropriate court in the Fifth Judicial Circuit, in and for Lake County, Florida.

9. **Notices.** All notices, demands, or other writings required, made or sent in this Agreement, or which may be given or made or sent by either party to the other, shall be deemed to have fully been given or made or sent which in writing and addressed as follows:

<u>Lake EMS, Inc.</u>	<u>City</u>
Lake EMS, Inc. 2761 W. Old Highway 441 Mount Dora, Florida 32757	City Manager P.O. Box 1068 Tavares, Florida 32778

All notices required or which may be given hereunder shall be considered properly given if (1) personally delivered, (2) sent by certified United States Mail, return receipt requested, or (3) sent by Federal Express or other equivalent overnight letter delivery company.

The effective date of such notices shall be the date personally delivered, or if sent by mail, the date of the postmark, or if sent by overnight letter delivery company, the date the notice was picked up by the overnight letter delivery company.

The parties may designate other parties or addresses to which notice shall be sent by notifying, in writing, the other party in the manner designated for the filing of notice hereunder.

10. **Amendments.** No modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document by the parties with the formality and of equal dignity.

11. **Entire Agreement.** The document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein, and the parties agree that there are no commitments, agreements or understandings concerning the subject matter. No deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.

12. **Prior Agreements.** All prior agreements between the parties related to Fire Dispatch Services are hereby terminated upon the effective date of this Agreement.

**IN WITNESS WHEREOF**, the parties have made and executed this Agreement on the respective dated under each signature. The CITY, through its duly authorized representative, and by Welton Cadwell, Chairman, Lake EMS Board of Directors, authorized to execute the same by the Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

ATTEST:

LAKE EMS, INC.

\_\_\_\_\_  
James A. Judge, II, Executive Director

\_\_\_\_\_  
Welton G. Cadwell, as Board of Directors  
Chairman, for Lake Emergency Services,  
Inc.

This \_\_\_\_ day of \_\_\_\_\_, 2011

Approved as to Form and Legality:

\_\_\_\_\_  
Sanford A. Minkoff

Interlocal Agreement between LEMS and City of Tavares for Dispatch Services

CITY

ATTEST:

CITY OF TAVARES, FLORIDA

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Robert Wolfe, Mayor

This \_\_\_\_ day of \_\_\_\_\_, 2011.

Approved as to form and legality:

\_\_\_\_\_  
City Attorney

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 5, 2011**

**FIRST READING**

**AGENDA TAB NO. 3**

**SUBJECT TITLE: Ordinance #2011-07  
Comprehensive Plan Text Amendment  
Removal of Non-statutory Concurrency Management**

---

**OBJECTIVE:**

To approve an amendment to the Comprehensive Plan to remove Concurrency Management not required by Florida Statute.

**SUMMARY:**

In June, the State of Florida passed House Bill 7207 which affects growth management in a number of ways. Among other things, the bill repealed most of the 1985 Growth Management Act including the removal of the requirement to maintain several regulatory processes. In accordance with the new bill, state-mandated concurrency is only required for sanitary sewer, solid waste, drainage, and potable water. Therefore, the concurrency requirement for transportation, schools and parks and recreation are optional. State statute provides that local governments may choose to continue to maintain these requirements or remove them. If they are removed, a comprehensive plan amendment is required. The comprehensive plan text amendment is not subject to state review.

Impact fees for these services can still be collected. When collected, those fees would continue to be used for the purpose of maintaining levels of service for the facilities for which they are collected.

**OPTIONS:**

No action is required at first reading.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

At its September 22<sup>nd</sup> meeting, the Board voted unanimously to recommend that City Council approve Ordinance 2011-07.

**STAFF RECOMMENDATION:**

At the second reading, staff will recommend that City Council moves to approve Ordinance 2011-07 for adoption and final transmittal to the State Land Planning Agency.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

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

ORDINANCE 2011-07

1  
2  
3 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING  
4 THE TAVARES COMPREHENSIVE PLAN BY AMENDING THE  
5 TRANSPORTATION ELEMENT, THE CAPITAL IMPROVEMENT  
6 ELEMENT, THE CONCURRENCY MANAGEMENT SUB-ELEMENT,  
7 AND THE INTERGOVERNMENT COORDINATION ELEMENT AND BY  
8 REMOVING THE PUBLIC SCHOOLS FACILITY ELEMENT,  
9 PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR  
10 TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

11  
12  
13  
14 **WHEREAS**, the State of Florida Statutes authorizes local governments to update  
15 their Comprehensive Plans to incorporate new state requirements and to reflect changes  
16 in local conditions; and,

17  
18 **WHEREAS**, the Florida Legislature has amended Florida Statute 163 through the  
19 adoption of House Bill 7207, referred to as the Community Planning Act; and

20  
21 **WHEREAS**, the Community Planning Act has made concurrency requirements  
22 for transportation, schools, parks and recreational facilities optional for local  
23 governments; and,

24  
25 **WHEREAS**, the City of Tavares conducted an Evaluation and Appraisal of its  
26 Comprehensive Plan which underwent a public hearing process, was adopted by City  
27 Council and found sufficient by the Florida Department of Community Affairs; and,

28  
29 **WHEREAS**, the City of Tavares Evaluation and Appraisal Report identified  
30 sustainable economic development as a major issue with specific economic focus areas  
31 that the City of Tavares is actively pursuing; and,

32  
33 **WHEREAS**, the City of Tavares desires to locally manage the development  
34 impacts to transportation, schools, parks and recreation facilities through co-ordination  
35 with Lake County and neighboring municipalities; and,

36  
37 **WHEREAS**, the City Council finds this amendment in compliance with Chapter  
38 163, Florida Statutes, and

1           **WHEREAS**, adoption of this amendment is in the best interest of the health,  
2 safety, and general welfare of the citizens of Tavares,

3  
4           **NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of  
5 Tavares, Florida as follows:

6  
7           **Section 1. Text Amendments**

8           The City of Tavares Comprehensive Plan Amendment: Transportation Element,  
9 Capital Improvement Element, Concurrency Management Sub-Element and  
10 Intergovernmental Coordination Element are amended, and the Public Schools Facilities  
11 Element is removed as attached hereto as Exhibit "A" and incorporated herein by  
12 reference.

13  
14           **Section 2. Severability and Conflicts**

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

20  
21           **Section 3. Transmittal**

22           The City Administrator is hereby authorized and directed to transmit the adopted  
23 Comprehensive Plan amendments to the Florida Department of Community Affairs, the  
24 East Central Florida Regional Planning Council, the St. Johns River Water Management  
25 District, the Department of Environmental Protection, the Florida Department of  
26 Transportation, and any other governmental agency in the state of Florida that has filed a  
27 written request with the City Council for a copy of the Comprehensive Plan within 10  
28 working days of the adoption of this Ordinance as specified in the State Land Planning  
29 Agency's procedural rules.

30  
31           **Section 4. Effective Date**

32           The effective date of this plan amendment shall be; the date a final order is  
33 issued by the Department of Community Affairs finding the amendment to be in  
34 compliance in accordance with Chapter 163.3184, F.S.; or the date a final order is issued

1 by the Administrative Commission finding the amendment to be in compliance in  
2 accordance with Section 163.3184, F.S. No development orders, development permits,  
3 or land uses dependent upon this amendment may be issued or commence before it has  
4 become effective.

5  
6 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2011, by the City  
7 Council of the City of Tavares, Florida.

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\_\_\_\_\_  
Robert Wolfe, Mayor  
Tavares City Council

First Reading: \_\_\_\_\_

Passed Second Reading and Adoption: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Nancy A. Barnett, City Clerk

Approved as to form:

\_\_\_\_\_  
Robert Q. Williams, City Attorney

CHAPTER 2

TRANSPORTATION ELEMENT  
GOALS, OBJECTIVES AND POLICIES

GOAL 2-1: TO PROVIDE A SAFE, CONVENIENT, EFFICIENT TRAFFIC MULTIMODAL TRANSPORTATION CIRCULATION SYSTEM FOR BOTH MOTORIZED AND NON-MOTORIZED TRANSPORTATION MODES.

OBJECTIVE 2-1.1: To provide a Safe, Convenient, and Efficient Traffic Multimodal Transportation Circulation System Through the Establishment of Minimum Level of Service Standards and the Joint Provision of Non-Motorized Transportation Facilities with Proposed Road Improvements Utilizing Roads, Trails, Rail, Water and Air as Transportation Mediums.

Policy 2-1.1.1 Level of Service - The City of Tavares hereby adopts the following level of service standards for the below listed roadway classifications:

<u>ROADWAY TYPE</u>	<u>LEVEL OF SERVICE STANDARD</u>
Principal Arterials	D
Minor Arterials	D
Collectors	D
Alfred Street (Old U.S. 441)	D
State Road 19	D
US441 (SR500)	D

Level of Service shall be based on criteria identified in the most recent edition of the Florida Level of Service Standards and Guidelines Manual, State of Florida, Department of Transportation for urbanized areas. Peak hour traffic counts shall be averaged to determine the level of service for the purpose of concurrency determination.

Policy 2-1.1.2 Concurrency Transportation Impacts- The City of Tavares shall review all proposed developments for compliance and consistency with the adopted levels of service transportation impacts through the City's Concurrency Management System. No development shall be approved until the concurrency management system has evaluated that the level of service (LOS) on all roads which are impacted by the development (as defined in the Concurrency Management System) will not decrease below the adopted minimum standard the degree of impact on all local, county and state roads has been evaluated.

Policy 2-1.1.2 Alternate Modes of Transportation- The City of Tavares shall develop transportation circulation systems, which do not adversely impact the existing roadways, including bus transit, to reduce impacts on existing roads.

Policy 2-1.1.3 Impact Fees - The City of Tavares shall coordinate with Lake County to utilize traffic impact fees for road improvements included in the City's Five- Year Capital Improvement Program.

Policy 2-1.1.4 Sidewalks - The City shall require all new development to construct sidewalks.

Policy 2-1.1.5 Access Management - The City hereby adopts requirements that will be incorporated into the Land Development Regulations that mandate the access of developments adjacent to the State Highway System will comply with Chapter 14-96 and Chapter 14-97, Florida Administrative Code. The City shall coordinate with the Florida Department of Transportation officials during the development review process and, pursuant to such state standards, shall issue local development orders prior to the issuance of access connection permits from the Florida Department of Transportation. The City shall also coordinate with Lake County to implement provisions of any County access management program.

Policy 2-1.1.6 Curb Cut Designs - The City shall have Land Development Regulations to incorporate provisions which define regulations and design standards for access to local roads; and shall require new development and redevelopment along County roads to comply with or exceed Lake County curb cut regulations and design standards.

Policy 2-1.1.7 Functional Classifications - The City of Tavares shall classify all roadways within its jurisdictional area according to the most current functional classification system established by the Florida Department of Transportation (FDOT). The City shall request FDOT to re-evaluate the functional classification of a roadway upon reaching 30% of its reserved capacity or 20% of its existing capacity threshold for the adopted minimum level of service.

Policy 2-1.1.8 Shoulder Requirements - To minimize conflicts between motorized and non-motorized transportation modes, the City of Tavares shall coordinate with the Florida Department of Transportation and Lake County to assure compliance with shoulder requirements outlined for all State and County roads.

Policy 2-1.1.9 Vehicle/Pedestrian Improvement Standards ~~Transportation Circulation System Standards~~- design standards in the City of Tavares Land Development Regulations shall at a minimum include, but are not limited to:

- a. require compliance with state, and county access management standards for development on State or County roads,
- b. require an adequate amount of vehicle parking and loading areas, if applicable, based on the type of land uses approved;
- c. ~~require~~ encourage the provision of Neighborhood Electric Vehicles/Golf Cart parking and bicycle storage facilities for commercial, industrial and public facility/institutional land uses; and
- d. require on-site trafficways to be built to widths adequate to accommodate the amount and type of traffic to be generated by the approved land use.

Situations not specifically defined in the City of Tavares Land Development Regulations will be regulated by general standards adopted by the FDOT. All new development or major alteration of existing development that fronts on a State road must comply with the following standards:

- e. Rules of the DOT State Highway System Connection Permits Administration Process (Chapter 14-96)
- f. Rules of the DOT State Highway Systems Access Management Classifications Systems and Standards (Chapter 14-97)

The following standards will provide general guidance for vehicle/pedestrian

improvements for new development providing these general principals are consistent with the remainder of the Comprehensive Plan, the City of Tavares Land Development Regulations, and the standards listed above:

- g. Residential Street Design and Traffic Control, ITE
- h. Traffic Engineering Handbook, ITE

Policy 2-1.1.10 Trip Reduction - The City shall encourage the reduction in P.M. peak hour trips generated by new development and shall implement incentives in the concurrency requirements of the Land Development Regulations. Incentives for the reduction of the peak hour trips shall be based on professionally accepted methodology and the implementation of shall be consistent will all other adopted goals, objectives, and policies.

Policy 2-1.1.11 Driveway Permits - The City of Tavares will require all requests for a vehicle connection to a Lake County maintained road to obtain a Lake County Driveway Permit prior to, or as a condition of, the issuance of City of Tavares development approvals. The City of Tavares will require all requests for a vehicle connection to a State maintained road to obtain a FDOT Driveway Permit prior to, or as a condition of, the issuance of City of Tavares Development Approvals.

Policy 2-1.1.12 Establishment of Scenic Roadways - The City of Tavares hereby designates the following roadways as scenic roads for which the maximum through lane standard shall be two (2) lanes;

Lake Eustis Drive within the City limits

Policy 2-1.1.13 The City of Tavares shall, on a continuing basis, participate in the long-range transportation planning process undertaken by the Lake-Sumter County Metropolitan Planning Organization (MPO), ~~once that MPO has been created.~~

OBJECTIVE 2-1.2 Coordination with Future Land Use -~~To support the Future Land Use Map by identifying roadway transportation circulation system improvements anticipated to be required as a result of growth and development, that is projected to occur in the City by 2011, and to maintain adopted levels of service.~~

Policy 2-1.2.1 FTCM - The City of Tavares hereby adopts Map 2-3, "Future Traffic Circulation Map", as the City's 2010 future traffic circulation map.

Policy 2-1.2.2 Densities - ~~Land use allocations and densities on the Future Land Use Map shall not generate more traffic than which can be supported by the traffic circulation system at the levels of service established in Policy 2-1.1.1, Minimum Levels of Service Standards, Concurrency Management System. Further, The City shall determine on a case by case basis if a proposed development project is consistent with the Transportation Element and Future Land Use Map.~~

Policy 2-1.2.3 Cooperation with Lake County - The City shall request of and provide to Lake County the assurance that anticipated impacts generated by future development ~~occurring within adjacent unincorporated Lake County will not cause levels of service on arterial and collector roads within the county and city transportation impact area to diminish below adopted minimum standards.~~ Proposed development within the city's jurisdiction that impact these established minimums shall provide Lake County a copy of the Transportation Analysis provided to the City. As required, the analysis will include all roads impacted by the proposed development; the transportation impacts of the

development and the proposed resolution to any deficiencies created by the development

OBJECTIVE 2-1.3 ROW - Right-of-Way Standards are hereby adopted and will be included in the Land Development Regulations that will ensure the protection and acquisition of existing and future right-of way to support the maintenance of and improvements to the Traffic Circulation System.

Policy 2-1.3.1 ROW Standards - The City of Tavares hereby adopts the following right-of-way standards (measured according to corridor width):

ROAD	ROW STANDARDS
SR19	50 FT. from C/L
US441 (SR500)	50 FT. from C/L
OLD 441	50 FT. from C/L 35 FEET FOR CURB & GUTTER
CR 561	50 FT. from C/L
Main Street	40 Ft. from C/L
LAKE SHORE DR. (EUSTIS)	66 feet of total ROW
CR 19A (Dora Ave.)	40 FT. from C/L
CR 448 & 448 EXTENSION	40 FT. from C/L
ALFRED STREET	40 FT. from C/L
MT. HOMER ROAD	40 FT. from C/L
SINCLAIR AVENUE	40 FT. from C/L
St. CLAIR ABRAMS AVENUE	40 FT. from C/L
MERRY ROAD	40 FT. from C/L
WOODLEA ROAD	40 FT. from C/L
OTHER ARTERIALS (defined as a road with greater than 6,000 AADTs)	40 FT. from C/L
OTHER COLLECTORS (defined as a road between 6,000 to 1,000 AADTs)	30 FT. from C/L
OTHER LOCAL STREETS	25 FT. from C/L

C/L is Center Line of the road.

Policy 2-1.3.2 ROW Dedications - The Land Development Regulations shall include provisions that mandate dedication of right-of-way, reservation of right of way, or fees in lieu thereof, as a required condition of a development approval where associated traffic impacts generated by such development will create or contribute to the need to establish new, or to expand existing right-of-way necessary to provide a safe and convenient traffic

circulation system.

OBJECTIVE 2-1.4 To provide transportation Improvements to maintain the quality of transportation circulation within the City. ~~adopted levels of service and to the Meet Projected Transportation Needs of Growth and Development Anticipated to occur by 2010.~~

Policy 2-1.4.1 Adopted Improvements - ~~Based on needs and sources identified in the analysis accomplished for the Traffic Circulation Element, the City of Tavares hereby adopts the transportation improvements as identified in the Capital Improvement element of this Comprehensive Plan.~~

The City also adopts by reference the improvements identified in the following documents:

- a. The Lake County 5-Year Road Construction Program (as amended)
- b. The FDOT 5-Year Work Program (as amended)

The City of Tavares also recognized the following corridor studies:

- c. Corridor Designation Report, Northwest Commuter Rail Corridor City of Eustis to Orlando Central Business District, by the FDOT

Policy 2-1.4.3 Monitor - The City of Tavares shall continue to monitor transportation impacts ~~implement a concurrency management system which establishes procedures to annually monitor the available capacity on all collector and arterial roads.~~

~~Policy 2-1.4.4 US441 - By March 1, 1994, the City of Tavares, Lake County and the Department of Transportation will coordinate to monitor the levels of service on U.S. 441 to determine whether U.S. 441 through the City qualifies as a constrained facility and to develop strategies to manage the traffic conditions of this roadway. Such strategies may include signal optimization, travel time studies and the investigation of alternative facilities.~~

OBJECTIVE 2-1.5 Pedestrian/Bicycles - The City shall promote a System of Bicycle and Pedestrian Ways in Planning for Transportation Facilities, and budget appropriate monies to expand and maintain the City's bicycle and pedestrian network.

Policy 2-1.5.1 Pedestrian/Bicycle Plan - The City of Tavares shall coordinate with Lake County to prepare a plan for developing bicycle and pedestrian ways which connect residential areas to recreation areas and major activity centers. ~~As part of this joint planning effort, or through an independent study, the City shall by December 2002, develop a bicycle network plan for connecting all major lakes/recreation areas and parks.~~

Policy 2-1.5.2 Tav-Lee Trail - The City of Tavares shall coordinate with Lake County to analyze the feasibility of acquiring abandoned railroad right-of-ways within the City for use as regional bicycle and pedestrian paths.

Policy 2-1.5.3 PUDs - Land Development Regulations for the City of Tavares shall include provisions within the development review process that requires applicants of PUDs, site plans, subdivisions, and replats to provide for the needs of bicycle and pedestrian facilities as appropriate.

Policy 2-1.5.4 Bike Racks - The City of Tavares shall provide bicycle storage facilities at existing City parks, and shall analyze the need to provide such facilities at other City public buildings

within the proposed bicycle and pedestrian plan. Land Development Regulations shall incorporate provisions requiring all new shopping centers, recreation areas, and other public uses provide storage facilities for bicycles as appropriate.

Policy 2-1.5.5 TMAs - The City shall encourage new commercial developments that will generate numerous employee P.M. peak hour trips to establish a means to encourage car/van pooling, flex times, mass transit, or walking/bicycling to work. The City shall encourage existing developments that generate numerous employee P.M. peak hour trips to establish a means to encourage car/van pooling, flex times, mass transit, or walking/bicycling to work.

Policy 2-1.5.6 The City shall strive to expend a minimum of ten thousand dollars (\$10,000) per year for new bicycle and pedestrian facilities.

Objective 2-1.6. Coordinate the City's transportation plans with other adopted State, Regional, and Local transportation plans.

Policy 2-1.6.1 Transportation Plans - The City of Tavares shall annually analyze transportation plans and programs of the Florida Department of Transportation (FDOT), the East Central Florida Regional Planning Council (ECFRPC), and Lake County to establish consistency and compatibility to plans and policies set forth within the City's Comprehensive Plan. The City shall likewise notify these three entities of all programs and improvements, and amendments to the Comprehensive Plan, ~~and status of the Concurrency Management System which pertain to transportation.~~

## CHAPTER 6

### INTERGOVERNMENTAL COORDINATION ELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL 6-1: COORDINATE WITH FEDERAL, STATE AND LOCAL GOVERNMENT AND QUASI-GOVERNMENT ENTITIES WHOSE RESPECTIVE EMPOWERED ACTIVITIES, DUTIES AND RESPONSIBILITIES INFLUENCE, EFFECT, OR CONTROL GOVERNMENTAL AFFAIRS AND LAND DEVELOPMENT DECISIONS HELD BY THE CITY OF TAVARES IN ORDER TO ESTABLISH EFFECTIVE GROWTH MANAGEMENT, DEVELOPMENT ACTIVITIES, AND NATURAL RESOURCE CONSERVATION, WITH CONSIDERATION TO LIMITED AVAILABLE FINANCES.

OBJECTIVE 6-1.1: Coordinate with Lake County on issues pertaining to land use activities and public programs applicable to adjacent unincorporated lands and unincorporated enclaves. By March 1, 2002, the City and County, shall complete a study to determine the effectiveness of their Joint Planning Agreement, City Resolution 87-15, and shall adopt an annexation area Comprehensive Land Use Plan for the entire Tavares/Lake County Joint Planning Area.

Policy 6-1.1.1: The City shall provide a copy of its Comprehensive Plan to Lake County and shall file a written request to the County to receive a copy of the Lake County Comprehensive Plan to mutually promote consistency with adopted Plans.

Policy 6-1.1.2: The City shall file a written request to Lake County to receive notification of any proposed land use amendments, changes to adopted levels of service, and all applications for development affecting land adjacent to City boundaries as well as such activities occurring within the utility service area within a reasonable time frame for the City to respond to any concerns. The City shall reciprocate such information to Lake County and allow response to Lake County growth management concerns.

Policy 6-1.1.3 The City shall coordinate growth management issues transcending jurisdictional areas through cooperative communications with the state and Lake County agencies at the staff and official government levels by presenting City concerns through documented transmittals, scheduled meetings, attendance at State, Federal and County public hearings, joint ad hoc technical coordination committees, and, where relevant, less formal communications. The City shall promote reciprocal participation of State, Federal and County staff and officials in local growth management affairs. Growth management issues to be pursued, but not limited to, comprise the following:

a) Annexation of Adjacent Lands. The City shall engage in mutual discussion with Lake County by March 1, 2001 to establish an annexation Land Use Plan to direct an orderly and timely process of annexing unincorporated land adjacent to the City. An Annexation Interlocal Agreement shall include, but is not limited to the following issues:

1. Delineation of general area in which the City shall pursue annexation;
2. Mutually agreeable land use designations for unincorporated areas within the confines of the annexation zone, with emphasis on compatibility with both the City and County Comprehensive Plan Future Land Use Elements;

3. Jurisdiction responsible for providing water, sewer, traffic circulation, and drainage facilities during the interim and post annexation periods;
  4. Availability of public facilities and services to meet demands currently generated by existing development or that are anticipated for eligible land use activities permitted within the proposed annexation area;
  6. Determination of appropriate application of a concurrency management system for the annexation zone.
- b) Land Use Planning of Adjacent Lands. The City shall coordinate with Lake County to pursue appropriate land management for unincorporated areas adjacent to the City, including enclaves, to avoid conflict created by possible placement of incompatible land uses and to establish compatibility between City and County growth management efforts. The City shall coordinate with Lake County to establish a mutually compatible growth management framework, with consideration to implementing such activity through an interlocal agreement, which addresses the following planning and development issues:
1. Land Development Regulations. Review and compare municipal and County land development regulations applicable to respective adjacent lands for compatibility and for conflict with growth management goals, objectives and policies.
  2. Comprehensive Planning for Adjacent Unincorporated and Incorporated Land. Develop mutually agreeable future land use designations for adjacent unincorporated and incorporated land.
  3. Review Impacts of Development. Review impacts of development within adjacent unincorporated lands, including impacts to adopted levels of service; concurrency management issues; affects on annexation issues; and changes to comprehensive plans and land development regulations; location and timing of proposed development; and impacts to conservation activities and preservation of natural resources.
  4. Mitigate Impacts to State Roads. Focus Direct commercial development toward ~~along~~ State roads to incorporated areas, and designate lands in unincorporated areas adjacent to municipalities to low-density, non-intensive land use to facilitate improvement of traffic flows along these roads.
- c) Solid Waste. The City shall coordinate with the Lake County Department of Environmental Services to achieve improvements and efficiency to the County's solid waste management program, including the collection, disposal and monitoring of hazardous wastes. The City shall also coordinate with the County to continue

effective solid waste management programs:

1. Recycling programs and management strategies established by the County.
  2. Curtail illegal dumping of solid waste as well as disposal practices which are detrimental to the existence of natural resources and ecological communities.
  3. Monitor ground water quality adjacent to the abandoned land fill just south of Tavares.
- d) Traffic Circulation. The City shall coordinate with Lake County, as well as the Florida Department of Transportation, to collect data on ~~resolve~~ transportation, pedestrian and bicycle improvement needs. Additional issues to be specifically addressed include, but are not limited to:
1. Limit commercial development along S.R.#19 outside City Limits;
  2. Review scheduled improvements and maintenance to S.R.#19, old U.S.#441 and U.S. #441.
- e) Surface Water Management and Drainage. The City shall coordinate with Lake County to implement stormwater and drainage improvement needs indicated through the results of City Stormwater Masterplan of 1992, and to coordinate proposed development within the Comprehensive Plan with improvements scheduled within the Lake County Stormwater Master Plan. Other issues to be addressed include stormwater impacts to water quality in the City's lakes and in groundwater aquifers.
- f) Groundwater Quality and Conservation. Issues which the City needs to address with Lake County include the preservation of natural resources which transcend jurisdictional boundaries and the protection of potable water storage areas of the Floridan Aquifer. Coordination should focus on the effectiveness of the Comprehensive Plan and implementation activities established within the Land Development Regulations to conserve and protect these natural resources.
- g) Housing. The City shall coordinate with Lake County to address affordable housing issues and housing needs for special groups. Coordination shall also include review of adjacent land uses within adjacent unincorporated areas to assure that residential development within these areas does not adversely affect housing markets and development within the City of Tavares. Coordination efforts shall be conducted through the Lake County Department of Planning and Development. Such coordination shall involve the City's participation in and contribution to Lake County's affordable housing program and such programs for low and moderate income households.
- h) Recreation. The City shall coordinate with the recently established Lake County Recreation Coordinator to avoid duplication of recreation services proposed within each government's comprehensive plan. The City shall also promote the exchange of recreation plans between the

two entities.

- i) Disaster Preparedness. Issues concerning disaster preparedness shall be addressed and coordinated with the Lake County Office of Emergency Management and other governmental entities as deemed necessary to maintain and revise plans and policies directing emergency preparedness in order to protect life and property in the event of a disaster.
- j) Air Quality. The City shall coordinate with Lake County to improve air quality as necessary.

**OBJECTIVE 6-1.2:** Coordinate the Development Plans of the School Board and the Impacts of Existing and Proposed School Facilities on Public Facilities with the Comprehensive Plan.

~~The effectiveness with which the Interlocal Agreement is being implemented shall be considered at the annual meeting described in Section 1.1.2. The staff representatives of each local government and the School Board, as described in Section 1.1.1, shall provide technical review and recommendations regarding any need for change to the provisions of the agreement. The workshop shall be publicly noticed and the agenda shall provide an opportunity for public input and comment. The representatives of each of the local governments and School Board will report back to their respective bodies with recommendations for any needed changes to this Agreement. The Committee shall prepare and adopt an annual report summarizing its findings and shall distribute such report to the County, all Cities and the School Board.~~

Policy 6-1.2.1: The City shall coordinate and document such coordination, through written correspondence with the Lake County Board of Education biannually or as otherwise necessary, to discuss development plans for expansion of existing or development of new education facilities within the City of Tavares to assure such activities are consistent with growth management and development plans established within the City Comprehensive Plan. Other issues to be coordinated shall also include impacts of such facilities on adopted levels of service established for roads, water, drainage, and solid waste services.

Policy 6-1.2.2: Avoid Duplication of Services. The City shall also coordinate annually through written correspondence with the Lake County Board of Education and Lake County to integrate recreation facilities at school property into the recreation system for Lake County in order to avoid duplication of services already in place at school sites. In addition, discuss the use of school facilities for public meetings and other public use when demand warrants the use.

Policy 6-1.2.3 – The City shall abide by and enforce the interlocal agreement between the city and school board to require cooperation in terms of population projection and school siting.

- a. The school board shall provide facility plans and population projections on an annual basis to ensure that consistency is maintained between the two.
- b. The School Board shall provide the city with any plans to site schools within the corporate limits or joint planning area.
- c. The city shall provide to the school board all applications for land use plan amendments that have the potential of increasing residential density and that may affect student enrollment, enrollment projections, or school facilities.
- d. The city shall allow a member of the school board to sit on the local planning agency and comment on proposals that have the potential to increase density.
- e. ~~Take part in the Lake County Educational Concurrence Review Committee established by the County, School Board and municipalities that shall meet at least annually but more often if needed as outlined in the Interlocal Agreement between Lake County, Lake County School Board and Municipalities for School Facilities Planning and Siting, and will hear reports and discuss issues concerning school concurrence.~~
- f. ~~Take part in the Joint Staff School Concurrence Review Group, comprised of Staff of the~~

~~County, Cities, and School Board, that shall meet at least quarterly, as outlined in the Interlocal Agreement between Lake County, Lake County School Board and Municipalities for School Facilities Planning and Siting, to discuss issues concerning school concurrency. These issues shall include but not be limited to land use, school facilities planning, including such issues as population and student projections, level of service, capacity, development trends, school needs, co-location and joint-use opportunities, and ancillary infrastructure improvements needed to support schools and ensure safe student access. The School Board staff shall be responsible for making meeting arrangements.~~

OBJECTIVE 6-1.3: Coordinate with Federal, State, and Regional Government Agencies Inventoried in Table 6-1 of the "Data Inventory & Analysis" Document to Establish Consistency and Compatibility between the City's Comprehensive Plan and the Plans and Proposed Activities of These Regulatory Agencies. These plans shall provide the minimum standards for future development within the City.

Policy 6-1.3.1: The City shall coordinate with the Florida Department of Community Affairs on issues pertaining to the administration of amendments to the Comprehensive Plan and for technical assistance in areas relating to community planning as described in Chapter 163, Florida Statutes. The City shall request in writing from the U.S. Bureau of the Census demographic information and data pertaining to the City of Tavares in order to update the data inventory and analysis component of the Comprehensive Plan. The City shall also coordinate with the Bureau to promote the successful completion of the decennial U.S. census, both independently or through the Lake County Complete (Census) Count Committee.

Policy 6-1.3.2: Traffic Circulation Issues. The City shall coordinate with the Florida Department of Transportation and Lake County on issues pertaining to levels of service improvements and maintenance of U.S. 441, SR 19 and county maintained roads.

Lake County has qualified for the establishment of a metropolitan planning organization (MPO) which will function to resolve traffic circulation issues transcending intra-Lake County jurisdiction boundaries and, thus, causing regional impacts. The affected urban area may or may not include the City of Tavares. However, when such an MPO is established, the City needs to coordinate with the Florida Department of Transportation and with Lake County to ensure representation on the MPO and to determine the City's role in the MPO. As an alternative to an MPO if such an organization is not established, the City shall coordinate with other municipalities in Lake County, Lake County and the State to coordinate solutions to other urban issues including but not limited to the formation of a Council of Governments for formal government action.

Policy 6-1.3.3: The City shall coordinate with the U.S. Department of Housing and Urban Development (HUD) and the Florida Department of Community Affairs (FDCA) independently and in conjunction with the Lake County Department of Planning and Development to obtain financial assistance for affordable housing programs serving low and moderate income households within Lake County, including supporting infrastructure. This assistance shall include application for funds from one or more of the following State programs; Community Development Block Grant, Neighborhood Revitalization Grant, Commercial Revitalization Grant or an Economic Development Grant. Such coordination shall discuss the plans of HUD to make assistance available to Lake County. The City shall also coordinate any plans and programs concerning improvement of substandard housing held by the Florida Department of Health and Rehabilitative Services with housing programs and activities proposed within the Comprehensive Plan.

Policy 6-1.3.4: Issues concerning coordination with State and Federal agencies involve drainage, solid waste and hazardous waste, potable water, sanitary sewer, and natural groundwater aquifer recharge. The City shall coordinate plans and improvements proposed and scheduled

within the Comprehensive Plan with those planned by the respective State and Federal agencies having authority to implement such improvements. Coordination shall also include the availability of State and Federal funds to support implementation of proposed infrastructure needs. Issues with more specific concerns shall involve the following:

- a) Drainage. The City shall coordinate land use activities and plans within the Comprehensive Plan with the 100- year floodplain designated by the Federal Emergency Management Administration. The City shall also coordinate comprehensive planning activities with stormwater management plans and scheduled improvements affecting the City of Tavares under the authority of the Army Corps of Engineers, the Lake County Water Authority, and the St. Johns River Water Management District.
- b) Solid and Hazardous Waste. The City's solid waste disposal needs addressed within the Comprehensive Plan shall be coordinated with plans, programs, and administered legislative actions placed under the authority of the Florida Department of Environmental Protection (FDEP). As disposal facilities are operated by Lake County, most coordination with this issue will likely occur between FDEP and the County. Hazardous waste issues addressed within the Comprehensive Plan shall be coordinated with the State and Federal plans, programs, and administered legislative actions delegated to the FDEP and the U.S. Environmental Protection Agency.
- c) Potable Water and Sanitary Sewer. The City shall coordinate the Comprehensive Plans with the plans and programs of FDEP and the SJRWMD pertaining to the use and conservation of water. The City shall also coordinate with these agencies for available funding offered for the implementation of water and sanitary sewer improvements.
- d) Natural Ground Water Aquifer Recharge. Activities proposed within the City's Comprehensive Plan to protect the quality and quantity of groundwater shall be coordinated with plans, programs, and administered legislative actions of the SJRWMD and, where appropriate, with the FDEP. Coordination shall also involve available State funds for the acquisition, through lease or purchase, of land to preserve high recharge areas.

Policy 6-1.3.5: Conservation Issues. Conservation issues that require coordination with State and Federal agencies include the possible acquisition of land adjacent the City's lakes, protection of the natural groundwater aquifer, historical sites, wetlands, sinkhole potential, wildlife and wildlife habitats, and air quality. The City shall coordinate the Comprehensive Plan with plans and programs under the authority of the State and Federal agencies, according to the relationship of the conservation activity with the various agencies. Specific issues for coordination include the following:

- a) Lakes. The City shall coordinate issues pertaining to surface water quality within the City's lakes with the FDEP. Where issues address conditions of the lakebed, coordination shall also be exerted with the FDEP. Where deemed appropriate, issues concerning the quality of water draining into the lake shall be addressed to SJRWMD.
- b) Vegetative Communities. The City shall coordinate with FDEP, FDEP, SJRWMD and Lake County Water Authority to evaluate the

possibility of obtaining State funds to acquire wetland areas for preservation purposes.

- c) Endangered Species. The City shall coordinate growth and development proposed in the Comprehensive Plan with proposed wildlife and vegetation preservation programs proposed by the Florida Game and Fresh Water Fish Commission, the U.S. fish and Wildlife Service, and the Florida Department of Agriculture for aquatic and land species within and adjacent to City lakes, and identified wildlife habitats and vegetative communities within Tavares.

Policy 6-1.3.6: Recreation Issues. The City shall coordinate recreation plans proposed within the Comprehensive Plan with proposed programs and plans established by the Florida Department of Environmental Protection for Lake County.

Policy 6-1.3.7: Disaster Preparedness. The City shall coordinate growth and development proposed within the Comprehensive Plan with the proposed emergency preparedness plans and programs of the Florida Department of Community Affairs and the Lake County Office of Emergency Management.

OBJECTIVE 6-1.4: Coordinate Proposed Development within the Comprehensive Plan with Policies Established within the East Central Florida Regional Planning Council's Regional Policy Plan.

Policy 6-1.4.1: The City shall cooperate with the East Central Florida Regional Planning Council (ECFRPC) in the review of regional policies and standards which require coordination with local governments and their comprehensive planning activities. The City shall assure that proposed growth and development within the Comprehensive Plan remain generally consistent with the ECFRPC's Regional Policy Plan. Other issues of coordination shall include, but may not be limited to, development of regional impact (DRI's), comprehensive plan review, intergovernmental coordination, and conflict resolution.

OBJECTIVE 6-1.5: Coordinating Comprehensive Planning Activities with Plans Established by Non-Regulatory and Quasi-Government Entities. Such Entities shall include, but are not limited to, the North Central Florida Health Planning Company, United Telephone Company, Cable Vision of Central Florida, Florida Power Corporation, and Lake Apopka Natural Gas, and Sumter Electric Company.

Policy 6-1.5.1: Coordination shall occur with the aforementioned entities to promote consistency and compatibility with growth and development anticipated within the Comprehensive Plan with plans of above cited entities to expand, limit, reduce, or cease altogether, the respective services currently provided to residents and development within the City of Tavares. The City shall provide a copy of the Comprehensive Plan to each entity directly or upon request, and shall request that each entity notify the City of any plans to expand, limit, reduce, or cease such service at that time such a determination is established.

The City shall also coordinate, when considered applicable, amendments to the Comprehensive Plan and revisions to the Land Development Regulations with affected entities, allowing reasonable time in which to issue a response.

OBJECTIVE 6-1.6: Informal and Formal Mechanisms for Coordinating Impacts of Development Proposed in Adjacent Governmental Jurisdictions Shall be Established.

- Policy 6-1.6.1: The City shall continue to participate in the Technical Advisory Committee in order to mutually disseminate information pertaining to proposed development adjacent to the City, or proposed within a distance at which an impact to levels of service will be evident, in order to coordinate growth and development affecting adjacent government's adopted levels of services or other development concerns addressed within the Comprehensive Plan. The Joint Planning Area Agreement should be amended to stipulate required responsibility of a developer to include a joint technical analysis of both jurisdiction's Concurrency Management Systems where a proposed development is anticipated to impact levels of service within both areas. The analysis shall also include identification of remaining capacity and improvements necessitated by the proposed project to maintain or improve existing levels of service and their cost.
- Policy 6-1.6.2: The City Planning and Zoning Board shall coordinate with the Lake County Department of Planning and Development to jointly review impacts of development on Tavares' adopted levels of service and anticipated growth and development within the City. Such activities shall occur through joint meetings, written and verbal transmittal, and City attendance at appropriate County public meetings addressing the proposed development. Proposed developments degrading levels of service within 20% of the adjacent jurisdiction minimum adopted level of service standard shall prepare an analysis as described in Policy 6-1.6.1.
- OBJECTIVE 6-1.7: (Solid Waste Disposal Is the Only Service Provided to Tavares by an Adjacent Jurisdiction.) Coordinate with Lake County regarding Lake County's Adopted Level of Service for Solid Waste Disposal and ensure that the City's solid waste demand is reviewed for future capacity calculations.
- Policy 6-1.7.1: The City shall coordinate with the Lake County Department of Environmental Services to assure that existing and projected solid waste volumes generated by the City are consistent with the County's ability to dispose of waste. Such coordination shall also include the County's ability to manage and monitor hazardous waste generated within the City.
- Policy 6-1.7.2: The City shall coordinate with Lake County on issues pertaining to level of service improvements and maintenance on County roads with the jurisdictional limits of the City and County.
- OBJECTIVE 6-1.8: Resolve Annexation Issues through the Establishment of a Joint Annexation Land Use Plan with Lake County. This Plan shall be adopted by March 1, 2001.
- Policy 6-1.8.1: Joint Annexation Land Use Plan. The City shall coordinate with Lake County to establish a joint Land Use Plan which addresses appropriate procedures for annexation, delineates adjacent lands which may be annexed (an annexation zone), establishes land uses for the annexation zone which are compatible with both the County and City future development plans, and defines appropriate application of concurrency management for this zone.
- OBJECTIVE 6-1.9: Develop a Coordinating Mechanism to Update Available Capacity and Other Data Base Needs within the Concurrency Management System.
- Policy 6-1.9.1: The City shall incorporate data base management techniques, and projection and forecasting methodologies which are generally recognizable and accepted area-wide applications within the Concurrency Management System.
- Policy 6-1.9.2: The City shall analyze the application of Lake County's Concurrency Management System to measure its consistency and compatibility with Tavares system.

Policy 6-1.9.3: The City shall coordinate concurrency management issues affecting land development within and adjacent to its jurisdictional area with the Lake County Department of Planning and Development. The City shall also exchange information pertaining to the status of the Concurrency Management System with Lake County, and shall request in written transmittal to Lake County that updated reports on the status of its concurrency management system which pertains to adjacent land, be forwarded to the City to promote awareness of remaining public facility capacities within each jurisdiction.

OBJECTIVE 6-1.10 The City Shall Coordinate with Other Public Entities in Drafting a Strategic Plan for Lake County for Resolving Conflicts between Tavares and Lake County, other Lake County municipalities, the Lake County Board of Education, Special Purpose Districts, and Other Non-Regulatory Agencies Not Having Authority Over the Use of Land.

Policy 6-1.10.1: The City shall coordinate with Lake County to establish an informal mediation process for solving local intergovernmental coordination problems among local governments and other units of government providing services but not having regulatory authority over the use of land.

Policy 6-1.10.2: Where informal mediation fails to resolve local conflicts, the City Council shall determine if the issue warrants intervention of an unbiased mediation forum. Such mediation shall be granted to the East Central Florida Regional Planning Council unless evidence is shown that the ECFRPC will not represent a fair or unbiased mediator. Upon such determination, the City shall coordinate with the Florida Department of Community Affairs to resolve intergovernmental conflict with another Regional Planning Council serving as the mediator.

**CHAPTER 7**

**CAPITAL IMPROVEMENTS ELEMENT  
GOALS OBJECTIVES AND POLICIES**

Policy 7-1-1.2: Evaluation Criteria - Each year, prior to the adoption of the annual budget, the Tavares City Council will evaluate and consider updating the Five Year Schedule of Capital Improvement (Table 7-1). All changes to the Five Year Capital Improvement Schedule shall be evaluated by the Tavares City Council using the following criteria:

- a. The desires of the community,
- b. The obligations of the City to provided essential facilities (i.e. roads, water, sewer, recreation, etc.) for potential growth, and

<b>TABLE 7-2 LEVEL OF SERVICE STANDARDS FOR CONCURRENCY FACILITIES CITY OF TAVARES</b>													
<b>Facility Type</b>	<b>Level of Service Standard</b>												
<b>A. SANITARY SEWER</b>	250 gpd/eru (gallons per day/equivalent residential unit)												
<b>B. POTABLE WATER</b>	325 gpd/eru (gallons per day/equivalent residential unit)												
<b>C. SOLID WASTE</b>	4.57 LBS. Per Resident Per Day												
<b>D. DRAINAGE</b>	<ol style="list-style-type: none"> <li>1. Bridges. Hydraulic Profile shall be below the top cord of the bridge for the 50-year, 24-hour storm.</li> <li>2. Stormwater detention and retention ponds, which are contributory to land-locked areas with no positive outlet, shall be designed for the 25-year, 96-hour storm.</li> <li>3. Canals, ditches, or culverts external to the development, and stormwater detention or retention basins which are not part of a project that is contributory to a land-locked area with no positive outlet, shall be designed for the 25-year, 24-hour storm.</li> <li>4. Stormwater flooding for arterial and collector roadways shall not exceed one-half (½) of the roadway width. For local roads, stormwater flooding shall not exceed the crown of the road for the 10-year, 24-hour storm</li> <li>5. Storm sewers and roadside swales shall be designed such that the hydraulic gradient is 1.0 foot below the gutter line or edge of pavement for arterial roadways; and 0.5 feet below the gutter line or edge of the pavement for collector and local roadways for the 10-year, 24-hour storm.</li> </ol>												
<b>E. TRAFFIC CIRCULATION</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">1. Principal Arterial .....</td> <td style="text-align: right;">LOS D</td> </tr> <tr> <td>2. Minor Arterial .....</td> <td style="text-align: right;">LOS D</td> </tr> <tr> <td>3. Collector .....</td> <td style="text-align: right;">LOS D</td> </tr> <tr> <td>4. Alfred Street (Old # 441) .....</td> <td style="text-align: right;">LOS D</td> </tr> <tr> <td>5. State Road # 19 .....</td> <td style="text-align: right;">LOS D</td> </tr> <tr> <td>6. U.S. 441 (SR 500) .....</td> <td style="text-align: right;">LOS D</td> </tr> </table>	1. Principal Arterial .....	LOS D	2. Minor Arterial .....	LOS D	3. Collector .....	LOS D	4. Alfred Street (Old # 441) .....	LOS D	5. State Road # 19 .....	LOS D	6. U.S. 441 (SR 500) .....	LOS D
1. Principal Arterial .....	LOS D												
2. Minor Arterial .....	LOS D												
3. Collector .....	LOS D												
4. Alfred Street (Old # 441) .....	LOS D												
5. State Road # 19 .....	LOS D												
6. U.S. 441 (SR 500) .....	LOS D												
<b>F. RECREATION</b>	Land – 1.7 Acres per 1,000 residents												

CHAPTER 7A 8  
CAPITAL IMPROVEMENTS ELEMENT  
CONCURRENCY MANAGEMENT SYSTEM &  
GOALS OBJECTIVES AND POLICIES

CONCURRENCY MANAGEMENT SYSTEM

The main intent of the Local Government Comprehensive Planning Act in Chapter 163 of the Florida Statutes is to require local governments to guarantee that public facilities and services are available concurrent with the impacts of development. The statutory concurrency requirements direct city governments to establish minimum acceptable level of service standards for seven public facilities and services. They are as follows:

1. Roads
2. Potable Water
3. Sanitary Sewer
4. Parks
5. Solid Waste Collection and Disposal
6. Stormwater Management
7. Schools

The intent of the Community Planning Act in Chapter 163 of the Florida Statutes, is to utilize and strengthen the existing role, processes, and powers of local governments in the establishment and implementation of comprehensive planning programs to guide and manage future development consistent with the proper role of local government. Pursuant to this act the statutory concurrency requirements are sanitary sewer, solid waste, drainage and potable water.

The concurrency requirements are applicable to all such facilities within the corporate limits of the City of Tavares, and those areas within the unincorporated areas of Lake County that are served by City Potable Water and Sanitary Sewer services. A concurrency management system has been established to ensure that all the required public facilities and services are available as required to meet adopted levels of service prior to the issuance of development orders and building permits. This will ensure that development is approved only when it meets concurrency requirements.

DEFINITIONS

The following definitions shall be used to interpret the content of the Comprehensive Plan.

~~Adopted Level of Service—Levels of service for the essential services as defined in the Capital Improvements Element of this Comprehensive Plan~~  
~~De Minimis Impacts for Roads—A de minimis impact for roads is one that, alone or in combination with other similar or lesser impacts, will not cause significant degradation of the existing level of service on a transportation facility is consistent with this part. A de minimis impact is one that would not affect more than 0.1 percent of the maximum volume at the adopted level of service standard of the affected transportation facility as determined by the local government, and that is caused by an increase in density or intensity that is less than or equal to twice the density or intensity of the existing land use or, in the case of vacant land, is a density of less than 1 dwelling unit per quarter acre or a floor area ratio of 0.1 for nonresidential uses. Local governments are encouraged to adopt methodologies to encourage de minimis impacts on transportation facilities within an existing urban service area, when those impacts will not in combination exceed a significant degradation threshold of 3 percent of the maximum volume at the adopted level of service standard of the affected transportation facility based on the adopted level of service standard.~~

Development Order: Development order means any order granting, denying or granting with conditions an application for development permit.

Development Permit: means any zoning permit, subdivision approval, rezoning, special uses, variance, site plan approval or other official action of local government having the effect of permitting the development of land in the City of Tavares. A development permit shall include a building permit, certificate of occupancy or other permit relating to the compliance of a development with applicable electrical, plumbing or other building codes.

Essential Services - Potable Water, Waste Water, ~~Parks and Recreation Facilities, Roads,~~ Stormwater, and Solid Waste and Schools.

CHAPTER 7A 8  
GOALS OBJECTIVES AND POLICIES

Goal 7A-1: TO ASSURE THAT ADEQUATE PUBLIC FACILITIES AND SERVICES ARE AVAILABLE CONCURRENT WITH THE IMPACTS OF DEVELOPMENT.

Objective 7A-1.1: To continue to maintain the concurrency management system established in the Land Development Regulations

Policy 7A-1.1.1: The City hereby adopts a concurrency management system that shall ensure the issuance of a development order or development permit is conditioned upon the availability of the Essential Services (water, waste water, roads, recreation, solid waste, and stormwater retention and schools) necessary to serve the new development.

Policy 7A-1.1.2 Maintain LOS - The City of Tavares shall hereby maintain the adopted level of service for all Essential Services. This shall be accomplished by requiring new development to comply with this Concurrency Management System and by providing the capital facilities as defined in the Capital Improvements Element of this Comprehensive Plan

Policy 7A-1.1.3 The Process - The Land Development Regulations shall identify the process for making a concurrency determination for each development for each essential service ~~with the exception schools~~. In general, prior to the issuance of any final Development Permit or Development Order the impacts of said development shall be reviewed for concurrency for the essential services in the following manner:

~~a) Roads — The Land Development Regulations shall determine how concurrency for roads is established. This methodology shall take into account vested and approved developments. Developments identified as having de minimis impacts for roads are exempt from complying with road concurrency.~~

ba) Water & Waste Water - The Land Development Regulations shall determine how concurrency for water and wastewater is established. This methodology shall take into account vested and approved developments.

~~e) Parks and Recreation — The Land Development Regulations shall determine how concurrency for parks and recreation is established. This methodology shall take into account vested and approved developments.~~

db) Stormwater - Each proposed development must retain the amount of stormwater to comply with the adopted level of service as identified in the Capital Improvement Element. Additional capacity of any proposed facilities identified in Policy 7A-1.1.4 may be included in this analysis.

e) Solid Waste - Adequate solid waste facilities must be available before each development permit is issued. Additional capacity of any proposed facilities identified in Policy 7A-1.1.4 may be included in this analysis.

~~f) Schools—The level of service for all schools shall be set at 100% of FISH permanent capacity. In instances where the CORE (dining) capacity is greater than the FISH permanent capacity, the school capacity shall then be increased to that of the CORE (dining) capacity and the level of service maintained at 100% of the school capacity. In no instance shall the school capacity increase more than 125% due to additional CORE (dining) capacity. Each proposed development must coordinate with the Lake County School Board to ensure their identified adopted Level of Service Standard will be achieved.~~

Policy 7A-1.1.4 Available Facilities - The following facilities, and agreements for facilities shall be deemed available for concurrency determinations:

a) Waste Water, Potable Water, Drainage, and Solid Waste facilities shall be deemed available for the purpose of a concurrency analysis if the facilities are either;

1. In place at the time of the issuance of the final development order, or
2. Are guaranteed to be provided before the issuance of a Certificate of Occupancy through an enforceable Development Agreement (as defined by the Florida Statutes).

~~b) Parks and Recreation facilities shall be deemed available for the purpose of a concurrency analysis if the facilities are either:~~

- ~~1. In place or under construction at the time the final development order or permit is issued; or~~
- ~~2. The required park land (or funding of equivalent value) will be dedicated prior to the issuance of a Certificate of Occupancy with the conditions identified in FAC 9J-5.0055(3)(b)~~

~~e) Roads shall be deemed available for the purpose of a concurrency analysis if the facilities are either:~~

- ~~1. In place or under construction at the time the final development order or permit is issued; or~~
- ~~2. Have been identified to be under actual construction not more than three years after issuance of a certificate of occupancy in the adopted City five year schedule of capital improvements, the Lake County Road Impact Fee Program, or the adopted Florida Department of Transportation five year work program; or~~
- ~~3. The developer has agreed to a binding executed agreement or an enforceable development agreement, pursuant to Section 163.3220 F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., which requires the necessary facilities and services to serve the new development to be in place or under actual construction no more than three years after the issuance of a certificate of occupancy.~~

d. School student stations shall be deemed available for the purpose of concurrency analysis when the following conditions are met:

1. The Lake County School Board has issued to the development a letter of determination of concurrency finding the development in compliance. If the letter of determination of concurrency requires conditions or mitigation to be placed on the development, the development order issued shall incorporate those conditions. If the letter of determination of concurrency requires the development to be phased to mitigation, the conditions of approval of the development order shall implement the phasing requirements by specifying that Building Permits will be withheld if the conditions are not fulfilled.

Policy 7A-1.1.8 The City shall coordinate with the Lake County School Board's Five Year District Facilities Work Plan, the plans of other local governments, and as necessary, updates to the Concurrency Service Area map as required to ensure that the adopted Level of Service Standards for Concurrency Services Areas will be achieved.

a) To ensure adequate school capacity is provided, a summary of the Lake County School Board's Five Year Capital Improvement Program is provided in Table 1. A summary of the Lake County School Board's Estimated Revenues to fund its Five Year Capital Improvements Program listed in Table 2 is shown in Table 2

Table 1

**Summary of Capital Improvement Program**

Project	Fiscal Year				
	2005	2006	2007	2008	2009
<b>Elementary Schools</b>					
1. New - 2005	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
2. New - 2006	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
3. New - 2007	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
4. New - 2008	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
5. New - 2009	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
<b>High Schools</b>					
6. New - 2005	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
7. New - 2006	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
8. New - 2007	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
9. New - 2008	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
10. New - 2009	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
<b>Other</b>					
11. New - 2005	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
12. New - 2006	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
13. New - 2007	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
14. New - 2008	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
15. New - 2009	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
<b>Total</b>	<b>15,000,000</b>	<b>15,000,000</b>	<b>15,000,000</b>	<b>15,000,000</b>	<b>15,000,000</b>

(In Comp. Dollars)

Summary of Estimated Revenue

Local Sources	Five Year				
	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
	2008	2009	2010	2011	2012
<b>Total</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
Local Sources					
Head Fee	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000
State	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
County	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
City	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Other	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
<b>Total Local Sources</b>	<b>5,100,000</b>	<b>5,100,000</b>	<b>5,100,000</b>	<b>5,100,000</b>	<b>5,100,000</b>
<b>Total</b>	<b>10,300,000</b>	<b>10,300,000</b>	<b>10,300,000</b>	<b>10,300,000</b>	<b>10,300,000</b>

Table 1 (Continued)

Project	Priority				
	2008	2009	2010	2011	2012
<b>Total</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Priority					
State	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
County	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
City	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Other	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
<b>Total Projects</b>	<b>4,000,000</b>	<b>4,000,000</b>	<b>4,000,000</b>	<b>4,000,000</b>	<b>4,000,000</b>

## **PUBLIC SCHOOLS FACILITIES ELEMENT**

Goal 1: It is the Goal of the City of Tavares to work with the Lake County School Board and provide for future availability of public school facilities in a manner consistent with the adopted level of service standard. The implementation of school concurrency will be accomplished by adhering to and recognizing the City's authority in land use decisions, which include the authority to approve or deny comprehensive plan amendments, zonings, or other development orders that generate students and impact the Lake County school system; and the Lake County School Board's statutory and constitutional responsibility to provide adequate public schools.

### **Objectives:**

1. Level of service (LOS) standards shall be adopted in order to ensure that there is sufficient school capacity to support student growth for each year of the five-year planning period and for the long-term planning horizon.

### **Policies:**

- a. The City will coordinate its comprehensive plan and land use map with the Lake County School Board's future conditions/long-range public school facility map.
- b. The LOS defines school enrollment as a percentage of school student capacity based upon the Florida Inventory of School Houses (FISH). The LOS standard is the maximum level of school utilization that will be permitted in the Lake County School District. The LOS of all schools shall be set at 100% of FISH permanent capacity. In instances where the CORE (dining) capacity and the level of service maintained at 100% of the school capacity. In no instance shall the school capacity increase more than 125% due to additional CORE (dining) capacity.
- c. The adopted Los standard shall become applicable to the city no later than January 1, 2008.
- d. Individual schools are discouraged from operating in excess of the established LOS. Moreover, the issuance of development orders and building permits shall be strictly conditioned upon the availability of school capacity and the maintenance of the adopted LOS.
- e. The LOS standards will be used to determine whether sufficient school capacity exists to accommodate future development projects, and evaluate the sufficiency of the Five-Year Schedule of Capital Improvements. The Five-year Schedule of Capital Improvements shall be reviewed, updated, and adopted annually thus ensuring those projects necessary to address existing deficiencies, and to meet future needs based upon our adopted level of service standards, are adequately planned for. Furthermore, coordination with the Lake County School Board's Five-Year District Facilities Work Plan, the plans of other local governments, and as necessary updates to the Concurrency Service Area map is

required to ensure that the adopted Level of service Standards for Concurrency Areas will be achieved and maintained.

- f. ~~In coordination with Section 5.3 of the Interlocal Agreement between Lake County, Lake County School Board and Municipalities for School Facilities Planning and Siting, future amendments to the Concurrency Service Areas (CSA's) may be accomplished by the School Board only after review and comments by the County and other municipalities within lake County as provided in Section 5.1.1 of the Interlocal Agreement Amendments to the CSA's shall be established to maximize available school capacity, taking into account transportation costs, desegregation plans, diversity policies, and the extent to which development approvals have been issued by a local government based on the availability of school capacity in a CSA contiguous to the CSA in which the development approval was issued. Amendments to the CSA's and attendance zones shall be designed to make efficient use of new and existing public school facilities in accordance with the Level of Service Standards set forth in the Interlocal Agreement.~~

2. ~~Ensure that comprehensive plan amendments and other land use decisions are simultaneously evaluated with school capacity availability within the City.~~

~~Policies:~~

- a. ~~School Board findings and comments on the availability of adequate school capacity shall be considered when evaluating the decision to approve comprehensive plan amendments and other land use decisions as provided for in s. 163.3177 (6)(a), F.S.~~
  - b. ~~The School Board shall review potential new development student generation impacts and available school capacity. Where capacity will not be available to serve students from the property seeking development approval and proportionate share mitigation is not an option, the School board shall not issue a favorable concurrency determination. The City may use lack of school capacity demonstrated by an unfavorable concurrency determination as a reason for denial.~~
3. ~~Ensure that the planning and construction of educational facilities are coordinated so that the timing is proper, the selected location is compatible with the surrounding area, the construction is concurrent with necessary services and infrastructure and the proposal is consistent with the comprehensive plan.~~

~~Policies:~~

- a. ~~The City shall coordinate with the School Board so that proposed public school facility sites are consistent with applicable land use designations and policies of the comprehensive plan. Pursuant to Section 235.193, F.S., the City will consider each site plan as it relates to environmental concerns, health, safety and~~

welfare, and effects on adjacent property. In addition, road capacity and traffic concerns will also be evaluated. The will also continue to pursue the development of mutually acceptable guidelines for the selection of future school sites including, but not limited to:

- Acquisition of school sites which allow for future expansions to accommodate future enrollment and other facility needs deemed beneficial for joint uses, as identified by the Lake County School Board and the City;
- Coordination of the location, phasing, and development of future school sites to ensure that site development occurs in conjunction with the provision of required infrastructure to serve the school facility;
- Preference for urban and urbanization areas; and
- Provide for allowances for rural sites as deemed necessary and appropriate under certain circumstances.

b. The City shall closely coordinate with the School District to evaluate and locate potential sites where the co-location of schools with other public facilities, such as parks, libraries, and community centers can be selected.

4. Ensure community through effective school facility design and siting standards. Encourage the siting of school facilities so that they are compatible with the surrounding land use.

—— Policies:

a. The City shall closely coordinate with the School Board and the City by consistency locating between the City's comprehensive plan and public school facilities programs, such as:

- Greater efficiency for the School Board and the City by locating schools to take advantage of existing and planned roads, water, sewer, parks, and drainage systems;
- Improved student access and safety by coordinating the construction of new and expanded schools and sidewalk construction programs;
- The location and design of schools with parks, ball fields, libraries, and other community facilities to take advantage of shared-use opportunities;
- The expansion and rehabilitation of existing schools to support neighborhoods.

Policies:

b. Local government and the school district shall coordinate emergency preparedness issues including but not limited to, the use of school facilities as public shelters during emergencies.

- e. ~~Public schools shall provide bicycle and pedestrian access consistent with Florida Statutes. Bicycle access and trails to public schools should be incorporated in trail projects and programs that are currently scheduled by the City and County. Parking and sidewalks at public schools will be provided consistent with the comprehensive plan.~~
- d. ~~Schools shall be designed consistent with the comprehensive plan. Land uses in which schools will be an allowable use will be directed by the City's comprehensive plan and any subsequent zoning and land development codes must be consistent with the comprehensive plan.~~

~~Goal 2: It is the Goal of the City to establish a process for the implementation of school concurrency by providing for capacity determination standards, availability standards, applicability standards, and proportionate share mitigation.~~

~~Objectives:~~

- ~~1. Establish capacity determination standards:~~

~~Policies:~~

- ~~a. The School Board shall determine whether adequate school capacity exists for a proposed development based on LOS standards.~~
- ~~b. The School District shall conduct a concurrency review that includes findings and recommendations of whether there is adequate school within the City consistent with the LOS standard. The School District shall issue a concurrency determination based on the findings and recommendations.~~

- ~~2. Establish availability standards:~~

~~Policies~~

- ~~a. The City shall not deny a subdivision plat or site plan for failure to achieve and maintain the adopted level of service for public school capacity where:
 
  - ~~1. Adequate school facilities will be in place or under construction within three (3) years after the issuance of the subdivision plat or site plan according to the School Boards 5 year Capital Improvements Plan at the time of approval;~~
  - ~~2. Adequate school facilities are available and the capacity impacts of development can be satisfied by utilizing available capacity in an adjacent Concurrency Service Area or;~~
  - ~~3. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the final plat or site plan.~~~~

- b. ~~If the School District determines that adequate capacity will not be in place or under construction within three (3) years after the issuance of final subdivision or site plan approval according to the Lake County School Boards 5 year Capital Improvement Plan at the time of approval and mitigation is not an acceptable alternative, the School District shall issue a School Concurrence Determination stating that capacity is not available. If the School District determines that adequate capacity does not exist, but mitigation, through proportionate share mitigation is an option, the development will remain active pending the conclusions of mitigation negotiations.~~
3. ~~Establish proportionate share mitigation is an acceptable alternatives which are financially feasible and will achieve and maintain the adopted level of service standard consistent with the adopted School Board's financially feasible capital Improvement Plan.~~

#### ~~Policies~~

- a. ~~In the event that mitigation is an acceptable alternative to offset the impacts of a proposed development, where the adopted LOS standards would otherwise be exceeded, the following options listed below, for which the School District assumes operational responsibility through incorporation in the adopted School Board's financially feasible Capital Improvement Program and which will maintain the adopted LOS standards, shall included but not limited to:~~
- ~~1. The donation, construction, or funding of school facilities created by the proposed development.~~
  - ~~2. The creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits.~~
- b. ~~Proposed mitigation shall be directed toward a permanent capacity improvement identified in the School Board's financially feasible 5 Year Capital Improvement Program. Consideration may be given by the School Board to place an additional improvement required for mitigation on its Capital Improvement Program. The proposed mitigation must satisfy the demand created by the proposed development consistent with the adopted LOS standards or identified as an amendment to the adopted Capital Improvement Program. Portable classrooms will not be accepted as mitigation.~~
- c. ~~Mitigation shall be directed to projects on the School Board's financially feasible Capital Improvement Program that the School Board agrees will satisfy the demand created by that development approval, and shall be assured by a legally binding development agreement between the School Board, the relevant local government, and the applicant executed prior to the issuance of the subdivision plat, site plan, or functional equivalent. If the school agrees to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation on its Capital Improvement Program. This development~~

agreement shall include landowner's commitment to continuing renewal of the development agreement upon its expiration.

- d. The applicant's total proportionate share mitigation obligation to resolve a capacity deficiency shall be based on the following formula, for each school level: multiply the number of new student stations required to serve the new development by the average cost per student station. The average cost per student station shall include school facility development costs and land costs. The applicant's proportionate share mitigation obligation will be credited toward any other impact fee or exaction imposed by local ordinance for the same need, on a dollar for dollar basis, at fair market value. The process to determine proportionate share mitigation obligation shall be as follows:

Step 1: Determine the number of students to be generate by the development
Number of dwelling units in the proposed development (by unit type)
<b>MULTIPLIED BY</b>
Student Generation Rate (by type of DU and by School Type)
<b>EQUALS</b>
Number Students Stations needed to serve the proposed development
Step 2: comparing the available capacity to the number of student stations calculated in Step 1 to assess the need for mitigation
Available Capacity
<b>MINUS</b>
The Number of new Students Stations needed to accommodate the proposed development
<b>EQUALS</b>
The shortfall (negative number) or surplus (positive number) of

4. ~~The student generation rates used to determine the impact of a particular development on public schools shall be consistent with Lake County School Board and Florida Department of Education Standards. The student generate rates shall be reviewed and updated every two (2) years in accordance with professionally accepted methodologies.~~

## P+Z Minutes

1 Board Member Tanner expressed concern regarding school concurrency also. He supported  
2 innovation in the delivery of school service such as smaller classrooms and increased use of  
3 advanced technology to reduce bussing. He also said that he felt that the city should focus on  
4 building its business base as opposed to residential development.

5  
6 Mr. Anderson stressed the importance of encouraging an appropriate mix of commercial and  
7 residential uses within the City's downtown to take advantage of existing infrastructure and  
8 recent investments within the City's core.

9

### 10 MOTION

11

12 **Mr. Grist moved to recommend approval of the City's Planning Consultant's**  
13 **recommendation. The motion was seconded by Mr. Tanner. The motion carried**  
14 **unanimously.**

15

### 16 2) Comprehensive Plan Text Amendment Ordinance 11-07 Removal of Non-statutory 17 Concurrency Management

18

19 Jacques Skutt, Community Development Director provided the following staff report;

20

21 In June, the State of Florida passed House Bill 7207 which affects growth management  
22 in a number of ways. Among other things, the bill repealed most of the 1985 Growth  
23 Management Act including the removal of the requirement to maintain several  
24 regulatory processes. In accordance with the new bill, state-mandated concurrency is  
25 only required for sanitary sewer, solid waste, drainage, and potable water. Therefore,  
26 the concurrency requirement for transportation, schools and parks and recreation are  
27 optional. State statute provides that local governments may choose to continue to  
28 maintain these requirements or remove them. If they are removed, a comprehensive  
29 plan amendment is required. The comprehensive plan text amendment is not subject to  
30 state review. Removal of these non-mandated concurrency requirements is  
31 recommended by the City's Planning Consultant.

32

33 Impact fees for these services can still be collected. When collected, those fees would  
34 continue to be used for the purpose of maintaining levels of service for the facilities for  
35 which they are collected.

36

37 Staff is recommending that the Planning and Zoning Board recommends to City Council  
38 approval of Ordinance 2011-07 for adoption and final transmittal to the State Land  
39 Planning Agency.

40

41

42 Chairman Adams asked for comments from the audience.

43

44 Mr. Tanner asked if there were things in place that would allow the City to look at things like  
45 traffic prior to approving a rezoning such as a PUD.

46

47 Mr. Skutt confirmed that applications for rezoning require a traffic study and school impact  
48 statement.

49

1 Mr. Tanner also asked about adding Lake Shore Drive to the comprehensive plan as a Scenic  
2 Road.

3  
4 Ms. Maraviglia explained that such an amendment could be made in a separate ordinance.

5  
6 Ms. McDonald, LCSB Senior Planner, asked if the City was still on board with administering  
7 school concurrency, will be participating in meetings and continuing its commitment to working  
8 with the Lake County School District at the local level as mentioned during the EAR  
9 presentation.

10  
11 She received confirmation from Chairman Adams.

### 12 MOTION

13  
14  
15 **John Tanner moved to recommend approval of Ordinance 11-07. The motion was**  
16 **seconded by Norman Hope. The motion carried unanimously, 5-0.**

### 17 3) Comprehensive Plan Text Amendment 11-08 Housing Element Amendment

18  
19 Jacques Skutt, Community Development Director provided the following staff report;

20  
21  
22 On June 17, 2009, City Council approved the selection of Planning Design Group  
23 (PDG) as the consultant to prepare the Evaluation and Appraisal Report (EAR). PDG  
24 held scoping meetings with city staff and outside governmental agencies. A list of issues  
25 was formulated through a public workshop process, recommended by the Local  
26 Planning Agency, approved by Council and sent to DCA. One of the issues identified  
27 was the need for the City to amend its Comprehensive Plan Housing Element. It was  
28 noted that many of the City's mobile home units are substandard and unsafe.

29  
30 To address this issue, the City committed to seek strategies which would encourage the  
31 development of safer, more sustainable housing. The proposed ordinance is intended  
32 to ensure that all new housing, both site built and pre-manufactured, meets the  
33 standards of the most current Florida Building Codes.

34  
35 Also, there was a growing perception that the City's affordable housing strategy was  
36 limited to or showed preferential treatment toward mobile home units. The City has a  
37 number of policies regarding the support of affordable housing. These policies will not  
38 be affected by the proposed ordinance.

39  
40 Staff is recommending that the Planning and Zoning Board recommends to City Council  
41 approval of Ordinance 2011-08 for adoption and final transmittal to the State Land  
42 Planning Agency.

43  
44 Chairman Adams asked for comments from the audience and board.

45  
46 Mr. Hope asked for confirmation that the ordinance did not say a resident could not have a  
47 mobile home but that the home should meet current building standards whether manufactured  
48 or stick built.

THE ARTS IN LAKE

# Reception showcases artists, their works

By DEBBIE MANN  
Staff Writer

Artisans on Fifth, an artists' cooperative gallery shop at 124 E. Fifth Ave. in downtown Mount Dora, is having its designers reception along with its October artists of the month reception from 5 to 8 p.m. Saturday.

The reception is in conjunction with the gallery's inaugural "Bra-Vol" — an art-bra fundraiser to help support area women in need with low-cost and free mammograms. Participants who created the "art bras" have been invited to the reception. The works of art will be on display in the gallery during October. A People's Choice Award will be given to the bra that receives the highest amount of dollar votes during the display period.

The "art bras" will be auctioned off at 7 p.m. Oct. 29 at the Mount Dora Center for the Arts. The street area around the gallery will be lined with luminarias in memory of a loved one and cancer survivors Saturday and Oct. 29. Luminarias can be purchased for \$10 each at the gallery. Proceeds from the luminarias also will go toward mammograms. Sharon Allen, Margaret Andersen and

Joyce Brady are October's artists of the month. Allen, a self-taught realist artist, favors watercolors in her photo-realistic depictions of animals and flowers.

Brady creates jewelry from mosaic, shells, natural and semiprecious stones and found objects. She combines that with bead weaving and embroidery. Andersen collects vintage fabrics and uses a collage approach to make her functional pieces, from purses to sweaters. The free event is open to the public. Details: artisansonfifth.com.

Opening exhibits

"Tradition/Innovation: American Masterpieces of Southern Craft and Traditional Art" exhibit opens Saturday at the Appleton Museum of Art in Ocala, which is operated by College of Central Florida, through Nov. 6.

The exhibit examines connections and differences between traditional arts and contemporary craft featuring works of 30 master craftspersons and traditional artists from the South. The display, which is a project of South Arts funded in part by the National Endowment for the Arts, will showcase a Mardi Gras Indian chief suit,

contemporary glass art, handmade baskets, ceramics, quilts and books.

"Painted Poetry: The Landscapes of Jackie Schindehette" also opens Saturday and runs through Nov. 20. Schindehette, a long-standing member of Ocala's arts community, will present 15 of her finest landscape paintings, which capture Florida's natural beauty during all the seasons of the year. Details: 352-291-4455 or appletonmuseum.org

Watercolor Society

Central Florida Watercolor Society will meet at 1:30 p.m. Sunday in the Marvel Building at the Art & History Museums, Mainland, 231 W. Packwood Ave. Bob Hague, a member of the society, will give a demonstration titled "Drawing and Painting a Portrait From a Live Model." The society has members throughout Central Florida, including Lake County. Details: centralfloridawatercolor.com

Theater volunteers

Volunteers are needed to set up and clean up before and after each performance of "Willy Wonka" at the Moonlight Players

Warehouse Theatre, 732B W. Montrose St., Clermont.

Two adults and two teens are needed for each performance. Volunteers also are assigned to work concessions, raffie, collect tickets and hand out programs.

Participants may watch the show for free but will be seated in the back of the theater once all patrons are seated. Performances are Friday and Saturday evenings and Sunday matinees through Oct. 24. Volunteers must be at the theater at 7 p.m. Friday and Saturday and 1 p.m. Sunday. To sign up, email sixfishers@comcast.net.

Poetry reading

The Orlando Poetry Troupe opens its seventh season with a free performance at One Flight Up coffeehouse, 640 N. Donnelly St., downtown Mount Dora, at 7:30 p.m. Oct. 6. Original poems on the theme of Mother Nature will be presented by Linda Johnston, Warner Brown, Ryan Tiley, Mike Archer, Rocky Swartz and Elaine Person. Details: 352-508-5077 or anglelightgallery.com

Orlando Sentinel, 398 E. Burleigh Blvd., Titusville, FL 32770-4366, fax 352-742-3938 or dsward@orbune.com

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SENIORS ON THE GO

By ED PERKINS  
Tribune Media Services

Airlines these days seem to tweak their schedules far more often than ever.

Too often, I hear from travelers who ticketed what they planned to be a good itinerary only to find that their airline has changed their schedule. Many such schedule changes are innocuous, and you can usually accept such minor glitches as inconvenient departure or arrival times, increased travel time, additional stops, locker leavers, or uncomfortably tight connections. But other times a schedule change can throw your trip entirely out of whack. You can't make the new departure, for example, or a later arrival time makes you miss an appointment

or connection or the trip would take far too many hours. If you really don't like a new schedule, you can sometimes do something about it.

Airlines change schedules for a variety of reasons — fleet scheduling, changed air traffic situations and such — but increasingly these days, they prune flights because of "excess capacity" on poorly performing routes. Their contracts of carriage all allow them to cancel flights, and generally promise to provide you with two options:

- An alternative schedule on their own flights, which they typically book for you automatically.
  - A complete refund, even on a non-refundable ticket.
- A few lines also offer a third option: transfer to another line,

usually limited to an airline with which they have a partnership or interline agreement, rarely to any non-partner line.

If you get caught, your easiest option is to accept the airline's offer unless it's really terrible, especially if you can live with the inconvenience and reschedule any meetings you might miss. In that case, the biggest problem that you'll face — a big issue with some fliers, not so much with others — is that you lose whatever seat assignment you originally had. Although your ticket entitles you to a seat, it doesn't entitle you to a specific seat. And because the airline is moving you to flights that already have bookings, your chances of ending up in middle seats and/or separated from a companion are pretty high.

But all too often, the airline's new schedule will not work for you, for the reasons mentioned or others. In that case, I suggest you go online and work out your best option, call the airline's reservation agent (you really can't do this online), and give the agent your preferred option. That approach works best when you confine your alternative search to the original line.

If your original line can't or won't provide an acceptable option, your only remaining option is to ask for a refund and start the booking process over again. That way, you can try for the best itinerary available at the time. Unfortunately, rebooking might require you to pay a higher fare — maybe even a much higher fare. But if that's the only way you can com-

plete your trip, go for it. How about that possible "benefit" in the headline? If, for some reason, you have refundable tickets for a trip you really want to cancel, a schedule change gives you the perfect opportunity to bail out without penalty or loss. One frequent traveler I know has done that twice this year already.

Although airlines try to notify you if your schedule changes, I often hear from fliers who missed their flights because they were re-assigned to an earlier departure and didn't know about it. Especially if you ticket well in advance, always check with the airline to make sure it has no nasty surprises in store for you.

Send email to Ed Perkins at [eperkins@tribunet.net](mailto:eperkins@tribunet.net).

## THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2011-09 titled as follows:

ORDINANCE 2011-09

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 97 ACRES LOCATED ON THE WEST SIDE OF BANNING BEACH ROAD, NORTH OF EAST DELAWARE STREET AND SOUTH OF RESERVE DRIVE FROM RSP-1 (RESIDENTIAL SINGLE FAMILY) TO PD (PLANNED DEVELOPMENT), SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2011-09 will be considered at the following public meetings:

1. Tavares Planning & Zoning meeting on September 22, 2011 at 3 p.m.; and
2. Tavares City Council meeting on October 5, 2011 at 4:00 p.m.;
3. Tavares City Council meeting on October 19, 2011 at 4:00 p.m.

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2011-09 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinance. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department, City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing, if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404.



## THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2011-07 titled as follows:

ORDINANCE 2011-07

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN BY AMENDING THE TRANSPORTATION ELEMENT, THE CAPITAL IMPROVEMENT ELEMENT, THE CONCURRENCY MANAGEMENT SUB-ELEMENT, AND THE INTERGOVERNMENT COORDINATION ELEMENT AND BY REMOVING THE PUBLIC SCHOOLS FACILITY ELEMENT, PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2011-07 will be considered at the following public meetings:

1. Tavares Planning & Zoning meeting on September 22, 2011 at 3 p.m.; and
2. Tavares City Council meeting on October 5, 2011 at 4:00 p.m. (First Reading);
3. Tavares City Council meeting on October 19, 2011 at 4:00 p.m. (Adoption Hearing).

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2011-07 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinance. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department, City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing, if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404.

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 5, 2011**

**AGENDA TAB NO. 4**

**FIRST READING**

**SUBJECT TITLE:     Ordinance 2011-09  
                          Banning Beach Road-Rezoning**

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**OBJECTIVE:**

To consider the rezoning of approximately 9.7 acres of property located on the west side of Banning Beach Road, between E. Delaware Street and Reserve Drive, from RSF-1 (Residential Single Family) to PD (Planned Development).

**BACKGROUND:**

Applicant:             Pioneer Realty Service, Inc. (David Weis)  
Location:             West side of Banning Beach Road  
Acreage:               9.7 Acres  
Existing Zoning:       Residential Single Family, RSF-1  
Requested Zoning:     Planned Development, PD

**SUMMARY:**

The subject vacant property is located on the west side of Banning Beach Road, north of E. Delaware Street and south of Reserve Drive. The property is approximately 9.7 acres in size and is owned by Pioneer Realty Service, Inc. A strip of property, approximately 120 feet in depth, abutting Banning Beach Road, is developable. The balance of the property is wetlands. The Vista Del Largo Condominiums, zoned Multi-Family Residential (RMF-3), are located across the street. The applicant is proposing to subdivide the subject property to provide a total potential of 20 single family attached dwelling units (10 buildings). This is less than the maximum allowable density provided by its designated Future Land Use of Low Density Residential (5.6 Dwellings per acre). Under the present zoning, the owner could possibly plat 15 single family lots. The proposed development meets all concurrency tests at this time. The proposed planned development ordinance exhibits a conceptual plan showing the proposed lots and a graphic architectural rendering illustrating the dwellings. These exhibits, being part of the ordinance, will insure that development substantially conforms to the proposed application. City utilities are located on Banning Beach Road and the homes will be connected to city water and sewer. If the rezoning is approved, the applicant must secure applicable permits from outside agencies and receive final construction and platting approval from the city before homes can be built. To minimize potential problems with pedestrian and driveway traffic, the applicant has agreed to participate in the construction of a sidewalk along the east side of Banning Beach Road in the segment across from the proposed new lots. This will be addressed when the construction plans are submitted for review. Staff's opinion is that the proposed rezoning to allow the construction of duplexes is appropriate for this location, acting as a transition between the high density condominiums to the east and the single family developments to the west. The

6.9 acres of wetlands further acts as a buffer between single family and multi-family dwelling styles.

**OPTIONS:**

No Council Action required at First Reading. At Second Reading, staff will recommend approval.

**PLANNING & ZONING BOARD RECOMMENDATION:**

At its September 22<sup>nd</sup> meeting, the Planning & Zoning Board voted unanimously to recommend denial of Ordinance 2011-09.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

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

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**ORDINANCE 2011-09**

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 9.7 ACRES LOCATED ON THE WEST SIDE OF BANNING BEACH ROAD, NORTH OF EAST DELAWARE STREET AND SOUTH OF RESERVE DRIVE FROM RSF-1 (RESIDENTIAL SINGLE FAMILY) TO PD (PLANNED DEVELOPMENT); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the applicant is requesting to rezone the subject property from a City of Tavares designation of RSF-1 (Single Family Residential) to a City of Tavares designation of PD (Planned Development); and,

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

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

**WHEREAS**, the City Council finds this amendment in compliance with the City of Tavares Comprehensive Plan and Land Development Regulations; now therefore,

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

**Section 1. Rezoning**

Said property, as legally defined in **Exhibit "A"**, attached hereto and made a part herewith, is hereby rezoned from RSF-1 (Residential Single Family) to City of Tavares PD (Planned Development), under the specific provisions as established by the City of Tavares Land Development Regulations.

**Section 2. Definitions**

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

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**Section 2.1 Land Uses**

A. The Conceptual Master Plan for the project is attached hereto and made a part herewith as **Exhibit "B"**. Elements in the Conceptual Master Plan include residential (single-family attached) acreage, and jurisdictional wetlands. The general location of each of these land uses has been established as depicted in the Conceptual Master Plan. Out of the 9.70 acre site, the approximate acreage devoted to each land use shall be as follows:

<b>Upland Acreage</b>	2.80 acres
<b>Jurisdictional Wetland</b>	<u>6.90 acres</u>
<b>Total Acreage</b>	<b>9.70 acres</b>

B. The maximum allowed residential density for this Planned Development shall be as follows:

<b>Maximum Units</b>	20 dwelling units
<b>Gross Density</b>	2.06 dwelling units per acre
<b>Net Upland Density</b>	7.14 dwelling units per acre

C. In addition to the planned elements shown on the Conceptual Master Plan, such easements and rights-of-way shall be established within or adjacent to the project site as may be necessary or desirable for the service, function or convenience of the project. Said easements and rights-of-way to be determined and indicated on the recorded plat of the property or any portion thereof.

**Section 2.2 Development Standards**

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

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

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1. Single-family attached dwelling units shall be limited to two dwelling units per single building. The setbacks per building are as follows:

(a) Principal Structure

Front setback	25'
Rear setback	15'
Side adjacent to ROW	15'
Distance between buildings	10'

(b) Accessory Structures: All accessory structures shall be located in the rear yard.

Rear setback	5'
Side setback (building)	same as principle structure
Side adjacent to ROW (building)	same as principle structure
Side setback (internal units)	5'

B. Architectural Standards

1. The appearance of each single-family attached dwelling unit shall adhere substantially to the Elevation Plan attached hereto and made a part herewith as **Exhibit "C"**.

2. Each single-family attached dwelling unit shall have a garage.

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

- Section 8-29(B) Roof Standards.
- Section 8-29(D) Massing Standards
- Section 8-29(E) Design Elements

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- Section 8-29(F) Building Materials Standards
- Section 8-29(G) Exterior Colors

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

E. Lot Requirements

1. Maximum lot coverage and impervious surfaces. Maximum lot coverage by impervious surfaces shall not exceed seventy percent (70%) of the total lot area. Impervious surfaces shall not exceed thirty-five percent (35%) of any front yard.
2. Lot widths and areas shall substantially conform to those indicated on the attached Conceptual Plan.

G. Landscaping Requirements.

1. Plant material specifications and approved species shall meet the requirements of Chapter 11 of the City of Tavares Land Development Regulations in effect at the time of development.
2. All landscaped common areas shall be in a self-contained tract or easement that is maintained by the Homeowners Association or by the Developer.

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

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

1 **Section 2.4 Public Facilities.**

2 A. Impact Fees

3 The Developer acknowledges that the City of Tavares has impact fees for water,  
4 wastewater, fire, and police, while Lake County has impact fees for schools and  
5 transportation. The project shall be subject to such impact fees or any additional impact  
6 fees effective at the time of issuance of any building permit.  
7

8 B. Potable water

9 Potable water shall be provided by the City of Tavares and impact fees shall be paid by  
10 the Developer. The Developer shall extend water lines from the existing location to the  
11 development. Lines shall be extended in a manner in accordance with the City of  
12 Tavares Public Works Department.  
13

14 C. Wastewater

15 Wastewater treatment service shall be provided by the City and the Developer shall pay  
16 the impact fees. The Developer shall extend sanitary sewer lines from the existing  
17 location to the development. Lines shall be extended and improvements shall be made  
18 in accordance with specifications of the City of Tavares Public Works Department.  
19

20 D. Drainage

21 Retention pond design shall incorporate a naturalistic approach, to be accomplished  
22 through one or more of the following methods: (1) through curvilinear perimeter design,  
23 (2) through the inclusion of swales rather than abrupt slopes requiring fencing, and (3)  
24 through naturalistic landscaping. Prior to receiving any development approvals, the  
25 Developer shall submit a master site drainage plan for review and approval by the City.  
26 All applicable St. John's River Water Management District permits shall be required prior  
27 to approval of any development order. The maintenance of the drainage system shall be  
28 the responsibility of the Homeowners Association and/or the Developer.E.  
29

30 E. Transportation

31 All sidewalks constructed on property under the City's jurisdiction, or for which the City  
32 has maintenance responsibilities shall be constructed according to the standards of the  
33 City of Tavares.  
34

1 F. Underground Electric Utilities. Utility lines for electric power shall be installed  
2 underground per the provisions of the City of Tavares and the power provider.  
3

4 **Section 2.5 Environmental**

5 A. An environmental survey shall be required prior to development. The study at time of  
6 development shall at a minimum provide an inventory of threatened or endangered  
7 species and species of special concern. The presence of designated species, flora or  
8 fauna, on the site or affected by the development shall result in the requirement of a  
9 species management plan and/or relocation plan.  
10

11 B. A conservation easement shall be shown over the entire jurisdictional wetlands area on  
12 the construction plans submitted for the initial phase of development and the  
13 conservation easement shall be recorded over the entire jurisdictional wetlands area as  
14 part of the recording of the final plat of development. The conservation easement shall  
15 be in a format approved by the St. Johns River Water Management District as part of the  
16 permitting process for the Property.  
17

18 C. All environmental permitting and mitigation shall serve as prerequisites of development  
19 and shall be administered by the appropriate local or state jurisdiction.  
20

21 D. Any permitted improvements in the wetlands areas shall be maintained per the criteria of  
22 the St. John's River Water Management District.  
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26 **Section 2.6 Platting**

27 All plats shall be filed in accordance with all applicable rules and regulations of the City  
28 of Tavares. All conditions to platting within this ordinance must be satisfied prior to acceptance  
29 of any final plat for public hearing by the City Council. Any required analyses shall be submitted  
30 prior to plat acceptance, including but not limited to school impact analysis, transportation  
31 analysis, and environmental assessment.  
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1 **Section 2.7 Homeowners Association and Covenants, Conditions, and Restrictions**

2 Submitted and approved with the final plat, Covenants, Conditions And Restrictions shall  
3 be adopted and recorded and an established Homeowners Association shall be designated to  
4 oversee and maintain any open space, water retention area, and any other component of the  
5 overall development so dedicated to said association. Until such time that the Homeowners  
6 Association becomes effective, the Developer shall maintain all common areas.

7  
8 **Section 2.9 Permits.**

9 Prior to platting or construction, the property owner shall obtain all necessary permits  
10 from the applicable local, regional, state and federal agencies. Copies of all permits shall be  
11 furnished to the Planning Manager of the City.

12  
13 **Section 3. Effective Date.**

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

16  
17 **PASSED AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the City  
18 Council of the City of Tavares, Florida.

19  
20  
21  
22 \_\_\_\_\_  
23 Robert Wolfe, Mayor  
24 Tavares City Council  
25

26 First Reading: \_\_\_\_\_

27  
28 Passed Second Reading: \_\_\_\_\_  
29  
30

31 ATTEST:

32  
33  
34 \_\_\_\_\_  
35 Nancy A. Barnett, City Clerk  
36  
37

38 APPROVED AS TO FORM AND LEGALITY:

39  
40  
41 \_\_\_\_\_  
42 Robert Q. Williams, City Attorney  
43

EXHIBIT A

1  
2  
3

LEGAL DESCRIPTION:

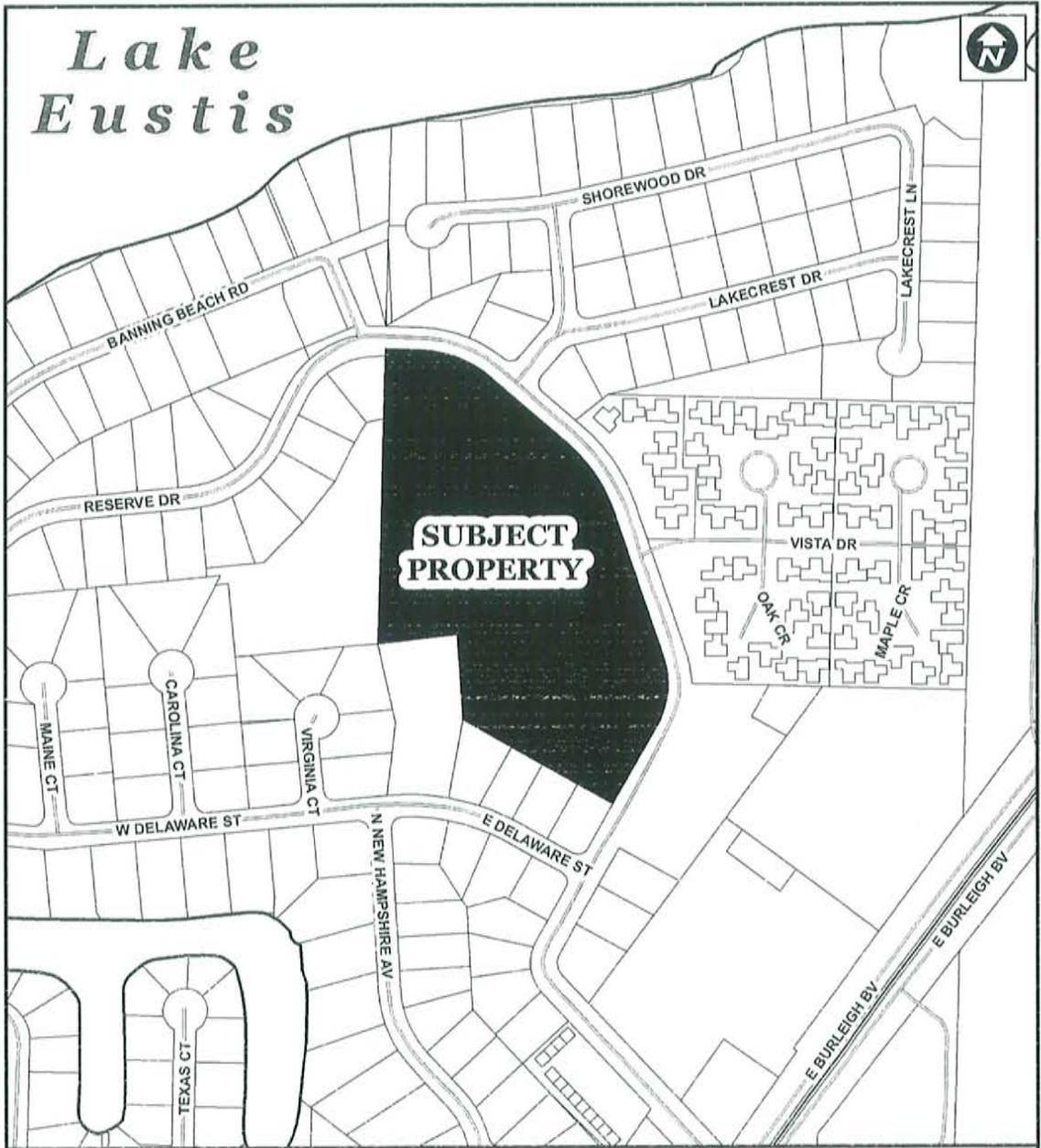
That certain piece or parcel of land lying in Section 20, Township 19 South, Range 26 East, Lake County, Florida, more particularly described as follows:

Beginning at an iron pin (LB 707) at the Northeastern most corner of Lot 58 of Del Largo Vista (P.B. 20, Pg. 56); thence N 00°55'53" E for 659.86' to a new iron pin (LB 7064) on the Southern right-of-way line of Banning Beach Road (50' R/W), passing a new iron pin (LB 7064) at 559.86'; thence along said right-of-way line S 87°35'15" E for 81.79' to a new iron pin (LB 7064) on a curve, thence along said curve to the right, having a radius of 258.32', an arc length of 176.56', being subtended by a chord bearing of S 69°17'22" E for 173.14' to a new iron pin (LB 7064); thence S 49°36'01" E for 224.48' to a new iron pin (LB 7064) on a curve; thence along said curve to the right, having a radius of 350.0', an arc length of 184.92', being subtended by a chord bearing S 34°27'51" E for 182.78' to a new iron pin (LB 7064); thence S 19°08'36" E for 336.95' to a new iron pin (LB 7064) on a curve; thence along said curve to the right, having a radius of 200.0', and arc length of 167.83', being subtended by a chord bearing of S 04°15'55" W for 162.95' to a new iron pin (LB 7064); thence S 28°56'12" W for 199.25' to a new iron pin (LB 7064) at the Northeastern corner of Lot 64 of said plat, passing an iron pin (RLS 1916) at 197.02', Left 2.10'; thence leaving said right-of-way line, N 61°05'12" W for 386.09' to an iron pin (LB 6676) at the Northwestern corner of Lot 61 of Said Plat; thence N 04°11'13" W for 190.0' to a new iron pin (LB 7064); thence S 83°39'21" W for 180.0' to the Point of Beginning, containing 9.70 acres, more or less.

4  
5  
6  
7

# CITY OF TAVARES

## Lake Eustis



### PROPERTY LOCATION MAP PIONEER REALTY SERVICE

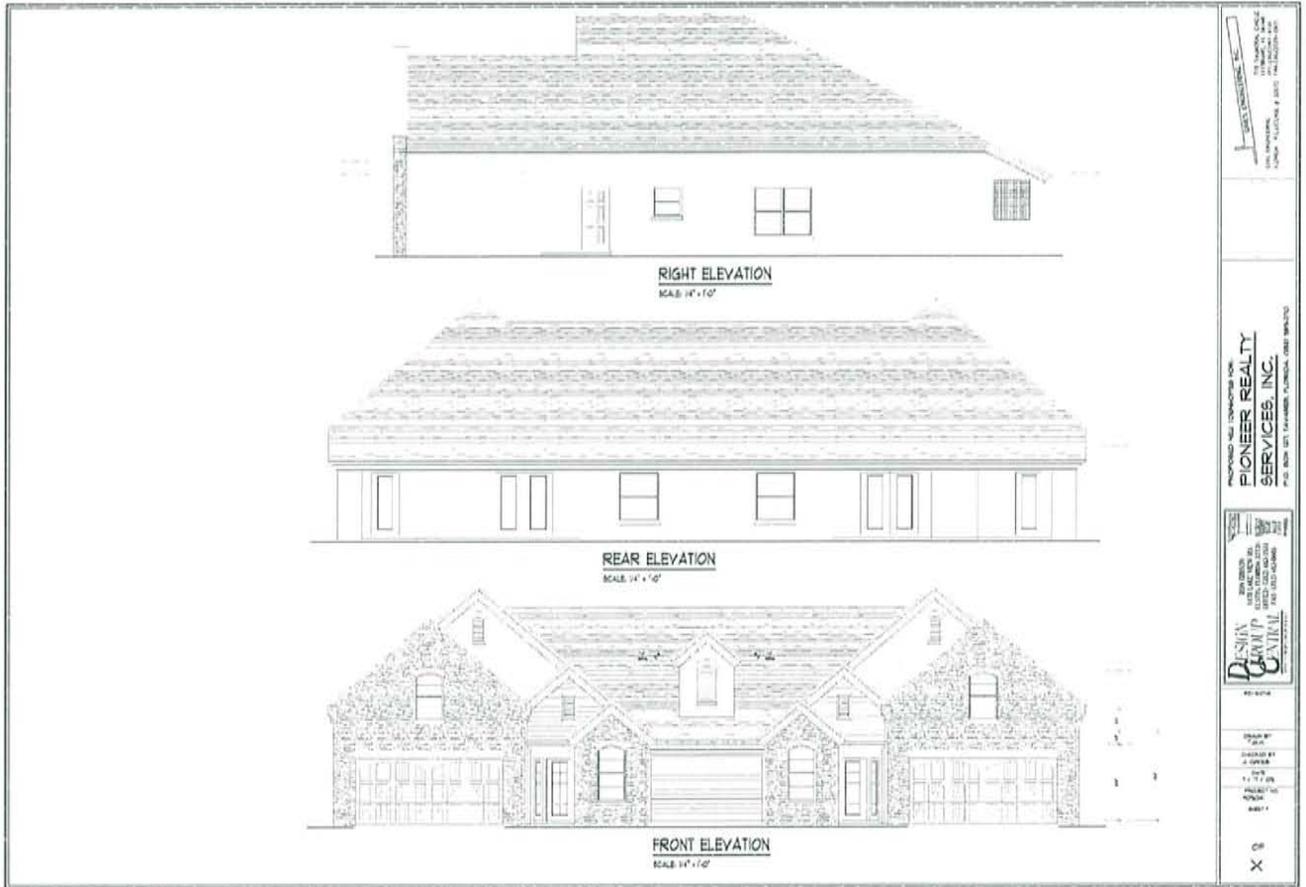


1  
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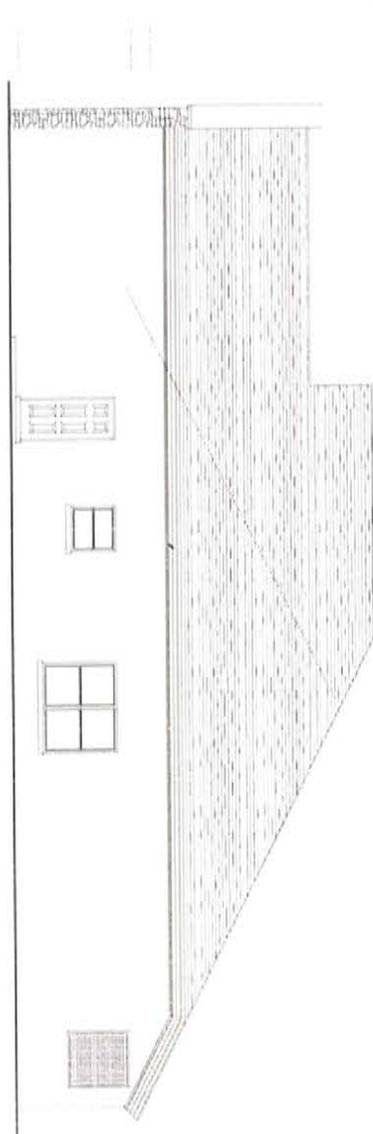


1  
2

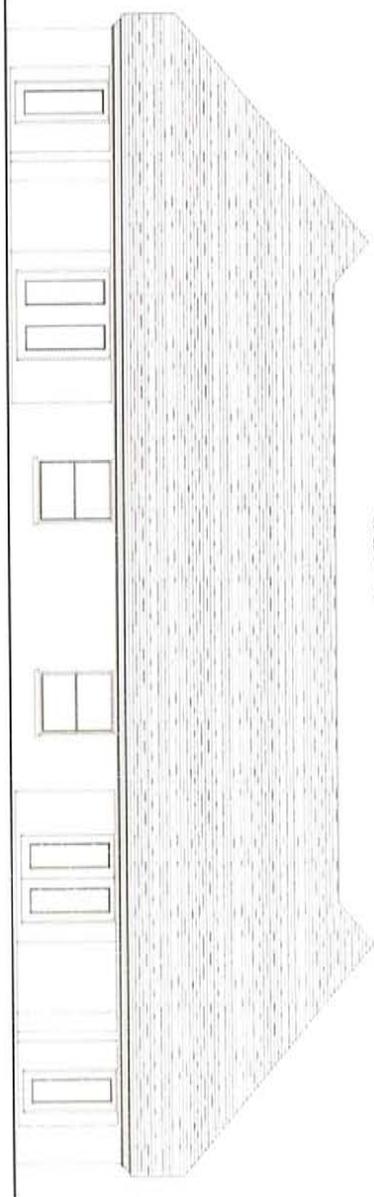
### Exhibit "C"



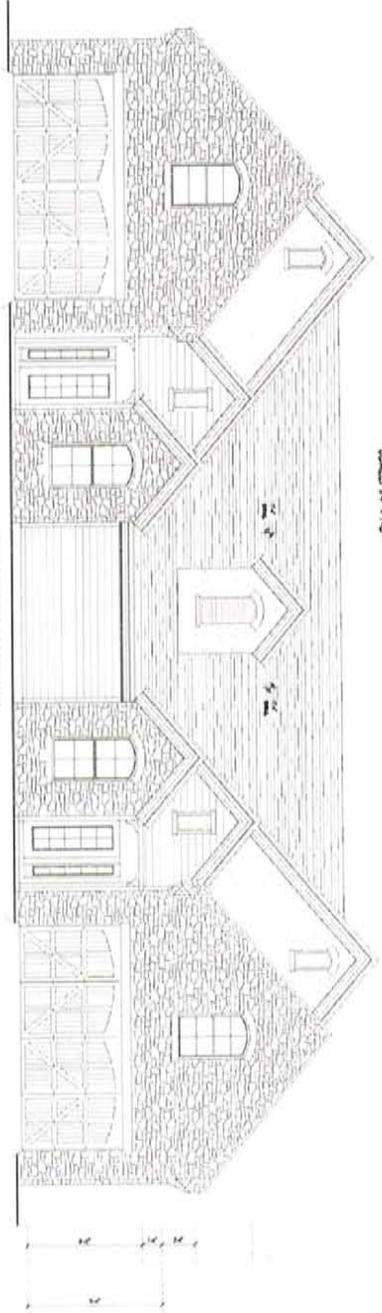
3



**RIGHT ELEVATION**  
SCALE 1/4" = 1'-0"



**REAR ELEVATION**  
SCALE 1/4" = 1'-0"



**FRONT ELEVATION**  
SCALE 1/4" = 1'-0"

OF  
X

DESIGNED BY  
DRAWN BY  
CHECKED BY  
DATE  
PROJECT NO.  
SHEET NO.

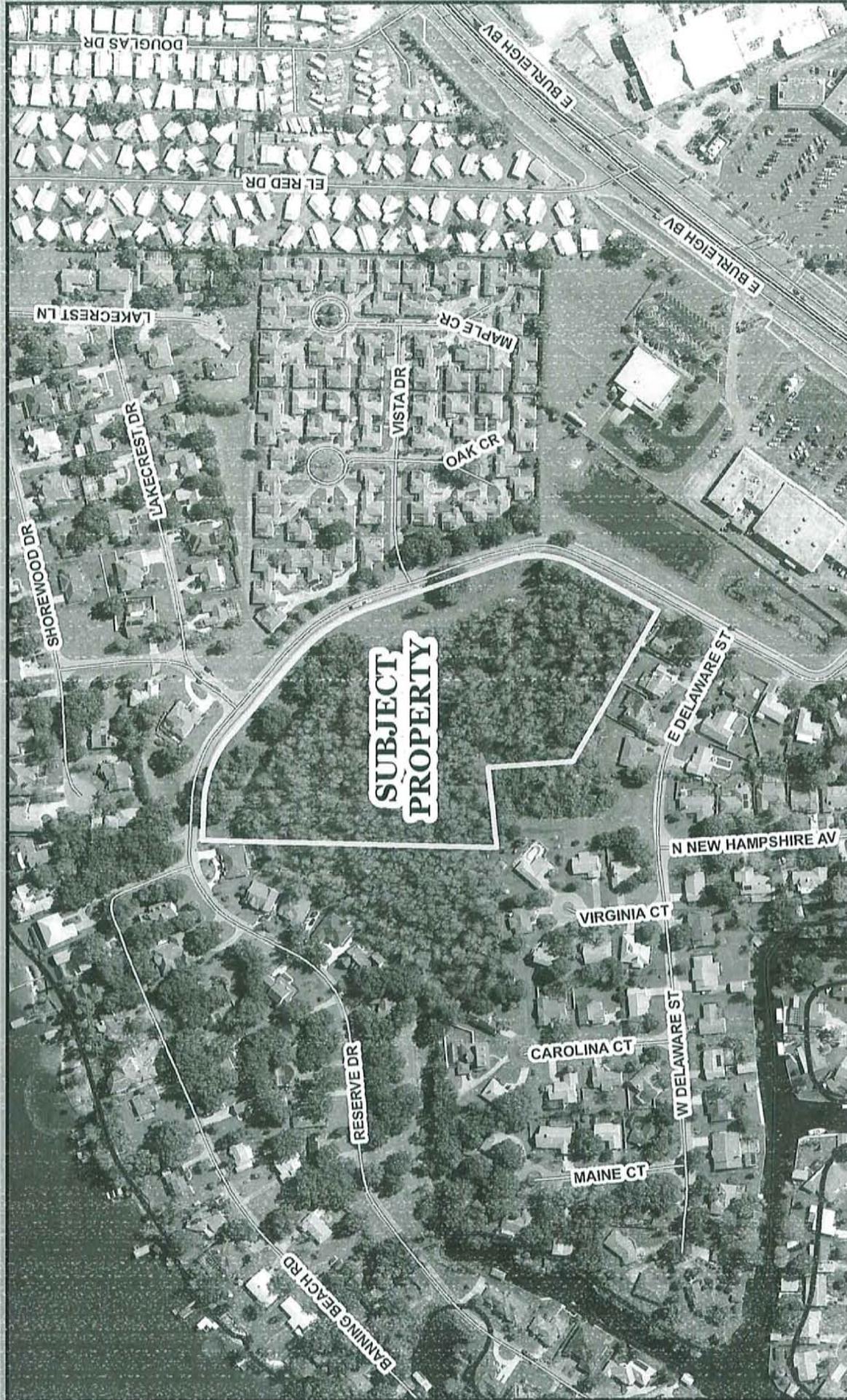
**DESIGN GROUP CENTRAL**  
INCORPORATED  
DON GIBSON  
1470 LAKE VIEW BL.  
CLUSTIS, FLORIDA 32726  
OFFICE (352) 483-1551  
FAX (352) 483-0665

PROPOSED NEW TOWNHOMES FOR  
**PIONEER REALTY SERVICES, INC.**  
P.O. BOX 1071, TAVARES, FLORIDA (352) 989-2110

**GRES ENGINEERING, INC.**  
715 BALMORAL CIRCLE  
LEESBURG, FL 34748  
CIVIL ENGINEERING  
OFF: (352) 787-0151  
FLORIDA REG. LICENSE # 33510 FAX: (352) 525-2837



# CITY OF TAVARES - PROPERTY LOCATION MAP

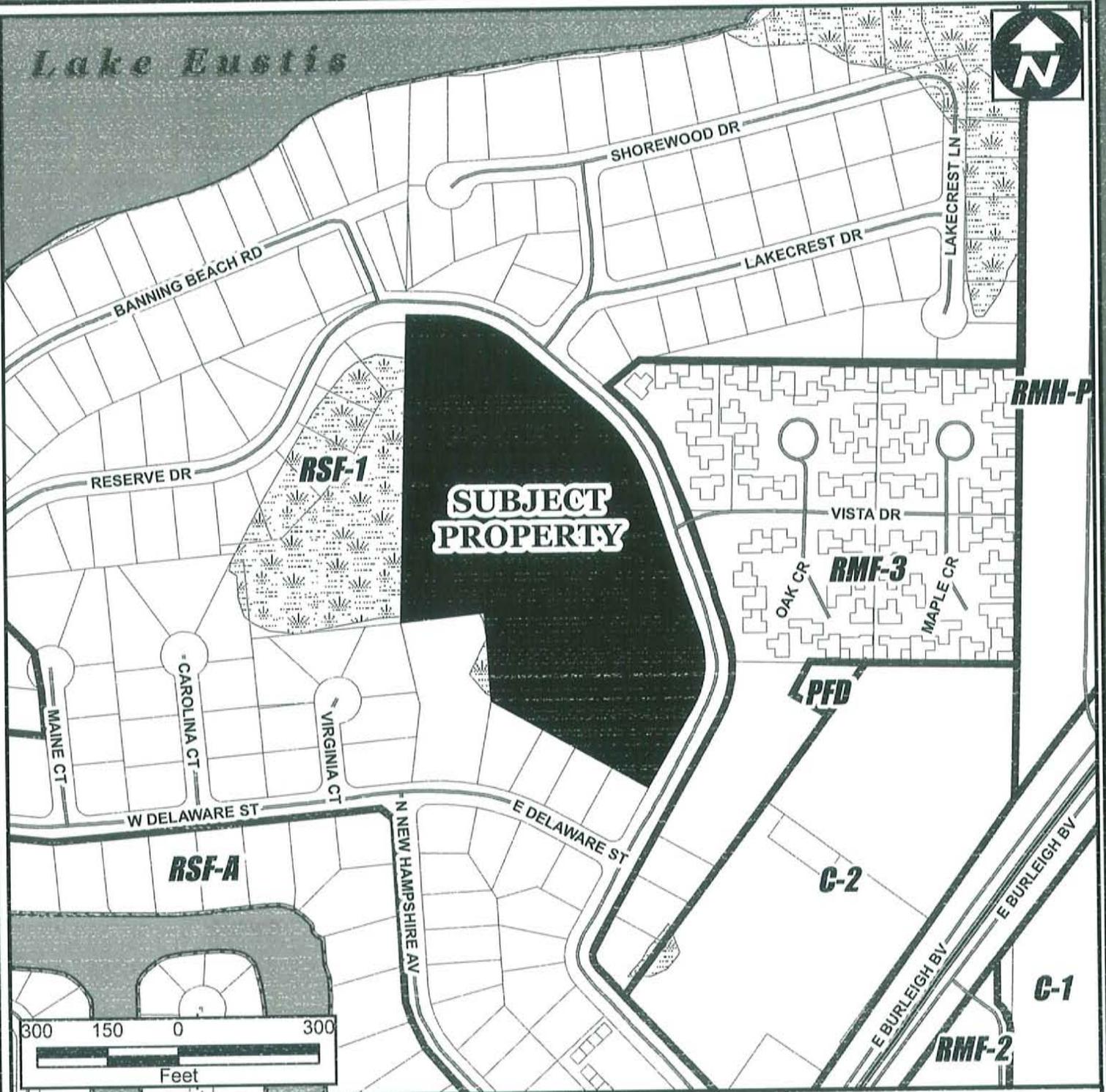


# PROPERTY LOCATION MAP PIONEER REALTY SERVICE

  
A north arrow pointing upwards.  
A scale bar showing 0, 150, and 300 feet.

# CITY OF TAVARES ORDINANCE # 2011-09

Lake Eustis



**SUBJECT PROPERTY**

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



## ZONING MAP ORDINANCE # 2011-09

**PIONEER REALTY SERVICE  
(VISTA TOWNHOMES)**

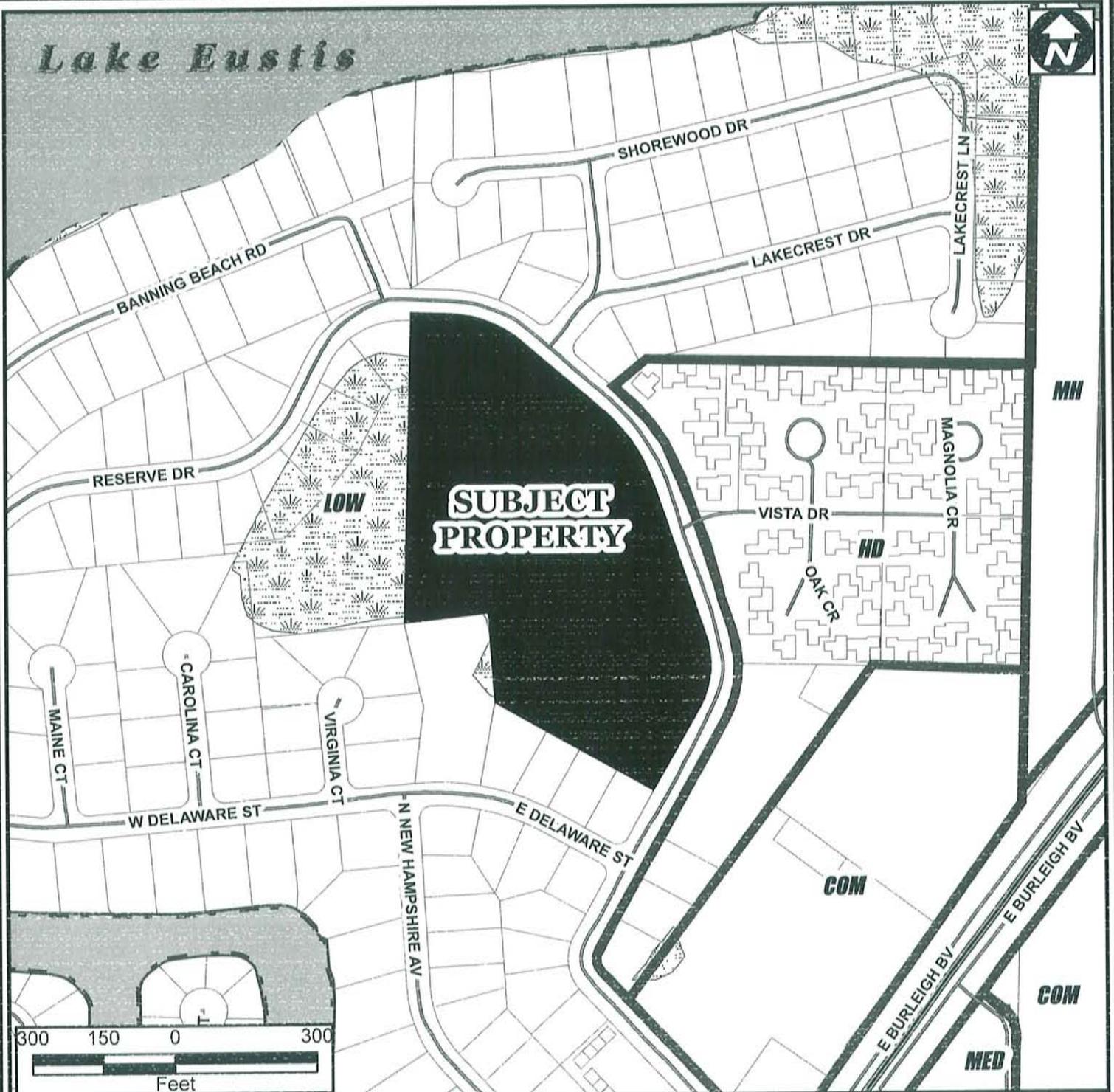
Current Zoning: RSF-1  
Proposed Zoning: PD  
09.7 ± Acres

### Legend

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

# CITY OF TAVARES ORDINANCE # 2011-09

Lake Eustis



**SUBJECT PROPERTY**

LOW

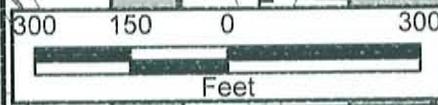
HD

COM

COM

MED

MH



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

## FUTURE LAND USE MAP ORDINANCE # 2011-09

**PIONEER REALTY SERVICE  
(VISTA TOWNHOMES)**

Current FLU: LOW  
Proposed FLU: LOW  
09.7 ± Acres

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

## Mike Fitzgerald

---

**From:** Jack Brister [jacbqick@gmail.com]  
**Sent:** Tuesday, September 13, 2011 11:15 AM  
**To:** Mike Fitzgerald  
**Subject:** RE-ZONING OF BANNING BEACH ROAD PROPERTY

September 13, 2011

To: City of Tavares

The purpose of this communication is to simply once again express my support for the re-zoning of the property on Banning Beach Road, a matter which should be before The Council on Oct. 5, 2011. I would be there personally to voice my support, but unfortunately I will be out of town . But, I trust you will take a few moments to understand my position.

I have been a permanent resident at 524 Banning Beach Road for about 20 years. So, I feel that I can state a position. I have also been a member of a local town Planning & Zoning board, as well as a real estate professional for about 40 years. So, I know only too well the task before the Tavares City Council and also Mr. David Weis, the applicant for the re-zoning. During my years living on Banning Beach I have watched the land management and building processes performed by Mr. Weis. Quite frankly, his improvements to the neighborhood have been nothing but total assets to the neighborhood. As a real estate investor myself, I can plainly see that Mr. Weis has more to risk in performing the correct land management than anyone else in the neighborhood. Mr. Weis not only contributed to the neighborhood with his building of the condos on Banning Beach, but he also built several fine single family dwellings immediately adjacent to the general Banning Beach Road existing subdivision. He has also built for his own residence a fine single family residence within throwing distance of the property in question. It doesn't make any sense for him to build something now that would alter the progress already in place in the area (which he is also a part of). It is my opinion that the highest and best use of the property in question would be for the ( Planned Development) plan before you.

From a resident point of view, as well as one from a real estate professional's point of view, it only makes sense to develop the property as proposed by Mr. Weis. And, I think history must be considered, and I think the results of Mr. Weis's building practices speak for themselves. Unfortunately, the ground has been vacant for so long, some other residents in the general area have viewed it more as a park than the property of a private individual. One of my concerns is that if the property is not re-zoned so as to meet the best usage of the site, then the property could very possibly be sold to someone from out of town so to speak, who would not have the interests of any of the residents of Banning Beach Road. Unlike what happens in many situations, Mr. Weis is not an outsider, he is trying to do something within his own community. He is a part of the community and as such, I think he has the best interests for the overall benefit of the community. Obviously, Mr. Weis does, and has, and I believe will, continue with his standards of building to offer once again to the community some fine residential dwellings.

So again, I request that the Council pass this re-zoning application and further support Mr. Weis who seems to be trying to do something (constructive wise) in an otherwise not too favorable financial climate, either on a local basis or national basis for that matter. Thank you for your time in reading my position in this matter.

Jack Brister  
524 Banning Beach Road  
Tavares, FL 32778  
352-343-5775

## Mike Fitzgerald

---

**From:** DAVID [daveweis@embarqmail.com]  
**Sent:** Tuesday, September 13, 2011 11:33 AM  
**To:** Mike Fitzgerald  
**Subject:** Fwd: rezoning

From: [scottstrem@aol.com](mailto:scottstrem@aol.com)  
To: [daveweis@embarqmail.com](mailto:daveweis@embarqmail.com)  
Subject: Rezoning

Dear Tavares City Zoning and Council Members,

As a resident of Banning Beach Rd and licensed real estate broker in the state of Florida who has conducted the majority of my real estate business in the Banning Beach area, I would like to offer my opinion and views on the debate taking place within this community regarding the rezoning and development of the strip of land abutting the wetlands area adjacent from Vista del Largo condominiums.

I have listed and sold properties in this direct area for the last 6-7 years in the aforementioned condominiums, the Vista patio homes, and numerous single family homes on Banning Beach Rd and Vista Reserve.

Upon hearing of the proposed zoning change regarding the property along Banning Beach Rd across from the Vista del Largo condominiums and Vista Patio Homes, I'll be the first to admit I was initially concerned about the idea of the zoning change, as my knee-jerk reaction to the idea was that it would not be a development I thought would be best for us all. However, upon looking into the issue further, I have wholeheartedly changed my opinion on this issue, and feel that, from a real estate background perspective, that we must give the approval of this zoning change and this project serious consideration. There are numerous factors that have led me to this conclusion:

1: In examining this potential twin villa project, one must take into serious consideration the fact that, at some point, this property will be developed, either by Mr. David Weis, or by a new owner of the property, (in all likelihood an investor with no ties or cares for the neighborhood who has no interest in this area except in terms of building for profit and could realistically care less about the project once the units, be they single family or multifamily units are built).

Personally, I believe it makes a world of sense for everyone affected in the neighborhood to understand that our best opportunity for an attractive, appropriately deed restricted project would be to have it constructed by Mr. Weis, who currently owns a beautiful home adjacent to his proposed project, as well as 4 or 5 canalfront lots he owns past the proposed development. It would be unthinkable that he would build anything that would serve as detriment to these considerable investments he would of course want to protect.

2. As an active real estate broker showing and selling homes in this direct area in the last couple months when the controversy began surrounding this project, I have been asked numerous times by current and potential real estate clients about my feelings about this project, and when my opinions regarding the above were shared, nearly every single person I discussed this with changed their stance and understood and shared the same opinion.

3. I understand that the community would like to see the land stay as it is, a beautiful park like area, but the fact is that the area will be developed at some point. The zoning change really has minimal implications to density, and I have to believe an invested member of the community on Banning Beach is our best chance at having an attractive, successful project come about. In addition, I believe it is worth mentioning that in all my discussions with neighbors either for or against this proposed project, the consistent consensus was that, in all Mr. Weis' homes and development he has done since his building in this area "he's always built beautiful homes". The Vista del Largo homeowners understandably value and appreciate their homes, as do the Vista Patio Home owners and even those homeowners on Vista Reserve. The idea that Mr. Weis would now decide to do a complete turnaround and build anything less than attractive and beneficial to the neighborhood simply makes no sense.

In closing, I understand some residents concerns about "protecting the wetlands" but again, I believe they fail to consider that the zoning change has little to no impact on the wetlands themselves, as the property, if I understand correctly, is already approved for development of a comparable amount of single family dwellings. The same concept applies to the limited impact, if any, regarding the approval of this project in terms of traffic flow, safety, the possibility of the villas or traditional single family homes becoming "clustered" with more people or turning into rentals. In the end, I believe that the

majority of those opposing this project simply oppose change, oppose change to land they do not own, do not pay taxes on, and do not maintain. I propose the council consider that this area's best chance for a quality project would be from a builder who is largely, both in history and personally financially, invested in this neighborhood.

Sincerely,  
Scott Strem P.A  
490 Banning Beach Rd.  
Tavares, FL 32778  
352-978-3428

## P & Z Minutes

1 Mr. Skutt confirmed.

2  
3 Mr. Grist asked if mobile homeowners experienced problems replacing their mobile homes  
4 because they did not have enough property. He also expressed concern that there were some  
5 mobile homes that cannot be replaced because of the fact that they cannot meet building  
6 standards.

7  
8 Mr. Skutt explained that this is true and that the current comprehensive plan policy needs to be  
9 changes in order to implement the City's vision for providing homes constructed in accordance  
10 with current building regulations whether those homes are mobile homes, manufactured  
11 homes or stick built homes.

12  
13 Mr. Gardner made note of a typographical error which staff committed to correct.

### 14 15 **MOTION**

16  
17 **Mr. Hope moved to recommend approval of Ordinance 11-08. The motion was**  
18 **seconded by Mr. Gardner. The motion carried unanimously, 5-0.**

19  
20 Mr. Boulware, Oak Circle, asked for confirmation that the Ordinance would not have the affect  
21 of forcing the relocation of people currently living in mobile homes.

22  
23 The board generally confirmed that Mr. Boulware was correct.

### 24 25 **4) Banning Beach Road Rezoning Ordinance 2011-09**

26  
27 Jacques Skutt, Community Development Director provided the following staff report;

28  
29 The subject vacant property is located on the west side of Banning Beach Road, north  
30 of E. Delaware Street and south of Reserve Drive. The property is approximately 9.7  
31 acres in size and is owned by Pioneer Realty Service, Inc. A strip of property,  
32 approximately 120 feet in depth, abutting Banning Beach Road, is developable. The  
33 balance of the property is wetlands. The Vista Del Largo Condominiums, zoned Multi-  
34 Family Residential (RMF-3), are located across the street. The applicant is proposing to  
35 subdivide the subject property to provide a total potential of 20 single family attached  
36 dwelling units (10 buildings). This is less than the maximum allowable density provided  
37 by its designated Future Land Use of Low Density Residential (5.6 Dwellings per acre).  
38 Under the present zoning, the owner could possibly plat 15 single family lots. The  
39 proposed development meets all concurrency tests at this time. The proposed planned  
40 development ordinance exhibits a conceptual plan showing the proposed lots and a  
41 graphic architectural rendering illustrating the dwellings. These exhibits, being part of  
42 the ordinance, will insure that development substantially conforms to the proposed  
43 application. City utilities are located on Banning Beach Road and the homes will be  
44 connected to city water and sewer. If the rezoning is approved, the applicant must  
45 secure applicable permits from outside agencies and receive final construction and  
46 platting approval from the city before homes can be built. To minimize potential  
47 problems with pedestrian and driveway traffic, the applicant has agreed to participate in  
48 the construction of a sidewalk along the east side of Banning Beach Road in the  
49 segment across from the proposed new lots. This will be addressed when the

1 construction plans are submitted for review. Staff's opinion is that the proposed rezoning  
2 to allow the construction of duplexes is appropriate for this location, acting as a  
3 transition between the high density condominiums to the east and the single family  
4 developments to the west. The 6.9 acres of wetlands further acts as a buffer between  
5 single family and multi-family dwelling styles.

6  
7 Staff is recommending that the Planning and Zoning Board recommends to City Council  
8 approval of Ordinance 2011-09 for adoption

9  
10 Chairman Adams asked for comments from the audience.

11  
12 For the purpose of meeting Florida Law regarding appropriate Board Member practices, Mr.  
13 Hope disclosed that he had had communication with residents of the Banning Beach Road  
14 residential area.

15  
16 Mr. Weis, Reserve Drive, identified himself as the developer and a resident of the community.  
17 He summarized the history of the project and communicated his position on developing the  
18 property. He communicated that based on his research; the market does not currently support  
19 larger lot homes. He also communicated that he was available to address questions.

20  
21 Mr. Vebmeier, Lakecrest Drive, expressed concern for the impact of the development on the  
22 community. He was particularly concerned about the continued maintenance of the proposed  
23 development. He was also concerned about increased traffic. Finally, he expressed  
24 concerned about the change of zoning from the current single family zoning to a planned unit  
25 development.

26  
27 Mr. Weis explained that there would be a homeowner's association which would address  
28 maintenance.

29  
30 Mr. Fritz, Oak Circle, expressed concern regarding the traffic congestion the project would  
31 create. He stressed that Banning Beach Road is the only street that the existing surrounding  
32 development can use to enter and leave the community. He asked about on street parking.

33  
34 There was discussion regarding on street parking. Attorney Williams explained that on street  
35 parking could be permitted or prohibited. He said that the City has the authority to restrict on  
36 street parking if it is determined that on street parking is problematic.

37  
38 Mr. Tanner commented on the fact that the PD ordinance includes an elevation and that the  
39 development would be required to be similar to that elevation. He asked about the floor plan  
40 and Mr. Skutt explained that the floor plan was not part of the ordinance.

41  
42 Ms. Boulware, Oak Circle, expressed concern regarding traffic and flooding on the street. She  
43 explained that flooding is an existing problem within the community.

44  
45 Ms. Wintersdorf, Lakecrest Drive, expressed concern for the impact of the development on the  
46 community. She was particularly concerned about the predictability of the appearance of the  
47 development.

1  
2 Ms. McDonald, asked if the development would be age-restricted? Mr. Weis informed Ms.  
3 McDonald that the project would not be age-restricted. She communicated that because the  
4 project is within two miles of the high school, students attending the high school would not be  
5 transported by bus. However, middle school aged and elementary school aged students would  
6 be transported to school by bus. She explained that the bus stop for these students would be  
7 determined based upon such factors as sight distance, road curvature, and traffic patterns.

8  
9 Mr. Brenner, Shorewood Drive, expressed concern for the impact of the development of the  
10 community.

11  
12 Ms. Pilarski, Banning Drive, said that she was neither for nor opposed to the project. She  
13 communicated that something would be built there.

14  
15 Mr. Boulware, Oak Circle, expressed concern regarding the protection of the mature trees on  
16 the subject property. He also expressed concern regarding sidewalk access. He asked if a  
17 water pressure test could be conducted or if that would be the responsibility of the area  
18 residents.

19  
20 Mr. Skutt explained that if the existing sidewalk is damaged as a result of construction at the  
21 site, the developer would be responsible for the necessary repairs. He also explained that  
22 water lines to the project would be addressed prior to construction.

23  
24 Ms. Wintersdorf asked if the developer would be required to pay impact fees.

25  
26 Mr. Skutt explained that there is currently an impact fee waiver until December 31, 2011.

27  
28 Ms. Wintersdorf asked if the homes would look like the image being presented at the meeting.

29  
30 Mr. Skutt explained that the development would be required to be built substantially in  
31 conformance with the elevations incorporated in the ordinance and shown at the meeting.

32  
33 Mr. Vebmeier expressed concern regarding garages and storage.

34  
35 Mr. Weis explained that the garages would be large enough to accommodate two cars.

36  
37 Chairman Adams concluded the public comment portion of the discussion and asked board  
38 members for comments or questions.

39  
40 Mr. Grist expressed concern regarding traffic congestion. He communicated that he was in  
41 support of the development of single family homes. He also communicated concern for  
42 flooding.

43  
44 Mr. Tanner communicated his concern for traffic and the community.

45  
46 Mr. Santoro asked if it would be possible to reduce the number of proposed units.

47  
48 Mr. Weis explained that he would likely need to reduce at least one unit.

49

1 **MOTION**

2  
3 **Mr. Tanner moved to recommend denial Ordinance 11-09. The motion was seconded by**  
4 **Mr. Santoro. The motion carried unanimously, 5-0.**

5

THE ARTS IN LAKE

# Reception showcases artists, their works

By BEBBIE MANIS  
Staff Writer

Artisans on Fifth, an artists' cooperative gallery shop at 134 E. Fifth Ave. in downtown Mount Dora, is having its designers reception along with its October artists of the month reception from 3 to 8 p.m. Saturday.

The reception is in conjunction with the gallery's inaugural "Bra Vo!" — an art bra fundraiser to help support area women in need with low cost and free mammograms.

Participants who created the "art bra" have been invited to the reception. The work of art will be on display in the gallery during October. A People's Choice Award will be given to the bra that receives the highest amount of dollar votes during the display period.

The "art bras" will be auctioned off at 7 p.m. Oct. 29 at the Mount Dora Center for the Arts.

Two street area around the gallery will be lined with luminarias in memory of a loved one and cancer survivors Saturday and Oct. 29. Luminarias can be purchased for \$10 each at the gallery.

Proceeds from the luminarias also will go toward mammograms.

Sharon Allen, Margaret Andersen and

Joyce Brady are October's artists of the month.

Allen, a self-taught realist artist, favors watercolors in her photo-realistic depictions of animals and flowers.

Brady creates jewelry from mosaics, shells, natural and semiprecious stones and found objects. She combines this with bead weaving and embroidery.

Andersen collects vintage fabrics and uses a collage approach to make her functional pieces, from purses to sweaters. The free event is open to the public. Details: [artisansonfifth.com](http://artisansonfifth.com)

### Opening exhibits

"Tradition/Innovation: American Masterpieces of Southern Craft and Traditional Art" exhibit opens Saturday at the Appleton Museum of Art in Ocala, which is operated by College of Central Florida, through Nov. 6.

The exhibit examines connections and differences between traditional arts and contemporary craft featuring works of 30 master craftspeople and traditional artists from the South. The display, which is a project of South Arts funded in part by the National Endowment for the Arts, will showcase a Mardi Gras Indian chief suit,

contemporary glass art, handmade baskets, ceramics, quilts and books.

"Painted Poetry: The Landscapes of Jackie Schindehette" also opens Saturday and runs through Nov. 20. Schindehette, a long-standing member of Ocala's arts community, will present 35 of her finest landscape paintings, which capture Florida's natural beauty during all the seasons of the year.

Details: 352-291-4455 or [appletonmuseum.org](http://appletonmuseum.org)

### Watercolor Society

Central Florida Watercolor Society will meet at 1:30 p.m. Sunday in the Marvel Building at the Art & History Museums, Maitland, 231 W. Pickewood Ave.

Bob Hague, a member of the society, will give a demonstration titled "Drawing and Painting a Portrait From a Live Model."

The society has members throughout Central Florida, including Lake County. Details: [centralfloridawatercolor.com](http://centralfloridawatercolor.com)

### Theater volunteers

Volunteers are needed to set up and clean up before and after each performance of "Willy Wonka" at the Moonlight Players

Warehouse Theatre, 7322 W. Montrose St., Clermont.

Two adults and two teens are needed for each performance. Volunteers also are assigned to work concessions, raffle, collect tickets and hand out programs.

Participants may watch the show for free but will be seated in the back of the theater once all patrons are seated.

Performances are Friday and Saturday evenings and Sunday matinees through Oct. 23. Volunteers must be at the theater at 7 p.m. Friday or Saturday and 1 p.m. Sunday. To sign up, email [sixfishers@comcast.net](mailto:sixfishers@comcast.net).

### Poetry reading

The Orlando Poetry Troupe opens its seventh season with a free performance at One Flight Up coffeehouse, 440 N. Donnelly St., downtown Mount Dora, at 7:30 p.m. Oct. 5.

Original poems on the theme of Mother Nature will be presented by Hinda-jana than, Warner Brown, Ryan Tilley, Mike Archer, Rocky Swartz and Elaine Perrin. Details: 352-508-5077 or [singleflightcoffee.com](http://singleflightcoffee.com)

Orlando Sentinel, 2898 E. Barleigh Blvd., Tavares, FL 32778-4366, fax 352-742-5938 or [dmanis@tribune.com](mailto:dmanis@tribune.com)

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SENIORS ON THE GO

By ED PERKINS  
Tribune Media Services

Airlines these days seem to tweak their schedules far more often than ever.

Too often, I hear from travelers who ticketed what they planned to be a good itinerary only to find that their airline has changed their schedule. Many such schedule changes are innocuous, and you can easily accept such minor glitches as inconvenient departure or arrival times, increased travel time, additional stops, longer layovers, or uncomfortably tight connections. But other times a schedule change can throw your trip entirely out of whack. You can't make the new departure, for example, or a later arrival time makes you miss an appointment

or connection or the trip would take far too many hours. If you really don't like a new schedule, you can sometimes do something about it.

Airlines change schedules for a variety of reasons — fleet scheduling, changed air traffic situations and such — but increasingly they do so because of "excess capacity" or poorly performing routes. Their contracts of carriage all allow them to cancel flights, and generally promise to provide you with two options:

- An alternative schedule on their own flights, which they typically book for you automatically.
- A complete refund, even on a nonrefundable ticket.

A few lines also offer a third option: transfer to another line,

usually limited to an airline with which they have a partnership or interline agreement, rarely to any non-partner line.

If you get caught, your easiest option is to accept the airline's offer unless it's really terrible. Especially if you can live with the inconvenience and reschedule any meetings you might miss. In that case, the biggest problem that you'll face — a big issue with some fliers, not to much with others — is that you lose whatever seat assignments you originally had. Although your ticket entitles you to a seat, it doesn't entitle you to a specific seat. And because the airline is moving you to flights that already have bookings, your chances of ending up in middle seats and/or separated from a companion are pretty high.

But all too often, the airline's new schedule will not work for you, for the reasons mentioned or others. In that case, I suggest you go online and work out your best option, call the airline's reservation agent (you really can't do this online), and give the agent your preferred option. That approach works best when you confine your alternative schedule search to the original line.

If your original line can't or won't provide an acceptable itinerary, your only remaining option is to file for a refund and start the booking process over again. That way, you can try for the best itinerary available at the time. Unfortunately, rebooking might require you to pay a higher fare — maybe even a much higher fare. But if that's the only way you can complete your trip, go for it.

How about that possible "benefit" in the headline? If, for some reason, you have nonrefundable tickets for a trip you really want to cancel, a schedule change gives you the perfect opportunity to bail out without penalty or loss. One frequent traveler I know has done that twice this year already.

Although airlines try to notify you if your schedule changes, I often hear from fliers who missed their flights because they were re-assigned to an earlier departure and didn't know about it. Especially if you ticket well in advance, always check with the airline to make sure it has no nasty surprises in store for you.

Send more to Ed Perkins at [eperkins@mind.net](mailto:eperkins@mind.net).

## THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2011-09 titled as follows:

### ORDINANCE 2011-09

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 7.9 ACRES LOCATED ON THE WEST SIDE OF BANNING BEACH ROAD, NORTH OF EAST DELAWARE STREET AND SOUTH OF RESERVE DRIVE FROM RS-F (RESIDENTIAL SINGLE FAMILY) TO PD (PLANNED DEVELOPMENT), SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL, PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2011-09 will be considered at the following public meetings:

1. Tavares Planning & Zoning meeting on September 22, 2011 at 3 p.m.; and
2. Tavares City Council meeting on October 5, 2011 at 4:00 p.m.;
3. Tavares City Council meeting on October 19, 2011 at 4:00 p.m.

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2011-09 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinance. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department, City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing, if you are hearing or voice impaired, call (352) 742-6473.

Please direct any questions on this proposed ordinance to Jacques Skuit, Community Development Director, at 742-6404.



## THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2011-07 titled as follows:

### ORDINANCE 2011-07

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN BY AMENDING THE TRANSPORTATION ELEMENT, THE CAPITAL IMPROVEMENT ELEMENT, THE CONCURRENCY MANAGEMENT SUB-ELEMENT, AND THE INTERGOVERNMENT COORDINATION ELEMENT AND BY REMOVING THE PUBLIC SCHOOLS FACILITY ELEMENT, PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL, AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2011-07 will be considered at the following public meetings:

1. Tavares Planning & Zoning meeting on September 22, 2011 at 3 p.m.; and
2. Tavares City Council meeting on October 5, 2011 at 4:00 p.m. (First Reading)
3. Tavares City Council meeting on October 19, 2011 at 4:00 p.m. (Adoption Hearing).

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2011-07 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinance. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department, City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing, if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skuit, Community Development Director, at 742-6404.

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: October 5, 2011**

**AGENDA TAB NO. 5**

**SUBJECT TITLE: ORDINANCE #2011-10 - REPEAL SECTION 11-2 OF  
CHAPTER 11 OF THE CODE OF ORDINANCES RELATING TO  
DISCHARGING OF FIREARMS**

---

**OBJECTIVE: To repeal Section 11-2 of Chapter 11 of the Code of Ordinances titled "Discharging of Firearms" to be in compliance with state law.**

**SUMMARY: The state legislature passed House Bill 45 that will amend Florida State Statute 790.33 effective October 1, 2011. The intent of the legislation is to create uniformity of firearm laws throughout the state. To ensure the uniformity of such laws, the new law will prohibit any local (county or city) from making new laws or enforcing current laws regulating firearms in any manner. Any entity (i.e. city or county) that enforces their own firearm regulations can face significant civil and criminal ramifications for the city government, elected officials and staff.**

**OPTIONS:**

- 1) Move to approve Ordinance #2011-10 to repeal Section 11-2 of Chapter 11 of the Code of Ordinances to be in compliance with House Bill 45

**STAFF RECOMMENDATION:**

Move to approve Ordinance #2011-10 to repeal Section 11-2 of Chapter 11 of the Code of Ordinances to be in compliance with House Bill 45.

**FISCAL IMPACT: None**

**LEGAL SUFFICIENCY: This has been reviewed by City Attorney Bob Williams**

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ORDINANCE 2011-10

AN ORDINANCE REPEALING SECTION 11-2 OF CHAPTER 11  
OF THE CITY OF TAVARES CODE OF ORDINANCES  
RELATING TO THE DISCHARGE OF FIREARMS; PROVIDING  
FOR AN EFFECTIVE DATE.

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

Section 11-2 of the City of Tavares Code of Ordinances is hereby repealed in its  
entirety.

**Section 11-2 -- Discharging of firearms**

~~No person shall discharge any firearms within the city except:~~

- ~~(1) For the protection of person;~~
- ~~(2) A law enforcement officer in the line of duty;~~
- ~~(3) Shooting vicious animals, birds, or reptiles; or~~
- ~~(4) For benevolent or charitable fundraising shooting events such as that commonly known as a turkey shoot.~~

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

**PASSED AND ORDAINED this        day of   , 2011, by the City Council of the City of Tavares, Florida.**

\_\_\_\_\_  
Robert Wolfe, Mayor  
Tavares City Council

First Reading: September 2, 2011

Passed Second Reading

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Nancy Barnett, City Clerk

Approved as to form:

\_\_\_\_\_  
Robert Q. Williams, City Attorney

Orlando Sentinel/Lake Sentinel  
Sunday, September 25, 2011 Edition  
Ordinance 2011-10

**Public Hearing  
Notices**

**CITY OF TAVARES**

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider the Ordinance 2011-10, Second Reading, on October 5, 2011 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

**ORDINANCE 2011-10**

**AN ORDINANCE REPEALING SECTION 11-2 OF CHAPTER 11 OF THE CITY OF TAVARES CODE OF ORDINANCES RELATING TO THE DISCHARGE OF FIREARMS; PROVIDING FOR 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.

LAK1151839 09/25/2011

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: October 5, 2011**

AGENDA TAB NO. 6

SUBJECT TITLE: ORDINANCE #2011-11 – Second Reading

AMENDMENT OF CHAPTER 12 OF THE LAND DEVELOPMENT  
REGULATIONS RELATED TO NOISE

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**OBJECTIVE:** To amend a portion of the definition in chapter 12-1(G) of the Land Development Regulations by repealing “discharge of a firearm” as an impulsive sound.

**SUMMARY:** The state legislature passed House Bill 45 that will amend Florida State Statute 790.33 effective October 1, 2011. The intent of the legislation is to create uniformity of firearm laws throughout the state. To ensure the uniformity of such laws, the new law will prohibit any local (county or city) from making new laws or enforcing current laws regulating firearms in any manner. Any entity (i.e. city or county) that enforces their own firearm regulations can face significant civil and criminal ramifications for the city government, elected officials and staff.

**OPTIONS:**

- 1) Move to approve Ordinance #2011-11 – Amendment to Land Development Regulations related to Definition of Impulse Sound

**STAFF RECOMMENDATION:**

- 2) Move to approve Ordinance #2011-11 – Amendment to Land Development Regulations related to Definition of Impulse Sound

**FISCAL IMPACT:** None

**LEGAL SUFFICIENCY:** This has been reviewed by City Attorney Bob Williams

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ORDINANCE 2011- 11

AN ORDINANCE AMENDING SECTION 12-1 (G) OF  
CHAPTER 12 OF THE CITY OF TAVARES LAND  
DEVELOPMENT REGULATIONS RELATED TO  
DEFINITIONS, PROVIDING FOR AN EFFECTIVE DATE.

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

Sections 12-1 (G) is hereby amended as follows:

**Section 12-1. Definitions**

(G) *Impulsive Sound* means sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions and drop forge impacts. ~~and the discharge of firearms.~~

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

**PASSED AND ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the City Council of Tavares, Florida.

\_\_\_\_\_  
Robert Wolfe  
Mayor  
Tavares City Council

ATTEST:

\_\_\_\_\_  
Nancy A. Barnett  
City Clerk

First Reading: September 7, 2011

Adopted: Second Reading \_\_\_\_\_

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

Orlando Sentinel/Lake Sentinel  
Sunday, September 25, 2011 Edition  
Ordinance 2011-11

City of Tavares

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider the Ordinance 2011-10, Second Reading, on October 5, 2011 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

**ORDINANCE 2011- 11**

**AN ORDINANCE AMENDING SECTION 12.1 (G) OF CHAPTER 12 OF THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS RELATED TO DEFINITIONS, PROVIDING FOR 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.

LAK1151848 09/25/2011

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: October 5, 2011**

**AGENDA TAB NO 7**

**SUBJECT TITLE: Ordinance #2011- 12 – Second Reading  
– Procedure to Allow for Liens Upon Real Property for Unpaid Utility  
Account Charges**

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**OBJECTIVE:**

To consider approval and adoption of Ordinance No. 2011-12 to allow for liens upon real property for unpaid utility account charges of property owners. (Utility accounts in the name of the property owner)

**SUMMARY:**

In June 2009, the City Council adopted Ordinance No. 2009-22 which established water, sewer, and reclaim water rates as recommended by the City's Rate Study by Brown & Caldwell which was completed in May 2009. The new rate structure provided for the implementation of base charges for water, sewer and reclaim utility services. In addition the ordinance included an annual rate increase equal to the Consumer Price Index plus 1%.

The City currently has three different customer types: 1) tenant/lease occupied, 2) owner occupied, and 3) owner vacant. In each case the City requires a utility deposit when an account is opened for water consumption. As of October 2009, all account types incur a monthly base charge, and when the residence or building is *unoccupied* by the owner or the tenant, the owner is billed the base charge.

Currently, when a customer is delinquent the City may provide a payment plan for active accounts, or refer closed and uncollected accounts to a collection agency. Generally, the accounts referred are for those that were tenant occupied.

With the implementation of base charges, each property owner or tenant receives a monthly bill which includes the monthly base charge. Due to the economic conditions in the past three years, the City has experienced an increase in the number of uncollectible accounts due to an increased number of foreclosures and bankruptcy cases. These cases often times involve disputes between the mortgage holder and the mortgagee, and the legal issues involved can make it unclear as to who is responsible for the monthly base charges.

Foreclosures may be complex, and they may include bankruptcy in some instances. A foreclosure case may take several years, and once the property owner/mortgagee vacates the property, they are reluctant to pay the base fees, and the mortgage holder/bank may suspend or hold off completing the property transfer, thus the City can only bill the recorded property owner.

Unpaid utility bills are an unintended consequence in these cases. Currently, the City utilizes a collection firm to collect delinquent accounts and this has generally been successful in usual circumstances. With the implementation of base charges, we have incurred some account holders/property owners who have been unable or refused to pay base charges, and more troublesome, we have incurred the consequences of property foreclosures. It should be noted that without a lien attached to the property, the City is unable to collect delinquent amounts owed when property transfers occur.

Further, please note that in these extreme cases where no one occupies the property, turning off the water to the home or structure has little effect and base charges continue to accrue.

A lien ordinance in place would allow the City to record property liens for utility charges that are the responsibility of the property owner, and would allow the City to collect charges owed to the City when properties are sold. In addition liens would provide legal standing for utility charges in forfeiture cases and could reduce uncollectible utility charges/fees in these cases.

At the June 15, 2011 City Council meeting, Council directed staff to prepare a draft ordinance which would allow for filing property liens on real property for uncollectible utility charges and/or fees.

At Council's direction, the City has drafted the attached ordinance for Council's consideration. This ordinance allows for a lien for unpaid utility service charges to be placed upon the real property should these charges remain unpaid for a period of ninety (90) days from the date they are due. Within the ordinance, the types of charges are defined, and the amendment includes a provision for late fees and liens for reclaimed water charges; although reclaimed water is not yet provided to our citizens, implementation of the reclaimed water program is underway, and must be included in charges eligible for late fees and/or lien action.

The attached ordinance does not apply to base charges, consumption charges, late fees, or other fees incurred during the occupancy of a tenant where the utility account was opened in the name of the tenant.

#### **OPTIONS:**

1. Approve and adopt Ordinance No. 2011–12 providing for property liens for uncollectible utility charges and other related fees of property owners.
2. Do not approve Ordinance No. 2011–12.

**STAFF RECOMMENDATION:**

Move to approve and adopt Ordinance No. 2011–12 providing for property liens of uncollectible utility charges and other related fees of property owners.

**FISCAL IMPACT:** None. A lien ordinance will increase collectability of delinquent and uncollectable accounts.

**LEGAL SUFFICIENCY:** The City Attorney has reviewed this request.

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ORDINANCE 2011- 12

**AN ORDINANCE AMENDING SECTION 17-57 OF THE CITY OF TAVARES  
LAND DEVELOPMENT REGULATIONS TO PROVIDE FOR COLLECTION OF  
LATE FEES FOR RECLAIMED WATER; PROVIDING A LIEN FOR UNPAID  
WATER, WASTEWATER, RECLAIMED WATER CHARGES; AND PROVIDING  
AN EFFECTIVE DATE.**

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

Section 17-57 of the City of Tavares Land Development Regulations is hereby  
amended to provide as follows:

**Sec. 17-57 Collection of Charges; Late Fees.**

(A) All water, reclaimed water, and wastewater utility treatment charges shall be due and payable at the city hall within twenty (20) days following the date of billing. There shall be added to and collected on each and every charge for water, reclaimed water, wastewater provided by the city, and not paid within twenty (20) days from the date of billing, a late fee of five (5) percent of the total bill.

(B) If the failure to pay the service charge continues for a period of ninety (90) days from when said charge has become due, the City shall send to the person responsible for said bill a notice that a lien for the unpaid utility service charges will be placed upon the real property so served. This notice shall be sent by certified mail return receipt requested. If, within ten (10) days of the mailing of this letter, the City has not received payment in full, it shall be entitled to impose a lien upon the real property so served as allowed by law. This lien shall be recorded in the Public Records of Lake County, Florida and may be foreclosed upon in a manner as provided in Section 159.17, Florida Statutes. The City will be authorized to include in the lien amount the late fees, its attorneys' fees, and costs in the foreclosure proceedings. The lien shall have priority over all other liens on such lands or premises served except the lien relating to State, County and municipal taxes and shall be on a parity with the lien of such State, County and municipal taxes.

This Ordinance shall take effect immediately upon adoption.

**PASSED AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2011, by the City  
Council of the City of Tavares, Florida.

\_\_\_\_\_  
Robert Wolfe, Mayor  
Tavares City Council

45 ATTEST:

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Nancy Barnett, City Clerk

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51 Approved as to Form:

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55 Robert Q. Williams, City Attorney

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58 Passed First Reading: \_\_\_\_\_

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60 Passed Second Reading: \_\_\_\_\_

Orlando Sentinel/Lake Sentinel  
Sunday, September 25, 2011 Edition  
Ordinance 2011-12

**CITY OF TAVARES**

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider the Ordinance 2011-10, Second Reading, on October 5, 2011 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

**ORDINANCE 2011-12**

AN ORDINANCE AMENDING SECTION 17-57 OF THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS TO PROVIDE FOR COLLECTION OF LATE FEES FOR RECLAIMED WATER; PROVIDING A LIEN FOR UNPAID WATER, WASTEWATER, RECLAIMED WATER CHARGES; AND 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.

LAK1152315 09/25/2011

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 5, 2011**

**AGENDA TAB NO. 8**

**SUBJECT TITLE: Resolution 2011-21  
Criteria for Wayfinding Signage that complies with FDOT  
Regulations**

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**OBJECTIVE:**

To adopt Resolution 2011-21 which establishes new criteria for the City's Wayfinding Signage Plan that is in compliance with Florida Department of Transportation policy. This resolution also rescinds our previous Wayfinding Plan, Resolution 2010-19, which did not fully comply with FDOT regulations.

**SUMMARY:**

City Council on December 1, 2010 approved criteria for the development of a wayfinding system for the city. This plan was based on signs designed by Wilesmith Advertising as part of the City's Branding Initiative. The original wayfinding signage program included four types of signs; main gateway (or Custom Place Name) signs, main directional signs, vehicular directional signs and kiosk signs for pedestrians. Through working and meeting with FDOT personnel, staff has learned that FDOT approved wayfinding programs do not need to include gateway or kiosk signs since these are permitted separately. Wayfinding signage is intended to direct travelers to the City's key downtown public facilities. Therefore, staff has drafted a new resolution which includes only those signs that are regulated by FDOT's wayfinding rules.

The wayfinding plan will identify the locations at which the initial signs will be installed as well as the destinations with which they are associated. As required by FDOT, the wayfinding plan also includes criteria for future signs. The criteria incorporated in the wayfinding plan have been approved in their preliminary phase by an FDOT sign design representative. The approval of our wayfinding plan by FDOT will enable the City to obtain final permits from FDOT for our wayfinding signs.

**OPTIONS:**

1. That Council moves to approve Resolution 2011-21.
2. That Council moves to deny Resolution 2011-21.

**STAFF RECOMMENDATION:**

Staff recommends that City Council moves to approve Resolution 2011-21 that establishes new criteria for the city's Wayfinding Program that is in compliance with FDOT regulations.

**FISCAL IMPACT:**

There is no fiscal impact associated with this agenda item.

**LEGAL SUFFICIENCY:**

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

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**RESOLUTION 2011-21**

**A RESOLUTION OF THE CITY OF TAVARES, FLORIDA,  
RESCINDING RESOLUTION 2010-19 AND ESTABLISHING  
THE CITY OF TAVARES WAYFINDING PLAN AND THE  
CRITERIA FOR THE DESTINATIONS THAT MAY BE  
DISPLAYED ON THE WAYFINDING PLAN SIGNAGE AS PART  
OF THE WAYFINDING PROGRAM ADOPTED BY THE CITY OF  
TAVARES**

**WHEREAS**, as part of the City's Branding Initiative, Wilesmith Advertising designed a Public Wayfinding System for the purpose of providing guidance and navigation information to local cultural, historic, recreational and tourist activities of the city; and

**WHEREAS**, on May 5, 2010, this design was presented to City Council and at that meeting, Council moved to authorize staff to issue a Request for Proposals for firms to engineer, fabricate and install the signs specified by the Public Wayfinding System designed by Wilesmith which were later modified to meet the State of Florida Department of Transportation regulations; and

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

**WHEREAS**, Chapter 14-51.030 F.A.C. shall be used as the basic criteria for signing destinations on the wayfinding signs and the City of Tavares Community Development Department shall be responsible for maintaining and managing the wayfinding signs including conducting reviews of written request for additions, subtractions or modifications to the signs; and

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

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

That the City of Tavares hereby adopts the following criteria for the City's Wayfinding System. The System shall consist of two types of signs, strategically placed to efficiently and

1 safely guide motorists to key civic, cultural, visitor and recreational destinations within the city.  
2 The signs shall be designed to embrace and emphasize the City's brand...**America's Seaplane**  
3 **City**. A color graphic representation of the initial signs and locations is attached to this  
4 resolution as Exhibit "A". As the program expands additional signs and destinations are  
5 expected.

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

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9 **PASSED AND RESOLVED** this \_\_\_ day of \_\_\_\_\_, 2011, by the Tavares City  
10 Council.

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15 Robert Wolfe, Mayor  
16 Tavares City Council

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21 Nancy Barnett, City Clerk

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24 Approved as to form and legality:

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28 Robert Q. Williams, City Attorney

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See Attachment

## EXHIBIT A

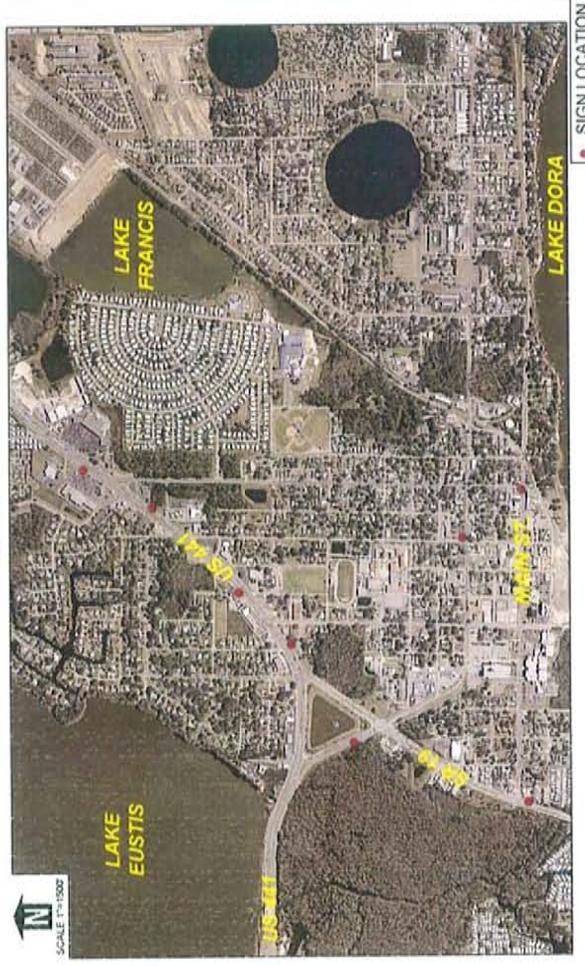
Exhibit A

# CITY OF TAVARES WAYFINDING PLAN

## INDEX

1. COVER SHEET
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AERIAL MAP



COVER SHEET

CITY OF TAVARES  
WAYFINDING PLAN

CITY OF TAVARES  
P.O. BOX 1068  
TAVARES, FLORIDA 32778  
PHONE (352) 742-6454  
FAX (352) 742-6397

COVER SHEET

COVER SHEET

Rev#	0	Drawn By	D.A.C.
		Checked By	D.A.C.
		Drawing #	TAVAR12
		Project #	08-16-1103536EN
		Date	08-28-11 11:50 AM

SHEET 1 OF

## City of Tavares – Wayfinding Signs Evaluation and Criteria

What is a wayfinding sign?

A wayfinding sign is a directional sign that efficiently and safely guides motorists and pedestrians to key public facilities including civic, cultural, visitor and recreational destinations within the City of Tavares.

What is the wayfinding sign evaluation process?

1. Written requests for destinations to be added to the wayfinding signs shall include a site plan showing the proposed destination and sign location(s). Existing destinations on proposed sign modification shall be listed on sign request.
2. Submit a written request and required plan to:

City of Tavares  
Community Development Department  
201 E. Main Street  
Tavares, FL 32818  
352.742.6416

3. The written request shall be evaluated according to the following criteria:
  - a. The existing wayfinding sign contains space for additional messages or sign location qualifies for an additional wayfinding sign and is available for installation.
  - b. The wayfinding sign does not interfere with visibility of existing signs or traffic control devices
  - c. The destination shall meet the conditions for destinations as listed below

Qualifications for wayfinding signage:

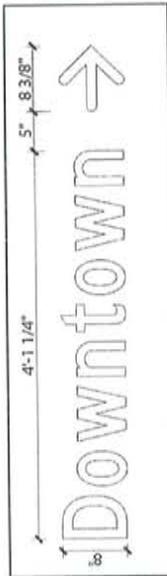
1. Refer to Rule 14-51.030 of the Florida Administrative Code for information on destinations which qualify for inclusion on wayfinding signage.

## City of Tavares – Wayfinding Signs Evaluation and Criteria

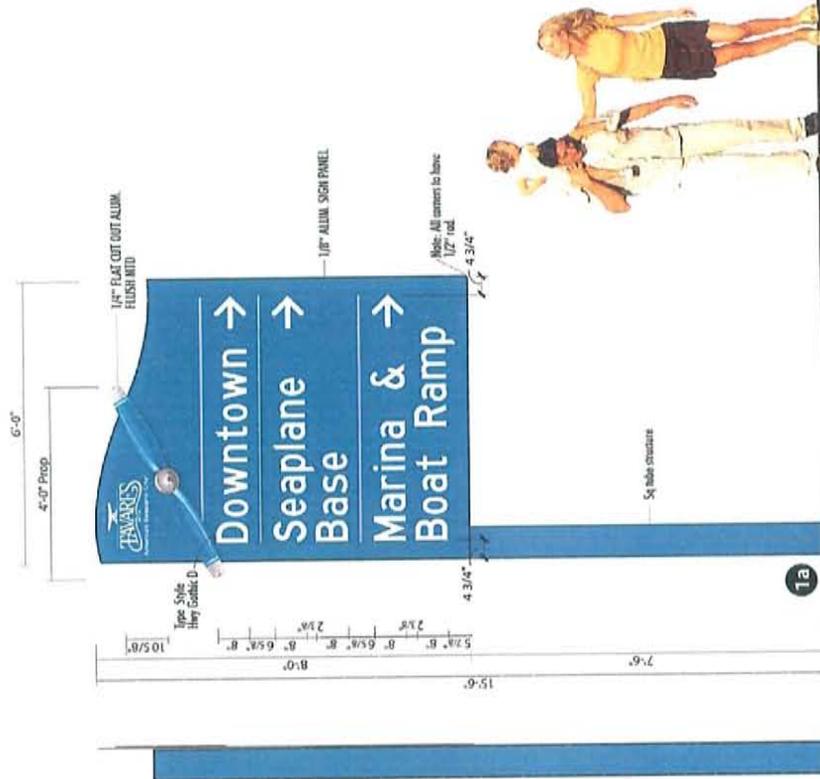
2. Destinations that are cultural, historic, or public use facilities may be included in the list of destinations if approved by City Council and as space is available on sign panels.
3. Destinations must be handicap accessible.
4. Destinations must be open year round and/or a minimum of 300 days a year.
5. Destinations will be evaluated on operational hours and access to the public.

**SPECIFICATIONS**

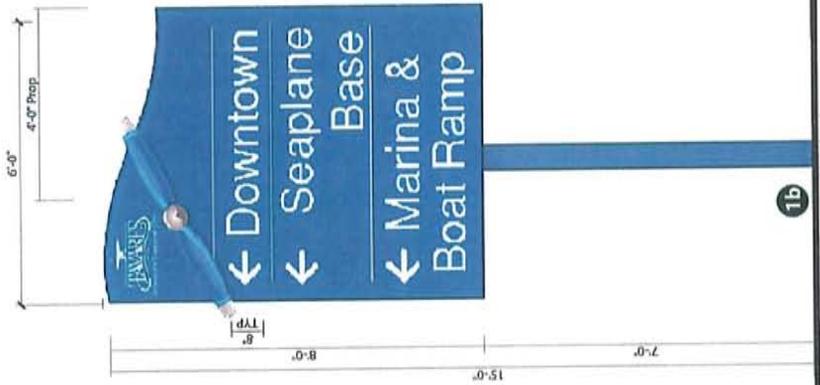
Don Bell Signs to fabricate & install single faced non-illuminated directional signs. Exact amount T.B.D.  
 Sign faces to be 1/8" aluminum w/ vinyl overlays. Background 3M High Intensity Grade Prismatic (H-DPI) Blue # 3935 w/ all copy, arrow & horiz. slope 3M High Intensity Grade Prismatic White #3930 (Logo to be Premium Film While #220-10) Sign face edges to be painted to MAP Steam Boat Blue 25133 Blue.  
 Prep to be flat cut out 1/4" aluminum flush mounted to faces. White 3M Premium Film #220-10 digitally printed overlay. Edges painted MAP Steam Boat Blue 25133 Blue.  
 Faces to be mounted to square tube with framing as required. Square tube painted MAP Steam Boat Blue 25133.  
**Note: Sign will look the same in the day time viewing and night time viewing**



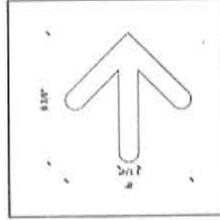
TYPICAL LETTER DETAIL W/ ARROW - SC3/4" = 1'-0"  
 TYPE STYLE - HIGHWAY GOTHIC D



Elevation of S/F Directory Sign  
 Scale: 3/8" = 1'-0"



Elevation of S/F Directory Sign  
 Scale: 3/8" = 1'-0"



ARROW DETAIL  
 SCALE 3/8" = 1'-0"

RS  
 REVISION ON  
 SIGN 1d / sht 2b  
 only



DESIGN #: 1000556R8  
 DATE: 4.18.11  
 DRAWN BY: S. Haney-Swart  
 Revisions / Date

REV	DATE	DESCRIPTION
R2	5.11.11	R6 6.14.11
R3	5.18.11	R7 6.30.11
R4	5.23.11	R8 7.14.11
R5	6.3.11	



562 OAK PLACE  
 POSTORANGE, FL 33127  
 813-942-8085  
 813-942-8086  
 FAX 888-767-7381



SCALE 1" = 750'



# SIGN LOCATION

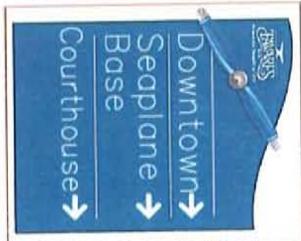
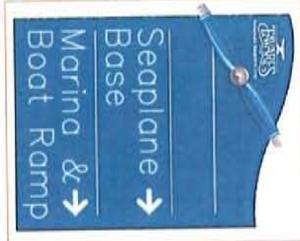
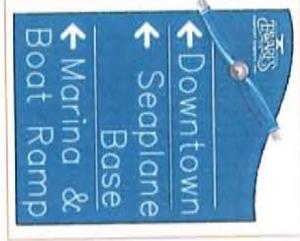
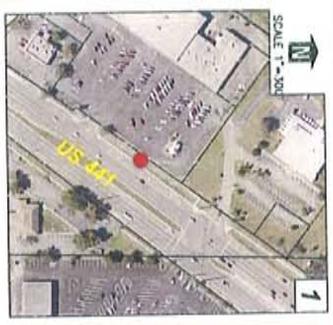
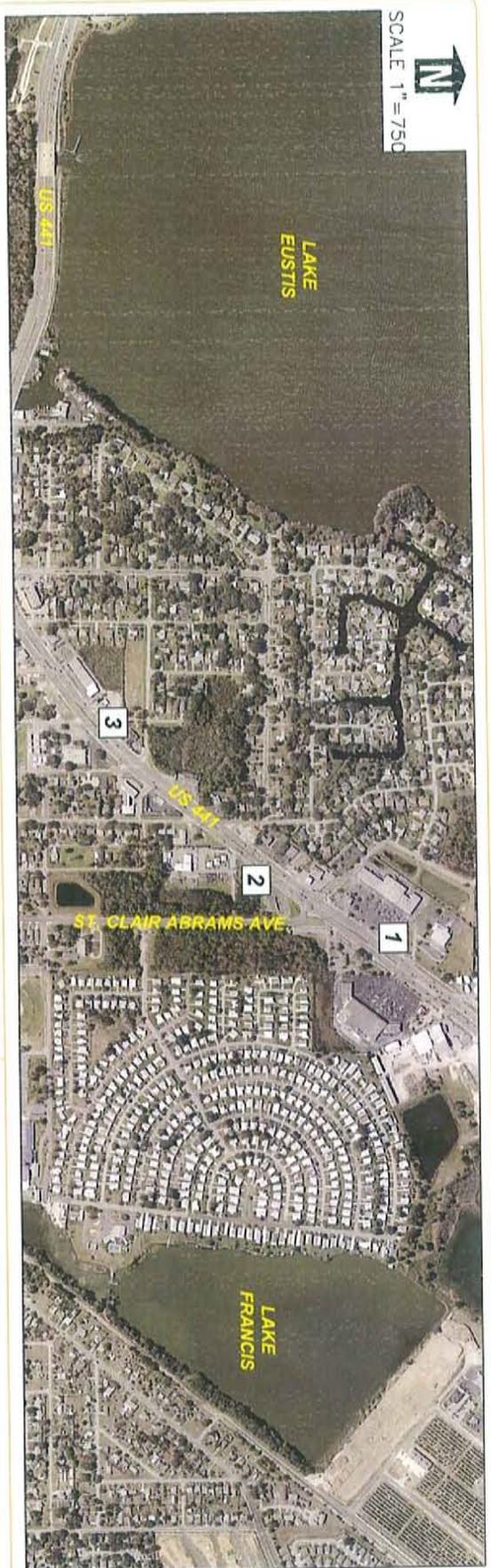
KEYMAP

CITY OF TAVARES  
WAYFINDING PLAN

CITY OF TAVARES  
P.O. BOX 106B  
TAVARES, FLORIDA 32778  
PHONE (352) 742-6454  
FAX (352) 742-6397

GRIFFEY ENGINEERING  
406 N. CENTER STREET  
EUSTIS, FLORIDA 32726  
PHONE (352) 357-3528  
FAX (352) 357-3219  
FLORIDA CERT. OF AUTH # 8082

Rev # 06-16-11  
05-25-11  
SHEET 6 OF 10



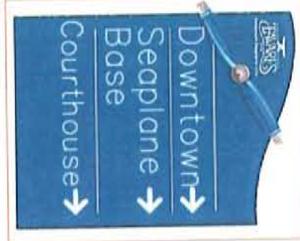
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 Drawn By: Griffey Engineering  
 TAVARES, FL  
 06-16-11 11:05 AM  
 DATE: 05-25-11 08:58 AM  
 SHEET 7 OF 10

WAYFINDING PLAN

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WAYFINDING PLAN

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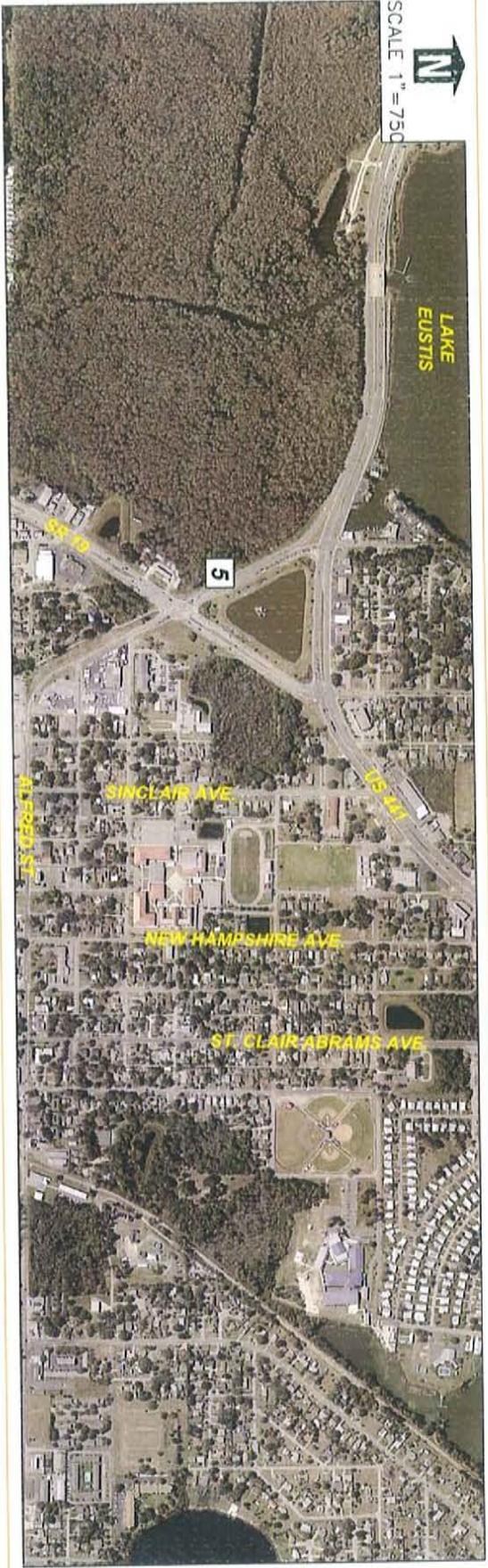
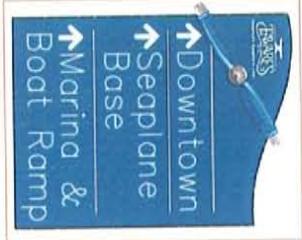
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 Checked by \_\_\_\_\_  
 TAVARES, FL  
 DATE: 05-18-11  
 SCALE: AS SHOWN  
 SHEET 8 OF 10

WAYFINDING PLAN

CITY OF TAVARES  
WAYFINDING PLAN

CITY OF TAVARES  
 P.O. BOX 1068  
 TAVARES, FLORIDA 32778  
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 406 N. CENTER STREET  
 EUSTIS, FLORIDA 32726  
 PHONE (352) 357-3528  
 FAX (352) 357-3210  
 FLORIDA CERT. OF AUTH. # 8082



Rev. #	Drawn By
06-16	Checked By
05-25	TAVARES
	PROJECT #
	ISSUED
	BY SHOWN

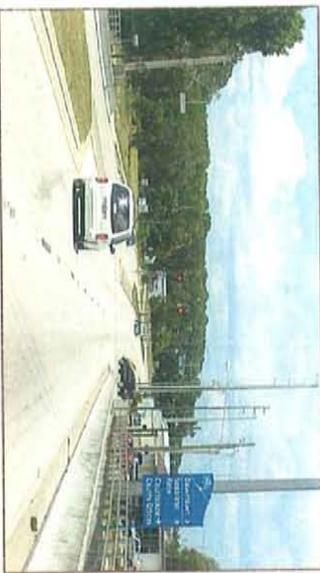
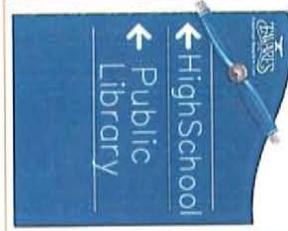
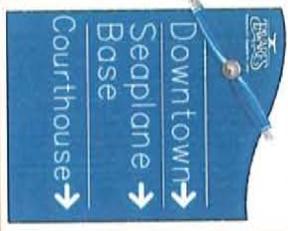
WAYFINDING PLAN

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EUSTIS, FLORIDA 32726  
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SHEET 9 OF 10



UNDETERMINED



Rev#	Drawn By
06-16-11	D. G. A. C.
06-16-11	D. G. A. C.
06-25-11	REVISED SHOWN
SHEET 10 OF 10	

WAYFINDING PLAN

CITY OF TAVARES  
WAYFINDING PLAN

CITY OF TAVARES  
P.O. BOX 106B  
TAVARES, FLORIDA 32778  
PHONE (352) 742-6454  
FAX (352) 742-6397

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406 N. CENTER STREET  
EUSTIS, FLORIDA 32726  
PHONE (352) 357-3528  
FAX (352) 357-3219  
FLORIDA CERT. OF AUTH # 8082

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: October 5, 2011**

**AGENDA TAB NO. 9**

**SUBJECT TITLE: Approval for Ranking and Award of RFP Bid for Voice over Internet Protocol Service and Associated Infrastructure**

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**OBJECTIVE:**

Request Council consideration and approval for ranking and award of bid to the low bidder for Voice over Internet Protocol Service and Associated Infrastructure in response to RFP No. 2011-0021,

**SUMMARY:**

During the course of the 2011-2012 Budgetary process, it was discovered that an opportunity for further improvements and overall savings could be obtained with a revision of our current phone system. Beginning in April 2011, Alex Patton and John Rumble began looking at many different vendors and equipment for the purpose of replacing the current phone system. The City of Tavares has utilized a phone system managed by the Department of Management Services out of Tallahassee since 1993. This phone system covers repairs to the no longer manufactured handsets, billing for local and long distance usage, and any adds/changes/moves for numbers. The usual amount spent on this system is approximately \$3600.00 with adds/changes/moves taking potentially as long as 3 weeks to accomplish. The cost mentioned does not take into consideration any additional charges for the aforementioned adds/changes/moves, just the local and long distance charges.

On July 31, 2011, the City advertised a Request for Proposals for Voice over Internet Protocol and Associated Infrastructure in anticipation of the Adopted 2012 Fiscal Year Budget. A copy of the advertisement and the bid opening is attached. The RFP was also advertised through Demand Star with a direct link on the City's web-site.

A pre-bid conference was held on Thursday, August 9, 2011 at 10:00 am in the City Council Chambers at City Hall to provide prospective bidders an opportunity to make inquiries concerning the bid requirements. Minutes of the Pre-bid conference are attached.

Selection Committee: Alex Patton, Lt. Dave Myers, Joyce Ross and Chief Stony Lubins met and evaluated the bids based on the RFP criteria including depth of service to State and Local Government.

After reviewing the RFP for Voice over Internet Protocol Service (VOIP) and Associated Infrastructure, the selection committee ranked the six responding firms (see attached ranking), and based on the results, Earthlink, ranked as the top firm. Ranking was based on qualifications, price, depth of service and recurring costs after the lease period. After the final lease payment is made; additional savings of \$3,433 is anticipated as shown in the following table.

**Overview of Anticipated Savings:**

Current	Est. Cost per Month	Proposed	Est. Cost per Month during Lease Period	Est. Savings per Month during Lease Period
Suncom DMS	\$3,600.00	Earthlink	\$2,027.69	\$1,572
				<b>Savings per Month after Lease Period</b>
				\$3,433
Obsolete Equipment and weeks for Adds/Changes/Moves		New Equipment with Adds/Changes/Moves taking less than an hour		

**OPTIONS:**

1. Approve the RFP Ranking for Voice over Internet Protocol Services and Associated Infrastructure and authorize the City Administrator to execute a contract with the number one ranked firm, Earthlink.
2. Do not approve the RFP Ranking.

**STAFF RECOMMENDATION:**

Staff recommends the City Council move to approve the RFP Ranking for Voice over Internet Protocol Services and Associated Infrastructure and authorize the City Administrator to execute a contract with the number one ranked firm, Earthlink.

**FISCAL IMPACT:** The Finance Information Technology Adopted Budget for Fiscal Year 2012 includes the lease purchase of the VOIP System and related debt service payments.

**LEGAL SUFFICIENCY:** A copy of this summary was provided to the City Attorney.



**CITY OF TAVARES  
MINUTES OF RFP EVALUATION  
September 21, 2011  
VOIP SERVICES and INFRASTRUCTURE  
RFP 2011-0021  
TAVARES CITY HALL Council Chamber**

**PRESENT**

Stoney Lubins, Chief of Police Tavares  
John Rumble, Purchasing Manager  
Alex Patton, Director of IT Services,  
Joyce Ross, Public Communications,  
Lt. David Myers, Tavares Police Dept.

Mr. Rumble convened the meeting by staff at 9:45 a.m. for the purpose of reviewing and evaluating the RFPs received in response for the VOIP Services. It was noted by Mr. Rumble that 6 responses were received.

The meeting was turned over to Mr. Patton, who told the group that the six responses received were:

- 1) Relational Technology Services, Inc.
- 2) PowerOne
- 3) CenturyLink Business
- 4) DataElectric, Inc.
- 5) EarthLink Business
- 6) Black Box Network Service

Mr. Patton stated that as price was a consideration for 50% of the score the field was immediately narrowed to the following as their prices would realize the savings necessary to justify the switch from the analog phone system. The three were from highest to lowest were:

- CenturyLink Business
- PowerOne
- EarthLink Business

In addition Mr. Patton noted that the yearly recurring costs after the first five years were similarly ranked according to cost.

Mr. Rumble stated that the anticipated cost savings over the current Suncom/Embarq system would amount to \$1000.00 a month or greater, with the full savings being realized after the five year payoff of the equipment.

Chief Lubins inquired about the PRI service and Mr. Patton explained that we had selected Comcast for that provider. He went on to explain how the PRI's would be set up.

The committee members then discussed the details and merits of each proposal package. Specific items discussed were: Approach and scope of services, previous experience with similar comprehensive installations, equipment compliance, customer service and licensing fees.

Mr. Myers inquired about the manageability of the system and how the support provided would affect the manageability of the system.

Mr. Patton responded that the system could be easily managed by one person, but noted that the NEC system provided by EarthLink also had as an option a separate module and system that manages the entire infrastructure. He went on to explain how the phones would be a pass through to the computers.

Mr. Myers asked about expansion of the system and Mr. Patton explained that the potential for at least three additional locations had been built into the layout. Mr. Patton also noted that the county has an NEC system that operates 300 lines on one PRI and is managed by 2 people. The city will have approximately 110 lines.

The discussion then centered on the technical aspect of the phones, with the top three providers supplying either Shoretel or NEC products. It was noted that the NEC product had interchangeable components on their phones such as keyboards and screens. Lt. Myers said that would be an advantage in dispatch as the keyboards are usually the first component to fail and with the old phones you must replace the entire unit. Mr. Patton told the group that Lake County has been using the NEC System for 5 years and has been suitably impressed with the function and reliability. The management console was further discussed with Mr. Patton explaining that it monitors the quality of the entire network including call volume and the condition of the switches and network traffic, which would assist him in daily evaluation of the city network. Mr. Patton went on to explain how the unified messaging operates with Outlook. He noted that all providers have integrated a failsafe system using the existing copper lines that run to the city fax lines. All providers will be able to provide local group management and recordings or messages particular to that group. All providers had conference capability from any phone with up to eight parties with conference units being supplied for the conference room and Council Chambers. It was also noted that as long as the desktops have video cameras all vendors have the capability for video calls.

Lt. Myers had a question about the Stencil recording interface and whether any adapters would be required. Mr. Patton indicated no.

Chief Lubins inquired if there were any Windows 7 compatibility problems. Mr. Patton explained that all proposed systems were Windows 7 ready and that all were backward compatible to our current machines with Windows XP

Mr. Patton stated that both the Shoretel phones and the NEC phones are used by the county but he would give a technical edge to the NEC phones. Another consideration is that the County has NEC equipment and would be available for technical advice.

Ms Ross noted that PowerOne was the only local vendor while observing that the city has no local vendor preference. Ms. Ross initiated a discussion on the technical support and training that the companies would provide and the merits of each were discussed.

The discussion moved to the current experience of the submitters. It was noted while CenturyLink and EarthLink had a large customer base with previous government experience; Powerone was primarily servicing smaller private companies at several locations. The committee agreed that a government installation necessitated a different approach than private industry. Mr. Patton felt that the supply chain of parts and the service capabilities would be better provided by the larger companies, again noting the proximity of the NEC equipment at the county that could be obtained on loan.

Timelines of deployment were discussed and it was explained by Mr. Patton that both the old analog system and the VOIP system would run concurrently during the transition.

This concluded the discussion

Mr. Rumble then requested the ranking sheets from the committee. The results were as Follows:

Company	SCORE	Rank
Relational Technology Services, Inc.	22	5
PowerOne	8	2
CenturyLink Business	13	3
DataElectric, Inc.	22	5
EarthLink Business	4	1
Black Box Network Service	15	4

There being no further discussion the meeting adjourned at 10:45 am

The results of the evaluation will be presented to council by Lori Houghton, Finance Director.

Respectfully submitted,

---

John Rumble  
Purchasing Manager

CITY OF TAVARES  
MINUTES OF BID OPENING  
August 25, 2011  
Request for Proposals  
Voice Over Internet Protocol Service and Associated Infrastructure  
Bid No. 2011-0021

TAVARES CITY HALL  
CITY COUNCIL CHAMBER

**PRESENT**

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

Mr. Rumble noted today's date as Thursday, August 25, 2011. This is the opening of bid packages received in response to RFP 2011-0021, Voice Over Internet Protocol Service and Associated Infrastructure. There were six proposals received. As price is only one component of the evaluation process, no dollar amounts will be read aloud. The proposals received are listed in the order opened:

- 1) Relational Technology Services, Inc.  
1070 Polaris Parkway, Suite 200  
Columbus, OH 43240
- 2) PowerOne  
Post Office Box 428  
Tavares, FL 32778
- 3) CenturyLink Business  
100 CenturyLink Drive  
Monroe, LA 71203
- 4) DataElectric, Inc.  
816 Executive Drive  
Oviedo, FL 32765
- 5) EarthLink Business  
800 N. Magnolia Avenue, Suite 120  
Orlando, FL 32803
- 6) Black Box Network Service  
630 N Wymore Road, Suite 300  
Maitland, FL 32751

Mr. Rumble noted the packages would be forwarded to the evaluation committee members for review and recommendation to City Council.

Respectfully submitted,

Kay Mayes  
Admin Assistant, Finance

**Announcements**

**Miscellaneous Announcements**  
COMMERCIAL REAL ESTATE  
COMMERCIAL REAL ESTATE

**Employment**

**Administration & Customer Service**  
BUSINESS OPPORTUNITIES  
BUSINESS OPPORTUNITIES

**Governmental Professional**

**GOVERNMENTAL PROFESSIONAL**  
CITY OF MEMPHIS  
CITY OF MEMPHIS

**Healthcare**

**HEALTHCARE**  
MEDICAL EQUIPMENT  
MEDICAL EQUIPMENT

**Sales & Marketing**

**SALES & MARKETING**  
AUTO SALES REPRESENTATIVE  
AUTO SALES REPRESENTATIVE

**Trade/Industrial & Security**

**TRADE/INDUSTRIAL & SECURITY**  
COMMERCIAL REAL ESTATE  
COMMERCIAL REAL ESTATE

**Legal Notices**

**LEGAL NOTICES**  
CITY OF MEMPHIS  
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**Advertisements for Bid**

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: OCTOBER 5, 2011**

**AGENDA TAB NO: 10**

**SUBJECT TITLE: Approval for City to host New Beginnings fund raising event on November 11 - 13, 2011 at Wooton Park**

---

**OBJECTIVE:**

To have City Council approve the City to host New Beginnings fund raising event on November 11 – 13, 2011 at Wooton Park.

**SUMMARY:**

Staff has been approached to determine the interest of the City in hosting a New Beginnings fund raising event on November 11 – 13, 2011 at Wooton Park.

New Beginnings is a not-for-profit Lake County organization that provides helping services to those who are unemployed and facing economic hardships (see attached brochure).

New Beginnings is proposing to host a children's carnival with rides on Friday evening through Sunday afternoon. They have previously hosted such an event in south Lake County but now wish to move to a more central location.

The organization will complete a City Event application, provide the insurance as required by the City's Risk Manager, cover the cost of an off-duty officer during the times of the event, and be responsible for clean-up of Wooton Park upon completion of the event.

**OPTIONS:**

1. To approve the City hosting a New Beginnings fund raising event on November 11 – 13, 2011 at Wooton Park subject to the conditions listed above.
2. To not approve the City hosting a New Beginnings fund raising event.

**STAFF RECOMMENDATION:**

Staff recommends that the Council moves to approve the City hosting a New Beginnings fund raising event on November 11 – 13, 2012 at Wooton Park subject to the conditions listed above..

**FISCAL IMPACT:**

The estimated fiscal impact to the City is minimal.

**LEGAL CONSIDERATIONS:**

The City Attorney has reviewed and approved this item.

## New Beginnings History

Transformations:	2008	2009*	2010
# who entered program in 2010:	50		
% graduated from life skills/ job training, money management classes:	96%		
% left with a job & permanent housing:	80%		
# currently in the program	16		

Income & Expenses	2008	2009*	2010
<b>Revenue:</b>			
Grants	22,635	179,570	252,884
Fundraising	84,606	44,743	130,052
Church/civic groups	8,500	12,225	22,469
Corporate giving	6,110	10,450	16,435
Individual support	15,943	21,224	30,379
In Kind donations	49,452	135,737	180,873
<b>TOTAL INCOME</b>	<b>187,237</b>	<b>403,949</b>	<b>633,092</b>
<b>Expenses:</b>			
House operations:	38,048	54,233	81,558
Program services	27,298	103,220	199,717
Fundraising	37,721	39,850	102,232
Office expenses	12,111	28,451	26,366
In Kind Expenses	49,452	75,737	180,873
<b>TOTAL EXPENSES:</b>	<b>164,630</b>	<b>327,720</b>	<b>590,746</b>
Net income	22,607	26,229	42,346
Admin versus total	7.4%	8.6%	4.4%

(opened 1<sup>st</sup> home Jan 08; 4 homes as of Jan 10)

\*Financials reviewed by Greenlee, Kurras,

Rice & Brown, CPA Firm

## How can you help?

### PRAYER

Please pray for the emotional healing and successful transition of participants back into the work force.

### VOLUNTEER

Volunteers are needed to assist with administrative tasks, events, outreach, tutoring, mentoring, child-care, home maintenance, auto repair, coordinate food drives, and more.

### SUPPORT

- ◆ Second Life Resale Shop is an upscale thrift store where you can find furniture, clothing, household items, toys and more... Donations are welcomed. For more information please call 352-241-8500.
- ◆ Weeds to Go is a year-round service company that provides yard and beach clean up, tree trimming, mulching, pressure washing, and other outdoor related services. For more information please call (352) 638-4770.
- ◆ Job Training Center provides employability and life skills training through small intimate classroom settings and 1:1 coaching sessions. We encourage you to use JTC graduates when seeking employees for your organization or business. For more information please call (352) 404-6946.

- ◆ Please consider making a financial contribution to help us continue our mission to transform lives. To arrange for a tour of our facilities, meet our staff, or to learn more about how you can partner with us in our endeavor please contact us at (800) 789-7717, or email [info@newbeginningslake.org](mailto:info@newbeginningslake.org)



Meet the new  
faces of  
the homeless!



We transform lives!

New Beginnings  
P.O. Box 121129  
Clermont, FL 34712  
For more information please  
call us at:  
800-789-7717  
E-mail us at:  
[info@newbeginningslake.org](mailto:info@newbeginningslake.org)  
[www.newbeginningslake.org](http://www.newbeginningslake.org)  
Thank you for your support!



New Beginnings' mission is to transform and restore the lives of people who have lost their job and home or those faced with economic struggles and potential homelessness.

New Beginnings provides a nine-month comprehensive structured program to enable the participants to return to self-sufficiency and restore their dignity. These programs include transitional housing, food, clothing, professional counseling, life and job skills training, and job placement assistance.



New Beginnings participants are screened for medical and mental conditions as well as any prior criminal convictions.

Participants must agree to the housing program policies and participate in housing expenses. They must also agree to no alcohol or drug use and having their medications monitored by house manager.

After an initial 80 hours of counseling and life skills training, each resident participates in a weekly 1:1 follow up sessions. Participants are offered employability skills training through New Beginnings managed businesses, including Second Life Resale and Weeds to Go.

To instill the value of "giving back" participants are expected to donate several hours of time each week to various community outreach programs.



### Helping Hands Outreach

Each Saturday from 11am-1pm church members and businesses come together to serve those in need at the Winn Dixie parking lot on Hwy 50 in Clermont. We take a brief survey to determine their needs. They are given a local resource guide of agencies who provide free services to meet those needs. We also give a current list of potential jobs in the area. A warm meal is provided along with free groceries and clothes to take home. In 2010, our first year, we served over 1100 and anticipate many more attending as the word spreads. We are looking for volunteers, individuals and churches, to come and serve. We also need individuals or groups to host food drives so we can give out more food each week. What a wonderful opportunity to help those in our community who are hurting.

Visit our website and view the video which includes a typical Saturday outreach event. [www.newbeginningslake.org](http://www.newbeginningslake.org)

### Statistics

Some people mistakenly believe that homelessness is a lifestyle choice. The reality is that homelessness is primarily the result of unforeseen challenges.

- ◆ Over 62,000 men, women, and children are homeless in Florida.
- ◆ Over 53,000 homeless students were enrolled in Florida schools in the 2009-09 school year.
- ◆ Florida has the 3rd largest homeless population in the nation.
- ◆ As of June 2010, over 2100 students are reported as homeless in Lake County and over 70% in the South Lake area are on a free or reduced lunch program.



Mulberry Inn Women with Children's Home

*Give a man a fish he eats for a day.  
Teach a man to fish and he eats for a lifetime.*

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: October 5, 2011**

**AGENDA TAB NO. 11  
SUBJECT TITLE: REQUEST TO REVIEW BIDS FOR TODD WAY  
CUL-DE-SAC IMPROVEMENTS**

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**OBJECTIVE:**

To seek Council's direction concerning improvements to the Imperial Terrace (Todd Way) cul-de-sac.

**SUMMARY:**

On April 19, 2011, the City received a letter from the Imperial Terrace East Homeowner's Association, Inc. requesting the cul-de-sac located on Todd Way be "brought up to the standards" of the other four existing cul-de-sacs in their subdivision. On May 10<sup>th</sup>, staff along with the City Engineer (Griffey Engineering) met at the Todd Way cul-de-sac to assess the situation and make arrangements for an acceptable design. The design was received on June 27 and a copy delivered to a representative of the Imperial Terrace Homeowner's Association for review and approval. An approval letter was received on June 23, from the Association's Vice President, Linda Cerwinsky. Along with the design, Griffey Engineering provided a cost estimate for this project in the amount of \$11,308.00. At the August 3<sup>rd</sup> City Council Meeting, staff was directed to move forward with acquiring a formal bid for this work and bring it back to Council for further discussion. A member of Council later requested that the bids also include a quote to completely eliminate the cul-de-sac island and pave over the area. It is noted, that the residents are not in favor of this option. Three bids were received by the City on August 22.

Bidding for the Griffey Design ranged from \$8,745.00 to \$15,973.21. Paqco Inc., of Eustis Florida, was the lowest. The alternative option of removing the island and paving this area ranged from \$ 9,242.00 to \$20,852.00. Professional Dirt Services of Eustis Florida was the lowest bidder.

Professional Dirt Service .....	Griffey Design	\$12,300.00
	Alternate design	\$9,242.00
Jar Construction .....	Griffey Design	\$15,973.21
	Alternate design	\$20,852.00
PAQCO Inc. ....	Griffey Design	\$8,745.00
	Alternate design	\$9,450.00

As a matter of past practice, the City has not upgraded cul-de sac island improvements unless there is a safety consideration. Staff has not found any unsafe conditions for this area.

**OPTIONS:**

- 1) Negotiate and execute a contract in the amount of \$8,745.00 with PAQCO Inc. of Leesburg, Fl. for construction of the engineered upgrades to the Todd Way cul-de-sac pending an agreement with Imperial Terrace East Homeowners Association, Inc. to be invoiced for all construction costs associated with this project
- 2) Negotiate and execute a contract in the amount of \$8,745.00 with PAQCO Inc. of Leesburg, Fl. for construction of the engineered upgrades to the Todd Way cul-de-sac pending an agreement with the Imperial Terrace East Homeowners Association, Inc. to be invoiced for 50% of the costs by the City
- 3) Negotiate and execute a contract in the amount of \$8,745.00 with PAQCO Inc. of Leesburg, Fl. for construction of the engineered upgrades to the Todd Way cul-de-sac. All costs associated with this project would be the responsibility of the City of Tavares.
- 4) Take no action at this time.

**STAFF RECOMMENDATION:**

Move to negotiate and execute a contract in the amount of \$8,745.00 with PAQCO Inc. of Leesburg, Fl. for construction of the engineered upgrades to the Todd Way cul-de-sac, pending an agreement with Imperial Terrace East Homeowner's Association, Inc. to be invoiced by the City for all construction costs associated with this project.

**FISCAL IMPACT:**

Option 1 – No fiscal impact to the City

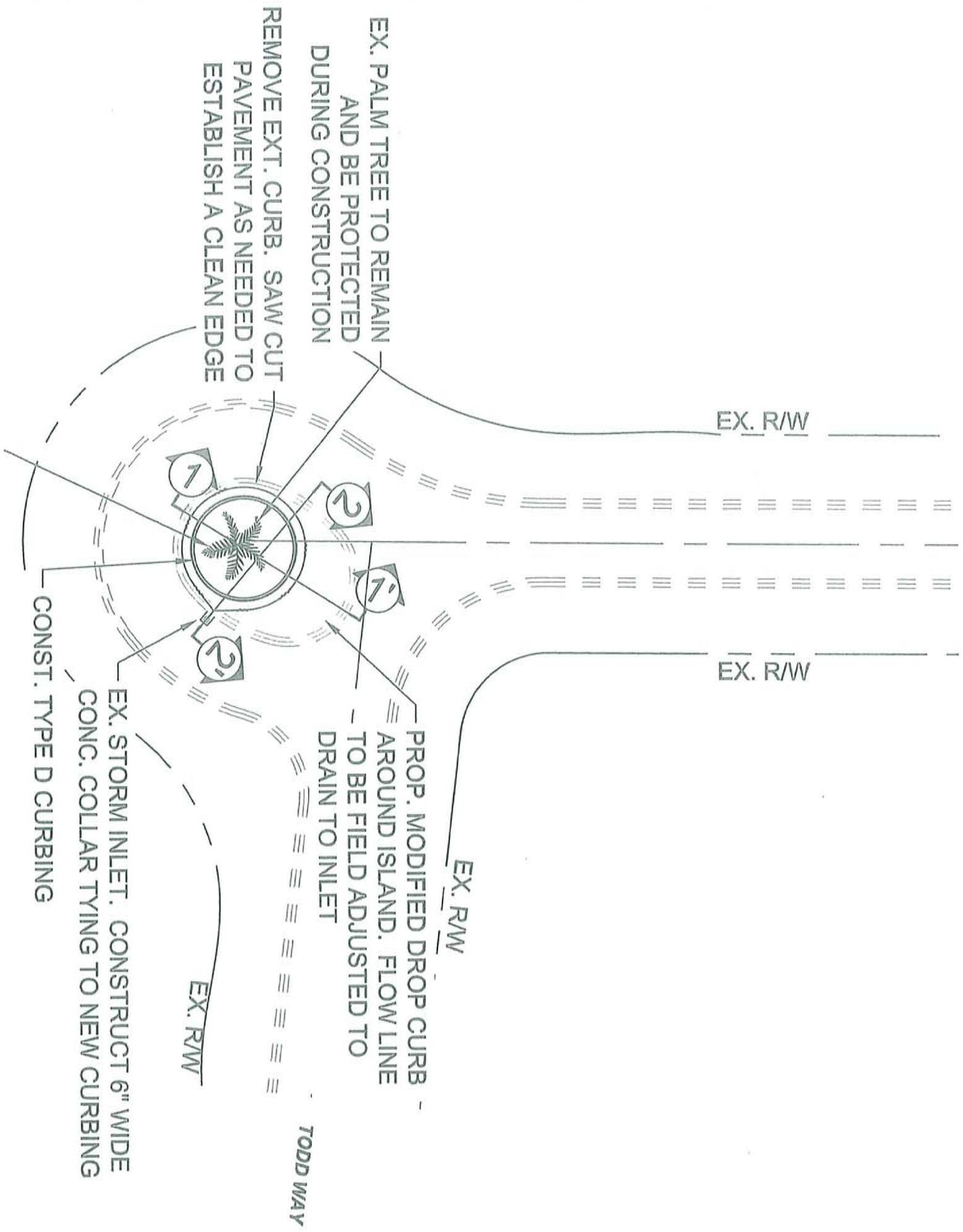
Option 2 - \$4,372.50 from General Fund Reserves or Remaining Road Paving Construction Funds

Option 3 - \$8,745.00 from General Fund Reserves or Remaining Road Paving Construction Funds

The Government Financial Officers' Association recommends that at a minimum, general-purpose local governments, regardless of size, maintain unreserved fund balances in their general fund of between 5 and 20% general fund operating expenditures. Available unreserved fund balance as of September 30, 2011 is estimated at \$1,686,316 or 13.2%.

**Legal Sufficiency:**

City Attorney Robert Q. Williams has reviewed this for legal sufficiency.



EX. R/W

EX. R/W

EX. R/W

EX. R/W

TODD WAY

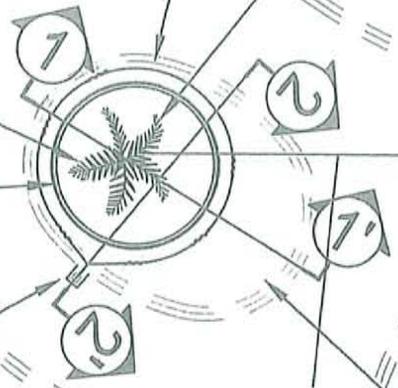
EX. PALM TREE TO REMAIN  
AND BE PROTECTED  
DURING CONSTRUCTION

REMOVE EXT. CURB. SAW CUT  
PAVEMENT AS NEEDED TO  
ESTABLISH A CLEAN EDGE

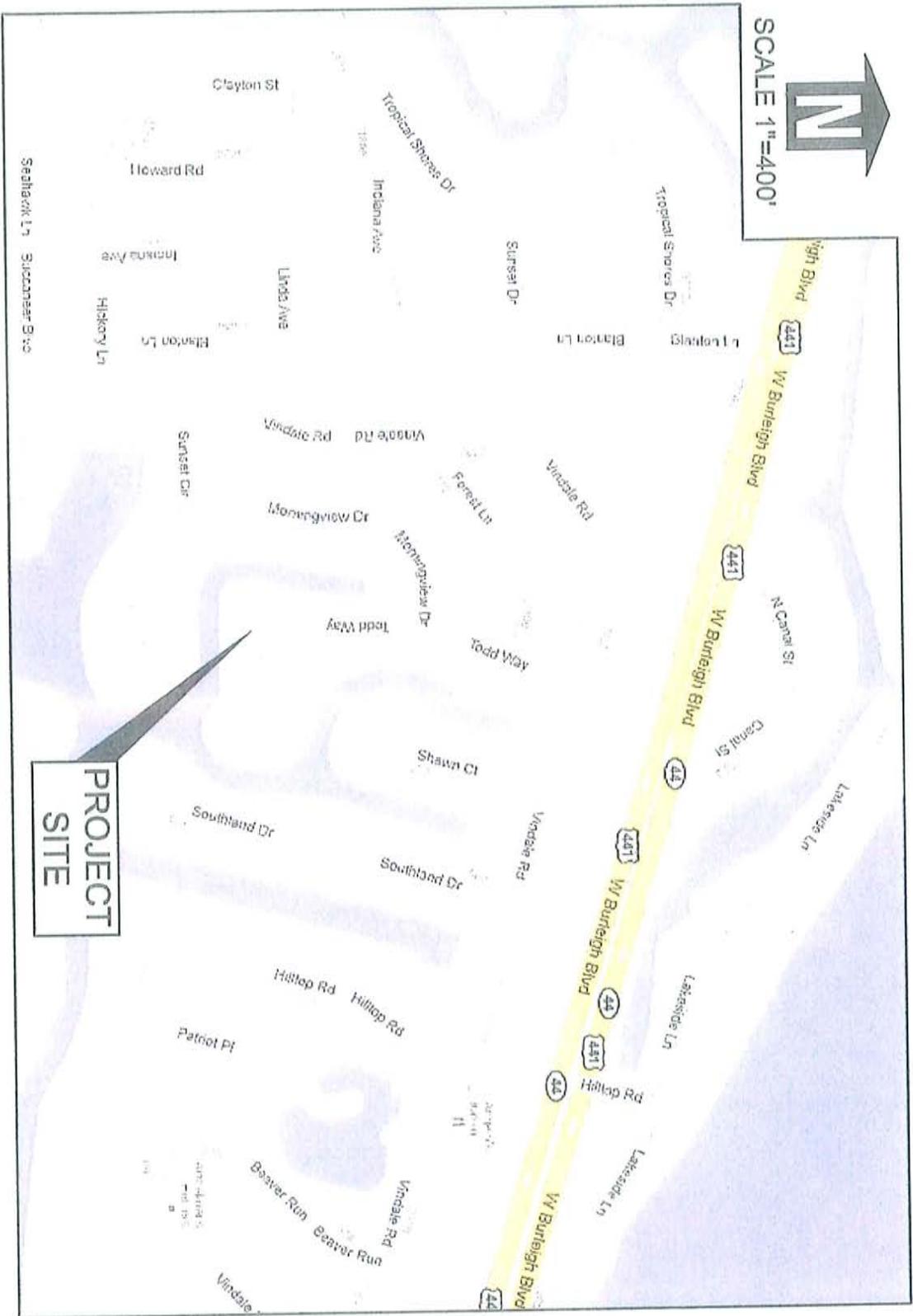
PROP. MODIFIED DROP CURB  
AROUND ISLAND. FLOW LINE  
TO BE FIELD ADJUSTED TO  
DRAIN TO INLET

CONST. TYPE D CURBING

EX. STORM INLET. CONSTRUCT 6" WIDE  
CONC. COLLAR TYING TO NEW CURBING



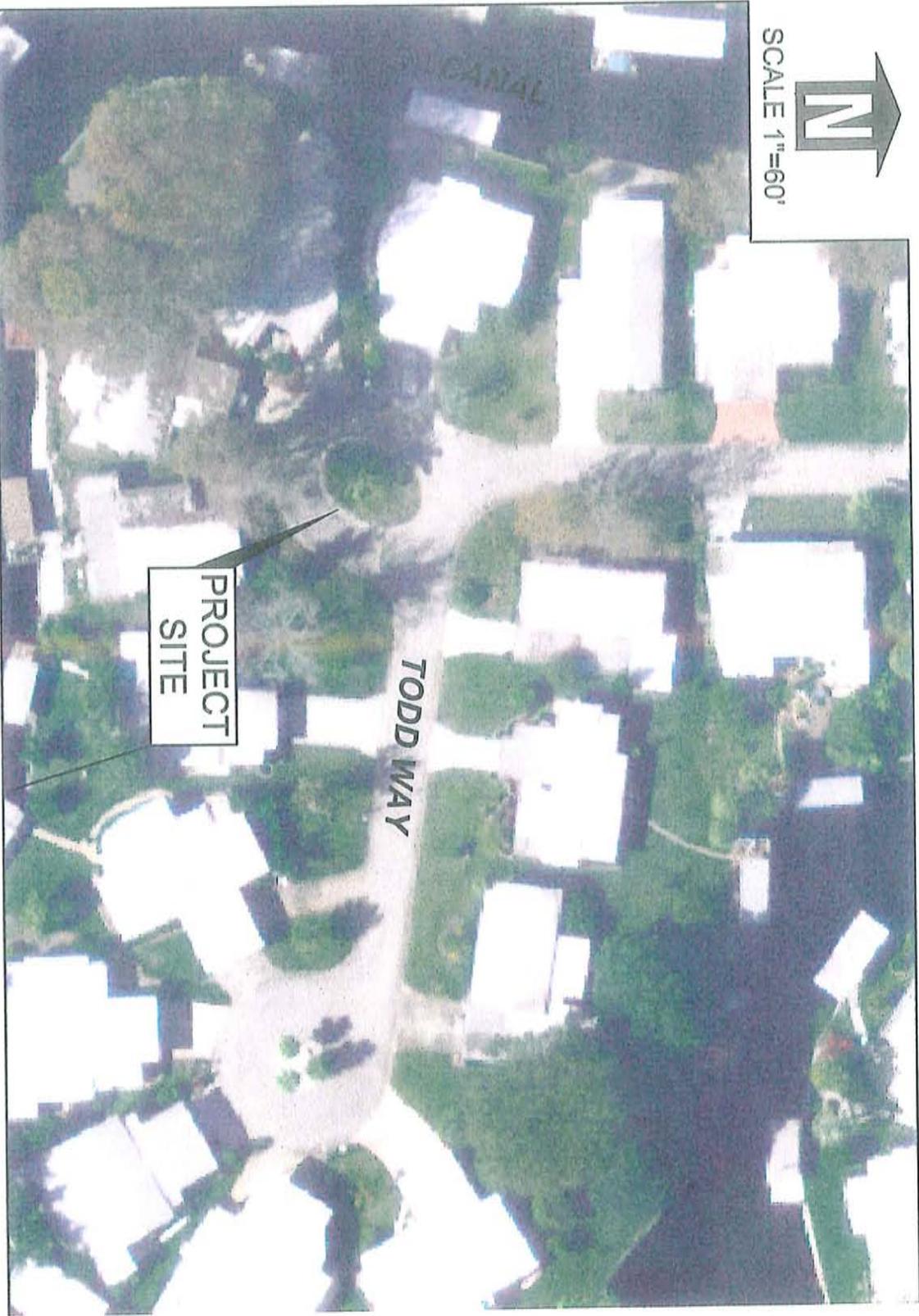
# VICINITY MAP



# AERIAL MAP



SCALE 1"=60'







## Chris Thompson

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**From:** lcrwinsky@aol.com  
**Sent:** Thursday, June 23, 2011 7:51 AM  
**To:** Chris Thompson  
**Subject:** Todd Way Cul-de-sac Improvement - Project #03053GEN

Mr. Thompson,

The residents of Todd Way and the Board of Directors of Imperial Terrace East Homeowners Association have examined the plans for the improvement of the Cul-de-sac on Todd Way and have approved them.

If you need anything further from us, please let me know. Also please e-mail me to let me know that you received this e-mail.

Thank you,

Imperial Terrace East Homeowners Association  
Linda Cerwinsky, Vice President

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: JUNE 15, 2011**

**AGENDA TAB NO: 12**

**SUBJECT TITLE: Approval of Proposal to reconstruct old train station at Wooton Park**

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**OBJECTIVE:**

To have City Council approve a proposal to reconstruct old train station at Wooton Park.

**DISCUSSION**

In mid-2007 the City Council approved the following Vision Statement for the City:

“TAVARES – THE CAPITAL WATERFRONT CITY OF LAKE COUNTY – BUILDING ON A HISTORIC FOUNDATION – CREATING AN AUTHENTIC, ACCESSIBLE COMMUNITY OF NEIGHBORHOODS, BUSINESSES AND CITIZEN SERVICES – DISTINGUISHING ITSELF AS THE DEFINING VISION OF WHERE YOU WANT TO BE.”

In keeping with the Vision Statement, as part of the Wooton Park Seaplane Base & Marina project, the City has constructed a replica of the Woodlea House, an old time train loading platform and the soon to begin Pavilion on the Lake project which is a replica of the former two-story Pavilion built in 1912.

The City of Tavares has been living and implementing its Vision Statement with these projects by “building on historic foundation – creating an authentic, accessible community ...”.

Railroads have long been a part of the fabric and economy of Tavares dating back to the 1880's. In the late 1880's the Atlantic Coast Line (ACL) constructed a railroad station (see attached pictures) on the triangle property abutted by Main Street and St. Clair Abrams adjacent to the current train loading platform. The station was destroyed on July 24, 1988.

The City of Tavares now has an opportunity to reconstruct a replica of the former ACL station with the construction costs covered over time by lease agreements with the Tavares Chamber of Commerce and the Tavares, Eustis and Gulf, LLC (TEG) company which will be operating the steam engine tourist train.

The Tavares Chamber of Commerce is currently under contract with Progress Energy to purchase the current Chamber building on Sinclair Avenue. The Chamber has proposed, subject to their closing on the sale of their property, to advance the City a payment of \$150,000 towards the cost of the reconstructed train station and be credited with a lease payment for 15 years (see attached Chamber letter). The Chamber is also requesting an option to lease space for an additional 10 years.

Tavares, Eustis and Gulf, LLC has also expressed an interest in leasing space in the reconstructed train station.

A preliminary total cost for the reconstruction of the train station including all professional and permit fees is \$450,000 for a 2,800 square foot facility with the Chamber and TEG each leasing half of the available space.

Should the City Council wish to pursue the reconstruction of the train station, it is recommended that staff be authorized to do the following:

1. Negotiate proposed agreements with the Tavares Chamber and Tavares, Eustis and Gulf, LLC to lease space at the reconstructed train station. These lease agreements will be brought back to City Council for final approval.
2. Negotiate contract amendments with the BESH design team and Emmett Sapp Builders for the design and permitting and construction manager-at-risk services respectively for the project. These contract amendments would be brought back to City Council for approval.
3. Conduct a review of the preliminary cost estimates and prepare a financing package for the project based on lease payments covering the cost of the project. This financing package would be brought back to City Council for final approval.

#### **OPTIONS:**

1. To approve staff to further pursue the reconstruction of the old train station per the three steps outlined above.
2. To not approve staff to further pursue the reconstruction of the old train station.

#### **STAFF RECOMMENDATION:**

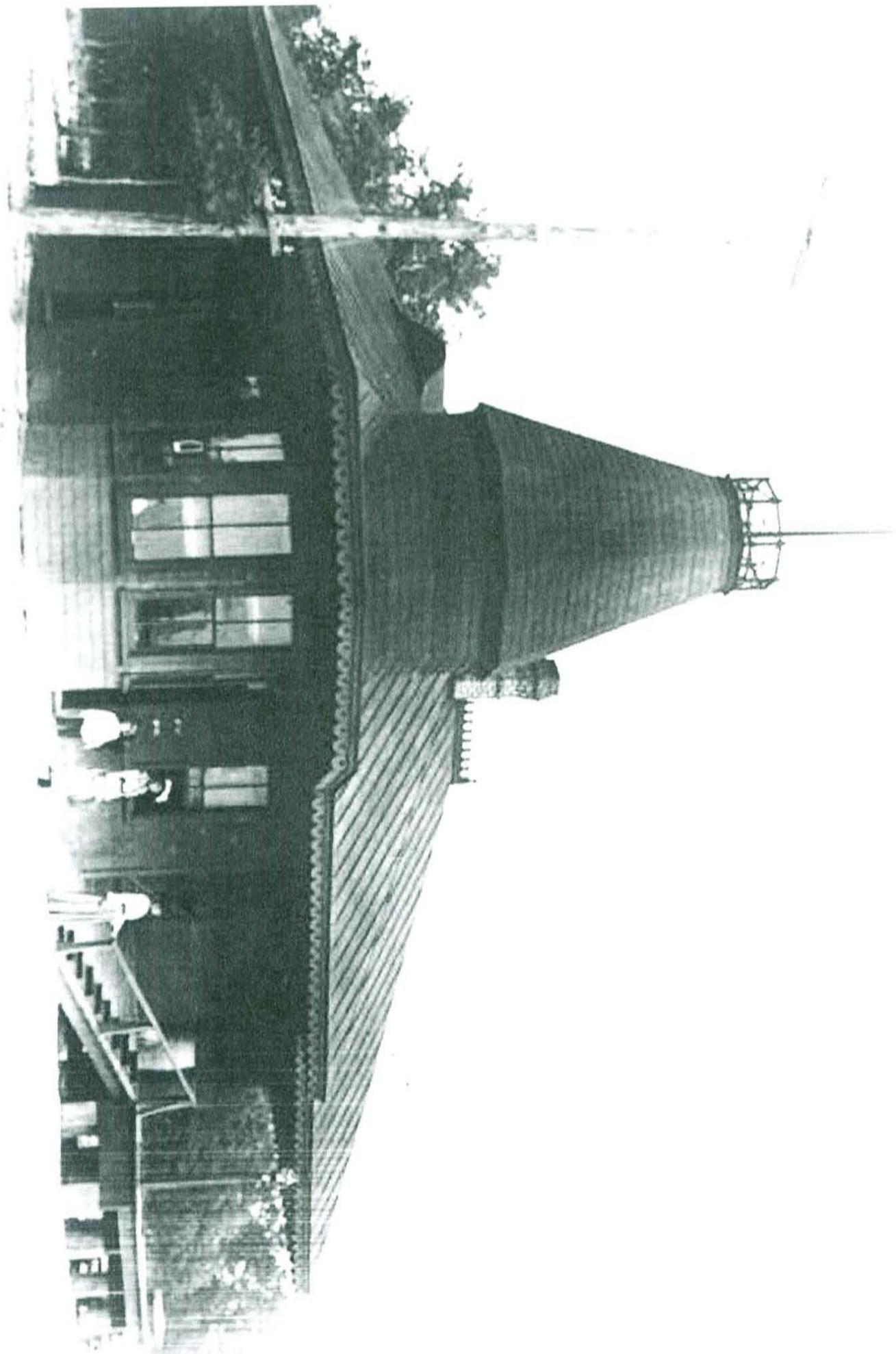
Staff recommends that the Council moves to approve staff to further pursue the construction of the old train station per the three steps outlined above.

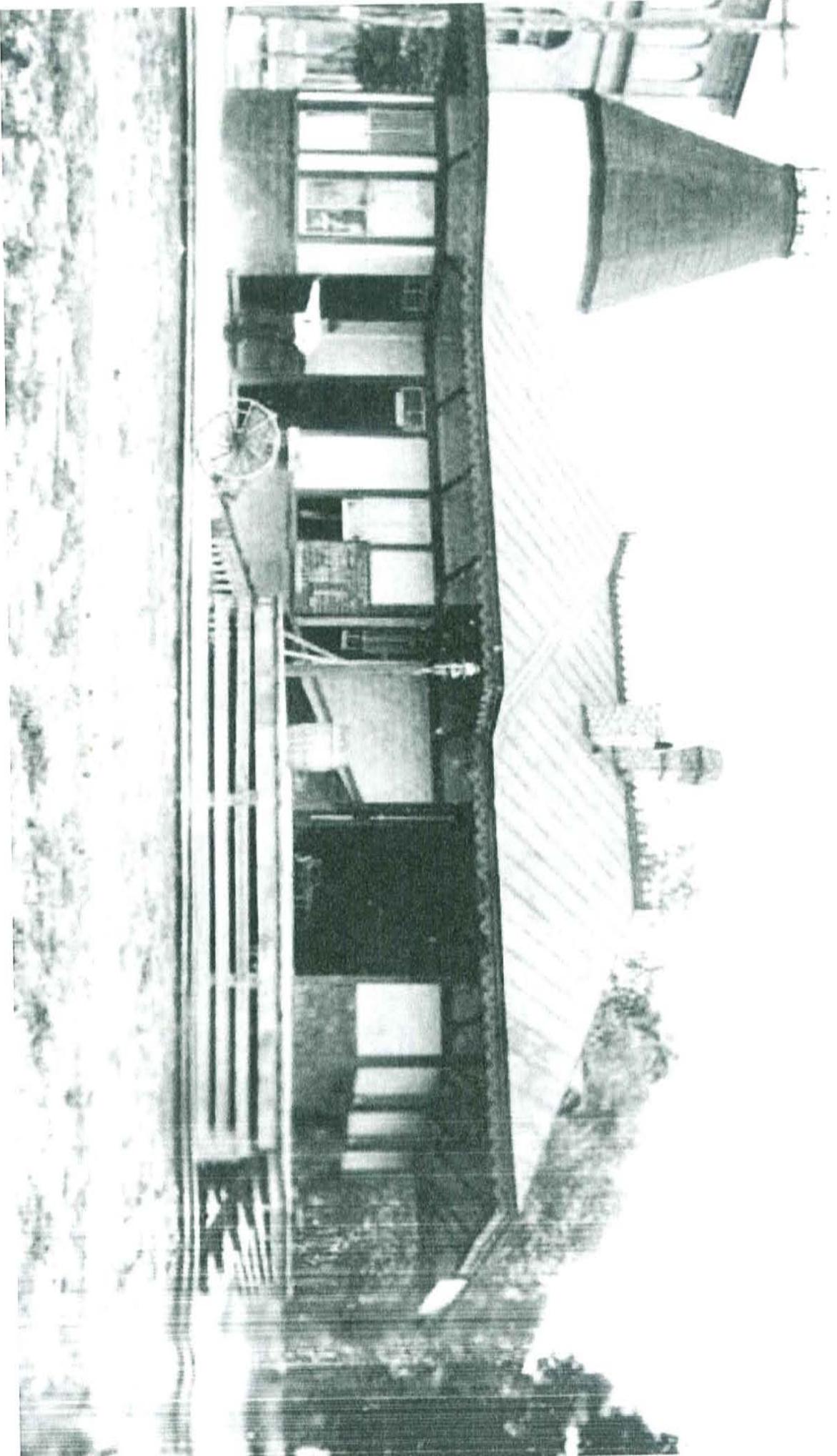
#### **FISCAL IMPACT:**

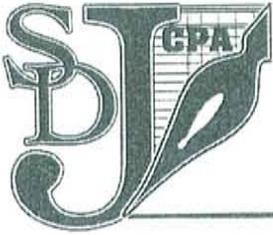
The fiscal impact is dependent on the negotiations of the proposed lease agreements and the proposed financial plan.

**LEGAL CONSIDERATIONS:**

The City Attorney will be instrumental in the development of the proposed lease agreements and contract amendments.







Stephen D. Jennelle, CPA

office: (352) 357-4782 • fax: (352) 357-2477 • cell: (407) 748-6187  
P.O. Box 0999 • Sorrento, Florida 32776-0999 • email: sdjcpa@comcast.net

September 16, 2011

City of Tavares  
201 E Main St  
Tavares, FL 32778

Subject: Closing Sale of Tavares Chamber Property to Progress Energy

Gentlemen:

Regarding the new facility to be constructed by the City of Tavares, the Tavares Chamber of Commerce would like to submit the following for your consideration:

1. We would like to lease this facility from the City of Tavares for use as our chamber of commerce office. We agree this location will benefit both the city and the chamber.
2. Our actions are contingent upon the sale of our existing property to Progress Energy and the receipt of the funds from this sale.
3. We are willing to offer the city \$150,000, payable upon acceptance to lease this facility for a period of 15 years. Additionally, we would like an option to extend this lease for an additional 10 years at \$12,000 per year, payable annually.
4. We would like the right of first refusal to lease the other half of the building should it become available.
5. Attached is a preliminary listing of our structure/facility requirements.

We look forward to a continuation of our mutually beneficial relationship. The future of Tavares is ensured as we work together.

Respectfully submitted,

Stephen D Jennelle CPA

Proposed list to City of Tavares for build-out of Train Depot for the Tavares Chamber of Commerce use:

We are not requesting to design a floor plan at this time. This list is a basis of what we would like to include with the Proposal of Lease that is attached:

- I. Chamber would like to be designated the West side of the building
- II. 2 professional offices and reception area for staff with built in wi-fi.
- III. One conference room to accommodate 24-30 people
  - a. Business center availability for conference room – moveable walls
- IV. Kitchenette with hot water (space for refrigerator/microwave)
- V. Two interior restrooms (include higher disability)
- VI. Storage
- VII. Separate A/C in each unit
- VIII. Heavy duty insulation – consider nearness to trains and steam engines as they pass
- IX. Ability to have a ramp and stairs access – we will need to move items in and out during events plus for disabled.
- X. Signage on Main Street and directional signage on 441 & St Clare Abrams
  - a. Finished flooring in all areas
  - b. Finished walls painted with our input on paint colors
  - c. Racks for business' information – to be designed by Chamber Staff
  - d. Lighting in all areas

Additional request:

- I. 4-6 parking spaces with signs to designate Chamber Use – (we would prefer the spaces on St Clare Abrams by what is now the large white trash bins)
- II. Outside restroom for the additional amount of traffic with water fountain.
- III. Parking lot on Disston and Main Street to be completed by the opening of the New Depot Building.

We would like to designate Ted Wicks as our Liaison for the Chamber for all future building design and construction discussions.

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
October 5, 2011**

**AGENDA TAB NO. 13**

**SUBJECT TITLE: City Administrator Report**

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**OBJECTIVE:**

To inform Council on city related matters.

**SUMMARY: Will be presented at meeting**

**UPCOMING MEETINGS: (check with Susie Novack for any last minute changes)**

- City Council Regular Meeting – October 19, 2011
- Code Enforcement Hearing – October 25, 2011
- Lake Sumter MPO – Board Meeting – October 26, 2011, 2 pm, MPO Board Room
- Lake County League of Cities – October 14, 2011 – 11:30 a.m.
- Library Board – October 14, 2011– 8:30 a.m. Library Conference Room, 314 N. New Hampshire
- Planning & Zoning Board - October 20, 2011, 3 pm, Council Chambers

**EVENTS**

Empty Bowls Charity Event – October 17, 2011 – 5:30 pm – 8:30 pm  
Wooton Park

Grand Opening for Aesop's Park – October 22, 2011 – 9 a.m. – 1 pm

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
October 5, 2011**

**AGENDA TAB NO. 14**

**SUBJECT TITLE: City Councilmembers Report**

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**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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