

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

AGENDA TAB NO. 20

FIRST READING

**SUBJECT TITLE: Ordinance 2012-36
Small Scale FLUM Amendment- Dora Lake Estates Subdivision**

OBJECTIVE:

To consider a Future Land Use Map amendment of approximately 9.89 acres of property located on the south side of Mansfield Road from Low Density Residential to High Density Residential.

SUMMARY:

Ordinance 2012-36 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The combined area of the subject property is approximately 9.89 acres in size, located on the south side of Mansfield Road. An application to rezone the property to Planned Development is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from Low Density Residential to High Density Residential.

Future Land Use Amendment/Compatibility

The High Density Future Land Use designation is compatible with surrounding property to the north and will accommodate the proposed development plan for the property.

Site Conditions

The property is currently vacant, but contains infrastructure from a previously planned subdivision. The Dora Lake Estates Plat is recorded in Public Records, and will be vacated as part of the site development. 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 for site development.

Impact on City Services

Municipal water and sewer is available to the property. 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 High Density 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 8)

OPTIONS:

No Council action required at First Reading.

PLANNING AND ZONING BOARD RECOMMENDATION:

At its October 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2012-36.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2012-36.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ORDINANCE 2012-36

1
2
3 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE
4 TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,
5 PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON
6 APPROXIMATELY 9.89 ACRES OF PROPERTY GENERALLY LOCATED ON
7 THE SOUTH SIDE OF MANSFIELD ROAD, FROM LOW DENSITY
8 RESIDENTIAL TO HIGH DENSITY RESIDENTIAL; PROVIDING FOR
9 SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND
10 PROVIDING FOR AN EFFECTIVE DATE
11

12
13 **WHEREAS**, the owner of properties described in Exhibit "A" attached hereto, is
14 requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to
15 change the designation of said properties from Low Density Residential to High Density
16 Residential; and
17

18 **WHEREAS**, the properties consist of less than ten acres; and
19

20
21 **WHEREAS**, the City of Tavares has advertised as required by law for two public
22 hearings prior to adoption of this ordinance; and
23

24
25 **WHEREAS**, the City has held such public hearings and the records of the City provide
26 that the owners of the land affected have been notified as required by law; and
27

28
29 **WHEREAS**, a High Density Future Land Use designation is compatible with surrounding
30 future land use designations; and
31

32 **WHEREAS**, the City of Tavares Planning and Zoning Board, Local Planning Agency,
33 and City Council held duly noticed public hearings providing opportunity for individuals to hear
34 and be heard regarding the adoption of the proposed map amendment; and
35

36 **WHEREAS**, the City Council has reviewed and considered all relevant evidence and
37 information and testimony presented by witnesses, the public, and City staff; and
38

39 **WHEREAS**, the City Council finds this amendment in compliance with Chapter 163,
40 Florida Statutes, and the City of Tavares Comprehensive Plan; and
41

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

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

6
7 **Section 1. Future Land Use Amendment**

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

12
13 **Section 2. Severability and Conflicts**

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

18
19 **Section 3. Transmittal**

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

27
28
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30 **Section 4. Effective Date**

31 The effective date of this plan amendment, if the amendment is not timely challenged,
32 shall be 31 days after the state land planning agency notifies the local government that the plan
33 amendment package is complete. If timely challenged, this amendment shall become effective
34 on the date the state land planning agency or the Administration Commission enters a final order
35 determining this adopted amendment to be in compliance. No development orders, development

1 permits, or land uses dependent on this amendment may be issued or commence before it has
2 become effective. If a final order of noncompliance is issued by the Administration Commission,
3 this amendment may nevertheless be made effective by adoption of a resolution affirming its
4 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

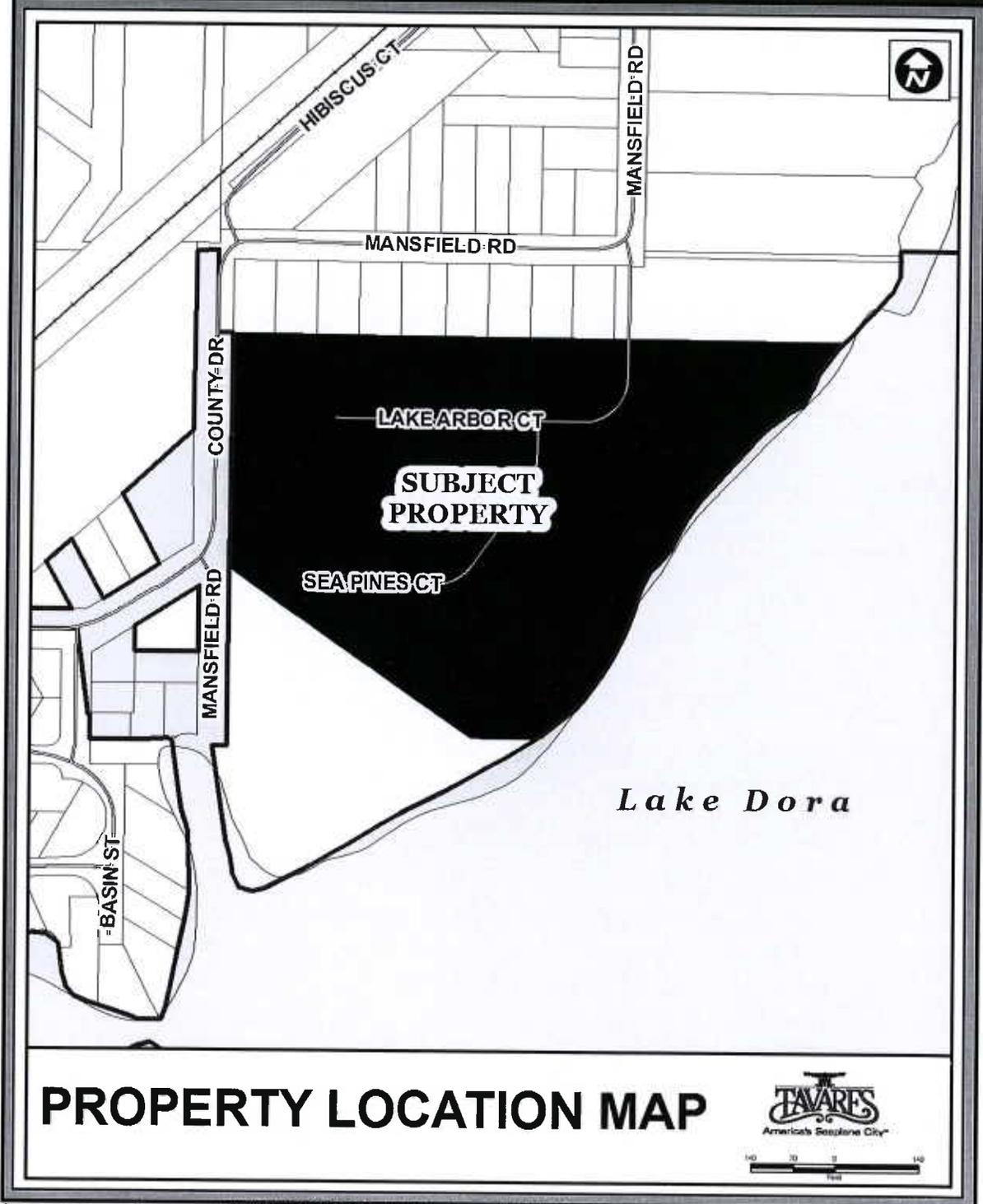
Exhibit "A"

1
2

THAT PORTION OF GOVERNMENT LOT 3 AND GOVERNMENT LOT 13 IN SECTION 32, ACCORDING TO SHEET NO. 8 OF THE SUPPLEMENTAL PLAT OF SECTIONS 29 AND 32, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY FLORIDA, APPROVED BY THE DEPARTMENT OF THE INTERIOR GENERAL LAND OFFICE, JUNE 05 1928, DESCRIBED AS FOLLOWS: COMMENCE AT A 6 INCH SQUARE CONCRETE MONUMENT AT THE WEST ¼ CORNER OF AFORESAID SECTION 32 (SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 3), RUN THENCE SOUTH 00°28'08" WEST (BEARING RELATED TO THE FLORIDA GRID EAST ZONE) 147.00 FEET ALONG THE WEST BOUNDARY OF SAID GOVERNMENT LOT 3; THENCE SOUTH 89°40'17" EAST ALONG THE SOUTH BOUNDARY OF THE NORTH 147.00 FEET OF SAID GOVERNMENT LOT 3 A DISTANCE OF 25.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MANSFIELD ROAD, SAID POINT BEING THE POINT OF BEGINNING; DEPARTING SAID RIGHT-OF-WAY, CONTINUE SOUTH 89°40'17" EAST ALONG THE SOUTH BOUNDARY OF THE NORTH 147.00 FEET OF SAID GOVERNMENT LOT 3 AND SAID GOVERNMENT LOT 13 A DISTANCE OF 987.00 FEET, MORE OR LESS, TO THE WATERS OF LAKE DORA AS SHOWN UPON SHEET 8 OF THE SAID SUPPLEMENTAL PLAT AND A POINT BEING HEREBY DESIGNATED AS POINT "A", BEGIN AGAIN AT THE POINT OF BEGINNING, RUN THENCE SOUTH 00°28'08" WEST 389.79 FEET ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MANSFIELD ROAD TO A POINT ON THE SOUTHWESTERLY BOUNDARY OF THE PROPERTY DESCRIBED IN O.R. BOOK 2705, PAGE 1843, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; DEPARTING SAID RIGHT-OF-WAY, RUN THENCE SOUTH 55°27'42" EAST 494.60 FEET ALONG THE SAID SOUTHWESTERLY BOUNDARY OF THE PROPERTY DESCRIBED IN O.R. BOOK 2705, PAGE 1843 TO THE AUXILIARY MEANDER CORNER AS SHOWN UPON SHEET NO. 8 OF THE SAID SUPPLEMENTAL PLAT; THENCE SOUTH 89°31'52" EAST 40 FEET, MORE OR LESS, TO THE WATERS OF LAKE DORA AS SHOWN UPON SHEET NO. 8 OF THE SAID SUPPLEMENTAL PLAT, THENCE NORTHEASTERLY ALONG AND WITH SAID WATERS TO THE AFOREMENTIONED POINT "A".

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CITY OF TAVARES



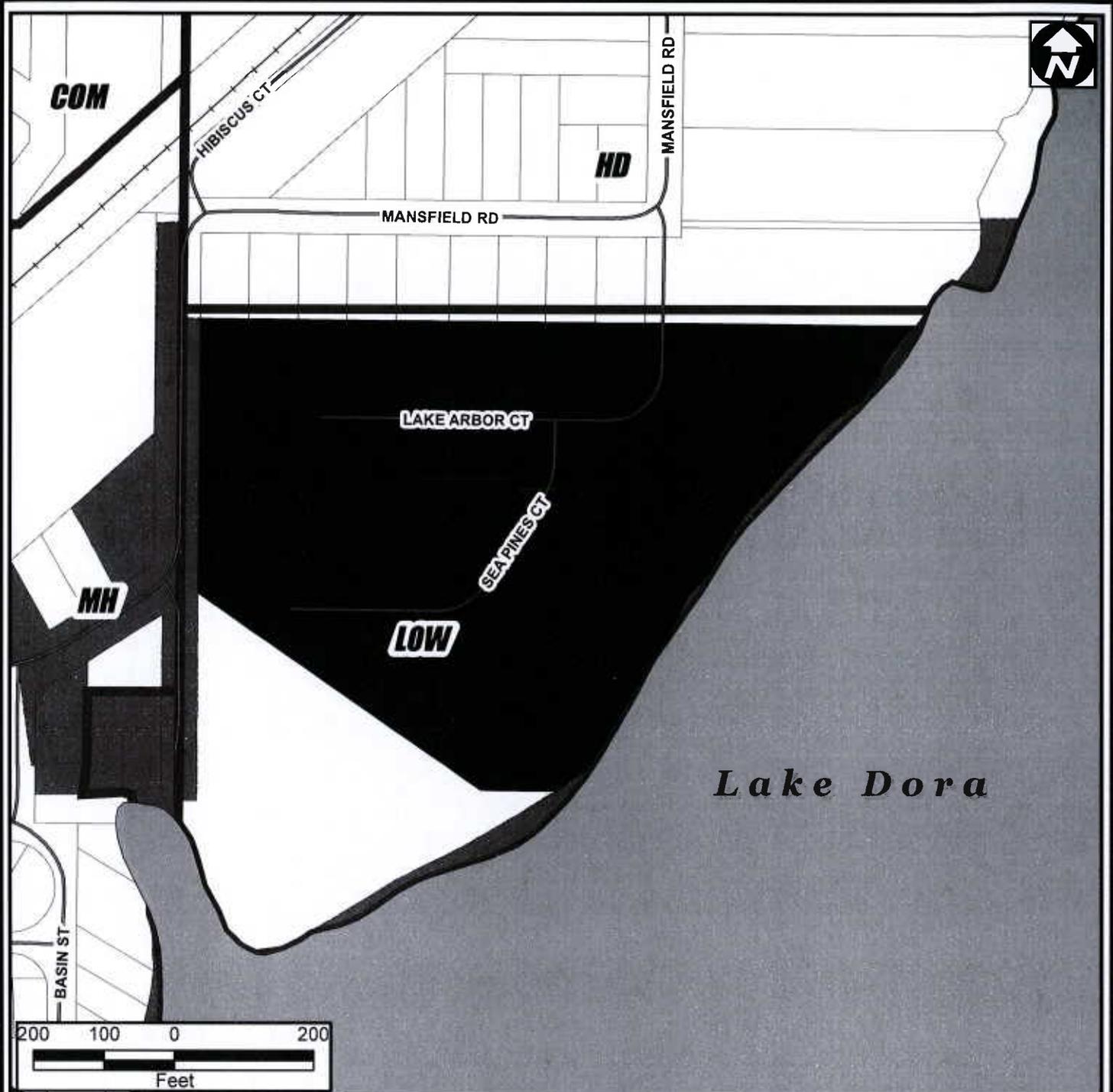
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Map Created on 10/2/12

1

CITY OF TAVARES ORDINANCE # 2012-36



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 # 2012-36

Dora Lake Estates

Current FLU: LOW
Proposed FLU: HD
09.89 ± Acres

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

'Beast Feast' serves up gourmet meat for good cause

The Leesburg Center for the Arts will present its annual "Beast Feast" from 5:30 to 7:30 p.m. Oct. 25 on the grounds of the historic Moto-Morris House, 195 W. Magnolia St. The feast will benefit children's programs at the center.

The feast will feature gourmet entrees, live entertainment and more than 20 food and beverage stations. In the past, some of the entrees included quail, venison, zebra, eel, goat tail, peck, chicken, along with oysters, fresh corn peas, sweet potato cassero-

le, cabbage, beverages and more. Advance tickets are \$25 and \$30 at the door. Details: 352-365-0132 or leesburgcenterforthearts.com. Debra Martin

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Orlando Sentinel
Publication Date: 10/08/2012

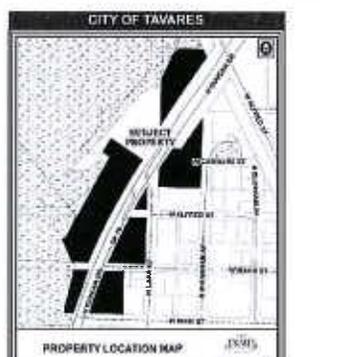
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THE CITY OF TAVARES NOTICE OF PUBLIC HEARING
 Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2012-35 & Ordinance 2012-36 listed as follows:
ORDINANCE 2012-35
 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 11.23 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF MANSFIELD ROAD, FROM RMF-2 (RESIDENTIAL MULTI-FAMILY) & RMF-3 (RESIDENTIAL MULTI-FAMILY) TO PD (PLANNED DEVELOPMENT), SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS OBTAINED BY THE CITY OF TAVARES COUNCIL, PROVIDING FOR AN EFFECTIVE DATE.
ORDINANCE 2012-36
 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE LAND USE MAP ZONING, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 9.88 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF MANSFIELD ROAD, FROM LOW DENSITY TO HIGH DENSITY, PROVIDING FOR SEVERABILITY AND CONFLICTS, PROVIDING FOR TRANSMITTAL, AND PROVIDING FOR AN EFFECTIVE DATE.
 Proposed Ordinance 2012-35 & Ordinance 2012-36 will be considered at the following public meetings:
 1. Tavares Planning & Zoning Board meeting on October 18, 2012, at 3 p.m., and
 2. Tavares City Council meeting on November 21, 2012, at 4 p.m. (Introduction and First Reading by Title Only), and
 3. Tavares City Council meeting on December 5, 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 2012-35 & Ordinance 2012-36 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 a verbatim record of the proceedings is made.
 If you are a person with a disability who needs an 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 32780, Telephone: (352) 742-6404, at least 2 (two) working days prior to the date of the Public Hearing. If you are hearing or voice impaired, call (352) 742-6403.
 Please direct any questions on this proposed ordinance to Jacques Skurt, Community Development Director, at 742-6404.



PROPERTY LOCATION MAP

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 2012-29 & Ordinance 2012-30 listed as follows:
ORDINANCE 2012-29
 ALL ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING A COMBINED TOTAL OF APPROXIMATELY 19 ACRES OF PROPERTY GENERALLY LOCATED ALONG STATE ROAD 18 NORTH OF MAIN STREET AND SOUTH OF ALFRED STREET, FROM INDUSTRIAL (I) TO HIGHWAY COMMERCIAL (HC), SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS OBTAINED BY THE CITY OF TAVARES COUNCIL, PROVIDING FOR AN EFFECTIVE DATE.
ORDINANCE 2012-30
 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE LAND USE MAP ZONING, PROVIDING FOR FUTURE LAND USE DESIGNATION ON A COMBINED TOTAL OF APPROXIMATELY 19 ACRES OF PROPERTY GENERALLY LOCATED ALONG STATE ROAD 18 NORTH OF MAIN STREET AND SOUTH OF ALFRED STREET, FROM INDUSTRIAL TO COMMERCIAL, PROVIDING FOR SEVERABILITY AND CONFLICTS, PROVIDING FOR TRANSMITTAL, AND PROVIDING FOR AN EFFECTIVE DATE.
 Proposed Ordinance 2012-29 & Ordinance 2012-30 will be considered at the following meetings:
 1. Tavares Planning & Zoning Board meeting on October 21, 2012, at 3 p.m., and
 2. Tavares City Council meeting on November 21, 2012, at 4 p.m. (Introduction and First Reading by Title Only), and
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 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 a verbatim record of the proceedings is made.
 If you are a person with a disability who needs an 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 32780, Telephone: (352) 742-6404, at least 2 (two) working days prior to the date of the Public Hearing. If you are hearing or voice impaired, call (352) 742-6403.
 Please direct any questions on this proposed ordinance to Jacques Skurt, Community Development Director, at 742-6404.



PROPERTY LOCATION MAP

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 future development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

Staff recommended that the Planning & Zoning Board move to recommend approval of Ordinance 2012-30.

Chairman Adams asked if there was anyone in the audience who would like to make a comment.

There were no questions.

Chairman Adams turned the discussion over to the Planning & Zoning Board.

MOTION

John Tanner moved to recommend approval of Ordinance 2012-30. The motion was seconded by Morris Osborn. The motion carried 6-0.

3) Ordinance 2012-35 – Rezoning – Dora Lake Estates

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

The subject property consists of approximately 11.23 acres located on the south side of Mansfield Road. The property is currently owned by EAGLE FL III SPE LLC and CFL HOLDINGS LLC. The property is vacant except for road and utility infrastructure that was installed for the planned Dora Lake Estates subdivision. The applicant is proposing to rezone the property to (PD) Planned Development and build a 250 unit assisted living / independent living facility on the property. The existing infrastructure will be abandoned as part of the redevelopment plan for the property. The recorded Plat for Dora Lake Estates will be vacated.

Any development of these properties will be in accordance with the City's Land Development Regulations. A Future Land Use Map amendment to a High Density Residential designation is concurrently under consideration.

Staff recommended that the Planning & Zoning Board move to recommend approval of Ordinance 2012-35.

Chairman Adams asked if there was anyone in the audience who would like to make a comment.

Mr. Alan Zell of 1075 Mansfield Road asked for additional information about the project and specifically whether or not a buffer would be provided along the property line.

Mr. Skutt confirmed that there would be a substantial buffer provided.

Ms. D.J. Sperry asked if a buffer would be provided on the east side of the property as well.

Mr. Skutt explained that there would be a buffer at that location also.

Mr. Carlos Barrios of Barrios Engineering (representing the applicant) reviewed the conceptual plan with the board and audience.

1 There was additional discussion of the project to include questions regarding the location of the
2 retention pond and trash collection which Mr. Barrios answered.

3
4 Chairman Adams turned the discussion over to the Planning & Zoning Board.

5
6 Mr. Santoro asked why the property had been selected.

7
8 The John Houde, applicant, explained that the property was selected because of its proximity to the
9 lake and proximity to other property which the applicant already owned.

10
11 In response to a question from Mr. Tanner, Mr. Skutt explained that he would remove the reference to a
12 pool and screen enclosure as the applicant did not desire to build this type of accessory structure.

13
14 Mr. Tanner went on to express concern about traffic on Mansfield Road. He explained that he was
15 particularly concerned about emergency services vehicles. Jacques Skutt explained that this matter
16 also concerned him and it would be addressed during the site plan phase of the project.

17
18 **MOTION**

19
20 **Gary Santoro moved to recommend approval of Ordinance 2012-35. The motion was seconded**
21 **by Sam Grist. The motion carried 6-0.**

22
23 **4) Ordinance 2012-36 – SSFLUM – Dora Lake Estates**

24
25 Jacques Skutt, Community Development Director provided the following staff report;

26
27 Ordinance 2012-36 proposes a small scale amendment to the Future Land Use Map 2020 of the
28 Comprehensive Plan.

29
30 Ordinance 2012-36 proposes a small scale amendment to the Future Land Use Map 2020 of the
31 Comprehensive Plan.

32
33 The combined area of the subject property is approximately 9.89 acres in size, located on the south
34 side of Mansfield Road. An application to rezone the property to Planned Development is concurrently
35 under consideration. This ordinance would amend the current Future Land Use Designation from Low
36 Density Residential to High Density Residential.

37
38 **Future Land Use Amendment/Compatibility**

39 The High Density Future Land Use designation is compatible with surrounding property to the north and
40 will accommodate the proposed development plan for the property.

41
42 **Site Conditions**

43 The property is currently vacant, but contains infrastructure from a previously planned subdivision. The
44 Dora Lake Estates Plat is recorded in Public Records, and will be vacated as part of the site
45 development. A site plan demonstrating compliance with all city regulations, including applicable state
46 and federal environmental laws, must be approved prior to the issuance of permits for site development.

47
48 **Impact on City Services**

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

1 FINDINGS

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

- 4
- 5 1. A High Density Future Land Use designation would serve as the most appropriate land use
6 for the subject property in accordance with Future Land Use policy 1-1.1.6.
- 7
- 8 2. Impacts of the proposed development of the subject property shall be monitored through the
9 City's Concurrency Management System. (Comp Plan, Chapter 8)

10 Staff recommended that the Planning & Zoning Board move to recommend approval of Ordinance 2012-36.

11
12 Chairman Adams asked if there was anyone in the audience who would like to make a comment.

13
14 There were no audience comments.

15
16 Chairman Adams turned the discussion over to the Planning & Zoning Board.

17
18 **MOTION**

19
20 **John Tanner moved to recommend approval of Ordinance 2012-36. The motion was seconded
21 by Gary Santoro. The motion carried 6-0.**

22
23 **5) Ordinance 2012-25 – Land Development Regulations Amendment – Billboard Signage**

24
25 Jacques Skutt, Community Development Director provided the following staff report;

26
27 On April 19, 2012, the Planning & Zoning Board recommended that the city's billboard regulations be
28 updated.

29
30 On July 19, 2012, City Council directed staff to draft a proposed amendment to the city's billboard
31 regulations that would consider both the number of billboards allowed in the city and the increased
32 visual impact of LED billboards.

33
34 On September 20th, proposed Ordinance 2012-25 was presented to the Planning & Zoning Board for
35 consideration. The P & Z Board recommended that staff revise the ordinance to consider impacts of
36 technology enabled enhancements to "grandfathered" signs and how these could be minimized. The
37 Board asked that these revisions be brought back to them before they made a final recommendation to
38 Council.

39
40 Staff refined the ordinance to address potential enhancements of "grandfathered" signs and has
41 submitted these back to the Board for reconsideration.

42
43 City staff researched sign regulations from a multitude of cities and also investigated the complicated
44 and ever-continuing cases of litigation between billboard advertising companies and local governments.
45 Staff considers the proposed amending ordinance to be "middle-of-the-road" in nature and it includes
46 components that have been adopted by many cities within Florida.

47
48 Highlights of the proposed amending ordinance:

- 49
- 50 1. A revised inventory of existing billboard signs was completed and a map of these is attached to the
51 ordinance as "Exhibit A".
- 52

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

AGENDA TAB NO. 21

FIRST READING

SUBJECT TITLE: Ordinance 2012-29

**Rezoning of State Road 19 Downtown Corridor from Industrial
to Highway Commercial**

OBJECTIVE:

To consider a rezoning of a combined total of approximately 10 acres of land generally located along State Road 19 north of Main Street and south of Alfred Street from Industrial to Highway Commercial.

SUMMARY:

Ordinance 2012-29 proposes a rezoning from Industrial to Highway Commercial for a group of properties at the following addresses and parcel alternate key numbers:

AltKey	Property Address
<u>1375665</u>	916 WEST MAIN ST TAVARES FL 32778
<u>1375690</u>	211 NORTH LAKE AVE TAVARES FL 32778
<u>2695811</u>	351 NORTH DUNCAN DR TAVARES FL 32778
<u>1375673</u>	918 WEST MAIN ST TAVARES FL 32778
<u>1754771</u>	335 NORTH DUNCAN DR TAVARES FL 32778
<u>2695838</u>	347 NORTH DUNCAN DR TAVARES FL 32778
<u>1375681</u>	170 NORTH DUNCAN DR TAVARES FL 32778
<u>1754763</u>	225 NORTH DUNCAN DR TAVARES FL 32778
<u>1375410</u>	424 N. DUNCAN DRIVE TAVARES FL 32778
<u>2761636</u>	355 NORTH DUNCAN DR TAVARES FL 32778
<u>1375622</u>	VACANT TAVARES FL 32778
<u>3845603</u>	575 NORTH DUNCAN DR TAVARES FL 32778

The subject properties consist of a total of approximately 10 acres in size. The properties are all developed with the exception of a portion of property approximately 1 acre in size. There are multiple independent owners. The City's adopted Downtown Master Plan encourages commercial uses in the downtown core of our city which infers that industrially zoned properties in our central core should be rezoned to a commercial designation.

Existing non-conforming industrial uses may continue indefinitely provided that they remain in conformity with Chapter 7 of the City's Land Development Regulations which regulates non-conforming uses. This allows maintenance, repair and reconstruction not exceeding 50% of the building's value.

Any redevelopment of these properties will be in accordance with the City's Land Development Regulations which includes provisions for the architectural standards for new buildings and additions. A Future Land Use Map amendment to a Commercial designation is concurrently under consideration.

A table extracted from Land Development Regulations, Chapter 8, comparing permitted uses allowed in the Industrial and Highway Commercial zoning districts is provided along with this staff report as Attachment A. There are many uses that are permitted in both the Industrial and Highway Commercial zonings, such as Private Clubs and Lodges, resulting in a null effect.

OPTIONS:

No Council action required at First Reading.

PLANNING AND ZONING BOARD RECOMMENDATION:

At its October 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2012-29.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2012-20.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

Attachment A

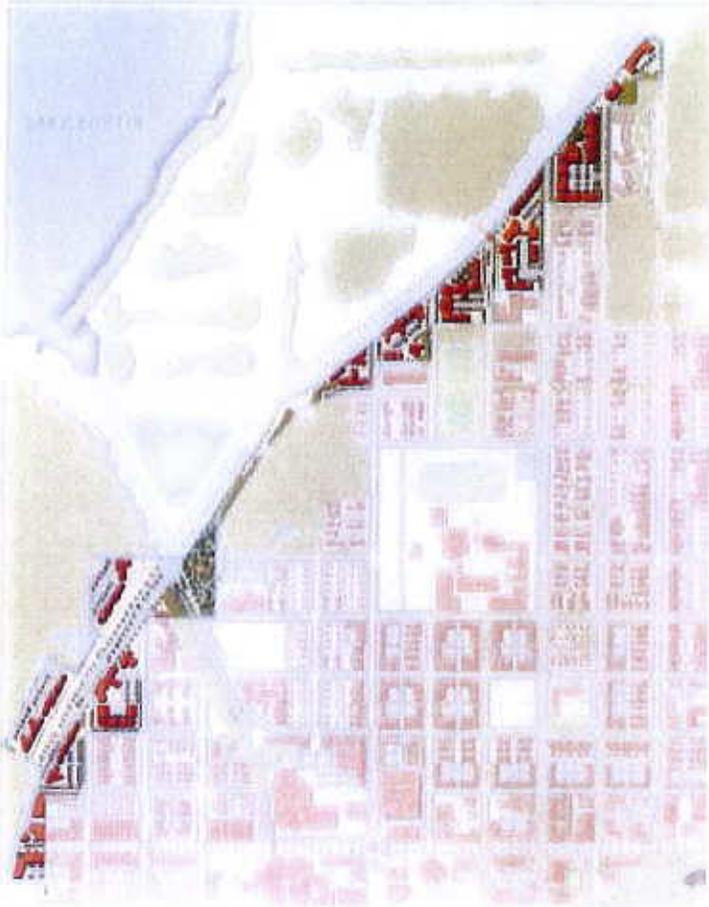
Table 8-2 Permitted (P) and Special Uses (S)

LAND USE	ZONING	
	C-2	I
AGRICULTURE		
Citrus Groves	P	P
Wholesale plant production, wholesale nurseries, and greenhouses.		P
Boarding and keeping of horses and cattle		
RESIDENTIAL		
Adult Activity Center	P	
PUBLIC/SEMIPUBLIC, INSTITUTIONAL		
Public and Private Schools (Elementary through High School)	S	S
Community Colleges, Colleges or Universities or College annexes	S	S
Libraries	P	
Community Centers	P	P
Community Shelters		
Government Facility		
Churches and other places of Worship, with attendant educational and recreational facilities	P	
Hospitals	P	P
Medical Clinics and Emergency Treatments Centers	P	P
Medical Care Facility, outpatient only	P	P
RECREATIONAL, CULTURAL AND CIVIC USES		
Private docks and Boathouses	S	
Private Clubs and Lodges, Community Centers, Civic and Social Organization facilities	P	P
	C-2	I
Parks, play grounds, recreational areas and recreational or community structures owned and maintained by any private non-profit or for-profit association	P	P
Public Parks, Play grounds and Recreation Areas		
General Cultural Uses	P	P
Auditoriums, stadiums, arenas, and expositions	S	S
Health or Fitness uses	P	
Family / General Entertainment uses	P	P

BUSINESS AND COMMERCIAL USES		
Business and Professional office uses	P	P
Banks and Financial Institutions	P	
Grocery Stores	P	
Convenience Store (not including gas/fuel sales)	P	P
Convenience Store (including gas/fuel sales)	P	P
Retail, General Business, or Personal Service	P	
Retail, General Business, or Personal Service > 50K sq ft. – single use	P	
Personal Service or Specialty Shop with light retail		
Retail plant nursery	P	P
Medical/Dental/Optical Supplies Stores	P	
Medical and Dental/Optical Laboratories	P	
Restaurant / Food Service / Food Retail	P (20)	P (20)
Bar		S (20)
Adult Entertainment Establishments		S (22)
Child Care Centers	S (9)	
Business and Technical Trade Schools	P	P
Vocational and Industrial Trade Schools	S	P
Animal hospital, veterinary clinic or animal boarding with boarding of animals in completely enclosed buildings.	P	P
Pet Stores that may include retail, grooming services, and boarding of domestic animals	P (29)	
Laundromats/Dry Cleaning (self service)	P	
Laundry/Dry Cleaners without drive-through pickup (no on-site processing, not self service)	P	
Laundry/Dry Cleaners with drive-through pick-up (no on-site processing, not self service)	P	
Laundry/Dry Cleaners with on-site processing	P	P
Automobile/Truck, boat, motorcycle, recreational vehicles sales & rental	S (12)	P (12)
Automobile/Truck Parts Sales	P	P
Automobile/Truck/Motorcycle/Boat repair & service	P (13)	P (13)
Car Wash	P	P
	C-2	I
INDUSTRIAL USES		
Manufacturing, fabricating, processing, packaging, storage, and sales / distribution uses		P (12-16) (18) (20) (22)
Mini-warehouse, personal storage facilities (climate controlled, internal entrance only)	S	P
Retail accessory establishments (only for the sale of goods manufactured on site)		P
Wholesale Stores	P	P
Research Laboratory		P

Radio and Television stations and transmitters, but no radio or television tower	P	P
Wrecking Yards (including automotive vehicle wrecking yards) and junk yards		S
Truck Stop		S
Mobile home sales yards	S	P
Fuel storage yards, coal, coke or wood yards.		S (15)
PUBLIC UTILITY USES		
Refuse Transfer Stations		P
Sewage Treatment Facilities, local		P
Water withdrawal operations, local		P
Gas and water metering stations		P
Wireless Communications Towers, Antennas and Equipment Facilities	S (16)	S (16)
LODGING		
Hotel, Motel and Motor Court accommodations	P(18)	S (18)
Bed and Breakfast Accommodations		
Tourist Resort		
MISCELLANEOUS		
Home Owners Association/Park Business Office		
Community Storage Areas for use of subdivision and park residents for storage of boats, boat trailers and recreation vehicles.		
Public parking lots and parking garages, either rental or free parking.	P	P
Transportation terminals including bus stations, railroad stations or other mass transit systems		P
Airports and heliports	S	S
Funeral Homes	P (17)	
Cemeteries and mausoleums		

AltKey	Property Address	Business Names
<u>1375665</u>	916 WEST MAIN ST TAVARES FL 32778	Leon Washington's Spotless Detailing
<u>1375690</u>	211 NORTH LAKE AVE TAVARES FL 32778	Vacant
<u>2695811</u>	351 NORTH DUNCAN DR TAVARES FL 32778	Central Automotive Tavares
<u>1375673</u>	918 WEST MAIN ST TAVARES FL 32778	Tavares Automotive
<u>1754771</u>	335 NORTH DUNCAN DR TAVARES FL 32778	DesignLab Inc
<u>2695838</u>	347 NORTH DUNCAN DR TAVARES FL 32778	Vacant
<u>1375681</u>	170 NORTH DUNCAN DR TAVARES FL 32778	Tom's Watch Repair
<u>1754763</u>	225 NORTH DUNCAN DR TAVARES FL 32778	Val Coursey Homes Inc.
<u>1375410</u>	424 N. DUNCAN DRIVE TAVARES, FL 32778	Lake County Shriners Club
<u>2761636</u>	355 NORTH DUNCAN DR TAVARES FL 32778	Jesses Tri City Glass
<u>1375622</u>	VACANT	Vacant
<u>3845603</u>	575 NORTH DUNCAN DR TAVARES FL 32778	Prestige Home Center



Commercial Corridor District

In order to ensure that the development of properties along these peripheral corridors is consistent with the overall vision for Downtown's urban fabric, this Plan recommends administratively rezoning the industrial zoned properties along SR 19 to general commercial uses....

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ORDINANCE 2012-29

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING A COMBINED TOTAL OF APPROXIMATELY 10 ACRES OF PROPERTY GENERALLY LOCATED ALONG STATE ROAD 19 NORTH OF MAIN STREET AND SOUTH OF ALFRED STREET; FROM INDUSTRIAL (I) TO HIGHWAY COMMERCIAL (C2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tavares is initiating a rezoning of the properties identified in exhibit A from Industrial to Highway Commercial; and

WHEREAS, the city's Downtown Master Plan encourages commercial and high density residential uses in our city core; and

WHEREAS, the City of Tavares has advertised in accordance with Florida State 166.041 for two public hearings, as is its option, prior to adoption of this ordinance; and

WHEREAS, the City of Tavares held these 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 Industrial to 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:

1
2 **EXHIBIT A**
3

4 TAVARES BEG AT INTERSECTION OF N BDRY MAIN ST & E'LY BDRY
5 HWY 19, RUN E 140 FT, N 140 FT, W TO HWY, SW'LY ALONG HWY TO
6 POB, BLK 78--LESS SR 19 DEED IN ORB 1414 PGS 348, 351-- PB 1
7 PG 64 ORB 999 PG 1834 (AK# 1375673)
8

9 TAVARES BEG 140 FT E OF INTERSECTION OF E'LY R/W LINE OF HWY
10 19 & N'LY BDRY OF IRMA ST, RUN N 140 FT, E TO E LINE OF LOT
11 C, S TO N BDRY OF IRMA ST W TO POB, BLK 78 PB 1 PG 64
12 ORB 983 PG 2103 (AK# 1375665)
13

14 TAVARES BLKS 78 & 79 W'LY OF SR 19, BLK 79 S'LY OF OLD
15 MEANDER LINE & W'LY OF SR 19--LESS LOT A--BLKS 80, 81, 82
16 SW'LY OF OLD MEANDER LINE--LESS ANY PART OF THE ABOVE LYING
17 WITHIN 170 FT E'LY OF CENTERLINE OF DORA CANAL--PB 1 PG 64
18 ORB 2014 PG 473 ORB 2539 PG 653 ROB 2543 PG 1948 -
19 EXCLUDING THOSE LANDS DESIGNATED WETLANDS AND CONSERVATION UNDER THE CITY OF TAVARES
20 COMPREHENSIVE PLAN AND DESIGNATED WETLANDS PROTECTION AREA UNDER THE CITY OF TAVARES
21 LAND DEVELOPMENT REGULATIONS. (AK# 1375622)
22

23 TAVARES FROM INTERSECTION OF N BDRY OF MAIN ST WITH E BDRY
24 OF SR-19 RUN E 140 FT, N 140 FT TO POB, RUN W TO R/W SR-19,
25 BEG AGAIN AT POB, RUN E TO E LINE LOT A, BLK 78, N TO MAUDE
26 ST, W TO R/W SR-19, SW'LY ALONG R/W TO INTERSECT FIRST LINE
27 PB 1 PG 64 ORB 1815 PG 1501 (AK# 1375681)
28

29 TAVARES BLKS 79 & 80 LYING E'LY OF HWY 19 PB 1 PG 64
30 ORB 808 PG 2066, ORB 1005 PG 53, ORB 1224 PG 1795 (AK# 1375690)
31

32 TAVARES FROM THE INTERSECTION OF N LINE OF LOT A BLK 79 WITH
33 NW'LY LINE OF ST RD 19 RUN NE'LY ALONG W'LY R/W OF ST RD 19
34 TO CENTERLINE OF ALFRED ST EXT W ACROSS ST RD 19 & POB, RUN
35 W ALONG CENTERLINE OF ALFRED ST EXT TO CENTERLINE OF UNNAMED
36 ST W OF BLK 79 HEREBY DESIGNATED AS PT A, NE'LY PARALLEL TO
37 NW'LY BDRY OF ST RD 19 TO PT NW'LY & AT RT ANGLES TO THE POB
38 SE'LY TO POB, BEG AGAIN AT POB, RUN SW'LY ALONG W'LY BDRY ST
39 RD 19 A DIST OF 194.5 FT TO PT B, BEG AGAIN AT POB, RUN W TO
40 PT A, SW'LY PARALLEL TO W BDRY OF ST RD 19 TO A PT AT RIGHT
41 ANGLES FROM PT B, SE'LY TO PT B PB 1 PG 64
42 ORB 760 PGS 2239, 2240, ORB 760 PG 2239, 2240 (AK# 1754763)
43

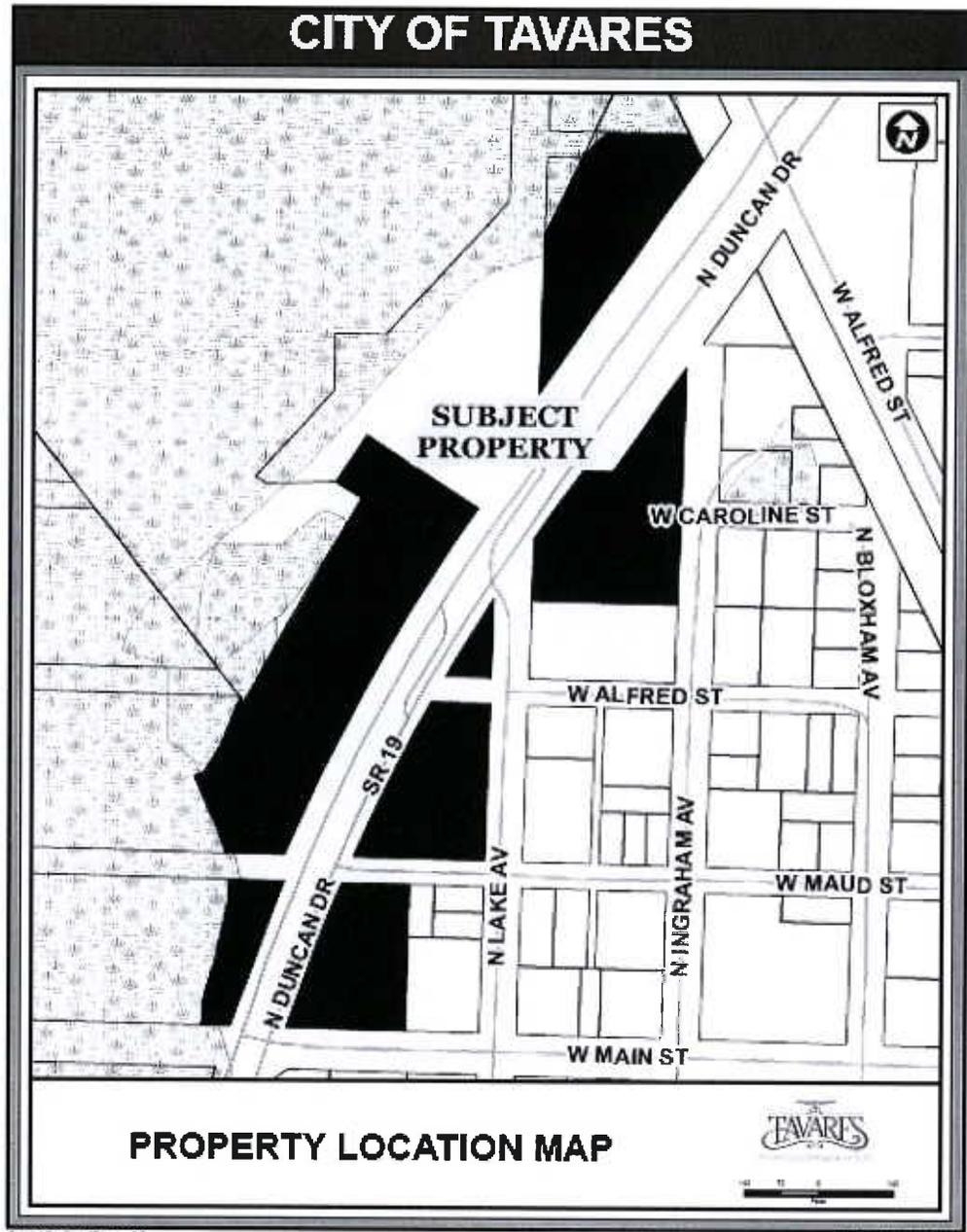
44 TAVARES BEG AT INTERSECTION OF CENTER LINE OF ALFRED ST &
45 W'LY LINE OF SR 19, RUN N 62DEG 12MIN 22SEC W 75.65 FT,
46 SW'LY PARALLEL TO W'LY LINE OF SR 19 113.58 FT, N 88DEG
47 49MIN 11SEC W 85.63 FT, N 36DEG 41MIN 11SEC W 43.8 FT TO PT
48 A, BEG AGAIN AT POB RUN NE'LY ALONG W'LY R/W OF SR 19 100 FT
49 N 60DEG 43MIN 59SEC W 188.32 FT, S 28DEG 32MIN 56SEC W
50 237.91 FT TO INTERSECT PT A PB 1 PG 64
51 ORB 2680 PG 2408 (AK# 1754771)
52

53 TAVARES, FROM THE INTERSECTION OF CENTER LINE OF ALFRED ST
54 (NOW CLOSED) & NW'LY R/W OF SR 19 RUN NE'LY ALONG SAID R/W
55 100 FT FOR POB, CONTINUE ALONG SAID R/W 100 FT, N 59DEG
56 15MIN 36SEC W 188.41 FT, S 29DEG 57MIN 23SEC W 104.85 FT, S
57 60DEG 43MIN 59SEC E 188.32 FT TO POB PB 1 PG 64
58 ORB 1476 PG 1850 (AK# 2695838)
59

60 TAVARES, FROM THE INTERESECTION OF CENTER LINE OF ALFRED ST
61 (NOW CLOSED) & NW'LY R/W OF SR 19 RUN NE'LY ALONG SAID R/W
62 200 FT FOR POB, CONTINUE ALONG SAID R/W 100 FT, N 57DEG

1 47MIN 13SEC W 191.19 FT, S 29DEG 57MIN 23SEC W 104.92 FT, S
2 59DEG 15MIN 36SEC E 188.41 FT TO POB PB 1 PG 64
3 ORB 3149 PG 1754 (AK# 2695811)
4
5 TAVARES BEG AT C/LINE OF CAROLINE ST & W RW OF SR 19 RUN N
6 56DEG 18MIN W 250 FT, S 32DEG 56MIN W 106.43 FT, S 57DEG
7 47MIN E 250 FT TO SR 19, NW'LY ALONG SR 19 100 FT TO POB PB
8 1 PG 64 ORB 918 PG 592 (AK# 2761636)
9
10 TAVARES BLK 66 S OF HWY & CLOSED ALLEY IN BLK 66 S OF HWY &
11 LOTS A, B, C, G, H, K, & CLOSED ALLEY BETWEEN LOTS A, B, C,
12 G, H, K, IN BLK 67 & CLOSED CAROLINE ST SE OF HWY BETWEEN
13 BLKS 66 & 67 PB 1 PG 64 ORB 819 PG 1261 (AK# 1375410)
14
15 TAVARES BLK 65 E OF GOV MEANDER LINE & NW OF HWY, THAT PART
16 OF IANTHE ST LYING E OF LAKE AVE & W'LY OF HWY 19, ALLEY
17 WITHIN BLK 65, E'LY 1/2 OF VACATED LAKE AVE LYING W OF ABOVE
18 PARCEL PB 1 PG 64 (AK# 3845603)
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**AGENDA SUMMARY
TAVARES PLANNING AND ZONING
NOVEMBER 21, 2012**

AGENDA TAB NO. 22

FIRST READING

SUBJECT TITLE: Ordinance 2012-30

**Small Scale FLUM Amendment- State Road 19 Downtown
Corridor from Industrial to Commercial**

OBJECTIVE:

To consider a Future Land Use Map amendment of a combined total of approximately 10 acres of land generally located along State Road 19 north of Main Street and south of Alfred Street from Industrial to Commercial.

SUMMARY:

Ordinance 2012-30 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan as recommended in the Downtown Master Plan.

The combined area of the subject property is approximately 10 acres in size and includes the following addresses and parcel alternate key numbers:

AltKey	Property Address
<u>1375665</u>	916 WEST MAIN ST TAVARES FL 32778
<u>1375690</u>	211 NORTH LAKE AVE TAVARES FL 32778
<u>2695811</u>	351 NORTH DUNCAN DR TAVARES FL 32778
<u>1375673</u>	918 WEST MAIN ST TAVARES FL 32778
<u>1754771</u>	335 NORTH DUNCAN DR TAVARES FL 32778
<u>2695838</u>	347 NORTH DUNCAN DR TAVARES FL 32778
<u>1375681</u>	170 NORTH DUNCAN DR TAVARES FL 32778
<u>1754763</u>	225 NORTH DUNCAN DR TAVARES FL 32778
<u>1375410</u>	424 N. DUNCAN DRIVE TAVARES FL 32778
<u>2761636</u>	355 NORTH DUNCAN DR TAVARES FL 32778
<u>1375622</u>	VACANT TAVARES FL 32778
<u>3845603</u>	575 NORTH DUNCAN DR TAVARES FL 32778

There are multiple independent owners of these properties. The property owners have been contacted prior to this City initiated action in an effort to promote communication and understanding of the City's vision for this important corridor and the benefits of this action for both the individual owner and the City at large. For example, local real estate professionals estimate that Industrial property is currently renting for \$2 to \$4 per square foot while retail space is renting for \$18 to \$20 per square foot.

This ordinance would amend the current Future Land Use Designation from Industrial to Commercial. An application to rezone these properties to Highway Commercial is concurrently under consideration.

Future Land Use Amendment/Compatibility

These properties are located on the periphery of the city's downtown core and with one exception, within the boundary limits of the Community Redevelopment Area. In order to ensure that the development of properties along this peripheral corridor will be consistent with the overall vision for Downtown's urban fabric, the Downtown Master Plan recommends changing the industrial designation to commercial.

Site Conditions

All of the parcels are developed with the exception of a portion of property less than one acre in size. Existing land uses in the area include a private social club, automotive uses, a variety of industrial uses.

Impact on City Services

All of the parcels are currently served with municipal water and sewer with the exception of a portion of property less than one acre in size. 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 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 future development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

OPTIONS:

No Council action required at First Reading.

PLANNING AND ZONING BOARD RECOMMENDATION:

At its October 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2012-30.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2012-30.

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 2012-30

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 A COMBINED TOTAL OF APPROXIMATELY 10 ACRES OF PROPERTY GENERALLY LOCATED ALONG STATE ROAD 19 NORTH OF MAIN STREET AND SOUTH OF ALFRED STREET; FROM INDUSTRIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Tavares is initiating an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of the properties identified in exhibit A from Industrial to Commercial; and

WHEREAS, the properties affected consist of less than ten acres which constitutes a small scale future land use amendment according to Florida Statute 163.3187; and

WHEREAS, the City of Tavares has advertised in accordance with Florida State 166.041 for two public hearings, as is its option, 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 commercial uses in and around the downtown core of the City; and

WHEREAS, the Commercial Future Land Use designation facilitates these preferred uses; and

WHEREAS, a 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

1 **WHEREAS**, the City Council has reviewed and considered all relevant evidence and
2 information and testimony presented by witnesses, the public, and City staff; and
3

4 **WHEREAS**, the City Council finds this amendment in compliance with Chapter 163,
5 Florida Statutes, and the City of Tavares Comprehensive Plan; and
6

7 **WHEREAS**, adoption of this amendment is in the best interest of the health, safety, and
8 general welfare of the citizens of Tavares;
9

10 **NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Tavares,
11 Florida as follows:
12

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

14 The Comprehensive Plan and Future Land Use Map 2020 of the City of Tavares,
15 Florida, is hereby amended to reflect a re-designation from Industrial to Commercial on certain
16 real properties as legally described in Exhibit "A". All provisions of the Comprehensive Plan
17 shall hereby apply to said property.
18

19 **Section 2. Severability and Conflicts**

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

25 **Section 3. Transmittal**

26 The City Administrator is hereby authorized and directed to transmit the adopted
27 Comprehensive Plan amendments to the Florida Department of Economic Opportunity, and
28 Lake County Growth Management Office and any other governmental agency in the state of
29 Florida that has filed a written request with the City Council for a copy of the Comprehensive
30 Plan within 10 working days of the adoption of this Ordinance as specified in the State Land
31 Planning Agency's procedural rules.
32

33 **Section 4. Effective Date**

34 The effective date of this plan amendment, if the amendment is not timely challenged,
35 shall be 31 days after adoption. If timely challenged, this amendment shall become effective on

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

7

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

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Robert Wolfe, Mayor
Tavares City Council

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First Reading: _____

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Second Reading & Final Adoption: _____

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ATTEST:

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Nancy A. Barnett, City Clerk

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Approved as to form:

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Robert Q. Williams, City Attorney

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EXHIBIT A

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TAVARES BEG AT INTERSECTION OF N BDRY MAIN ST & E'LY BDRY HWY 19, RUN E 140 FT, N 140 FT, W TO HWY, SW'LY ALONG HWY TO POB, BLK 78--LESS SR 19 DEED IN ORB 1414 PGS 348, 351-- PB 1 PG 64 ORB 999 PG 1834 (AK# 1375673)

TAVARES BEG 140 FT E OF INTERSECTION OF E'LY R/W LINE OF HWY 19 & N'LY BDRY OF IRMA ST, RUN N 140 FT, E TO E LINE OF LOT C, S TO N BDRY OF IRMA ST W TO POB, BLK 78 PB 1 PG 64 ORB 983 PG 2103 (AK# 1375665)

TAVARES BLKS 78 & 79 W'LY OF SR 19, BLK 79 S'LY OF OLD MEANDER LINE & W'LY OF SR 19--LESS LOT A--BLKS 80, 81, 82 SW'LY OF OLD MEANDER LINE--LESS ANY PART OF THE ABOVE LYING WITHIN 170 FT E'LY OF CENTERLINE OF DORA CANAL--PB 1 PG 64 ORB 2014 PG 473 ORB 2539 PG 653 ROB 2543 PG 1948 - EXCLUDING THOSE LANDS DESIGNATED WETLANDS AND CONSERVATION UNDER THE CITY OF TAVARES COMPREHENSIVE PLAN AND DESIGNATED WETLANDS PROTECTION AREA UNDER THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS. (AK# 1375622)

TAVARES FROM INTERSECTION OF N BDRY OF MAIN ST WITH E BDRY OF SR-19 RUN E 140 FT, N 140 FT TO POB, RUN W TO R/W SR-19, BEG AGAIN AT POB, RUN E TO E LINE LOT A, BLK 78, N TO MAUDE ST, W TO R/W SR-19, SW'LY ALONG R/W TO INTERSECT FIRST LINE PB 1 PG 64 ORB 1815 PG 1501 (AK# 1375681)

TAVARES BLKS 79 & 80 LYING E'LY OF HWY 19 PB 1 PG 64 ORB 808 PG 2066, ORB 1005 PG 53, ORB 1224 PG 1795 (AK# 1375690)

TAVARES FROM THE INTERSECTION OF N LINE OF LOT A BLK 79 WITH NW'LY LINE OF ST RD 19 RUN NE'LY ALONG W'LY R/W OF ST RD 19 TO CENTERLINE OF ALFRED ST EXT W ACROSS ST RD 19 & POB, RUN W ALONG CENTERLINE OF ALFRED ST EXT TO CENTERLINE OF UNNAMED ST W OF BLK 79 HEREBY DESIGNATED AS PT A, NE'LY PARALLEL TO NW'LY BDRY OF ST RD 19 TO PT NW'LY & AT RT ANGLES TO THE POB SE'LY TO POB, BEG AGAIN AT POB, RUN SW'LY ALONG W'LY BDRY ST RD 19 A DIST OF 194.5 FT TO PT B, BEG AGAIN AT POB, RUN W TO PT A, SW'LY PARALLEL TO W BDRY OF ST RD 19 TO A PT AT RIGHT ANGLES FROM PT B, SE'LY TO PT B PB 1 PG 64 ORB 760 PGS 2239, 2240, ORB 760 PG 2239, 2240 (AK# 1754763)

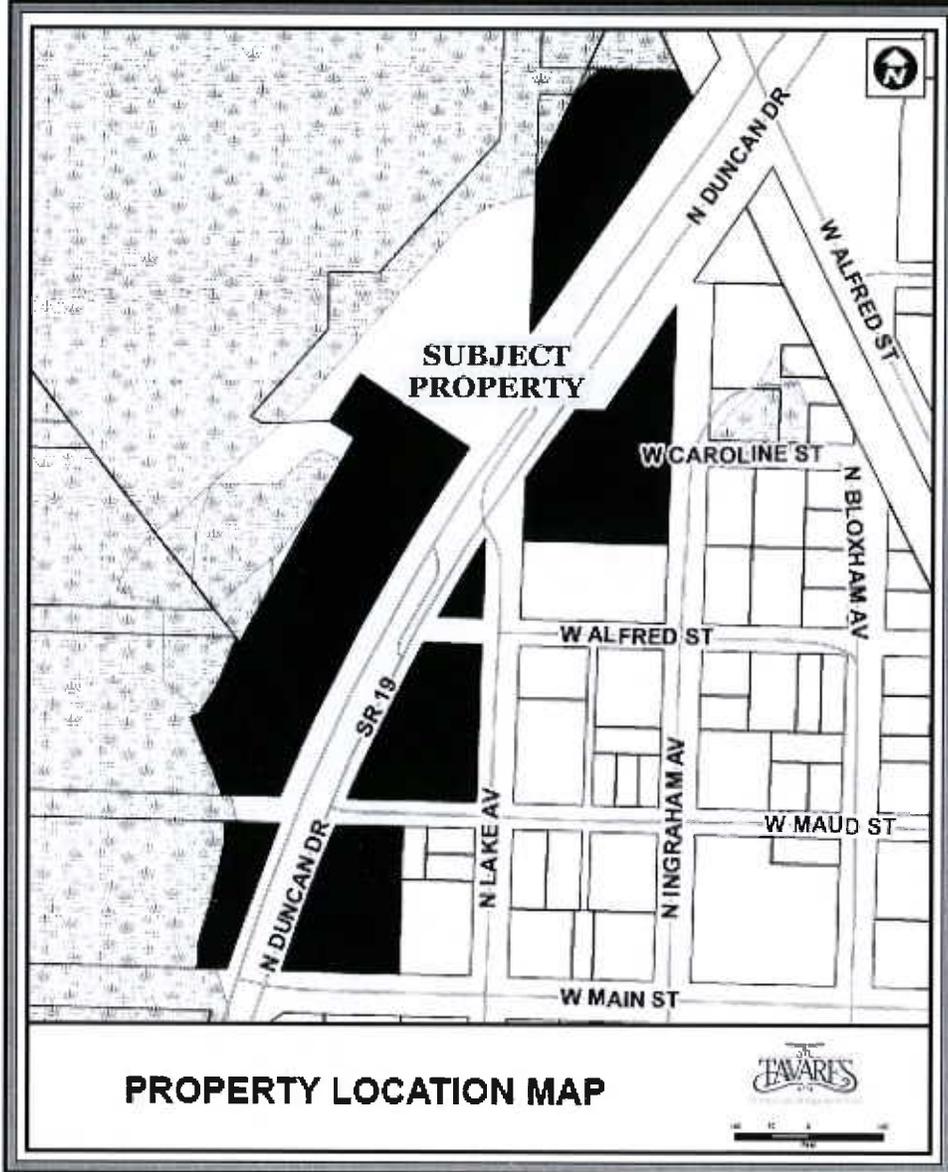
TAVARES BEG AT INTERSECTION OF CENTER LINE OF ALFRED ST & W'LY LINE OF SR 19, RUN N 62DEG 12MIN 22SEC W 75.65 FT, SW'LY PARALLEL TO W'LY LINE OF SR 19 113.58 FT, N 88DEG 49MIN 11SEC W 85.63 FT, N 36DEG 41MIN 11SEC W 43.8 FT TO PT A, BEG AGAIN AT POB RUN NE'LY ALONG W'LY R/W OF SR 19 100 FT N 60DEG 43MIN 59SEC W 188.32 FT, S 28DEG 32MIN 56SEC W 237.91 FT TO INTERSECT PT A PB 1 PG 64 ORB 2680 PG 2408 (AK# 1754771)

TAVARES, FROM THE INTERSECTION OF CENTER LINE OF ALFRED ST (NOW CLOSED) & NW'LY R/W OF SR 19 RUN NE'LY ALONG SAID R/W 100 FT FOR POB, CONTINUE ALONG SAID R/W 100 FT, N 59DEG 15MIN 36SEC W 188.41 FT, S 29DEG 57MIN 23SEC W 104.85 FT, S 60DEG 43MIN 59SEC E 188.32 FT TO POB PB 1 PG 64 ORB 1476 PG 1850 (AK# 2695838)

TAVARES, FROM THE INTERESECTION OF CENTER LINE OF ALFRED ST (NOW CLOSED) & NW'LY R/W OF SR 19 RUN NE'LY ALONG SAID R/W 200 FT FOR POB, CONTINUE ALONG SAID R/W 100 FT, N 57DEG 47MIN 13SEC W 191.19 FT, S 29DEG 57MIN 23SEC W 104.92 FT, S

1 59DEG 15MIN 36SEC E 188.41 FT TO POB PB 1 PG 64
2 ORB 3149 PG 1754 (AK# 2695811)
3
4 TAVARES BEG AT C/LINE OF CAROLINE ST & W RW OF SR 19 RUN N
5 56DEG 18MIN W 250 FT, S 32DEG 56MIN W 106.43 FT, S 57DEG
6 47MIN E 250 FT TO SR 19, NW'LY ALONG SR 19 100 FT TO POB PB
7 1 PG 64 ORB 918 PG 592 (AK# 2761636)
8
9 TAVARES BLK 66 S OF HWY & CLOSED ALLEY IN BLK 66 S OF HWY &
10 LOTS A, B, C, G, H, K, & CLOSED ALLEY BETWEEN LOTS A, B, C,
11 G, H, K, IN BLK 67 & CLOSED CAROLINE ST SE OF HWY BETWEEN
12 BLKS 66 & 67 PB 1 PG 64 ORB 819 PG 1261 (AK# 1375410)
13
14 TAVARES BLK 65 E OF GOV MEANDER LINE & NW OF HWY, THAT PART
15 OF IANTHE ST LYING E OF LAKE AVE & W'LY OF HWY 19, ALLEY
16 WITHIN BLK 65, E'LY 1/2 OF VACATED LAKE AVE LYING W OF ABOVE
17 PARCEL PB 1 PG 64 (AK# 3845603)
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CITY OF TAVARES



1

Client Name: / PO# MIKE FITZGERALD
 Advertiser: City of Tavares
 Section/Page/Zone: Lake Zone/D004/LAK
 Description: Ordinance 12-29 and 12-30
 Ad Number: 892585-1
 Insertion Number:
 Size: 3 x 10.5
 Color Type: B&W

Orlando Sentinel
Publication Date: 10/08/2012

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'Beast Feast' serves up gourmet meat for good cause

The Leesburg Center for the Arts will present its annual "Beast Feast" from 5:30 to 7:30 p.m. Oct. 25 on the grounds of the historic Mote-Morris House, 105 W. Magnolia St. The feast will benefit children's programs at the center.

The feast will feature gourmet entrees, live entertainment and more than 20 food and beverage stations. In the past, some of the entrees included quail, venison, duck, veal, guitar fish, pork, chicken, along with oysters, fresh corn peas, sweet potato casso-

role, cabbage, beverages and more. Advance tickets are \$25 and \$30 at the door. Details: 352-366-2332 or leesburgcenter4arts.com. Debbie Maris

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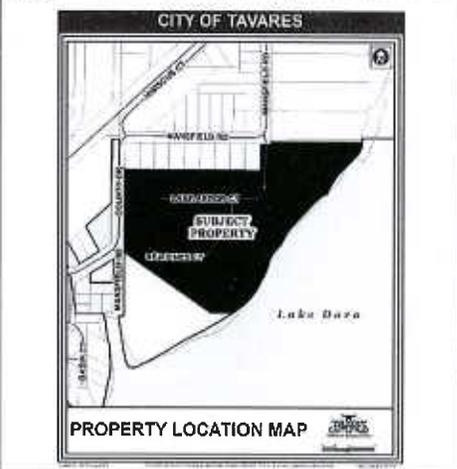
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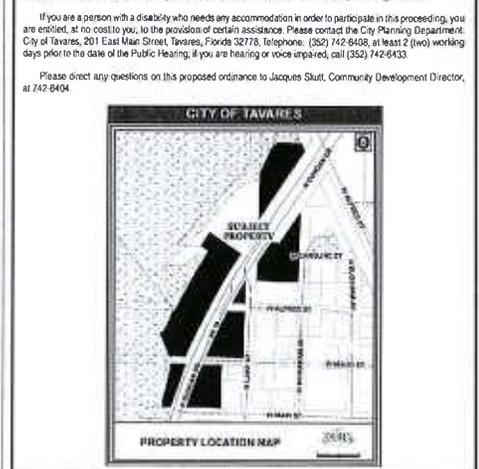
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THE CITY OF TAVARES NOTICE OF PUBLIC HEARING
 Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2012-28 & Ordinance 2012-30 as follows:
ORDINANCE 2012-28
 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 11.23 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF MAINFIELD ROAD, FROM RMF-2 (RESIDENTIAL MULTI-FAMILY) & RMF-3 (RESIDENTIAL MULTI-FAMILY TO PD (PLANNED DEVELOPMENT)), SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL, PROVIDING FOR AN EFFECTIVE DATE.
ORDINANCE 2012-30
 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 8.89 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF MAINFIELD ROAD, FROM LOW DENSITY TO HIGH DENSITY, PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSITIONAL; AND PROVIDING FOR AN EFFECTIVE DATE.
 Proposed Ordinance 2012-28 & Ordinance 2012-30 will be considered at the following public meetings:
 1. Tavares Planning & Zoning Board meeting on October 16, 2012, at 3 p.m., and
 2. Tavares City Council meeting on November 5, 2012, at 4 p.m. (Introduction and First Reading by this City), and
 3. Tavares City Council meeting on December 3, 2012 at 4 p.m. (Second Reading)
 All meetings will be conducted in the Tavares City Council Chambers in City Hall at 301 East Main St., Tavares, Florida.
 Proposed Ordinance 2012-28 & Ordinance 2012-30 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, 301 East Main Street, Tavares, Florida 32780, Telephone: (352) 742-6400, 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 Stout, Community Development Director, at 742-6404.



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 2012-29 & Ordinance 2012-30 as follows:
ORDINANCE 2012-29
 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING A COMBINED TOTAL OF APPROXIMATELY 19 ACRES OF PROPERTY GENERALLY LOCATED ALONG STATE ROAD 19 NORTH OF MAIN STREET AND SOUTH OF ALFRED STREET, FROM INDUSTRIAL (I) TO HIGHWAY COMMERCIAL (C2), SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL, PROVIDING FOR AN EFFECTIVE DATE.
ORDINANCE 2012-30
 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 A COMBINED TOTAL OF APPROXIMATELY 19 ACRES OF PROPERTY GENERALLY LOCATED ALONG STATE ROAD 19 NORTH OF MAIN STREET AND SOUTH OF ALFRED STREET, FROM INDUSTRIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSITIONAL; AND PROVIDING FOR AN EFFECTIVE DATE.
 Proposed Ordinance 2012-29 & Ordinance 2012-30 will be considered at the following public meetings:
 1. Tavares Planning & Zoning Board meeting on October 16, 2012, at 3 p.m., and
 2. Tavares City Council meeting on November 5, 2012, at 4 p.m. (Introduction and First Reading by this City), and
 3. Tavares City Council meeting on December 3, 2012 at 4 p.m. (Second Reading)
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 Proposed Ordinance 2012-29 & Ordinance 2012-30 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.
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 Please direct any questions on this proposed ordinance to Jacques Stout, Community Development Director, at 742-6404.



CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
October 18, 2012

1
2
3
4
5
6 **BOARD MEMBERS PRESENT**

7
8 **John Adams, Chairman**
9 **Morris Osborn**
10 **Sam Grist**
11 **Gary Santoro**
12 **Norb Thomas**
13 **John Tanner**

14
15 **LAKE COUNTY SCHOOL BOARD**

16
17 **Debbie Stivender, Boardmember - Absent**
18 **Dawn McDonald, Senior Planner - Absent**
19 **Richard Root, Boardmember - Absent**

20
21 **STAFF MEMBERS PRESENT**

22
23 **Jacques Skutt, Community Development Director**
24 **Alisha (Sullivan) Maraviglia, Senior Planner**
25 **Mike Fitzgerald, Development Coordinator**

26
27 **CALL TO ORDER**

28
29 John Adams, Chairman, called the meeting to order at 3:00 p.m. and the Pledge of Allegiance was
30 recited.

31
32 **APPROVAL OF MINUTES OF September 20, 2012**

33
34 The minutes were approved as read.

35
36 **OLD BUSINESS**

37
38 None

39
40 **SWEARING IN OF THOSE GIVING TESTIMONY**

41
42 Bob Williams, Attorney, gave the oath to staff and those members of the audience who indicated they
43 would be giving testimony.

44
45 **CASES TO BE HEARD**

46
47 **1) Ordinance 2012-29 – SR 19 Industrial Property – City Initiated Rezoning**

48
49
50
51 Jacques Skutt, Community Development Director provided the following staff report;

1 Ordinance 2012-29 proposes a rezoning from Industrial to Highway Commercial for a group of
2 properties at the following addresses and parcel alternate key numbers:

3
4 Alt Key 1375665 – 916 W. Main Street; Alt Key 1375690 - 211 North Lake Ave; Alt Key 2695811 - 351
5 North Duncan Drive; Alt Key 1375673 – 918 W Main Street ; Alt Key 1754771 – 335 N. Duncan Drive;
6 Alt Key 2695838 – 347 N. Duncan Drive; Alt Key 1375681 – 170 N. Duncan Drive; Alt Key 1754763 –
7 225 N. Duncan Drive; Alt Key 1375410 – 424 N. Duncan Drive; Alt Key 2761636 – 355 N. Duncan
8 Drive; Alt Key 1375622 - Vacant; Alt Key 3845603 – 575 N. Duncan Drive.

9
10 The subject properties consist of a total of approximately 10 acres in size. The properties are all
11 developed with the exception of a portion of property approximately 1 acre in size. There are multiple
12 independent owners. The City's adopted Downtown Master Plan encourages commercial uses in the
13 downtown core of our city which infers that industrially zoned properties in our central core should be
14 rezoned to a commercial designation.

15
16 Existing non-conforming industrial uses may continue indefinitely provided that they remain in
17 conformity with Chapter 7 of the City's Land Development Regulations which regulates non-conforming
18 uses. This allows maintenance, repair and reconstruction not exceeding 50% of the building's value.

19
20 Any redevelopment of these properties will be in accordance with the City's Land Development
21 Regulations which includes provisions for the architectural standards for new buildings and additions. A
22 Future Land Use Map amendment to a Commercial designation is concurrently under consideration.

23
24 A table extracted from Land Development Regulations, Chapter 8, comparing permitted uses allowed in
25 the Industrial and Highway Commercial zoning districts is provided along with this staff report as
26 Attachment A. There are many uses that are permitted in both the Industrial and Highway Commercial
27 zonings, such as Private Clubs and Lodges, resulting in a null effect.

28
29
30 Staff recommended that the Planning & Zoning Board move to recommend approval of Ordinance 2012-29.

31
32 Chairman Adams asked if there was anyone in the audience who would like to make a comment.

33
34 Mr. William Soreiro of 251 N. Duncan Drive asked several questions. His inquiries were largely related
35 to use of the property and financial assistance for improving the property.

36
37 It was determined that several of the properties were located in the Community Redevelopment Area
38 (CRA). Mr. Neron explained that the CRA formerly budgeted funding for improvement grants but that
39 due the recent economic down turn; there has not been sufficient funds to budget for this program.

40
41 In response to questions regarding continued use and tenancy, Bob Williams explained that the City's
42 Land Development Regulations allows for the continuation on non-conforming uses provided that the
43 use is not vacated for a period of greater than one year.

44
45 There was discussion of the non-conforming use policy at length.

46
47 Chairman Adams turned the discussion over to the Planning & Zoning Board.

48
49 Mr. Tanner communicated that many of the properties in the subject area were currently operating
50 businesses which would be permitted in the proposed zoning classification.

51
52 Jacques Skutt confirmed that and explained that staff has been approached by a number of property
53 owners that desired and supported the rezoning.

1
2 **MOTION**
3

4 **Sam Grist moved to recommend approval of Ordinance 2012-29. The motion was seconded by**
5 **Gary Santory. The motion carried 6-0.**
6

7 **2) Ordinance 2012-30 – SR 19 Industrial Property – City Initiated SSFLUM**
8

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

10
11 Ordinance 2012-30 proposes a small scale amendment to the Future Land Use Map 2020 of the
12 Comprehensive Plan as recommended in the Downtown Master Plan.
13

14 The combined area of the subject property is approximately 10 acres in size and includes the following
15 addresses and parcel alternate key numbers:
16

17 Alt Key 1375665 – 916 W. Main Street; Alt Key 1375690 - 211 North Lake Ave; Alt Key 2695811 - 351
18 North Duncan Drive; Alt Key 1375673 – 918 W Main Street ; Alt Key 1754771 – 335 N. Duncan Drive;
19 Alt Key 2695838 – 347 N. Duncan Drive; Alt Key 1375681 – 170 N. Duncan Drive; Alt Key 1754763 –
20 225 N. Duncan Drive; Alt Key 1375410 – 424 N. Duncan Drive; Alt Key 2761636 – 355 N. Duncan
21 Drive; Alt Key 1375622 - Vacant; Alt Key 3845603 – 575 N. Duncan Drive.
22

23 There are multiple independent owners of these properties. The property owners have been contacted
24 prior to this City initiated action in an effort to promote communication and understanding of the City's
25 vision for this important corridor and the benefits of this action for both the individual owner and the City
26 at large. For example, local real estate professionals estimate that Industrial property is currently
27 renting for \$2 to \$4 per square foot while retail space is renting for \$18 to \$20 per square foot.
28

29 This ordinance would amend the current Future Land Use Designation from Industrial to Commercial.
30 An application to rezone these properties to Highway Commercial is concurrently under consideration.
31

32 **Future Land Use Amendment/Compatibility**

33 These properties are located on the periphery of the city's downtown core and with one exception,
34 within the boundary limits of the Community Redevelopment Area. In order to ensure that the
35 development of properties along this peripheral corridor will be consistent with the overall vision for
36 Downtown's urban fabric, the Downtown Master Plan recommends changing the industrial designation
37 to commercial.
38

39 **Site Conditions**

40 All of the parcels are developed with the exception of a portion of property less than one acre in size.
41 Existing land uses in the area include a private social club, automotive uses, and a variety of industrial
42 uses.
43

44 **Impact on City Services**

45 All of the parcels are currently served with municipal water and sewer with the exception of a portion of
46 property less than one acre in size. The City's Concurrency Management System will ensure that Levels
47 of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities.
48 It is anticipated that this amendment will not implicate any significant increase on Levels of Service.
49

50 **FINDINGS**

51 This amendment request is considered to be in compliance with the Comprehensive Plan Goals,
52 Objectives and Policies with the following findings:
53

- 1 1. A Commercial Future Land Use designation would serve as the most appropriate land use for
2 the subject property in accordance with Future Land Use policy 1-1.1.6.
3
4 2. Impacts of future development of the subject property shall be monitored through the City's
5 Concurrency Management System. (Comp Plan, Chapter 8)
6
7

8 Staff recommended that the Planning & Zoning Board move to recommend approval of Ordinance 2012-30.
9

10 Chairman Adams asked if there was anyone in the audience who would like to make a comment.
11

12 There were no questions.
13

14 Chairman Adams turned the discussion over to the Planning & Zoning Board.
15

16 **MOTION**
17

18 **John Tanner moved to recommend approval of Ordinance 2012-30. The motion was seconded**
19 **by Morris Osborn. The motion carried 6-0.**
20

21 **3) Ordinance 2012-35 – Rezoning – Dora Lake Estates**
22

23 Jacques Skutt, Community Development Director provided the following staff report;
24

25 The subject property consists of approximately 11.23 acres located on the south side of Mansfield
26 Road. The property is currently owned by EAGLE FL III SPE LLC and CFL HOLDINGS LLC. The
27 property is vacant except for road and utility infrastructure that was installed for the planned Dora Lake
28 Estates subdivision. The applicant is proposing to rezone the property to (PD) Planned Development
29 and build a 250 unit assisted living / independent living facility on the property. The existing
30 infrastructure will be abandoned as part of the redevelopment plan for the property. The recorded Plat
31 for Dora Lake Estates will be vacated.
32

33 Any development of these properties will be in accordance with the City's Land Development
34 Regulations. A Future Land Use Map amendment to a High Density Residential designation is
35 concurrently under consideration.
36

37 Staff recommended that the Planning & Zoning Board move to recommend approval of Ordinance 2012-35.
38

39 Chairman Adams asked if there was anyone in the audience who would like to make a comment.
40

41 Mr. Alan Zell of 1075 Mansfield Road asked for additional information about the project and specifically
42 whether or not a buffer would be provided along the property line.
43

44 Mr. Skutt confirmed that there would be a substantial buffer provided.
45

46 Ms. D.J. Sperry asked if a buffer would be provided on the east side of the property as well.
47

48 Mr. Skutt explained that there would be a buffer at that location also.
49

50 Mr. Carlos Barrios of Barrios Engineering (representing the applicant) reviewed the conceptual plan
51 with the board and audience.
52

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

AGENDA TAB NO. 23

SUBJECT TITLE: Approve Ordinance Number 2012-37 amending Land Development Regulations to Combine the Water/Wastewater and Stormwater Funds

OBJECTIVE: To obtain Council approval to approve Ordinance Number 2012-37, amending section 17-77 of the Land Development Regulations for Fund Management for Stormwater Fees.

SUMMARY:

On January 18, 2012, the City Council approved the acceptance of an FDEP Grant in the amount of \$750,000 for the Downtown Stormwater Improvement Project. The grant requires a match in the amount of \$1,908,800.

On March 21, 2012, the City Council approved the acceptance of a Grant from the Lake County Water Authority in the amount of \$253,000 for the Downtown Stormwater Improvement Project. The grant requires a match in the amount of \$2,047,000.

On May 16, 2012, the City Council authorized the withdrawal of the USDA Stormwater Loan Application. The project includes improvements to the stormwater pond in the downtown core. The USDA application would not allow inclusion of the pond as part of the funded project. The grants are contingent on the inclusion of the pond within the project.

On June 20, 2012, the City Council approved Resolution 2012-08 which provides for reimbursement of project expenditures from debt proceeds as they become available so that the project may begin. The project is currently pending.

On October 3, 2012, the City Council authorized the issuance of a request for proposal for financing stormwater improvements in the downtown area.

On October 27, 2012, Ordinance #2012-37 was read for First Reading

As stated above the City has been able to secure grant funding to address some of the capital project cost, but the awarded grants require matches to complete the project which exceeds \$2M.

In response to Stormwater needs within the downtown and other areas of the City, the Council approved increasing the Stormwater Equivalent Single Family Unit Rate from 4.50 per ESFU to \$5.50 per ESFU during the FY2013 Budget Process. Non-residential rates are billed by determining the Equivalent Single Family Units (total impervious area). Ordinance No. 2012-33 (final reading, 10-17-2012) provides the official increase for the rate.

Although the Stormwater Fund should be able to meet the needed debt service payment requirements of financing the downtown stormwater improvements with the increased

stormwater fees, the stormwater fund would not be able to meet required debt covenants for debt service coverage that would also be required.

To address the issue for debt service coverage requirements, staff recommends combining the Water/Wastewater and Stormwater Funds, thus as a combined utility, debt service coverage for the stormwater financing would be addressed.

Staff has reviewed the consolidation of the utilities with the City's rate consultant, Mike Rocca of Raftelis Financial Consultants, Inc. for feasibility. A copy of the Utility Consolidation and CIP feasibility report is attached.

Update:

Previously, the City Council authorized application and acceptance of a USDA-RD Loan with a possible Grant component for rehabilitation and replacement of the Downtown CRA Water and Sewer infrastructure.

The consolidation of the Stormwater Utility with the Water/Wastewater Utility will result in supplanting the USDA-RD Loan with FDEP State Revolving Loan Funds (in process).

It is recommended that the USDA-RD Loan/Grant is supplanted for the following reasons:

- *USDA-RD has accelerated the construction time-line, thus requiring all construction to be completed by September 30, 2013. A request for waiver from the accelerated time line was submitted to the USDA earlier this year, but no response has been received from the USDA folks.*
- *An accelerated time-line for construction most likely will increase project costs.*
- *The USDA-RD is funded through ARRA funding and thus "Buy American" is a strict requirement for all construction materials. SRF Funding does not require "Buy American" as part of the program. Although the Buy-American requirement is well intended, this requirement generally results in much higher construction costs as well as significant oversight for its adherence.*
- *USDA-RD interprets the Water/Wastewater/Stormwater consolidation as a change from the USDA Bond Resolution requiring USDA approval, and thus will require a second bond validation hearing, and additional approval from USDA-RD Federal Underwriting.*
- *USDA-RD interprets the refinancing of the Water & Sewer Refunding Bonds as a change from the USDA Bond Resolution requiring USDA approval, and thus will require a second bond validation hearing, and most likely approval from USDA-RD Federal Underwriting.*
- *USDA-RD interprets the additional debt for the Meter Replacement Program as a change from the USDA Bond Resolution requiring USDA approval, and thus will require a second bond validation hearing, and additional approval from USDA-RD Federal Underwriting.*
- *SRF Funding appears likely, and funding can be secured at a rate below the USDA-RD rate of 3.25% included in the May 2010 USDA Commitment Letter.*
- *SRF Funding could be secured for an extended period of 30 years.*
- *Stormwater Grants have been secured totaling \$1,000,000 for needed Stormwater Improvements in the CRA. Consolidation of the utilities allows for Stormwater*

Projects to proceed. Stormwater reporting is affected, but Stormwater monies will remain separate for internal accounting and budgeting purposes.

OPTIONS:

1. Approve Ordinance 2012-37, which amends section 17-77 of the City of Tavares Land Development Regulations to allow consolidation of the Water/Wastewater and Stormwater Funds *and authorize the City Administrator to execute those documents necessary to supplant the USDA-RD Loan with the FDEP State Revolving Loan.*
2. Do not approve Ordinance 2012-37.

STAFF RECOMMENDATION:

Move to approve Ordinance 2012-37, which amends section 17-77 of the City of Tavares Land Development Regulations to allow consolidation of the Water/Wastewater and Stormwater Funds *and authorize the City Administrator to execute those documents necessary to supplant the USDA-RD Loan with the FDEP State Revolving Loan.*

FISCAL IMPACT: N/A

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ORDINANCE 2012-37

**AN ORDINANCE AMENDING SECTION 17-77 OF THE
CITY OF TAVARES LAND DEVELOPMENT
REGULATIONS PERTAINING TO THE STORMWATER
DRAINAGE UTILITY MANAGEMENT FUND;
AUTHORIZING THE CONSOLIDATION OF THE FUND
WITH OTHER UTILITY FUNDS; AUTHORIZING THE
FUNDS TO BE USED FOR ANY LAWFUL PURPOSE;
PROVIDING AN EFFECTIVE DATE**

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

Section 17-77 of the City of Tavares Land Development Regulations is hereby
amended to provide as follows:

DIVISION 9. STORMWATER DRAINAGE

Sec. 17-71. Established.

Pursuant to the home rule power of article VIII, 2(b), Florida Constitution and F.S.
Ch. 166, and the powers granted in the City charter, the City does hereby establish a
stormwater drainage utility and declare its intention to acquire, own, construct, equip,
operate and maintain open drainage ways, underground storm drains, equipment and
appurtenances necessary, useful, or convenient for a complete stormwater control
system; and also including maintenance, extension and reconstruction of the present
stormwater control system of the City; to minimize by suitable means such system's
adverse effect on the water quality of adjacent lakes; and to seek the cooperation of the
county and other municipalities in minimizing the effects of all such systems and other
sources of accelerated runoff to flooding and water quality.

Sec. 17-72. Definitions.

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

Beneficiaries of Drainage Service: All developed real properties within the City which
benefit by the provision of maintenance operation and improvement of the stormwater
control system. Such benefits may include, but are not limited to, the provision of
adequate systems of collection, conveyance, detention, treatment and release of
stormwater, the reduction of hazard to property and life resulting from stormwater runoff
improvement in the general health and welfare through reduction of undesirable
stormwater conditions and improvements to the water quality in the storm and surface
water system and its receiving waters.

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Contributors of Drainage Waters: All developed real properties within the City.

Developed: Any property altered in appearance by removal of vegetation, grading of the ground surface and construction of a structure or impervious surface.

Director: The director of the stormwater drainage utility appointed or designated by the City Administrator.

Equivalent Single-Family Unit (ESFU): The average impervious area for single-family dwellings in the City, as established by resolution of the City council.

Fee: A stormwater drainage utility fee enacted herein and set by resolution.

Hydrologic Response: The manner and means by which stormwater collects upon real property and is conveyed from real property, and which is a function dependent upon a number of interacting factors, including, but not limited to, topography, vegetation, surficial geologic conditions, antecedent soil moisture conditions and groundwater conditions. The principal measures of the hydrologic system may be stated in terms of total runoff volume, as a percentage of total precipitation which runs off, or in terms of the peak rate of flow generated in the event of a storm of given duration and intensity, or statistical interval of return (frequency).

Impervious Areas: Those hard-surfaced areas which either prevent or retard the entry of water into the soil mantle, as it entered under natural conditions prior to development, and/or cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas and other surfaces which similarly impact the natural infiltration or runoff patterns which existed prior to development, including normal water in ponds and lakes.

Multiple-Dwelling Unit: A building or facility consisting of more than one (1) dwelling unit, each such unit consisting of one (1) or more rooms with bathroom and kitchen facilities designed for occupancy by one (1) family.

Nonresidential Unit: Any building, structure or facility used other than as a dwelling unit or single-family unit.

Open Drainageway: A natural or manmade open cut which has the specific function of transmitting natural stream water or storm runoff water from a point of higher elevation to a point of lower elevation, such as swales, ditches, canals, streams and creeks.

Peak Flow: The highest instantaneous rate of stormwater runoff, measured or estimated in cubic feet of water per second. It is differentiated from total flow volume by the introduction of a unit of time measure during which the maximum rate of flow is

93 measured, calculated, or estimated.

94

95 Single-Family Unit (SFU): One (1) or more rooms with bathroom and kitchen facilities
96 designed for occupancy by one (1) family such as houses, townhouses, apartment
97 units, duplex units, condominiums, zero lot line, etc., where the units are sold, deeded
98 or leased as single-family units and/or have individual water meters.

99

100 Stormwater Control System: Any means by which the stormwater runoff is conveyed;
101 the peak flow from developed land surfaces is reduced; the erosion created by
102 stormwater is reduced and/or the water quality of the stormwater runoff is improved.

103

104 Total Flow: The accumulative volume of stormwater discharged from a property, basin,
105 or watershed. The total flow is quantified in measures such as acre feet or cubic feet of
106 water.

107

108 Utility: The stormwater drainage utility created by the provisions of this article.

109

110 **Sec. 17-73. Findings and Determinations.**

111

112 It is hereby found, determined, and declared as follows:

113

114 (1) Those elements of the system for the collection of and disposal of
115 storm and surface water are of benefit and provide services to all
116 property within the City including property not presently served by
117 the storm elements of the system.

118

119 (2) The cost of operating and maintaining the City stormwater drainage
120 utility system and financing necessary repairs, replacements,
121 improvements, and extensions thereof should, to the extent
122 practicable, be allocated in relationship to the user impacts,
123 benefits enjoyed, and services received therefrom.

124

125 (3) All property within the City demonstrates a hydrologic response to
126 rainfall events which generates stormwater runoff. The volume,
127 rate, and quality of this runoff will vary with the soil type, land use
128 conditions, topographic conditions, and other variables. In
129 particular, the construction of commercial units on previously
130 undeveloped property will generally increase the volume and rate of
131 stormwater runoff, and adversely affect its water quality.

132

133 **Sec. 17-74. Utility Fee.**

134

135 (A) A stormwater fee is hereby imposed upon each developed lot and parcel
136 within the City for services and facilities provided by the stormwater drainage utility
137 system. For purposes of imposing the stormwater fee, all lots and parcels within the
138 City are classified as residential or nonresidential.

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(B) The City administrator or his designee is directed to prepare a list of lots and parcels within the City and assign a classification of residential or nonresidential to each lot or parcel.

Sec. 17-75. Schedule of Utility Fees.

(A) The City council shall by Ordinance establish reasonable rates for the stormwater drainage utility system for each single-family dwelling unit (SFU). The monthly stormwater drainage utility fee for each single-family dwelling unit shall be ~~\$4.50~~ \$5.50. Each SFU shall be billed a flat fee established by the City council for residential units. For residential accounts not individually metered, the account holder of the master meter shall be billed the fee established for a SFU multiplied by the number of residential units.

(B) For nonresidential properties, the number of equivalent single-family units (ESFU) shall be determined periodically by the Utilities Director. All nonresidential properties, not covered by subsection (A) of this section shall be billed based on the total impervious area of the property divided by the ESFU and then multiplied by the rate established for a residential unit. The total impervious area of the property and the number of ESFU shall be updated by the director based on any additions to the impervious area as approved through the permit process. For nonresidential properties that are not separately metered, the total bill will be sent to the account holder of the master meter.

Sec. 17-76. Appeal of Impervious Surface Calculation.

Any person disagreeing with the calculation of impervious surface as determined by the utility may appeal such determination to the director. Any appeal must be filed in writing and shall include a survey prepared by a registered surveyor showing total property area and impervious surface area. Based upon the information provided by the utility and the appealing party, the director shall make a final calculation of impervious surface. The director of utilities shall notify the parties, in writing, of his decision. If still dissatisfied, a party may appeal the director's decision to the City council in the same manner as preceding. The decision of the City council shall be final.

Sec. 17-77. Management Fund.

(A) All stormwater drainage utility fees collected by the City shall be paid into an enterprise fund which is hereby created, to be known as the stormwater management fund. Except as provided in Section 17-77(C), such fund shall be used for the purpose of paying the cost of stormwater drainage facilities to be constructed in the various storm drainage basins and paying the cost of operation, administration and maintenance of those stormwater drainage facilities of the City. The stormwater management fund may be combined with other utility enterprise funds to maximize

185 bonding capacity. To the extent that the stormwater management fees collected are
186 insufficient to construct the needed stormwater drainage facilities, the cost of the same
187 may be paid from such City fund as may be determined by the City council, but the City
188 council may order the reimbursement of such fund if additional fees are thereafter
189 collected. ~~When the fund has surplus dollars on hand in excess of current needs, the~~
190 ~~surplus dollars will be invested to return the highest yield consistent with proper~~
191 ~~safeguards.~~

192
193 (B) ~~The fees and charges paid shall not be used for general or other~~
194 ~~governmental or proprietary purposes of the City, except to pay for the equitable share~~
195 ~~of the cost of accounting, management and government thereof. Other than as~~
196 ~~described above, the fees and charges shall be used~~ for any lawful purpose, which shall
197 specifically include solely to pay for the cost of operation, repair, maintenance,
198 improvements, renewal, replacement, design, right-of-way acquisition, and construction
199 of public stormwater drainage facilities and costs incidental thereto.

200
201 **Sec. 17-78. Fee Collection.**

202
203 (A) The stormwater drainage utility fee shall be billed and collected with the
204 monthly utility bill for those lots or parcels of land utilizing City utilities and billed and
205 collected separately as stormwater drainage utility fees for those lots or parcels of land
206 and owners thereof not utilizing other City utilities. All such bills for stormwater drainage
207 utility fees shall be rendered monthly by the finance department and shall become due
208 and payable in accordance with the rules and regulations of the finance department
209 pertaining to the collection of utility fees. The stormwater drainage utility fee is part of a
210 consolidated statement for utility customers, which is generally paid by a single
211 payment. In the event that a partial payment is received, the payment shall first be
212 applied to garbage and trash, next applied to stormwater drainage, next applied to
213 sewer, and finally applied to the water account.

214
215 (B) Any charge due under this article which shall not be paid when due may
216 be recovered in any action at law by the City. In addition to any other remedies or
217 penalties provided by this article or any other ordinance of the City, failure of any user of
218 City utilities within the City to pay such charges promptly when due shall subject such
219 user to discontinuance of utility services and the City administrator is hereby
220 empowered and directed to enforce this provision as to any and all delinquent users.
221 The employees of the City shall, at all reasonable times, have access to any premises
222 served by the City for inspection, repair or the enforcement of the provisions of this
223 article.

224
225 (C) All stormwater drainage utility fees assessed pursuant to this article shall
226 be a lien upon the property to which such fee is associated from the date such fee
227 becomes due until such fee is paid. The owner of every building, premises, lot or house
228 shall be obligated to pay the fee for all service provided for his premises, which
229 obligation may be enforced by the City by action at law or suit to enforce the lien in the
230 same manner as the foreclosure of mortgages. In the event of such action the City shall

231 be entitled to recover all court costs and reasonable attorney's fees for such collection.
232 IN the case that a tenant in possession of any premises or buildings shall pay such
233 charges, it shall relieve the landowner from such obligation and lien; but the City shall
234 not be required to look to any person whatsoever other than the owner for the payment
235 of such charges. No changes of ownership or occupation shall affect the application of
236 this article, and the failure of any owner to learn that he purchased property against
237 which a lien for stormwater utility fees exist shall in no way affect his responsibility for
238 such payment.
239
240

241 This ordinance shall take effect immediately upon its final adoption by the
242 Tavares City Council.
243

244
245 PASSED AND ORDAINED this ____ day of _____, 2012,
246 by the City Council of the City of Tavares, Florida.
247
248

249
250 _____
251 Robert Wolfe, Mayor
252 Tavares City Council

253 ATTEST:
254
255

256 _____
257 John Drury
258 City Administrator
259
260

261 Passed First Reading _____
262

263 Passed Second Reading _____
264
265

266 _____
267 Approved as to form:
268 Robert Q. Williams
269 City Attorney
270
271
272
273



976 Lake Baldwin Lane
Suite 204
Orlando, FL 32814

Phone 407 . 730 . 5944
Fax 407 . 730 . 5941

www.raftelis.com

October 5, 2012

Ms. Lori Houghton
Finance Director
City of Tavares
201 E. Main St.
Tavares, FL 32778

Subject: Utility Consolidation and CIP Feasibility

Dear Ms. Houghton:

This letter provides an overview of our findings on the financial feasibility for the ongoing and proposed funding of an extensive water, wastewater, reclaimed water and stormwater Capital Improvement Program (CIP). It is our understanding that the City is seeking to obtain a bank qualified loan for certain elements of the CIP that are not being funded through existing reserves and loan commitments from the Florida Department of Environmental Protection (FDEP) State Revolving Fund (SRF) program and the United States Department of Agriculture Rural Development (USDS RD). We further understand that the Water and Sewer Enterprise, and Stormwater Enterprise will be combined into a consolidated Water, Sewer and Stormwater Enterprise to better address the interrelationships of service activities and operational economies along with increasing the creditworthiness of the enterprises.

The City's water, wastewater and stormwater utilities are currently under the internal management of one consolidated department supervised by the Utility Director, Brad Hayes. Brad Hayes' vast experience with the operation and management of these types of utilities is reflected in the excellent services provided to the community along with cost effective operations, system improvements, expansion of services and attentiveness to all regulatory requirements. As previously mentioned, the operations and financial reporting for these utilities have historically been through two separate enterprise funds. Financial results of the last two fiscal years for these enterprises are presented in Table 1, which reflect adequate operating revenues to address the needs of both utilities.

Table 1. Historical Financials

	2010/11 (actual)			2011/12 (estimated)		
	Water/Sewer	Stormwater	Total	Water/Sewer	Stormwater	Total
Service Fee Revenue	\$6,993,973	\$525,369	\$7,519,342	\$6,759,700	\$545,700	\$7,305,400
Other Revenue	626,888	1,685	628,573	262,800	500	263,300
Total Revenue	\$7,620,861	\$527,054	\$8,147,915	\$7,022,500	\$546,200	\$7,568,700
O&M Expenses ¹	3,472,306	380,439	3,852,745	4,105,900	426,300	4,532,200
Net Revenue	\$4,148,555	\$146,615	\$4,295,170	\$2,916,600	\$119,900	\$3,036,500
Debt Service						
Series 2000 & 2002	\$ 490,890	\$0	\$ 490,890	\$ 470,575	\$0	\$ 470,575
SRF Loans	838,170	-	838,170	775,570	-	775,570
Total Debt Service	\$1,329,060	\$0	\$1,329,060	\$1,246,145	\$0	\$1,246,145
Coverage						
Series 2000 & 2002 ²	3.12		3.23	2.34		2.44
SRF Loans ³	4.25		4.42	3.03		3.19

1. Excludes Depreciation.

2. Net Revenue / Series 2000 & 2002 Debt Service.

3. (Net Revenue less (Series 2000 & 2002 debt service times 2.2)) / SRF Loan Debt Service

These utilities have embarked on an estimated \$33.3million CIP to expand, upgrade and renew the water, wastewater and reclaimed water system facilities, and the stormwater system facilities. Major system improvements consist of: 1) water meter replacements and Royal Harbor upgrades; 2) new potable water distribution, reclaimed water distribution and wastewater collection piping in the core older sections of the City; 3) reclaimed water transmission main expansion facilities; and 4) a new stormwater retention pond along with stormwater conveyance facilities in the City's downtown area. These improvements, of which some are currently in the design and permitting process, will provide more accurate customer usage data, reduce maintenance requirements and expand services. Funding for the capital improvements will be through a combination of USDS RD loans, SRF loans, bank qualified commercial loans, St. Johns River Water Management District (SJRWMD) grants and a minimum of system reserve funds. A summary of the ongoing and anticipated CIP reflecting project timing, cost estimates, funding sources and rate requirements is presented in Appendix 1.

A water and wastewater utility rate study completed for the City in May 2009 contemplated some of these improvements and recommended annual rate adjustments of inflation plus one percent. The City adopted the rate recommendation, which remains effective through fiscal year 2012/13. The City has historically conducted multi-year rate studies and it is anticipated that a new rate study will be commissioned in fiscal year 2012/13 to provide recommendations for the next five fiscal years. Stormwater utility fees are budgeted to generate an estimated \$667,000, reflecting stormwater utility fee of \$5.50 per month per stormwater equivalency effective October 1, 2012. Financial projections in Table 2 are presented to illustrate the financial feasibility of operational and funding requirements of the utilities and corresponding CIP.

Table 2. Combined Enterprise Proforma and Debt Service Coverage

	2012/13	2013/14	2014/15	2015/16	2016/17
Gross Revenue	\$8,105,200	\$8,478,500	\$8,867,400	\$9,173,800	\$9,495,800
O&M Expenses	4,556,900	4,678,000	4,823,500	4,973,800	5,128,700
Net Revenue	\$3,548,300	\$3,800,500	\$4,043,900	\$4,200,000	\$4,367,100
Senior Debt Service	\$546,500	\$981,000	\$1,104,100	\$1,398,500	\$1,681,200
SRF Debt Service	1,123,100	1,123,100	1,123,100	\$1,123,100	\$1,123,100
Total Debt Service	\$1,669,600	\$2,104,100	\$2,227,200	\$2,521,600	\$2,804,300
Other Requirements	1,566,900	1,306,300	1,356,700	1,401,800	1,448,000
Surplus (Deficit)	\$311,800	\$390,100	\$460,000	\$276,600	\$114,800
Debt Service Coverage					
Senior (Net Revenue / Senior Debt Service)					
Required	1.20	1.20	1.20	1.20	1.20
Achieved - Net Rev	6.49	3.87	3.66	3.00	2.60
SRF (Net Revenue - (Senior Debt Service *1.20) / SRF Debt Service)					
Required	1.25	1.25	1.25	1.25	1.25
Achieved - Net Rev	2.58	2.34	2.42	2.25	2.09

In forecasting the financials shown in Table 2, certain reasonable assumptions and conservative expectations were developed and utilized for the five projected years. Although believed to be greater, minimal customer growth was projected at less than a half of one percent per year. Annual O&M expenses reflect increases that range between 0.54 and 3.12 percent primarily to account for inflation. Revenues were increased on the assumptions that the current water and wastewater rate adjustments of inflation plus one percent will continue beyond fiscal year 2012/13 and stormwater utility fees will be increased by \$0.75 in fiscal years 2013/14 and 2014/15.

Based on the financials reflected in Table 2, provisions in the draft bond resolution, existing and proposed USDA RD and SRF loan agreements and competent utility and city management it can be concluded that the combined utility can for meet or exceed the operational and revenue generation requirements to

Ms. Lori Houghton
October 5, 2012
Page 3 of 4

address the funding needed for the proposed CIP. It is further concluded that the combined enterprise can maintain sufficient unrestricted and renewal and replacement reserves to meet operational and draft bond ordinance requirements.

The expenses, costs, and criteria associated with development of the projections herein are representative of averages and estimates that were developed primarily from current and historic data, projections based on opinions and assumptions, and/or from existing and draft agreements. Significant levels of historical review and analysis together with the development of assumptions based on financials, ratemaking relationships and direction from City staff were utilized in the development of the customers, operating activity, costs and proposed rate adjustments. The assumptions were current as of the date of this letter; however, some of the assumptions used will inevitably change or not materialize, and unanticipated events may occur which could significantly change the results presented herein.

We express our appreciation to you, Brad Hayes and other City staff that provided data, assistance and guidance in the development of this combined water, sewer and stormwater utility forecast.

Sincerely,
RAFTELIS FINANCIAL CONSULTANTS, INC.

A handwritten signature in cursive script that reads "Marco H. Rocca".

Marco H. Rocca CMC
Director of Florida Operations

Exhibit 1

Project		Cost	Funding Date	Funding Sources		Payment Source	Rate Action Required
Description	Utility			Loans/Bonds	Grants		
Water and Wastewater Improvements Water Meters & Royal Harbor		\$2,315,000	06/01/12	Interim ¹	Bank Loan ¹	Water Revenues	None ⁹
CRA Water, Wastewater & Reclaimed Water Improvements		\$13,302,220	1/1/12 10/1/13	Interim ²	BANI ² USDA Bonds ³	Water, Wastewater and Reclaimed Water Net Revenues	None ⁹
Remaining 5 year CIP Projects		\$1,575,000	10/1/12 to 9/30/17	Operating Reserves		N/A	None ⁹
Reclaimed Water Improvements							
Preconstruction Requirements		\$1,071,466	4/15/11		SRF Loan ⁴	Water, Wastewater and Reclaimed Water Net Revenues	None ⁹
Phase 1 Improvements		\$3,144,810	12/1/12		SRF Loan ⁵		
Phase 2 & 3 Improvements		\$3,374,012	12/1/12	\$119,162	SRF Loan ⁶		
Stormwater Improvements							
Phase I Stormwater		\$3,703,000	10/15/12		Bank Loan ⁷		
Phase II Stormwater		\$4,843,400	12/30/17		Bank Loan ⁸	Stormwater Fee Revenue	\$0.75 in FYs 2014 & 2015 ¹⁰
Total CIP		\$33,328,908					

Note: Costs and grant amounts other than Preconstruction Requirements subject to future adjustments.

¹ City internal loan of \$1,800,000 for meters to be refinanced from Bank Loan of \$2,380,000, 18 years @ 3.25 % & \$65,000 expenses, which the balance together with \$375,000 from unrestricted reserves provides \$890,000 for Royal Harbor project.

² City has provided \$1,600,000 internal loan for design costs to be reimbursed on Oct 1, 2012 Bank Bond Anticipation Note (BAN).

³ Approved USDA loan on Oct 1, 2013 refunds BANs and interest during construction. USDA Loan 38 years @ 3.25 %.

⁴ Existing preconstruction SRF loan \$1,071,466 for 20 years @ 2.92 %.

⁵ Commitment for SRF loan of \$2,675,647 for 20 years @ 2.37%. Original cost reduced by \$554,235 in grants.

⁶ Commitment for SRF loan of \$2,658,450 for 20 years @ 2.51%. Reduced by \$596,400 in grants. Requires additional reserve funding of \$119,162 for Technical Services not covered by SRF loan.

⁷ Bank loan for \$2,653,000, 20 years 4.25 %. Assumes combined utility enterprise fund.

⁸ Bank loan for \$4,894,000, 20 years @ 4.50 %. Assumes combined utility enterprise fund.

⁹ Existing adjustments provide for inflation plus 1.0 % through FY 2012/13. Assumes same thereafter but should be reviewed for sufficiency. Also assumes combined utility enterprise fund.

¹⁰ Stormwater Fee increase of \$1.00 Oct 1, 2012 followed by \$0.75 on Oct 1, 2013 and 2014. Should be reviewed prior to Phase 2 funding.

Orlando Sentinel/Lake Sentinel
November 11, 2012 Edition
Ordinance 2012-37

CITY OF TAVARES

NOTICE IS HEREBY GIVEN THAT THE TAVARES CITY COUNCIL WILL CONSIDER THE ORDINANCE 2012-37, SECOND READING, ON NOVEMBER 21, 2012 AT 4:00 P.M. TAVARES CITY HALL, 201 E. MAIN STREET, TAVARES, FL 32778.

ORDINANCE 2012-37

AN ORDINANCE AMENDING SECTION 17.77 OF THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS PERTAINING TO THE STORMWATER DRAINAGE UTILITY MANAGEMENT FUND; AUTHORIZING THE CONSOLIDATION OF THE FUND WITH OTHER UTILITY FUNDS; AUTHORIZING THE FUNDS TO BE USED FOR ANY LAWFUL PURPOSE; 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.

LAK121209 11/11/2012

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

AGENDA TAB NO. 24

**SUBJECT TITLE: Resolution 2012-14
Partial vacation of alleyway adjacent to Lake County
Administration Building**

OBJECTIVE:

To consider the vacation of the north 50' of an unnamed alleyway located between Lots D & L, Block 6, City of Tavares (adjacent to the Lake County Administration Building).

SUMMARY:

On October 17th, 2012, City Council approved an Interlocal Agreement concerning the use, modifications and improvements associated with an unnamed city alleyway running between the new Tavares Station Hotel under construction at 124 South Joanna Avenue and Lake County's Government Parking Lot. This agreement has now been approved and executed by all parties.

The Agreement requires that the city initiates an action to vacate the north fifty feet of the alleyway located between Lots D and L, Block 6, City of Tavares. This portion of the alleyway is not needed any city purposes and vacation is the appropriate action.

OPTIONS:

1. That City Council moves to approve Resolution 2012-14, a vacation of the north 50' of an unnamed alleyway located between Lots D & L, Block 6, City of Tavares.
2. That City Council moves to deny the proposed partial alleyway vacate.

PLANNING & ZONING BOARD RECOMMENDATION:

At its November 15th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Resolution 2012-14.

STAFF RECOMMENDATION

Staff recommends that City Council moves to approve Resolution 2012-14.

FISCAL IMPACT: N/A.

LEGAL SUFFICIENCY:

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

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RESOLUTION 2012-14

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE THE NORTH FIFTY FEET OF AN UNNAMED ALLEY GENERALLY LOCATED BETWEEN LOTS D AND L, BLOCK 6, CITY OF TAVARES; SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Interlocal Agreement between the Lake County Board of County Commissioners, the City of Tavares and Tavares Station Development, LLC has been approved and signed by all parties; and

WHEREAS, this Agreement specifies certain actions and responsibilities agreed to by all signing parties; and

WHEREAS, under this Agreement, the City agrees that it will initiate and action, at its expense, to vacate the north fifty feet of the alleyway located between Lots D and L, Block 6, City of Tavares; and

WHEREAS, the petition to vacate said right-of-way has been duly noticed as required by law; and

WHEREAS, the abutting property owners have been notified per the requirements of the City of Tavares Land Development Regulations; and,

WHEREAS, the City of Tavares has reviewed the vacate request and determined no conflicts in the vacation in regard to utilities, traffic, health, safety, or welfare;

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

The City of Tavares hereby vacates the north fifty feet of the unnamed alleyway located between Lots D and L, Block 6, City of Tavares.

1 **PASSED AND RESOLVED** this 21st day of November, 2012 by the Tavares City Council.

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6 _____
7 Robert Wolfe, Mayor
8 Tavares City Council
9

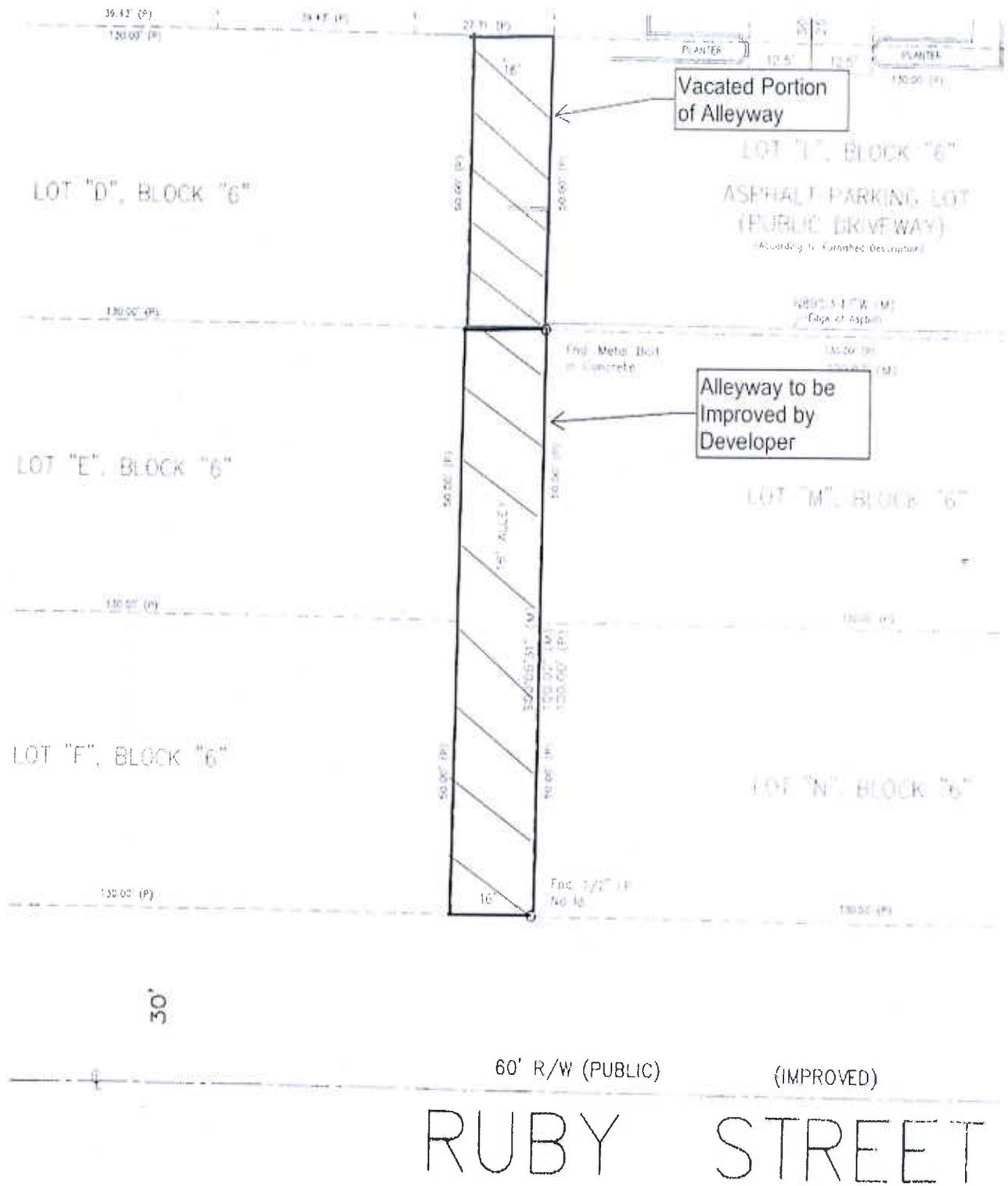
10
11
12 ATTEST

13
14
15
16 _____
17 Nancy A. Barnett, City Clerk
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21 Approved as to form and legality:
22
23

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25
26 _____
27 Robert Q. Williams, City Attorney
28

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Orlando Sentinel

Publication Date: 11/05/2012

This E-Sheet(R) is provided as conclusive evidence that the ad appeared in The Orlando Sentinel on the date and page indicated. You may not create derivative works, or in any way exploit or reurpose any content.

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 Insertion Number: City of Tavares
 Size: 3 x 10.5
 Color Type: B&W
 Section/Page/Zone: Lake Zone/D004/LAK
 Description: Resolution 2012-14



BOAS
Continued from Page D1

annoying chatter of paddles, we can turn to the bellows of sandhill cranes flying overhead and the proclamations of an Eastern phoebe announcing its territorial bounds.

Lately, I've been taking early morning swims. While incensed by the colder weather, I also row because of the water's soothing qualities. It's hard to feel anxious or upset when your focus is on making smoothly from one end of the lake to the other.

Elections bring problems to the forefront. Politicians play upon our fears while simultaneously trumpeting solutions. For as longer than is healthy, we find ourselves inundated with critical issues that demand our attention. The issues are important. But there are so many. It's easy to be overwhelmed, to need a retreat.

I find sanctuary in nature. I go for walks. I take early morning swims. I weed the vegetable garden, pot up some flowers and water the plants. I watch for lutescent birds and white-throats and also step in each sighting. I step outside when it's dark—even if only for a moment—to look up at the stars and to smile at the moon.

Nature reminds me that like a hurricane that rips through a region, even the

wildness of elections eventually ends. Sure, there will be cleanup to do but normalcy—or at least a semblance of it—eventually will return.

Like all creatures, humans adapt. We make do. We adjust to the changes. Being president is an awesome responsibility. I suppose we should feel fortunate that there are any candidates at all willing to subject themselves to the personal attacks and weighty decisions that political leaders face on a daily basis. No matter who wins, we can be sure of one thing: Whoever holds the office will age more quickly in the next four years than he would if he'd lost.

I said this column wouldn't be about voting but in a way, it is. In this time of elections, I cast my

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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 2012-40 & Ordinance 2012-41 titled as follows:

ORDINANCE 2012-40

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY .378 ACRES GENERALLY LOCATED ON THE SOUTHWEST CORNER OF DORNA AVENUE AND NORTH AVENUE, PRESENTLY ADDRESSED AS 1305 NORTH AVENUE, FROM RSF-1 (RESIDENTIAL SINGLE FAMILY) TO PD (PLANNED DEVELOPMENT); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2012-41

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 .378 ACRES GENERALLY LOCATED ON THE SOUTHWEST CORNER OF DORNA AVENUE AND NORTH AVENUE, PRESENTLY ADDRESSED AS 1305 NORTH AVENUE, FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2012-40 & Ordinance 2012-41 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on November 15, 2012, at 3 p.m.; and
2. Tavares City Council meeting on December 5, 2012, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on December 19, 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 2012-40 & Ordinance 2012-41 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 in 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) 742-6403.

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

PROPERTY LOCATION MAP

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 2012-38 & Ordinance 2012-39 titled as follows:

ORDINANCE 2012-38

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 8 ACRES OF LAND GENERALLY LOCATED EAST OF DAVID WALKER ROAD, NORTH OF OLD HIGHWAY U.S. 441, WEST OF MERRY ROAD; REZONING THE PROPERTY FROM COUNTY R-6 RESIDENTIAL TO CITY RMF-3 (RESIDENTIAL MULTI-FAMILY); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2012-39

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 6 ACRES OF PROPERTY GENERALLY LOCATED EAST OF DAVID WALKER ROAD, NORTH OF OLD HIGHWAY U.S. 441, WEST OF MERRY ROAD FROM LOW DENSITY URBAN HIGH DENSITY TO CITY HIGH DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2012-38 & Ordinance 2012-39 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on November 15, 2012, at 3 p.m.; and
2. Tavares City Council meeting on December 5, 2012, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on December 19, 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 2012-38 & Ordinance 2012-39 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 in 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) 742-6403.

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

PROPERTY LOCATION MAP

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 Resolution 2012-14 titled as follows:

RESOLUTION 2012-14

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE THE NORTH FIFTY PART OF AN UNNAMED ALLEY GENERALLY LOCATED BETWEEN LOTS D AND L, BLOCK 6, CITY OF TAVARES; SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

Proposed Resolution 2012-14 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on November 15, 2012, at 3 p.m.; and
2. Tavares City Council meeting on November 21, 2012, at 4 p.m.

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

Proposed Resolution 2012-14 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 be heard with respect to the proposed resolution. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings in 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) 742-6403.

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

PROPERTY LOCATION MAP

Alloyway - Block "6"

GOSPEL MUSIC!

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 http://www.hoppersmusic.com

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

AGENDA TAB NO: 25

**SUBJECT TITLE: Resolution #2012-15 - FY2011-2012 Final Budget
Amendment to the Adopted Budget**

OBJECTIVE:

To approve Resolution 2012-15, amending Fiscal Year 2011-2012 City of Tavares Annual Operating Budget

SUMMARY:

The attached resolution represents increases and/or decreases to the adopted and revised budget for Fiscal Year 2012. Appropriation increases represent previously approved reserve appropriations, capital projects, and final year true-up. In addition the Resolution also reflects transfers between individual accounts within the adopted budgets for all departments and debt proceeds.

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

OPTIONS:

1. Approve Resolution 2012-15 amending the FY 2011-2012 City of Tavares Annual Operating Budget.
2. Do not approve Resolution 2012-15.

STAFF RECOMMENDATION:

Move to approve Resolution 2012-15, amending the Fiscal Year 2011-2012 City of Tavares Annual Operating Budget.

FISCAL IMPACT: Estimated final budget amounts are included with the budget detail for this amendment.

LEGAL SUFFICIENCY:

The resolution has met legal sufficiency.

RESOLUTION 2012 - 15

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

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

Section 1. That the adopted budget for the City of Tavares for Fiscal Year 2012 should be increased from \$34,814,641 to \$42,615,329 in both revenues and expenditures where the increase represents increases or decreases in estimated revenues and increases in reserve appropriations in operating funds and capital project funds for prior year projects, and General Obligation proceeds and project expenditures, and the change represents the final amendment to the adopted budget for fiscal year 2012. (Exhibit A)

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

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

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

Fund Name	Fund Number	Original Budget	Revised Estimated Revenues	Reserve Appropriations or (Non-Appropriated Revenues)	Revised Estimated Appropriations
General Fund	001	\$ 11,609,511	\$ 15,018,579	\$ 1,014,525	\$ 16,033,104
Water/Wastewater Utility	401	6,514,788	6,966,223	(255,767)	6,710,456
Water/Wastewater Impacts	441	300,000	-	399,095	399,095
W/WW RR&I Fund	443	150,000	300,000	(127,600)	172,400
W/WW SRF Construction	444	4,844,660	6,548,221	-	6,548,221
W/WW SRF Loan	445	898,785	898,785	-	898,785
Sanitation	402	2,721,201	2,721,201	-	2,721,201
Stormwater	403	738,248	738,248	72,340	810,588
Marina/Seaplane Base	405	564,639	643,689	-	643,689
Police Education	102	1,500	2,025	(525)	1,500
Police Automation	103	-	-	-	-
Community Redevelopment	105	180,584	188,269	6,605	194,874
Special Events	106	-	-	-	-
Police Impacts	110	120,000	-	120,000	120,000
Fire Impacts	111	105,000	-	105,000	105,000
Forfeiture Fund	112	-	-	14,530	14,530
Park Impacts	114	-	-	-	-
Infrastructure Sales Tax	150	1,349,828	1,254,270	635,288	1,889,558
Grant Fund	151	803,500	867,340	-	867,340
Debt Service Fund	201	268,083	268,083	-	268,083
Capital Project Fund	301	-	3,307,500	554,324	3,861,824
Dental Insurance Fund	501	-	-	-	-
Municipal Police Pension	601	147,534	706,378	(558,844)	147,534
Firefighter's Pension	602	184,938	1,721,339	(1,536,401)	184,938
General Employees	603	21,754	21,754	-	21,754
Mildred Hunter Trust	605	347	347	-	347
Woodlea Park Playground Trst	606	508	508	-	508
		<u>\$ 31,525,408</u>	<u>\$ 42,172,759</u>	<u>\$ 442,570</u>	<u>\$ 42,615,329</u>

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

PASSED and ADOPTED this 21st day of November 2012, by the City Council of the City of Tavares, Florida.

 Robert Wolfe , Mayor
 Tavares City Council

ATTEST:

 Nancy A. Barnett
 City Clerk

 Approved as to form:
 Robert Q. Williams
 City Attorney

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

AGENDA TAB NO. 26

SUBJECT TITLE: Board Appointments – Police & Fire Pension Boards

OBJECTIVE:

There are two positions up for appointment. Both are citizen appointments.

The mayor will make recommendations to Council for appointments to these boards for council ratification. The positions were advertised in the Lake Sentinel.

SUMMARY:

Fire Pension Board – one citizen position

Charlotte Hope has applied to be reappointed. Her appointment will now be for four years until 2016. (She was originally appointed to fill a mid-term vacancy.)

Police Pension Board – one citizen position

Art Vanderstuyf has applied for reappointment which will be for a two year term (2014).

OPTIONS:

The mayor will make a recommendation .

STAFF RECOMMENDATION:

N/a

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient.

CHARLOTTE E. HOPE

Memo

To: Nancy Barnett
From: Charlotte E. Hope
Date: November 12, 2012
Re: Re-Appointment to Fire Pension Board

Nancy,

I am not sure if I need to send an email to Mayor Robert Wolfe or if this email to you is sufficient, please advise.

I understand that my term runs out on November 30, 2012.

This is to formally request that I be re-appointed to the Fire Pension Board, effective December 1, 2012 for a four-year term.

Thank you for your consideration of this request.

Charlotte E. Hope

Nancy Barnett

From: artvds2@comcast.net
Sent: Monday, September 17, 2012 2:58 PM
To: Nancy Barnett
Subject: Re: Police Pension Meeting

NANCY

IT WOULD BE MY PLEASURE TO SERVE ANOTHER TERM AS A MEMBER TO THE TAVARES POLICE PENSION BOARD.

ART VANDERSTUYF

From: "Nancy Barnett" <nbarnett@tavares.org>
To: "artvds2@comcast.net" <artvds2@comcast.net>
Sent: Monday, September 17, 2012 8:23:34 AM
Subject: FW: Police Pension Meeting

forwarding

From: Nancy Barnett
Sent: Monday, September 17, 2012 8:19 AM
To: Arthur VanDerStuyf (avanderstuyf@tavares.org)
Cc: Susie Novack
Subject: Police Pension Meeting

Art,

Reminder of the meeting this Friday at 1:30

Also we will be advertising your position on the board on October 21; your renewal for your term comes up in November. If you are willing to be reappointed if you could send me an email or letter that would be appreciated.

Sincerely,

*Nancy A. Barnett, C.M.C.
City Clerk
City of Tavares
PO Box 1068
Tavares, FL 32778-1068*

*Phone (352) 253-4546
Fax (352) 742-6351*



America's Seaplane City™

Orlando Sentinel/Lake Sentinel
October 21, 2012 Edition
Citizens Boards/Committees

**CITY OF TAVARES
CITIZEN BOARDS/COMMITTEES**

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

- Police Pension Board
- Fire Pension Board

The positions are voluntary and 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 pm Monday through Friday or by downloading the application from the city's web site at www.tavares.org.

Applications should be submitted by Friday, November 2, 2012. For additional information please call Nancy Barnett, City Clerk, at 352-253-4546.

LAK1209578 10/21/2012

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

AGENDA TAB NO. 27

SUBJECT TITLE: Appointment to Lake County School Concurrency Committee

OBJECTIVE:

To appointment a Tavares representative to sit on the Lake County Concurrency Review Committee.

SUMMARY:

The Lake County Concurrency Review Committee meets once a year. The next meeting will be held on December 6th at 10:00 AM at the Lake County Schools District Offices in the Tavares Board Room. Councillor Sandy Gamble formerly represented the city prior to his resignation. The Committee membership, authorized through an interlocal agreement between Lake County, the Lake County School Board and all participating cities of Lake County, is comprised of either elected officials or citizens. There is likely insufficient time to advertise for and select a citizen for this year since the meeting is only two weeks away.

In 2011, the City of Tavares deleted all non-statutory concurrency policies, including school concurrency, from our Comprehensive Plan. This was a recommendation of our Planning Consultant who compiled our Evaluation and Appraisal Report for our Comprehensive Plan. In lieu of State oversight, the City of Tavares desired to locally manage the development impacts of schools through co-ordination with Lake County and neighboring municipalities. The city continues to work on this task through our existing interlocal agreement and Land Development Regulations.

OPTIONS:

1. That City Council appoints an elected official to represent the City of Tavares on the Lake County School Concurrency Committee.
2. That City Council does not appoint an elected official to represent the City of Tavares on the Lake County School Concurrency Committee.

STAFF RECOMMENDATION:

That City Council appoints an elected official to represent Tavares on the Lake County School Concurrency Committee. If Council would prefer to appoint a citizen for next year's meeting, staff can undertake the necessary advertising.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

Approved for legal sufficiency.

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

AGENDA TAB NO. 28

SUBJECT TITLE: Presentation of Completed and Proposed Collective Bargaining Agreement between Tavares Professional Firefighters Local 3245 and the City of Tavares, seeking City Council Approval of the Proposed Contract, and Seeking Authorization for City Administrator John Drury to Sign the Contract on Behalf of the City.

OBJECTIVE:

The objective of this agenda item is to present the completed and proposed Collective Bargaining Agreement (C.B.A.) between the Tavares Professional Firefighters Local 3245 (I.A.F.F.) and the City of Tavares, seeking City Council approval of the proposed contract, and seeking authorization from Council to have City Administrator John Drury execute the contract on behalf of the City.

SUMMARY:

The previous C.B.A. between the Tavares Professional Firefighters and the City expired on September 30, 2012. Representatives of both entities met on several occasions prior to the expiration date for collective bargaining sessions. Mayor Robert Wolfe, City Administrator John Drury, and Fire Chief Richard Keith served as the negotiations team representing the City. Local 3245 President Alan Gagne and Vice-President Mark Kidd represented the Union.

President Gagne has authorization from the members of the Union Local to sign the proposed contract on behalf of the Union.

The salient points of this proposed contract are:

- Under Article 38, the proposed duration of this agreement is 3 years. By Florida labor law, the maximum amount of time a C.B.A. may be executed for is three years.
- Under Article 33, all Union members will receive a 2.5% Cost of Living Adjustment, payable at such time as that increase became effective for all city employees (October 1, 2012).

- Under Article 33, the annual salary ranges were all increased by 2.5%. This increase does not impact all Union members. It only benefits a few employees whose annual salary will fall below the new lower limit of each range.
- Under Article 33, the Union members agreed to participate in any insurance premium adjustments equal to those affecting general city employees.
- Under Article 28, a limit of 300 hours of overtime may count as “salary” for pension benefit calculation. This language was included in compliance with changes made in 2012 to Chapter 175 / 112 Florida Statute.
- There are a number of other changes, but those changes are either in dates or are minor changes to administration and operational rules within the Department, and as such do not present a fiscal impact.
- By mutual understanding between the negotiating parties, the salary increases are payable retroactive to October 1, 2012.

Option 1:

City Council may move to approve the proposed Collective Bargaining Agreement between the Tavares Professional Firefighters Local 3245 and the City of Tavares, and authorize City Administrator John Drury to sign the contract on behalf of the City.

Option 2:

City Council may choose to take not approve the proposed Collective Bargaining Agreement and direct Staff to pursue a different course of action.

STAFF RECOMMENDATION:

Staff recommends move option 1: Move to approve the proposed Collective Bargaining Agreement between the Tavares Professional Firefighters Local 3245 and the City of Tavares, and authorize City Administrator John Drury to sign the contract on behalf of the City.

FISCAL IMPACT:

All salary increases were included in the Fiscal Year 2012 / 2013 budget.

LEGAL SUFFICIENCY:

City Attorney Robert Q. Williams has reviewed the issue for legal sufficiency.

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

AGENDA TAB NO. 29

**SUBJECT TITLE: Report from City Attorney on Code Enforcement
Foreclosure Notifications**

OBJECTIVE:

To have the City Attorney make a report on Foreclosure Notifications

SUMMARY:

The City Attorney will make an update on the status of properties with code enforcement violations that may be subject to foreclosure.

OPTIONS:

- 1) Receive the City Attorney's report.
- 2) Do not receive the report

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient.

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

AGENDA TAB NO. 30

SUBJECT TITLE: Consider a Staff Request for installation of a new Gravity Sewer and Lift Station

OBJECTIVE: To consider for approval the Design, Permitting and Construction of a gravity sewer line for 8 residential properties on Woodlea Road.

SUMMARY:

There is a County enclave consisting of 8 properties across from the Woodlea ball fields at Capt Haynes Road. (See Attached Map) One of the properties, identified on the attached map, has a failed Septic Tank and the County Health Department will not issue a septic tank permit if an existing sewer line is within 1000 feet of the property line, as is the case here. The property owner was provided the option of tapping into the existing pressurized sewer system, at an estimated cost of approximately \$13,000. He came before Council and asked if an alternative system could be looked at for the 8 properties along Woodlea Rd. (he indicated that he was representing some of the owners). It should be noted that the property has a failed system and the owner has to have his septic tank pumped out every 45 days at a cost of \$275.

The City has budgeted \$750,000 for the construction costs to upgrade the Mt Homer Sewer Force Main in this FY 12-13 budget. A portion of these funds could be diverted to this gravity line project and we could continue to design the project this year and replenish the funds next year to do the construction. This construction project could be postponed till next budget year when the funds could be replenished to complete this project.

Staff was asked to bring back to Council options for assisting the residents along Woodlea Road to connect to the City Water and Sewer System. (Attached is the CADD Drawing plan/Map to install a gravity system behind the properties with a lift station). The estimated cost to the City for this work is \$74,550. The cost to home homeowners to connect is approximately \$3,260 for wastewater service, \$2,800 for a water service, and \$310 for meter and backflow. The total cost to connect to the water and sewer system is therefore approximately \$6,370.

As it relates to the funding of the \$74,550, it should be noted that none of the other 7 properties have shown any interest in connecting to this proposed gravity line. It should also be noted that until a decision is made, the property owner is pumping his septic tank out every 45 days at a cost of \$275.

OPTIONS:

1. **Move to approve** to borrow the funding from the proposed Mt Homer Rd. Sewer Force Main Upgrade budgeted project and complete this gravity sewer project this year
2. **Move to approve** postponement of the gravity sewer project till next year and budget for the work in FY 13-14

Staff Recommendation: Move to approve postponement of this project till next year and budget for the work in FY 13-14

FISCAL IMPACT:

Funding Source: If project is postponed until next year there will be no fiscal impacts this year.

LEGAL SUFFICIENCY: This Summary meets legal sufficiency

WOODLEA PROPERTIES
SEWER IMPROVEMENTS

PLAN & PROFILE

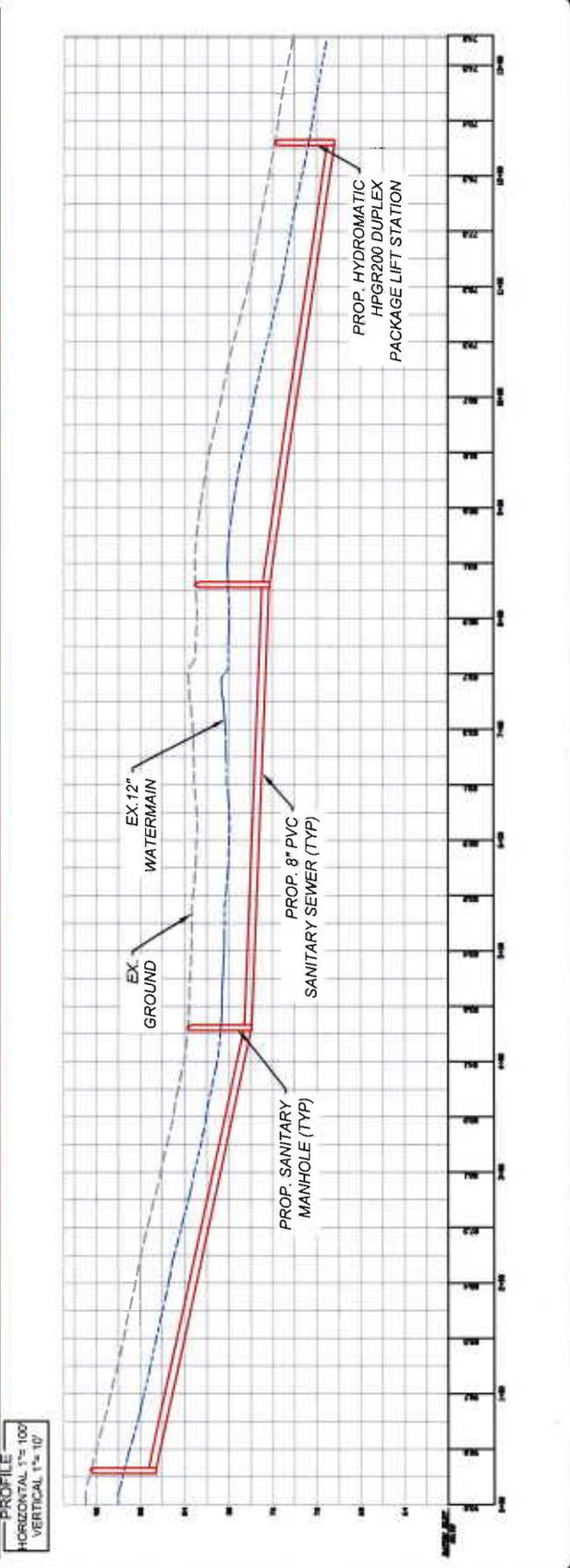
WOODLEA PROPERTY
SEWER IMPROVEMENTS

CITY OF TAWAHES
P.O. BOX 1088
TAWAHES, FLORIDA 32728
PHONE (352) 742-8454
FAX (352) 742-8387

CHITELY ENGINEERING
408 N. DUNN STREET
EUSTON, FLORIDA 32726
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FLORIDA CERT. OF AUTH. # 0002

DATE: 08-25-18
SCALE: 1" = 150'
PROJECT NO.: 2018030002
DRAWN BY: G.A.B.
CHECKED BY: G.A.B.
REV. # DATE

SHEET 1 OF 1



ESTIMATE SHEET

<small>JOB NAME</small> WOODLEA SANITARY IMPROV.		<small>CONTRACTOR</small>		<small>ESTIMATE NO.</small>		
<small>LOCATION</small> TAVARES, FL		<small>ARCHITECT</small> GRIFFEY ENGINEERING		<small>DATE</small> 9/26/2012		
<small>ESTIMATOR</small>		<small>CHECKED BY</small>		<small>NO. DATES</small>		
<small>JOB DESCRIPTION</small>						
ESTIMATE (PRELIMINARY PLAN)						
<small>DESCRIPTION</small>	<small>QUANTITY</small>	<small>@</small>	<small>MATERIAL</small>	<small>LABOR</small>	<small>SUBCONTRACT</small>	<small>TOTAL</small>
CITY PORTION: SANITARY MAIN						
MOBILIZATION	1 LS	750.00				\$750.00
LAYOUT & AS-BUILTS	1 LS	2400.00				\$2,400.00
SILT FENCE	1400 LF	1.50				\$2,100.00
8" SDR35 GRAVITY MAIN	1200 LF	16.50				\$19,800.00
6' SANITARY MANHOLES	4 EA	2200.00				\$8,800.00
LIFT STATION & CONNECTION	1 LS	40700.00				\$40,700.00
SUB-TOTAL:						\$74,550.00
NOTE: 4" CONNECTION OF LIFT STATION TO EXISTING 12" FM BY WET TAP INCLUDED						
RESIDENT PORTION: SANITARY SERVICES (LOTS NUMBERED WEST TO EAST)						
LOT 1 DBL SERVICE	300 LF					\$3,800.00
LOT 2 SINGLE SERVICE	260 LF					\$3,260.00
LOT 3 SINGLE SERVICE	245 LF					\$3,100.00
LOT 4 SINGLE SERVICE	210 LF					\$2,710.00
LOT 5 SINGLE SERVICE	230 LF					\$2,930.00
LOT 6 DBL SERVICE	320 LF					\$4,120.00
LOT 7 SINGLE SERVICE	250 LF					\$3,150.00
LOT 8 SINGLE SERVICE	250 LF					\$3,150.00
SUB-TOTAL:						\$26,220.00
NOTE: ALL SANITARY SERVICES PER PLAN, CONNECTIONS TO HOUSES BY PLUMBER NOT INCLUDED, CLEANOUTS INCLUDED AT EVERY 100 LF.						
RESIDENT PORTION: WATER SERVICES (LOTS NUMBERED SAME AS SANITARY)						
LOT 1 TWO SERVICES	460 LF					\$5,400.00
LOT 2 ONE SERVICE	250 LF					\$2,800.00
LOT 3 ONE SERVICE	240 LF					\$2,750.00
LOT 4 ONE SERVICE	210 LF					\$2,600.00
LOT 5 ONE SERVICE	220 LF					\$2,650.00
LOT 6 TWO SERVICES	530 LF					\$5,750.00
LOT 7 ONE SERVICE	210 LF					\$2,600.00
LOT 8 ONE SERVICE	240 LF					\$2,750.00
SUB-TOTAL:						\$27,300.00
NOTE: ALL WATER SERVICES INCLUDE 1-1/2" WET TAP AT 12" MAIN, METER BOX AND METER FLANGES, 1-1/2" RPZ/BFP'S AND CERTIFICATIONS, CONNECTIONS TO HOUSES BY PLUMBER NOT INCLUDED, AND METERS TO BE SUPPLIED BY CITY						

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

AGENDA TAB NO. 31

SUBJECT TITLE: 2012 Holiday Celebration (Light-Up)

OBJECTIVE: To discuss the city's annual holiday celebration and to consider a new and different format.

SUMMARY: This year's holiday celebration to be held on December 1, 2012 promises to be bigger and better than ever before and it comes with many special activities that will guarantee to please every age group.

This year's theme is ***Candy Canes and Carols*** and along with the usual activities of face painting, rock climbing, ice skating, video gaming, and melting marshmallows for s'mores, the staff has planned an ice carving demonstration, a fireworks display to highlight Santa's arrival (by seaplane), caroling around the Christmas tree, performances by the 17-piece Lake County Swing Band, strolling carolers from the United in Praise Singers, appearances by the Living Angels, performances by the First Baptist Church Choir of Tavares and the Tavares High School Jazz Band, horse-drawn carriage rides and so much more.

As always, a spirited parade will traverse the streets of Ruby and Main and the glow of thousands of lights will greet the spectators on Main Street and in Wooton Park.

By way of history, approximately 10 years ago, several of the cities in Lake County banded together to create what was known as Light-Up Lake County, hence, the city's naming of its annual holiday event, "Light-Up." Not only did this moniker imply a holiday celebration, but it inferred there would be lights illuminating the cities and from that, there began an annual "count-down to illumination" which became part of the city's holiday event.

As a side note, due to construction in the park in '2009, the celebration was held on Main Street without the count-down component to the event and the evening was very well received by the public.

With the new LED light system, with the installation of many other lights, and with the addition of an 18' LED lighted tree, the "count-down" doesn't quite work as effectively as one could hope, however, the park is still beautifully lit and enjoyed by all.

Staff has budgeted for a large 30' "Count Down" Christmas tree in the past two years at an estimated cost of \$59,000 to purchase but it has been cut from the budget during the budgeting process. Staff also budgeted for placing lights in the large oak trees at an estimated cost of \$90,000 but it to was cut from the budget during the budgeting process.

Staff is proposing to rename the event, "***Holiday Celebration***" and have the lights turned on Main Street and in Wooton Park **when** guests arrive and the ceremonious "count-down to illumination" would not occur. The Mayor would still welcome our guests to the park and carolers would lead everyone in singing around the Christmas tree. Santa would arrive by seaplane to the splendor of fireworks in the air and the celebration would move along through the evening.

This plan would create a seamless transition from the excitement on Main Street to the fun in the park.

OPTIONS:

- 1) Approve the new format and discontinue the "count-down"
- 2) Do not approve

STAFF RECOMMENDATION: Make a motion to approve the new format for the city's holiday celebration.

FISCAL IMPACT: n/a

LEGAL SUFFICIENCY: n/a

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

AGENDA TAB NO. 32

SUBJECT TITLE: Open for Business Initiative-Myregion.org

OBJECTIVE:

To seek City Council endorsement and support of myregion.org's "Open for Business" initiative.

SUMMARY:

Myregion.org is a Central Florida organization comprised of government, business and civic leaders with a common goal of building a better future for the residents and businesses of this region. One of their projects, "Open for Business" is an initiative designed to collectively encourage economic prosperity across the Central Florida Region by reducing the barriers to business growth and expansion. To demonstrate this commitment, myregion .org is asking local governments to certify that they are offering a streamlined, efficient permitting process to developers. A questionnaire provided by myregion.org was answered by city staff, showing that the permitting process in Tavares already meets the standards sought by this initiative. A copy of the questionnaire is attached to this summary.

Myregion.org is holding a "Regional Signing" ceremony on December 14, 2012 during which elected officials and municipal staff are invited to participate in the signing of the "Open for Business" resolution. Staff is seeking Council's endorsement of this initiative and is inviting participation in the signing ceremony. Information from myregion.org describing this project and ceremony is attached to this summary.

OPTIONS:

1. The City Council endorses myregion.org's "Open for Business" project. Council is invited to participate in the signing ceremony.
2. That City Council does not endorse this project.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

This draft Resolution is designed to promote dialogue, review, constructive edit and improvement, and ultimate agreement on text and terms; and in no way represents the legal opinions of local government counsel, commissions, officers or staff.

FII Red-letter Version 8.21

RESOLUTION

Central Florida's "Open for Business" Initiative to Promote Business Climate, Great Service, Job Creation and Business Investment

THIS RESOLUTION is entered into, by and between the undersigned local governments of the region of Central Florida.

WITNESSETH

WHEREAS, a reputation for a sound business climate is vital to the reputation of regions around the globe;

WHEREAS, Central Florida is the ___th largest region in the United States and home to over ___ people;

WHEREAS, the undersigned are united in a mission to ensure Central Florida is a great destination for business, capital and employment;

WHEREAS, sustaining and growing resident businesses of all sizes is vital to economic stability and employment;

WHEREAS, competition for capital investment and industry diversification often rests on a market's ability to provide outstanding customer service;

WHEREAS, the impacts of the "Great Recession" require collaboration across jurisdictions and sharing of promising practices;

WHEREAS, an initiative called Central Florida "Open for Business" has identified licensing and permitting, and overall business communications and transactions, as breakthrough areas for reputation-building, and business confidence;

WHEREAS, the undersigned governments want to honor the work of the teams involved in "Open for Business" research and due diligence;

WHEREAS, "Open for Business" has identified areas for collaboration, improvement and measurement;

WHEREAS, a multi-jurisdictional streamlined permitting agenda may send an unprecedented, positive message to incumbent, new, expanding and relocating businesses;

WHEREAS, the undersigned governments are committed to promoting clarity, data-driven decision-making and regional collaboration; and

WHEREAS, local governments have independently and collectively developed useful, productive and meaningful practices that ensure business compliance and seamless service

NOW THEREFORE, the undersigned local governments [counties] agree to the following:

I. ADOPTION OF “OPEN FOR BUSINESS” JOINT STATEMENT OF REGIONAL WORK GROUPS RELATIVE TO STREAMLINED PERMITTING

We are confident that the identification and removal of regional barriers constraining existing and new business enterprises inspires employer confidence and job creation, and distinguishes Central Florida as a place that is truly “Open for Business.” We see local governments within our region joining together to set high standards for streamlined permitting processes that allow businesses to open quickly, so that people are able to work. New and incumbent businesses deserve those same high standards wherever they do business in Central Florida. The “Open for Business” recommendations are difficult but “do-able.” They ensure meaningful and measurable progress toward our goals. We must remove obstacles to participating in the new economy. These are our priority actions. (“Open for Business” Report: Leaders in Eight Counties Identify Ways to Create More Jobs. Fall 2011. Page 2.)

II. KEY PRINCIPLES

We will work together, guided by the key principles of:

- A. Sharing success and seeking common ways to measure progress
- B. Communicating breakthroughs inside and outside of Central Florida
- C. Developing and adopting promising practices and technologies
- D. Celebrating breakthroughs among co-signee peers
- E. Watching and evaluating other markets
- F. Listening to the customer
- G. Understand and develop a culture of customer service

III. ACTIONS AND APPROACHES TO ENSURE SUCCESS

A. CUSTOMER SERVICE

Instill a positive, pro-active attitude in the staff project review team, throughout the entire process, to help the customer make his or her project a reality.

B. PRE-APPLICATION REVIEW

Provide for each pre-application project review to include all applicable departments. Build an integrated, multi-departmental, approach over time.

C. MINIMIZE COST

Minimize customer costs, especially during the pre-application and preliminary review process to keep customer costs down.

D. ENSURE THE OMBUDSMAN ROLE

After pre-application review, provide on point of contact to guide customers throughout the entire approval process.

E. TIME IS OF THE ESSENCE

Establish aggressive timelines for project approvals to advance savings of time and money for the customer and the taxpayer.

F. MINIMIZE APPROVAL STEPS

Minimize the steps for project approval depending on the type and size of development request, including planned unit development, subdivision, permitted conditional use, etc.

G. PROCESS IMPROVEMENTS

Commit to regular evaluations of the development review and permitting process to ensure an efficient and value-added process. Implement process improvements to include technology upgrades and innovations, as appropriate and feasible. Tie and test through Item A., above.

H. POST PROJECT APPROVAL

After project approval is achieved, minimize the time and steps for project permit amendments and/or revisions.

I. CONSISTENCY AND EXECUTION FOR REGIONAL IMPACT AND REPUTATION

Ensure common language and consistent measures to prove regional impact and commitment.

**OPEN FOR BUSINESS
STREAMLINED PERMITTING**

<p>CUSTOMER SERVICE – Instill positive proactive attitude in the staff project review team, throughout the entire process, to help the customer make his or her project a reality.</p> <p>Related Measures</p> <p>Check all that apply</p>	<p>x Provide Opportunity for Customer Feedback by Project</p>	<p>Provide an opportunity for customers to evaluate and comment on their customer service experience on an individual project basis. Where feasible, provide customers with option to provide comments electronically.</p> <p>Example: Feedback from customers is encouraged. Comments regarding customer service can be made to the department's Director in person, in writing or through our city's web page.</p>
	<p>x Reward Excellent Customer Service</p>	<p>Implement recognition and rewards program for excellent customer service including timely, accurate staff reviews. Include assessment of customer service skills as part of employee performance reviews.</p> <p>Example: Customer service skills contribute 20% towards the employees' annual Performance Appraisal. Merit increases, when fiscally possible, coincide with the scoring of the Performance Appraisal. Letters of special recognition when received from the public are placed in the employees' personnel file and are often noted during Public Council meetings.</p>
	<p>x Service Targets for Project Review</p>	<p>Establish service targets for project review, e.g., the average or maximum time for staff review and comment.</p> <p>Example: The city is proud of its quick turnaround time for plan review. Residential permits are processed in three days and commercial permits are completed in one week.</p>
	<p>x Regular Training Program</p>	<p>Establish and maintain a regular training program for process and permit technicians (staff who assist customers in preparing applications). Goals of the training program to: 1) teach best customer service practices; 2) promote higher quality for first submittals; and 3) empower employees at lower levels to make more decisions.</p> <p>Example: Our single permit technician has many years of experience in permit processing. She has received special training in customer service skills. In addition, other department employees have been cross trained to insure that this same quality of service continues in the absence of our primary permit technician.</p>

PRE-APPLICATION REVIEW – Provide for each pre-application project review to include all applicable departments. Everyone to work with the customer to try and make the project a reality.

Related Measures	x	Development Review Committee
	Form a development review committee to include representatives of all departments that are a part of the development review process. Where feasible, include representatives of outside permitting agencies. Example: The City of Tavares has formed a Development Review Committee that meets once a week. The committee consists of representatives from all departments and outside agencies when warranted. Customers are able to ask and receive all questions and answers needed at this meeting to insure that their project will move forward smoothly.	
Check all that apply	x	Optional Pre-Application Review Meetings
	Offer pre-application review meetings with the development review committee. Schedule the review of potential projects at the option of applicants to discuss project requirements and review/approval timeline. Example: the Development Review Committee frequently meets with Developers to discuss conceptual plans prior to the submittal of a formal application.	

MINIMIZE COST – Minimize customer costs especially during the pre-application and preliminary review process to keep customer costs down.

Related Measures	x	Customer Education Program on Permitting Process
	Implement a customer education program using one or more of the following: classroom instruction, informational videos, brochures or the publication of other marketing material. Example: The City's website offers all needed information on our permitting process. In addition, the City's Public Communications Director and our Economic Development Director have marketing material for promoting our city. Being a small town, our staff is always available to meet and discuss development strategies with potential investors in our city.	
Check all that apply	x	Offer Expedited Review Process
	Provide an expedited review process for targeted projects or offer the option of an expedited process at an added cost to the applicant. Example: All of our review processes are expedited. Development applications that require mandated public hearings are considered at the next scheduled meeting. The Planning & Zoning Board meets once a month and City Council meets twice a month.	
	x	Implement Master File Program for Commercial and Residential Building Permits

	<p>Implement process to allow an approved set of master file drawings to be used to permit individual buildings of the same type with only a review of site specific conditions.</p> <p>Example: The City's Building Department allows master filing of drawings when appropriate.</p>
x	<p>Application Checklist</p> <p>Provide checklists to aid customers in the preparation of applications to promote higher quality for first submittals.</p> <p>Example: Our Building Permit and Development applications have attached checklists.</p>
	<p>Electronic Submission and Review of Plans</p> <p>Implement electronic submission and review of plans to reduce customer costs related to the production, submission or resubmittal of plans.</p> <p>Example: The City does not presently have the needed computer or software capability to implement electronic submissions of large plan sets. This is a capital improvement that will be considered when the economy improves and when indicated as a priority. The vast majority of construction activity in our city is done by local contractors who are accustomed to paper submittals.</p>
x	<p>Reduced Paper Copies</p> <p>Reduce the number of copies required for the submittal of paper application packages.</p> <p>Example: The city requires only the minimal amount of copies needed to expedite applications.</p>
	<p>ENSURE THE OMBUDSMAN ROLE – After pre-application review, provide one point of contact to guide customer throughout the entire approval process.</p>
x	<p>Single Point of Contact: Problem-Solver</p> <p>Provide a staff person with problem-solving skills to serve as a single point of contact for customers throughout the entire development review and permitting process (from project concept to building permit and inspection).</p> <p>Use staff person to facilitate communication between applicant and review staff and to anticipate and resolve project issues if possible.</p>
Related Measures	<p>Check all that apply</p> <p>Example: The City employs a "Development Review Coordinator" whose primary responsibility is to facilitate a development project from conception to completion.</p>
x	<p>Customer Contact List</p>

Prepare a customer contact list for each project to include the owner, applicant, architect, planner and engineer. Provide contact list a courtesy copy of correspondence to project manager to help ensure timely and effective communication.

Example: The City maintains a "Project File" for each application which contains all of this information. The city will provide a copy of this to the project manager from this point on.

TIME IS OF THE ESSENCE – Establish aggressive timelines for project approvals. Again, this saves the customer time and money.

x One-Stop Shop
 Implement a "one-stop shop" approach to bring as many review functions as possible together within the same operating unit.

Example: The City implemented this "one-stop shop" several years ago. Virtually all city permits are processed at our Community Development front counter.

x Standard Applications

Use standard template for applications to foster familiarity and ease of use. Develop common elements, e.g., same terminology or format, to be used in application forms within the same county.

Example: Applications, processes and codes are fairly consistent throughout Lake County. When forms and codes are developed, communities normally begin by examining what their neighbors are doing. Local Building Official Chapters and Planning Technical Advisory Committees meet frequently to discuss strategies to insure consistency.

Related Measures

x Standard Comment Language
 Use standard comment language – boilerplate wording – for review comments to promote consistent, clear review comments.

Example: As noted above, review methodology including comments are locally standardized.

Online Access to Review Comments

Provide online access to information on project status and reviewer comments.

Example: The City presently does not have the necessary equipment and software to provide online access to review comments. This will be a budget consideration when the economy improves. City staff is always available though to relay status comments through phone or e-mail.

Mobile Technology

Use mobile technology to schedule and conduct building inspections – provide remote access to approved plans and project files.

Example: The City presently does not have the necessary equipment or software. We do have a dedicated "inspection request" line and inspection results are always available by phone.

Check all that apply

MINIMIZE APPROVAL STEPS – Minimize the steps for project approval depending on the type and size of development request; (Planned Unit Development) (Subdivision) (Permitted Conditional Use) etc.	
	<p>x Establish Performance Standards for Project Approval</p> <p>Adopt land development regulations that allow planned developments to be approved through an administrative and technical review when meeting outlined performance standards.</p> <p>Example: Staff has considerable authority in the various approval phases of a Planned Development. Only the governing ordinance establishing the Planned Development that normally includes a conceptual plan must receive Council approval.</p> <p>x Concurrent Review of Applications</p> <p>Provide option for concurrent review and approval of applications, e.g., review and approval of site plan and building permits at the same time.</p> <p>Example: The City allows the concurrent review of various applications pertaining to a single development.</p> <p>x Issuance of Conditional Permits</p> <p>Authorize the issuance of conditional permits in special circumstances to allow customers to proceed with site development activity pending the completion of certain tasks.</p> <p>Example: The City makes every effort to expedite and facilitate development projects including the issuance of partial, conditional or phased permits.</p>
<p>Related Measures</p> <p>Check all that apply</p>	
PROCESS IMPROVEMENTS – Commit to regular evaluations of the development review and permitting process to ensure an efficient and value-added process. Implement process improvements, to include technology upgrades and innovations, as appropriate and feasible.	
	<p>x Third Party Advisory Group</p> <p>Engage local and regional parties to help evaluate the need to improve the efficiency of the development review and permitting process.</p> <p>Example: The City's Building Department recently went through an extensive effectiveness review by ISO that evaluated the efficiency of our department. The City's local Planning & Zoning Board is a citizen advisory board that frequently makes suggestions concerning our Land Development Regulations. Three years ago, the citizens of Tavares participated in an in depth visioning process that ultimately produced a new Downtown Master Plan for our city.</p> <p>x Review and Update of Land Development Regulations</p>
<p>Related Measures</p> <p>Check all that apply</p>	

	Establish a process for the periodic review and update of land development regulations to include the participation of industry stakeholders.	
	Example: The review and update of the City's Land Development Regulations is an on-going task for our city planning staff. Change is often initiated by comments and questions submitted by our citizens.	
	x	Customer Wait Times
	Track and report wait times for walk-in customers.	
	Example: There is no wait time for our customers. Through proper cross-training, there is always a staff person available to help walk-in customers.	
	x	Project Review Times
	Track and report project review times. Measure: 1) overall review time; 2) time application is in customer hands, e.g., preparation of resubmittal; and 3) time application is under staff review.	
	Example: The City's review time is minimal. Applicants are advised when their permit will be ready and there are no delays.	
	POST PROJECT APPROVAL – After project approval is achieved, minimize the time and steps for project permit amendments and/or revisions.	
Related Measures	x	Project Revisions
	Implement a simplified review process and reduced fees for minor modifications to approved plans. Provide administrative authority for in the field revisions to approved plans where appropriate.	
Check all that apply	Example: No fees are charged for minor modifications. The Building Official uses his administrative authority to approve field revisions where appropriate.	

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

AGENDA TAB NO. 33

SUBJECT TITLE: Roundabout Flagpole Project

OBJECTIVE:

Staff seeks Council's approval for the City Administrator to execute necessary contracts and expend the funds collected through donations to complete the Freedom Flag project.

SUMMARY:

At the October 3rd City Council Meeting, Council approved a modification to the County's design of the Main Street & Sinclair Avenue roundabout. This modification replaced the planned 11 sabal palms with a 60' flagpole. Council also authorized staff to develop and implement a donation procedure for the Freedom Flag Project.

Staff was directed to bring back to Council a landscape design that would incorporate some trees. Staff has studied the feasibility of trees in the landscape design and it has been concluded that the 18' American flag, while being flown at half-staff, would likely be in conflict with trees. Staff is recommending a landscape design consisting of low plantings that would not interfere with the flag when flown at half-staff. In addition, the planting of low bushes or flowers would offer optional seasonal modifications, be respectful of our Country's symbol, and be aesthetically pleasing to our citizens.

The donation campaign has raised over \$13,000 as of November 6th. It is essential that necessary purchase and construction decisions be made in an efficient manner. By authorizing the City Administrator to make such decisions, the Freedom Flag Project will continue to move forward and can be completed before the City's event season.

OPTIONS:

- 1) Authorize the City Administer to approve all project purchases financed from the "Freedom Flag" donation fund and to authorize the City Administrator to make any decisions necessary to complete the project, including landscape modifications, monument selection and lighting design.
- 2) Do not authorize the City Administer to approve purchases or make decisions necessary to complete the project.

STAFF RECOMMENDATION:

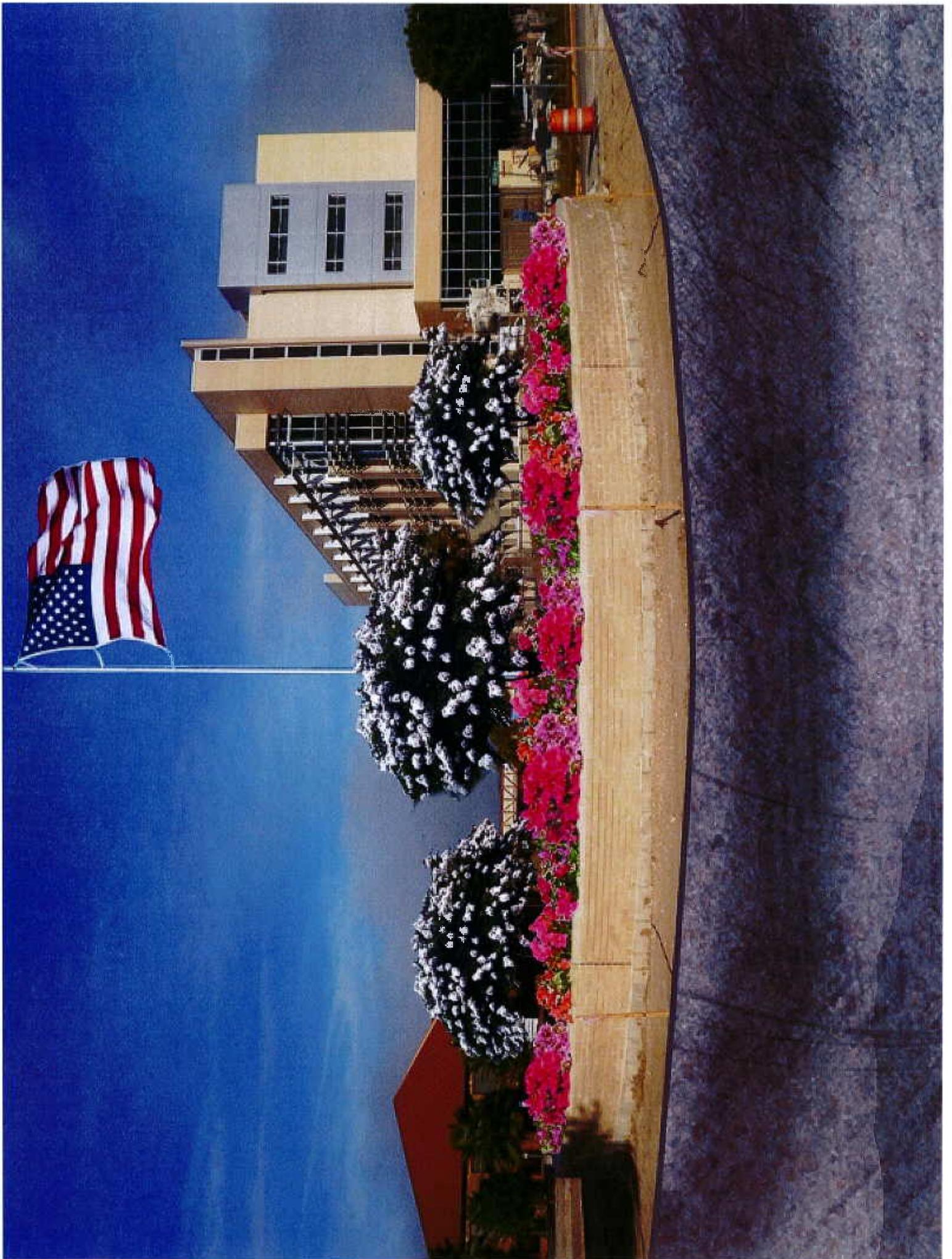
- 1) Move to authorize the City Administer to approve all project purchases financed from the "Freedom Flag" donation fund and to authorize the City Administrator to make any decisions necessary to complete the project, including landscape modifications, monument selection and lighting design.

FISCAL IMPACT:

To be funded through donations.

Legal Sufficiency:

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



Illustrating the flag at half-staff.
The bottom edge of the flag is
only 18' above ground level.
Clearly the palm tree foliage
would interfere with the flag.
Sabal palms typically mature @
40' - 50', adversely competing
with the visual display of the
flag.



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

AGENDA TAB NO. 34

SUBJECT TITLE: Legislative Priorities

OBJECTIVE:

To designate four to five legislative priorities for endorsement by the Lake County League of Cities

SUMMARY:

The Executive Director of the Lake County League of Cities has requested that each city designate four to five legislative priorities from the following list. These priorities will be presented to the legislators by the Lake County delegation during Lake County Days in February 2013.

The 11 priorities with background information identified are:

- Energy
- Water
- Municipal Police Officer and Firefighter Pension Plans and Disability Presumptions
- Communications Services and Local Business Tax Protection
- Neighborhood Improvement Districts
- Economic Development: Small Business Incentives
- Foreclosures
- Transportation Funding
- Billboards
- Sober Homes
- Synthetic Drugs

OPTIONS:

- 1) Discuss and determine five priorities of the City to be forwarded to the Lake County League of Cities
- 2) Do not discuss

STAFF RECOMMENDATION: Council discuss and determine its priorities.

FISCAL IMPACT N/A

LEGAL SUFFICIENCY: Legally sufficient

Tentative FLC 2013 Top Legislative Priorities

Draft Policy Statements

Energy & Environmental Quality Committee

Energy: Support funding for alternative energy sources as well as the release of \$192 million for qualified energy conservation bonds.

AVAILABLE BACKGROUND: The cost of electricity and other fuel sources to Florida's cities, residents and businesses has significantly increased in recent years, and it is likely to continue to do so. Increased costs negatively affect everyone's pocket books, as well as impact economic activity and growth. Establishing a statewide policy on energy development and conservation, as well as developing cost-effective methods to lower electric and other fuel source expenses, is critical to maintaining our state and local economies.

In the past, the Legislature has attempted various measures to increase renewable or alternative energy sources. The state, working with cities and other interested parties, must either provide or authorize cities to provide incentives for the development and implementation of renewable and alternative energy and transportation fuel sources. Qualified Energy Conservation Bonds (QECBs) are federally supported tax-credit bonds issued by local or state governments for projects related to energy conservation. QECBs provide an opportunity for economic development and a move toward energy efficiency. Funds from QECBs may be used for various purposes, such as to finance energy efficiency improvements, perform mass commuting projects, and perform public education programs to promote energy efficiency. Action by either the governor or Legislature is required to access the \$190 million in QECBs allocated to Florida.

Water: Support legislation that allows municipalities the tools in protecting water quality such as fertilizer regulation, alternative water sources, as well as a clarification on a municipality's ability to collect stormwater fees.

AVAILABLE BACKGROUND: The U.S. Environmental Protection Agency (EPA) has imposed federal water quality standards that will be a substantial unfunded mandate to Florida's cities once implemented. These standards include total maximum daily loads, stormwater treatment standards, and numeric nutrient criteria for various bodies of coastal/ inland waters.

While cities support the provision of sustainable Florida water bodies, the federal and state governments must recognize and provide for the expenses associated with meeting these mandated standards. Additionally, the federal and state governments must recognize that cities must retain the authority to regulate numerous "contributors" to poor water quality, based on unique local circumstances. Thus, there should be no preemption of the authority of cities to regulate stormwater discharges, septic tanks, fertilizer use, and other "contributing" factors to poor water quality.

Florida's cities are leaders in the provision of reclaimed water as an alternative to using potable water, where appropriate. The Florida Department of Environmental Protection (DEP) defines reclaimed water as water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility. Reclaimed water is becoming an important alternative water supply source, serving as a substitute for water that would otherwise be withdrawn from freshwater ground or surface water sources to meet non-potable needs like irrigation. Reuse of reclaimed water also reduces the reliance on traditional methods of wastewater disposal such as surface water discharges, ocean outfalls or deep well injection. Several water management districts have proposed varying restrictions on the use of reclaimed water. Existing providers of reclaimed water should not be penalized for their foresight and investment in developing reclaimed water systems.

Finance, Taxation and Personnel Committee

Municipal Police Officer and Firefighter Pension Plans and Disability Presumptions:

The Florida League of Cities will support legislation that provides comprehensive municipal firefighter and police officer pension reform. Any comprehensive pension reform package should:

- reaffirm that the chapters 175 or 185, Florida Statutes, minimum benefit provisions must be met only to the extent that insurance premium tax revenues exceed the 1997 tax distribution amount;
- provide for accountability by police/fire pension boards of trustees; and
- reform current statutory disability presumptions for firefighters, law enforcement officers and correctional officers relating to tuberculosis, heart disease or hypertension.

AVAILABLE BACKGROUND: In 1999, the Legislature amended Florida law relating to municipal police officer and firefighter pensions. This change required cities to use additional premium tax revenues to provide "extra" benefits in firefighter and police officer pension plans. Since that time, this mandate has required cities to provide more than \$460 million in "extra" pension benefits to firefighters and police officers.

The Legislature has also transferred all operational and administrative control of police/fire pensions to statutorily created boards of trustees that are not required to provide fiscal transparency or accountability for substantial amounts of public funds.

In 2011, the Florida Legislature passed Senate Bill 1128, which made the first steps in reforming municipal pension plans. But further reform is needed so that fiscally sound, secure and stable pensions will be there for the current and future police and firefighters who serve our cities.

Communications Services and Local Business Tax Protection: The Florida League of Cities will oppose legislation that modifies, restricts or eliminates the authority of municipalities to levy, collect and/or expend the communications services tax and the local business tax.

AVAILABLE BACKGROUND:

Communications Services Tax Background: In 2001, the Florida Legislature restructured taxes on telecommunications, cable, direct-to-home satellite and related services. The changes replaced and consolidated seven different state and local taxes and fees into a single tax with two centrally administered parts – the state Communications Services Tax and the local Communications Services Tax.

The local Communications Services Tax is one of the main sources of general revenue for municipalities, generating more than \$400 million every year for cities. These revenues may be used for any public purpose, including public safety services, or they may be pledged to secure bonds.

Local Business Tax Background: Currently, a municipality may impose a local business tax on certain businesses, professions or occupations. The amount of the tax and who the tax is imposed on are determined by the city. Revenues from the local business tax are used to assist in funding services critical to business such as zoning, permitting, code enforcement, and police and fire. Municipalities may also use the business tax revenues to help fund economic development programs. Many municipalities use the business tax as general revenue funds and have pledged these revenues to secure debt. The local business tax is also the most comprehensive way of knowing what businesses are operating within the municipal jurisdiction. This information enables cities to allocate resources appropriately (e.g., knowing what businesses in the city handle hazardous materials). Cities collect more than \$120 million every year from the local business tax.

Growth Management and Economic Development Policy Committee

Neighborhood Improvement Districts: The Florida League of Cities recognizes that Neighborhood Improvement Districts are an effective local government tool used to establish, maintain and preserve property values and foster the development of attractive neighborhoods and business environments. The League of Cities will support legislation that authorizes neighborhood improvement districts to issue bonds in order to provide an alternative means to fund significant investments to a community that promote the safety, health, and general welfare of a neighborhood.

AVAILABLE BACKGROUND:

Neighborhood Improvement Districts (NID) are dependent special districts. A local governing body may create a NID in a residential or commercial setting through the adoption of a planning ordinance, in order to promote the safety, health, general welfare of a neighborhood.

NIDs are an effective tool to establish, maintain and preserve property values and foster the development of attractive neighborhoods and business environments. NIDs are currently authorized to levy ad valorem tax on real property subject to a referendum of the affected property owners.

However, NIDs are not authorized to issue bonds. In 2006, the Florida Attorney General issued a legal opinion stating that NIDS do not have the authority to borrow money because that ability was not expressly granted in Florida Statutes. As a result, NIDs lack a mechanism to fund significant improvement projects that can be extremely beneficial to a community but because of the cost would require the ability to bond.

Economic Development; Small Business Incentives: The Florida League of Cities will support legislation that encourages state agency coordination with local entities to promote local economic development of small businesses by providing increased technical assistance, emphasizing public infrastructure and urban infill projects and programs, and collaborating on incentives that foster small business development and job growth.

AVAILABLE BACKGROUND:

Over the past two years, the Florida Legislature has focused on the area of economic development as a way to restart Florida's economic engine and create more jobs for Floridians. Getting Florida back to work continues to be a major focus of Governor Rick Scott, who has pledged to create 700,000 permanent Florida jobs over the next 7 years. One of the measures was the creation of a new agency, the Florida Department of Economic Opportunity, which was developed with the sole purpose of coordinating economic development efforts to ensure Florida has a thriving climate for businesses that seek to start, relocate, or expand in Florida.

In 2012, Governor Scott's agenda pushed to stimulate economic growth by streamlining business permitting, providing tax relief for businesses, reforming Florida's unemployment system, restoring accountability to Florida's Workforce Boards, offering stability to Florida's businesses by balancing the budget without raising taxes and prioritizing science, technology, engineering and mathematics (STEM) education in the State.

Small business owners are the backbone of Florida's economy but are often times overlooked or do not qualify for existing economic development incentives. Building back Florida's economy should be a "bottom up" procedure that starts with local economic development and offers to retain and grow small businesses.

Foreclosures: The Florida League of Cities requests that Attorney General Pam Bondi and the Florida Legislature direct the funds from the landmark foreclosure settlement agreement to designated neighborhood stabilization program jurisdictions with the highest rates of foreclosures and be used for affordable housing initiatives. These funds should be directed to programs that provide down payment and closing costs assistance

as well as rehabilitation grants / loans for income eligible households to purchase homes, establish financing mechanisms for purchase, rehabilitation and redevelopment of foreclosed homes and residential properties to return those foreclosed properties back into service and directly stabilize neighborhoods, provide funding to create local, innovative housing partnerships to acquire and rehabilitate foreclosed single-family and multi-family properties, allow for the use of these funds to address blight or deterioration and allow local governments to acquire and/or demolish properties and hold the vacant lots for future redevelopment activities, establish land banks for foreclosed homes, provide funding for housing counseling and financial assistance to prevent homelessness, enable local governments to develop strategies to spend funds to meet their local community needs.

AVAILABLE BACKGROUND:

Florida's housing market has been one of the hardest hit in the country and Florida's cities have been at ground zero. Cities have not only had to face record number of foreclosures but they have also encountered a decline in funding for affordable housing programs when they might be needed most. Predatory lending and servicing practices by lending institutions are to blame for many of the foreclosures.

In February of 2012, forty-nine state attorneys general were a party to a historic joint state-federal national settlement agreement with the country's five largest mortgage servicer's over foreclosure abuses and unacceptable nationwide mortgage servicing practices. The settlement calls for an estimated \$25 billion dollars of which \$8.4 billion has been slated for foreclosure relief for Florida homeowners who experienced foreclosure abuses.

The settlement agreement calls for approximately \$300 million to be used for housing aid in Florida. The Florida League of Mayors and the Florida Urban Partnership (a coalition of mayors from the largest metropolitan areas) have asked Attorney General Bondi (with whom the settlement was reached) to direct the \$300 million to existing local government programs with the highest rates of foreclosures to be used for affordable housing initiatives. Florida's cities are in the unique position of having the existing capacity and administrative structures set in place to use these funds for the stated purposes of the settlement in order to provide the necessary relief to Florida's residents.

Transportation and Intergovernmental Relations Committee

Transportation funding: The Florida League of Cities will support legislation that provides opportunities for additional revenue options to fund municipal transportation infrastructure projects, and preserves local control and scope of transportation planning.

Available Background:

Currently, municipalities have limited revenue options for funding transportation projects. A major portion of transportation funding flows to municipalities through both the state and federal governments. Much of that funding is generated through a tax on gasoline. Recent data has shown that gas tax revenue at both the state and federal levels has decreased dramatically. A significant amount of the decrease in revenue is due to an increase in the number of fuel efficient vehicles on the road. More fuel efficient vehicles means less gas is being purchased, which means lower gas tax revenues. Given the fact vehicles will only become more fuel efficient, unlike other tax revenue that will increase once the economy improves; gas tax revenue is forecasted to continue to decrease over time. Compounding the problem is that the federal gas tax was last increased in 1997, the state gas tax in 1943, the county gas tax in 1941, and the municipal gas tax in 1971. None of these taxes are indexed for inflation.

Faced with lower revenues from the state and federal governments, municipalities lack the options to increase revenue to fund local transportation projects. For example, charter counties currently may hold a referendum on whether to impose up to a one percent sales tax to fund transportation infrastructure projects. Municipalities lack such authority. This can be problematic when there are disparities between the transportation needs of municipalities versus those of the more rural areas of the county at large. For example, a referendum was held in Hillsborough County to enact such a tax. The tax was defeated countywide. However, if the election results are broken down by municipality, the residents of Tampa actually voted to approve the tax. Extending such options to municipalities would allow greater flexibility to fund their unique transportation needs.

Billboards: The Florida League of Cities supports the Federal Highway Beautification Act, as enacted by the Florida Legislature in 1985, as the baseline standard for regulating off premises outdoor advertising. Beyond this baseline the Florida League of Cities supports home rule authority of municipalities to more strictly regulate signage.

Available Background:

Currently, a municipality may regulate off premises signage through the statutory "harmony of regulations." The statute provides the Florida Department of Transportation may not issue a permit for a sign which is prohibited by a municipal ordinance enacted through the lawful exercise of its municipal powers. This allows municipalities the home rule authority to be the ultimate regulator of signage within its boundaries and essentially "preempt" a state agency from issuing permits with municipal consent.

Urban Administration Committee

Sober Homes: The Florida League of Cities will support legislation that defines and establishes minimum regulatory standards for sober home facilities in statute and allows for more stringent local regulations of these facilities.

AVAILABLE BACKGROUND: Many cities have had a difficult time dealing with the public perception of community residential homes or "sober homes." Community group homes may be defined as homes that are purchased in single-family residential neighborhoods and then converted to treatment residences for people with drug addictions or physical disabilities. Many of the operators of these homes are not regulated and usually are not licensed service professionals.

In order to make wise and prudent decisions and to work with citizens and other stakeholders, city leaders seek to have legislation adopted that would better define community group homes and that would require that a municipality be advised when an application is submitted for site approval of community residential homes with six or fewer residents within single- or multi-family zoning areas, regardless of their proximity to another such home.

Synthetic Drugs: The Florida League of Cities will support legislation banning the manufacture, possession, distribution, purchase or sale of synthetic drugs, including without limitation, herbal incense, bath salts, synthetic marijuana and/or any cannabinoids in the state of Florida and also encourages funding for education.

Available Background:

Synthetic drugs, marketed as "bath salts," have been a national problem for the last several years. These products mimic the pharmacological effects of amphetamines, cocaine, ecstasy, and other illegal drugs, but can be easily purchased in gas stations, convenience stores, etc. During the 2011 Legislative Session, the Florida Legislature passed HB 39 and HB 1039 which added 11 synthetic cannabinoids or synthetic cannabinoid-mimicking compounds to Schedule 1 of Florida's controlled substance schedule, allowing law enforcement officials and prosecutors to arrest and prosecute for the possession and sale of those five particular substances. Following the passage of HB 39, rogue chemists reconfigured the particular synthetic cannabinoids and synthetic cannabinoid-mimicking compounds made illegal by HB 39 and marketed new products that were not illegal under Florida law.

During the 2012 Legislative Session, the Legislature passed HB 1175 which added dozens of additional synthetic cannabinoids, synthetic cannabinoid-mimicking compounds, and synthetic stimulants to Schedule 1 of the Florida's controlled substance schedule. It is anticipated that drug designers and chemists will again make an effort to circumvent the law by reconfiguring the molecular structure of the outlawed compounds, resulting in a similar structure, make up, and effect, but with new and different chemical compounds not listed as controlled substances. It is worth noting that Section 893.035, Florida Statutes, grants Florida's Attorney General rulemaking authority to add new substances to Florida's schedules of controlled substances, but the rulemaking process takes time. Many cities and counties have chosen to act quickly and have adopted ordinances banning the sale of these substances within their jurisdictions, but have found that action needs to be taken at the state level as this has now become a statewide problem in Florida.

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

AGENDA TAB NO. 35

SUBJECT TITLE: APPROVAL OF FDOT TAV-LEE TRAIL "MISSING LINK" EXTENSION GRANT

OBJECTIVE:

To approve the filing and acceptance of an FDOT TAV-LEE Trail "missing link" extension grant in the amount of \$546,830.

SUMMARY:

City staff has been diligent if looking for grant funding opportunities to enhance funding of the basic projects approved in the Wooton Park Expansion project. Council has previously approved the filing of a State FRDAP grant for this project.

Subsequent to the last City Council meeting held in October, staff was made aware by the Lake-Sumter MPO staff that possible FDOT grant funds for the TAV-LEE Trail portion of this project may be available.

On behalf of the City, staff filed the attached grant application for \$829,000 of which \$684,000 was for construction and \$140,000 design, engineering and inspection fees.

Staff has now been notified that FDOT has given preliminary grant approval (see attached email) in the amount of \$546,830 from State 2012/13 fiscal year funds.

This grant funding will not only allow for the basic trail on the Wooton Park Expansion property but will also allow for the re-alignment of Trail in the vicinity of the Seaplane Ramp to improve safety conditions and the extension of the Trail from the Wooton Park expansion property along the Sinclair Avenue right-of-way to Main Street finishing the "missing link" in the current TAV-LEE Trail.

Grant funding will also allow for landscaping, benches, lighting and extension of the current speaker system along the Trail on the Expansion Property. Funding for these items were not included in the Wooton Park Expansion construction funds approved as part of the 2012 bond issue for this project.

Acceptance of these FDOT grant funds will allow for the TAV-LEE Trail portion of the Wooton Park Expansion project to proceed in an enhanced fashion beyond the basic Trail project approved as part of the bond referendum.

OPTIONS:

1. That the City Council approves the filing and acceptance of an FDOT grant in the amount of \$546,830 for the TAV-LEE Trail extension and authorize the City Administrator to execute appropriate grant documents.

2. That the City Council not approve the filing and acceptance of the FDOT grant.

RECOMMENDATION

Staff recommends that the City Council approves the filing and acceptance of an FDOT grant in the amount of \$546,830 for the TAV-LEE Trail extension and authorize the City Administrator to execute appropriate grant documents.

FISCAL IMPACT:

The fiscal impact will be \$546,830 in FDOT funding for the Wootton Park Expansion Project.

LEGAL SUFFICIENCY:

The City Attorney will review and approve grant documents as they are received.

From: Bill Neron
Sent: Thursday, November 08, 2012 1:45 PM
To: John Drury; Lauren Farrell; Bill Neron; Bob Williams; 'Baldocchi, Rick'
Subject: FW: FDOT TAV-LEE TRAIL "MISSING LINK" EXTENSION GRANT - WORD FORMAT

From: Woods, Michael [<mailto:mwoods@lakesumtermpo.com>]
Sent: Thursday, November 08, 2012 12:47 PM
To: Bill Neron
Subject: RE: FDOT TAV-LEE TRAIL "MISSING LINK" EXTENSION GRANT - WORD FORMAT

FDOT granted preliminary approval of funding for the Tavares Tav-Lee Trail "Missing Link" , in current FY 12/13 in the amount \$546,830.

Immediate City requirements/tasks will include:

1. Update or complete FDOT LAP Certification
2. Provide project ROW certification to FDOT, including acquisition information
3. Complete project competitive bid, selection and NTP processes during FDOT FY12/13.

I expect final approval this week.

Thanks,
Michael Woods
Lake~Sumter MPO



From: Bill Neron [<mailto:bneron@tavares.org>]
Sent: Thursday, November 08, 2012 12:18 PM
To: Woods, Michael
Cc: Bill Neron; John Drury; Lauren Farrell; Fish, TJ; Richmond, Pamela; 'Baldocchi, Rick'
Subject: FDOT TAV-LEE TRAIL "MISSING LINK" EXTENSION GRANT - WORD FORMAT

Mike:

Let me know if you need anything else.

Can you also send me an email confirming preliminary approval of the \$546,000 for this 2012/13 FY.

Thanks.

Bill Neron
Director of Economic Development/Grants
352-742-6402 Direct Line
352-516-4418 Cell Phone
bneron@tavares.org

THIS FORM SHALL BE SUBMITTED FOR ALL PROJECTS
NOT CURRENTLY IN THE FDOT WORK PROGRAM.



FDOT PROJECT INFORMATION APPLICATION FORM

As Requested by an MPO or Other Entity

Applicant: City of Tavares

1. Project Priority: #1 priority for the City of Tavares,

2. Contact Person:

Name: Bill Neron (Bneron@tavares.org)

Title: Director of Economic Development

Address: 201 East Main Street, Tavares, FL 32778

Phone: 352-742-6402 FAX: 352-742-6351

3. Project Description: Tav-Lee Trail Extension

- (a) What type of project is being proposed?
Provision of facilities for pedestrians and bicycles: The Tav-Lee Trail is a planned and partially constructed shared-use trail. The 10.3 mile long shared-use trail will eventually connect the downtowns of Tavares and Leesburg. Currently the east end of the Tav-Lee Trail ends at Main Street in downtown Tavares. This segment of the Tav-Lee Trail will complete the trail to the current Trailhead located in Wooten Park.
- (b) Provide map showing location of project with termini noted.
Project maps attached: Tav-Lee_Trail_Extension_Conceptual_8812, WOOTEN Expansion Conceptual – 8812, Tav-Lee_Trail_Masterplan_Map

4. Consistency with Local and MPO Plans

- (a) Is this project consistent with the Local Government Comprehensive Plan?
Yes, this project is consistent with the Lake County Trails Masterplan, Lake~Sumter MPO Long Range Transportation Plan (Transportation 2035), Lake County Comprehensive Plan, and the City of Tavares Comprehensive Plan.
- (b) Is this project in an MPO Cost Feasible component of the Long Range Plan? Yes
- (c) What is the time period in which this project is shown as a need in the Cost Feasible Plan?

Yes, on page 58 of the Lake~Sumter MPO LRTP the Lake County Trails Masterplan is shown as cost feasible with the planning horizon of the document 2035. This Trail segment part of the 10 year implementation plan for the Lake County Trails Masterplan

5. IDENTIFY BELOW IF THE FOLLOWING WORK HAS BEEN COMPLETED ON THE PROJECT AND WHO PERFORMED (OR WILL PERFORM) THE WORK.

<u>Work Type</u>	<u>Has this phase been completed?</u> Yes / No	<u>Who performed or will perform work?</u> <u>Responsible Agency</u>
Planning	Yes	Lake County/ City of Tavares
Project Development and Environmental Study (PD&E)	Yes	City of Tavares
Design	No	City of Tavares
*Right of Way Acquisition	Yes	City of Tavares
Construction	No	City of Tavares
Construction Inspection	No	City of Tavares

*Right of Way should be assumed to be needed.

The City of Tavares already owns the Sinclair Avenue rights-of-way. The City of Tavares in July 2012 purchased 3.61 acres of additional Lake Dora waterfront property to expand the existing Wooton Park at a cost of \$2.3 million. It is estimated that the extension of the TAV-LEE Trail "missing link" will utilize 1 acre of

property for the Trail extension and its related facilities. Based on the purchase price of \$2.3 million this 1 acre of property for Trail extension has a pro-rated value of \$640,000 as a City in-kind match. All required ROW has been acquired by the City of Tavares.

6. Other Information: (Use additional sheets, if necessary)

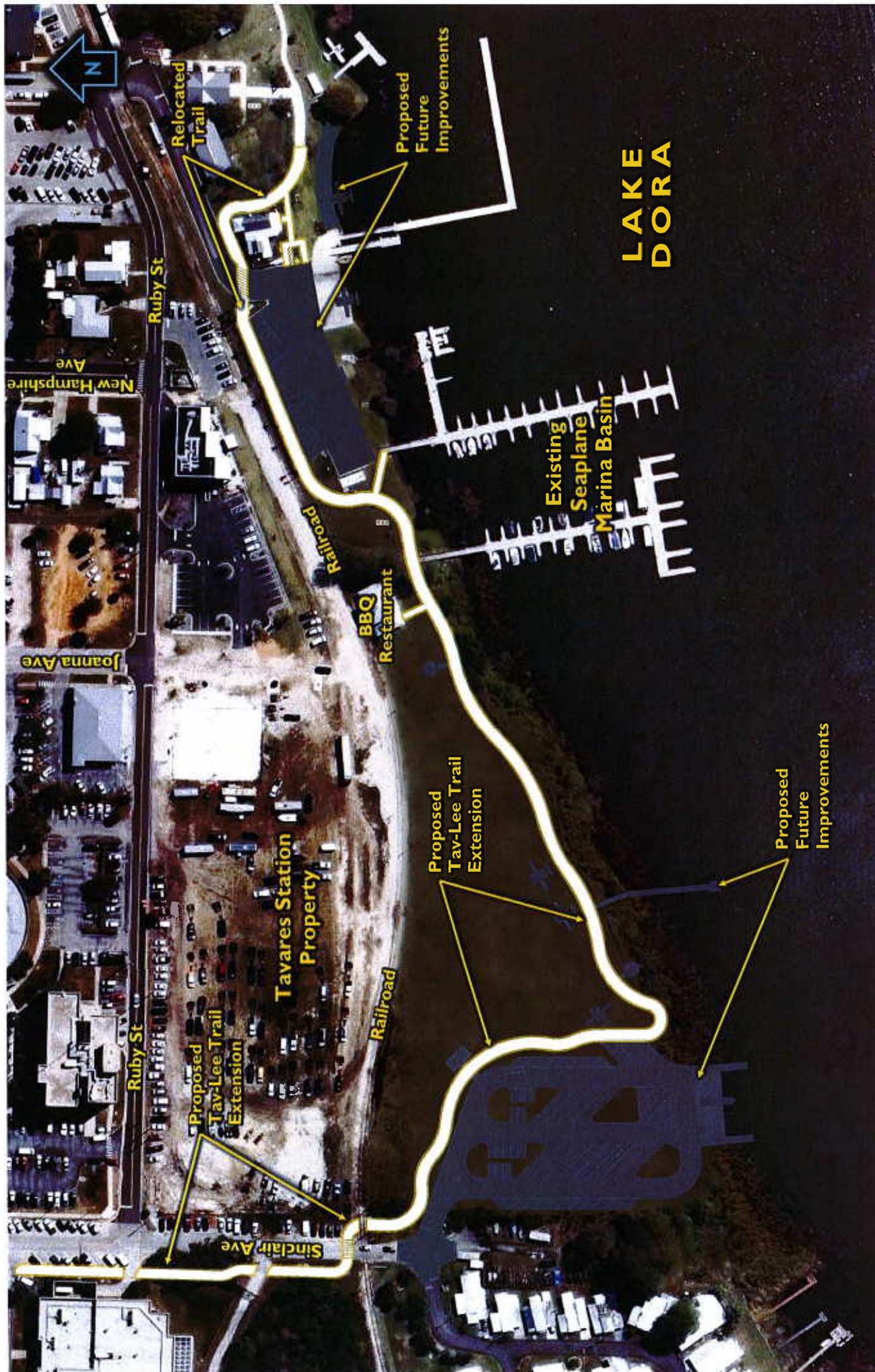
- (a) If it is proposed that the project be administered by a governmental entity other than the FDOT, document that this entity has the fiscal, managerial, environmental and engineering capabilities to manage the project consistent with federal requirements and has been certified by the FDOT to perform the work under the Local Agency Program. The City of Tavares is in the process of hiring a Construction Manager-at-Risk for the Wooton Park expansion improvements with AVCON Engineering overseeing the construction activities. AVCON has administered several LAP projects and would assist the City in completing its application for LAP certification.
- (b) Can public or private support of the project be demonstrated? (Examples include: written endorsement, resolution, financial donations or other appropriate means).
On March 6, 2012 the voters in Tavares approved a \$3.2 million general obligation bond issue to purchase the Wooton Park Expansion property for \$2.3 million and provide limited funding for improvements including the Tav-Lee Trail. This project is included in the Lake~Sumter MPO LRTP, the Lake County Trails Masterplan.
- (c) Describe any special characteristics or features of the project.
The Wooton Park expansion land acquisition put in public ownership the last large vacant Lake Dora waterfront property. Wooton Park expansion property will be the last needed City of Tavares owned land on which to locate a major portion of the TAV-LEE Trail "missing link". The Wooton Park expansion projects including the proposed the planning and design of the TAV-LEE Trail "missing link" is currently underway. Bill Neron, Director of Economic Development for the City is the project manager for the expansion project. Bill Neron was also the Project Manager for the original \$8.3 million Wooton Park Seaplane Base & Marina project as well as other infrastructure upgrades at Wooton Park.
- (d) If this is a non-State Road or bridge, or a bicycle or pedestrian path to be located outside of State Right-of-Way, include a letter of support from the City and/or County Mayor/Chairman, indicating the local government's commitment for a local match and maintenance of the project, once the project is complete. Also indicate whether sufficient right-of-way for the project is currently owned by the local government entity.
The project will be owned and maintained by the City of Tavares. The requested letter of support and maintenance agreement will be provided after the November 21, 2012 City of Tavares Council meeting.
- (e) If this project is off the State Highway System and is to be produced by Department staff, include a letter (or executed agreement) indicating the local government's commitment to execute an agreement to cooperate with the Department staff in eminent domain, utility and/or any other matters necessary for efficient completion

of the project. NA

7. PROVIDE AN ESTIMATE OF THE TOTAL COST OF THE PROJECT PHASE(S) REQUESTED AND INDICATE THE SOURCE OF THE ESTIMATE. IDENTIFY THE PROPOSED FUNDING SOURCE.

WORK TYPE	FEDERAL \$	STATE \$	LOCAL \$	OTHER \$	TOTAL \$
PLANNING					NA
PROJECT DEVELOPMENT AND ENVIRONMENTAL STUDY (PD&E)					NA
DESIGN			\$75,000		\$75,000
RIGHT-OF-WAY ACQUISITION			\$640,000		\$640,000
CONSTRUCTION		\$684,000			\$684,000
OTHER (construction Engineering and Inspection Activities)			\$70,000		\$70,000

A MAP SHOWING THE LOCATION OF THE PROPOSED PROJECT MUST BE ATTACHED.



Relocated Trail

Proposed Future Improvements

LAKE DORA

Ruby St

New Hampshire Ave

Joanna Ave

Railroad

BBQ Restaurant

Existing Seaplane Marina Basin

Tavares Station Property

Railroad

Proposed Tav-Lee Trail Extension

Proposed Tav-Lee Trail Extension

Proposed Future Improvements

Ruby St

Sinclair Ave

From: Bill Neron
Sent: Thursday, November 08, 2012 1:45 PM
To: John Drury; Lauren Farrell; Bill Neron; Bob Williams; 'Baldocchi, Rick'
Subject: FW: FDOT TAV-LEE TRAIL "MISSING LINK" EXTENSION GRANT - WORD FORMAT

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Can you also send me an email confirming preliminary approval of the \$546,000 for this 2012/13 FY.

Thanks.

Bill Neron
Director of Economic Development/Grants
352-742-6402 Direct Line
352-516-4418 Cell Phone
bneron@tavares.org

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

AGENDA TAB NO. 36

SUBJECT TITLE: City Councilmembers Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

Council will be offered an opportunity to provide a report at the meeting. Attached is any additional supporting information.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

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

AGENDA TAB NO. 37

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY: Will be presented at meeting

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

- City Council Regular Meeting – December 7, 2012
- Code Enforcement Special Magistrate – November 27, 2012 at 5:00 p.m.
- Lake County League of Cities – December 14, 2012 – 11:30 a.m.
- Lake Sumter MPO – December 5, 2012 – 2 p.m. – MPO Board Room – 1616 South 14th Street, Leesburg, FL
- Library Board – December 14, 2012 – 8:30 a.m. , Library Conference Room
- Planning & Zoning Board – December 20, 2012 – 3:00 p.m., Council Chambers
- Holiday Event in Wooton Park – December 1, 2012

America's Seaplane City™



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