AGENDA
TAVARES CITY COUNCIL

February 15, 2012
4:00 P.M.
TAVARES CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Tim Green, 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) **January 18, 2012**
Golden Triangle Minutes – January 30, 2012
City Council Regular Meeting - February 1, 2012

V. PROCLAMATIONS/PRESENTATIONS

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS — Nancy Barnett

VIII. CONSENT AGENDA

Tab 2) Donation of Burial Plot for Corporal Paula Crow — **Stoney Lubins**

XIV. ORDINANCES/RESOLUTIONS

FIRST READING

Tab 3) Ordinance #2012-04 – Adopt Green Construction and Incentive Award Program — **Jacques Skutt**

SECOND READING

Tab 4) Ordinance #2012 - 03 - Amendment to Section 2 of Code of Ordinances relating to Updates on Boards	Nancy Barnett
Tab 5) Ordinance #2012 – 02 – Amendment to Land Development Regulations to Allow Cattle within City Boundaries under Certain Conditions	Jacques Skutt
Tab 6) Ordinance #2012-01 – Amendment to Land Development Regulations Chapter 4 – Table 4A - Transportation Concurrency	Jacques Skutt

RESOLUTIONS

Tab 7) Resolution #2012-02 – First Amendment to Fiscal Year Budget 2012	Lori Houghton

XV. GENERAL GOVERNMENT

Tab 8) Approval of Contract with Jones Edmunds for Engineering Design Services for Phase 1 of Lake Frances Sewer Improvements	Brad Hayes
Tab 9) Agreement for Engineering and Design of Disston Avenue Capital Water Line Improvements	Brad Hayes
Tab 10) Use of Forfeitures for Purchase of Equipment	Stoney Lubins
Tab 11) Recommendations for Foreclosures	Stoney Lubins
Tab 12) Approval of Special Event Permit for Concert at Tavares Station Field	Jacques Skutt
Tab 13) Discussion of Exploration of Acquisition of Former Lake Building Vacant Property Site	Bill Neron
Tab 14) Report on Community Theater & Performing Arts Centers	Lauren Farrell
Tab 15) Naming of New Alley on North Side of Ruby Street	Vice Mayor Grenier

XVI. OLD BUSINESS

XVII. NEW BUSINESS

XVIII. AUDIENCE TO BE HEARD

XIX. REPORTS

Tab 16) City Administrator **John Drury**

Tab 17) 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 corporated limits.

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

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

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

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

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

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

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

contiguous – Sharing a common boundary.

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

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

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

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

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

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

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

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

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

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

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

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

non-conforming – A use which does not comply with present zoning conditions but which existed lawfully and was created in good faith prior to the enactment of the zoning provisions.

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

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

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

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

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

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

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

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

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

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

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
JANUARY 18, 2012
CITY COUNCIL CHAMBERS
4:00 p.m.

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

STAFF PRESENT

Lori Houghton, Finance Director/Acting City Administrator
Robert Q. Williams, City Attorney
Nancy Barnett, City Clerk
Captain David Myers, Police Department
Brad Hayes, Utility Director
Chris Thompson, Public Works Director
Joyce Ross, Communications Director
Bill Neron, Economic Development Director
Tammey Rogers, Community Services Director
Lori Tucker, Human Resources Director

I. CALL TO ORDER

Mayor Wolfe called the meeting to order at 4:00 p.m. He wished everyone a Happy New Year.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Greg Watts, Liberty Baptist Church, gave the invocation and led those in attendance in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Councilmember Smith asked to have Tab 6 pulled for further review as he did not receive his agenda packet in time to sufficiently review.

MOTION

Kirby Smith moved to have Tab 6 [Contract for FDOT Required Engineering Study for Golf Cart Crossing at State Roads] tabled until the next Council Meeting, seconded by Bob Grenier. The motion carried unanimously 3-1 as follows:

Robert Wolfe **Yes**

Bob Grenier	**Yes**
Kirby Smith	**Yes**
Lori Pfister	**No**

MOTION

Kirby Smith moved, to approve the agenda as revised, seconded by Bob Grenier. The motion carried unanimously 4-0.

IV. APPROVAL OF MINUTES

Tab 1) Approval of Minutes from the December 21, 2011 City Council Meeting

MOTION

Kirby Smith moved to approve the minutes of December 21, 2011 as submitted, seconded by Bob Grenier. The motion carried unanimously 4-0.

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Certificate of Achievement for Excellence in Financial Reporting for FY 2010

Mayor Wolfe stated the Certificate of Achievement for Excellence in Financial Reporting has been awarded to the City of Tavares for Fiscal Year 2010 for the highest standards in government accounting and financial reporting. The city has received the award for 21 years. He noted each year the city has done a great job in-house in preparing the audit, led by Finance Director Lori Houghton and her staff. He presented the plaque to Ms. Houghton. Ms. Houghton stated that she is very proud of her dedicated staff and appreciates the support of the City Administrator and City Council.

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

Attorney Williams stated there are no ex-parte communication issues or quasi-judicial hearings.

VII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Barnett read the following resolution into the record by title only:

RESOLUTION #2012-01

A RESOLUTION AMENDING THE CITY OF TAVARES GENERAL EMPLOYEES DEFINED CONTRIBUTION RETIREMENT PLAN, NO. 007763 HARTFORD DEFERRED ALLOWING FOR MANDATORY EMPLOYEE CONTRIBUTIONS AND NECESSARY CHANGES FOR COMPLIANCE WITH INTERNAL REVENUE CODE REGULATIONS

VIII. CONSENT AGENDA

Mayor Wolfe asked if anyone in the audience opposed any item on the Consent Agenda, Tab 3 or 4.

MOTION

Bob Grenier moved to approve the Consent Agenda Tabs 3 and 4 [Approval of Mutual Appointment of Captain David Myers to the Police Pension Board and Approval of Ranking of Engineering Design Services for Phase 1 of Lake Frances Sewer System], seconded by Kirby Smith. The motion carried unanimously 4-0.

IX. ORDINANCES/RESOLUTIONS

Tab 5) Resolution #2012-01 – Hartford Pension Plan Amendment

Ms. Houghton said this resolution will formalize the approval of the adoption of an employee contribution to the Hartford Plan that was approved with the Fiscal Year 2012 budget for the nine employees in the Hartford Plan.

MOTION

Bob Grenier moved to approve Option 1 – Resolution No. 2012—01 amending the City of Tavares Hartford Defined Contribution Plan to allow for Mandatory employee Contributions of 3%, and to allow all needed Internal Revenue Service Compliance Updates, seconded by Lori Pfister. The motion carried unanimously 4-0.

X. GENERAL GOVERNMENT

Tab 6) Engineering Study for Golf Cart Crossing for FDOT - Deferred to next Council Meeting

Tab 7 Change Order to BESH Contract for Engineering Services to Reconstruct Historic Train Station

Mr. Neron stated that Council approved a financial and concept plan at the last meeting for leases with Tavares Gulf Railroad LLC and the Chamber to reconstruct the historic train station at Wooton Park. The next step is to amend the BESH contract and the construction manager at risk contract for the Pavilion project through change orders, for the design and permitting for the train station.

The change order with BESH is in the amount of $61,500 and is within the budget for the project and represents about 16.3% of the estimated construction costs. Staff recommends approval of the change order prepared by the City Attorney.

Councilmember Smith discussed his concerns regarding the budget for the project.

Mr. Neron said the final design and costs will come back to Council for approval before proceeding. Councilmember Smith asked if it included the architectural design. Mr. Neron confirmed. Mayor Wolfe said he would still like to see the total price come in under $400,000.

Councilmember Grenier said he looked forward to reviewing the project as a full package and then making a decision.

Mayor Wolfe asked if anyone in the audience had comments.

MOTION

Kirby Smith moved to approve the change order and design for BESH Engineering, seconded by Bob Grenier. The motion carried unanimously 4-0.

Tab 8) Change Order to Emmett Sapp Construction at Risk Contract to Reconstruct Historic Train Station

Mr. Neron said this change order represents a 10% fee of the actual construction cost of the project with a maximum of $35,000 or 10% whichever is less.

MOTION

Bob Grenier moved to approve the Change Order with Emmett Sapp, seconded by Kirby Smith. The motion carried unanimously 4-0.

Tab 9) Facility Use and Fee Policy for Commercial and Non-Commercial Use – Draft for Discussion

Ms. Rogers said this is a draft policy developed by Recreation Manager Scott Aldrich. She said the policy was based on review of other county and city policies regarding commercial activity in public parks. She said staff have identified some individuals running commercial activities in the parks and have also been approached by people asking to use the facility for business purposes, e.g. tennis instruction, boat tour companies, etc. She asked for input from Council on what has been drafted and then with additional review by the City Attorney, a final policy and ordinance will be brought back to Council along with an implementation phase and an agreement that will be utilized between the city and the businesses.

Mr. Drury commented that this will be an attempt to equalize the use of the parks and ensure safety and professionalism. Ms. Rogers added Wooton Park will be excluded from this policy as it operates under a separate policy.

Councilmember Grenier asked about the enforcement issue. Captain Myers stated the Police Department will enforce the ordinance after hours and on weekends.

Councilmember Smith expressed concern about vendors who might take up time that would prevent the public from accessing the park or individuals who are helping a team but not charging. He said if the policy is geared towards the boating businesses he would prefer to see

an ordinance directed towards that issue. Ms. Rogers said the public is not charged to use the smaller parks such as Aesop's for birthday parties. She said if there is a tennis instructor who wished to reserve the courts, staff would put up notification well in advance. She said the "after hours" issue in the policy specifically applies to the Civic Center, Ingraham Center, etc. which pertains to those facilities when it necessitates staff time after hours. She also discussed the use of the baseball fields on the weekends by organized teams versus individual use.

Captain Myers noted it would be important to provide the Police Department the information about the vendors or organizations using the facilities after hours.

Mayor Wolfe noted staff would bring back the policy after further revisions are done.

Tab 10) Developer's Agreement with Rodger Kooser for Alleyway Improvements

Mr. Thompson presented the following report:

At the December 21st City Council meeting, staff was directed to prepare this Developer's Agreement for consideration. Under the proposed agreement, TS Parcel J LLC would pay and be responsible for the survey, biddable engineered design and construction oversight for a pervious brick paving system for this entire ½ block alley and the City of Tavares would be responsible for obtaining bids (through a competitive bid process), awarding the construction contract and the actual construction costs. Staff feels that this Developer's Agreement would provide an equitable shared cost arrangement for both parties. Tavares has to-date brick paved 7 alleyway segments with very positive public response. This agreement will facilitate the improvement of this highly visible public alley to our established brick pavement standard at a reduced cost to the city. The proposed agreement specifies that the cost of the competitive bid must be approved by Council otherwise the agreement is nullified, releasing the City of Tavares from any financial responsibility to the Developer.

Mr. Thompson said the cost will come from the Paving Account should Council decide to move forward with the project after it has been sent out to bid.

Councilmember Grenier said he would like to see all information on the project before making a final decision and he would support moving forward on this agreement.

MOTION

Bob Grenier moved to approve Option 1, to approve the proposed Developer's Agreement with TS Parcel J LLC and authorize the City Administrator to execute the agreement, seconded by Kirby Smith. The motion carried unanimously 4-0.

Tab 11) Approval of Contract with Utility Metering Solutions and Purchase of Metering Equipment from Sunstate Meter and Supply

Mr. Hayes advised that this contract totals $1,800,000 and will be for the purpose of upgrading water meters and backflow preventers throughout the city. This will assist in tracking monthly water losses. Staff is recommending accelerating the meter replacement program and to piggy

back on the recent contract with the City of Panama with Utility Metering Solutions and Sunstate Meter and Supply for the equipment. He said that Adam Corwin from UMS was in attendance to make a presentation on the program.

Mr. Corwin presented a power point presentation on the program. He reviewed the automated program that the city began about 13 years ago and noted there had been improvements in technology that will assist the city and its residents in analyzing the details regarding water usage and any leaks that may be occurring. He reviewed the proposed funding mechanism.

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

Kay Hauserman, 504 Lake Dora Drive

Ms. Hauserman asked how she could find out if her meter has already been changed.

Ms. Houghton said staff can look at her billing records by contacting Customer Services.

MOTION

Kirby Smith moved to approve option 1: Provide UMS an opportunity to deliver a brief power point presentation identifying 1) the meter/backflow device upgrading program 2) the benefits and 3) the financing plan. Approve (a) professional services contract with UMS in the amount of $449,400 and approve (b) material supply purchase order with SMS in the amount of $1,350,600 (total cost $1,800,000) and (c) the proposed financing program. The motion was seconded by Bob Grenier. The motion carried unanimously 4-0.

Tab 12) Request to Host a 5K Run at Wooton Park on May 5, 2012

Mr. Neron said this was a request to approve a request to hold a fundraiser on behalf of a child with a rare genetic disorder. The applicant will cover the cost of any public safety support needed for the event.

MOTION

Bob Grenier moved to approve the 5K run, seconded by Kirby Smith. The motion carried unanimously 4-0.

Tab 12) Contract with Air Boss for the 2012 Air Show

Mr. Neron said this is a request to hire Wayne Boggs as the Air Boss for the Air Shows on April 7, 2012 related to the Planes, Trains & BBQ Event, and on April 21, 2012 for the Seaplane Fly-In. The total cost is $24,500 from the TIF budget.

MOTION

Lori Pfister moved to approve Option 1: the Agreement to hold an air Show in conjunction with the Planes, Trains and Barbecue Event on April 7, 2012 and Air Boss for the Seaplane Fly-In on April 21, 23012, seconded by Kirby Smith. The motion carried unanimously 4-0.

Tab 14) Acceptance of Grant from FDEP for Stormwater Improvements in the Downtown

Mr. Hayes said the City has designed a stormwater system and is awaiting final funding from the USDA. As part of that application, Malcolm Pirnie submitted an application to the 319 Stormwater Program in Tallahassee and the city has been granted $750,000 from DEP.

MOTION

Bob Grenier moved to approve the acceptance of the grant from DEP, seconded by Kirby Smith. The motion carried unanimously 4-0.

XI. OLD BUSINESS

Tab 15) Report on Options for Imperial Terrace Todd Way Cul de Sac

Mr. Thompson presented the following report:

At the Oct. 5th City Council Meeting, Staff presented Council with quotes from 3 firms consisting of 2 options for the cul-de-sac improvements on Todd way. One option specified a consistent Imperial Terrace cul-de-sac design (Griffey Option) and the other option was for the complete removal of the traffic island with the necessary repaving. Quotes ranged from $8,745 - $12,300 for the Griffey Design and $9,242 – $20,852 for the removal design. Following Council discussion and public input staff was directed to bring back a design incorporating an increased turning radius and corrective storm water engineering. Griffey Engineering was hired for the new design and cost estimate while Southeastern Survey provided the survey. Griffey's cost estimate for this project is $34,814.12 (which includes a 10% contingency amount).

Mr. Thompson said that staff's recommendation was to go forward to put the project out to bid. If Council decides to award the project, it will be split 50-50 between Public Works and Utilities.

Discussion followed on the original intention of the project in terms of whether it was intended for beautification or stormwater improvements.

Mayor Wolfe asked for comment from the audience.

Don Bias, Imperial Terrace, Todd Way

Mr. Bias said the residents' concern at the beginning was the turning radius of ambulances and fire trucks and also the flooding problems.

MOTION

Bob Grenier moved to obtain the bids, seconded by Lori Pfister. The motion carried unanimously 4-0.

Policy on Soliciting Donations – Mayor Wolfe

Mayor Wolfe said he wished to request authorization to solicit donations for a project.

Attorney Williams noted Council had adopted a policy on soliciting donations. Mr. Drury said there are three steps: approval from Council to solicit funding for a project, have an agreement between the City and who is providing the funds, and the third is to receive payment in the form of a check made out to the City.

Mayor Wolfe said he wished to solicit different organizations such as the chamber, Rotary, Taiwanese Economic Cultural Office and any other Taiwanese businesses to help donate and sponsor a firework show for the Dragonboat Festival.

Consensus for Mayor Wolfe to proceed.

XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

Mayor Wolfe asked for comment from the audience.

Betty Burleigh, 214 N. New Hampshire Ave.

Ms. Burleigh stated that last month the city lost another historic building, 215 Rockingham. She said it was built in 1888 and Mrs. J.C. Terry had a boarding home there. It was next purchased in 1900 by Jerry Booth, in 1943 by L.G. Coven, and then was sold to Jim and Eulah Hudson in 1952 (Ms. Hudson was a high school teacher). The next owner was Mr. Newhouse and the last was Ken Bell.

Ms. Burleigh offered congratulations to Vice Mayor Grenier for his latest book, Images of America about Tavares.

Vice Mayor Grenier thanked Ms. Burleigh for her remarks and said the book was released yesterday.

XIV. REPORTS

Tab 16) City Administrator

Mr. Drury said today there was a Seaplane Fly In Trade Show at the Seaplane Manufacturing Facility, which was well attended.

Tab 17) City Council

Human Resources Director

Ms. Tucker said there is time sensitive mail in the Council mailboxes but to let her know if any Councilmembers preferred it to be mailed.

Economic Development Director

Mr. Neron said in 2007 the city entered into an Interlocal agreement on the use of the parking garage and there was a provision that allowed the city to request a change in the operating hours. He said Casa Mia Restaurant has had a problem with visitors to the county facilities using their parking lot. He said he would be requesting from the county to extend the parking from Monday through Thursday to 10:00 pm and to midnight on Friday and Saturday nights, unless there was any objection from Council.

Mr. Neron said the Bassmaster Open Qualifying Tournament would be held tomorrow. He said there are 200 boats and 400 anglers registered for the event. He said they have been in town for a week or so and the economic data will be provided.

Community Services Director

Ms. Rogers reminded every one of the art stroll this Friday night.

Finance Director

Ms. Houghton wished Vice Mayor Grenier congratulations on his book and everyone a Happy New Year.

Councilmember Pfister

Property at Main Street and Disston (former Lake Building)

Councilmember Pfister said she had Old Business regarding the property at Main and Disston (former Lake Building). She said she believed the city should consider purchasing the property as it is listed at a very fair price. She said she was thinking of either keeping it open space, or having a community theater. She asked if there was interest in having staff look into grants as she was concerned about what could be built there. She said she felt the property provided another gateway to the waterfront.

Vice Mayor Grenier agreed that he would like to look into it and he would like to see community theater in Tavares. He said his dream would be to build it but replace the old Opera House on the outside.

Councilmember Pfister said she had contacted the previous 441 group that had attempted to raise funds to build an art center at the college. She said that effort appears to have ended and she said she had asked them if their donors would consider supporting a joint venture in Tavares. She noted Tavares already has access to ample parking through the parking garage.

Councilmember Smith said he would prefer to have a private developer acquire the property.

Councilmember Pfister encouraged everyone to visit Aesop's Park to see the staghorn fern that was donated to Tavares by residents of Mt. Dora. She thanked Ms. Rogers and her staff for picking up the fern and bringing it to Aesop's Park. She said it is a beautiful addition to the park.

Vice Mayor Grenier

Vice Mayor Grenier said he appreciated the emails and the support of the staff for each other's department and the city.

Councilmember Smith

Councilmember Smith said he had visited the construction site of the Big House recently. He said they are planning to erect some of the walls by the 31st.

Councilmember Smith said he had spoken to two individuals at Sunrise Restaurant who were fishermen from North Carolina. He said they were staying at the Inn on the Green which shows the city has anglers from out of state staying in the city's hotels, eating in the restaurants, etc.

Mayor Wolfe

Mayor Wolfe noted Osprey Lodge is proceeding on their construction and they are having their "topping off" celebration on January 31st.

Mayor Wolfe said if Ms. Pfister will gather information regarding the Lake Building property it could be put on the agenda, however, he would prefer to see the building stay in the private sector.

Attorney Williams noted that currently the property is zoned downtown commercial and there are no limitations on what can be done with the property within that zoning. He said if Council has a vision for the property whether in public or private ownership, now is the time to consider that and put any development restrictions on the property if that was the desire. He noted this could only be done with notice to the owner and could not be a "spot zoning."

Mayor Wolfe noted there are already architectural requirements.

Councilmember Pfister said she would work on the project but she would need staff assistance to look for grants. Mr. Drury said staff will work with Ms. Pfister and do some research.

Adjournment

There was no further business and the meeting was adjourned at 5:34 p.m.

Respectfully submitted,

Nancy Barnett

Nancy Barnett, CMC
City Clerk

GOLDEN TRIANGLE SUMMIT MEETING
JANUARY 30, 2012
EUSTIS WOMAN'S CLUB

IN ATTENDANCE

City of Eustis

Susan Hooper, Mayor
Kress Muenzmay, Vice Mayor
Linda Bob, Commissioner
Bill Ferree, Commissioner
Michael Holland, Commissioner
Paul Berg, City Manager
Mary Montez, City Clerk
Rex Winn, Fire Chief

City of Mount Dora

Robert Thielhelm, Mayor
Robert Maraio, Councilmember
Michael Tedder, Councilmember
Vasco Watters, Councilmember
Dennis Wood, Councilmember
James Yatsuk, Councilmember
Michael Quinn, City Manager
Skip Kerkhof, Fire Chief

City of Tavares

Robert Wolfe, Mayor
Bob Grenier, Vice Mayor
Kirby Smith, Councilmember
John Drury, City Administrator
Richard Keith, Fire Chief

Call to Order

Mayor Hooper called the meeting to order at 5:31 p.m. and asked each member to introduce themselves.

Announce that the Meeting is Posted and Advertised for all Three Cities

Ms. Montez confirmed that the meeting had been properly posted.

Introduction

Mr. Berg reviewed the agenda for the evening.

Update on the Fire Services Project

Mr. Berg reviewed the history and purpose of the fire service project. He and Eustis Fire Chief Rex Winn gave a brief Powerpoint presentation on the project and asked for input from the other city representatives. He explained that the County would like to move personnel to Astatula and the City of Eustis needs a station in the area of Station 27.

The proposal was summarized as follows: 1) Divide Lake County Station 27's current coverage area – Eustis is the only City with one station and they need to provide better coverage in that area. Eustis would move an engine company from their current station which would free up the County personnel to be moved to a station in Astatula. 2) Redefine the three service areas - Each City would assume first response responsibility for an area. 3) Eustis would occupy the Station 27 facility with an anticipated 1200 calls for service from the facility – 800 within City of Eustis, 400 in the unincorporated area. Results are expected to significantly reduce response times for eastern Eustis, the County enclaves within City limits, northern parts of Mount Dora and somewhat to northern Eustis. He noted the station would be manned with three ALS-trained firefighters instead of just two.

Mr. Berg reviewed the coverage issues and the current fees/taxes the County receives from the Lake EMS Ambulance MSTU, Fire MSTU and Fire Residential. He reviewed the additional costs anticipated noting additional positions that would be required. He stated the reimbursement should provide sufficient revenue to fund Tavares' ALS. He reviewed the total fire fees from within the defined service area and the taxable value within the area for a $587,364 total. He summarized the proposed costs resulting in an increase in costs of $253,000. He explained the proposed County reimbursement and the amount the County currently pays to the Villages for a similar agreement. He summarized the anticipated range of costs as $253,000 to $316,667 per year.

He concluded noting that if the County is willing to pay half its collected fire fees that should be sufficient revenue cover the additional costs to the cities. He cited the desire for a multi-year contract with higher costs initially. He stated that the costs and number of residents affected are similar for Mount Dora.

Mr. Quinn agreed the numbers are similar for Mount Dora, and they can make adjustments to cover. He emphasized it relies on getting the reimbursable funds from the County. He stated Mount Dora could currently cover the area as the County does and noted they have discussed adding a lieutenant with the reimbursement funds.

Mr. Drury complimented staff and the Fire Chiefs on their work on the project. He stated they are ready to hear the thoughts of the elected officials so they can move forward.

Mayor Hooper asked the Fire Chiefs to introduce themselves.

Chief Keith, Chief Kerkoff, and Chief Winn introduced themselves and expressed support for the three departments working together.

Mr. Quinn commented on the possibility of the agreement providing a model for the County to get other cities to work together and cited the possibility of eventually having a unified fire department. He cited savings to the taxpayers due a reduction in the duplication of equipment.

Mayor Wolfe commented on the process necessary for Tavares to attain ALS status.

Councilmember Smith stated the main goal is to reduce taxes for the citizens. He cited the requirements for being ALS and suggested borrowing Eustis/Mount Dora paramedic staff to assist Tavares in providing ALS response until they reach ALS status.

Vice Mayor Grenier commented on the benefit of reduced response times.

Mr. Drury reported that the Tavares City Council voted unanimously to move forward with ALS.

Commissioner Holland expressed support for the proposal and the benefit to all of the residents. He thanked Mount Dora for assisting with ALS training for the Eustis personnel.

Councilmember Wood expressed support and noted the close proximity of his neighborhood to the station and the benefit to the reduced response times.

Mayor Thielhelm cited the remarkable results by the ALS personnel. He expressed willingness to work with Tavares to assist with personnel training.

Commissioner Holland asked Chief Winn to review the EMS incidence that occurred the previous week.

Chief Winn noted in October the Eustis Department went ALS. He explained a new protocol that was put in place about 14 days prior to the incident. The new protocol was used to revive two patients – one survived, one didn't. The surviving patient is now doing well.

Chief Kerkoff noted the paramedic involved was also a brand new paramedic. He stated the patient is doing very well and complimented the personnel.

Councilmember Maraio expressed support and asked how much the County will reimburse the cities for taking over the station and the unincorporated areas

Mr. Berg stated that Eustis is asking a minimum of $250,000. He added that 50% of the revenue the County receives in that area for fire service is $316,000.

Councilmember Maraio confirmed that the County is not willing to pay the cities 100% from the area.

Mr. Berg and Mr. Drury explained the blended rate that the County uses to collect its fire fees.

Councilmember Yatsuk commented on the cost to cover fire service in rural areas.

Councilmember Smith commented that it sounds as if the majority are in agreement with moving forward. He asked for the group to give direction to the City Administrators/Managers to proceed with bringing resolutions to the Councils to move forward.

Mr. Berg stated that the cities could individually pass resolutions to negotiate a contract with County. He stated staff could also work with the County to negotiate an interlocal agreement.

Mayor Thielhelm suggested directing all three managers to work together with the County and agree on a 50% reimbursement.

Mayor Wolfe agreed with the 50% reimbursement and moving forward.

Commissioner Ferree expressed support for moving forward.

It was a consensus of those present for the City Managers and Administrator to move forward with the negotiations with the County.

Mayor Hooper asked for any public comment. There was none.

UPDATE ON THE RAIL GRANT STATUS

Mr. Drury distributed information regarding the status of the rail grant. He reviewed the updated information and history of the project including the replacement of the Dora Canal Railroad Bridge, the Commuter Rail US 441 Corridor Alternative Analysis, and the Lake County Railroad Spine Track Upgrades. He cited the breakdown of funding for each project.

Mayor Thielhelm announced Mount Dora will consider the Corridor Analysis agreement on February 7th and Mr. Berg stated Eustis will consider the revised agreement on February 2nd.

Mr. Drury explained the spine track upgrade project and reviewed the breakdown of the local match. He stated it may or may not include bolted track from Eustis to Umatilla depending on the bid results.

Mr. Quinn referred to Note #1 in the report and stated the continuous weld track upgrade from Mount Dora to Tavares was not originally included in the project – they were just going to upgrade not do the continuous weld.

Mr. Drury stated that was correct and indicated he would correct the information before he redistributes the report.

Mayor Thielhelm cited the need to see the cost estimates first. He stated the important thing was to get continuous weld to Eustis' industrial area.

Mr. Quinn commented on the area east of Mount Dora on the Sorrento spur and stated it is pretty much abandoned and does not go beyond Sorrento. He expressed support for asking CSX if they can give access to that track for a trail system. He stated it is a chance to leverage the private rail system due to the amount of public funds going into the project. He indicated the spur is only used for the storage of rail cars and suggested they could put in a side line for car storage and open up the track for a trail system. He indicated they do not want the proposal to be an obstacle for the entire project but it's an opportunity to work with railroad. He noted the close proximity to the Wekiva Trail.

Mr. Drury stated he would update Note #1 and re-send the report to all of the City Managers.

Councilmember Tedder questioned the effect on boaters from the Dora Canal bridge work.

Mr. Drury stated his understanding they will do everything they can to keep the Dora Canal open. He added he will get an update on the schedule and send it out to the other managers for distribution.

Councilmember Tedder expressed support for continuing the Summit meetings.

Mr. Quinn commented on other issues of mutual interest including renewal of gas tax, transfer of roads to cities, the revised gas tax distribution formula and the proposed pavement management system.

Mr. Berg indicated the pavement management system has been a part of Eustis' strategic plan and the previous week they signed a contract to have the system prepared for the City. He stated it will result in a predictable way for roads to be transferred from rural roads to City roads. He commented on the need to have a process for transferring maintenance from the County to cities when property is annexed.

Councilmember Maraio stated the issue is of funding and where are the cities going to get funds to maintain the roads and what actions is the County willing to take to insure there are sufficient funds. He emphasized if the cities are going to take over roads, they need to be compensated for it. He cited the County's reluctance to increase the tax on gasoline.

Mayor Thielhelm commented on how Sumter County handled the situation. He stated they educated their County Commission and their public about what was needed. He said it significantly increased the funding for their roads and cited the improvements to Sumter County's roads. He expressed support for a pavement management program.

Mr. Drury commented on Tavares' recent reflectivity project for signs and stated they incorporated into that project an update on the status of all the City roads for their ten-year plan.

Mayor Hooper asked for public comment. There was none.

Councilmember Smith stated the cities need to be thinking about economic development. He suggested a coordination of events with each City holding a different event at the same time. They could mutually advertise the events. He suggested trying one to see how it works and explained it would keep visitors in the area longer.

Councilmember Tedder commented on the need to improve transportation between three cities – trains, boats, etc. – in order to get visitors back and forth between the cities. He asked Tavares if their water taxis are working.

Mr. Drury explained they usually just run during big events. He stated they are finding because they are big and slow, they don't work well for small events. He commented on the cost to activate captains and for fuel.

Councilmember Kirby noted the water taxis can't get to Eustis due to the Hwy. 19 bridge being too low. He suggested the steam train might be one option.

Councilmember Tedder suggested some of the local tour boats might be willing to do taxi service during events.

Councilmember Wood expressed support for mutual events and suggested using the local Chambers or Merchants Associations to facilitate the project.

Vice Mayor Grenier recommended establishing a Golden Triangle signature event – one special event that would bring all three cities together.

Mayor Hooper commented on the upcoming GeorgeFest which has been celebrated for 110 years. She invited everyone to attend and expressed support for attending each other's events as well having a mutual signature event.

Mr. Berg expressed support for working with the other cities on other aspects of economic development. He stated that bringing more jobs to the area benefits all the cities and there is room for Golden Triangle business people to work together. He suggested they could join together to market the Golden Triangle area and added they can show other communities it pays to work together.

Commissioner Muenzmay reported that the Eustis Chamber is already working with Tavares and Mount Dora Chambers to do exactly what has been suggested. He then commented on the Eustis Chamber's new Lunch and Learn events.

INDIVIDUAL CITY UPDATES

Eustis

Mr. Berg commented on the support for the fire service project by rank and file personnel. He cited various activities in Eustis including GeorgeFest, African-American Heritage Festival, the downtown stormwater project, economic development incentive program, and new mixed used development in the downtown area.

Mayor Hooper noted the Harlem Globetrotters event with Mr. Berg explaining they will be playing with a team of 20 local residents. He noted the following day they will be holding a "stay in school stay off drugs" program at the Golden Triangle YMCA.

Mount Dora

Mr. Quinn cited the Mount Dora Arts Festival, Black Heritage Festival in Cauley Lott Park, upgrade to the Mount Dora website to improve communication with the public, and a new Public Communications Officer position. He commented on the possibility of the cities working together to obtain better financial software.

Tavares

Mr. Drury reported on a new assisted living facility being constructed across from the hospital which will be a multi-story Alzheimer's facility. He stated they are recruiting locally with over 100 jobs. He then noted a 65,000 sq.ft. indoor sports facility being built by Chet Lemmon which will bring more youth sports to the area and which will lead to more hotels. He then noted Tavares' new reclaimed water project with pipes to the Howey bridge.

SCHEDULING OF NEXT SUMMIT MEETING

It was agreed that Mount Dora would host the next meeting with a target date of June.

ADJOURNMENT

The meeting adjourned at 7:10 pm.

*These minutes reflect the actions taken and portions of the discussion during the meeting. A CD of the audio recording or verbatim transcript of the meeting can be obtained from the office of the City Clerk for a fee.

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
FEBRUARY 1, 2012
CITY COUNCIL CHAMBERS
4:00 p.m.

COUNCILMEMBERS PRESENT **ABSENT**

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

STAFF PRESENT

Lori Houghton, Finance Director/Acting City Administrator
Robert Q. Williams, City Attorney
Nancy Barnett, City Clerk
Chief Stoney Lubins, Police Department
Brad Hayes, Utility Director
Chris Thompson, Public Works Director
Joyce Ross, Communications Director
Bill Neron, Economic Development Director
Tammey Rogers, Community Services Director

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Rick Fountain, First Baptist Church, Tavares, gave the invocation and led those in attendance in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

MOTION

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

IV. APPROVAL OF MINUTES

Deferred to next Council Meeting

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Presentations to Citizens for Donations

Mayor Wolfe presented a Certificate of Appreciation to Mr. and Mrs. Laratta for the donation of a seaplane sculpture and acknowledged the donation of a staghorn fern to Aesop's Park from Mr. and Mrs. Bottos of Mt. Dora and the support of Councilmember Pfister for her involvement in Aesop's Park.

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

Attorney Williams stated there were no ex-parte communication issues or quasi-judicial hearings.

VII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Barnett read the following ordinances/resolutions into the record by title only:

ORDINANCE 2012-03

AN ORDINANCE REPEALING PORTIONS OF SECTION 2-46 RELATING TO PAYMENT OF CERTAIN BOARDS AND SECTIONS 2-110; 2-111 AND 2-113 OF THE CITY OF TAVARES CODE OF ORDINANCES PERTAINING TO THE CITY OF TAVARES BEAUTIFICATION COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2012-01

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS; BY AMENDING CHAPTER 4 AND CHAPTER 10, TO REFLECT CHANGES IN THE REQUIREMENTS TO REFLECT THE CITY'S REQUIREMENTS RELATED TO APPLICATION SUBMITTALS FOR TRANSPORTATION AND SCHOOL FACILITY IMPACTS, SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2012-02

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING THE AGRICULTURAL LAND USES ALLOWED UNDER CHAPTER 8, TABLE 8-2, PERMITTED AND SPECIAL USES, BY ALLOWING THE KEEPING OF CATTLE UNDER CERTAIN CONDITIONS WITHIN THE RFS-A ZONING DISTRICT; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2011-08

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

RESOLUTION #2012-03

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF ELDER AFFAIRS' COMMUNITIES FOR A LIFETIME INITIATIVE AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2012-04

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO SHARE IN THE FUNDING OF THE US 441 CORRIDOR ALTERNATIVES ANALYSIS; SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Wolfe noted Tabs 4, 5 and 6 would be discussed in full at the next Council Meeting.

VIII. CONSENT AGENDA

VIX. ADOPTION HEARING FOR COMPREHENSIVE PLAN AMENDMENT

Tab 3) Ordinance #2011-08 – Adoption Hearing for Comprehensive Plan – Housing Element (Mobile Homes)

Mr. Skutt noted this is an EAR based text amendment to the Comprehensive Plan which was approved for transmission to the State in October 2011. The amendment reiterates that all new housing in the city, whether site built or manufactured, will comply with applicable building codes. It also removes the city's commitment to maintain and increase the number of mobile home sites in the city and reflects the inventory of affordable homes that exist in the city. In addition, the owners of mobile homes have the ability to either replace their aging mobile homes with new mobile homes or custom built homes to fit on the smaller lots. The new State Department of Economic Opportunity has approved this amendment and made a general comment that the city's Comprehensive Plan should formally have a new planning horizon attached to it. The year 2020 has been added to the Future Land Use Map and Future Land Use Element.

MOTION

Sandy Gamble moved to approve Ordinance #2011-08, seconded by Bob Grenier, The motion carried unanimously 5-0.

X. ORDINANCES/RESOLUTIONS

Tab 7) Resolution #2012-03 – Community for a Lifetime Program

Ms. Barnett stated this resolution is in connection with a a presentation by the representative from the Department of Elder Affairs on behalf of the State of Florida who will be discussing the Communities for a Lifetime Initiative. She said that Ms. Janine Harris was present to make the presentation.

Janine Harris, Community Relations Manager from the Florida Department of Elder Affairs, discussed the program. She said the department will provide technical assistance, resources and funding information including grant opportunities.

Mr. Drury stated that Tammey Rogers will be the contact person.

Councilmember Smith asked if the program would have any negative effects on the city's master plan. Mr. Drury answered that he believed it could be incorporated.

MOTION

Bob Grenier moved to approve Resolution #2012-03, seconded by Lori Pfister. The motion carried unanimously 5-0.

Tab 8) Resolution #2012-04 – US 441 Alternative Analysis Study Local Match Agreement – Commuter Rail

Mr. Skutt stated this authorizes the City Administrator to execute an agreement with FDOT that will commit the city to pay an upfront cost of $35,000 (the city's local match share) for FDOT to perform a 1.7 million dollar study that will look at the 441 corridor between Eustis and Orlando and evaluate the feasibility of alternate modes of transportation which includes commuter rail.

Mr. Skutt noted $84,000 was budgeted for the Dora Canal bridge during this fiscal year which will not be needed and staff is proposing to borrow the $35,000 from that fund and replenish it in the next fiscal year budget. Mayor Wolfe asked Attorney Williams if this was legally sufficient. Attorney Williams responded in the affirmative. Councilmember Smith asked if the funds would be replenished should the plan not go forward. Mr. Drury confirmed.

MOTION

Sandy Gamble moved to approve Resolution #2012-04, seconded by Kirby Smith. The motion carried unanimously 5-0.

XI. GENERAL GOVERNMENT

Tab 9) Agreement with SECO for Services at Woodlea Treatment Plant

Mr. Hayes presented the following report:

Utility facilities are high end users of electricity due to the specialized equipment necessary to operate at peak efficiency. Utility staff members are always looking for ways to reduce the amount of electricity used or to augment the existing electrical system and lower costs to ratepayers.

The electric bill for the Woodlea Reclamation Facility is approximately $15,000 per month, or $180,000 per year. City staff has taken the necessary steps to modify the equipment and to implement cost saving solutions wherever possible. Over the past three years City staff has been negotiating with SECO to create a plan that would be beneficial to the residents and to the City. The Woodlea Reclamation Facility currently has a generator that is capable of running the entire operation for three days on one tank full of fuel. We are required under Florida Department of Environmental Protection regulations to utilize and test the generator at least four hours per month to insure proper operation in an emergency. If we were to time these required testing periods with SECO's service area brownouts, this would free up necessary power for SECO customers at no additional cost to us and with no disruption to our Utility customers. In exchange, SECO has agreed to provide the City with a reduced rate for being part of their program. These cost savings are expected to be approximately $20,000 per year. This also provides more electricity to the residents during a time of high consumption, so we are being good neighbors.

When SECO needs to divert our power they will notify us through various electronic notices and provide a 30 minute window to transfer facility operations to the generator.

Mr. Hayes said that during times of peak electrical use, SECO will notify the city through email and telephone. The city will then transfer the power through the SCADA system to the emergency generator. The city will receive a lower electrical rate whether it converts or not.

Discussion followed regarding the four hours referenced in the summary. Mr. Hayes corrected that to eight hours.

Vice Mayor Grenier discussed his concerns about the proposal. Mr. Drury noted the contract can be cancelled with 30 days notice.

Councilmember Smith asked if the city would have control over when the power is turned off and on.

Mr. Drury clarified the city would retain control of the decision. Mr. Hayes said he estimated that the time period will be about two hours during peak demands. Vice Mayor Grenier stated that was his main concern.

Mr. Drury said that he expected Mr. Hayes to report to Council if the estimate was incorrect and then notice could be given to terminate the contract if desired.

MOTION

Lori Pfister moved to approve the agreement with SECO, seconded by Kirby Smith. The motion carried unanimously 5-0.

Tab 10) Downtown Master Plan – Capital Implementation Schedule Update

Mr. Skutt made the following report:

In the fall of 2008, Council approved the current Downtown Tavares Redevelopment Master Plan documented by the IBI Group. The plan, which is commonly referred to as the Master Plan, is the result of public workshops with community residents, business owners, council and staff. The plan documents the City's vision of itself and outlines an orderly process for implementing that vision. City staff has reviewed the plan to insure that it is still consistent with the policies of City Council. The goals and objectives of the plan and the projects envisioned to revitalize our downtown continue to be valid. Due to unforeseen economic challenges, the timing of certain capital improvements has been delayed or they are progressing slower than anticipated.
Staff has revised the five year implementation schedule of the plan and will continue to do this review annually.

Mr. Skutt noted he had given a list of all the projects in the downtown and the progression that is envisioned over the next five years.

Mr. Drury commented that staff is recommending updating the plan by reviewing it in-house and making annual reports to Council. He said at some time in the future the city might want to hire a consultant to update the entire plan but for the time being this will save the city money to do it in-house.

Councilmember Gamble noted the pavilion is slated to begin in 2013 and he had thought it would be completed by 2013. Discussion followed and it was noted that the project is actually estimated to be completed by March of 2013. Mr. Drury said staff would review the date with the project team.

MOTION

Lori Pfister moved to approve the Master Plan, seconded by Kirby Smith. The motion carried unanimously 5-0.

Tab 11) Appointment to Bicycle Pedestrian Committee of the Metropolitan Planning Organization

Mayor Wolfe stated that Ms. Maraviglia has been representing the city, however, a city business owner, Mr. Elldrodt, has applied for the position and Ms. Maraviglia is willing to be replaced. Mayor Wolfe stated he wished to appoint Mr. Elldrodt.

Council voted to approve the recommendation unanimously 5-0.

Tab 12) Approval for Ranking and Award of RFP Bid for Banking Services

Ms. Houghton presented the following report to Council:

In May of 2011, the City Council requested that staff prepare an RFP for City Banking Services.

Over the next few months, staff researched various bank services that would enhance City service delivery and also provide improved efficiency for treasury tasks. In addition staff reviewed software requirements that would be needed to integrate desired services from a banking service provider.

On October 9, 2011, the City advertised a Request for Proposals for Banking Services. The RFP required responders to maintain a service location within three miles "as the crow flies" of City Hall as evidenced by a Business Tax Receipt; a map prepared by the City's GIS Analyst was included. For safety of City funds the RFP required all responders to be a Florida Qualified Public Depository (QPD). The RFP was advertised in the Lake Edition of the Orlando Sentinel, and Demand Star On-line with a direct link from the City's web-site.

Five Banks responded to RFP 2012-0001 for Banking Services: Bank of America, BB&T, TD Bank, SunTrust, and M&I/BMO Harris.

A Selection Committee which included Lori Houghton, Finance Director; Joan Giesy, Finance Manager; Alex Patton, LAN Administrator; and Bill Neron, Economic Development Director met on January 17, 2012 to evaluate the responses based on the RFP mandatory requirements, general criteria, and price.

After reviewing the RFP required service elements and price, the Selection Committee ranked the five responding banks as shown below with BB&T ranked as the number one bank based on mandatory requirements, qualifications, services provided, price, and compensating balance requirements.

The City currently utilizes SunTrust Bank for Banking Services.

Mayor Wolfe thanked Ms. Houghton for her work. Councilmember Smith noted the corporate offices of BB&T are in Winston, Salem.

MOTION

Lori Pfister moved to approve the choice of BB&T, seconded by Kirby Smith. The motion carried unanimously 5-0.

Ms. Houghton stated that once the paperwork is completed, staff will come back to Council to approve the authorized signers.

Tab 13) Request to Approve a Golf Cart Crossing Engineering Study Agreement with Griffey Engineering

Mr. Drury said under Council's direction he has been working for about three years to get golf cart crossings at St. Clair Abrams and Dead River Road. He said the process has taken some time as the rules for the entire state had to be written by FDOT. He said he had not contemplated having to

do an engineering study since golf carts can cross if they are licensed to do so. He said he was not able to get the study into the budget and was requesting to fund the study from reserves.

Mr. Drury discussed the time period he anticipated for the process.

Councilmember Pfister said she had had a lot of correspondence from residents on the other side of SR 19 and she was in support.

Councilmember Smith discussed his concern regarding taking the amount out of reserves and recommended waiting and putting this amount in the next budget.

Mayor Wolfe asked if anyone in the audience had comments.

Denise Laratta, Royal Harbor

Ms. Laratta asked if it was possible that FDOT could still deny the application even if an "adequate engineering study" is submitted.

Mr. Drury responded that it is possible they could still deny the application.

Ms. Laratta asked how much it costs to obtain a license for a golf cart. Mr. Drury said it costs approximately $800 and the golf cart has to be taken to Ocala to be certified and windshield wipers and other equipment has to be installed.

MOTION

Lori Pfister moved to take $6500 from reserves for the FDOT golf cart crossing study, seconded by Sandy Gamble. The motion carried 4-1 as follows:

Robert Wolfe	**Yes**
Kirby Smith	**No**
Sandy Gamble	**Yes**
Lori Pfister	**Yes**
Bob Grenier	**Yes**

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

None.

XIV. REPORTS

Tab 16) City Administrator

Mr. Drury stated he had provided a list of upcoming meetings. In addition he noted the city participated in a successful Golden Triangle Summit Meeting with Eustis, Mt. Dora, and Tavares recently in which the primary topics were rail through Lake County as well as a Golden Triangle Fire District.

Economic Development Director

Mr. Neron gave a summary of the economic impacts of the Bass Master Open Elite Tournament. He said the total cost was $36,000 plus staff support services. He acknowledged the assistance of Lauren Farrell, Economic Development Coordinator, and Susie Novack, Deputy City Clerk, in obtaining information from the participants. He said according to the surveys a total of 292 anglers or 74% accounted for 747 days of pre-fishing which means that not only are the anglers present for the tournament but they are also in the area for extensive periods of time prior to the tournament. The economic impact was calculated based on an average of five categories of expense types. The total average direct expenditure was $553,103 and the total induced expenditures were $1,659,000.

Public Communications Director

Ms. Ross advised that she would be sending out a message on the city's emergency line announcing the Special Election on March 6th to ensure that the residents are aware of the election and that they can register to obtain an absentee ballot if needed.

Finance Director

Ms. Houghton advised Council that the auditors have arrived on site to do the annual audit.

Tab 17) City Council

Councilmember Pfister

Councilmember Pfister noted that the Union Congregational Church will be starting their meals for seniors on Monday. She said she had stopped by their successful opening event today. She noted that anyone who wants to receive a meal will need to registered ahead of time with the church. She said they also have a food pantry and are in need of canned meat and fruit.

Councilmember Gamble

Councilmember Gamble thanked Mr. Neron for his report and noted it is helpful to have that data. He expressed appreciation to all the staff for their work on the event.

Councilmember Gamble asked about a problem with the ramps.

Mr. Neron said staff is working on a short term and a longer term solution. He said he had met with the engineer who is doing an underwater survey and some alternatives should be coming for a short term solution. Mr. Drury noted this is regarding the low water levels which affect the seaplanes that are heavier than 3000 lbs. with long landing gears.

Vice Mayor Grenier

Vice Mayor Grenier discussed an interview he had seen on Channel 9 with a woman who said she was visually impaired but driving a golf cart in Tavares. He also said he had observed an 8 year old boy driving a golf cart on the road. He said he continues to be concerned about people driving without a driver's license.

Chief Lubins said that the policing of the golf carts as a whole has been successful. He said in terms of the age issue he was not aware of any problems. He said if an individual has a revoked license due to a DUI or impairment that might be a safety issue but it would be a policy decision.

Councilmember Smith

- Commended Lt. Jason Paynter for his work in the community with some neighbors.

- Noted at the Golden Triangle event, he had brought up the idea of having a joint event between the three cities. He said he would like to contact the chambers to explore the idea. **Consensus of Council for Councilmember Smith to begin discussions.**

Mayor Wolfe

Mayor Wolfe said that he and Mr. Drury had attended Lake County Days in Tallahassee and met with the legislators and DEP staff and had received positive feedback from various individuals about projects in Tavares.

Adjournment

There was no further business and the meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Nancy A Barnett

Nancy Barnett, CMC
City Clerk

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: February 15, 2012

AGENDA TAB) 2
SUBJECT TITLE: Donation of Burial Plot

OBJECTIVE:

To approve the donation of a burial plot to the family of Corporal Paula Crow

SUMMARY:

The City wishes to donate the burial plot to the family of Corporal Paula Crow.

The value of the plot is $450.00. The opening and closing costs were generously donated by Quality Vaults, Inc.

OPTIONS:

1) Move to approve the donation of the cemetery plot valued at $450.00 for the internment of Corporal Paula Crow
2) Do not approve.

STAFF RECOMMENDATION:

Move to approve the donation of a cemetery plot for the interment of Corporal Paula Crow.

FISCAL IMPACT:

N/A

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TAVARES

America's Seaplane City

AGENDA SUMMARY
TAVARES CITY COUNCIL
FEBRUARY 15, 2012

AGENDA TAB NO. 3
SUBJECT TITLE: Ordinance 2012-14 **FIRST READING**
Green Building Incentives and Award

OBJECTIVE:

To approve an ordinance that adopts a Green Building Incentives and Award Program as part of the City's Economic Development Initiatives.

SUMMARY:

On March 16th, Council instructed staff to develop a Green Construction Program that would use building permit fee waivers or reductions and public recognition as incentives.

Staff has prepared an ordinance that would add a Green Building Incentive and Award Program to Chapter 23, Community Economic Development Initiatives, of the City's Land Development Regulations.

Highlights of the proposed program:

1. The program is optional except for city-owned civic or office construction projects.
2. Those wishing to participate must comply with the Green Home Designation Standard for residential construction and L.E.E.D.2.0 Standard for commercial construction. Both of these standards use the Florida Building Code as the "baseline" for efficiency.
3. Construction Projects must be certified by a qualified third party who has been trained and certified as a green building rater.
4. Successful applicants will receive the following rewards:
    a) 50% reduction in building permit fee for the project.
    b) marketing assistance including site signs, inclusion in the city's Green Program website, promotional packages and press releases.
    c) A "Green Building Award" will be awarded annually during a public City Council meeting.
5. The program will be reviewed annually to determine its effectiveness.

OPTIONS:

No Council action required at First Reading.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to adopt Ordinance 2012-14.

FISCAL IMPACT:

Fiscal impact will equate to the number of successful participants who receive partial building permit fee reductions. There may also be minimal promotional and marketing costs. It is staff's opinion that these costs overtime will be offset by the benefits that Green Construction provides to the community.

LEGAL SUFFICIENCY:

Approved for legal sufficiency

ORDINANCE 2012-14

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 23, COMMUNITY ECONOMIC DEVELOPMENT INITIATIVES, ADDING DIVISION 6, GREEN BUILDING INCENTIVES AND AWARD PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, green construction practices greatly contributes to the continued growth and prosperity of the City of Tavares and its residents; and

WHEREAS, the City of Tavares desires to emphasize this as a priority by amending the City's Land Development Regulations by adding programs for providing incentives, public recognition and awards to those citizens and developers that utilize green construction practices to a degree greater than required by applicable building codes; and

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

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

Section 1. Text Amendments to the City's Land Development Regulations

That the City's Land Development Regulations are hereby amended as follows:

Chapter 23
Community Economic Development Initiatives

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Sec. 23-2 Policy and Intent

DIVISION 2. ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS

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DIVISION 3. IMPACT FEE WAIVERS

Sec. 23-14 Impact Fee Waivers

DIVISION 4. POSTPONEMENT OF BUILDING PERMIT FEES PAYABLE FOR COMMERCIAL DEVELOPMENT

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DIVISION 5. INDUSTRIAL DEVELOPMENT FINANCING

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DIVISION 6. GREEN BUILDING INCENTIVES AND AWARD PROGRAM

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Sec. 23-19 Designation of Responsibilities for Implementation and Administration

Sec. 23-20 Program

Sec.23-21 Scope

Sec. 23-22 Coverage

Sec.23-23 Standards

Sec. 23-24 Incentives

Sec. 23-25 Certification

DIVISION 6.

GREEN BUILDING INCENTIVES AND AWARD PROGRAM

Sec. 23-17 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

City means the City of Tavares, Florida.

Council means the City Council of the City of Tavares, Florida.

City-owned civic or office construction project means city-owned buildings providing a public gathering place or office facilities.

Construction means any project associated with the creation, development, or erection of any building eligible for the program.

FGBC means the Florida Green Building Coalition.

GHDS means the Green Home Designation Standard of the Florida Green Building Coalition.

Green building means generally the resource efficient design, construction, and operation of buildings by employing environmentally sensible construction practices, systems, and materials.

Independent or independent of the city means not employed by, or acting as agents of the city.

L.E.E.D. 2.0 means the Leadership in Energy and Environmental Design Rating System, Version 2.0, of the U.S. Green Building Council.

Municipal means owned by the city.

Private means property not owned by the city.

Program means the city green building program.

Program certification means the final designation awarded to a program participant for satisfying all requirements associated with the program for a particular project.

Program participant means any person or entity seeking program certification for a particular project.

Project means any construction associated with the creation, development, or erection of any building eligible for the program.

Project application form means the form submitted to the building inspection department indicating that a program participant is interested in participating in the program for a particular project.

Sub-program means any area of construction covered by the program.

USGBC means the U.S. Green Building Council.

Sec. 23-18. Intent and purpose.

The purpose of the program shall be to provide the city community with a certification-based "green building" program. It is expected that city owned civic or office construction projects will follow the program guidelines, upon review by the City Council. This program will be voluntary for all others. This program will promote sustainable and environmentally-friendly practices of construction and design.

Sec. 23-19. Designation of Responsibility for Administration and Implementation.

The program shall be administered by the City's Community Development Department which shall be responsible for:

(1) Funding the program through annual funds budgeted and appropriated by the City Council;

(2) Marketing the program to the Tavares community by any reasonably effective means, including but not limited to print advertising, press releases, television advertising, or advertising in monthly mailers;

(3) Developing any appropriate or necessary application procedures, including but not limited to, the program application form;

(4) Providing an incentive award to any program participant who has successfully satisfied the requirements associated with that incentive; and

Sec. 23-20. Program.

(a) For all non-city projects, the program shall be voluntary.

(b) For any city-owned civic or office construction project, the city is expected to participate in the program unless the City Council determines that the cost (e.g. time, function, or funding) associated with participating in the program significantly outweighs the benefits of participating in the program to the city.

(c) The City's Community Development Director and Director of Finance or their designees shall develop policies and procedures to implement the green building program.

Sec. 23-21. Scope.

The program shall be administered on a per-unit basis. For the purpose of this section of the program, "per-unit" means each unit built, except that any multi-family dwelling or similarly clustered structure may count as one unit, as determined by the Community Development Director or their designee(s).

Sec. 23-22. Coverage.

The program shall be comprised of the following sub-programs:

(1) New residential construction;

(2) Residential retrofitting/remodeling;

(3) New commercial/non-city construction, not including any expansions or remodeling; and

(4) City-owned civic or office construction, not including any expansions or remodeling.

Sec. 23-23. Standards.

The program shall be administered using standards for certification developed by the Florida Green Building Coalition and the U.S. Green Building Council. These standards shall apply to each sub-program as follows:

(1) GHDS. For any program participant seeking program certification for new residential construction the program participant must satisfy all of the requirements associated with the current Green Home Designation Standard of the FGBC, including but not limited to, any monetary or certification requirements. For the purpose of this section of the program, "current" means at the time a program participant submits a project application form with the building inspection department.

(2) L.E.E.D. 2.0. For any program participant seeking program certification for new commercial/non-city construction or new municipal civic or office construction, the program participant must satisfy all of the requirements associated with the L.E.E.D. 2.0, including but not limited to any monetary or certification requirements.

(3) Review. For the purpose of this section of the program, a program participant shall be bound by the standard designated for a particular sub-program unless the program participant both requests to be certified under a more current version of a designated standard and the request is approved by the city department responsible for administering the particular program.

Sec. 23-24. Incentives.

The Program shall consist of incentives designed to encourage the use of the Program. For any program participant seeking program certification for new residential construction, residential retrofitting/remodeling and new commercial non-city construction the City government shall provide the following incentives:

(1) Reduced permitting fee, which shall equal 50 percent of the fee required for a non-program participant, subject to availability of funds;

(2) Marketing for all sub-programs. For any program participant seeking program certification for new residential construction, residential retrofitting/remodeling or new commercial/non-city construction the City shall provide the following marketing incentives, including but not limited to:

a) The erection of building site signs designating a project under the Program;
b) The inclusion of program participants on a City webpage dedicated to the Program;
c) The creation of promotional packages, such as a program logo for a program participant's advertisements or brochures;
d) Press releases when the program participant receives certification.

(3) Green Building Award. For the purpose of publicly recognizing outstanding commitment to "green building" the Program shall provide for an award called the "Green Building Award" to be awarded annually by the City Council.

Sec. 23-25. Certification.

The program shall be subject to certification by a qualified third party who has been trained and certified as a green building rater. For the purpose of this section of the program, "third party" means any person or entity authorized by the FGBC or the USGBC to verify that a program participant has satisfied any or all of the requirements associated with the standard designated for a particular project.

Sec. 23-26. Program review.

(1) Staff review. The City's Community Development Department shall initiate a review of the Program as necessary to determine the need for change in the program to increase its effectiveness.

(2) Frequency. The program shall be subject to review one year after the effective date of this ordinance and thereafter at a frequency of no more than once per year.

(3) Purpose. The purpose of reviewing the Program includes but is not limited to updating program incentives, recommending program or market changes, reviewing suggestions made by program participants, and annually awarding the Green Building Award.

Section 2. Severability and Conflicts

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

Section 3. Effective Date

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

PASSED AND ADOPTED this _____ day of _____, 2012 by the City Council of the City of Tavares, Florida.

_____

Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Second Reading: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

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TAVARES

America's Seaplane City

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: February 15, 2012

AGENDA TAB NO. 4

SUBJECT TITLE: Ordinance #2012 – 03 - Amendment to Section 2 of Code of Ordinances

---

OBJECTIVE:

To consider the approval of Ordinance #2012-03 to update the Code of Ordinances relating to a provision for the Beautification Committee and payments to certain Boards.

SUMMARY:

This is an ordinance to clean up provisions in the Board section of the Code of Ordinances that are no longer current.

The Beautification Committee (created in 1995) last met in 1998 when the Civic Center was renovated to accommodate the library, for the purpose of making landscaping recommendations. As a Council appointed Board it fell under Sunshine Law and had to meet those requirements. The Committee was informally disbanded after completion of the library but no changes were made to the code.

The Code Enforcement Board was formally disbanded by Ordinance in 2004 when the Special Magistrate was approved by City Council. This will update the section of the code relating to reimbursement no longer in effect.

OPTIONS:

1) Move to approve Ordinance #2012-03 to update Section 2 of the Code of Ordinances
2) Do not approve Ordinance #2012-03

STAFF RECOMMENDATION:

Move to approve Ordinance #2012-03 to update Section 2 of the Code of Ordinances.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY: Legally sufficient.

ORDINANCE 2012-03

AN ORDINANCE REPEALING PORTIONS OF SECTION 2-46 RELATING TO PAYMENT OF CERTAIN BOARDS AND SECTIONS 2-110; 2-111 AND 2-113 OF THE CITY OF TAVARES CODE OF ORDINANCES PERTAINING TO THE CITY OF TAVARES BEAUTIFICATION COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

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

Section 2-46 is amended as follows:

Section 2-46 – Reimbursement of Expenses for Certain Members

Members of the following boards and committees of the city shall receive twenty dollars ($20.00) per meeting for each meeting of the board or committee that they attend as reimbursement for expenses, which amount shall be paid monthly:

(1) Planning and Zoning Board
~~(2) Code Enforcement Board~~
(2) Library Board
~~(3) Recreation Board~~

Sections 2-110; 2-111 and 2-113 of the City of Tavares Code of Ordinances are hereby repealed in their entirety.

~~**Section 2-110. Establishment of Beautification Committee.**~~

~~The Tavares Beautification Committee is hereby established to govern, regulate and encourage beautification programs and activities, including landscaping and tree plantings and maintenance, in parks, rights-of-way, the City cemetery, and other public areas owned or controlled by the City of Tavares. The Tavares Beautification Committee shall be an advisory board. All decisions of the Committee are subject to the approval of the Tavares City Council except as to specific authorities hereinafter delegated to the Tavares Beautification Committee.~~

~~**Section 2-111. Beautification Committee Organization and Membership.**~~

~~a) The Beautification Committee shall consist of seven (7) members to be appointed by the President of the City Council and approved by the City Council. The members initially appointed shall hold office as follows:~~

~~Four (4) for the term expiring the second meeting in June of 1997; and,~~

~~Three (3) for the term expiring the second meeting in June of 1998.~~

~~Beginning at the second meeting in June, 1997, and thereafter each year, at the second meeting in June, appointments shall be made for two (2) years to fill the expiring terms. Appointments shall be made by the President of the City Council subject to the approval of the City Council.~~

~~b) Two (2) members appointed to the Beautification Committee may reside outside the city limits of the City of Tavares. The remaining five (5) Beautification Committee members shall be residents of the City of Tavares.~~

~~c) The members shall meet and organize immediately after their appointment, and shall elect one of their members as Chairman, and elect such other officers as shall be required or expedient. Four (4) members of the Committee shall constitute a quorum.~~

~~Section 2-113. Duties.~~

~~The Beautification Committee shall have the following duties:~~

~~a. Recommend and encourage City beautification programs, and activities, including landscaping and tree plantings and maintenance, in parks, rights-of-way, the City cemetery, and other public areas owned or controlled by the City of Tavares;~~

~~b. Recommend general rules and procedures relating to the operation of the City Cemetery:~~

~~c. Study, investigate, counsel, and develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas.~~

~~d. Recommend and participate in the formulation of an official comprehensive tree plan for the City of Tavares;~~

~~e. Recommend and participate in the preparation of the Beautification and Cemetery elements of the budget to be submitted to the City Council;~~

~~f. Administer the City's Public Tree Ordinance;~~

g. ~~Recommend any and all other matters pertaining to the City beautification or the City cemetery.~~

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

PASSED AND ORDAINED this day of 2012, by the City Council of the City of Tavares, Florida.

Robert Wolfe, Mayor
Tavares City Council

First Reading: February 1, 2012

Passed Second Reading

ATTEST:

Nancy A. Barnett, City Clerk

Approved as to form:

Robert Q. Williams, City Attorney

Sunday, February 5, 2012
Orlando Sentinel/Lake Sentinel
Ordinance 2012-03

CITY OF TAVARES

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider the Ordinance 2012-03, Second Reading, on February 15, 2012 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

ORDINANCE 2012-03

AN ORDINANCE REPEALING PORTIONS OF SECTION 2-46 RELATING TO PAYMENT OF CERTAIN BOARDS AND SECTIONS 2-110; 2-111 AND 2-113 OF THE CITY OF TAVARES CODE OF ORDINANCES PERTAINING TO THE CITY OF TAVARES

Public Hearing Notices

BEAUTIFICATION COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

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

LAK1172107 02/05/2012

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TAVARES

America's Seaplane City

AGENDA SUMMARY
TAVARES CITY COUNCIL
FEBRUARY 15 2012

AGENDA TAB NO.5 **SECOND READING**
SUBJECT TITLE: Ordinance 2012-02
Amendment to LDR Regulations to Allow Cattle within the RSF-A Zoning District

OBJECTIVE:

To amend Chapter 8, Table 8-2 of the City's Land Development Regulations to allow the keeping of cattle in the RSF-A zoning district under specific conditions as stated in amended Note 7 of the table.

SUMMARY:

City staff has received requests by owners of large tracts of parcels within the city to allow cattle grazing. Presently, our Land Development Regulations does not allow the keeping of cattle, although the boarding of up to two horses is permitted on parcels over 2.5 acres in an RSF-A zoning district.

On December 21st, 2011, this matter was brought to City Council to receive a general policy direction on whether to proceed with an amendment. Council directed staff to draft a proposed LDR amendment for their review. There was at that time, a discussion about agricultural tax exemptions. Council questioned whether this amendment would facilitate commercial agricultural operations and trigger applications for the exemption. From this discussion, staff derived that Council would prefer that, if cattle were allowed within the city, that it would be permitted only as a small scale, non-commercial use. For this reason, the proposed amendment has been drafted to allow the keeping of cattle on properties over 2.5 acres in size within the RSF-A zoning district. There are only several properties at the east end of Dead River Road that would qualify. These are all less than 10 acres in size. The conditions imposed by the amended Note 7 of the Permitted Use Chart (8-2) are similar to those already established for the boarding of horses and would preclude a commercial agricultural operation. It is unlikely that the County Property Appraiser would grant an agricultural exemption on any new use facilitated by this amendment. Subsequent to the First Reading, staff has added to the ordinance a traditional definition for cattle which includes only those animals of the genus Bos namely cows, bulls, steers and oxen.

OPTIONS:

1. That City Council moves to approve Ordinance 2012-02.
2. That City Council denies the proposed ordinance.

PLANNING & ZONING BOARD RECOMMENDATION:

At its January 19th meeting, the Planning and Zoning Board unanimously recommended approval of Ordinance 2012-02 with the suggestion that the maximum number of horses or cattle be capped at 15. The proposed ordinance has been revised to include this suggestion.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2012-02.

FISCAL IMPACT:

None

LEGAL SUFFICIENCY:

This ordinance has been approved for legal sufficiency.

ORDINANCE 2012-02

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING THE AGRICULTURAL LAND USES ALLOWED UNDER CHAPTER 8, TABLE 8-2, PERMITTED AND SPECIAL USES, BY ALLOWING THE KEEPING OF CATTLE UNDER CERTAIN CONDITIONS WITHIN THE RFS-A ZONING DISTIRICT; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 7, 2005, the City of Tavares adopted the Land Development Regulations, specifying therein permitted and special uses allowed within established zoning districts; and

WHEREAS, the RSF-A zoning district presently permits the boarding of two horses on lots that exceed 2.5 acres; and

WHEREAS, the city has received a request to expand this permitted use to include the keeping of cattle under the same conditions currently applied to the boarding of horses; and

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

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

Section 1. Text Amendments

That the City of Tavares Land Development Regulations be hereby amended as follows:

TABLE 8-2 PERMITTED AND SPECIAL USES (30)

LAND USE	ZONING												
	RSF-A	RSF-1	RMF-2	RMF-3	RMH-P	RMH-S	PD	MU	CD	C-1	C-2	I	PFD
AGRICULTURE													
Citrus Groves	P	P	P	P	P	P		P	P	P	P	P	
Wholesale plant production, wholesale nurseries, and greenhouses.												P	
Boarding of Horses and Keeping of Cattle	P (7)												

NOTES: Table 8-2 Permitted and Special Uses

7.

1. Boarding of horses or keeping of cattle is permitted provided all of the following conditions are met:

   a. lot size must be greater than two-and-one-half (2.5) acres; and,
   b. no more than two (2) horses ~~may be boarded at one time per lot~~ or two (2) cattle or an equivalent combination is allowed per two–and-one half (2.5) acres of land or major portion thereof; and,
   c. ~~no commercial boarding is permitted~~ no commercial boarding of horses or commercial processing of cattle is permitted; the boarding of horses or keeping of cattle is intended to be for the enjoyment of the owners of the property and may not be associated with a commercial agricultural operation; and,
   d. no barn or stable may be located within fifty feet (50') of any property line.
   e. the maximum combined amount of horses or cattle shall not exceed 15 head per parcel of property.
   f. Cattle shall be defined as any of various chiefly domesticated mammals of the genus Bos, including cows, steers, bulls and oxen, often raised for meat and dairy products.

Section 2. Severability and Conflicts

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

Section 3. Effective Date

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

PASSED AND ADOPTED this _____ day of _____, 2012 by the City Council of the City of Tavares, Florida.

_____
Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Second Reading: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

Orlando Sentinel

Proof

Jan. 04, 2012

Agency:		**Order ID:**	1168384
Customer:	City Of Tavares		
Address:			
City:	TAVARES		
State:	FL 32778-1068	**Caller name:**	Mike Fitzgerald
Phone no:	(352) 742-6417	**Fax no:**	
Account ID:	1494867	**Sales rep:**	Stephanie K Smith

Purchase order no:

Payment type:

Newspaper Classified

Title	Class Name	Begin Date	End Date	Size (col x lines)	Color
Orlando Sentinel	Public Hearing Notices	01-09-2012	01-09-2012	1 x 83	No

Gross price:	$ 83.00
Discounts:	$ 0.00
Net price:	$ 85.00
Prepaid amount:	$ 0.00
Amount due:	**$ 0.00**

CASES TO BE HEARD

1) Land Development Regulations Amendment – Chapter 4 & Chapter 10 – Concurrency Review – Text Amendment - Ordinance 2012-01

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

In June, the State of Florida legislature passed House Bill 7207 which addressed the State's involvement in local growth management. The new bill made the State review of concurrency related to transportation, school facilities and parks and recreation optional. City Ordinance 2011-11, approving the removal of the optional concurrency facilities from the comprehensive plan, was adopted in October of 2011. Currently however, the Land Development Regulations makes several references to the comprehensive plan which are no longer accurate based on the adoption of Ordinance 2011-11. Therefore, staff is recommending Ordinance 2012-01 which is drafted to reflect the City's requirements related to application submittals for transportation and school facility impacts. No change is necessary as it relates to parks and recreation. Concurrency regulations encompassed by existing interlocal agreements with the MPO and School Board related to the issuance of Development Orders remain unchanged.

Chairman Adams asked for comments from the audience. Being none, the Chairman asked for board for comments.

Dawn McDonald informed that board that on behalf of the School Board, she had recommended text changes which staff incorporated into the proposed ordinance and the ordinance appropriately reflected the intentional of the Interlocal Agreement.

John Tanner said that he spoke to Jacques Skutt before the meeting and his questions were addressed.

James Gardner mentioned that there was a typo on page 3 of the ordinance. Staff committed to correct the error.

MOTION

John Tanner moved to recommend approval of Ordinance 2012-11. The motion was seconded by . The motion carried unanimously.

2) Land Development Regulations Amendment – Chap. 8 Table 8-2 – Ordinance 2012-02

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

City staff has received requests by owners of large tracts of parcels within the city to allow cattle grazing. Presently, our Land Development Regulations does not allow the keeping of cattle, although the boarding of up to two horses is permitted on parcels over 2.5 acres in an RSF-A zoning district.

On December 21st, 2011, this matter was brought to City Council to receive a general policy direction on whether to proceed with an amendment. Council directed staff to draft a proposed

LDR amendment for their review. There was at that time a discussion about agricultural tax exemptions. Council questioned whether this amendment would facilitate commercial agricultural operations and trigger applications for the exemption. From this discussion, staff derived that Council would prefer that if cattle were allowed within the city, that it would be permitted only as a small scale, non-commercial use. For this reason, the proposed amendment has been drafted to allow the keeping of cattle on properties over 2.5 acres in size within the RSF-A zoning district. There are only several properties at the east end of Dead River Road that would qualify. These are all less than 10 acres in size. The conditions imposed by the amended Note 7 of the Permitted Use Chart (8-2) are similar to those already established for the boarding of horses and would preclude a commercial agricultural operation. It is unlikely that the County Property Appraiser would grant an agricultural exemption on any new use facilitated by this amendment.

Chairman Adams asked for comments from the audience. Being none, the Chairman asked for board for comments.

In response to a question, Jacques explained that commercial operation would not be permitted.

There was discussion regarding the definition of bonafide agriculture for tax exemption purposes. Attorney Williams explained that that determination would be made by the tax assessor's office which has established a trend of making very conservative assessments in this regard.

MOTION

John Tanner moved to recommend approval of Ordinance 12-02 allowing for the boarding of horses and/or cows on properties over 2.5 acres in size within the RSF-A zoning district at a rate of two animals per 2.5 acres with the maximum number of animals limited to 15 regardless of acreage. The motion was seconded by Sam Grist. The motion carried unanimously.

OTHER BUSINESS

There was none.

ADJOURNMENT

Gary Santoro motioned to adjourn the meeting. Sam Grist seconded the motion. The motion was approved unanimously.

The meeting adjourned at approximately 3:20 p.m.

Respectfully submitted,

_____

Alisha Maraviglia
Senior Planner

AGENDA SUMMARY
TAVARES CITY COUINCIL
FEBRUATY 15, 2012

TAB NO) 6
SUBJECT TITLE: Ordinance 2012-01 **SECOND READING**

Amending the Land Development Regulations for Concurrency: Chapter 4 – Table 4A – Submittal Requirements and Chapter 10 - Concurrency

OBJECTIVE:

To amend the Land Development Regulations Chapter 4, Table 4A – Submittal Regulations and Chapter 10 entitled Concurrency to accurately reflect the City's requirements and to achieve consistency with our City's Comprehensive Plan.

SUMMARY:

In June 2011, the State of Florida Legislature passed House Bill 7207 which addressed the State's involvement in local growth management. The new bill made the State review of concurrency related to transportation, school facilities and parks and recreation optional. City Ordinance 2011-11, approving the removal of the optional concurrency facilities from the comprehensive plan, was adopted in October of 2011. Now, however, the Land Development Regulations makes several references to the comprehensive plan which are no longer accurate because of the adoption of Ordinance 2011-11. Proposed Ordinance 2012-01 amends the LDRs to accurately reflect the City's requirements for application submittals for Development Orders as they may pertain to transportation and school facility impacts. No change is necessary for parks and recreation. Concurrency regulations encompassed by existing interlocal agreements with the MPO and School Board for the issuance of Development Orders remain unchanged.

OPTIONS:

1. That City Council moves to approve Ordinance 2012-01.
2. That City Council denies the proposed ordinance.

PLANNING & ZONING BOARD RECOMMENDATION:

At its January 19th meeting, the Planning & Zoning Board voted unanimously to recommend approval.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2012-01.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

ORDINANCE 2012-01

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 4 AND CHAPTER 10, PERMITTING PROCEDURES AND CONCURRENCY REVIEW DETERMINATIONS, TO ACHIEVE CONSISTENCY WITH RECENTLY APOPTED CHANGES TO THE CITY'S COMPREHENSIVE PLAN; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the Community Planning Act has made State review of concurrency requirements for transportation, schools, parks and recreational facilities optional for local governments; and,

WHEREAS, on October 19th, 2011, City Council adopted Ordinance 2011-07 that removed these non-statutory concurrency requirements from the City's Comprehensive Plan; and

WHEREAS, the City of Tavares desires to locally manage the development impacts to transportation, schools, parks and recreation facilities at the time of the issuance of development orders through co-ordination with Lake County and neighboring municipalities; and,

WHEREAS, City of Tavares desires to amend the Development Regulations to reflect these changes and to be consistent with the City's adopted comprehensive plan; therefore

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

Section 1. Text Amendments

That the City of Tavares Land Development Regulations be hereby amended, and Chapter 4 and Chapter 10 specifically be hereby amended with the revisions attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2. Severability and Conflicts

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

Section 3. Effective Date

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

PASSED AND ADOPTED this _____ day of _____, 2012 by the City Council of the City of Tavares, Florida.

_____
Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Second Reading: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

Exhibit A
CHAPTER 4

Table 4-A Submittal Requirements

Application Type		Annexation	Rezoning	Special Use	Comprehensive Plan Amendment	Preliminary Subdivision Plan	Subdivision Construction	Final Plat	Minor Subdivision	Lot Split	Site Plan	Minor Site Plan	Variance	Vacate
Information Required *see Table notes (#) on attached page	**No. of Copies Required per Application Type**													
Traffic Study (14)	3		•	°	-•-	•	•		°		•			
School Impact Analysis (15)	3		•	°	•	•	•		•		•			

- • Indicates required information.
- ° Indicates that this information may be required depending on individual circumstances. A pre-application conference is advised in order that the Community Development Director and/or other appropriate staff may determine which items are required so as to properly evaluate the development proposal. Please contact the Planning department for confirmation of requirement.

CHAPTER 10
CONCURRENCY REVIEW AND DETERMINATION CAPACITY MANAGEMENT

Section 10-3 Exemptions for Concurrency Test

The following development orders and permits are exempt from this article, and may commence development without a ~~certificate~~ determination of capacity:

(A) Any addition to a residence which creates no additional impact on public facilities;

(B) Interior completion of a shell-only structure for uses with same or less intensity as identified on an approved site plan;

(C) Interior renovations with no change in use;

(D) Accessory structure that create no additional impact on public facilities;

(E) Storage addition to a nonresidential use which creates no additional impact on public facilities;

(F) Replacement structure which create no additional impact, except for a nonconforming use, in accordance with the Land Development Code provisions on nonconforming uses;

(G) Temporary construction trailers;

(H) Wells and septic tanks;

(I) Driveway or resurfacing parking lot paving;

(J) Re-roofing of structures;

(K) Demolitions;

(L) Single-family and duplex residences on lots which were platted prior to adoption of this code;

(M) The following items: public utility and service structures, attached or detached guest house to a residence, accessory parking for passenger vehicles when intended for a permitted adjacent commercial use;

(N) Development permits including, specifically, building permits, which do not require an additional final development order prior to their issuance shall not require a concurrency review as a condition of issuance of said permits;

(O) Sign permits.

(P) Development that is determined to be vested.

Section 10-6 ~~Certificate~~ Determination of Concurrency

(A) General. For each public facility, a determination of available capacity shall be made. If the capacity for that specific facility exceeds the projected demand of the proposed development, within the applicable geographic scope of that facility, a **~~Certificate~~ Determination** of Concurrency (~~C~~DOC) shall be issued. If the capacity for that specific facility is less than the projected demand of the proposed development, a **~~Certificate~~ Determination** of Concurrency cannot be issued for the application as submitted. If the project requires any other development permit, a copy of the ~~C~~DOC shall be included with any future application for development permit. A separate concurrency review may be required for each development permit issued for the same project. If the application is not concurrent, that determination shall be reduced to writing, signed by the official making the determination, and sent by U.S. Mail to the applicant. The **~~Certificate~~ Determination** of Concurrency does not provide for a reservation of capacity.

(B) Expiration of a **~~Certificate~~ Determination** of Concurrency. The City of Tavares has specific time limits for development orders and the concurrency **~~certificate~~**

determination will be valid for the same period of time as the underlying development order.

(C) Resubmission of Concurrency Application. Applications for development orders that are denied because of insufficient capacity of public facilities may be resubmitted if the applicant of the denied development order intends to provide all public facilities to comply with capacity requirements or enters into a development agreement with the City or other public facility provider for the purpose of contributing to the provision of the public facility required.

(D) Transfer of ~~Certificate~~ **Determination** of Capacity. The capacity test is site specific and cannot be transferred to another piece of property. It can be transferred to subsequent development orders for the same parcel, and to subsequent owners of the same parcel.

Section 10-7 Standards to Meet Concurrency

The City of Tavares shall review applications for development and a development permit will be issued only if the proposed development does not lower the existing level of service (LOS) of a facility/service below the adopted LOS in the Tavares Comprehensive Plan or appropriate governing document. A project shall be deemed concurrent if one of the following standards is met:

(A) The necessary public facilities and services are in place at the time the Development Permit is issued; or

(B) The necessary facilities and services will be in place at the time the impacts of development occur; or

(C) The necessary public facilities and services are under construction at the time the Development Permit is issued; or

(D) The necessary public facilities and services are guaranteed in an enforceable development agreement, pursuant to Sections 163.3220 through 163.3243, Florida Statutes; or

(E) The necessary public facilities and services are the subject of a binding executed contract between the City and a contractor which provides for the commencement of the actual construction of the required facilities or the provision of services within one (1) year of the issuance of the development permit.

(F) The appropriate governing agency has certified that capacity is available.

Section 10-8 Facilities/Services Subject to Concurrency Determination

A concurrency determination shall be made for the following public facilities/services: Potable water; wastewater; solid waste; recreation/open space; stormwater management; schools and transportation.

Section 10-9 Concurrency Determination

In general, concurrency shall be determined by comparing the available capacity of a facility or service to the demand created by the proposed project.

~~(A) Non-transportation Facilities/Services. Concurrency shall be determined by comparing the available capacity of a facility or service to the demand created by the proposed project.~~

~~(B) Transportation Facilities. Concurrency will be determined by comparing the level of service (LOS) of all facilities within the project study area to the acceptable LOS established by the City in the Tavares Comprehensive Plan. The traffic volume used to determine the LOS shall include project traffic. The LOS shall be based upon the existing roadway including any programmed improvement to that facility. For transportation facilities, the concurrency requirement shall be satisfied through one of the following actions approved by the City of Tavares during the development review process:~~

~~(1) Satisfy one (1) of the criteria stipulated in Subsection 10-7, above; or~~

~~(2) Necessary improvements are programmed within the first three (3) years of the Five-Year Schedule of Capital Improvements Program.~~

~~(3) An approved mitigation strategy.~~

Section 10-10 Facility/Service Demand Calculations

The following Level of Services (LOS) calculations shall be used to determine the projected demand of the proposed project on the applicable public facility/service. The calculations are listed by facility/service type.

(A) Potable Water. Adopted LOS = 325 gal/day/ERU
(325 gal x ERU conversion x _____ units = demand)

(B) Wastewater. Adopted LOS = 250 gal/day/ERU
(250 gal x ERU conversion x _____ units = demand)

(C) Solid Waste. Adopted LOS = 4.57 lbs/ERU
(4.57lbs x ERU conversion x _____ units = demand)

(D) Recreation/Open Space. Adopted LOS = 1.7 acres/1000 residents.
(Project population = _____ units x 2.32 persons/household; Project population/LOS = demand)

(E) Stormwater Management. Adopted LOS = 25 year, 96 hour storm event. Drainage calculations shall meet the standards adopted in the City of Tavares Comprehensive Plan.

(F) Transportation. Refer to the City of Tavares Comprehensive Plan for the adopted level of service standards.

(G) Schools. Refer to Section 10-25 and the Lake County School District Growth Planning Department.

Section 10-13 Appellate Process

The applicant may appeal the denial of a ~~Certificate~~ Determination of Concurrency to City Council for all facilities except those related to School capacity. The appeal shall be made in accordance with the City's Land Development Regulations as specified in Chapter 4, Division IV, Appeal Procedures.

Section 10-14 Reservation of Capacity

Reservation of capacity of a concurrency monitored public facility shall only occur when the associated capital charge is paid.

Section 10-15 Transportation Proportionate Fair Share Program ~~**Purpose and Intent**~~

The purpose of Transportation Proportionate Fair Share ~~this ordinance~~ is to establish a method whereby the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors, to be known as the Proportionate Fair-Share Program, as required by and in a manner consistent with §163.3180(16), F.S., or its successor. The Lake Sumter Metropolitan Planning Organization Transportation Concurrency Management System Impact Study Methodology and this section ~~This ordinance~~ will ~~also~~ provide methods and procedures for the City, Lake County and the other impacted municipalities ~~located therein~~ to coordinate the Proportionate Fair Share Program.

Section 10-16 Proportionate Fair Share Program **Applicability**

The Proportionate Fair-Share Program shall apply to all proposed developments in the City of Tavares that have been notified of a transportation concurrency deficiency on a transportation facility in the Concurrency Management System (CMS). ~~The Proportionate Fair-Share Program does not apply to developments of regional impact (DRIs) using proportionate fair-share under §163.3180(12), F.S., or its successor, or to developments exempted from concurrency as provided by local and state law.~~

~~**Section 10-17 Definitions**~~

~~The following definitions shall apply to the subject terms as used in this Article:~~
~~(1) Concurrency. As set forth in Section 163.3180(2)(c), F.S., or its successor, concurrency shall be defined as transportation facilities needed to serve new development shall be in place or under actual construction within 3 years after the local government approves a building permit or its functional equivalent that results in traffic generation.~~
~~(2) De minimis is defined as an impact that would not affect more than one (1) percent of the maximum service volume at the adopted level of service of the affected transportation facility as determined by the local government.~~
~~(3) County is defined as Lake County.~~

~~(4) City is defined as the City of Tavares.~~
~~(5) Municipality is defined as any affected municipality within Lake County.~~
~~(6) CSA. The term CSA refers to Concurrency Service Area. Concurrency Service Area for the purpose of School Concurrency means the area of the County within which the level of service will be measured from school concurrency purposes as adopted in the Public School Facilities Element of the City of Tavares Comprehensive Plan.~~
~~(7) FISH. The term FISH refers to "Florida Inventory of School Houses (FISH)," current edition, and that is published by the Florida Department of Education, Office of Educational Facilities.~~
~~(8) Determination of Authenticity. This term refers to a letter prepared by the City of Tavares which serves to verify to the Lake County School Board that a certain development has accurately represented its development density and intensity for the purpose of assessing public school impacts.~~
~~(9) Long Term Planning Period. For the purpose of School Concurrency, the term Long Term Planning Period refers to the long term planning period of Lake County consistent with 9J-5.025 (3)(b)2 term F.A.C.~~

Section 10-1~~7~~8 Proportionate Fair-Share Program **General Requirements**

(a) An applicant may choose to satisfy the transportation concurrency requirements ~~of the County and/or a Municipality~~ by making a proportionate fair-share contribution, pursuant to the following requirements:

(1) The proposed development is consistent with the comprehensive plan and applicable land development regulations.

(2) The five-year schedule of capital improvements in the Capital Improvements Element (CIE) or the schedule of capital improvements for the long-term CMS includes a transportation improvement(s) that, upon completion, will satisfy the then existing requirements of the applicable CMS. The provisions of Section 10-18 (b) may apply if a project or projects needed to satisfy concurrency are not presently contained within the applicable CIE(s) or the adopted long-term schedule of capital improvements.

(3) A proportionate share contribution may involve the addition of transportation capacity through several means including but not limited to: the physical widening and/or reconstruction of a roadway to add capacity; the addition of transportation capacity through creating new reliever roadways; new network additions; contributing to new transit capital facilities (e.g., bus rapid transit corridor); contributing to the expansion of bus fleets to increase service frequency, other contributions to mass transit system expenses; or any other means determined by the County and/or Municipality to add transportation capacity sufficient to mitigate impacts.

(b) The ~~County or Municipality~~ City of Tavares may choose to allow an applicant to satisfy transportation concurrency through the Proportionate Fair-Share Program by approving the applicant's contribution to an improvement or improvements that, upon completion, will satisfy the requirements of the applicable CMS(s), but is not contained in the five-year schedule of capital improvements in the CIE(s) or a long-term schedule of capital improvements for an adopted long-term CMS, where the following apply:

(1) The City adopts, by resolution or ordinance, a commitment to add the improvement to the schedule of capital improvements in the CIE or long-term schedule of capital improvements for an adopted long-term CMS no later than the next regularly scheduled

update. To qualify for consideration under this section, the proposed improvement must be reviewed by the appropriate jurisdictions and agencies and must be determined to be financially feasible pursuant to §163.3180(16)(b)1, F.S., or its successor, consistent with the comprehensive plan of each jurisdiction within which any portion of the proposed improvement would lie, and in compliance with the provisions of this ordinance. Financial feasibility for this section means that additional contributions, payments or funding sources are reasonably anticipated during a period not to exceed 10 years to fully mitigate impacts on the transportation facilities. If a transportation facility proposed for the Proportionate Share Program is under the jurisdiction of another entity, such as the County or FDOT, the proposed improvement shall be included in the five-year Work Program of that jurisdiction or, when the improvement is not in the Work Program, through resolution or ordinance, there shall be adoption of a commitment to add the improvement to the schedule of capital improvements in the CIE or long-term schedule of capital improvements for an adopted long-term CMS no later than the next regularly scheduled update.

(2) If the funds allocated for the schedule of capital improvements in the CIE are insufficient to fund construction of a transportation improvement required by the CMS, the County and/or Municipality may still enter into a binding proportionate fair-share agreement with the applicant. The agreement may authorize construction of the development if the proportionate fair-share amount in such agreement is determined to be sufficient to pay for improvements which will, in the opinion of the governing body of each governmental entity or entities maintaining the transportation facilities, significantly benefit the impacted transportation system. The improvement(s) funded by the proportionate fair-share component must, for each affected local jurisdiction, be adopted into the capital improvements schedule of the comprehensive plan or the long-term schedule of capital improvements for an adopted long-term concurrency management system at the next annual capital improvements element update.

Section 10-20 Proportionate Fair Share Request ~~Application~~ Process

(1) Upon notification of a lack of capacity to satisfy transportation concurrency, the applicant shall be notified in writing of the opportunity to satisfy transportation concurrency through the Proportionate Fair-Share Program pursuant to this article.

Section 10-25. School Concurrency Definitions.

(1) CSA. The term CSA refers to Concurrency Service Area. Concurrency Service Area for the purpose of School Concurrency means the area of the County within which the level of service will be measured from school concurrency purposes as adopted in the ~~Public School Facilities Element of the City of Tavares Comprehensive Plan~~ First Amended Interlocal Agreement between Lake County, Lake County School Board and Municipalities for School Facilities Planning and Siting.
(2) FISH. The term FISH refers to "Florida Inventory of School Houses (FISH)," current edition, and that is published by the Florida Department of Education, Office of Educational Facilities.
(3) Determination of Authenticity. This term refers to a letter prepared by the City of Tavares which serves to verify to the Lake County School Board that a certain development has accurately represented its development density and intensity for the purpose of assessing public school impacts.

(4) Long Term Planning Period. For the purpose of School Concurrency, the term Long Term Planning Period refers to the long term planning period of Lake County consistent with 9J-5.025 (3)(b)2 term F.A.C.

Section 10-26. School Concurrency.

(A) It is the intent of this section ~~ordinance~~ to implement the ~~goals, objectives, policies and standards of the City of Tavares Comprehensive Plan, as amended, and particularly, the Public School Facilities Element and to implement the~~ Interlocal Agreement entitled the First Amended Interlocal Agreement between Lake County, the Lake County School Board and the Municipalities for School Facilities Planning and Siting dated December 26, 2007 as incorporated herein by reference (hereafter referred to as the "*Agreement*").

(B) Unless otherwise provided herein, ~~this section ordinance~~ the stipulations outlined in the Agreement shall apply to all development orders with five or more residential dwelling units ~~any residential component~~ and any amendment to an existing development order that may increase student enrollment projections. ~~to the extent that the student generation is increased above what was previously approved, or any other official action of the City of Tavares having the effect of permitting residential development of land~~.

CASES TO BE HEARD

1) Land Development Regulations Amendment – Chapter 4 & Chapter 10 – Concurrency Review – Text Amendment - Ordinance 2012-01

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

In June, the State of Florida legislature passed House Bill 7207 which addressed the State's involvement in local growth management. The new bill made the State review of concurrency related to transportation, school facilities and parks and recreation optional. City Ordinance 2011-11, approving the removal of the optional concurrency facilities from the comprehensive plan, was adopted in October of 2011. Currently however, the Land Development Regulations makes several references to the comprehensive plan which are no longer accurate based on the adoption of Ordinance 2011-11. Therefore, staff is recommending Ordinance 2012-01 which is drafted to reflect the City's requirements related to application submittals for transportation and school facility impacts. No change is necessary as it relates to parks and recreation. Concurrency regulations encompassed by existing interlocal agreements with the MPO and School Board related to the issuance of Development Orders remain unchanged.

Chairman Adams asked for comments from the audience. Being none, the Chairman asked for board for comments.

Dawn McDonald informed that board that on behalf of the School Board, she had recommended text changes which staff incorporated into the proposed ordinance and the ordinance appropriately reflected the intentional of the Interlocal Agreement.

John Tanner said that he spoke to Jacques Skutt before the meeting and his questions were addressed.

James Gardner mentioned that there was a typo on page 3 of the ordinance. Staff committed to correct the error.

MOTION

John Tanner moved to recommend approval of Ordinance 2012-11. The motion was seconded by . The motion carried unanimously.

2) Land Development Regulations Amendment – Chap. 8 Table 8-2 – Ordinance 2012-02

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

City staff has received requests by owners of large tracts of parcels within the city to allow cattle grazing. Presently, our Land Development Regulations does not allow the keeping of cattle, although the boarding of up to two horses is permitted on parcels over 2.5 acres in an RSF-A zoning district.

On December 21st, 2011, this matter was brought to City Council to receive a general policy direction on whether to proceed with an amendment. Council directed staff to draft a proposed

Orlando Sentinel

Proof

Jan. 04, 2012

Agency:		**Order ID:**	1168383
Customer:	City Of Tavares		
Address:			
City:	TAVARES		
State:	FL 32778-1068	**Caller name:**	Mike Fitzgerald
Phone no:	(352) 742-6417	**Fax no:**	
Account ID:	1494867	**Sales rep:**	Stephanie K Smith

Purchase order no:
Payment type:

Newspaper Classified

Title	Class Name	Begin Date	End Date	Size (col x lines)	Color
Orlando Sentinel	Public Hearing Notices	01-09-2012	01-09-2012	1 x 83	No

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 the adoption of proposed Ordinance 2012-01 titled as follows:

ORDINANCE 2012-01

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE CITY'S COMPREHENSIVE PLAN AND CHAPTER 1, PROVISIONS, PARTS 1.01.01 AND 1.01.02 OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO ADDRESS CONDITIONS WITH RESPECT TO ADDING CHANGES TO THE CITY'S COMPREHENSIVE PLAN, MODIFY THE RULES, REGARDING AND CHANGES OR FUNDS OF THE CITY OF TAVARES ORDINANCE, PROVIDING AN EFFECTIVE DATE.

Proposed Ordinance 2012-01 will be considered at the following public hearings:

1. Tavares Planning & Zoning Board meeting on January 18, 2012 at 2 p.m.; and
2. Tavares City Council meeting on February 1, 2012, at 6 p.m. (Ordinance First and Final Reading by Title Only); and
3. Tavares City Council meeting on February 15, 2012, at 6 p.m. (Second Reading).

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

Proposed Ordinance 2012-01 may be inspected by the public between the hours of 7:30 a.m. and 5:30 p.m. Monday through Friday at each week at City Hall.

Interested parties may appear at the meetings and at the Planning & Zoning Board meeting and City Council meeting and 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 consider 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) 742-6417, at least three working days prior to the date of the Public Hearing. If you are hearing or voice impaired, call (352) 742-6413.

Please direct any questions on this proposed ordinance to Jacques Skinner, Community Development Director, at 742-6412.

LAW13833 01/09/2012

Gross price:	$ 83.00
Discounts:	$ 0.00
Net price:	$ 85.00
Prepaid amount:	$ 0.00
Amount due:	**$ 0.00**

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TAVARES

America's Seaplane City

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: February 15, 2012

AGENDA TAB NO: 7

SUBJECT TITLE: Resolution #2012-02 - FY2011-2012 Adopted Budget - First Amendment to the Adopted Budget

OBJECTIVE:

To approve Resolution 2012-02, amending Fiscal Year 2011-2012 City of Tavares Annual Operating Budget representing prior year encumbrances and prior year project rollovers.

SUMMARY:

The attached resolution represents increases and/or decreases to the Adopted Budget for Fiscal Year 2012. Appropriation increases represent prior year encumbrances and prior year project carry forwards. In addition the Resolution also reflects transfers between individual accounts within the adopted budgets for all departments.

This resolution represents the FIRST AMENDMENT to the Adopted Budget for Fiscal Year 2011-2012.

OPTIONS:

1. Approve Resolution 2012-02 amending the FY 2011-2012 City of Tavares Annual Operating Budget.

2. Do not approve Resolution 2012-02.

STAFF RECOMMENDATION:

Move to approve Resolution 2012-02, amending the Fiscal Year 2011-2012 City of Tavares Annual Operating Budget.

FISCAL IMPACT: Estimated final budget amounts are included with the budget detail for this amendment. This resolution reflects previously approved appropriations for projects began in the prior fiscal year.

LEGAL SUFFICIENCY:

The resolution has met legal sufficiency.

RESOLUTION 2012 - 02

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AMENDING THE 2012 FISCAL YEAR ADOPTED BUDGET FOR THE CITY OF TAVARES, REPRESENTING THE FIRST ADJUSTMENT TO THE ADOPTED BUDGET, AND PROVIDING FOR A REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

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

Section 1. That the adopted budget for the City of Tavares for Fiscal Year 2012 should be increased from $31,525,408 to $34,814,641 in both revenues and expenditures where the increase represents increases in estimated revenues and increases in reserve appropriations in operating funds and capital project funds for prior year project and encumbrance rollovers, and the change represents the first amendment to the adopted budget for fiscal year 2012. (Exhibit A)

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

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

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

Fund Name	Fund Number	Original Budget	Revised Estimated Revenues	Reserve Appropriations or (Non-Appropriated Revenues)	Revised Estimated Appropriations
General Fund	001	$ 11,609,511	$ 11,497,293	$ 444,695	$ 11,941,988
Water/Wastewater Utility	401	6,514,788	6,966,223	(255,767)	6,710,456
Water/Wastewater Impacts	441	300,000	-	399,095	399,095
W/WW RR&I Fund	443	150,000	300,000	(150,000)	150,000
W/WW SRF Construction	444	4,844,660	6,548,221	-	6,548,221
W/WW SRF Loan	445	898,785	898,785	-	898,785
Sanitation	402	2,721,201	2,721,201	-	2,721,201
Stormwater	403	738,248	738,248	45,355	783,603
Marina/Seaplane Base	405	564,639	564,639	-	564,639
Police Education	102	1,500	2,025	(525)	1,500
Police Automation	103	-	-	-	-
Community Redevelopment	105	180,584	181,269	6,605	187,874
Special Events	106	-	-	-	-
Police Impacts	110	120,000	-	120,000	120,000
Fire Impacts	111	105,000	-	105,000	105,000
Forfeiture Fund	112	-	-	-	-
Park Impacts	114	-	-	-	-
Infrastructure Sales Tax	150	1,349,828	1,059,387	635,288	1,694,675
Grant Fund	151	803,500	810,116	-	810,116
Debt Service Fund	201	268,083	268,083	-	268,083
Capital Project Fund	301	-	-	554,324	554,324
Dental Insurance Fund	501	-	-	-	-
Municipal Police Pension	601	147,534	706,378	(558,844)	147,534
Firefighter's Pension	602	184,938	1,721,339	(1,536,401)	184,938
General Employees	603	21,754	21,754	-	21,754
Mildred Hunter Trust	605	347	347	-	347
Woodlea Park Playground Trst	606	508	508	-	508
		$ 31,525,408	$ 35,005,816	$ (191,175)	$ 34,814,641

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

PASSED and ADOPTED this fifteenth day of February, 201, by the City Council of the City of Tavares, Florida.

_____

Robert Wolfe , Mayor
Tavares City Council

ATTEST:

_____

Nancy A. Barnett
City Clerk

_____

Approved as to form:
Robert Q. Williams
City Attorney

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: February 15, 2012

AGENDA TAB NO. 8
SUBJECT TITLE: Consider a proposal from Jones Edmunds to design Phase I of Lake Francis Gravity Sewer Replacement

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 $123,500

SUMMARY:
The City recently conducted an RFQ for the design of the Lake Francis sewer system upgrades. The selection committee selected Jones Edmunds as the most qualified consultant to design this project at Lake Francis which was approved by City Council on January 18, 2012. Staff has negotiated a contract for the design of phase I in the amount of $123,500.

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 will be some additional survey work to ascertain the depths, sizes and conditions of existing utilities.

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 $123,500

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 $123,500

STAFF RECOMMENDATION:

3. **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 $123,500

FISCAL IMPACT:

Funding Source: $150,000 was budgeted in the (RRI) Replacement, Renewal, Investment Fund for Fiscal Year 2011-2012 budget for this project. There remains an estimated amount of $850,770 in the Renewal and Replacement fund for this Enterprise which is sufficient to fund this project.

LEGAL SUFFICIENCY: This meets legal sufficiency

JONES EDMUNDS®

January 25, 2012

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.

324 S Hyde Park Avenue, Suite 250 | Tampa, FL 33606 | Phone 813.258.0703 | Fax 813.254.6860 | www.jonesedmunds.com

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

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

Task		Lump Sum Fee
Task 1 –	Design Services	
	90%, Final Design, Permits	$ 112,000
	Survey and Geotech (Subcontract)	$ 11,500
	Total for Task 1	**$ 123,500**

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,

Thomas W. Friedrich, PE
Vice President

Enclosure

Cc: Michael Sulayman, PE, Jones Edmunds
Brian Hepburn, Jones Edmunds

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: February 15, 2011

AGENDA TAB) 9
SUBJECT TITLE: Consider a proposal from BES&H to design Disston Avenue Capital Water Line

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OBJECTIVE: To consider for approval the Proposal from BES&H consulting firm to design a Capital Water Line improvement on Disston Avenue for the amount of $11,200.

SUMMARY:
The City is in the process of designing and constructing major event facilities in both the CRA and Wooten Park Areas. The new Tavares Pavilion on the Lake, which is currently under design, will be constructed over the Lake Dora at the end of Disston Avenue. The existing water line that would serve that facility is an old (1940's) cast iron pipe that is well beyond its useful life. It presently runs under the train tracks and across E. Main St. This water line is not sleeved, nor is it very deep under the tracks. Should this antiquated pipe rupture then a potential catastrophic event could take place, such as shutting down the new Tavares Pavilion on the Lake, undermining the train tracks or the main communication cable that is also located in the vicinity. The existing water line also provides water for Lake Dora Drive residents. The proposed new pipe would replace this antiquated line under the train tracks and mainstreet to connect to the existing old 8" Dora Avenue line creating the start of a new/improved looped water line for improved water quality and fire flow protection throughout the entire block from Disston to Dora and Lake Dora to Alfred. This improvement to the Disston Avenue water line should be considered at this time to coincide with the construction of the new Pavilion, and to be in place by opening day.

The proposed water line improvement has to be a "jack and bore" construction, which means creating two very large receiving holes in Disston Avenue to enable the insertion of large pipes under the road and the railroad tracks. Scheduling this project now, while the Pavilion is under construction, would alleviate potential disruption of the Pavilion activities at a later date, and possibly under emergency conditions.

The BES&H proposal is for the survey of the area, location of the utilities, permitting with the railroad and other regulatory agencies, and design, with oversight of the construction. This new water line would deliver improved water quality and insure fire flow protection for the Pavilion.

OPTIONS:

1. Move **to approve** the proposal for BES&H to provide engineering assistance to the City for the design replacement of the Disston Ave. Water line in the amount of $11,200

2. Move **not** approve the proposal for BES&H to provide engineering assistance to the City for the design replacement of the Disston Ave. Water line in the amount of $11,200

STAFF RECOMMENDATION:

Move to approve the proposal for BES&H to provide engineering assistance to the City for the design replacement of the Disston Ave. Water line in the amount of $11,200

FISCAL IMPACT:

Funding Source: Renewal and Replacement Fund. There remains an estimated amount of $850,770 in the Renewal and Replacement fund for this Enterprise which is sufficient to fund this project.

LEGAL SUFFICIENCY: This Proposal meets legal sufficiency

KEEP
RIGHT
YIELD
DEAD END

BOOTH ERN STRAUGHAN HIOTT

VIA EMAIL & US MAIL

January 25, 2012

John Drury, City Administrator
CITY OF TAVARES
201 East Main Street
Tavares, Florida 32778

RE: **PROPOSAL/AGREEMENT FOR THE CITY OF TAVARES**
DISSTON AVENUE CAPITAL WATER LINE IMPROVEMENTS

Dear John:

Enclosed please find Booth, Em, Straughan & Hiott, Inc.'s revised proposal for civil engineering necessary to complete the above-referenced project, as requested. This proposal covers the design and permitting of the proposed 12" (14" directional bore) waterline crossing of Main Street and the r/r tracks on Disston Avenue, as requested by Brad Hayes. We have attached a preliminary cost estimate for the 12"/14" waterline extension work. The 6" waterline extension to serve the Pavilion from either the existing 6" line, or from the proposed 12" waterline, will be the same regardless of which connection point is utilized, so we have not completed a cost estimate for this work at this time.

We look forward to serving you in the upcoming year, and into the future. Should you have any questions with regards to this matter, please feel free to contact our office.

Sincerely,

BOOTH, ERN, STRAUGHAN & HIOTT, INC.

Robert A. Ern, Jr., P.E.
Principal
rern@besandh.com

RAE\sd

Enclosure

c: Brad Hayes, City of Tavares (w/ encl, via e-mail)

H:\stacey\WordPerfect\Rob\Proposal\City of Tavares\Disston Ave Capital Water Line Imps\Proposal Submittal Letter 01-24-12.wpd

ENGINEERS ♦ SURVEYORS ♦ LAND PLANNERS
350 North Sinclair Avenue ♦ Tavares, Florida 32778
Phone: 352.343.8481 ♦ Fax: 352.343.8495
E-Mail: info@besandh.com ♦ www.besandh.com

ENGINEERING PROPOSAL/AGREEMENT

FOR

CITY OF TAVARES
DISSTON AVENUE CAPITAL WATER LINE EXTENSION

ENGINEERS:
Robert A. Ern, Jr., P.E.
BOOTH, ERN, STRAUGHAN & HIOTT, INC.
350 North Sinclair Avenue
Tavares, Florida 32778
(352) 343-8481 - Phone
(352) 343-8495 - Fax

CLIENT:
John Drury, City Administrator
CITY OF TAVARES
201 East Main Street
Tavares, Florida 32778
(352) 742-6209 - Phone
(352) 742-6351 - Fax

PROPOSAL/AGREEMENT

Scope: Booth, Ern, Straughan & Hiott, Inc., is pleased to submit this proposal for the Disston Avenue Capital Water Line Improvements project. The scope of the project includes the design and permitting of the improvements including installation of a 14" HDPE capital water line on Disston Avenue, connecting north of Main Street to the existing 24" DIP watermain and running under Main Street and the railroad right-of-way to the south side of the tracks. Proposed line will transition from 14" HDPE to 12" DIP south of Disston and will be connected to the existing 6" line running east along Main Street. In addition, a 6" connection point will be provided for the line serving the proposed Pavilion. Also included is bidding assistance and construction administration, as well as completing the required FDEP certification of completion.

TASK 001 ROUTE SURVEY

Conduct a survey along the route of the proposed waterline on Disston Avenue, running approximately 150' north and approximately 150' south of the railroad tracks on the northbound (east) lane of Disston Avenue. The survey will establish the right-of-way, easements, and to identify all existing improvements, both underground and exposed. The survey will be conducted on one side of the roadway only, and will be conducted from the edge of pavement to the r/w line along the anticipated route.

FEE: $1,340.00

TASK 002 UNDERGROUND UTILITY LOCATING SERVICES

Existing underground utilities shall be located along the route proposed by Central Florida Locating, Inc., for the purposes of the route survey. As noted in the proposal, utilities will only be located on one side of the roadway.

FEE: $1,860.00

TASK 003 DISTRIBUTION SYSTEM DESIGN AND PERMITTING

Prepare detailed design drawings for the construction of the water distribution system to meet FDEP Chapter 17-555 Florida Administrative Code and City of Tavares Land Development Regulations. The scope of these services shall include the following:

1. Prepare detailed design drawings for +/- 150 linear feet of 14" HDPE directional bored water main and +/- 50 LF of 12" DIP water main, and miscellaneous fittings and appurtenances.
2. Prepare the FDEP water supply system permit application.
3. Prepare the Railroad right-of-way use permit application.

FEE: $3,500.00

TASK 004 CONSTRUCTION BID DOCUMENTS

Services to include preparation of construction contract bid documents and specifications. Booth, Ern, Straughan & Hiott, Inc., shall coordinate with all qualified bidders during bid processes and prepare final bid evaluations with recommendations to client. Booth, Ern, Straughan & Hiott, Inc., shall also prepare final contract documents between Owner and Contractor.

FEE: $2,000.00 (Not to Exceed)

TASK 005 PROJECT ADMINISTRATION

The scope of services shall include administrative services necessary to coordinate all aspects of the project through the planning, design and permitting phase. These services shall include project scheduling with all regulatory agencies and public utility companies during the design and permitting phase of the project.

FEE: $1,000.00 (Not to Exceed)

TASK 006 CONSTRUCTION ADMINISTRATION SERVICES

Booth, Ern, Straughan & Hiott, Inc., will advise and consult with Owner and act as its representative during construction. Booth, Ern, Straughan & Hiott, Inc., will make weekly visits to the site to observe the progress and quality of the executed site work and to determine in general if the work is proceeding in accordance with the construction drawings. Booth, Ern, Straughan & Hiott, Inc., will review and approve shop drawings, results of tests and inspections and other data that the contractor is required to submit.

Based upon the on-site observations and field survey as-builts to be provided by Contractor, Booth, Ern, Straughan & Hiott, Inc., shall prepare and submit certifications of completions to the following State and local agencies as required:

1. City of Tavares.
2. Florida Department of Environmental Protection.
3. Florida Central Railroad

Fee: $1,500.00 (Not to Exceed)

SUMMARY FEE SCHEDULE

TASK 001	$ 1,340.00
TASK 002	$ 1,860.00
TASK 003	$ 3,500.00
TASK 004	$ 2,000.00
TASK 005	$ 1,000.00
TASK 006	$ 1,500.00
TOTAL	***$ 11,200.00***

THIS PROPOSAL DOES NOT INCLUDE THE FOLLOWING ITEMS:

1. Environmental Assessments
2. Geotechnical Investigations
3. NPDES Permitting
4. Advance of permit fees, impact fees, title search fees, recording or advertising fees
5. Reimbursables to be billed based upon direct expense incurred by Booth, Ern, Straughan & Hiott, Inc., blueprints, copies, mylars, reproductions, postage, etc.

HOURLY RATE SCHEDULE
(2012)

Professional Services shall be charged at the following rate schedule:

ENGINEERING

PROFESSIONAL ENGINEER (PRINCIPAL)	$145.00/HOUR
PROFESSIONAL ENGINEER	$130.00/HOUR
PROJECT ENGINEER	$110.00/HOUR
ENGINEER TECHNICIAN I	$95.00/HOUR
ENGINEER TECHNICIAN II	$75.00/HOUR
SENIOR PLANNER - AICP	$110.00/HOUR
PLANNING TECHNICIAN	$75.00/HOUR
CONSTRUCTION ENGINEER	$85.00/HOUR
EXPERT TESTIMONY PROFESSIONAL ENGINEER	$300.00/HOUR

SURVEYING

PROFESSIONAL SURVEYOR (PRINCIPAL)	$145.00/HOUR
PROFESSIONAL SURVEYOR	$85.00/HOUR
3 MAN FIELD CREW	$100.00/HOUR
2 MAN FIELD CREW	$85.00/HOUR
CREW UTILIZING GLOBAL POSITIONING SYSTEM	$110.00/HOUR
SURVEY TECHNICIAN I	$75.00/HOUR
SURVEY TECHNICIAN II	$50.00/HOUR
SURVEY TECHNICIAN III	$30.00/HOUR
TITLE RESEARCHER	$85.00/HOUR
EXPERT TESTIMONY PROFESSIONAL SURVEYOR	$300.00/HOUR

All printing for this project shall be billed out at the following rate schedule, plus sales tax:
(Outside Copying Services will be billed at cost)

Engineering Bond Copies

Black & White

11 x 17.....$1.25
24 x 36.....$2.50

Color Copies

11 x 17.....$2.00
24 x 36.....$6.00

Black & White Copies

8 ½ x 11.....$0.10
8 ½ x 14.....$0.15
11 x 17.....$0.20

Color Copies

8 ½ x 11.....$1.20
8 ½ x 14.....$1.45
11 x 17.....$1.70

Other Printing Services

24 x 36 Vellum.....$9.00
24 x 36 Mylar.....$12.00
24 x 36 Photo Paper, Color..... $36.00
24 x 36 Foam Board.....$20.00

Other Services

Fax.....$1.00/Copy
Postage (Fed-Ex, Certified Mail, Etc)...@ cost
Concrete Monuments..... $10.00
Rebar..... $2.00
Mileage (T/M Projects Only)..... $0.59

TERMS AND CONDITIONS

I. GENERAL CONDITIONS

A. AGREEMENT:

These terms and conditions are attached to and made part of the proposal for services (the "Proposal for Services") by which Booth, Ern, Straughan & Hiott, Inc. ("BESH") has agreed to perform certain professional engineering and/or surveying services for and on behalf of ***City of Tavares*** ("Client"). The Proposal for Services, these terms and conditions, the hourly rate schedule, and the executed authorization to proceed attached to these terms and conditions shall constitute a contract (hereinafter referred to as the "Agreement") for the provision of services by BESH to and on behalf of Client.

B. TERMINATION:

This Agreement may be terminated by either party by furnishing written notice to the other party at least thirty (30) days prior to the effective date of termination. In the event that this Agreement is terminated by either party, Client shall pay BESH for all services performed and expenses incurred through the date of termination.

C. DOCUMENTS:

ENGINEERING DOCUMENTS

All original drawings, computations, details, design calculations, and electronic media that result from engineering services performed by BESH pursuant to this Agreement are and at all times shall remain the property of BESH. Upon payment in full for services completed, Client, at Client's expense, may obtain copies of any documents or reproducible copies of drawings. In doing so, Client agrees that no additions, deletions, changes or revisions shall be made to any of said documents without the express written approval of BESH.

SURVEYING DOCUMENTS

All original drawings, computations, details, design calculations, field notes, and electronic media that result from surveying services performed by BESH pursuant to this Agreement are and at all times shall remain the property of BESH. Signed and sealed surveys may be obtained for a period of time up to ninety (90) days after issuance of the survey, and certifications may be revised during that same period of time for a fee of $50.00 for each revision. Upon payment in full for services completed, and within the same period of ninety (90) days, Client, at Client's expense, may obtain copies of any documents or reproducible copies of drawings. In doing so, Client agrees that no additions, deletions, changes or revisions shall be made to any of said documents without the express written approval of BESH. After ninety (90) days and within one hundred eighty (180) days following issuance of the survey, BESH will revise certifications and will visually inspect the subject property for the purpose of reissuing a signed and sealed survey, charging its then-current hourly rates for performing said services and reissuing the survey.

D. FEE RENEGOTIATION:

The Proposal for Services describes the specific services to be performed and tasks to be undertaken by BESH for and on behalf of Client, and states the fee (the contract price) for each service and task. Except as otherwise provided in this Agreement, the contract prices quoted in the Proposal for Services shall remain in effect for a period of two (2) years from the date of execution of this Agreement. After the expiration of two (2) years from the date hereof, the contract prices stated in the Proposal for Services shall by renegotiated between BESH and Client with respect to all services and tasks that have not been completed by that date. The hourly rates set forth in the hourly rate schedule that is part of this Agreement shall apply to all **additional services** requested by Client outside the scope of the services and tasks described in the Proposal for Services. Said hourly rates are applicable through December 31st of the year in which this Agreement was executed, and are subject to renegotiation on January 1 of each year thereafter.

E. REGULATORY REQUIREMENTS:

The contract prices and hourly rates set forth in this Agreement have been quoted based on all federal, state and local regulations in effect as of the date that the authorization to proceed work is signed by the latter of BESH and Client. If any of said regulations change during the permitting and design phase of this project, BESH reserves the right to increase fees for services that may be affected by regulatory changes upon written notice to the Client.

F. PERMIT ACQUISITION

BESH cannot guarantee the acquisition of any or all of the permits and/or approvals that shall be required for Client's project. BESH agrees that it shall exercise its best efforts try to obtain all of the necessary permits and/or approvals. Nevertheless, Client shall be responsible for payment of all consulting fees due BESH regardless of agency/governmental actions, including without limitation the failure of one or more governmental agencies to give the necessary approval for the project.

II. COMPENSATION

A. ADDITIONAL SERVICES:

BESH shall be fully compensated by Client for all additional services performed by BESH, including, without limitation, the following:

1. Changes made at Client's request to the scope of services defined in this Agreement. Client must sign a separate authorization to proceed form (a "Change Order') for each change in scope of services requested by Client before BESH is obligated to perform the revised scope of services. In the absence of a Change Order executed by Client, BESH shall proceed according to the original scope of services as set forth in this Agreement. Notwithstanding the foregoing, BESH may choose to proceed with a Client-requested change in scope of services despite the absence of a Change Order signed by Client. If BESH performs the requested change in scope of services, BESH shall be entitled to full compensation from Client based on the prevailing prices or the hourly rates charged by BESH for such

services at the time that BESH performs the changed scope of services for Client.

2. Revisions made necessary as a result of changes to local, state or federal governmental requirements after the date of this Agreement.

3. Redesign per Client after preliminary design has been submitted to the relevant approving agency.

B. OUT-OF-POCKET EXPENSES:

In addition to the fee schedule set forth in the Proposal for Services and the hourly rates to be charge for all additional services performed by BESH, BESH shall be reimbursed for all out-of-pocket expenses incurred by BESH, including, without limitation: blueprints, copies, plots, aerials, express deliveries, specialized postage, overnight courier services (such as Federal Express and UPS) and travel outside of the Central Florida area (greater than 25 miles from BESH's office located in Tavares, Florida). Printing and mileage expenses are set forth on the hourly rate schedule that is part of this Agreement. All other charges shall be billed to and paid by Client based on the actual costs incurred by BESH.

C. PAYMENT:

BESH shall submit invoices to Client on a semi-monthly (twice per month) basis. On each invoice, BESH will bill for its services in accordance with the hourly rate schedule included as part of this Agreement. The invoice also will identify the task or the tasks from the Proposal for Services on which BESH performed services during the billing period. If the Proposal for Services states a lump sum dollar figure for any particular task, the lump sum amount will represent a "not to exceed" figure for the task in question, and BESH will continue to bill by the hour for its services on that task until the "not to exceed" figure has been billed in full. Thereafter, unless the scope of services to be performed by BESH pursuant to said task has been changed and the compensation to be paid to BESH has been modified pursuant to Section II.A. of these Terms and Conditions, BESH will continue to perform its services under that task without additional charges for its services until BESH has performed all work required by that task. Client shall notify BESH in writing within ten (10) days from the date of the invoice if Client has any questions about the services performed for the charges for those services as reflected on the invoice. Client waives any and all challenges to the services performed and the charges for those services not raised within said ten (10) day timeframe. All invoices shall be due and payable in full within thirty (30) days from the date of the invoice.

<u>All outstanding invoices</u> shall be paid in full by Client prior to plan submittal to any permitting agency, preparation of Final Plans for building purposes, Final Recording of Record Plat, and/or Final Certification of Completion to state and local agencies. BESH shall have no obligation under this Agreement to submit or prepare any of the foregoing materials unless and until Client complies with this requirement. In addition, in the event that any balance remains unpaid for at least 45 days from the date of the invoice which included the unpaid balance, BESH shall have the right to terminate any and all further work on the project until Client has paid said balance in full.

III. MISCELLANEOUS

A. FORCE MAJEURE:

BESH shall not be liable for any delays or failure in performance due to contingencies beyond BESH's reasonable control including, without limitation, acts of God, war, fire, explosion, flood, epidemic, severe weather, earthquake, rainstorm, riots, theft, accidents, strike, work stoppage, acts or regulations of a governmental entity, shortages of vehicles, fuel, power, labor or material, delays of other companies or contractors, or any other causes whatsoever whether similar or dissimilar to those previously enumerated. In the event of delay caused by any of the foregoing, BESH's time for performance shall be extended for such time as may be reasonably necessary to enable BESH to perform.

B. LIMITATION OF LIABILITY:

UNDER NO CIRCUMSTANCES SHALL BESH BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES, INCLUDING WITHOUT LIMITATION LOST PROFITS, LIQUIDATED DAMAGES, DELAYS, LOSS OF PRODUCTIVITY, INEFFICIENCY, LOSS OF GOOD WILL, OR ANY OTHER DAMAGES WHICH ARE SPECIAL, INCIDENTAL, INDIRECT OR CONSEQUENTIAL. THE LIABILITY OF BESH TO CLIENT, FOR ANY CAUSE OR COMBINATION OF CAUSES ARISING OUT OF OR RELATED TO THIS AGREEMENT, SHALL BE LIMITED TO THE TOTAL AMOUNT OF THE COMPENSATION PAID BY CLIENT TO BESH PURSUANT TO THIS AGREEMENT.

C. ENTIRE AGREEMENT:

This Agreement constitutes the entire agreement between BESH and Client and supercedes any and all prior or contemporaneous understandings, representations and agreements, oral or written. No amendment, modification or waiver hereof will be binding on BESH unless made in writing and duly executed by an authorized representative of BESH.

D. WAIVER:

The failure of BESH to enforce any provision of this Agreement or to exercise any right accruing through the default of the Client hereunder, shall not constitute a waiver of any other rights of BESH with respect to this Agreement.

E. COSTS AND ATTORNEY'S FEES:

In the event of any litigation to enforce the terms of this Agreement, BESH shall be entitled to recover court costs and reasonable attorney's fees for all proceedings, including at the trial court level, on appeal, and in connection with bankruptcy court proceedings. In the event that BESH retains the services of an attorney to collect from Client any sums due hereunder, BESH shall be entitled to recover from Client all fees and costs incurred with said attorney, whether suit is brought or not.

F. GOVERNING LAW; VENUE:

This Agreement shall be governed by and construed under the laws of the State of Florida. Venue for any proceeding based upon this Agreement shall lie exclusively in the state court of competent jurisdiction in Lake County, Florida.

G. SEVERABILITY:

If any provision of this Agreement is held invalid or otherwise unenforceable, the enforceability of the remaining provisions shall not be impaired thereby but rather this Agreement shall be construed as if not containing the particular invalid or unenforceable provision or provisions and the rights and obligations of the parties shall be construed and enforced accordingly.

AUTHORIZATION TO PROCEED

PROPOSAL FOR ENGINEERING, SURVEYING & PERMITTING SERVICES AS DESCRIBED IN THE ATTACHED PROPOSAL

To acknowledge your agreement with the terms and conditions set forth in this Agreement (consisting of the Proposal for Services, the Terms and Conditions, the Hourly Rate Schedule and this Authorization to Proceed), and to provide Booth, Ern, Straughan & Hiott, Inc. (BESH) with Client's authorization to proceed with the work described in the Agreement, please fill out and sign the Authorization to Proceed below and return it to our office. We will schedule the work upon receipt of the executed Authorization to Proceed. The contract prices, hourly rates, and costs for printing and similar expenses set forth in this Agreement shall be valid for ninety (90) days from the date of this proposal. If this Agreement is not accepted by Client within said period of ninety (90) days, BESH reserves the right to modify any and all of the contract prices, hourly rates and cost figures set forth herein.

Retainer Amount: $ N/A

THIS PROPOSAL/AGREEMENT ACCEPTED THIS _____ DAY OF _____, 2012.

Booth, Ern, Straughan & Hiott, Inc.		**Client**	
Signature		Signature	
By:	Robert A. Ern, Jr., P.E.	By:	
Title:	Principal	Title:	

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City of Tavares
Disston Avenue Capital Waterline Extension
Cost Estimate
1-24-12

	Description	Quantity	Unit	Unit Price	Amount
1	MOBILIZATION	1	LS	$5,000.00	$5,000.00
2	MAINTENANCE OF TRAFFIC	1	LS	$2,500.00	$2,500.00
3	12" C-900 PVC PIPE	25	LF	$40.00	$1,000.00
4	14" SDR-11 HDPE DIRECTIONAL DRILL	165	LF	$105.00	$17,325.00
5	24" x 14" TAPPING SLEEVE AND VALVE	1	EA	$7,500.00	$7,500.00
6	6" GATE VALVE & BOX	1	EA	$800.00	$800.00
7	12" GATE VALVE & BOX	1	EA	$1,500.00	$1,500.00
8	DIP FITTINGS	1	LS	$1,000.00	$1,000.00
9	OPEN CUT & REPAIR ROADWAY	2	EA	$5,000.00	$10,000.00
10	CONSTRUCTION STAKING/AS-BUILT	1	LS	$1,500.00	$1,500.00
11	PRESSURE TEST WATER LINE	1	LS	$500.00	$500.00
12	DISINFECTION/BAC-T SAMPLING	1	LS	$500.00	$500.00
13	RESTORATION/BAHIA SOD	100	SY	$2.50	$250.00
14	NPDES PERMIT	1	LS	$500.00	$500.00
15	EROSION CONTROL/SILT FENCE	1	LS	$500.00	$500.00
16	PAYMENT & PERFORMANCE BOND	1	LS	$500.00	$500.00
	SUBTOTAL				**$50,875.00**
	CONTINGENCIES @ 15%				$7,631.25
	SUBTOTAL				**$58,506.25**
	ENGINEERING/SURVEYING/PERMITTING				$11,200.00
	ESTIMATED TOTAL				**$69,706.25**

Note: Above price does not include 6" line to serve Pavilion project.

ANY OPINION OF THE CONSTRUCTION COST PREPARED BY BESH REPRESENTS ITS JUDGEMENT AS A DESIGN PROFESSIONAL AND IS SUPPLIED FOR THE GENERAL GUIDANCE OF THE CLIENT. SINCE BESH HAS NO CONTROL OVER THE COST OF LABOR AND MATERIAL OR OVER COMPETITIVE BIDDING OR MARKET CONDITIONS, BESH DOES NOT GUARANTEE THE ACCURACY OF SUCH OPINIONS AS COMPARED TO CONTRACTOR BIDS OR ACTUAL COST TO THE CLIENT.

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: February 15, 2012

AGENDA TAB NO. 10
SUBJECT TITLE: Authorization to Utilize Police Forfeiture Funds

OBJECTIVE: To obtain council authorization to utilize $12,800 from the forfeiture line item to purchase police equipment. The forfeiture fund is restricted for law enforcement purposes purchases only. Forfeiture funds are derived directly from criminal activity, either a cash seizure or civil forfeiture concurrent with a criminal offense. State statue governs the expenditure of forfeiture funds.

SUMMARY: The following items are requested for purchase to support the department's function. These items are statutorily allowed and have a valid police purpose.

1. (4) Handguns and accessories for replacement and augmentation $2,500

2. Tuition for police training courses $2,900

3. (1) Replacement cell phones $200

4. (3) Rifles and accessories $4,500

5. Maintenance of the police department including repainting, flooring, chairs and other upgrades. $2,000

6. Twenty (20) Microsoft Outlook email licenses $700

OPTIONS:

1. Approve the use of forfeiture funds for the above requested items.

2. Disapprove the use of the forfeiture funds for the above requested items.

STAFF RECOMMENDATION:

Staff recommends approval of Option 1

FISCAL IMPACT:

Funding Source: Police Forfeiture
The unencumbered balance in forfeiture fund is $17,218

LEGAL SUFFICIENCY:

Legally sufficient.

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: February 15, 2012

AGENDA TAB NO. 11
SUBJECT TITLE: Approval of Foreclosure Committee Recommendations

OBJECTIVE: To obtain council authorization to accept the recommendation of the foreclosure committee in regards to delinquent code enforcement liens.

SUMMARY: Previously the council on August 17, 2011 authorized staff to develop a policy and create a committee that would review certain properties that had long standing liens as a result of code enforcement fines. This committee is comprised of Bob Williams, city attorney; Lori Houghton, city finance director; Jacques Skutt, city planning director and Chris McCormick, code enforcement officer.

The following six properties were carefully reviewed by the committee and were found to meet the guidelines of the foreclosure policy.

1505 West Burleigh Blvd.
105 S. Ingraham Avenue
775 Lake Dora Drive
1001 Michelle Court
1310 Osceola Avenue
867 Summerall Avenue

1505 W. Burleigh Blvd (Old Gator Inlet) **$39,829.82**
Babinec Enterprises

This property was brought before the special magistrate as a repeat violator. The special magistrate found the property owner guilty of a repeat violation of Section 12-13 Public Nuisance; Section 12-18 Excessive Growth Prohibited; and Section 12-23 Storage Prohibited. Fines were levied in of the amount of $500.00/day. The property is currently in compliance. The current assessed property value is $323,709.

Order of Enforcement: 3 November 2009
Lien Recorded: 3 August 2010

105 S. Ingraham Avenue **$474,000.00 ($300/day)**
John T. Hubbard

This property was found to be in violation by the special magistrate on 29 August 2007 for violations of the Standard Housing Code Sections 305.3.1, 305.3.2, 305.7, 305.8, 305.13.1, and 305.13.2 as a result of fire and extended exposure to the elements (water). In April 2010, the Building Official was granted access to the structure and posted the property as an "unsafe structure". The property **remains in violation** and the structure has been weakened due to the fire, and substantial water intrusion. This structure has become a problem with vagrancy and the City of Tavares has received numerous complaints from the surrounding properties. The current assessed property value is $33,211.

Order of Enforcement: 4 September 2007
Lien Recorded: 2 February 2010

775 Lake Dora Drive **$152,500.00 ($250/day)**
Robert J. Orndorff

This case resulted from a tenant complaint regarding the conditions of the unit. Inspection of the premises revealed numerous violations of the Standard Housing Code Sections 301, 302.1, 305.2, 305.7, 305.9, 305.16.1, 305.16.2, and 305.17. The property **remains in violation** and the home appears to be vacant. This home has not been deemed unsafe. The current assessed property value is $73,305.

Order of Enforcement: 2 February 2010
Lien Recorded: 3 August 2010

1310 Osceola Avenue **$31,440.00**
Phillip Terrill Baker

The special magistrate found the property owner guilty of violating Sections 12-13 Nuisance Prohibited; 12-16 Mosquito Breeding Places; 12-18 Excessive Growth Prohibited; and 12-13 Storage Prohibited of the Land Development Regulations. Fines were assessed at a rate of $120.00/day. This property is currently in compliance. The current assessed property value is $37,647.

Order of Enforcement: 1 November 2007
Lien Recorded: 28 October 2008

1001 Michelle Court **$143,800.00 ($100/day)**
Sigyn Lund

This case was brought before the special magistrate on 23 October 2008 due to multiple violations to the Land Development Regulations Sections 12-13 Nuisance Prohibited; 12-16 Mosquito Breeding Places; 12-18 Excessive Growth Prohibited; and 12-13 Storage Prohibited. The special magistrate found the property owner guilty and levied a fine of $100.00 per day per violation. He noted that although the property owner was guilty of violating all four sections, only Section 12-13 and 12-16 of the LDR were still non-compliant. Fines in the amount of $200.00/day began to accrue. Section 12-13 was found to be compliant on 28 August 2009. Fines continue to accrue for the violation of Section 12-16 at a rate of $100.00/day. The property owner has made no attempt to contact the City of Tavares to schedule a re-inspection of the rear yard to ensure that 12-16 has been cured. The ability to view the rear yard (previously granted to the City of Tavares by a property owner adjacent to the property) is no longer available to the City of Tavares. Per statute, the property and via the order of enforcement, it is the property owners responsibility to provide access to the property to ensure compliance. This property remains in violation. The current assessed property value is $165,284.

Order of Enforcement: 23 October 2008
Lien Recorded: 31 August 2009

867 Summerall Avenue **$70,950.00 ($50/day)**
Charles Glenn Youman

This case was brought before the special magistrate on 27 February 2008 for multiple violations of the Standard Housing Code and the Land Development Regulations. The property owner was found guilty of violating the section listed above. Magistrate levied a fine of $200.00/day for an unsecured structure beginning on 10 March 2008 and ending on 20 March 2008. A fine of $100.00/day was levied for the violations of the Land Development Regulations. An inspection on 20 March 2008 indicated that those violations were cured, and no fines were charged. The special magistrate also levied a $50.00/day fine for all violations of the Standard Housing Code to begin on 19 April 2008. Those violations remain in effect and the $50.00/day fine continues to accrue.
Due to a lack of care the building continues to decay and although the weed and grass issue was cured within the corrective action deadline established by the

magistrate; recent inspection of the property indicate that the weed and grass growth is back in violation. The current assessed property value is $25,608.

Order of Enforcement:	3 November 2008
Lien Recorded:	2 February 2010

OPTIONS:

1. Concur with the recommendations of the committee and move forward with foreclosure.

2. Do not concur with the recommendations of the committee and do not move forward with foreclosure.

STAFF RECOMMENDATION: Staff recommends option one.

FISCAL IMPACT: The total value of all the properties listed is $658,764.00.If the city is successful in foreclosing on the properties and they sell for 75% of their assessed value then the city could realize $494,073.00 This assumes that there are no other liens on those properties, the properties are sold and that the lien amounts are not paid in full during the foreclosure process.

Funding Source:

LEGAL SUFFICIENCY:

AGENDA SUMMARY
TAVARES CITY COUNCIL
FEBRUARY 15, 2012

AGENDA TAB NO. 12
SUBJECT TITLE: Special Event Permit-Mount Dora Blues and Wine Festival Tavares Station Field

OBJECTIVE:

To obtain Council's approval for the issuance of a Special Event Permit for the music portion of the Mount Dora Blues and Wine Festival to be held on the Tavares Station Field on May 19th and 20th.

SUMMARY:

A Special Event application has been submitted by Tavares Station Dev. LLC and the Mount Dora Blues and Events Committee to hold a two day musical event at the Tavares Station Field on May 19th and May 20th. The Mount Dora Blues and Wine Festival is an annual event that has taken place in Mount Dora for the last three years. This year, the Events Committee for the festival has made arrangements to hold the music concerts in the Tavares Station Field. The City's Code of Ordinances requires Council approval for any event when attendance is expected to exceed 2,000 people per day. The sponsors for this event anticipate greater numbers. This festival will be held on private property and all costs will be borne by the sponsors of the event. Members of the committee that are organizing this event have met with city staff and it appears that all necessary preparations and accommodations needed to facilitate this large event have been addressed. The Colt Ford concert was held on this property last year as a component of the City's annual Planes, Trains and BBQ event. Also, a special event permit was issued to the Canvas Foundation for a fund raising concert in May of last year on this property. Staff is satisfied that the proposed Blues and Wine Festival will benefit our community and will support our Downtown Waterfront Entertainment District.

OPTIONS:

1. That City Council moves to approve the Special Event Permit for the Mount Dora Blues and Wine Festival to be held on May 19th & 20th at the Tavares Station Field.
2. That City Council denies the Special Event permit for this event.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve the special event permit for the Mount Dora Blues and Wine Festival to be held on May 19th & 20th at the Tavares Station Field.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Approved for legal sufficiency.

TAVARES
America's Soaplano City™

SPECIAL EVENT PERMIT APPLICATION **PERMIT NO.** 12-111

RECEIVED
Date Received: FEB 07 2012
BY: _____

City of Tavares
201 E. Main Street
Tavares, FL 32778
Phone: (352) 742-6213 Fax: (352) 742-6087

Use this form for any event where the anticipated attendance exceeds 300 people per day. Examples of Special Events include, but are not limited to: Parades, Festivals, Carnivals, Runs/Races/Walks, Art Shows, Concerts, Special Musical Presentations, Street Dances, Photography Shoots, and Fireworks Displays.
Council approval is required for Special Events involving street closings, city co-sponsorship or has a crowd attendance in excess of 2,000 people per day.
Completed application with all necessary attachments is required thirty (30) days prior to the actual event (sixty (60) days if Council approval is required). For information call (352) 742-6213.

Organization: Tavares Station Dev. LLC / Mt. Dora Blues & Events

Nature of Event: Wine & Blues Festival

Location (Attach Site Plan): Tavares Station 125 W Ruby St

	Set-Up Time	Actual Event Times	Take Down Time
Date: 5/18/12	10AM to 10 PM	— to —	— to —
Date: 5/19/12	10AM to 4 PM	4PM to 11 PM	— to —
Date: 5/20/12	— to —	12PM to 5PM	7PM to 11PM

Has this event been held in the past? yes If so, when was the last event? last year in May Mt. Dora

Individual Contact for Activity/Event: Rodger Kooser or T. Scott Walker Phone: 954-555-3363

Address: 124 S. Donnie Ave. Tavares Fax: 352-253-2401

E-Mail Address: rodger@rsrealtygroup.com

Major Sponsor(s): Tavares Station Dev, Mt. Dora Blues & Events

Promoter(s): T. Scott Walker Phone or Contact #: 352-728-5250

❖ **Items 1-3 marked yes require City Council approval.**

Entertainment District

	Yes	No
1. Crowd: Is anticipated crowd size 2,000 or more? Actual anticipated number: 2,500	X	
2. Streets/Traffic: Will any street(s) or sidewalk(s) be closed? (If yes, provide location on site plan.) Signs, barricades and traffic control plans will be the responsibility of the applicant and will be required in conjunction with City of Tavares Police Department, Department of Transportation and Emergency Services review and approval.		X
3. City Co-Sponsorship: Is City co-sponsorship being requested? If yes, please describe reason(s): Support Services Organization(s) benefiting from event proceeds: _____	X	
4 Noise: Will there be amplified music or entertainment? If yes, please attach type(s) of entertainment and time(s) of performance(s). Indicate stage location(s) on site plan.	X	
5. Fireworks: Is this a public _____ or private _____ display? Applicant must comply with State Law F.S. 791: and NFPA 1123 and obtain any applicable Lake County permit.		X
6. Banners, Signs, etc.: Will exterior banners, balloons, signs or other types of advertising techniques be used? Temporary signs may only be placed in accordance with the Sign Ordinance.	X	
7. Alcoholic Beverages: Will alcoholic beverages be sold X or consumed X on the premises? (If yes, please check one or both.) A copy of the Florida Beverages Commission permit is required at the time of application and prior to event approval. Permit Holder: Mt. Dora Blues & Events **Division of Alcoholic Beverages and Tobacco: (407) 245-0785.**	X	
8. Security: Will private security be provided to protect exhibits, equipment or facilities brought on-site for the event? Name of Company: _____		X
9. Private Property: Does the applicant own the property where the event is to be held? If not, please attach a letter of permission from the property owner.	X	
10. Public Safety: Will Police and Emergency Services Personnel be requested? (Based on responses to questions certain Public Safety personnel may be required i.e., emergency services, fire, etc.) Once staffing needs are determined, applicant will be required to provide copies of its contracts detailing obligated public safety personnel staff necessary to assist with the event.	X	
11. Tents/Canopies: Will tents or canopies be used? If yes, indicate on site plan the tent size, location and type of surface on which the tent(s) will be installed and intended use of each tent.	X	
12. Air Conditioning Units/Power Generators: Will exterior air conditioning units or power generating equipment be operated from vehicles or trailers? If yes, indicate location of equipment on site plan.	X	
13. Food/Cooking: Will food be cooked _____ catered X on-site during this event? Indicate on site plan the location of vendors and cooking equipment to be used. (Appropriately rated fire extinguishers required.) The applicant is responsible for obtaining required food permits from the **Florida Department of Business and Professional Regulation-Division of Hotel and Restaurant Management- 850-787-1395.**	X	

14. Sanitary Facilities:
Will temporary sanitary facilities be provided? If yes, indicate location on site plan. ☒ ☐

Will additional refuse containers/dumpsters be provided? ☒ ☐

15. Insurance Requirement: (Events on City property or City co-sponsored). Please provide the City of Tavares with a Certificate of Insurance for property and liability coverage of the event, naming the City as additional insured.

DURING REVIEW BY VARIOUS CITY DEPARTMENTS, ADDITIONAL CONDITIONS MAY BE IMPOSED. THIS PERMIT IS VALID ONLY FOR THE TIME INDICATED ON THIS PERMIT. IN THE EVENT THAT THE APPLICANT FAILS TO FULFILL THE REQUIREMENT(S) AS SET FORTH IN THIS PERMIT OR FAILS TO OBTAIN PROPER AUTHORIZATION TO PROCEED, IF CONDITIONS HAVE CHANGED, OR THE EXPECTED OUTCOMES, IMPACTS, OR SPECIFICATIONS, INCLUDING BUT NOT LIMITED TO TIME AND ACTIVITIES, THE PERMIT MAY BE CANCELLED BY THE CITY ADMINISTRATOR AND THE ACTIVITY SHALL CEASE IMMEDIATELY.

I, the undersigned, will indemnify, defend and hold harmless, the City of Tavares, its agents, employees, officers and any and all other associates, from and against any and all actions, in law or in equity, from liability or claims for damages, demands or judgments to any person or property which may result now or in the future from the conduct of this event.

The undersigned has read and voluntarily signed the release and waiver of liability and Indemnity Agreement, and further agrees that no oral representations, statements, or inducements apart from the foregoing written agreement have been made.

Signature of Applicant 2/6/12 Date

Comments: _____

_____
City Administrator Date

Comments: _____

Duplicating Colt Ford Layout.

Tavares Station Wine + Blues Festival

COLT FORD EVENT PARKING & SEATING LAYOUT

CITY OF TAVARES

** USING A 24 SQ FT GRID SYSTEM FOR PEOPLE**
** USING A 200 SQ FT GRID SYSTEM FOR VEHICLES**

0 25 50 100 150 200 Feet

CITY OF TAVARES - GIS
COREY MATHIS, GCS
COMMUNITY DEVELOPMENT GIS DEPT.
MAPC REV ED ON 11/13/2013

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: FEBRUARY 15, 2012

AGENDA TAB) 13

SUBJECT TITLE: DISCUSSION REGARDING EXPLORATION OF ACQUISITION OF FORMER LAKE BUILDING VACANT PROPERTY SITE

OBJECTIVE:

To provide City Council information to consider regarding the possible acquisition of the former Lake Building vacant property site at 230 East Main Street.

SUMMARY:

At its meeting on January 18, 2012, Council Member Lori Pfister requested Council input on its interest in exploring the possibility of acquiring the vacant site of the former Lake Building lot as an open down town "pocket park" site. Council authorized the exploration of that possibility as well as grant funding sources and to brign that information back for futher discussion.

Staff has conducted the research and offers the following information: Per the attached real estate listing, the proposed site is 12,825 square feet or .28 acres. The property is zoned Downtown Commercial which would permit minimum building setbacks and a building height of up to 60 feet.

The listing price on the property is $195,000.

Per the attached correspondence from the Property Appraiser's office, the current taxable value of the existing vacant site is $61,560. Based on the City's current millage rate of 6.89 mills, the vacant site will generate an estimated $423 in annual taxes.

Staff also researched grants that may be available to assist in the proposed acquisition. Staff identified two potential grant opportunities: the Florida Recreation Development Assistance Program (FRDAP) and the Land and Water Conservation Fund (LWCF) program (see attached grant program summaries).

The FRDAP program has been one of the most popular State grant programs to assist local governments in developing outdoor recreation programs. For a project of over $150,000 a local cash match of 50% would be required. Unfortunately the State Legislature did not fund the program in the 2011/12 State fiscal year and funding is uncertain for the State 2012/13 fiscal year.

The Land and Water Conservation Fund program is a Federal cooperative matching grant program. It is a highly competitive process with a total of $1.5 - $2 million estimated to being available statewide this year. They usually award 7 – 10 grants per year and usually receive approximately 50 grant applications. The grants require a 50% local match. Grant applications for this program must be received between March 1- 15, 2012.

RECOMMENDATION

Staff recommends that Council discuss this matter.

OPTIONS:

1. That the City Council discuss the matter.
2. That the City Council does not discuss the matter.

FISCAL IMPACT: No Fiscal Impact to discuss the matter.

LEGAL SUFFICIENCY:

All options are legally sufficient.

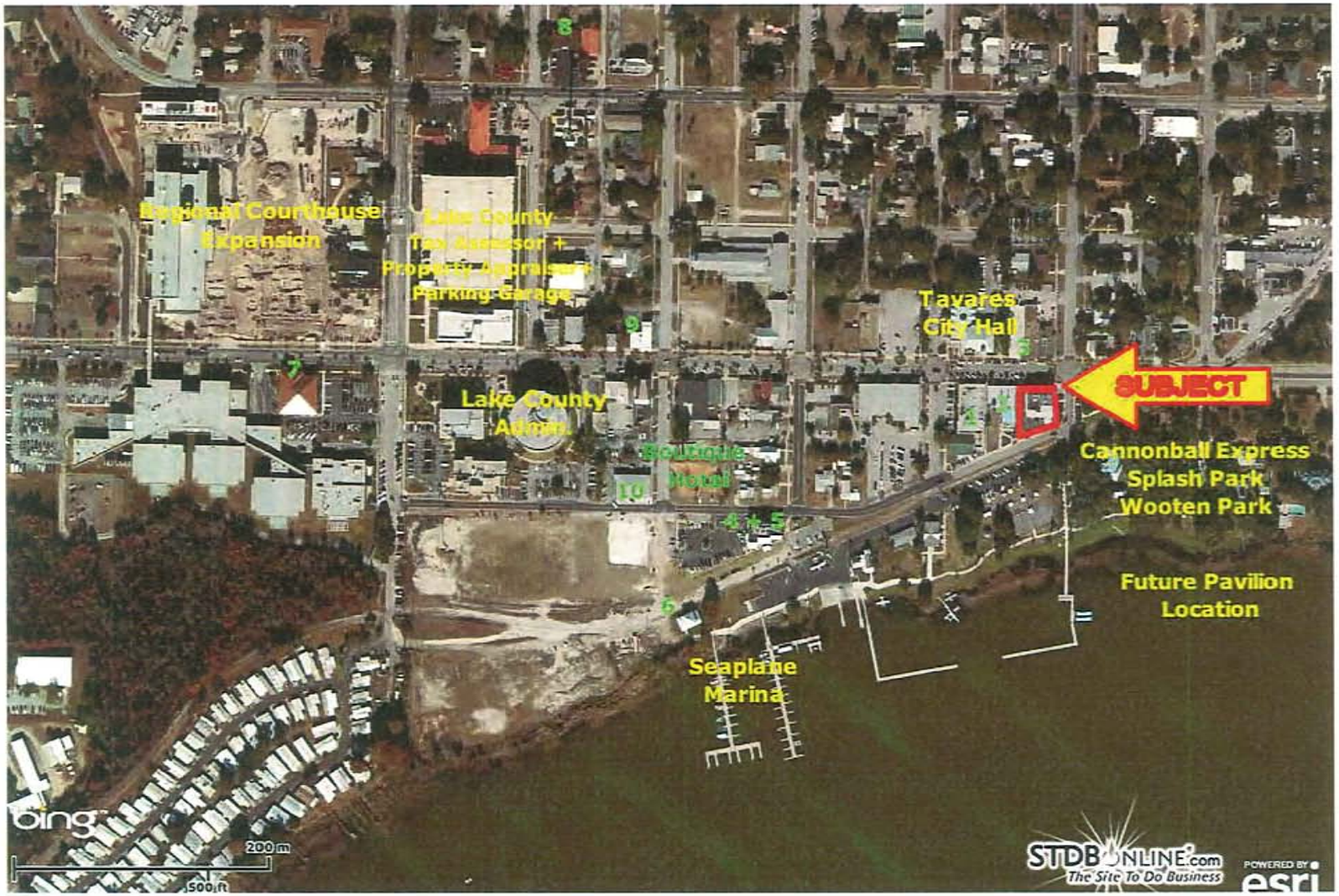
From: Royce, Frank [froyce@lcpafl.org]
Sent: Monday, February 06, 2012 11:28 AM
To: Bill Neron
Subject: Property Value

Bill,

Current value is $ 61,560 of land only. This is working number going into 2012.

Frank Royce, CFE
Chief Deputy Property Appraiser
Lake County, Florida
froyce@lcpafl.org<mailto:froyce@lcpafl.org>
352-253-2153
FAX 253-2155

If you can read this thank a teacher, if it's in English thank a veteran.



230 E Main Street and the TAVARES ENTERTAINMENT DISTRICT:

1 –O'Keefes; 2- Ruby Street Grill; 3 – Tavares Sushi; 4 – Al's Landing; 5- Al's Top Shelf; 6 – Al's BBQ; 7 – Casa Mia; 8 – El Taqueria; 9 – Basil's Café; 10 – World's Worst Deli, Living Green + Carpe Diem Café/Bakery; (not marked – Pressed for Time)

Crosby & Associates, Inc.

Richard Gonzalez — (352) 408-3892

Land For Sale

Tavares Entertainment District Opportunity

230 E Main, Tavares, FL 32778

Price:	**$195,000**
Lot Size:	**12,825 SF**
Property Type:	Land
Property Sub-type:	Office (land)
Features:	

Electricity/Power
Water
Telephone
Cable
Gas/Propane

Last Verified 1/3/2012
Listing ID 17468359

1 Lot Available

Lot 1		
	Price:	**$195,000**
	Lot Size:	**12,825** SF
	Price/SF:	$15.20
	Lot Type:	Office (land)
	Tax ID / APN:	29-19-26-010000900004
	Commission Split:	2.5%

Main street development opportunity in Tavares Entertainment District.

Description

Prime Entertainment District Opportunity. Vacant land adjacent to Tavares Seaplane Marina, Wooten Park, and Main Street. Downtown commercial zoning allows for maximum flexibility including: minimal setbacks, 60 foot building height, and use of on street public parking. Tavares Entertainment district presently includes 11 restaurants and 6 bars. Adjacent Wooten Park is home to Cannonball Express and money is in the bank to renovate the RR track making commuter traffic to Orlando possible. District courthouse expansion located three blocks from this parcel is well underway. Tavares makes it very easy to do business here.

The SW corner of Saint Clair Abrams and Main Street in Tavares FL. Adjacent to Wooten Park. Fronting on Main Street, Ruby Street, and Saint Clair Abrams Street.

230 E Main - Aerial

NW

S

W

0 70 140 Feet

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Property Details

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

General Information

Alternate Key:	1276683	**Parcel:**	29-19-26-010000900004
Owner Name:	MAGRONE NICKOLAS B TRUSTEE	**Millage:**	00T1 (Tavares) : 21.0821
Owner Address:	2294 OCEAN SHORE BLVD APT 501 ORMOND BEACH, FL 32176-2899	**Property Location:**	230 EAST MAIN ST TAVARES FL 32778
Legal Description:	TAVARES, E 100 FT OF BLK 9 PB 1 PG 64 | ORB 1775 PG 1795 ORB 1793 PG 2334 |		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
1	STORES / RES. COMBO (1200)	0	0		12825	SF	$0.00	$61,560.00

Commercial Building(s)

Building 1

Summary

Year Built:	1918
Ground Floor Area:	6500
Bathrooms (2 Fix):	4
Bathrooms (3 Fix):	7
Bathrooms (4 Fix):	0
Bathrooms (Ex Fix):	0
Elevators:	0
Elevator Landings:	0
Escalators:	0
Residential Units:	3
Kitchens:	3
Fireplaces:	0

Exterior Walls:

Brick Common or Concrete : 100.00 %

Section(s)

Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
1	FINISHED LIVING AREA (FLA)	13	2	4485	0%	0%	

Interior Finish	Percent	Sprinkler	A/C
(03C)	50.00 %	No	Yes
(17C)	50.00 %	No	Yes

Section No.	Section Type	Wall Height	No. Stories	Ground Floor Area	Basement	Basement Finished	Map Color
2	FINISHED LIVING AREA (FLA)	14	1	2015	0%	0%	

Interior Finish	Percent	Sprinkler	A/C
(21C)	100.00 %	No	Yes

No.	Type	No. Units	Unit Type	Year	Depreciated Value
0001	DECKING - WOOD (DEC)	448	SF	2011	$1,991.00

Sales History

O.R. Book / Page	Sale Date	Instrument	Q/U	Vac./Imp.	Sale Price
1026 / 1605	8/1/1989	WD	Q	I	$8,700.00
1187 / 1527	9/1/1992	QC	U	I	$0.00
1413 / 1843	1/1/1996	QC	M	I	$1.00
1498 / 1512	2/1/1997	WD	U	I	$43,100.00
1498 / 1515	2/1/1997	WD	U	I	$43,100.00
1775 / 1795	11/1/1999	WD	U	I	$320,000.00
1793 / 2334	2/9/2000	WD	U	I	$0.00

Value

Total Just Value:		$212,592.00
Total Exempt Value:	-	$0.00
Total Taxable Value:	=	$212,592.00
Millage Rate: ?	x	0.0210821
Base Ad-Valorem Tax:	=	$4,481.89
Non-Exempt School Levies:	+	$0.00
Estimated Ad-Valorem Tax:	=	$4,481.89

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

Truth In Millage (TRIM) Notice

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

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[privacy policy, terms of use]

FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM

PROGRAM DESCRIPTION
The Florida Recreation Development Assistance Program (FRDAP) is a competitive grant program that funds acquisition or development of land and trails for public outdoor recreation purposes.

ELIGIBLE APPLICANTS
Municipal and county governments of the State of Florida.

TYPE OF ASSISTANCE
Competitive grants.

AVAILABLE FUNDING
Available program funds for FY 2012-2013 are contingent upon an appropriation by the Florida Legislature; the maximum individual grant amount is $200,000.

SOURCE OF FUNDS
Florida Forever Bond Funds and State Land Acquisition Trust Fund.

APPLICATION PROCESS/DEADLINES
To be announced.

MATCHING/OTHER REQUIREMENTS
Matching requirements vary according to the project; if the total project cost is $50,000 or less, no local match is required; if the total project cost is $50,001 - $150,000, a local match of 25 percent is required; for projects that cost more than $150,000, a 50-percent local match is required.

APPLICATION PROCESS/DEADLINES
Visit *www.dep.state.fl.us/parks/oirs.*

CONTACT
Division of Recreation and Parks
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS 585
Tallahassee, FL 32399-3000
(850) 245-2501
Fax: (850) 245-3038

LAND AND WATER CONSERVATION FUND PROGRAM (LWCF)

PROGRAM DESCRIPTION

LWCF is a federal cooperative matching grant program that provides financial assistance to local governmental entities for development or acquisition of land for public outdoor recreational purposes.

ELIGIBLE APPLICANTS

All local government entities with the legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public.

TYPE OF ASSISTANCE

Competitive grants.

AVAILABLE FUNDING

Available program funds are to be announced.

SOURCE OF FUNDS

U.S. Department of Interior annual appropriation.

APPLICATION PROCESS/DEADLINES

The application submission period is usually in the early spring of each year. If funding is available, applications must be postmarked before or on the last date of the program application period. Applicants may submit only one application during the submission period. Each agency may only have a total of two active grants. Call the number below for up-to-date information or visit *www.dep.state.fl.us/parks/oirs*.

MATCHING/OTHER REQUIREMENTS

The matching ratio is one applicant dollar to one federal dollar (50/50). Cash, in-kind services and the value of donated real property (subject to conditions) may be used for the local match.

CONTACT

Division of Recreation and Parks
Department of Environmental Protection
3900 Commonwealth Boulevard, MS 585
Tallahassee, FL 32399-3000
(850) 245-2501
Fax: (850) 245-3038

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TAVARES

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AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: February 15, 2012

AGENDA TAB) 14

SUBJECT TITLE: Report on Community Theater & Performing Arts Centers

OBJECTIVE:

To provide City Council information regarding the possibilities surrounding a Community Theater & Performing Arts Center in the downtown Tavares area.

SUMMARY:

At the Council meeting on January 18, 2012, Council Member Lori Pfister requested Council input on exploring the possibility of having a Community Theater & Performing Arts Center in the downtown Tavares area. Council authorized the request and asked staff to bring related information back for further discussion including any existing facilities, tax exempt property available, similar city pursuits and funding possibilities. Staff has conducted the research and offers the following information:

1. Existing Facilities

There are a few existing facilities that are capable of hosting performances in the downtown Tavares area. Some facilities charge for rent while others do not rent at all. *See Attachment #1: Existing Facilities*

2. Tax Exempt Property

There are a few options for raw land as well as existing properties in the downtown area for use of building a Community Theater & Performing Arts Center, by either the private or public sector. *See Attachment #2: Tax Exempt Property*

3. Closest City Examples

a. The Sunrise Theatre in Ft. Pierce, Florida

The Sunrise Theatre is a 1200-seat theatre on approximately 1.2 acres in historic downtown Ft. Pierce, Florida. With more than 40,000 square foot

of space, the theatre can host performances, conferences, lectures and small meetings both in its auditorium and in small meeting rooms.

The theatre underwent $13 million dollars in renovation by Main Street Fort Pierce, Inc. The theatre reopened in January 2006 and was donated to the City of Ft. Pierce, who has taken over the daily operations. The Sunrise Theatre is an enterprise fund for the city.

Pursuant to the attached budget, the approved 2012 budget lists Total Resources of $3.4 million dollars, with $500,000 of the resources coming in as a transfer from the City's FPRA Department (Ft. Pierce Redevelopment Agency). 2012 Total Expenses are equal to $3.96 million dollars. 2012's Revenue less the transfer results in a ($1,063,000) net deficit.

The Sunrise Theatre has a total net deficit of ($5,039,683) since operations were taken over by the City of Ft. Pierce. See *Attachment #3: Sunrise Theatre Budget.*

b. <u>The Ponte Vedra Concert Hall in Ponte Vedra Beach, Florida</u>

Previously a Baptist church, the Ponte Vedra Concert Hall was converted into a performing arts facility with seats varying from a 450 person theatre style layout, or up to a 900 person standing room only concert hall on approximately 1.5 acres. Phase two, which will include renovating the second floor to include 400 seats, will begin when money becomes available from fundraising and community donations.

The concert hall is a Special Revenue Fund for St. Johns County. The Cultural Events Fund includes contributions, event revenue, concession and vending sales and transfers from the Tourist Development Fund (via "bed" tax). The Cultural Events fund includes the operation of the Ponte Vedra Concert Hall, the St. Augustine Amphitheatre and other County venues.

Pursuant to the attached budget, the adopted 2012 budget Total Resources are $4.6 million dollars, with $176,800 of the resources coming in as a transfer from the City's Tourist Development Fund. 2012 Total Expenses are equal to $4.8 million dollars. 2012's Revenue less the transfer results in a ($176,800) net deficit.

The Cultural Events Fund has a total net deficit of ($381,961). *See Attachment #4: Ponte Vedra Concert Hall Budget*

4. Possible Funding

a. Florida Department of State, Cultural Affairs Department

Cultural Facilities Grant: The 2011 Florida Legislature did not fund the program but are taking applications should the projected be funded in the future. The minimum match for the grant is 50%. *See Attachment #5: Program Guidelines.*

b. Local Groups

441 Performing Arts: The local performing arts group is in the process of securing funding for development of a performing arts center however, the funds are specifically designated to only be used at Lake-Sumter Community College property.

OPTIONS:

1. To discuss the possibilities surrounding a Community Theater & Performing Arts Center in the downtown Tavares area.
2. To not discuss the possibilities surrounding a Community Theater & Performing Arts Center in the downtown Tavares area.

STAFF RECOMMENDATION:

Staff recommends that the Council discuss the possibilities surrounding Community Theater & Performing Arts Center in the downtown Tavares area.

FISCAL IMPACT:

No Fiscal Impact to discuss the matter.

LEGAL CONSIDERATIONS:

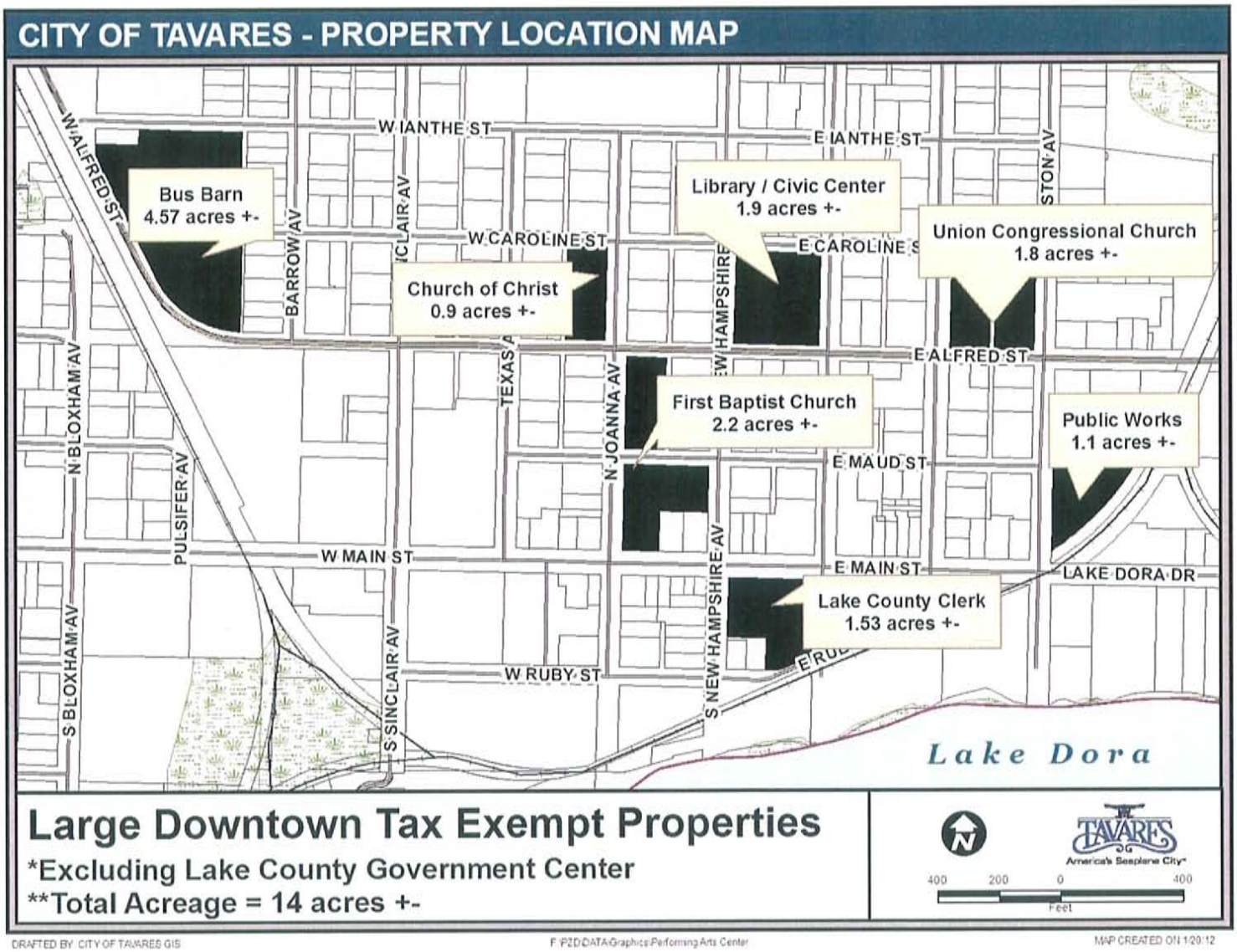
N/a.

ATTACHMENT #1: Existing Facilities in Downtown Tavares

Facility Name	Renting Available	Capacity	Cost
Tavares High School Gym	Yes	800	$40/hour $20/hour for Non-Profit Group $100 deposit
Tavares Methodist Church Sanctuary	Yes	500	$500 $500 refundable damage waiver
Tavares High School Auditorium	Yes	300	$40/hour $20/hour for Non-Profit Group $100 deposit
Tavares Methodist Church UM Activity Center	Yes	200	$350 w/ $350 refundable damage waiver
The Pavilion On The Lake (Existing in 1 Year)	Yes	1st Floor: 148 Theater Style Seating 2nd Floor: 148 Theater Style Seating	TBD
Tavares Elementary School Auditorium	No		
Tavares Baptist Church	No Response		

ATTACHMENT #2: Tax Exempt Property

Property Name	Acres
Bus Barn	4.57
Church of Christ	.09
First Baptist Church	2.2
Library/Civic Center	1.9
Lake County Clerk	1.53
Union Congressional Church	1.8
Public Works	1.1



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ATTACHMENT #3: Sunrise Theatre Budget

DETAIL SUMMARY OF REVENUES

SUNRISE THEATRE OPERATIONS 406-0000

Account 401-4100		Actual 2009	Actual 2010	Approved 2011	Approved 2012
CHARGES FOR SERVICES					
347 56 10	Ticket Sales	$ 1,758,840	$ 1,432,062	$ 1,671,918	$ 1,731,137
347 56 11	Ticket Sales-Rentals	175,009	432,340	425,000	425,000
347 56 15	Ticket Handling Fees	66,829	76,141	69,500	69,500
347 56 50	Sponsorship Fees	18,930	2,600	25,000	25,000
347 56 80	Memberships	71,100	7,500	140,000	140,000
347 56 90	Donations & Pledges	7,035	1,442	262,664	262,664
	Total Charges for Services	**$ 2,097,743**	**$ 1,952,085**	**$ 2,594,082**	**$ 2,653,301**
MISCELLANEOUS REVENUE					
361 10 00	Interest Earnings	$ 874	$ 465	$ 500	$ 600
362 14 00	Rents & Royalties	90,854	89,959	85,000	85,000
369 10 00	Production Fees	1,425	-	-	-
369 11 00	Souvenir Sales	90	-	-	-
369 31 00	Reimb. Of Expenditures	1,260	6,626	70,000	7,500
369 70 00	Events	9,818	19,500	18,000	18,000
369 80 00	Food & Beverages	98,628	18,752	21,000	21,000
369 89 00	Packaged Sales	21,081	116,670	105,000	105,000
369 90 00	Miscellaneous Revenues	2,697	1,754	5,000	1,500
369 95 00	Commission/Tips/Merch.	10,458	8,281	8,500	8,500
369 96 00	Late Payment Charges	2,173	(1,960)	4,500	500
	Total Miscellaneous Revenues	**$ 239,358**	**$ 260,047**	**$ 317,500**	**$ 247,600**
OTHER RESOURCES					
381 91 00	Transfer from FPRA	$1,167,973	$142,074	$ 50,000	$ 500,000
382 50 00	Transfer from Solid Waste	-	878,442	-	-
	Total Transfers	**$ 1,167,973**	**$ 1,020,516**	**$ 50,000**	**$ 500,000**
	Total Revenue	$ 3,505,074	$ 3,232,648	$ 2,961,582	$ 3,400,901
	TOTAL RESOURCES	**$ 3,505,074**	**$ 3,232,648**	**$ 2,961,582**	**$ 3,400,901**

PERSONNEL SCHEDULE

SUNRISE THEATRE 406-4600-575

Budgeted Staffing Level	Authorized Position 2009	Authorized Position 2010	Authorized Position 2011	Authorized Position 2012
Executive Director	1	1	1	1
General Manager	1	1	1	1
Technical Director/Facilities Mgr.	1	1	1	1
Box House/Operations Manager	1	1	1	1
Finance Manager	1	1	1	1
Marketing & Public Relations Mgr.	1	1	1	1
Box Office Clerk	3	1	1	1
Executive Assistant	0	0	0	1
TOTAL	9	7	7	8

CAPITAL OUTLAY SCHEDULE

Description	Replacement	Improvements	Amount
TOTAL	$0	$0	$0

APPROPRIATION DETAIL

SUNRISE THEATRE 406-4600-575

Expenditure Classification	Actual 2009	Actual 2010	Approved 2011	Approved 2012
PERSONAL SERVICES				
1010 Salaries and Wages	$ 395,091	$ 392,462	$ 425,905	$ 484,806
1030 Accrued Compensation	7,170	5,335	5,000	3,500
1040 Overtime	-	-	5,000	5,000
2010 FICA	30,410	29,777	33,347	37,739
2020 Retirement Contributions	39,311	41,029	48,211	62,107
2030 Life & Health Insurance	45,967	44,027	51,136	53,023
2035 Dental Insurance	2,676	2,628	2,975	3,208
2040 Worker's Compensation	7,537	5,852	4,708	6,117
Total Personal Services	**$ 528,163**	**$ 521,110**	**$ 576,282**	**$ 655,501**

Expenditure Classification	Actual 2009	Actual 2010	Approved 2011	Approved 2012
OPERATING EXPENSE				
3200 Accounting & Auditing	$ 9,791	$ -	$ 4,500	$ 5,000
3490 Misc. Contract Services	54,152	42,920	34,200	34,200
3491 Custodial	63,848	63,258	43,400	43,400
3492 House Crew	111,943	101,979	81,500	81,500
3493 Support Staff	162,921	142,417	106,000	106,000
3495 Temp Employee Svc	4,042	1,442	-	-
3497 Sound Techs	801	-	-	-
3499 Security	10,726	12,651	7,900	7,900
4010 Car Allowance	4,200	4,200	4,200	4,200
4020 Travel & Education	4,230	4,068	3,500	3,500
4040 Hospitality/Entertainment	5,331	3,658	4,500	4,500
4043 Food	43,309	47,048	42,600	42,600
4044 Transportation	3,774	3,327	5,500	4,000
4045 Lodging	6,201	5,016	6,400	5,000
4110 Communications	42,049	27,858	22,000	22,000
4120 Freight and Postage	7,739	6,938	12,500	10,000
4310 Utilities	138,941	169,385	144,000	144,000
4410 Equipment Rental	8,297	3,991	9,500	6,000
4411 Audio Gear	6,563	3,414	9,600	5,000
4412 Backline	24,977	28,217	31,000	31,000
4413 Lighting	12,350	21,830	25,000	25,000
4415 Visual	4,965	460	2,800	2,800
4510 Insurance & Fidelity Bond	14,812	6,993	6,200	103,300
4540 FLC Liability & Property	(1,338)	2,530	125,000	-
4610 Building Maintenance	17,519	10,801	15,300	15,300
4640 A/C Maintenance	32,797	17,368	15,000	15,000
4645 Building Repair Supplies	6,978	8,899	11,900	11,900
4646 Theatre Supplies	10,541	10,081	13,500	10,000
4660 Equipment Maintenance	859	15,539	16,500	16,500
4670 Computer Maintenance	-	-	3,000	3,000
4675 Software Maintenance	891	794	6,000	2,500
4710 Reproduction	1,610	6,186	5,000	5,000
4720 Outside Printing	8,530	4,981	9,500	9,500
4810 Advertising	19,619	2,993	425,700	425,700
4811 Print	271,769	254,282	-	-
4812 Radio	107,319	147,721	-	-
4813 Television	74,535	43,159	-	-
4814 Media Design & Prep	17,439	16,857	-	-
4815 Electronic (Web Advertising)	80	6,483	-	-
4925 Cost of Events	1,231,471	947,673	975,000	975,000
4926 Cost of Events/Rent Reimb	219,723	420,439	370,000	370,000
4930 Cost of Goods Sold	5,999	7,609	7,000	7,000
4932 Packaged Sales	29,679	30,238	50,000	35,000
4933 Concession Supplies	5,494	1,779	2,500	2,500
4950 Settlement Claims	7,758	-	-	-

Expenditure Classification	Actual 2009	Actual 2010	Approved 2011	Approved 2012
OPERATING EXPENSE, cont'd.				
4960 Administrative Charges	64,059	73,734	67,000	70,000
4976 Licenses & Fees	776	776	2,000	2,000
4985 Taxes	3,790	(2,857)	3,500	3,500
4990 Miscellaneous Expense	14,800	7,173	6,000	6,000
5110 Office Supplies	7,817	5,180	5,100	5,100
5120 EDP Supplies	331	-	-	-
5150 Misc Equipment Expense	9,572	6,126	4,500	4,500
5230 Cleaning Supplies	5,697	7,169	8,000	8,000
5410 Books,Publications,Subs&Mbrshp	3,237	3,227	4,500	4,500
5900 Depreciation	563,779	566,350	550,000	560,000
Total Operating Expense	**$ 3,489,091**	**$ 3,324,360**	**$ 3,308,300**	**$ 3,258,400**
CAPITAL OUTLAY				
6200 Other Structures Facilities	$ 9,995	$ -	$ -	$ -
6410 Office Equip & Mach	2,892	-	25,000	-
6420 Office Furniture	3,477	-	2,000	-
6445 Other Equipment	12,356	-	-	-
Total Capital Outlay	**$ 28,720**	**$ -**	**$ 27,000**	**$ -**
NON OPERATING EXPENSES				
9511 Transfer to General	$ -	$ -	$ 50,000	$ 50,000
Total Transfers	**$ -**	**$ -**	**$ 50,000**	**$ 50,000**
TOTAL APPROPRIATIONS	$ 4,045,974	$ 3,845,470	$ 3,961,582	$ 3,963,901

Budget Review:

	Estimated 2011	Approved 2012	Increase (Decrease)	Percent
Personal Services	576,282	655,501	79,219	13.75%
Operating Expenses	3,308,300	3,258,400	(49,900)	-1.51%
Capital Outlay	27,000	-	(27,000)	-100.00%
Non-Operating Expenses	50,000	50,000	-	0.00%
Totals	**$ 3,961,582**	**$ 3,963,901**	**$ 2,319**	**0.06%**

Significant Budget Changes:

Personal Services increased 13.75% due to the elimination of 72 furlough hours taken in FY 2011 and the hiring of an Executive Assistant.

Operating Expenses decreased 4.72% as result of reductions in Insurance & Fidelity costs and packaged goods costs.

Capital Outlay decreased 100% because there are no capital cost budgeted this fiscal year.

Sunrise Theatre Budget Summary

Year	Total Resources	Transfers	Operating Revenue	Total Operating Expenses	Net Income	*Running Total*
2008 Actual	$3,337,000	($1,013,375)	$2,323,625	$3,816,500	($1,492,875)	*($1,492,875)*
2009 Actual	$3,505,074	($1,167,973)	$2,337,101	$4,017,464	($1,680,363)	*($3,173,238)*
2010 Actual	$3,232,648	($1,020,516)	$2,212,132	$3,324,360	($1,112,228)	*($4,285,466)*
2011 Approved	$2,961,582	($50,000)	$2,911,582	$3,308,300	($396,718)	*($4,682,184)*
2012 Approved	$3,400,901	($500,000)	$2,900,901	$3,258,400	($357,499)	*($5,039,683)*

ATTACHMENT #4: Ponte Vedra Concert Hall Budget

1450 - Cultural Events

Fund Summary

Revenue Account Type	FY 10 Actual	FY 11 Budget	FY 11 Projected	FY 12 Adopted
Revenue	4,468,397	4,836,980	3,522,606	4,703,065
Transfers From Funds	300,000	-	120,000	176,800
Statutory Reduction	-	(241,849)	-	(231,153)
Fund Balance	242,063	331,748	203,913	10,926
Total	5,010,460	4,926,879	3,846,519	4,659,638

Expenditure Account Type	FY 10 Actual	FY 11 Budget	FY 11 Projected	FY 12 Adopted
Personnel Services	482,718	560,332	388,932	447,680
Operating Expenses	4,323,829	4,363,150	3,444,681	4,203,090
Capital Expenses	-	-	1,550	-
Other Expenses	-	3,397	430	8,868
Total	4,806,547	4,926,879	3,835,593	4,659,638

1450 - Cultural Events

Account	Title	FY 10 Actual	FY 11 Budget	FY 11 Projection	FY 12 Adopted
34450	PARKING FACILITIES	48,415	40,000	64,937	71,100
34753	CASH SHORT & OVER	(7)	-	(233)	-
34760	FACILITY FEE	188,219	198,600	203,184	298,385
34764	SPONSORSHIP	21,753	20,000	7,862	30,000
34765	EVENT REVENUE	-	-	-	-
34766	SEAT SUBSCRIPTIONS	-	-	-	-
34767	PROMOTER REVENUE	1,141	10,000	58,680	85,000
34769	CO-PROMOTER REVENUE	3,250,818	3,575,000	2,199,888	2,821,700
34770	SELF-PROMOTER REVENUE	340,684	370,000	447,404	581,500
34773	CAPITAL IMPROVEMENT SURCH	-	-	-	-
34774	PRO SHOP SALES	13,171	17,000	2,815	15,000
34778	ATM REVENUE	4,795	5,000	3,768	6,500
34779	TICKET ROYALTIES	133,983	142,000	108,150	135,500
34784	CHARITY FEE	15,666	13,000	2,383	15,000
34789	OTHER PROMOTER SVC CHARGE	-	-	-	-
34903	CONCESSION SALES-COMMISSI	381,123	390,000	350,274	420,000
34905	VENDING COMMISSIONS	-	-	-	-
34907	SALES TAX COMMISSION	360	360	360	360
35901	RETURNED CHECK-SVC CHARGE	30	-	-	-
36101	INTEREST EARNINGS	95	20	38	20
36102	INTEREST EARNINGS-SBA	1,476	1,000	1,000	1,000
36122	INTEREST-MONEY MRKT	20	-	-	-
36201	RENTAL INCOME	20,712	15,000	25,520	30,000
36204	TAX EXEMPT RENTAL INCOME	10,699	7,000	7,297	15,000
36208	FAIRGROUNDS RENTAL	18,175	17,000	3,908	-
36209	FAIRGROUND RENTAL-TX EXMP	-	1,000	130	-
36213	PV CONCERT HALL RENTAL		-	2,250	50,000
36214	PV HALL TAX EXP RENTAL		-	-	30,000
36215	TAX EXMPT PROMOTER REVENU		-	14,720	80,000
36302	IMPACT FEES	-			
36402	INSURANCE PROCEEDS	990	-	-	-
36603	CONTRIBUTIONS	-	-	-	-
36901	REFUND PY EXPENDITURES	277	-	900	-
36904	MISCELLANEOUS REVENUE	15,805	15,000	17,371	17,000
38101	TRANSFER FROM FUNDS	300,000	-	120,000	176,800
38998	5% REDUCTION	-	(241,849)	-	(231,153)
38999	CARRYFORWARD	242,063	331,748	203,913	10,926
Total		5,010,460	4,926,879	3,846,519	4,659,638

1451 - Cultural Events

Account	Title	FY 10 Actual	FY 11 Budget	FY 11 Projection	FY 12 Adopted
51200	REGULAR SALARIES & WAGES	342,392	376,566	243,616	284,112
51300	OTHER SALARIES	8,817	7,000	6,000	9,000
51400	OVERTIME EMPLOYEES	3,664	12,000	35,360	45,000
52100	FICA/MEDICARE TAXES	26,711	29,343	21,202	25,866
52200	RETIREMENT CONTRIBUTIONS	35,967	43,467	25,962	18,021
52202	OPEB CONTRIBUTIONS	6,592	14,980	9,410	7,224
52300	LIFE & HEALTH INSURANCE	59,510	76,133	41,852	57,906
52400	WORKMENS COMPENSATION	923	843	681	551
52500	UNEMPLOYMENT COMPENSATION		-	6,875	-
52900	VEHICLE/LABOR CREDITS	(1,857)	-	(2,026)	-
53120	CONTRACTUAL SERVICES	89,166	90,000	156,241	130,000
53130	PROMOTER CNTRCTL SVCS	9,289	30,000	123,093	130,000
53131	CO-PROMOTER CNTRCL SVCS	3,290,395	3,318,000	2,295,583	2,687,620
53132	SELF-PROMOTER CNTRCT SVC	473,942	430,000	402,393	516,350
53201	SERVICE CHARGES	13,642	15,600	14,500	13,000
54000	TRAVEL AND PER DIEM	4,076	3,378	-	2,000
54100	COMMUNICATIONS	16,881	17,000	16,709	18,500
54110	POSTAGE	718	2,000	275	1,000
54300	UTILITIES	74,467	78,000	86,608	86,500
54400	LEASE/RENTAL OF EQUIPMENT	4,080	5,000	3,189	5,000
54402	LEASE/RENTAL OF LAND	300	300	300	300
54500	INSURANCE	52,404	52,195	48,366	52,195
54600	BUILDING MAINTENANCE	9,571	15,000	60,650	111,350
54601	EQUIPMENT MAINTENANCE	9,632	11,202	2,538	9,700
54602	VEHICLE MAINTENANCE	3,130	1,100	1,843	3,200
54603	OTHER MAINTENANCE	23,994	15,000	22,578	201,800
54900	ADVERTISING	192,317	220,000	145,700	165,000
54904	SALES TAX	869	300	2,172	1,500
55100	OFFICE SUPPLIES	2,968	7,500	3,647	7,500
55200	OPERATING SUPPLIES	50,527	48,000	55,422	58,000
55201	GAS, OIL, AND LUBRICANTS	1,462	2,575	2,575	2,575
55401	TRAINING		1,000	299	-
56301	IMPROVEMENTS O/T BUILDING	-	-	1,550	-
59301	REFUND P/Y REVENUES		-	430	-
59920	RESERVE	-	3,397	-	8,868
Total		4,806,547	4,926,879	3,835,593	4,659,638

CULTURAL EVENTS FUND REVENUE SUMMARY

Category	Actual FY '09	Actual FY '10	Adopted FY '11	Adopted FY '12	% Change
Charges for Services					
Parking	$78,987	$48,415	$40,000	$71,100	77.8%
Event Revenue	2,826	0	0	0	0.0%
Promoter Revenue	4,018,974	3,592,644	3,955,000	3,568,200	-9.8%
Capital Improvement Surcharge	0	0	0	0	0.0%
Facility Fee	194,554	188,219	198,600	298,385	50.2%
Merchandise Sales	2,375	13,171	17,000	15,000	-11.8%
Concession Sales	502,258	381,123	390,000	420,000	7.7%
ATM Revenue	5,936	4,795	5,000	6,500	30.0%
Ticket Royalties	224,632	133,983	142,000	135,500	-4.6%
Vending Commissions	0	0	0	0	0.0%
Sales Tax Commission	360	360	360	360	0.0%
Seat Subscriptions	0	0	0	0	0.0%
Charity Fee	0	15,666	13,000	15,000	15.4%
Sponsorship	6,968	21,753	20,000	30,000	50.0%
Subtotal	**$5,037,870**	**$4,400,126**	**$4,780,960**	**$4,560,045**	**-4.6%**
Miscellaneous					
Interest Earnings	$6,973	$1,591	$1,020	$1,020	0.0%
Cash Short & Over	209	(7)	0	0	0.0%
Rental Income	40,273	20,712	15,000	30,000	100.0%
Tax Exempt Building Rental	10,714	10,699	7,000	15,000	114.3%
Fairgrounds Rental	3,834	18,175	17,000	0	-100.0%
Tax Exempt Fairgrounds Rental	1,000	0	1,000	0	-100.0%
PV Concert Hall Rental	0	0	0	50,000	100.0%
Tax Exempt PV Concert Hall Rental	0	0	0	30,000	100.0%
Closing Reconciling Adjustments	0	990	0	0	0.0%
Miscellaneous Revenue	0	15,805	15,000	17,000	13.3%
Returned Check Service Charge	30	30	0	0	0.0%
Refund PY Expenditure	1,603	277	0	0	0.0%
Subtotal	**$64,636**	**$68,270**	**$56,020**	**$143,020**	**155.3%**
Total Revenue	$5,102,506	$4,468,397	$4,836,980	$4,703,065	-2.8%
Statutory Reduction	0	0	(241,849)	(231,153)	-4.4%
Est Rev Avail for Appropriation	**$5,102,506**	**$4,468,397**	**$4,595,131**	**$4,471,912**	**-2.7%**
Other Financing Sources					
Transfers from Funds	$350,000	$300,000	$0	$176,800	100.0%
Estimated Cash Forward	$436,346	$242,063	$331,748	$10,926	-96.7%
Total Available Resources	**$5,888,852**	**$5,010,460**	**$4,926,879**	**$4,659,638**	**-5.4%**

SPECIAL REVENUE FUNDS

MAJOR ACCOMPLISHMENTS LAST YEAR:

County Goal #9: Improve/Expand Communication & Services to Citizens

- Promoted and managed 20 events at the Ponte Vedra Concert Hall since opening the venue officially in February 2011 most notably with the B-52's as the highest grossing Concert Hall event of the year.
- Rented the Ponte Vedra Concert Hall in June 2011 for Leann Rimes' nationally advertised benefit concert to help victims of the Joplin Missouri tornado disaster.
- Co-promoted a summer film series with WJCT to offer five theme inspired film experiences at the Ponte Vedra Concert Hall.
- Held the fourth annual Winter Wonderland at the St. Augustine Amphitheatre, North Florida's largest winter theme festival.
- Facilitated the production of two free community festivals at the Amphitheatre, "The Back to School Beach Fest", and the "Lost Atlas" surf film Festival.
- Produced sixteen Amphitheatre events of which eight were sold out. The year's lineup exhibited cross-generational appeal and represented a wide spectrum of genres. The most profitable event of the year was a live performance and broadcast of "A Prairie Home Companion" for National Public Radio.
- The Amphitheatre continued to rank number fifty in the world for outdoor venue ticket sales and third in attendance for venues with occupancy less than 5,000.
- The Amphitheatre was awarded Folio Readers Poll "Best place to see a concert in North Florida" for the third year in a row.
- Nominated for the Pollstar Concert Industry Award, the highest honor given in the industry, in the category of Red Rocks Award – Best Small Outdoor Venue.

KEY OBJECTIVES:

County Goal #9: Improve/Expand Communication & Services to Citizens

- To provide more free and affordable community events and offset associated costs with grants and sponsorship opportunities.
- To increase number of days of venue utilization with rentals and community events.
- To increase program revenue by over 30%.
- Increase attendance figures for ticketed events by at least 20% to bolster County Tourism.

PERFORMANCE MEASURES		Actual FY '10	Estimated FY '11	Adopted FY '12
INPUT	Number of Full-time Equivalents (FTEs)	8.8	7.0	7.0
	Total Operating and Maintenance Expenditures	$4,806,547	$3,812,060	$4,650,770
	Tourist Development Tax Transfer	$200,000	$0	$0
OUTPUT	Number of Cultural & Special Event Days	141	148	175
	Number of Unique Ticketed Events	27	40	67
	Total Participants Annually	251,094	232,294	257,494
EFFIC	Staff Hours per Participant	.073	.063	.057
	# Event Days per FTE	16.0	21.1	25.0
	Program Cost to Total Participants	$19.14	$16.41	$18.06
EFFECT	Revenue from Sponsorships	$21,752	$5,363	$30,000
	Total Revenue from Operations	$4,468,400	$3,409,411	$4,703,065
	Revenue % to Program Cost	93%	89%	101%

Ponte Vedra Concert Hall Budget Summary

Year	Total Resources	Transfers	Operating Revenue	Total Operating Expenses	Net Income	*Running Total*
2010 Actual	$5,010,460	($300,000)	$ 4,710,460	$4,806,547	($96,087)	($96,087)
2011 Budget	$4,926,879	0	$4,926,879	$4,926,879	0	($96,087)
2011 Projection	$3,846,519	($120,000)	$3,726,519	$3,835,593	($109,074)	*($205,161)*
2012 Adopted	$4,659,638	($176,800)	$4,482,838	$4,659,638	($176,800)	*($381,961)*

ATTACHMENT #5: Program Guidelines

Florida Department of State, Division of Cultural Affairs

Cultural Facilities Grant

Program Dates

Deadline

June 15, 2012

Grant Period

7/1/2013 - 4/1/2015

About the Program

The purpose of the Cultural Facilities Program is to coordinate and guide the State of Florida's support and funding of renovation, construction, or acquisition of cultural facilities.
Rollover applications must be submitted online through OASIS.

How to Apply

No New Applications for 2012-2013

The 2011 Florida Legislature did not fund the projects listed on the 2011-2012 Cultural Facilities Program List. Therefore, the Division of Cultural Affairs WILL NOT accept new applications in 2011 for the 2012-2013 grant period. The next deadline for new applications will be June 1, 2012 for the 2013-2014 grant period. Guidelines will be available in the spring of 2012.

Rollover Applications

The Division will implement Rollover procedures detailed in the program guidelines. If your organization was listed on the 2011-2012 Cultural Facilities Program List, information about Rollover procedures has been sent to your e-mail address. The application deadline date for submitting Rollover information is June 15, 2011. If Rollover projects are funded by the 2012 Legislature, projects must take place between July 1, 2012 and April 1, 2014.

Program Resources

- 2011-2012 Cultural Facilities Guidelines
- OASIS (Cultural Facilities Application)

Prior Fiscal Year Funding

- 2010 - 2011: $0
- 2009 - 2010: $0
- 2008 - 2009: $0
- 2007 - 2008: $0
- 2006 - 2007: $14,453,228

Contact

Donald R. Blancett
Arts Resources Manager
don.blancett@dos.myflorida.com
(850) 245.6483

Cultural Facilities. In Florida Division of Cultural Affairs. Retrieved January 6, 2012, from http://www.florida-arts.org/programs/facilities/.

2011-2012 Cultural Facilities Guidelines

Program Requirements

1. * Own or have an executed lease for the undisturbed use of the land or buildings or both. In the cases where either the land or buildings or both are leased by the applicant, the owners must also meet the criteria in numbers 1 and 2 above.
   Exception: Land or buildings or both owned by the State of Florida and leased to an eligible applicant. For the purposes of this program, the applicant must not be a political subdivision of the state.
2. Retain ownership of all improvements made under the grant. **Exception**: Unless land or buildings or both owned by the State of Florida and leased to an eligible applicant.
3. * An organization operating budget showing Total Revenue and Support for the last completed fiscal year.
4. * An 8.5" x 11" reduction of current architectural plans.
5. * Support letters or a list of local officials lending support to *this project*.
   * Include documentation with the Support Materials Packet

Program Restrictions

- The Cultural Facilities Program does not fund project planning, such as feasibility studies and architectural drawings, or operational support.
- Applicants for projects that are intended to preserve an historic structure should apply to the historic preservation grants-in-aid program administered by the Division of Historical Resources, Bureau of Historic Preservation. For additional information, please contact the Bureau of Historic Preservation at 850/245-6333.
- A project funded by the Legislature outside of the review of the Florida Council on Arts and Culture or Secretary of State shall not be eligible to receive grant support for its project from the Division of Cultural Affairs within the same fiscal year in which legislative funding is appropriated.

Match Requirements

Organizations with a Total Support and Revenue of less than $500,000 must have at least 1 dollar of match ($1) for every dollar requested from the state or a 1:1 match.

Organizations with a Total Support and Revenue of $500,000 or more must have at least 2 dollars ($2) of match for every dollar requested from the state or a 2:1 match.

Exception: Organizations in a REDI designated area may request a 1:1 match regardless of Total Support and Revenue. See the REDI eligibility information below.

Summary of Match Requirements

Total Support and Revenue	Match for REDI Organization	Match for Non REDI Organizations
$500,000 or more	1:1	2:1
less than $500,000	1:1	1:1

Cultural Facilities. In Florida Division of Cultural Affairs. Retrieved January 6, 2012, from http://www.florida-arts.org/programs/facilities/.

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: February 15, 2012

AGENDA TAB NO. 15

SUBJECT TITLE: Naming of New Alley on North Side of Ruby Street

OBJECTIVE:

Vice Mayor Grenier will discuss the recommendation to name the new alleyway.

SUMMARY:

Vice Mayor Grenier will discuss the recommendation of the Officers and Board of Directors of the Tavares Historic Society and Mr. Rodger Kooser to name the alleyway **Lake Region Alley.**

OPTIONS:

1) Have Vice Mayor Grenier discuss his recommendation and approve the name Lake Region Alley
2) Do not approve the recommended name

STAFF RECOMMENDATION:

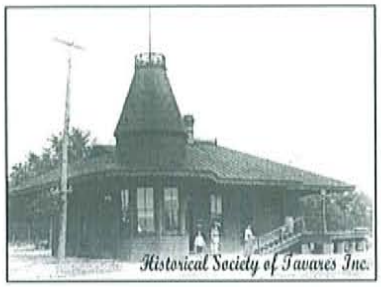
N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient



Historical Society of Tavares, Inc. • 121 East Alfred Street • Tavares, Florida 32778

February 8, 2012

Mayor Robert Wolfe
Tavares City Council
City of Tavares
201 E. Main St.
Tavares, Fl. 32778

Dear Mayor and City Council,

The Officers and Board of Directors, along with Mr. Roger Kooser, have proposed a name for the new alley that will be constructed.

LAKE REGION ALLEY

To honor the nearly 100 year history of one of Tavares's most famous institutions, the Lake Region Packing Association.

Gratefully,

Bob Grenier
President
Historical Society of Tavares

cc: John Drury, Bill Neron, Joyce Ross, Chris Thompson, Tammey Rogers, Jacques Skutt; Lori Houghton

AGENDA SUMMARY
TAVARES CITY COUNCIL
FEBRUARY 15, 2012

AGENDA TAB NO. 16

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY: Will be presented at meeting

UPCOMING MEETINGS: (check with Susie Novack for any last minute changes)

- City Council Regular Meeting, March 7, 2012 – 4:00 p.m.
- Code Enforcement Hearing – February 29, 2012 – 5:00 p.m.
- Lake County League of Cities – March 8, 2012 – 11:30 a.m.
- Lake Sumter MPO – February 22, 2012 – 4 p.m. – The Savannah Center
- Library Board – March 8, 2012 – 8:30 a.m. , Library Conference Room
- Planning & Zoning Board – February 16, 2012 – 3:00 p.m., Council Chambers

EVENTS

- Friday Market – Wooton Park 9 am to 1 pm
- Special Election for Parkland Referendum – March 6, 2012
- No Duck Left Behind – Rubber Ducky Race & Carnival – March 10, 2012
- Classic Raceboat Regatta – March 16-18, 2012
- Sunnyland Antique & Classic Boat Society Boat Show – Wooton Park – March 23-25, 2012
- Planes, Trains & BBQ – April 7, 2012
- Dragonboat Festival – April 13-14, 2012
- Seaplane Pilots Fly In – April 21, 2012

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
FEBRUARY 15, 2012

AGENDA TAB NO. 17

SUBJECT TITLE: City Councilmembers Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

Council will be offered an opportunity to provide a report at the meeting. Attached is any additional supporting information.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

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