

**AGENDA
TAVARES CITY COUNCIL**

**March 21, 2012
4:00 P.M.
TAVARES CITY HALL COUNCIL CHAMBERS**

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Tim Green, Clyde F. Green Foundation for Children

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Tab 1) City Council Regular Meeting – March 7, 2012

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Water Conservation Month Mayor Wolfe

Tab 3) Surveyors and Mappers Week Mayor Wolfe

Tab 4) Proclamation Honoring Councilmember Gamble Mayor Wolfe

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS Nancy Barnett

VIII. CONSENT AGENDA

Tab 5) Addendum to Contract for Purchase of Parkland to Bill Neron
to extend Closing Date from April 1, 2012 to June 30, 2012

XIV. ORDINANCES/RESOLUTIONS

FIRST READING

Tab 6) Ordinance #2012-05 – Commercial Activities in Public Parks Tammey Rogers

SECOND READING

RESOLUTIONS

Tab 7) Resolution #2012 – 05 – Captain Haynes Road - Dedication of Right of Way Jacques Skutt

XV. GENERAL GOVERNMENT

Tab 8) Award of Bid for Reconstruction of Todd Way Cul de Sac located in Imperial Terrace Chris Thompson

Tab 9) Approval of Contract to Add Scada Components to Fire Pump at Water Treatment Plant #1 Brad Hayes

Tab 10) Acceptance of Grant from Lake County Water Authority for Stormwater Pond Brad Hayes

Tab 11) Request to Apply for Funding for COPS Hiring Program Stoney Lubins

Tab 12) Update on Request for Traffic Signal at US 441 & Sinclair Avenue Jacques Skutt

Tab 13) Funding for Wooton Park Expansion Lori Houghton

XVI. OLD BUSINESS

XVII. NEW BUSINESS

Tab 14) Recommended Interim Councilmember Appointment to be Placed on next City Council Agenda Mayor Wolfe

XVIII. AUDIENCE TO BE HEARD

XIX. REPORTS

Tab 15) City Administrator John Drury

15A) Clarification on Homestead Exemptions John Drury

Tab 16) Council Reports City Councilmembers

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

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

The Language of Local Government
Definition of Terms

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

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

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

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

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

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

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

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

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

contiguous – Sharing a common boundary.

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

DCA – Department of Community Affairs

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

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

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

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

FDOT – Florida Department of Transportation

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

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

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

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

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

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

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

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

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

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

PUD – Planned Unit Development

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

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

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

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

right-of-way – Strip of land owned by a government agency over which the public has right of passage such as streets, parkways, medians, side walks, casements 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
MARCH 7, 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

John Drury, 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
Lori Houghton, Finance Director

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Doug Dyskstra, Adventure Christian Church, gave the invocation and led the Pledge of Allegiance.

Mayor Wolfe recognized Coach Dennis Wilson in the audience, former City Councilmember who was instrumental in the hiring process of the current City Administrator.

III. APPROVAL OF AGENDA

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

MOTION

1 Bob Grenier moved to approve the agenda, seconded by Sandy Gamble. The motion
2 carried unanimously 5-0.

3
4 **IV. APPROVAL OF MINUTES**

5
6 **MOTION**

7
8 Kirby Smith moved to approve the City Council minutes of February 15, 2012, seconded by
9 Bob Grenier. The motion carried unanimously 5-0.

10
11 **V. PROCLAMATIONS/PRESENTATIONS**

12
13 Mayor Wolfe read a proclamation honoring Corporal Paula Crow:

14
15 *Paula L. Crow Remembrance*

16
17 *WHEREAS, Corporal Paula L. Crow was a 7-year veteran of the Tavares Police Department; and*

18
19 *WHEREAS, Corporal Paula L. Crow was a faithful and dedicated servant to the citizens of*
20 *Tavares as a Detective, Community Service Officer, Special Response Team member and Traffic*
21 *Homicide Investigator; and*

22
23 *WHEREAS, Corporal Paula L. Crow worked closely with senior citizens and specialized in*
24 *prevention of crimes against the elderly and worked closely with teenagers with the public safety*
25 *explorer program; and*

26
27 *WHEREAS, on Wednesday, February 1, 2012, Corporal Paula L. Crow lost her battle with breast*
28 *cancer; and*

29
30 *WHEREAS, Corporal Paula L. Crow will be greatly missed for her tireless dedication and*
31 *unwavering service to the City of Tavares and as an exemplary Law Enforcement Officer.*

32
33 *NOW THEREFORE BE IT RESOLVED, that in recognition and gratitude for her service and*
34 *devotion, I, Robert Wolfe, Mayor of the City of Tavares hereby declare*

35
36 *March 7, 2012*
37 *Paula L. Crow Day*

38
39 *DONE AND PROCLAIMED this 7th day of March, 2012.*

40
41 Mayor Wolfe presented the proclamation to the family of Paula Crow.

42
43 Tim Crow expressed his appreciation to the City Council and every city employee for their support
44 for Paula, himself, and Ashton, and Paula's parents. He thanked the Solid Waste Department for
45 their "Day for Ashton."

46
47 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

1
2 None

3
4 **VII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

5
6 Ms. Barnett read the following ordinances/resolutions into the record by title only:

7
8 **ORDINANCE 2012-04**

9
10 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**
11 **CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 23,**
12 **COMMUNITY ECONOMIC DEVELOPMENT INITIATIVES, ADDING DIVISION 6,**
13 **GREEN BUILDING INCENTIVES AND AWARD PROGRAM; PROVIDING FOR**
14 **SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

15
16 **VIII. CONSENT AGENDA**

17
18 Mayor Wolfe asked if anyone had an objection to Tab 3 under the Consent Agenda (CDBG
19 application to finished St. Clair Abrams Sidewalk Project).

20
21 **MOTION**

22
23 **Bob Grenier moved to approve the Consent Agenda [Submission of CDBG funding**
24 **application to finish the St. Clair Abrams sidewalk project], seconded by Sandy Gamble.**
25 **The motion carried unanimously 5-0.**

26
27 **IX. ORDINANCES/RESOLUTIONS**

28
29 **Tab 4) Ordinance #2012-04 –Adopt Green Construction and Incentive Award Program**

30
31 Mr. Skutt reported that on December 7th, 2011, Council instructed staff to develop a Green
32 Construction Program that would use building permit fee waivers or reductions and public
33 recognition as incentives.

34
35 Staff has prepared an ordinance that would add a Green Building Incentive and Award Program
36 to Chapter 23, Community Economic Development Initiatives, of the City's Land Development
37 Regulations.

38
39 **Highlights of the proposed program:**

- 40
41 1. The program is optional except for city-owned civic or office construction projects.
42 2. Those wishing to participate must comply with the Green Home Designation Standard for
43 residential construction and L.E.E.D.2.0 Standard for commercial construction. Both of these
44 standards use the Florida Building Code as the "baseline" for efficiency.
45 3. Construction Projects, at the applicant's expense, must be certified by a qualified third party
46 who has been trained and certified as a green building rater.
47 4. Successful applicants will receive the following rewards:

- 1 a) 50% reduction in building permit fee for the project.
2 b) Marketing assistance including site signs, inclusion in the city's Green
3 Program website, promotional packages and press releases.
4 c) A "Green Building Award" will be awarded annually during a public City
5 Council meeting.
6 5. The program will be reviewed annually to determine its effectiveness.
7

8 He noted that the fiscal impact will equate the number of successful participants who receive
9 partial building permit fee reduction. Additionally there may be minimal promotional cost and
10 some staff time in administering the program.
11

12 Councilmember Pfister commended Mr. Skutt for his work on preparing the ordinance.
13

14 Mayor Wolfe asked if there was comment from the audience.
15

16 **MOTION**
17

18 **Lori Pfister moved to approve Ordinance #2012-04, seconded by Kirby Smith. The motion**
19 **carried unanimously 5-0.**
20

21 **X. GENERAL GOVERNMENT**
22

23 **Tab 5) Award of Bid for Tavares Recreation Park Accessory Dock Replacement and Dredging**
24

25 Ms. Rogers discussed the difficulty that boaters have in getting in and out of their boats when the
26 water level fluctuates, as the basis for the project of installing floating docks, dredging, and replacing
27 the bumper along the docks at Tavares Recreation Park. Five companies responded and ranged in
28 price from \$38,199 to \$152,000. Staff has recommended the low bidder who is a local company in
29 Leesburg and has been reviewed and evaluated by the engineer.
30

31 She noted there will be some impact to the boating community and there is a mitigation area next to
32 the boat ramp identified by FDEP which will be protected with the installation of turbidity curtains.
33 The ramp will be closed Monday through Thursday all day and then a half day on Friday. The
34 construction period could last up to 90 days. This project is being funded primarily through the
35 Florida Boating Improvement Program who has advised that construction needs to begin no later
36 than April 4th of this year.
37

38 Mayor Wolfe asked if the issue of the boat ramping being closed was included in the bid. Ms. Rogers
39 answered in the affirmative. There was discussion on the price differences in the bids.
40

41 Councilmember Smith asked if any of the companies had indicated they could keep the boat ramp
42 open while doing the work. Ms. Rogers answered that they did not. She said there are three factors:
43 1) Safety 2) Impact to the mitigated area and 3) Cost. The timeline for construction was discussed.
44

45 Mayor Wolfe asked for audience comment.
46

47 **MOTION**

1
2 **Bob Grenier moved to approve the recommended bidder of Blankenship Land & Marine,**
3 **seconded by Lori Pfister. The motion carried unanimously 5-0.**
4

5 **Tab 6) Options for Commercial Solid Waste and Recycling Services**
6

7 Mr. Thompson explained that the present contract with Waste Management will expire October 31,
8 2012. He discussed the three options being recommended:
9

- 10 1. Direct staff to negotiate with Waste Management, Inc. of Florida for a period of up to 60
11 days regarding the costs and services to be provided for an extended contract period. At
12 the end of the 60 day period, Council would be provided the terms and conditions of an
13 extended agreement for its consideration. Should the Council decide not to approve the
14 staff negotiated agreement, there still would be ample time to follow a different process.
15 2. Direct staff to issue a Request for Qualifications for interested service providers. Once the
16 RFQ's are analyzed by staff, the responding service providers would be ranked and
17 brought to Council for approval of the rankings. Once approved, negotiations would be
18 held with the top ranked firm to arrive at the terms and conditions of a franchise
19 agreement. This is similar to the process used by the City for the selection of engineering
20 and other professional contract services.
21 3. Direct staff to issue a Request for Bids for the commercial collection and residential
22 recycling services. This would require staff to prepare a detailed set of specifications as
23 to the terms and conditions of service so that all of those vendors responding to the
24 Request for Bids would be doing so on an equal footing.
25

26 Mayor Wolfe noted he had met with staff to receive information on the process. Councilmember
27 Gamble agreed that he had appreciated the opportunity to receive more information from staff and
28 that he thought it was in the city's interest to have staff negotiate first. Councilmember Smith agreed.
29

30 **MOTION**
31

32 **Kirby Smith moved to direct staff to negotiate with Waste Management, seconded by Sandy**
33 **Gamble. The motion carried unanimously 5-0.**
34

35 **Tab 7) Discussion on Including Agricultural Rate for Reclaimed Water**
36

37 Ms. Houghton said this item is for council consideration of an agricultural rate within the reclaim
38 water rate structure. She said the reclaimed rate included in Ordinance #2009-22 was based on
39 rates from other entities because the city had not provided reclaim prior to establishing the fees
40 and had no history from which to draw. Ms. Houghton said the city has been approached by local
41 growers looking for an alternative water supply that is cost effective for their use. Generally they
42 utilize private wells currently and receive incentives from other water systems. It is suggested that
43 offering a subsidized rate for agricultural could be beneficial in the long term and by reserving a
44 limited capacity.
45

46 Mr. Drury said his concern is to maintain debt service coverage on the loans to implement
47 reclaim. He said this is a request to prepare an ordinance which will be reviewed by the city's

1 independent financial advisors. He said the summary mentioned 18 cents however he was not
2 sure that the city could offer that rate or recommend a 10% reserve.
3

4 Councilmember Smith said he agreed with most of the proposed incentives but not giving away
5 50% for the meters. He said there might be a potential agricultural use away from the current
6 lines and who would incur that cost to place the lines. Mr. Drury said there is a program to bring
7 reclaim water throughout the community over the next 10 years which is dependent on funding,
8 grants, etc. He said if the city does not have the funds and the customer wanted reclamation, they
9 would have to pay to bring the line out to their location.
10

11 MOTION

12
13 **Bob Grenier moved to approve Option 1 [staff to prepare amendment to Ordinance #2009-**
14 **22 to include Reclaim Rates], seconded by Kirby Smith. The motion carried unanimously**
15 **5-0.**
16

17 Tab 8) Update on Funding for the Dragon boat Race Fireworks

18
19 Mayor Wolfe noted Council had authorized \$1000 to come from reserves at the last Council
20 Meeting and he had advised he would continue to solicit funds. He said he has acquired
21 approximately \$5300 and is still awaiting word from the Taiwan government on their donation. He
22 said reserves would not be required. He noted Council had discussed making individual
23 donations.
24

25 Mr. Drury said he wished clarification that the additional funds Mayor Wolfe has solicited are
26 authorized to be added to the current fireworks which will be an enhancement. Mayor Wolfe
27 agreed and noted that \$5,000 would be a basic display but this would allow an enhanced show.
28

29 XI. OLD BUSINESS

30 XII. NEW BUSINESS

31 XIII. AUDIENCE TO BE HEARD

32 Denise Laratta, Royal Harbor

33
34
35 Ms. Laratta thanked Councilmember Pfister for suggesting that the city pursue purchasing
36 additional land along the lake to add to the park and that she was glad to see the results of the
37 referendum.
38
39

40 XIV. REPORTS

41 Tab 9) City Administrator

42
43
44
45 Mr. Drury stated that as the downtown gets busier there is starting to be an increased use of the
46 county garage into the evening. Currently the garage is closed at 8:00 p.m. He said staff is
47 working with the County to open up the garage later during the work week up to about 10:00 p.m.

1 and then on the weekends up to midnight. The proposal is to have the Police Department do the
2 closing.

3
4 **City Clerk**

5
6 Ms. Barnett stated there will be a reception for Councilmember Gamble at 3:30 p.m. on March
7 21st and she invited everyone to attend.

8
9 Ms. Barnett distributed the unofficial election results from the Supervisor of Elections. She said
10 there is one remaining vote to be considered at a Canvassing Board meeting. She said the total
11 unofficial vote was 1313 for the bonds and 1119 against or 54% voted for and 46% against.

12
13 **Economic Development Director**

14
15 Mr. Neron reminded everyone of the "No Duck Left Behind" Race at Wooton Park on Saturday.

16
17 **Tab 10) City Council**

18
19 **Councilmember Pfister**

20
21 Councilmember Pfister thanked Joyce Ross, Mr. and Mrs. Hope, the Chamber of Commerce and
22 everyone who worked so hard to get the Parkland Referendum passed. She also thanked the
23 residents and voters for their trust and support.

24
25 **Councilmember Gamble**

26
27 Councilmember Gamble said he had the honor recently of throwing out the first pitch for Babe
28 Ruth Opening Day for both softball and hardball.

29
30 Councilmember Gamble said he wished to recognize one of the staff members in Parks and
31 Recreation. He said he and Mr. Ragin have had a mutual working agreement for 28 years. He
32 said when he first started coaching, the program was independent and then the city took over the
33 program and from that time on, Mr. Ragin was involved in recreation and getting the fields ready.
34 He said now Mr. Ragin is over that program and does a great job with his crew and he
35 appreciated that.

36
37 He noted that Coach Wilson was one of his former baseball coaches and can remember back to
38 the days of the fields in the 70's, and the ones that did not exist in the 60's, when baseball was
39 played in Burleigh's pasture, site of the current tennis courts. He said he is looking forward to the
40 new park when it is completed at Woodlea. He said he appreciated everyone present.

41
42 **Vice Mayor Grenier**

43
44 Vice Mayor Grenier said it is fun to be part of what is happening in Tavares. He said he is excited
45 with the baseball program, the Parkland expansion, and the vision that continues to develop in
46 Tavares.

47

1 He noted that he had some historical comments to make. He noted for Norb Thomas's benefit
2 [former Councilmember Thomas in the audience] that the City of Chicago had its 175th
3 anniversary on March 4th.

4
5 He said the State of Florida had its 167th anniversary on March 3rd and noted that Major St. Clair
6 Abrams was born a few days after Florida became a state (1845) and his birthday is this
7 Saturday, March 10th.

8
9 **Councilmember Smith**

10
11 Councilmember Smith suggested that those in attendance should take the opportunity to drive
12 around the city and note the building projects that are ongoing; e.g. Osprey Lodge, Shantiniketan
13 development, the Big House, and the hotel on Ruby Street.

14
15 Councilmember Smith thanked Norm Hope for this assistance in the referendum, noting he had
16 spent many hours speaking to residents and giving out information.

17
18 He thanked all the sponsors who have donated for the fireworks.

19
20 **Mayor Wolfe**

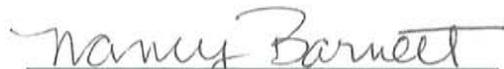
21
22 Mayor Wolfe thanked Ms. Rogers and everyone from the Parks Department on the success of
23 Opening Day.

24
25 Mayor Wolfe said the "No Duck Left Behind" event is this Saturday and there will be more than 30
26 schools represented.

27
28 **Adjournment**

29
30 There was no further business and the meeting was adjourned at 4:47 p.m.

31
32 Respectfully submitted,

33
34
35
36 
37 _____
38 Nancy Barnett, CMC
39 City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
March 21, 2012**

AGENDA TAB NO. 2

SUBJECT TITLE: Proclamation for Water Conservation Month 2012

OBJECTIVE:

Council will consider a Proclamation declaring April 2012 as Water Conservation Month and calling upon the citizens and business community to help protect water resources and practice water saving measures.

SUMMARY:

See attached proclamation.

OPTIONS:

1. Declare April as Water Conservation Month.
2. Do not declare April as Water Conservation Month.

STAFF RECOMMENDATION:

Declare April as Water Conservation Month.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A



PROCLAMATION

WHEREAS, water is a basic and essential need of every living creature; and

WHEREAS, the State of Florida, Water Management Districts, and City of Tavares Utilities are working together to increase awareness about the importance of water conservation; Refer to the State of Florida Resolution and

WHEREAS, City Of Tavares Utilities and the State of Florida have designated APRIL, typically a dry month when water demands are most acute, Florida's "WATER CONSERVATION MONTH" to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, City Of Tavares Utilities has always encouraged and supported water conservation; refer to the Water Conservation Package; and

WHEREAS, every business, industry, school, and citizen can make a difference when it comes to conserving water; and

WHEREAS, every business, industry, school, and citizen can help by saving water and thus promote a healthy economy and community; and

NOW, THEREFORE, be it resolved that the Tavares City Council of Lake County, Florida, in regular session, duly assembled, hereby proclaims the month of APRIL as "WATER CONSERVATION MONTH"

The Tavares City Council of Lake County, Florida, is calling upon each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

Dated this 21st day of March, 2012

Mayor Robert Wolfe _____

Vice Mayor Lori Pfister _____

Councilperson Sandy Gamble _____

Councilperson Robert Grenier _____

Councilperson Kirby Smith _____

AGENDA SUMMARY
TAVARES CITY COUNCIL
MARCH 21, 2012

AGENDA TAB NO. 3

SUBJECT TITLE: Proclamation for Florida Surveyors & Mappers Week

OBJECTIVE:

The Mayor will read a proclamation declaring March 18-24, 2012 National Surveyors and Mappers Week.

SUMMARY:

N/A

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

LEGAL SUFFICIENCY:

N/A



WHEREAS, surveyors and mappers are counted among the founding leaders of our country and were instrumental in the formation of the layout of property boundaries in the United States which have provided our citizens the enjoyment of property ownership; and

WHEREAS, George Washington, Thomas Jefferson and other former Presidents of the United States, served their fellow colonists as surveyors; and

WHEREAS, the citizens of Florida recognize the valuable contributions of the surveying and mapping profession to history, development, and quality of life in Florida and the United States of America and make important decisions based on the knowledge and expertise of licensed surveyors and mappers; and

WHEREAS, the surveying and mapping profession requires special education, training, the knowledge of mathematics, the related physical and applied sciences, and requirements of law for evidence; and

WHEREAS, surveyors and mappers are uniquely qualified and licensed to determine and describe land and water boundaries for the management of natural resources and protection of private and public property rights; and

WHEREAS, the continual advancements in instrumentation have required the surveyor and mapper not only to be able to understand and implement the methods of the past, but also to learn and employ modern technology in finding solutions to meet the challenges of the future.

NOW, THEREFORE, BE IT RESOLVED that in conjunction with National Surveyors Week, the City of Tavares does hereby proclaim the week of March 18-24, 2012, as

FLORIDA SURVEYORS & MAPPERS WEEK

and, recognize the many contributions and the ongoing dedication of surveyors and mappers to the citizens of Tavares.

PASSED AND DULY ADOPTED on this 21st day of March, 2012

Mayor Robert Wolfe
City of Tavares

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 21, 2012**

AGENDA TAB NO. 4

SUBJECT TITLE: Proclamation for Councilmember Sandy Gamble

OBJECTIVE:

The Mayor will read a proclamation honoring Councilmember Gamble.

SUMMARY:

See attached proclamation.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A



PROCLAMATION

WHEREAS, Councilmember Sandy Gamble has announced his resignation from City Council in order to commit full time to his ministerial duties with the Church of God of Prophecy;

WHEREAS, Councilmember Sandy Gamble has been a dedicated Councilmember representing the citizens of Tavares from 2004 to 2008, serving as Vice Mayor in 2006, Mayor in 2007, and as Councilmember from 2009 to 2012;

WHEREAS, Councilmember Gamble has been supportive to the staff of Tavares, assisted in many city events and has been an advocate for the youth in his commitment to recreation programs;

WHEREAS; the City Council, Staff, and Residents of Tavares wish to express appreciation for all that Councilmember Gamble has contributed during his years of service to the City as an elected official;

NOW, THEREFORE, BE IT RESOLVED that I, Robert Wolfe, Mayor of the City of Tavares hereby proclaim special thanks and recognition to Councilmember Sandy Gamble for his contributions to the City of Tavares.

DONE AND PROCLAIMED this 21st day of March 2012.

ATTEST:

Robert Wolfe, Mayor Tavares

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 21, 2012**

AGENDA TAB NO. 5

SUBJECT TITLE: Addendum to Contract with Tavares Station Development for Contract for Sale and Purchase of Land Adjacent to Wooton Park

OBJECTIVE:

To extend the closing date of the contract for sale and purchase of the land owned by Tavares Station from April 1, 2012 to on or before June 30, 2012.

SUMMARY:

The addendum to the contract to purchase the land recently approved by voter referendum will be extended from April 1, 2012 to June 30, 2012 in order to allow sufficient time to establish the financing plan.

OPTIONS:

- 1) Move to approve the addendum to the contract between the City and Tavares Station Development for the purchase of the land adjacent to Wooton Park approved by voter referendum on March 6, 2012.
- 2) Do not approve the addendum.

STAFF RECOMMENDATION:

Move to approve the addendum to the contract between the City and Tavares Station Development for the purchase of the land adjacent to Wooton Park approved by voter referendum on March 6, 2012 to extend the closing date from on or before April 1, 2012 to on or before June 30, 2012.

FISCAL IMPACT:

LEGAL SUFFICIENCY:

ADDENDUM TO CONTRACT FOR SALE AND PURCHASE

This ADDENDUM forms a part of that certain Contract for Sale and Purchase dated November 15, 2011, between TAVARES STATION DEVELOPMENT, LLC, as Seller, and CITY OF TAVARES, FLORIDA, as Buyer.

1. Seller(s) and Buyer(s) agree to extend the closing date from on or before April 1, 2012 to on or before June 30, 2012.
2. To the extent that the terms of this Addendum conflict with the terms of the contract, the provisions of this Addendum shall control.
3. This addendum may be signed in separate counterparts and delivered via facsimile or e-mail.

SELLER:

TAVARES STATION DEVELOPMENT,
LLC, a Florida limited liability company

Dated: 3/12/12


By: Rodger W. Kooser
Its: Managing Member

BUYER:

CITY OF TAVARES, FLORIDA, a Florida
municipal corporation

Dated: _____

By: Robert Wolfe
Its: Mayor

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 21, 2012**

AGENDA TAB NO: 6

SUBJECT TITLE: Ordinance #2010-05 - Regulation of Commercial Activities in Certain City Parks

OBJECTIVE: To approve Ordinance 2012-05.

SUMMARY: Attached is Ordinance 2012-05 which pertains to the regulation of commercial activities in some city parks and provides for enforcement by the Tavares Police Department.

Previously, a draft policy regulating such activities was provided to City Council and attached is a revised policy which will be the operations guide for instituting the ordinance.

If approved, preemptively, staff will send notification letters to local boat tour companies and signage will be posted by the boat ramps and docks which will read thusly,

Any commercial activity being offered at this park where fees are collected or donations are accepted, and which include but are not limited to these activities:

- picking up and dropping off passengers
- soliciting or advertising commercial activity for hire at a city-owned site
- designating the city-owned site address as the physical address of a commercial business or the meeting location for commercial activity
- collecting or attempting to collect any compensation at a city-owned site

must be approved by the City of Tavares.

Enforceable by ordinance 2012-05 through the City of Tavares Police Department

PERMITTING PROCEDURE will begin in the Community Development Department.

OPTIONS:

1. Approve Ordinance 2012-05

2. Do not approve

STAFF RECOMMENDATION: Move to approve Ordinance 2012-05.

FISCAL IMPACT: n/a

LEGAL CONSIDERATIONS: meets legal sufficiency

ORDINANCE 2012-05

AN ORDINANCE CREATING SECTION 14-3 OF THE CITY OF TAVARES CODE OF ORDINANCES PERTAINING TO CITY PARKS; AUTHORIZING THE CITY ADMINISTRATOR TO ESTABLISH POLICIES AND PROCEDURES FOR THE REGULATION OF COMMERCIAL ACTIVITIES IN CERTAIN PUBLIC PARKS AND FACILITIES; AUTHORIZING THE CITY ADMINISTRATOR TO ESTABLISH AND ADJUST PERMIT AND USER FEES WITHIN CERTAIN PARAMETERS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tavares wishes to regulate commercial activities that occur within the City of Tavares in certain public parks and facilities and which may impact the public infrastructure, public safety, sanitation, and general welfare of the residents of Tavares;

WHEREAS, City of Tavares wishes to establish policies and procedures for user groups who wish to reserve certain parks and facilities in order to ensure that the proposed use will not have an adverse effect on public infrastructure, public safety, sanitation and the general welfare of the residents of the City of Tavares;

WHEREAS, the City of Tavares City Council finds that reasonable regulation of commercial users of certain parks and public facilities will benefit the public health, safety and welfare by providing the City of Tavares an opportunity to review the character and nature of the proposed use in order to mitigate or eliminate any adverse impacts to the City of Tavares; and

WHEREAS, the City of Tavares City Council finds that it is reasonable and necessary to develop and establish an application and review fee for the implementation of these regulations; therefore,

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

- Section 1. The above recitals are true and correct and by this reference are hereby incorporated into and made a part of this ordinance.
- Section 2. For purposes of this ordinance, “commercial use” of a park or public facility shall mean any non-public activity, conducted in whole or in part within a city park or public facility, in which the participants or invitees pay, or are expected to

pay, a fee or other consideration to the person or entity conducting the activity for the opportunity to participate in the activity.

Section 3. The City Administrator, is hereby authorized and directed to establish and amend, as necessary, reasonable rules and regulations governing commercial uses of City public parks and facilities. The regulations relating to commercial uses shall require the user to obtain an annual permit for commercial uses of the parks; assure that the commercial user has appropriate public insurance; and assure that the commercial user has all necessary and required permits, licenses and safety equipment.

Section 4. The City Administrator is hereby authorized and directed to establish and amend, as necessary, reasonable application procedures and permit fees for commercial uses of City public parks and facilities, provided that the fees shall be commensurate with the actual cost of providing the services, not to exceed \$100 per year.

Section 5: The policies and procedures adopted and amended pursuant to this enabling ordinance shall be enforceable by any lawful means, including but not limited to civil citations, injunctive relief, trespass violations, etc. In the event attorney's fees are expended for the enforcement of this policy, the violator will be responsible for said attorney's fees.

Section 6: The regulations adopted pursuant to this Ordinance shall be published and made available to the public in the City Clerk's office and on the City's website.

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

Robert Wolfe, Mayor

ATTEST

Nancy Barnett, City Clerk

Approved as to Form: _____
Robert Q. Williams, City Attorney

Passed First Reading: _____

Passed Second Reading: _____



**Community Services Department
Division of Parks & Recreation**

**CITY OF TAVARES FACILITY POLICY
For Commercial Use**

Purpose:

This policy is intended to establish a standardized approach with regard to reservation procedures and associated fees for City facilities and programs. This policy provides a guideline for determining who our user groups are and what groups should pay to recover some of the maintenance and operating costs to lessen the burden on the City taxpayers, while continuing to provide cost-affordable services for our constituents.

Authority:

The Community Services Department: Division of Parks and Recreation, shall develop Facility Use Policies to include reservation and fee guidelines for all appropriate uses of parks and facilities. Staff will review these policies annually to ensure the purpose above is met. Authority is granted via the City of Tavares City Council.

Need and Benefit:

It is the responsibility of the Community Services Department: Division of Parks and Recreation to offer a variety of facilities and programs providing for a variety of recreational opportunities for the well being of our citizens. Benefits include individual and community wellness, venues for social interaction and education, economic enhancements, and environmental awareness and protection. The ultimate benefit is improved quality of life for the citizens of Tavares.

Because of the rapid growth in population and demand for recreational services, it has become necessary to adopt a sound and consistent policy that will assist staff with the administration of services.

Philosophy:

The guiding principle of the City of Tavares Community Services Department: Division of Parks and Recreation is to improve the quality of life for Tavares citizens by providing excellence in parks and recreational facilities, programs, and services. The goal is to provide something for everyone in the most efficient ways possible. Firm facility use policies, reviewed and updated periodically, are paramount to the success of this mission.

Exclusions:

This policy does not cover commercial activities taking place within Wooton Park. For policy information and fee schedules related to Wooton Park, please contact the Tavares Seaplane Base and Marina by calling 352.742.6267

Facility Reservation Guidelines:

Any commercial activity being offered on city properties where fees are collected or donations are accepted and which include but are not limited to these activities:

1. Picking up and dropping off passengers;
2. Soliciting or advertising commercial activity for hire at a city-owned site;
3. Designating the city-owned site address as the physical address of a commercial business or the meeting location for commercial business activity;
4. Collecting or attempting to collect any compensation at a city-owned site

must be approved by the City of Tavares.

Contractor must complete and/or provide the following:

- A. An Independent Contractor Permit Application shall be completed at City Hall, located at 201 E. Main Street, Tavares on a form furnished by the City;
- B. Liability insurance as outlined in this agreement, adding the City as Additional Insured with endorsement;
- C. Appropriate licensures, (i.e. U.S. Coast Guard);
- D. A City of Tavares Occupational License, which can be obtained at the Finance Department (ph. 352.742.6414), located at 201 E. Main Street, Tavares;
- E. Annual payment of \$100 permit fee to the City of Tavares (Includes annual Tavares Occupational License).

The City of Tavares may revoke a contractor permit for any reason, including, but not limited to, the following:

1. The licensee or any of the licensee's agents or employees engages in any fraudulent, deceptive or unlawful business practice in connection with the licensee's business;
2. False statements on the license permit application;
3. Failure to comply with any U.S. Coast Guard, local or state occupational permits, etc. requirements and/or regulations;
4. The licensee or any of the licensee's agents or employees violates any provision of this Article;
5. Revocation by any jurisdiction of any other business-related license or permit held by licensee;
6. The licensee is convicted in any jurisdiction of any felony or crime of moral turpitude;
7. The licensee conducts business in a manner that violates State and City traffic, parking, stopping and standing laws and ordinances or otherwise creates or contributes to a potential safety or hazardous situation or condition on public or private property;
8. The licensee operates in an unprofessional manner as determined by the City. Operating in an unprofessional manner includes, but is not limited to, failure to procure or maintain the proper equipment, breach of promises to customers/patrons, or otherwise operating in a manner which reflects poorly on the City of Tavares;
9. The licensee breaches a provision of the Agreement between the contractor and the City of Tavares.



ATTACHMENT A
COMMERCIAL ACTIVITIES AND SERVICES
INSURANCE REQUIREMENTS / SHORT-TERM USE

Specifications:

- Commercial/For Profit organizations

Examples:

- Concerts, sporting events, training and instruction

Workers' Compensation:

If Contractor is required to provide this coverage under State of Florida Workers' Compensation law, coverage shall be provided for all employees. Coverage shall be for statutory limits in compliance with all applicable state and federal laws. Coverage must include Employers' Liability with a limits of \$100,000 each accident, \$100,000 each employee and \$500,000 policy limit for disease.

If Contractor is exempt from this requirement in the State of Florida, an exemption certificate must be provided.

Commercial General Liability:

Contractor shall be per occurrence, Combined single limit for bodily injury liability and property damage liability, including premises and operations. Limits of coverage shall be based on the operation and exposure at hand.

- ***Coverage Limits***

| | |
|----------------------------------|------------------|
| No Recognized Exposures | \$ 300,000 |
| Minimum Exposures | 500,000 |
| Above Average Exposures | 1,000,000 |
| Unusual or High Hazard Exposures | 3,000,000 and up |

Fire damage liability shall be included with a limit of \$100,000.

If food or beverage is being served, Products Liability must be included. If alcohol is being served, Liquor Liability must be included.

Commercial Auto:

Not required unless there is a specific relationship to the Use agreement. If required, the same limits listed under Commercial General Liability will apply. Coverage shall include owned vehicles, hired and non-owned vehicles, and employees' non-ownership.

Evidence of Insurance

Contractor shall furnish City with in-force certificates of insurance, on a standard Acord form. The certificate(s) must be signed by a person authorized by the insurer to bind coverage on its behalf. **The City must be specifically included as an additional insured with endorsement** on all policies except Workers' Compensation.

In the event such insurance coverage expires prior to the completion of the use period, a renewal certificate must be provided 30 days prior to the expiration date. The policy shall provide a 30-day notification clause in the event of cancellation or modification to the policy.

All certificates of insurance must be on file with and approved by the City prior to the use of City property.



CITY OF TAVARES

INDEPENDENT CONTRACTOR PERMIT APPLICATION

NAME OF BUSINESS _____
 NAME OF OWNER _____
 HOME ADDRESS _____ PHONE _____
 BUSINESS ADDRESS _____ PHONE _____
 LAKE COUNTY OCCUPATIONAL LICENSE NO. _____
 CITY OF TAVARES LICENSE NO. _____
 UNITED STATES COAST GUARD CERTIFICATE NO. _____
 DESCRIPTION OF BOAT _____

HAVE YOU OR ANY OF YOUR EMPLOYEES EVER BEEN CONVICTED OF:
 Felony _____ Misdemeanor _____
 If yes, to the above, explain the nature of the evidence and the punishment or penalty _____

CONTRACTORS MUST PROVIDE A CERTIFICATE OF INSURANCE AS INDICATED IN ATTACHMENT A OF THIS POLICY, ADDING THE CITY OF TAVARES, P.O. BOX 1068, TAVARES, FL 32778, AS ADDITIONAL INSURED WITH ENDORSEMENT.

INDEPENDENT CONTRACTOR applicants MUST be in compliance with the rules, regulations and obligations set forth within Ordinance 2012-05, dated April 4, 2012 of the City Code of Ordinances. A permit application fee of \$100.00 will be charged.

The applicant's signature below acknowledges receipt of this application, including a copy of both the policy and Ordinance 2012-05, and indicates the applicant's agreement to abide by the rules, regulations and obligations set forth within Ordinance 2012-05.

"The applicant agrees to indemnify and hold harmless the City of Tavares, its officers, agents, representatives and employees from all liabilities, claims, actions damages, losses and costs arising out of this Agreement with the City of Tavares, including injury, illness or death which may be suffered before, during or after the effective date of this Agreement.

The applicant hereby accepts and fully assumes all risks involved in this business operation within the City of Tavares, and fully assumes all responsibility for any liabilities, damages, losses and costs that may result from said business operation. Furthermore, the applicant understands and acknowledges that this indemnification covers any claims based on negligent action or inaction of the City of Tavares, its officers, agents, representatives or employees. The applicant has elected to assume all such risks, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the applicant, and any persons employed or used by the applicant in the performance of this Agreement.

The applicant agrees that this indemnification is binding upon the applicant's spouse, heirs, legal representatives and assigns; and that its coverage extends to the applicant's spouse, heirs, legal representatives and assigns."

APPLICANT SIGNATURE _____ DATE: _____

PLANNING AND ZONING DEPARTMENT

NOTES: _____

PLANNING AND ZONING APPROVAL:
 SIGNATURE _____ DATE _____

Permit Fee: \$100.00 PAID BY: Cash _____ Check# _____

 Joan Giesy, Finance Manager Date ORIGINAL: Finance

**AGENDA SUMMARY
TAVARES CITY COUNCIL
March 21, 2012**

AGENDA TAB NO. 7

**SUBJECT TITLE: Resolution 2012-05
Dedication of Captain Haynes Road as Public a Public Right of Way**

OBJECTIVE:

To approve a resolution that dedicates Captain Haynes Road as a Public Road and establishes the location and boundaries of the right-of-way for this road.

SUMMARY:

In 2007, Captain Haynes Road was constructed to connect Dead River and Woodlea Roads and to improve access to the Woodlea Sports Complex. Since the road was constructed entirely on city-owned property, it was not necessary to record a deed dedication to secure a public right-of-way. However, the boundaries and exact location of the road are not officially established in public record and this is creating difficulties for the surveying company that is plotting a parcel for the new Public Works Facility. Southeastern Surveying has prepared a survey map and legal description for the public right-of-way for Captain Haynes Road which is attached as Exhibit A to Resolution 2012. This resolution officially dedicates this land as a public right-of-way and should simplify future survey work that may take place along this road.

OPTIONS:

1. That City Council moves to approve Resolution 2012-05, dedicating Captain Haynes Road as a public right-of-way.
2. That City Council denies the proposed resolution.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Resolution 2012-05.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

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RESOLUTION 2012-05

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, DEDICATING CAPTAIN HAYNES ROAD AS A PUBLIC RIGHT OF WAY; SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tavares owns the land upon which Captain Haynes Road is located; and

WHEREAS, the City of Tavares has maintained and repaired this road continuously and uninterruptedly since 2007; and

WHEREAS, under Section 95.361 of the Florida Statutes, this road is therefore deemed to be dedicated to the public; and

WHEREAS, under Section 95.361 of the Florida Statutes, the Mayor and Clerk of the City of Tavares may certify a map showing the lands where this road is located and then said map may be filed in the office of the Clerk of the Circuit Court of Lake County; and

WHEREAS, a State licensed land surveyor has prepared a map and legal description of the Captain Haynes Road Right-of-Way;

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

1. That Captain Haynes Road, as described and mapped in "Exhibit A" attached to this resolution, is hereby dedicated as a Public Right of Way by the City of Tavares.
2. That this resolution and attached exhibit shall be filed with the Clerk of the Circuit Court of Lake County.

This Resolution will become effective upon approval by the Tavares City Council.

1 **PASSED AND RESOLVED** this _____ day of _____ 2012, by the Tavares City
2 Council.

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Robert Wolfe, Mayor
Tavares City Council

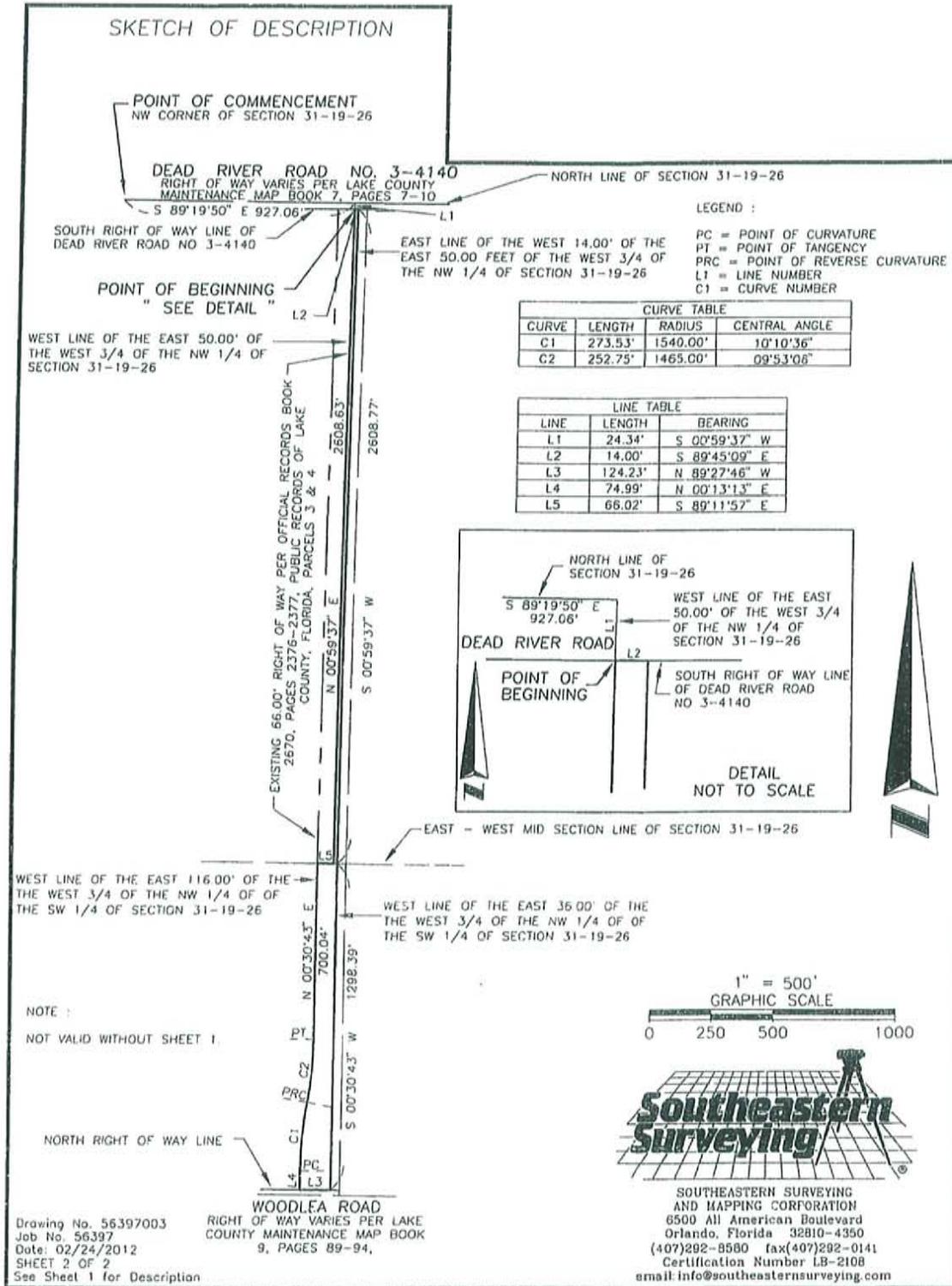
ATTEST

Nancy A. Barnett,
City Clerk

Approved as to form and legality:

Robert Q. Williams,
City Attorney

Exhibit A



SCHEDULE "A"

Description :

A portion of Section 31, Township 19 South, Range 26 East, Lake County, Florida being more particularly described as follows :

Commence at the Northwest corner of Section 31, Township 19 South, Range 26 East, Lake County, Florida; thence S 89°19'50" E a distance of 927.06 feet along the North line of said Section 31 to a point on the West line of the East 50.00 feet of the West 3/4 of the NW 1/4 of said Section 31; thence S 00°59'37" W a distance of 24.34 feet along the West line of said East 50.00 feet of the West 3/4 of the NW 1/4 to the Point of Beginning, said point being on the South right of way line of Dead River Road No. 3-4140 per the Lake County Maintenance Map as recorded in Map Book 7, Pages 7 through 10, Public Records of Lake County, Florida; thence S 89°45'09" E a distance of 14.00 feet along said South right of way line to a point on the East line of the West 14.00 feet of said East 50.00 feet of the West 3/4 of the NW 1/4; thence S 00°59'37" W a distance of 2608.77 feet along the East line of said West 14.00 feet of the East 50.00 feet of the West 3/4 of the NW 1/4 to a point on the East - West Mid Section line of said Section 31, said point being on the West line of the East 36.00 feet of the West 3/4 of the NW 1/4 of the SW 1/4 of said Section 31; thence S 00°30'43" W a distance of 1298.39 feet along the West line of said East 36.00 feet of the West 3/4 of the NW 1/4 of the SW 1/4 to a point on the North right of way line of Woodlea Road per Lake County Maintenance Map as recorded in Map Book 9, Pages 89 through 94, Public Records of Lake County, Florida; thence N 89°27'46" W a distance of 124.23 feet along said North right of way line to a point; thence leaving said North right of way line N 00°13'13" E a distance of 74.99 feet to the point of curvature of a curve concave Easterly and having a radius of 1540.00 feet; thence Northeasterly a distance of 273.53 feet along the arc of said curve through a central angle of 10°10'36" to the point of reverse curvature of a curve concave Westerly and having a radius of 1465.00 feet; thence Northeasterly a distance of 252.75 feet along the arc of said curve through a central angle of 09°53'06" to the point of tangency of said curve, said point being on the West line of the East 116.00 of the West 3/4 of said NW 1/4 of the SW 1/4; thence N 00°30'43" E a distance of 700.04 feet to a point on said East - West Mid Section line; thence S 89°11'57" E a distance of 66.02 feet along said East - West Mid Section line to a point on the West line of said East 50.00 feet of the West 3/4 of the NW 1/4; thence N 00°59'37" E a distance of 2608.63 feet along said West line of the East 50.00 feet of the West 3/4 of the NW 1/4 to the Point of Beginning.

Containing 3.57 acres more or less.

SURVEYORS REPORT

1. Bearings shown hereon are based on the North line of Section 31, Township 19 South, Range 26 East, Lake County, Florida being S 89°19'50" E assumed.
2. This "Sketch of Description" was performed without benefit of a Title search. A Title search may reveal additional information affecting the Parcel as shown.
3. I hereby certify that the "Sketch of Description" of the above described property is true and correct to the best of my knowledge and belief as recently drawn under my direction and that it meets the Minimum Technical Standards for Land Surveying CH. 5J-17.050-.052 requirements.

NOT VALID WITHOUT SHEET 2

| | | | | | |
|--|--|---------------|---|--------|---------|
| DESCRIPTION FOR CITY OF TAVARES | Date: | 02/24/2012 KR | CERTIFICATION NUMBER LB2108 56397003  SOUTHEASTERN SURVEYING AND MAPPING CORPORATION 8500 All American Boulevard Orlando, Florida 32810-4350 (407) 292-8592 fax (407) 292-0141 email: info@seasurveying.com  JAMES L. PETERSEN REGISTERED LAND SURVEYOR NUMBER 4791 | | |
| | Job No.: | 56397 | | Scale: | 1"=500' |
| | Chapter 5J-17.050-.052, Florida Administrative Code requires that a legal description drawing bear the notation that THIS IS NOT A SURVEY. | | | | |
| SHEET 1 OF 2 SEE SHEET 2 FOR SKETCH | | | | | |

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 21, 2012**

AGENDA ITEM NO. 8

SUBJECT TITLE: TODD WAY CUL-DE-SAC IMPROVEMENTS

OBJECTIVE:

Award of Bid for Reconstruction of the Todd Way Cul de Sac (Imperial Terrace)

SUMMARY:

On April 19, 2011, the City received a letter from the Imperial Terrace East Homeowner's Association, Inc. requesting the cul-de-sac located on Todd Way be "brought up to the standards" of the other four existing cul-de-sacs in their subdivision.

On May 10th, 2011 staff along with the City Engineer (Griffey Engineering) met at the Todd Way cul-de-sac to assess the situation and make arrangements for an acceptable design. The design was received on June 27 and a copy delivered to a representative of the Imperial Terrace Homeowner's Association for review and approval. An approval letter was received from the Association's Vice President, Linda Cerwinsky.

At the August 3rd City Council Meeting, staff was directed to move forward with acquiring a formal bid for this work and bring it back to Council for further discussion. A member of Council later requested that the bids also include a quote to completely eliminate the cul-de-sac island and pave over the area. It is noted, that the residents are not in favor of this option.

Bids for the island improvement were received on August 22 ranging from \$8,745.00 to \$15,973.21 and presented to Council at the October 5th meeting. Following discussion by Council and additional public input, staff was directed to develop a design that also addressed an increased turning radius along with corrective storm water engineering. Griffey Engineering was hired for this new design and cost estimate, while Southeastern Survey provided the survey. Griffey's cost estimate of \$34,814 was presented to Council on January 18, 2012.

After discussion by Council, staff was directed to obtain formal bids for this new design. Bids were received on March 1, 2012 and ranged from \$30,440 (submitted by Barracuda Building Corporation) to \$40,675. Since this project addresses both Public Works and Utility issues, it was decided that the costs should be split 50/50. Public Works has funding set aside for the 2 – half block

alley brick paving improvements leaving only enough to pay for its 50% share of the project. The Stormwater Division has no reserves to fall back on and cannot at this time fund their share. Staff is providing 4 options for Council's consideration.

Barracuda Building Corporation (Apopka, Fl) \$30,440.00

Paqco Inc. (Leesburg, Fl) \$31,000

Beesley Construction Co, LLC (Leesburg, Fl.) \$39,799.67

Mora Engineering Contractor, Inc. (Leesburg, Fl.) \$39,799.67

Sun Road, Inc. (Winter Springs, Fl) \$40,675.00

OPTIONS:

- 1) Enter into a contract with Barracuda Building Corporation of Apopka, Fl. in the amount of \$30,440 for reconstruction of Todd Way cul de sac. Funding to be provided by the Public Works Department (Road Construction 001-4102-541-65-80) and General Fund Reserves.
- 2) Enter into a contract with Barracuda Building Corporation of Apopka, Fl. in the amount of \$30,440 for reconstruction of Todd Way cul de sac. Funding to be budgeted by the Public Works Department (Road Construction 001-4102-541-65-80) by eliminating one of the alley brick paving projects.
- 3) Do not move forward with the reconstruction of Todd Way cul de sac.
- 4) Place this project on hold until adequate funding can be obtained through the budgeting process.

STAFF RECOMMENDATION:

Option #4 Move to place this project on hold until adequate funding can be obtained through the budgeting process.

FISCAL IMPACT:

Road Construction 001-4102-541-65-80 to

Legal Sufficiency: The options meet legal sufficiency.



**CITY OF TAVARES
MINUTES OF BID OPENING
March 1, 2012**

**Improvements on Todd Way Cul de Sac in Imperial Terrace
BID NO. 2012-0009**

TAVARES CITY HALL

PRESENT

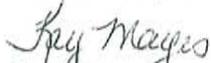
John Rumble, Purchasing Manager
Kay Mayes, Admin Assistant, Finance

Mr. Rumble noted today's date as Thursday, March 1, 2012. This is the opening of submission packages received in response to Bid 2012-0009, Improvements on Todd Way Cul de Sac in Imperial Terrace. There were five proposals received; Mr. Rumble read the Total Amount of Bid:

- | | |
|--|-------------|
| 1) Barracuda Building Corporation 1000 Ocoee Apopka Road, #400 Apopka, FL 327403 | \$30,440.00 |
| 2) Paqco, Inc. 101 Weber Avenue Leesburg, FL 34748 | \$31,000.00 |
| 3) Beesley Construction Company, LLC 2199 Citrus Blvd, Leesburg, FL 34748 | \$39,799.67 |
| 4) Mora Engineering Contractor, Inc. 1548 Seminola Blvd Casselberry, FL 32707 | \$48,793.00 |
| 5) Sun Road, Inc. 1170 Tree Swallow Dr, Suite 321, Winter Springs, FL 32708 | \$40,675.00 |

Mr. Rumble noted the packages would be forwarded to the Engineer of Record for review and evaluation. The bid opening concluded at approximately 2:10 p.m.

Respectfully submitted,


Kay Mayes

Admin Assistant, Finance

GRIFFEY ENGINEERING, INC.

March 12, 2012

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

RE: Todd Way Rebuild – Bid No. 2012-0009

Dear John:

I've reviewed the five bids for the referenced project. Each company's bid tabulation was checked for accuracy. None of the bids include adjustments, exceptions or conditions for completion of the work as proposed and identified in the plans. Based on this review, it is my conclusion that the bids are in conformance with the proposed scope of work, and the award process should proceed forward.

Sincerely,



Donald A. Griffey, P.E.

TODD WAY CUL-DE-SAC IMPROVEMENTS

INDEX

1. COVER SHEET
2. SURVEY
3. DEMOLITION
4. PAVING, GRADING, AND DRAINAGE
5. DETAILS & NOTES

CALL BEFORE YOU DIG:
 Sunshine State One Call
 11 Florida Blvd.
 Dunedin, FL 32713
 Address: (800) 639-4097
 Location: 811 or (800) 432-4770



VICINITY MAP



AERIAL MAP



DONALD A. GRIFFEY
 CIVIL ENGINEER
 LICENSE NO. 12573

GRIFFEY ENGINEERING
 408 N. DIXIE HWY. SUITE 100
 TAMPA, FL 33604
 PHONE (813) 987-9589
 FAX (813) 987-9819

CITY OF TAMPA
 P.O. BOX 1068
 TAMPA, FLORIDA 33678
 CELL (813) 742-6454
 FAX (813) 742-6397

TODD WAY
 CUL-DE-SAC
 IMPROVEMENTS

COVER

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| Drawn By: | Scale: |
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| License No.: | |
| D.A.S.: | |
| Project No.: | |
| Sheet No.: | |

GRIFFEY ENGINEERING
408 N. GREEN ST. #100
TAVARES, FLORIDA 32778
Phone (352) 957-2528
Fax (352) 957-2818
E-MAIL: GRIFFEY@GRIFFEY.COM
DONALD A. GRIFFEY
LOCAL DESIGNER

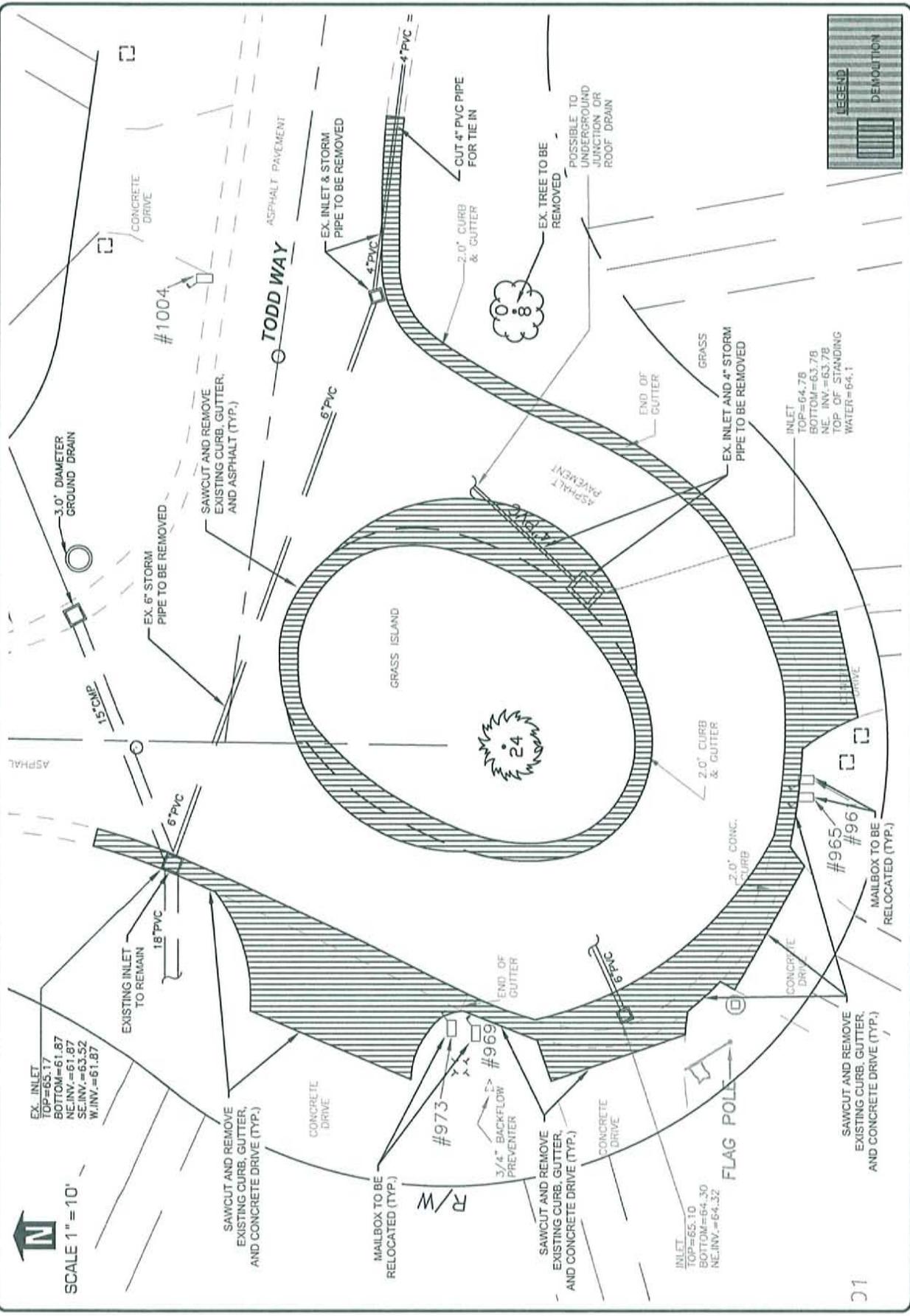
CITY OF TAVARES
P.O. BOX 1068
TAVARES, FLORIDA 32778
CELL (352) 742-6454
FAX (352) 742-6397

TODD WAY
CUL-DE-SAC
IMPROVEMENTS

DEMOLITION

Rev. # Desc. D.M.V. Date
1 12/15/11 107

Sheet 3 of 5



01

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 21, 2012**

AGENDA ITEM NO. 9

SUBJECT TITLE: Request to approve a proposal with Woodard & Curran to install a new Variable Frequency Drive (VFD) and connect to the SCADA System

OBJECTIVE: To consider the approval of an agreement with Woodard & Curran to install a new **Variable Frequency Drive (VFD)**, connect to the SCADA System, and to convert the existing Fire Pump to an everyday pump.

SUMMARY:

Water Treatment Plant # 1 is located at Disston and Dora Drive, which serves as the City's main water supply distribution point. When this facility was constructed, and before the construction of WTP #4, it had a 150 hp pump and motor installed as a separate pump to be utilized for fire protection, only. This pump currently has less than 100 hours of run time after approximately 15 years of service. Since that time the City has continued to grow with the demand for drinking water and fire protection increasing. In order to provide potable water to businesses and residents, an additional pump and appurtenances must be installed to accommodate the anticipated future growth. Instead of going to the expense of designing and constructing another pump, motor and control system, staff would prefer to convert the existing fire pump to an everyday pump. The benefits of this would be as follows: Eliminate the costs of engineering, purchasing a new pump, motor and appurtenances, bidding, and construction. Approximate cost for buying and installing all new equipment is approximately \$150,000. Besides the cost savings, the other benefits of repurposing low-use equipment would be reducing the hours of run time on the existing pumps and motors, thus extending their useful life time. The repurposing of this pump will continue to enable the City to provide proper fire flow protection to the community. This proposed project consists of installing a new VFD connecting to the existing SCADA System, plus software for creating and printing regulatory reports. Total cost would be \$37,500.

Woodard & Curran are currently under a yearly contract with the City for Utility Services regarding SCADA and associated electrical work.

OPTIONS:

1. **Approve** the agreement with Woodard & Curran to install a new VFD, connect to the SCADA System and convert the existing Fire Pump to an everyday pump in the amount of \$37,500
2. Do **not approve** the agreement with Woodard & Curran to install a new VFD, connect to the SCADA System and convert the existing Fire Pump to an everyday pump in the amount of \$37,500

STAFF RECOMMENDATION:

3. Move to **approve** the agreement with Woodard & Curran to install a new VFD, connect to the SCADA System and convert the existing Fire Pump to an everyday pump in the amount of \$37,500
- 4.

FISCAL IMPACT: This item was budgeted in the 2011-2012 operation and maintenance budget 4013301-533-64-10

LEGAL SUFFICIENCY: This meets legal sufficiency



WOODARD & CURRAN MEMORANDUM OF AGREEMENT

Project Number: 225083.01 Client PO Number: _____

Client Name: City of Tavares WTP

Address: 100 N. Diston Ave Phone: _____

City: Tavares State: FL Zip: _____

Project Name: Fire Pump VFD Work

Project Location: Tavares Water Treatment Plant #1

Services: **Woodard & Curran will provide to the City of Tavares Water Dept with the following services related to the installation of a new VFD for the now designated Fire Pump.**

1. Provide a Square D 3036 Series, 300 amp, 200 HP rated VFD and enclosure with separate disconnect and required control functions.
2. Provide one (1) day of factory qualified start-up on the above VFD
3. Provide electrical work to wire to and install the VFD described in item #1. Provide required control wiring from the VFD to the CP-1 control cabinet.
4. Provide PLC and HMI programming to allow proper functionality of the provided VFD.
5. The existing reduced voltage starter will be left in place for use incase of a failure of any of the other VFD's associated with the high service pumps.
6. All required power and controls design for a complete project
7. One licensed copy of Sytech's XL Reporter for customized complete automated reporting.
8. One printer for reports.

Start Date: 8-10 Weeks after PO End Date: 5 Day's

Contact Name: Burney Vaughn Contact Date: February 14, 2012

Fee Basis:

Lump Sum Amount \$37,500.00 Estimated Fee Amount _____

Direct Expenses X _____ Markup Direct Labor X _____ Multiplier

Hours X Labor Rates _____

If the above fee is indicated as a multiplier times payroll costs plus reimbursable expenses with an estimate, our fee will be based on the time expended. Additional services requested, unusual problems or difficulties may necessitate a higher fee. If a maximum fee amount is indicated, this amount will not be exceeded without further authorization by the client. The terms and conditions under which we are providing these services are attached and are incorporated herein by reference.

Revision Addition to Original Agreement

Billings will be: Monthly At completion of services Other

Terms will be: Net 30 days Other



**Pricing is valid for 60 days from date of proposal*

The above is intended as a summary of our agreement for the performance of the work described. Please examine same carefully and, if accurate, indicate your approval and acceptance in the space provided below.

Woodard & Curran

Date: **February 14, 2012**

By:

Joseph A. Hurley

Title: **Vice President**

Accepted:

The undersigned hereby states that they are the person or duly authorized agent of the person or organization contracting for the above services on the above described project; and that the terms and conditions stated are understood and herewith agreed to and accepted. Woodard & Curran is hereby authorized to proceed with the services outlined above.

Date:

By:

Title:

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 21, 2012**

AGENDA ITEM NO. 10

SUBJECT TITLE: Request to Approve Authorization to Accept the Grant with the Lake County Water Authority (LCWA) Program to utilize the funds for construction of a Stormwater Pond

OBJECTIVE: To consider the acceptance of a Grant from the Lake County Water Authority Program in the amount of \$253,000 for the upgrading of the existing Stormwater infrastructure in the CRA area and to authorize the Mayor to sign the "Letter of Agreement". This grant will assist the City in the design, permitting and construction of the pond portion of the project that will clean up pollutants from entering Lake Dora.

SUMMARY:

In September 2010 the City Council authorized Malcolm Pirnie to assist the City by preparing the Preliminary Engineering Report and Environmental Report required for the application and to complete the applications for funding from various funding agencies. The Downtown Tavares Redevelopment Master Plan sets a vision for the future of Downtown Tavares and its potential to develop as a vibrant, pedestrian-oriented, mixed use center in order to support the anticipated increase in the residential and commercial population. It is critical that the aging Stormwater system be improved and upgraded to reliably serve the additional demands this growth will generate. The Utility Department submitted this application to LCWA Program in December 2011. Lake Dora's pollution levels are in excess of maximum contaminant levels during storm events. This contamination affects quality of life, community vibrancy, and economic development in the City of Tavares, and also affects the chain of lakes within the Lake County. The proposed solution includes a collection and treatment facility to manage runoff from the highly impervious downtown area. This facility will provide a reduction in pollution TMDL loads to meet EPA requirements in Lake Dora, also, with phosphorus reduction estimated at almost 80%. This will provide an environmental benefit to Lake Dora.

The City of Tavares has also applied for a USDA grant/ loan in the amount of \$10M that will be used to design and construct the stormwater system throughout the CRA District. The \$1,908,800 match required by the LCWA grant would come from these funds.

OPTIONS:

1. **Move to Accept** the Grant from the LCWA for the Stormwater improvements in the amount of \$253,000 and to authorize the Mayor to sign the "Grant Agreement".
2. Do not **move to Accept** the Grant from the LCWA for the Stormwater improvements in the amount of \$253,000 and to authorize the Mayor to sign the "Grant Agreement".

STAFF RECOMMENDATION:

Move to Accept the Grant from the LCWA for the Stormwater improvements in the amount of \$253,000 and to authorize the Mayor to sign the "Grant Agreement".

FISCAL IMPACT:

**Interest savings over 20 years based on the following assumptions: \$332,476
(20 Year Note, 3.86% Interest Rate, Semiannual Interest Payments, Annual Principal Payments)**

LEGAL SUFFICIENCY: This summary meets legal sufficiency.

**LAKE COUNTY WATER AUTHORITY
STORMWATER GRANT PROGRAM
AGREEMENT TO FUND TAVARES'
DOWNTOWN STORMWATER IMPROVEMENT PROJECT**

THE AGREEMENT is entered into between the LAKE COUNTY WATER AUTHORITY, whose address is 107 N. Lake Avenue, Tavares, FL 32778-3119 (hereinafter referred to as the "Authority") and TAVARES, whose address is 2770 Woodlea Road, Tavares, Florida, 32778, (hereinafter referred to as "Grantee" or "Recipient"), a local government, to provide financial assistance for the Highland Avenue Drainage Project.

WITNESSETH:

WHEREAS, the Authority, is authorized and governed by Chapter 2005-314, Laws of Florida, for the purposes, among others, of controlling and conserving the fresh water resources of Lake County and preserving, protecting, and improving the fish and aquatic wildlife of the county, and protecting the freshwater resources by assisting local governments in the treatment of stormwater runoff, and

WHEREAS, the reduction and ultimate elimination of untreated stormwater into our public waterways will ultimately benefit the ecology of our waterways and the residents and tourists that use them, and

WHEREAS, it is desirable for the Authority to assist the local governments of Lake County in a coordinated effort through the provision of grant funds to reduce the influx of untreated stormwater into the publicly owned waterways of Lake County, and

WHEREAS, the project consists of diverting 7 stormwater outfalls from a 131-acre basin that currently drains to Lake Dora to an existing 9-acre wetland that will be converted into a wet detention pond, hereinafter referred to as the "PROJECT"; and

WHEREAS, the Authority considers the PROJECT worthwhile and desires to assist Grantee in funding the PROJECT, and

NOW, THEREFORE, the Authority and Grantee, in consideration of the mutual terms, covenants and conditions set forth herein, agree as follows:

In consideration of the mutual benefits to be derived here from, the Authority and the Grantee do hereby agree as follows:

1. The Grantee does hereby agree to perform in accordance with the terms and conditions set forth in this Agreement, **Attachment A, Grant Work Plan**, and all attachments and exhibits named herein which are attached hereto and incorporated by reference. For purposes of this Agreement, the terms "Contract" and "Agreement" and the terms "Grantee", "Recipient" and "Contractor", are used interchangeably.

LAKE COUNTY WATER AUTHORITY
107 North Lake Avenue
Tavares, Florida 32778

- b. Grantee shall not use any Authority funds for any purposes not specifically identified in the above Scope of Work.
 - c. The Authority shall have no obligation to reimburse Grantee for any costs under this Agreement until construction of the PROJECT has been completed.
 - d. The Authority's performance and payment pursuant to this Agreement is contingent upon the Authority's Board of Trustees appropriating funds for the PROJECT.
- B. Upon completion of the PROJECT, the Grantee shall submit a written payment request including a final project report containing before and after photographs and as-built plans to the Authority's Grant Manager. The Grant Manager shall have thirty (30) calendar days to review the request. The Grantee shall be reimbursed on a cost reimbursement basis for all eligible water quality enhancement project costs. In addition to the payment request, the Grantee must provide from its accounting system, a listing of expenditures made under this Agreement. The listing shall include, at a minimum, a description of the goods or services purchased, date of the transaction, voucher number, amount paid, and vendor name.
- C. In addition to the invoicing requirements contained in paragraph 3.B. above, the Authority may request proof of a transaction such as invoices, payroll register, etc. When requested, this information must be provided within 30 calendar days of such request.
4. The Authority's performance and obligation to pay under this Agreement is contingent upon an annual budget allocation by the Board of Trustees. The parties hereto understand that this Agreement is not a commitment of future budget allocations.
5. The Grantee shall submit written quarterly progress reports describing the work performed, problems encountered, problem resolution, schedule updates and proposed work for the next reporting period. Quarterly reports shall be submitted to the Authority's Grant Manager no later than twenty (20) days following the completion of the quarterly reporting period. It is hereby understood and agreed by the parties that the term "quarterly" shall reflect the calendar quarters ending March 31, June 30, September 30, and December 31. The Authority's Grant Manager shall have ten (10) calendar days to review deliverables submitted by the Grantee.

13. Nothing in this Agreement shall be construed to benefit any person or entity not a party to this Agreement.
14. The Grantee shall comply with all applicable federal, state and local rules and regulations in providing services to the Authority under this Agreement. The Grantee acknowledges that this requirement includes compliance with all applicable federal, state and local health and safety rules and regulations. The Grantee further agrees to include this provision in all subcontracts issued as a result of this Agreement.
15. The Authority's Grant Manager for this Agreement is identified below.

| | |
|---------------------------------|------------------------|
| Ron Hart | |
| Water Resources Program Manager | |
| Lake County Water Authority | |
| 107 North Lake Avenue | |
| Tavares, FL 32778-3119 | |
| Telephone No.: | (352) 343-3777 ext. 24 |
| Fax No.: | (352) 343-4259 |
| E-mail Address: | ronh@lcwa.org |

16. The Grantee's Grant Manager for this Agreement is identified below.

| | |
|---|--------------------|
| Mr. Brad Hayes | |
| Director of Utilities | |
| City of Tavares | |
| 2770 Woodlea Road, Tavares, Florida 32778 | |
| Telephone No.: | (352) 742-6485 |
| Fax No.: | (352) 742-6110 |
| E-Mail Address: | bhayes@tavares.org |

17. To the extent required by law, the Grantee will be self-insured against, or will secure and maintain during the life of this Agreement, Workers' Compensation insurance for all of its employees connected with the work of this project and, in case any work is subcontracted, the Grantee shall require the subcontractor similarly to provide Workers' Compensation Insurance for all of the latter's employees unless such employees are covered by the protection afforded by the Grantee. Such self-insurance program or insurance coverage shall comply fully with the Florida Workers' Compensation law. In case any class of employees engaged in hazardous work under this Agreement is not protected under Workers' Compensation statutes, the Grantee shall provide, and cause each subcontractor to provide, adequate insurance satisfactory to the Authority, for the protection of its employees not otherwise protected.
18. The Grantee, as an independent contractor and not an agent, representative, or employee of the Authority, agrees to carry adequate liability and other appropriate forms of

IN WITNESS WHEREOF, the parties hereto, or their lawful representatives, have executed this Agreement on the day and year set forth next to their signatures below.

LAKE COUNTY WATER AUTHORITY

Witness

By: _____
LCWA, Executive Director Date
Federal ID#: 59-6018003

TAVARES

Attest

By: _____
Name, Title Date
Federal ID#: 59-1553358

List of attachments/exhibits included as part of this Agreement:

| Specify Type | Letter/ Number | Description (includes number of pages) |
|--------------|----------------|--|
| Attachment | A | Grant Work Plan (58 Pages) |



Lake County
WATER AUTHORITY

Michael J. Perry, Executive Director Neil Kelly, Secretary-Treasurer

107 North Lake Avenue Oviedo, Florida 32778-3119 (352) 343-3777 Fax (352) 343-4259 E-mail: info@lcwa.org www.lcwa.org

December 13, 2011

Dear Applicant:

The Lake County Water Authority is contacting you to make you aware of funding that is available through our *2011-2012 Cooperative Stormwater Initiative*. This will be the tenth consecutive year of the program and we continue to gain significant ground reducing Lake County's stormwater problem. Last year alone, the Lake County Water Authority awarded \$350,000 in stormwater retrofit grants. This year, we have made \$500,000 available for new projects.

Although we are making significant improvements, Lake County's stormwater problem will take many more years to correct and will require continued cooperative efforts of multiple agencies. Your agency's help in identifying and funding projects that eliminate direct stormwater outfalls is of the utmost importance. The enclosed cooperative funding application is provided so that you can take advantage of this program. A digital copy of this document can be found on our website at www.lcwa.org. I would encourage you to take this opportunity to stay ahead of any mandatory stormwater discharge regulations that may come about as a result of the Total Maximum Daily Load (TMDL) criteria established by the Florida Department of Environmental Protection.

Thank you for your interest in assisting the Lake County Water Authority with its mission to reduce direct stormwater discharge to our surface waters. We look forward to working with you in the future!

Sincerely,
Michael J. Perry
Executive Director

MP:rh
Enclosures

BOARD OF TRUSTEES

| | | | | | | |
|------------------|------------------|--------------------|----------------------|------------------|-----------------|----------------|
| District One | District Two | District Three | District Four | District Five | At-Large | At-Large |
| Charles C. Clark | Kelly A. Pitcher | Carolyn M. Maimone | Larry M. Everly, Jr. | Linda K. Bystrok | Keith A. Farmer | John N. Harris |

would be intercepted and directed to the wet detention treatment pond system. Once the wet detention pond filled to its design stage, then the subsequent runoff will continue onto Lake Dora.

This system will include the construction of the following estimated quantities:

- Wet Detention Treatment Pond System
- 1,800 linear feet of 42-inch reinforced concrete pipe
- Associated drainage structures (manholes and inlets)

The area proposed for the pond is an existing County-owned wetland system located south of the County jail located on Main Street between South Bloxham Avenue and North Sinclair Avenue. The County and the City have signed an interlocal agreement that allows the City to use approximately 9 acres of land for the wet detention pond. The property does not have any conservation easements attached to it. Therefore, it will be considered for creation of a wet detention pond. The primary purpose of the pond will be for the reduction of TP and total suspended solids. A second identified purpose may be for the augmentation of the City's reclaimed water system.

The anticipated removal efficiencies for TP are estimated at 61.5 percent using the St. John's River Water Management District (SJRWMD) Lake Apopka Hydrologic Basin Pollutant Loading Analysis. Removal efficiencies for TSS are estimated at 67 percent using the National Pollutant Discharge Elimination System (NPDES) description of wet ponds provided at:

http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm?action=factsheet_results&view=specific&bmp=68.

Public Outreach

A stormwater education campaign will be initiated in conjunction with the construction to heighten awareness of the stormwater system and the pollution it carries to Lake Dora. The City will install a sign near the wet detention pond within public right-of way that will provide information on the project. The sign will also display and educate with information about Lake Dora, such as:

- Nonpoint source pollution associated with stormwater
- Ways the project is working to reduce pollution
- Ways the residents and business owners can also help contribute to the reduction

In addition to the sign, the City will install decals throughout the stormwater system that read "Only Rain Down the Drain" or a similar phrase. The decals will include a phone number where residents and business owners can report unauthorized dumping into the stormwater system.

The City will conduct no less than four outreach demonstrations that discuss the benefits of the wet detention pond as a (BMP) to reduce TP and total suspended solids (TSS). In addition, the demonstrations will educate the public on ways local residents and business owners can help contribute to reducing non-point source pollution.

Effectiveness Monitoring

The effectiveness of the wet detention pond treatment will be measured by recording the influent and effluent concentrations of specified parameters. The interceptor's primary function is to divert untreated runoff from Lake Dora into a new wet detention pond. The City of Tavares proposes to conduct a characterization of both the influent and effluent channels to determine the best sampling technique.

The Lake Dora water front, on the southern boundary of the CRA, is part of Wooten Park, a recreational meeting place within the City. Wooten Park includes a sea plane marina, boat docks, boat ramps, a splash park, play ground, picnic areas and a train station. The sea plane marina, boat docks and boat ramps give residents and visitors direct access to Lake Dora. The reduction in pollutant loading within Lake Dora will help maintain its wide range of recreational uses and will contribute to the propagation and maintenance of a healthy, well-balanced population of fish and wildlife.

- Pollutant Removal:** Identify the size of the area (in acres) proposed for treatment, the percent of the watershed that is impervious, the types of pollutants targeted for removal, and the type and percent efficiency of the treatment method selected. Estimate the pounds of the target pollutants that will be removed per year and identify the method used to calculate these totals. Include the acreage and volume of any retention ponds as well as any soil information that may be available. **(29 points max)**

Impacted Watershed Name: Oklawaha River Water Shed/Lake Dora

Size of Project Impact: The proposed project will be constructed below grade within existing right of way and is anticipated impact approximately 0.2 acres during construction. The construction of the associated pond will impact approximately 9 acres of wetland.

Size of Drainage Area: 131 acres

Hydrologic Unit Code: 03080102

Land Uses within the watershed:

| Land Use | Acres | % |
|--|------------|------------|
| Residential | 20 | 15 |
| Industrial/Commercial | 26 | 20 |
| Municipal/Public | 76 | 58 |
| Agricultural | -- | -- |
| Forested | -- | -- |
| Wetlands | 9 | 7 |
| Land Use Totals (Acreage and %) | 131 | 100 |

Soils:

According to the National Resources Conservation Service (NRCS), soils within the pond area with approximate percentages are as follows:

Arents 30 percent
Swamp 70 percent

According to the NRCS, soils within the area of the interceptor pipe with approximate percentages are as follows:

Arents 40 percent
Candler Sand, 0 to 5 percent slopes 60 percent

| | |
|--|----------|
| Engineering Design, Construction, and Land Acquisition | 6 points |
| Stormwater Study | 3 points |
| Other Pollutant Removal Items | 0 points |

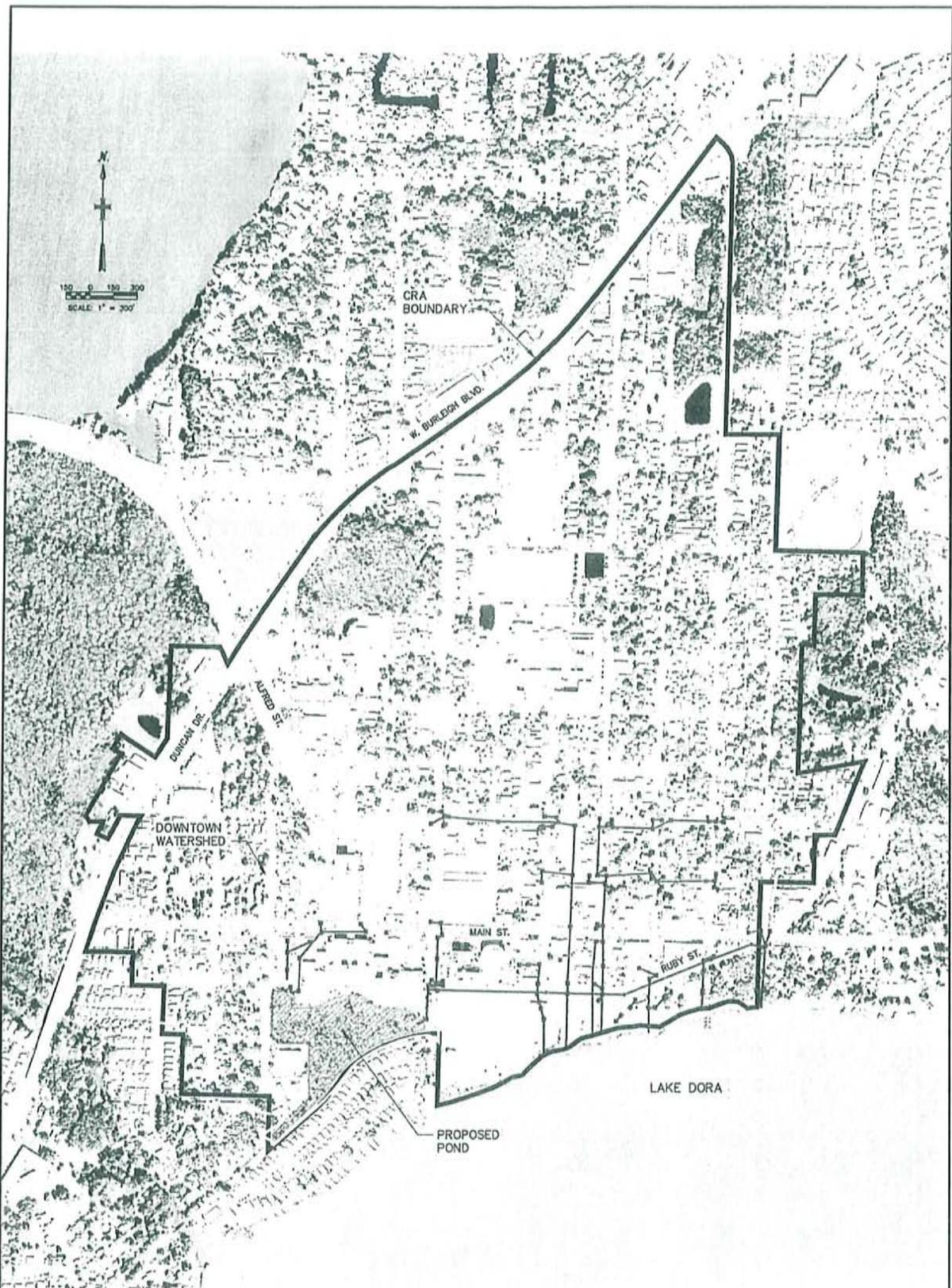
- Cost Sharing:** What level of cost sharing is requested (stormwater element only)?
(18 points max)

(Enter appropriate percentage in correct category)

| | | |
|------------|---|-----------|
| ___11___ % | 0 to 25% LCWA reimbursement of project cost | 18 points |
| _____ % | 26 to 50% LCWA reimbursement of project cost | 12 points |
| _____ % | 51 to 75% LCWA reimbursement of project cost | 6 points |
| _____ % | 76 to 100% LCWA reimbursement of project cost | 0 points |

- List additional funding partners and amount of proposed funding (stormwater element only)

| Agency | Amount | Percentage |
|--|-----------|------------|
| Florida Department of Environmental Protection | \$750,000 | 32.6% |
| | | |
| | | |
| Total | | 32.6% |



LEGEND:

- EXISTING STORMWATER PIPE TO REMAIN
- PROPOSED STORMWATER PIPE

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: MARCH 21, 2011**

AGENDA TAB NO. 11

**SUBJECT TITLE: 2012 UNITED STATES DEPARTMENT OF JUSTICE –
COPS HIRING PROGRAM GRANT**

OBJECTIVE:

To consider the request to apply for and accept funding from the 2012 United States Department of Justice – COPS Hiring Program Grant funding in the amount of \$41,916.89 to a maximum of \$125,000 over the next 3 budget years

SUMMARY:

Background

Beginning March 1, 2012 the US Department of Justice opened application for 2012 COPS Hiring Program (CHP) Funding. Approximately \$111 million is available nationwide for the hiring or rehiring of full time sworn law enforcement officers. Due to limited funding ability only applicants who submitted applications, but did not receive funding in 2011 are eligible to apply through an update of their original applications. The Tavares Police Department is one of the agencies eligible for application. Due to limited funding and high demand last year the DOJ was only able to fund approximately 10% of the agencies who made application.

Funding Provisions

COPS CHP grants will provide 75% percent funding for approved entry-level salaries and fringe benefits with a 25% agency match match for 36 months of grant funding to a maximum of \$125,000 during the grant funded period. The recipient agency must retain the officer position for a minimum of 12 months following the grant funding period. In addition a provision has been added to the 2012 COPS CHP grant that the "newly hired officer must be a military veteran who served on active duty for a period of at least 180 days, any part of which occurred on or after September 11, 2011.

COPS will support the hiring of filling previously existing officer positions which are no longer funded in the agency budget due to budget reductions. Over the last three years the City of Tavares has eliminated 4 officer positions due to budget cuts. COPS caps the number of positions funded to 5 percent of the total sworn force strength. This would make the City of Tavares eligible for 1 officer

position. Application update packages are due by March 22, 2012, at 7:59 PM, EDT.

Proposed Funding

The City of Tavares Police Department is proposing applying to the U.S. Department of Justice COPS Hiring Program for one sworn officer position for FY 2012/2013 through FY 2014/2015. The City of Tavares would need to absorb the cost of the officer position in the FY 2015/2016 budget year. The current salary and benefits for an entry level officer is \$55,889.18 making the grant application for \$41, 916.88 with a 25% agency match of \$13, 972.30 for the FY2012/2013 budget year. Maximum grant funded amount is \$125,000 over the next 3 budget years.

Due to the time constraints of this grant the City Council will need approve application at the March 21st, 2012 City Council meeting

OPTIONS:

- 1) Apply for U.S. Department of Justice –COPS Hiring Program grant
- 2) Do not apply for the grant

STAFF RECOMMENDATION:

Move to apply for the U.S. Department of Justice – COPS Hiring Program grant.

FISCAL IMPACT:

25 % grant match requirement for 3 years, full funding of the Officer position beginning in FY 2015/2016. FY 2012/2013 is estimated at \$13,972.30 based on current entry level salary and benefits prior to budget discussions.

LEGAL SUFFICIENCY:

This has met legal sufficiency.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
March 21, 2012**

AGENDA TAB NO. 12

**SUBJECT TITLE: Request to FDOT for Traffic Signal
 Intersection of US HWY 441 & Sinclair Avenue**

OBJECTIVE:

To inform Council that staff has requested that FDOT consider installing a traffic signal at the intersection of US HWY 441 and Sinclair Avenue.

SUMMARY:

City staff has received public requests for a traffic signal at the intersection of US HWY 441 and Sinclair Avenue. US HWY 441 is a state road and any signals must be approved by FDOT and these would normally be installed at their expense.

This intersection will function as one of the main gateways to our city and signalization is needed to safely accommodate increased traffic. The attached letter was sent to FDOT to initialize our request and express our concerns. It is anticipated that the approval and funding process will not be a matter that is routine or quickly agreed to by FDOT.

OPTIONS:

No Council action required. The letter is provided for information only.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

COMMUNITY DEVELOPMENT

Planning & Zoning Division
Phone: (352) 742-6416



Building Division
Phone: (352) 742-6213

Alan Hyman
Director of Transportation Operations (District V)
719 South Woodland Blvd
Deland, FL 32720

March 9, 2012

RE: Traffic Signal Request: Tavares, Lake County
Intersection of US HWY 441 and Sinclair Avenue

Dear Mr. Hyman;

Please accept this letter as an official request from the City of Tavares to your office for the installation of a traffic signal at the intersection on US Highway 441 and Sinclair Avenue. Major trip destinations along Sinclair Avenue include the City of Tavares High School, the Lake County Administrative Building, the Lake County Corrections Facility, the Lake County Judicial Campus and the Lake County Parking Garage which serves the Lake County Campus. The Tavares High School has a student enrollment of approximately 1,300 students. The Lake County Administration Building is a five story building which serves the County's 200,000+ residents. The County Judicial Building is currently undergoing an expansion and at completion will be approximately 300,000 square feet in area. The Lake County Correction Facility includes 960 beds, 300 employees and has an average daily inmate population of 1,000 persons. The parking garage accommodating these facilities has 1,520 spaces and is estimated to receive approximately 9,500 average daily trips.

For your convenience, I have attached to this letter an aerial image of the intersection in questions. This information is provided in an effort to grant your office with some insight into the amount of traffic this route serves. Based upon this information, I hope you will find that this request for a traffic signal merits additional research and consideration. If our office can provide any additional information which might be helpful in your determination, please feel free to contact our Senior Planner, Alisha Maraviglia by email at amaraviglia@tavares.org or by phone at 352.742.6416.

Sincerely,

Jacques Skutt, AICP
Community Development Director

Attachment
Traffic Signal Request Site
US HWY 441 and Sinclair Avenue



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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 21, 2012**

AGENDA TAB NO: 13

SUBJECT TITLE: Financing for Wooton Park Expansion, and Refinancing Options for Existing Debt

OBJECTIVE:

To seek Council's direction for issuing Request for Proposals for financing of the Wooton Park Expansion (\$3.3M), and to issue Request For Proposals to explore refinancing options for the Wooton Park Capital Improvement Loan (2008), and the Water and Sewer Refunding Bonds, Series 2000.

SUMMARY:

On March 6, 2012, the City of Tavares electorate approved a bond referendum authorizing the City to issue debt in the amount of \$3.3 Million for the Wooton Park expansion, and on March 13, 2011, City Staff reviewed debt financing options with the City's Financial Advisor, Mike Galvin of First Southwest.

In addition, City Staff and the City's Financial Advisor, Mark Galvin of First Southwest, has monitored outstanding City debt for possible savings in annual debt service costs. It appears that the City may be able to realize sufficient savings in annual debt service payments by refinancing two debt obligations, thus issuing a Request for Proposals (RFP) from financial institutions to refinance the following debt obligations will determine whether refinancing is financially feasibility at this time.

1. The Wooton Park Capital Improvement Loan (2008),
Issue amount: \$7,400,000
Interest Rate: 4.04%
Balance at 12-31-2011: \$6,570,000

2. The Wastewater Refunding Bonds Series 2000
Issue amount: \$4,705,000
Interest Rate: 5.00% - 5.50%;
Balance at 12-31-2011: \$4,705,000

Staff is seeking authorization from the City Council to issue Request for Proposals (RFP) from financing institutions for ***financing*** the Wooton Park Expansion General Obligation issue in the amount of \$3.3M,
And staff is also seeking

authorization to issue Request for Proposals (RFP) from financing institutions for **refinancing** the Wooton Park Capital Improvement Loan (\$6.5M), and the Wastewater Refunding Bonds, Series 2000 (\$4.7M).

OPTIONS:

1. Direct Staff to issue Request for Proposals (RFP) to Financial Institutions for **financing** the Wooton Park Expansion (General Obligation - \$3.3M), **and** direct staff to proceed with Request for Proposals to Financing Institutions for **refinancing** the Wooton Park Capital Improvement Loan (\$6.5M), and the Water and Wastewater Refunding Bonds, Series 2000 (\$4.7M).
2. Direct Staff to issue Request for Proposals to Financial Institutions for **financing** the Wooton Park Expansion (General Obligation - \$3.3M), *and direct staff **not** to issue Request for Proposals for refinancing.*

STAFF RECOMMENDATION:

Move to direct Staff to issue Request for Proposals (RFP) to Financial Institutions for **financing** the Wooton Park Expansion (General Obligation - \$3.3M), **and** direct staff to proceed with Request for Proposals to Financing Institutions for **refinancing** the Wooton Park Capital Improvement Loan (\$6.5M), and the Water and Wastewater Refunding Bonds, Series 2000 (\$4.7M).

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY: Legally Sufficient.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 21, 2012**

AGENDA TAB NO. 14

**SUBJECT TITLE: Mayor Recommendation of Interim City Councilmember
Appointee for April 4, 2012 City Council Meeting**

OBJECTIVE:

To receive the recommendation from Mayor Wolfe for interim city councilmember to be approved at the City Council meeting of April 4, 2012

SUMMARY:

Mayor Wolfe will present his recommendation.

OPTIONS:

For presentation only.

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
March 21, 2012**

AGENDA TAB NO. 15

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, April 4, 2012 – 4:00 p.m.
- Code Enforcement Hearing – (no meeting in March) - April 23, 2012 – 5:00 p.m.
- Lake County League of Cities – April 13, 2012 – 11:30 a.m.
- Lake Sumter MPO – April 25, 2012
- Library Board – April 13, 2012 – 8:30 a.m. , Library Conference Room
- Planning & Zoning Board – April 19, 2012 – 3:00 p.m., Council Chambers

EVENTS

- Friday Market – Wooton Park 9 am to 1 pm
- 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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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 21, 2012**

AGENDA TAB NO. 15A

SUBJECT TITLE: City Administrator Report - Clarification of the \$50,000 Homestead Exemptions

OBJECTIVE: To clarify how the Property Appraiser's Office applies the \$50,000 homestead exemptions.

SUMMARY: The Property Appraiser is responsible for applying exemptions to properties for tax collection purposes. In Florida, a homeowner can claim many different types of exemptions including: Save Our homes; \$25,000 1st Homestead Exemption; \$25,000 2nd Homestead Exemption; Senior Homesteads; Disability/Widow; Deployed Service Member; and Tangible Property.

As it relates to the \$50,000 homestead exemption it is broken up into two tiers of \$25,000 each. The first \$25,000 exemption tier is applied to the first \$25,000 of assessed property value and the second \$25,000 exemption tier is applied to assessed values above \$50,000 (except for school taxes). So a home valued at \$75,000 receives a total of \$50,000 in exemptions and therefore is valued at \$25,000 for taxing purposes.

A common assumption some make is thinking that the \$50,000 exemption applies to the first \$50,000 in value. This inaccurate assumption was made by the city when it stated on page four (4) of the city newsletter regarding the Wooton Park Expansion Referendum, that homes valued \$50,000 or less pay nothing. It should have stated that homes valued under \$25,000 would pay nothing as indicated below:

| | |
|----------------------|--|
| \$0 to \$25,000 | = First \$25,000 tier one exemption (Pay No Tax) |
| \$25,001 to \$50,000 | = No \$25,000 exemption (other exemptions may apply) |
| \$50,001 to \$75,000 | = \$25,000 tier two exemption kicks in plus tier one exemption |
| \$75,000 and up | = \$25,000 tier one plus \$25,000 tier two applies |

Although the newsletter was reviewed by the City Administrator and others when it was mailed out two months ago to the general public, this error was not caught until last week when the City Administrator was preparing his Fiscal Year 2013 budget. Upon contacting the Property Appraiser regarding a budgetary question, he was informed that the \$50,000 exemption is split into two \$25,000 tiered exemptions as indicated above. The City Administrator immediately conferred with the City Attorney on what impact this inaccurate statement could have on the recent referendum and was assured that it had no impact on the election and that the election was valid (see attached legal opinion). The City Administrator

also contacted the City Council and agendized the issue for the next City Council meeting to inform the Council and public about the inaccurate information.

Lesson learned/Corrective action: In today's economic environment, where the Florida state legislature is frequently making changes to complex tax rules, the Lake County Property Appraiser is the local authority on such issues. Therefore, the City Administrator is revising the City's Administrative Policy Procedures to include a prohibition on disseminating specific information on how the Property Appraiser applies exemptions but rather refer people directly to the tax collector or his web site to obtain information on how exemptions apply to their individual situation.

Williams, Smith & Summers, P.A.

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MEMORANDUM

TO: John Drury, City Administrator
FROM: Bob Williams, City Attorney
DATE: March 15, 2012
RE: Recent Park Expansion Referendum

At a special referendum held on March 6, 2012, Tavares voters approved a referendum for the issuance of \$3,300,000.00 in general obligation bonds to purchase waterfront property on Lake Dora for the expansion of Wooton Park. In the months leading up to that election, the City disseminated a newsletter and other informational material to inform the citizens about the upcoming vote. Election information and opinions – both pro and con – were also disseminated by local press, bloggers, civic groups, and community associations. You recently raised a concern to me about a minor inaccuracy in one of the City's newsletters that you first noticed after the election. In my opinion, that minor inaccuracy (which relates to the application of Florida's homestead exemption to certain properties) does not affect the validity of the election, and is not a basis upon which the election could be challenged or invalidated.

The incorrect statement was in a "Question and Answer" article in one of the City's newsletters. The statement was as follows:

"It is *estimated* that the average homeowner, with a home valued at \$100,000 (with \$50,000 homestead exemption) would pay approximately \$21 a year or \$1.75 a month. Those [properties] with homes valued at \$50,000.00 or less would pay nothing." *Emphasis supplied.*

The last sentence of the quoted statement might not be entirely correct under Florida homestead law. The most recent constitutional amendment to Florida's homestead provision provides for a tiered exemption of up to \$50,000.00 for certain ad valorem taxes. Properties that qualify as "homesteads" are exempt from all ad valorem taxes for the first \$25,000.00 of value. The next \$25,000.00 of value is taxable; however, if the homesteaded residence is assessed at more than \$50,000.00, an additional \$25,000.00

exemption is applied to the value in excess of \$50,000.00. This second \$25,000.00 exemption applies to all ad valorem taxes except for certain school taxes. In addition, there are other property tax exemptions (disability, veterans, widows, Save Our Homes, etc.) that apply to certain homesteads above and beyond the standard homestead exemption. The assessment of properties and application of exemptions is the constitutional duty of the Property Appraiser, and it is done by application on a case by case basis. However, it is likely that there are some homes in the City of Tavares that are assessed at \$50,000.00 or less that are subject to some ad valorem taxes.

At the outset, it is important to note that the inaccurate statement was not contained in the official referendum question or ballot summary. It was in an informational newsletter promulgated by the City. The Florida courts have ruled that even if an official referendum question contains inaccuracies, it is not an automatic basis for the invalidation of an election. There is a strong presumption for the finality of elections under Florida law. To invalidate an election, there must be "clear and conclusive defects" in the actual bond referendum or ballot summary. *Palm Beach County v. Hudspeth Jr.*, 540 So. 2d 147 (4th DCA, 1989). In that case, the court held that the "chief purpose" of the legislation was conveyed by the summary and that "these peripheral issues, while of legitimate concern, do not have a direct bearing on the main purpose" of the legislation. The courts have also held that where an alleged omission in a bond referendum ballot resolution is a matter of public record, the referendum results are not subject to invalidation. *Winterfield v. Town of Palm Beach* 455 So. 2d 359 (Fla. 1984). Finally, none of the statutory grounds for invalidating an election as set forth in Section 102.168, Florida Statutes, apply in this case.

Although an error in any City publication is unfortunate, this particular inaccuracy has a *de minimus* effect. Even if a home was assessed at \$50,000.00 and subject to tax on the increment between \$25,000.00 and \$50,000.00, the amount of tax to be levied under this bond resolution would be only about \$10.00 per year. The error in the newsletter will also not affect our financing for this project. I have checked with our bond counsel and he concurs with me that the newsletter statement is immaterial and will not affect the issuance of bonds for this project.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
March 21, 2012**

AGENDA TAB NO. 16

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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