

AGENDA  
TAVARES CITY COUNCIL

OCTOBER 19, 2011  
4:00 P.M.  
TAVARES CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Rick Fountain, First Baptist Church

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Tab 1) City Council Regular Meeting October 5, 2011 - Deferred

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Presentation by Consultant – Evaluation and Appraisal Report – Recommendation for EAR Based Amendments Jacques Skutt

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

VII. CONSENT AGENDA

Tab 3) Agreement with Lake Emergency Services for Co-Location at Fire Station 29 (Tavares Fire Station #2) Richard Keith

Tab 4) Approval of Lake County Library System Circulation & Registration Policy Tamera Rogers

VIII. ORDINANCES/RESOLUTIONS

Tab 5) Resolution 2011-26 - Approval & Award to SunTrust Bank for Lease Funding Of Capital Purchases Lori Houghton

TRANSMITTAL HEARING

Tab 6) Ordinance #2011-08 – Comprehensive Plan EAR Based Amendment – Housing Element – Transmittal Hearing Jacques Skutt

FIRST READING

SECOND READING

Tab 7) Ordinance #2011-07 - Comprehensive Plan Amendment – Remove Transportation, School and Parks & Recreation Concurrency Jacques Skutt

Tab 8) Ordinance #2011-09 – Banning Beach Rezoning to Planned Development – David Weis Jacques Skutt

IX. GENERAL GOVERNMENT

Tab 9) Appointment to Planning & Zoning Board Mayor Wolfe

Tab 10) Set Referendum Date for Expansion of Wooton Park Bill Neron

Tab 11) Water & Sewer Service to Three Lakes Park Brad Hayes

Tab 12) Donation Policy Lori Houghton

Tab 13) Report on Charging Station Usage Jacques Skutt

Tab 14) Contract Addendum with BESH for Design of Alleyways That Abut the Alfred Street Project Chris Thompson

Tab 15) Agreement with Jones Edmunds to Design Phase I of Lake Frances Sewer Design Brad Hayes

Tab 16) Approval of Emergency Contractors List Lori Houghton

Tab 17) Update on Progress Energy’s 441 Substation Location John Drury

X. OLD BUSINESS

XI NEW BUSINESS

XII. AUDIENCE TO BE HEARD

XIII. REPORTS

Tab 18) City Administrator

John Drury

Tab 19) Council Reports

City Councilmembers

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

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

## **The Language of Local Government**

### **Definition of Terms**

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

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

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

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

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

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

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

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

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

**contiguous** – Sharing a common boundary.

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

**DCA** – Department of Community Affairs

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

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

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

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

**FDOT** – Florida Department of Transportation

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

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

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

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

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

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

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

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

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

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

**PUD** – Planned Unit Development

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

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

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

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

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

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

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

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

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA TAB NO. 2**

**SUBJECT TITLE: City of Tavares Comprehensive Plan Evaluation and Appraisal Report Update**

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**OBJECTIVE:**

The City's EAR Consultant, Planning Design Group, will provide to Council an update on the progress and completion of the Evaluation and Appraisal Report of the City's Comprehensive Plan.

**SUMMARY:**

On June 17, 2009, City Council approved the selection of Planning Design Group (PDG) as the consultant to prepare the Evaluation and Appraisal Report (EAR). PDG held scoping meetings with city staff and outside governmental agencies. A list of issues was formulated through a public workshop process, recommended by the Local Planning Agency, approved by Council and sent to DCA. The EAR was prepared based on the list of identified issues and transmitted to DCA which found it sufficient for approval in 2011. Consistent with the EAR process the consultants have recommended a few comprehensive plan amendments based on the EAR which are intended to aid the City in realizing its growth vision. The Consultants will also update the Board on recent legislative changes and the implications of those changes on economic planning in Florida. In response to the consultant's final evaluation of the comprehensive plan, staff has prepared Ordinances 2011-07 & 2011-08 that will implement these recommendations.

**OPTIONS:**

1. That City Council moves to approve the City's Planning Consultant's recommendations.
2. That City Council does not support the recommendations made in part or whole.

**PLANNING & ZONING BOARD RECOMMENDATION:**

At its September 22<sup>nd</sup> meeting, the Board unanimously recommended approval of City's Planning Consultant's recommendations.

**STAFF RECOMMENDATION:**

That City Council moves to approve the City's Planning Consultant's recommendations.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

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

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA TAB NO. 3**

**SUBJECT TITLE: Agreement between Lake Emergency Medical Services Inc. and the City of Tavares Relating to Fire Station 29 and Co-Location of Services**

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**OBJECTIVE:**

To consider the approval of the agreement with Lake Emergency Medical Services for the City of Tavares to Provide Lake Emergency Medical Services, Inc. with Living and Vehicle Housing at Fire Station #2.

**SUMMARY:**

The City signed an agreement with Lake Sumter Emergency Medical Services to provide 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 to Provide Living and Vehicle Housing at Fire Station #2.
- 2) Do not approve the agreement.

**STAFF RECOMMENDATION:**

**Move to approve the Agreement between Lake Emergency Medical Services and the City of Tavares to Provide Living and Vehicle Housing at Fire Station #2.**

**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  
RELATING TO FIRE STATION 29

This is an Agreement between Lake Emergency Medical Services, Inc., a not-for-profit governmental corporation, herein referred to as "EMS" and the City of Tavares, a municipal corporation, herein referred to as "City".

**WHEREAS**, City owns a fire station located at **1720 Lane Park Cutoff Road**, Tavares, herein referred to as "**Fire Station 29**"; and

**WHEREAS**, EMS is in need of living space and vehicle space in the area of **Fire Station 29** for a paramedic transport unit; and

**WHEREAS**, City is agreeable to providing EMS living space and vehicle space at **Fire Station 29** pursuant to the terms of this Agreement.

**NOW THEREFORE**, in consideration of the mutual terms, understandings, conditions, promises, covenants and payments hereinafter set forth, and intending to be legally bound, the parties agree as follows:

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

**Section 2. General Terms and Conditions.** City shall allow EMS to utilize a portion of **Fire Station 29** as an ambulance station and living quarters for EMS personnel. City and EMS agree to cooperate with each other and establish procedures for the operation and security of the facility in order to safeguard the property and persons of both agencies.

**Section 3. Term and Termination.** This Agreement shall take effect upon execution and shall remain in effect until terminated by either party as provided herein. Either party to this Agreement shall have the right to terminate by giving ninety (90) days advance written notice to the other party. Upon termination, EMS shall vacate **Fire Station 29**.

**Section 4. Modification.** No modification, amendment or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and equal dignity herewith.

**Section 5. Entire Agreement.** This document is intended by the parties to be the final expression of their Agreement, and it constitutes the full and entire understanding between the parties with respect to the subject of this Agreement, notwithstanding any representations, statements or agreements to the contrary heretofore made.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement through their respective boards on the day and year undersigned.

EMS

LAKE EMERGENCY MEDICAL SERVICES, INC.

ATTEST:

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

\_\_\_\_\_  
Welton G. Cadwell, Chairman

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

ATTEST:

CITY OF TAVARES

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

By: \_\_\_\_\_  
\_\_\_\_\_, Mayor

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

Approved as to Form and  
Legality:

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

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA TAB NO. 4**

**SUBJECT TITLE: Revision of Lake County Library Policy LCC-8 – Circulation and Registration**

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**OBJECTIVE:**

To consider the approval of the revised Lake County Library Policy LCC-8 regarding circulation and registration.

**SUMMARY:**

The Lake County Library System has submitted a revised policy for the member cities to approve. The policy is mostly clarification on certain items. The most substantive change is to allow a shorter period of all high demand items (previously the policy referred to books only.) The automated system defines "high demand" for any more than five holds for an item.

**OPTIONS:**

- 1) Move to approve the Lake County Library policy LCC-8 as revised.
- 2) Do not approve the Lake County Library policy LCC-8.

**STAFF RECOMMENDATION:**

Move to approve the Lake County Library policy LCC-8 as revised.

**FISCAL IMPACT:**

Not applicable

**Legal Sufficiency:**

Legally sufficient.

# MEMORANDUM

## LIBRARY SERVICES

A division of the  
Department of Public Resources  
2401 Woodlea Rd.  
Tavares, FL 32778



LAKE COUNTY  
FLORIDA

P: 352.253.6180  
F: 352.253.6184  
[www.lakecountyfl.gov](http://www.lakecountyfl.gov)

**To:** Ralph Bowers, City Manager, City of Fruitland Park  
Brenda Brasher, Town Clerk, Town of Howey-in-the-Hills  
Juli D'Agostino, Town Clerk, Town of Montverde  
✓ John H. Drury, City Administrator, City of Tavares  
Jay Evans, City Manager, City of Leesburg  
Glenn A. Irby, City Manager, City of Umatilla  
Kristen Kollgaard, Town Manager, Town of Lady Lake  
Mark Johnson, City Manager, City of Minneola  
Michael Quinn, City Manager, City of Mount Dora

**From:** Thomas L. Merchant, Library Services Manager *TLM*

**Date:** September 26, 2011

**Subject:** Revision of Lake County BCC Policy LCC-8, "Lake County Library System Circulation and Registration Policy"

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Enclosed please find a revision of Lake County BCC Policy LCC-8, "Lake County Library System Circulation and Registration Policy". The revision has been edited and approved by the library directors (August 25, 2011) and the Lake County Library Advisory Board (September 15, 2011). We would appreciate you presenting the revised policy to your governing body for approval. You may want to have the policy approved by your library advisory board, as well.

Most of the changes are simply for clarification. The most substantive change expands the ability of the libraries to shorten the loan period for high demand materials from just books to other popular formats.

Please notify me when your governing body has acted on this request, so that I can place the policy on the agenda for the Lake County Board of County Commissioners. If substantive changes are recommended, the review process will be repeated.

Thank you for your continued assistance in the growth and improvement of library services in Lake County.

Enclosure

cc: Jennifer Hill, Chairman, Lake County Board of County Commissioners  
Welton Cadwell, District 5 Commissioner and Library Advisory Board Liaison  
Darren Gray, County Manager  
Wendy R. Breeden, Public Resources Director  
Member Library Directors

# LAKE COUNTY

## BOARD OF COUNTY COMMISSIONERS

# POLICY

Title: Lake County Library System  
Circulation and Registration

Number: LCC-8

Cancel: 01/17/06

Approved:

### I. OBJECTIVE:

To ensure that free library privileges are available to all residents and part-time residents of Lake County or property owners of Lake County and to ensure a uniform system of library circulation and loan rules.

### II. DEFINITIONS AND REFERENCES:

#### A. Adult:

For library system purposes, an individual sixteen (16) years of age, or older.

#### B. Youth:

For library system purposes, an individual under sixteen (16) years of age.

#### C. Individual library:

An individual Member Library or the Library Services Division as a whole. Branch libraries are considered part of the Library Services Division.

#### D. Lake County Library System (LCLS):

A public library cooperative made up of the Lake County Library Services Division, its branches and cooperative Member Libraries.

#### E. Library Services Director:

Lake County Library Services Director, the designated Administrative Head of the Lake County Library System.

#### F. Member Libraries:

Libraries which meet the "Guidelines and Minimum Standards for Public Libraries Entering the County Library System", Lake County Policy Number LCC-7; and

which, through their local governing bodies, have entered into an Interlocal Agreement with Lake County to provide free library service to the residents of Lake County.

G. Branch Libraries:

Libraries which are funded and operated solely by Lake County Board of County Commissioners to provide library service to its residents and fall under the Library Services Division of the Department of Public Resources.

H. Non-Resident:

An individual who neither owns real property in Lake County nor resides in Lake County.

I. Part-time Resident:

An individual who meets the requirements for residency in Lake County but does not reside in Lake County on a permanent or continual basis.

J. Reciprocal Borrower:

A non-resident who resides in the service area or county with which Lake County has established a formal reciprocal borrowing agreement, and has been issued an LCLS borrower's card in accordance with this policy.

K. Resident:

An individual who either owns real property in Lake County or resides in Lake County on a permanent or continual basis.

**III. DIRECTIVES:**

A. Registration:

1. Lake County residents or owners of Lake County property.

a. Adult Registration requirements:

1) Individuals must be sixteen (16) years of age or older.

- 2) Individuals shall complete a Lake County Library System Registration Form and verify current residence or ownership of property by presenting one (1) or more of the following showing a Lake County street address:
    - (a) Current Florida Driver's License or Florida Identification Card showing a street address;
    - (b) Current Florida motor vehicle registration showing a street address;
    - (c) Current property tax receipt showing a street address;
    - (d) Current Voter identification card;
    - (e) Current utility bill showing a street address;
    - (f) Checkbook with name and current address imprint;
    - (g) Current lease agreement or rental agreement showing a street address;
    - (h) Federal income tax return showing a current street address;
    - (i) Recent Florida intangible tax return showing a street address; or
    - (j) Valid school ID from an educational institution within Lake County.
  - 3) Street addresses must accompany a post office box address.
  - 4) Adult Lake County resident library cards are valid for three (3) years, and are issued at no cost to the borrower.
- b. Youth registration requirements:
- 1) An individual under sixteen (16) years of age whose parent, other relative or legal guardian is eligible for a Lake County library card may register for library privileges. If the sponsoring adult has a Lake County library card, they may not owe the System for lost or damaged material or owe fines of over \$25.

- 2) The Youth must fill out, or have filled out for him or her, a Lake County Library System Registration Form, and the sponsoring adult must verify residence or property ownership by presenting one or more of the items listed under Section III.A.1.a.(3).
- 3) If the Youth is legally emancipated, the Youth may register for a library card following the policy for adult registration.
- 4) Youth Lake County resident library cards are valid for three (3) years, and are issued at no cost to the borrower.

## 2. Non-residents

- a. A non-resident may purchase an annual library membership by paying a fee of FORTY DOLLARS (\$40.00). A library may choose to offer a six-month card for \$20.00.
- b. Alternatively, a non-resident may purchase a one-month library membership by paying a fee of \$10.
- c. Non-residents must verify residence by presenting one or more of the items listed in Section III.A.1.a.(3).
- d. Non-residents must complete a Lake County Library System Registration Form.
- e. Free courtesy cards may be issued at the discretion of the library. Courtesy cards are good for one (1) year.

## 3. Part-time Residents

Part-time residents are eligible for Adult and Youth Resident Library Cards, but they must show proof of both Florida and permanent addresses.

## 4. Reciprocal Borrowers

- a. Reciprocal borrowers must show a library card from a library with which Lake County has established reciprocal borrowing through formal agreement plus furnish verification of residence by presenting one of the items listed in Section III.A.1.a.(3). Reciprocal borrowers from counties covered by interlocal agreements with Lake County including compensation do not need to show a library card from their home county.
- b. Reciprocal borrower library cards are valid for one (1) year and are issued at no cost to the borrower.

B. Circulation:

1. Duration limits of circulating library materials shall be as follows:
  - a. Books, audio cassettes, computer software in any format, and compact discs shall circulate for a period of three (3) weeks.
  - b. DVDs, videos, and electronic games shall circulate for a period of seven (7) days.
  - c. High demand items may circulate for shorter periods while they are in demand.
  - d. Loan periods on magazines shall be set by the individual library.
  - e. Loan periods for downloadable media shall be set in consultation with the vendor.
  - f. Special collection loan periods may be established for additional holdings at the discretion of the individual library.
2. Patrons shall be allowed to renew an item for two (2) additional loan periods, unless the item is on reserve or the loan type does not permit renewals.
3. Patrons may renew library materials by telephone. Patrons may renew library materials online unless the patron account has been sent to collection.
4. Quantity limitations on the borrowing of library

materials may be established by the individual library based on the nature and quantity of the materials available at that library.

5. Borrowing privileges may be denied or revoked for failure to abide by Lake County Library System policies.
6. LCLS materials may be returned to any Lake County Library System library or designated location.
7. Circulation rules or guidelines governing equipment and any items not listed above shall be established by the individual library.
8. Patrons may have up to 30 active item holds at one time.

C. Overdue Materials:

1. Charges

- a. Overdue charges for books, videos, DVDs, art prints, audio cassettes, compact discs, and vertical file materials shall be \$.10 per day per item and the maximum cumulative fine per item shall be \$5.00.
- b. Overdue charges for Interlibrary Loan materials shall be \$1.00 per day per item. The maximum cumulative fine per item for Interlibrary Loan materials shall be \$1,000.00.
- c. Overdue charges for computer software and electronic games in any format shall be \$1.00 per day per item. The maximum cumulative fine per item for computer software shall be \$10.00.
- d. No fines shall be charged for uncataloged items, such as paperback books, puzzles, or magazines.
- e. Fine monies are to be retained by the individual library.

2. Overdue notices

Overdue notices, reminders, and bills shall be handled and issued by each individual library.

3. Lost or damaged materials

Rules regarding replacement fees, refunds, and associated costs for lost or damaged materials shall be established by the individual library. A \$5.00 processing fee is normally assessed for each lost item.

D. Other Fees and Charges:

1. Each patron is entitled to one free replacement card. Replacement fees for any additional library cards shall be \$2.00.
2. Delinquent accounts may be referred for collection and assigned an additional \$10 processing fee.
3. Other charges such as computer printout charges, photocopy charges, and charges for returned checks shall be established by the individual library.

IV. RESERVATION OF AUTHORITY

The authority to issue or revise this policy is reserved to the Board of County Commissioners.

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Jennifer Hill, Chairman  
Board of County Commissioners  
Lake County

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA ITEM NO. 5**

**SUBJECT TITLE: Resolution 2011-26, Authorizing Execution and Delivery of Master Lease Agreement, Equipment Schedule 7 for purchase of VOIP System, Street Sweeper, and Solid Waste Truck**

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**OBJECTIVE:**

To Execute Master Lease Agreement, Equipment Schedule 7, to fund the purchase of the VOIP Phone System, Street Sweeper, and Solid Waste Vehicle.

**SUMMARY:**

The Fiscal Year 2012 Adopted Budget includes Capital Equipment for a VOIP System, a Solid Waste Automated Replacement Vehicle, and a Street Sweeper Replacement Vehicle. Each item was identified in the budget as being funded by Capital Lease.

The City of Tavares issued RFP No. 2011-0021 for Voice over internet Protocol Service and Associated Infrastructure (VOIP). On October 5, 2011, the City Council approved award of contract to the number one ranked firm, Earthlink.

The street sweeper will be procured through the State of Florida Sheriff's Association, Florida Association of Counties & Florida Fire Chiefs' Association (FAC) Bids through the "Piggy-Back" provision. The FAC provides procurement pricing for vehicles and heavy equipment for all Florida Governmental Entities. The purchase approval for the Street Sweeper will be presented to the City Council as a separate agenda item.

The Automated Solid Waste Truck will be procured through the State of Florida Sheriff's Association, Florida Association of Counties & Florida Fire Chiefs' Association (FAC) Bids through the "Piggy-Back" provision. The FAC provides procurement pricing for vehicles and heavy equipment for all Florida Governmental Entities. The purchase approval for the Solid Waste vehicle will be presented to the City Council as a separate agenda item.

Three banks were contacted for quotes for Capital Lease Purchase for the Street Sweeper, Automated Garbage Truck, and the VOIP System. The tabulation of quotes is shown on the following table.

	<i>VOIP</i>	<i>AUTOMATED TRUCK</i>	<i>STREET SWEEPER</i>
	5 Years	7 Years	7 Years
Suntrust Bank	1.5500%	1.7400%	1.7400%
Bank of America	1.8963%	2.3130%	2.3130%
BB&T	1.8600%	1.9900%	1.9900%
Wells Fargo	No Bid	No Bid	No Bid

The best rate was quoted by SunTrust Bank with a rate of 1.55% for the VOIP System and a rate of 1.74% for the Solid Waste Automated Truck and the Street Sweeper. Estimated amortization schedules were prepared and have been attached. Debt Service payments for Fiscal Year 2012 are within budgeted amounts.

OPTIONS:

1. Approve Resolution 2011-26 authorizing the Execution Master Lease Agreement, Schedule 7 to fund the purchase of VOIP Phone System, Automated Solid Waste Truck, and a Street Sweeper.
2. Do not approve Resolution 2011-26.

STAFF RECOMMENDATION:

Move to approve Resolution 2011-26 authorizing the Execution Master Lease Agreement, Schedule 7 to fund the purchase of VOIP Phone System, Automated Solid Waste Truck, and a Street Sweeper.

FISCAL IMPACT: Debt Service to be incurred for Fiscal Year 2012 is included in the FY Adopted Budget.

RESOLUTION 2011 – 26

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT, EQUIPMENT SCHEDULE NO. 07, AN ESCROW AGREEMENT, AND RELATED INSTRUCTIONS, AND DETERMING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the governing body of CITY OF TAVARES, FLORIDA, ("Lessee") desires to obtain certain equipment (the "Equipment") described in Equipment Schedule No. 07 to the Master Lease Agreement 0759 (collectively, the "Lease") (see Exhibit A for schedule equipment) with SUNTRUST LEASING CORPORATION, the form of which has been available for review by the governing body of Lessee prior to this meeting; and

WHEREAS, the Equipment is essential for the Lessee to perform its governmental functions; and

WHEREAS, Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, Lessee proposes to enter into the Lease with SUNTRUST LEASING CORPORATION and the Escrow Agreement with the Escrow Agent substantially in the forms presented to this meeting.

**NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LESSEE AS FOLLOWS:**

Section 1. It is hereby found and determined that the terms of the Lease and the Escrow Agreement (collectively, the Financing Documents") in the forms presented to this meeting and incorporated in this resolution are in the best interests of Lessee for the acquisition of the Equipment.

Section 2. The Financing Documents and the acquisition and financing of the Equipment under the terms and conditions as described in the Financing Documents are hereby approved. The Mayor of Lessee and any other officer of Lessee who shall have power to execute contracts on behalf of Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Financing Documents with any changes, insertions and omissions therein as may be approved by the officers who

execute the Financing Documents, such approval to be conclusively evidenced by such execution and delivery of the Financing Documents. The City Administrator of the Lessee and any other officer of Lessee who shall have power to do so be, and each of them hereby is, authorized to affix the official seal of Lessee to the Financing Documents and attest the same.

Section 3. The proper officers of Lessee be, and each of them hereby is authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Financing Documents.

Section 4. Pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), Lessee hereby specifically designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code.

The undersigned further certified that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the Lease and Escrow Agreement executed on behalf of the Lessee are the same as presented as such meeting of the governing body of Lessee, excepting only such changes, insertions and omissions as shall have been approved by the officers who executed the same.

Date: October 19, 2011

Lessee:

BY: \_\_\_\_\_  
Name: Robert Wolfe, Mayor  
Tavares City Council

ATTEST:

\_\_\_\_\_  
Nancy Barnett  
City Clerk

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

EXHIBIT A

Master Lease Agreement 0759 – DETAILS FOR SCHEDULE 7

Lease Funding for Capital Equipment

VOIP System - \$120,242.40 (estimated equipment cost) – 5 Year Lease Period - Rate  
1.55%

Solid Waste Truck - \$26,2811 (estimated equipment cost) – 7 Year Lease Period – Rate  
1.74%

Street Sweeper - \$213,300.37 (estimated equipment cost) – 7 Year Lease Period –  
1.74%

## Schedule 7 - Solid Waste Truck Capital Lease

Compound Period ..... : Semiannual

Nominal Annual Rate .... : 1.740 %

Daily Rate ..... : 0.00477 %

## CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Lease	10/17/2011	262,811.00	1		
2 Lease Payment	04/17/2012	10,053.40	1		
3 Lease Payment	10/17/2012	30,073.48	1		
4 Lease Payment	04/17/2013	10,053.40	1		
5 Lease Payment	10/17/2013	30,073.48	1		
6 Lease Payment	04/17/2014	10,053.40	1		
7 Lease Payment	10/17/2014	30,073.48	1		
8 Lease Payment	04/17/2015	10,053.40	1		
9 Lease Payment	10/17/2015	30,073.48	1		
10 Lease Payment	04/17/2016	10,053.40	1		
11 Lease Payment	10/17/2016	30,073.48	1		
12 Lease Payment	04/17/2017	10,053.40	1		
13 Lease Payment	10/17/2017	30,073.48	1		
14 Lease Payment	04/17/2018	10,053.40	1		
15 Lease Payment	10/17/2018	30,073.48	1		
16 Lease Payment	10/17/2019	0.00	1		

## AMORTIZATION SCHEDULE - Normal Amortization

Date	Lease Payment	Interest	Principal	Balance
Lease 10/17/2011				262,811.00
2011 Totals	0.00	0.00	0.00	
1 04/17/2012	10,053.40	2,286.46	7,766.94	255,044.06
2 10/17/2012	30,073.48	2,218.88	27,854.60	227,189.46
2012 Totals	40,126.88	4,505.34	35,621.54	
3 04/17/2013	10,053.40	1,976.55	8,076.85	219,112.61
4 10/17/2013	30,073.48	1,906.28	28,167.20	190,945.41
2013 Totals	40,126.88	3,882.83	36,244.05	
5 04/17/2014	10,053.40	1,661.23	8,392.17	182,553.24
6 10/17/2014	30,073.48	1,588.21	28,485.27	154,067.97
2014 Totals	40,126.88	3,249.44	36,877.44	
7 04/17/2015	10,053.40	1,340.39	8,713.01	145,354.96
8 10/17/2015	30,073.48	1,264.59	28,808.89	116,546.07
2015 Totals	40,126.88	2,604.98	37,521.90	
9 04/17/2016	10,053.40	1,013.95	9,039.45	107,506.62
10 10/17/2016	30,073.48	935.31	29,138.17	78,368.45

## Schedule 7 - Solid Waste Truck Capital Lease

Date	Lease Payment	Interest	Principal	Balance
2016 Totals	40,126.88	1,949.26	38,177.62	
11 04/17/2017	10,053.40	681.81	9,371.59	68,996.86
12 10/17/2017	30,073.48	600.27	29,473.21	39,523.65
2017 Totals	40,126.88	1,282.08	38,844.80	
13 04/17/2018	10,053.40	343.86	9,709.54	29,814.11
14 10/17/2018	30,073.48	259.38	29,814.10	0.01
2018 Totals	40,126.88	603.24	39,523.64	
15 10/17/2019	0.00	0.01-	0.01	0.00
2019 Totals	0.00	0.01-	0.01	
Grand Totals	280,888.16	18,077.16	262,811.00	

---

Schedule 7 - Solid Waste Truck Capital Lease

---

Last interest amount decreased by 0.01 due to rounding.

## Schedule 7 - VOIP LEASE

Compound Period ..... : Semiannual

Nominal Annual Rate .... : 1.550 %

## CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Lease	10/17/2011	120,242.40	1		
2 Lease Payment	04/17/2012	12,024.24	5	Semiannual	04/17/2014
3 Lease Payment	10/17/2014	12,024.24	5	Semiannual	10/17/2016
4 Lease Payment	04/17/2017	5,410.91	1		

## AMORTIZATION SCHEDULE - Normal Amortization

Date	Lease Payment	Interest	Principal	Balance
Lease 10/17/2011				120,242.40
2011 Totals	0.00	0.00	0.00	
1 04/17/2012	12,024.24	931.88	11,092.36	109,150.04
2 10/17/2012	12,024.24	845.91	11,178.33	97,971.71
2012 Totals	24,048.48	1,777.79	22,270.69	
3 04/17/2013	12,024.24	759.28	11,264.96	86,706.75
4 10/17/2013	12,024.24	671.98	11,352.26	75,354.49
2013 Totals	24,048.48	1,431.26	22,617.22	
5 04/17/2014	12,024.24	584.00	11,440.24	63,914.25
6 10/17/2014	12,024.24	495.34	11,528.90	52,385.35
2014 Totals	24,048.48	1,079.34	22,969.14	
7 04/17/2015	12,024.24	405.99	11,618.25	40,767.10
8 10/17/2015	12,024.24	315.95	11,708.29	29,058.81
2015 Totals	24,048.48	721.94	23,326.54	
9 04/17/2016	12,024.24	225.21	11,799.03	17,259.78
10 10/17/2016	12,024.24	133.76	11,890.48	5,369.30
2016 Totals	24,048.48	358.97	23,689.51	
11 04/17/2017	5,410.91	41.61	5,369.30	0.00
2017 Totals	5,410.91	41.61	5,369.30	
Grand Totals	125,653.31	5,410.91	120,242.40	

Schedule 7 - Capital Lease Streetsweeper

Compound Period ..... : Semiannual

Nominal Annual Rate .... : 1.740 %

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Lease	10/12/2011	213,300.37	1		
2 Lease Payment	04/12/2012	16,248.53	14	Semiannual	10/12/2018
3 Lease Payment	10/12/2019	0.00	1		

AMORTIZATION SCHEDULE - Normal Amortization

Date	Lease Payment	Interest	Principal	Balance
Lease 10/12/2011				213,300.37
2011 Totals	0.00	0.00	0.00	
1 04/12/2012	16,248.53	1,855.71	14,392.82	198,907.55
2 10/12/2012	16,248.53	1,730.50	14,518.03	184,389.52
2012 Totals	32,497.06	3,586.21	28,910.85	
3 04/12/2013	16,248.53	1,604.19	14,644.34	169,745.18
4 10/12/2013	16,248.53	1,476.78	14,771.75	154,973.43
2013 Totals	32,497.06	3,080.97	29,416.09	
5 04/12/2014	16,248.53	1,348.27	14,900.26	140,073.17
6 10/12/2014	16,248.53	1,218.64	15,029.89	125,043.28
2014 Totals	32,497.06	2,566.91	29,930.15	
7 04/12/2015	16,248.53	1,087.88	15,160.65	109,882.63
8 10/12/2015	16,248.53	955.98	15,292.55	94,590.08
2015 Totals	32,497.06	2,043.86	30,453.20	
9 04/12/2016	16,248.53	822.93	15,425.60	79,164.48
10 10/12/2016	16,248.53	688.73	15,559.80	63,604.68
2016 Totals	32,497.06	1,511.66	30,985.40	
11 04/12/2017	16,248.53	553.36	15,695.17	47,909.51
12 10/12/2017	16,248.53	416.81	15,831.72	32,077.79
2017 Totals	32,497.06	970.17	31,526.89	
13 04/12/2018	16,248.53	279.08	15,969.45	16,108.34
14 10/12/2018	16,248.53	140.14	16,108.39	0.05-
2018 Totals	32,497.06	419.22	32,077.84	
15 10/12/2019	0.00	0.05	0.05-	0.00
2019 Totals	0.00	0.05	0.05-	
Grand Totals	227,479.42	14,179.05	213,300.37	

---

Schedule 7 - Capital Lease Streetsweeper

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Last interest amount increased by 0.05 due to rounding.

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**TRANSMITTAL HEARING**

**AGENDA TAB NO. 6**

**SUBJECT TITLE: Ordinance 2011-08  
Comprehensive Plan EAR Based Text Amendment  
Housing Element Amendment**

---

**OBJECTIVE:**

To approve an amendment to the Housing Element of the City's Comprehensive Plan.

**SUMMARY:**

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

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

Also, the present wording in the Housing Element created a perception that the City's affordable housing strategy was limited to or showed preference towards mobile home units. The City has a number of policies within the Housing Element regarding affordable housing. These policies will not be affected by this proposed change.

**OPTIONS:**

1. That City Council moves to approve Ordinance 2011-08 for transmittal in its proposed phase to the State Land Planning Agency.
2. That City Council moves to deny Ordinance 2011-08.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

At its September 22<sup>nd</sup> meeting, the Board unanimously recommended approval of Ordinance 2011-08.

**STAFF RECOMMENDATION:**

That City Council moves to approve Ordinance 2011-08 for 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.

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**ORDINANCE 2011-08**

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE HOUSING ELEMENT OF THE TAVARES COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

**WHEREAS**, the City of Tavares Evaluation and Appraisal Report found that the City of Tavares has an abundance of aging mobile homes; and,

**WHEREAS**, these aging mobile homes do not meet current Florida Building Code or HUD standards especially with respect to energy efficiency and wind loading capabilities and they are therefore considered to be inappropriate as a sustainable form of affordable housing ; and,

**WHEREAS**, the Comprehensive Plan Objective being amended was intended at the time of its adoption to be implemented by the end of the year 2010; and,

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

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

1 **Section 1. Text Amendments**

2  
3 The City of Tavares, Comprehensive Plan, Chapter 3, Housing Element is amended as  
4 follows:

5  
6 ~~OBJECTIVE 3-1.3: Within the mobile home land use designation on the adopted~~  
7 ~~Future Land Use Map, the City shall assure adequate housing opportunity for anticipated~~  
8 ~~additional 37% of the total housing stock for new mobile home units through the year~~  
9 ~~2040. The City of Tavares shall assure the quality and sustainability of all housing types,~~  
10 ~~including mobile and manufactured homes, by requiring that all new housing is~~  
11 ~~constructed in accordance with all relevant and current federal and state regulations.~~

12  
13 Policy 3-1.3.1: ~~The City shall maintain the current acreage of 438 acres~~  
14 ~~within the mobile home land use designation on the Future Land~~  
15 ~~Use Map upon adoption of the Comprehensive Plan as residential~~  
16 ~~districts permitting mobile homes unless a land use amendment of~~  
17 ~~the acreage presents opportunity for a net increase of affordable~~  
18 ~~housing. The City shall adopt the most current Florida Building~~  
19 ~~Codes and shall enforce these standards for all new housing~~  
20 ~~construction.~~

21  
22 **Section 2. Severability and Conflicts**

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

28  
29 **Section 3. Transmittal**

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

1 **Section 4. Effective Date**

2 The effective date of this plan amendment, if the amendment is not timely challenged,  
3 shall be the date the state land planning agency posts a notice of intent determining that this  
4 amendment is in compliance. If timely challenged, or if the state land planning agency issues a  
5 notice of intent determining that this amendment is not in compliance, this amendment shall  
6 become effective on the date the state land planning agency or the Administration Commission  
7 enters a final order determining this adopted amendment to be in compliance. No development  
8 orders, development permits, or land uses dependent on this amendment may be issued or  
9 commence before it has become effective. If a final order of noncompliance is issued by the  
10 Administration Commission, this amendment may nevertheless be made effective by adoption  
11 of a resolution affirming its effective status, a copy of which resolution shall be sent to the state  
12 land planning agency.

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

15  
16 |  
17  
18 \_\_\_\_\_  
19 Robert Wolfe, Mayor  
20 Tavares City Council  
21 |

22  
23 First Reading and Transmittal: \_\_\_\_\_  
24

25 Passed Second Reading and Adoption: \_\_\_\_\_  
26

27  
28 ATTEST:  
29

30 |  
31 \_\_\_\_\_  
32 Nancy A. Barnett, City Clerk  
33

34  
35 Approved as to form:  
36

37  
38 \_\_\_\_\_  
39 Robert Q. Williams, City Attorney  
40  
41  
42

# Orlando Sentinel

Publication Date: 09/14/2011

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 • Glaucoma Specialist  
 • Lasers

**Jeffrey D. Baumann, MD**  
 • Cataract/Implant Specialist  
 • Lasers  
 • Cornea/Glaucoma

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**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 2011-08 titled as follows:

**ORDINANCE 2011-08**

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE HOUSING ELEMENT OF THE TAVARES COMPREHENSIVE PLAN, PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

Proposed Ordinance 2011-08 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 19, 2011 at 4:00 p.m. (Transmittal Hearing).

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

Proposed Ordinance 2011-08 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) 742-6405, 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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**Counseling & Development Center**

Patrick J. Ward, Ph.D.  
 M.Ed. School Psychology  
 Lic. Marriage & Family Therapist

Yvonne Kutz, Ph.D.  
 Lic. Psychologist

Robert Osborne, Ph.D.  
 Lic. Psychologist

Mark Bird, Ph.D.  
 Lic. Psychologist

Erika Woolf, Ph.D.

Richard Hutton, LMHC

Nile Smith, LCSW

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Sherry Bennett, LCSW

St. Leigh Smith, LSW  
 Lic. Child & Social Worker Intern

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  
13 **MOTION**

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  
18 **3) Comprehensive Plan Text Amendment 11-08 Housing Element Amendment**

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

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.

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

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**SECOND READING**

**AGENDA TAB NO. 7**

**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 the State's involvement in local growth management. The bill repealed most of the 1985 Growth Management Act and streamlined regulatory processes to help promote economic development. The new bill now mandates that concurrency is only required for sanitary sewer, solid waste, drainage, and potable water. Concurrency requirements 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 from their comprehensive plan. If they are removed, a comprehensive plan amendment is required. The comprehensive plan text amendment to remove these is not subject to state review since these are now optional.

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. The city has interlocal agreements with the School Board and the MPO related to school capacity and transportation levels. Staff recommends that we continue to cooperate with these entities on a local level by honoring these established agreements.

**OPTIONS:**

1. That City Council moves to approve Ordinance 2011-07 for adoption.
2. That City Council moves to deny Ordinance 2011-07.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

At its September 22<sup>nd</sup> meeting, the Board recommended unanimously that City Council approves Ordinance 2011-07.

**STAFF RECOMMENDATION:**

Staff recommends that City Council moves to approve Ordinance 2011-07 for adoption and transmittal to the state agencies.

**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, if the amendment is not timely  
33 challenged, shall be 31 days after the state land planning agency notifies the local  
34 government that the plan amendment package is complete. If timely challenged, this

1 amendment shall become effective on the date the state land planning agency or the  
2 Administration Commission enters a final order determining this adopted amendment to  
3 be in compliance. No development orders, development permits, or land uses  
4 dependent on this amendment may be issued or commence before it has become  
5 effective. If a final order of noncompliance is issued by the Administration Commission,  
6 this amendment may nevertheless be made effective by adoption of a resolution  
7 affirming its effective status, a copy of which resolution shall be sent to the state land  
8 planning agency.

9

10 **PASSED AND ADOPTED** this \_\_\_\_day of \_\_\_\_\_, 2011, by the City  
11 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 Concurrency 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 concurrency.~~
  - f. ~~Take part in the Joint Staff School Concurrency 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

**TABLE 7-2  
LEVEL OF SERVICE STANDARDS FOR CONCURRENCY FACILITIES  
CITY OF TAVARES**

Facility Type	Level of Service Standard												
<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 border="0"> <tr> <td>1. Principal Arterial .....</td> <td>LOS D</td> </tr> <tr> <td>2. Minor Arterial .....</td> <td>LOS D</td> </tr> <tr> <td>3. Collector .....</td> <td>LOS D</td> </tr> <tr> <td>4. Alfred Street (Old # 441) .....</td> <td>LOS D</td> </tr> <tr> <td>5. State Road # 19 .....</td> <td>LOS D</td> </tr> <tr> <td>6. U.S. 441 (SR 500) .....</td> <td>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)~~

~~c) 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.~~





## **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, rezonings, 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 late 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 determined 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.~~
- e. ~~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)

**MULTIPLIED BY**

Student Generation Rate (by type of DU and by School Type)

**EQUALS**

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

**MINUS**

The Number of new Students Stations needed to accommodate the proposed development

**EQUALS**

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.~~

THE ARTS IN LAKE

# Reception showcases artists, their works

By DEBBIE MANIS  
Staff Writer

Artisans on Fifth, an artists' cooperative gallery shop at 144 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-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 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 mosaics, sheila 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: artsonfifth.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 craftsperson 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 Schindler" also opens Saturday and runs through Nov. 30. Schindler, 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

### Watercolor Society

Central Florida Watercolor Society will meet at 1:30 p.m. Sunday in the Marvel Building at the Art & History Museums, Mallard, 241 W. Pickwood 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, 712B W. Montrose St., Clermont.

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

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: stinfithers@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. 6.

Original poems on the theme of Mother Nature will be presented by Hinda Jonathan, Warner Brown, Ryan Tilley, Mike Archer, Rocky Swartz and Elaine Person. Details: 352-508-5077 or angelgals@galery.com.

Orlando Sentinel, 2898 E. Burleigh Blvd., Titusville, FL 32778-4165, fax 352-742-5938 or dmuntis@tribune.com.

### SENIORS ON THE GO

## Navigate and possibly benefit from airline schedule changes

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 increasing 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 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 that 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 alternative, 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 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 email to Ed Perkins at eperkins@indnet.net.

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## 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 9.7 ACRES LOCATED ON THE WEST SIDE OF BANNING BEACH ROAD, NORTH OF EAST DELAWARE STREET AND SOUTH OF RESERVE DRIVE FROM RS-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., and
  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 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.

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.

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  
13 **MOTION**

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  
18 **3) Comprehensive Plan Text Amendment 11-08 Housing Element Amendment**

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

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.

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA TAB NO. 8**

**SECOND READING**

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

---

**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 attached dwellings is appropriate for this location, acting as a transition between the high density condominiums to the east and the single family detached

developments to the west. The 6.9 acres of wetlands further acts as a buffer between single family and multi-family dwelling styles.

**OPTIONS:**

1. That City Council moves to approve Ordinance 2011-09 for adoption.
2. That City Council moves to deny the proposed rezoning.

**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.

**STAFF RECOMMENDATION:**

Staff recommends that City Council moves to approve Ordinance 2011-09. This recommendation is made in view that the proposed rezoning conforms with the policies and objectives of the City's Comprehensive Plan and the Low Density Residential Future Land Use designation that is currently applied to these lands.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

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

ORDINANCE 2011-09

1  
2  
3 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING  
4 APPROXIMATELY 9.7 ACRES LOCATED ON THE WEST SIDE OF BANNING  
5 BEACH ROAD, NORTH OF EAST DELAWARE STREET AND SOUTH OF  
6 RESERVE DRIVE FROM RSF-1 (RESIDENTIAL SINGLE FAMILY) TO PD  
7 (PLANNED DEVELOPMENT); SUBJECT TO THE RULES, REGULATIONS AND  
8 OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING  
9 FOR AN EFFECTIVE DATE.

10  
11  
12 WHEREAS, the applicant is requesting to rezone the subject property from a City of  
13 Tavares designation of RSF-1 (Single Family Residential) to a City of Tavares designation of  
14 PD (Planned Development); and,

15  
16 WHEREAS, the City of Tavares held duly noticed public hearings before the Planning  
17 and Zoning Board, and City of Tavares City Council, providing opportunity for individuals to hear  
18 and to be heard regarding the proposed amendment; and,

19  
20 WHEREAS, the City Council has reviewed and considered all relevant evidence and  
21 information and testimony presented by witnesses, the public, and City staff; and,

22  
23 WHEREAS, the City Council finds this amendment in compliance with the City of  
24 Tavares Comprehensive Plan and Land Development Regulations; now therefore,

25  
26 BE IT ORDAINED by the City Council of the City of Tavares, Florida, as follows:

27  
28 **Section 1. Rezoning**

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

33  
34 **Section 2. Definitions**

35 Unless otherwise noted, the definitions of all terms shall be the same as the definitions  
36 set forth in the City of Tavares Land Development Regulations or the City of Tavares  
37 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

- 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.  
23  
24  
25

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.  
32  
33  
34

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 Robert Wolfe, Mayor  
23 Tavares City Council  
24

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

EXHIBIT A

1  
2  
3

LEGAL DESCRIPTION:

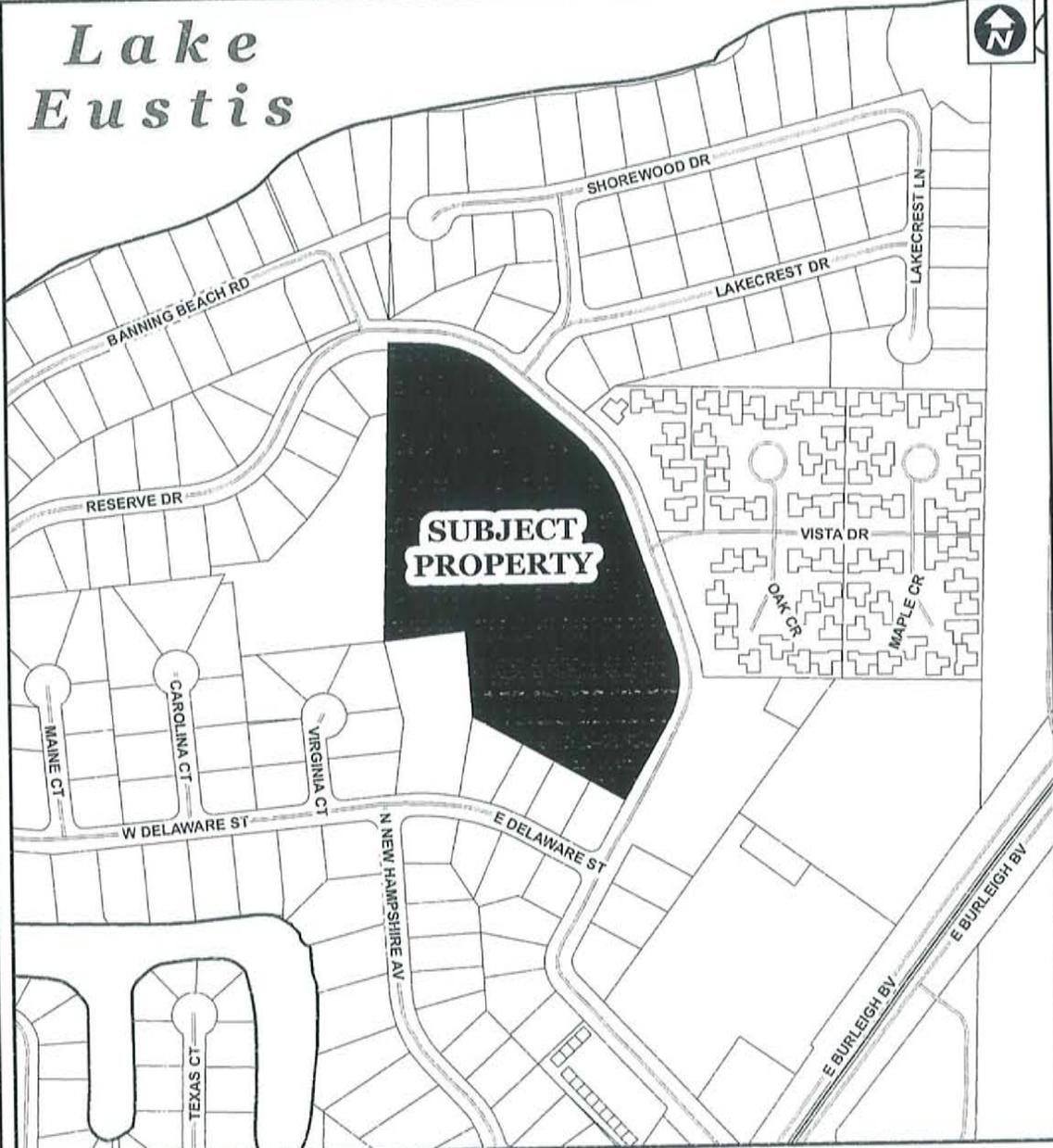
That certain piece or parcel of land lying in Section 20, Township 19 South, Range 26 East, Lake County, Florida, more particularly described as follows:

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



Created By: City of Tavares GIS

F:\PZDATA\PROJECT FILES\Vista Townhomes: Rezoning - PZ2010-02\GIS\GIS\_Maps\VISTA\_AD.mxd

Map Created on 3/1/2010

1  
2  
3  
4



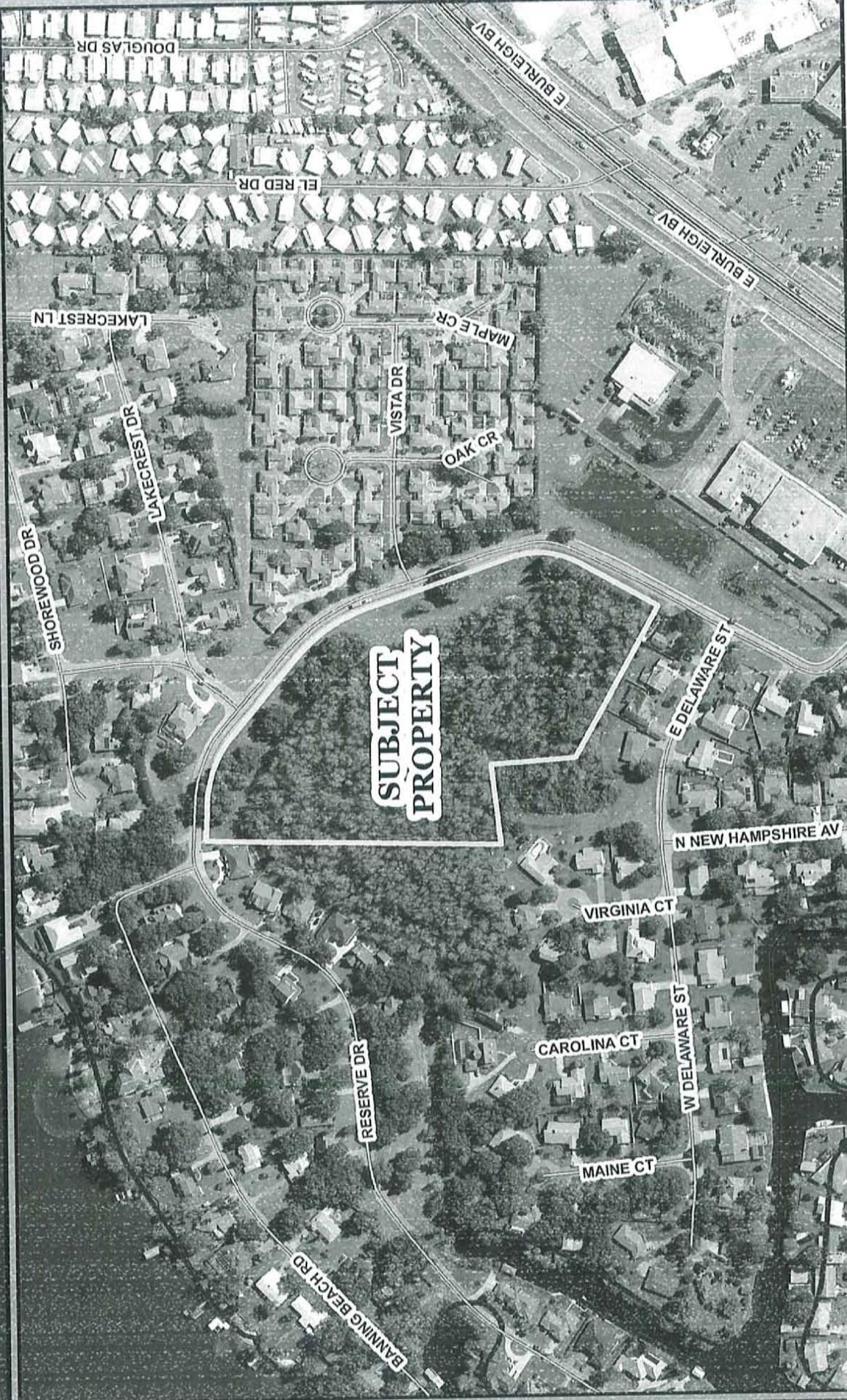
Exhibit "C"

1  
2



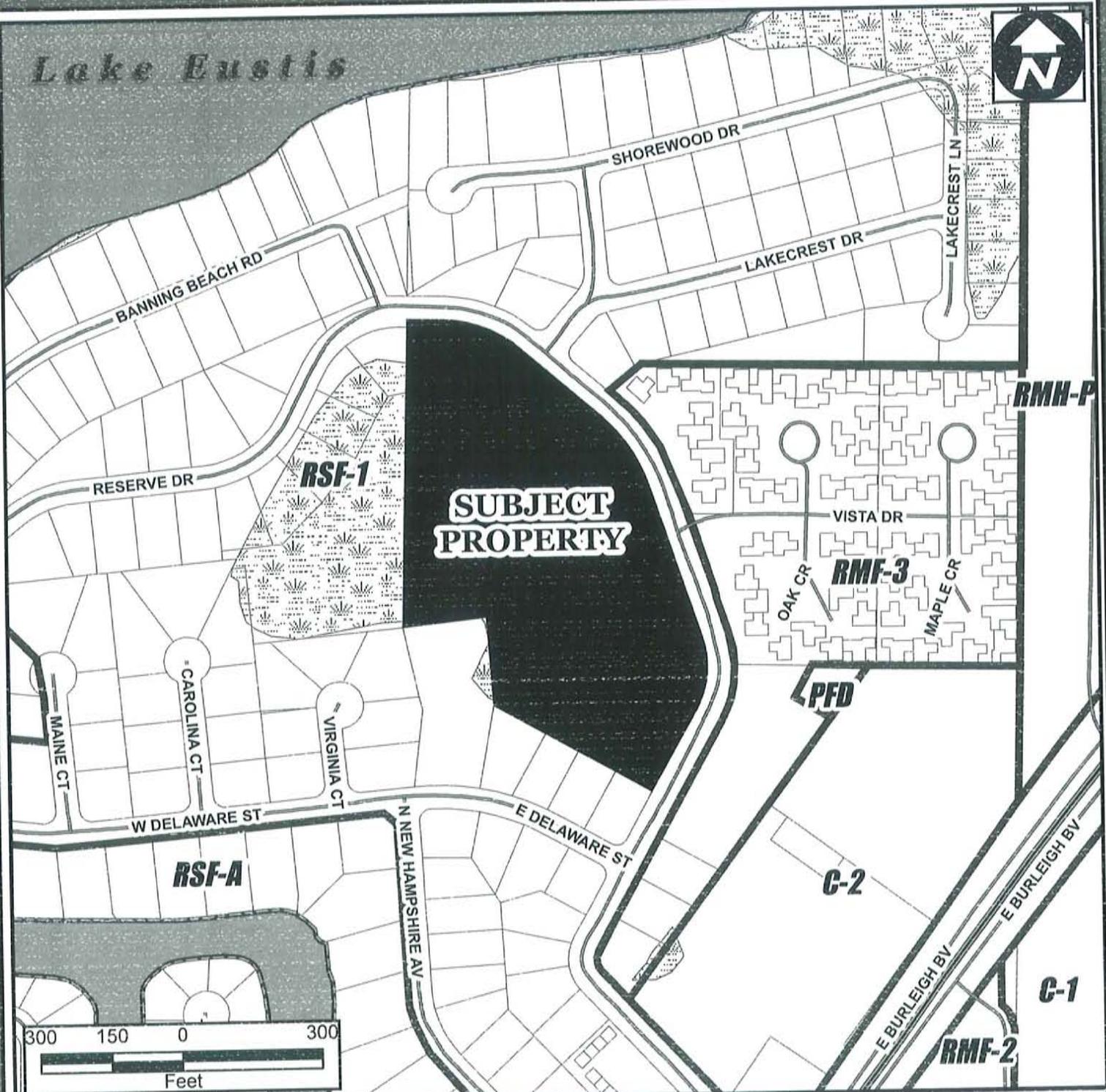
3

# CITY OF TAVARES - PROPERTY LOCATION MAP

# PROPERTY LOCATION MAP PIONEER REALTY SERVICE

# CITY OF TAVARES ORDINANCE # 2011-09



- 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)

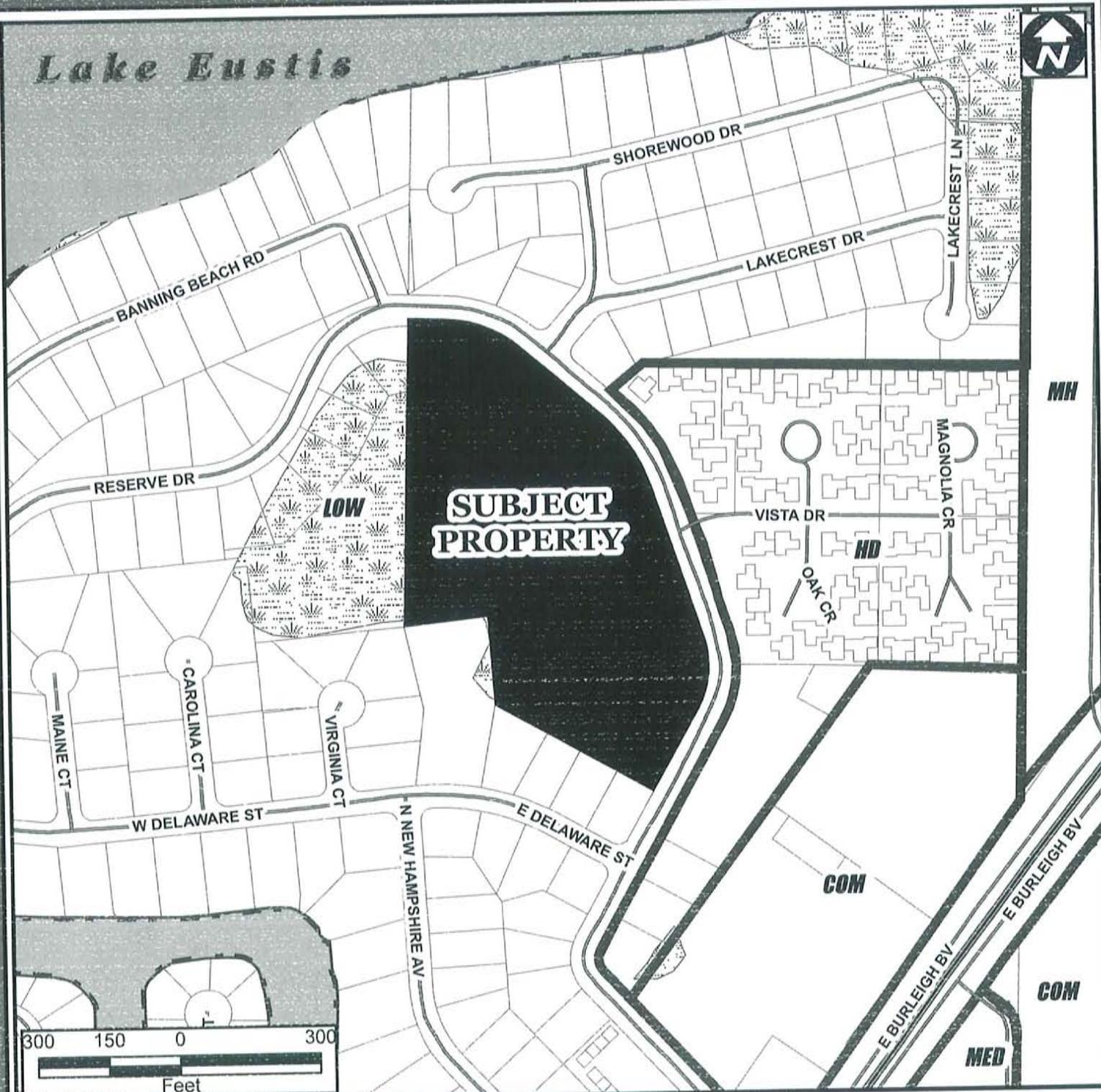
Current Zoning: RSF-1  
Proposed Zoning: PD  
09.7 ± Acres

**Legend**

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

# CITY OF TAVARES ORDINANCE # 2011-09

Lake Eustis



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

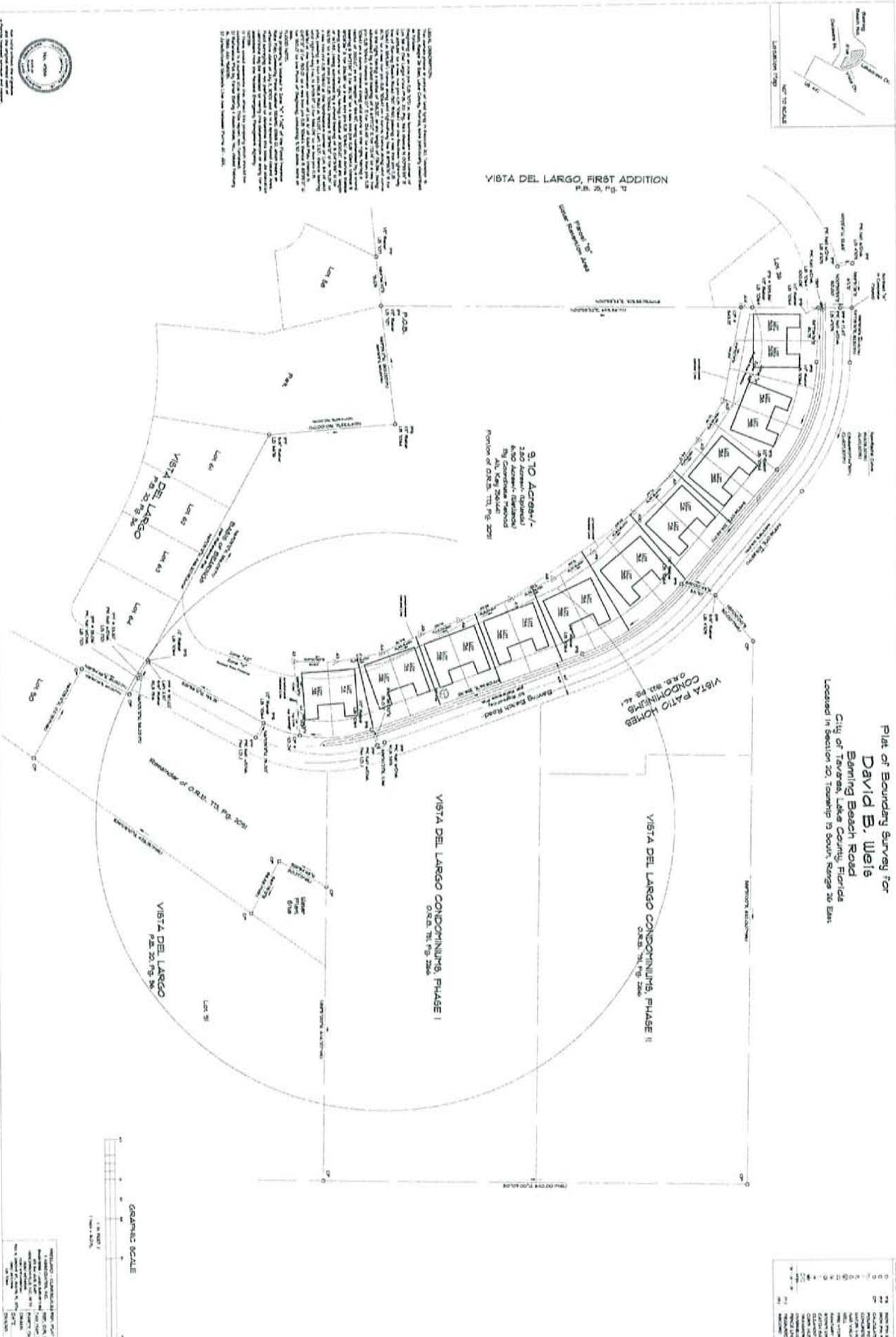
**Legend**

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



**VISTA DEL LARGO, FIRST ADDITION**  
P.B. 20, P. 11

**NOTICE TO CONTRACTORS**  
This plat is a preliminary plat of a subdivision of land. It is subject to the provisions of the Florida Subdivided Land Act, Chapter 320, Florida Statutes, and the rules and regulations of the Department of Community Affairs, Florida. The boundaries and areas shown on this plat are based on the best available information and are subject to change if more accurate information is obtained. The owner of the land shown on this plat warrants that the information provided is true and correct to the best of his knowledge and belief. The owner of the land shown on this plat warrants that the information provided is true and correct to the best of his knowledge and belief. The owner of the land shown on this plat warrants that the information provided is true and correct to the best of his knowledge and belief.



Plat of Boundary Survey for  
**David B. Weis**  
Earning Beach Road  
City of Tavernier, Lake County, Florida  
Located in Section 20, Township 13 South, Range 26 East.

**LEGEND**

1	Proposed Building Footprint
2	Proposed Driveway
3	Proposed Parking Space
4	Proposed Walkway
5	Proposed Fencing
6	Proposed Utility Lines
7	Proposed Easement
8	Proposed Right-of-Way
9	Proposed Boundary
10	Proposed Survey



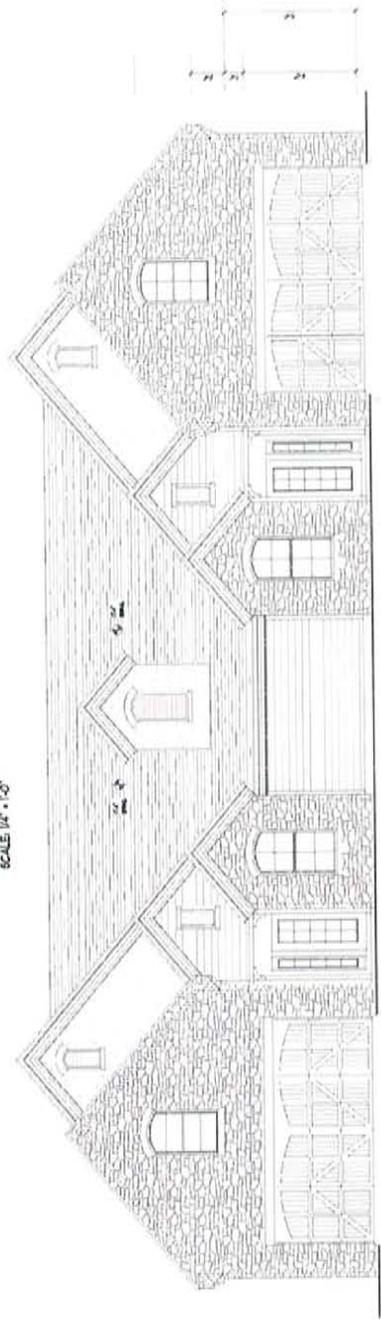
**RECORDING INFORMATION**  
This plat was recorded on the 15th day of August, 2011, at 10:30 AM, in Public Book 20, Page 11, of the Public Records of Lake County, Florida.

PROJECT NO. 1717-09  
DATE 1/17/09  
DRAWN BY T. BELL  
CHECKED BY J. GARDNER

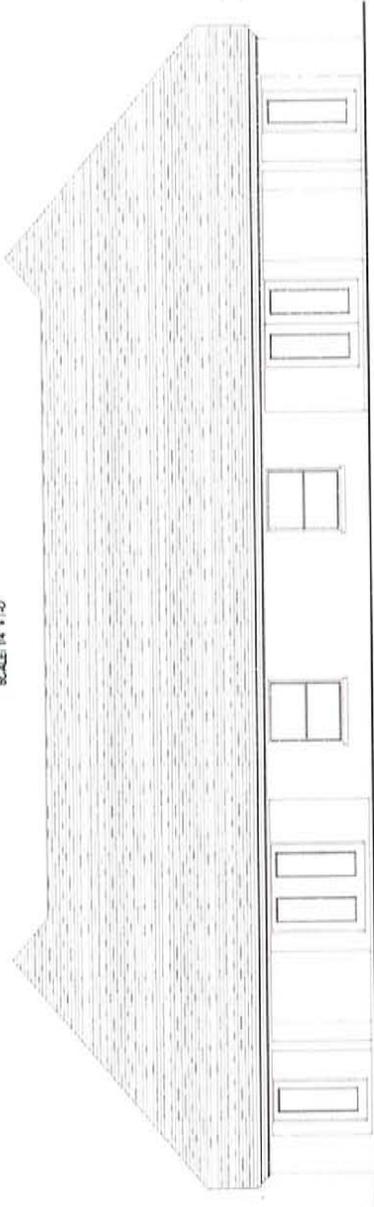
**Design Group**  
 INCORPORATED  
 1470 LAKE WEAVER BL.  
 LUSTON, FLORIDA 32750  
 PHONE (352) 463-1233  
 FAX (352) 463-0099

PROPOSED NEW TOWNHOME HOME  
**PIONEER REALTY SERVICES, INC.**  
 P.O. BOX 871 TAYLOR, FLORIDA (352) 999-2170

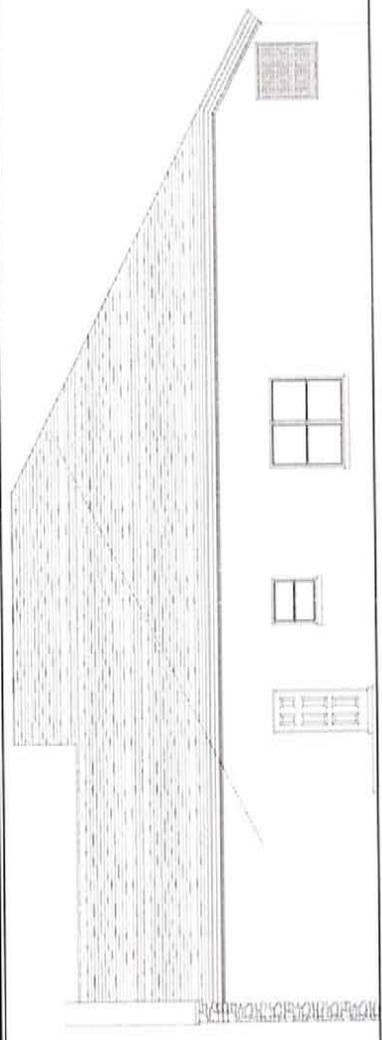
**GRES ENGINEERING, INC.**  
 215 BALBOA CIRCLE  
 SEVENHILLS, FL 32666  
 C.V. ENGINEERING  
 FLOREAN MULLIGAN # 33370 FAX (352) 238-2917



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



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



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

THE ARTS IN LAKE

# Reception showcases artists, their works

By DEBBIE MARIS  
Staff Writer

Artians on Fifth, an artists' cooperative gallery shop at 144 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 "Art Bra" — 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 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 bra" 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, shell, 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: [artiansonfifth.com](http://artiansonfifth.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 Schindellette" also opens Saturday and runs through Nov. 20. Schindellette, 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](http://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. 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](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, 732B W. Montrose St., Clermont.

Two adults and two teens are needed for each performance. Volunteers also are assigned to work concessions, raffia, 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. 28. 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. 6.

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

Orlando Sentinel, 3938 E. Burleigh Blvd., Tavares, FL 32778-4366, fax 352-742-5938 or [dmaris@orl.com](mailto:dmaris@orl.com).

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# Orlando Sentinel

Publication Date: 09/26/2011

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### SENIORS ON THE GO

## Navigate and possibly benefit from airline schedule changes

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, inoperable layers, 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 nonrefundable ticket.

A airline 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 assignments you originally had. Although your ticket entitles you to a specific 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, for the reasons mentioned or others, 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 compare 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 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 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 email to [Ed.Perkins@tribune.com](mailto:Ed.Perkins@tribune.com)

## 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 9.7 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 OF ORDINANCE 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 this 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.



## 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 this 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.

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  
6 **OTHER BUSINESS**

7  
8 None.

9  
10 **ADJOURNMENT**

11  
12 **Mr. Tanner moved for adjournment, seconded by Mr. Santoro. The motion carried**  
13 **unanimously, 5-0.**

14  
15 The meeting adjourned at 5:11 p.m.

16  
17 Respectfully submitted,

18  
19  
20  
21 \_\_\_\_\_  
22 Alisha Maraviglia, AICP  
Senior Planner

Hello Fellow Neighbors,

First of all I would like to introduce myself. My name is David Weis and I am the developer and builder of many of the homes in the general Banning Beach Road area. Not only am I the developer/builder, I am also a homeowner in the community. The purpose of this letter is to seek your understanding and support of the development of an additional 3-5 more custom homes, then what existing zoning allows, on the vacant property that now fronts on Banning Beach Road across from Vista Condo's, which also has the wetlands on the back side of my proposed development. The reason for rezoning is that most of the buyers (retired couples) in today's market want smaller custom homes, energy efficient and good design with the outside all being taken care of by a HOA. They also want smaller lots with less water usage, maintenance and chemicals. But, before addressing this issue, I would ask that each of you take a look at the two condo projects and the various homes I've built on Reserve Drive and Banning Beach Road. I trust you would understand that it is my desire to build homes of equal or greater quality and curb appeal which would be even a greater asset to our community. So, let me share with you some of the facts and options as I presently see them, and attempt to clear up any rumors concerning the custom homes which I desire to build.

As you probably already know, this is the last vacant property in the area. And as such, there are really only two development options available to me. I would ask that you look with me at these options and then ask any questions you might have of me. The options are as follows:

**First option:** Rezoning as a Planned Development as currently is being presented, which would have attached single family custom homes that architecturally would look alike; along with paver stone driveways, sidewalks and trash can pads; plus oak trees and landscaped lined roadway. The homes will have deed restrictions and a home owners association to maintain the landscaping and building exteriors, etc.

**Second option:** As the owner of the property, I could sell the property, either in whole, or in platted lots as presently zoned. This option does not require any restrictions other than existing zoning regulations, which do not have any Exterior design requirements. Obviously, there are several pitfalls to doing this. Large lots equal larger houses and larger families with more cars with no real control. They would have no landscaping or maintenance requirements plus no architectural control; as to design and exterior finishes. Even as a homeowner myself, I do not desire to go this route and lose control of what goes into our neighborhood.

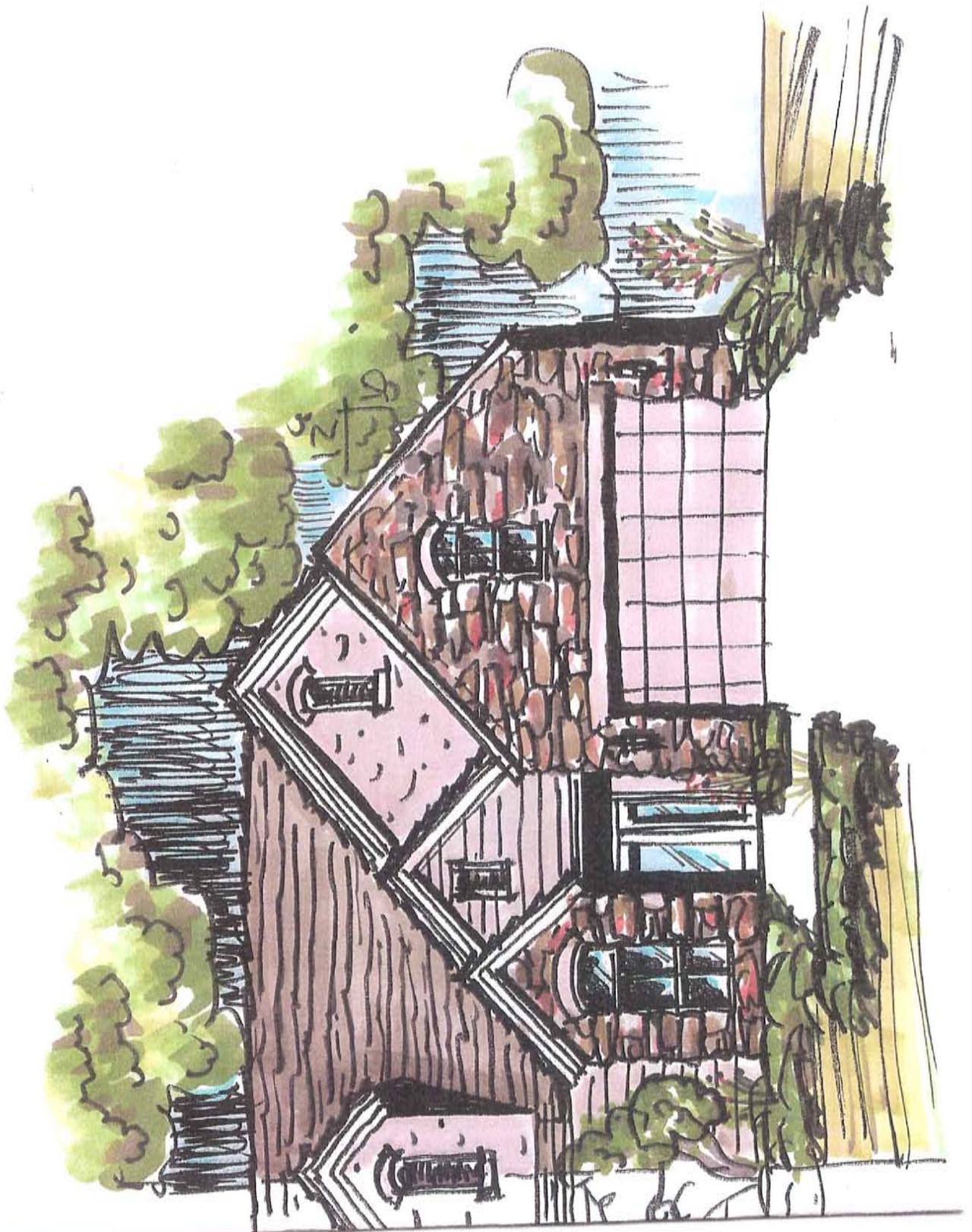
Currently you have an opportunity to express support for a wonderful architecturally designed village look, built by a neighbor who has a proven track record in this neighborhood and who really cares. OR, not support this Planned Development and not know what kind of homes will be built.

I would ask that you study these two options and make a choice based on the facts, not upon rumors. Please try to attend the October 19<sup>th</sup> @ 4 pm, City Council Meeting and express your choice.

Have questions? Please call David Weis at 343-1923 or 989-2170 with any questions, and I will be happy to answer and/or meet any person or group.

PLEASE LET ME EMPHASIZE. Stand up and be heard for what you think is the best option for our neighborhood. We only have this one meeting to decide the future of this property.

**Thank you** for taking a serious interest in your community..



## CALLING ALL NEIGHBORS

It is that time again – Mr. Weiss wants to build duplexes across the street again– except this time he is calling it a “Planned Development.” Planning and Zoning denied his request, but the Council can still approve it.

Please call or email the City Council members and voice your opinion. We won last year (4 No’s, 1 Yes), so let us win again.

Robert Wolfe 267-1164 [robwolfetavares@yahoo.com](mailto:robwolfetavares@yahoo.com)

Lori Pfister 408-8787 [lpfister@tavares.org](mailto:lpfister@tavares.org)

Bob Grenier 343-9326 [bobg58@comcast.net](mailto:bobg58@comcast.net)

Sandy Gamble 343-3921 [sgamble@tavares.org](mailto:sgamble@tavares.org)

Kirby Smith 434-4419 [ksmith@tavares.org](mailto:ksmith@tavares.org)

The City Council meeting is scheduled for Wednesday, October 19<sup>th</sup> at 4pm at City Hall (the water department). If you cannot make it, send someone in your place. You will be allowed to speak at this meeting.

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA TAB NO. 9**

**SUBJECT TITLE: Board Appointment to the Planning & Zoning Board**

**OBJECTIVE:**

To have the Mayor designate the appointment for the Planning & Zoning Board due to a seat vacancy.

**SUMMARY:**

A vacancy was created effective October 3, 2011 on the Planning & Zoning Board due to the resignation of Jimmy Horner. The vacancy was advertised in the Daily Commercial and on the City of Tavares web site. Two applications have been received from the following:

- Norbert Thomas
- Richard Vilissov

**OPTIONS:**

The Mayor will recommend an appointment to the Planning & Zoning Board.

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

N/A



Application for a Board/Committee Appointment
City of Tavares

Please Print: TAVARES NORBERT F
Last Name First Middle Initial

Telephone: ( ) 3432 653 Email: NORBERT@TAVARES.NET

Cell Phone: ( ) 253 5990 Fax:

Present Address 1601 N. New Hampshire Ave

Which Board/Committee Appointment are you seeking; (Please mark with a check.)

- Bicycle Pedestrian Committee of the Metropolitan Planning Organization
Citizens Advisory Committee of the Metropolitan Planning Organization
Community Redevelopment Area Advisory Committee
Fire Pension Board
Lake County Cultural Affairs Council - Tavares Representative
Library Advisory Board
[X] Planning and Zoning Board\*
Police Pension Board

\*Planning and Zoning Board Applicants Only - please also complete the Planning & Zoning Board Applicant Questionnaire Attachment and attach to the application.

Name(s) and Relationship of Relatives Working for the City: None

Have You Ever Been Convicted of or Pled Guilty or No Contest to any Felony Offense? Yes \_\_\_ No

Education and Training: (Circle Last Level of Education Completed)

Elementary & High School

College or University

Graduate School

1 2 3 4 5 6 7 8 9 10 11 12

1 2 3 4

1  2 3 4

Are You Employed at Present? (Please Circle)

YES

NO

Name of Last or Present Employer: STATE of FLORIDA Beverage Agent

Address:

Number and Address

City

State

Zip

Date Hired: 1/2000

Position: SPECIAL AGENT

Brief Description of Responsibilities: ENFORCE & INSPECT Beverage Laws  
FOR STATE of FLORIDA

Have You Served on a City of Tavares Board or Committee? Yes

If You Answered Yes:

When? 2000-2005 Where? CITY COUNCIL

Professional or Civic Memberships:

- 1) FL. Police Chief Ass.
- 2) PUBLIC SAFETY BOARD Lake Co.
- 3) PUBLIC SAFETY Horizon Team
- 4) \_\_\_\_\_

Please Answer the Following (Use Back of Page if Additional Space is Needed)

- 1) Why would you be a good candidate for this appointment? What experience, knowledge, or special skills do you have that would be helpful to this board?

I Have Follow The Planning process for the City since 1993  
and Served on the Council several times

- 2) What do you think should be the purpose of this board?

Review Requests for development and Unanimous for City Residents

References: Give Below. the Names of Three Persons Not Related to You. Whom You Have Known at Least One Year.

- 1) Bob Gershnik Touaros 15  
Name Address Business Years Known
- 2) Sue Purdy Touaros 18  
Name Address Business Years Known
- 3) Low Foster Gumbelin 18  
Name Address Business Years Known

Next of Kin: Debbie Thomas 1601 N. New Hampshire Wife  
Name Address Relationship

In Case of Emergency, Please Notify:  
Debbie Thomas Same as above 978 611  
Name Address Telephone No.

I AUTHORIZE INVESTIGATION OF ALL STATEMENTS CONTAINED IN THIS APPLICATION. I UNDERSTAND THAT MISREPRESENTATION OR OMISSION OF FACTS CALLED FOR IS CAUSE FOR VOIDING THIS APPLICATION.

Applicants Signature [Signature] Date 10/7/11

**This form is for completion by applicants, and is used to collect information for reporting purposes only.**

In keeping with Florida Statutes Chapter 760.80(4) and to help us comply with reporting and legal requirements regarding minority representation on boards, commissions, councils and committees, please answer the questions below.

NoraBERT F Thomas 10/2/11  
Name Date of Application

Please select one of the following:

An African American: that is a person having origins in any of the racial groups of the African Diaspora.

A Hispanic American; that is, a person of Spanish or Portuguese culture with origins in Spain, Portugal, Mexico, South America, Central America, or the Caribbean, regardless of race.

An Asian American; that is, a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands, including the Hawaiian Islands prior to 1778.

A Native American, that is, a person who has origins in any of the Indian Tribes of North America prior to 1835.

An American woman.

An American man.

None of the above.

Do you qualify as physically disabled? Yes:  No:

**Planning and Zoning Board  
Applicant Questionnaire Attachment**

- 1) How do you balance property development rights with government development regulations?

The owners of property should be allowed to develop their land within the established guidelines of the community.

- 2) What is your overall philosophy on growth in the City and in Lake County?

Growth will not stop, but it must be guided to preserve the quality of life for all new and old residents. So we can continue to enjoy Lake County.



Application for a Board/Committee Appointment
City of Tavares

Please Print Vilissov Richard
Last Name First Middle Initial

Telephone 954 801-0092 Email RVILISSOV@YAHOO.COM

Cell Phone ( ) Fax

Present Address 2239 CYPRESS COURT TAVARES FL 32078

Which Board Committee Appointment are you seeking. (Please mark with a check )

- Bicycle Pedestrian Committee of the Metropolitan Planning Organization
Citizens Advisory Committee of the Metropolitan Planning Organization
Community Redevelopment Area Advisory Committee
Fire Pension Board
Lake County Cultural Affairs Council - Tavares Representative
Library Advisory Board
[X] Planning and Zoning Board\*
Police Pension Board

\*Planning and Zoning Board Applicants Only - please also complete the Planning & Zoning Board Applicant Questionnaire Attachment and attach to the application.

Name(s) and Relationship of Relatives Working for the City STARTS 10-10-2011
HELEN VILISSOV (WIFE) FIRE DEPT.

Have You Ever Been Convicted of or Pled Guilty or No Contest to any Felony Offense? Yes No

Education and Training (Circle Last Level of Education Completed)

Elementary & High School

College or University

Graduate School

1 2 3 4 5 6 7 8 9 10 11 12

1 2 3 4

1 2 3 4

Are You Employed at Present? (Please Circle)

YES

NO PRESENT BUSINESS OWNER

Name of Last or Present Employer

AMERICAN EXPRESS

Address

Number and Address

VARI STREET

NEW YORK CITY NY 10001

City

State

Zip

Date Hired

1988

Position

DIRECTOR OF TECHNOLOGY

Brief Description of Responsibilities

MANAGED INTERACTIVE BUSINESS MANAGER AND ENGINEERS IN DESIGN, DEVELOPMENT, REENGINEERING AND DEPLOYMENT OF ENTERPRISE INTERACTIVE CAPABILITIES.

Have You Served on a City of Tavares Board or Committee?

NO

If You Answered Yes:

When?

-

Where?

-

Professional or Civic Memberships

1) CITY OAKLAND PARK SIGNAGE COMMITTEE

3) CITY OAKLAND PARK CODE REVIEW BOARD

Please Answer the Following (Use Back of Page if Additional Space is Needed)

1) Why would you be a good candidate for this appointment? What experience, knowledge, or special skills do you have that would be helpful to this board?

MANAGEMENT SKILLS IN MANAGING OUR 350 PEOPLE WORKED WITH CITY'S CODE ADVISORY BOARD DIRECTOR OF OAKLAND PARK MAIN STREET.

2) What do you think should be the purpose of this board?

GUIDE CITIZENS, DEVELOPERS AND BUILDERS IN THE PROCESS OF DEVELOPMENT APPROVALS, REZONING, CONDITIONAL USES

AND VARIANCES, WITH THE CITY'S LAND DEVELOPMENT,  
CODE, REGULATIONS AND COMPREHENSIVE PLANS.

References: Give Below, the Names of Three Persons Not Related to You, Whom You Have Known at Least One Year

- 1) VINCE CANDELOBA 1738 Old Hills Road Franklin TN  
Name Address Business Years Known 35 YRS
- 2) ANDREW NUTT 2220 Cypress Cove TAYLORS 1 YR  
Name Address Business Years Known
- 3) Bill Neron 201 E MAIN St. TAYLORS 1 YR  
Name Address Business Years Known

Next of Kin HELEN VILISSOU 2239 CYPRESS A. TAYLORS w/c  
Name Address Relationship

In Case of Emergency, Please Notify

SAME AS ABOVE 954-559-8600  
Name Address Telephone No

I AUTHORIZE INVESTIGATION OF ALL STATEMENTS CONTAINED IN THIS APPLICATION. I UNDERSTAND THAT MISREPRESENTATION OR OMISSION OF FACTS CALLED FOR IS CAUSE FOR VOIDING THIS APPLICATION.

Applicants Signature [Signature] Date 10-11-2011

**This form is for completion by applicants, and is used to collect information for reporting purposes only.**

In keeping with Florida Statutes Chapter 760 80(4) and to help us comply with reporting and legal requirements regarding minority representation on boards, commissions, councils and committees, please answer the questions below

Richard Vilissov 10-11-2011  
Name Date of Application

Please select one of the following:

- An African American, that is a person having origins in any of the racial groups of the African Diaspora
- A Hispanic American: that is, a person of Spanish or Portuguese culture with origins in Spain, Portugal, Mexico, South America, Central America, or the Caribbean, regardless of race
- An Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands, including the Hawaiian Islands prior to 1778.
- A Native American, that is, a person who has origins in any of the Indian Tribes of North America prior to 1835
- An American woman.
- An American man.
- None of the above.

Do you qualify as physically disabled? Yes:  No:

*Planning and Zoning Board  
Applicant Questionnaire Attachment*

1) How do you balance property development rights with government development regulations?

The balance between property development rights and government development regulations are governed according to the city's overall vision and goals along with city's ordinances that are in place for the overall projects.

2) What is your overall philosophy on growth in the city and in Lake County?

Two years ago my wife and myself visited Tavares on weekends to get away from Broward county. The visits became more frequent to the point where we purchased a condo. Our love for the City was apparent when we decided to relocate to Tavares. While struggling with the development of Oakland Park, Florida through the Main Street Organization, I noticed the great development of Tavares. The visions that have been brought forth through Mr. Bill Neron and City Officials is visible. The growth for the City continues with airplanes, trains and barbeque, which also are three of my favorites things. I would love to be part of the future growth for the City of Tavares and its businesses and believe with my expertise in already serving on various boards from Oakland Park can be an asset.

## RICHARD VILISSOV

2239 Cypress Ct  
Tavares FL 32778

E-mail: rvilissov@yahoo.com

Office: 954-491-9441  
Cell: 954-801-0092

### GRAPHIC BANNER LLP

2002 – present

*(Leading global provider graphic services digital printing and Fleet Graphics)*

Business Owner

Started a sign company in 2002. Implemented a customer satisfaction aggressive marketing programs and implemented latest technology in the digital printing of banners, signs, t-shirts and other items that are sublimated, as well as fleet graphic and vehicle wraps. Developed the business into a 1.3 million dollar business.

### AMERICAN EXPRESS COMPANY

1988 – 2002

*(Leading global provider of travel, financial services, credit and charge cards)*

**Director Interactive Enterprise Development/Interactive Business Leader** 1999 – 2002

Managed Interactive Business Managers and Engineers in design, development, reengineering and deployment of enterprise interactive capabilities. Provided customers with ability to service themselves and communicate by web channels. Managed project life cycles by METHOD/1 and MS Project Manager.

- Created High Level Business Plan, Cost Benefit Analysis and scorecards on projects
- Ensured security and compliance with legal and policy required by the organization
- Met or exceeded budget guidelines for each project development and rollout
- Managed closely internal and external vendors, trainers and operational groups
- Built internal partnerships and external networks in industry to keep pace with best practices
- Provided leadership in establishing linkages with various technology organizations, vendors and business managers on Interactive project development
- Led projects through Electronic Commerce Review Board and all Joint Architectural Designs
- Provided resolution or escalations on any obstacles that slowed down or jeopardized projects

#### Projects:

- **Real Time Customer Care**  
Created web based channels of communications with customers. Text chatting, co-browsing and voice over IP was used to communicate with six million worldwide customers, continues increase at 12% annually
- **Fraud Prevention/Audit Tracking System**  
Reduced fraud in specific geographical locations. The system provides audit trail of web transactions and pinpoints location of high fraud activities. With this system, Amex is able to reduce overall fraud by 14%.
- **Secure Credit E-mails**  
Replaced outbound and inbound calls with secure e-mails. Cost reduced on phone contact from \$9.51 to \$3.00 and replacement of letters from \$4.00 to \$0.01. A total of 14 million credit e-mails were sent in 2002 at savings of \$9.5M.
- **Global New Accounts**  
Web based GUI front-end application to support mainframe system. The application reduced training from six to two weeks. Reengineering operation process produced annual savings of \$3M and rolled out to 600 users.
- **Single Sign-On**  
After evaluating and choosing a security package for Amex Internet and Intranet, I lead a team of engineers from Amex and NETEGRITY in modifying the security package to accommodate Risk Management and Information Integrate in securing the sites while giving single sign on and password resets capability to Amex customers and employees worldwide.
- Led group of various technology teams in creating test kitchen to create proof of concept in using WebSphere on IBM OS/390 Platform.

AMERICAN EXPRESS COMPANY Continued

1996 - 1998

**Project Manager US Risk Management MIS**

With \$9M yearly maintenance and development budget led experienced and dynamic technology team (38 Programmer Analysts and various consultants) responsible for definition, analysis, design, implementation and production support of processes and strategies for Risk Management business partners. Supplied key information to formulate credit analyses, marketing strategies, service strategies and creating Risk Management related information infrastructure. Provided direct reports with clear expectations, timely and accurate feedback, during life cycle of projects.

**Integration Manager for Latin America/Caribbean**

1994 - 1996

Coordinated migration and integration of data centers from Argentina, Brazil and Mexico to data center in Phoenix, AZ. Migration phase was required to ensure all equipment and software at Phoenix Center was compatible with data centers in Latin America and Telecommunications was set up to handle traffic flow between data centers. Integration phase was to integrate all core and local systems into Phoenix Center environment of 18 major systems, 1,500 online modules and 4,000 batch modules.

**Project Manager for Latin America/Caribbean**

1988 - 1994

Managed staff and consultants (25 Program Analysts) in analyses, design, development, deployment and maintenance of core systems through Latin America's regions. The batch and online modules were developed in COBOL, CICS, IMS and DB2. The systems were designed to handle attachment of local modules for each of four markets: Brazil, Argentina, Mexico and Venezuela. Each project had yearly budget and plan for new release development.

**Projects:**

- Latin America Service Establishment Remittance System  
Online and batch system for remittance capture and payments in four LA/C regions
- AEIMIS Marketing Repository System  
Collected data throughout LA/C regions, evaluated success of new products
- SerAmigo System  
Windows based front-end system to interface with mainframe applications for customer service departments
- International Voice Response System  
Handled customer service functions through phone menu with updates to systems
- Latin America Service Establishment Derogatory System  
Online and batch system to capture fraud activities within LA/C merchants
- Created Latin America and Caribbean Division's Capacity Planning Report  
Report represented current and future business and data processing indicators and activities in each of four regions

POLMAR BRASIL GEMS, Rio de Janeiro, Brazil

1983 - 1988

*Precious Gem exporting company*

**Independent Consultant**

- Designed, implemented and trained CICS/VSAM gem import distribution facility

ON-LINE SOFTWARE INTERNATIONAL, Fort Lee, NJ

1979 - 1983

*Product development and Consulting for On-Line environments*

**Product Manager and Systems Consultant**

- Developed CICS Standards and Guidelines and marketed this service
- Developed InterTest CICS debugging tool

Courses Attended: Leadership I and II

Securing Web environments  
Risk Management evaluations  
Marketing Techniques

Daily Commercial  
Thursday, October 6, 2011 Edition  
Display Ad – Board Vacancy

## **CITY OF TAVARES BOARD VACANCY**

The City of Tavares is presently accepting applications for a vacancy on the Planning & Zoning Board. The position is voluntary and appointed by the Mayor of the City of Tavares. An application may be obtained by calling (352) 253-4546, between the hours of 8 a.m. and 5 pm Monday through Friday or by downloading the application from the city's web site at [www.cityoftavares.com](#). For additional information please call Nancy Barnett, City Clerk, at 352-253-4546.

215423-October 6, 2011

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA TAB NUMBER: 10**

**SUBJECT TITLE: WOOTON PARK EXPANSION REFERENDUM DATE**

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**OBJECTIVE:**

To approve a referendum date for the Wooton Park Expansion land acquisition.

**SUMMARY:**

At its meeting held September 7, 2011, City Council approved holding a bond referendum. City voters would be asked to consider the purchase of an estimated 3.61 acres of property adjacent to Wooton Park, and site improvements, at an estimated cost of \$3,301,652. The improvements would include the construction of an additional boat ramp, parking, restroom, wildlife observation gazebo and to complete the TAV-LEE Trail connection between the park and Sinclair Avenue, leaving approximately 2 acres of open space.

A staff team consisting of the City Administrator, City Attorney, City Clerk, Public Communications Director and Economic Development Director met to review the question and to discuss when the referendum should be scheduled.

The goals of the staff group were to select a date when the seasonal residents would still be in the area, when the appropriate focus could be centered on this issue and to also allow for sufficient time for public education and discussion.

This being an odd numbered year there are no statewide general elections in November and the City will not be holding a City Council election in November since the incumbents were re-elected without opposition.

While there will be a Republican Presidential Preferential primary held on January 31, 2011, 54% of registered City electors are either Democrat or Independent and would not be eligible to participate in a Republican Primary and would be less likely to vote if the City's issue was made part of this election. Additionally, it is believed this important City issue would be lost in all the electioneering and media attention devoted to the Presidential Primary.

That being the case it is being recommended that the City Council set the Wooton Park Expansion Referendum for Tuesday, March 6, 2012. This date will allow the seasonal residents and voters of all affiliations ready access to participate in the referendum and allow a sufficient time for public education after the January Republican Presidential Preferential Primary.

**OPTIONS:**

1. That the City Council approves to set the Wooton Park Expansion referendum date for March 6, 2012 and direct the City Attorney to prepare for Council consideration the appropriate Resolutions to schedule the referendum.

2. That the City Council set another date for the referendum.

FISCAL IMPACT:

The fiscal impact will be the costs to hold the special election and to provide funds for a public education program.

LEGAL SUFFICIENCY:

All options are legally sufficient.

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA ITEM NO. 11**

**SUBJECT TITLE: Request to approve staff to negotiate an agreement for providing Water and Wastewater to Three Lakes Park at Bulk Premium Rate**

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**OBJECTIVE:** To approve staff to negotiate an agreement for providing Water and Wastewater to Three Lakes Park at a Bulk Premium Rate.

**SUMMARY:**

Previously City Council received a petition from some Three Lakes Park (TLP) residents to annex into the City because of a concern with their quality of their drinking water and a concern that the old septic systems could be leaching in to the lakes. In fact this community is under an Administrative Order from FDEP because their water system does not meet regulatory compliance.

Staff surveyed all property owners to determine if annexation was desired and the survey was inconclusive due to lack of responses.

Subsequently some of three Lakes Park residents approached the City with a new proposal which is to provide water and sewer service to the property line with a bulk water meter and bulk sewer meter. The community would then construct the distribution and collection lines throughout the community as a private system to be maintained and operated by the community. The City would sell bulk water and bulk sewer service. The Community would re-sell it to those home owners who want the service. This is similar to a master metered Mobil Home Park except that the property would not be annexed into the city so it has the attributes of a pioneering agreement to. The city has master meter agreements and has pioneering agreements. The city does not have bulk water/sewer agreements.

This begs the question, "Why doesn't the community just annex in"? The answers provided by the community are that 1) the cost to bring the roads up to city standards are cost prohibitive 2) some people have drilled new wells or built new septic systems and therefore are not interested in water/sewer or annexing in.

Should the City desire to provide Bulk Water and Bulk Sewer connections to this community, the cost of providing those connections and meters would be paid by the community.

**OPTIONS:**

- 
1. Instruct Staff to negotiate an agreement for providing Water and Wastewater to Three Lakes Park at Bulk Premium Rate with a requirement to annex in within ten years and bring back the agreement to Council for approval.
  2. Instruct Staff to negotiate an agreement for providing Water and Wastewater to Three Lakes Park at Bulk Premium Rate with no requirement to annex in and bring back to Council for approval.
-

3. Do not approve the staff to negotiate an agreement for providing Water and Wastewater to Three Lakes Park at Bulk Premium Rate

**STAFF RECOMMENDATION:**

1. Move to approve staff to negotiate an agreement for providing Water and Wastewater to Three Lakes Park at Bulk Premium Rate with a requirement to annex in within 10 years.

**FISCAL IMPACT:**

No Fiscal Impact to negotiate agreement. Estimated city revenue from water/sewer service if everyone hooked up would be \$150,000 plus per year.

**LEGAL SUFFICIENCY:** This agenda item meets Legally Sufficient

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA TAB NO. 12**

**SUBJECT TITLE: Approval of City of Tavares Donation & Sponsorship Policy**

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**OBJECTIVE:**

To consider approval of Administrative Policy for Donations and City Sponsorships.

**SUMMARY:**

On December 15, 2010, the City Council asked staff to develop a policy for solicitation of funds for City events.

The City hosts several events during each fiscal year with many vendors providing various levels of support to the City for these events. Support by our citizens and business community is beneficial to the fiscal impact in hosting City events thus a policy for the solicitation for event funding provides a consistent methodology for each sponsorship opportunity.

In preparing a policy for soliciting and accepting donations and sponsorships, Staff reviewed the following information in order to develop a meaningful and easy to implement policy.

1. Florida Statutes, Section 218.33
2. Florida Statutes, Section 199
3. Florida Statutes, Section 496
4. Florida Statutes, Section 112
5. Policies of other jurisdictions
6. General Accepted Accounting Principles
7. City goals and objectives

After review of related information, the attached policy was prepared and discussed amongst the various City Departments for input and operational impact and ease of implementation.

The attached policy meets the criteria of Florida Statutes, and meets the operational needs as well as the City's goals and objectives. The Policy provides for:

- Cash Donations with Restrictions
- Cash Donations without Restrictions
- Non-Cash Donations
- Solicitations of Donations
- Approval and Procedure for Solicitation of Donations or Sponsorships

**OPTIONS:**

1. Adopt the proposed City of Tavares Donations & Sponsorship Policy as attached.
2. Discuss the proposed City of Tavares Donations & Sponsorships Policy, and adopt Policy as amended by the City Council
3. Do not Adopt the proposed City of Tavares Donations & Sponsorship Policy.

**STAFF RECOMMENDATION:**

Move to adopt the proposed City of Tavares Donations & Sponsorship Policy as attached.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

N/A

## Proposed

October 19, 2011

### CITY OF TAVARES DONATIONS & SPONSORSHIP POLICY

---

#### PURPOSE:

To establish the policies and procedures relating to the request and acceptance of 1) donations and 2) sponsorships for the Public Purpose of the City.

#### AUTHORITY:

- Florida Statutes, Section 218.33 - Local governmental entities; establishment of uniform fiscal years and accounting practices and procedures
- Florida Statutes, Section 199 - Tangible personal property owned by a local government
- Florida Statutes, Section 496 – Solicitation of Funds
- Florida Statutes, Section 112, Part III – Code of Ethics for Public Officers and Employees

#### POLICY – General Provisions

- Due to the nature and quality of services, events and programs provided and or hosted by some City Departments, donations and sponsorships may be provided by citizens, businesses, charitable organizations, and other entities to enhance the public service provided.
- City policy does not allow the active solicitation of donations or sponsorships by City employees or City Council Members in a manner which could be construed as being coercive or with conflict of interest.
- The City recognizes that donations and sponsorships provide a valid public purpose by enhancing services provided by the City.
- All requests for donations by City employees and Council members will be in accordance with Florida Statutes, local law, and this policy.

## SECTION 1 – DONATIONS

### **A. CASH DONATIONS – Without Restrictions**

Citizens/residents may make unspecified donations to the City. These donations shall be recognized in the appropriate fund as revenue upon receipt and shall be budgeted into the fund balance forward for the ensuing fiscal year.

The City makes no warranties or promises for use except that the funds will be used for a valid public purpose.

Donations should be made by check and made payable to the City of Tavares, 201 E. Main Street, Tavares, FL 32778.

A letter of agreement between the City and donor specifying the restrictions/condition/purpose/useful life/expected maintenance of the donation shall be executed by the donor and City Administrator

### **B. CASH DONATIONS – With Restrictions**

The City recognizes that citizens may wish to make donations for a specific purpose. Donations may be received with restrictions and these donations shall be recognized as revenue upon receipt and unless specifically required otherwise shall be budgeted into the appropriate fund for the ensuing fiscal year. The appropriate fund shall be determined in accordance with the general purpose provided by the donor (i.e., recreation, library services, streets, facilities, police, fire etc.) and shall be recorded in the fund, agency and organization best suited to accomplish the intended general purpose.

Donations should be made by check and made payable to the City of Tavares, 201 E. Main Street, Tavares, FL 32778.

A letter of agreement between the City and donor specifying the restrictions/condition/purpose/useful life/expected maintenance of the donation shall be executed by the donor and City Administrator.

### **C. NON- CASH DONATIONS**

1. The City may accept non-cash donations including, advertisement space, uniforms, food, tangible personal property, supplies and equipment that is not affixed to City property provided the acceptance is approved by the Department Head.

2. The City may accept donations of tangible personal property to be affixed to real property of the City (attached to land) provided a request for acceptance is submitted to the City Administrator and approved by the City Council.
3. The City may accept donations of real property (land) provided that a request for acceptance is submitted to the City Administrator and approved by the City Council.
4. The City does not guarantee or warrant acceptance of any donation of tangible personal or real property.
5. Upon acceptance of tangible personal property, donors will be given a receipt in the form of a letter appropriately thanking the donor. The letter will contain the donor's name, the serial number or model number, or other nomenclature to thoroughly identify the item. The letter will provide date of receipt of the item and signed by the City Administrator.
6. Transfers of donated real property once approved by the City Council will be handled through the office of the Attorney with copies of Letters of Acceptance and Copies of Legal Transfer for land donations forwarded to the Department as custodian, Finance Director, City Administrator and City Clerk.
7. A letter of agreement between the City and donor specifying the restrictions/condition/purpose/useful life/expected maintenance of the donation shall be executed by the donor and appropriate City representative for donations valued over \$500. An email exchange between donor and City representative specifying terms and conditions of donation shall suffice for donations valued below \$500.

#### **D. SOLICITATION OF DONATIONS**

The solicitation of donations by City Employees must be approved by the Department Head in writing and in advance of the solicitation stating the purpose for the solicitation. The solicitation of donations by Department Heads must be approved by the City Administrator. The solicitation by the City Administrator or a City Council members must be approved by the City Council in advance of the solicitation stating the purpose for the solicitation.

## **SECTION 2 - SPONSORSHIPS**

### **A. Procedures**

1. Solicitation of sponsorship for City events and or programs shall be open to the public and made available by posting on the City's Web Page or in a newspaper.
2. An application to sponsor a city event or program shall be completed which outlines the terms and conditions of the sponsorship. The application must be approved by the City Administrator or designee in order for it to have full force or effect.

### **B. Solicitation of Sponsorships**

The solicitation of sponsorships by City Employees must be approved by the Department Head in writing and in advance of the solicitation stating the purpose for the solicitation. The solicitation of sponsorships by a Department Head must be approved by the City Administrator. The solicitation of sponsorships by the City Administrator or a City Council member must be approved by the City Council in advance of the solicitation stating the purpose for the solicitation.

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
October 19, 2011**

**AGENDA TAB NO. 13**

**SUBJECT TITLE: Electric Charging Station Use Update**

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**OBJECTIVE:**

To present to Council updated information on the use of the Nova Electric Charging Stations located in the downtown area.

**SUMMARY:**

Since April, there have been four Electric Charging Stations located in the City of Tavares. They are designed to provide electricity for low speed vehicles such as segways and golf carts; and highway speed vehicles such as the Chevy Volt, Nissan Leaf and Smart Electric. The units are the property of the Department of Energy and were loaned to the City at no cost for a period of three years as a facet of a federal pilot program. At the end of this period, the City of Tavares will be asked by the Department of Energy to assume ownership of the stations and continue their maintenance. The City of Tavares pays the cost of the electricity being used by the stations and provides this convenience to users at no cost.

Since installation, there have been 55 sessions of use which have consumed an accumulated total of 12.4 kilowatt hours.

**OPTIONS:**

1. Instruct staff to pursue charging a fee for use of the charging station.
2. Continue offering the service at no fee.

**STAFF RECOMMENDATION:**

Staff recommends continuing to offer the service at no fee for six months.

**FISCAL IMPACT:**

Based on 2011 average Progress Energy commercial customer rates, which are approximately \$0.05 per kWh, the cost to the City to date has been less than one dollar.

**LEGAL SUFFICIENCY:**

N/A

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA TAB NO. 14**

**SUBJECT TITLE: Alfred Street Project –Bid Alternate for Biddable Design  
of Abutting Alleys**

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**OBJECTIVE:**

To present to Council a contract with B.E.S.H. Engineering for a biddable design of 7.5 unimproved alleyways located adjacent to Alfred & Caroline Streets as a bid alternate to the one-way project.

**SUMMARY:**

On March 8<sup>th</sup>, 2010, City Council selected BESH Engineering as the top ranked firm to design the one-way pairing of Alfred & Caroline Streets. A contract for the engineering and streetscape has been executed with BESH. The adopted Redevelopment Master plan for Downtown Tavares recommends the improvement of our alleyways to introduce unique pedestrian spaces which also will reduce excessive curb cuts and traffic conflicts on street frontages. Tavares has to-date brick paved 7 alleyway segments with very positive public response. As suggested in the Master plan's implementation schedule, alleyways in our downtown will be improved as funding is available. Before an alleyway can be improved, it must be surveyed and the subsoil and brickwork engineered to carry the weight of heavy vehicles. Since BESH is actively surveying and designing Alfred & Caroline Streets, it would be most economical for this firm to also do similar work on the adjoining alleyways. BESH has presented a biddable alternate contract for \$7,687.50 to do this additional task for the remaining 7.5 alleys. It is noted that BESH has agreed to use the survey presently underway by Southeastern Survey for the purpose of their design. This non-duplication of services will save the City of Tavares \$9,000. There presently is a very competitive construction climate and if the city has the alleyways surveyed and designed, it could move forward very quickly with the improvements should funding become available.

**OPTIONS:**

- 1) That City Council moves to approve the bid alternate contract with BESH Engineering in the amount of \$7,687.50 for the biddable design of the remaining 7.5 unimproved alleyways that are adjacent to Alfred and Caroline Streets and authorizes the City Administrator to execute the attached contract.
- 2) That City Council denies the proposed contract.

**STAFF RECOMMENDATION:**

- 1) That City Council moves to approve the bid alternate contract with BESH Engineering in the amount of \$7,687.50 for the biddable design of the remaining 7.5 unimproved alleyways that are adjacent to Alfred and Caroline Streets and authorizes the City Administrator to execute the attached contract.

**FISCAL IMPACT:**

Paving 301-4102-541-6330 - \$7,687.50

**Legal Sufficiency:**

City Attorney Robert Q. Williams has reviewed this for legal sufficiency.



**CONTRACT ADDENDUM #1  
ALFRED STREET ROADWAY ENGINEERING DESIGN  
ADDITIONAL WORK  
JOB NO. 881445.0160**

The services specified below are required in order to complete the above-referenced project, as requested by the City of Tavares. As requested, Booth, Ern, Straughan & Hiott, Inc., shall conduct an engineering design on the alleyways abutting the Alfred Street and Caroline Street roadways currently under design. The scope includes those alleyways which lie to the north of Caroline Street one block, south of Caroline Street and north of Alfred Street, and south of Alfred Street one block. This proposal includes those alleyways which have not yet been improved with the pervious paver design. We have outlined each individual task that is required. Your signature below will constitute approval of said Contract Addendum.

**TASK 010 ALLEYWAY ENGINEERING DESIGN - BESH**

BESH shall conduct engineering design on the above referenced alleyways utilizing pervious pavers. Design shall utilize standard design created and supplied by Griffey Engineering, Inc., so as to maintain a consistent design throughout the downtown area. Biddable plan sets shall be provided with this Task. See attached map for scope.

**FEE: \$7,687.50**

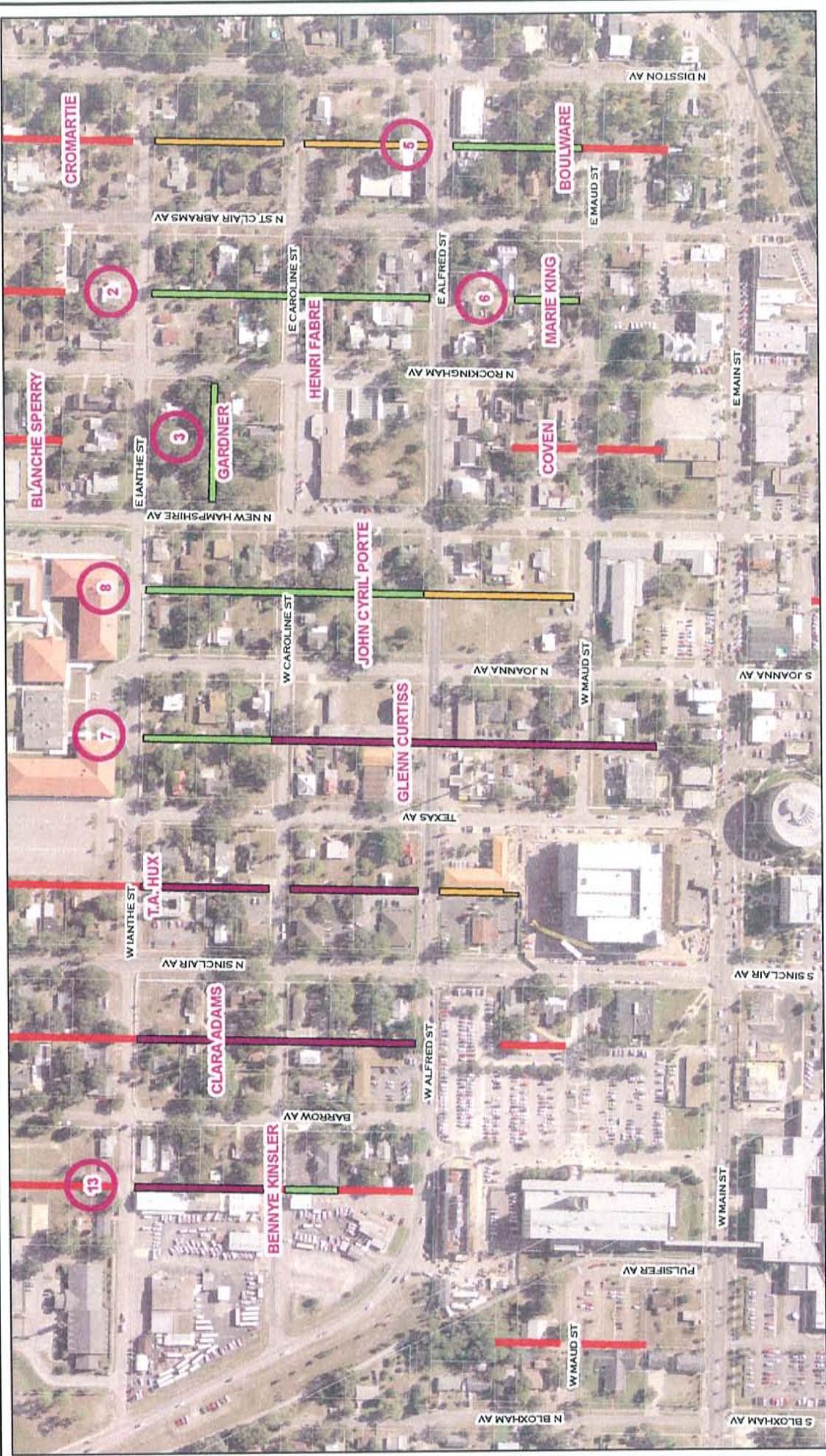
Note: Proposal includes 7.5 alleyway/blocks at \$1,025.00 per alleyway/block. BESH shall utilize field survey work provided by Southeastern Surveying, Inc. City shall ensure that said survey shall be provided to BESH in Autocad electronic format.

Services requested by John Drury on August 11, 2011.

THIS PURCHASE ORDER ACCEPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

By: \_\_\_\_\_ TITLE \_\_\_\_\_

By: \_\_\_\_\_  
Robert A. Ern, Jr., P.E., Principal  
Booth, Ern, Straughan & Hiott, Inc.



STREETS  
PARCELS  
ALLEYS

COMPLETED ALLEYS  
ALLEYS TO BE VACATED  
ALLEYS TO BE IMPROVED

## DOWNTOWN TAVARES ALLEYS



**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA ITEM NO. 15**

**SUBJECT TITLE: Consider a proposal from Jones Edmunds to design Phase I of Lake Francis Gravity Sewer Replacement**

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**OBJECTIVE:** To consider for approval the Proposal from Jones Edmunds consulting firm to design Gravity Sewer upgrades for Phase I portions of the collection system in the Lake Francis Development in the amount of \$127,000

**SUMMARY:**

The City owns and maintains a gravity sewer collection system within the Lake Frances Estates residential development that was constructed on an area that was swamp-like and under today's standards would probably be considered to be wetlands. Jones Edmunds was previously authorized by the City to assist with an evaluation of two problematic areas of the subdivision, Belmont Circle and Shultz Court. A survey of these specific areas was performed along with a geotechnical investigation. The Belmont Circle/Shultz Court evaluation data revealed a number of deficiencies which have also been shown to exist throughout the entire Lake Frances Estates subdivision. City staff assumes that these deflections cause the flow through the affected lines to back-up creating stagnation with the release of hydrogen sulfide gas. It is the release of this gas deteriorates the adjacent manholes. It also creates blockages of sewer laterals and causes the homes not to be able to utilize their system.

A professional land surveyor licensed in the State of Florida has coordinate a topographic survey of the gravity lines in question with vertical and horizontal control, and subsurface locates utilizing soft digs or ground penetrating radar. The exploration has been evaluated for the general subsurface conditions within the project site and identify potential construction conflicts. There is some additional survey work that needs to be ascertained.

Jones Edmunds will finalize the design documents for the gravity sewer replacement. The final bid documents will be suitable for use by the City to solicit bids from contractors to construct the replacement line and the related appurtenances.

**OPTIONS:**

1. **Move to approve** the proposal for Jones Edmunds to provide engineering assistance to the City for the design of replacement sections for the City's existing gravity sewer infrastructure located within the Lake Frances Estates residential development in the amount of \$127,000
2. Move **not** approve the agreement for Jones Edmunds to provide engineering assistance to the City for the design of replacement sections for the City's existing gravity sewer infrastructure located within the Lake Frances Estates residential development. in the amount of \$127,000
- 3.

**STAFF RECOMMENDATION:**

4. **Move to approve** the agreement for Jones Edmunds to provide engineering assistance to the City for the design of replacement sections for the City's existing gravity sewer infrastructure located within the Lake Frances Estates residential development. in the amount of \$127,000

**FISCAL IMPACT:**

Funding Source: This item was budgeted in the RRI (Replacement, Renewal, Investment) fund for 11-12 budget. There are sufficient funds to support this proposal

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 an amount no less than three months of regular general fund operating expenditures. The Water & Renewal Replacement Fund is not an Operating Fund, and therefore no minimum requirement is recommended.

Estimated unreserved fund balance as of.

**LEGAL SUFFICIENCY:** This meets legal sufficiency



October 11, 2011

Bradley Hayes  
Utilities Director  
City of Tavares  
2770 Woodlea Road  
Tavares, FL 32778

RE: City of Tavares  
Lake Frances Estates Gravity Sewer Improvements  
Proposal for Engineering Design Services—Phase 1 Northern Section  
Jones Edmunds Proposal No. 95339-444-11

Dear Mr. Hayes:

Jones Edmunds & Associates, Inc. is pleased to present our revised newly negotiated proposal for engineering services to prepare plans and documents for the City of Tavares to correct sanitary sewer system deficiencies in Phase 1 Northern Section of Lake Frances Estates. The Phase 1 Northern Section project area is shown in Exhibit I.

Background and Understanding

Our evaluation of the Phase I Northern Section included Schult Court, Elkhart Circle, Apache Circle, Mohawk Circle, Nassau Circle and the gravity sewers from Elkhart Circle and Skyline Drive to Lift Station No. 15. As indicated in our Preliminary Design Recommendations, most of the sanitary sewers in Lake Frances Estates need to be rehabilitated or replaced and installing a new lift station is highly recommended. Our evaluation of this area revealed a number of deficiencies in the sewer system including:

1. Deteriorated pipe.
2. Reverse pipe grades.
3. Sewage backups.
4. Cracked joints.
5. Root intrusion.
6. Pipe slopes below Florida Department of Environmental Protection requirements.
7. Undersized gravity sewers to Lift Station No. 15.
8. High rates of inflow and infiltration.

9. Bellies in the system.
10. Severe hydrogen sulfide corrosion at manholes where gravity sewer vertical drops of 3 to 4 feet have been constructed without the use of inside or outside drops.
11. The presence of hydrogen sulfide gas has been reported in homes in the area.
12. The system requires a high level of maintenance to address frequent sewer backups.
13. The life expectancy of the sewer system is limited since it was constructed approximately 40 years ago.

Due to these deficiencies, the City and Jones Edmunds have identified the Phase I – Northern area of Lake Frances Estates as the highest priority for rehabilitating, replacing, and constructing a new lift station. Jones Edmunds proposes to prepare design plans, profiles, details and other construction plan sheets; prepare contract documents, permit applications, and technical specifications.

#### **I. SCOPE OF SERVICES – PHASE I NORTHERN SECTION**

Jones Edmunds proposes to complete the following tasks to help the City of Tavares correct sanitary sewer system deficiencies:

##### **Task 1 – Design Services**

Upon written authorization from the City, Jones Edmunds will provide professional engineering services as required to produce construction plans and documents for bidding as described within this Scope of Services. The project will adhere to applicable City standards. The schedule for design listed in this Proposal will be reviewed and updated as necessary to meet the schedule requirements of the City. Jones Edmunds expects the design services to be completed as shown in the schedule below, including obtaining limited survey and geotechnical information from subcontractors to Jones Edmunds.

##### **90 Percent Design**

1. Within the Phase I –Northern Section project area, we recommend designing approximately 5,500 linear feet of gravity sanitary sewer for rehabilitation or replacement, including design and construction of one new lift station to serve the Schult Court area, a force main to connect the lift station to the existing gravity sewer system, and pipe bursting of existing piping from Lift Station 15, and lining of approximately 2,000 lf of 8-inch sewer. Replacement or repaving of any streets will be to match existing grades. Odor control will not be provided for the new lift station. (see Exhibit I).

2. A professional land surveyor will survey the area for the new lift station and provide limited survey along Elkhart Circle. Limited survey will be obtained in the area of Lift Station 15. Field survey information obtained in previous surveys, including the recently completed manhole survey, will be incorporated into the topographic survey for the Phase I – Northern Section area. The surveying professional will be under a subcontract to Jones Edmunds.

The topographic survey will include all above-grade features within the City rights-of-way that will impact construction costs for the project.

Notify utility companies of the proposed work and develop plans to send to public and private utilities to provide information on their utility locations. Jones Edmunds does not expect that new utility easements will be required for the work. An informational sheet will be developed for local residents explaining the purpose of the survey and design, with notation to call the City for additional information.

3. A limited geotechnical investigation is required for the construction of the proposed lift station north of Schult Court on Elkhart Circle. A geotechnical firm will perform one 35-foot-deep standard penetration test (SPT) boring at the proposed lift station site. These findings will then be noted in the contract documents. Due to the known poor soil conditions in this area, the geotechnical report will provide important information for soil conditions for the proposed lift station wetwell. The geotechnical firm will be under a subcontract to Jones Edmunds.

The City believes that soil conditions along the pipe routes are adequate for proper manhole and pipe bedding and no additional geotechnical exploration is required. If the proposed lift station boring results indicate possible poor soils in the project area, Jones Edmunds will obtain pricing for additional geotechnical work for the City's approval and will only proceed with the additional work upon approval from the City.

4. Using City standards and details as a base, prepare the design plan drawing set. Standard engineering practice for design of sanitary sewer systems will be used during the design process.
5. The drawing set will include a cover sheet, general note sheet, key sheet, plan and profile sheets at a scale of 1 inch = 20 feet, and standard and specific detail sheets,

all in 22-inch-by-34-inch sheet size. Florida Department of Transportation Maintenance of Traffic (MOT) details will be referenced for the contractor to use during construction, but a specific MOT plan will not be created for the project.

6. Discuss the pipe materials and method of installation with the City. Jones Edmunds will conduct a visual field survey along the proposed route to evaluate the proposed construction. Future connections, if required by the City, will be shown on the plans.
7. After developing basic plans based on the completed survey, submit plans to private utilities to locate buried utilities. With this information, adjust the design as necessary to avoid conflicts. We will also hold a utility coordination meeting with the City.
8. Develop preliminary specifications using the City's Front End documents and Standard Specifications—modified as required for this project—and Jones Edmunds' Technical Specifications—modified as required to fit City standards and project conditions. In addition, develop preliminary project quantities and an opinion of probable construction costs.
9. Submit three sets of 90% completion drawings and specifications to the City for review and comment, and attend one project status and review meeting.

#### Final Design (100%)

1. Review City comments and revise construction plans and specifications accordingly along with associated quantities and the opinion of probable construction costs.
2. Conduct a utility coordination meeting, inviting utility representatives to attend. The purpose of this meeting is to obtain information affecting the design and construction and to identify solutions to potential conflicts with new construction.
3. Submit the permit application to FDEP with application fees provided by the City, and respond to comments. Respond to one Request for Additional Information (RAI) if needed. We do not expect that an Environmental Resource Permit, Lake County permits, or other permits will be required; therefore they are excluded from this scope of work. Wetlands delineation is also not expected and is therefore excluded from this proposal.

4. The final design submittal will include the following documents:
  - a) Three sets of signed and sealed prints for the City Utility Department records.
  - b) Three sets of specifications and bid documents.
  - c) One CD of final plan files in AutoCAD and Adobe pdf format and specification files in Word and pdf format.

## II. ITEMS TO BE PROVIDED BY THE CITY

The City will do the following in support of Jones Edmunds' engineering services:

- Provide current City Front End documents and utility contacts, to complement current City sanitary sewer standard details.
- Participate in project meetings, including kick-off and status meetings, to discuss design elements, design parameters, and construction information to be shown on the plans.
- Conduct and attend any homeowner meetings that may be required during design and construction without assistance from Jones Edmunds.
- Assist in coordination meetings with FDEP as may be required.
- Provide access to City plans of previous projects along the route and assistance in locating existing City utilities.
- Notify local residents of the proposed survey and geotechnical investigation.
- Review the 90% plans with redline comments within 14 days to maintain the overall schedule.
- Coordinate with Jones Edmunds' design team.
- Pay all permit application fees.
- 

## III. ENGINEERING SCHEDULE AND COSTS

Jones Edmunds proposes to complete the project in the timeframe as shown. The following schedules apply to all Phases of the work, using the NTP as the basis for the schedule. Based on this assumption, the project schedule is as follows:

### Task 1 and 2 Submittals

### Schedule

#### Task 1

90% Design Phase w/Survey and Geotech

150 days from Notice to Proceed

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Final Design Phase

30 days after receipt of City's 90% comments.

Jones Edmunds proposes the costs detailed below for the services described in this Scope on a lump-sum basis.

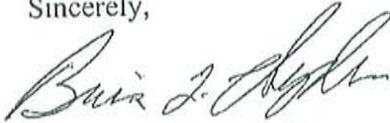
**Engineering Services, Phase I- Northern Section, Lake Frances Estates  
Wastewater Collection System Improvements**

<b>Task</b>	<b>Lump Sum Fee</b>
Task 1 – <u>Design Services</u>	
90%, Final Design, Permits	\$ 113,000
Survey and Geotech (Subcontract)	\$ 14,000
<b>Total for Task 1</b>	<b>\$ 127,000</b>

Bradley Hayes  
October 11, 2011  
Page 7

As always, we appreciate this opportunity to continue to provide services to the City of Tavares and look forward to your acceptance of this proposal. In the meantime, if you have any questions or wish to discuss any aspect of this proposal, please contact me at your convenience.

Sincerely,



Brian F. Hepburn, MPA  
Project Manager

BFH/K:\06806 Tavares\007-01 Lake Frances Sewer Sys Upgrades\Design Proposals\Final Proposal 10-10-11\Lake-Frances-Phases Draft 10\_05\_11\WF.doc

Enclosure

xc: Michael Sulayman, PE, Jones Edmunds



**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA ITEM NO. 16**

**SUBJECT TITLE: Emergency Services Proposal RFQ 2011-0018**

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**OBJECTIVE:**

To consider approval by Selection Committee of recommended vendors in response to Request for Qualifications No. 2011-0018 for Emergency Services for the City of Tavares Water, Wastewater, and Stormwater Departments.

**SUMMARY:**

On July 24, 2011, the City issued Request for Qualifications (RFQ) No. 2011-0018 For Emergency Repair Services for the Water, Wastewater, and Stormwater Utility Departments. This RFQ was issued to expedite repair services and to have contractors prequalified for emergency repairs should the need arise with a pre-qualified/approved rate structure.

The responses were to include type of service, hourly costs, proof of insurance, certifications, and appropriate licenses.

A bid opening was held on August 25, 2011, and eight (8) vendors provided responses to the RFQ.

On September 30, 2011, A selection Committee, comprised of Jerry Blair, Wastewater Field Supervisor, Kristie Rutherford, Utilities Administrative Assistant, and Jason Spann, Stormwater Supervisor convened to discuss the eight proposals for qualifications that were submitted.

The Selection Committee discussed all eight responses and the merit of each firm as described in their presentation of services to the City of Tavares. The Committee determined that all eight (8) firms met the criteria for supplying emergency repair services to the City's Utility Departments and thus recommended all eight (8) firms be retained for emergency repair needs. It should be noted that two (2) firms provide the same service types.

The table below provides a listing of the eight (8) respondents which are presented for approval as Qualified Emergency Repair Vendors".

1	Cloud 9 Services, Inc. 1201 W. Jackson Street Orlando, FL 32805	UNDERGROUND UTILITY REPAIR
2	Florida Electric Motor Service 1128 Atlanta Avenue Orlando, FL 32806	ELECTRIC MOTOR REBUILD/REPACE
3	JAR Construction, Inc. P.O. Box 941065 Maitland, FL 32794	UNDERGROUND UTILITY REPAIR/HEAVY EQUIPMENT
4	Lapin Services 3031 West 40 <sup>th</sup> Street Orlando, FL 32839	SEPTIC SERVICES
5	Genet Services, Inc. 545 John's Road Apopka, FL 32703	GENERATAOR REPAIR
6	Absolute Line Technologies, Inc. 21902-1 State Road 46 Mount Dora, FL 32757	LINE TELEVISIONING, SMOKE TESTING, SEALING
7	Florida Bearings, Inc. 2020 N. Rio Grande Avenue Orlando, FL 32804	PUMP REPAIR , REBUILD ,REPLACE
8	American In-Line Inspections, Inc. 415 Timaquan Trail Edgewater, FL 32132	LINE TELEVISIONING, SMOKE TESTING, SEALING

**OPTIONS:**

1. Approve the eight firms as submitted and listed above for emergency services and recommended by the Selection Committee.
2. Do Not approve the eight firms as submitted for emergency services.

**STAFF RECOMMENDATION:**

Move to approve the eight firms as submitted and listed above for emergency services and recommended by the Selection Committee.

**FISCAL IMPACT:** *All procured repairs and/or services will be from appropriated budgeted expenditure line items.*

**LEGAL SUFFICIENCY:** Legally sufficient.

# Orlando Sentinel

Jul. 20, 2011

**Proof**

Agency:  
 Customer: City Of Tavares  
 Address:  
 City: TAVARES  
 State: FL 32778-1068  
 Phone no: (352) 742-6211  
 Account ID: 1023568

Order ID: 1144066  
 Caller name: Kay Mayes  
 Fax no:  
 Sales rep: Abby Schmeling

Purchase order no:  
 Payment type:

**Newspaper Classified**

Title	Class Name	Begin Date	End Date	Size (col x lines)	Color
Orlando Sentinel	Advertisement for Bid	07-24-2011	07-24-2011	1 x 55	No

Gross price: \$ 56.00  
 Discounts: \$ 0.00  
 Net price: \$ 58.00  
 Prepaid amount: \$ 0.00  
 Amount due: \$ 0.00

ADVERTISEMENT  
 CITY OF TAVARES  
 REQUEST FOR QUOTATIONS  
 #0 2011-001  
 Emergency Repair Services for Tavares Utility  
 Department

PURPOSE OF SOLICITATION  
 The City of Tavares will accept sealed bids for specialized emergency repair services for the City of Tavares. The process is intended to qualify vendors and determine fixed hourly rates for selected emergency repair services. Vendors will be used on an as needed basis and selection does imply any specific job awards.

Sealed submittals are invited by the City of Tavares, to be received at the office of the City Clerk, 101 East Main St., Tavares, Florida 32778 on or before received 10:00 AM on August 24, 2011. Submittals received after this specified time and date will not be considered. Submittals will be opened in public on the same day at 2:00 pm. Please submit the original, two (2) copies and one (1) digital file, preferably in pdf format.

Bidders with access to DemandStar.com can view the bid documents by calling 800-711-1111, or on the web at <http://www.demandstar.com>. Complete bid documents may be reviewed on our website at the City of Tavares, Orlando, 32714. For further information contact: John Rumbia, Purchasing Manager, at Tavares City Hall, 101 E. Main St., Tavares, Florida 32778 or by email at [jrumbia@cityoftavares.org](mailto:jrumbia@cityoftavares.org). Phone: (352) 742-6211. Per AOR Resolution Title 11, Chapter 3 Addendum on General Collective Communications, printed material provided to the public upon request, will be provided in an accessible format such as large print, Braille or audio recording.

John Rumbia, Purchasing Manager  
 City of Tavares  
 LAK1144066 07/24/2011

**SECTION 2 – STATEMENT OF WORK**

*Section 1.15 Scope of Emergency Services*

<b>Fuel Gas /Diesel</b>	This would include supplying on site delivery of fuel during an emergency
<b>Crane Service</b>	This would include pulling motors, pumps, gearboxes etc.
<b>Septic Hauler</b>	This would include Pump and Disposal of sewage , grit and rags
<b>Electric motor/ gearbox/ pump service</b>	This would include replacement repair of water and wastewater equipment
<b>Equipment Rental</b>	This would include equipment as needed for emergencies
<b>Line Work/Excavation</b>	This would include heavy equipment and deployment for excavation of line breaks
<b>Equipment Bypass/dewatering</b>	This would include supplying pumps and /or pumping to dewater sites after line breaks or flooding
<b>Air Conditioning Repair (Major)</b>	This would include large chillers and related equipment at City facilities
<b>Electrical</b>	This would include major panel and feed issues at City facilities and lift station outages
<b>Roofing</b>	This would include catastrophic storm damage to roofs at City facilities
<b>Environmental Mitigation</b>	This would include any major spill or environmental issue
<b>Tree Removal</b>	This would include catastrophic storm or accident damage in the City of Tavares
<b>Sewer /Water Pipe Repair</b>	This would include video of pipe /cleaning and or lining of sewer or water lines
<b>Overhead Door Service</b>	This would include emergency repair of roll up overhead doors at City facilities
<b>Canal/ Drainage Mitigation</b>	This would include clearing of blocked canals and drainage ditches

CITY OF TAVARES  
MINUTES OF BID OPENING  
August 25, 2011  
Request for Qualifications  
City of Tavares Emergency Repair Services  
Bid No. 2011-0018  
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 RFQ 2011-0018, Emergency Repair Services. There were eight proposals received; bids are listed in the order opened:

- 1) Cloud 9 Services, Inc.  
1201 W. Jackson Street  
Orlando, FL 32805
- 2) Florida Electric Motor Service  
1128 Atlanta Avenue  
Orlando, FL 32806
- 3) JAR Construction, Inc.  
P.O. Box 941065  
Maitland, FL 32794
- 4) Lapin Services  
3031 West 40<sup>th</sup> Street  
Orlando, FL 32839
- 5) Genet Services, Inc.  
545 John's Road  
Apopka, FL 32703
- 6) Absolute Line Technologies, Inc.  
21902-1 State Road 46  
Mount Dora, FL 32757
- 7) Florida Bearings, Inc.  
2020 N. Rio Grande Avenue  
Orlando, FL 32804
- 8) American In-Line Inspections, Inc.  
415 Timaquan Trail  
Edgewater, FL 32132

Mr. Rumble noted the packages would be forwarded to the evaluation committee members for review, along with a first review evaluation worksheet. Respectfully submitted,

Kay Mayes  
Admin Assistant, Finance



CITY OF TAVARES

MINUTES OF RFP LIST SELECTION  
September 30, 2011  
TAVARES CITY HALL

Emergency Repair Services  
RFP No. 2011-0018

PRESENT

Mr. Jerry Blair, Field Supervisor  
Ms Kristie Rutherford, Administrative Assistant  
Jason Spann, Stormwater Supervisor  
Mr. John Rumble Purchasing Manager

Mr. Rumble opened the meeting at 8:00 a.m. for staff to select companies to provide emergency repair services for the City of Tavares. There were 8 respondents to the RFP.

- 1) Cloud 9 Services, Inc.  
1201 W. Jackson Street  
Orlando, FL 32805
- 2) Florida Electric Motor Service  
1128 Atlanta Avenue  
Orlando, FL 32806
- 3) JAR Construction, Inc.  
P.O. Box 941065  
Maitland, FL 32794
- 4) Lapin Services  
3031 West 40<sup>th</sup> Street  
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- 5) Genet Services, Inc.  
545 John's Road  
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- 6) Absolute Line Technologies, Inc.  
21902-1 State Road 46  
Mount Dora, FL 32757
- 7) Florida Bearings, Inc.  
2020 N. Rio Grande Avenue  
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- 8) American In-Line Inspections, Inc.  
415 Timaquan Trail  
Edgewater, FL 32132

The committee members had been issued copies of the proposals the previous week and had reviewed them in the interim. The selection committee discussed the merits of each firm as described in the presentation booklets. It was agreed that all the firms that submitted met the criteria for supplying emergency repair services to the City of Tavares. The submittal copies were retained by Mr. Blair and Mr. Spann for reference and contact information should the need for the offered services arise. There being no further discussion, the meeting ended at 8:25 a.m.

Respectfully submitted,



John Rumble  
Purchasing Manager

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA TAB NO. 17**

**SUBJECT TITLE: Update on Progress Energy's 441 Substation Location**

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**OBJECTIVE:** To inform Council on Progress Energy's plan to place a sub-station on 441.

**SUMMARY:** Progress Energy previously informed staff that they planned to place a substation on new 441 somewhere between Sinclair Ave. and Winn-Dixie (site area) in order to meet demands. Florida law does not give cities much say in where sub-stations are placed, but they do permit the city to address landscaping. In-fact, the Legislature in order "to maintain, encourage, and ensure adequate and reliable electric infrastructure in the state" crafted a law ( F.S. 163.3208) which among other things states:

1. " If the application for a proposed distribution electric substation demonstrates that the substation design is consistent with the local government's applicable setback, landscaping, buffering, screening, and other aesthetic compatibility-based standards, the application for development approval for the substation shall be approved."
2. " New distribution electric substations shall be a permitted use in all land use categories in the applicable local government comprehensive plan and zoning districts within a utility's service territory except those designated as preservation, conservation, or historic preservation on the future land use map or duly adopted ordinance."

Progress energy looked at several sites within the defined "site area". One was at the abandoned industrial manufacturing area just east of Winn-Dixie but that site had previous reports of contamination making the site not suitable for Progress Energy. Three other sites were looked at (next to the new Walgreens by Winn-Dixie, across the street from Sunoco on a recently cleared lot next to a residential area and the corner of Sinclair and 441. Progress energy selected the Sinclair/441 site. In order for the site to work for them they are purchasing the Chamber building and daycare located on the back side. The daycare is moving towards down town and the Chamber is interested in locating in the proposed train station off Ruby Street.

Attached is a photograph of the site as it looks today. Also enclosed are two photographs of is a similarly sized sub-station by the Waterman Hospital. Staff plans to work with Progress Energy to accomplish a couple of things: 1) Landscaping around the sub-station not unlike the Waterman Sub-Station 2) a City gateway directional sign

pointing towards the down town at the corner 3) Access to the substation off Texas and not Sinclair or 441.

This information is provided to Council for discussion.

**OPTIONS**

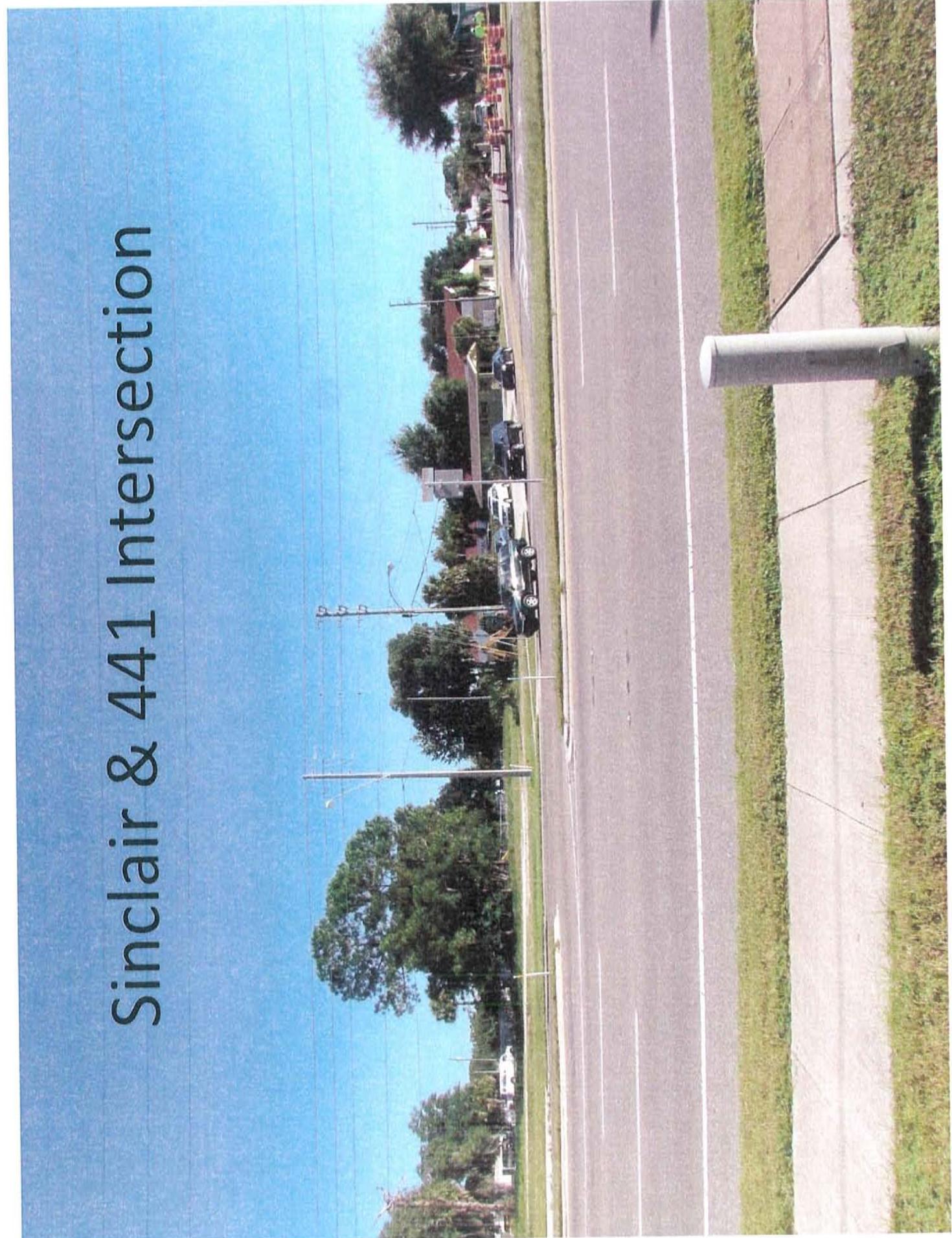
1. Discuss Progress Energy's Sub Station plans
2. Do not discuss.

**STAFF RECOMMENDATION:** That council discuss the sub-station.

**FISCAL IMPACT:** None. (If the Chamber re-locates to the Train Station, then it is expected that they will contribute approximately towards 1/3 of the cost of constructing it.

**LEGAL SUFFICIENCY:** This matter has been reviewed with the City Attorney and determined legally sufficient..

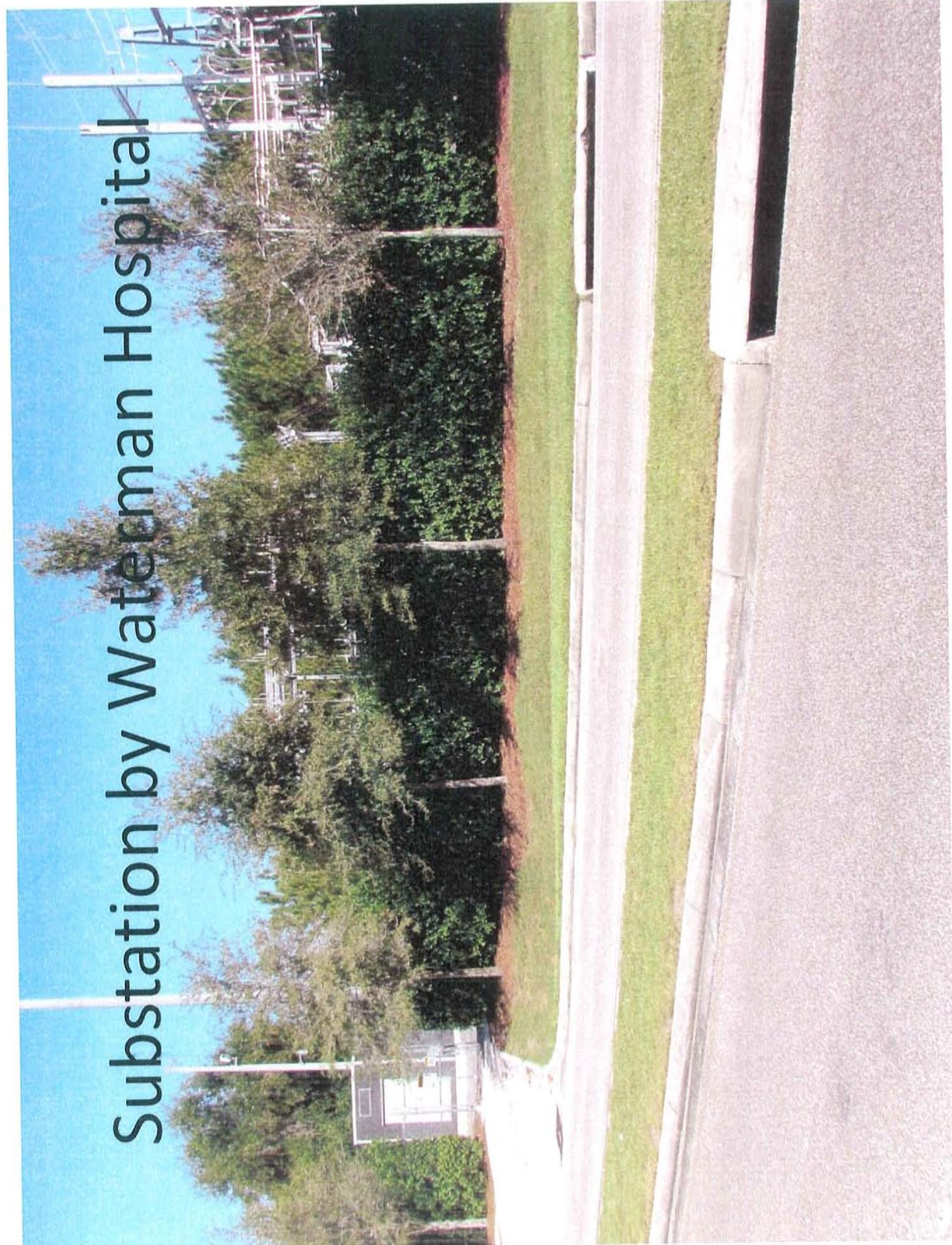
# Sinclair & 441 Intersection



# Substation by Waterman Hospital



# Substation by Waterman Hospital



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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011**

**AGENDA TAB NO. 18**

**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)**

- 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
- Veterans Day – November 11 – City Hall Closed
- City Council Meeting – November 16 – 4:00 p.m.

**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

Lady of the Lakes Renaissance Fair – November 4, 5 and 6 – 10:00 a.m. to 6:00 p.m. –  
Hickory Point

Friday Market – Every Friday in Wooton Park – 9:00 a.m. to 1:00 p.m.

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AGENDA SUMMARY  
TAVARES CITY COUNCIL  
OCTOBER 19, 2011

AGENDA TAB NO. 19

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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