

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 5, 2012**

AGENDA TAB NO. 24

SUBJECT TITLE: Request to Develop a Domestic Partnership Registry

OBJECTIVE:

To seek Council direction on whether or not to develop an ordinance for Council consideration to set up a Domestic Partnership Registry in the City of Tavares.

SUMMARY:

The City has received a request from Dale Gruber, advocate for a Domestic Partnership Registry to be established in the City of Tavares. Attached is information provided by Mr. Gruber.

The purpose of a Domestic Partnership Registry is to create an official "registry" at the municipal level for unmarried people. The registry authorizes certain rights for registered couples within the jurisdiction, such as health care information and decisions; funeral arrangements; incarceration visits, etc. It is not recognized under current state law, nor is it a civil union or "marriage" which is under the province of state law.

Several Florida cities and counties have developed a Domestic Partnership Registry mechanism. As an example, the City of Orlando requires both partners to register in person with the City Clerk's office by bringing with them a driver's license and paying a registration fee of \$30.00. See attached FAQ's from the City of Orlando.

OPTIONS:

- 1) Discuss request and direct the City Attorney to draft an ordinance for Council consideration
- 2) Do not direct the City Attorney to draft an ordinance

STAFF RECOMMENDATION:

Staff seeks Council direction on this matter.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY: Legally sufficient

Nancy Barnett

From: Bob Williams [rqw@wssattorneys.com]
Sent: Wednesday, November 28, 2012 4:59 PM
To: Nancy Barnett; John Drury
Subject: Domestic Partnerships

Nancy -- this will summarize my conversation with Orlando City Clerk Alana Brenner about Domestic Partnerships. Please add to the agenda packet.

On November 28, I spoke to Orlando City Clerk Alana Brenner. Her office is charged with administering the City of Orlando Domestic Partnership Registration ordinance. She told me that the ordinance took effect on or about January 12, 2012. Since that time, the City of Orlando has had 726 couples register under this program. There was an initial rush after the ordinance was first enacted, and now they are averaging about 40 new registrations per month. Of the registrations to date, there have only been about 10 or less terminations.

Ms. Brenner is not aware of any problems in the implementation or enforcement of their ordinance. She has gotten no negative feedback from medical providers, jails, funeral directors, or schools.

The City of Orlando ordinance provides for a registration fee of \$30. That includes the issuance of a certificate of registration; two pocket sized laminated registration certificates; and the recording of the registrations in the public records (that alone costs \$10). They had to purchase a laminating machine, but have had no other unusual or extraordinary expenses.

Robert Q. Williams

Williams, Smith & Summers, P.A.
380 W. Alfred Street
Tavares, Florida 32778
(352) 343-6655
(352) 343-4267 Fax

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Domestic Partnership Registry

Overview

What is a domestic partnership registry?

Domestic partnerships grant certain health-care, child care and burial rights to committed couples who are not married. A registry is a term for the mechanism through which these rights are afforded. Typically, eligible couples fill out forms through the Clerk of Court in their City, pay a nominal fee and are then registered and recognized by that municipality. Registries afford domestic partners the rights and responsibilities afforded to married couples within that jurisdiction. Domestic partnerships are not recognized by the federal government or the State of Florida and have no bearing on taxes or federal benefits.

Who qualifies as a domestic partner?

1. Each party is at least 18 years old and competent to contract.
2. Neither person is married, nor a partner to another domestic partnership relationship.
3. Consent of either person to the domestic partnership relationship has not been obtained by force, duress, or fraud.
4. Each partner is not related by blood to the other partner.

Examples of How The Domestic Partnership Registry May Work

Health care facility visitation. John, age 51, gets hospitalized after suffering a heart attack. His domestic partner of nine years, Mary, is able to visit him in the Intensive Care Unit. Mary's daughter, Ann, who is 16 and has been raised by John, is also allowed to visit even though she is not related by blood.

Health care decisions. Gertrude, who is 81 years old, has been a widow for three years. She has no children and no close relatives. She met Sarah, 67, at the senior citizen center where they play cards. They have become close friends. Gertrude no longer drives; so Sarah picks her up and takes her to church on Sundays and to go shopping. As her designated health care surrogate, Sarah will be able to make health care decisions in the event Gertrude becomes incapacitated either physically or mentally.

Funeral/burial decisions. Frank and George have been in a long-term relationship. George passes away after a prolonged illness. As the domestic partner, Frank is able to make all the necessary funeral and burial arrangements on George's behalf.

Notification of family members. Betty is in a serious automobile accident on State Road 441 in Apopka and has suffered severe bodily injury. She is unable to communicate and has been airlifted to a nearby hospital. The police consult the domestic partner registry to determine who to notify.

Pre-need guardian designation. Alice and Charlie both collect Social Security and have moved in with each other. Financially it doesn't make sense for them to marry. As a domestic partner, Alice is designated as pre-need guardian over Charlie and his personal property should he become incompetent to manage his own affairs. He is secure in the knowledge that someone he loves and trusts will be filling that role.

Correctional facility visitation rights. Jennifer and Rodney are raising three children from previous marriages. Rodney's son, Paul, is 18 and gets arrested for spraying graffiti on a bus stop. As designated domestic partners, Rodney and Jennifer (and her two children) are entitled to visit Paul while he's in the Lake County jail.

Participation in Education. Domestic partners Elena and Ruth are raising Seth who is 8 years old. Both partners attend PTA meetings at Seth's school. Either partner may go to parent-teacher conferences regarding the child's education since Seth's father has no objection.

Florida Municipalities Offering A Domestic Partnership Registry as of July, 2012

The following is excerpted from Wikipedia:

http://en.wikipedia.org/wiki/Cities_and_counties_in_the_United_States_offering_a_domestic_partnership_registry#Florida

Florida

There is no legal recognition for same-sex couples on a state level.

- Broward County (Fort Lauderdale): Residents of the county or at least one partner employed by the county. Both opposite- and same-sex couples.
- City of Clearwater: No residency requirement. Both opposite- and same-sex couples.^[54]
- City of Gainesville: No residency requirement. Both opposite- and same-sex couples.^[55]
- City of Key West: No residency requirement. Both opposite- and same-sex couples.
- City of Kissimmee: Employees of the city. Both opposite- and same-sex couples.^[56]
- Leon County: No residency requirement. Both opposite- and same-sex couples.^[57]
- City of Miami Beach: No residency requirement. Both opposite- and same-sex couples.
- Miami-Dade County: Residents of the county or at least one partner employed by the county. Both opposite- and same-sex couples. The cities of Miami^[58] and South Miami^[59] also grant additional benefits to domestic partners registered in Miami-Dade County.
- Monroe County: No residency requirement. Both opposite- and same-sex couples. County employment benefits only.^[60]
- Orange County: No residency requirement. Both opposite- and same-sex couples.^[61]
- City of Orlando: No residency requirement. Both opposite- and same-sex couples.^[62]
- Palm Beach County: Residents of the county or at least one partner employed by the county. Both opposite- and same-sex couples.^[63]
- City of Sarasota: No residency requirement. Both opposite- and same-sex couples. City employment benefits only.^[64]
- City of St. Cloud: Employees of the city. Both opposite- and same-sex couples.^[56]
- City of St. Petersburg: No residency requirement. Both opposite- and same-sex couples.^[65]
- City of Tampa: No residency requirement. Both opposite- and same-sex couples.^[66]
- Volusia County: No residency requirement. Both opposite- and same-sex couples.^[67]
- City of West Palm Beach: No residency requirement. Both opposite- and same-sex couples.

References

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58. "APM 1-09: Domestic Partnerships". City of Miami.
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http://articles.orlandosentinel.com/2012-02-21/news/os-orange-commission-gay-registry-20120221_1_domestic-partner-registry-teresa-jacobs-gay-marriage-and-adoption. Retrieved March 29, 2012.
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63. "Domestic Partnership". Clerk & Comptroller, Palm Beach County.
<http://www.mypalmbeachclerk.com/domesticpartnership.aspx>. Retrieved March 6, 2012.
64. "Declaration of Domestic Partnership". City of Sarasota.
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65. Langley, Alli (June 8, 2012). "St. Petersburg creates domestic partnership registry". *Tampa Bay Times*.
<http://www.tampabay.com/news/article1234112.ece>. Retrieved July 5, 2012.
66. "Domestic Partnership Registry". City of Tampa.
http://www.tampagov.net/dept_City_Clerk/programs_and_services?DOMESTIC_PARTNERSHIP_REGISTRY/. Retrieved July 5, 2012.
67. "Domestic Partnership Registry". Volusia County Revenue Division.
<http://www.volusia.org/revenue/domestic.htm>. Retrieved July 2, 2012.

Recent Changes

- The City of Gulfport was added to the above list on June 25, 2012. No residency requirement. Both opposite- and same-sex couples.
http://www.mygulfport.us/City_Departments/City_Clerk/DPR-Information%20Guide.pdf
- The City of Sarasota has expanded coverage effective December 4, 2012 from city employees only to include others as well. No residency requirement. Both opposite- and same-sex couples. "Domestic Partner Registry Approved in Sarasota" (October 15, 2012) *The Sarasota Patch*.
<http://sarasota.patch.com/articles/domestic-partner-registry-approved-in-sarasota>

FAQ's from City of Orlando Website

WHAT ARE DOMESTIC PARTNERS?

The Orlando City Code defines "domestic partners" as two adults who are parties to a valid domestic partnership relationship and who meet the requirements set out in Sec. 57.81 of the Code. Those requirements are:

- (1) Each person is at least eighteen (18) years old and competent to contract;
- (2) Neither person is currently married under Florida law or is a partner in a domestic partnership relationship or a member of civil union with anyone other than the co-applicant;
- (3) They are not related by blood as defined in Florida law;
- (4) Each person considers himself or herself to be a member of the immediate family of the other partner and to be jointly responsible for maintaining and supporting the registered domestic partnership;
- (5) The partners reside in a mutual residence; and
- (6) Each person agrees to immediately notify the City Clerk, in writing, if the terms of the Registered Domestic Partnership are no longer applicable or one (1) of the domestic partners wishes to terminate the domestic partnership.
- (7) Each person expressly declares their desire and intent to designate their domestic partner as their healthcare surrogate and as their agent to direct the disposition of their body for funeral and burial.

WHAT DOES "MUTUAL RESIDENCE" MEAN? WHAT IF WE OWN MORE THAN ONE HOUSE?

The City Code broadly defines "mutual residence" (excerpted below) and does not require that the couple only own one home.

- (f) Mutual residence means a residence shared by the Registered Domestic Partners; it is not necessary that the legal right to possess the place of residence be in both of their names. Two people may share a mutual residence even if one or both have additional places to live. Registered Domestic Partners do not cease to share a mutual residence if one leaves the shared place but intends to return.

WHAT IS THE PURPOSE OF THE DOMESTIC PARTNERSHIP REGISTRY?

The Orlando City Council found that the number of its citizens, both gay and straight, living in domestic partnership arrangements had increased significantly. The registry will assist those couples in asserting some rights. To the extent not superseded by federal, state, or other city law or ordinance, or contrary to rights conferred by contract or separate legal instrument, within the City limits of the City of Orlando, registered Domestic Partners shall have the following rights:

- (a) Health Care Facility Visitation. All health care facilities operating within the City of Orlando shall honor the registered Domestic Partnership documentation issued pursuant to this code as evidence of the relationship and shall allow a Registered Domestic Partner visitation as provided under federal law. A Dependent of a Registered Domestic Partner shall have the same visitation rights as a patient's child.
- (b) Health Care Decisions. This section pertains to decisions concerning both physical and mental health. Registry as a Domestic Partner shall be considered to be written direction by each partner designating the other to make health care decisions for their incapacitated partner, and shall authorize each partner to act as the other's healthcare surrogate as provided in Chapter 765, Florida Statutes, and otherwise as provided by federal law. Further, no person designated as a health care surrogate shall be denied or otherwise defeated in serving as a health care surrogate based solely upon his or her status as the domestic partner of the partner on whose behalf health care decisions are to be made. Upon request, the City Clerk shall also assist the registrants by providing them with any desired statutory forms such as living wills or health care surrogate designation in the forms prescribed by Chapter 765, Florida Statutes. The City Clerk shall not give advice relating to these forms, but shall simply assist by providing and, if necessary, notarizing the forms upon request. Any such forms properly executed after the date of registration which contain conflicting designations shall control over the designations by virtue of the registration.
- (c) Funeral/burial Decisions. Registry as a domestic partner shall be considered to be written direction by the decedent of his or her intention to have his or her domestic partner direct the disposition of the decedent's body for funeral and burial purposes as provided in Chapter 497, Florida Statutes, unless the decedent provides conflicting, written inter vivos authorization and directions that are dated after the date of the registration, in which case the later dated authorization and directions shall control.
- (d) Correctional Facility Visitation Rights. Any person who is a party to a registered domestic partnership relationship, pursuant to Section 57.81, shall be entitled to visit his or her domestic partner, or other family member of the domestic partner, who is an inmate at a correctional facility located within the City of Orlando, upon the same terms and conditions under which visitation is afforded to spouses, dependents, or parents of inmates. Visitation rights provided by this section shall extend to any children of the domestic partners, and the domestic partners of an inmate's parents or children.
- (e) Notification of Family Members. In any situation providing for mandatory or permissible notification of family members, including but not limited to notification of family members in an emergency, or when permission is granted to correctional facility inmates to contact family members, "notification of family" shall include registered Domestic Partners.
- (f) Preneed guardian designation. A person who is a party to a registered Domestic Partnership relationship shall have the same right as any other individual to be designated as a preneed guardian pursuant to Chapter 744, Florida Statutes and to serve in such capacity in the event of his or her Domestic Partner's incapacity. A Domestic Partner shall not be denied or otherwise be defeated in serving as the plenary guardian or his or her Domestic Partner or the partner's property under the provisions of Chapter 744, Florida Statutes, to the extent that the incapacitated partner has not executed a valid preneed guardian designation, based solely upon his or her status as the Domestic Partner of the incapacitated partner.

- (g) Participation in Education. To the extent allowed by federal and state law, a registered Domestic Partner shall have the same rights to participate in the education of a dependent of the registered Domestic Partnership as a biological parent to participate in the education of their child, in all educational facilities located within or under the jurisdiction of the City. However, if a biological parent of a minor dependent, whose parental rights have not been terminated, objects to the participation of a non-biological registered Domestic Partner in education conferences or other dissemination of educational information, only the participation of the biological parents shall be allowed.

WHERE DO WE GO TO REGISTER?

The Orlando City Clerk is responsible for administering the registry. The City Clerk's Office is located in Orlando City Hall, 400 S. Orange Avenue, Orlando, FL 32801 on the second floor. Parking is available in the garage directly west of City Hall with its main entrance off Boone Avenue.

WHEN CAN WE COME TO REGISTER?

The Domestic Partnership Registry ordinance was adopted on December 12, 2011 and goes into effect on January 12, 2012. Registration will begin on January 12th at 8 a.m. and will be available thereafter on all days and times when Orlando City Hall is open for business, generally Monday-Friday from 8 a.m.-5 p.m. In order to most efficiently serve you, the City Clerk highly recommends that you call ahead for an appointment. The Clerk's office phone number is 407-246-2251.

DO YOU HAVE TO REGISTER IN PERSON? WHY?

Yes, both partners must come to Orlando City Hall, City Clerk's office together in person to register. The City's Domestic Partnership Registry Affidavit requires specific formalities with respect to being witnessed and notarized and the Clerk's staff is trained to ensure that the Affidavit is completed correctly.

WHAT IS THE COST OF REGISTERING?

City Council set the initial registration fee at \$30. This is payable in cash or a check payable to the City of Orlando and MUST be submitted at the time of registration. If your registration needs to be amended in the future, the cost to amend the registration is \$10. The cost of terminating the domestic partnership is also \$10.

WHAT DO I NEED TO BRING WITH ME TO THE CLERK'S OFFICE TO REGISTER?

- 1) Your partner
- 2) Photo identification (Driver's license or other Class 1 ID)
- 3) \$30 in cash or check payable to the City of Orlando

DO WE NEED TO COMPLETE THE DOMESTIC PARTNERSHIP REGISTRY AFFIDAVIT BEFORE COMING TO THE CITY CLERK'S OFFICE?

No. We have provided the sample form on the City Clerk's Domestic Partnership Registry page for your review, but it should not be signed until you and your partner come to the City Clerk's office in person.

WHAT HAPPENS IF MY DOMESTIC PARTNER AND I BREAK UP/OUR PARTNERSHIP ENDS?

One or both partners must sign and submit a Termination of Domestic Partnership Affidavit form with the \$10 fee to the Orlando City Clerk. The form is available on-line from the City Clerk's Domestic Partnership Registry webpage or at the City Clerk's Office.

CAN I KEEP MY REGISTRATION INFORMATION PRIVATE?

No, the City of Orlando is a Florida municipal corporation and its business documents are public records under Florida law. There are no exemptions applicable to the Registry Affidavit which will be recorded in the Orange County public records so that it may be searchable on-line at all times in case of an emergency.

WHAT PROOF WILL WE RECEIVE SHOWING THAT WE HAVE REGISTERED?

For your \$30 registration fee, you will receive one registration certificate (extras are available for an additional \$5) and two wallet-sized laminated cards. Your registration affidavit will be recorded in the Orange County public records.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 5, 2012**

AGENDA TAB NO. 25

SUBJECT TITLE: Change Orders for Pavilion on the Lake Project

OBJECTIVE: To ratify Change Orders 1 & 2 for the installation of additional pilings and footers due to soil inconsistencies on the lake bottom.

SUMMARY: During the pile driving portion of the Pavilion on the Lake project, inconsistencies in the lake bottom were discovered, creating load bearing capacity issues. Although three test piles were driven in the same location while Wooton Park was being renovated, these inconsistencies were not evident at that time.

The Change Orders have been reviewed and approved by the engineer, the architect, and the construction manager and were deemed essential to the construction of the project. In an effort to keep the project moving forward, the city administrator approved the additional expense in mid-November

OPTIONS: There are no available options other than to ratify the change orders. Without the additional pilings, the work could not have proceeded.

STAFF RECOMMENDATION: Move to ratify the change orders

FISCAL IMPACT: \$175,222.89

LEGAL SUFFICIENCY: Change orders have been reviewed by the city attorney and meet legal sufficiency.



VIA E-MAIL & US MAIL

November 11, 2012

Ms. Tammey Rogers
CITY OF TAVARES
201 East Main Street
Tavares, Florida 32778

RE: **TAVARES PAVILION ON THE LAKE - CHANGE ORDER NO. 1**
(BESH #881445.0163)

Dear Ms. Rogers:

Please find attached Change Order No. 1 for the above project. As we have discussed, during the pile driving work for the new structure, the Contractor has encountered widely varying subsurface soil conditions, which are affecting the bearing capacity of the piles. This Change Order is for two items, lengthening of some of the piles in order to determine if greater bearing capacities can be achieved with deeper piles, and for utilizing a Pile Driving Analyzer (PDA) in order to more accurately determine pile capacity. Both Bob Blaise and I have reviewed this Change Order and recommend approval in the amount of \$9,702.59. In order to not delay the project, the Contractor has been instructed to continue work on these items, and both items have been completed as of this date. The PDA was completed last week and we anticipate having the results soon.

Based upon our review of this Change Order, we would recommend approval in the amount of \$9,702.59. Please execute this Change Order and send a copy to our office so that we can transmit it to the Contractor, as this is one of the last remaining items to be completed on this project.

Should you have any questions with regards to this matter, please feel free to contact our office.

Sincerely,

BOOTH, ERN, STRAUGHAN & HIOTT, INC.

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

RAE\sd

Enclosures

c: John Drury, City of Tavares (w/ encl, via e-mail)
Lori Houghton, City of Tavares (w/ encl, via e-mail)
Robert Q. Williams, Esq. (w/encl, via e-mail)
Emmett Sapp, Emmett Sapp Builders, Inc. (w/o encl)
Bob Blaise, Blaise, Fiebach & Associates, P.A. (w/o encl)

H:\stacey\WordPerfect\Rob\City of Tavares\Pavilion on the Lake - 0163\Construction\Change Orders\No.1.wpd

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

Emmett Sapp Builders, Inc.

4430 NE 83RD ROAD
WILDWOOD, FL 34785
(352) 748-1949

Change Request

To: CITY OF TAVARES
POB 1068
Tavares, FL 32778

Number: 1
Date: 11/4/12
Job: 10-24 PAVILION ON LAKE DORA
Phone:

Description: Pile Length Adjustment & PDA Monitor

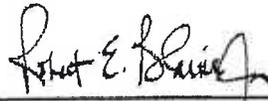
We are pleased to offer the following specifications and pricing to make the following changes:

Pile Length Adjustment & PDA Monitor

The total amount to provide this work is \$9,702.59
(Please refer to attached sheet for details.)

The schedule is not affected by this change.

If you have any questions, please contact me at (352)748-1949.



Submitted by: Emmett Sapp
Emmett Sapp Builders, Inc.

Approved by: Robert E. Blaise, Jr.
Date: 11/6/12

Cc:

Emmett Sapp Builders, Inc.

4430 NE 83RD ROAD
WILDWOOD, FL 34785
(352) 748-1949

**Change Request 1 Price Breakdown
Continuation Sheet**

Description: Pile Length Adjustment & PDA Monitor

Description	Labor	Material	Equipment	Subcontract	Other	Price
Adjust Pile Length				\$4,804.54		\$4,804.54
PDA Monittor				\$4,016.00		\$4,016.00
					Subtotal:	\$8,820.54
			Profit & Overhead	\$8,820.54	10.00%	\$882.05
					Total:	\$9,702.59



ED WATERS & SONS CONTRACTING CO., INC.
GENERAL CONTRACTORS

Specializing In Pile Driving, Steel Sheet Piling and Marine Structures

September 28, 2012

Emmett Sapp Builders, Inc.
4430 NE 83rd Road
Wildwood, FL 34785

Attn: Emmett Sapp

Re: Wootton Park Pier and Pavillion
Tavarés,, FL

Subj: Pile Length Modifications and PDA Testing

Dear Sir:

As you are aware, based on the driving records of piles installed to-date, the project engineer, Bob Blaise, has concerns regarding the actual bearing capacity achieved by some piles and the likelihood of some future piles achieving the required bearing capacity. In an effort to mitigate future issues regarding bearing capacity, Bob has adjusted the length of a number of remaining piles by lengthening some and shortening others. He also eliminated the four northernmost piles for reasons unrelated to this issue. The remaining piles are scheduled to be cast starting next week.

The original plans called for 104 piles, 37' feet in length for a total quantity of 3,848' of pile. The revised plans call for 100 piles with pile lengths totaling 3,994', an increase of 146'. The additional length of pile will require one additional load of freight. A list of the revised pile lengths and our estimate of cost in the amount of \$4,804.54 to provide and install the additional length of pile is attached for your review.

Also discussed was the option to monitor the installation of one or two piles with a Pile Driving Analyzer (PDA) to better determine pile capacity. This work could be done early next week if desired. GRL Engineers would conduct the actual testing and provide a report. Our estimate of cost in the amount of \$4,016.50 to perform this work is attached for your review.

Emmett Sapp Builders, Inc.

September 28, 2012

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As noted above, in an effort to prevent any downtime due to lack of material, the remaining piles will be cast starting next week. Please let us know at your earliest convenience if you wish to proceed with the PDA testing.

Sincerely,

ED WATERS & SONS CONTRACTING CO., INC.

Van A. Hogan

Van A. Hogan, Vice President

encl



ED WATERS & SONS CONTRACTING CO., INC.
GENERAL CONTRACTORS

Specializing in Pile Driving, Steel Sheet Piling and Marine Structures

Project: Wooton Park Pier and Pavilion
 Location: Tavares, FL
 Owner/Contractor: Emmett Sapp Builders, Inc.
 Address: 4430 NE 83rd Road
 Wildwood, FL 34785

Date: September 28, 2012

Description of Work: Provide and install revised pile lengths
 to accommodate variable site conditions.

Labor Charges:

<u>Class</u>	<u>Quantity</u>	<u>Rate/Hr</u>	<u>Hours</u>		<u>Total Pay</u>
			<u>ST</u>	<u>OT</u>	
Foreman	1	\$25.25	1		\$25.25
Operator	1	\$25.25	1		\$25.25
Piledriver	2	\$18.90	1		\$37.80
Labor	1	\$15.00	1		\$15.00
Supt	1	\$25.00	1		<u>\$25.00</u>
Total Labor Charges:					\$128.30

Material Charges:

<u>Item</u>	<u>Rate</u>	<u>Qty</u>	<u>Total</u>
14"x14" Prestressed Concrete Piles	\$18.00	146 lf	\$2,628.00
Freight	\$900.00	1 load	<u>\$900.00</u>
Total Material Charges:			\$3,528.00

Wooton Park Pavilion
 Revised Pile Lengths
 September 28, 2012
 Page 2

Equipment Charges:

<u>Item</u>	<u>Rate</u>	<u>Unit</u>	<u>Duration</u>	<u>Total</u>
55-ton Crane	\$53.58	/hr	1 hrs	\$53.58
60-ton Crane	\$53.58	/hr	0 hrs	\$0.00
D-19-42 Pile Hammer	\$26.25	/hr	1 hrs	\$26.25
22-30 Vibratory Hammer	\$28.13	/hr	1 hrs	\$28.13
Spud Barge	\$45.05	/hr	1 hrs	\$45.05
Material Barge	\$33.79	/hr	1 hrs	\$33.79
Push Boat	\$18.75	/hr	0 hrs	\$0.00
Front-End Loader	\$32.61	/hr	0 hrs	\$0.00
Welding Machine	\$3.83	/hr	0 hrs	\$0.00
				<u>\$0.00</u>
Total Equipment Charges:				\$186.79

Miscellaneous Charges:

<u>Item</u>	<u>Rate</u>	<u>Unit</u>	<u>Duration</u>	<u>Total</u>
Crew Travel Pay	\$195.00	/day	0 day	\$0.00
Motel Expense	\$306.36	/day	0 day	\$0.00
				<u>\$0.00</u>
Total Miscellaneous Charges:				\$0.00

Total Labor		\$128.30
Labor Burden	44.19%	\$56.70
Total Material		\$3,528.00
Total Equipment		\$186.79
Total Miscellaneous		<u>\$0.00</u>
Subtotal		\$3,899.79
Overhead	12%	\$467.97
Profit	10%	<u>\$436.78</u>
Total Amount Due		\$4,804.54



ED WATERS & SONS CONTRACTING CO., INC.
GENERAL CONTRACTORS

Specializing in Pile Driving, Steel Sheet Piling and Marine Structures

Wooton Park Pier
Tavares, FL

Pile Length Modification

Column	Row	Original Length	Modified Length
A	1	37.00	37.00
A	2.3	37.00	37.00
B	2	37.00	47.00
B	3	37.00	47.00
B	4	37.00	47.00
B	5	37.00	47.00
B	6	37.00	47.00
B	7	37.00	47.00
B	8	37.00	47.00
B	9	37.00	47.00
B	10	37.00	47.00
B	11	37.00	37.00
B.1	8.2	37.00	37.00
B.1	9.1	37.00	37.00
C	10.1	37.00	37.00
C	13	37.00	37.00
C	15	37.00	37.00
C	17	37.00	37.00
C	19	37.00	37.00
C	21	37.00	37.00
C	23	37.00	29.00
C	25	37.00	29.00
C	27	37.00	-
C.1	2	37.00	37.00
C.2	8.2	37.00	37.00
C.2	9.1	37.00	37.00
D	1	37.00	47.00
D	1.1	37.00	47.00
D	2.1	37.00	47.00
D	3	37.00	47.00
D	3.1	37.00	47.00
D	4.1	37.00	47.00

Wootton Park Pavilion
 Pile Length Modification
 Page 2

Column	Row	Original Length	Modified Length
D	5	37.00	42.00
D	5.1	37.00	42.00
D	6.1	37.00	42.00
D	7	37.00	42.00
D	7.1	37.00	42.00
D	8.1	37.00	37.00
D	9	37.00	37.00
D	10	37.00	37.00
D.1	8.1	37.00	37.00
D.1	10	37.00	37.00
D.1	11.1	37.00	37.00
E	1	37.00	37.00
E	2.2	37.00	37.00
E	12	37.00	37.00
E	13	37.00	37.00
E	14	37.00	37.00
E	15	37.00	37.00
E	16	37.00	37.00
E	17	37.00	37.00
E	18	37.00	37.00
E	19	37.00	37.00
E	20	37.00	37.00
E	21	37.00	37.00
E	22	37.00	37.00
E	23	37.00	29.00
E	24	37.00	29.00
E	25	37.00	29.00
E	26	37.00	-
E	27	37.00	-
E.1	8.1	37.00	37.00
E.1	10	37.00	37.00
E.1	11.1	37.00	37.00
F	1	37.00	47.00
F	1.1	37.00	47.00
F	2.1	37.00	47.00
F	3	37.00	47.00
F	3.1	37.00	47.00
F	4.1	37.00	47.00
F	5	37.00	42.00
F	5.1	37.00	42.00



VIA E-MAIL & US MAIL

November 11, 2012

Ms. Tammy Rogers
CITY OF TAVARES
201 East Main Street
Tavares, Florida 32778

RE: **TAVARES PAVILION ON THE LAKE - CHANGE ORDER NO. 2**
(BESH #881445.0163)

Dear Ms. Rogers:

Please find attached Change Order No. 2 for the above project. As we have discussed, during the pile driving work for the new structure, the Contractor has encountered widely varying subsurface soil conditions, which are affecting the bearing capacity of the piles. This Change Order includes three items: installation of additional piles as necessary to achieve the required bearing capacity, a deletion of certain piles where the piles are to be replaced with a conventional footing (at the shoreline), and modification of the original pile caps as necessary to accommodate the 24 additional piles required to be installed due to the soil bearing capacities being achieved. Both Bob Blaise and I have reviewed this Change Order and recommend approval in the amount of \$165,520.30. In order to not delay the project, the Contractor has been instructed to continue work on these items, and these items are ongoing as of this date.

Based upon our review of this Change Order, we would recommend approval in the amount of \$165,520.30. Please execute this Change Order and send a copy to our office so that we can transmit it to the Contractor, as this is one of the last remaining items to be completed on this project.

Should you have any questions with regards to this matter, please feel free to contact our office.

Sincerely,

BOOTH, ERN, STRAUGHAN & HIOTT, INC.

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

RAE\sd
Enclosures

c: John Drury, City of Tavares (w/ encl, via e-mail)
Lori Houghton, City of Tavares (w/ encl, via e-mail)
Robert Q. Williams, Esq. (w/encl, via e-mail)
Emmett Sapp, Emmett Sapp Builders, Inc. (w/o encl)
Bob Blaise, Blaise, Fiebach & Associates, P.A. (w/o encl)

H:\stacey\WordPerfect\Rob\City of Tavares\Pavilion on the Lake - 0163\Construction\Change Orders\No.2.wpd

ENGINEERS ♦ SURVEYORS ♦ LAND PLANNERS

350 North Sinclair Avenue ♦ Tavares, Florida 32778
Phone: 352.343.8481 ♦ Fax: 352.343.8495
E-Mail: Info@besandh.com ♦ www.besandh.com

Emmett Sapp Builders, Inc.

4430 NE 83RD ROAD
WILDWOOD, FL 34785
(352).748-1949

Change Request

To: CITY OF TAVARES
POB 1068
Tavares, FL 32778

Number: 2
Date: 11/4/12
Job: 10-24 PAVILION ON LAKE DORA
Phone:

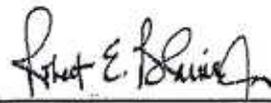
Description: Supplemental Piles & Pile Cap Modifications

We are pleased to offer the following specifications and pricing to make the following changes:
Supplemental Piles & Pile Cap Modifications

The total amount to provide this work is \$165,520.30
(Please refer to attached sheet for details.)

Please note that Emmett Sapp Builders Inc will require an extra 20 days.

If you have any questions, please contact me at (352)748-1949.



Submitted by: Emmett Sapp
Emmett Sapp Builders, Inc.

Approved by: Robert E. Blaise, Jr.
Date: 11/8/12

Cc:

Emmett Sapp Builders, Inc.

4430 NE 83RD ROAD
WILDWOOD, FL 34785
(352) 748-1949

**Change Request 2 Price Breakdown
Continuation Sheet**

Description: Supplemental Piles & Pile Cap Modifications

Description	Labor	Material	Equipment	Subcontract	Other	Price
24 Additional Piles				\$93,172.00		\$93,172.00
Credit Piles in Bents 26 & 27				\$-4,217.00		\$-4,217.00
Pile Cap Modifications				\$61,518.00		\$61,518.00
					Subtotal:	\$150,473.00
			Profit & Overhead	\$150,473.00	-10.00%	\$15,047.30
					Total:	\$165,520.30



ED WATERS & SONS CONTRACTING CO., INC.
GENERAL CONTRACTORS

Specializing in Pile Driving, Steel Sheet Piling and Marine Structures

November 2, 2012

Emmett Sapp Builders, Inc.
4430 NE 83rd Road
Wildwood, FL 34785

Attn: Emmett Sapp

Re: Wooton Park Pier and Pavilion
Tavares,, FL

Subj: Supplemental Piles and Pile Cap Modifications

Dear Sir:

In accordance with Construction Change Directive No. 2, we have prepared estimates of cost to install 24 additional piles and modify 21 pile caps to accommodate the additional piles. A cost estimate to provide PDA analysis for two piles was provided to you in a previous estimate on September 28.

The first estimate is for the installation of 24 additional piles. These piles are to be installed between existing piles in locations where the original piles did not achieve the desired bearing capacity. We install falsework to set and drive the additional piles in the correct position. We can install two piles per setup based on the locations of the additional piles. As we noted earlier, in the essence of time and due to access problems, the additional piles have been cast and are currently being installed. The total cost of this work is \$93,172.

The second estimate provides a credit for one temporary setup. The piles in Bents 26 and 27 have been eliminated from the project and will be replaced by a conventional footing. We previously provided a credit for the material to offset the cost of additional pile length described in Construction Change Directive No. 1. This estimate was submitted to you on September 28. The enclosed estimate provides a credit for the installation costs of the piles in Bents 26 and 27. The total credit is \$4,217.

The third estimate is for the cost to modify 21 of the original pile caps to accommodate 24 additional piles and the installation costs associated with the 24 additional piles. Shop drawings for the cap modifications will take approximately 12 days to complete after approval. Caps will be cast upon approval of the drawings. The cost of this change is \$61,518.



ED WATERS & SONS CONTRACTING CO., INC.
GENERAL CONTRACTORS

Specializing in Pile Driving, Steel Sheet Piling and Marine Structures

Project: Wooton Park Pier and Pavilion
 Location: Tavares, FL
 Owner/Contractor: Emmett Sapp Builders, Inc.
 Address: 4430 NE 83rd Road
 Wildwood, FL 34785

Date: November 2, 2012

Description of Work: Delete installation of 4 piles in Rows 26 & 27.

Labor Charges:

<u>Class</u>	<u>Quantity</u>	<u>Rate/Hr</u>	<u>Hours</u>		<u>Total Pay</u>
			<u>ST</u>	<u>OT</u>	
Foreman	1	\$25.25	-8		-\$202.00
Operator	1	\$25.25	-8		-\$202.00
Piledriver	1	\$15.00	-8		-\$120.00
Labor	2	\$12.72	-8		-\$203.52
Supt	1	\$25.00	-8		-\$200.00
Total Labor Charges:					-\$927.52

Material Charges:

<u>Item</u>	<u>Rate</u>	<u>Qty</u>	<u>Total</u>
			<u>\$0.00</u>
Total Material Charges:			\$0.00

Equipment Charges:

<u>Item</u>	<u>Rate</u>	<u>Unit</u>	<u>Duration</u>	<u>Total</u>
55-ton Crane	\$53.58	/hr	-8 hrs	-\$428.65
60-ton Crane	\$53.58	/hr	-8 hrs	-\$428.65
D-19-42 Pile Hammer	\$26.25	/hr	-8 hrs	-\$210.00
22-30 Vibratory Hammer	\$28.13	/hr	-8 hrs	-\$225.00
Spud Barge	\$45.05	/hr	0 hrs	\$0.00
Material Barge	\$33.79	/hr	0 hrs	\$0.00
Push Boat	\$18.75	/hr	0 hrs	\$0.00
Front-End Loader	\$32.61	/hr	-8 hrs	-\$260.90
Welding Machine	\$3.83	/hr	-8 hrs	-\$30.65
14" Drive Cap	\$535.00	mo	0 mo	\$0.00

Wooton Park Pier and Pavilion
 Pile Installation Credit
 November 2, 2012
 Page 2

Total Equipment Charges: \$0.00
-\$1,583.85

Miscellaneous Charges:

<u>Item</u>	<u>Rate</u>	<u>Unit</u>	<u>Duration</u>	<u>Total</u>
Crew Travel Pay	\$195.00	/day	-1 days	-\$195.00
Motel Expense	\$306.36	/day	-1 days	-\$306.36
				<u>\$0.00</u>
Total Miscellaneous Charges:				-\$501.36

Total Labor		-\$927.52
Labor Burden	44.19%	-\$409.87
Total Material		\$0.00
Total Equipment		-\$1,583.85
Total Miscellaneous		<u>-\$501.36</u>
Subtotal		-\$3,422.60
Overhead	12%	-\$410.71
Profit	10%	<u>-\$383.33</u>
Total Amount Due		-\$4,216.64



ED WATERS & SONS CONTRACTING CO., INC.
GENERAL CONTRACTORS

Specializing In Pile Driving, Steel Sheet Piling and Marine Structures

Project: Wooton Park Pier and Pavilion
 Location: Tavares, FL
 Owner/Contractor: Emmett Sapp Builders, Inc.
 Address: 4430 NE 83rd Road
 Wildwood, FL 34785

Date: November 2, 2012

Description of Work: Modify 21 precast pile caps and form and fill 24 additional pile pockets

Labor Charges:

Class	Quantity	Rate/Hr	Hours		Total Pay
			ST	OT	
Foreman	1	\$25.25	72		\$1,818.00
Operator	1	\$25.25	72		\$1,818.00
Carpenter	2	\$18.00	72		\$2,592.00
Labor	2	\$12.72	72		\$1,831.68
Supt	1	\$25.00	72		\$1,800.00
Total Labor Charges:					\$9,859.68

Material Charges:

Item	Rate	Qty		Total
Redesign	\$1,800.00	1		\$1,800.00
Cap Modifications	\$7,500.00	1		\$7,500.00
Reinforcing Steel	\$0.51	244.8	lbs	\$124.85
Formwork	\$600.00	1		\$600.00
Grout	\$8.75	84		\$735.00
Delivery	\$200.00	1		\$200.00
Sales Tax on Material				<u>\$551.59</u>
Total Material Charges:				\$11,511.44

Equipment Charges:

Item	Rate	Unit	Duration	Total
55-ton Crane	\$53.58	/hr	72 hrs	\$3,857.85
60-ton Crane	\$53.58	/hr	72 hrs	\$3,857.85
D-19-42 Pile Hammer	\$26.25	/hr	72 hrs	\$1,890.00

Wooton Park Pier and Pavilion
 Pile Cap Modifications
 November 2, 2012
 Page 2

22-30 Vibratory Hammer	\$28.13 /hr	72 hrs	\$2,025.00
Spud Barge	\$45.05 /hr	66 hrs	\$2,973.30
Material Barge	\$33.79 /hr	66 hrs	\$2,229.98
Push Boat	\$18.75 /hr	66 hrs	\$1,237.50
Front-End Loader	\$32.61 /hr	72 hrs	\$2,348.10
Welding Machine	\$3.83 /hr	72 hrs	\$275.85
			<u>\$0.00</u>
Total Equipment Charges:			\$20,695.43

Miscellaneous Charges:

<u>Item</u>	<u>Rate</u>	<u>Unit</u>	<u>Duration</u>	<u>Total</u>
Crew Travel Pay	\$195.00	/day	7 days	\$1,365.00
Motel Expense	\$306.36	/day	7 days	\$2,144.52
				<u>\$0.00</u>
Total Miscellaneous Charges:				\$3,509.52

Total Labor	\$9,859.68
Labor Burden	44.19% \$4,356.99
Total Material	\$11,511.44
Total Equipment	\$20,695.43
Total Miscellaneous	<u>\$3,509.52</u>
Subtotal	\$49,933.06
Overhead	12% \$5,991.97
Profit	10% <u>\$5,592.50</u>
Total Amount Due	\$61,517.53



ED WATERS & SONS CONTRACTING CO., INC.
GENERAL CONTRACTORS

Specializing in Pile Driving, Steel Sheet Piling and Marine Structures

Project: Wooton Park Pier and Pavilion
 Location: Tavares, FL
 Owner/Contractor: Emmett Sapp Builders, Inc.
 Address: 4430 NE 83rd Road
 Wildwood, FL 34785

Date: November 2, 2012

Description of Work: Install 24 additional piles (8 @ 47', 12 @ 37' & 4 @ 27')
 as shown on the revised drawing.

Labor Charges:

<u>Class</u>	<u>Quantity</u>	<u>Rate/Hr</u>	<u>Hours</u>		<u>Total Pay</u>
			<u>ST</u>	<u>OT</u>	
Foreman	2	\$25.25	98		\$4,949.00
Operator	1	\$25.25	98		\$2,474.50
Piledriver	1	\$15.00	98		\$1,470.00
Labor	2	\$12.72	98		\$2,493.12
Supt	1	\$25.00	98		<u>\$2,450.00</u>
Total Labor Charges:					\$13,836.62

Material Charges:

<u>Item</u>	<u>Rate</u>	<u>Qty</u>	<u>Total</u>
14"x14"x47' Piles	\$846.00	8	\$6,768.00
14"x14"x37' Piles	\$666.00	12	\$7,992.00
14"x14"x27' Piles	\$486.00	4	\$1,944.00
Trucking	\$900.00	4	\$3,600.00
Sales Tax on Material			<u>\$1,052.24</u>
Total Material Charges:			\$21,356.24

Equipment Charges:

<u>Item</u>	<u>Rate</u>	<u>Unit</u>	<u>Duration</u>	<u>Total</u>
55-ton Crane	\$53.58	/hr	98 hrs	\$5,250.96
60-ton Crane	\$53.58	/hr	98 hrs	\$5,250.96
D-19-42 Pile Hammer	\$26.25	/hr	98 hrs	\$2,572.50
22-30 Vibratory Hammer	\$28.13	/hr	98 hrs	\$2,756.25
Spud Barge	\$45.05	/hr	96 hrs	\$4,324.80

Wooton Park Pier and Pavilion
 Supplemental Piles
 November 2, 2012
 Page 2

Material Barge	\$33.79 /hr	96 hrs	\$3,243.60
Push Boat	\$18.75 /hr	96 hrs	\$1,800.00
Front-End Loader	\$32.61 /hr	98 hrs	\$3,196.03
Welding Machine	\$3.83 /hr	98 hrs	\$375.46
14" Drive Cap	\$535.00 mo	1 mo	\$535.00
			<u>\$0.00</u>
Total Equipment Charges:			\$29,305.56

Miscellaneous Charges:

<u>Item</u>	<u>Rate</u>	<u>Unit</u>	<u>Duration</u>	<u>Total</u>
Crew Travel Pay	\$195.00	/day	10 days	\$1,950.00
Motel Expense	\$306.36	/day	10 days	\$3,063.60
				<u>\$0.00</u>
Total Miscellaneous Charges:				\$5,013.60

Total Labor	\$13,836.62
Labor Burden	44.19% \$6,114.40
Total Material	\$21,356.24
Total Equipment	\$29,305.56
Total Miscellaneous	<u>\$5,013.60</u>
Subtotal	\$75,626.42
Overhead	12% \$9,075.17
Profit	10% <u>\$8,470.16</u>
Total Amount Due	\$93,171.76

Emmett Sapp Builders, Inc.

November 2, 2012

Page 2

The total cost for this additional work is \$150,473. We estimate this work will require an additional 20 days.

Please contact us if you have any questions and let us know if you need any additional information.

Sincerely,

ED WATERS & SONS CONTRACTING CO., INC.

Van A. Hogan

Van A. Hogan, Vice President

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: DECEMBER 5, 2012**

AGENDA TAB NUMBER: 26

SUBJECT TITLE: APPROVAL OF INTERLOCAL AGREEMENT WITH LAKE COUNTY REGARDING FUNDING OF NORTHEAST BUSINESS OPPORTUNITY CENTER

OBJECTIVE:

To approve the attached interlocal agreement with Lake County regarding the funding of the Northeast Business Opportunity Center

SUMMARY:

During its budget deliberations this summer, the City Council discussed the attached presentation from Lake County for financial assistance of \$14,400 to assist in the funding of the Northeast Business Opportunity Center which recently opened in Eustis.

The \$14,400 first year funding was approved as part of the City's 2012-13 budget with the understanding that a written interlocal agreement regarding the funding would be brought back to the City Council for its consideration.

The attached interlocal agreement, which has been reviewed and approved by the City Attorney, reflects one-year funding by the City to support the Northeast Business Opportunity Center with any future funding having to be specifically approved by the City.

OPTIONS:

1. That the City Council approves the attached interlocal agreement regarding the funding of the Northeast Business Opportunity Center for one year.
2. That the City Council not approve the attached interlocal agreement.

RECOMMENDATION

Staff recommends that the City Council approve the attached interlocal agreement regarding the funding of the Northeast Business Opportunity Center for one year.

FISCAL IMPACT:

The fiscal impact will be \$14,400 which is included in the City's approved 2012-13 budget.

LEGAL SUFFICIENCY:

The interlocal agreement has been reviewed and approved by the City Attorney.

**INTERLOCAL AGREEMENT
BETWEEN
LAKE COUNTY
AND
THE CITY OF TAVARES
PERTAINING TO FUNDING OF THE
NORTHEAST LAKE COUNTY BUSINESS OPPORTUNITY CENTER**

This is an Interlocal Agreement by and between LAKE COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", and the CITY OF TAVARES, a municipal corporation pursuant to the laws of the State of Florida, hereinafter referred to as "CITY" pertaining to the funding of the Northeast Lake County Business Opportunity Center.

WHEREAS, Chapter 163, FL Stat. 163.01 authorizes interlocal agreements to provide services and facilities in cooperation with other local governments; and

WHEREAS, the COUNTY is desirous of opening a Business Opportunity Center in the Northeast Lake County area, more specifically located at 1520 South Bay Street, Eustis, Florida, for the purposes of offering a variety of resources to businesses and to support entrepreneurship in the greater Northeast Lake County area; and

WHEREAS, the CITY is desirous of assisting the COUNTY in the creation of the Business Opportunity Center by providing annual funding until this Interlocal Agreement is terminated.

NOW, THEREFORE, IT IS HEREBY AGREED between the City of Tavares and the County of Lake as follows:

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

Section 2. County Obligations. COUNTY shall open on or about August 1, 2012, the Northeast Lake County Business Opportunity Center, to be located at 1520 South Bay Street,

Eustis, Florida, hereinafter the "BOC." The COUNTY shall provide the following types of services through the BOC:

- * Support businesses and entrepreneurs by seeking to aggressively retain and expand jobs in Lake County.
- * Provide space for a business incubator. The incubator shall provide full service tools, programs and services for all businesses from the conceptual stage to Stage Two larger companies.
- * Provide services to business located in Eustis, Umatilla, Tavares, Mt. Dora, Astatula, Howey-in-the-Hills and unincorporated regions of Northeast Lake County.
- * Contract with Lake Sumter Community College and the Small Business Development Center to provide services and programs when necessary.

Section 3. City Obligations.

Section 3. City Obligations. The CITY shall provide funding assistance for the general operation of the BOC in the amount of \$14,400, for FY 2012-13. This payment shall be made to the COUNTY in a single lump sum payment no later than December 31, 2012. If the CITY elects to participate in funding the BOC for future years following FY 2012-2013, the CITY shall give written notice to the COUNTY by October 1 of succeeding years of its intent to participate in funding and the level of funding to which the CITY is willing and able to commit.

Section 4. Term of Agreements; Termination. This Interlocal Agreement shall become effective on November 1, 2012 and shall expire on October 31, 2013. The initial term of this Agreement may be extended for successive one-year terms by agreement of the parties entered into prior to October 1, which extension agreement shall also specify the level of funding to which CITY is willing and able to commit to the BOC for the succeeding year. Either party to this Agreement may terminate with or without cause upon six (6) months written notice. In the event the COUNTY terminates this Agreement, the CITY shall be entitled to a pro-rata refund of the annual payment made for the fiscal year in which the Agreement is terminated. The COUNTY shall issue a refund, if any, within ninety (90) days of the COUNTY'S written notice of termination. No refunds shall be given if the CITY terminates this Agreement.

Section 5. Notices.

All notices, demands, or other writings required or permitted to be made, given, or sent in this Interlocal Agreement shall be deemed to have been fully given, made, or sent when in writing and addressed as follows:

TO COUNTY:

County Manager
P.O. Box 7800
Tavares, Florida 32778

TO CITY:

City Administrator
201 E. Main Street
Tavares, Florida 32778

cc: Scott Blankenship, Director
Economic Development &
Tourism
P.O. Box 7800
Tavares, Florida 32778

All notices shall be considered properly given if personally delivered, sent by certified mail, return receipt requested, or sent by Federal Express or other equivalent overnight delivery service. The effective date of such notice shall be the date personally delivered, the date of postmark, if sent by U.S. Mail, or the date the notice was picked up by the overnight delivery service. Either party may designate other parties or addresses for the giving of notice, through a written notice given in conformity with the requirements of this Section.

Section 6. Modifications. It is further agreed that no modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

Section 7. Prior Agreements. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, representations or understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of this Interlocal Agreement which are not contained in this document. Accordingly, it is agreed that no deviation from the terms

hereof shall be predicated upon any prior negotiations, representations or agreements, whether oral or written.

IN WITNESS WHEREOF, the parties hereto have made and executed this Interlocal Agreement on the respective dates; under each signature; Lake County through its Board of County Commissioners, signing by and through its Chairman, authorized to execute the same by Board action on the ____ day of _____, 2012, and the City of Tavares, authorized to execute the same.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

Leslie Campione, Chairman

This ____ day of _____, 2012

ATTEST:

Neil Kelly, Clerk of the Board of
County Commissioners of Lake County, Florida

APPROVED AS TO FORM AND LEGALITY:

Sanford A. Minkoff, County Attorney

Agreement Between Lake County and the City of Tavares for Funding of the Northeast Lake County Business Opportunity Center.

CITY OF TAVARES

BY: _____
Print Name: _____
Title: _____

ATTEST:

This _____ day of _____, 2012.

City Clerk

APPROVED AS TO FORM AND CONTENT:

City Attorney

NORTHEAST LAKE COUNTY BUSINESS OPPORTUNITY CENTER

BACKGROUND

- The Northeast Lake County Business Opportunity Center (BOC) will offer full-service business support to all businesses within the Northeast region of Lake County, regardless of size, industry or business cycle.

Location: 1520 South Bay Street
Eustis, FL 32726

- Business support at each BOC will be provided through two unique programs:
 - Business Incubator (BIP): designed to assist growth oriented entrepreneurs and start-ups and managed by Lake Sumter State College
 - Small Business Development Center (SBDC): serving as a one stop shop for any type or level of business support (managed by the SBDC of Central Florida)
- On-site facility management will be provided through a partnership with the Lake Eustis Chamber of Commerce who owns the building and will share office space in the building.

PROGRAM COSTS AND CITY PARTICIPATION

- Total annual cost to operate NEL BOC:

○ Lake Sumter State College Contract	\$42,000.00
○ Small Business Development Center Contract	\$57,500.00
○ Lake Eustis Chamber of Commerce Contract	\$75,000.00
○ Annual Program Expenses	\$25,000.00 - \$50,000.00
- Given the substantial benefits and positive economic impacts the NEL BOC will provide to all businesses within Northeast Lake County (as described in detail below), Lake County ED&T proposes that each city within the Northeast Region of the County participate in the funding of the NEL BOC through a series of Interlocal Agreements
- Lake County ED&T's proposes that the four (4) cities in Northeast Lake County (Umatilla, Eustis, Tavares and Mount Dora) contribute a total of \$50,000.00 per year to support the management and operation of the NEL BOC.
- Each city's share of the \$50,000.00 would be determined on a per capita basis. As of the 2010 Census, the proportionate share breakdown would look as follows:

○ Eustis	\$19,200
○ Tavares	\$14,400
○ Mount Dora	\$12,800
○ Umatilla	\$3,600

CONTRACT BENEFITS

- Benefits of Lake Sumter State College Contract:
 - Development and management of Business Incubator Program
 - One (1) full-time Business Incubator Program Manager:
 - Russ Sloan (formerly the Director of the LSCC Business Resource Center)
 - Management of LSSC 10-Week Entrepreneurial Institute Program, which is offered at no charge to all incubator clients and for a nominal fee to local businesses

- Benefits of Small Business Development Center Contract:
 - Full-service, no charge business support and assistance for all Lake County businesses, regardless of size, industry or business cycle
 - Two (2) Certified Business Analysts (CBA)
 - One (1) of the CBAs will have his home office at the NEL BOC, but both will assist and hold office hours at each of the three (3) BOCs.
 - Two (2) Program Assistants
 - The two (2) SBDC Program Assistants will likely be stationed at the South Lake and Leesburg BOC locations. The NEL BOC Program Assistant will be employed by the Eustis Chamber

- Benefits of Lake Eustis Chamber of Commerce Agreement:
 - 24/7 access to the Lake Eustis Chamber office building
 - All insurance, maintenance and real estate taxes included
 - Placement of BOC logo on grandfathered-in lighted pole sign along frontage (top sign)
 - Full-time usage of ten (10) professional offices
 - Shared usage of high-tech conference room with flat screen television
 - Shared usage of business center with color copier, fax, shredder, binding equipment, paper folder, wireless internet
 - Shared usage of kitchen/break room
 - Shared usage of reception area
 - Shared usage of restrooms and other common space
 - Shared usage of parking lot
 - One (1) full-time, dedicated employee to serve as on-site BOC manager and Program Assistant
 - Dedicated marketing space in reception area to promote Lake County businesses and events
 - Shared usage of storage space in building
 - Access to full time chamber staff during high demand periods
 - Access to business network of Eustis Chamber comprised of local businesses, individuals and all chambers of commerce in NE Lake County.
 - Access to on-site event planner to assist with meeting and event planning at BOC
 - Usage of two phone lines for BOC administration
 - Usage of existing high speed internet
 - Building janitorial services included
 - Landscaping services included
 - Security system included

BUSINESS INCUBATOR PROGRAM DETAILS

- Designed to support the successful development of entrepreneurial companies through an array of business support resources and services developed and orchestrated by Lake Sumter State College.
- Businesses that apply, qualify and are admitted into the Incubator Program are required to participate fully in all programs (including the Entrepreneurial Institute) and are expected to graduate from the program within 3-years.
 - To qualify for the program, the business must be a corporation or sole proprietorship, which has a developed product or service with marketability identified; with personal needs and cost stated; and with an identified ability to finance its operation for at least one year. The appropriate vehicle to present this necessary detail is a well-prepared business plan.
- Resources and services available to BIP clients include, but are not limited to the following:
 - Very attractive program fees
 - Private, furnished office (desk, chair(s) and file cabinets)
 - Shared receptionist
 - Janitorial service
 - Joint usage of high tech conference room
 - Free and ample parking
 - 24-7 access
 - Shared office equipment (fax, color copier, postal scale, shredder, etc.)
 - Security System
 - High speed internet and telephone available
 - Break room
 - Full scholarship to LSSC Entrepreneurial Institute
 - Business resource library
 - Access to workshops and seminars
 - Business mentor matching
 - Professional assistance in marketing, management, technical, etc.
 - Networking opportunities
 - On-site access to the services of the SBDC

SMALL BUSINESS DEVELOPMENT CENTER DETAILS

- Lake County Office of Economic Development and Tourism has partnered with the Small Business Development Center (SBDC) to ensure that full-service business support is made available to all of Lake County's businesses, regardless of size or industry. With the goal of helping Lake County businesses to increase sales, reduce costs and improve cash flow, the SBDC provides no-cost professional business consulting; value added training and business information to any Lake County business seeking assistance.

- The SBDC offers a wide range of programs to support Lake County businesses. The flagship program of the SBDC is their one-on-one business consulting. Certified Business Analysts provide free confidential and customized expertise in such areas as:
 - Business Planning
 - Business valuation
 - Financial Analysis
 - Financial / Loan preparation
 - Franchising
 - International trade
 - Marketing / Advertising
 - Technology

- In addition to one-on-one business consulting, the SBDC also offers frequent workshops and seminars, which are available at no-cost to all Lake County businesses. While the workshop and seminar topics will vary, typical topics include:
 - Start-up basics
 - Financing basics
 - Insurance basics
 - Legal basics
 - Marketing basics
 - Writing a business plan
 - Patent, trademarks & copyrights
 - Quickbooks
 - Website development
 - Social media
 - Strategic planning
 - Sales strategies

- The SBDC offers a number of other programs and services designed to support local businesses, all of which will be hosted at the NEL BOC

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 5, 2012**

AGENDA TAB NO. 27

SUBJECT TITLE: Ranking of Independent Retirement Plan Advisor Respondents

OBJECTIVE: To obtain Council approval for staff's ranking of firms responding to the City's Request for Qualifications for an Independent Retirement Plan Advisor.

SUMMARY:

On May 16, 2012, The Tavares City Council granted approval for staff to advertise a Request for Qualifications to seek a firm to provide independent retirement plan consulting for the Tavares Police Officers Pension Plan, Tavares Firefighters Pension Plan, Hartford Retirement Plan and the Florida Retirement System; and for the current ICMA, Hartford and Nationwide voluntary pre-tax retirement savings plans. The City received six (6) responses during the RFQ response period.

The Evaluation and Ranking Committee included John Drury, City Administrator; Bob Williams, City Attorney; Richard Keith, Fire Chief; Stoney Lubins, Police Chief; Lori Houghton, Finance Director; and Lori Tucker, Human Resources Director. The Committee met on September 24, 2012 to evaluate the responses based on qualifications, location, public sector experience and services provided. The top three firms were invited to make presentations to the Committee on October 10, 2012.

Following the presentation phase, the Committee ranked the three firms as shown below; with The Bogdhan Group ranked as the number one firm based on qualifications, location, public sector experience and services provided.

Firm	City	Rank
The Bogdhan Group	Orlando, Florida	1
Edd Holder & Associates	Tavares, Florida	2
Thistle Asset Consulting	Boynton Beach, Florida	3

As previously authorized by Council, services rendered by the independent retirement plan advisor will be contracted for a 5-year period, and payments for services within the scope of work will be based on an hourly rate, to be billed for hours worked exclusively performing those services.

OPTIONS:

Option 1: That Council approve staff's ranking of Independent Retirement Plan Advisor respondents.

Option 2: That Council does not approve staff's ranking of Independent Retirement Plan respondents.

STAFF RECOMMENDATION:

Staff recommends Option 1, that Council approve staff's ranking of Independent Retirement Plan Advisor respondents.

FISCAL IMPACT:

This item was included in the FY 2012-13 proposed operating budget, at a cost not to exceed \$5,000.

LEGAL SUFFICIENCY:

A copy of this summary has been provided to the City Attorney.



America's Seaplane City™

CITY OF TAVARES

MINUTES OF BID OPENING

August 2, 2012

Request for Qualifications - Independent Retirement Plan Advisor

Bid No. 2012-0029

TAVARES CITY HALL

PRESENT

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

Mr. Rumble noted today's date as Thursday, August 2, 2012. This is the opening of submission packages received in response to RFQ 2012-0029, Independent Retirement Plan Advisor. There were six proposals received:

- 1) BB&T Retirement and Institutional Service
255 South Orange Avenue, 10th Floor
Orlando, FL 32801
- 2) Thistle Asset Consulting, Inc.
1321 Piazza Delle Pallottole
Boynton Beach, FL 33426
- 3) Daniel G. Mazzola, CFA, CPA
American Portfolios Financial Services
91 Bayview Avenue
Massapequa, NY 11758
- 4) Edd Holder and Associates
11312 Dead River Road
Tavares, FL 32778
- 5) Cafaro Greenleaf
216 Maple Avenue
Red Bank, NJ 07701
- 6) The Bogdahn Group
4901 Vineland Road, Suite 600
Orlando, FL 32811

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

Respectfully submitted,

Kay Mayes
Admin Assistant, Finance

Place ads 24/7 online at OrlandoSentinel.com/adv
 or call 800-669-5757 9 a.m. - 6 p.m. Mon. - Fri.
 Orlando Sentinel Classifieds connects buyers and sellers.

Community Bulletin Board

CONCRETE

DOB'S CONCRETE—Repairs and New
 One call does it all! 352-223-7935

Working - a new Wednesday
 section.

FLOORS

FLOORING INSTALLATION—Free
 estimates! Tile, Wood/Laminate
 Flooring, Kitchens, bathrooms,
 porches & more! Experienced 15
 years. Bonded and insured.
 Jamie Dunn 352-551-3528

HOME/OFFICE CLEANING

LORI'S HOUSE CLEANING—In business
 12 yrs. References: 352-223-3101

CAR OWNERS

Orlando Sentinel readers will notice to your
 classified automobile ad.

INSTRUCTIONS

TP MUSIC SCHOOL—Quality music
 instruction lessons for ONLY
 \$40 w/month. Children & adults.
 Lessons in piano, guitar, drums,
 violin, sax, voice, & more! 627-760-
 4141, 332 W. Main Street, Apopka
 FL 32712 www.tpmusic.com

LANDSCAPING

B & B LANDSCAPING—Shrub, Tr
 Rocks & Stone, Design, Clean up
 Mowing: 352-483-0302

LOST YOUR WAY?

Check the garage sale locator m

Announcements

Cemetery Lots/Crypts

2 CEMETERY PLOTS—1 vault in
 Lakeside Memorial Gardens,
 Eustis. \$425; seller will pay for
 de-transfer. 865-206-7745

EZ-Pay
 is the easy
 way to pay
 your
 subscription!

Call

407-420-

5353

and sign up

TODAY.

DOES YOUR HOUSE NEED REPAIRS?

Find a repairman in the Business
 Service Directory in the
 Orlando Sentinel Classifieds.

Miscellaneous Announcements

JULY 4TH GARBAGE COLLECTION—
 Waste Services will be closed on Ju-
 ly 4th to observe the holiday. There
 will be residential garbage pickup
 for our Wednesday once-a-week
 garbage customers on Saturday Ju-
 ly 7th. For any questions or con-
 cerns, please call Waste Services at
 352-323-0824

Employment

Financial & Insurance

**ACCOUNTS PAYABLE & INVENTORY
 CLERK**—PART-TIME, Monday-Fri-
 day, 10am to 5pm. AA Degree in
 Business Admin. or two years expe-
 rience or equivalent combination.
 Candidate should demonstrate pro-
 ficient use of MS Windows, MS Of-
 fice and accounting/production soft-
 ware. Telephone skills required.
 Apply in person at 2850 Dillard Rd.,
 Eustis, FL or e-mail resume to
clerk@cdcorp.com

WEB OS24862

Healthcare

DENTIST—Leesburg office looking for
 individuals to work with great team.
 We provide care to entire family.
 New grads are welcome.
 Must be comfortable with root
 canals & extractions. PT position
 (1-2 days per week). Pay dependent
 on percentage of production.
 Fax resume to 352-787-9036

WEB OS21587

MEDICAL ASSISTANT—PT/PT in spe-
 cially practice in Lake County.
 Send resumes via email to
chford@senefk.comcast.net

WEB OS20392

MEDICAL TRANSCRIPT—2 surgeons
 Exp req. Pick up/deliver. Ref req.
 Fax resume to: 352-762-0039

WEB OS20744

- RN/PM - PT Wknds 60 shifts
 - RN/PM FT 11.7
 - RN SUPERVISOR FT 3-11
 - CNA PT Wknds 3-11/17
- Apply in person 8:30a-5p M-F
 Lake Eustis Care Center
 411 W Woodward Ave
 Eustis FL DFWP/EOE

GETTING PAID ENOUGH?

Check out the "Salary Wizard" on
 OrlandoSentinel.com and find out
 salaries for thousands of jobs in
 Central Florida.

Legal Notices

Advertisements for Bid

ADVERTISEMENT/INVITATION RFD 2802-0028

CITY OF TAVARES
 REQUEST FOR QUALIFICATIONS FOR
 INDEPENDENT RETIREMENT PLAN ADVISOR

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

Sealed bids are invited by the City of
 Tavares, to be received by the office of
 the City Clerk, 201 East Main St., Ta-
 vares, Florida 32778 so as to be re-
 ceived not later than 2:00 PM on Thursday,
 August 2, 2012. Bids received after this specified
 time and date will not be considered. Please
 submit one original clearly marked "Seal" copy
 and 1 (one) digital copy, preferably in PDF
 format.

The purpose of this Request for Qual-
 ifications (RFQ) is to seek qualified
 firms to provide Retirement Plan Con-
 sulting Services. The services will in-
 clude, but are not limited to, the fol-
 lowing:

- Conduct an annual assessment and re-
 port and present an comprehensive
 report of all plan funds
- Ensure the City's regulatory compli-
 ance with each plan is sufficient
- Review plan fees and make recom-
 mendations regarding fees
- Provide overview and guidance on
 any recommended plan changes
- Assist in preparing RFPs for new
 plans as needed
- Negotiate with plan providers as
 needed

Copies of contract (bid) documents
 consisting of bidding requirements,
 contract forms, and conditions of the
 contract may be examined at City
 Hall, 201 E. Main St., Tavares, Flori-
 da, telephone (352) 742-6131. Bidders
 with access to DemandStar.com can
 obtain the form and documents by
 calling 1-866-711-7172, or on the web at
<http://www.demandstar.com>, or at the
 City's website: <http://www.tavares.org>

John Rumble
 Purchasing Manager
 City of Tavares jrubble@tavares.org

LAK1193677

07/01/2012

Public Hearing Notices

MEETING NOTICES

The Lake County Water Authority will
 be holding the following meetings:

1) Budget Meeting on July 31, 2012, at
 2:00 pm, Leesburg Cultural Arts Build-
 ing, 201 Dixie Ave., Leesburg, FL

2) Regular meeting on July 25, 2012, at
 3:30 p.m. in the Lake County Board of
 County Commissioners' Chambers at
 the Lake County Administration Build-
 ing (2nd Floor, Room Courtthouse), 315
 West Main Street, Tavares, Florida.

Anyone having questions regarding the
 meetings or specific items on the
 agendas, please contact the office at
 352-3777, during our normal office
 hours: Monday through Friday 8:30
 a.m. - 5:00 p.m.

Should any person decide to appeal
 any decision made at these meetings,
 they will need a record of the proceed-
 ings and it is their responsibility to en-
 sure that a verbatim record of the pro-
 ceedings are made.

LAKE COUNTY
 WATER AUTHORITY

LAK09428

07/01/2012

Sale Notices

NOTICE OF SALE

This is to serve notice of asset sale
 and notice of contracts in the fol-
 lowing units will be sold in the highest
 bidder of public auction. Unless all
 work and materials are paid in full by
 cash or money order before 9:00 a.m.,
 JULY 14th, 2012. Auction will take
 place at 9:00 a.m. JULY 14th, 2012,
 AT:

STORAGE DEPOT
 1330 MCINLEY ROAD
 UMATILLA, FL 32784
 352-483-3100

NAME
 TIMOTHY SHIPP
 HARVEY HOWARD & MICHELLE
 SCOTT
 DESIREE DAVIS
 FRANCES LACRA CREECH
 ISRAEL SAGERSD
 BEOLA GARCIA
 ROBERT FREERE & CHRIS
 HULLUNDER
 JOHN & CAROLE CONLON

UNIT
 C-26
 C-1
 C-4
 C-7
 B-14
 P-30

LAK1193244

07/01/2012

Sale Notices

NOTICE OF SALE

Monster Self Storage, located at 11
 SR 44, Eustis, FL 32756, telephone
 number 352-357-1165, fax 352-357-1163
 announces the sale of 4 storage units
 July 11th, at 9:30 am EST.

Name: Unit #: Cont#

Dennis James Thorne 1653 H

Dated this 24th day of June and

day of July

LAK1193260

06/24/2012

Merchandise

AUCTION - Saturday June 30th at
 11 a.m. 3151 Cherrbrook St, Sorrento,
 32776. In this lovely historic home
 come and discover treasures from
 Mohogany, Cushman, Oriental rug,
 rattan, wicker, copper, china, ba-
 lery, yard art, swing, tools, comme-
 rial flyer, BP 14% vinyl, mc. 10"
 coast, local check.

Libby Tatum, Auctioneer

352-223-6677

405-755-4073/85

• Pictures: Auctioning.com, Sandra Tatum

FURNITURE - 4 Oak Queen Ar-
 chairs, excellent condition, new
 upholstery seats, \$80. 352-223-5522

WANTED LARGE STAMP COLLECTIONS - NGC
 C&WH (619)673-0434

Pets

Pets for Sale

ENGLISH BULLDOG - cf emphasis, taking
 receipt on our champion bl line
 pups, family raised they are on
 babies, healthy, bright, sunny, cocke
 etc., pictures avail: 5200-00 537-583
 7901

Real Estate for Rent

Homes Lake County for Rent

UMATILLA - Loxleyport, MUST SEE
 2br, 2ba garage, screen patio, ex-
 frons. Very clean! 352-652-3047



CITY OF TAVARES
MINUTES OF RFQ EVALUATION
September 24th 2012
RFQ for Independent Retirement Plan Advisor
RFQ 2012-0029
TAVARES CITY HALL Conference Room 3

PRESENT

John Rumble, Purchasing Manager
Lori Tucker, Human Resources Director
John Drury , City Administrator
Lori Houghton , Finance Director
Robert Williams, City Attorney
Richard Keith , Fire Chief

Mr. Rumble convened the meeting by staff at 10:00 a.m. for the purpose of reviewing and evaluating the RFQs received in response for the **RFQ for Independent Retirement Plan Advisor**. It was noted by Mr. Rumble that 6 responses were received.

The Six responses received were:

BB&T Retirement and Institutional Service
Orlando, FL 32801

Thistle Asset Consulting, Inc.
Boynton Beach, FL 33426

American Portfolios Financial Services
Massapequa, NY 11758

Edd Holder and Associates
Tavares, FL 32778

Cafaro Greenleaf
Red Bank, NJ 07701

The Bogdahn Group
Orlando, FL 32811

The members had received their packages and instructions two week prior to this meeting. The committee members then discussed the details and merits of each proposal package. Specific items discussed were: Experience and expertise, approach to projects with similar criteria, ability to work with City and regulatory agency staff, knowledge of issues related to government retirement accounts and proximity to the City of Tavares.

The members then stated their rankings with justification, starting with Mr. Drury. Mr. Drury commented that he was disappointed with the quality of Mr. Holder's submittal stating that the lack of content made an evaluation difficult. The committee members all concurred with Mr. Drury's comment. Mr. Drury went on to say that he thought it would be in the best interest of the city if we allowed the top three firms to be interviewed and allow them to submit any supplemental information.

Mr. Williams spoke next stating that he had experience with Mr. Holder but just barely qualified him within the top three because of the submittal. He concurred with an interview process.

Ms. Tucker then spoke also stating she had experiences with Mr. Holder previously indicating that he had previously been with a larger organization.

Lori Houghton commented that interviews would possibly fill in the deficiencies in any of the submittals.

Chief Keith said that he thought the interviews were a good idea with Thistle being his first choice in the selection. Mr. Keith noted that it would be prudent to use a firm from Florida as the pension rules are peculiar to the state.

Mr. Drury stated that prior to establishing the short list we should all agree to interviews for the short list firms with the rankings made after the interviews. After a brief discussion it was agreed that 3 firms would be short listed.

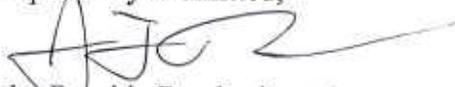
Mr. Drury then reiterated the terms of selection emphasizing that this was strictly for consultation and not for sale or recommendation of services.

The committee went around the room and each of the members stated their top three firms commenting on the choices with the result being that the following firms were shortlisted.

- The Bogdahn Group
- Edd Holder and Associates
- Thistle Asset Consulting, Inc

Mr. Rumble stated he would schedule the interviews around Mr. Drury's calendar and then contact the firms. There being no further discussion the meeting adjourned at 10:40 am

Respectfully submitted,



John Rumble Purchasing Manager



America's Seaplane City™

CITY OF TAVARES
MINUTES OF RFQ EVALUATION
October 10th 2012
RFQ for Independent Retirement Plan Advisor
RFQ 2012-0029
TAVARES CITY HALL COUNCIL CHAMBERS

PRESENT

John Rumble, Purchasing Manager

Lori Tucker, Human Resources Director

John Drury , City Administrator

Lori Houghton , Finance Director

Robert Williams, City Attorney

Stoney Lubens , Police Chief

Richard Keith , Fire Chief

The proceedings were recorded

Mr. Rumble convened the meeting 9:30 a.m. for the purpose of interviewing the firms shortlisted for the **RFQ for Independent Retirement Plan Advisor**.

It was noted by Mr. Rumble that 3 were scheduled .

9:30 a.m. Edd Holder and Associates

10:00 am The Bogdahn Group

11:00 am Thistle Asset Consulting, Inc.

The session with Mr. Ed Holder commenced at 9:38 a.m. Mr. Drury did a short introduction stating exactly what services the selected firm was expected to provide and reiterating that this would be an hourly paid consultant and that there would be no sale of products or recommendations of services involved in the consultation. He then introduced the committee members and turned the meeting over to Mr. Holder.

Mr. Holder then introduced his associate Teressa Brunson, who would be assisting him in

the services if awarded. He stated that Ms. Brunson had 15 years experience in the field and further explained that as opposed to some firms, they have not been on the sales side, but strictly as advisors to pension plans. He asked Mr. Drury to clarify that the city was not looking to have its funds managed but only needed the firm in an advisory capacity. Mr. Drury confirmed this stating that when the current plans provide options he wanted the consultant to then advise on the best course of action determining a cost for the time expended analyzing and presenting to the council. Mr. Holder said that he understood the concept but wondered if the other firms that submitted were aware that there was no money management involved. Mr.. Holder then went on to describe his 35 years of experience including presidential appointments having served as an advisor on retirement plans examining all plans used by municipalities. Mr. Holder then gave a brief evaluation of what he has discerned about the current Tavares pension plans discussing his methodology for evaluating them. He also touched on how the city can protect itself from legal action concerning bad investments by pension plans discussing scenarios and other cases that have developed. Mr. Holder then describe what he thought might be some options for the City's plans. Mr. Holder concluded his presentation and the floor was opened to questions. Mr. Williams inquired as to Mr. Holder's qualifications. He responded that he is a Registered Retirement advisor. The question was asked about his experience on his Police and Fire Plans which he responded the he had done work with the City of Jacksonville. A discussion on defined benefit plans then ensued. Mr. Lubens inquired if there had been any issues that had confronted his firm previously. He said there were none specific other than the declining contributions by employees. In response to a question by Ms. Tucker, Mr. Holder stated that he had not had recent experience with pension boards but did not foresee any difficulty in dealing with them. Mr. Drury summed up the City's requirements again. Mr. Drury inquired about availability and Mr. Holder said he is always available either directly or electronically. He also questioned Ms. Brunson confirming her understanding of the service. There being no further questions the session concluded at 10:20 a.m.

The next session with The Bogdahn Group commenced at 10:20 a.m. Mr. Drury opened the session by giving an overview of the services the City was looking for and introducing the panel.

Mr. Mike Welker introduced himself President and CEO and Mr. Steve Gordon who runs the defined contribution department with the company. Mr. Welker said that he would expound on the company starting with a reference to the supplemental materials.

He noted that the first descriptor was independent and he wished to emphasize that the company has no relation with any fund manager, bank or other pension provider, working strictly

for the client and that none of the employees are licensed to sell any products or services. He also noted that there is a money back guarantee on any services that after one year if you are not satisfied they will refund all fees. Mr. Welker stated that the Bogdahn Group was the largest consultant in the State of Florida for public funds with 65% of the market. They have 43 employees and 17 consultants. He said the Bogdahn group was ideally suited to the cities needs.

Mr. Gordon then spoke saying that he wished other cities would follow the direction that Tavares is pursuing. He then referred to case studies cited in the supplemental literature. One of the glaring problems he noted with many plans was the fees associated with administering the plans as several providers were involved. Consolidation was discussed as an option to reducing the fees but he said it would depend on a critical analysis of all the plans. The major objective of the firm is to generate savings through reducing fees and to ensure that the employees have sufficient funds to retire when the time comes. The examples he said prove the point that the company pays its own way in the savings realized from fee reduction. Mr. Welker interjected and said the main thing to remember is that the Bogdahn Group will do what is in the best interest of the city as they have no vested interest in the actual funds.

The deliverables were discussed next as they described the quarterly visits to recommend update and document any changes to the administration of the plans. Everything is documented to provide the Department of labor or any other entity with the required paper trail audit.

Mr. Drury opened the floor to questions. Mr. Williams inquired as to who would be the primary contact. Mr. Welker replied it would be himself, Mr. Gordon or another partner John Brad. The next question was in reference to the firms experience in police and fire. Mr. Welker indicated that they represent approximately 190 police and fire plans in the state of Florida and are very familiar with the statutes and other issues surrounding them. Mr. Welker also described the dynamics of effectively managing the funds. He indicated in response to a question from Lori Houghton that they have a direct link to the State of Florida to keep apprised of any changes in tax or pension law. Lori Tucker inquired about their interaction with pension boards. Mr. Welker said they get along very well as they are able to provide them with the actuarial information that makes the boards jobs easier. Communicating with the facts leads to a good relationship.

Mr. Keith commented it was a good presentation and that all his questions had been answered.

Mr. Drury then made his closing comments discussing whether or not the firm would be willing to do an hourly billing as opposed to a flat quarterly fee and would they be available for consultation. They said that all instances of assistance would be accommodated under the flat fee in addition to the realized savings. Mr. Drury asked how they would balance the concerns of Council, the Pension Board and the Employees, being that they were essentially working for the

council. Mr. Welker responded that they always bring truth to the equation citing the example of Mt. Dora who made changes to pensions thinking they would save money, when the changes actually ended up costing more. Let facts drive the decisions. There being no further questions , Mr. Welker made his closing statements and concluded at 11:04 am.

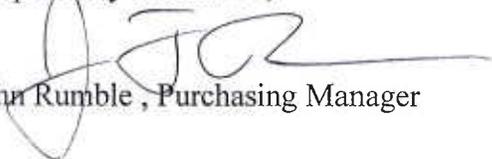
The final presentation from The Thistle Asset consulting commenced at 11:08 a.m. Mr. Drury reiterated the scope of services the city required. There was one presenter from the company Mr. John McCann. There were several questions from Mr. McCann as he seemed a little unclear on the process. He indicated that his firm reviews the bank statements an investments and he wondered if this would be required. Mr. Drury said that it would be more along the lines of strictly a consultation to advise when changes to the pension plan were being requested. He repeated that an independent advisor is needed that does not have a vested interest to advise the council. Mr. McCann stated that this was a new scenario for, him and that he had a good working relationship with our current providers but has no interest in any provider firms and does not sell anything. The panel asked several questions of Mr. McCann who described the history and structure of the firm naming the staff and locations. In response to a question about the police and fire plans he indicated that 90% of his business was with these type of plans. There was a discussion of investment strategies and management of the funds. The interview concluded at 11:35 a.m.

The committee then held a brief discussion of the interviews and completed their score sheets with the following results:

Committee Member	#1	#2	#3	#4	#5	#6	TOTAL
Edd Holder and Associates	80	60	80	97	55	70	442
The Bogdahn Group	80	100	91	94	85	80	530
Thistle Asset Consulting, Inc.	60	40	89	64	60	75	388

There being no further discussion the meet adjourned at 11:55 a.m.

Respectfully submitted ,


John Rumble , Purchasing Manager

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: DECEMBER 5, 2012**

AGENDA TAB NO: 28

SUBJECT TITLE: Consideration of the extension of the City-wide Impact Fee Waiver Program

OBJECTIVE:

To have City Council consider the extension of a City-wide impact fee waiver program

SUMMARY:

At its meeting held June 6, 2012, the City Council approved the waiver of the imposition of City impact fees City-wide for the period June 30, 2012 through December 31, 2012. At the June 6th meeting Council directed staff to bring this matter back to them prior to the expiration date for City Council to decide whether or not it wishes to continue the waiver of City impact fees city-wide.

Impact Fees

The imposition of impact fees by local governments became popular in the mid-1990's as the State of Florida was experiencing rapid growth and local governments could not keep up with the needed funding for infrastructure necessary to support that new growth.

The theory was that impact fees were a method for new growth to pay for the costs of local government infrastructure needed to support the new growth that was occurring. Initially, impact fees were levied for water and sewer infrastructure soon to be followed by transportation impact fees. Many local governments then implemented impact fees for fire, police, recreation and libraries. Finally, many counties in conjunction with the local School Board began implementing school impact fees.

Based on case law developed over time, there had to be a "rational nexus" in that the cost of an impact fee had to be equitably spread among the various land use categories for the specified fee being charged and the fees collected for a specified function had to be spent in the general geographic area in which the fee has been collected.

Over time, impact fees levied for various functions by various levels of government - city, county and school boards – have resulted in a multi-level and sometimes confusing impact fee structure.

City of Tavares – Background Information

From information presented during past budget discussions, it was shown that the property tax base of the City of Tavares is approximately 80% residential and 20% non-residential. The goal of the City Council has been through its economic development program to encourage commercial development to more evenly spread the costs of local government between residential and commercial land uses. The ideal breakdown would be a tax base of 60% residential and 40% commercial.

Exhibit 1 depicts the taxable assessed value of residential and commercial real property for the seven-year period 2005 – 2012.

The taxable assessed value of residential and commercial property roller-coasted in the period 2005 - 2012. The total taxable assessed value increased from \$395 million in 2005 to a high of \$854 million in 2008 back down to \$428 million in 2012. Residential taxable assessed value went from \$314 million in 2005 to a high of \$668 million in 2008 to \$278 million in 2012. This steep decline of 240% between 2008 and 2012 in taxable residential value reflects the total downturn of residential values in the housing market coupled with the doubling of the homestead exemption for many properties in 2009. The recovery of the taxable value of residential property will be very slow due to the glut of the current housing market with foreclosed homes, as well as the “Save Our Homes” valuation cap on the annual increase of homestead residential properties.

The taxable assessed valuation of commercial property increased from a low of \$80 million in 2005 to \$198 million in 2009, an increase of \$118 million or 247%. The taxable assessed value of commercial property in 2011 is \$141 million, \$57 million below the high in 2009, a drop of 27%. In spite of the overall drops in taxable assessed valuation over the past several years, the percentage of commercial taxable assessed value as a percentage of total taxable assessed value increased from 20% in 2005 to 35% in 2012, a shift of 15% in six years. This indicates a consistent shift in the taxable value of the tax base to a higher level of commercial value. In 2013 it is anticipated there will also be a substantial increase in commercial taxable value as several large commercial projects such as Osprey Lodge, The Big House, Lakeview Inn 1 and 2, and several medical offices come on the 2013 tax roll. A substantial portion in the increase of commercial value in the tax base has to be attributed to the City’s impact fee waiver program.

City-Wide Impact Fee Waiver Program – January 2010 – November 2012

Since January 2010 the City has waived all City impact fees for all construction within the City Limits of Tavares.

Exhibit 2 shows the results of the impact fee waiver program for the past 34 months through November 2012.

Permits have been approved and issued for new construction valued at \$51,179,006 with resulting impact fee waivers of \$2,258,475. For every dollar of impact fee waived results in \$22.67 of new value construction.

At the current millage rate of 5.95 mills, this \$51.2 million of new construction will translate into new property tax revenues of an estimated \$304,640 on an annual basis.

Of the \$51.2 million in new construction, \$26.6 million or 52% was for commercial construction and \$24.5 million or 48% was for residential construction. It should be noted that all new residential construction has occurred either in existing subdivisions or on residentially designated infill parcels already served by City utilities.

Building Permits Issue and Valuation of Building Permits by Type

The attached Exhibit 3 depicts the number of building permits and construction valuation by type for the last almost six fiscal years through November 1, 2012.

Over that time frame a total of 2,300 permits (including those for additions and alterations) were issued with a total construction valuation of \$172,638,386. In the 2007 calendar year 953 (41% of the total permits issued in the 34 months) had a total valuation of \$41.3 million (24% of the total construction value).

In the 2012 calendar year through November 1st, \$31.1 million of the \$46.6 million of total construction value, or 67% can be attributable to new commercial construction projects.

It should be strongly noted that in the first 10 months of the 2012 calendar year the number of permits and value of construction is almost equal to the total activity for the 2009, 2010 and 2011 calendar years combined. A “dot location” map showing where the 2012 development has occurred is attached at the end of this report.

The impact of this is two-fold. First of all is that the impact fee waivers are encouraging new residential permits in-filling existing subdivisions and substantial commercial construction projects. Secondly, the impact of the new commercial values over the past 34 months greatly assists in the City achieving

the 60% residential vs. 40% commercial taxable value ratio with the current 2012 ratio being 65% - 35%.

City of Tavares Tax Base and Impact Fees

The current 34 months of the City-wide Impact Waiver program has produced positive results in that new commercial construction has been encouraged and positive new residential construction especially in the first 10 months of 2012 has resulted in the infill of existing residential areas.

Owners of several of the large commercial projects for which building plans have been approved, most have stated that the current impact fee waiver program was a major consideration in moving their projects forward at this time.

Of the estimated \$1.7 million in impact fees waived in 2010-2012 time frame, the majority would be for water and sewer impact fees. However, our existing infrastructure and treatment facilities at present have sufficient capacity to meet the needs of these new residential and commercial users. The impact fee waiver program clearly provided an incentive for new construction. This in turn gave the City new water and sewer customers that will utilize our existing capacity. While the City has been fortunate to receive sizeable water and sewer grants and loans to upgrade the existing system, under favorable economic conditions, this cost should be equitably shared between developers and the City of Tavares. As our economy improves, water and sewer impact fees should be phased back in.

In considering whether or not to extend the current impact fee waiver program, the basic dichotomy of the issue is the immediate growth in the property tax base, primarily in the commercial area that will continue over time, versus one-time impact fee revenue that can be used to offset the costs of public infrastructure.

Over the last 36 months, the economy in our Nation and State has been in the worst recession since the Great Depression in the 1930's. Millions of jobs have been eliminated and unemployment is at record levels. The housing market is primarily being fueled by the sale of foreclosed homes and short sales. While recent economic indicators seem to point to a "bottoming out" of the recession it will take years for the job market to recover and the construction industry to rebound.

In Tavares, taxable assessed valuation dropped dramatically from a high of \$854 million in 2008 to \$428 million in 2012, a decrease of 49.8%. Taxable residential values dropped from a high of \$668 million in 2008 to a low of \$278 million in 2012, a decrease of 58.3%. It can be argued that a continuation of impact fee waivers to encourage a re-building of the tax base may outweigh the need to currently re-instate impact fees.

Based on these conditions and the fact that the current City-wide impact fee waiver program has produced positive impacts, it is recommended that the current City-wide impact fee waiver program be extended through June 30, 2013, a 6 month extension. Starting in July 2013, it is proposed that the City's impact fees be reinstated at a rate of a 33% increase every six months to reach the full 100% by December 2014.

OPTIONS:

1. To make a motion to approve public hearings in December 2012 and January 2013 on an Ordinance to extend the current City-wide impact fee waiver program through June 30, 2013 and that the City's impact fees be reinstated thereafter at a rate of a 33% increase every six months to reach the full 100% by December 2014.
2. To make a motion to approve public hearings in December 2012 and January 2013 on an Ordinance to begin in January 2013 to reinstate City impact fees at the rate of a 33% increase every six months to reach the full 100% by July 2014.
3. To take no action and allow for the current City-wide impact fee waiver program to expire as of December 31, 2012.
4. To take other action as may be determined by Council.

STAFF RECOMMENDATION:

Staff recommends that the Council considers approval of Option 1.

FISCAL IMPACT:

Option 1 has been reviewed by the City's independent utility rate consultant, the City Finance Director and the City Administrator. All concur that Option 1 provides sufficient revenues to meet the previously developed revenue forecast for the previously adopted utility rate study. It should be noted that a new utility rate study reviewing all existing rates will be conducted next year.

LEGAL REVIEW:

This proposal has been reviewed and approved by the City Attorney.

EXHIBIT 1

City of Tavares

Assessed Value and Estimated Actual Value of Taxable Property

Fiscal Year Ended September 30	Real Property				
	Commercial Real Property	Residential Property	% Residential	Commercial Property	% Commercial
2005	\$395,057,039.00	\$314,292,456.00	79.56%	\$80,764,583.00	20.44%
2006	\$571,345,791.00	\$449,730,616.00	78.71%	\$121,615,175.00	21.29%
2007	\$730,057,781.00	\$578,959,639.00	79.30%	\$151,098,142.00	20.70%
2008	\$854,994,055.00	\$668,605,480.00	78.20%	\$186,388,575.00	21.80%
2009	\$762,026,655.00	\$563,727,801.00	73.98%	\$198,298,854.00	26.02%
2010	\$529,262,580.00	\$396,449,871.00	74.91%	\$132,812,709.00	25.09%
2011	\$443,574,246.00	\$302,283,691.00	68.14%	\$141,280,555.00	31.85%
2012	\$428,795,084.00	\$278,694,178.00	65%	\$150,100,906.00	35%

EXHIBIT 2

City of Tavares

Impact Fee Waiver program

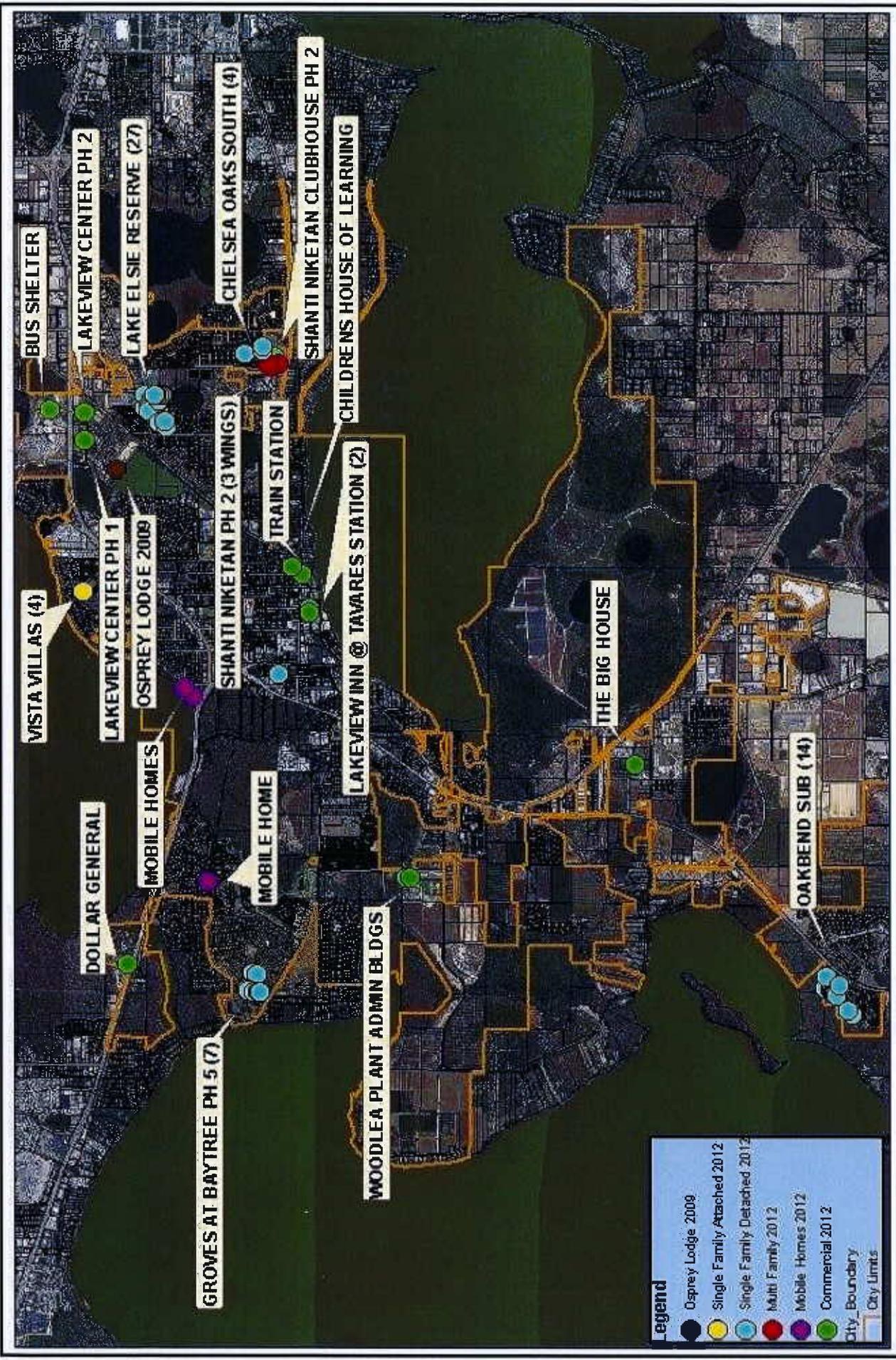
January 2010 to – November 2012

The City of Tavares adopted its impact fee waiver ordinance on December 16th, 2009. Since that date, the City has processed building permits for the following new construction projects:

<u>Types of Project</u>	<u>Valuation</u>	<u>Total Fees Waived</u>
Commercial:		
Osprey Lodge	\$11,700,000.00	\$346,575.24
Massey's	\$382,523.00	\$8,171.19
Bartch Annexation**	\$161,300.00	\$1,252.50
Ellrodt Office	\$185,000.00	\$6,332.00
Kooser's BBQ	\$115,000.00	\$42,853.00
Dollar Tree	\$650,000.00	\$28,954.91
Lemon's Sports Complex	\$6,054,606.00	\$562,392.50
Tavares Medical Facility	\$71,000.00	\$5,448.96
Tavares Regional (3 unit med bldg)	\$350,000.00	\$12,768.45
Tavares Station Hotel #1	\$2,380,903.00	\$200,753.54
Tavares Surgical Center	\$1,423,226.00	\$33,271.76
Tavares Station Hotel #2	\$2,380,903.00	\$200,753.54
Childrens House of Learning	\$180,000.00	\$12,407.46
Dollar General	\$350,000.00	\$17,509.94
Overlook Medical Center	\$250,000.00	\$18,647.43
Total Commercial	\$26,634,461.00	\$1,498,092.42
Residential:		
Multi-Family	\$5,050,905.00	\$302,775.28
Single Family	\$19,493,640.00	\$457,607.28
Total Residential	\$24,544,545.00	\$760,382.56
GRAND TOTAL	\$51,179,006.00	\$2,258,474.98

**Assessed Value of annexed property connecting to city utilities.

Most individuals that have received impact fee waivers since the inception of this program have indicated that the waivers contributed significantly with their decision go ahead with their projects.



PERMITS 2012



**AGENDA SUMMARY
TAVARES CITY COUNCIL
DECEMBER 5, 2012**

AGENDA TAB NO. 29

SUBJECT TITLE: Alfred Street Project-LED Lighting Option

OBJECTIVE:

To update Council on the cost of using LED in lieu of metal halide lighting fixtures for the Alfred Street Project.

SUMMARY:

On August 1, 2012, City Council selected the Sanibel light fixture with a decorative black Colonial pole as the standard lighting for the project. Metal halide form of lighting was chosen because of the clear white light it produced. LED lighting, which also produces a clear white light with superior illumination, was not seriously considered because the cost was significantly greater.

Since that date, Progress Energy has reduced its rental costs for LED lighting fixtures and has begun to phase out metal halide (MH). The Sanibel fixture, chosen by Council, is available in LED. The present monthly cost for the LED Sanibel is \$27.21 per fixture per month. The MH Sanibel is 26.06 per month. Progress representatives have told us that the rental cost for MH fixtures could increase as their use is scheduled to be completely phased-out within two years. The rental cost for LED fixtures will decrease as this form of lighting becomes standard. At today's cost, LED lighting for the 105 light poles within the Alfred Street reconstruction project, will only be \$1,449 per year more than the MH option.

Progress Energy has setup a display of LED lighting in front of City Hall for Council to view. Staff is seeking Council's preference of lighting option. The Alfred Street Streetscaping design, including street lighting, will be used as a template for our downtown as our roads are reconstructed in the future.

OPTIONS:

1. That City Council moves to use LED street lighting fixtures for the Alfred Street reconstruction project.
2. That City Council moves to use metal halide lighting fixtures for the Alfred Street reconstruction project.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to utilize LED street lighting fixtures for the Alfred Street reconstruction project.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

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

SANIBEL



lighting *Premier*

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

Features include reduced glare and light trespass

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

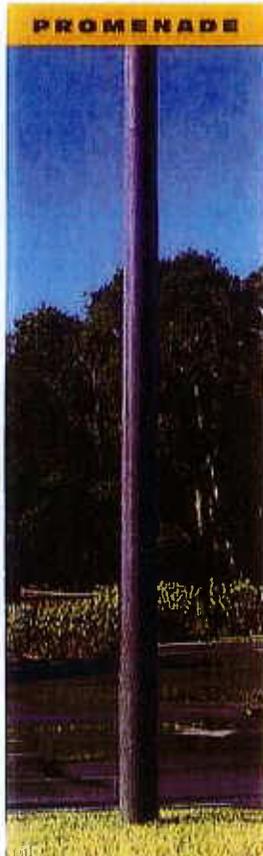


RESIDENTIAL



Premier decorative poles

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



PROMENADE

20' to 35' Mounting Height



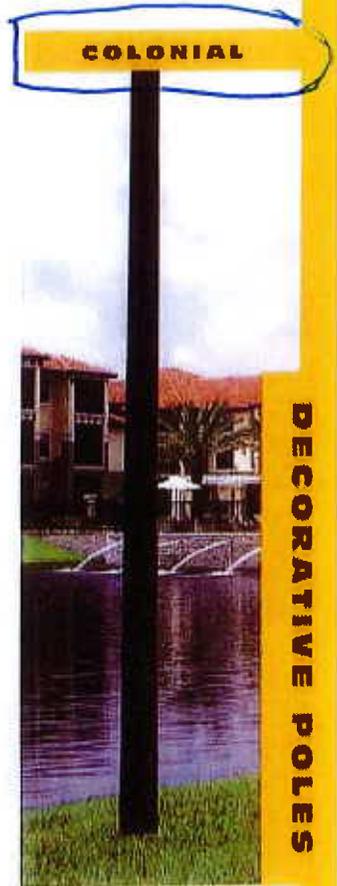
WASHINGTON

12' Mounting Height
Speckled or Solid black



VICTORIAN

12' Mounting Height



COLONIAL

12' to 17' Mounting Height

DECORATIVE POLES



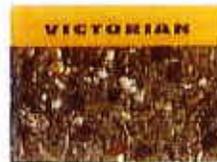
PROMENADE



WASHINGTON



WASHINGTON 2



VICTORIAN



COLONIAL

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: December 5, 2012**

AGENDA TAB NO. 30

**SUBJECT TITLE: Request from Tavares Historical Society for the Use of
Fire Station #1 Building as Office/Museum in Future**

OBJECTIVE:

Attached is a request from the Tavares Historical Society to seek a commitment from the city that at such time as the Fire Station #1 building (historic train station) becomes available, the Historical Society will have a right to occupy the building for its use as a museum.

SUMMARY:

The City entered into a lease agreement in 1999 (renewed in 2003), with the Tavares Historical Society to utilize the city building at 121 E. Alfred Street for its use as an office and museum. The Historical Society has provided a letter of request and various articles, letters, and transcribed minutes from a Historical Society meeting held in 1998 (attended by the City building official) to support their wish to occupy the Fire Station building as a museum at some future point.

If Council wishes to make this commitment at this time, they may wish to direct the City Attorney to develop an agreement that would reflect similar terms and conditions as the current building at 121 E. Alfred Street. The agreement would need to address such issues as length of lease, rental payment, payment of utilities, liability insurance, and rehabilitation requirements to make the building habitable for a museum, not for profit status, ADA requirements, and any issues regarding ongoing maintenance.

OPTIONS:

- 1) Move to direct the City Attorney to develop an agreement that addresses all issues concerning length of lease, rental payment, payment of utilities, liability insurance requirements, and rehabilitation issues, not for profit status, ADA, and ongoing maintenance requirements.
- 2) Do not direct the City Attorney to develop an agreement at this time.

STAFF RECOMMENDATION:

That Council discuss and give direction to staff.

FISCAL IMPACT:

None

LEGAL SUFFICIENCY:

Legally sufficient.



Historical Society of Tavares
121 East Alfred Street
Tavares, Florida 32778
Keeping Our Tavares History Alive

November 15, 2012

Dear City Council:

The Historical Society of Tavares is gearing up for its fund raising initiatives to renovate the old Train Station on Alfred Street (currently used by the Fire Department as station #1) to be used as the Historical Society of Tavares new home in the future at such time as the Fire Department moves out.

In order to legitimize the fund raising efforts we seek your formal approval and a document showing that approval to commit the old train station to be re-purposed as the Historical Society of Tavares new home.

We understand that you too are in a fund raising mode for the new Public Safety Complex and that our occupying the old train station would not happen until the new public safety complex is constructed and Station #1 has relocated to the new complex. However, in order to move forward with our fund raising efforts to renovate the old train station, our benefactors want to know that the train station is fully committed to be the new home of the Historical Society of Tavares.

Enclosed is documentation showing that from 1997 we have hoped and been led to believe the train station would be the perfect place to preserve the artifacts of Tavares and we would receive the old train station once vacated. Just this past Monday we have had gifted to the museum a complete antique Lionel Train village. The benefactor just asked us to never charge an admission and that one of the bays would probably be needed to display this entire collection. Also, we have been gifted the fatigues and uniform of a soldier and we have been told we would be receiving the uniforms of a Navy nurse. This would be a great addition.

Also, enclosed is a list of names of our members who were at our last luncheon meeting on Monday, November 12. Everyone there signed the paper showing their support for this request.

Thank you for your interest and help in this situation

Brenda Smith

Please sign if you want to request The City of Tavares to give the old Train Station - Fire Station #1 to the Tavares Historical Society as a new home and museum for us.

11-12-12

- | | |
|---------------------------|-------------------|
| 1. Betty Burlingh | 27. Tom Rust |
| 2 Lurlene Lambert | 28 Dolores A Ross |
| 3+4 Debbie + Herb Thomas | 29 Brenda Smith |
| 5 Frances N. Gardner | |
| 6 Dimple Hawthorne | |
| 7 Carol Salter | |
| 8 Mackey King | |
| 9 Deana Hae | |
| 10 James A. W. H. | |
| 11 Paul M. Cormie | |
| 12 Deborah R. Bonewell | |
| 13 Jon Borden | |
| 14 Greely Mc Cormie | |
| 15 Bettye C. Wilcox | |
| 16 Bernice Adams | |
| 17 Elizabeth Joan Owen | |
| 18 Haryette "Anue" Duncan | |
| 19 Daris Ragan | |
| 20 Grettil Young | |
| 21 Melba Seron | |
| 22 Ann F. Treadway | |
| 23 Ann A. Treadway | |
| 24 Matthew Treadway | |
| 25 Lacey Umlauf | |
| 26 Frank Umlauf | |

History buff makes waves over depot paint job

By RICK REED
Daily Commercial Staff Writer

TAVARES
When the former president of the Historical Society of Tavares saw the city's remaining historic train depot being painted cream on Wednesday, she saw red. Well sort of.

Actually, Brenda Smith saw brick, the material the original depot used to make the depot. And that's the color she wanted it to remain. So Smith called city hall and began a fight to change the color back to its initial look. She and several historical society

members attended Wednesday's City Council meeting to plead their case.

Local history buffs won their battle when City Administrator Dottie Keedy told city maintenance workers to change the cream color to brick.

"I guess one or two people can make a difference," Smith said. "It's good to know that city hall does listen. Everyone was just as nice as they could be."

Keedy is grateful that people care enough to speak up.

"I'm glad that people care

enough to raise a fuss about something they don't think is right," she said.

At one time Tavares had three train depots. The city became a hub of railroad transportation when Lake County was formed from portions of Sumter and Orange counties in 1887.

City founder Maj. Alexander St. Clair Abrams had plans to turn Tavares into the state capital. That's why the railroads were so important.

Years ago, the city took over the remaining depot, the Tavares to

Gulf depot, and turned it into the city's fire station.

"It was the old 'Tug and Grunt,'" Smith said.

Keedy hopes to eventually build a new fire station on the site of the public works facility when a new one is built. And when that happens, she'd love to see the depot restored to its original condition and turned into a city museum.

"I would love to see it brought back to way it looked," she said. "We would get a grant to restore it back to the way it was. We would

take the bays off that were added for the fire trucks and get it sandblasted to the brick."

Keedy would also like to see it moved to Wootton Park, site of one of the other train depots.

But building a new fire station is about three to five years away, she added.

"It would be a great historic museum," she said.

It will also serve as a fine reminder of days gone by.

"If you don't preserve the history, nobody will ever know where they came from," Smith said.

Tin roof on school? Not if historical group has its say

By RICK REED
Daily Commercial Staff Writer

TAVARES
Members of the local historical society, fresh off a victory against Tavares City Hall, may be getting ready to square off against the county school board.

Last month, the Historical Society of Tavares fought the city because the old Atlantic Coast Line train depot was being painted white. They learned during Monday night's historical society meeting that the tile roof at the historic high school might be replaced with a tin one.

"We raised a fuss about that and the next day they started painting it red," said David Treadway, the president of the society about the train depot. "Now we found out that something is going on in Tavares that we were not happy about -- the school board is taking the barrel tile roof off the high school." Treadway called

Conner when he heard the news about the roof.

Conner told him nothing had been decided about the roof.

"Leo Vaughn, the mayor of Tavares is going around telling people of Tavares that we are going to tear off the tile roof when no decision has been made," Conner said last week. "It's just a continuation of the antagonistic attitude towards the school system. It is a non-issue at this time. We don't even know if roof needs to be replaced. We'll cross that bridge when we come to it. I deeply resent his dishonesty."

Conner accused Vaughn of being counterproductive.

Vaughn said he wanted to get the historical society involved when he heard the news about the roof from a city official.

"Regardless of what Jimmy Conner says, they were going to take it off," Vaughn said.

Vaughn attended the meeting Monday

because we know you carry some clout," he told members of the society.

The school, which was built in 1926, is in the city's historic district. The school's tile roof was put on by Vaughn Sperry, the father of Jack Sperry, a member of the society.

"That roof is good for life," Sperry said. "They just need to replace what's underneath it."

The original tile was replaced, more than 25 years ago. But the tile on the roof now should still be functional though what's under it might need to be replaced, according to Gene Smith, a local contractor.

The tile may not be original, but it needs to stay on the roof, according to Ann Treadway.

"I think it really does add to the history and integrity of the building to have the same type of roof," she said. "The city is trying to preserve history and help the students of Tavares appreciate

ROOF

Continued from A3

history. We're hoping the school board adopts the same attitude and helps us in this endeavor."

Brenda Smith, who instigated getting the depot painted red, believes it's time for everyone to get involved.

"Everyone please call the school board," she said. "Jimmy Conner is not the only one we need to talk to."

Of course, Conner said it's not an issue.

"Leo is saying we've made a decision to put a tin roof on building but that's not true," Conner said.

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History buff makes waves over depot painting job

By RICK REED
Daily Commercial Staff Writer

Email this story to a friend

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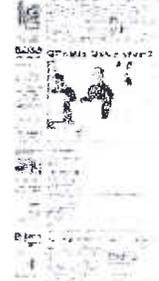
turn Tavares into the state capital. That's why the railroads were so important.

Years ago, the city took over the remaining depot, the Tavares to Gulf depot, and turned it into the city's fire station.

"It was the old 'Tug and Grunt,' " Smith said. Keedy hopes to



The Daily Commercial



Leesburg - Leesburg
Leesburg Airport, FL

Passing Clouds 81°
Leesburg Center
CustomWeather

NEWS

Historical Society of Tavares

The quarterly meeting of the Historical Society of Tavares was held January 26, 1998 at noon at the Tavares Civic Center. There were 20 members and friends present. Following a covered dish lunch President Sue Nunes called the meeting to order. The minutes of the previous meeting were read and approved. In the absence of the treasurer President Sue reported a balance on hand of \$2993.39 as of Jan. 12, 1998 but noted that other contributions may have been received since that date.

President Sue introduced John O'Connor, Building Official for the City of Tavares. Mr. O'Connor reported that he has talked with Mr. Disban, owner/manager of the Dinner Train, and a CSX Representative. Mr. Disban is planning to sell the Dinner Train and has an empty dining car that may not be a part of the sale as it is no longer road worthy. If the buyer doesn't want it he will donate it to the Historical Society. Mr. Disban has two other train cars that may be available to us if we don't get the dining car.

Mr. O'Connor assured the group that the City is interested in helping our Society obtain space for storage and a museum. He suggested that since Wooten Park is to be renovated that putting a train car in the park could be incorporated into the plans if the Society acts quickly enough.

Mr. O'Connor advised the Society to incorporate. He also mentioned that costs for set up and maintenance etc. must be addressed by the Society. He also held out hope that in the future the present Fire Station may be available to us.

President Sue then introduced Chester Treadway who spoke about his experiences growing up in Tavares in the 1920's. He told about early memories of living on a farm on Lake Eustis in what is now the Banning Beach area. He told of seeing the first fire truck in Tavares; unique because it was 'homemade'.

The meeting was adjourned about 1:30 PM.

From Cassette tape. ^{Depot} John O'Connor ^{Am / Board}

January 26, 1998 HS/T Meeting, Mr. John O'Connor, Building Official for the City, gave a talk on acquiring a Railroad car, the City acting as landlord/ the Society as tenant.

Mr. O'Connor lives in Apopka, was a contractor, contracted buildings in Lake County. The Council asked about helping the Society get a RR car. He looked at a dining car in Altamonte Depot in storage and it was boarded and locked up, so didn't see much. The general manager of the Central Florida Railroad, Mr. Biscan planned to sell the Dinner Train, and, if the buyer did not want the dining car, we could have it.

Meanwhile, he has had two cars in the Industrial Park in Leesburg, illegally parked, for three years (one is a pullman). Mr. O'Connor will go check them out, and as a short-term solution arrange to get one moved to Wooton Park. Mr. Biscan would build the siding, and the City would lift it over on the siding.

In response to a question by Shirley ColfDonofrio, a visitor, Mr. O'Connor saw no need for a referendum. The Council is interested in getting involved in every way and expressed a desire to be part of something if there was a plan. A plan is needed to put in motion ... and design site, etc. He will help us make a plan and get it back to the Council. There is a Master Site Plan for redeveloping Wooton Park and they need this for approval. A lot of plans for Wooton Park is funded by a grant.

✓ For Long-term, the Fire Station could become available at a certain time to the Society and granted funds may be available.✗

The City would participate by helping in a landlord/tenant type facility. They would provide the facility and the Society would do the work - provide logistics, operate and run it. The City does not want to take it over as the County did - it would be a separate entity: ...take Plan and work with what we have and assemble to create in a working display. Needs the Society's commitment to do the work.

One thing pointed out, to expand our support base - help with manpower - make ourselves known to other groups, or friends - logistics of fiscally running operation - determine where there is an income stream to pay for organizing the facility.

There are funds available. Florida Historical Confederation voice - information on technical assistance, grant information. Contact them as to how to put together a package.

The Society needs to incorporate for such things as granting tax exemptions on donations, the IRS, etc.

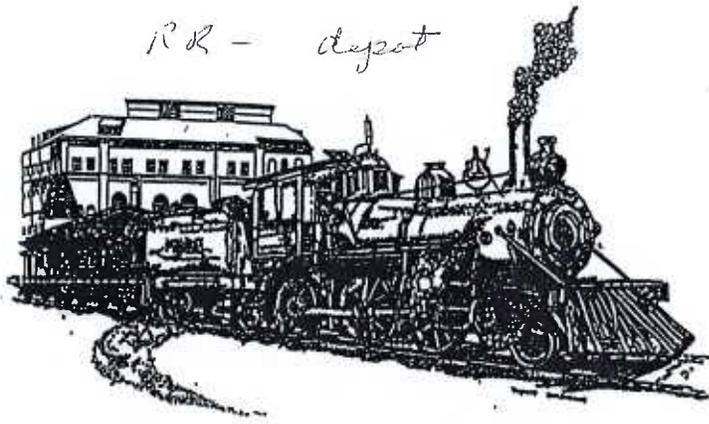
Building renovation and maintenance may be City participation, whereas cost of display, set up, operating, maintaining lights and programs we may have like tenant/landlord relationship. As a tenant, operate as a small business with all the burdens of all the responsibilities, we have the benefit of having enough of freestanding display from all the work on collection we have.

RR - depot

President Sue Nunes
Vice President Tim Cisch
Treasurer Brenda Smith
Secretary Ann Treadway

Board of Directors:

Nellie Bassett
Charlene King
Mary Jo Williams
Ted Cassidy
Michael Jasenas
Chester Treadway



Atlantic Coast Line Railway Depot with Opera House in background in 1914

October 8, 1997

TO THE CITY COUNCIL
c/o Mr. Roy Adams, Administrator
City of Tavares
201 E. Main St.
Tavares, Florida 32778

The Historical Society of Tavares (HS/T) is requesting that the Council consider negotiations with Mr. Biscan, CSX Railroad to obtain a RR 'car' for 2 purposes: 1) Display for their dinner train, and 2) provide a place for the historical society to display their artifacts and record holdings - temporarily until the chance that the fire department building becomes available.

The historical society board suggests that the corner in Wooton Park be used as the site for a RR 'car' adjacent to the tracks currently in use. Specifically, the corner of Wooton Park where the old depot was located. It would be convenient for children to visit a City of Tavares museum.

Thank you for your consideration.

Sincerely,

Sue Nunes, President



February 9, 2010

To Whom It May Concern,

Greetings!

The Officers and Board of Director's of the Historical Society of Tavares wish to express our total support for the City of Tavares' proposed Public Safety Facility and Emergency Operations Center.

For many years the Historical Society of Tavares has been waiting patiently, yet enthusiastically, for the opportunity to move our Historical Museum into the old, historic railroad depot, which at this time is serving as the Tavares fire station.

Our current museum location is quite small and is bursting at the seams with artifacts and the Society's extensive collections of photos, clippings, documents, maps, etc. The railroad depot (fire station) is ideal and appropriate, being historical, for our museum.

The Historical Society of Tavares maintains a file with historic photos and memorabilia of Tavares Fire and Police Departments and awaits the opportunity to showcase the history of these departments within the new Public Safety Facility.

Sincerely,

A handwritten signature in cursive script that reads "Bob Grenier".

Bob Grenier
President, Historical Society of Tavares

SmartZone Communications Center Collaboration Suite

bobg58 @comcast.net

I need your help with a project

Friday, February 05, 2010 4:12:39 PM

From: rkeith@tavares.org

To: Bobg58@comcast.net

Cc: jdrury@tavares.org

Attachments: image001.jpg (38.7KB)

image004.jpg (3.6KB)

Good afternoon, Councilman;

I need a favor from you!

Alan Grayson's office has provided \$500,000 in federal grant money to Tavares toward the Emergency Operations Center portion of our proposed public safety facility. I'm in the process of applying for the same grant fund for next year for the remainder of the money we need for construction. A very important part of that application process is letters of support for the project.

That's where you come in!

With your "President of the Tavares Historical Society" hat on, would please consider writing a letter of support for the project, with special emphasis on the Historical Society's desire to have the train depot that the fire station currently resides in, for historical society (i.e. museum) purposes.

Also, our plan all along has included having an area in the new facility to showcase Tavares Fire and Police history and memorabilia. If you can work that into your letter, it will be very beneficial.

Due to the timeline of the application, I will need your letter by noon on Wednesday, February 10. If you get it done, give me a call and I'll come over and pick it up.

Call me with any questions or comments, please!

Thank you very much, Councilman!

Rich

**Richard D. Keith**

Fire Chief

City of Tavares, Florida

office: 352-742-6391

fax: 352-742-6190

LEASE AGREEMENT

THIS AGREEMENT is made this 5th day of September, 2003, between the City of Tavares, Florida (hereinafter "Landlord") and the Historical Society of Tavares, (hereinafter "Tenant").

1. **Lease of Premises.** Landlord hereby leases to Tenant for office/museum purposes the building located at Ridge Park (121 E. Alfred Street) in Tavares, Lake County, Florida, generally known as the "Library Annex."

2. **Term.** The lease shall be for a period of two (2) years, commencing September 1, 2003, and terminating on August 31, 2005. The lease will automatically renew for successive one (1) year terms thereafter, unless either party gives sixty (60) days written notice, prior to the expiration of the lease term, of its intention not to extend the term of this Agreement.

3. **Rent.** Tenant agrees to pay, without demand, to Landlord as annual rent for the premises the total sum of \$ 1.00, it being the intention of the parties that this lease be for a nominal rental value.

4. **Security Deposit.** Landlord shall not require any security deposit from the Tenant.

5. **Quiet Enjoyment.** Landlord covenants that on paying the rent and performing the covenants herein contained, Tenant shall peacefully and quietly have, hold and enjoy the premises for the agreed term.

6. **Use of Premises.** The premises shall be used and occupied by Tenant exclusively for office and/or museum purposes, consistent with Tenant's charter or by-laws. No part thereof shall be used at any time during the term of this lease by Tenant for the purpose of carrying on any business, profession, or trade of any kind. Tenant shall comply with all the sanitary laws, ordinances, rules, and orders of appropriate governmental authorities relating to the cleanliness, occupancy, and preservation of the premises, during the term of this lease.

7. **Condition of Premises.** Tenant stipulates that it has examined the premises, and that they are, at the time of this lease, in good order, repair, and a safe, clean, and tenantable condition.

8. **Alterations and Improvements.** Tenant shall make no alterations to the leased premises or construct any building or make other improvements on the premises without the prior written consent of Landlord. All alterations, fixtures, changes, and improvements built, constructed, or placed on the premises by Tenant, with the exception of additions which are removable without damage to the premises and movable personal property, and unless otherwise provided by written agreement between Landlord and Tenant, shall be the property of Landlord and remain on the premises at the expiration or sooner termination of this lease.

9. **Assignment or Subletting.** Tenant shall not assign or sublet the lease or the leased premises without Landlord's prior written consent.

10. **Utilities.** Tenant shall be responsible for all expenses for utilities, water, and trash and garbage collection. As soon as possible after execution of this agreement, Tenant shall establish in the name of Tenant the accounts for all utilities.

11. **Surrender of Premises.** At the expiration of the lease term, Tenant shall surrender the leased premises in as good a state and condition as they were at the commencement of this lease, reasonable use and wear thereof and damages by the elements excepted.

12. **Damage to Premises.** If the premises, or any part thereof, shall be partially damaged by fire or other casualty not due to Tenant's negligence or wilful act or that of its invitees, agents, visitors, or guests, the premises shall be promptly repaired by Landlord; provided that Landlord shall have the option of not rebuilding or repairing, in which event the term of this lease shall end and the rent shall be prorated up to the time of the damage.

13. **Maintenance and Repair.** Landlord, at his sole expense, will keep and maintain

the exterior of the premises and appurtenances in good and sanitary condition and repair during the term of this lease. Landlord shall also maintain and repair, as necessary, the HVAC system and other major appliances and equipment.

Tenant agrees that no signs shall be placed or painting done on or about the premises by Tenant or at his direction without the prior written consent of Landlord.

14. **Inspection of Premises.** Landlord and his agents shall have the right at all reasonable times during the term of this lease and any renewal thereof to enter the premises for the purpose of inspecting the premises and all building and improvements thereon.

15. **Default.** If Tenant fails to comply with any of the material provisions of this lease, other than the covenant to pay rent, or materially fails to comply with any duties imposed on tenant by statute, within seven (7) days after delivery of written notice by Landlord specifying the noncompliance and indicating the intention of Landlord to terminate the lease by reasons thereof, Landlord may terminate the lease.

If Tenant fails to pay rent when due and the default continues for three (3) days after delivery of written demand by Landlord for payment of the rent or possession of the premises, Landlord may terminate the lease.

In the event of a breach by Tenant, Landlord shall have the right to pursue all remedies available under Florida law. Landlord shall be entitled to collect from Tenant all reasonable attorney's fees and costs incurred by Landlord in enforcing any and every provision of this lease.

16. **Termination.** Notwithstanding any other provision of this lease to the contrary, the Landlord may terminate this lease upon sixty (60) days written notice to the Tenant if the Landlord determines that it needs the leased premises for any municipal purpose.

17. **Binding effect.** The covenants and conditions herein contained shall apply to

and bind the heirs, legal representatives, and assigns of the parties hereto, and all covenants are to be construed as conditions of this lease.

EXECUTED this 5th day of September, 2003.

Attest:

CITY OF TAVARES

Nancy Barnett
Nancy Barnett, City Clerk

Dottie Keedy
Dottie Keedy
City Administrator

Witnesses:

HISTORICAL SOCIETY OF TAVARES

Donna L. Saladin
Signature:
Donna L. Saladin
Printed Name:

David H. Treadway
By: David H. Treadway
Its: President

[Signature]
Signature:
Emory Kendrick
Printed Name:

STATE OF FLORIDA
COUNTY OF LAKE

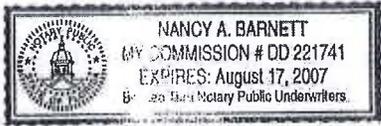
The foregoing instrument was acknowledged before me this 5th day of September 2003, by Dorothy A. Keedy, City Administrator of the City of Tavares, [] who is personally known to me, or [] who has produced N/A as identification.

M. Sue Novack-Wilson
Notary Signature
M. Sue Novack-Wilson
Printed Notary Signature
My Commission Expires:



STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 5th day of September, 2003, by David H. Treachway, [] who is personally known to me, or [] who has produced _____ as identification.



Nancy A. Barnett
Notary Signature
Nancy A. Barnett
Printed Notary Signature
My Commission Expires:

[6/17/03 W:\WORD\INCITY\Agreements - Contracts\Historical Society Lease Agreement.wpd]

**AGENDA SUMMARY
TAVARES CITY COUNCIL
December 5, 2012**

AGENDA TAB NO. 31

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 19, 2012
- Code Enforcement Special Magistrate – January 22, 2012 at 5:00 p.m.
- Lake County League of Cities – December 14, 2012 – 11:30 a.m.
- Lake Sumter MPO – January 27, 2012 – 4 p.m. – MPO Board Room – 1616 South 14th Street, Leesburg, FL – Annual Dinner
- Library Board – December 14, 2012 – 8:30 a.m. , Library Conference Room
- Planning & Zoning Board – December 20, 2012 – 3:00 p.m., Council Chambers
- Christmas Celebration in Wooton Park – December 1, 2012
- Employee Holly Jolly Luncheon – December 14, 2012 – 11:30 am

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
December 5, 2012**

AGENDA TAB NO. 32

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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