

AGENDA  
TAVARES CITY COUNCIL

August 1, 2012  
4:00 P.M.

TAVARES CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Rick Fountain, First Baptist Church

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Tab 1) City Council Regular Meeting & Budget Workshop, July 18, 2012

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Presentation to Council by REP Entertainment  
from Babe Ruth Fundraising Concert Tammey Rogers

Tab 3) Florida Economic Development Council -  
Deal of the Year Award Bill Neron

Tab 4) Update on Alfred Street Project – BESH Engineering Jacques Skutt

Tab 5) Overview of Project Management Software for Downtown  
Construction Projects Brad Hayes

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS Nancy Barnett

VIII. CONSENT AGENDA

Tab 6) Award of Bid for Woodlea Sports Complex for Fencing,  
Dugouts, & Clay Tammey Rogers

Tab 7) Award of Bid for Construction of Phases 2 and 3 of Reclaimed Water Project Brad Hayes

Tab 8) Appointment to Lake County Library System Advisory Board Mayor Wolfe

## IX. ORDINANCES/RESOLUTIONS

### FIRST READING

Tab 9) Ordinance #2012 – 17 – Rezoning of 1515 US Highway 441 (formerly Gator Inlet/Quiet Waters) from Planned Development to Highway Commercial Jacques Skutt

Tab 10) Ordinance #2012-18 – Future Land Use Amendment for 1515 US Hwy 441 (formerly Gator Inlet/Quiet Waters) from Mixed Use Commercial to Commercial Jacques Skutt

### SECOND READING

Tab 11) Ordinance #2012-15 – Rezoning of 416 W. Caroline St. from Residential Multi Family to Mixed Use Jacques Skutt

Tab 12) Ordinance #2012-16 – Small Scale Future Land Use Amendment for 416 W. Caroline St. from Medium Density Residential to Mixed Use Commercial Jacques Skutt

Tab 13) Ordinance #2012-19 – Alternative Water Supply Program Brad Hayes

Tab 14) Ordinance #2012 – 20- Amendment to Police Officer's Trust Fund (Pension Plan) to Comply with State Statutes Lori Tucker

Tab 15) Ordinance #2012 – 21- Charter Referendum for Creation of City Council Seats Nancy Barnett

## RESOLUTIONS

### X. GENERAL GOVERNMENT

Tab 16) Transportation Management System – Revised Interlocal Agreement with Lake Sumter Metropolitan Planning Organization Jacques Skutt

Tab 17) Request to Develop Display Case of Seaplane History Nancy Barnett

for Lake County Historical Museum & Tavares Historical Museum

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

Tab 18) City Administrator

John Drury

Tab 19) Council Reports

City Councilmembers

XV. ADJOURN CITY COUNCIL MEETING AND RECONVENE FOR FISCAL YEAR  
2012-2013 CITY COUNCIL BUDGET WORKSHOP

Tab 20) Discuss FY 2012-2013 Budget

Mayor Wolfe

F.S. 27.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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

## **The Language of Local Government**

### **Definition of Terms**

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

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

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

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

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

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

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

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

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

**contiguous** – Sharing a common boundary.

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

**DCA** – Department of Community Affairs

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

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

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

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

**FDOT** – Florida Department of Transportation

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

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

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

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

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

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

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

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

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

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

**PUD** – Planned Unit Development

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

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

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

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

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

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

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

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

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

COUNCILMEMBERS PRESENT

ABSENT

Robert Wolfe, Mayor  
Bob Grenier, Vice Mayor  
Norm Hope, Councilmember  
Lori Pfister, Councilmember  
Kirby Smith, Councilmember

STAFF PRESENT

John Drury, City Administrator  
Robert Q. Williams, City Attorney  
Nancy Barnett, City Clerk  
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  
Richard Keith, Fire Department  
Stoney Lubins, Police Department

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Kathy Long from the Word for Life Ministries gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

MOTION

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

IV. APPROVAL OF MINUTES

1 **MOTION**

2  
3 Kirby Smith moved to approve the minutes of the City Council Meeting of June 20, 2012 as  
4 submitted, seconded by Bob Grenier. The motion carried unanimously 5-0.  
5

6 **V. PROCLAMATIONS/PRESENTATIONS**

7  
8 **Tab 2) Presentation to Vice Mayor Grenier**

9  
10 Mayor Wolfe presented the award for "Most Creative" to Vice Mayor Grenier for his 4<sup>th</sup> of July  
11 float called "The Blue and Grey, United We Stand."  
12

13 **Tab 3) 2012 Election Proclamation**

14  
15 Mayor Wolfe read the 2012 election proclamation as follows:  
16

17       The 2012 City Election will be held on Tuesday, November 6, 2012 in the City Hall  
18 Council Chambers, First United Methodist Church, Haines Creek Baptist Church, Lake  
19 County Agriculture Center, Lake Frances Estates Clubhouse, Tavares Masonic Lodge,  
20 Imperial Terrace, and Royal Harbor Social Hall, for the purpose of electing four non-  
21 partisan Councilmembers to serve at large for the following terms of office:  
22

23       Three positions will serve two year terms. The fourth position will fill the unexpired  
24 term vacated by Sandy Gamble and now filled by Norman Hope by appointment of the  
25 Mayor. The candidate receiving the least number of votes shall be declared to fill the  
26 remaining unexpired term of one year.  
27

28       NOTICE IS HEREBY GIVEN that the registration for Lake County is now open for  
29 registration of all qualified voters of the City of Tavares at the office of the Supervisor of  
30 Elections for Lake County in the Administrative Building of Tavares, Florida, during the  
31 usual office hours.  
32

33       Electors of the City of Tavares who have registered on or prior to October 9, 2012 at  
34 5 p.m. will be processed for voting at the City Election to be held on the 6<sup>th</sup> day of  
35 November, 2012.  
36



1  
2 AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15,  
3 PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' PENSION  
4 TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES;  
5 AMENDING SECTION 15-71, DEFINITIONS TO AMEND THE DEFINITION OF  
6 "SALARY"; PROVIDING FOR CODIFICATION; PROVIDING FOR  
7 SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN  
8 CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

9  
10 ORDINANCE 2012-21

11  
12 AN ORDINANCE AMENDING THE CITY OF TAVARES CHARTER  
13 PERTAINING TO THE ELECTION OF COUNCILMEMBERS; PROVIDING FOR  
14 FIVE (5) COUNCIL SEATS TO BE ELECTED AT LARGE; PROVIDING FOR  
15 TRANSITION; PROVIDING FOR A REFERENDUM; PROVIDING FOR AN  
16 EFFECTIVE DATE

17  
18 ORDINANCE 2012- 11

19  
20 AN ORDINANCE AMENDING ORDINANCE 2011- 15 OF THE CITY OF  
21 TAVARES, FLORIDA PERTAINING TO THE EXTENSION OF THE WAIVER OF  
22 IMPACT FEES; FURTHER EXTENDING THE WAIVER TO DECEMBER 31,  
23 2012; AND PROVIDING FOR AN EFFECTIVE DATE.

24  
25 RESOLUTION 2012- 10

26  
27 A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A  
28 MASTER LEASE AGREEMENT, AN ESCROW AGREEMENT, AND ELATED  
29 INSTRUCTIONS, AND DETERMINING OTHER MATTERS IN CONJUNCTION  
30 THEREWITH

31  
32 VIII. CONSENT AGENDA

33  
34 Mayor Wolfe asked if anyone in the audience objected to Tabs 4 through 10.

35  
36 MOTION

37  
38 Lori Pfister moved to approve the Consent Agenda [Approval of Contract with Advanced  
39 Data Solutions; Award of Bid for Contractor for Leak Detection; Fee Waiver for Lake  
40 County Special Olympics; Approval of Revised Traffic Control Plan for Roundabout;  
41 Change in City's Representative to Metropolitan Planning Organization; and Demolition of  
42 Bus Barn Property], seconded by Bob Grenier.

43  
44 Discussion

45  
46 Mr. Drury asked to have one item pulled from Consent which is Tab #5, the concession  
47 agreements.  
48

1 **AMENDMENT TO MOTION**

2  
3 Lori Pfister amended her motion to approve the Consent Agenda excluding Tab #5. The  
4 amended motion was seconded by Bob Grenier.

5  
6 The motion carried 5-0 unanimously.

7  
8 **Tab 5) Approval of the Concession Agreement for Woodlea and Stover Ballfields**

9  
10 Ms. Rogers said the city has been informed that Liberty Christian School was no longer interested  
11 in providing concession services at Fred Stover Field for an additional three years. Staff is  
12 requesting permission to approve the contract between the City and Gridiron Gang for  
13 concession services at Woodlea Sports Complex and seeking permission to advertise in a  
14 competitive bid process for services at Fred Stover.

15  
16 Councilmember Smith asked if Ms. Rogers had offered the Fred Stover concession to the  
17 Gridiron Gang. Ms. Rogers said staff has not approached them. Councilmember Smith requested  
18 that staff ask the Lake County Schools Gridiron Gang first before going out to bid.

19  
20 **MOTION**

21  
22 Kirby Smith moved that the City of Tavares go to the Gridiron Gang to offer them the  
23 opportunity to work both concession stands (Woodlea Field and Fred Stover) seconded by  
24 Bob Grenier.

25  
26 Vice Mayor Grenier expressed concern about a contingency plan should the Gridiron Gang not  
27 be able to commit.

28  
29 The motion was denied 3-2 as follows:

30  
31 Robert Wolfe Yes  
32 Kirby Smith Yes  
33 Lori Pfister No  
34 Bob Grenier No  
35 Norm Hope No

36  
37 Mayor Wolfe asked Attorney Williams to comment. Attorney Williams stated staff is requesting a  
38 motion to approve the agreement with the Gridiron Gang for Woodlea but he did not think a  
39 motion was necessary for Ms. Rogers to go out for bids for Stover.

40  
41 **MOTION**

42 Norm Hope moved to approve the Gridiron Gang for the Woodlea Ballfield concession  
43 services, seconded by Bob Grenier. The motion carried 5-0 unanimously.

44  
45 **IX – ORDINANCES/RESOLUTIONS**

46  
47 **FIRST READING (No discussion of Ordinances on first reading)**

1  
2 Tab 11) Ordinance #2012-15 – Rezoning of 416 W. Caroline St. from Residential Multi  
3 Family to Mixed Use – First Reading Only

4  
5 Tab 12) Ordinance #2012-16 – Small Scale Future Land Use Amendment for 416 W.  
6 Caroline St. from Medium Density residential to Mixed Use Commercial – First Reading  
7 Only

8  
9 Tab 13) Ordinance #2012-19 – Alternative Water Supply – First Reading Only

10  
11 Tab 14) Ordinance #2012-20 – Amendment to Police Officer’s Trust Fund (Pension Plan )  
12 To Comply with State Statutes – First Reading Only

13  
14 Tab 15) Ordinance #2012-21 – Charter Referendum for Creation of City Council Seats –  
15 First Reading Only

16  
17 SECOND READING

18  
19 Tab 16) Ordinance #2012-11 – Extension of Impact Fees Waiver

20  
21 Mr. Neron reviewed the city wide impact fee waiver program that began in 2010. He noted that  
22 Council had directed staff to bring back an ordinance to extend the program through December  
23 30, 2012. He said staff will come back in November 2012 to seek further direction beyond that  
24 point.

25  
26 Mr. Neron reported that the 2012 data has been received from the Property Appraiser and the city  
27 is at 65% residential and 35% commercial which is in keeping with the goal of the city to increase  
28 its commercial properties.

29  
30 Mayor Wolfe invited public comment.

31  
32 Freddie Belton

33  
34 Mr. Belton asked Council to consider extending the waiver more than the six months to  
35 encourage businesses to relocate to Tavares and renovate the buildings.

36  
37 Andrew O’Keefe

38  
39 Mr. O’Keefe said he agreed with Mr. Belton and that the city should consider extending it at least  
40 for a year.

41  
42 Councilmember Hope said his concern is the impact on the city infrastructure.

43  
44 Mr. Drury noted that the impact fees will be revisited in December. He commented that the final  
45 debt for Fire Station 2 has been incorporated into the General Fund Budget; it was previously  
46 paid out of Fire Impact Fees. He said a discussion will have to held to determine whether property  
47 taxes or the developer should pay for capital infrastructure.

1  
2 Councilmember Pfister said she has always been concerned about the impact on the taxpayers  
3 to pick up where impact fees would have paid and it would be irresponsible to extend them any  
4 further before the budget has been approved.

5  
6 **MOTION**

7  
8 **Lori Pfister moved to extend the impact fee waiver until December 31, 2012 and revisit it at**  
9 **that time, seconded by Kirby Smith. The motion carried unanimously 5-0.**

10  
11 **RESOLUTIONS**

12  
13 **Tab 16) Resolution #2012-10 – Finalize Capital Lease Agreement for the VOIP System**

14  
15 Ms. Houghton advised Council approved a resolution authorizing a capital lease agreement with  
16 BB&T for a stormwater vehicle and a new automated garbage truck and the VOIP system. At that  
17 time staff had provided estimated values as to the cost. The two vehicles came in under budget  
18 so the remaining funds went back into the lease agreement against the principal payment. The  
19 VOIP system is \$12,617 additional. The debt service for the VOIP system will be less than  
20 originally anticipated so it is a neutral budget effect.

21  
22 **MOTION**

23  
24 **Kirby Smith moved to approve Resolution #2012-10 to authorize the staff to finalize the**  
25 **capital lease agreement with BB&T for the VOIP project, seconded by Norm Hope. The**  
26 **motion carried unanimously 5-0.**

27  
28 **X. GENERAL GOVERNMENT**

29  
30 **Tab 18) Agreement with Lake County Sheriff for Dispatching Services**

31  
32 Chief Lubins stated a contract with the Lake County Sheriff has been provided for 911 and radio  
33 dispatch services for a period of five years. It provides a dispatcher dedicated to the Tavares  
34 Police Department on the city's own radio channel at all times. The cost will be \$291,000 per year  
35 with a 1% plus consumer price index with an opportunity to readdress a sixth dispatcher if call  
36 load warrants. The Sheriff will allow video monitoring and answering of phones with "Tavares  
37 Police Department" and the hiring of five current dispatchers. In addition there will be a one time  
38 cost of approximately \$10,000 for fiber optic that will connect City Hall to the County complex as  
39 well as \$25,000 for CAD software set up. If approved, this changeover will occur sometime in  
40 early 2013. Dispatchers will be given a \$4,500 "stay" bonus as well as being able to receive 100%  
41 of their sick time. The current cost of dispatch is \$481,000 and the cost will be \$322,000 in fiscal  
42 year 2013 and beyond. He said there is approximately a \$160,000 difference between the two  
43 options. Staff recommends that Council discuss this policy decision.

44  
45 Mayor Wolfe invited public comment.  
46

1 Denise Laratta questioned Chief Lubins on various issues associated with dispatch and the cost  
2 of dispatch.

3  
4 The following individuals spoke in support of Tavares keeping its dispatch system

5  
6 Jessica Carillo, Manager, Ruby Street Grille

7 Charlotte Hope, resident

8 Jason Fisher, resident

9 Jody Fisher, Communications Officer and Trainer and resident

10 Jason Baugh, Tavares Police Officer

11  
12 The following individuals spoke in support of contracting the service to the Sheriff

13  
14 Brenda Smith, resident

15  
16 Mayor Wolfe closed the audience participation for Council discussion

17  
18 **Council Discussion**

19  
20 Councilmember Pfister asked if the five dispatchers would be working the Tavares calls. Mayor  
21 Wolfe said the five that are hired will answer the phone for the City of Tavares.

22  
23 Chief Lubins said staff has asked the Sheriff to answer the non-emergency line with “Tavares  
24 Police Department.” He said that line will be dedicated to Tavares.

25  
26 Councilmember Pfister asked if the five employees to be hired by the Sheriff would be working  
27 the Tavares desk. Chief Lubins said he did not know.

28  
29 Councilmember Smith asked if the city could request that the dispatchers be put on a Tavares  
30 dedicated channel. Chief Lubins said it could be requested.

31  
32 Discussion followed with Councilmember Hope and Vice Mayor Grenier speaking against  
33 contracting out the service to the Sheriff. Councilmember Smith, Councilmember Pfister, and  
34 Mayor Wolfe spoke in support of the proposed contract.

35  
36 **MOTION**

37  
38 **Kirby Smith moved to authorize the mayor to execute a contract with Lake County**  
39 **Sheriff’s office for the 911 dispatch services, seconded by Lori Pfister. The motion carried**  
40 **3-2 as follows:**

41  
42 **Robert Wolfe** Yes  
43 **Kirby Smith** Yes  
44 **Lori Pfister** Yes  
45 **Bob Grenier** No  
46 **Norm Hope** No

47

1 **Tab 19) – Pavilion Project – Approval of Guaranteed Maximum Price for Final Design of**  
2 **Structural Component**

3  
4 Ms. Rogers advised the structural component is comprised of the concrete pilings and the  
5 concrete pier. She acknowledged the design team: Bob Blaise, architect; Rob Ern lead engineer  
6 from BESH Engineering; Emmett Sapp, Construction Manager at Risk; and Shailesh Patel,  
7 Subcontractor for mooring system.

8  
9 She said the guaranteed maximum price has been provided by Emmett Sapp.

10  
11 Mr. Sapp said he is excited about the project and he commended the design team. The goal is to  
12 start driving the piles and putting the beams on the piles and on the hollow core slabs so that the  
13 structure is in place in preparation for the final design being completed.

14  
15 He said this portion of the work was bid out and five contractors responded. Ed Waters and  
16 Son from St. Augustine, was the low bidder at \$840,918 which also includes the construction  
17 manager at risk fee.

18  
19 Ms. Rogers said the final design will be presented at the November 21 City Council meeting.

20  
21 Attorney Williams said the city already has a contract with Emmett Sapp and he is required under  
22 the terms of the contract to bring back this guaranteed maximum price and Council has the right  
23 to approve this.

24  
25 Emmett Sapp confirmed there will be a barrier around the pylons for boater safety. The hours of  
26 work will be Monday through Friday from 8 to 5 pm.

27  
28 **MOTION**

29  
30 **Lori Pfister moved to approve the guaranteed maximum price [\$840,918] and award to Ed**  
31 **Waters and Son Contracting, seconded by Norm Hope. The motion carried unanimously 5-**  
32 **0.**

33  
34 **Tab 20) Approval of Ranking of Design Team for Wooton Park Expansion**

35  
36 Mr. Neron said May 6<sup>th</sup> the City issued a Request for Qualifications which were returned on June  
37 7<sup>th</sup>. Six firms submitted proposals. On June 14 the Selection Committee comprised of Bill Neron,  
38 Jacques Skutt, Brad Hayes and Lauren Farrell convened to discuss the six proposals. Based on  
39 that meeting three firms were ranked for presentation. Those firms are BESH, AVCON, and DMC.  
40 Subsequently, July 9<sup>th</sup> the committee conducted interviews with all three firms and AVCON was  
41 ranked number one.

42  
43 Mayor Wolfe invited public comment.

44  
45 The following individuals spoke in support of BESH with emphasis on their being a member of the  
46 community:

47

1 Colleen McGinley, Tavares Chamber of Commerce  
2 Denise Laratta, Royal Harbor resident  
3 Andrew O’Keefe, O’Keefe’s  
4 Freddie Belton, business owner  
5 Bill Stomp, Royal Harbor resident  
6 Emmett Sapp, Contractor  
7 Bob Blaise, Architect

8  
9 Rick Baldocchi, Vice President of AVCON stated that there are three members of their team who  
10 are local engineering consultants: Wicks Consulting, Southeastern Surveying, and some other  
11 Lake County firms. He said they are not a large corporate firm and also see themselves as a part  
12 of the local community.

13  
14 Mayor Wolfe said he had supported BESH from the beginning but he believed the aviation  
15 components of the project had moved AVCON to number one.

16  
17 Councilmember Smith spoke in support of BESH but felt that AVCON has also assisted the city in  
18 other aviation projects and said he wished to support the committee’s recommendation.

19  
20 Councilmember Pfister agreed and noted she respected the ranking committee’s  
21 recommendation.

22  
23 **MOTION**

24  
25 **Lori Pfister moved to accept the recommendation of Avcon, seconded by Kirby Smith. The**  
26 **motion carried unanimously 5-0.**

27  
28 **Tab 21) Approval of Agreement with Waste Management for Commercial Collection and**  
29 **Residential Recycling Services**

30  
31 Mr. Thompson said staff was directed to enter into negotiations with Waste Management for a  
32 commercial solid waste and recycling contract proposal. He said the city has been fully satisfied  
33 with Waste Management whose current contract expires in October of this year. He said the  
34 negotiating team had been comprised of Jeff Henderson, Bill Neron, and himself. He reviewed  
35 the changes in the new proposal including the recycle reward bank.

36  
37 Mr. Drury said the tipping fee is expected to reduce in time because people will recycle more with  
38 this new system.

39  
40 Mr. Thompson said the proposed contract will be for a period of five years with an optional five  
41 year extension. The city will negotiate a fuel price adjustment methodology should fuel prices rise  
42 excessively. The City will pay \$6.79 per cubic yard commencing on the implementation of the  
43 curbside single stream recycling program. This reflects a .52 per cubic yard increase that Waste  
44 Management charges the city to dispose of the commercial waste.

45  
46 Mr. Thompson discussed the three staff recommended options:  
47

- 1) Move to approve the negotiated commercial solid waste and recycling proposal and authorize the city administrator to develop a contract that will be brought back to Council for final approval.
- 2) Move to approve the negotiated commercial solid waste and recycling contract changes and authorize the City attorney to draft a new contract reflecting these changes and authorize the City Administrator to enter onto a legal contract with Waste Management Inc. of Florida
- 3) Do not approve the recommended changes and direct staff to solicit other proposals

**Mayor Wolfe invited public comment**

**Denise Laratta**

Ms. Laratta asked if cardboard was the only difference in what would be accepted for recycling. Mr. Thompson said in addition there will be plastics, metals, paper, magazines, etc. Ms. Laratta questioned Mr. Thompson on the proposed monies for the portalets.

Ms. Laratta said she liked the automated service but she is going to need help to figure out where to store the container as she is not allowed to leave receptacles outside by her subdivision.

**Freddie Belton**

Mr. Belton asked where the compactors would be located and their purpose. Mr. Thompson said it will be located somewhere with high visibility and will be for public trash.

**MOTION**

**Kirby Smith moved to approve the negotiated commercial solid waste and recycling contract changes and authorize the City Administrator to execute a new contract, seconded by Norm Hope. The motion carried unanimously 5-0.**

**Tab 22) Discussion on Billboards**

Mr. Skutt said the Planning & Zoning Board moved to direct staff to discuss the status of billboards with the City Council. The current ordinance addresses a billboard inventory that was to have been compiled in 1993. Staff has been unable to find a copy of the 1993 billboard inventory and with the changes in LED technology the current rules and regulations in the LDR's need to be updated.

Mayor Wolfe invited public comment.

**MOTION**

**Lori Pfister moved to direct staff to draft an amendment to the billboard sign regulations that considers both the number allowed and the increased impact of LED signs, seconded by Bob Grenier. The motion carried unanimously 5-0.**

1 **Tab 23) Update on Historic Preservation Program**

2  
3 Mr. Skutt stated he had highlighted the key points of the historic preservation ordinance. He  
4 discussed the more recent changes in code and building issues that make the current ordinance  
5 difficult to enforce. He noted the economic benefits of Historic Preservation that the City has  
6 continued to support. Staff is recommending that staff evaluate the historic preservation program.  
7

8 Mr. Drury recommended that Council approve staff developing a Horizon Team with council  
9 participation. Mayor Wolfe recommended Councilmember Grenier to be the council liaison.  
10

11 Vice Mayor Grenier spoke in support.  
12

13 Mr. Drury said he would accept this as direction to set up the Horizon Team with the participation  
14 of Vice Mayor Grenier. He said staff will return to Council in the next three months with options.  
15

16 **Tab 24) Approval of Interlocal Agreement to Secure Grant and Approval of Local Match for**  
17 **Railroad Track Improvements**

18  
19 Mr. Neron noted that Council had approved the City's participation in local match funding in 2010  
20 for an 18.4 million FDOT grant that will provide for welded rail tracks from Eustis to Plymouth as  
21 well as intersection improvements. This will provide the railroad infrastructure for future commuter  
22 rail between Eustis and downtown Orlando. He said there are 10 local participants in his  
23 agreement. The original estimate for the city's share was \$383,000. Since that time the City's  
24 match has decreased to \$160,000 which will break down into two fiscal years. The \$80,000 is in  
25 the recommended budget for fiscal year 2013.  
26

27 **MOTION**

28  
29 **Bob Grenier moved to approve the Interlocal Agreement and the City's local match**  
30 **contribution of \$160,000 with \$80,000 committed in FY 2013 and FY 2014 and give the City**  
31 **Attorney prior to the final execution of the Agreement by the City the flexibility to approve**  
32 **minor word changes to the Interlocal Agreement that do not affect the substance of the**  
33 **Agreement. The motion was seconded by Kirby Smith. The motion carried unanimously 5-**  
34 **0.**  
35

36 **XVI. OLD BUSINESS**

37  
38 **XVII. NEW BUSINESS**

39  
40 Councilmember Smith said he has been approached by individuals interested in a free standing  
41 wine and cheese establishment. He said he would like staff to research what is done in  
42 neighboring cities and draft an ordinance for council consideration.  
43

44 **Consensus of Council for staff to research and develop ordinance.**  
45

46 **XVIII. AUDIENCE TO BE HEARD**  
47

1 **XIV. REPORTS**

2  
3 **Tab 25) City Administrator**

4  
5 Mr. Drury commented on the décorum of the public and the Council in their discussion of a  
6 difficult issue at this meeting.

7  
8 **City Clerk**

9  
10 **City Attorney**

11  
12 Attorney Williams agreed with Mr. Drury's comments.

13  
14 **Finance Department**

15  
16 **Economic Development**

17  
18 **Public Communications**

19  
20 **Fire Department**

21  
22 **Public Works Department**

23  
24 **Community Services Department**

25  
26 Ms. Rogers commented that when the concession bid is advertised it will only be for non-profits.  
27 Councilmember Smith reiterated that he would like the Tavares School to have the first  
28 opportunity to respond.

29  
30 **Human Resources**

31  
32 **Community Development**

33  
34 **Tab 26) City Council**

35  
36 **Councilmember Pfister**

- 37  
38
  - Commended Ms. Rogers for another spectacular Fourth of July
  - Thanked Chief Lubins for overseeing the bird rescue in the Captain Haynes boat

39  
40  
41 **Councilmember Hope**

- 42  
43
  - Commended the staff for the Fourth of July and noted the large crowds
  - Recognized Mr. Hayes for handling two utility problems at his subdivision recently

44  
45  
46 **Vice Mayor Grenier**

47

- 1 • Noted the Fourth of July used to be called “The Glorious Fourth” and he said this was a  
2 spectacular 4<sup>th</sup> of July. He commended the Parks staff.
- 3 • Noted he would leaving for Chicago after the meeting

4  
5 **Councilmember Smith**

- 6
- 7 • Commended Ms. Ross on her public communications activities noting her contributions  
8 are immeasurable to the city
- 9 • Commended Ms. Rogers for the 4<sup>th</sup> of July – noted it was one of the biggest events the  
10 city has held
- 11 • Complimented Mr. Hayes and Chief Lubins on redirecting the cars due to the recent  
12 flooding and the utility staff for handling the stormwater problems

13  
14 **Mayor Wolfe**

- 15
- 16 • Commended Ms. Rogers for her staff and the department heads who contributed to the 4<sup>th</sup>  
17 of July event

18  
19 **Adjournment and Reconvening to Budget Workshop for Fiscal Year 2012-2013**

20  
21 Mayor Wolfe adjourned the meeting at 6:37 pm for a brief recess. The meeting was reconvened  
22 at 6:44 pm

23  
24 **Tab 27) Fiscal Year 2013 General Fund Budget Summary**

25  
26 **Presentation by City Administrator**

27  
28 Mr. Drury stated the first full budget workshop will be July 25<sup>th</sup>. He said today the staff has  
29 delivered the budget and the goal is to ensure that Council knows where to find information in the  
30 budget.

31  
32 Mr. Drury said staff has prepared the budget in response to Council’s broad budget direction in  
33 April. He noted he had provided the minutes and agenda summary from that meeting. He said he  
34 has developed a budget of \$12.6 million; 7.6 million comes from non-property tax revenues and  
35 the request is to determine the source for the 5 million needed to balance the budget. He  
36 commented on the relationship between revenues and expenses in the budget.

37  
38 Mr. Drury discussed five recommended options of combinations for fire assessment and millage  
39 ranging from 100% fire assessment to 33% fire assessment and various levels of millage which  
40 would result in a balanced budget.

41  
42  
43 He noted on the residential side with a 100% fire assessment the overall monthly rate would be  
44 \$66.00 but with a 33% fire assessment the monthly rate goes up to \$73.00. The resident pays  
45 more if the budget is balanced on the back of the millage and the fire assessment is reduced. On  
46 the commercial side it changes until a certain point. He noted the staff has picked four case  
47 studies for commercial. In the smaller commercial areas if the fire assessment is done at 100%

1 the cost would be about \$159 a month for everything; if no fire assessment and millage only was  
2 increased, the cost is about \$144 a month.

3  
4 Mr. Drury said the budget is crafted to maintain a similar level of service. He said it includes some  
5 items such as replacement of police vehicles, laptops for police officers, and the basketball courts  
6 at Ingraham Court

7  
8 Mr. Drury said at the next meeting a full budget presentation will be made and Council will be  
9 asked to set the maximum millage and the maximum fire assessment. He noted that Council  
10 cannot go up after setting the maximum millage, only down and that the law does not apply to the  
11 fire assessment. He said if Council does a fire assessment there will be a need to have the fire  
12 assessment roll prepared by a professional. He said Council will need to make a decision on  
13 whether to do the roll at the next meeting. He said if that decision is not made until September the  
14 assessment will not begin until January because of the time it takes to create the assessment roll.  
15 In addition, he stated that he and Ms. Houghton and each department is available to answer any  
16 questions about the budget.

17  
18 Presentation by Finance Director

19  
20 Ms. Houghton presented a brief overview of the General Fund Budget.

21  
22 Mayor Wolfe invited public comment on the budget.

23  
24 Denise Laratta

25  
26 Ms. Laratta asked why the not for profits and churches were not included in the fire assessment  
27 numbers.

28  
29 Mr. Drury said he had not received direction from Council to prepare that data.

30  
31 Councilmember Pfister said she would like to see that information.

32  
33 Discussion followed on including county buildings in the fire assessment.

34  
35 **Consensus for Mr. Drury to provide more information on including not for profits and**  
36 **churches in the fire assessment data projections.**

37  
38 Councilmember Hope asked about when council would see changes to the budget with the  
39 dispatch costs being contracted out per the decision at this meeting.

40  
41 Stanley Smith

42  
43 Mr. Smith said there is a need for the recreation facility [at Ingraham Park] to be upgraded and he  
44 said he has a vision for further improvements.

45  
46 ADJOURNMENT

47

1 There was no further business and the meeting was adjourned at 7:22 p.m.

2

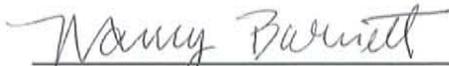
3 Respectfully submitted,

4

5

6

7

  
\_\_\_\_\_  
Nancy Barnett, CMC, City Clerk

AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: August 1, 2012

AGENDA TAB NO. 2

SUBJECT TITLE: Presentation by Paul Echevarria of R.E.P. Entertainment, Inc.

---

OBJECTIVE:

To receive a presentation by Paul Echevarria

SUMMARY:

Paul Echevarria, of R.E.P. Entertainment, Inc. along with others, coordinated a fundraising concert for the city's youth recreation programs and has requested to present a thank you letter to the City for its support of the concert.

OPTIONS:

NA

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: August 1, 2012**

**AGENDA TAB NO. 3**

**SUBJECT TITLE: Recognition of the Florida Economic Development Councils Award of the Small Community "Deal of the Year" to City of Tavares for its work on the Osprey Lodge Project**

---

**OBJECTIVE:**

The Mayor will recognize the Florida Economic Development Association's 2012 "Deal of the Year Award." to the City of Tavares for its work on the Osprey Lodge Project

**SUMMARY:**

The City applied to the Florida Economic Development Association for recognition in its "Deal of the Year" annual award. Attached is information from the city's application that details the process and accomplishments of this new Tavares business.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

N/A

FEDC  
2012 DEAL OF THE YEAR AWARD  
CITY OF TAVARES ENTRY

**DESCRIBE YOUR DEAL IN TERMS OF TIME FRAMES, SITE LOCATION AND ACHIEVEMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT GOALS**

One of the pillars of the approved Tavares Economic Development Program is fostering the development of medical related facilities in the “Medical Village” area across the highway from Florida Hospital Waterman.

Florida Hospital Waterman is a 204 medical and surgical bed facility located in Tavares. Across US Highway 441 from the hospital is a large subdivided tract of former orange grove property that is being populated with doctor’s offices and other medical related support facilities. This area has been designated as Tavares’ Medical Village.

At the northern end of the Medical Village property is a 6.6 acre site bordering Lake Frances that had originally been planned for a high end condominium project. Due to the downturn in the economy and the diminished demand for residential condominium projects, the developer team led by Tom Hofmeister and David Croson decided to use a portion of the site to develop Osprey Lodge - a project consisting of 124 senior housing units, of which 76 units will be categorized as assisted living and 48 designated as Alzheimer/impaired memory (dementia) units.

In 2009, the developer had been working with the Federal HUD agency to secure funding for this project. After working with HUD for almost a year, HUD suspended the financing of medical facilities of this type.

In late 2010, the developers approached the City of Tavares Economic Development office to see if the City could be of assistance in resurrecting this project. After review with the Economic Development Director, City Attorney and City Bond Counsel, it was determined that the project would be eligible for conduit bond financing. Conduit bond financing allows a private project to access the City’s ability to issue tax exempt financing while the City is not pledging its credit or obligated to make any of the debt service on the bonded debt.

In the Summer of 2011 the Tavares City Council approved the financing and \$23,540,000 of bonds were sold in July 2011.

The City also waived \$346,575 of City impact fees on a building permit value of \$11,700,000.

The conduit bond financing and the waiver of City impact fees were crucial to this project moving forward.

**What was the impact of community program support on the deal (ie. Local financial permitting assistance, workforce development or state financial support, etc.)?**

Three significant factors of community program support were vital to the success of this public/private partnership moving forward.

First was the conduit financing of \$23,540,000 approved and facilitated by the City of Tavares.

Second was the waiver of City impact fees in the amount of \$346,575 on a building permit value of \$11,700,000.

Third was the waiver of County transportation impact fees in the amount of \$301,235 on a building permit fee value of \$11,700,000.

After the building permit was issued, a job fair was held at the Tavares Civic Center for local subcontractors and trades people to have an opportunity to be involved in the construction of this project. The fair was hosted by the City in conjunction with the developer and his contractor.

**What are the characteristics of your deal that make it so meaningful for your community?**

One of the primary components of the Tavares Economic Development Strategy approved on July 20, 2010 is encouraging the development of medical and medical related facilities in the vicinity of Florida Hospital Waterman. While several doctor's offices, surgical centers, and other related medical support facilities have located in the medical village area, Osprey Lodge can be considered an anchor tenant that enhances this economic development goal both in the size of the facility and day to day economic impact in terms of employment.

As the County seat for Lake County, a great deal of our downtown government center property is tax exempt. Additionally, a review of the City's taxable assessed valuation showed that in 2005 80% of the City's taxable value was residential, 20% was non-residential. In 2007 the City Council set a goal to change this ratio of taxable assessed valuation to 60% residential, 40% commercial.

A primary strategy for accomplishing this goal was instituting a City impact fee waiver program in 2010. In the first 22 months of the program, the City waived \$1,215,000 of City impact fees for commercial projects resulting in \$22,050,332 in new commercial construction value.

The Osprey Lodge project of \$11,700,000 construction value accounted for 53% of new commercial construction value during that 22 month time frame.

In the current fiscal year, the City's taxable assessed valuation is now 71% residential, 29% commercial. This represents substantial progress towards the 60% residential, 40% commercial taxable assessed valuation goal.

**How did you take advantage of opportunities and overcome obstacles in the course of your deal?**

In 2009 Osprey Lodge developers were expecting to use Federal HUD funds to support the financing of their project. Then HUD suddenly suspended the funding program that Osprey Lodge was intent on using for financing.

With the loss of HUD funding, the Osprey Lodge was in financial distress and in the intensive care unit on life support.

City EDO staff met with the principals of the Osprey Lodge project to seek financial funding alternatives. The conduit financing mechanism was discussed and the Osprey Lodge developers met with the City Attorney and City Bond Counsel to pursue this method of financing.

The developers worked for several months putting together a bond financing team and \$23,540,000 in bonds were sold in July 2011.

The City also granted impact fee waivers of \$346,575.

The City EDO and City Council provided to the developer a seldom used conduit bond financing technique to provide the needed financing for the project.

**What role did your EDO /volunteers play in your deal.**

The City's EDO served as a facilitator and matchmaker in this process helping the right parties get together to put in place a successful financing mechanism.

The City Council and EDO stayed focus to come up with a novel financing mechanism to ensure a healthy financial outcome for the Osprey Lodge project.

**Numerical Descriptive**

**Number of new jobs to be created by your deal:**

200 jobs during construction

According to the Official Statement for the bonds, there will be an estimated staffing of 78.5 full-time equivalentents crossing a wide range of occupational classifications

**Total employment of your County:**

115,000

**Average wage for workers in your County:**

\$31,125

**Average wage of new jobs created by your deal:**

The average wage for the 78.5 full-time equivalents including benefits is estimated to be \$32,400 according to the Official Statement on the bonds.

**Average wage in your County for industry into which your deal falls:**

\$33,486

**Estimated economic impact (taxes, employment, capital investment) of your deal:**

Based on an estimated taxable value for the land, building and equipment of \$29,000,000, it is estimated that the Osprey Lodge project will annually generate \$199,810 of City property taxes. As shown above it will create an estimated 78.5 jobs with an average wage with benefits of \$32,400, slightly above Lake County's current average wage. Based on the 78.5 jobs at annual average wage of \$32,400, a direct annual payroll of \$2,543,400 will be generated. Using a multiplier of three, this will generate an indirect and induced economic impact of \$7,630,200 on the Tavares and Lake County community. This does not include the cost of goods and other services that will be purchased annually to operate this facility.

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
AUGUST 1, 2012**

**AGENDA TAB NO. 4**

**SUBJECT TITLE: Update on the Alfred Street Project  
Presentation by BESH Engineering**

---

**OBJECTIVE:**

To update Council on the progress of this project. BESH Engineering will make a brief presentation.

**SUMMARY:**

The City has contracts with BESH Engineering to do the engineering and streetscaping design of the Alfred Street one-way pair project.

The civil engineering contract which includes roadway design, drainage analysis, utility coordination, environmental permitting, and surveying is 90% complete and is expected to be finalized and approved by Lake County early this fall. The County has indicated that construction contracts will go out for bid this fall and it is anticipated that road reconstruction should begin in early 2013.

The streetscaping contract is approximately 50% complete. The completed design will not only be used for Alfred and Caroline Streets but also as a template for all downtown city streets that will be reconstructed as part of our utility and stormwater upgrades. A series of meetings have taken place between city staff and BESH's design team. Councilmember Pfister has also attended. Collectively, specific landscaping plant species, street lighting poles and fixtures, brick paver accents and colors and the location and design of street furniture and accessories have been chosen. The BESH design team is now prepared to assemble these attributes into an actual design plan.

BESH has been invited to give a brief presentation that details the progress and findings of these two contracts.

**OPTIONS:**

Comments or recommendations concerning the design, especially for the streetscaping contract, will be incorporated into the design plan.

**STAFF RECOMMENDATION:**

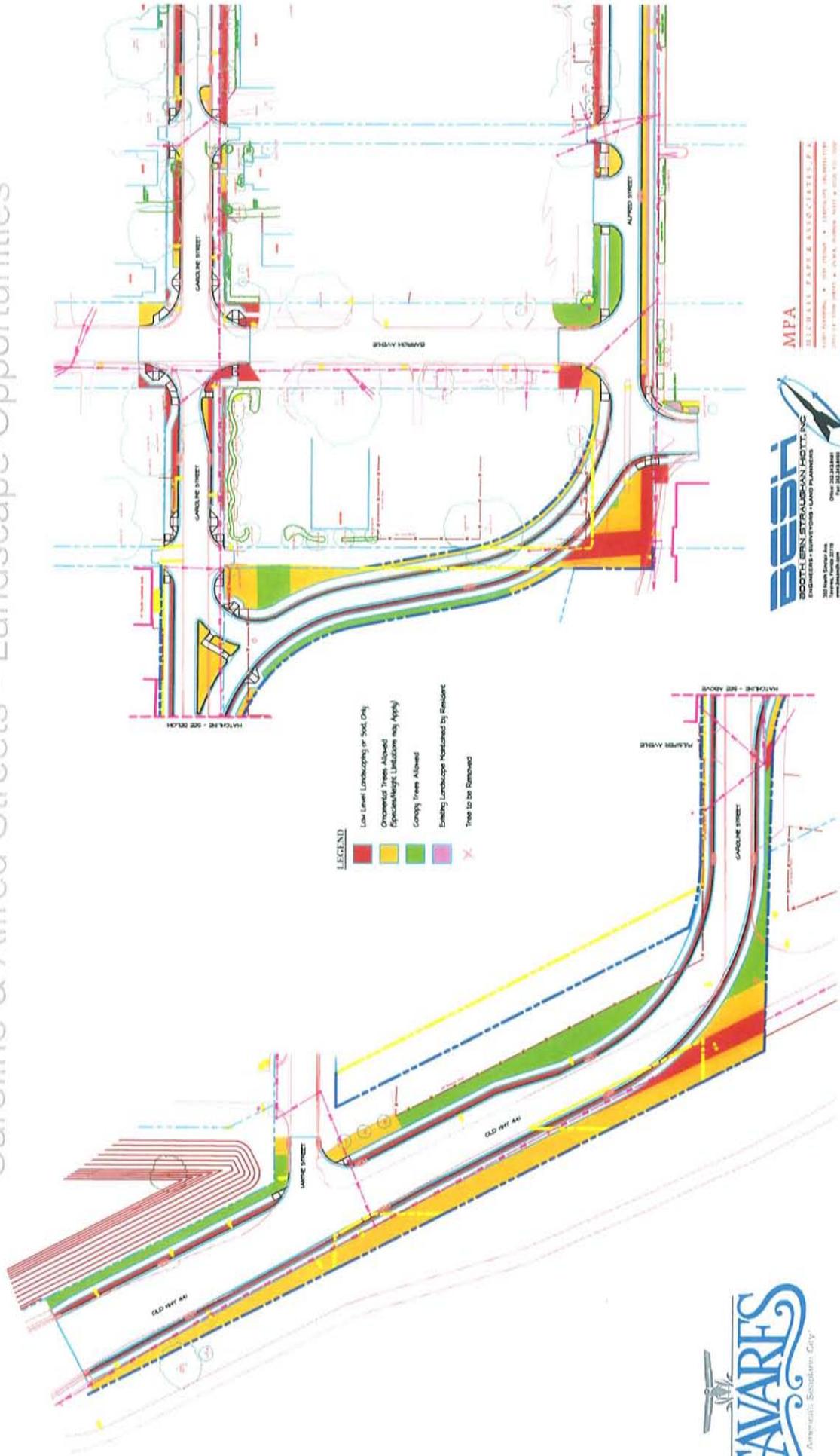
That City Council receives the update and provides comments and recommendations.

**FISCAL IMPACT:** N/A

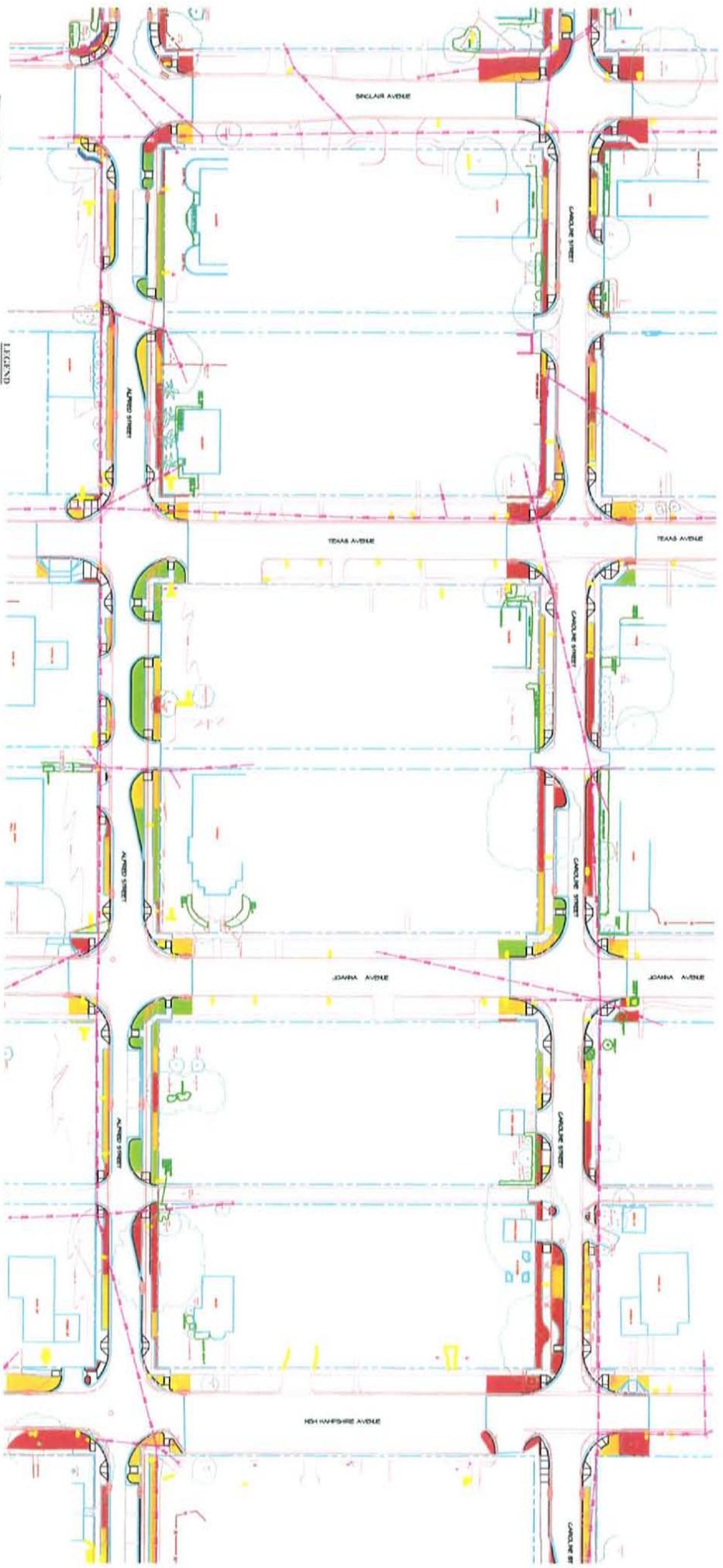
**LEGAL SUFFICIENCY:**

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

# Caroline & Alfred Streets - Landscape Opportunities



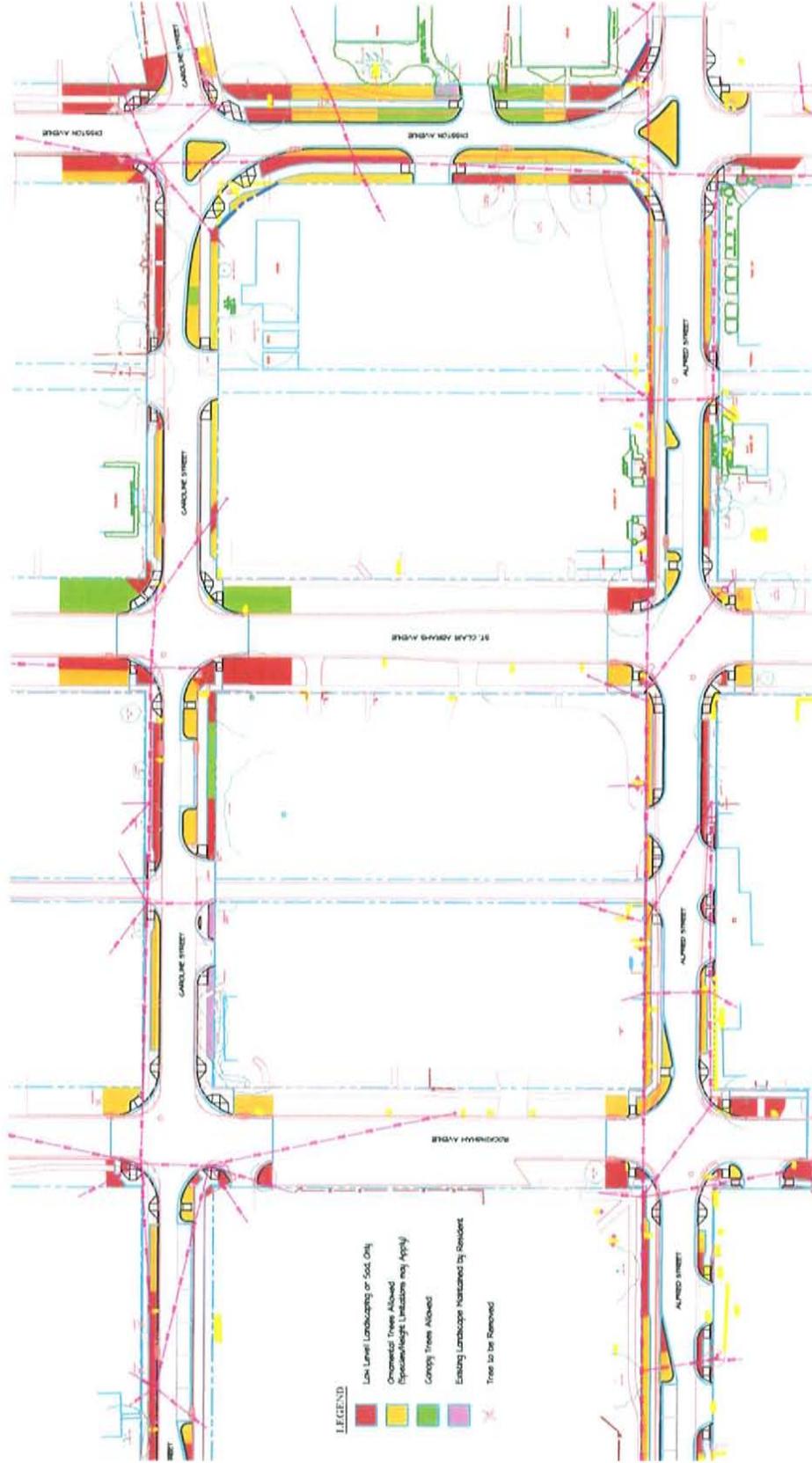
# Caroline & Alfred Streets - Landscape Opportunities



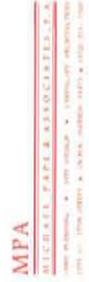
- LEGEND**
- Low Level Landscaping or Soil Only
  - Ornamental Trees Allowed (Specialty Light Fixtures may Apply)
  - Specialty Trees Allowed
  - Existing Landscape (Maintained by Resident)
  - Area to be Removed



# Caroline & Alfred Streets - Landscape Opportunities



- LEGEND**
- Low Level Landscaping or Sod Only
  - Ornamental Trees Allowed (Species/Height Limitations may Apply)
  - Canopy Trees Allowed
  - Existing Landscapes Maintained by Resident
  - Tree to be Removed





# TAVARES

America's Seaplane City™

Alfred and Caroline Streets  
Plant Material Selections



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ENGINEERS • SURVEYORS • LAND PLANNERS

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Tallahassee, Florida 32378  
www.besh.com

Office: 352 343 8481  
Fax: 352 343 8493  
Certificate of Authorization Number: 27029



**MPA**

---

**MICHAEL PAPE & ASSOCIATES, P. A.**

---

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# Alfred and Caroline Streets

## Plant Material Selections

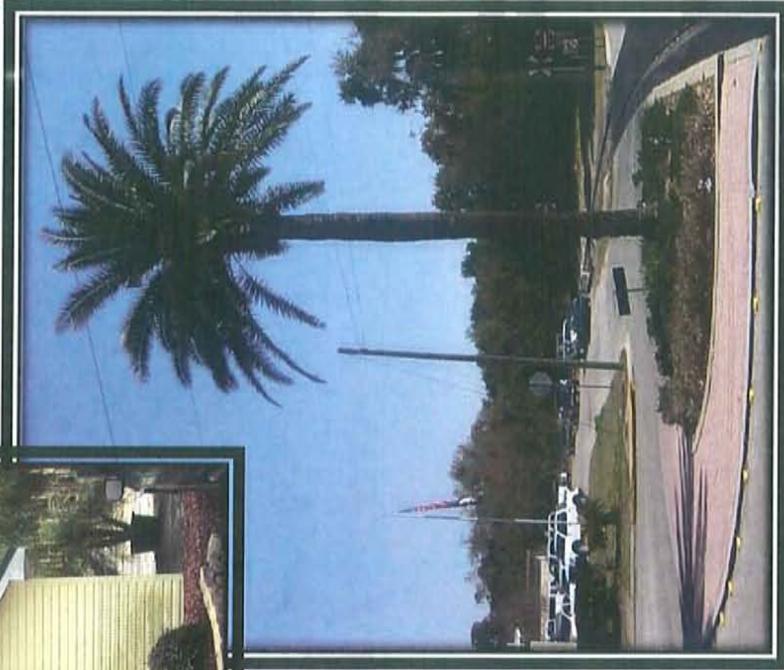
Dislike	Like
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
-2	+2
-1	+1
0	

Plant: Canary Island Date Palm

Category: Ornamental/Canopy Tree

Highlights: Majestic appearance with heavy trunk and spreading crown; notable at Main St./Disston Ave. roundabout

Considerations: Limited to use as a featured specimen due to expense



# Alfred and Caroline Streets

## Plant Material Selections

Dislike	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Like
	-2	-1	0	+1	+2

Plant: Sylvester Palm

Category: Ornamental Tree

**Highlights:** Durable, naturalized species with striking specimen character; broader canopy than species with "fan"-type fronds

**Considerations:** Similar to Canary Island Date Palm, but slender trunk and smaller crown; less expensive





# Alfred and Caroline Streets

## Plant Material Selections

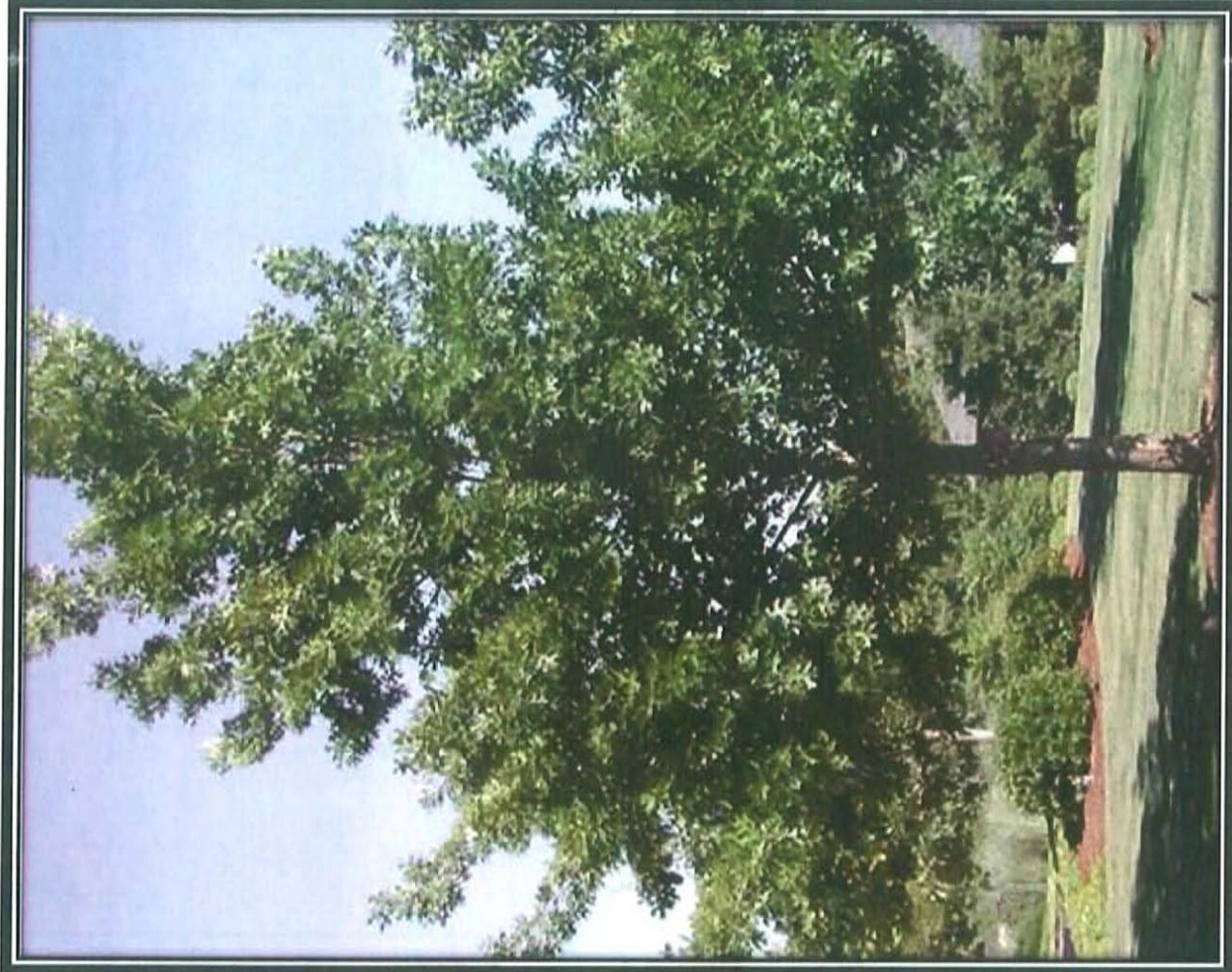
Dislike	Like			
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<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			
-2	-1	0	+1	+2

Plant: Shumard Oak

Category: Canopy Tree

Highlights: Good shade tree; deciduous, with possible fall color; less spreading form than Live Oak

Considerations: Requires adequate space from buildings and utilities; requires root barrier; bare in winter



# Alfred and Caroline Streets

## Plant Material Selections

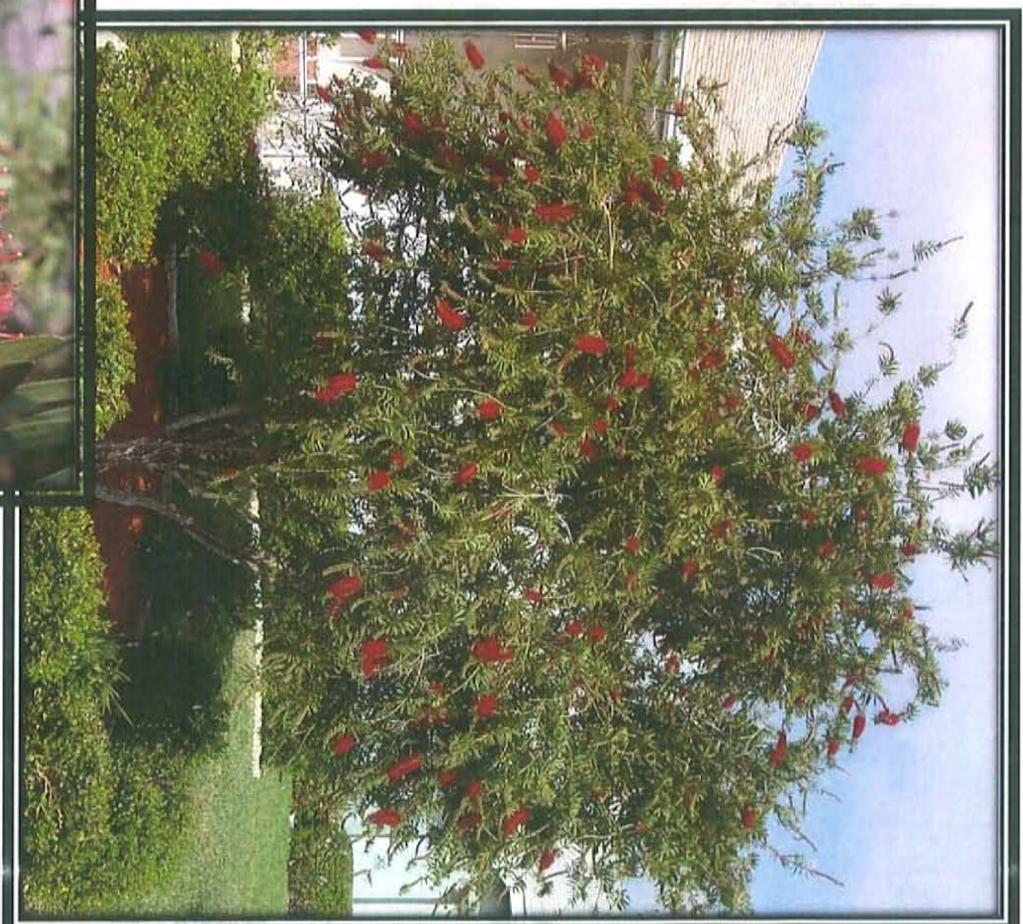
Dislike				Like	
<input type="checkbox"/>					
-2	-1	0	+1	+2	

Plant: Bottle Brush

Category: Ornamental Tree

Highlights: Attractive red flowers in warm season; evergreen; great where space is limited

Considerations: Occasionally will freeze back





# Alfred and Caroline Streets

## Plant Material Selections

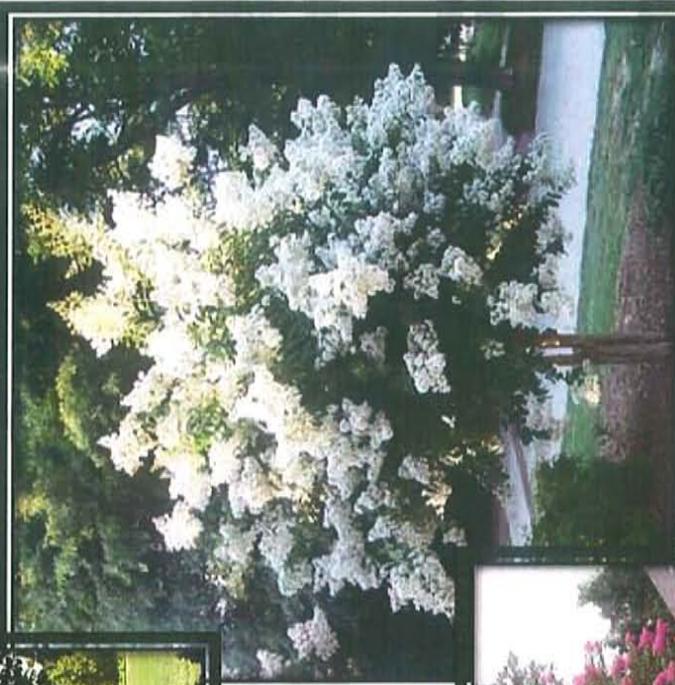
Dislike	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Like
	-2	-1	0	+1	+2

Plant: Crape Myrtle

Category: Ornamental Tree

**Highlights:** Best warm season flowering tree; diverse colors; great street tree; deciduous, with occasional fall color; attractive branching and bark

**Considerations:** Drops all leaves; falling flowers can be messy



# Alfred and Caroline Streets

## Plant Material Selections

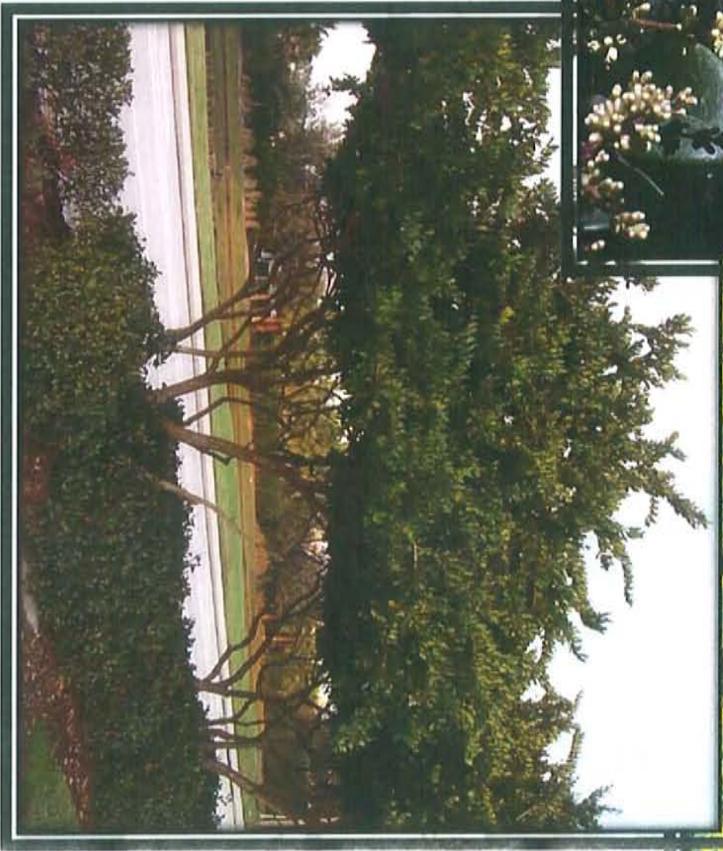
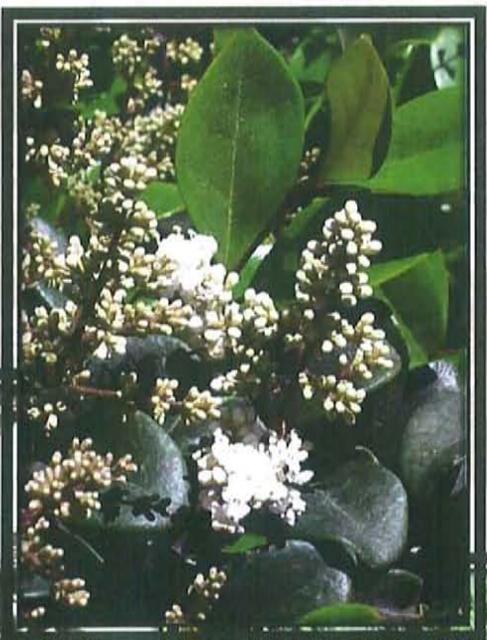
Dislike				Like	
<input type="checkbox"/>					
-2	-1	0	+1	+2	

Plant: Ligustrum Tree

Category: Ornamental Tree

Highlights: Attractive, compact form; evergreen; excellent longevity and durability

Considerations: Small but spreading form limits location





# Alfred and Caroline Streets

## Plant Material Selections

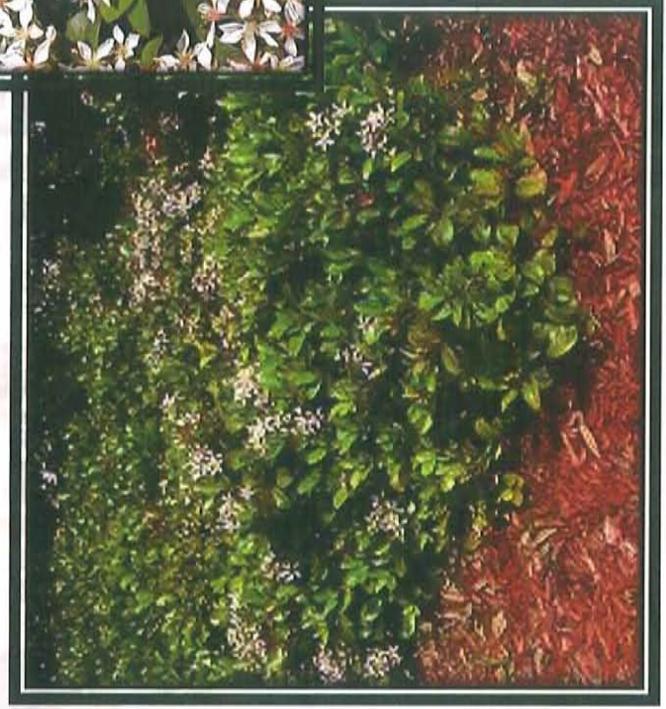
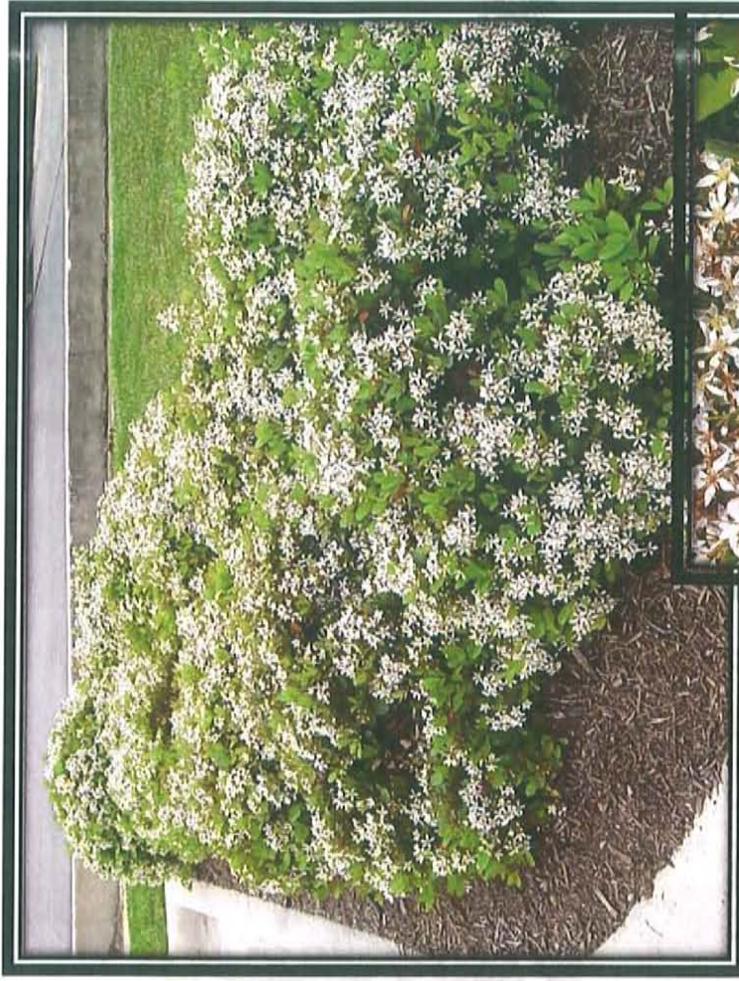
Dislike	Like
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-2	+2
-1	+1
0	

Plant: Indian Hawthorn

Category: Small Flowering Shrub

Highlights: Compact form, minimal pruning; excellent durability and longevity; flowers in spring

Considerations: Maintain informally



# Alfred and Caroline Streets

## Plant Material Selections

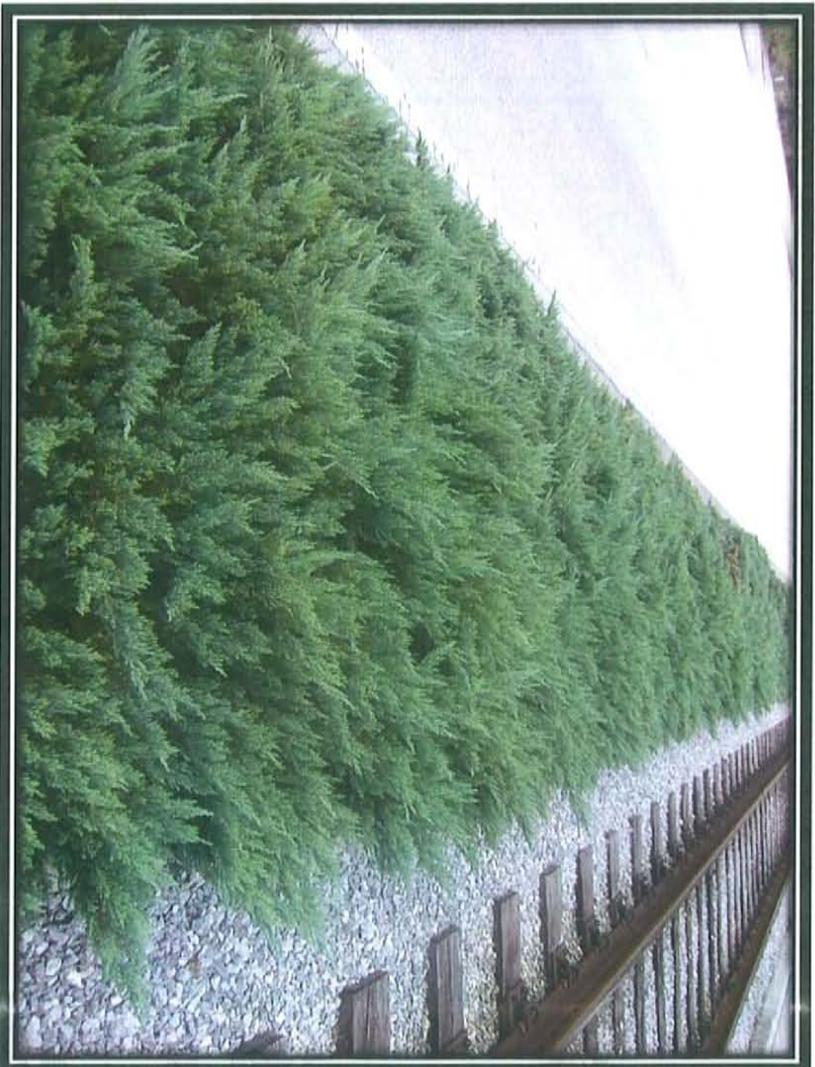
Dislike						Like
	<input type="checkbox"/>					
	-2	-1	0	+1	+2	

Plant: Parson's Juniper

Category: Small Shrub/Groundcover

Highlights: Compact form, minimal pruning, excellent durability and longevity

Considerations: Maintain informally



MPA

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# Alfred and Caroline Streets

## Plant Material Selections

Dislike	Like
<input type="checkbox"/>	<input type="checkbox"/>
-2	+2
-1	+1
0	

Plant: Agapanthus

Category: Flowering Groundcover

Highlights: Grass-like form; attractive flower; no pruning

Considerations: Hard freeze may burn



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# Alfred and Caroline Streets

## Plant Material Selections

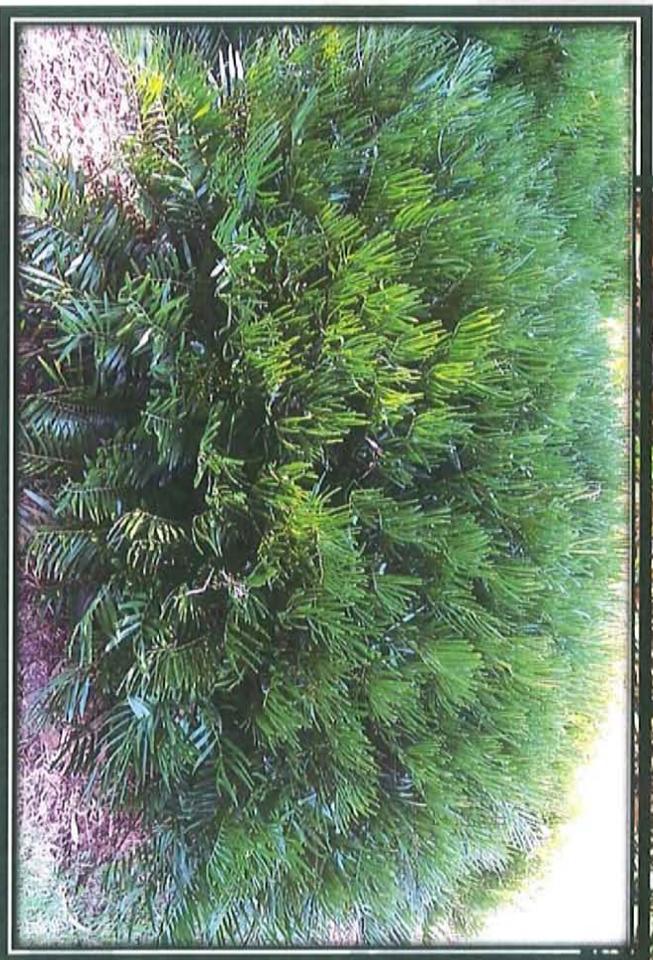
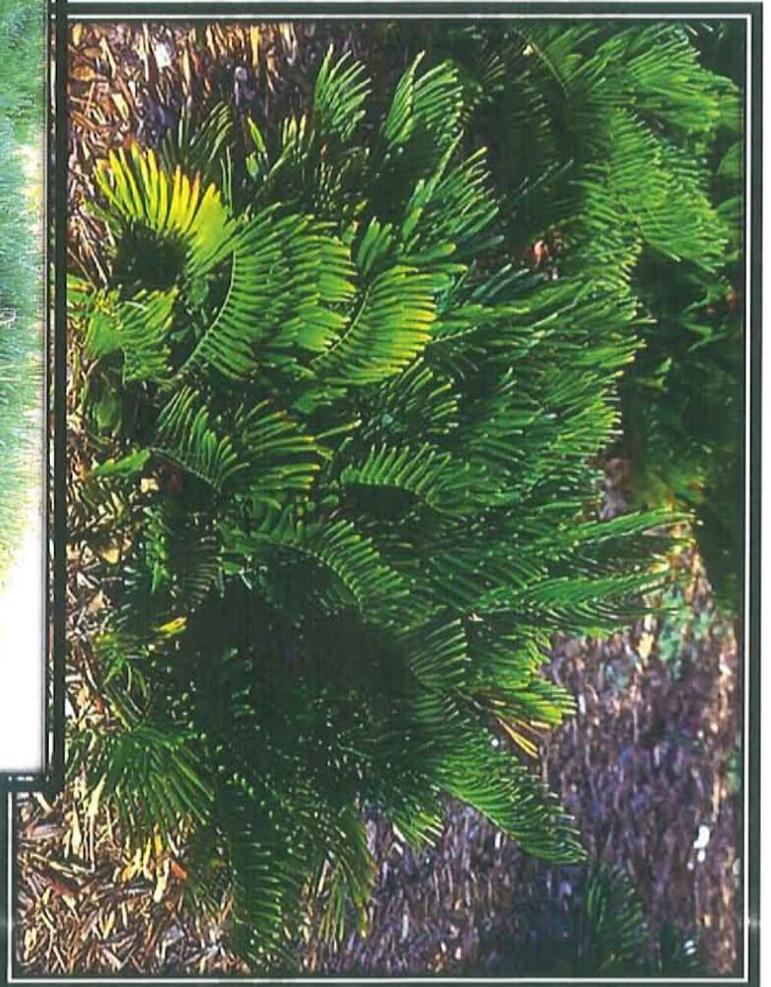
Dislike		Like		
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-2	-1	0	+1	+2

Plant: Coontie

Category: Groundcover

Highlights: Attractive, durable native groundcover; no pruning

Considerations: None



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# Alfred and Caroline Streets

## Plant Material Selections

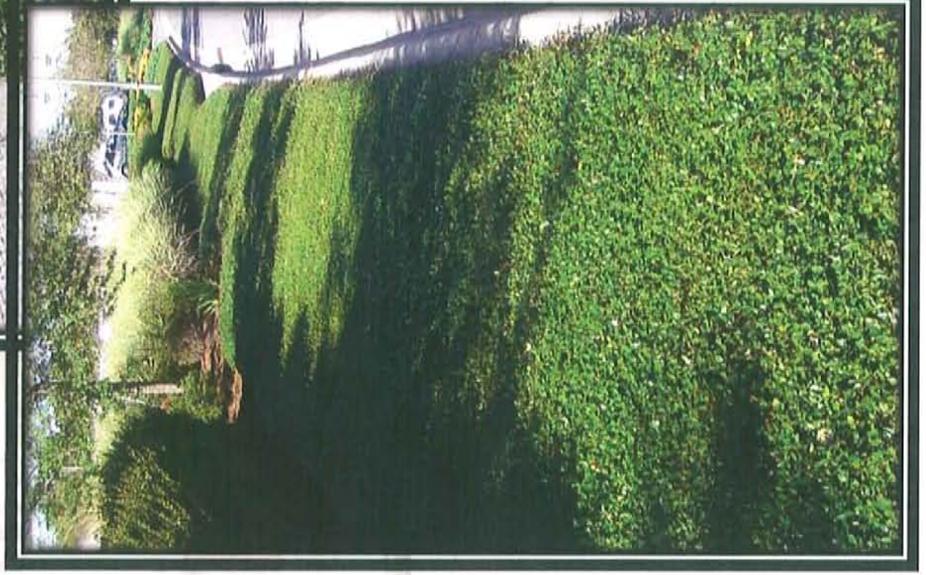
Dislike	Like		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-2	-1	0	+2

Plant: Dwarf Confederate (Asiatic) Jasmine

Category: Groundcover

Highlights: Very low form, creates full "carpet" in sun or shade; minimal pruning

Considerations: Spreads by runners; not suitable for small spaces



**SANIBEL**



# lighting *Premier*

Lamp HPS:	100 Watt
MH:	175 Watt
Mounting Height:	12' or 17'
Pole:	Decorative Concrete

Features include reduced glare and light trespass

The beauty of this stylish fixture is its remarkable versatility. Its sleek simplicity, with a gently curved bracket that helps cast light downward, is at home virtually anywhere, from more formal traditional neighborhoods to beachfront communities and other casual locales.



**RESIDENTIAL**

# Premier decorative poles

The Promenade, Washington, Victorian, and Colonial are decorative concrete poles that can withstand the harsh Florida sunlight, high winds and provide a high-end decorative look to your premium lighting. Meets or exceeds EPA regulations.



**PROMENADE**

20' to 35' Mounting Height



**WASHINGTON**

12' Mounting Height  
Speckled or Solid black



**VICTORIAN**

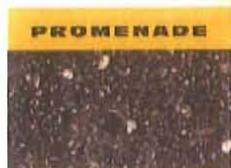
12' Mounting Height



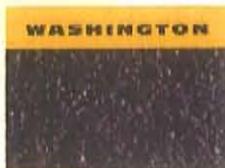
**COLONIAL**

12' to 17' Mounting Height

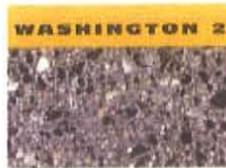
DECORATIVE POLES



**PROMENADE**



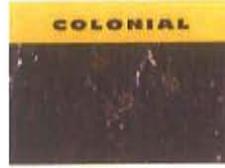
**WASHINGTON**



**WASHINGTON 2**

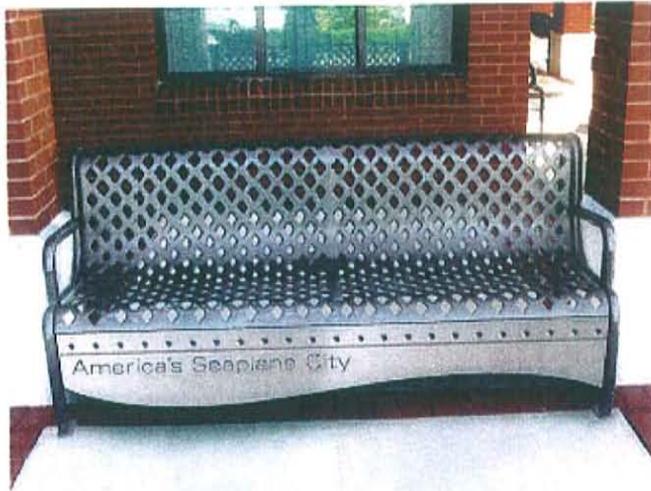


**VICTORIAN**



**COLONIAL**

Excerpts from the City of Tavares Branding Manual



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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: August 1, 2012**

**AGENDA TAB NO. 5**

**SUBJECT TITLE: Presentation of Envista Project Mapping Software**

---

**OBJECTIVE:**

To present a brief overview of the Envista Project Mapping Software.

**SUMMARY:**

As part of an upcoming CRA/stormwater project, the Utilities Department will have access to mapping software that will enable dynamic mapping of all city projects.

The presentation will demonstrate how the Envista software will enable City staff to track the impact of construction projects and public events on the CRA/downtown area. Envista will be used to create interactive maps that will show areas of construction, road closures, event venues and how multiple projects impact each other.

Staff members will be able to input detailed project management information on a variety of City projects and the software will also allow the publication of modified maps for public access to construction information. Residents will be able to check the City website to follow projects, street closures, parade routes, etc. Downtown visitors will be able to immediately view road detours, alternate routes, parking limitations and daily construction progress.

The Envista software will not only enable City staff to communicate with each other more effectively regarding ongoing construction projects, but will also provide the public with current status reports on travel in the downtown area.

**OPTIONS:**

- 1) Receive the presentation
- 2) Do not receive the presentation

**STAFF RECOMMENDATION:**

**FISCAL IMPACT:** N/A

**LEGAL SUFFICIENCY:** N/A

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: August 1, 2012**

**AGENDA TAB NO. 6**

**SUBJECT TITLE: Award and Accept Recommended Low Bidder for Fencing and Dugouts and Grading at Woodlea Sports Complex**

---

**OBJECTIVE:** To approve the recommended low bidder for the installation of fencing and dugouts and for laser grading at the Woodlea Sports Complex and to authorize staff to negotiate a contract with selected bidder.

**SUMMARY:** On June 17, 2012, the City of Tavares advertised an Invitation to Bid for the remaining portions of Phase I of the Woodlea Sports Complex which includes the installation of fencing, dugouts, and laser grading. Four companies responded to the invitation with Beesley Construction being the lowest bidder at \$211,940.84.

The submission by this company has been reviewed by staff and by the engineer of record and has met compliance in all areas.

This project is funded through the Infrastructure Sales Tax fund and through an interlocal agreement with Lake County Board of County Commissioners. The project is expected to be completed by September 28, 2012 or soon thereafter.

1) Beesley Construction 2199 Citrus Blvd. Leesburg, FL 34748	<b>\$211,940.84</b>
2) Pillar Construction Group, LLC 1312 Bowman Street Clermont, FL 34711	<b>\$279,176.34</b>
3) Barracuda Building Corp. 71311000 Ocoee Apopka Rd. St. 400 Apopka, FL 32703	<b>\$303,987.00</b>
4) Santa Cruz Construction 4205 N. Courtney Parkway Merritt Island, FL 32953	<b>\$408,714.28</b>

**OPTIONS:**

- 1) Move to approve the recommended low bidder and authorize staff to negotiate a contract

2) Do not approve

**STAFF RECOMMENDATION:** Move to approve the recommended low bidder, Beesley Construction, for the installation of fencing and dugouts and for laser grading at the Woodlea Sports Complex and authorize staff to negotiate a contract with selected bidder.

**FISCAL IMPACT:** \$211,940.84 is appropriated in Infrastructure Sales Tax, and the County has provided a \$250,000.00 match.

**LEGAL SUFFICIENCY:** meets sufficiency



## PRE-BID MEETING AGENDA

### Woodlea Sports Complex Baseball Fencing, Field Layout, Final Grading, Clay Installation and Dugout Construction

City of Tavares  
Wastewater Plant Conference Room  
2770 Woodlea Road  
Tavares, FL 32778  
10:00am June 26, 2012

#### Introduction of Staff:

##### City of Tavares

Ms. Tamera Rogers (Project Manager)  
Mr. Scott Aldrich (Assistant Project Manager)  
Mr. John Rumble (Purchasing Manager)

##### Dredging and Marine Consultants, LLC (Engineers)

Mr. Shailesh Patel (Principal)  
Mr. Joseph Faeila (Project Manager)  
Mr. Curtis Todd (Project Engineer)

#### Engineered Plans completed by:

Dredging & Marine Consultants, LLC  
4643 S. Clyde Morris Blvd., Unit 302  
Port Orange, FL 32129  
Phone: 386-304-6505  
Fax: 386-304-6506

#### Project Location:

Woodlea Sports Complex at 2770 Woodlea Road, City of Tavares, Lake County, Florida.

General Description of Work:

This project consists of the construction and/or installation of fencing, clay, dugouts, bases, foul poles and associated laser grading and overall field layout in one to two baseball fields at the Woodlea Sports Complex in Tavares, Florida.

Time Frame:

The Contractor agrees that the work shall be started not later than the date indicated in the "Notice to Proceed," and completion of work is anticipated within 45 days thereafter.

Questions on Project:

All questions should be directed in writing to John Rumble at [jrumble@tavares.org](mailto:jrumble@tavares.org) by **2:00pm local time, Friday, July 6, 2012.**

Bids:

**Bids are due in the City Hall by 2:00 pm by Thursday, July 12, 2012** and will be opened and publicly read aloud at the City Council Chambers, 201 East Main St, Tavares, Florida at **2:05 PM, on July 12, 2012.** Proposals must be SUBMITTED ON THE FORM FURNISHED BY THE CITY and in accordance with specifications and list of quantities desired.

Bid Selection:

The award of the contract shall be as best serves the interest of the City of Tavares. Bidders shall specify accurate unit costs so that the City may increase or decrease quantities as needed to assist in bid selection. Bids may not be considered if bid schedule is incomplete.

Bidders will be evaluated based upon cost value, experience of contracting/ subcontracting team in earthwork and related grading projects, and estimated project completion times. References will be contacted based upon information provided in the bid. Invalid reference contact information may result in disqualification of the bid submittal.

Special Project Requirements:

The St. Johns River Water Management District stormwater permit and Andreyev Engineering geotechnical report are both available. Work must comply with requirements and recommendations generated by both documents.

All shop drawings must be submitted to the engineer for approval at least five (5) business days in advance of construction or installation. All materials or products must be verified on site by the City's inspector. The contractor shall provide receipts and delivery tickets for all materials/ products within 48 hours of delivery so that the City inspector can verify the quality and quantity of materials/ products.



America's Seaplane City™

**MINUTES OF BID OPENING**

**July 17, 2012**

**Invitation to Bid**

**Woodlea Recreation Complex Phase 2 Bid No. 2012-0014**

**TAVARES CITY HALL**

**CITY COUNCIL CHAMBERS**

**PRESENT**

John Rumble, Purchasing Manager, Tamera Rogers Community Services Director, Scott Aldrich, Project Manager

Mr. Rumble noted today's date as Thursday, July 17<sup>th</sup>, 2012. This is the opening of bid packages received in response to ITB 2012-0014 **Woodlea Recreation Complex Phase 2** for the City of Tavares. There were four proposals received:

1. Beesley Construction  
2199 Citrus Blvd  
Leesburg Fl 34748  
**\$ 211,940.84**
  
2. Santa Cruz Construction  
4205 N Courtney Pkwy  
Merritt Island Fl 32953  
**\$ 408,714.28**
  
3. Pillar Construction Group LLC  
1312 Bowman Street  
Clermont Fl. 34711  
**\$ 279,176.34**
  
4. Barracuda Building Corp  
71311000 Ocoee Apopka Rd Suite 400  
Apopka Fl 32703  
**\$ 303,087.00**

Mr. Rumble noted the packages would be forwarded to the engineers of record DMC for review and recommendation to City Council.

Respectfully submitted,

John Rumble, Purchasing Manager.

**PLEASE PRINT**

**PLEASE LEAVE BUSINESS CARDS IF POSSIBLE**

Date: 26-Jun-12		email PLEASE PRINT CLEARLY!!!!	
Name	Company	Telephone/Fax	
LANE COUNTS	COUNTS PAVING INC.	352-459-4436	LANE @ COUNTS PAVING.COM
MARK STAECHER	EVERGREEN CM	352 433 5606	MSTAECHER@EVERGREENCM.NET
Ryan Fitzgerald	RFC	352-267-7067 FAX 407-386 6986	RYAN @ RFC95.COM
Jim Granger	Lt Sem Farms	352-267-4068 Fax 352-383-7196	Jim@LtkSemFarms.Com
ROD SOULE	MAJOR LEAGUE SPORTS FIELDS CORP.	407-342-3262 FAX 407-877-0515	SOULE.ROD@AOL.COM
FAY PAGUETTE	PAGCO, INC	352-365-0006 352-315-0500	Faye@pagcoinc.com

# Orlando Sentinel

City Of Tavares  
PO BOX 1068  
CITY OF TAVARES  
TAVARES, FL 32778-1068

Before the undersigned authority personally appeared Pam L. Davis/Tamela Vargas/Deborah M. Toney, who on oath says that s/he is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published in Lake County, Florida; that the attached copy of advertisement, being a Advertisement for Bid in the matter of Bid No.: 11-070-16 in the Lake County \_\_, was published in said newspaper in the issue(s); of

06/17/12

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

19 The foregoing instrument was acknowledged before me this day of June, 2012, Pam L. Davis/Tamela Vargas/Deborah M. Toney, who is personally known to me and who did take an oath.

*Tamela Vargas*  
\_\_\_\_\_  
*Deborah M. Toney*  
\_\_\_\_\_

(seal) DEBORAH M. TONEY  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# 00338521  
Expires 11/18/2013

ADVERTISEMENT/INVITATION TO BID  
THE CITY OF TAVARES  
PROJECT NAME: WOODLEA SPORTS  
COMPLEX BASEBALL FENCING, FIELD LAYOUT,  
FINAL GRADING, CLAY INSTALLATION AND  
DUGOUT CONSTRUCTION  
ENGINEER BID NO: 11-070-16  
OWNER/BID NO: THE CITY OF TA-  
VARES/2012-0014  
LOCATION OF PROJECT: WOO-  
DLEA SPORTS COMPLEX, 2770  
WOODLEA ROAD, TAVARES, FLOR-  
IDA  
SCOPE OF WORK: This project con-  
sists of the construction and/or instal-  
lation of fencing, clay, dugouts, bases,  
foul poles and associated bases, grading  
and overall field layout in one to two  
baseball fields at the Woodlea Sports  
Complex in Tavares, Florida.  
DESCRIPTION OF WORK: The work  
includes the furnishing of all labor,  
materials and equipment necessary to  
complete the construction of one to  
two baseball fields, as per plans and  
specifications, of the Woodlea Sports  
Complex in Tavares, Florida.  
MANDATORY PRE-BID CONFER-  
ENCE: A mandatory pre-bid confer-  
ence will be held at the City of Ta-  
vares, Westwater Plant Conference  
Room, 2770 Woodlea Road, Tavares,  
Florida 32778, on  
TUESDAY, JUNE 26, 2012 @ 10:00  
a.m.  
All bidders must be in attendance in  
order to submit a bid.  
RECEIPT OF BIDS: One original,  
three (3) hard copies and one digital  
copy (preferably in PDF format) for  
the work described herein shall be re-  
ceived until  
THURSDAY, JULY 12, 2012 @ 2:00  
p.m.  
at the City of Tavares, Attn: City  
Clerk, 201 East Main Street, Tavares,  
Florida 32778. The bids will be publicly  
opened and read aloud at the City  
Council Chamber at 2:05 p.m. ALL  
BIDS MUST BE CLEARLY MARKED  
"SEALED BID 2012-0014" AND  
WHETHER HAND DELIVERED OR  
MAILED MUST BE AT THE OFFICE  
OF THE CITY CLERK, CITY OF TA-  
VARES, CITY HALL, BEFORE THE  
ABOVE STATED DEADLINE TO BE  
CONSIDERED. Please provide one  
original, three (3) hard copies and one  
digital copy (preferably in PDF for-  
mat) of the bid.  
INFORMATION REGARDING BID-  
DING MATERIAL, ETC:  
Bidders with access to DemandStar-  
.com can obtain the front end docu-  
ments by calling 800-711-1712, or on the  
web at <http://www.demandstar.com>.  
For further information contact John  
Rumble, Purchasing Manager, at Ta-  
vares City Hall, 201 East Main Street,  
Tavares, Florida 32778, phone: (352)  
742-6131; fax: (352) 742-6001; e-mail:  
rumble@tavares.org.  
LAK1191650 06/17/2012

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: August 1, 2012**

**AGENDA ITEM NO. 7**

**SUBJECT TITLE: Request to Award the Bid for the City of Tavares Reclaimed Water Main Project Phase II & III**

---

**OBJECTIVE:** To award the Bid for the City of Tavares Reclaimed Water Main Project Phase II & III to **Johnson-Laux Construction** in the amount of **\$2,840,000**

**SUMMARY:**

Since 2003, a concerted effort was envisioned by the City of Tavares and the SJRWMD to position the City to maintain their autonomy with regard to water service. The plan is to lessen the dependency on the water resource (aquifer) by making best use of reclaimed water. This includes the upgrade/installation of treatment facilities and a reclaimed distribution piping network. The city will also establish a reclaimed water enterprise utility to fund the debt service associated with the program

The City of Tavares has taken steps toward implementation of a reclaimed water distribution system that will provide public access reuse-quality reclaimed water to customers and convey effluent away from the Woodlea Road Water Treatment Facility and rapid infiltration basins currently used to dispose of the wastewater effluent. The shift from potable water to reclaimed water for irrigation will reduce future demands on, and help to protect the quality of the City's potable water source, the Upper Florida aquifer.

The City will be starting the next phase of the process by awarding this bid to **Johnson-Laux Construction** who was the lowest, qualified bidder from a group of 4 bidders. They are listed below:

<b>Pooley Enterprises, INC</b>	<b>\$3,264,174</b>
<b>Close Construction LLC</b>	<b>\$2,928,742</b>
<b>Pillar Construction Group LLC</b>	<b>\$2,888,000</b>
<b>Johnson-Laux Construction</b>	<b>\$2,840,000</b>

**OPTIONS:**

1. Award the Bid and the Project to the lowest Qualified Bidder **Johnson-Laux Construction**. in the amount of **\$2,840,000**
2. Do **not** Award the Bid and the Project to the lowest Bidder **Johnson-Laux Construction, Inc.** in the amount of **\$2,840,000**

**STAFF RECOMMENDATION:**

1. That Council Award the Bid and the Project to the lowest Qualified bidder **Johnson-Laux Construction Inc.** in the amount of **\$2,840,000**

**FISCAL IMPACT:** This project is being funded by a loan from the Florida Department of Environmental Protection (FDEP) and a part of a grant from the SJRWMD.

**LEGAL SUFFICIENCY:** This summary and bid met legal sufficiency



**MINUTES OF BID OPENING**  
**June 14, 2012**  
**Invitation to Bid**  
**City of Tavares Reclaimed Phases 2 and 3**  
**Bid No. 2012-0021**  
**TAVARES CITY HALL**  
**CITY COUNCIL CHAMBERS**

**PRESENT**

John Rumble, Purchasing Manager, Brad Hayes, Utility Director Mack McKinley, Malcolm Pirnie

Mr. Rumble noted today's date as Thursday, June 14, 2012. This is the opening of bid packages received in response to ITB 2012-0021, City of Tavares Reclaimed Phases 2 and 3 for the City of Tavares. There were four proposals received:

1. Close Construction  
301 NW 4<sup>th</sup> Ave  
Okeechobee Fl 34972  
**\$2,928,742.00**
2. Johnson-Laux Construction  
4502 35<sup>th</sup> St , Suite 500  
Orlando Fl 32811  
**\$2,840,000.00**
3. Pillar Construction Group LLC  
1312 Bowman Street  
Clermont Fl. 34711  
**\$2,888,000.00**
4. Pooley Enterprises Inc  
7131 Grand National Drive Suite 104  
Orlando Fl 32819  
**\$3,264,174.00**

Mr. Rumble noted the packages would be forwarded to the engineers of record Malcom Pirney for review and recommendation to City Council.

Respectfully submitted,

John Rumble, Purchasing Manager.

A handwritten signature in blue ink, appearing to read "John Rumble", written over the typed name.

**City of Tavares  
Reclaimed Phases 2 and 3  
BID TABULATION**

Item Number	Item Description	Units	Estimated Quantity	Johnson-Laux Construction	Pillar Construction Group LLC	Close Construction LLC	Pooley Enterprises, Inc.
1	Mobilization, demobilization & permits (Not to exceed 5% of Bid Items No. 2.0 - 33.0)	LS	1	\$130,000.00	\$119,680.00	\$140,000.00	\$38,454.00
2	Bonds and Insurance	LS	1	\$48,000.00	\$49,000.00	\$60,000.00	\$25,254.00
3	Indemnification	LS	1	\$100.00	\$100.00	\$100.00	\$100.00
4	One 6,800 SF Administration/Training building and associated site work	LS	1	\$2,265,900.00	\$2,319,000.00	\$2,289,092.00	\$2,611,841.00
5	One 2,000 SF Operations & Maintenance (O&M) building	LS	1	\$262,000.00	\$290,000.00	\$309,827.00	\$460,930.00
6	One emergency generator for the existing reclaimed pump station	LS	1	\$114,000.00	\$110,220.00	\$129,723.00	\$127,595.00
<b>TOTAL BID</b>				<b>\$2,840,000.00</b>	<b>\$2,888,000.00</b>	<b>\$2,928,742.00*</b>	<b>\$3,264,174.00</b>

(Malcolm Pirnie calculated bid total)

Note: \*Bidder correction to Bid Table per attached email

**Engineer of Record**

Name: Alexis K. Stewart  
 Florida Registration Number: 57505  
 Company Name: Malcolm Pirnie  
 Company Address: 2301 Maitland Ctr. Pkwy, Ste. 244  
 City/ST/Zip: Maitland, FL 32751  
 Phone Number: 407-560-1133

(Signature, Date and Seal)

PRE-BID ITB 2012-0025 Reclaimed 2 & 3

PLEASE PRINT

PLEASE LEAVE BUSINESS CARDS IF POSSIBLE

Date: 22-May-12

Project/Bid

Name	Company	Telephone/Fax	email PLEASE PRINT CLEARLY!!!!
Jessie Collins	Piller Construction GSAURTEL	352-384-1092 352-394-1789	Jessie.H.Collins@PillerAg.com
TOM CUNNINGHAM	ARCHITECT MALCOLM PIERCE	407-595.1496	TECARCH@CEL.PR.COM
Delbert Howard	Close Construction LLC	863-467-0831	delbert@closeconstruction.us
LENDRE FOHRES CHRISTINA HOBEN	JOHNSON-LAURE CONST PFC Corp	407-770-2180 407-770-2181 FAX 407-834-6115 407-834-6391 Fax	lendre@johnson-laure.com anita@johnson-laure.com CTABO25@aol.com
KYLE NICHOLS	SHOEMAKER CONST. Company	407-322-3103 407-322-1205	KYLE@SHOEMAKER-CONSTRUCTION.NET
Greg Kud	ESI	352 757 1322 352 757 4238	G.kud@electra-services.com
Roger Barkes	TBS	813-581-2807	Rbarkes@4TBS.com
LITO DEPERAS	PROF DIET SERVICE	352-589-7000 / 7008	PROFESSORALDIET@AETHLINK.NET
Kristi Dean	ARCADS	561-457-7000	kristopher.dean@arcadsvs.com

**PLEASE PRINT**

**PLEASE LEAVE BUSINESS CARDS IF POSSIBLE**

Date: 22-May-12			
Name	Company	Telephone/Fax	email PLEASE PRINT CLEARLY!!!!
MARIL STARCHER	ENERGYGREEN CM	352-433-5606	MSTARCHE@ENERGREENCM.WI
McH Franks	Beesley Construction	352-365-4578/4579	matt@beesleyconstruction.com
JENNIFER GRIFFIN	SOUTHEASTERN SURVEYING	352-343-4880 352-345-4914	JGRIFFIN@SSMC.US
Dwayne Kreidler	ARCADIS	407 660-1133	dwayne.kreidler@arcadis-us.com
Mack McKinley	ARCADIS	407 660-1133	mack.mckinley@arcadis-us.com
CITUS MILDORF	POOLEY ENTERPRISES	863-210-4080	CMLDORF@POOLEYENTERPRISES.COM
Matt Kennard	Paaco, Inc.	352-365-0006 352-315-0570	matt@paacoinc.com
Sharon Gimmington	Arcadis/US	941-284-3509	sharon.gimmington@arcadis-us.com
JOHN RUMBLE	C.O.T.		
Mack McKinley	Arcadis US	407 659 5557	mack.mckinley@arcadis-us.com

**Announcements**

**Cemetery Lots/Crypts**

2 CEMETERY SPACES - 1 Vault in Lake-side Memorial Gardens, Eustis. Reduced to \$3950, \$700 under list. Seller will pay for de-transfer. 865-206-7745

**Employment**

**Attractions, Hospitality & Entertainment**

**SERVERS** - The Gabilan Market Restau-rant in historic downtown MI Dora currently has positions on its hospitality team. Full time. Competitive pay, great working environ-ment, health and retirement op-tions. For appt call 352-735-0059 WEB OS20259

**Government/Professional**

**REFUSE DRIVER/ COLLECTOR II** - Oper-ate fully automated refuse collection/ recycling; and/or clam trucks to collect refuse & trash. Valid FL Drivers license Class 'B' CDL with airbrakes req. Visit [www.cityoflakemoor.com](http://www.cityoflakemoor.com) for details. EOE, M/F, V/P, D/V, DWFP

**Healthcare**

**LPN/MEDICAL ASSISTANT** - Needed immediately. Full time. For busy primary care office in Lady Lake. Must be computer literate & have at least 2 years experience with refer-ences. Fax resume in confidence to HR at 352-750-6329

WEB OS14915

**MEDICAL FRONT OFFICE PART TIME** - Check in Check out and general of- fice duties. MI Dora location. Fax resume to: 352-483-5070

WEB OS20346

**MEDICAL INSURANCE SECRETARY/VERI-FIER** - OB-GYN office in Leesburg and the Villages is looking for a FT medical insurance secretary for busy multi-physician office. Re-sume AND references REQUIRED. Must be a Non-Smoker. Drop re-sume off at Dr. Moffett's office, lo-cated at 601 E Dixie Ave, #401, Leesburg

**ORLANDO SENTINEL**

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ONLINE - Place your Classified ad online. Go to [advertise.OrlandoSentinel.com](http://advertise.OrlandoSentinel.com)

**Sales & Marketing**

**SERVICE DESK ANALYSTS**

Tribune Technology has immediate openings for qualified Service Desk Analysts in the Orlando area. (2:00 PM-10 PM Tuesday-Saturday) Successful applicant must have minimum of two years of technical experience supporting IT end users in a Call Center environment.

The qualified applicants must also be proficient with supporting users in a multi platform (PC, Macintosh) environment. Active directory tools, Microsoft Office applica-tions (Outlook, Word, Excel), and PowerPoint), Citrix, network con-nectivity, VPN, Connection Issues, printing problems, and basic Hard-ware issues and be able to resolve problems over the phone.

The individual should also have strong analytical and communica-tion skills, and the ability to work efficiently and effectively with clients, co-workers and other support teams. Individual(s) should be mo-tivated and self-directed with excel-lent diagnostic ability, interpersonal and communication skills and fo-cused on delivering excellent cus-tomer service.

This is a 24/7 operation and the ap-plicant must be able to work a flexible schedule and overtime as required. Bachelors degree or equivalent technical training in a computer related field of study; A+, Network+, MCSE or other ap-propriate technical certification or plus.

To apply please visit [www.trbjobs.com](http://www.trbjobs.com) and search for Help Desk Analyst.

**Trade/Industrial & Security**

**DRIVERS - TEAMS UPS contractor** needs Drivers. Req. 1 yr OTR Class A CDL. 23 yrs Old Hazmat 100% no touch. Call 407-567-8158

**PLUMBERS**  
Exp commercial plumbers & trade helpers for various projects throughout Orlando area. Must be reliable, take initiative & be a team player. EOE Drug Free Lv Msa 866-584-9928

WEB OS72109

**Employment Wanted**

**HOUSE CLEANING** - I am interested in cleaning your house/office in Lak-e County areas. Very dependable, reasonable rates. 25 yrs exp. Relo-cated from PA. Great references. Contact Denise at 717-574-1956

**Legal Notices**

**Advertisements for Bid**

ADVERTISEMENT FOR City of Tavares Reclaimed Phases 2 and 3 Bid NO. 2012-0021

Sealed bids are invited by the City of Tavares, to be received at the office of the City Clerk 201 East Main St., Tavares FL 32778 or by mail addressed to P. O. Box 1068, Tavares Florida 32778-1068, so as to be received not later than 2:00 PM on June 7, 2012.

Please provide one (1) original and six (6) cop-ies and one (1) digital copy, preferably in PDF format. Digital copy may be submitted up to one week after bid close.

Bids received after this specified time and date will not be considered. The sealed bids will be publicly opened and read aloud in the City of Tavares Council Cham-bers on the same date at 2:05 pm for the performance of the following

**Advertisements for Bid**

work:

The Project is generally described as follows: Work to be performed under this Contract includes, but is not limited to:

- The construction of single story Ad-ministration/Training building with ap-proximately 6,800 square feet of build-ing area, in accordance with the cur-rent Leadership in Energy and Envi-ronmental Design (LEED) Green Building Rating Systems. The Work shall also include potable water, fire protection, electrical work, generator, climate control, sanitary sewer, pav-ing and parking, drainage and grad-ing, site concrete slabs, dumpster pad, landscaping, and all other appurte-nances complete as shown in the drawings specified herein.

- The construction of an Operations and Maintenance building with ap-proximately 2,000 square feet of build-ing area. The Work shall also include potable water, electrical work, climate control, sanitary sewer, site concrete slabs, and all other appurtenances complete as shown in the drawings specified herein. All paving and parking, drainage, grading, and land-scaping to be inclusive in the Admin-istrative Training building work, de-scribed above.

- The construction of an emergency generator for the existing Reclaimed Pump Station. The Work shall also include electrical work, drainage and grading, site concrete slab, and all other appurtenances complete as shown in the drawings specified here-in.

All contractors intending to bid on the project MUST attend a pre-bid conference Tuesday, May 22, 2012 at 10:00 A.M. at the Tavares City Hall Council Chambers, lo-cated at 201 East Main Street, Tavares, FL 32778.

Copies of contract (bid) documents consisting of bidding requirements, contract forms, conditions of the con-tract, specifications, and drawings may be examined at Tavares City Hall, 201 E Main St., Tavares, Florida, Telephone (352) 742-6131. Bidders with access to DemandStar.com can obtain the front end documents by calling 1-800-711-1712 (or on the web at <http://www.demandstar.com>).

Contract specifications and engineer-ing plans may be obtained from John Rumble, Purchasing Manager at Tavares City Hall, 201 E Main St., Tavares FL 32778; email: [jrumble@tavares.org](mailto:jrumble@tavares.org); phone: (352) 742-6131; or fax: (352) 742-6001.

Bidders are required to submit propos-als for the above on the Bid Forms provided. No proposals may be with-drawn after the scheduled closing time for the receipt of proposals for a peri-od of thirty (30) days.

A Performance and Payment Bond in a sum equal to 100% of the amount of the Contract awarded will be required at the time of execution of the con-struction contract. The City of Tavares reserves the right to waive in-formalities in any bid, to reject any or all bids with or without cause, and/or to accept the bid that in its best judg-ment will be for the best interest of the City.

John Rumble, Purchasing Manager

CITY OF TAVARES Tavares, FL

LAK1185899 05/06/2012

Advertisement/ Invitation RFP 2012-0024

CITY OF TAVARES REQUEST FOR QUALIFICATIONS FOR: CONSTRUCTION MANAGER AT RISK THE CITY OF TAVARES WOOLTON PARK EXPANSION

Pursuant to Section 287.055, Florida Statutes, the City of Tavares (the "City") invites qualified engineering firms to submit statements of their qualifications to provide engineering services to the City in response to this Request for Qualifications (the

**Advertisements for Bid**

"RFQ".

Sealed bids are invited by the City of Tavares, to be received at the office of the City Clerk, 201 East Main St., Tavares, Florida 32778 so as to be re-ceived not later than 2:00 PM on Thursday, June 14, 2012. Bids received after this specified time and date will not be considered. Please submit one (1) original, four (4) copies and one (1) digital copy, preferably in pdf format.

The purpose of this solicitation is to retain a Florida-licensed General Con-tractor/ Construction Manager to pro-vide services for the construction of marina and dock facilities, gazebos, restrooms, nature walks, landscaping, site furnishings and other improve-ments that may be identified.

All contractors intending to bid on the project SHOULD attend a pre-bid conference Tuesday, May 23, 2012 at 10:00 A.M. at the Tavares City Hall Council Chambers, lo-cated at 201 East Main Street, Tavares, FL 32778.

Copies of contract (bid) documents consisting of bidding requirements, contract forms and conditions of the contract may be examined at City Hall, 201 E. Main St., Tavares, Flori-da, telephone (352) 742-6131. Bidders with access to DemandStar.com can obtain the front end documents by calling 1-800-711-1712, or on the web at <http://www.demandstar.com>

John Rumble FCPM CPPB Purchasing Manager 201 East Main St Tavares 32778 [jrumble@tavares.org](mailto:jrumble@tavares.org)

LAK1186052 05/04/2012

CITY OF TAVARES REQUEST FOR QUALIFICATIONS FOR: COMPREHENSIVE PROJECT MANAGEMENT AND ENGINEERING DESIGN FOR THE CITY OF TAVARES WOOLTON PARK EXPANSION

Advertisement/ Invitation RFQ 2012-0022

Pursuant to Section 287.055, Florida Statutes, the City of Tavares (the "City") invites qualified engineering firms to submit statements of their qualifications to provide engineering services to the City in response to this Request for Qualifications (the "RFQ").

Sealed bids are invited by the City of Tavares, to be received at the office of the City Clerk, 201 East Main St., Tavares, Florida 32778 so as to be re-ceived not later than 2:00 PM on Thursday, June 7, 2012. Bids received after this specified time and date will not be considered. Please submit one (1) original, four (4) copies and one (1) digital copy, preferably in pdf format.

It is intended that the successful firm will have a comprehensive approach to managing all aspects of the Woolton Park Expansion. The successful firm will be available to perform full project management services which may include but are not limited to:

- 1.) All aspects of grant application in-cluding the identification of appropri-ate grants, procurement, manage-ment, reimbursement processing and closeout.
- 2.) Planning, Design and engineering of projects including permitting, bid document preparation, and Working with a construction manager of risk process.

Copies of contract (bid) documents consisting of bidding requirements, contract forms and conditions of the contract may be examined at City Hall, 201 E. Main St., Tavares, Flori-da, telephone (352) 742-6131. Bidders with access to DemandStar.com can obtain the front end documents by calling 1-800-711-1712, or on the web at <http://www.demandstar.com>.

LAK1186055 05/06/2012

**CAR OWNERS**

Orlando Sentinel readers will motor to your classi-fied automobile ad.

**Public Not**

Two or more mem-ber County Water Au-thorities may be es-tablished by Resolu-tion Ceremony for System Manage-ment. Lending, 10:00 am. Wekiwa Park Dr.,

Anyone having que-stions regarding this meeting or a spe-cial agenda, please call 343-3777, during business hours: Monday thru Friday, 8:00 a.m. - 5:00 p.m.

Should any person have any decision made they will need a rec-ord and if it is their decision that a verbal rec-ording is made.

LAKE COUNTY WATER AUTHORITY

LAK1185975

**Merch**

GIANT BARN AUCTION MAY 12, 2012. 2015 LEEBURG, FL 34708 home boat, antique building supplies, pallet racks, exten-sion ladders, 14% VISA, MC 10% LIBBY TATUM 352-32-3522 Abi756 Auctioneer Pictures - Auctioneer

**LO**

RIDING MOWER - 42" Runs great! OBO. 352-356-4701 SLEEP NUMBER BED - single chamber - night. Original cost 4078142252

**Pe**

**Pets for**

GOLDEN RETRIEVER RETRIEVERS FULL SHOTS HEA 4F 3M \$600.00 EARTHLINK.NET

**Real E**

**for R**

**Hon**

**Lake C**

**for R**

LAKES OF MOUNTAIN 3/2 Gated Pool, No 35 Plus \$1,100 407-

MT DORA - 3/2/2. Gr neighborhood. Lr remodeled. \$950/m

**Real E**

**for S**

**Conc**

**Multi-F**

**Volusia**

**for S**

PONCE INLET - Ho-mesteaders, beach pools, golf, boating

**CAR OWNERS**

Orlando Sentinel reader classified automobile ad

Orlando Sentinel saves you



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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
JULY 18, 2012**

**AGENDA TAB NO. 8**

**SUBJECT TITLE: Board/Committee Appointments: Lake County Library  
Advisory Board – City of Tavares Representative**

---

**OBJECTIVE:**

To confirm the Mayor's designation of Patricia Miller to be the City's representative to the Lake County Library Advisory Board to fulfill the remainder of a four year term expiring February 28, 2014.

**SUMMARY:**

Currently the Director of Community Services, Tammey Rogers, serves as the City's representative to the Lake County Library Advisory Board with the Library Director, Rosa Rosario, as the alternate. Ms. Rogers has requested that the City consider appointing a citizen to be the City's representative.

The City advertised in the Daily Commercial and on the City website. The Lake County Library Board does not require the City Representative to be a citizen of the City of Tavares.

The City has received the following requests for appointments/re-appointments:

- Patricia L. Miller

**OPTIONS:**

The Mayor has recommended the appointment of Patricia L. Miller to be the City's representative.

**STAFF RECOMMENDATION:** N/A

**FISCAL IMPACT:** None.

**LEGAL SUFFICIENCY:** N/A



America's Seaplane City™

06.25.12

01:27:00 P11:22 IN

**Application for a Board/Committee Appointment  
City of Tavares**

Please Print: Miller Patricia L.  
Last Name First Middle Initial

Telephone: (352) 324-3812 Email: rsmplm@aol.com

Cell Phone: ( ) Fax: —

Present Address 201 S. Lakeshore Blvd., Howey-in-the-Hills, FL 34737

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

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

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

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

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

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

<u>Elementary &amp; High School</u>	<u>College or University</u>	<u>Graduate School</u>
1 2 3 4 5 6 7 8 9 10 11 <b>(12)</b>	Some college 1 2 3 4	1 2 3 4

Are You Employed at Present? (Please Circle) YES  **(NO)** Retired, 2003.

Name of Last or Present Employer: U.S. Environmental Protection Agency

Address: 12th & Pa. Ave., Washington, D.C.  
Number and Address City State Zip

Date Hired: 1968-2003 Position: Program Analyst

Brief Description of Responsibilities: Oversaw HR & Budget; managed a team of 4; oversaw contracts administration; provided personnel advice to office Directors and managers.

Have You Served on a City of Tavares Board or Committee? No

If You Answered Yes: When? - Where? -

Professional or Civic Memberships:

- 1) Adult Literacy Program - Lake Co., FL.
- 2) PTA, Springfield, VA (12 years)
- 3) Howey Garden & Civic Club
- 4) Howey Parks & Rec. Committee.

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

1) Why would you be a good candidate for this appointment? What experience, knowledge, or special skills do you have that would be helpful to this board?  
I worked in offices in D.C. & AZ for close to 40 years; I'm professional and organized. I've worked on numerous Teams, organizations and committees.

2) What do you think should be the purpose of this board?  
Advice and counsel to City of Tavares officials.

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

- 1) Rosa Rosario, City of Tavares library, 4 years  
Name Address Business Years Known
- 2) Margot Kleiné 127 E. Cypress, Howey 4 years  
Name Address Business Years Known
- 3) Brenda Brasher, Town Clerk - Howey 3+ years  
Name Address Business Years Known

Next of Kin: Ronald Stephen Miller, 201 S. Lakeshore, Howey - Husband  
Name Address Relationship

In Case of Emergency, Please Notify:

Cheryl Malone 407-429-9181 - daughter / or Husband 324-3812  
Name Address Telephone No.

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

Applicants Signature Patricia H. Miller Date 6/21/2012

# Affidavit of Publication

## Daily Commercial

Leesburg, Lake County, Florida

Case No. \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF LAKE

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

Ad 212639

in the matter of City of Tavares Citizen  
Boards/Committees

in the \_\_\_\_\_ Court,

was inserted in said newspaper in the issues of \_\_\_\_\_

June 16, 2012

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

Signed \_\_\_\_\_

Richard Pinder, President

Sworn to and subscribed before me this 18 day of

June, 2012, by Richard Pinder,

President, who is personally known to me.

(Seal)



### Attach Notice Here

#### CITY OF TAVARES CITIZEN BOARDS/COMMITTEES

The City of Tavares is presently accepting applications for the following Committees:

**Lake County Library Advisory Board** – City of Tavares Representative

The position is voluntary and is appointed by the Mayor of the City of Tavares. Applications may be obtained by calling (352) 253-4546, between the hours of 8 a.m. and 5 p.m. Monday through Friday or by downloading the application from the city's web site at [www.tavares.org](http://www.tavares.org)

Applications should be submitted by Friday, July 6, 2012 by 5:00 p.m. For additional information please call Nancy Barnett, City Clerk, at 352-4546.  
212639-June 16, 2012

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
AUGUST 1, 2012**

**AGENDA TAB NO. 9**

**FIRST READING**

**SUBJECT TITLE: Ordinance 2012-17  
1515 US Highway 441 (Formerly Gator Inlet/Quiet Waters)  
Babinec Enterprise Inc. - Rezoning**

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**OBJECTIVE:**

To consider the rezoning of approximately 6.2 acres of property (1515 US Highway 441) located on the south side of US 441, west of the Dora Canal from PD (Planned Development) to C-2 (Highway Commercial).

**SUMMARY:**

The subject property is located south of US Hwy 441 and immediately adjacent to the Dora Canal. The total property area is 10.55 acres, however, the easterly 4.35 acres abutting the Dora Canal is designated as a Wetland Protection Area under the City's Land Development Regulations and Conservation under the Comprehensive Plan. The proposed rezoning does not include the wetland area and only applies to the westerly 6.2 acres of the parcel. The 6.2 acres include 4.05 acres of uplands and a 2.15 acre marina. There is a small, vacant commercial building on the property. In 2007, a Residential Planned Development zoning was adopted which permitted 3 multi-family, upscale residential buildings with a total of 101 dwelling units. The plan also included a pool, marina and other amenities. Due to the decline in housing sales, the developer was not able to successfully carry through the planned development.

Ownership of these lands has reverted back to Babinec Enterprises, the original owners. They have applied for this commercial rezoning to increase their chances of marketing the property. The City is concurrently processing a future land use map amendment to re-designate the property from Mixed Use Commercial to Commercial on the Future Land Use Map 2020. The majority of the properties along US Highway 441 are commercial in nature. If the property were to be sold and developed, the city would require an approved site plan, traffic evaluation and environmental permitting prior to the issuance of any building permits.

**OPTIONS:**

No Council action required at First Reading.

**PLANNING & ZONING BOARD RECOMMENDATION:**

At its July 19th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2012-17.

**STAFF RECOMMENDATION:**

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2012-17.

**FISCAL IMPACT:** N/A

**LEGAL SUFFICIENCY:**

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

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**ORDINANCE 2012-17**

AN ORDINANCE OF THE CITY OF TAVARES REZONING APPROXIMATELY 6.2 ACRES LOCATED ON THE SOUTH SIDE OF US HIGHWAY 441, WEST OF STATE ROAD 19 FROM PD (PLANNED COMMERCIAL DEVELOPMENT) TO C-2 (HIGHWAY COMMERCIAL); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

14       **WHEREAS**, the City of Tavares, Florida (the "City"), is in a position to provide municipal  
15 services to the property described on Exhibit A attached to and by reference made a part of  
16 this Ordinance (the "Property"); and

17       **WHEREAS**, The City of Tavares approved the 6.2 acres of the property as a Planned  
18 Development under Ordinance 07-10, and

19       **WHEREAS**, the owners of the Property (the "Applicant") is requesting to void this  
20 Ordinance; and

21       **WHEREAS**, the City of Tavares is concurrently processing a Future Land Use  
22 amendment to designate the property as Commercial and therefore a C-2 Highway Commercial  
23 zoning is in compliance with the City of Tavares comprehensive plan; therefore

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

25       **Section 1.    Rezoning**

26       The property described in **Exhibit "A"** shall hereby be rezoned from Planned  
27 Development (P-D) to Highway Commercial (C-2) and shall be subject to the provisions  
28 contained within the Land Development Regulations for this zoning designation.

29       **Section 2.    Severability.**

30       Upon a determination by a court of competent jurisdiction that a portion of this ordinance  
31 is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and  
32 effect.  
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34

1 **Section 3. Effective Date.**

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

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6 **PASSED AND ORDAINED** this \_\_\_\_\_ of \_\_\_\_\_, 2012, by the City Council of the  
7 City of Tavares, Florida.

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

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

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15 Passed Second Reading: \_\_\_\_\_

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18 ATTEST:

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

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25 APPROVED AS TO FORM AND LEGALITY:

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Robert Q. Williams, City Attorney

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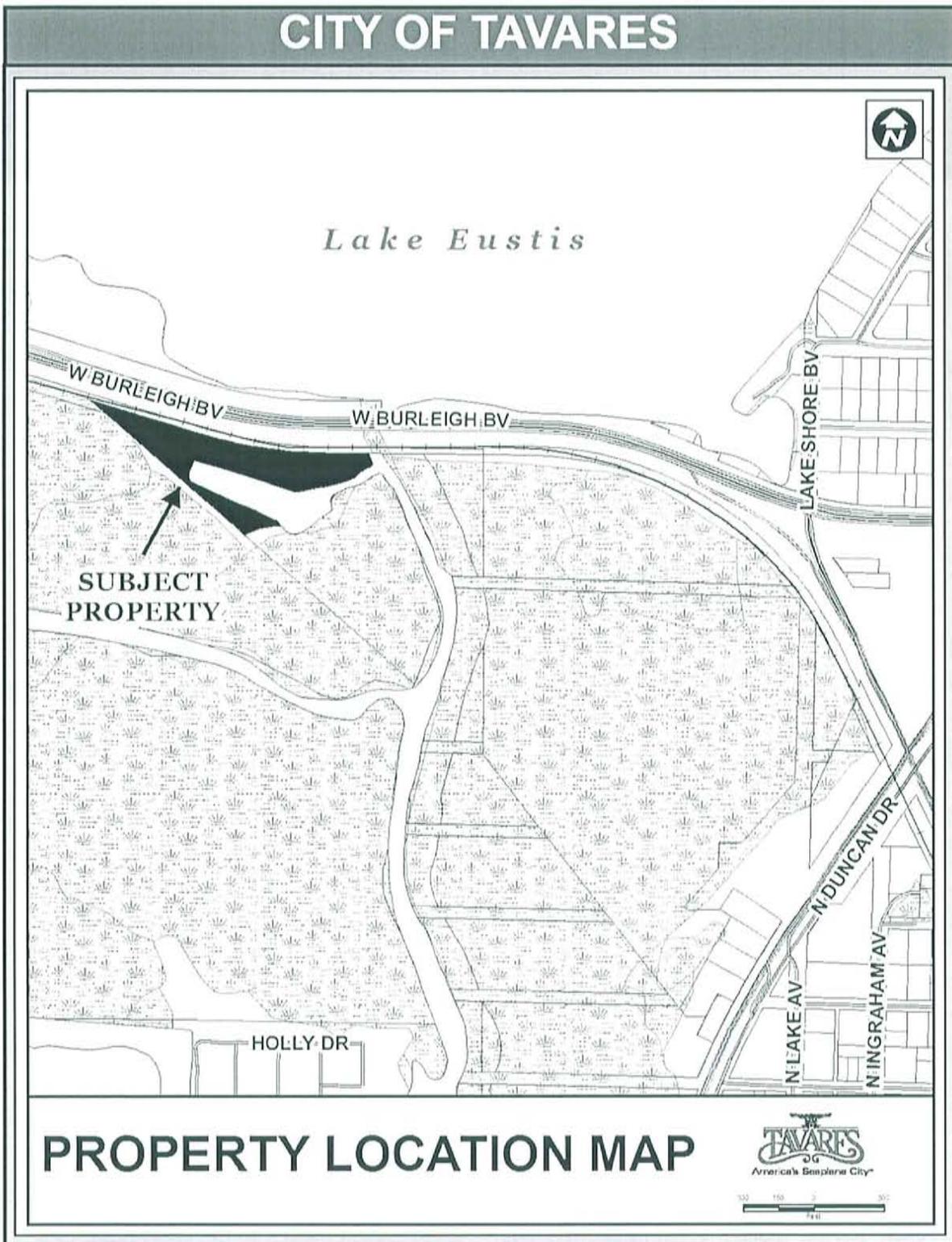
**Exhibit A**

**Legal Description**

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4 THAT PORTION OF GOVERNMENT LOT 8, IN SECTION 30, TOWNSHIP 19 SOUTH, RANGE  
5 26 EAST, LAKE COUNTY, FLORIDA, LYING SOUTH OF THE ABANDONED SEABOARD AIR  
6 LINE RAILROAD RIGHT OF WAY, LESS THE LAND LYING WITHIN 170 FEET OF THE  
7 CENTERLINE OF THE DORA CANAL AND SOUTH OF THE SOUTH LINE OF THE DORA  
8 MARINA BOAT BASIN, AND LESS THAT PORTION LYING WITHIN THE RIGHT OF WAY OF  
9 US HIGHWAY 441.

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11 EXCLUDING THOSE LANDS DESIGNATED WETLANDS AND CONSERVATION UNDER  
12 THE CITY OF TAVARES COMPREHENSIVE PLAN AND DESIGNATED WETLANDS  
13 PROTECTION AREA UNDER THE CITY OF TAVARES LAND DEVELOPMENT  
14 REGULATIONS.  
15

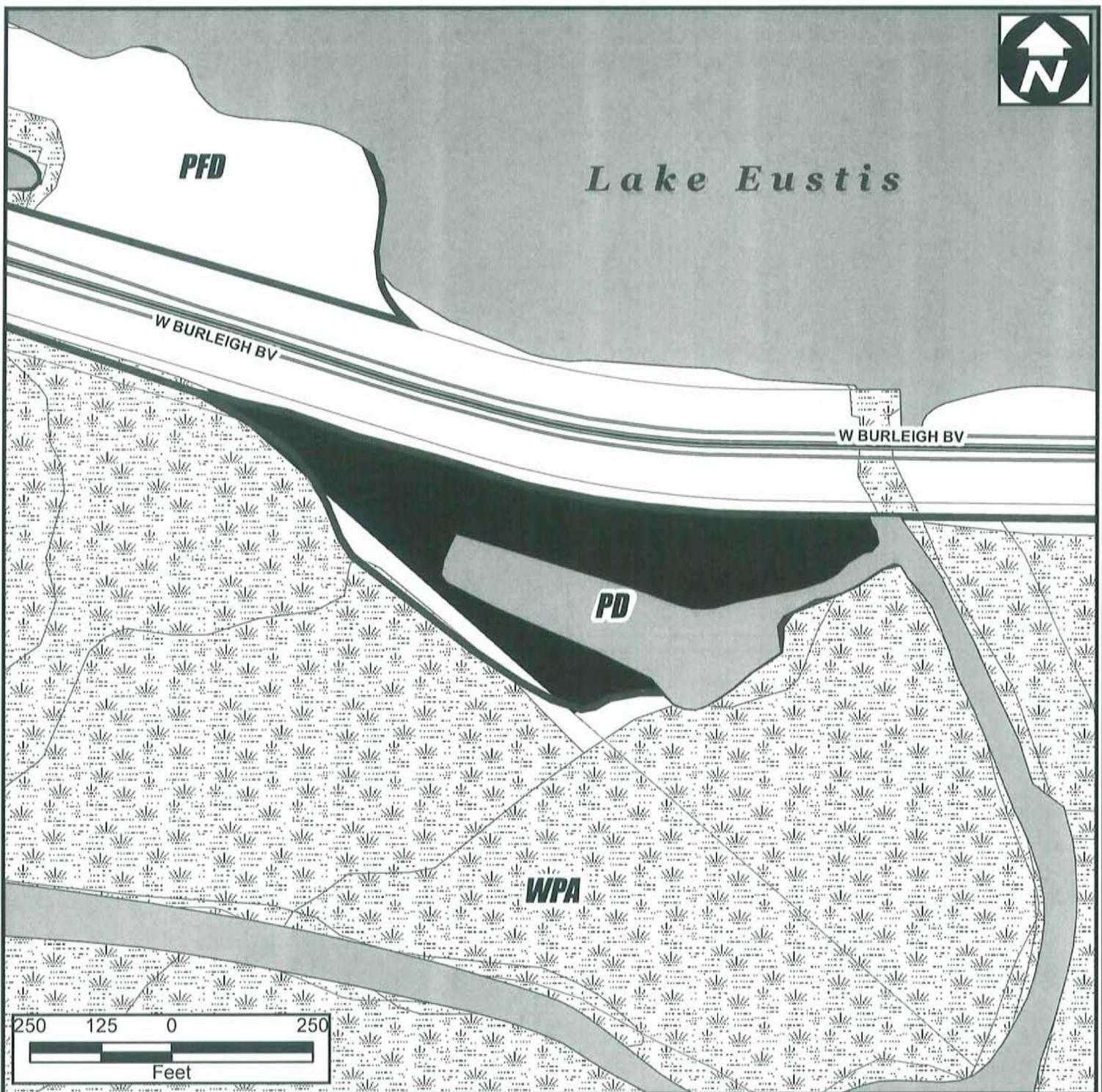
# CITY OF TAVARES



Created By: City of Tavares GIS F:\P20\DATA\PROJECT FILES\Babinec Enterprises (formerly Quist Voters) Rezoning SSFLUM1 - P2012-12\GIS\GIS\_Maps\BABI\REC\_AD.mxd Map Created on 6/20/12

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# CITY OF TAVARES ORDINANCE # 2012-17



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



## ZONING MAP

### ORDINANCE # 2012-17

#### Babinec Property

Current Zoning: PD  
Proposed Zoning: C-2  
06.2 ± Acres

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

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
AUGUST 1, 2012**

**AGENDA TAB NO. 10**

**FIRST READING**

**SUBJECT TITLE: Ordinance 2012-18 Small Scale FLUM Amendment  
1515 US Highway 441 (Formerly Gator Inlet/Quiet Waters)  
Babinec Enterprise Inc.**

---

**OBJECTIVE:**

To consider a Future Land Use Map amendment for approximately 6.2 acres of property (1515 US Highway 441) located on the south side of US Highway 441, west of the Dora Canal from Mixed Use Commercial to Commercial.

**SUMMARY:**

Ordinance 2012-18 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 1782366) is 10.5 acres in size, located on the south side of US Highway 441 adjacent to the Dora Canal. Approximately 4.35 acres of the property abutting the Dora Canal is designated as a Wetland Protection Area under the City's Land Development Regulations and Conservation under the Comprehensive Plan. The proposed Future Land Use Amendment does not include the wetland area and only applies to the westerly 6.2 acres of the parcel. These 6.2 acres includes 4.05 acres of uplands and a 2.15 acre marina. The westerly portion of this property is presently designated Mixed Use Commercial. This ordinance would amend the Future Land Use designation from Mixed Use Commercial to Commercial.

**Future Land Use Amendment/Compatibility**

The subject property is currently designated Mixed Use Commercial. A Commercial designation is most compatible with property abutting US Highway 441.

**Site Conditions**

The subject property is currently vacant with the exception of a small vacated structure. The property fronts onto US Highway 441 to the north. To the west, east and south is conservation area.

**Impact on City Services**

The subject property has access to municipal water and sewer utilities. It is anticipated that this amendment will not result any significant increase on Levels of Service.

**FINDINGS**

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Commercial Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.
2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 7A)

**OPTIONS:**

No Council action required at First Reading.

**PLANNING & ZONING BOARD RECOMMENDATION:**

At its July 19th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2012-18.

**STAFF RECOMMENDATION:**

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2012-18.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

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

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**ORDINANCE 2012-18**

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**AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE FUTURE LAND USE MAP 2020 PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 6.2 ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF US HIGHWAY 441, WEST OF STATE ROAD 19 FROM MUC (MIXED USE COMMERCIAL) TO COM (COMMERCIAL); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Tavares, Florida (the "City"), is in a position to provide municipal services to the property described on Exhibit A attached to and by reference made a part of this Ordinance (the "Property"); and

**WHEREAS**, the property consists of less than ten acres; and

**WHEREAS**, the property is located on a primary commercial artery of the City of Tavares, US Highway 441; and

**WHEREAS**, the property currently has a future land use designation of Mixed Use Commercial that allows Commercial, uses, and therefore a Commercial future land use is a compatible designation; and,

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

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

**WHEREAS**, the City Council finds this amendment in compliance with Chapter 163, Florida Statutes, and the City of Tavares Comprehensive Plan; and

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

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

5 **Section 1.     Future Land Use Amendment**

6           The Comprehensive Plan and Future Land Use Map 2020 of the City of Tavares,  
7 Florida, is hereby amended to reflect a re-designation from Mixed Use Commercial to  
8 Commercial on certain real property as legally described in Exhibit "A". All provisions of the  
9 Comprehensive Plan shall hereby apply to said property.

10  
11 **Section 2.     Severability and Conflicts**

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

16  
17 **Section 3.     Transmittal**

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

26 **Section 4.     Effective Date**

27           The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31  
28 days after the state land planning agency notifies the local government that the plan amendment  
29 package is complete. If timely challenged, this amendment shall become effective on the date the  
30 state land planning agency or the Administration Commission enters a final order determining this  
31 adopted amendment to be in compliance. No development orders, development permits, or land  
32 uses dependent on this amendment may be issued or commence before it has become effective. If  
33 a final order of noncompliance is issued by the Administration Commission, this amendment may  
34 nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of  
35 which resolution shall be sent to the state land planning agency.

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**PASSED AND ADOPTED** this \_\_\_\_\_day of \_\_\_\_\_, 2012, by the City Council of the City of Tavares, Florida.

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

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

Second Reading & Final Adoption: \_\_\_\_\_

ATTEST:

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

Approved as to form:

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

**Exhibit A**

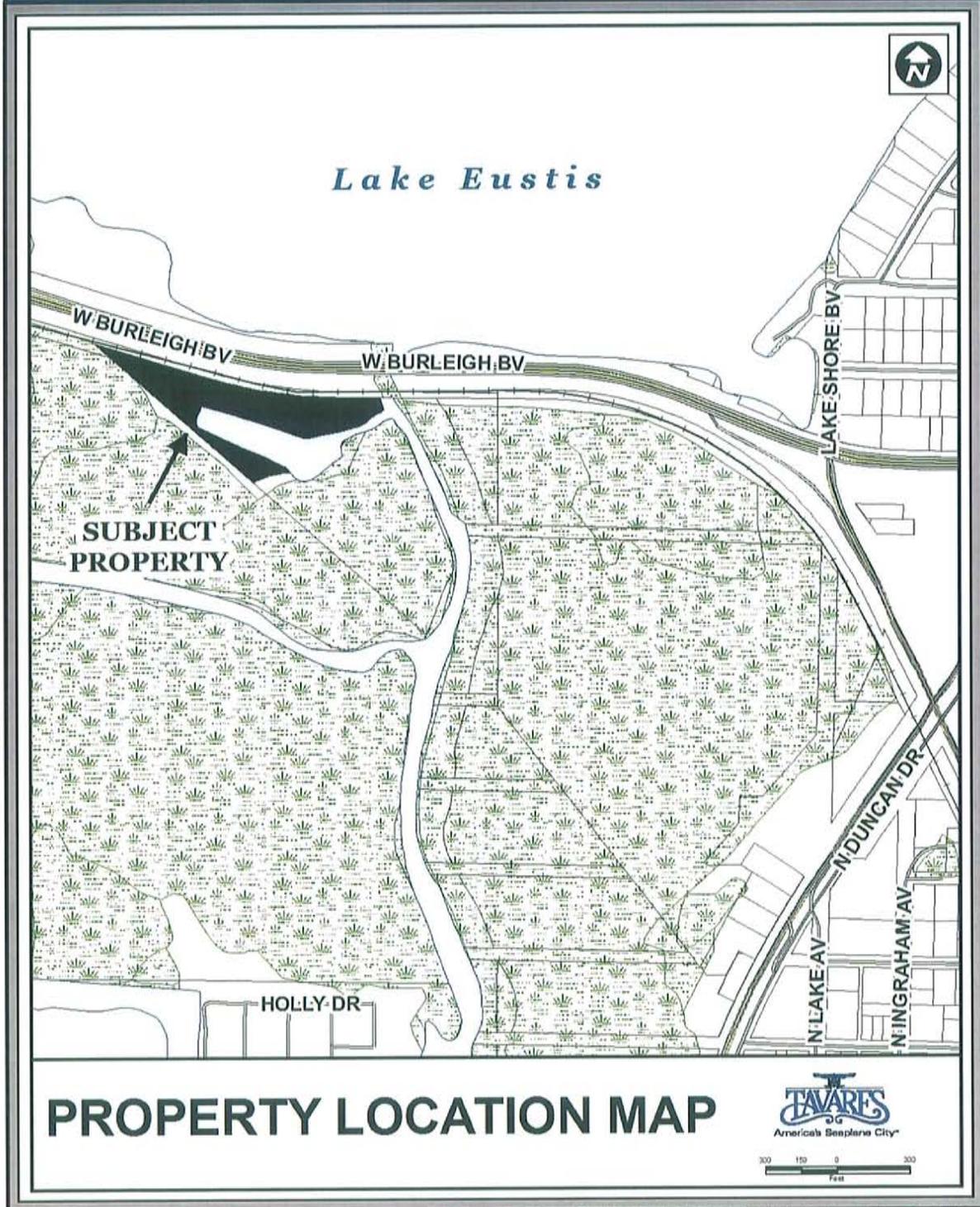
**Legal Description**

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4 THAT PORTION OF GOVERNMENT LOT 8, IN SECTION 30, TOWNSHIP 19 SOUTH, RANGE  
5 26 EAST, LAKE COUNTY, FLORIDA, LYING SOUTH OF THE ABANDONED SEABOARD AIR  
6 LINE RAILROAD RIGHT OF WAY, LESS THE LAND LYING WITHIN 170 FEET OF THE  
7 CENTERLINE OF THE DORA CANAL AND SOUTH OF THE SOUTH LINE OF THE DORA  
8 MARINA BOAT BASIN, AND LESS THAT PORTION LYING WITHIN THE RIGHT OF WAY OF  
9 US HIGHWAY 441.

10  
11 EXCLUDING THOSE LANDS DESIGNATED WETLANDS AND CONSERVATION UNDER  
12 THE CITY OF TAVARES COMPREHENSIVE PLAN AND DESIGNATED WETLANDS  
13 PROTECTION AREA UNDER THE CITY OF TAVARES LAND DEVELOPMENT  
14 REGULATIONS.  
15

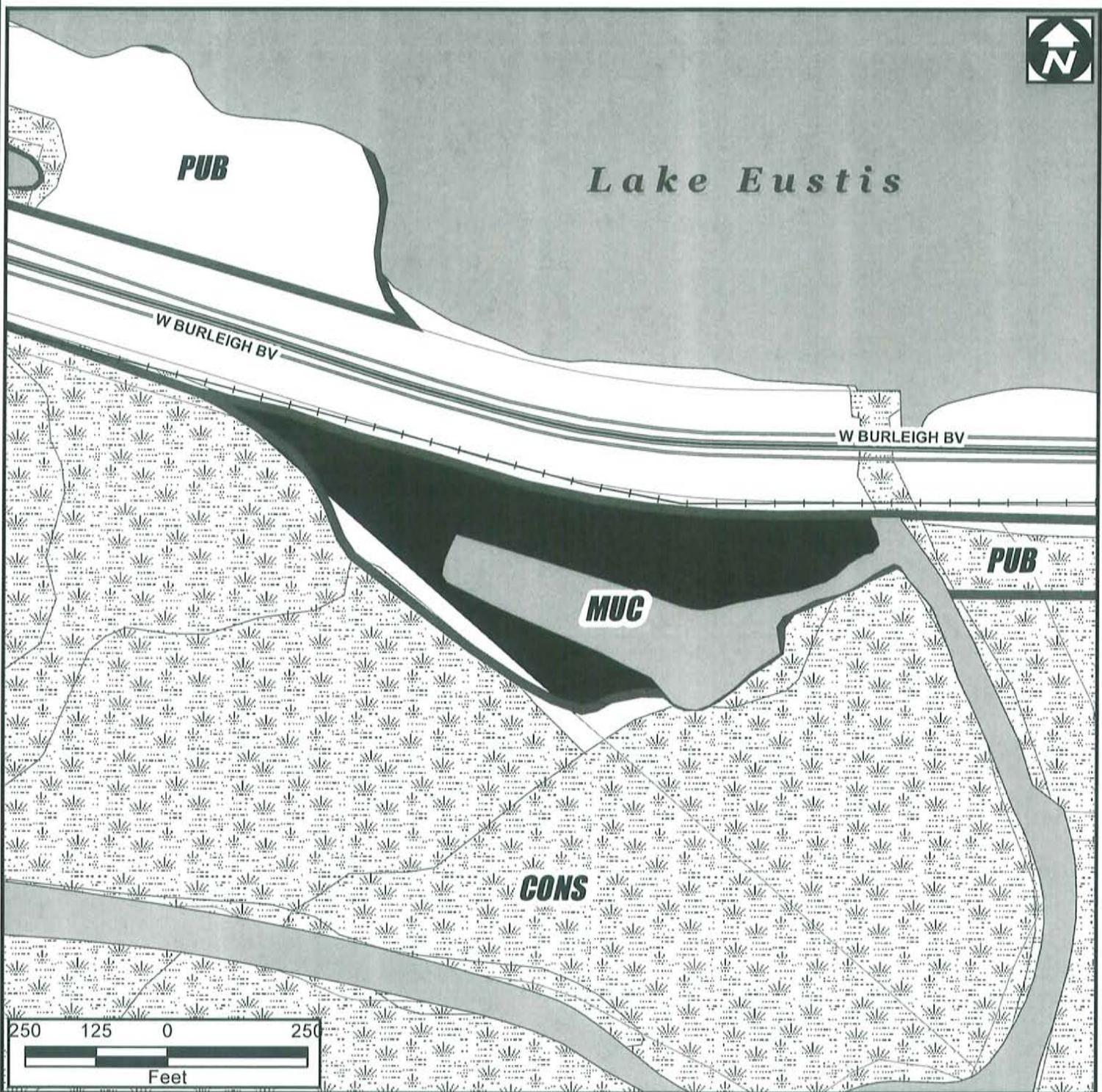
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# CITY OF TAVARES



Created By: City of Tavares GIS F:\PZD\DATA\PROJECT FILES\Babinic Enterprises (formerly Quiet Waters), Rezone, SSFLUM - PZ\2012-12\GIS\GIS\_Maps\BABINEC\_AD.mxd Map Created on 6/26/12

# CITY OF TAVARES ORDINANCE # 2012-18



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



## FUTURE LAND USE MAP ORDINANCE # 2012-18

**Babinec Property**

Current FLU: MUC  
Proposed FLU: COM  
06.2 ± Acres

### Legend

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

Ad Number: 683427-1

Insertion Number:

Size: 3 x 10.5

Color Type: B&W

Client Name: City of Tavares

Advertiser:

Section/Page/Zone: Lake Zone/D004/LAK

Description: ordinance 2012 - 17

RETIRE SMART

## You can't beat the market, so don't waste time trying

By JILL SCHLEISINGER  
Tribune Media Services

I have been fielding a lot of questions lately about purchasing individual stocks in retirement accounts. While the allure of finding the "next big company" can be compelling, how many investors have the knowledge, time and energy to devote to building and maintaining a portfolio of individual stocks? In my experience, very few. And more importantly, the odds of success are against them. Numerous studies have found that beating the market is hard — really hard!

To see just how difficult it can be, look no further than mutual fund professionals, who are supposed to have the skills, staff and connections necessary to beat the relevant stock indexes against which they are compared. While about half of fund managers beat their indexes (before fees) in any given year, very few do so consistently.

Part of manager underperformance can be explained by the annual fees involved in actively managed funds. These include management, administrative and distribution (or 12b-1) fees, and commissions or "loads," all of which can add 2 percent to 3 percent in costs. Fees are an enormous drag on long-term performance, which is why I recommend that you stick to low-cost index funds.

Even without the fees, beating the market is still difficult. Charles D. Ellis, a consultant to large institutional investors, discussed the challenge his profession faces in a recent article in the Financial Analysts Journal called "The Winner's Game." He noted that, "Most investors are not beating the market; the market is beating them... And it's much, much harder to beat the market after costs and fees." Ellis found that the percentage of mutual fund managers who lag their relative index, after fees, is 60 percent in any one year, 70 percent over 10 years and 80 percent over 20 years. The numbers speak for themselves — only one in five managers beats the index over the long run.

Ellis is a consummate insider of the investment management business, which is why we should pay attention when he practically begs his colleagues to stop selling the fallacy of beating the market. "[W]e continue selling what most of us have not delivered and, realistically, will not deliver: beat-the-market investment performance. Most investors have not yet

**David Swensen, the chief investment officer at Yale University, advises individual investors to "invest in a well-diversified portfolio of low-cost index funds."**

caught on to the fact that they would be better off if they put most, if not all, their investments in low-cost index funds or index-matching exchange-traded funds.

Ellis is not the lone voice on the topic. David Swensen, the chief investment officer at Yale University, advises individual investors to "invest in a well-diversified portfolio of low-cost index funds." And even the Oracle of Omaha, Warren Buffett, has said that the best bet for an individual investor "is to just buy a low-cost index fund and keep buying it regularly over time... If you have 2 percent a year of your funds being eaten up by fees, you're going to have a hard time matching an index fund in my view."

Here's the funny thing: I have explained the poor odds and recited these quotes to clients, and yet many of them still believe that they can identify and grow rich from the next Apple or Google stock. While optimism can be a wonderful thing in life, it may be better to be objective when it comes to investing. Academic data suggests that even when there are cases of investors beating the market, the outperformance is a result of good luck. Good luck is nothing to sneeze at, but relying on it as a retirement strategy is unwise.

If I haven't yet convinced you to avoid individual stocks, then make sure that you limit your downside risk. The best way to do so is to keep your individual stocks to a small portion of your overall portfolio — say, 5 percent of your total invested assets. This way, stock picking can be an enjoyable hobby and an interesting intellectual diversion, but not something that could decimate your savings and retirement funds.

Jill Schleisinger is editor-at-large for CBSMoneyWatch.com. Contact her with questions and comments at askjill@moneywatch.com.

## THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2012-17 and Ordinance 2012-18 listed as follows:

**ORDINANCE 2012-17**

AN ORDINANCE OF THE CITY OF TAVARES REZONING APPROXIMATELY 6.2 ACRES LOCATED ON THE SOUTH SIDE OF US HIGHWAY 441, WEST OF STATE ROAD 19 FROM PD (PLANNED COMMERCIAL DEVELOPMENT) TO C-2 (HIGHWAY COMMERCIAL), SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL, PROVIDING AN EFFECTIVE DATE.

**ORDINANCE 2012-18**

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE FUTURE LAND USE MAP 2020 PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 6.2 ACRES OF LAND GENERALLY LOCATED ON THE SOUTH SIDE OF US HIGHWAY 441, WEST OF STATE ROAD 19 FROM MUC (MIXED USE COMMERCIAL) TO COM (COMMERCIAL), SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL, PROVIDING AN EFFECTIVE DATE.

Proposed Ordinance 2012-17 and Ordinance 2012-18 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on July 19, 2012, at 3 p.m., and
2. Tavares City Council meeting on August 1, 2012, at 4 p.m. (Introduction and First Reading by the City); and
3. Tavares City Council meeting on August 15, 2012, at 4 p.m. (Second Reading)

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

Proposed Ordinance 2012-17 and Ordinance 2012-18 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

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

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department, City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 7 (seven) working days prior to the date of the Public Hearing, if you are hearing or voice impaired, call: (352) 742-6433.

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



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Alan Boone, HAS, BC-HIS President & Wife Linda

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
AUGUST 1, 2012**

**AGENDA TAB NO. 11**

**SECOND READING**

**SUBJECT TITLE: Ordinance 2012-15  
416 West Caroline Street-Rezoning**

---

**OBJECTIVE:**

To consider the rezoning of approximately .14 acres of property (416 West Caroline Street) located on the north side of West Caroline Street between Barrow and North Sinclair Avenues from RMF-2 (Residential Multi-Family) to MU (Mixed Use).

**SUMMARY:**

The subject property, 416 West Caroline, is located on the north side of West Caroline Street, between Barrow and North Sinclair Avenues. The property is approximately .14 acres in size (60'x100') and is owned by Evelyn Andrews. The owner desires to convert part of an existing home located on the property to an office use associated with legal depositions. Adjacent lands abutting to the east and across the street are presently zoned Mixed Use. A single family dwelling abuts the property on the west side. The alleyway that runs along the east property line (Clara Adams Alleyway) is on the city's improvement list and the design for this is currently being engineered by BESH as part of our Alfred/Caroline Streetscaping Project. With the reconstruction of Alfred and Caroline Streets as one-way pairs, our Downtown Master Plan anticipates that properties along these streets will be redeveloped as professional offices, live/work buildings and small, low-density residential apartments. This vision is consistent with this proposed rezoning to Mixed-Use. If the rezoning is approved, any site improvements that may be triggered by the change of use of the existing building will comply with the city's land development regulations including the requirement for an approved site plan.

**OPTIONS:**

1. That City Council moves to approve Ordinance 2012-15.
2. That City Council denies the proposed rezoning.

**PLANNING & ZONING BOARD RECOMMENDATION:**

At its June 21<sup>st</sup> meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2012-15.

**STAFF RECOMMENDATION:**

Staff recommends that City Council moves to approve Ordinance 2012-15.

**FISCAL IMPACT:** N/A

**LEGAL SUFFICIENCY:**

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

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**ORDINANCE 2012-15**

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY .14 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF WEST CAROLINE STREET BETWEEN BARROW AND NORTH SINCLAIR AVENUES FROM RMF-2 (RESIDENTIAL MULTI-FAMILY) TO MU (MIXED USE); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the owner of property described in Exhibit "A" attached hereto, is requesting to rezone said property from RMF-2 (Residential Multi-Family) to MU (Mixed Use); and

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

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

**WHEREAS**, the City is concurrently processing an amendment to the City's Comprehensive Plan to re-designate the property from Medium Density Residential to Mixed Use Commercial on the Future Land Use Map 2020; and

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

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

**Section 1. Rezoning**

The said property, as legally defined in Exhibit "A", attached hereto and made a part herewith, is hereby rezoned from RMF-2 (Residential Multi-Family) to MU (Mixed Use), under the specific provisions as established by the City of Tavares Land Development Regulations.



EXHIBIT A

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The East 60 feet of Lots E and F, Block 37, Map of Tavares, according to the plat thereof as recorded in Plat Book 1, Page 64, of the Public Records of Lake County, Florida.

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Subject to all easements, restrictions, rights-of-way, reservations of record and taxes accruing subsequent to December 31, 2005.

# CITY OF TAVARES



Created By: City of Tavares GIS      F:\P2\DATA\PROJECT FILES\Andrews Property(416 W Caroline St). Rezone. SSFLUM - P22012-09\GIS\GIS\_Maps\ANDREWS\_AD.mxd      Map Created on 5/30/12

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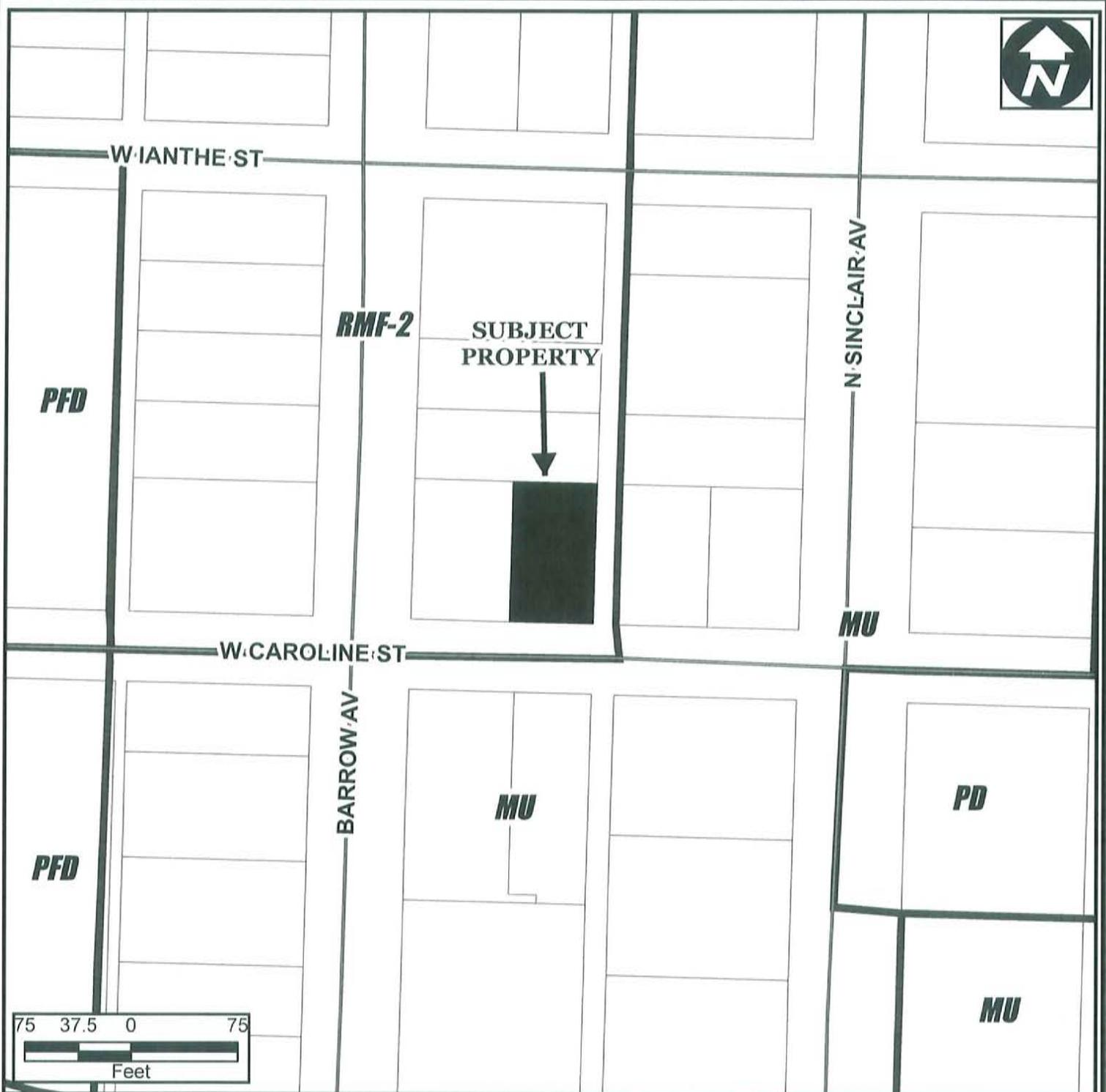
# CITY OF TAVARES



## PROPERTY LOCATION MAP 416 W. Caroline St.



# CITY OF TAVARES ORDINANCE # 2012-15



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



## ZONING MAP ORDINANCE # 2012-15

**416 W. Caroline St.**

Current Zoning: RMF-2  
Proposed Zoning: MU  
0.14 ± Acres

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

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3 **CASES TO BE HEARD**  
4

5 **1) Andrews Property – 416 W. Caroline St. - Rezoning Ordinance 2012-15**  
6

7 Jacques Skutt, Community Development Director provided the following staff report;  
8

9 The subject property, 416 West Caroline, is located on the north side of West Caroline Street,  
10 between Barrow and North Sinclair Avenues. The property is approximately .14 acres in size  
11 (60'x100') and is owned by Evelyn Andrews. The owner desires to convert part of an existing  
12 home located on the property to an office use associated with legal depositions. Adjacent  
13 lands abutting to the east and across the street are presently zoned Mixed Use. A single family  
14 dwelling abuts the property on the west side. The alleyway that runs along the east property  
15 line (Clara Adams Alleyway) is on the city's improvement list and the design for this is currently  
16 being engineered by BESH as part of our Alfred/Caroline Streetscaping Project. With the  
17 reconstruction of Alfred and Caroline Streets as one-way pairs, our Downtown Master Plan  
18 anticipates that properties along these streets will be redeveloped as professional offices,  
19 live/work buildings and small, low-density residential apartments. This vision is consistent with  
20 this proposed rezoning to Mixed-Use. If the rezoning is approved, any site improvements that  
21 may be triggered by the change of use of the existing building will comply with the city's land  
22 development regulations including the requirement for an approved site plan.  
23

24 Staff recommended that the Planning and zoning Board move to recommend approval of  
25 Ordinance 2012-15.  
26

27 Chairman Adams asked if there was anyone in the audience who would like to make a  
28 comment. Evelyn Andrews, property owner, said that she was available to answer questions.  
29

30 John Tanner said he supported the motion because it is consistent with the Dometown Master  
31 Plan. Gary Santoro agreed.  
32

33 **MOTION**  
34

35 **Sam Grist moved to recommend approval of Ordinance 2012-15. The motion was**  
36 **seconded by Richard Root. The motion carried 6-0.**  
37

38 **2) Andrews Property – 416 W. Caroline St. - SSFLUM - Ordinance 2012-16**  
39

40 Jacques Skutt, Community Development Director provided the following staff report;  
41

42 Ordinance 2012-16 proposes a small scale amendment to the Future Land Use Map 2020 of the  
43 Comprehensive Plan.  
44

45 The subject property (Parcel Alternate Key Number 1754739) is .14 acres in size, located on  
46 the north side of West Caroline Street between Barrow and North Sinclair Avenues. An  
47 application to rezone this property to Mixed Use is concurrently under consideration. This  
48 ordinance would amend the current Future Land Use Designation from Medium Density  
49 Residential to Mixed Use Commercial.

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
AUGUST 1, 2012**

**AGENDA TAB NO. 12**

**SECOND READING**

**SUBJECT TITLE: Ordinance 2012-16  
Small Scale FLUM Amendment- Andrews Property  
416 West Caroline Street**

---

**OBJECTIVE:**

To consider a Future Land Use Map amendment for approximately .14 acres of property (416 West Caroline Street) located on the north side of West Caroline Street between Barrow and North Sinclair Avenues from Medium Density Residential to Mixed Use Commercial.

**SUMMARY:**

Ordinance 2012-16 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 1754739) is .14 acres in size, located on the north side of West Caroline Street between Barrow and North Sinclair Avenues. An application to rezone this property to Mixed Use is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from Medium Density Residential to Mixed Use Commercial.

**Future Land Use Amendment/Compatibility**

With the reconstruction of Alfred and Caroline Streets as one-way pairs, our Downtown Master Plan anticipates that properties along these streets will be redeveloped as professional offices, live/work buildings and small, low-density residential apartments. Properties abutting to the east and across the street to the subject property bear a Mixed Use future land use designation. A Mixed Use Commercial designation is most compatible with surrounding property and with the city's future vision for this corridor.

**Site Conditions**

The owner desires to convert part of an existing home located on the property to an office use associated with legal depositions. A site plan demonstrating compliance with all city regulations including applicable state and federal environmental laws must be approved prior to the issuance of permits allowing site modifications.

**Impact on City Services**

The subject property is connected to municipal water and sewer utilities. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. It is anticipated that this amendment will not implicate any significant increase on Levels of Service.

## FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Mixed Use Commercial Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.
2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 7A)

## OPTIONS:

1. That City council moves to approve Ordinance 2012-16.
2. That City Council denies the proposed Future land Use map amendment.

## PLANNING & ZONING BOARD RECOMMENDATION:

At its June 21<sup>st</sup> meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2012-16.

## STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2012-16.

## FISCAL IMPACT:

N/A

## LEGAL SUFFICIENCY:

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

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**ORDINANCE 2012-16**

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**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY .14 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF WEST CAROLINE STREET BETWEEN BARROW AND NORTH SINCLAIR AVENUES; FROM MEDIUM DENSITY RESIDENTIAL TO MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**WHEREAS**, the owner of property described in Exhibit "A" attached hereto, is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of said property from Medium Density Residential to Mixed Use Commercial; and

**WHEREAS**, the property consists of less than ten acres; and

**WHEREAS**, the City of Tavares has advertised as required by law for two public hearings prior to adoption of this ordinance; and

**WHEREAS**, the City has held such public hearings and the records of the City provide that the owners of the land affected have been notified as required by law; and

**WHEREAS**, the City desires to encourage mixed uses in this particular area of the City; and

**WHEREAS**, a Mixed Use Commercial Future Land Use designation is compatible with surrounding future land use designations; and

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

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

1           **WHEREAS**, the City Council finds this amendment in compliance with Chapter 163,  
2 Florida Statutes, and the City of Tavares Comprehensive Plan; and

3  
4           **WHEREAS**, adoption of this amendment is in the best interest of the health, safety, and  
5 general welfare of the citizens of Tavares;

6  
7           **NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Tavares,  
8 Florida as follows:

9  
10 **Section 1. Future Land Use Amendment**

11           The Comprehensive Plan and Future Land Use Map 2020 of the City of Tavares,  
12 Florida, is hereby amended to reflect a re-designation from Medium Density Residential to  
13 Mixed Use Commercial on certain real property as legally described in Exhibit "A". All  
14 provisions of the Comprehensive Plan shall hereby apply to said property.

15  
16 **Section 2. Severability and Conflicts**

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

21  
22 **Section 3. Transmittal**

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

30  
31 **Section 4. Effective Date**

32           The effective date of this plan amendment, if the amendment is not timely challenged,  
33 shall be 31 days after the state land planning agency notifies the local government that the plan  
34 amendment package is complete. If timely challenged, this amendment shall become effective  
35 on the date the state land planning agency or the Administration Commission enters a final order

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

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**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012 by the City Council of  
the City of Tavares, Florida.

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

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

Second Reading & Final Adoption: \_\_\_\_\_

ATTEST:

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

Approved as to form:

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



# CITY OF TAVARES



Created By: City of Tavares GIS F:\P20\DATA\PROJECT FILES\Andrews Property(416 W Caroline St). Rezone. SSFLUM - PZ2012-09\GIS\GIS\_Maps\ANDREWS\_A0.mxd Map Created on 5/30/12

# CITY OF TAVARES ORDINANCE # 2012-16



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



## FUTURE LAND USE MAP

## ORDINANCE # 2012-16

416 W. Caroline St.

Current FLU: MED  
Proposed FLU: MUC

0.14 ± Acres

### Legend

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

1  
2  
3 **CASES TO BE HEARD**  
4

5 **1) Andrews Property – 416 W. Caroline St. - Rezoning Ordinance 2012-15**  
6

7 Jacques Skutt, Community Development Director provided the following staff report;  
8

9 The subject property, 416 West Caroline, is located on the north side of West Caroline Street,  
10 between Barrow and North Sinclair Avenues. The property is approximately .14 acres in size  
11 (60'x100') and is owned by Evelyn Andrews. The owner desires to convert part of an existing  
12 home located on the property to an office use associated with legal depositions. Adjacent  
13 lands abutting to the east and across the street are presently zoned Mixed Use. A single family  
14 dwelling abuts the property on the west side. The alleyway that runs along the east property  
15 line (Clara Adams Alleyway) is on the city's improvement list and the design for this is currently  
16 being engineered by BESH as part of our Alfred/Caroline Streetscaping Project. With the  
17 reconstruction of Alfred and Caroline Streets as one-way pairs, our Downtown Master Plan  
18 anticipates that properties along these streets will be redeveloped as professional offices,  
19 live/work buildings and small, low-density residential apartments. This vision is consistent with  
20 this proposed rezoning to Mixed-Use. If the rezoning is approved, any site improvements that  
21 may be triggered by the change of use of the existing building will comply with the city's land  
22 development regulations including the requirement for an approved site plan.  
23

24 Staff recommended that the Planning and zoning Board move to recommend approval of  
25 Ordinance 2012-15.  
26

27 Chairman Adams asked if there was anyone in the audience who would like to make a  
28 comment. Evelyn Andrews, property owner, said that she was available to answer questions.  
29

30 John Tanner said he supported the motion because it is consistent with the Downtown Master  
31 Plan. Gary Santoro agreed.  
32

33 **MOTION**  
34

35 **Sam Grist moved to recommend approval of Ordinance 2012-15. The motion was**  
36 **seconded by Richard Root. The motion carried 6-0.**  
37

38 **2) Andrews Property – 416 W. Caroline St. - SSFLUM - Ordinance 2012-16**  
39

40 Jacques Skutt, Community Development Director provided the following staff report;  
41

42 Ordinance 2012-16 proposes a small scale amendment to the Future Land Use Map 2020 of the  
43 Comprehensive Plan.  
44

45 The subject property (Parcel Alternate Key Number 1754739) is .14 acres in size, located on  
46 the north side of West Caroline Street between Barrow and North Sinclair Avenues. An  
47 application to rezone this property to Mixed Use is concurrently under consideration. This  
48 ordinance would amend the current Future Land Use Designation from Medium Density  
49 Residential to Mixed Use Commercial.

1  
2           Future Land Use Amendment/Compatibility

3 With the reconstruction of Alfred and Caroline Streets as one-way pairs, our Downtown Master Plan  
4 anticipates that properties along these streets will be redeveloped as professional offices, live/work  
5 buildings and small, low-density residential apartments. Properties abutting to the east and across the  
6 street to the subject property bear a Mixed Use future land use designation. A Mixed Use Commercial  
7 designation is most compatible with surrounding property and with the city's future vision for this  
8 corridor.  
9

10           Site Conditions

11 The owner desires to convert part of an existing home located on the property to an office use  
12 associated with legal depositions. A site plan demonstrating compliance with all city regulations including  
13 applicable state and federal environmental laws must be approved prior to the issuance of permits allowing  
14 site modifications.  
15

16           Impact on City Services

17 The subject property is connected to municipal water and sewer utilities. The City's Concurrency  
18 Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted  
19 levels of service for all regulated public facilities. It is anticipated that this amendment will not implicate any  
20 significant increase on Levels of Service.  
21

22           FINDINGS

23 This amendment request is considered to be in compliance with the Comprehensive Plan Goals,  
24 Objectives and Policies with the following findings:  
25

- 26           1. A Mixed Use Commercial Future Land Use designation would serve as the most appropriate  
27           land use for the subject property in accordance with Future Land Use policy 1-1.1.6.
- 28           2. Impacts of the proposed development of the subject property shall be monitored through the  
29           City's Concurrency Management System. (Comp Plan, Chapter 7A)  
30

31  
32 Staff recommended that the Planning and zoning Board move to recommend approval of  
33 Ordinance 2012-16.  
34

35 Chairman Adams asked if there was anyone in the audience who would like to make a  
36 comment. Evelyn Andrews, property owner, said that she was available to answer questions.  
37

38 John Tanner commented that this is a formality in support of the earlier motion and that he  
39 supported it.  
40

41           **MOTION**

42  
43 **John Tanner moved to recommend approval of Ordinance 2012-16. The motion was**  
44 **seconded by Gary Santoro. The motion carried 6-0.**  
45

46           **OTHER BUSINESS**

47  
48 ~~In response to John Tanner's question, Jacques Skutt said that he communicated to City~~  
49 ~~Council the Planning and Zoning Board's concern regarding billboards. He went on to say that~~  
50 ~~at the July City Council meeting, he will present a staff report which will give Council an~~  
51 ~~opportunity to review the regulations regarding billboards and convey the Planning and Zoning~~

Client Name: City of Tavares  
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## THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2012-15 and Ordinance 2012-16 listed as follows:

**ORDINANCE 2012-15**

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 14 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF WEST CAROLINE STREET BETWEEN BARROW AND NORTH SINCLAIR AVENUES FROM RMP-F2 (RESIDENTIAL MULTI-FAMILY) TO MU (MIXED USE); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE 2012-16**

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 14 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF WEST CAROLINE STREET BETWEEN BARROW AND NORTH SINCLAIR AVENUES; FROM MEDIUM DENSITY RESIDENTIAL TO MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2012-15 and Ordinance 2012-16 will be considered at the following public meetings:

- Tavares Planning & Zoning Board meeting on June 21, 2012, at 3 p.m., and
- Tavares City Council meeting on July 18, 2012, at 4 p.m. (Introduction and First Reading by Title Only); and
- Tavares City Council meeting on August 1, 2012, at 4 p.m. (Second Reading).

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

Proposed Ordinance 2012-15 and Ordinance 2012-16 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

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

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

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

**CITY OF TAVARES**

**PROPERTY LOCATION MAP**  
 416 W. Caroline St.

## Sign up for 5K in Leesburg to aid the visually impaired

BY DEBBIE MANIS

The 5K run/walk, which begins at 8 a.m. on July 7 and 8 at Hickory Point Recreational Complex in Tavares.

The Lake County Soccer Club will host the final qualifier in 3v3 soccer for national-championship matches. Fast-growing 3v3 soccer is played on a smaller field, with smaller goals and no goalies, which results in simpler games with lots of action and high scores.

The top teams will qualify to participate at the championships to be held at ESPN Wide World of Sports Complex at Walt Disney World Resort from Aug. 2 through 5.

The tournament is open to age groups five to adult with a maximum of six players on the roster.

Anyone interested in joining or forming a team should call 352-676-1373 or email 3v3@challengesports.com.

**Relay for Life**

The American Cancer Society's Relay for Life in the Eustis/Tavares area, which was held May 4 and 5 at Tavares High School, raised \$60,383.28.

The annual overnight event celebrates cancer survivors, remembers loved ones and raises money for the fight against cancer. In each community, team members take to the track, and one person from each team remains on the track during the 18 to 24 hours.

The top fundraising teams were the City of Eustis, which raised \$4,526.23 and Lake Mechanical Contractors "Plan of the Tavas" brought in \$4,521.25.

**Cookbook recipes**

KidQuest Summer Survivor Camp, sponsored by the Mount Dora Parks and Recreation Department, is seeking fun and easy recipes for a cookbook, which will be made by the students.

All proceeds from the cookbook will benefit the youth scholarship program.

Submit recipes by email to Melodie Law at lawm@cityofmountdora.com or Jill Santos at santosj@cityofmountdora.com or drop off at the Parks and Recreation office, 900 N. Donnelly St., during business hours.

Orlando Sentinel, 1808 E. Burleigh Blvd., Tavares, FL 32778-4366, fax 352-742-5918 or dmanis@tribune.com.

## Health, wellness fair

A health, wellness and fun fair benefiting New Beginnings, a ministry that helps the homeless, is scheduled from 10 a.m. to 2 p.m. July 14 at the Wesley Center at First United Methodist Church, 950 Seventh St., Clermont.

Free medical screenings, free bounce

**Club meetings**

- Chapter 169 of the Korean War Veterans Association of Lake County will meet at 2 p.m. Wednesday at the Leesburg Senior Center, 1211 Penn St. Al Schuetz, a member of the KWVA, will speak about his recent trip to Korea.
- All veterans who served in Korea are invited. Details visit <http://cidskewa.org> or call 352-205-8536.
- The Highlanders Chapter of the Florida Trail Association will meet at 6 p.m. Thursday in Room A of the Leesburg Public Library, 100 E. Main St. There will be a presentation by the Florida Fish and Wildlife Conservation Commission.

Participants are encouraged to bring a snack to share and aluminum cans to recycle.

Details: 352-787-8654 or hobbizaroo@earthlink.com.

## Moms at Work

ORLANDOSENTINEL.COM/MOMSATWORK

### 7 on 13: How the little one views the teenager

It is amusing — when not exasperating — to have a newly minted teenager in the house. It is particularly amusing to watch the teen through a 7-year-old's eyes.

When she opens the bathroom door and is assaulted by the smell of body wash, she shrugs, "Too much OX." Well, it's Axe, honey, but agreed. Way Too Much.

She calls her brother the "evil nut." Affectionately, of course.

When asked to relay him a message, she comes back to report, "he's doing regular big kid stuff, like texting."

She is intrigued by his texting, especially when it involves girls, as she thinks it might lead to a date and a chance for her to get to sing that song about sitting in a tree and ki-ki-ski-ing.

She views his personal hygiene (despite the copious amounts of Axe) as questionable, so she is horrified to discover that while putting away laundry, he has accidentally left a pair of his boxers in her dresser. "How did those disgusting things get in my drawer?" she thinks, carrying them in such a way that she is barely touching the offending article, a tiny section of waist band clipped between two fingernails.

She asks to read some new comic book he's acquired, but he declines, telling her it has inappropriate bad words: "I can't read bad words yet," she assures him with perfect first grader confidence. (Only later do I think, wait, what bad words?)

She complains about him — and then sits next to him on the couch brushing his hair so it looks just like "Justin Beaver." And while he tells her "Bieber, not Beaver," for not the first time, he allows her to continue to make a creative mess of his hair.

Leslie Postol

## PICKLES

WANT AGE THOSE YEARS GO BACK? ARMY, GRAMMA!

THEY'RE JUST BRASH FROM WOODING IN THE WOODS!

YOU COME YOU GET BRUSHED!

WELL, AS WE GET OLDER, OUR SKIN BECOMES THINNER AND MORE FRAGILE AND WE BRUSH EASIER.

SO YOU GOT THINNER ON THE CHEEK AND THICKER ON THE NOSE?

**How to reach us: Lake County newsroom contacts**

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 JERRY FALLETTO  
 jfallstrom@orlandosentinel.com  
 352-742-5916

COMMUNITIES EDITOR  
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 deagles@orlandosentinel.com  
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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: August 1, 2012**

**AGENDA TAB NO. 13**

**SUBJECT TITLE: Ordinance #2012- 19 Alternative Water Supply Program –  
Policies & Procedures – Second Reading**

---

**OBJECTIVE:** To consider the approval of Ordinance #2012-19 detailing the policies, regulations and enforcement procedures for the Alternative Water Supply Program.

**SUMMARY**

The city has completed the construction of Phase I of the Reclaimed Water Project which includes distribution piping, the construction of a five million gallon storage tank and some minor upgrades to the existing wastewater facility. It is anticipated that reuse water will begin to be distributed to residents and agricultural customers in the month of August 2012.

Ordinance #2012-19 details the policies, regulations, and enforcement of the City's Alternative Water Supply Program. The program will utilize recycled wastewater (reclaimed water) for irrigation watering which will conserve drinking water. In addition, the program will ensure that adequate drinking water reserves are maintained in support of the city's economic development vision. This Ordinance will help ensure the efficient use of reuse water for all commodities and demonstrate that the city is working towards conserving the Florida Future Water Supply. The ordinance is also part of the application process for a new Consumptive Use Permit from the St. John's River Water Management District.

**OPTIONS:**

1. Move to approve Ordinance #2012-19 to establish operating policies and enforcement of the Alternative Water Supply Program
2. Do not approve Ordinance #2012-19

**STAFF RECOMMENDATION:**

Move to approve Ordinance #2012-19 to establish operating policies and enforcement procedures for the Alternative Water Supply Program.

**FISCAL IMPACT:**

N/A

**LEGAL IMPACT:**

The ordinance has been reviewed by the City Attorney for legal sufficiency.

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ORDINANCE 2012-19

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, ADOPTING DIVISION 11 OF CHAPTER 17 OF THE LAND DEVELOPMENT REGULATIONS ESTABLISHING AN ALTERNATIVE WATER SUPPLY PROGRAM; ESTABLISHING PROCEDURES AND FEES FOR ALTERNATIVE WATER SUPPLY SERVICES; PROVIDING FOR AUTHORITY AND ENFORCEMENT; PROVIDING DEFINITIONS; PROVIDING FOR PUBLICATION ACCORDING TO LAW; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, the City of Tavares wishes to expand the city's existing utility services to include reclaimed and other alternative water supply services in accordance with state law; and

**WHEREAS**, The City of Tavares wishes to establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this Ordinance; therefore:

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

**Division 11 of Chapter 17 of the Land Development Regulations is hereby created as follows:**

**DIVISION 11. ALTERNATIVE WATER SUPPLY**

**Section 17-90. Definitions.**

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

***Alternative Water Supply:*** means water from a source other than the aquifer, such as, stormwater retention ponds, surface water, brackish water, groundwater or from an approved wetland for the purpose of irrigation.

***Augmentation Water:*** means water from a source other than the aquifer, such as, stormwater retention ponds, surface water, brackish water, groundwater or from an approved wetland and blended with the final effluent of a city wastewater treatment plant

***Backflow device:*** means either a dual check device composed of two single independently active check valves, as described in the American Water Works Association Standard C506-78 (R83), and the American Society of Sanitary Engineering Standard 1024, and/or a reduced pressure principle device, as described in the

47 American Water Works Association Standard C506-78 (R83), and/or the American  
48 Society of Sanitary Engineering Standard 1013.

49  
50 **Billing:** means the charge made for alternative water supply service. The charge shall  
51 be included on the monthly utility bill.

52  
53 **Charges:** means those charges set by the city council for costs of providing service,  
54 pursuant to this ordinance.

55  
56 **Cross connection:** refers to any physical connection or arrangement which would  
57 allow the movement of contaminants or fluids between any nonpotable water system,  
58 such as the alternative water supply system, and a potable water system.

59  
60 **Customer:** means the actual user of the alternative water supply system.

61  
62 **DEP:** means the Florida Department of Environmental Protection, or its successor in  
63 function.

64  
65 **Department:** means the Utility Department of the city or its successor in function.

66  
67 **Development:** means a material change in the use or character of the land, including  
68 but not limited to the placement of any structure or substantial alteration on the land.

69  
70 **Director:** means the Director of the Utility Department of the City or successor in title.

71  
72 **Discontinuation of service:** means cessation of a service by physical separation from  
73 the system's service lines to ensure that no service can be received.

74  
75 **PE:** means polyethylene.

76  
77 **Public eating, drinking, bathing facility:** means water fountains, picnic tables,  
78 swimming pools, spas, and food service facilities, such as tables and beverage counters  
79 that are open to and provide service for the public.

80  
81 **PVC:** means polyvinyl chloride.

82  
83 **Reclaimed water:** means treated effluent from a city wastewater treatment plant  
84 supplied through the reclaimed water distribution system.

85  
86 **Reclaimed water reuse system:** means those reclaimed water mains, lines, fittings,  
87 valves and appurtenances installed in public rights-of-way or utility easements, which  
88 are owned by the City.

89  
90 **Service valve:** means the manually operated valve which controls total reclaimed water  
91 flow to the customer's property located at the point where the alternative water supply  
92 service line crosses the property line.

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**Well:** means any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use of such excavation is for the location, acquisition, development or artificial recharge of groundwater.

**Section 17-91. Purpose of Ordinance.**

This ordinance establishes that the city's existing utility will be expanded to include alternative water supply services, if feasible, and responsibilities for facilities owned by the city.

**Section 17-92. Creation of Program.**

The purpose of this ordinance is to create an alternative water supply and reclaimed water reuse program for the city. The purposes of the program are to utilize highly treated reclaimed wastewater and other alternative water supply sources within the city for environmentally suitable purposes and to conserve groundwater supplies for future generations by minimizing the use of potable water from groundwater sources by appropriate uses of alternative water supplies.

The city has elected to create an alternative water supply program in order to reduce demand on the potable water system through reuse/disposal of highly treated reclaimed water by land application or other suitable purposes.

**Section 17-93. Adoption of State Regulations.**

The construction, maintenance and use of the alternative water supply system shall be in accordance with the provisions of F.A.C. 62-610. If any of the provisions of that chapter are more restrictive than the provisions of this LDR, the applicable provisions of F.A.C. 62-610 shall prevail.

**Section 17-94. Promulgation and Enforcement of Alternative Water Supply Service Procedures and Regulations.**

1. The City Administrator or designee shall have the power to promulgate procedures and regulations with respect to the following matters, which procedures and regulations shall become effective upon a resolution approving such procedures and regulations being adopted by the City Council:

(a) Application procedures, forms and requirements, and allowable uses other than irrigation. All uses must be in accordance with applicable DEP regulations.

(b) Installation requirements, including specification of acceptable materials, devices and regulations to prevent backflow or cross connections with other systems.

138 (c) Procedures for enforcement of the ordinances and regulations pertaining  
139 to reclaimed water, including procedures for inspection of the customer's system.

140  
141 (d) Procedures for the orderly expansion of the alternative water supply  
142 system.

143  
144 (e) Procedures and regulations for the efficient operation of the alternative  
145 water supply system.

146  
147 2. Notwithstanding the provisions of this section, the City Administrator or  
148 Designee may, when necessary for the efficient operation of the alternative water  
149 supply system or for the health or safety of the general public or the customer, establish  
150 regulations regarding the following matters, which regulations shall become effective at  
151 the time of promulgation without the need for City Council approval:

152  
153 (a) The times of day or night during which the alternative water may be used by  
154 customers.

155  
156 (b) The maximum rate of use of the alternative water.

157  
158 3. No person shall construct, operate, maintain or allow to remain present on  
159 property owned or controlled by him any device or system which is connected to or  
160 which controls a device or system connected to the city's alternative water supply  
161 system and which is not in compliance with all provisions of DEP regulations and this  
162 ordinance related to alternative water and with all procedures and regulations  
163 promulgated pursuant to this section. Alternative water shall not be directed or piped  
164 into any residence or commercial building. The person who owns or controls the  
165 property upon which such a non compliant device or system is found shall be liable to  
166 the city for the amount by which the costs associated with the securing and/or removal  
167 of the non compliant device or system exceeds the cost of a normal discontinuance of  
168 service. These excess costs shall constitute a lien against the property upon which the  
169 non compliant device or system is located.

170  
171 4. Any customer whose alternative water supply system is in violation of any  
172 city ordinance, regulation or procedure shall be subject to immediate discontinuance of  
173 alternative water supply service. The city shall disconnect alternative water supply  
174 service to any user due to tampering with any service, plumbing cross connections with  
175 another water source, nonpayment of bills, or for any other reason which is deemed by  
176 the department to be detrimental to the system. The city shall disconnect service until  
177 the condition is corrected and all costs due the city are paid. These costs shall include  
178 delinquent billings, disconnection and reconnection charges, and payment for any  
179 damage caused to the system. At no time during the period of disconnection shall the  
180 monthly service charges be abated. Should service be turned on without authorization,  
181 the department shall remove the service and the violator shall be subject to section 1-15  
182 of the Tavares Code of Ordinances. The city shall have the authority to lien the real  
183 property of any user for nonpayment; and if the nonpayment continues for a period of

184 three months following the recording of the lien, the city shall have the right to foreclose  
185 the lien. Such discontinuance of service shall not relieve any person of liability for civil  
186 actions or for criminal or municipal ordinance violation prosecution.

187

188 5. Upon being connected to the city's alternative water supply system, any  
189 existing wells on the subject property shall not continue to be used for irrigation and  
190 shall be disconnected from the irrigation system unless otherwise approved by the  
191 applicable permitting agency and the City Administrator.

192

193 6. All connections shall be made in accordance with policies and regulations  
194 adopted by the city Council. This provision shall not be construed to entitle any person  
195 to cross the property of another to make such connections.

196

197 7. The owners of all the property in the city abutting upon a adjacent public  
198 right-of-way or easement which has existing City reclaimed water "purple pipes" in  
199 actual operation, and upon which is situated a house, building or other structure used  
200 for human occupancy, employment, recreation or other related purposes shall be  
201 required at their own expense to connect such facilities directly with such reclaimed  
202 system in accordance with the provisions of this article within one hundred eighty (180)  
203 days after the date of official notice to do so.

204

205

206 **Section 17-95. Alternative Water Supply System Charges and Fees.**

207

208 1. Any user of the services of the alternative water supply system shall pay  
209 to have the water installed. Once the service is connected, the user shall pay a  
210 minimum monthly availability charge and a usage charge. These charges will be set by  
211 resolution of the City Council, and are on file in the city clerk's office.

212

213 2. Bills for alternative water supply service shall be rendered as a part of the  
214 regular city bill for utility services.

215

216 3. For purposes of this section, an alternative water availability charge is a  
217 charge established by the City Council for the availability of alternative water supply  
218 service provided by the City to a property. Alternative water supply service is deemed  
219 available to a property if an alternative water meter is located at the property regardless  
220 of whether the property is actively receiving alternative water supply service. The  
221 charge shall be billed in the city utility bill of the consumer for those accounts which are  
222 actively receiving alternative water supply service and in a utility bill to the owner of the  
223 property for those properties not actively receiving alternative water supply service. The  
224 City shall establish an Alternative Water Service Rate Schedule.

225

226

227

228 **Section 17-96. Public Easement / Right of Way Requirements.**

229

230 No facilities will be installed under the provisions outlined in this ordinance and  
231 accepted by the city for maintenance unless it is in dedicated public right-of-way or  
232 dedicated public easement. Any new easement shall be adequately sized as approved  
233 by the Utility Director to accommodate construction and maintenance of any alternative  
234 water supply system component. No obstruction of whatever kind shall be planned, built  
235 or otherwise created within the limits of the easement or right-of-way without written  
236 permission of the Utility Director.

237

238 **Section 17-97. Ownership.**

239

240 All alternative water facilities and appurtenances within dedicated public easements,  
241 when constructed or accepted by the city shall become and remain the property of the  
242 City. No person shall, by construction of facilities accepted by the city, acquire any  
243 interest or right in any of these facilities or any portion of such facilities, other than the  
244 privilege of having their property connected for alternative water service in accordance  
245 with this ordinance.

246

247 **Section 17-98. Right to Refuse Service.**

248

249 The City shall have the right, at all times, to refuse to extend service on the basis of a  
250 use detrimental to the system, inadequate supply of alternative water, lack of payment  
251 of required service charge, or for any other reason which, in the judgment of the  
252 Director, will cause the extension not to be to the benefit of the City.

253

254 **Section 17-99. Service Interruption.**

255

256 1. The City reserves the right to temporarily discontinue service to any  
257 portion of, or the entire, alternative water supply system as deemed necessary by the  
258 Utility Director.

259

260 2. The Utility Director shall have the authority to establish schedules to  
261 control the use of the water reuse system in order to reduce maximum pressure  
262 demands on the system and to regulate usage of reused water to balance with supply  
263 and storage availability.

264

265 **Section 17-100. Cross Connection Control.**

266

267 Prior to connecting a user to the alternative water supply system, the public potable  
268 water supply shall be protected by installation, at the user's expense, of an approved  
269 cross connection control assembly.

270

271 **Section 17-101. Unauthorized Work on Alternative Water Supply System.**

272

273 1. No person, unless expressly authorized by the Utility Director or his  
274 designee, shall tamper with, work on, or in any way alter or damage any city alternative  
275 water facility. Tampering or work shall include but is not limited to opening or closing of

276 valves, or causing of any water to flow from the system. No unauthorized person shall  
277 cut into or make any connection with the system. The offending person shall be liable  
278 for the cost of all charges attributable to the correction of such tampering, including legal  
279 expenses; but payment of or correcting of such damage shall not relieve the offending  
280 person from civil or criminal penalties the city or a court of law may impose for a  
281 violation of a city ordinance.

282  
283 2. The service valve located between the alternative water customer's  
284 irrigation system and the city's distribution system may be operated by the customer  
285 only when his private valve, required on the customer's premises, requires repair.

### 286 **Section 17-102. Alternative Water Accounts.**

287  
288  
289 1. Accounts, collections, late fees, reinstatement fees and billing review shall be  
290 performed in the same manner as established in this Section for potable water  
291 accounts.

### 292 **Section 17-103. Inspection.**

293  
294  
295 1. To ensure that all provisions of city ordinances, regulations and  
296 procedures are being observed, the city reserves the right and privilege of inspecting,  
297 removing and/or securing any or all devices installed by the customer which connect to  
298 or control the alternative water.

299  
300 (a) Inspections without cause to believe that an ordinance or regulation is being  
301 violated shall be at reasonable times and shall not exceed a reasonable frequency.

302  
303 (b) Inspections where there is reasonable cause to believe that an ordinance or  
304 regulation is being violated shall be at such times and shall occur with such frequency  
305 as is necessary to establish that an ordinance or regulation is or is not being violated.

306  
307 2. Each customer of alternative water shall, by application, give prior written  
308 consent to entry upon his premises, and thereby waives any other written notice for  
309 such inspection. Failure of the City to obtain such a written waiver shall not affect the  
310 right of the city to proceed pursuant to subsection (a) of this section.

311  
312 3. Refusing to permit an authorized City agent or employee to enter onto the  
313 premises for the purpose of inspecting the customer's alternative water supply system  
314 pursuant to this section shall constitute a violation of this section and shall be grounds  
315 for immediate discontinuance of the alternative water supply service by the city to the  
316 subject premises.

### 317 **Section 17-104. Alternative Water Service for New Subdivisions.**

318  
319 1. *Minimum service requirements.*

322 (a) All new subdivisions developed after the effective date of this Ordinance and  
323 located within the existing City Utility Service Area shall construct alternative water  
324 mains to provide irrigation and other nonpotable service to all lots based on the  
325 projected amount of property to be irrigated, as well as other potential nonpotable uses,  
326 including common elements. Alternative water supply service including required back  
327 flow prevention devices and taps shall be installed for each lot, with a minimum service  
328 tap size of three-fourths inch in diameter. Actual service tap size and potential sharing  
329 of service lines shall be reviewed and approved by engineer. These improvements shall  
330 be completed and in place regardless of whether city alternative water is available to the  
331 project at the time of development. At such time as city alternative water is available  
332 each lot and other property to which a tap was required shall accept city alternative  
333 water supply service.

334  
335 (b) Site development plans for all new development on previously vacant  
336 property where the city alternative water lines adjoin the property shall show irrigation  
337 systems connected to alternative water mains where available. Where such service is  
338 not currently available, site plans shall show irrigation systems which shall be  
339 configured for ultimate connection to alternative water mains by locating pumps or  
340 potable water system connections adjacent to the right-of-way or other planned  
341 alternative water main location.

342  
343 (c) Alternative Water Supply Systems shall be required within all subdivisions  
344 receiving final plats after the effective date of this Ordinance.

345  
346 2. *Existing Landscape Irrigation System.* Existing landscape irrigation  
347 systems located within the city shall accept city alternative water supply service when  
348 available as follows:

349  
350 (a) If the existing irrigation system on such property is using city potable water  
351 for irrigation the property shall connect to the city's alternative water supply service  
352 when it becomes available in an adjacent public right-of-way or easement.

353  
354 (b) If the existing irrigation system on such property is using a private well  
355 located on the property or lake water for irrigation then such property shall connect to  
356 the city's alternative water supply service when it becomes available in an adjacent  
357 public right-of-way or easement.

358  
359 (c) No new irrigation system for landscaping use shall be allowed in the city  
360 unless it connects to the city's alternative water lines if such lines are available in an  
361 adjacent public right-of-way or easement adjacent to the property seeking irrigation.

362  
363  
364 3. *System design.* The layout of alternative water supply systems shall  
365 comply with the adopted standard utility specifications and details of the city.

367 4. *General standards.* Design and installation practices, materials and  
368 methods shall conform to requirements for potable water systems, except where  
369 specifically modified by policies or details adopted for the alternative water supply  
370 system.

371  
372 5. *Main size.* Mains shall be sized based on the anticipated demand for  
373 alternative water use based on land use, soil characteristics and potential nonirrigation  
374 use. Minimum main size shall be six inches in diameter.

375  
376 6. *Extension of lines to project boundaries.* Alternative water mains shall be  
377 designed to stub out to the project boundaries to serve adjacent unserved properties.  
378 This shall include mains in all rights-of-way, across the entire project frontage on  
379 existing roads without existing mains, and to the property boundary via easement when  
380 no other access is available to unserved properties.

381  
382 7. *Color coding of alternative water appurtenances.* All alternative water  
383 supply materials shall be color coded purple from the manufacturer.

384  
385 8. *Availability.* Availability shall mean the city having sufficient capacity  
386 to provide service to a subject property and the alternative water lines being physically  
387 located in a public right-of-way or easement adjacent to the property to be served.

388  
389 **Section 17-105. Reclaimed Irrigation and Schedule.**

390  
391 1. Landscape irrigation at odd-numbered addresses must only occur on  
392 Wednesday and Saturday and must not occur between 10:00 a.m. and 4:00 p.m. daily.

393  
394 2. Landscape irrigation at even-numbered addresses or no address must  
395 only occur on Thursday and Sunday and must not occur between 10:00 a.m. and 4:00  
396 p.m. daily.

397  
398 3. No landscape irrigation shall occur on Mondays, Tuesdays or Fridays  
399 unless a written variance has been previously granted by the City.

400  
401 4. It is prohibited and unlawful to irrigate landscaping inconsistently with the  
402 provisions of this section unless otherwise stipulated by the City's Code of Ordinances  
403 or Land Development Regulations.

404  
405 5. No single zone shall be watered more than two (2) times per week.

406  
407  
408 **PASSED AND ORDAINED** this \_\_\_\_ day of \_\_\_\_\_, 2008, by the City  
409 Council of the City of Tavares, Florida.

410

411 ATTEST:

412

413

414 \_\_\_\_\_  
Nancy Barnett, City Clerk

415

416

417 Approved as to Form:

418

419

420 \_\_\_\_\_

421 Robert Q. Williams, City Attorney

422

423

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

425

426 Passed Second Reading: \_\_\_\_\_

427

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

Orlando Sentinel/Lake Sentinel  
Sunday Edition; July 22, 2012  
Ordinance 2012-19

### Public Hearing Notices

#### CITY OF TAVARES

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider the Ordinance 2012-19, Second Reading, on August 1, 2012 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

#### ORDINANCE 2012- 19

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, ADOPTING DIVISION 11 OF CHAPTER 17 OF THE LAND DEVELOPMENT REGULATIONS ESTABLISHING AN ALTERNATIVE WATER SUPPLY PROGRAM; ESTABLISHING PROCEDURES AND FEES FOR ALTERNATIVE WATER SUPPLY SERVICES; PROVIDING FOR AUTHORITY AND ENFORCEMENT; PROVIDING DEFINITIONS; PROVIDING FOR PUBLICATION ACCORDING TO LAW; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE

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

LAK1195245

07/22/2012

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: August 1, 2012**

**AGENDA TAB NO. 14**

---

**SUBJECT TITLE: Ordinance #2012-20 – Amendment to Police Officer’s Trust Fund (Pension Plan) to Comply with State Statutes – Second Reading**

**OBJECTIVE:** To obtain Council authorization of City of Tavares Ordinance 2012-20.

**SUMMARY:**

The City of Tavares currently offers a retirement benefits plan to its pension benefit-eligible sworn staff members through the Tavares Police Officers' Trust Fund (Pension Plan). Effective July 1, 2011, the Florida Legislature adopted the requirements of Chapter 2011-216, Laws of Florida which provides, for service earned after that July 1, 2011, that “salary” shall not include more than three hundred (300) hours of overtime per fiscal year and shall also not include payments for accrued unused sick or annual leave.

The law also provides that for payments for overtime in excess of three hundred (300) hours per year or accrued unused sick or annual leave accrued as of July 1, 2011 and attributable to service earned prior to July 1, 2011, may still be included in “salary” for Pension purposes; event if the payment is not actually made until on or after July 1 2011.

In addition, with respect to accrued unused annual leave accrued prior to July 1, 2011, “salary” will include the lesser of the amount of sick or annual leave time accrued on July 1, 2011; or the actual amount of sick or annual leave time for which the retiree receives payment at the time of retirement, regardless of whether the amount of sick or annual leave, at some time prior to retirement, reduced below the amount on July 1, 2011.

**OPTIONS:**

1. Move to authorize City of Tavares Ordinance 2012-20.

**STAFF RECOMMENDATION:**

Option 1: Authorize City of Tavares Ordinance 2012-20 as a ministerial function, in compliance with Florida law.

**FISCAL IMPACT:** No fiscal impact.

**LEGALLY SUFFICIENCY:** The ordinance is legally sufficient

ORDINANCE NO. 2012-20

AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-71, DEFINITIONS TO AMEND THE DEFINITION OF "SALARY"; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1: That Chapter 15, Pensions and Retirement, Article IV, Police Officers' Pension Trust Fund, of the Code of Ordinances of the City of Tavares, is hereby amended by amending Section 15-71, Definitions, to amend the definition of "*Salary*" to read as follows:

\* \* \* \* \*

*Salary* means total compensation paid to a member for services rendered to the City as a Police Officer reportable on the Member's W-2 form plus all tax deferred, tax sheltered, or tax exempt items of income derived from elective employee payroll deductions or salary reductions, including lump sum payments of vacation and sick time, but not including any payments for extra duty or a special detail work performed on behalf of a second party employer. For service earned after July 1, 2011, Salary shall not include more than three hundred (300) hours of overtime per fiscal year and shall also not include payments for accrued unused sick or annual leave. Provided however, in any event, payments for overtime in excess of three hundred (300) hours per year or accrued unused sick or annual leave accrued as of July 1, 2011 and attributable to service earned prior to July 1, 2011, may still be included in Salary for pension purposes even if the payment is not actually made until on or after July 1, 2011. In any event, with respect to unused sick leave and unused annual leave accrued prior to July 1, 2011, Salary will include the lesser of the amount of sick or annual leave time accrued on July 1, 2011 or the actual amount of sick or annual leave time for which the retiree receives payment at the time of retirement, regardless of whether the

amount of sick or annual leave was, at some time prior to retirement, reduced below the amount on July 1, 2011.

Compensation in excess of the limitations set forth in Section 401(a)(17) of the Code as of the first day of the plan year shall be disregarded for any purpose, including employee contributions or any benefit calculations. The annual compensation of each member taken into account in determining benefits or employee contributions for any plan year beginning on or after January 1, 2002, may not exceed \$200,000, as adjusted for cost-of-living increases in accordance with Internal Revenue Code Section 401(a)(17)(B). Compensation means compensation during the fiscal year. The cost-of-living adjustment in effect for a calendar year applies to annual compensation for the determination period that begins with or within such calendar year. If the determination period consists of fewer than 12 months, the annual compensation limit is an amount equal to the otherwise applicable annual compensation limit multiplied by a fraction, the numerator of which is the number of months in the short determination period, and the denominator of which is 12. If the compensation for any prior determination period is taken into account in determining a member's contributions or benefits for the current plan year, the compensation for such prior determination period is subject to the applicable annual compensation limit in effect for that prior period. The limitation on compensation for an "eligible employee" shall not be less than the amount which was allowed to be taken into account hereunder as in effect on July 1, 1993. "Eligible employee" is an individual who was a Member before the first Plan Year beginning after December 31, 1995.

\* \* \* \* \*

**SECTION 2:** Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Tavares.

**SECTION 3:** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**SECTION 4:** If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

**SECTION 5:** That this Ordinance shall become effective upon its adoption.

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

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

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

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

ATTEST:

\_\_\_\_\_  
Nancy A. Barnett  
CITY CLERK

Approved as to form:

\_\_\_\_\_  
Robert Q. Williams  
CITY ATTORNEY

dm/tav/pol/01-20-12.ord

Orlando Sentinel/Lake Sentinel  
Sunday Edition; July 22, 2012  
Ordinance 2012-20

City of Tavares

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider the Ordinance 2012-20, Second Reading, on August 1, 2012 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

**ORDINANCE 2012- 20**

**AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-71, DEFINITIONS TO AMEND THE DEFINITION OF "SALARY"; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.**

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

LAK1195253 07/22/2012

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: August 1, 2012**

**AGENDA TAB NO. 15**

**SUBJECT TITLE: Ordinance #2012-21 – Charter Referendum to Create City Council Seats**

---

**OBJECTIVE:**

To consider the approval of Ordinance #2012-21 for a charter referendum to create City Council seats to be placed on the ballot for the November 6, 2012 Municipal Election.

**SUMMARY:**

Pursuant to the attached Agenda Item from June 20, 2012 and the decision by City Council, to have the voters determine their preference on this issue, the attached ordinance has been prepared by the City Attorney. It creates ballot language as follows:

**DO YOU FAVOR AN AMENDMENT TO THE CITY OF TAVARES CHARTER THAT WOULD PROVIDE FOR FIVE (5) SEPARATE COUNCIL SEATS, TO BE ELECTED AT LARGE?**

**YES \_\_\_\_\_**

**NO \_\_\_\_\_**

The current City Charter stipulates that the City Council consists of five members elected by the voters of the city and states that the candidates receiving the highest number of votes are declared elected. All of the other surrounding cities except for Tavares utilize an At Large seat method, district seat method, or combination of the two.

If the referendum is passed by the voters, the ordinance provides a transitional provision for the 2012 election. The (3) three Councilmembers elected with the highest number of votes shall be randomly assigned Seat One, Seat Three, or Seat Five. The one (1) Councilmember receiving the least number of votes shall be assigned Seat Two and the Councilmember not running in the 2012 election will be assigned Seat Four.

Seats Two and Four would be up for re-election in the 2013 election and Seats One, Three, and Five in the 2014 election.

**OPTIONS:**

- 1) Move to approve Ordinance #2012-21 for a charter referendum to create five At Large City Council seats.
- 2) Do not approve Ordinance #2012-21.

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

\$1800 to place the referendum on the ballot, \$400 for advertising the referendum, and \$800 for educational items including articles in the city newsletter, posters, and mailing to absentee ballot holders. The \$1800 will come from administrative line item savings and the \$800 will come from the Parkland Referendum account.

**LEGAL SUFFICIENCY:**

Legally sufficient.



46 hold their office for the term of two (2) years or until their successors are elected and  
47 qualified.

48  
49 **Section 3.04. Mayor and Vice mayor.**

50  
51 The council shall elect from its members, a mayor and vice mayor. Election of  
52 the mayor and vice mayor shall be held annually at the first regular meeting following  
53 the first Tuesday in November. The city administrator shall conduct the election of the  
54 mayor. The mayor shall preside at meetings of the council, and shall have the power to  
55 enforce such rules as may be adopted by the council for its government, and shall be  
56 recognized as the head of city government for service of process, execution of  
57 contracts, deeds and other documents, and as the city official designated to represent  
58 the city in all agreements with other governmental entities or certifications to other  
59 governmental entities, but shall have no administrative duties except as required to  
60 carry out the responsibilities herein. The vice mayor shall act as mayor during the  
61 absence or disability of the mayor.

62  
63 **Section 3.05. Vacancies; forfeiture of office; filling of vacancies.**

64  
65 (a) Vacancies. The office of a councilmember shall become vacant upon death,  
66 resignation, removal from office in any manner authorized by law or forfeiture of the  
67 office, such forfeiture to be declared by the remaining members of the council.

68  
69 (b) Forfeiture of office. A councilmember shall forfeit the office if the member  
70 lacks at any time during the term of the office, any qualification for the office prescribed  
71 by this Charter or by law, or if the member fails to attend four (4) consecutive regular  
72 council meetings. A member charged with conduct constituting grounds for forfeiture of  
73 the office shall be entitled to a public hearing on demand before the city council, and  
74 notice of such hearing shall be published in one (1) or more newspapers of general  
75 circulation in the city at least one (1) week in advance of the hearing. A member may  
76 be removed from office upon an affirmative vote of four-fifths of all councilmembers.

77  
78 (c) Filling of vacancies. Should a vacancy occur on the city council, the mayor  
79 shall appoint an elector of the city to fill the vacancy. This appointment is subject to the  
80 approval by a majority of the remaining members of the city council. The appointee  
81 approved in such a manner shall serve in the office until the next general city election at  
82 which time a councilmember shall be elected for the unexpired portion of the existing  
83 term or to a full term, whichever is applicable.

84  
85 **Section 3.06. Procedure.**

86  
87 (a) Meetings. The council shall meet regularly at least once in every month at  
88 such times and places as the council may prescribe by rule. Special meetings may be  
89 held on the call of the mayor, or of a majority of the members and, whenever  
90 practicable, upon no less than twelve (12) hours' notice to each member and the public.

91  
92 (b) Rules. The council shall determine its own rules and order of business.  
93

94 (c) Voting. Voting on ordinances and resolutions shall be by roll call on final  
95 action and shall be recorded in the minutes. A majority of the council shall constitute a  
96 quorum; but a smaller number may adjourn from time to time and may compel the  
97 attendance of absent members in the manner and subject to the penalties prescribed  
98 by the rules of the council. No action of the council shall be valid or binding unless  
99 adopted by the affirmative vote of the majority of a quorum present.

100  
101 **Section 10.01. Nonpartisan elections.**  
102

103 All qualifications and elections for the office of city council shall be conducted on  
104 a nonpartisan basis without regard for or designation of political party affiliation of any  
105 nominee on any nomination petition or ballot.  
106

107 **Section 10.02. Qualifications.**  
108

109 Candidates for the office of city council shall qualify for such office by the filing of  
110 a written petition with the designated city official in the following manner:  
111

112 Any elector of the city may qualify for election ~~as a councilmember at large~~ to  
113 one of the five (5) council seats by a petition signed by twenty-five (25) or more electors  
114 of the city. An elector may qualify and run for only one (1) seat in any given election.  
115 The signatures to a petition need not all be affixed to one (1) paper, but to each  
116 separate paper of a petition, there shall be attached an affidavit executed by its  
117 circulator stating the number of signers of the paper, that each signature of it was  
118 affixed in the elector's presence, and that the elector believes each signature to be the  
119 genuine signature of the person whose name it purports to be. Each petition shall  
120 name the individual, the office particular council seat sought, and the election date.  
121 Each candidate so qualified, shall sign a sworn statement that the candidate shall serve  
122 if elected. The signatures shall be executed in ink or indelible pencil. Each signed shall  
123 indicate next to the signature, the date of the signing and place of residence.  
124

125 Candidates must file the petition by noon on August 15 prior to the date of  
126 election. If this day should fall on a Saturday, a Sunday or a legal holiday, then the  
127 petition is required to be filed by noon on the next working day following August 15.  
128

129 **Section 10.03. Form of ballots.**  
130

131 The council by ordinance, shall prescribe the form of the ballot including the  
132 method for listing candidates for city council elections and any other city election. A  
133 Charter amendment, to be voted on by the city, shall be presented for voting by ballot  
134 title. The ballot title of a measure may differ from its legal title and shall be a clear,  
135 concise statement describing the substance of the measure without argument or

136 prejudice. There shall be a method by which voters can indicate ‘ ‘Yes ‘ ‘ for approval,  
137 or ‘ ‘No ‘ ‘ for disapproval of ballot items.  
138

139 **Section 10.04. Elections.**  
140

141 (a) General election. A general election shall be held on the first Tuesday after  
142 the first Monday in November of each year to choose a successor to each  
143 councilmember whose term will expire before the next general election and, except as  
144 provided in the city Charter, to fill each vacancy in elective office for the unexpired  
145 portion of the term.  
146

147 (b) Council positions. For each council positions, ~~if only one (1) council position~~  
148 ~~seat that~~ is up for election, the candidate who receives the highest number of votes cast  
149 for the office shall be declared elected. ~~If two (2) council positions are up for election,~~  
150 ~~the two (2) candidates who receive the highest number of votes cast for the office shall~~  
151 ~~be declared elected. If three (3) council positions are up for election, the three (3)~~  
152 ~~candidates who receive the highest number of votes cast for the office shall be declared~~  
153 ~~elected. In case two (2) or more persons shall receive an equal number of votes for the~~  
154 ~~same office, a runoff election shall be held on the fourteenth day after the general~~  
155 ~~election. In the event it is necessary to elect a councilmember to fill the remainder of an~~  
156 ~~unexpired term pursuant to Section 3.06(c), the candidate receiving the third or fourth~~  
157 ~~highest number of votes (depending upon the number of two-year positions that are up~~  
158 ~~for election) shall be declared elected to fill the remaining unexpired term. For instance,~~  
159 ~~if two (2), two-year council seats and one (1) one-year unexpired council term are all up~~  
160 ~~for election, the two (2) candidates receiving the highest number of votes shall be~~  
161 ~~declared elected to the two-year council seats, and the candidate receiving the third~~  
162 ~~highest number of votes shall be declared elected to fill the one-year, unexpired term.~~  
163

164 **TRANSITIONAL PROVISIONS.**  
165

166 In the event this Referendum is approved by the voters at the November, 2012,  
167 election, the three (3) Councilmembers elected in November, 2012, with the highest  
168 number of votes shall be randomly assigned either Seat One, Seat Three or Seat Five.  
169 The one (1) Councilmember elected in November, 2012, receiving the least number of  
170 votes of those Councilmembers elected shall be assigned Seat Two. The  
171 Councilmember not standing for election in November, 2012, shall be assigned Seat  
172 Four. Beginning at the election in November, 2013, and continuing for each election  
173 thereafter, candidates for election to Council shall qualify for a specific seat.  
174

175 The Charter amendments set forth in this Ordinance shall become  
176 effective on November 21, 2012, at the adjournment sine die of the regular council  
177 meeting held that date, only if they are approved by a majority of the City of Tavares  
178 electors voting at the November, 2012 general election. The Charter amendment  
179 referendum questions are independent of one another, and any or all of them may

180 approved by the electors. The following referendum questions shall be placed on the  
181 ballot for that election:

182  
183 **CHARTER REFERENDUM**

184  
185 DO YOU FAVOR AN AMENDMENT TO THE CITY OF  
186 TAVARES CHARTER THAT WOULD PROVIDE FOR FIVE  
187 (5) SEPARATE COUNCIL SEATS, TO BE ELECTED AT  
188 LARGE?

189  
190 \_\_\_\_\_ YES

191  
192 \_\_\_\_\_ NO

193  
194  
195  
196 PASSED AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_,  
197 2012, by the City Council of the City of Tavares.

198  
199  
200  
201 \_\_\_\_\_  
202 Robert Wolfe, Mayor  
203 Tavares City Council

204 ATTEST:

205  
206  
207 \_\_\_\_\_  
208 Nancy A. Barnett  
City Clerk

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

Passed Second Reading \_\_\_\_\_

\_\_\_\_\_  
Approved as to form:  
City Attorney

Orlando Sentinel/Lake Sentinel  
Sunday Edition; July 22, 2012  
Ordinance 2012-21

**CITY OF TAVARES**

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider the Ordinance 2012-21, Second Reading, on August 1, 2012 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

**ORDINANCE 2012- 21**

**AN ORDINANCE AMENDING THE CITY OF TAVARES CHARTER PERTAINING TO THE ELECTION OF COUNCILMEMBERS; PROVIDING FOR FIVE (5) COUNCIL SEATS TO BE ELECTED AT LARGE; PROVIDING FOR TRANSITION; PROVIDING FOR A REFERENDUM; PROVIDING FOR AN EFFECTIVE DATE**

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

LAK1195246 07/22/2012

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
AUGUST 1, 2012**

**AGENDA TAB NO. 16**

**SUBJECT TITLE: Revised Interlocal Agreement with the MPO**

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**OBJECTIVE:**

To present to Council a proposed, revised interlocal agreement with Lake-Sumter MPO concerning the centralized transportation concurrency management system.

**SUMMARY:**

The Lake-Sumter Metropolitan Planning Organization (MPO) oversees a concurrency management system to track transportation impacts for Lake and Sumter Counties. The city first executed an interlocal agreement for these services with the MPO in 2007. Each city and town within Lake and Sumter Counties contribute their proportional share of funding. Last year, Tavares' share was \$4,630.

The revised agreement, attached to this summary, provides local governments with two options:

1. **All-inclusive rate.** The MPO provides an unlimited amount of transportation management services. (\$4,167)
2. **Base rate.** The MPO will provide data related services but will charge an hourly rate for any various other transportation management services upon request. (\$3,479)

The city utilizes the MPO for traffic study reviews, grant assistance, multi-modal transportation consulting and other transportation related needs. The all-inclusive rate is less than the amount charged to Tavares last budget year and is also likely less than the combined base and hourly rate for all services provided.

**OPTIONS:**

1. That City Council approves the revised Interlocal Agreement with the MPO and selects the all-inclusive funding option.
2. That City Council approves the revised Interlocal Agreement with the MPO and selects the base rate funding option.

**STAFF RECOMMENDATION:**

That City Council moves to approve the revised Interlocal Agreement with the MPO and selects the all-inclusive funding option.

**FISCAL IMPACT:**

Funding for MPO services has been programmed in the proposed 2012-13 budget.

**LEGAL SUFFICIENCY:**

This agreement has been reviewed by our City Attorney and approved for legal sufficiency.

# LAKE~SUMTER MPO TRANSPORTATION MANAGEMENT SYSTEM

APPROVED BY THE MPO GOVERNING BOARD MAY 23, 2012

## TMS BUDGET BREAKDOWN

	All-Inclusive	<i>Base Rate</i>
	FY 2012/13	<i>FY 2012/13</i>
<b>TMS OPERATING BUDGET</b>	<b>\$182,534</b>	<b>\$182,534</b>
MPO CONTRIBUTION FROM FEDERAL FUNDS	\$40,000	\$55,335
<b>TOTAL LOCAL SHARE OF TMS BUDGET</b>	<b>\$142,534</b>	<b>\$127,199</b>
	FY 2012/13	<i>FY 2012/13</i>
MPO Member	All-Inclusive	Base Rate*
Sumter County BoCC	\$23,832	\$19,900
Bushnell	\$2,536	\$2,536
Coleman	\$369	\$369
Wildwood	\$5,169	\$5,169
Lake County BCC	\$68,949	\$63,621
Astatula	\$513	\$513
Clermont	\$7,569	\$6,320
Eustis	\$5,715	\$4,772
Fruitland Park	\$1,242	\$1,242
Groveland	\$2,232	\$1,864
Howey-in-the-Hills	\$378	\$378
Lady Lake	\$4,419	\$3,690
Leesburg	\$6,417	\$5,358
Mascotte	\$1,404	\$1,404
Minneola	\$2,826	\$2,360
Montverde	\$369	\$369
Mount Dora	\$3,474	\$2,901
Tavares	\$4,167	\$3,479
Umatilla	\$954	\$954
<b>Total</b>	<b>\$142,534</b>	<b>\$127,199</b>

\* Base rate includes access to data & data services. Hourly fees would be charged for traffic study reviews, policy assistance & grantwriting.

TMS WORK PROGRAM LINE ITEMS	FY 2012/13
Salaries and Benefits	\$95,834
Hardware/Software/Licensing	\$0
WebCDMS System	\$12,000
Consulting Fees (on demand)	\$15,000
Traffic Counts Program	\$59,700
<b>TOTAL TMS OPERATING BUDGET</b>	<b>\$182,534</b>

**INTERLOCAL AGREEMENT  
BETWEEN THE LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION,  
THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS, THE SUMTER  
COUNTY BOARD OF COUNTY COMMISSIONERS AND THE MUNICIPALITIES OF  
ASTATULA, BUSHNELL, CLERMONT, COLEMAN, EUSTIS, FRUITLAND PARK,  
GROVELAND, HOWEY-IN-THE-HILLS, LADY LAKE, LEESBURG, MASCOTTE,  
MINNEOLA, MONTVERDE, MOUNT DORA, TAVARES, UMATILLA, AND  
WILDWOOD FOR CREATION, FUNDING AND IMPLEMENTATION OF A MASTER  
TRANSPORTATION MANAGEMENT SYSTEM PROGRAM**

**RECITALS**

**WHEREAS**, the Lake-Sumter Metropolitan Planning Organization (MPO) was created through interlocal agreement between Lake County, Sumter County, and the 14 municipalities of Lake County and was approved by Gov. Jeb Bush on December 9, 2003; and

**WHEREAS**, the MPO is responsible for managing a continuing, cooperative, and comprehensive transportation planning process for the MPO Area of Lake and Sumter counties; and

**WHEREAS**, the MPO approved, and entered into, an Interlocal Agreement on November 28, 2007, with Lake County, Sumter County, and the municipalities of Astatula, Clermont, Eustis, Fruitland Park, Groveland, Howey-in-the-Hills, Lady Lake, Leesburg, Mascotte, Minneola, Montverde, Mount Dora, Tavares, Umatilla, and Wildwood for the creation, funding and implementation of a Master Transportation Concurrency Management System (TCMS) Program, said agreement recorded in the Official Records of Lake County on January 30, 2008, at O.R. Book 3575, Page 734, and recorded in the Official Records of Sumter County on February 8, 2008, at O.R. Book 1901, Page 727; and

**WHEREAS**, on September 23, 2009, the MPO approved Resolution 2009-23 to add a safety program based on crash data to the TCMS, and to rename the TCMS the Lake~Sumter MPO Transportation Management System (TMS); and

**WHEREAS**, in FY 2010/11, the municipalities of Center Hill and Webster became part of the TMS via Sumter County by virtue of an interlocal service boundary agreement between each city and the county, and in FY 2011/12, the municipalities of Bushnell and Coleman were invited to participate per a rate established by the MPO in the FY 2011/12 TMS Budget; and

**WHEREAS**, the MPO's Technical Advisory Committee (TAC) has recommended, and the MPO's Governing Board agrees, that a new interlocal agreement to reconstitute the TMS is desired in order to define the specific data and services that the MPO will make available to the member cities and counties; and

**WHEREAS**, the 2011 Florida Legislature passed HB 7207, codified in Chapter 2011-139, Laws of Florida, which removed transportation concurrency as a statewide mandate from the Florida Statutes' growth management laws, and which effectively made transportation concurrency optional for local governments; and

**WHEREAS**, nonetheless, transportation capacity management is a growth management principle that ensures that necessary transportation facilities and services are available concurrent with the impacts of development and that proposed developments will not degrade a roadway below the adopted level of service standards; and

**WHEREAS**, despite the optional nature of transportation concurrency, safety and security remains a state and federal emphasis, and one of the objectives in the creation of MPOs was to encourage and promote the safe and efficient management, operation and development of surface transportation systems; and

**WHEREAS**, the MPO's maintenance of a crash data system in coordination with member governments is in accordance with the objective to encourage and promote the safe and efficient management, operation and development of surface transportation systems; and

**WHEREAS**, the MPO is equipped with staff, consultants and sufficient expertise to provide services under the TMS that are valued by member local governments but that are not part of the state and federal requirements regarding tasks achieved through the use of state and federal funds; and

**WHEREAS**, because the MPO's fiscal year begins on July 1<sup>st</sup>, and the fiscal year for the MPO's member governments begins on October 1<sup>st</sup>, it is necessary to set up a timeframe within which member cities and counties will specify the services and data they wish to avail themselves of through the TMS managed by the MPO;

**NOW, THEREFORE, IN CONSIDERATION** of the mutual terms, understandings, conditions, and payment hereinafter set forth, and intending to be legally bound, the parties hereby agree as follows:

#### **Article 1. Recitals**

**1.1** The foregoing recitals are true and correct and incorporated herein by reference.

#### **Article 2. Purpose**

**2.1** The purpose of this Agreement is to define the Transportation Management System and the process through which the TMS is implemented. The TMS is a centralized database of transportation information that all parties to the agreement may utilize as part of individual transportation programs as prescribed within individual comprehensive plans and land development regulations. Each

year, services provided as part of the TMS will be recommended by the TAC and approved by the MPO Governing Board. The types of services generally offered as part of the TMS include but are not limited to database management for crash data, traffic counts, functional classifications, roadway capacity, Level of Service (LOS) and encumbered or reserved trips, and services such as MPO review of traffic impact studies, rezonings and comprehensive plan amendments, policy formulation, grant writing and funding research.

### **Article 3. Funding**

- 3.1** The menu of and budget for TMS services presented to TAC and to the MPO Governing Board for approval each year shall include two (2) options for member government participation and funding of the TMS: 1) an all-inclusive rate, which shall allow the member government to avail itself of an unlimited number of TMS services offered by the MPO at no additional charge; or 2) a base rate, which shall allow the member government to avail itself of the "Data and Data-related Services" listed in Section 4.3 herein, with any other, additional TMS services available to that member government at an hourly rate for MPO services. A fee structure prescribing hourly rate shall be part of the TMS budget reviewed annually, except in the year 2012, when the hourly rate shall be approved by the MPO Governing Board prior to September 30, 2012. All member governments shall elect one of the two options described herein, and shall pay either the all-inclusive or the base rate to MPO by October 1st of each year. Member governments selecting option two (2) above shall remit payment to MPO for any additional requested services charged at an hourly rate within thirty (30) days of receipt of an invoice from the MPO.
- 3.2** Should population be a basis for determining annual local contributions to the TMS, in each odd numbered year, the population figures and related contributions will be reviewed and adjusted as necessary for population changes. Funding contributions will be adjusted based upon Bureau of Economic and Business Research (BEBR) population figures. The best available information will be provided to each local government via presentation of the new TMS budget by the MPO.

### **Article 4. TMS Services**

- 4.1** Development Review Services: Local governments may submit data from any applicant who is seeking a development approval for a project (Developments of Regional Impact or DRIs excepted), including the traffic impact analysis, the number of proposed residential units and amount of non-residential square footage by use in accordance with the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.

- (1) Upon receipt of such data by the MPO, the following procedure shall be implemented in order to provide the local government with the information required in a timely fashion:
  - A. Provided the data received is determined to be sufficient to issue a report of findings, the MPO will evaluate the data based upon existing road capacity information - including adopted LOS, performance LOS, existing trips, reserved trips and vested trips - and submit a report of its findings within 15 calendar days of receipt of the request.
  - B. If the local government determines that additional information should be factored into the analysis, it may submit its comments for evaluation to the MPO within 15 calendar days of the issuance of the MPO's capacity report for that application.
  - C. The MPO will review additional information submitted by the local government and provide final comments within 15 calendar days of the submittal of new information.
  - D. If the impacted facility is a state or federal facility, the MPO shall consult with the Florida Department of Transportation (FDOT) on mitigation strategies pursuant to state and local laws. If no comments are received from FDOT within 30 days, the MPO will issue its report based upon existing data.
  - E. MPO shall provide assistance with proportionate fair share agreements and other negotiated mitigation measures when necessary.
- (2) The MPO will not make development approval determinations or recommendations based on transportation impacts on behalf of any local government. The MPO will issue a report of findings based on the data maintained by the MPO and the data submitted by the local government. The responsibility to make recommendations of approval or denial on development applications remains with the local government

**4.2** Comprehensive Plan/Land Development Regulation Amendments and Policy Formulation Review and Assistance: The MPO will assist any member local government in assessing needed changes to comprehensive plans, policies or land development regulations related to transportation capacity management or mitigation of transportation impacts. Comprehensive Plan or Land Development Regulation amendments related to DRIs are excepted. MPO will also assist any member local government with grant writing, Local Agency Program (LAP) assistance, funding research and multi-modal mobility policy formulation.

**4.3** Data and Data-related Services:

- (1) crash data – basis for safety program and data for the Community Traffic Safety Team (CTST)

- (2) traffic counts – management of county counts and integration with FDOT counts
- (3) functional classification – additional database component
- (4) roadway capacity – additional database component
- (5) Level of Service – LOS policies
- (6) entitled and reserved trips – component of congestion management (concurrency)

## **Article 5. Procedure**

- 5.1** On an annual basis, the MPO TAC shall review the list of and budget for TMS services. The list of TMS services and the TMS budget reviewed by TAC shall go to the MPO Governing Board for action on and inclusion in the MPO budget by March 31st of each year, starting in the year 2013. The MPO may amend its approved list of TMS services or TMS budget for the upcoming fiscal year between April 1st and September 30th, if termination of this Agreement by a member government or member governments makes it necessary for the MPO to revise its menu of services or the budget.
- 5.2** So that the centralized transportation capacity management system of the TMS will contain the most current information available, member local governments will provide to the MPO data on development applications, vested and existing development, traffic count information, legally vested trips, formally reserved trips and certificate of occupancy information. Updated information shall be delivered to the MPO under the terms of this Agreement on a quarterly basis at a minimum, and ideally on a monthly basis. Failure to provide said information in the required timeline will result in correspondence from the MPO to the local government requesting updated information.

## **Article 6. Term**

- 6.1** This Agreement shall become effective upon execution by the last party. The executed agreement shall be recorded in Sumter County and in Lake County with MPO paying the recording costs.
- 6.2** This Agreement shall remain in effect until terminated by the parties to this Agreement, or as otherwise provided by law. After October 1st of any year in which the Agreement is in effect, a party that wishes to terminate shall provide ninety (90) days notice to all parties to this Agreement prior to termination, and shall make all payments throughout the ninety (90) day notice period, up to and including the date of termination. A prorated amount of the terminating party's annual TMS payment (i.e. the all-inclusive or base rate paid by the terminating party as of October 1st) shall be refunded to the terminating party, calculated from the date of termination to September 30th. In addition, because the TMS is structured to function on an October 1st to September 30th fiscal year basis, for TMS budget planning purposes, member governments that anticipate that they

will not include TMS services from the MPO in their own budgets are encouraged and requested to provide unofficial notice of the same to MPO at the earliest possible opportunity between April 1st and September 30th of each year.

- 6.3** Upon termination of the Agreement by a member government, the member government may request and receive database output of TMS data, current at the time of termination, particular to their jurisdiction.

#### **Article 7. Annual Report**

- 7.1** An Annual Report on the status of all facilities included in the TMS shall be published each year and may be used in the MPO annual project prioritization process. The report will focus on the performance of facilities and the safety of facilities.

#### **Article 8. General Provisions**

- 8.1** This Agreement, and any amendments hereto, may be simultaneously executed in several counterparts, each of which as executed shall be an original, and such counterparts together shall constitute one and the same instrument.
- 8.2** Amendments or modifications to this Agreement may only be made by written agreement signed by all parties hereto, with the same formalities as the original agreement.

**[Signature Pages Follow]**

INTERLOCAL AGREEMENT BETWEEN THE LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION, THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS, THE SUMTER COUNTY BOARD OF COUNTY COMMISSIONERS AND THE MUNICIPALITIES OF ASTATULA, BUSHNELL, CLERMONT, COLEMAN, EUSTIS, FRUITLAND PARK, GROVELAND, HOWEY-IN-THE-HILLS, LADY LAKE, LEESBURG, MASCOTTE, MINNEOLA, MONTVERDE, MOUNT DORA, TAVARES, UMATILLA, AND WILDWOOD FOR CREATION, FUNDING AND IMPLEMENTATION OF A MASTER TRANSPORTATION MANAGEMENT SYSTEM PROGRAM

CITY OF TAVARES, FLORIDIA

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

This \_\_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST:

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

Approved as to form and legality:

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

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: August 1, 2012**

**AGENDA TAB NO. 17**

**SUBJECT TITLE: Tavares Display at Lake County Historical Museum and  
Tavares Historical Museum**

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**OBJECTIVE:**

To request approval of creation of a historical display in the transportation section of the Lake County Historical Museum and in the Tavares Historical Society Museum by highlighting local seaplane history and Tavares' role in seaplane history and approving a budget for \$450.00.

**SUMMARY:**

The Lake County Historical Society has invited the City of Tavares to develop a display to commemorate its seaplane history, past and present, in the transportation section of the museum on the first floor of the Historical Courthouse. In addition the Tavares Historical Society has invited the city to have a display in its museum.

The City has redefined itself in recent years through the creation of the Tavares Seaplane Base & Marina in 2010 and the development of its Seaplane brand, The City has also emphasized its historical roots through the replication of the Captain Haynes House, maintaining a relationship with the Tavares Historical Society, naming its alleyways for individuals from aviation history, and recognizing the achievements of seaplane pilots with ties to the community.

While the city recognizes the importance of maintaining its "past" history, it is equally important to document its "current" history for future generations. Staff proposes to develop a display case at the Lake County Historical Museum and a display case at the Tavares Historical Museum. The display case would include such items as artifacts, a historical timeline, photographs, documents, etc. which staff will assemble and install. The City has received an offer of a donation of a large seaplane model that will be suitable for the Lake County Museum display.

**OPTIONS:**

- 1) Move to approve the request to spend staff time and a budget of \$450 to research and prepare a historical display at the Lake County Historical Museum and the Tavares Historical Society Museum to document the City's seaplane theme and related history.
- 2) Do not approve the request to develop the displays.

**STAFF RECOMMENDATION:**

**Move to approve the staff initiative to develop a historical display to document the City's seaplane theme and history at the Lake County Historical Museum and the Tavares Historical Society Museum.**

**FISCAL IMPACT:**

**\$450.00 to come from administrative line item savings.**

**LEGAL SUFFICIENCY:**

**Legally sufficient.**

AGENDA SUMMARY  
TAVARES CITY COUNCIL  
August 1, 2012

AGENDA TAB NO. 18

SUBJECT TITLE: City Administrator Report

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OBJECTIVE:

To inform Council on city related matters.

SUMMARY: Will be presented at meeting

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

- City Council Regular Meeting & Budget Workshop – August 1, 2012 – 4 pm
- City Council Regular Meeting & Budget Workshop – August 15, 2012 – 4 pm
- City Council Regular Meeting (4 p.m.) & First Public Hearing to Adopt Millage Rate & Tentative Budget – 5:05 pm - September 5, 2012
- City Council Regular Meeting (4 p.m.) & Second Public Hearing to Adopt Millage Rate & Final Budget – 5:05 pm - September 19, 2012
- Code Enforcement Special Magistrate – August 28, 2012 at 5:00 p.m.
- Lake County League of Cities – August 10, 2012 – 11:30 a.m.
- Lake Sumter MPO – August 22, 2012 – 2 p.m. – MPO Board Room – 1616 South 14<sup>th</sup> Street, Leesburg, FL
- Library Board – August 10, 2012 – 8:30 a.m. , Library Conference Room
- Planning & Zoning Board – August 16, 2012 – 3:00 p.m., Council Chambers

EVENTS

- Classic Car Show on Main Street – August 17, 2012 – 6:00 p.m. – 9:00 p.m.

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
August 1, 2012**

**AGENDA TAB NO. 19**

**SUBJECT TITLE: City Councilmembers Report**

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**OBJECTIVE:**

To inform Council on city related matters.

**SUMMARY:**

Council will be offered an opportunity to provide a report at the meeting. Attached is any additional supporting information.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

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