AGENDA
TAVARES CITY COUNCIL

MARCH 19, 2014
4:00 P.M.
TAVARES CITY HALL COUNCIL CHAMBERS

(Members of the public wishing to speak on an item that is on the agenda must fill out a Request to Speak from available from the City Clerk or at the Council Meeting prior to the meeting being called to order. In addition, the Mayor will ask for comment under the agendized item titled "Audience to be Heard" for matters not on the Agenda. For further information contact the City Clerk at (352) 742-6209 or nbarnett@tavares.org)

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor John Barham, First United Methodist Church

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Tab 1) City Council Regular Meeting of March 5, 2014

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) National Surveyors Week — **Mayor Wolfe**

Tab 3) Aviation Appreciation Month — **Mayor Wolfe**

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS

VIII. CONSENT AGENDA

Tab 4) TRIM Calendar for FY Budget 2015 — **Lori Houghton**

Tab 5) Appointment to Lake Community Action Agency — **Mayor Wolfe**

IX. ORDINANCES/RESOLUTIONS

FIRST READING

SECOND READING

RESOLUTIONS

Tab 6) Resolution #2014-04 –Capital Financing Plan and State Revolving Fund Loan Agreement for Stormwater Project — **Lori Houghton**

Tab 7) Resolution #2014-09 – Florida Boating Improvement Grant - Filing for Wooton Park Expansion — **Bill Neron**

X. ADOPTION HEARING FOR COMPREHENSIVE PLAN AMENDMENT

Tab 8) Ordinance #2013-22 – Fisherman's Cove – Large Scale Future Land Use Amendment – Planned Development - 50.11 Acres – 28721 SR 19 — **Jacques Skutt**

XI. GENERAL GOVERNMENT

Tab 9) Replacement of Lost Public Parking Spots on Alfred St. — **Jacques Skutt**

Tab 10) Discussion on Distribution of Free Publications — **John Drury**

Tab 11) Award of Police Vehicles & Solid Waste Vehicle Capital Lease Bid — **Lori Houghton**

Tab 12) Work Authorization for Arcadis to Provide Construction Administration Services for Royal Harbor Booster Pump Station — **Brad Hayes**

Tab 13) Scope of Work and Fee Estimates for Final Engineering and Design of Wooton Park Expansion Project — **Bill Neron**

XII. OLD BUSINESS

XIII. NEW BUSINESS

XIV. AUDIENCE TO BE HEARD

XV. REPORTS

Tab 14) City Administrator — **John Drury**

Tab 15) Council Reports

City Councilmembers

F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352) 253-4546.

The Language of Local Government
Definition of Terms

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

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

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

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

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

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

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

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

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

contiguous – Sharing a common boundary.

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

DCA – Department of Community Affairs

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

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

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

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

FDOT – Florida Department of Transportation

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

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

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

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

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

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

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

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

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

PUD – Planned Unit Development

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

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

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

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

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

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

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

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

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
MARCH 5, 2014
CITY COUNCIL CHAMBERS
4:00 p.m.

COUNCILMEMBERS PRESENT **ABSENT**

Robert Wolfe, Mayor
Lori Pfister, Vice Mayor
Kirby Smith, Councilmember
Robert Speaks, Councilmember
Norman Hope, Councilmember

STAFF PRESENT

John Drury, City Administrator
Robert Q. Williams, City Attorney
Nancy Barnett, City Clerk
Brad Hayes, Utility Director
Lori Houghton, Finance Director
Chris Thompson, Public Works Director
Joyce Ross, Communications Director
Bill Neron, Economic Development Director
Lori Tucker, Human Resources Director
Tammey Rogers, Community Services Director
Richard Keith, Fire Department

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Rick Fountain, Liberty Baptist Church, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

MOTION

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

IV. APPROVAL OF MINUTES

Tab 1) Approval of Minutes – February 19, 2014

Robert Speaks moved to approve the City Council minutes of February 19, 2014, seconded by Norman Hope. The motion carried unanimously 5-0.

V. PROCLAMATIONS/PRESENTATIONS

VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE CONTACTS

Attorney Williams noted there were two quasi-judicial items: Tabs 3 and 4 (1120 Lake Dora Drive variance and 111 Medina Drive variance). He swore in those who would be giving testimony.

Council indicated there were no ex-parte communications on these matters.

VII. READING OF ALL ORDINANCES/RESOLUTIONS

Ms. Barnett read the following resolutions by title only:

RESOLUTION NO. 2013 – 06

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, ESTABLISHING A SPECIAL REVENUE FUND FOR A COMMUNITY THEATER PROJECT INITIATIVE AND ESTABLISHING DONATION CONDITIONS FOR DONATIONS RECEIVED

RESOLUTION 2014-03

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, GRANTING A VARIANCE TO THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS, TABLE 8-3, DEVELOPMENT STANDARDS, MINIMUM SIDE YARD AND FRONT YARD SETBACKS FOR AN RSF-A ZONING FOR PROPERTY LOCATED AT 1120 LAKE DORA DR., TAVARES, FL; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

RESOLUTION 2014-05

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, GRANTING A VARIANCE TO THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS BY REDUCING SIDEYARD SETBACKS FOR A PRIVATE BOATHOUSE FOR PROPERTY LOCATED AT 111 MEDINA STREET; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

RESOLUTION 2014 - 08

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AUTHORING THE CITY ADMINISTRATOR TO EXECUTE AND DELIVER TO THE FLORIDA DEPARTMENT OF TRANSPORTATION THE JOINT PARTICIPATION AGREEMENT FOR PROJECT 435674-1-38 RELATED TO THE DESIGN OF A SIDEWALK ON STATE ROAD 19.

VIII CONSENT AGENDA

Mayor Wolfe asked if anyone in the audience opposed the Consent Agenda item.

MOTION

Norman Hope moved to approve the Consent Agenda [Agreement for Sale of Tri-City Landfill Property on Frankie's Road], seconded by Norman Hope. The motion carried unanimously 5-0.

IX. ORDINANCES/RESOLUTIONS

Tab 3) Resolution #2014-03 – Variance for Residential Setback at 1120 Lake Dora Drive

Mr. Skutt said this variance application is for a reduction of a required side yard setback of 12 ½ feet and a minimum front yard setback for 25 feet on property located at 1120 Lake Dora Drive. The owner desires to build a garage addition on the front of his dwelling with a proposed side yard setback of 11 feet and a proposed front yard setback of 20.2 feet. This lot is a smaller legal non-conforming lot for the RSF-A zoning district which limits the buildable area of this property.

The Planning & Zoning Board voted unanimously to recommend approval and staff recommends approval.

Councilmember Speaks asked if all the adjacent property owners were notified and was there any response. Mr. Skutt confirmed they were notified in writing by U.S. mail per requirements of the city's Land Development Regulations and no objections were received.

Councilmember Smith asked if the east side of the property is currently 9.4 feet. Mr. Skutt confirmed.

MOTION

Kirby Smith moved to approve Resolution #2014-03, seconded by Robert Speaks. The motion carried unanimously 5-0.

Tab 4) Resolution #2014-05 – Variance for Boathouse – 111 Medina Street

Mr. Skutt explained that this application is for a reduction of a required minimum side yard setback of 10 feet from a lot line that would project out into Lake Dora for a proposed covered

Lake Dora Drive and one is located on the south side. The single family dwelling is situated on the north track. The south track which is only 25.6 feet wide provides access to Lake Dora. The owner desires to build a new 1031 square yard covered boat slip with an attached 165 square foot open deck. The required side yard setback for this boathouse is 10 feet in an RSF-1 zoning. The width of the lake tract does not provide sufficient distance for this setback. The applicant is proposing to construct up to the lot line with no setbacks

The applicant has received FDEP approval of the construction plans. The proposed boat slip is similar in character and size to numerous other boathouses along this shoreline. The Planning & Zoning Board recommended unanimously for approval and staff recommends approval.

Councilmember Speaks asked about notification and whether there was any objection. Mr. Skutt confirmed the notification and that no objections had been received.

MOTION

Robert Speaks moved for approval of Resolution #2014-05, seconded by Norman Hope. The motion carried unanimously 5-0.

Tab 5) Resolution #2014-06 – Establishing Policy Guidelines for Community Theater Donations

Ms. Houghton discussed past discussions and Council's approval of establishing a process to receive donations for a small community theater program. The resolution establishes the restricted fund and sets forth donation conditions. One donation has been received thus far and the donor has asked that the City Council consider including a performing arts and cultural center as part of the project. An amended resolution has been provided for Council's consideration to include this component.

Mr. Drury noted that this addition would appeal to a broader audience and enhance the donations and eventual self sustainability.

Vice Mayor Pfister stated she is excited about this project and has received support from the community. She invited the Tavares Water Entertainment District representative to speak.

Lou Buigas, 206 W. Main Street, Tavares

Ms. Buigas stated the district has been sharing this information and has received over 27 donations totaling $2300 just in the last few weeks. She said the community is excited and the Chief Public Defender Mike Graves has given his support noting that "arts define the quality of the community."

Charlotte Hope, Tavares

Ms. Hope said she is very much in favor of this initiative. She said she grew up in Winter Park and was active in cultural activities from her youth. She said the arts are an important component in helping children stay active.

Beth Ann Gause, Tavares

Ms. Gause said she is supportive of this project. She noted art is a part of everyone's daily lives and that she comes from a family of local artists. She said art gives energy and vibrancy to a community to connect with others. She added that art is a universal language.

Council Discussion

Mayor Wolfe asked Vice Mayor Pfister where she thought the center would be located. Vice Mayor Pfister responded that the location would hopefully be on property that is not currently on the tax roll. Mayor Wolfe said that condition was not part of the vote previously which was why he had voted against it. He said he supports the project but believes there are sufficient properties in the downtown without taking the property off the tax roll. Vice Mayor Pfister acknowledged that is the goal.

Councilmember Smith said he wanted to ensure the issue before Council is only to do with bringing in donations that include cultural arts and performing arts. Vice Mayor Pfister said it changes nothing but it would encompass a larger facility than just a community theater. Councilmember Smith he wanted to ensure this vote is only to allow the city to receive donations.

Mr. Drury said the city will let the public know that the city has developed a depository of restricted funds for the donation towards the concept of constructing a performing theater and cultural center. Once sufficient number of donations has been received, then phase two will be identifying locations, etc. Councilmember Smith said he wanted the public to understand that the city is not involved with the project other than just receiving the money. Mr. Drury said that was correct. He said updates will be provided to Council on the fund's status and at some point if there is sufficient interest in moving it forward to the next level, staff will come back to Council and describe that interest. Councilmember Smith asked once there are sufficient funds and the city is ready to turn over those funds, who would be receiving them. Mr. Drury said the level of interest will be defined by the group that creates the LLC to be the performing arts center group.

Mayor Wolfe encouraged Vice Mayor Pfister to approach PALS [Performing Arts at Lake Sumter]. Vice Mayor Pfister said she had approached that group a couple of years ago but they had not been interested.

MOTION

Lori Pfister moved to approve Option 1 [amend Resolution #2012-06 to include a Performing Arts and Cultural Center component as part of the Community Theater Project and Approve Resolution 2014-06 as amended], seconded by Robert Speaks. The motion carried unanimously 5-0.

Tab 6) Resolution #2014-08 – Joint Participation Agreement with FDOT for Design of Sidewalk along SR 19

Mr. Thompson stated the sidewalk will be installed along SR 19 from Slim Haywood up to Lane Park Cut Off. There is a gap of about 3400 feet and with a high level of traffic and adjacent schools and residences. FDOT has approved funding for the design and construction of the sidewalk. It is anticipated that once the design is completed and the engineer has provided an estimate for cost of construction, FDOT will award the grant to the city in the future. They have also approved to utilizing Griffey Engineering for the design. The fiscal impact is $30,200.00 from FDOT with no matching requirement.

Mayor Wolfe noted 3400 feet is a significant gap and he supported the project. Councilmember Smith asked about the construction funding. Mr. Thompson said FDOT requires that a design be developed first. Mr. Drury noted the city is fairly certain that FDOT will provide the funding for construction. Councilmember Speaks asked about the amount of existing pedestrian traffic. Mr. Thompson said there is a middle school, the Bragg training center, the Chet Lemon sports complex, a couple of residential developments on the one end, and on the other end, there are a number of residential communities. Mr. Drury said in addition there are some other projects being considered in that area plus the School Board and the state have held discussions about cities being responsible in the future for paying 100% of the cost of sidewalks.

Mr. Thompson said this area was identified in the Safe Routes to Schools study. He said he has walked the area and it has fast traffic, is hilly, and has limited visibility.

Councilmember Smith commended Mr. Thompson for being proactive.

MOTION

Kirby Smith moved to approve Resolution #2014-08, seconded by Robert Speaks. The motion carried unanimously 5-0.

X. GENERAL GOVERNMENT

Tab 7) Request to Provide Reclaimed Water for Fire Protection at Hickory Point

Mr. Hayes advised that this is a request by the Lake County Water authority to provide reclaimed water for fire protection for its new office building to meet fire flow requirements. The reclaimed line runs down SR 19 and ends at the Hickory Point facility. During the planning stages for reclaimed water this facility was incorporated into the plan as a potential customer.

Mr. Hayes said the existing potable water line is not sufficiently sized to meet adequate fire flows for the new proposed administration building. The reclaimed line is sufficiently sized as it has the capacity to constantly flow 1000 gallons a minute at 62 psi. This request could also open up other opportunities to provide reclaimed water at Hickory Point, such as watering the soccer fields which currently use the city's potable water. The reclaimed fed fire hydrant also opens up a relatively new and a rare concept of using reclaimed water for fire protection for the business community. This has only been done in about two communities in the State of Florida. The hydrant is painted purple to inform both the fire fighters and the public that reclaimed water is being utilized.

Mr. Hayes noted the city's past practice has been to require annexation when providing water utilities. This property has not annexed into the city. He discussed various options for Council consideration. He noted Mike Perry [Executive Director] of the Water Authority was present.

Council Discussion

Councilmember Hope stated he liked Option #5 [authorize the request to connect to reclaimed was with no annexation required and no fire assessment fee] except that he did not want to tie it to annexation. He said when the pros and cons are weighed he did not see it coming out on the positive side for Tavares to insist that they annex but he did feel they should pay their proportionate share of the fire assessment. Councilmember Speak said he agreed.

Mayor Wolfe asked if Mr. Perry was able to comment regarding the fire assessment.

Mr. Perry said it would be a question to be answered by the Water Authority Board. He said they had looked at several options including the size of the current well. The pump would have to be increased and a 100,000 storage tank would be required to be installed, or the building would have to be re-designed with different materials, etc. The option to use the reclaimed seemed to be the best option and provide an opportunity to get the soccer fields off the well. Councilmember Smith asked if Mr. Perry was saying that this was not only for the fire hydrant but would also be used to water the soccer fields. Mr. Perry said that was the concept but it is not the immediate proposal. This is a request made in order to move forward with the permitting of the building.

Councilmember Speaks said it would be a good step if the Board will approve paying the fire assessment fee and moving from using the potable water would be a win win for everyone. he said he preferred Option #4 [authorize the request to connect to reclaimed water subject to annexation sometime in the future and agreeing to pay its proportionate share of the Fire Assessment fee upon request]. Vice Mayor Pfister said she supported Option #4. She said she did not think annexation necessarily benefited the city financially would want the fire assessment to be paid.

Mr. Drury said this would be a #7 option, which would be for the Council to authorize the Water Authority to connect to the reclaimed water subject to paying their proportionate fair share of the fire assessment with no requirement to annex in. Councilmember Speaks said he agreed. Mayor Wolfe said he felt #4 still met that description. Mr. Drury said an agreement would have to be negotiated. Councilmember Smith said there is already an agreement.

MOTOIN

Lori Pfister moved to approve Option #7 [to authorize the Water Authority to connect to the reclaimed facility subject to paying their proportionate fair share of fire assessment with no requirement for annexation], seconded by Norman Hope. The motion carried 4-1 as follows:

Robert Wolfe	**Yes**
Lori Pfister	**Yes**
Robert Speaks	**Yes**

Norman Hope	**Yes**
Kirby Smith	**No**

Councilmember Smith requested that the agreement to pay the fire assessment be iron clad because of what happened to the past agreement.

Attorney Williams noted the fire assessment is billed on the utility bill and this will probably require a different kind of utility account since it is only for a fire hydrant.

Tab 8) Agreement with MPO for Pavement Management Plan

Mr. Thompson stated the objective is to authorize the City Administrator to execute the Interlocal with the Metropolitan Planning Organization to develop the city's multi-year pavement management program. Mr. Thompson reviewed the history regarding the surveying of the pavement condition inventory done previously of all the city streets. He said the city is now in a position to have a five year plan developed that addresses the continued maintenance of all paved roads. The MPO has completed similar plans for Sumter County and the City of Eustis.

Staff previously budgeted $37,500 in the current year budget in two separate accounts: one in roads and one in sidewalks for this plan to be developed. Staff has negotiated a contract with the MPO in the amount of $34,965 to complete this plan. Of that amount, $1665 is for the MPO Administrative and Management coordination costs and $33,300 is for the sub-consulting fees through a firm out of Orlando (BHB). This plan will develop a prioritized listing of streets slated for repair and/or replacement throughout the city and the associated estimated costs for budgetary purposes for the next five years and beyond. It will also include a Phase 1 assessment for city sidewalks and ramps in the CRA related to ADA compliancy.

Mr. Drury stated he is excited about this project and noted this was mentioned in the Council discussion of budget goals. He noted a lot of the subdivisions in the outlying areas have never had their road repaved. He said reasonable annual appropriations will be recommended to address streets falling into the categories needing re-paving. He added this is a good project for budgetary purposes for this Council and future councils.

Council Discussion

Mayor Wolfe noted the city had paid in 2011 to have the streets rated one to ten. Mr. Thompson said that scale gave the information on the rating but not recommendations on prioritizing or the type of repair. Mr. Drury noted the previous plan did not give the city how many miles will be done, what will be the cost to repave, when will it budgeted and what is a reasonable annual appropriation for a certain amount of roads. He said this project is to take all of the relevant data and put it into a management tool.

Councilmember Speaks said he has been on and off Council since 1998 and this has been a subject he has brought forward many times. He said he is glad to see the city finally taking action. Councilmember Hope discussed the process this had followed with the MPO Board noting several other communities are part of this initiative. Mr. Drury commented that having this study

will make the grant acquisition process in the future much easier as it will provide data and analysis as backup.

Councilmember Smith discussed the previous funds that had spent on this item noting the city has hired a Budgetary Analyst. He asked Attorney Williams about provision #2.

Attorney Williams stated provision #2 is a pass through by the MPO. The city will be contracting with the MPO and the MPO has the contract with the MPO. The MPO will pay out all of the fees ($34,965) except for the $1665.00 administrative fee. Attorney Williams noted the MPO has the requirement to provide a deliverable but they will not do the "hands on" work. He said if the sub consultant does not follow through, it is the MPO's obligation to provide a remedy. Councilmember Smith noted the one year contract can be extended for six months. He asked if the one year contract would provide five years worth of data and a five year budget plan. Mr. Thompson stated that is correct. Attorney Williams confirmed it is a capped amount.

MOTION

Robert Speaks moved to authorize the City Administrator to execute the Interlocal Agreement with the MPO relating to the pavement management program in the amount of $34,965 ($1665 MPO Administrative and Management Coordination Costs and $33,300 MPO Sub-Consulting Fees), seconded by Norman Hope. The motion carried unanimously 5-0.

Tab 9) Update on the Tavares Pavilion the Lake

Ms. Rogers stated she and Ms. Ross will be providing the update. In terms of construction, the roof framing and interior conference ceilings are 100% complete. Next week they will begin installing the metal roofing and bricking the columns for the gasoline. The exterior siding will also begin next week. She reported that three weddings have been booked in addition to the Tavares High School reunion for September 27 In addition there are other prospects under discussion. She said the Arts in Public Places program has collected five, $1000 donations and another $4500 is in a restricted fund from the memory plaque program which gives a total of $9500 towards the art for the pavilion.

Ms. Rogers showed a photograph of the back staircase being manufactured in Wisconsin noting it will be delivered unfinished and then will be re-assembled in Florida. On the front of the building there will be another wood staircase which was required per fire code.

Ms. Ross discussed the pavilion identity and how the team process to establish this identity. She reviewed the history when Council voted to name the building "Tavares Pavilion on the Lake." She said two criteria were focused on: building on a historic foundation and defining this as the place "where you want to be." She said the committee wanted to incorporate the colors, the look and feel of the pavilion and to capture a spirit of being tropical, fresh and modern as a unique venue. She presented the pavilion logo that will go into all of the marketing and advertising materials. She noted that the shadowed outline of the facility and pier demonstrate the elegant structure and is also a nod to the history from 1914. The leaf and the orange flowers will tie in

with the landscaping which will be mostly oranges, reds, and yellows. This will be used to focus on national marketing. She then discussed the web site information that is under development.

Ms. Rogers recommended that Council approve the web site presence and marketing identity that has been presented. Ms. Rogers noted that Vice Mayor Pfister was on the committee and had been given this information prior to the meeting.

Council Discussion

Councilmember Smith said he was disappointed that there is no seaplane incorporated in the design. Ms. Ross noted the logo will be adapted for each of the advertising/marketing pieces that are designed and other symbols such as seaplanes, boats, etc. can be added depending on the focus of the marketing. Discussion followed with Council expressing agreement of the identity theme but also indicating a desire to see the seaplane incorporated.

MOTION

Kirby Smith moved to approve the web site and design with the hope that a seaplane can be incorporated, seconded by Lori Pfister. The motion carried unanimously 5-0.

Ms. Rogers stated there was a very positive response to the recruitment efforts of the pavilion manager. She then introduced the new manager in attendance, Brad Kuklas. She said Mr. Kuklas has brought extensive experience that will be an asset in his position.

Tab 10) Discussion on the Permitting of Wind Signs

Mr. Skutt stated that Section 21.3 of the city's Land Development Regulations presently prohibits wind signs. The definition is "signs that consist of one or more banners, flags, pendants, ribbons, spinners, streamers or captive balloons or other objects fastened in such manner as to move upon being supported to pressure by wind; except as permitted in Section 21.15 of the regulations." Section 21-15 allows banner type signs for permitted special events or outside sales events.

Mr. Skutt said that since so many of these signs are being used, staff is requesting direction on whether Council would like staff to enforce the present code or whether to prepare an amended ordinance to regulate these signs differently. He noted he had provided three options: take no action, prepare an amendment to allow a limited number for a limited amount of time, or amend to remove the prohibition. He stated that staff recommends Option 2.

Charlotte Hope

Ms. Hope commented that this week there were 17 wind signs in front of a local subdivision that she did not think it added to the business. She said perhaps if it was limited to special events but the number of signs have gotten out of hand and look trashy.

Council Discussion

Councilmember Speaks said he agreed and said there a lot of signs in the median strips and rights of way which he believed needed to be removed. He said he could agree with allowing some for a special event for a limited amount of time adding that he understood the Code Enforcement officer has limited time.

Councilmember Smith said staff has recommended a limited number for a limited amount of time but that he believed that is unenforceable. He said his option (#4) is a limited number of wind signs allowed within a specific space on private property for an unlimited amount of time.

Councilmember Speaks suggested it be done by permit only.

Councilmember Hope said the city has sign ordinances and that this would be enforceable if a permit is required. He expressed his concern regarding the condition of the signs and distraction on the roads. He said he would like to have the ordinance modified, perhaps allowing for a specific length of time, limited number and period of time.

Mr. Drury discussed the issue of enforceability in more detail including the issue of the code enforcement process. He said it would be easier for staff if Council were to direct staff to comply with the current ordinance however he has had experience with a similar ordinance regarding a permit when he was in Vermont. He asked Chief Lubins to comment.

Chief Lubins stated snipe signs are illegal and are more straight forward to enforce. He agreed the wind signs may pose an enforcement issue. Mr. Drury discussed an option for attaching a permit to the sign.

Mayor Wolfe noted that signs are often posted for the weekend after regular working hours and he was not sure this would be effective.

Vice Mayor Pfister asked Mr. Neron about any impact on economic development noting it is difficult to regulate. She said she would rather enforce the current code.

MOTION

Lori Pfister moved to enforce the current ordinance, seconded by Robert Speaks.

Councilmember Smith said he wanted to ensure the city is not overly restrictive.

The motion carried 4-1 as follows:

Robert Wolfe	**Yes**
Lori Pfister	**Yes**
Robert Speaks	**Yes**
Norman Hope	**Yes**
Kirby Smith	**No**

Mayor Wolfe mentioned a future discussion of tent sales.

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

Mayor Wolfe asked for public comment for anything not on the agenda.

XIV. REPORTS

Tab 14) City Administrator

Mr. Drury said there was a meeting recently on the gas tax distribution. He said there was good discussion and Mr. Myers (Executive Director of Lake County League of Cities) will organize a meeting with all of the elected officials appointed by the Council to discuss how to share the gas tax distribution for the next 20 years. Once the officials have met and discussed this matter every Council will be asked to vote on four options. Once all 14 cities have voted, the population will be tallied and if 50% plus one, vote on one option that will be the option. If 50% plus one do not agree, then it goes to State Statute which will be the option.

City Clerk

Ms. Barnett recognized her brother and sister in law, Tom and Gay Freeman in attendance who were visiting from Dallas, Texas.

Human Resources

Economic Development

Mr. Neron discussed the Jet Ski drag racing and Orange Blossom marathon events noting there were many people in attendance.

Public Works

Mr. Thompson said there will be free bagged leaf pick up on the March 17th and March 24th weekends.

Public Communications

Ms. Ross said the new web site will be going live on Friday and will provide a fresh new look with new modules that will enhance the site. She invited feedback.

Utility Department

Police Department

Community Services

Ms. Rogers thanked Council for participating on the Babe Ruth opening day events. She said this Friday at 7:00 p.m. the Recreation Department will be showing a movie on the baseball field.

Fire Department

Community Development

Finance Department

City Attorney

Attorney Williams reported that the judge granted the Hubbard foreclosure which will be April 30th (the building that was removed behind Eldrodt building). Mr. Drury asked if this was the first time the judge had agreed that the city's lien was in front of another lien. Attorney Williams said that the city's fire assessment and utility lien ordinance now allow the city to place liens that will not be eliminated at foreclosure.

Tab 15) City Council

Vice Mayor Pfister

Vice Mayor Pfister said she had been unable to attend the Babe Ruth festivities as she was out of town but she was very impressed with the logo on the ball field. Mr. Drury said the logo was done by Wendell Hunt. Vice Mayor Pfister thanked Jerad Purvis of the Public Works department who assisted on the weekend with a welding matter. She thanked Wendell Hunt and Perry Ragin. She said she also wanted to thank the Tavares Waterfront Entertainment District for raising the funds for the community theater project.

Councilmember Hope

Councilmember Speaks

Councilmember Speaks commented that every year the city publishes its waste pickup schedule and Martin Luther King and President's Day is missed. Ms. Ross said it was not there because those events are after the holidays. Ms. Ross said the new list is provided at the end of February.

Councilmember Speaks commended Mr. Thompson on the effort he is making to get the sidewalks repaired.

Councilmember Smith

Councilmember Smith stated the Babe Ruth opening day was fantastic and the kids seemed very enthusiastic. He expressed appreciation to the Parks and Recreation staff.

Councilmember Smith said on this day on March 5th, Amarillo Texas was the first city to celebrate Mother's Day. Also on this day in 1997, South Korea and North Korea talked for the first time in 25 years.

Mayor Wolfe

Mayor Wolfe thanked Ms. Rogers for the opening day events and noted he had been approached that day by residents about having a seaplane flyover (which had not been possible due to the weather).

Adjournment

There was no further business and the meeting was adjourned at 5:55 p.m.

Respectfully submitted,

Nancy A Barnett

Nancy A. Barnett, C.M.C.
City Clerk

AGENDA SUMMARY
TAVARES CITY COUNCIL
March 19, 2014

AGENDA TAB NO. 2

SUBJECT TITLE: Proclamation for Florida Surveyors & Mappers Week

OBJECTIVE:

The Mayor will read a proclamation declaring March 16-22, 2014 as Florida Surveyors and Mappers Week.

SUMMARY:

N/A

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

LEGAL SUFFICIENCY:

N/A

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PROCLAMATION

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that in conjunction with National Surveyors Week, the City of Tavares does hereby proclaim the week of March 16-22, 2014, as

FLORIDA SURVEYORS & MAPPERS WEEK

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

PASSED AND DULY ADOPTED on this 19th day of March, 2014

_____

Mayor Robert Wolfe
City of Tavares

AGENDA SUMMARY
TAVARES CITY COUNCIL
March 19, 2014

AGENDA TAB NO. 3

SUBJECT TITLE: Proclamation for Aviation Appreciation Month

OBJECTIVE:

The Mayor will read a proclamation declaring the month of April as Aviation Appreciation Month.

SUMMARY:

N/A

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

LEGAL SUFFICIENCY:

N/A

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Aviation Appreciation Month
April 2014

WHEREAS, aviation plays a critical role in the lives of our citizens, as well as in the operation of our businesses and agriculture; and

WHEREAS, the State of Florida has a significant interest in the continued vitality of aviation, aircraft and aerospace manufacturing, commercial service and community airports, and aviation education; and

WHEREAS, there are 19 commercial service and 110 general aviation/community airports; and

WHEREAS, Florida's commercial airports accommodate more that 143.5 million passengers annually, ranking Florida second in the nation; and

WHEREAS, international airports in Florida accommodate more than 28 million International passengers annually, which is 19.5 percent of the total international passengers in the nation; and

WHEREAS, more than half (52.7 percent) of Florida's visitors arrive each year by air; and

WHEREAS, Florida's general aviation/community airports accommodate more than 9 million visitors and business travelers annually; and

WHEREAS, in total, aviation represents more than $97 billion in annual economic activity, and

WHEREAS, numerous leading aviation companies have headquarters or a major presence in Florida; and

WHEREAS, organizations like the Florida Airports Council, Florida Aviation Business Association, Florida Aviation Aerospace Alliance, the Alliance for Aviation Across America, National Business Aviation Association, National Association of State Aviation Officials, Aircraft Owner's and Pilot's Association, and National Air Transportation Association recognize and America's Seaplane City promote the interests and importance of aviation in Florida and throughout the world;

Now, Therefore, I, Robert Wolfe, Mayor, City of Tavares, do hereby proclaim April 2014 as Aviation Appreciation Month.

DONE AND PROCLAIMED THIS 19th DAY OF MARCH 2014.

_____

Robert Wolfe, Mayor

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 19, 2014

AGENDA TAB NO. 4
SUBJECT TITLE: FY 2014 – 2015 Budget Workshop and TRIM Calendar

OBJECTIVE:

To approve budget workshop calendar for the City Council for the 2014/2015 Operating Budget and TRIM (Truth in Millage) Requirements.

SUMMARY:

Attached is the proposed comprehensive calendar for the 2014-2015 TRIM and Budget process including the Fire Assessment roll update. The calendar includes presentation of the General Fund Budget at a Regular City Council meeting, presentation of the Enterprise Funds at a Regular City Council Meeting, and a Workshop Meeting to set the Tentative Maximum Millage Rate, and to update the Fire Assessment Roll. In addition budget workshops will be included with Regular August City Council Meetings. Finally, the calendar includes two Public Hearings for adoption of the budget and millage rate (September).

Truth in Millage statues require that the first public hearing for the budget and millage rate (Tentative Budget Hearing) be held no less than 65 days after the first day of TRIM, July 1st, which is the date that the City receives the Certification of Taxable Value from the Property Appraiser for determining the 2014 (FY2015) millage rate calculations. It is recommended that the Public Hearings for the Budget coincide with regularly scheduled Council Meetings (September 2014) as these dates also meet the requirements of TRIM.

1. July 2, 2014 – Budget Workshop with Regular City Council Meeting to present the Draft FY2015 Budget and the draft Maximum Tentative Millage Rate

2. July 16, 2014 – Budget Workshop with Regular City Council Meeting to present the Draft FY2015 Enterprise and Special Fund Budgets.

3. July 30, 2014 – Budget Workshop to discuss the FY2015 Draft General Fund Budget and to set the Maximum Tentative Millage Rate. *The millage rate may be decreased throughout the budget process, but it* ***cannot*** *be increased above the rate submitted to the property appraiser on July 31, 2014 (Due: August 1, 2014*).

4. August 6, 2014 – City Council Budget Workshop (same date as regular Council Meeting)

5. August 20, 2014 – City Council Budget Workshop (same date as regular Council Meeting)

6. September 3, 2014 – First Public Hearing to adopt Tentative Budget and Tentative Millage Rate for 2014-2015 Budget.

7. September 17, 2014 – Final Public Hearing to adopt 2014-2015 Budget and Millage Rate.

Regular Council Meetings for September 2014 are September 3, 2014 and September 17, 2014.

OPTIONS:

1. Move to approve the Fiscal Year 2015 TRIM Calendar as submitted which meets the requirements of TRIM.

2. Move for further discussion of the Proposed FY 2015 Proposed TRIM Calendar.

STAFF RECOMMENDATION:

Move to approve the Fiscal Year 2014 TRIM Calendar as submitted which meets the requirements of TRIM.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY: A copy of this Calendar has been provided to the City Attorney.

CITY OF TAVARES

TRIM COMPLIANCE CALENDAR
DRAFT SCHEDULE
For Fiscal Year 2015 Proposed Budget

February 19, 2014	Council sets Broad Budget Goals.
February 28, 2014	Budget Handbooks distributed to departments.
March 3, 2014	Budget Module opened for departments; Sungard H.T.E. Training.
March 24, 2014 -	Finance Director and Budget Analyst meet with City Council for items they would like included in the Budget Document
March 31, 2014 -	Department Budget Entry closed.
April 21, 2014- May 2, 2014	City Administrator Department Budget Workshops
May 30, 2014	Receive Property Appraiser estimate of taxable values for FY2015 (2014 Tax Year)
June 20, 2014	Deliver electronic/binder budget to City Council (Flexible to 6-21-2013)
June 23, 2014- June 27, 2014	Individual Budget Meetings with Council Members with Preliminary Budget Summary
July 1, 2014	Receive Certified DR 420 from Lake County Property Appraiser
July 2, 2014	Draft Budget Presentation to City Council (**GENERAL FUND**– Other funds to be presented at the July 10th Workshop)
July 16, 2014	Draft Budget Presentation to City Council and FY 2015 (**UTILITY FUNDS & SPECIAL FUNDS**)
July 30, 2014	**City Council Budget Workshop to set Maximum Millage Rate for DR-420 Submittal.** The proposed millage rate may be lowered after submitting the DR-420, but it may not be increased. **This workshop only sets a Maximum Tentative Millage rate.**
July 31, 2014	**Return completed DR 420 to Lake County Property Appraiser. FIRM DATE (No later than August 1, 2014)**
August 6, 2014	City Council Budget Workshop - 4:00 PM (City Council Meeting)
August 20, 2014	City Council Budget Workshop – 4:00 PM (City Council Meeting)

September 3, 2014	**First public hearing to adopt tentative millage rate and tentative budget – 5:05 PM and Approve** Tentative Fire Assessment roll for FY 2015. Hearing must be within 65 days of First Day of TRIM (July 1, 2014), and cannot be less than 10 days after mailing of TRIM Notice by the Property Appraiser.
September 10, 2014	Send Information to Newspaper for September 14, 2013 Final Budget Hearing Advertisement
September 14, 2014	**Advertise in Newspaper for the Final Hearing to adopt Millage Rate and Final budget. SUNDAY Advertisement.** (ADVERTISEMENT MUST BE AT LEAST 2 DAYS BEFORE SECOND PUBLIC HEARING, BUT NOT MORE THAN 5 DAYS PRIOR.)
September 15, 2014	Save entire page(s) from advertisement from newspaper – 2 copies.
September 15, 2014	Contact newspaper for Receipt of Certification of Publication for TRIM package.
September 17, 2014	**Hold second public hearing to adopt Millage rate and Final Budget and Final Adoption for FY2015 Fire Assessment Roll– 5:05 P.M. (Must be adopted in this order)**
September 19, 2014	Hand deliver resolution adopting budget, and resolution adopting millage rate. **(MUST BE DELIVERED WITHIN 3 DAYS OF ADOPTION). FRIDAY**
October 1, 2014	Forward certification to the State of Florida Department of Revenue, Property Tax Administration Program. Mail complete TRIM PACKAGE even if Lake County has not provided a completed DR-422 (TRIM package must go to the State within 30 days of Budget adoption.)

Municipal Budget Hearings are prohibited by state statutes from being held on the same dates that County and School Board Hearings will be held.

1. 2014 School Board Hearing Dates: July 28, 2014 & September 8, 2014 (Assumed)
2. 2014 Lake County Budget Hearing Dates: September 9, 2014 & September 23, 2014 (Published on-line at: *www.lakecountyfl.gov/departments/fiscal_andadministrative_services/budget/fiscal_year_2014.aspx)*

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 19, 2014

AGENDA TAB NO. 5

SUBJECT TITLE: Appointment to Lake Community Action Agency

OBJECTIVE:

The Mayor will make a recommendation for a citizen appointment to the Lake Community Action Agency.

SUMMARY:

According to the by-laws of the Lake Community Action Agency a public official who is appointed by City Council may select a representative to serve in his/her place or absence. The previous appointment made by the Mayor recently became vacant.

The position was re-advertised and one application was received from Steven Pueschel. The Mayor's request to appoint Mr. Pueschel is included in the agenda packet.

OPTIONS:

1) Move to approve the Mayor's recommendation.
2) Do not approve the Mayor's recommendation

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

MEMORANDUM

DATE: March 13, 2014

TO: Nancy Barnett, City Clerk

FROM: Mayor Robert Wolfe

RE: Appointment to Lake Community Action Agency

I wish to appoint Steven Pueschel as my representative to the Lake Community Action Agency. Please include on the Consent Agenda for March 19, 2014 Council meeting.

c: John Drury, City Administrator

America's Seaplane City™

Application for a Board/Committee Appointment
City of Tavares

Please Print: Pueschel Steven L.
Last Name First Middle Initial

Telephone: ___(___) N/A Email: stevep0214@aol.com

Cell Phone: ___(214) 240-4816 Fax: 407-210-6478

Present Address 2211 Cypress Court Tavares, Florida 32778

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

_____ Fire Pension Board

_____ Planning and Zoning Board*

_____ Police Pension Board

_____ Tavares Library Advisory Board

_____ Bicycle Pedestrian Committee of the Metropolitan Planning Organization – Tavares Representative

_____ Citizens Advisory Committee of the Metropolitan Planning Organization – Tavares Representative

X Lake Community Action Agency

_____ Lake County Cultural Affairs Council – Tavares Representative

_____ Lake County Library Advisory Board – Tavares Representative

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

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

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

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

Elementary & High School	College or University	Graduate School
1 2 3 4 5 6 7 8 9 10 11 12	1 2 3 4	1 2 3 4

Are You Employed at Present? (Please Circle) YES NO

Name of Last or Present Employer: Ophthalmic Partners of Florida PA

Address: 44 Lake Beauty Drive Orlando, Florida 32806
Number and Address City State Zip

Date Hired: 3/10/10 Position: Manager of Revenue Cycle and Analytics

Brief Description of Responsibilities: Statistical and financial reporting for period end, data selection and queries needed for decision making or revenue and collection performance reviews. Ensures contract and vendor productivity levels and maintains oversight of practice financials and budgetary data.

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

If You Answered Yes: When? _____ Where? _____

Professional or Civic Memberships:

1) Central Fla. Medical Group Management Association 2) Medicare Provider Outreach and Educational Advisory Group

3) Member of Healthcare Financial Management Association 4) _____

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

1) Why would you be a good candidate for this appointment? What experience, knowledge, or special skills do you have that would be helpful to this board?

Please see attached explanation via the cover letter preceding my resume in this packet.

2) What do you think should be the purpose of this board?

To provide assistance and support in the resolution and reduction of hurdles and challenges experienced by members of the community which have a direct impact on their ability to thrive and maintain financial stability as well as gain a sustainable and productive lifestyle.

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

1) Jason Rubinstein 44 Lake Beauty Dr #200 Orlando, Fla 32806 4 years

Name Address Business Years Known

2) Jim Vines 2238 Cypress Cove Dr. Tavares, Fla. 32778 1.5 years

Name Address Business Years Known

3) Greg Williams 2234 Cypress Cove Dr. Tavares, Fla 32778 1.5 years

Name Address Business Years Known

Next of Kin: Katherine Pueschel 2211 Cypress Court Tavares, Fla. 32778 Wife

Name Address Relationship

In Case of Emergency, Please Notify:

Katherine Pueschel 2211 Cypress Court Tavares, Fla. 32778 214-240-4830

Name Address Telephone No.

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

Applicants Signature _____ Date 3/3/14

This form is for completion by applicants, and is used to collect information for reporting purposes only.

In keeping with Florida Statutes Chapter 760.80(4) and to help us comply with reporting and legal requirements regarding minority representation on boards, commissions, councils and committees, please answer the questions below.

Steven L. Pueschel — 03/03/2014

Name — Date of Application

Please select one of the following:

_____ An African American; that is a person having origins in any of the racial groups of the African Diaspora.
_____ A Hispanic American; that is, a person of Spanish or Portuguese culture with origins in Spain, Portugal, Mexico, South America, Central America, or the Caribbean, regardless of race.
_____ An Asian American; that is, a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands, including the Hawaiian Islands prior to 1778.
_____ A Native American, that is, a person who has origins in any of the Indian Tribes of North America prior to 1835.
_____ An American woman.
___x___ An American man.
_____ None of the above.

Do you qualify as physically disabled? Yes: _____ No: ___x___

March 3, 2014

To Whom It May Concern;

Attached, please find my resume and recommendations for your review and consideration related to the vacant Volunteer position within the Lake Community Action Agency. As you will see in the documents, I have extensive experience, knowledge and success in solution development, project commitment and contribution within numerous organizational endeavors. In walking through my resume, you should see that my tenured background mirrors what you are searching for via the City Representative position description.

I possess the innate ability to work well with and around all levels of the organization communicating effectively in order to give detailed explanations or to motivate and develop operational players. I am a hands-on, roll up your sleeves individual that maintains a close relationship with all key areas and staff of responsibility in order to retain a constant understanding and skill set for appropriate and accurate decision making.

I have spent much of my twenty plus years of operational management working to streamline processes and resolve issues that impact my customer's lives on a daily basis. I have personally developed, implemented and managed charitable uncompensated care programs in various organizations in order to assist the less fortunate with an avenue for care and treatment. I have worked diligently to assist residents and patients in finding and experiencing more productive lifestyles so that in return the community benefits from a stronger and more motivated population.

While I understand that there will be many applicants for this position, I am merely requesting the opportunity to explain and deliver the successes and abilities that I can bring to the table in order to provide maximum service and success to my town, friends and neighbors. A true test of a manager's abilities and attitudes is the opinion that his or her peers and acquaintances present. As a result, I have also attached a listing of recommendations to be considered. These comments came straight from unsolicited ratings within the LinkedIn system.

Until a little over a year ago, I was a born and raised an Orlandoan. I moved to Tavares to experience a new and revived lifestyle for my wife and I at this midpoint of our lives. My intent was to make a difference and play a key role in molding and developing the environment that we now live in. Living within the Lake County area allows me to offer prompt and constant contact and knowledge within my role and level of responsibility. Working within my community gives me pride and pleasure knowing that somehow I might be making a difference in the lives of those around me. This opening offers that possibility.

I sincerely request that you look closely at my skills and expertise to determine if I would be an asset going forward. If you have questions or need further information, please don't hesitate to contact me.

Respectfully submitted,

Steven Pueschel

Steven L. Pueschel M.S.M.
Stevep0214@aol.com

2211 Cypress Court
Tavares, Fl 32778
(214) 240-4816

An accomplished Operational and Financial Manager with over 20 years of expertise in developing and enhancing all areas of the revenue stream and facility or practice operations in a long term or short term vision. Vast knowledge of techniques used to analyze and streamline all processes to effective and efficient levels. Proven ability to analyze and report statistical data and historical trends for productive business units. Strong management and leadership skills, with ability to motivate professionals and maximize levels of productivity. Excellent communicator, with emphasis on building strong relationships on a staff or administrative level.

EDUCATION

Master of Science - Management, 1997, Troy State University,
Troy, Alabama (Magna Cum Laude)

Bachelor of Arts - Management of Human Resources, 1992,
Warner Southern College, Lake Wales, Florida (Summa Cum Laude)

EMPLOYMENT

2010 Current — **Ophthalmic Partners of Florida PA**, Orlando, Florida
Manager of Revenue Cycle and Analytics
Responsibilities: Statistical and financial reporting for period end, data selection and queries needed for decision making or revenue and collection performance reviews, ensures contract and vendor productivity levels and maintains oversight of practice financials and submission to accounting personnel. Determines historical and future fiscal needs, develops staffing, revenue, accounting and financial budgets and tracking mechanisms. Ensures regulatory and payer compliance and associated training. Management of research and other charitable programs including the development and oversight of a detailed uncompensated care program for low income or non insured patients.

2008 to 2010 — **MedAssets**, Various Locations, Revenue Cycle Consulting
Director of Professional Services
Responsibilities: Operational transformation, AR and aging reduction, developed policies and enhanced billing edits, developed and implemented standardization of codes, staff development, workflow enhancement and strategic financial direction for clients.

2005 to 2008 — **IASIS Healthcare**, Dallas, Texas
Regional Director, Business Office Services-Florida, Texas, Nevada and La. Division
Responsibilities: Administrative management and responsibility for nine Hospital Business Offices. This responsibility includes complete AR management and improvement, vendor management, Practice Management, payer audits, billing development, upfront processes and collections, staff development and training, compliance and regulatory monitoring, process flow, bad debt and budget retention.

2003 to 2005 **Tenet Healthcare**, Dallas, Texas, For-Profit Acute Hospital System
Regional Business Office Director
Responsibilities: Executive Leadership for a centralized operation handling all charging, coding, billing and follow-up functions for fourteen hospitals in Texas. This responsibility consisted of managing nine Directors and approximately 165 staff members and supervisors including a Director of Patient Services in each facility and the upfront intake areas.

- Planned and developed Texas Regional Business Office (RBO)
- Manage and report on annual revenue of $1.4 Billion
- Develop and manage an operating budget of over $20 million

2000 to 2003 **Health Management Associates**, Naples, Florida, For-Profit Acute Hospital System
Regional Business Office Manager
Responsibilities: Regional Management and consultation for twelve hospital Business Offices including Managers, registration, billing, collections, scheduling, Physician practices, Surgery Centers, clinics, staffing, policy development and implementation and process enhancement.

1997 to 2000 **Columbia/HCA**, Nashville, Tennessee, For-Profit Acute Hospital System
Senior Operations Consultant
Responsibilities: Worked closely with Managers and CFO's to develop plans for operational improvement, effective management, and accomplishment of financial goals.

1992 to 1997 **Orlando Regional Healthcare System**, Orlando, Florida, Non-Profit Acute Hospitals
Manager of Patient Financial Services and Collection Agency
Responsibilities: Management of over $95,000,000 in governmental receivables for a five hospital system, 26 staff member and 2 supervisors. Additionally, managed Registration staff and supervision in two facilities and a centralized Insurance Verification and Scheduling unit.

PROFESSIONAL AFFILIATIONS

Member-Central Florida Medical Group Management Association
Member-Medicare Provider Outreach and Education Advisory Group
Member-Healthcare Financial Management Association

1. Administrative Manager

Ophthalmic Partners of Florida PA

Jason Rubinstein

Practice Administrator at Central Florida Retina

Steve is a detail oriented leader that is an expert in reimbursement and collection management. His streamlined approach has Central Florida Retina running a top notch Business office, exceeding expectations.

Jason manages Steve at Ophthalmic Partners of Florida PA

2. Director of Professional Services

MedAssets

Balaji Raman

Sr. Consultant at Siemens

I had the privilege of working with Steve on a large scale Revenue Cycle Transformation Project about a year ago for a client in New Orleans, LA. Steve stepped in and took charge of the Patient Accounting Work Stream for this engagement and made an immediate impact. He was able to identify core process issues specifically with Billing and Follow up by leveraging the expertise of his team and began to implement process changes that directly impacted monthly cash and the AR. I was in the process of transitioning over to Steve's Team right before he left and did not have the privilege of working directly under him however, I am confident I would have learned alot and enjoyed working under his leadership.

Balaji worked indirectly for Steve at MedAssets

Cyndi Lowrie

Revenue Cycle Services

I had the pleasure of working with Steve as my Director during a Revenue Cycle transitional project of a large health system. Steve was very knowledgeable of the tasks at hand, prepared and implemented detailed work plans to provide a successful project. His management style was always professional, focused and kind hearted. I hope to cross paths professional with Steve in the future.

Cyndi reported to Steve at MedAssets

Vanessa London

Professional Services-Director at MedAssets

Steve Pueschel is an experienced professional with proven expertise in healthcare financial services and accounts receivable management. He has a strong background in managing complex operations and projects, managing finances and budget projections, and developing strategic project plans to target areas requiring optimization and workflow re-design. Steve has a sound record of cash acceleration and revenue management in both large and small healthcare operations including both single and multiple site systems and when we worked together at MedAssets he was recognized for strong hands-on leadership style and excellent communication skills. I believe Steve would be an excellent asset to any healthcare team.

Vanessa worked directly with Steve at MedAssets

3. Regional Business Office Director

Tenet Healthcare

Felicia Shaw

Regional Vice President of Operations at Chamberlin Edmonds

I have had the privilege of working with Steve Pueschel on two occasions in the past 6 years; at Tenet and alongside him as a partner with MedAssets. Steve has a wealth of knowledge and expertise in Revenue Cycle Management and Project Management of new implementations or start-ups. He is very personable and logical in the development of processes and procedures, as well as, mentoring leaders. Steve's leadership proved to have been instrumental in the building of a successful revenue cycle team in both Texas and Chicago.

Felicia reported to Steve at Tenet Healthcare

Bob Ondrizek

Director, Patient Financial Services & Admitting, Simi Valley Hospital

I really enjoyed working with Steve at Tenet and appreciated his leadership and direction as I worked as a Market (PFS) Director for Tenet. Steve was decisive, and supportive of his team.

It would be a pleasure to work with Steve again.

Bob reported to Steve at Tenet Healthcare

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TAVARES

America's Seaplane City™

AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: March 19, 2014

AGENDA TAB NO. 6
SUBJECT TITLE: Resolution #2014-04 - Capital Financing Plan and reintroduction of the previously approved Preliminary Engineering Report and Environmental Report for the State Revolving Fund Loan Program for Downtown CRA Stormwater Improvements

OBJECTIVE:
To consider the approval of Resolution #2014-04 adopting the Capital Financing Plan (CFP) to accompany the Preliminary Engineering Report (PER) and Environmental Report (ER) submitted to the Florida Department of Environmental Protection (FDEP-Non-point Source Water Pollution Control) for State Revolving Fund (SRF) Loan requirements.

SUMMARY:
Previously, the City Council authorized application of a federal loan (USDA-RD Loan) for the Downtown CRA Stormwater Improvement project. Due to the constraints noted in the Agenda Summary for November 21, 2012 City Council meeting (see attached Exhibit A), the City approved the supplanting of the federal loan with a state loan (FDEP SRF Clean Water program). This Capital Financing Plan serves to provide as verification to the state of the ability of the city to take on new debt and to repay existing debt. The CFP is an obligation of the "readiness to proceed" requirements set forth in Chapter 62-503.700(h), F.A.C.

A timeline summary of events related to this project is provided below (these meetings and approvals also provided public meeting requirements for the SRF program):

- On November 21, 2012, the City Council approved the consolidation of the Stormwater Utility with the Water/Wastewater Utility and supplanting of the federal USDA Loan Application with a state loan and requested the City Administrator to pursue SRF funding for the CRA Stormwater Improvement Project.

- On January 15, 2014, the City Council approved the state SRF Loan Application for Preconstruction funding for the Downtown CRA Stormwater Improvement project.

- FDEP has provided an initial approval of the engineering and environmental reports contingent upon the City Council's approval of the Capital Finance Plan and subsequent Resolution.

This project is in the process of being designed by ARCADIS. The Preconstruction Loan Application approved by City Council was submitted to FDEP and the Loan Agreement for Preconstruction funding activities is attached.

OPTIONS:

1. **Move to Approve** Resolution No. 2014-04 authorizing the execution and submission of the Capital Financing Plan for the Downtown CRA Stormwater Improvements to accompany the Preliminary Engineering Report and Environmental Report submission to FDEP and authorizing execution of the SRF Loan for Preconstruction Activities.

2. **Do Not Approve** Resolution No. 2014-04 authorizing the execution and submission of the Capital Financing Plan for the Downtown CRA Stormwater Improvements to accompany the Preliminary Engineering Report and Environmental Report submission to FDEP and authorizing execution of the SRF Loan for Preconstruction Activities.

STAFF RECOMMENDATION:

1. **Move to Approve** Resolution No. 2014-04 authorizing the execution and submission of the Capital Financing Plan for the Downtown CRA Stormwater Improvements to accompany the Preliminary Engineering Report and Environmental Report submission to FDEP and authorizing execution of the SRF Loan for Preconstruction Activities.

FISCAL IMPACT:
There are no fiscal impacts due to the execution of the CFP.

LEGAL SUFFICIENCY: The City Attorney has reviewed the resolution for legal sufficiency.

RESOLUTION 2014-04

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; ADOPTING THE CITY OF TAVARES' CAPITAL FINANCING PLAN; RE-ESTABLISHING THE PREVIOUSLY APPROVED PRELIMINARY ENGINEERING REPORT AND ENVIRONMENTAL REPORT; AUTHORIZING SUBMISSION OF THE PLAN TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP); AND DESIGNATING THE AUTHORIZED REPRESENTATIVE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Tavares determined that the project recommended in the City of Tavares Stormwater Preliminary Engineering Report and Environmental Report is in the best interests of its citizens; and

WHEREAS, the City of Tavares is seeking funding from the Florida Department of Environmental Protection (FDEP) under its State Revolving Fund Program to fund the subject improvements to benefit City of Tavares's Water/Sewer customers; and

WHEREAS, staff has requested that the City Council approve the City of Tavares' CRA Stormwater Improvement Preliminary Engineering Report, Environmental Report, and Capital Financing Plan in accordance with the State Revolving Fund's requirements.

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

SECTION 1. The City of Tavares, a political subdivision of the State of Florida, hereby adopts the City of Tavares' Preliminary Engineering Report and Environmental Report.

SECTION 2. The City of Tavares Capital Financing Plan, that has been reviewed, and has been discussed at a public meeting of The City of Tavares, is hereby adopted.

SECTION 3. The City Council hereby authorizes the submission of this Plan to the State of Florida Department of Environmental Protection.

SECTION 4. The Mayor is hereby authorized to carry out the responsibilities under this Loan Program and to delegate authority and responsibility to staff to carry out all activities to accomplish the goals of the Loan Program.

SECTION 5. This resolution shall take effect immediately upon approval.

PASSED AND RESOLVED this _____ day of _____, 2014, by the City Council of the City of Tavares, Florida.

ATTEST:

CITY OF TAVARES, FLORIDA

_____
Nancy Barnett
City Clerk

BY: _____
Robert Wolfe, Mayor
Tavares City Council

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

Exhibit A

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

AGENDA TAB NO. 23

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

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

SUMMARY:

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

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

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

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

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

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

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

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

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

stormwater fees, the stormwater fund would not be able to meet required debt covenants for debt service coverage that would also be required.
To address the issue for debt service coverage requirements, staff recommends combining the Water/Wastewater and Stormwater Funds, thus as a combined utility, debt service coverage for the stormwater financing would be addressed.

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

Update:

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

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

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

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

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

OPTIONS:

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

2. Do not approve Ordinance 2012-37.

STAFF RECOMMENDATION:

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

FISCAL IMPACT: N/A

CAPITAL FINANCING PLAN

WW-02b

City of Tavares
(Project Sponsor)
Robert Wolfe, Mayor
(Authorized Representative and Title)
Tavares, FL 32778
(City, State, and Zip Code)

Lori Houghton, Finance Director, 352-742-6412
(Capital Financing Plan Contact, Title and Telephone Number)

201 E. Main Street
(Mailing Address)

Tavares, FL 32778
(City, State, and Zip Code)

The Department needs to know about the financial capabilities of potential State Revolving Fund (SRF) loan applicants. Therefore, a financial capability demonstration (and certification) is required well before the evaluation of the actual loan application.

The sources of revenues being dedicated to repayment of the SRF loan are Water, Sewer, Reclaimed and Stormwater User Fees

(Note: Projects pledging utility operating revenues should attach a copy of the existing/proposed rate ordinance)

Estimate of Proposed SRF Loan Debt Service

Capital Cost*	**$8,520,000**
Loan Service Fee (2% of capital cost)	**$170,400**
Subtotal	**$8,690,400**
Capitalized Interest**	**$50,016**
Total Cost to be Amortized	**$8,740,416**
Interest Rate***	**2.33%**
Annual Debt Service	**$408,413**
Annual Debt Service Including Coverage Factor****	**$469,675**

* Capital Cost = Allowance + Construction Cost (including a 10% contingency) + Technical Services after Bid Opening.

** Estimated Capitalized Interest = Subtotal times Interest Rate times construction time in years divided by two.

***20 GO Bond Rate times Affordability Index divided by 200.

**** Coverage Factor is generally 15%. However, it may be higher if other than utility operating revenues are pledged.

SCHEDULE OF PRIOR AND PARITY LIENS

List annual debt service beginning two years before the anticipated loan agreement date and continuing at least fifteen fiscal years. Use additional pages as necessary.

Identify Each Obligation

#1 Series 2012A[1]	$4,775,929	#2 Series 2012B	$2,370,000	#3 Series 2002	$2,355,000		
Coverage %	120%	Coverage %	120%	Coverage %	120%		
Insured (Yes/No)	Yes	Insured (Yes/No)	Yes	Insured (Yes/No)	Yes		
#4 SRF Loan 78905P[2]	$14,706,596	#5 SRF Loan 789060/1	$1,119,266	#6 SRF Loan DW350301/2	$370,412		
Coverage %	115%	Coverage %	115%	Coverage %	115%		
Insured (Yes/No)	No	Insured (Yes/No)	No	Insured (Yes/No)	No		
#7 SRF Loan 350910/3	$3,185,110	#8 SRF Loan 350920/1	$2,851,601	#9 SRF Loan 350930	$ 7,129,930		
Coverage %	115%	Coverage %		Coverage %	115%		
Insured (Yes/No)	No	Insured (Yes/No)	No	Insured (Yes/No)	No		

Fiscal Year	Annual Debt Service (Principal + Interest)									Total Non-SRF Debt Service w/coverage	Total SRF Debt Service w/coverage
	#1	#2	#3	#4	#5	#6	#7	#8	#9		
2011	-	-	235,575	678,854		24,166					
2012	-	-		678,854		24,166					
2013	292,529	41,440		678,854		24,166	204,860				
2014	336,319	63,753		678,854	75,704	24,166	204,860	185,768			
2015	335,535	183,753		678,854	75,704	24,166	204,860	185,768	323,626		
2016	334,618	185,525		678,854	75,704	24,166	204,860	185,768	323,626		
2017	333,565	182,163		678,854	75,704	24,166	204,860	185,768	323,626		
2018	332,378	183,800		678,854	75,704	24,166	204,860	185,768	323,626		
2019	336,057	185,303		678,854	75,704	24,166	204,860	185,768	323,626		
2020	329,466	186,672		678,854	75,704	24,166	204,860	185,768	323,626		
2021	332,876	182,905		678,854	75,704	24,166	204,860	185,768	323,626		
2022	336,016	184,140		678,854	75,704	24,166	204,860	185,768	323,626		
2023	333,888	185,239		678,854	75,704	24,166	204,860	185,768	323,626		
2024	331,625	186,204		678,854	75,704	24,166	204,860	185,768	323,626		
2025	334,227	182,035		678,854	75,704	24,166	204,860	185,768	323,626		
2026	336,561	182,865		678,854	75,704	24,166	204,860	185,768	323,626		
2027	333,625	183,561		678,854	75,704	24,166	204,860	185,768	323,626		
2028	335,555	184,123		678,854	75,704	24,166	204,860	185,768	323,626		
2029	332,216	184,550		678,854	75,704	24,166	204,860	185,768	323,626		
2030	333,743	184,842		678,854	75,704	12,083	204,860	185,768	323,626		
2031				678,854	75,704		204,860	185,768	323,626		
2032				678,854	75,704		204,860	185,768	323,626		
2033				678,854	75,704			185,768	323,626		
2034				678,854					323,626		

PLEASE NOTE: The SRF loan amounts indicated for #5, #7, #8, #9 and #10 do not include Loan Service Fees, however, they do include an estimated amount for Capitalized Interest. Item #6, was exempt from Loan Service Fees due to the fact that it was an American Recovery and Reinvestment Act (ARRA) loan.

1 Per FDEP Letter dated December 4, 2012, the FDEP provided concent regarding the refunding of the Water and Swerer System Revenue Bonds, Series 2000.

2 This Loan Amount includes Capitalized Interest and Service Fees because final Amendment has been executed.

SCHEDULE OF PRIOR AND PARITY LIENS

List annual debt service beginning two years before the anticipated loan agreement date and continuing at least fifteen fiscal years. Use additional pages as necessary.

Identify Each Obligation

#10 SRF Loan 350900 Coverage % Insured (Yes/No)	$5,483,100 115% No	#11 Coverage % Insured (Yes/No)	#12 Coverage % Insured (Yes/No)		
#13 Coverage % Insured (Yes/No)		#14 Coverage % Insured (Yes/No)	#15 Coverage % Insured (Yes/No)		
#16 Coverage % Insured (Yes/No)		#17 Coverage % Insured (Yes/No)	#18 Coverage % Insured (Yes/No)		

Fiscal Year	Annual Debt Service (Principal + Interest)									Total Non-SRF Debt Service w/coverage	Total SRF Debt Service w/coverage
	#10	#11	#12	#13	#14	#15	#16	#17	#18		
2011										282,690	703,020
2012										-	703,020
2013										400,763	907,880
2014										480,086	1,169,352
2015	236,074									623,146	1,764,463
2016	236,074									624,172	1,764,463
2017	236,074									618,874	1,764,463
2018	236,074									619,414	1,764,463
2019	236,074									625,632	1,764,463
2020	236,074									619,366	1,764,463
2021	236,074									618,937	1,764,463
2022	236,074									624,187	1,764,463
2023	236,074									622,952	1,764,463
2024	236,074									621,395	1,764,463
2025	236,074									619,514	1,764,463
2026	236,074									623,311	1,764,463
2027	236,074									620,623	1,764,463
2028	236,074									623,614	1,764,463
2029	236,074									620,119	1,764,463
2030	236,074									622,302	1,752,380
2031	236,074									-	1,740,297
2032	236,074									-	1,740,297
2033	236,074									-	1,535,437
2034	236,074									-	1,273,965

PLEASE NOTE: The SRF loan amounts indicated for #5, #7, #8, #9 and #10 do not include Loan Service Fees, however, they do include an estimated amount for Capitalized Interest. Item #6, was exempt from Loan Service Fees due to the fact that it was an American Recovery and Reinvestment Act (ARRA) loan.

1 Per FDEP Letter dated December 4, 2012, the FDEP provided concent regarding the refunding of the Water and Swerer System Revenue Bonds, Series 2000.

2 This Loan Amount includes Capitalized Interest and Service Fees because final Amendment has been executed.

SCHEDULE OF ACTUAL REVENUES AND DEBT COVERAGE FOR RATE-BASED SYSTEM PLEDGED REVENUE

(Provide information for the two fiscal years preceding the anticipated date of the SRF loan agreement.)

		[1] FY 2011	FY 2012
(a)	Operating Revenues (Identify)		
	Water/Wastewater User Fees	6,993,973	7,496,265
	Stormwater User Fees	-	537,093
	Misc. Revenues	37,203	
(b)	Interest Income	40,296	43,167
(c)	Other Incomes or Revenues (Identify)		
	Impact Fees	963	3,384
(d)	Total Revenues	**7,072,435**	**8,079,909**
(e)	Operating Expenses (excluding interest on debt, depreciation, and other non-cash items)	3,472,306	4,893,435
(f)	**Net Revenues (f = d - e)**	**3,600,129**	**3,186,474**
(g)	Debt Service (including coverage) Excluding SRF Loans	282,690	-
(h)	Debt Service (including coverage) for Outstanding SRF Loans	703,020	703,020
(i)	**Net Revenues After Debt Service (I = f - g -h)**	**2,614,419**	**2,483,454**

(j) Attach audited annual financial report(s), or pages thereof, and any other documentation necessary to support the above information. Include any notes or comments from the audit reports regarding compliance with covenants of debt obligations having a prior or parity lien on the revenues pledged for repayment of the SRF loan. (*Attachment #* ____)

(k) Attach worksheets reconciling this page with the appropriate financial statements (for example, backing out depreciation and interest payments from operating expenses). (Attachment # ____)

(l) If the net revenues were not sufficient to satisfy the debt service and coverage requirement, please explain what corrective action was taken. (Attachment # ____)

[1] *(Historically the City's financials represented only the water and sewer enterprise funds, which did not include the stormwater activities. As of October 1, 2012 the City combined the water, sewer and stormwater activities into one combined enterprise funds.)*

SCHEDULE OF PROJECTED REVENUES AND DEBT COVERAGE FOR RATE-BASED SYSTEM PLEDGED REVENUE

(Begin with the fiscal year preceding first anticipated semiannual loan payment.)

		FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
(a)	Operating Revenues (Identify) Water / Sewer / Stormwater Charges[1]	8,077,688	8,484,572	8,905,651	9,235,160	9,512,215
(b)	Interest Income	7,330	8,500	8,500	8,500	8,500
(c)	Other Incomes or Revenues (Identify) Ancillary & Misc.	494,333	288,600	289,000	289,800	290,300
(d)	Total Revenues	**8,579,351**	**8,781,672**	**9,203,151**	**9,533,460**	**9,811,015**
(e)	Operating Expenses	5,177,392	5,312,004	5,471,364	5,640,976	5,815,846
(f)	**Net Revenues (f = d - e)**	**3,401,959**	**3,469,668**	**3,731,787**	**3,892,484**	**3,995,169**
(g)	Existing Debt Service on Non-SRF Projects (including coverage)	954,667	515,916.00	658,975	660,000	654,702
(h)	Existing SRF Loan Debt (including coverage)	926,578	1,090,309	1,606,012	1,927,840	1,927,840
(i)	**Total Existing Debt Service (I = g + h)**	**1,881,245**	**1,606,225**	**2,264,987**	**2,587,840**	**2,582,542**
(j)	Projected Debt Service on Non-SRF Future Projects (including coverage)	0	0	0	0	0
(k)	Projected SRF Loan Debt Service (including coverage)	0	0	13,501	13,501	13,501
(l)	**Total Debt Service (Existing and Projected) (l = l + j + k)**	**1,881,245**	**1,606,225**	**2,278,488**	**2,601,341**	**2,596,043**
(m)	**Net Revenues After Debt (m = f - 1)**	**1,520,714**	**1,863,443**	**1,453,299**	**1,291,143**	**1,399,126**

(n) Identify the source of the above information and explain methods used to develop the projections (*Attachment #* ____). Include an explanation of any revenue and expense growth or other adjustments; for example, any rate increases, service growth, inflation adjustments, expense adjustments reflecting the cost of operating additional facilities, or other considerations.

(o) Are the above projections consistent with the capital improvements financing information in the accepted clean water facilities plan? _____Yes _____ No. If not, explain on *Attachment #* _____.

[1] As of October 1, 2012 the City of Tavares combined the water, sewer and stormwater activities into one combined enterprise fund.

CERTIFICATION

I, Lori Houghton, Chief Financial Officer (please print), certify that I have reviewed the information included in the preceding capital financing plan worksheets, and to the best of my knowledge, this information accurately reflects the financial capability of the City of Tavares (Project Sponsor)

I further certify that the City of Tavares (Project Sponsor) has the financial capability to ensure adequate construction, operation, and maintenance of the system, including this SRF project.

Signature

Date

Attachment 1

Financial Documents

CITY OF TAVARES, FLORIDA

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET ASSETS - PROPRIETARY FUNDS

For the Year Ended September 30, 2012

	Business-Type Activities - Enterprise Funds				
	Water and Sewer	Sanitation	Stormwater	Seaplane Base	Total
Operating Revenues:					
User charges	$ 7,496,265	$ 2,490,983	$ 537,093	$ 289,383	$ 10,813,724
Other revenue	-	100	-	-	100
Total operating revenues	7,496,265	2,491,083	537,093	289,383	10,813,824
Operating Expenses:					
Personal services	1,579,497	388,687	165,884	259,357	2,393,425
Utilities	608,113	891,540	-	35,065	1,534,718
Materials and supplies	1,457,746	88,353	26,278	205,651	1,778,028
Repairs and maintenance	142,376	59,971	8,997	51,360	262,704
Depreciation and amortization	1,994,882	91,526	58,020	1,586	2,146,014
Professional services	488,701	8,285	14,455	37,165	548,606
Other expenses	370,269	66,348	31,119	22,024	489,760
Total operating expenses	6,641,584	1,594,710	304,753	612,208	9,153,255
Operating income (loss)	854,681	896,373	232,340	(322,825)	1,660,569
Nonoperating Revenue (Expenses):					
Intergovernmental revenue	317,439	-	-	-	317,439
Investment income	42,781	608	386	103	43,878
Interest expense	(472,049)	(2,713)	(2,311)	-	(477,073)
Total non-operating revenue (expenses)	(111,829)	(2,105)	(1,925)	103	(115,756)
Income (loss) before contributions and transfers	742,852	894,268	230,415	(322,722)	1,544,813
Impact fees	3,384	-	-	-	3,384
Transfers in	-	-	-	312,639	312,639
Transfers out	(1,125,472)	(671,482)	(191,297)	-	(1,988,251)
Change in net assets	(379,236)	222,786	39,118	(10,083)	(127,415)
Total Net Assets - Beginning	29,361,594	726,053	828,420	10,764	30,926,831
Total Net Assets - Ending	$ 28,982,358	$ 948,839	$ 867,538	$ 681	$ 30,799,416

The accompanying Notes to Financial Statements are an integral part of these statements.

CITY OF TAVARES, FLORIDA

STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS

For The Year Ended September 30, 2012

	Enterprise Funds				
	Water and Sewer	Sanitation	Stormwater	Seaplane Base	Total
Cash Flows from Operating Activities:					
Receipts from customers	$ 7,491,351	$ 2,472,833	$ 532,513	$ 287,815	$ 10,784,512
Payments to suppliers	(2,665,233)	(1,114,366)	(173,381)	(351,421)	(4,304,401)
Payments to employees	(1,569,991)	(384,919)	(162,049)	(254,623)	(2,371,582)
Net cash provided (used) by operating activities	3,256,127	973,548	197,083	(318,229)	4,108,529
Cash Flows from Non-Capital Financing Activities:					
Transfers in	-	-	-	272,639	272,639
Transfers out	(1,125,472)	(671,482)	(191,297)	-	(1,988,251)
Increase in due from other funds	(31,819)	-	-	-	(31,819)
Net cash provided (used) by non-capital financing activities	(1,157,291)	(671,482)	(191,297)	272,639	(1,747,431)
Cash Flows from Capital and Related Financing Activities:					
Grant revenues	627,456	-	-	-	627,456
Proceeds of bonds, notes and leases	2,319,466	275,636	237,175	-	2,832,277
Acquisition of capital assets	(3,312,792)	(250,263)	(280,315)	(1,340)	(3,844,710)
Principal paid on revenue bonds, notes and leases	(416,944)	(42,008)	(35,968)	-	(494,920)
Interest paid on revenue bonds, notes and leases	(431,467)	(2,713)	(2,311)	-	(436,491)
Impact fees received	3,384	-	-	-	3,384
Net cash provided (used) by capital and related financing activities	(1,210,897)	(19,348)	(81,419)	(1,340)	(1,313,004)
Cash Flows from Investing Activities:					
Investment income	42,781	608	386	103	43,878
Net cash provided (used) by investing activities	42,781	608	386	103	43,878
Net Increase (Decrease) in Cash and Cash Equivalents	930,720	283,326	(75,247)	(46,827)	1,091,972
Cash and Cash Equivalents - Beginning	13,137,056	394,007	184,740	110,518	13,826,321
Cash and Cash Equivalents - End	$ 14,067,776	$ 677,333	$ 109,493	$ 63,691	$ 14,918,293
Classified As:					
Cash and cash equivalents	$ 9,304,511	$ 677,333	$ 109,493	$ 63,691	$ 10,155,028
Restricted cash and cash equivalents	4,763,265	-	-	-	4,763,265
Total	$ 14,067,776	$ 677,333	$ 109,493	$ 63,691	$ 14,918,293

The accompanying Notes to Financial Statements are in integral part to these statements.

	Enterprise Funds				
	Water and Wastewater Fund	Solid Waste Fund	Stormwater Fund	Stormwater Fund	Total
Reconciliation of Operating Income to Net Cash Provided by Operating Activities					
Operating income (loss)	$ 854,681	$ 896,373	$ 232,340	$ (322,825)	$ 1,660,569
Adjustments Not Affecting Cash:					
Depreciation and amortization	1,994,882	91,526	58,020	1,586	2,146,014
Change in Assets and Liabilities:					
Increase in accounts receivable	(27,830)	(18,858)	(4,580)	(1,568)	(52,836)
Decrease in due from other governments	-	608	-	-	608
Increase in inventories	-	-	-	(949)	(949)
Increase (decrease) in accounts payable	401,972	131	(92,532)	793	310,364
Increase in accrued liabilities	6,548	2,858	3,551	4,734	17,691
Increase in customer deposits	22,916	-	-	-	22,916
Increase in OPEB obligation	2,958	910	284	-	4,152
Total adjustments	406,564	(14,351)	(93,277)	3,010	301,946
Net Cash Provided (Used) By Operating Activities	$ 3,256,127	$ 973,548	$ 197,083	$ (318,229)	$ 4,108,529

The accompanying Notes to Financial Statements are in integral part to these statements.

Attachment 2

Project Information

Project Cost Worksheet

City of Tavares

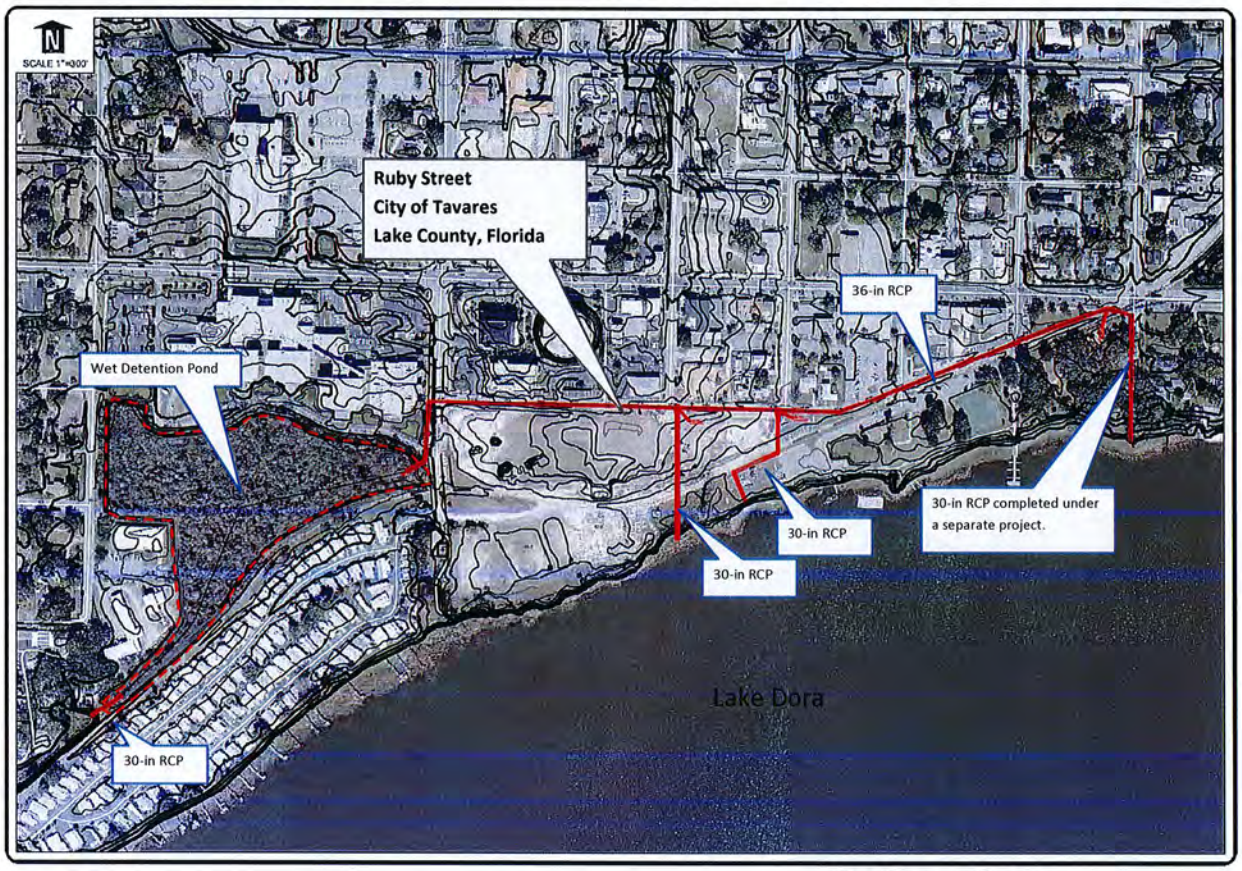
Downtown CRA Stormwater Improvements

Item	%	Amount
Construction, Equipment, Materials and Demolition		7,100,000
Eligible Land		0
Other (Contingency Eligible)		0
Contingency Percentage/Amount	10%	710,000
Technical Services	10%	710,000
Special Studies		0
Total		**8,520,000**
		-
Years to Construct		0.5
Anticipated Interest Rate		2.37%
Anticipated Capitalized Interest		50,493
TOTAL		**8,570,493**
Fees	2%	170,400
Total for Amortization		**8,740,893**

City of Tavares
Downtown Community Redevelopment Area Stormwater Improvements
PHASE 1 Budgetary Costs

AREA A Stormwater Treatment Improvements

1	Design, Permitting, Bidding, and Funding Application	$325,000.00
2	Construction Administration Services and Construction Funding Administration	$300,000.00
3	Construction	$2,400,000.00
	Pond	*$1,600,000.00*
	Interceptor	*$800,000.00*
4	Mitigation Fee	$500,000.00
	Total (Draft Estimate) =	**$3,525,000.00**



City of Tavares Phase 1
Stormwater Area A Treatment Improvements

City of Tavares
Downtown Community Redevelopment Area Stormwater Improvements
PHASE 2 Budgetary Costs

AREA A Stormwater Conveyance Improvements

1	Design, Permitting, Bidding, and Funding Application	$320,000.00
2	Construction Administration Services and Construction Funding Administration	$480,000.00
3	Construction	$4,000,000.00
	Subtotal =	$4,800,000.00

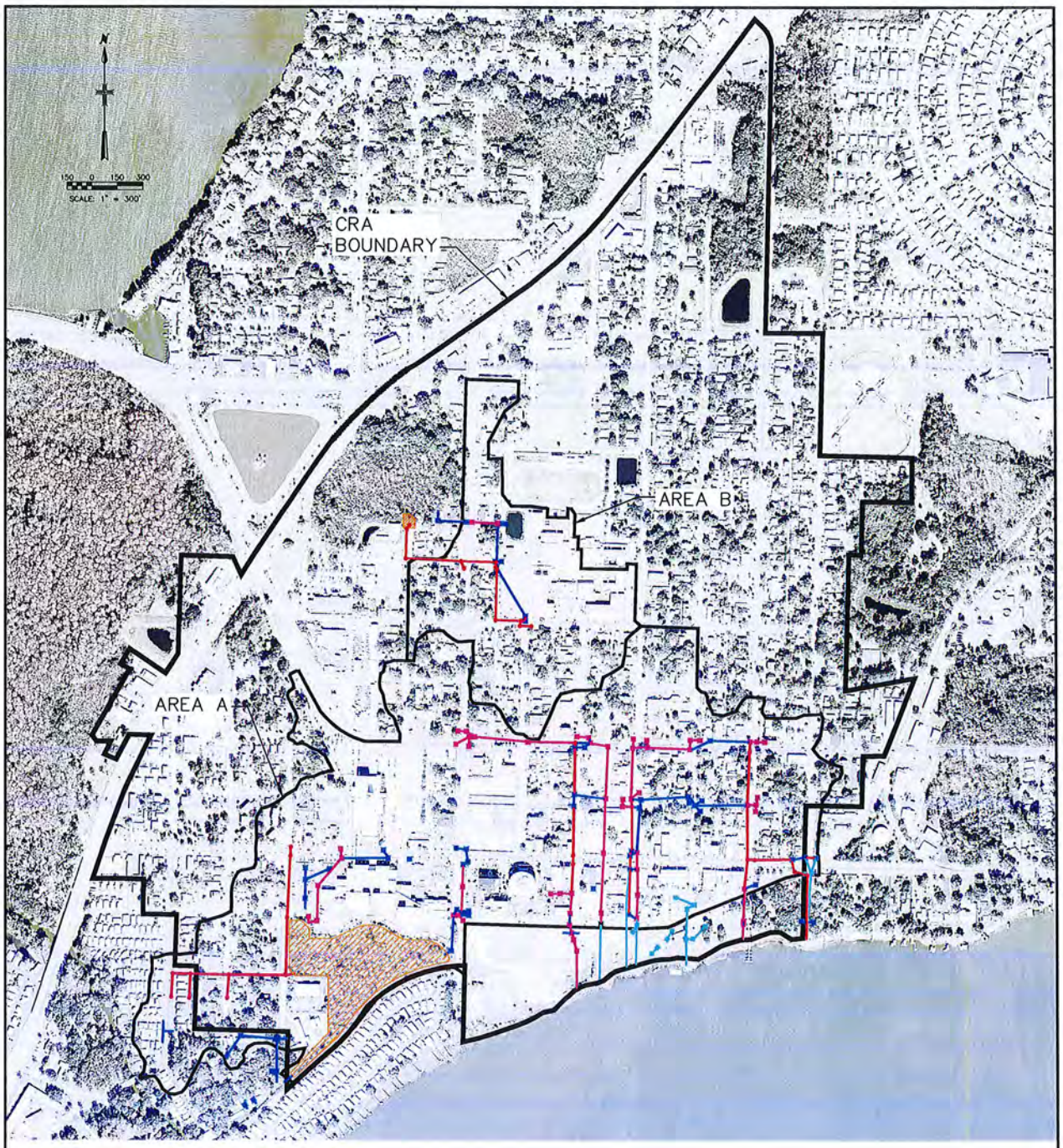
AREA B Stormwater Conveyance Improvements

1	Design, Permitting, Bidding, and Funding Application	$26,000.00
2	Construction Administration Services and Construction Funding Administration	$39,000.00
3	Construction	$325,000.00
	Subtotal =	$390,000.00

AREA B Stormwater Treatment Improvements

1	Design, Permitting, Bidding, and Funding Application	$54,000.00
2	Construction Administration Services and Construction Funding Administration	$81,000.00
3	Construction	$675,000.00
	Subtotal =	$810,000.00

Total (Draft Estimate) =	**$6,000,000.00**



LEGEND:

- EXISTING STORMWATER PIPE TO REMAIN
- EXISTING STORMWATER PIPE TO BE REMOVED
- PROPOSED STORMWATER PIPE
- EXISTING STORMWATER PIPE TO BE UPSIZED

TAVARES	CITY OF TAVARES UTILITY DEPARTMENT	PHASE 2 AREA A STORMWATER CONVEYANCE, AREA B STORMWATER CONVEYANCE AND TREATMENT	ARCADIS Infrastructure Water Environment Building	JUNE 2013

Orlando Lake Sentinel 3/4/2014

NOTICE OF PUBLIC MEETING

The City Council of the City of Tavares will hold a Public Meeting, at a Regular Meeting to be held on **March 19, 2014 at 4:00 p.m.** (or as soon as possible thereafter) at 201 E. Main Street Tavares, FL 32778 in order to consider the adoption of the following proposed Resolution.

RESOLUTION NO. 2014-04

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; ADOPTING THE CITY OF TAVARES' CAPITAL FINANCING PLAN; RE-ESTABLISHING THE PREVIOUSLY CITY COUNCIL APPROVED PRELIMINARY ENGINEERING REPORT AND ENVIRONMENTAL REPORT; AUTHORIZING SUBMISSION OF THE PLAN TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP); AND DESIGNATING THE AUTHORIZED REPRESENTATIVE AND PROVIDING AN EFFECTIVE DATE.

Said resolution may be seen in the City Clerk's Office, City Hall, from 8:00 a.m. to 5:00 p.m. Monday through Friday. You are advised that if you decide to appeal any decision made by the City Council at such Meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. Any persons with disabilities needing special accommodations should submit a written request to the City Clerk, 201 E. Main Street Tavares, FL or phone Nancy Barnett, City Clerk, at (352) 253-4546, at least 48 hours prior to the meeting.

City of Tavares
201 East Main Street • Tavares, Florida 32778

Downtown Community Redevelopment Area Preliminary Engineering Report

Rural Utilities Project -Stormwater Collection System Improvements

February 2011

Report Prepared By:

Malcolm Pirnie, Inc.

2301 Maitland Center Parkway
Suite 244
Maitland, Florida 32751
407-660-1133

6033-023

Table of Contents

1. Introduction 1-1

1.1. Purpose ... 1-1
1.2. Project Description ... 1-1

2. Project Planning Area 2-1

2.1. Location ... 2-1
2.2. Existing Environmental Resources Present ... 2-2
2.3. Future Land Use ... 2-2
2.4. Planning Area Growth ... 2-2
2.4.1. Population Projections for Entire City ... 2-2
2.4.2. Anticipated Future Growth ... 2-3

3. Existing Facilities 3-1

3.1. Stormwater System Components ... 3-1
3.1.1. Overview ... 3-1
3.1.2. Current Demand ... 3-1
3.1.3. Condition of Facilities ... 3-3
3.1.4. Existing Environmental Conditions ... 3-5
3.1.5. Financial Status ... 3-5
3.1.5.1. City's Stormwater Financial Information ... 3-5
3.1.5.2. City General Fund Balance Sheet Information ... 3-6

4. Need for Project 4-1

4.1. Future Growth ... 4-2
4.2. Future Conveyance Capacity Issues ... 4-2
4.3. Future Stormwater Treatment Issues ... 4-2

5. Alternatives Considered 5-1

5.1. Capacity Alternatives ... 5-1
5.1.1. Capacity Alternative No. 1 – Increase Capacity by Upsizing Pipe and Installation of New Structures ... 5-1
5.1.1.1. Description ... 5-1
5.1.1.2. Design Considerations ... 5-2
5.1.1.3. Advantages/Disadvantages ... 5-3
5.1.1.4. Construction Constraints ... 5-3
5.1.1.5. Cost Estimate ... 5-4
5.1.2. Capacity Alternative No. 2 – No Action ... 5-4
5.2. Treatment Alternatives ... 5-5
5.2.1. Treatment Alternative No. 1 – Water Retention Areas ... 5-5
5.2.1.1. Description ... 5-5
5.2.2. Treatment Alternative No. 2 – Wet Detention Ponds ... 5-5
5.2.2.1. Description ... 5-5
5.2.3. Treatment Alternative No. 3 – Storm Chambers ... 5-7
5.2.3.1. Description ... 5-7

5.2.3.2. Design Considerations 5-7
5.2.3.3. Advantages/Disadvantages 5-8
5.2.3.4. Construction Constraints 5-8
5.2.3.5. Cost Estimate 5-8
5.2.4. Treatment Alternative No. 4 – Combination Treatment Ponds and Storm Chambers 5-9
5.2.4.1. Description 5-9
5.2.4.2. Design Considerations 5-10
5.2.4.3. Advantages/Disadvantages 5-12
5.2.4.4. Construction Constraints 5-12
5.2.4.5. Cost Estimate 5-13
5.3. Treatment Alternative No. 5 – No Action 5-13
5.4. Alternatives Summary 5-14

6. Selection of an Alternative 6-1

6.1. General 6-1
6.2. Permitting Requirements 6-2
6.3. Alternative Selection 6-2
6.3.1. Available Area for Construction 6-3
6.3.2. Operational Use of the System 6-3
6.3.3. Conveyance and Treatment Capacity 6-3
6.3.4. Environmental Considerations 6-3
6.3.5. Construction Cost 6-4
6.4. Final Selection 6-5
6.5. Project Conclusion 6-5

7. Proposed Project Overview Summary 7-1

7.1. Project Design 7-1
7.1.1. Stormwater Collection System 7-1
7.1.2. Selected Capacity Alternative– Increase Capacity by Upsizing Pipe and Installation of New Structures (Alternative No. 1) 7-1
7.1.2.1. Description 7-1
7.1.2.2. Design Considerations 7-2
7.1.2.3. Construction Constraints 7-2
7.1.3. Selected Treatment Alternative – Combination Treatment Ponds and Storm Chambers (Alternative No. 4A) 7-3
7.1.3.1. Description 7-3
7.1.3.2. 7-4
7.1.3.3. 7-4
7.1.3.4. Design Considerations 7-5
7.1.3.5. Construction Constraints 7-6
7.2. Total Project Summary and Cost Estimate 7-6
7.3. Additive Alternatives 7-8
7.4. Annual Operating Budget 7-9
7.4.1. Income 7-9
7.4.2. Operations and Maintenance Costs 7-9
7.4.3. Debt Repayments 7-10
7.4.4. Reserves 7-10
7.4.4.1. Debt Reserves 7-10

7.4.4.2. Short-Lived Assets 7-10
7.5. Comparable Stormwater Rates 7-10
7.6. Impact to User Charges 7-11
7.6.1. Projected Impact of Proposed $10,000,000 USDA RD Loan to City's Stormwater User Charges 7-12
7.6.2. Operating revenues 7-12
7.6.3. Operating expenses 7-12
7.6.4. Debt and Debt Service 7-12
7.6.5. Transfers to the General Fund 7-13

List of Tables

Table 2-1 Historic Population for the City's Utility Service Area 2-2
Table 2-2 Projected Population for the City's Utility Service Area 2-2
Table 2-3 Historic and Projected Residential Population and Commercial Connections 2-3
Table 3-1: Surface Characteristics 3-2
Table 3-2: Existing System – 10-Year Design Storm 3-3
Table 5-1 Advantages and Disadvantages of Conveyance Capacity Increase 5-3
Table 5-2 Construction Costs for Conveyance Capacity Modifications 5-4
Table 5-3 Advantages and Disadvantages of Storm Chambers 5-8
Table 5-4: Construction Costs for Storm Chambers - Existing Development Condition 5-9
Table 5-5 Construction Costs for Storm Chambers – Future Build-out Condition 5-9
Table 5-6: Area A Pond Storage and Treatment 5-11
Table 5-7: Storm Chambers Treatment 5-11
Table 5-8 Advantages and Disadvantages of Combined Pond and Storm Chambers 5-12
Table 5-9: Construction Costs for Pond and Storm Chambers - Existing Developed Condition 5-13
Table 5-10 Construction Costs for Pond and Storm Chambers – Future Build-Out Condition .. 5-13
Table 5-11: Summary of Total Costs - All Alternatives 5-14
Table 7-1: Area A Pond Storage and Treatment 7-5
Table 7-2: Storm Chambers Treatment 7-5
Table 7-3: Summary of Total Project Costs 7-8
Table 7-4: Additive Alternative Costs 7-9
Table 7-5: City of Tavares O&M Expenses (estimated 2013) 7-10
Table 7-6: Comparable Stormwater Rates 7-10

List of Figures

Figure 1-1 General Project Location .....
Figure 1-2 Community Redevelopment Area Boundary .....
Figure 2-1: Existing Stormwater System .....
Figure 2-2 Future Land Use Map .....
Figure 3-1 IDF Curve .....
Figure 3-1 Photo – Collapsed Pipe .....
Figure 3-2 Photo – Flooding .....
Figure 3-3 Photo – Flooding .....
Figure 5-1 Storm Chamber Cross-Section .....
Figure 6-1 Proposed Stormwater System .....

Appendices

A. Stormwater Rate Ordinance
B. Income and Expenditures: (Current and FY '13)
C. Five-Year Capital Improvement Plan
D. Amortization Table
E. Detailed Cost Estimates for Alternatives
F. Title Information – Proposed Wet Detention Pond
G. LPG Letter Report
H. Stormwater Rate Information
I. Stormwater Rate Impact Table

1. Introduction

The City of Tavares is located in Central Florida, approximately 30 miles northwest of Orlando. It is located within Lake County and is bound by Lake Eustis to the north, Lake Dora to the south, the City of Eustis to the east and Lake Harris to the west. Based on the 2000 Census, the City is home to approximately 9,700 residents. A significant amount of growth is expected to occur in the downtown area of the City, including waterfront and transportation improvement projects, which provides the basis for the proposed improvements presented herein.

1.1. Purpose

The purpose of this Preliminary Engineering Report (PER) is to present the findings of the stormwater engineering evaluations performed for the Downtown Redevelopment Area in Tavares, Florida. The general location of the project is depicted in **Figure 1-1**. This report presents the engineering data and analysis needed to define the proposed stormwater infrastructure project improvements. It documents the existing physical features of the area and the existing environmental characteristics of the project corridor. This report also defines the need for the proposed project improvements within the City, including the analysis of existing and anticipated increases in both the residential and employment population conditions in the area. The results of the analyses are summarized, and the analyses of viable alternatives are documented.

1.2. Project Description

In 2007, the City retained the services of IBI Group, Inc. to update the City's existing Downtown Redevelopment Master Plan with an emphasis on strategic capital improvements, public-private partnerships, developing urban design guidelines, and translating the City's vision into a guiding document for the City. The Downtown Redevelopment Master Plan includes the Downtown Community Redevelopment Area (CRA), an area encompassing approximately 400 acres of land area including public roadway rights-of-way, and is comprised of the Central Business District, the Lake Dora waterfront, single-family neighborhoods, and regional commercial corridors. The CRA boundary within the City is shown in **Figure 1-2**. The Downtown Redevelopment Master Plan (Plan) provides the City with a plan for the future of downtown Tavares and identifies its potential to develop as a vibrant, pedestrian-oriented, mixed use center. The Plan calls for several roadway improvements in the downtown area to establish a safe and efficient traffic circulation pattern and a pedestrian friendly environment. To support these reconfigurations and the increased densities that will result, improvements must be made to the stormwater collection system to reliably serve the additional demands this growth will generate. In addition, the existing stormwater system discharges into Lake

Dora and its surrounding wetlands. Lake Dora is considered part of the Oklawaha River Watershed. The Florida Department of Environmental Protection (FDEP) has identified Lake Dora as impaired and has established Total Maximum Daily Loads (TMDLs) for total phosphorus (TP). The existing stormwater system provides little to no treatment of stormwater discharges, therefore contributing to the pollutant loading, including TP, into Lake Dora. Reducing the discharges of TP into the basin will help achieve water quality standards, and designated uses established by FDEP for recreational use and for the propagation and maintenance of a healthy, well-balanced population of fish and wildlife.

The City is currently beginning the design phase for improvements to the water distribution system and wastewater collection system. The City is also in the process of implementing a City wide reclaimed water distribution system. The reclaimed water distribution system is in the final design phase. These utility projects are part of the Plan to improve the existing system to handle the proposed growth. As the stormwater lines lie beneath the same roads that are included in the construction of the other utilities (water, wastewater and reclaimed water), the City performed an analysis of the condition of the existing stormwater collection system. The stormwater utility improvements proposed in this report are a result of the analysis performed for the CRA and constitute the Rural Utilities Project detailed in this report.

2. Project Planning Area

The stormwater collection system improvements presented in this PER are to be concentrated within the City of Tavares' Downtown Community Redevelopment Area.

2.1. Location

Located in the center of Lake County, the City of Tavares sits between four major lakes: Lake Eustis, Lake Dora, Lake Harris, and Little Lake Harris. The City is located 30 miles northwest of Orlando, connected to the Orlando Metropolitan Area by U.S. Highway 441.

The existing Community Redevelopment Area encompasses a total area of approximately 400 acres (including public roadway rights-of-way), and is comprised of the Central Business District, the Lake Dora waterfront, single-family neighborhoods, and regional commercial corridors. The CRA is bounded roughly by State Road (SR) 19 on the north and west, Lake Dora on the south, and Disston Avenue on the east. This CRA encompasses the entire Downtown historic district of the City, all of the adjacent historic neighborhoods to the north and east, and the commercial and industrial corridors on the north and west.

For the purposes of this PER, the CRA has been divided into three areas for discussion of the proposed stormwater improvements.

- **Area A** includes a majority of the southern portion of the CRA including Alfred, Ruby and Main Street. Stormwater currently discharges into Lake Dora (directly) and into the associated wetlands. The associated wetlands eventually discharge into Lake Dora. There is currently minimal treatment (baffle boxes) for stormwater discharges. The stormwater conveyance capacity and/or storage do not appear to be sufficient as flooding has been observed within this area of the CRA.
- **Area B** includes the central segment of the CRA including some areas with stormwater discharges from Tavares High School. Stormwater runoff from the high school currently discharges into a pond located on the school property. Other areas within Area B discharge into an unnamed wetland located north of Barrow Avenue. The existing wetland currently discharges into the Dora Canal and associated wetlands, and eventually discharges into Lake Dora. The stormwater conveyance capacity and/or storage does not appear to be sufficient as flooding has been observed within this area of the CRA.

- **Area C** includes the northern portion of the CRA as well as the eastern and western portions not included in Areas A and B. This area is not proposed as part of this project.

The boundaries of these three areas and their associated existing stormwater systems are shown in **Figure 2-1**.

2.2. Existing Environmental Resources Present

The environmental characteristics that exist in the project area are documented and discussed in the Environmental Report (under separate cover). A majority of the project construction will occur within existing roadway rights-of-way. Impacts to environmental resources are not anticipated in those areas. The CRA is primarily a developed landscape with paved streets and maintained lawns. The existing roadway rights-of-way have little to no vegetation. In these developed and maintained areas, it is unlikely that any of the identified protected species would be present. All efforts, however, will be made to minimize impacts to protected species, and any unavoidable impacts will be properly permitted and mitigation activities employed.

The conversion of currently undeveloped land into two stormwater ponds is also included in the design scope. One pond will be converted from an existing upland area, and a second pond will be converted from an existing wetland. Wetland impacts will be mitigated through restoration of existing City owned wetland properties or by purchasing credits from an existing mitigation bank. Appropriate permitting procedures through the St. Johns River Water Management District (SJRWMD) and United States Army Corps of Engineers (USACE) will be followed. A preliminary meeting was conducted with the SJRWMD on May 12, 2010 to confirm mitigation requirements for the impacts to the wetlands. The SJRWMD stated that the use of either the existing wetlands for treatment or modifying the wetland into a pond will require the same amount of mitigation.

2.3. Future Land Use

The future land use map for the CRA is shown in **Figure 2-2**. In general, the land uses found within the CRA are the following:

- Mixed Use Neighborhood
- Mixed Use Commercial
- Commercial
- Commercial Downtown
- Low Density
- Medium Density
- Public Facility/Institutional

2.4. Planning Area Growth

2.4.1. Population Projections for Entire City

Liquid Solutions Group, Inc. was contracted by the City to prepare population projections for the City's utility service area through the year 2030 in support of the City's ongoing consumptive use permit renewal process and ongoing planning efforts. These population projections are for the City's entire utility service area, which is larger than the actual City limits because it includes a significant portion of unincorporated Lake County. The Liquid Solutions Group study used the historic and projected residential populations within the City's utility service area, as well as potable water connection billing information obtained from the City Utility and Billing Departments to develop a baseline population for the basis of future projections. These demand projections are based on projections developed by the St. Johns River Water Management District (SJRWMD) as part of the 2008 Water Supply Assessment. The SJRWMD's projections are based on the 2006 population projections developed by the Bureau of Economic and Business Research at the University of Florida. Projections used in this report are based on the most current population projections (May 2009) prepared by Liquid Solutions Group.

The SJRWMD's historic and projected populations for the City are presented in **Table 2-1** and **Table 2-2**, respectively. The populations shown represent the number of permanent residential water customers.

Table 2-1
Historic Population for the City's Utility Service Area

Year	**1999**	**2000**	**2001**	**2002**	**2003**
Population	10,293	10,577	11,525	12,472	13,420
Year	**2004**	**2005**	**2006**	**2007**	**2008**
Population	14,367	15,315	15,634	15,952	16,271

Table 2-2
Projected Population for the City's Utility Service Area

Year	**2010**	**2015**	**2020**	**2025**	**2030**
Population	16,907	19,214	21,602	23,690	25,411

In addition to the permanent population, the City has a significant seasonal population. To estimate the population associated with these seasonal connections, two (2) persons per household were assumed for each seasonal water connection. Projected seasonal

connections and associated population were extrapolated through 2030 using the rate of growth applied by the SJRWMD for permanent residential population.

The City also has a significant commercial customer base within its utility service area. Projected commercial connections were estimated using linear extrapolation of historic data. A summary of the City's projected permanent and seasonal residential population, and commercial connection projections are presented in **Table 2-3**.

Table 2-3
Historic and Projected Residential Population and Commercial Connections

Year	Permanent Residential Population	Seasonal Residential Population	Commercial Connections
2005	15,315	495	641
2006	15,634	501	682
2007	15,952	648	733
2008	16,271	464	780
2010	16,907	551	879
2015	19,214	627	1124
2020	21,602	704	1370
2025	23,690	773	1616
2030	25,411	829	1861

2.4.2. Anticipated Future Growth

Much of the City's projected future growth is planned for the CRA within the downtown area of the City. As presented in the Downtown Tavares Redevelopment Master Plan, prepared by IBI Group, the following list outlines the commercial, residential, and downtown core development projects planned for the CRA.

- Introduction of developments with higher densities of mixed-use located in the core areas of the downtown with lower heights, building masses and residential uses in surrounding neighborhoods.
- The expansion of activities in the downtown to establish Tavares as a regional destination with the introduction of new mixed-use, retail, entertainment and residential uses
- Support of infill, renovation and enhancement of residential areas and the prevention of commercial encroachment into neighborhoods
- The improvement of aesthetic conditions along the SR 19 and U.S. 441 corridors
- Strengthening and expansion of the arts, culture and entertainment

- The revitalization of the waterfront and Wooton Park providing a venue for festivals and other activities
- Improvements to the Tav-lee regional trail system introducing opportunities for heritage and eco-tourism including the expansion of trails, greenways and blueways
- Reinforcement of future public transportation and mobility options through development of multimodal transit and expansion of pedestrian areas
- Support for historic preservation efforts

Due to the fact that most of the projected growth within the City of Tavares is concentrated within the CRA, this PER will focus on the stormwater collection system improvements proposed for that area in particular and present the findings accordingly.

3. Existing Facilities

The majority of the existing stormwater buried infrastructure in the CRA was installed in the 1950's. Visual reconnaissance identified several stormwater inlets that appear to be of newer construction. The City of Tavares stormwater infrastructure system inventory within the CRA is shown in **Figure 2-1**.

There has been visual evidence of flooding/ponding throughout the CRA after storm events. The City retained the services of Griffey Engineering, Inc. (Griffey) to conduct an assessment of the capacity of the existing stormwater system. Griffey analyzed the existing system within the CRA against a 10-year storm event as required in the City of Tavares Land Development Code (Section 15-7). A discussion of the finding is included in the subsequent sections.

Due to the planned development projects and resulting growth projected for the CRA, coupled with the aging infrastructure, the City hired Malcolm Pirnie to perform an evaluation of the existing stormwater utility components. In an attempt to prepare for the higher population densities, the City took a proactive approach to determining their ability to meet the future demands by evaluating the condition and operational capacity of their existing stormwater infrastructure system. The existing system evaluation was performed in November 2008 by Inframetrix. This evaluation provides an assessment of the hydraulic, structural, and operational condition of the system. A discussion of the findings is included in the subsequent sections.

3.1. Stormwater System Components

3.1.1. Overview

The City's stormwater collection system services an area of approximately 24 square miles and consists of a network of various pipes ranging in size from 8-inch diameter to 36-inch diameter, and pipe materials of concrete and corrugated metal. There are three existing stormwater ponds and seven direct outfalls directed into Lake Dora. The stormwater collection system is connected to Lake Dora and the surrounding canal and wetland system.

3.1.2. Current Demand

Existing composition for the CRA is summarized as follows:

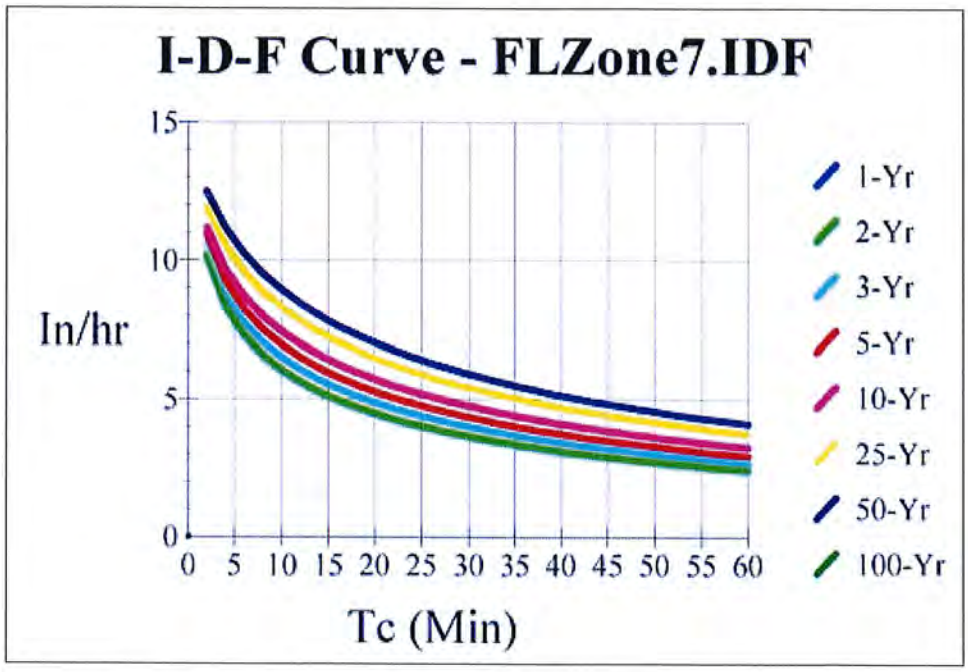
Table 3-1:
Surface Characteristics

CRA Area	Total Area	Impervious Area	Impervious Percentage
Area A	131 Acres	67 Acres	51%
Area B	31 Acres	16 Acres	51%

The existing stormwater system was constructed in the 1950's and does not currently have an Environmental Resource Permit (ERP). The purpose of this project is to modify the existing system to provide 1) adequate conveyance capacity for the 10-year storm event, and 2) provide treatment to improve water quality prior to discharge.

There has been previous visual evidence of localized flooding/ponding throughout the CRA. Griffey analyzed the existing system within the CRA against a 10-year storm event as required in the City of Tavares Land Development Code (Section 15-7). The storm sewer tabulation utilizes rainfall intensity (in/hr). These values are obtained from rainfall intensity-duration-frequency (IDF) curves, which were developed by the Florida Department of Transportation (FDOT). The specific area covering this part of the state is identified as Zone 7. **Figure 3-1** shows the curves used for this study:

Figure 3-1: IDF Curve



The Griffey analysis determined that the existing system capacity is inadequate for the design storm, which results in the localized flooding/ponding that has been observed

throughout the CRA. The assessment attributed the flooding/ponding to an insufficient number of inlets and inadequately sized stormwater pipes. **Table 3-2** shows that the modeling results for the existing stormwater system.

Table 3-2:
Existing System – 10-Year Design Storm

Area	Modeling Result – 10-Year Storm
Area A	Failed
Area B	Failed

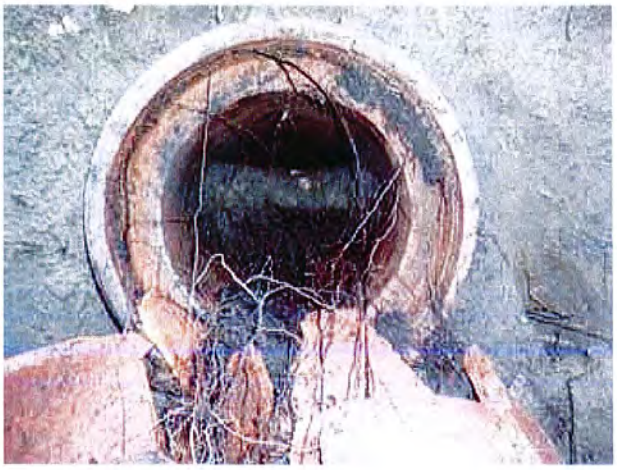
3.1.3. Condition of Facilities

During the November 2008 utility system evaluation performed by Inframatrix as a subconsultant to Malcolm Pirnie, a mapping, inventory, inspection, and condition assessment of the existing stormwater system components within the CRA was performed. The inventory and condition assessment included inspection of the City's stormwater pipes and inlets for their operational and physical condition.

The existing stormwater system includes approximately 23 miles of concrete and corrugated metal stormwater piping. The condition assessment of the stormwater inventory within the CRA and manholes identified:

- Approximately 66 percent of the City's stormwater structures (i.e., inlets rated a medium to high priority for repair due to potential for blockage.
- Approximately 11 percent of the City's stormwater pipelines rated a medium to high priority for repair to due structural deficiencies. Although the condition of the pipelines were reported to be in generally good condition, maintenance staff experienced pipes collapsing during routine cleaning of the pipes, see **Figure 3-2**. The collapsing is thought to be attributed to fractures in the vitrified clay (VC) pipe that were in locations not able to be viewed during the CCTV inspection.

Figure 3-2: View of Pipe Broken During Cleaning



- Approximately 52 percent of the City's stormwater pipelines rated a medium to high priority for repair due to potential for blockage.

Figure 3-3: Flooding during Routine Storm Event (Photo 1)

Figure 3-4: Flooding During Routine Storm Event (Photo 2)

Blockages in the system can result in additional stormwater back-ups, which would produce more flooding/ponding events.

3.1.4. Existing Environmental Conditions

The existing stormwater system discharges directly into Lake Dora as well as the surrounding canal and wetland system. The canal and wetlands ultimately drain into Lake Dora. Some areas within the system discharge directly into the Lake Dora without receiving treatment.There are three existing stormwater treatment ponds located within the system.

Lake Dora is considered part of the Oklawaha River Watershed. The Florida Department of Environmental Protection (FDEP) has identified Lake Dora as impaired and has established Total Maximum Daily Loads (TMDLs) for total phosphorus (TP). Reducing the discharges of TP into the basin will help achieve water quality standards, and designated uses established by FDEP for recreational use and for the propagation and maintenance of a healthy, well-balanced population of fish and wildlife.

Griffey performed preliminary calculations to determine the existing amount of TP loading from Area A within the CRA (pollutant loading for Area B was not performed). The calculation shows approximately 111 kilograms per year of TP loading into Lake Dora.

3.1.5. Financial Status

3.1.5.1. City's Stormwater Financial Information

Information on the City's current stormwater rate schedule, operation and maintenance costs, and ongoing capital improvement projects is included in this PER. The

information presented herein is based on conversations with the City staff and is approximated based on the most recent information available. The City's Stormwater Department has recently been understaffed and unable to properly maintain the system. In lieu of the recent pipe breaks, there has been concern in the past on how the system will be maintained. The stormwater department was moved under the utility department that includes additional maintenance staff and redundant equipment (that is already part of the utility department). With installation of stormwater system improvements (as proposed in this project) and the additional staff and equipment, maintenance of the system will be facilitated.

The City's existing stormwater rates are included in Appendix A. The City's income and expenditures for the stormwater system (for the most current data as well as every year through FY2014) are included in Appendix B. The City's current CIP projects are included in Appendix C, and the amortization table in Appendix D. A more detailed description of financial status is provided in Section 7.4.

3.1.5.2. City General Fund Balance Sheet Information

The City's General Government activities balance sheet information is provided in Appendix B for FY 2008 and FY 2009, the two most recently completed financial results with audited financial information.

The City's General Government activities incorporated on Form RD 442-3 include the follow funds:

- General fund
- Infrastructure Special Revenue
- Greater Downtown TIF District
- Capital Projects Fund
- Other Governmental Funds

Within the current assets, $361,578 and $442,238 are reserved fund balances for inventories, community development (Downtown TIF District), debt service and playground) for FY 2008 and FY 2009 respectively.

4. Need for Project

As outlined in the Downtown Redevelopment Master Plan, the City of Tavares is expecting significant growth as a result of their "vision" to reinvigorate the downtown area. Their multi-faceted plan incorporates projects with a complementary mix of residential, employment, recreational, retail, cultural, entertainment, and tourist elements. Some of the large projects planned for the area include, but are not limited to, construction of a sea-plane basin, marina, train passenger platform, community arts and cultural center on Lake Dora, and several mixed-use residential communities. The City is currently beginning the design phase for improvements to the water distribution system and wastewater collection system. The City is also in the process of implementing a City wide reclaimed water distribution system. The reclaimed water distribution system is in the final design phase. These utility projects are part of the Plan to improve the existing system to handle the proposed growth. As the stormwater lines lie beneath the same roads that are included in the construction of the other utilities (water, wastewater and reclaimed water), the City performed an analysis of the condition of the existing stormwater collection system.

Analysis performed by Griffey identified that the existing stormwater system is insufficient for a 10-year design storm for conveyance capacity. Localized flooding has been experienced throughout the CRA as a result of the existing undersized system. In addition, the current system has minimal stormwater treatment including the outfalls discharge directly into Lake Dora. Lack of stormwater treatment will continue to contribute to the poor water quality within Lake Dora. The purpose of this project is to modify the existing system in order to provide a solution to these identified deficiencies. The proposed modifications will include:

- Improvements to conveyance capacity including upsizing of stormwater pipes, installation of new stormwater pipes, and installation of new outfalls.
- Addition of new structures to provide treatment of stormwater for reduction in TP loading into Lake Dora.

There will be no additional impervious space created and no increase in the peak discharge capacity.

4.1. Future Growth

The function of the stormwater system depends primarily on the amount of impervious surface area within the drainage basin. The CRA is currently approximately 51 percent impervious. According to the densities stated in the comprehensive plan, build-out of the CRA would result in future impervious percentages between 70 and 90 percent depending on the area (A or B).

The evaluation of alternatives for this PER includes both the existing and developed condition against the 10-year design storm. The existing developed condition assumes the existing 51 percent impervious area modeled against the 10-year design storm. The future build-out condition assumes the maximum impervious percentages allowable by the City of Tavares Comprehensive Plan.

4.2. Future Conveyance Capacity Issues

The existing stormwater system is incapable of conveying the required capacity for the 10- year design storm. The results of the Griffey hydraulic analysis show that the existing storm sewer system needs to be upgraded. The system proposed in this PER will modify the system to provide conveyance capacity for the existing developed condition against the 10-year design storm. Installation of new stormwater piping and structures, in addition to upsizing of existing stormwater pipes and structures, will be required. Modifying the existing system to account for the future build-out condition would result is an extremely oversized system and is not considered as part of this evaluation.

Construction of stormwater conveyance piping is anticipated to occur generally within the unpaved roadway right-of-way. Expansion of the system, at a later date, to handle the future build-out condition, within the unpaved roadway right-of-way, will not cause significant disruption of the traffic pattern.

4.3. Future Stormwater Treatment Issues

The existing stormwater system does not currently have sufficient stormwater treatment capacity built into the system. The system ultimately discharges into Lake Dora either directly or through the surrounding wetland and canal system. FDEP has identified Lake Dora as impaired and has established TMDLs for total phosphorus (TP).

This proposed project includes the addition of stormwater treatment facilities to contribute toward the reductions in nutrient loading (including phosphorus) into Lake Dora. Three options for stormwater treatment were considered to include 1) construction of water retention areas, 2) wet detention ponds, and 3) the use of storm chambers.

For treatment structure sizing, the existing zoning densities were used for each area (A and B) separately (and sub-basin within each area) to calculate the build-out conditions. The build-out conditions for impervious area varied from 70 to 90 percent depending on the specific area and sub-basin.

The system proposed in this PER will consider modifications to the existing system to provide storage and treatment capacity for the existing developed and future build-out condition against the 10-year design storm.

Construction of storm chambers is anticipated to occur generally within the paved roadway right-of-way. Expansion of the system, at a later date, to handle the future build-out condition will cause significant disruption of the traffic pattern.

5. Alternatives Considered

In order to provide the City with additional conveyance capacity to prevent flooding in the existing stormwater pipes, installation of new stormwater pipes and inlet structures is required. In order to provide the City with treatment capacity to improve the water quality discharging into Lake Dora, installation of treatment structure/facilities is required. For the purposes of this PER, the following alternatives were considered.

- Capacity Alternative No. 1 – Increase Capacity through Upsizing Pipe Installation of New Structures
- Capacity Alternative No. 2 – No Action
- Treatment Alternative No. 1 – Provide Treatment through Water Retention Areas
- Treatment Alternative No. 2 – Provide Treatment through Wet Detention Ponds
- Treatment Alternative No. 3 – Provide Treatment through Storm Chambers
- Treatment Alternative No. 4 – Provide Treatment through Wet Detention Ponds and Storm Chambers
- Treatment Alternative No. 4 – No Action

This section will provide a detailed discussion of each of the alternatives, and address the benefits, environmental impacts, constructability issues, and construction costs to determine the best alternative for the City.

5.1. Capacity Alternatives

5.1.1. Capacity Alternative No. 1 – Increase Capacity by Upsizing Pipe and Installation of New Structures

5.1.1.1. Description

The existing stormwater collection system installed in the roadway ROW was evaluated against a 10-year storm. The results of the analysis indicate that the existing system is incapable of passing the design storm, which results in localized flooding/ponding. The results attained are consistent with the conditions experienced during routine storm events. The primary reason for the limited system capacity is an inadequate quantity of stormwater inlets or stormwater pipes, and the existing stormwater pipe diameters are too small. In addition, a new stormwater pond is proposed in an existing upland system located within the right-of-way of Barrow Avenue. The pond would be designed as an

on-line system that would provide additional storage, but will not be permitted as a stormwater treatment pond. The Area B pond will discharge into the adjacent wetland system and would assist in improved hydraulics.

In order to provide the additional stormwater conveyance capacity needed to meet the 10-year design storm, the following improvements requiring new construction are recommended.

- Install 210 linear feet of 12-inch diameter reinforced concrete stormwater piping
- Install 320 linear feet of 15-inch diameter reinforced concrete stormwater piping
- Install 1,370 linear feet of 18-inch diameter reinforced concrete stormwater piping
- Install 2,750 linear feet of 24-inch diameter reinforced concrete stormwater piping
- Install 4,030 linear feet of 30-inch diameter reinforced concrete stormwater piping
- Install 1,670 linear feet of 36-inch diameter reinforced concrete stormwater piping
- Install 2,260 linear feet of 42-inch diameter reinforced concrete stormwater piping
- Install 360 linear feet of pipeline (24-inch through 30-inch) through trenchless technology.
- Install 91 stormwater inlets
- Install 10 mitered end sections
- Install 15 stormwater manholes

Installation of the proposed stormwater piping also includes the removal of:

- 17,340 square yards of roadway
- 6,975 linear feet of existing concrete and corrugated metal stormwater piping
- 102 existing stormwater structures (inlets, manholes, etc.)
- Three existing direct outfalls into Lake Dora

5.1.1.2. Design Considerations

The design requirements for open trench construction techniques for replacement of the existing pipe and installation of new stormwater piping include the following general guidelines:

- Provide side slopes and bench per OSHA requirements (typical 2:1 slopes).
- Excavate and remove the existing pipe.

- Provide proper pipe bedding and compaction for minimal settling and pipe support.
- Provide a minimum of 36-inches of cover for most applications.
- Resurface the area with proper sod, concrete or asphalt pavement, as applicable.

5.1.1.3. Advantages/Disadvantages

The advantages and disadvantages of replacing/installing new stormwater piping are summarized in **Table 5-1** below.

Table 5-1
Advantages and Disadvantages of Conveyance Capacity Increase

Advantages	Disadvantages
▪ Existing condition of pipe, and location of structures are identified during construction ▪ Potential problems can be identified and adjusted during construction ▪ No limitation on replacement pipe material ▪ Construction time frame to be coordinated with installation of water and wastewater pipelines to minimize disruption	▪ Excavation disruptive to surface features ▪ Loss of pipeline capacity during construction activities ▪ Labor intensive and requires proper handling and disposal of old pipe ▪ Extensive surface restoration required ▪ Reduced pavement life ▪ Brick pavers in some streets

5.1.1.4. Construction Constraints

The following construction constraints were identified with the conventional pipe replacement method:

- Buried Utilities - Excavation performed for the pipe replacement requires construction of a trench. In areas where there are crowded utility lines within the right-of-way or easement area, construction of a trench can be risky to avoid interference and ensure that the existing utilities are not damaged.
- Pipe Depth - Pipe replacement is possible, but becomes more complicated as the depth increases.
- Land Requirements - Due to the nature of the construction method (open cut) additional space is required for the work area. Therefore, if space is limited or is in close proximity to structures the construction may be difficult.

- Weather Conditions – Wet weather delays may create unfavorable working conditions that would require the contractor to demobilize and remobilize frequently.
- Environmentally Sensitive Areas – The presence of environmentally sensitive areas within the pipeline route can complicate installation of pipeline. The presence of wetlands and/or any preserved areas that need to be crossed, or areas where noise and dust pollution, or construction runoff are unacceptable may require the use of an alternate construction method or additional permitting requirements.

5.1.1.5. Cost Estimate

The construction cost was calculated for the replacement of the stormwater system piping and installation of new stormwater piping within the CRA using the conventional open cut method. The costs were developed using R.S. Means and previously completed engineering projects in which open cut pipe replacement was used. The cost for the conveyance modifications includes mobilization, utility relocation, traffic control, pavement removal and replacement, excavation, sloping, shielding, pipe removal and disposal, pipe bedding, new pipe installation, backfill, compaction, and demobilization. **Table 5-2** provides a summary of the project construction costs for the conveyance capacity modifications. Detailed cost estimates are provided in Appendix E.

Table 5-2
Construction Costs for Conveyance Capacity Modifications

Description	Total Cost
Conveyance System Modifications – Area A	$3,901,100
Conveyance System Modifications – Area B	$322,900
TOTAL CONVEYANCE CAPACITY MODIFICATION COSTS	**$4,224,000**

Note:
*Pipeline cost includes materials, labor, installation, restoration, all required appurtenances and testing to completion.
*Costs include trenchless technology method for roadway crossings.

5.1.2. Capacity Alternative No. 2 – No Action

The "no action" alternative includes the continued use of the existing stormwater collection system and outfalls. With this option, the City would not be able to support the CRA using the existing infrastructure for the 10-year design storm and flooding would still be experienced within the CRA. This alternative would clearly be the least expensive option; however, for obvious reasons it is not recommended and is removed from further consideration.

5.2. Treatment Alternatives

The existing receiving body for the stormwater discharge is Lake Dora. The existing system has very limited stormwater treatment capability. Therefore, means and methods for providing pollution abatement were evaluated as part of this PER. Treatment volumes were calculated for both the existing condition and for the built-out condition based upon the maximum impervious surface area percentages allowed by zoning requirements.

The following methods of stormwater treatment were considered:

- Runoff Areas/Swales
- Storm chambers
- Stormwater Ponds

These different systems can be used exclusively or in combination.

5.2.1. Treatment Alternative No. 1 – Water Retention Areas

5.2.1.1. Description

Traditionally, stormwater treatment is provided by capturing the initial first flush of runoff in water retention areas or surface retention ponds. Surface retention ponds are generally off line structures that do not have an outlet into the disposal system. They function by accepting the runoff water and allowing it to percolate into the soil below. This is usually the most economical feasible approach, especially with new development projects. The land investment in this type of approach is significant and the CRA does not allow for the amount of land or footprint required to consider this option. Water retention areas of sufficient size to serve the downtown watershed would need to be so large or numerous that the social and economic impact may not be acceptable. This option was removed from further consideration.

5.2.2. Treatment Alternative No. 2 – Wet Detention Ponds

5.2.2.1. Description

This section addresses the use of wet detention ponds as treatment facilities. Wet detention ponds are stormwater control structures that provide both retention and treatment of storm water runoff. A wet detention pond has a permanent volume of water (permanent pool volume) into which storm water runoff is directed. The runoff from rain events is directed through the conveyance system into the pond. The pond retains and treats the water until it is displaced by a subsequent rain event. The pond uses its natural characteristics to remove pollutants. A wet detention pond can provide a more superior pollutant removal and retention of stormwater than the other treatment systems described in this PER.

The CRA has one readily available property available for a wet detention pond. The area proposed for one pond is an existing wetland system located between S. Sinclair Avenue and S. Bloxham Avenue, just to the south of the Lake County jail within Area A. The property for the proposed pond is owned by Lake County (Parcel ID 29-19-26-050005500200). A parcel map and title searches are included in Appendix F. The existing wetland does not have any conservation easements attached to it, therefore, it can be considered for creation and use as a wet detention pond.

The conversion of an existing wetland system into a treatment pond would require the elimination of the wetland with the required associated environmental permitting and mitigation activities. An evaluation of the wetland and a discussion of the permitting requirements was prepared by LPG Environmental & Permitting Services, Inc. The LPG report is provided in Appendix G.

The wet detention pond would provide treatment for Area A, including existing County owned properties located within Area A of the CRA. This option would allow for the elimination of several smaller existing stormwater retention areas throughout the CRA. The pond would be designed as an off-line system. The initial, first flush of runoff would be intercepted and directed to the treatment pond. Once the treatment pond filled to its design stage, all subsequent flows would continue directly into Lake Dora. A new interceptor pipe would be required along Ruby Street, with diversion structures at the crossing of each of the discharge lines leading to Lake Dora. The wet detention pond also includes the construction of a stormwater interceptor pipe on Ruby Street to direct stormwater into the pond.

The construction of the downtown area wet detention pond will require a coordinated joint effort between the City of Tavares and Lake County. An inter-local agreement for this issue has been finalized between the City and the County. The County will remain the owner of the wetland, and a potential beneficiary of the system and the City will be the constructor and maintainer of the pond.

There is not currently any readily available undeveloped land within Area B that is sizable for construction of a wet detention pond. At this time, Alternative No. 2 is not considered feasible for Area B. Further consideration will be given during the design phase to determine where there is a suitable location for a wet detention pond. There is a pond proposed within Area B, but it is for conveyance capacity purposes only, not treatment.

At this time, use of wet detention ponds only is not a feasible alternative as there is no readily available land within Area B.

5.2.3. Treatment Alternative No. 3 – Storm Chambers

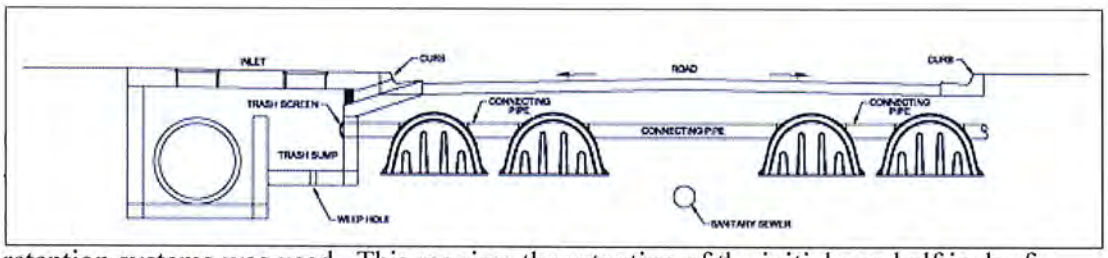
5.2.3.1. Description

Storm chambers are buried arch shaped chambers with an open bottom that allow retention and detention of water in addition to conveyance. The storm chambers use the properties of the soil to provide nutrient removal as the water percolates into the soil. The chamber functions similarly to a septic tank drainfield. In some instances a geotextile fabric is used under the chamber to provide extra filtration of the water.

Storm chambers require a significant amount of space under the existing roadway and may create conflicts with existing utilities. In addition, maintenance activities for this option are greater due to inspection requirements and removal of silt build up.

A typical cross-section of an understreet storm chamber application under a roadway is shown in **Figure 5-1**.

Figure 5-1: Understreet Storm Chamber Cross Section



retention systems was used. This requires the retention of the initial one-half inch of runoff or 1.25 inches of runoff from the impervious area, whichever is greater. For the wet detention pond, the District's criteria for wet detention was used. This requires the retention of one inch of runoff or 2.5 inches of runoff from the impervious area, whichever is greater. The storm sizing of chambers uses the build-out condition within the CRA for treatment requirements.

In order to provide the additional stormwater treatment capacity required for the existing developed condition, the following improvements requiring new construction are recommended to be performed in addition to the conveyance capacity modifications.

- 255,000 cubic feet of storm chambers

In order to provide the additional stormwater treatment capacity required for the future build-out condition, the following improvements requiring new construction are recommended to be performed in addition to the conveyance capacity modifications.

- 344,000 cubic feet of storm chambers

5.2.3.3. Advantages/Disadvantages

The advantages and disadvantages of storm chambers are summarized in **Table 5-3** below.

Table 5-3
Advantages and Disadvantages of Storm Chambers

Advantages	Disadvantages
▪ Constructed subsurface, so large land requirements are not needed ▪ Works though infiltration into the ground, therefore water returns to the groundwater ▪ Water is indirectly discharged into Lake Dora and associated wetlands and canals ▪ Provides treatment for the build-out condition	▪ Can be difficult to maintain (due to silt build-up) ▪ Roadway area may be congested with utilities

5.2.3.4. Construction Constraints

The following construction constraints were identified with the installation of storm chambers:

- Buried Utilities - Excavation performed for the pipe replacement requires construction of a trench. In areas where there are multiple utility lines within the right-of-way or easement area, construction of a trench can be risky to avoid interference and ensure that the existing utilities are not damaged.
- Pipe Depth - Installation becomes more complicated as the depth increases.
- Land Requirements - Due to the nature of the construction method (open cut), additional space is required for the work area. Therefore, if space is limited or is in close proximity to structures the construction may be difficult.
- Weather Conditions – Wet weather delays may create unfavorable working conditions that would require the contractor to demobilize and remobilize frequently.

5.2.3.5. Cost Estimate

The construction cost was calculated for the installation of storm chambers. The costs were developed using R.S. Means, correspondence with contractors, and recent publications concerning the storm chamber technology. The cost for the treatment modifications include mobilization, traffic control, pavement removal and replacement,

excavation, sloping, shielding, utility relocation, pipe bedding, new storm chamber installation, new pipe installation, backfill, compaction, and demobilization. **Table 5-4** and **Table 5-5** provide a summary of the project costs for the storm chamber improvements. The existing developed condition will be considered Alternative 3A and the future build-out condition will be considered Alternative 3B.

Table 5-4:
Construction Costs for Storm Chambers - Existing Development Condition

Description	Total Cost
Area A	
Treatment Modifications – Storm Chambers Area A	$2,959,900
Treatment Modifications – Storm Chambers Area B	$676,200
TOTAL CONSTRUCTION COSTS	**$3,636,100**

Table 5-5
Construction Costs for Storm Chambers – Future Build-out Condition

Description	Total Cost
Area A	
Treatment Modifications – Storm Chambers Area A	$4,111,300
Treatment Modifications – Storm Chambers Area B	$795,600
TOTAL CONSTRUCTION COSTS	**$4,906,900**

5.2.4. Treatment Alternative No. 4 – Combination Treatment Ponds and Storm Chambers

5.2.4.1. Description

To provide sufficient stormwater treatment within Area A and B, a combination of ponds and storm chambers is proposed. The pond alone will provide sufficient treatment within Area A and storm chambers will be required for Area B as there is no available area for a wet detention pond. This alternative combines the installation of a wet detention pond as described in Section 5.2.2 and storm chambers as described in Section 5.2.

In order to provide the additional stormwater treatment capacity required for the existing developed condition, the following improvements requiring new construction are recommended to be performed in addition to the conveyance capacity modifications.

- Wet Detention Pond
- 1800 linear feet of 42-inch reinforced concrete pipe
- 5 stormwater inlets

- 1 manhole
- 48,000 cubic feet of storm chambers

In order to provide the additional stormwater treatment capacity required for the future build-out condition, the following improvements requiring new construction are recommended to be performed in addition to the conveyance capacity modifications.

- Wet Detention Pond
- 1800 linear feet of 42-inch reinforced concrete pipe
- 5 stormwater inlets
- 1 manhole
- 137,000 cubic feet of storm chambers

5.2.4.2. Design Considerations

The design criteria used for stormwater treatment are outlined in Chapter 40C-42 of the SJRWMD (District) regulations. For storm chambers, the SJRWMD criteria for off-line retention systems was used. This requires the retention of the initial one-half inch of runoff or 1.25 inches of runoff from the impervious area, whichever is greater. For the wet detention pond, the District's criteria for wet detention was used. This requires the retention of one inch of runoff or 2.5 inches of runoff from the impervious area, whichever is greater. The storm sizing of chambers uses the build-out condition within the CRA for treatment requirements.

The pond would need to be designed and constructed to meet the SJRWMD criteria for wet detention treatment and will be designed to accommodate the required permanent pool volume for both the existing and future build-out conditions. For the Area A wet detention pond, the District's criteria for wet detention was used. This requires the retention of one inch of runoff or 2.5 inches of runoff from the impervious area, whichever is greater. Due to sizing limitations, the pond will provide sufficient treatment for the existing condition, but does not meet the full treatment requirements at build-out. Additional treatment options will be required for construction in the future. **Table 5-5** shows the storage and treatment capacity of the Area A pond.

Table 5-6:
Area A Pond Storage and Treatment

Location	Capacity to Hold Permanent Pool Volume - Existing	Capacity to Hold Permanent Pool Volume - Future	Capacity to Provide Treatment - Existing	Capacity to Provide Treatment - Future
Area A Pond	167%	110%	127%	84%
Area B	N/A	N/A	N/A	N/A

*There is no available area within Area B for a wet detention pond.

The control orifice of the pond establishes the difference between the permanent pool and the treatment volume. Typically, the control elevation is determined by the average of the mean annual high and mean annual low elevation of the tailwater. In this case, Lake Dora is the receiving water body that would establish the tailwater elevation condition.

There is a pond recommended for Area B, but it is only being used for conveyance capacity, not treatment. The description and cost for this are included in the Conveyance Capacity Alternative No. 1.

Storm Chambers will be used for stormwater treatment within Area B and will make up the difference within Area A for the future build-out condition.

Table 5-7:
Storm Chambers Treatment

Location	Capacity to Provide Treatment - Existing	Capacity to Provide Treatment - Future
Area A	not needed	100%
Area B	100%	100%

5.2.4.3. Advantages/Disadvantages

The advantages and disadvantages of combined pond and storm chambers are summarized in **Table 5-8** below.

Table 5-8
Advantages and Disadvantages of Combined Pond and Storm Chambers

Advantages	Disadvantages
▪ Provides treatment for future build-out condition ▪ Mitigates direct stormwater discharge into Lake Dora	▪ Storm chambers can be difficult to maintain (due to silt build-up) ▪ Roadway area may be congested within utilities ▪ Higher cost

5.2.4.4. Construction Constraints

- Buried Utilities - Excavation performed for the pipe replacement requires construction of a trench. In areas where there are multiple utility lines within the right-of-way or easement area, construction of a trench can be risky to avoid interference and ensure that the existing utilities are not damaged.
- Pipe Depth - Installation becomes more complicated as the depth increases.
- Land Requirements - Due to the nature of the construction method (open cut), additional space is required for the work area. Therefore, if space is limited or is in close proximity to structures the construction may be difficult.
- Weather Conditions – Wet weather delays may create unfavorable working conditions that would require the contractor to demobilize and remobilize frequently.
- Environmentally Sensitive Areas – The presence of environmentally sensitive areas proximal to the construction site will require the use of turbidity barriers and other erosion control methods to prevent construction debris from entering the surrounding wetlands.
- Dewatering – Excavation of the pond material will include dewatering and a location of disposal water will have to be identified.
- Excavation of existing material – The existing forested wetland is dense with vegetation and muck. Location and methods for efficient removal and disposal of the vegetation and muck will have to be considered.

5.2.4.5. Cost Estimate

The construction cost was calculated for the combined installation of a pond and storm chambers. The costs were developed using R.S. Means, correspondence with contractors, and recent publications on the storm chamber technology. The cost for the treatment modifications include mobilization, excavation, dewatering, sodding, traffic control, pavement removal and replacement, excavation, sloping, shielding, utility relocation, pipe bedding, new storm chamber installation, new pipe installation, backfill, compaction, and demobilization. **Table 5-11** and **Table 5-12** provides a summary of the project costs for the combined wet detention pond and storm chamber improvements. Alternative 4A and the future build-out condition will be considered Alternative 4B.

Table 5-9:
Construction Costs for Pond and Storm Chambers - Existing Developed Condition

Description	Total Cost
New Structure Installation	
Treatment Modifications – Wet Detention Pond and Interceptor – Area A	$2,658,800
Treatment Modifications – Storm Chambers Area B	$676,200
TOTAL CONSTRUCTION COSTS	**$3,335,000**

Table 5-10
Construction Costs for Pond and Storm Chambers – Future Build-Out Condition

Description	Total Cost
New Structure Installation	
Treatment Modifications – Wet Detention Pond and Interceptor – Area A	$2,658,800
Treatment Modifications – Storm Chambers Area A	$1,155,700
Treatment Modifications – Storm Chambers Area B	$795,600
TOTAL CONSTRUCTION COSTS	**$4,610,100**

5.3. Treatment Alternative No. 5 – No Action

The "no action" alternative includes the continued use of the existing stormwater collection system and outfalls. With this option, the City would not be able to provide treatment for the outfalls that discharge directly into Lake Dora and would not contribute to the reduction in TMDLs. This alternative would clearly be the least expensive option; however, for obvious reasons it is not recommended and is removed from further consideration.

5.4. Alternatives Summary

Table 5-10 provides a summary of the viable project alternatives to include the criteria of construction cost and legal and engineering fees. Each alternative includes the cost of Capacity Alternative No. 1, as each project will require conveyance modifications in addition to treatment improvements.

Table 5-11:
Summary of Total Costs - All Alternatives

Alternative Description	Treatment Alterative No. 3A	Treatment Alternative No. 3B	Treatment Alternative No. 4A	Treatment Alternative No. 4B
	Storm Chambers – Existing Development Condition	Storm Chamber – Future Build-Out Condition	Storm Chambers and Wet Detention Pond – Existing Development Condition	Storm Chambers and Wet Detention Pond – Future Build-Out Condition
Construction Cost – Conveyance	$4,224,000	$4,224,000	$4,224,000	$4,224,000
Construction Cost – Treatment with Mitigation	$3,636,100	$4,906,900	$3,335,000	$4,610,100
Total Construction Cost	$7,860,100	$9,130,900	$7,559,000	$8,834,100
Engineering Fee	$448,026	$502,200	$430,863	$485,876
PER and ER	$58,774	$58,774	$58,774	$58,774
Resident Project Representative	$157,202	$182,618	$151,180	$176,682
Additional Costs (Subcontractors and Permits)*	$160,000	$160,000	$160,000	$160,000
Legal Fee	$50,000	$50,000	$50,000	$50,000
Interest During Construction	$200,000	$200,000	$200,000	$200,000
Project Subtotal	$8,934,102	$10,284,492	$8,609,817	$9,965,432
Contingency	$893,410	$1,028,449	$860,982	$996,543
TOTAL PROJECT COST	$9,827,512	$11,312,941	$9,470,799	$10,961,975

6. Selection of an Alternative

6.1. General

The purpose of this section is to present the engineering analysis conducted to select the most feasible/viable (technically and economically) alternative for the City of Tavares. The alternatives considered include:

- Capacity Alternative No. 1 – Increase Capacity through Upsizing Pipe/Installation of New Structures.
- Capacity Alternative No. 2 – No Action
- Treatment Alternative No. 1 – Provide Treatment through Water Retention Areas
- Treatment Alternative No. 3 – Provide Treatment through Storm Chambers.
  - Alternative No. 3A – Existing Developed Condition
  - Alternative No. 3B – Future Build-Out Condition
- Treatment Alternative No. 4 – Provide Treatment through Combined Wet Detention Ponds and Storm Chambers
  - Alternative No. 4A – Existing Developed Condition
  - Alternative No. 4B – Future Build-Out Condition
- Treatment Alternative No. 5 – No Action

As discussed in Section 5 of this report, Capacity Alternative No. 2 and Treatment Alternative No. 1, No. 2 and No. 5 are not viable options due to limited available area, the inability of the existing system to convey the generated design storm and the limited existing stormwater treatment facilities present, which would result in continued localized flooding. Therefore, these specific alternatives will not be evaluated in this section.

Capacity Alternative No. 1 is recommended for Areas A and B to mitigate the flooding currently experienced within the CRA. The overall project consists of increasing the size of existing stormwater pipes, and the addition of new stormwater inlets and pipes. This alternative will convey the 10-year design storm for the existing development condition.

In order to accomplish enhanced treatment, more retention/treatment time is required. Treatment Alternative No. 4A is recommended to provide treatment for Areas A and B

for the existing developed condition. A wet detention pond will be located in within Area A and storm chambers will be used within Area B.

This design reduces the number of direct outfalls into Lake Dora from seven to four, and modifies the system where the four outfalls will only be used to handle peak flows. The system will mitigate flooding issues and contribute to the reduction of TMDLs into Lake Dora. Griffey performed an initial TMDL assessment for the southern part of the CRA. The existing TMDL pollutant load is approximately 111 kilograms per year into Lake Dora. With the construction of one proposed wet detention pond, the pollutant load can be reduced by approximately 60 percent to 43 kilograms per year.

Figure 6-1 depicts the proposed stormwater system improvements.

6.2. Permitting Requirements

In general, the permitting requirements for both the wet detention ponds and storm chambers are identical. An Environmental Resource Permit (ERP) will be required for the construction, operation and maintenance of the proposed stormwater system improvements. In addition, SJRWMD, USACE, and FDEP Joint Application for ERP, Authorization to Use State Owned Submerged Lands are required, or Fill and Dredge permit application from USACE is required for all projects that impact surface waters, flood plains and wetlands. Environmental Resource Permit applications are processed by the SJRWMD.

Upon receipt and review of the Joint Application, the USACE will make a determination as to what category of permit the project will fall under and determine if additional permits are necessary. Alternative No. 2 will not require any additional permitting. Alternative No. 3 and No. 4 will require a USACE Dredge and Fill Permit as the project requires excavation of wetlands for construction of the stormwater treatment pond.

A preliminary meeting was held at the SJRWMD on May 12, 2010 to discuss the general concept of the project. The SJRWMD confirmed the permitting requirements as well as the need for mitigation for the proposed elimination of the wetlands.

6.3. Alternative Selection

The following design factors were evaluated in the selection of the most advantageous alternative for the City of Tavares:

- Available area for construction

- Operational use of the system
- Conveyance and Treatment Capacity
- Environmental considerations
- Maintenance activities
- Construction Cost
- Operations and Maintenance Cost

6.3.1. Available Area for Construction

All alternatives will involve use of the existing roadway rights-of-way to replace the existing piping and for the pond associated with the conveyance system.

Treatment Alternative No.3 and Alternative No. 4 use existing space beneath the roadway within the existing roadway rights-of-way for construction of the storm chambers. Treatment Alternative No. 4 uses undeveloped land where no conservation easements have been identified for construction of the wet detention pond. .

6.3.2. Operational Use of the System

For all alternatives, the existing flows will be bypassed around the construction area allowing for no interruptions to the stormwater system.

6.3.3. Conveyance and Treatment Capacity

Alternative No. 3 and No. 4 can provide treatment for the existing developed condition as well as the future build-out condition based on City of Tavares zoning. This can be accomplished by installing greater quantities of storm chambers to handle the additional treatment requirements. The proposed conveyance system is designed for the existing developed condition. Construction of a conveyance system to accommodate flows from the future build-out condition would result in oversized pipelines that would be difficult to install beneath the existing roadway.

6.3.4. Environmental Considerations

The modifications proposed in Conveyance Alternative No. 1 will provide relief of flooding and ponding observed throughout the CRA.

Treatment Alternatives No. 3 and No. 4 provide treatment superior to the existing condition. The presence of treatment within the system allow for a reduction in the volume of water that is directly discharged into Lake Dora and provides treatment for reduction in TMDLs. Griffey performed an initial TMDL assessment for the Area A. The existing TMDL pollutant load is approximately 111 kilograms per year into Lake Dora. With the construction of one proposed wet detention pond, the pollutant load can be reduced by approximately 60 percent to 43 kilograms per year. TMDL assessments

were not provided for Area B, but with the installation of storm chambers, the water quality will be improved prior to discharging into the surrounding wetlands.

Treatment Alternative No. 4 proposed the reduction of direct outfalls into Lake Dora from seven to four, and modifies the system where the four outfalls will only be used to handle peak flows. The system will mitigate flooding issues and contribute to the reduction of TMDLs into Lake Dora.

6.3.6 Maintenance Activities

The use of storm chambers has more involved maintenance due to silt build up at the bottom of the storm chambers. The wet detention pond, has limited maintenance activities such as mowing and trimming of vegetation. Alternative No. 4 combines the wet detention pond with the storm chambers and would provide a system that would have an overall moderate maintenance effort.

6.3.5. Construction Cost

The cost analysis revealed that Treatment Alternative No. 4B is the least expensive alternative and will provide conveyance capacity and treatment for the existing condition.

6.3.6 Operations and Maintenance Cost

The existing operations and maintenance costs for the stormwater collection system are based on an understaffed department. The existing condition of the system with flooding causes water to back up into the roadway and private property and also causes debris and vegetation to block existing structures. The staff is unable to keep up with maintenance of the existing system. As a solution, the City has moved the stormwater department under the Utility Department. The utility department has additional staff as well as redundant equipment that can be shared between the two departments.

Alternative No. 3 - With the construction of the proposed system, the maintenance of the conveyance system will be reduced as the system would be functioning properly for the 10-year design storm. The reductions in maintenance activities would off-set the additional activities for the treatment system including flushing of the storm chambers. With the larger quantity of storm chambers in this alternative, the operations and maintenance budget is anticipated to increase slightly, but not significantly.

Alternative No. 4 - With the construction of the proposed system, the maintenance of the conveyance system will be reduced as the system would be functioning properly for the 10-year design storm. The reductions in maintenance activities would off-set the additional activities for the treatment system including mowing and occasional flushing of the storm chambers. There is no net change in operations and maintenance budget anticipated.

6.4. Final Selection

Based on the selection criteria identified above, Conveyance Alternative No. 1 and Treatment Alternative No. 4B are chosen for implementation. This alternative allows the City to upgrade their conveyance and treatment system to accommodate the existing developed condition. Additional conveyance and treatment system components will be required in the future to accommodate the build-out development condition. Should construction prices be competitive and budget remains after construction of Conveyance Alternative No. 1 and Treatment Alternative No. 4A, additional storm drains will be added as an additive alternate bid item to the project to provide treatment for the future developed condition within Areas A and B.

6.5. Project Conclusion

The project costs outlined in Section 5.4 for replacement of the stormwater infrastructure through are estimated based on the current construction bids of which we are aware. We understand that the bidding climate may fluctuate based on economic conditions and that at the time of construction the bids may differ from our original estimate.

The City is currently performing an evaluation of the stormwater system in the balance of the City for the purpose of improving the overall condition of the City's stormwater system. The findings and recommendations from the ongoing evaluation may reveal that pipe replacement and installation of new pipe and structures is necessary due to the age, condition and conveyance capacity of the system. This may lead to a future utility replacement project similar to that proposed herein.

7. Proposed Project Overview Summary

7.1. Project Design

7.1.1. Stormwater Collection System

The Downtown Redevelopment Master Plan (Plan) provides the City with a plan for the future of downtown Tavares and identifies its potential to develop as a vibrant, pedestrian-oriented, mixed use center. The Plan calls for several roadway improvements in the downtown area to establish a safe and efficient traffic circulation pattern and a pedestrian friendly environment. To support these reconfigurations and the increased densities that will result, improvements must be made to the stormwater collection system to reliably serve the additional demands this growth will generate. The City is currently beginning the design phase for improvements to the water distribution system and wastewater collection system. The City is also in the process of implementing a City wide reclaimed water distribution system. The reclaimed water distribution system is in the final design phase. These utility projects are part of the Plan to improve the existing system to handle the proposed growth. As the stormwater lines lie beneath the same roads that are included in the construction of the other utilities (water, wastewater and reclaimed water), the City performed an analysis of the condition of the existing stormwater collection system.

The majority of the existing stormwater buried infrastructure in the CRA was installed in the 1950's. Visual reconnaissance identified several stormwater inlets that appear to be of newer construction. Modifications to the stormwater collection piping are required to address the 10-year design storm without creating localized flooding/ponding. In order to provide treatment for the existing developed condition, a wet detention pond will be constructed in Area A to reduce the direct discharge into Lake Dora. Storm Chambers will be provided in Area B to provide treatment.

7.1.2. Selected Capacity Alternative– Increase Capacity by Upsizing Pipe and Installation of New Structures (Alternative No. 1)

7.1.2.1. Description

The existing stormwater collection system installed in the roadway ROW was evaluated against a 10-year storm. The results of the analysis indicate that the existing system is incapable of passing the design storm, which results in localized flooding/ponding. The results attained are consistent with the conditions experienced during routine storm events. The primary reason for the limited system capacity is an inadequate quantity of stormwater inlets or stormwater pipes, and the existing stormwater pipe diameters are too small. In addition, a new stormwater pond is proposed in an existing upland system

located within the right-of-way of Barrow Avenue. The pond would be designed as an on-line system that would provide additional storage, but will not be permitted as a stormwater treatment pond. The Area B pond will discharge into the adjacent wetland system and would assist in improved hydraulics.

The selected alternative will provide stormwater collection capacity for the existing developed condition.

7.1.2.2. Design Considerations

The design requirements for open trench construction techniques for replacement of the existing pipe and installation of new stormwater piping include the following general guidelines:

- Provide side slopes and bench per OSHA requirements (typical 2:1 slopes).
- Excavate and remove the existing pipe.
- Provide proper pipe bedding and compaction for minimal settling and pipe support.
- Provide a minimum of 36-inches of cover for most applications.
- Resurface the area with proper sod, concrete or asphalt pavement, as applicable.

7.1.2.3. Construction Constraints

The following construction constraints were identified with the conventional pipe replacement method:

- Buried Utilities - Excavation performed for the pipe replacement requires construction of a trench. In areas where there are crowded utility lines within the right-of-way or easement area, construction of a trench can be risky to avoid interference and ensure that the existing utilities are not damaged.
- Pipe Depth - Pipe replacement is possible, but becomes more complicated as the depth increases.
- Land Requirements - Due to the nature of the construction method (open cut) additional space is required for the work area. Therefore, if space is limited or is in close proximity to structures the construction may be difficult.
- Weather Conditions – Wet weather delays may create unfavorable working conditions that would require the contractor to demobilize and remobilize frequently.
- Environmentally Sensitive Areas – The presence of environmentally sensitive areas within the pipeline route can complicate installation of pipeline. The presence of wetlands and/or any preserved areas that need to be crossed, or areas where noise and dust pollution, or construction runoff are unacceptable may

require the use of an alternate construction method or additional permitting requirements.

7.1.3. Selected Treatment Alternative – Combination Treatment Ponds and Storm Chambers (Alternative No. 4A)

7.1.3.1. Description

To provide sufficient stormwater treatment within Area A and B, a combination of ponds and storm chambers is proposed. The pond alone will provide sufficient treatment within Area A and storm chambers will be required for Area B as there is no available area for a wet detention pond. The selected alternative will provide stormwater treatment within Areas A and B for the existing developed condition.

Wet detention ponds are stormwater control structures that provide both retention and treatment of storm water runoff. A wet detention pond has a permanent volume of water (permanent pool volume) into which storm water runoff is directed. The runoff from rain events is directed through the conveyance system into the pond. The pond retains and treats the water until it is displaced by a subsequent rain event. The pond uses its natural characteristics to remove pollutants. A wet detention pond can provide a more superior pollutant removal and retention of stormwater than the other treatment systems described in this PER.

The CRA has one readily available property available for a wet detention pond. The area proposed for one pond is an existing wetland system located between S. Sinclair Avenue and S. Bloxham Avenue, just to the south of the Lake County jail within Area A. The property for the proposed pond is owned by Lake County (Parcel ID 29-19-26-050005500200). A parcel map and title searches are included in Appendix F. The existing wetland does not have any conservation easements attached to it, therefore, it can be considered for creation and use as a wet detention pond.

The conversion of an existing wetland system into a treatment pond would require the elimination of the wetland with the required associated environmental permitting and mitigation activities. An evaluation of the wetland and a discussion of the permitting requirements was prepared by LPG Environmental & Permitting Services, Inc. The LPG report is provided in Appendix G.

The wet detention pond would provide treatment for the Area A, including existing County owned properties located within Area A of the CRA. This option would allow for the elimination of several smaller existing stormwater retention areas throughout the CRA. The pond would be designed as an off-line system. The initial, first flush of runoff would be intercepted and directed to the treatment pond. Once the treatment pond filled to its design stage, all subsequent flows would continue directly into Lake Dora. A new interceptor pipe would be required along Ruby Street, with diversion structures at the

crossing of each of the discharge lines leading to Lake Dora. The wet detention pond also includes the construction of a stormwater interceptor pipe on Ruby Street to direct stormwater into the pond.

The construction of the downtown area wet detention pond will require a coordinated joint effort between the City of Tavares and Lake County. An inter-local agreement for this issue has been finalized between City and the County. The County will remain the owner of the wetland, and a potential beneficiary of the system and the City will be the constructor and maintainer of the pond.

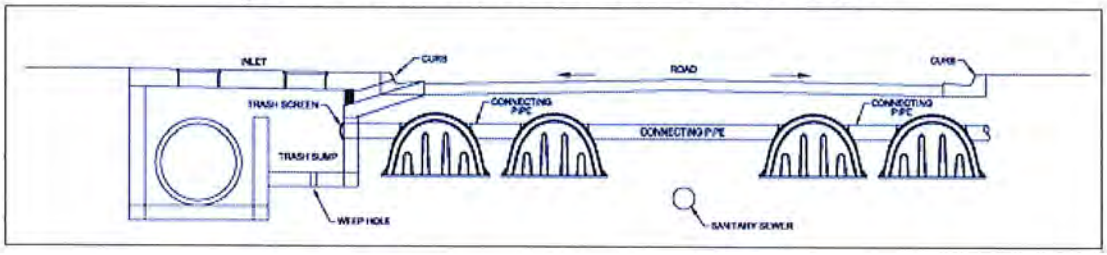
There is not currently any readily available undeveloped land within Area B that is sizable for construction of a wet detention pond. At this time, a wet detention pond is not considered feasible for Area B. Further consideration will be given during the design phase to determine where there is a suitable location for a wet detention pond. There is a pond proposed within Area B, but it is for conveyance capacity purposes only, not treatment.

Storm Chambers will be utilized within Area B for treatment. Storm chambers are buried arch shaped chambers with an open bottom that allow retention and detention of water in addition to conveyance. The storm chambers use the properties of the soil to provide nutrient removal as the water percolates into the soil. The chamber functions similarly to a septic tank drainfield. In some instances a geotextile fabric is used under the chamber to provide extra filtration of the water.

Storm chambers require a significant amount of space under the existing roadway and may create conflicts with existing utilities. In addition, maintenance activities for this option are greater due to inspection requirements and removal of silt build up.

A typical cross-section of an understreet storm chamber application under a roadway is shown in **Figure 7-1**.

Figure 7-1: Understreet Storm Chamber Cross Section



7.1.3.4. Design Considerations

The design criteria used for stormwater treatment are outlined in Chapter 40C-42 of the SJRWMD (District) regulations. For storm chambers, the SJRWMD criteria for off-line retention systems was used. This requires the retention of the initial one-half inch of runoff or 1.25 inches of runoff from the impervious area, whichever is greater. For the wet detention pond, the District's criteria for wet detention was used. This requires the retention of one inch of runoff or 2.5 inches of runoff from the impervious area, whichever is greater. The storm sizing of chambers uses the build-out condition within the CRA for treatment requirements.

The pond would need to be designed and constructed to meet the SJRWMD criteria for wet detention treatment and will be designed to accommodate the required permanent pool volume for both the existing and future build-out conditions. For the Area A wet detention pond, the District's criteria for wet detention was used. This requires the retention of one inch of runoff or 2.5 inches of runoff from the impervious area, whichever is greater. Due to sizing limitations, the pond will provide sufficient treatment for the existing condition, but does not meet the full treatment requirements at build-out. Additional treatment options will be required for construction in the future. **Table 5-5** shows the storage and treatment capacity of the Area A pond.

Table 7-1:
Area A Pond Storage and Treatment

Location	Capacity to Hold Permanent Pool Volume - Existing	Capacity to Hold Permanent Pool Volume - Future	Capacity to Provide Treatment - Existing	Capacity to Provide Treatment - Future
Area A Pond	167%	110%	127%	84%

Storm Chambers will be used for stormwater treatment within Area B and will make up the difference within Area A for the future build-out condition.

Table 7-2:
Storm Chambers Treatment

Location	Capacity to Provide Treatment - Existing	Capacity to Provide Treatment - Future
Area A	not needed	insufficient
Area B	100%	insufficient

The control orifice of the pond establishes the difference between the permanent pool and the treatment volume. Typically, the control elevation is determined by the average of

the mean annual high and mean annual low elevation of the tailwater. In this case, Lake Dora is the receiving water body that would establish the tailwater elevation condition.

There is a pond recommended for Area B, but it is only being used for conveyance capacity, not treatment. The description and cost for this are included in the Conveyance Capacity Alternative No. 1.

7.1.3.5. Construction Constraints

- Buried Utilities - Excavation performed for the pipe replacement requires construction of a trench. In areas where there are multiple utility lines within the right-of-way or easement area, construction of a trench can be risky to avoid interference and ensure that the existing utilities are not damaged.
- Pipe Depth - Installation becomes more complicated as the depth increases.
- Land Requirements - Due to the nature of the construction method (open cut), additional space is required for the work area. Therefore, if space is limited or is in close proximity to structures the construction may be difficult.
- Weather Conditions – Wet weather delays may create unfavorable working conditions that would require the contractor to demobilize and remobilize frequently.
- Environmentally Sensitive Areas – The presence of environmentally sensitive areas proximal to the construction site will require the use of turbidity barriers and other erosion control methods to prevent construction debris from entering the surrounding wetlands.
- Dewatering – Excavation of the pond material will include dewatering and a location of disposal water will have to be identified.
- Excavation of existing material – The existing forested wetland is dense with vegetation and muck. Location and methods for efficient removal and disposal of the vegetation and muck will have to be considered.

7.2. Total Project Summary and Cost Estimate

The following components are required for the implementation of the selected conveyance capacity and treatment alternatives.

In order to provide the additional stormwater conveyance capacity needed to meet the 10-year design storm, the following improvements requiring new construction are recommended.

- Install 210 linear feet of 12-inch diameter reinforced concrete stormwater piping
- Install 320 linear feet of 15-inch diameter reinforced concrete stormwater piping

- Install 1,370 linear feet of 18-inch diameter reinforced concrete stormwater piping
- Install 2,750 linear feet of 24-inch diameter reinforced concrete stormwater piping
- Install 4,030 linear feet of 30-inch diameter reinforced concrete stormwater piping
- Install 1,670 linear feet of 36-inch diameter reinforced concrete stormwater piping
- Install 2,260 linear feet of 42-inch diameter reinforced concrete stormwater piping
- Install 360 linear feet of pipeline (24-inch through 30-inch) through trenchless technology.
- Install 91 stormwater inlets
- Install 10 mitered end sections
- Install 15 stormwater manholes

In order to provide the additional stormwater treatment capacity required for the existing developed condition, the following improvements requiring new construction are recommended to be performed in addition to the conveyance capacity modifications.

- Wet Detention Pond
- 1800 linear feet of 42-inch reinforced concrete pipe
- 5 stormwater inlets
- 1 manhole
- 48,000 cubic feet of storm chambers

The project costs for replacement of the stormwater infrastructure and construction of ponds are estimated to the best of our knowledge based on recent construction bids of which we are aware. We understand that the bidding climate may fluctuate based on economic conditions and that at the time of construction the bids may differ from our original estimate.

The costs were developed using R.S. Means and previous completed engineering projects in which open cut pipe replacement was used. The cost for the traditional pipe installation and replacement method include mobilization, traffic control, pavement removal, , shielding, pipe removal and disposal, sloping, pipe bedding, new pipe installation, backfill, compaction, construction of the wet detention pond replacement, including excavation, dewatering, grading, sodding, disposal of existing structures, erosion control, and any pond specific conveyance modifications required, and demobilization. Please refer to **Table 7-2** that provides a summary of the project construction costs for the stormwater collection system improvements. The table summarizes the total project cost including construction cost, legal fees, engineering fees and contingency.

Table 7-3:
Summary of Total Project Costs

Cost Description	Cost
Construction Cost	$7,559,000
Engineering Fee (including PER and ER)	$489,637
Resident Project Representative	$151,180
Additional Costs (Subcontractors and Permits)	$160,000
Legal Fee	$50,000
Interest During Construction	$200,000
Project Subtotal	$8,609,817
Contingency	$860,982
TOTAL PROJECT COST	$9,470,799

7.3. Additive Alternatives

Should the bidding environment favor the City of Tavares and construction costs are bid lower than anticipated, the construction of storm chambers within Area A and the additional construction of storm chambers within Area B will be included as an additive alternative item. This will allow the system to provide 100 percent stormwater treatment for Area A and Area B for the future developed build-out condition. Although the treatment of stomwater for the future build-out condition is not immediately necessary, the construction of the storm chamber concurrently with the proposed project can present reduced disruption in the future. Construction of storm chambers is generally conducted beneath the road way. Construction can cause disruption in traffic pattern and inconvenience residents and business patrons in the vicinity of the construction activities. With this additive alternate project, storm chamber can be installed concurrently with roadway demolition for the proposed project reducing the amount of roadway disruption in the future. In addition, additional treatment capacity will be available during times of high stormwater volume.

In order to provide the 100 percent of the stormwater treatment capacity required for the future build-out condition (Area A and Area B), the following improvements requiring new construction are recommended to be performed in addition to the conveyance capacity modifications.

- 89,000 cubic feet of storm chambers

The construction cost for the additive alternative is approximately $1,275,100. The additional fees related to this additive alternative are provided in **Table 7-3** below:

Table 7-4:
Additive Alternative Costs

Cost Description	Additive Alternative
Additional Construction Cost – Treatment	$1,275,100
Additional Mitigation	$0
Additional Engineering Fee	$81,606
Additional Resident Project Representative	$25,502
Additional Costs (Subcontractors and Permits)*	$25,000
Additional Legal Fee	$0
Additional Interest During Construction	$0
Additive Alternate Project Subtotal	$1,407,208
Contingency	$140,721
TOTAL ADDITIVE ALTERNATE COST	$1,547,929

7.4. Annual Operating Budget

7.4.1. Income

City's income and expenditures (for the most recently completed fiscal year as well as projections for FY 2010 through FY 2014) are included in Appendix B. Estimated income for stormwater for FY 2012 is $459,857. This assumes no growth in accounts and no increases to the current stormwater user charge of $4.50 per equivalent residential unit.

7.4.2. Operations and Maintenance Costs

City's income and expenditures (for the most recently completed fiscal year as well as projections for FY 2010 through FY 2014) are included in Appendix B. Estimated operations and maintenance expenses for stormwater for FY 2013 is $316,158.

Table 7-5:
City of Tavares O&M Expenses (estimated 2013)

Salaries & benefits Salaries & benefits	$203,293
Materials and supplies	$36,874
Repairs and maintenance	$17,776
Professional Services	$35,431
Other operating expenditures	$22,784
Total operating expenses	$316,158

7.4.3. Debt Repayments

City stormwater operations are budgeted as a separate, non-major enterprise fund and do not currently have any outstanding debt obligations. The expected annual debt service is $1,569,891 on a construction of $18,900,000 with an anticipated loan period of 20 years at a 5.5-percent (calculation provided in Appendix D amortization table). This assumes simple amortization and no grant or forgivable principal included within the loan amount.

7.4.4. Reserves

7.4.4.1. Debt Reserves

The expected annual debt service is $1,569,891. Per RUS Bulletin 1780-2 and 1780-3, the recommended annual debt service reserve is 1/10 of the annual debt service which is $156,989 for this project.

7.4.4.2. Short-Lived Assets

With the information we have to date, the stormwater system is comprised of primarily long term assets and that there are not any anticipated short-term assets. Any minor repairs will be included in the operations and maintenance budget.

These modifications of the existing stormwater collection system are recommended to allow for a longer useful life and less required maintenance.

7.5. Comparable Stormwater Rates

In order to help assess the City's financial eligibility for funding for the stormwater improvements, USDA Rural Development requested that stormwater rates for comparable Florida cities be provided. The following cities were selected based on similar median income reported during the 2000 census. Stormwater rate information used to generate this Table 7-5 are provided in Appendix H.

Table 7-6:
Comparable Stormwater Rates

City	Median Income*	Population	Rates**	Method	Square feet per ERU
Tavares	$31,337	9,700	$4.50	per ERU, 1 ERU for all residential. Non residential = total impervious area of each parcel/average impervious area of 1.0 ERU	3,000
Sanford	$31,163	38,291	$5.60	per ERU, 1 ERU for all residential. Non residential = total impervious area of each parcel/average impervious area of 1.0 ERU	2,126
Cape Canaveral	$30,858	8,829	$3.00	per ERU, Non residential = total impervious area of each parcel/average impervious area of 1.0 ERU	2,074
Longwood	$33,119	78,452	$6.00	per ERU, non-residential $6.58 per equivalent ERU minimum if no onsite storage.	2,868
Eustis	$32,032	15,106	$6.00	per SFU for residential, per equivalent SFU for non-residential. Non-residential $12.00 per ESFU.	2,187
St. Augustine	$32,358	11,592	$5.00	per ERU, 1 ERU for all residential. Non residential = total impervious area of each parcel/average impervious area of 1.0 ERU. Non-residential $7.50 per ERU.	2,000

*2000 Census

**Florida Stormwater Rate Survey, 2009

7.6. Impact to User Charges

The following section describes how the proposed project will affect the City of Tavares Stormwater system user charges assuming 100% loan financing.

7.6.1. Projected Impact of Proposed $10,000,000 USDA RD Loan to City's Stormwater User Charges

The projected impact to the City of Tavares monthly stormwater user charges is provided in Table 1 in Appendix I, assuming the full $10,000,000 grant and loan request is issued fully as a loan. The projections are based on the stormwater enterprise fund results through fiscal year (FY) 2009, the most recently completed audited financial results, adjusted for assumptions discussed below. The City's fiscal year ends September 30 of each year. The impact is for illustration purposes only as the adjusted monthly rates for service have not been presented to nor adopted by City Council.

7.6.2. Operating revenues

FY 2009 operating revenues include user charges, miscellaneous revenues and interest income. FY 2010 through FY 2014 user charge revenues assume no customer growth and projected user charge increase in FY 2012 sufficient to exceed proposed USDA Rural Development loan debt service coverage loan requirements of 1.20 times annual debt service requirements. The projected monthly user charge increase reflects an increase from $4.50 per single family equivalent unit to $11.25 or a 150% increase effective October 1, 2011 or the first day of FY 2012.

Miscellaneous revenues are based on FY 2009 results, adjusted by 1% increase per year and interest income is based on FY 2009 results without any annual adjustment.

7.6.3. Operating expenses

FY 2009 operating expenses, by type, were adjusted assuming annual 4% increase in salary and benefit expenditures and 2.5% increase in all other types of operating expenses. The operating expenses exclude depreciation, interest expense and transfers to the general fund.

7.6.4. Debt and Debt Service

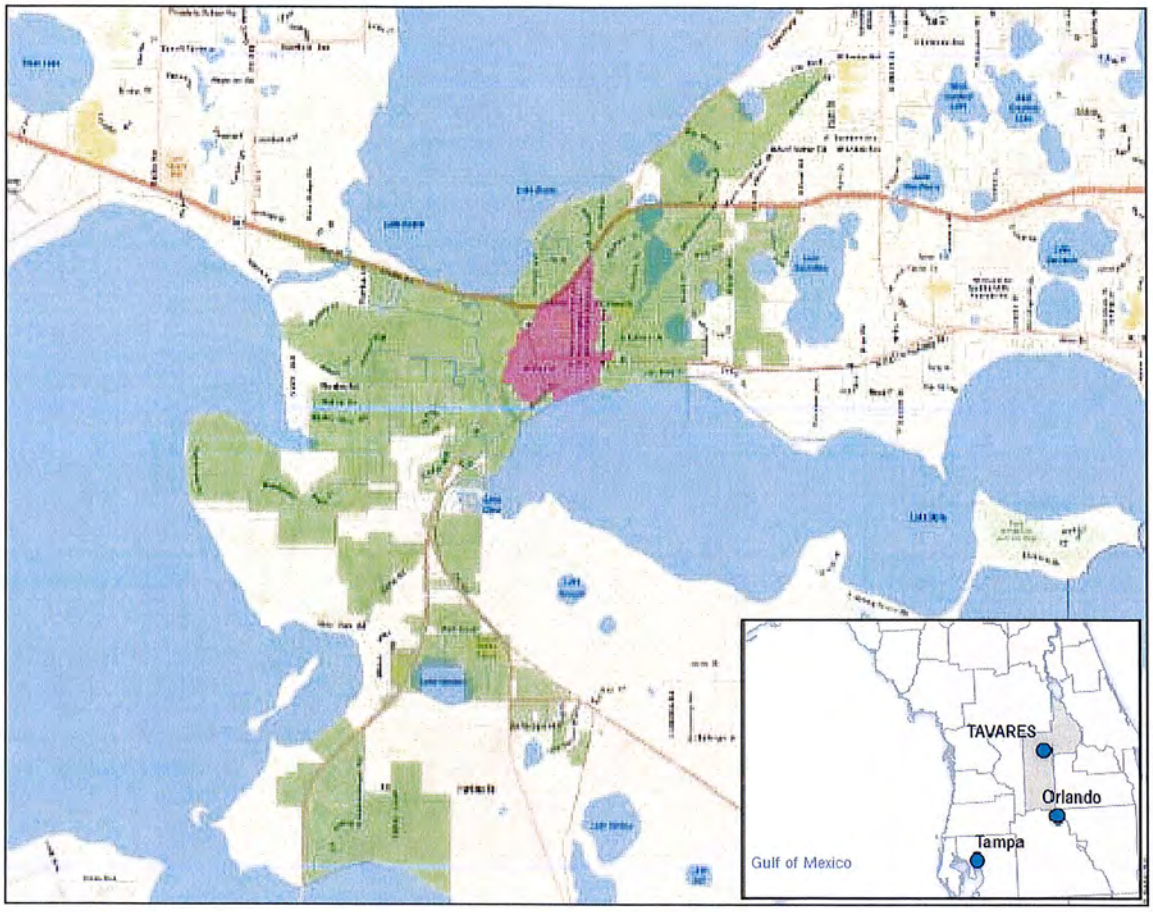
The City's stormwater enterprise fund does not currently have any outstanding debt or debt service. The City has applied to the USDA – Rural Development for grant and loan assistance to fund proposed stormwater improvements. To estimate the impact of the requested grant and loan assistance, it is assumed that 100% of the requested funds loaned are to be repaid by stormwater enterprise fund user charges. Annual debt service payments of $630,176 incorporated within Table 1 in Appendix I are based on the following assumptions:

- $10,000,000 loan amount
- Simple amortized semi-annual principal and interest payments
- 38 year loan term

- 5.5% interest rate
- First payment due December 2012 (FY 2013)
- Debt service coverage requirement of 1.20 times (120%) annual debt service

7.6.5. Transfers to the General Fund

FY 2010 through FY 2014 transfers to the general fund are projected based on FY 2009 results without any annual adjustment. These transfers are excluded from the debt service coverage requirements as they are not considered operating expenses for coverage but are incorporated as annual cash flow requirements and overall revenue increases.



City of Tavares Boundary

Community Redevelopment Area Boundary

MALCOLM PIRNIE	Preliminary Engineering Report **GENERAL PROJECT LOCATION** *City of Tavares, FL*	November 2010 FIGURE 1-1

MALCOLM PIRNIE

TAVARES

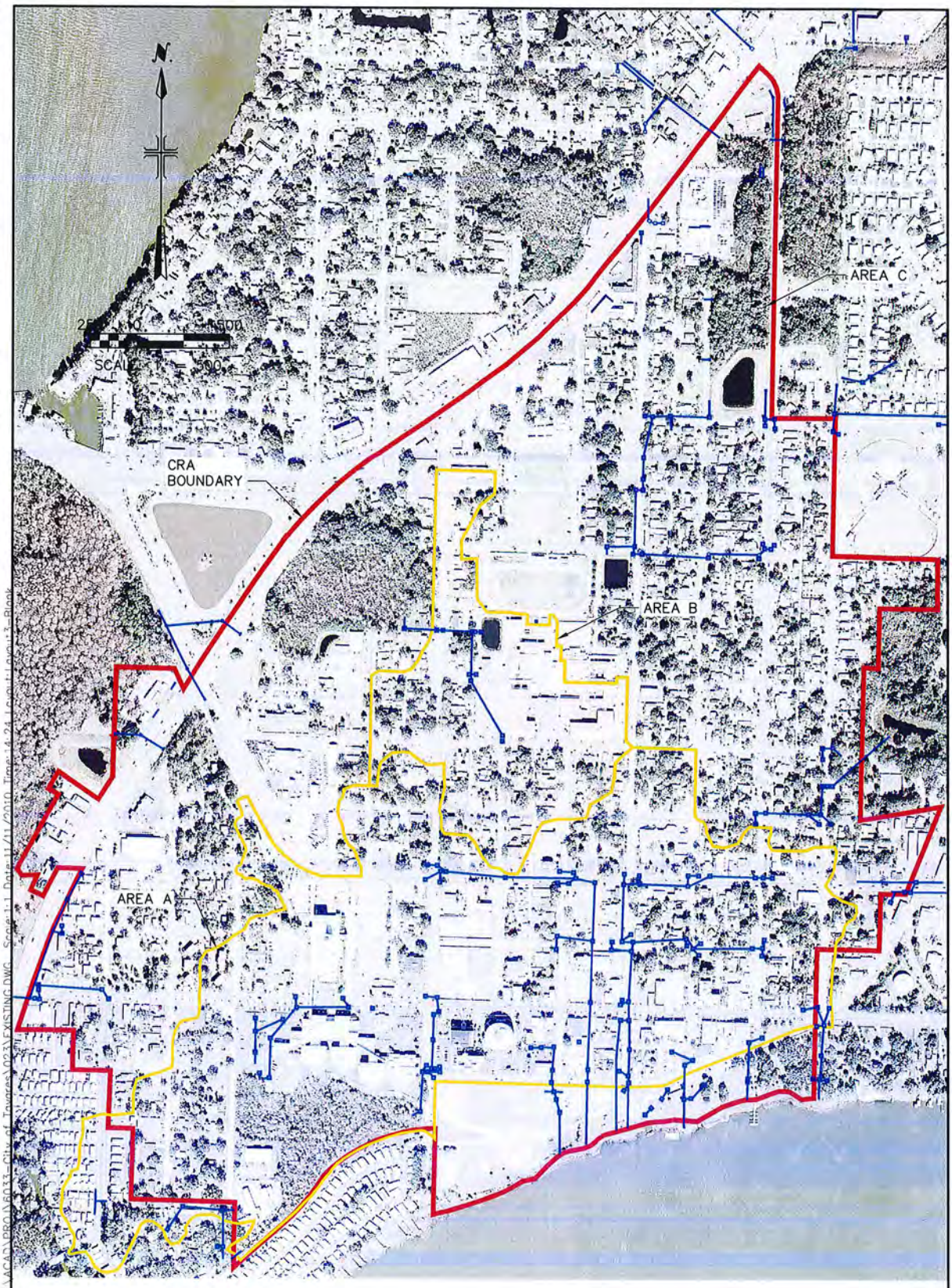
Preliminary Engineering Report

CRA BOUNDARY

City of Tavares, FL

November 2010

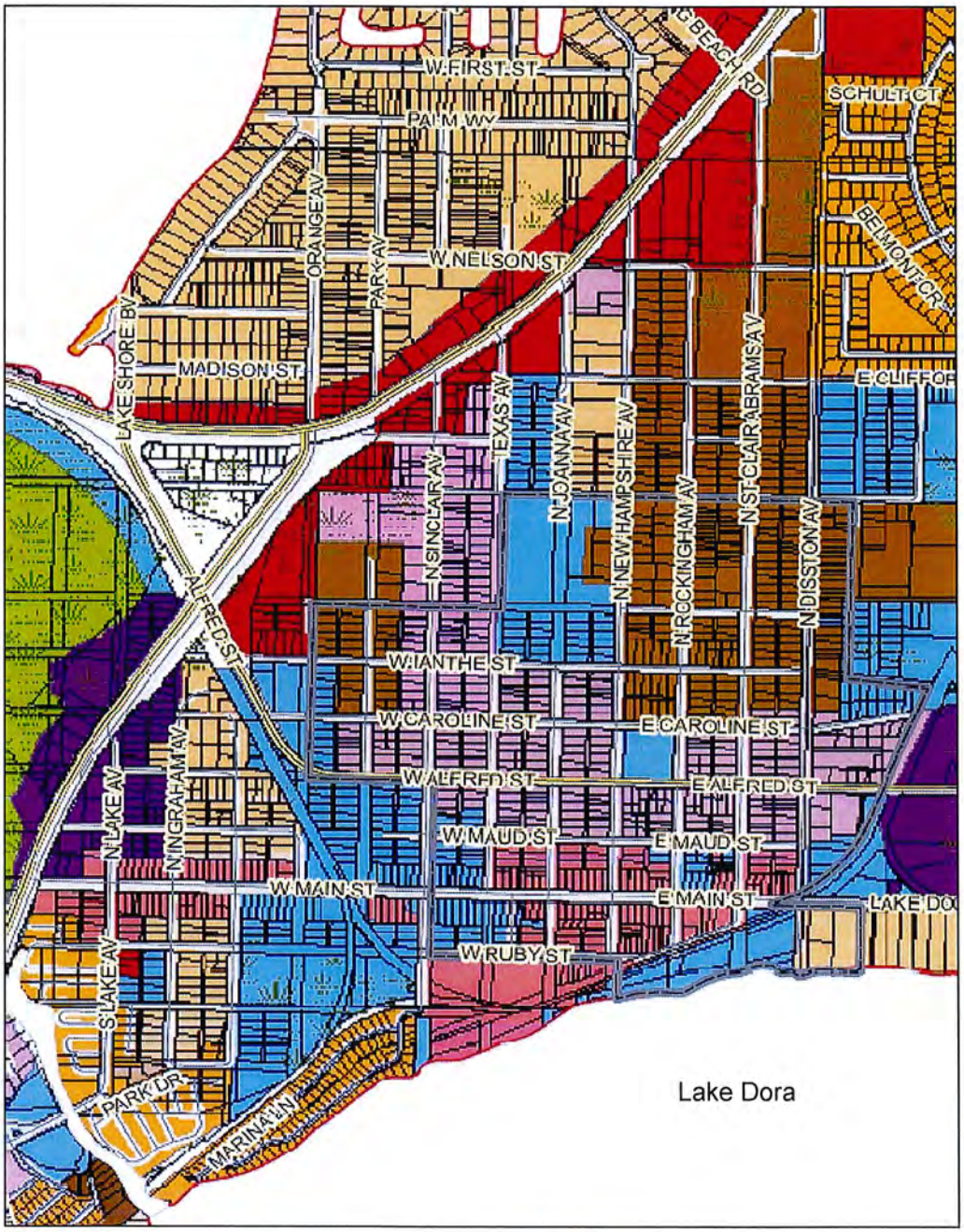
FIGURE 1-2



LEGEND:

EXISTING STORMWATER PIPE

TAVARES	CITY OF TAVARES UTILITY DEPARTMENT	EXISTING STORMWATER COLLECTION SYSTEM	MALCOLM PIRNIE MALCOLM PIRNIE, INC. OCTOBER 2010 FIGURE – 2–1



- Mixed Use Neighborhood
- Mixed Use Commercial
- Commercial
- Commercial Downtown
- Low Density
- Medium Density
- Public Facility/Institutional

MALCOLM PIRNIE

TAVARES

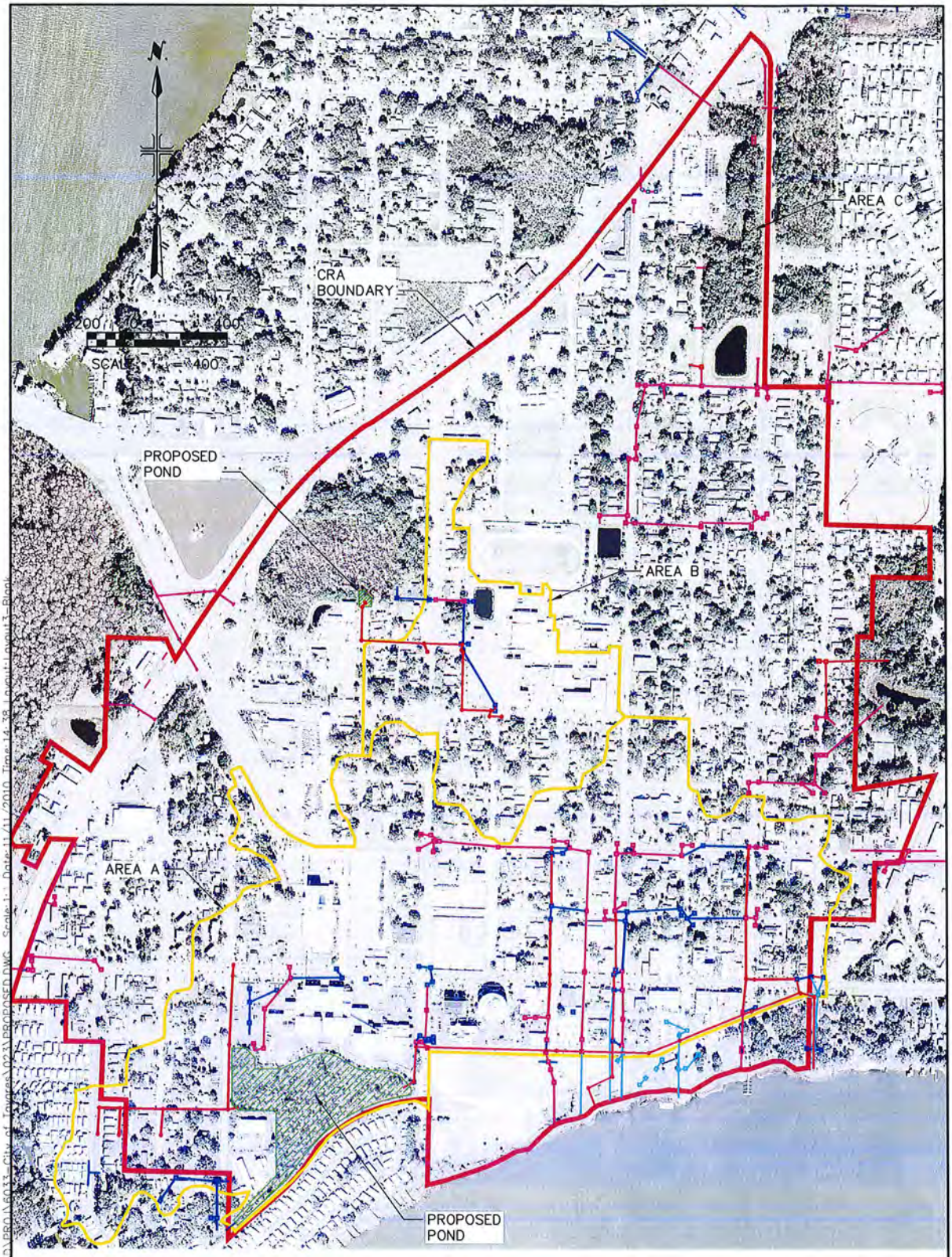
Preliminary Engineering Report

FUTURE LAND USE MAP

City of Tavares, FL

November 2010

FIGURE 2-2



LEGEND:

- EXISTING STORMWATER PIPE TO REMAIN
- EXISTING STORMWATER PIPE TO BE REMOVED
- PROPOSED STORMWATER PIPE
- EXISTING STORMWATER PIPE TO BE UPSIZED

TAVARES	CITY OF TAVARES UTILITY DEPARTMENT	EXISTING AND PROPOSED STORMWATER COLLECTION SYSTEM	MALCOLM PIRNIE MALCOLM PIRNIE, INC. OCTOBER 2010 FIGURE – 6–1

City of Tavares
201 East Main Street • Tavares, FL 32778

Downtown Community Redevelopment Area
Environmental Report

Rural Utilities Project -Stormwater Collection System Improvements

December 2010

Report Prepared By:

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Contents

1. Purpose and Need for the Proposal 1-1

1.1. Project Description (Proposed Action) ... 1-1
1.2. Purpose and Need of the Proposal ... 1-2

2. Alternatives to the Proposed Action 2-1

2.1. Alternative No. 1 – No Action ... 2-1
2.2. Alternative No. 2 – Replacement of and Modifications to the Existing Infrastructure – Existing Developed Condition ... 2-2
2.3. Alternative No. 3 – Replacement of and Modifications to the Existing Infrastructure – Build-Out Condition ... 2-3

3. Affected Environment/Environmental Consequences 3-1

3.1. Land Use/Important Farmland/Formally Classified Land ... 3-1
3.1.1. Affected Environment ... 3-1
3.1.1.1. Alternative No. 1 ... 3-1
3.1.1.2. Alternative No. 2 ... 3-2
3.1.1.3. Alternative No. 3 ... 3-2
3.1.2. Environmental Consequences ... 3-2
3.1.3. Mitigation ... 3-3

3.2. Floodplains ... 3-3
3.2.1. Affected Environment ... 3-3
3.2.1.1. Alternative No. 1 ... 3-3
3.2.1.2. Alternative No. 2 ... 3-3
3.2.1.3. Alternative No. 3 ... 3-4
3.2.2. Environmental Consequences ... 3-4
3.2.3. Mitigation ... 3-4

3.3. Wetlands ... 3-4
3.3.1. Affected Environment ... 3-4
3.3.1.1. Alternative No. 1 ... 3-4
3.3.1.2. Alternative No. 2 ... 3-5
3.3.1.3. Alternative No. 3 ... 3-5
3.3.2. Environmental Consequences ... 3-5
3.3.3. Mitigation ... 3-6

3.4. Historic Properties ... 3-6
3.4.1. Affected Environment ... 3-7
3.4.1.1. Alternative No. 1 ... 3-7
3.4.1.2. Alternative No. 2 ... 3-7
3.4.1.3. Alternative No. 3 ... 3-7
3.4.2. Environmental Consequences ... 3-7
3.4.3. Mitigation ... 3-7

3.5. Biological Resources ... 3-8
3.5.1. Affected Environment ... 3-8
3.5.1.1. Alternative No. 1 ... 3-8
3.5.1.2. Alternative No. 2 and Alternative No. 3 ... 3-8
3.5.2. Environmental Consequences ... 3-9

3.5.3. Mitigation 3-9
3.6. Water Quality Issues 3-10
3.6.1. Affected Environment 3-11
3.6.1.1. Alternative No. 1 3-11
3.6.1.2. Alternative No. 2 and Alternative No. 3 3-11
3.6.2. Environmental Consequences 3-11
3.6.3. Mitigation 3-12
3.7. Coastal Resources 3-12
3.7.1. Affected Environment 3-12
3.7.1.1. Alternative No. 1 3-12
3.7.1.2. Alternative No. 2 and Alternative No. 3 3-12
3.7.2. Environmental Consequences 3-13
3.7.3. Mitigation 3-13
3.8. Socio-Economic/Environmental Justice Issues 3-13
3.8.1. Affected Environment 3-13
3.8.1.1. Alternative No. 1 3-13
3.8.1.2. Alternative No. 2 3-14
3.8.1.3. Alternative No. 3 3-14
3.8.2. Environmental Consequences 3-14
3.8.3. Mitigation 3-14
3.9. Miscellaneous Issues (Air Quality, Transportation, Noise) 3-14
3.9.1. Affected Environment 3-15
3.9.1.1. Alternative No. 1 3-15
3.9.1.2. Alternative No. 2 3-15
3.9.1.3. Alternative No. 3 3-15
3.9.2. Environmental Consequences 3-15
3.9.3. Mitigation 3-15
3.10. State Clearinghouse 3-16

4. Summary of Mitigation **4-1**

5. Correspondence and Coordination **5-1**

5.1. Federal Agencies 5-1
5.2. State Agencies 5-1
5.3. County and Local Agencies 5-2

6. Exhibits **6-1**

7. List of Preparers **7-1**

7.1. List of Preparers 7-1

List of Tables

Table 3-1: Protected Species Within the CRA 3-8
Table 4-1: Mitigation Summary..... 4-1

1. Purpose and Need for the Proposal

1.1. Project Description (Proposed Action)

Located in the center of Lake County, the City of Tavares sits between four lakes: Lake Eustis, Lake Dora, Lake Harris, and Little Lake Harris. The City of Tavares (City) is located 30 miles northwest of Orlando, connected to the Orlando Metropolitan Area by U.S. Highway 441.

In 2007, the City retained the services of IBI Group, Inc. to update the City's existing Downtown Redevelopment Master Plan translating the City's vision into a guidance document for the City. The Downtown Redevelopment Master Plan includes the Downtown Community Redevelopment Area (CRA), an area encompassing approximately 400 acres of land area (including public roadway rights-of-way). The area is bounded roughly by State Road (SR) 19 on the north and west, Lake Dora on the south, and Disston Avenue on the east. This CRA encompasses the entire Downtown historic district of the City, all of the adjacent historic neighborhoods to the north and east, and the commercial and industrial corridors on the north and west. A USGS topographic map is provided as Exhibit A to show the location of the project. The Downtown Redevelopment Master Plan provides the City with a plan for the future of downtown Tavares (including the CRA) and identifies its potential to develop as a vibrant, pedestrian-oriented, mixed use center.

The existing stormwater system experiences flooding/ponding during some storm events. The flooding/ponding is attributed to an undersized stormwater collection system. Modifications to the stormwater collection system (piping and structures) are required to support the City's vision and provide the appropriate stormwater conveyance capacity and eliminate the observed flooding/ponding. The recommended improvements for the CRA provide additional capacity within the system, and ensure reliable relief to recently experienced flooding/ponding during storm events. These utility improvements proposed for downtown Tavares constitute this Rural Utilities Project.

In addition, the stormwater system discharges directly into Lake Dora as well as the surrounding canal and wetland system. The canal and wetlands ultimately drain into Lake Dora. The existing stormwater system incorporates minimal treatment (baffle boxes) prior to discharge into Lake Dora and the surrounding canal system. The proposed design incorporates the use of a wet detention pond and storm chambers to provide treatment of stormwater prior to discharge.

The existing and proposed stormwater collection system is shown as Exhibits B-1 and B-2 respectively. This exhibit also shows the outline of the CRA.

1.2. Purpose and Need of the Proposal

As outlined in the Downtown Redevelopment Master Plan, the City of Tavares is expecting a large amount of growth as a result of their "vision" to reinvigorate the downtown area. Their multi-faceted plan incorporates projects with a complementary mix of residential, employment, recreational, retail, cultural, entertainment, and tourist elements. Some of the large projects planned for the area include, but are not limited to, construction of a sea-plane basin, marina, train passenger platform, community arts and cultural center on Lake Dora, re-building of the pier mixed use community building, and several mixed-use residential communities.

The majority of the existing buried infrastructure in the CRA was installed in the 1950's. During the November 2008 utility system evaluation, a mapping, inventory, inspection, and condition assessment of the stormwater system components within the CRA was performed. The inventory and condition assessment included inspection of the City's stormwater pipes and inlets for operational and physical condition.

The existing stormwater system includes approximately 23 miles of concrete and corrugated metal stormwater pipeline. A condition assessment of the stormwater inventory within the CRA was conducted in 2008. The condition assessment identified:

- Approximately 66 percent of the City's stormwater structures (i.e., inlets and manholes) rated a medium to high priority for repair due to potential for blockage.
- Approximately 11 percent of the City's stormwater pipelines rated a medium to high priority for repair to due structural deficiencies.
- Approximately 52 percent of the City's stormwater pipelines rated a medium to high priority for repair due to potential for blockage.

Blockages in the system can result in additional back-ups in the system which would produce more flooding/ponding events. Analysis performed by Griffey Engineering identified that the existing stormwater system in the CRA is insufficient for a 10-year design storm for conveyance capacity requirements and does not have treatment included in the existing system in all areas, especially for the outfalls that discharge directly into Lake Dora. The purpose of this project is to modify the existing system in order to provide a solution to these identified deficiencies. The proposed modifications will include:

- Improvements to conveyance capacity including upsizing of stormwater pipes, installation of new stormwater pipes and installation of new outfalls.
- Addition of new structures to provide treatment of stormwater.

There will be no additional impervious space created and no increase in peak discharge volume.

In addition, the stormwater system discharges directly into Lake Dora as well as the surrounding canal and wetland system. The canal and wetlands ultimately drain into Lake Dora. There are three existing stormwater treatment ponds located within the current stormwater system with the CRA. There is minimal stormwater treatment capabilities incorporated into the existing system.

Lake Dora is considered part of the Oklawaha River Watershed, a Class III water body. The Florida Department of Environmental Protection (FDEP) had identified Lake Dora as impaired and had established Total Maximum Daily Loads (TMDLs) for total phosphorus. Reducing the discharges of total phosphorus into the basin will help achieve water quality standards and the 67 percent decrease in total phosphorus identified in the, Total Maximum Daily Load for Total Phosphorus for Lake Dora and Dora Canal Lake County, Florida prepared September 23, 2003 by FDEP. The reduction will assist in returning Lake Dora to its designated uses established by FDEP for recreational use and for the propagation and maintenance of a healthy, well-balanced population of fish and wildlife.

Griffey Engineering, Inc., a stormwater engineer performing work for the City of Tavares, performed preliminary calculations to determine the amount of Total phosphorus loading from Area A within the CRA (pollutant loading calculations for Areas B and C were not performed). The calculation shows approximately 111 kilograms per year of total phosphorus loading into Lake Dora.

2. Alternatives to the Proposed Action

For the purposes of this PER, the CRA has been divided into three areas for discussion of stormwater improvements.

- **Area A** includes a majority of the southern portion of the CRA including Alfred, Ruby and Main Street. Stormwater currently discharges into Lake Dora (directly) and into the associated wetlands. The associated wetlands eventually discharge into Lake Dora. There is currently minimal treatment (baffle boxes) for stormwater discharges. The stormwater conveyance capacity and/or storage does not appear to be sufficient as flooding has been observed within this area of the CRA.
- **Area B** includes the central segment of the CRA including some areas with stormwater discharges from Tavares High School. Stormwater runoff from the high school currently discharges into a pond located on the school property. Other areas within Area B discharge into an unnamed wetland located north of Barrow Avenue. The existing wetland currently discharges into the Dora Canal and associated wetlands, and eventually discharges into Lake Dora. The stormwater conveyance capacity and/or storage does not appear to be sufficient as flooding has been observed within this area of the CRA.
- **Area C** includes the northern portion of the CRA as well as the eastern and western portions not included in Areas A and B. Stormwater currently discharges into two existing stormwater ponds as well as into a wetland located just beyond the eastern CRA boundary. The existing wetland currently discharges into the Dora Canal and associated wetlands, and eventually discharges into Lake Dora. The stormwater conveyance capacity and/or storage do not appear to be sufficient as flooding has been observed within this area of the CRA.

2.1. Alternative No. 1 – No Action

The "no action" alternative includes the continued use of the existing stormwater collection system and outfalls. With this option, the City would continue supporting the CRA using the existing infrastructure. The current system in insufficient to provide relief for the 10 year design storm and as the City grows, flooding will continue to be experienced throughout the CRA. In addition, there will be insufficient treatment for the stormwater, especially the direct outfalls into Lake Dora.

2.2. Alternative No. 2 – Replacement of and Modifications to the Existing Infrastructure – Existing Developed Condition

This alternative increases the existing conveyance capacity of the existing system and provides methods for treatment in areas where little or no existing treatment exists to accommodate the existing developed condition. Modifications to the conveyance system will include the upsizing of existing pipelines and structures and the installation of new pipelines and structures. For treatment modifications, the use of storm chambers and a wet detention pond were both considered during the engineering evaluation. The construction of a wet detention pond was selected as the best as it is more cost effective, provides increased storage and treatment for the existing developed condition and requires minimal maintenance; however storm chambers well be used in Area B and Area C as there is no readily available land for creation of wet detention ponds. This alternative includes:

- Upsizing existing stormwater piping and manholes. (All Areas)
- Installation of new stormwater piping. (All Areas)
- Installation of new stormwater inlets and manholes. (All Areas)
- Construction of a new pond to improve conveyance. (Area B)
- Creation of a new wet detention pond for treatment. (Area A)
- Installation of storm chambers underneath the existing roadway for treatment. (Areas B and C)

Open cut construction will be used for the installation of the stormwater pipelines and storm chambers. This method involves a substantial footprint along the entire alignment of the pipeline for the activities and equipment associated with the excavation, soil stockpiling, pipe installation, backfill and restoration operations. Open cut construction consists of digging a trench, placing pipe in the bottom of the trench, and backfilling and compaction of sod in the trench.

Creation of the wet detention pond requires excavation of an existing wetland. In addition, creation of wet detention ponds requires a substantial footprint in the vicinity of the excavation to be used for soil stockpiling and grading. The other pond will be used for stormwater conveyance and will be constructed in existing uplands.

The modifications to the existing conveyance system will mitigate the flooding/ponding issues experienced throughout the CRA. The addition of the treatment pond will decrease the existing direct discharge into Lake Dora. The number of outfalls will be reduced from seven to four and will only be used during peak flow.

2.3. Alternative No. 3 – Replacement of and Modifications to the Existing Infrastructure – Build-Out Condition

This alternative increases the existing conveyance capacity of the existing system and provides methods for treatment in areas where little or no existing treatment exists to accommodate the future build-out developed condition of the CRA. Modifications to the conveyance system will include the upsizing of existing pipelines and structures and the installation of new pipelines and structures. For treatment modifications, the use of storm chambers and a wet detention pond are used. . This alternative includes:

- Upsizing existing stormwater piping and manholes. (All Areas)
- Installation of new stormwater piping. (All Areas)
- Installation of new stormwater inlets and manholes. (All Areas)
- Construction of a new pond to improve conveyance. (Area B)
- Construction of a new wet detention pond for treatment. (Area A)
- Installation of storm chambers underneath the existing roadway for treatment. (All Areas)

Open cut construction will be used for the installation of the stormwater pipelines and storm chambers. This method involves a substantial footprint along the entire alignment of the pipeline for the activities and equipment associated with the excavation, soil stockpiling, pipe installation, backfill and restoration operations. Open cut construction consists of digging a trench, placing pipe in the bottom of the trench, and backfilling and compaction of sod in the trench. The size of the stormwater piping will be larger to accommodate the greater volume of future flows and will require more space beneath the existing roadway and/or roadway rights-of-way. Longer installation times are also anticipated.

Creation of the wet detention pond requires excavation of an existing wetland. In addition, creation of wet detention ponds requires a substantial footprint in the vicinity of the excavation to be used for soil stockpiling and grading. The other pond will be used for stormwater conveyance and will be constructed in existing uplands.

Installation of storm chambers will supplement the pond to provide stormwater treatment for the future build-out condition. There is no reasonably available land to provide a second pond.

The modifications to the existing conveyance system will mitigate the flooding/ponding issues experienced throughout the CRA up to the future build-out condition. The addition of the treatment pond will decrease the existing direct discharge into Lake Dora. The number of outfalls will be reduced from seven to four and will only be used during peak flow.

3. Affected Environment/Environmental Consequences

3.1. Land Use/Important Farmland/Formally Classified Land

The CRA is an area of approximately 400 acres that encompasses several land use categories. According to the City of Tavares Future Land Use Map, there is not a single primary land use within the CRA, but the following land use categories are distributed throughout:

- CD – Commercial Downtown
- COM - Commercial
- IND - Industrial
- LOW – Low Density Residential (5.6 dwelling units (du)/ac)
- MED – Medium Density Residential (12 du/ac)
- MUC – Mixed Use Commercial (25 du/ac)
- MUN – Mixed Use Neighborhood (12 du/ac)
- PUB – Public Facility/Institutional

See Exhibit C for the land use distribution within the CRA.

In addition to City of Tavares Land Use classifications, the CRA was also evaluated for important farmland and formally classified lands. According to Natural Resources Conservation Service (NRCS), no important farmland is located within the boundaries of the CRA. In addition, no documentation with the National Park Service or State Agencies was identified locating Formally Classified Lands within the CRA. Source: www.nrcs.usda.gov.

3.1.1. Affected Environment

3.1.1.1. Alternative No. 1

Continued use of the existing stormwater collection system will have no effect on land use, however, continued use of the undersized system will result in ongoing flooding/ponding isssues within the CRA and could result in damage to personal property and inconvenience to pedestrians and residents.

3.1.1.2. Alternative No. 2

The project intends to improve existing stormwater infrastructure to accomplish the City's goals set for growth in the CRA. A majority of the work will be conducted within existing public roadway rights-of-way. The work required will not have a direct effect on land use and zoning within the CRA, however, the reduction in flooding/ponding will help prevent potential property damage that could be a result of continued flooding/ponding.

The property for the proposed Area A pond is owned by Lake County (Parcel ID 29-19-26-050005500200). The existing wetland does not have any conservation easements attached to it, therefore, it can be considered for creation of a wet detention pond. The conversion of an existing wetland system into a treatment pond would require the elimination of the wetland with the required associated environmental permitting and mitigation activities. An evaluation of the wetland and a discussion of the permitting requirements was prepared by LPG Environmental & Permitting Services, Inc. The LPG report is provided in Exhibit D.

An interlocal agreement between the City and County is under development for the use of the land for the Area A stormwater pond, no additional purchase of land will be required. The agreement has been approved by the City based on language agreed upon by both parties and is planned to be added to the Lake County Board of County Commissioners agenda on November 22 or November 29.

The improvements to the utility system infrastructure are intended to promote the redevelopment of downtown Tavares and the redevelopment will not be possible without the upgraded infrastructure. Growth within the CRA will occur within areas serviced by the improved utility lines, however, focusing the improvements in the CRA will concentrate growth in that area as opposed to undesired sprawl to adjacent areas.

3.1.1.3. Alternative No. 3

Alternative No. 3 is anticipated to have the same affected area as Alternative No. 2 for Land Use, Important Farmland and Formally Classified Lands.

3.1.2. Environmental Consequences

As this project is not located on or within important farmland and formally classified lands, there are no apparent environmental consequences to important farmland or formally classified lands. In addition, the proposed project improvements will not directly affect zoning and/or future land use within the CRA, however, it will reduce the observed flooding/ponding within the CRA. Continued flooding has the potential to damage personal property and can be a nuisance to pedestrian and vehicular traffic.

3.1.3. Mitigation

No mitigation will be required for land use, important farmland and formally classified lands.

The East Central Florida Regional Planning Council (ECFRPC) and the Natural Resource Conservation Service (NRCS) will be provided a copy of this report for review and comment.

3.2. Floodplains

According to the Federal Emergency Management Agency (FEMA), the majority of the CRA is located within Zone X, outside the 500-year floodplain. There is a small portion of the CRA located at the northwest corner of Barrow Avenue and Esther Street (encompassing a portion of Barrow Avenue) located in Zone A, within the 100-year floodplain with no base elevations. See Exhibit E for the FEMA FIRM Map (12069C0361D) of the CRA.

3.2.1. Affected Environment

3.2.1.1. Alternative No. 1

Continued use of the existing stormwater collection system piping will not alleviate the observed flooding/ponding above base elevations of the floodplain throughout the CRA.

3.2.1.2. Alternative No. 2

There is a portion of Barrow Avenue, within Zone A, which is proposed for a water retention area (Area B Pond). Work will be conducted primarily within an existing right-of way and will not modify the existing floodplain elevations. The creation of the wet detention pond is not anticipated to have an effect on existing floodplain elevations. The pond will assist with stormwater conveyance and the reduction of flooding/ponding above base elevations of the floodplain observed throughout the CRA.

The wetland located in the southern portion of the CRA is in the floodplain of the lake. The wet detention pond proposed in this area will be constructed by excavating the existing wetland to allow for storage and treatment capacity greater than the existing wetland can provide. The wet detention pond will assist in alleviating the flooding/ponding above base elevations of the floodplain observed throughout the CRA.

The remainder of the project encompasses the improvement of existing stormwater infrastructure. The infrastructure alignment replacement activities represent a temporary disturbance and will not significantly impact the floodplain, however, it will assist in the reduction of flooding/ponding observed throughout the CRA.

There is no net change in floodplain elevations anticipated as a result of this project.

3.2.1.3. Alternative No. 3

Alternative No. 3 is anticipated to have the same affected area as Alternative No. 2 for floodplains.

3.2.2. Environmental Consequences

Environmental impacts will be temporary and insignificant. There is no net change in floodplain elevations anticipated as a result of this project.

3.2.3. Mitigation

No mitigation will be required for floodplains.

3.3. Wetlands

There are two forested wetland areas within the CRA, and these are identified on maps included in Exhibit F. In addition, the CRA is adjacent to Lake Dora and the Dora Canal. The northern habitat is not within the project alignment; however, alignment may occur within the State's regulated setback during construction of a stormwater conveyance pond and installation of stormwater piping. Impacts to this buffer are not anticipated but will be avoided or minimized where necessary. Should impacts occur, they will be addressed through the State Environmental Resource Permitting (ERP).

The construction of a wet detention pond is proposed in the existing wetland in the southern portion of the CRA. Impacts to this wetland will be addressed through the State ERP process.

Erosion, turbidity and pollution control measures will be utilized in throughout the project to minimize impacts.

3.3.1. Affected Environment

3.3.1.1. Alternative No. 1

Continued use of the existing stormwater collection system will continue to use the existing stormwater outfalls into existing wetlands and also directly into Lake Dora. The outfalls that discharge directly into Lake Dora will continue to have no associated stormwater treatment and will continue to contribute to the degradation of the water quality in Lake Dora.

3.3.1.2. Alternative No. 2

The proposed improvements to the conveyance system and construction of the storm chambers are located within existing public roadway rights-of-way of existing roads. Impacts to nearby wetlands are not anticipated.

Construction of the wet detention pond, for stormwater storage and treatment, will require the elimination of an 8.5 acre wetland. A wetland evaluation was performed in August 2008 by LPG Environmental. The wetland is classified as a Wetland Forested Mix (The Florida Land Use, Land Cover Classification System (FLUCFCS) 630). The wetland has the appropriate vegetation, soil and hydrology to meet the jurisdictional criteria of the SJRWMD (Chapter 62-343, F.A.C.) and due to its connection to navigable waters it also meets the jurisdictional criteria of the USACE Section (404 Clean Water Act). It would not be considered as sovereign submerged lands by the State of Florida as the City of Tavares has title to the sovereign submerged lands in this area. Construction of pond and storm chambers would provide stormwater treatment (where minimal treatment exists) prior to discharging into the existing lake, canal and wetland systems.

3.3.1.3. Alternative No. 3

The proposed improvements to the conveyance system and construction of the storm chambers are located within existing public roadway rights-of-way of existing roads. Impacts to nearby wetlands are not anticipated.

Construction of the wet detention pond, for stormwater storage and treatment, will require the elimination of an 8.5 acre wetland. A wetland evaluation was performed in August 2008 by LPG Environmental. The wetland is classified as a Wetland Forested Mix (The Florida Land Use, Land Cover Classification System (FLUCFCS) 630). The wetland has the appropriate vegetation, soil and hydrology to meet the jurisdictional criteria of the SJRWMD (Chapter 62-343, F.A.C.) and due to its connection to navigable waters it also meets the jurisdictional criteria of the USACE Section (404 Clean Water Act). It would not be considered as sovereign submerged lands by the State of Florida as the City of Tavares has title to the sovereign submerged lands in this area. Construction of pond and storm chambers would provide stormwater treatment (where minimal treatment exists) prior to discharging into the existing lake, canal and wetland systems.

3.3.2. Environmental Consequences

Construction of the wet detention pond, for stormwater storage and treatment, will require the elimination of an 8.5 acre wetland. A wetland evaluation was performed in August 2008 by LPG Environmental. The wetland is classified as a Wetland Forested Mix (The Florida Land Use, Land Cover Classification System (FLUCFCS) 630). The wetland has the appropriate vegetation, soil and hydrology to meet the jurisdictional criteria of the SJRWMD (Chapter 62-343, F.A.C.) and due to its connection to navigable waters it also meets the jurisdictional criteria of the USACE Section (404 Clean Water

Act). It would not be considered as sovereign submerged lands by the State of Florida as the City of Tavares has title to the sovereign submerged lands in this area.

The northern habitat is not within the project alignment; however, alignment may occur within the State's regulated setback during construction of a stormwater conveyance pond and installation of stormwater piping. The State jurisdictional wetland buffer area may have unavoidable but temporary impacts.

Construction of the proposed pond and storm chambers would provide stormwater treatment (where minimal treatment exists) prior to discharging into the existing lake, canal and wetland systems.

3.3.3. Mitigation

Permits will be required from both the SJRWMD and USACE, and mitigation or compensation will be required. LPG staff conducted a field review of the wetland for the Uniform Wetland Mitigation Assessment Method (UMAM). The size of the area was determined to be approximately 8.5 acres based on aerial interpretation. The UMAM score was evaluated to be 0.70 (scale of 0.0 to 1.0). If the entire wetland is impacted, the resultant loss in functional units would be 5.95 units. UMAM sheets are provided in Exhibit D.

To mitigate this impact, an estimate of 5.95 functional units would be required. Mitigation will be provided through mitigation banks or on-site mitigation with existing City owned property through the ERP and USACE permitting process.

A review will be required process pursuant to Chapter 62-340, Florida Administrative Code (FAC) to determine whether there are any additional wetlands or other surface waters process pursuant to Chapter 62-340, Florida Administrative Code (FAC) within project boundaries.

3.4. Historic Properties

The City of Tavares has established a Downtown Historic Overlay District (Historic District) with the purpose to protect and preserve historical resources. The Historic District almost entirely lies within the CRA. According to the Downtown Redevelopment Master Plan, designated processes for the preservation of historic resources and continuance of established architectural form, established by the Division of Historical Resources or the National Register should be followed.

The Bureau of Historic Preservation was contacted during the submittal of the water and wastewater funding application to determine whether there are any historic and/or archaeological properties within the CRA. Several sites, identified on the National

Register of Historic Places, are located within the CRA. All the identified sites are structures. The locations for these sites are identified on maps included inExhibit G.

There are no existing standard setback requirements, State Historic Preservation Office (SHPO) will be contacted to request an individual review of the proposed project. These structures are not within project limits and will not be impacted by this project.

3.4.1. Affected Environment

3.4.1.1. Alternative No. 1

Continued use of the existing stormwater collection system will have no direct effect on historical properties. Improvements to the stormwater conveyance system will alleviate the observed flooding/ponding throughout the CRA. Continued flooding can potentially result in damage to personal property which may or may not include historical properties.

3.4.1.2. Alternative No. 2

The proposed project will be within existing public roadway rights-of-way and undeveloped land. There were no historic roads identified. Reduction of flooding risk will help preserve the condition of Historical Resources within the CRA for the existing development condition.

3.4.1.3. Alternative No. 3

The proposed project will be within existing public roadway rights-of-way and undeveloped land. There were no historic roads identified. Reduction of flooding risk will help preserve the condition of Historical Resources within the CRA through the future build-out condition.

3.4.2. Environmental Consequences

There is no anticipated impact to existing sites listed on the National Register of Historic Places.

3.4.3. Mitigation

No mitigation requirements are anticipated. However, the following guidelines will be used during the project.

1. If prehistoric artifacts such as pottery or ceramics, stone tools or metal implements, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the project will cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, will contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at (850) 245-6333 or (800) 847-7278, as well as the appropriate

funding agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources.

2. In the event that unmarked human remains are encountered during permitted activities, all work will stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statute*.

3.5. Biological Resources

A Florida Natural Area Inventory (FNAI) report was reviewed for a list of federally-listed, state-listed, or proposed threatened or endangered species and candidate species and a delineation of any critical habitat in the CRA and any reasonable alternative areas of potentially affected sites were reviewed. A copy of the FNAI report is provided as Exhibit H.

3.5.1. Affected Environment

3.5.1.1. Alternative No. 1

Continued use of the existing stormwater collection system will allow untreated stormwater to discharge into Lake Dora and affect the biological resources within the lake.

3.5.1.2. Alternative No. 2 and Alternative No. 3

According to FNAI, there are occurrences of protected and federally and/or state listed species that have been documented on or near the CRA. These species are summarized in **Table 3-1** with a more in depth description provided in Exhibit H.

Table 3-1:
Protected Species Within the CRA

Common Name	Species Name	Federal Status	State Listing
Florida Bonamia	*Bonamia grandiflora*	Threatened	Endangered
Britton's Beargrass	*Nolina brittoniana*	Endangered	Endangered
Skelley's June Beetle	*Phyllophaga skelleyi*	Not currently listed	Not currently listed
Elongate June Beetle	*Phyllophaga*	Not currently listed	Not currently listed
Tavares White Miller Caddisfly	*Nectopsyche tavara*	Not currently listed	Not currently listed

Common Name	Species Name	Federal Status	State Listing
Lake Eustis Pupfish	*Cyprinodon varigatus hubbsi*	Not currently listed	Not currently listed
Short-tailed Snake	*Stilosoma*	Not currently listed	Threatened
American Alligator	*Alligator mississippiensis*	Threatened	Species of Special Concern
Florida Scrub Lizard	*Sceloporus woodi*	Not currently Listed	Not currently Listed
Gopher Tortoise	*Gopherus*	Not currently listed	Threatened
Florida Scrub Jay	*Aphelocoma coerulescens*	Threatened	Threatened
Bald Eagle	*Haliaeetus leucocephalus*	Not currently listed	Not currently listed
Limpkin	*Aramus guarauna*	Not currently listed	Species of Special Concern

In addition, a list was provided of additional species and natural communities that have the potential to exist within the CRA. This list is provided in Exhibit H.

3.5.2. Environmental Consequences

The CRA is primarily a developed landscape with paved streets and maintained lawns. The roadway right-of-ways are maintained with little to no vegetation. In these developed and maintained areas, it is unlikely that these many of these species would inhabit the project areas. It is expected that gopher tortoise *(Gopherus polyphemus)* populations will be impacted by this action. However, all efforts will be made to avoid and minimize impacts to this species and unavoidable impacts will be permitted through the Florida Fish and Wildlife Conservation Commission (FWC) and mitigation employed.

A portion of the CRA is undeveloped and in these areas there is a potential for these species and natural communities to be present.

3.5.3. Mitigation

No mitigation requirements are anticipated for any species except the gopher tortoise (*Gopherus polyphemus*). Unavoidable impacts to these species burrows will be mitigated

through the FWC under the Relocation Permit process. This process is consistent with The United States Fish and Wildlife Service (FWS) was contacted for comment on the project. Excerpts from response from the FWS is as follows with a statement addressing the response comment:

> "Based on our review of the Environmental Assessment report, it appears that the Florida scrub-jay may occur near the undeveloped portions of the Downtown Community Redevelopment Area (CRA) referenced in the report. While scrub habitat is the primary suitable habitat for scrub-jays, we have found scrub-jays in Lake County foraging in wetland vegetative communities adjacent to scrub habitat. If such areas as just described will be impacted by this project, we recommend that the applicant conduct a scrub-jay survey according to the survey guidelines referenced on our website located at www.fws.gov/northflorida/."
>
> A review of the Florida Land Use, Land Cover Classification System (FLUCCS) map for the CRA was conducted and wetland vegetative communities are not within 2,600 linear feet of scrub habitat.
>
> "When the gopher tortoise surveys are conducted, we request that pedestrian surveys for the indigo snake also be conducted and reported to the Service for presence or absence. During the interim prior to those surveys being finalized, the Service typically concludes that the project is not likely to adversely affect the indigo snake as long as the Standard Protection Measures (referenced below on our website) for the indigo snake are implemented. If the subsequent surveys do confirm presence of the indigo snake, the Service will request a re-initiation of the consultation in order to provide further recommendations and measures to protect the indigo snake."
>
> If gopher tortoise surveys are conducted, a pedestrian survey for indigo snake will also be conducted and reported to FWS.

The email containing the full FWS response is provided in Section 5 of this report.

3.6. Water Quality Issues

The overall CRA encompasses approximately 400 acres. The existing stormwater conveyance system has multiple stormwater discharge locations including existing stormwater treatment ponds, surrounding wetlands and directly into Lake Dora. There is currently no treatment provided for the stormwater discharges into Lake Dora.

The proposed conveyance system modifications are primarily contained within existing public roadway rights-of-way. The construction of the stormwater conveyance pond is also included within existing public rights-of-way. The construction of the wet detention pond will be constructed by converting an existing wetland into the pond. The pond will provide superior storage and treatment over the existing wetland. In addition, with the construction of the wet detention pond, the seven existing direct discharges into Lake Dora can be reduced to four. Preventative measures will be taken through use of erosion, turbidity and pollution control devices to provide proactive reduction of runoff and constituents.

The disturbed acreage will be determined by the phasing of the improvements which has not yet been decided. Prior to construction, a Notice of Intent to Use Generic Permit for Stormwater Discharge From Large and Small Construction Activities (FDEP Form 62-821.300(4)(b)) with supporting documentation and a Stormwater Pollution Prevention Plan (SWPPP) will be required for this project. The contractor will be responsible for submitting a SWPPP and any necessary dewatering plans.

According to the United States Environmental Protection Agency, the CRA is not located in a sole source aquifer area.

3.6.1. Affected Environment

3.6.1.1. Alternative No. 1

Continued use of the existing stormwater collection system will allow untreated stormwater discharges directly into Lake Dora and will contribute to the degradation of water quality.

3.6.1.2. Alternative No. 2 and Alternative No. 3

Creation of the wet detention pond and construction of storm chambers will provide treatment of stormwater run-off prior to discharging into Lake Dora and the surrounding wetland system. These structures will also provide storage. The existing seven direct outfalls would be reduced to four and those four outfalls would only be used for peak flow conditions. There will be no increase in peak discharge volume from the pre-to-post condition. The pond will have a greater capacity for storage and treatment over the existing wetland.

3.6.2. Environmental Consequences

The proposed conveyance system modifications and construction of the storm chambers are primarily contained within existing public roadway rights-of-way. The construction of the stormwater conveyance pond is also included within existing public rights-of-way. The construction of the wet detention pond will be constructed by converting an existing wetland into the pond. The pond will provide superior storage and treatment over the

existing wetland. In addition, with the construction of the wet detention pond, the seven existing direct discharges into Lake Dora can be reduced to four. Preventative measures will be taken through use of erosion, turbidity and pollution control devices to provide proactive reduction of runoff and constituents.

The construction of the wet detention pond and storm chambers will provide treatment of the stormwater prior to discharge into Lake Dora and the surrounding wetlands and will reduce existing pollutant loading from that portion of the CRA. The system overall will mitigate flooding issues and contribute to the reduction of TMDLs into Lake Dora. Griffey performed an initial TMDL assessment for Area A. The existing TMDL pollutant load is approximately 111 kilograms per year into Lake Dora. With the construction of one proposed wet detention pond, the pollutant load can be reduced approximately 60 percent to 43 kilograms per year. An assessment of Area B and Area C has not yet been conducted.

3.6.3. Mitigation

A Notice of Intent (NOI) will be required to be submitted to FDEP and a SWPPP will have to be generated, but no required mitigation efforts are anticipated.

3.7. Coastal Resources

The entire state of Florida is included within Florida's "coastal zone", therefore, the project will be subject to the Florida Coastal Zone Statutes that protect and enhance the state's natural, cultural and economic coastal resources.

3.7.1. Affected Environment

3.7.1.1. Alternative No. 1

Continued use of the existing stormwater collection system will allow untreated stormwater discharges directly into Lake Dora and will contribute to the degradation of water quality.

3.7.1.2. Alternative No. 2 and Alternative No. 3

The proposed conveyance system modifications and construction of storm chambers are located within existing public roadway rights-of-way. For construction the wet detention pond and the modification of existing outfalls, all work is anticipated to be conducted on land and appropriate pollution prevention methods will be used to prevent impacts to Lake Dora during construction. Impacts to coastal resources are not anticipated and the project is consistent with the Coastal Zone Management Act (CZMA, 16 United States

Code, 1451-1465) as delegated by Florida Coastal Management Program. In addition, as the project includes a wet detention pond for treatment of stormwater, the project will ultimately improve the quality of stormwater discharge into Lake Dora.

3.7.2. Environmental Consequences

Continued use of the existing stormwater collection system will allow untreated stormwater discharges directly into Lake Dora and will contribute to the degradation of water quality. Construction of the system will provide stormwater treatment of runoff prior to discharge into Lake Dora and surrounding wetlands, contributing to the improvement of coastal resources.

3.7.3. Mitigation

No mitigation requirement is anticipated.

3.8. Socio-Economic/Environmental Justice Issues

According to Downtown Redevelopment Master Plan (August 2008 by IBI Group), Tavares population has quickly grown over the last decade. From 2000 to 2006 the City saw over 30 percent growth rate and the population is expected to increase an additional 18 percent by the year 2011. The population of Tavares and similarly Lake County are predominantly white communities with a gradual shrinking trend of the white population in favor largely of the Hispanic demographic. Tavares is inhabited by a large portion of retirement-age people.

Current residents that live within the CRA will continue to be provided adequate access to police, fire and emergency medical services. All efforts will be made to maintain regular traffic patterns within the CRA during installation of the proposed stormwater infrastructure improvements. This project will not create obstacles for emergency services.

The improvement of existing infrastructure will not displace residents, alter employment and income patterns or change the demographics of the CRA. This project will, however, create short-term jobs and can enhance property values in the properties that are serviced by the proposed upgraded utility system.

3.8.1. Affected Environment

3.8.1.1. Alternative No. 1

There is no anticipated direct impact to the socio-economic and environmental justice status from the use of the existing system. However, continued use of the undersized

system will result in ongoing flooding/ponding isssues within the CRA and could result in damage to personal property and inconvenience to pedestrians and residents.

3.8.1.2. Alternative No. 2

There is no anticipated direct impact to the socio-economic and environmental justice status of the CRA from this project. However, construction of the modifications will alleviate the ongoing flooding/ponding isssues within the CRA for the existing developed condition.

3.8.1.3. Alternative No. 3

There is no anticipated direct impact to the socio-economic and environmental justice status of the CRA from this project. However, construction of the modifications will alleviate the ongoing flooding/ponding isssues within the CRA for the existing developed condition for the existing and future build-out condition.

3.8.2. Environmental Consequences

This project will not significantly alter the existing demographic characteristics of the CRA and will not alter existing land uses. There are no anticipated consequences to the CRA. However, construction of the modifications will alleviate the ongoing flooding/ponding isssues within the CRA.

3.8.3. Mitigation

No mitigation requirement is anticipated.

3.9. Miscellaneous Issues (Air Quality, Transportation, Noise)

This project will not require an installation permit in accordance with the Clean Air Act and will not result in any increased air emissions. There will be some short term effects during construction including dust and exhaust emissions from the construction equipment, but no permit is required for those activities. There are no anticipated long term effects on air quality from the installation of the proposed improvements.

In addition, the CRA is not in or near any "non-attainment" areas as defined in the Clean Air Act Amendments of 1990. Therefore this project is not subject to the stricter regulations for air emissions designated for "non-attainment" areas.

This project will not produce any long term effects to transportation and will not encourage additional vehicle trips or increased energy consumption. Short term traffic pattern interruption is possible during installation, but all efforts will be made to minimize this impact. There are no airports in the vicinity of the project.

3.9.1. Affected Environment

3.9.1.1. Alternative No. 1

Use of the existing system will not increase air emissions or increase noise. However, continued use of the undersized system will result in ongoing flooding/ponding isssues within the CRA and could result in damage to personal property and inconvenience to pedestrians and residents.

3.9.1.2. Alternative No. 2

Residences and businesses in the immediate area of the project construction may see short-term effects from noise and exhaust from construction equipment. There is potential for traffic redirection around construction activities for residents and business patrons.

3.9.1.3. Alternative No. 3

Residences and businesses in the immediate area of the project construction may see short-term effects from noise and exhaust from construction equipment. There is potential for traffic redirection around construction activities for residents and business patrons. Alternative No. 3 requires increased pipe sizes to accommodate the future build-out condition for the conveyance system and for subsurface treatment using storm chambers. This would require extended construction time due to increased installation times, increased likelihood of relocating existing utilities, and potential requirement for identifying alternate routing due to crowded spaces beneath the road. The increase construction time would elongate the time frame for the short-term effects from noise and exhaust from construction equipment in addition to general inconvenience for residents and business patrons.

3.9.2. Environmental Consequences

Flooding from the existing system will continue to be a potential nuisance to residents and business patrons. The construction of Alternative No. 2 and No. 3 are not anticipated to produce any long term environmental consequences, however, some areas of construction may be required within existing roadways. Alternative No. 3 will provide more inconvenience due to extended construction times as described above.

3.9.3. Mitigation

No mitigation will be required for air quality and noise. Due to the nature of the project, construction will not remain in any one area for an extended period of time. All efforts will be made to conduct construction activities during the day in noise sensitive areas such as hospitals/nursing homes and residential areas. Construction in areas proximal to schools will be conducted when school is not in session. Construction will be limited to proper times and will adhere to noise constraints listed within the City Zoning regulations.

Construction will be limited to existing public roadway rights-of-way where possible. For construction that is required within roadways, Florida Department of Transportation Roadway and Traffic Design Standards will be followed for safety and maintenance of traffic.

Florida Department of Transportation (FDOT) states that "any onsite or offsite improvements associated with this project that impact FDOT facilities will require the appropriate FDOT permits. Required permits may include access management, utility, drainage or other permits depending on the work planned."

3.10. State Clearinghouse

Coordination with the State Clearinghouse was conducted to ensure all the appropriate relative organizations/agencies have been solicited for comments. The stated "based on the information contained in the submittal and enclosed state agency comments, the state has no objections to allocation of federal funds for the subject property and therefore, the funding award is consistent with the Florida Coastal Management Program." A copy of the response letter from the State Clearinghouse is provided in Exhibit J. Comments received as part of the State Clearinghouse review will be address during the design phase of the project.

4. Summary of Mitigation

The CRA is primarily a developed landscape with paved streets and maintained lawns. This proposed Rural Utilities Project recommends the replacement of the existing buried infrastructure (stormwater collection system), installation of new buried infrastructure and construction of stormwater ponds. These improvements will allow the City to translate their vision to develop the CRA as a vibrant, pedestrian-oriented, mixed use center. Alternative No. 1, No Action will not have any impacts on the environmental characteristics of the CRA and will require no mitigation, however it will not allow for the City's vision to redevelop the CRA. Alternative No. 2 and No. 3, replacement of the existing infrastructure will involve proposed construction activities that are within existing public roadway rights-of-way and undeveloped land. Impacts to a majority of the environmental characteristics are not anticipated. A summary of potential impacts and required mitigation is provided in **Table 4-1**.

Table 4-1:
Mitigation Summary

Environmental Category	Summary of Impacts	Summary of Mitigation
Land Use	**Alternative No. 1** - Continued use of the existing stormwater collection system will have no effect on land use, however, continued use of the undersized system will result in ongoing flooding/ponding issues within the CRA and could result in damage to personal property and inconvenience to pedestrians and residents. **Alternative No. 2** – Construction of the proposed system will alleviate flooding/ponding issues for the existing developed condition. **Alternative No. 3** - Construction of the proposed system will alleviate flooding/ponding issues for the future build-out condition.	No anticipated mitigation.

Environmental Category	Summary of Impacts	Summary of Mitigation
Floodplains	**Alternative No. 1** – Continued use of the existing stormwater collection system piping will not alleviate the observed flooding/ponding above base elevations of the floodplain throughout the CRA. **Alternative No. 2** - Construction of the proposed system will alleviate flooding/ponding issues for the existing developed condition. **Alternative No. 3** - Construction of the proposed system will alleviate flooding/ponding issues for the future build-out condition.	No anticipated mitigation.
Wetlands	**Alternative No. 1** – Continued use of the existing stormwater collection system will continue to use the existing stormwater outfalls into existing wetlands and also directly into Lake Dora. The outfalls will continue to have minimal stormwater treatment and will continue to contribute to the degredation of the water quality in Lake Dora. **Alternative No. 2** – The proposed project includes the conversion of an existing wetland into a wet detention pond and construction of storm chambers to provided increased stormwater treatment and storage over the existing wetland. **Alternative No. 3** – The proposed project includes the conversion of an existing wetland into a wet detention pond and construction of storm chambers to provided increased stormwater treatment and storage over the existing wetland.	The use of erosion, turbidity and pollution control measures will be used. Approximately 5.95 functional units of mitigation are anticipated for the creation of the wet detention pond.
Historic Sites	**Alternative No. 1** - Continued use of the existing undersized system will result in ongoing flooding/ponding issues within the CRA and could result in damage to personal property (including historic sites) and inconvenience to pedestrians and	No mitigation requirements are anticipated. However, any additional resources identified during construction activities will be reported to

Environmental Category	Summary of Impacts	Summary of Mitigation
	residents **Alternative No. 2** – Construction of the proposed system will alleviate flooding/ponding issues for the existing developed condition. **Alternative No. 3** - Construction of the proposed system will alleviate flooding/ponding issues for the future build-out condition.	the SHPO.
Biological Resources	**Alternative No. 1** - However, continued use of the existing stormwater collection system will use the existing stormwater outfalls into existing wetlands and also directly into Lake Dora. The outfalls have minimal treatment and will continue to contribute to the degradation of the water quality in Lake Dora and affect the biological resources within the Lake. **Alternative No. 2** – Construction of the proposed system will provide stormwater treatment for the stormwater runoff prior to discharge into Lake Dora, contributing to the improvement of the water quality and the enhancement of the biological resources within the Lake. **Alternative No. 3** - Construction of the proposed system will provide stormwater treatment for the stormwater runoff prior to discharge into Lake Dora and the surrounding wetlands, contributing to the improvement of the water quality and the enhancement of the biological resources within the Lake.	No mitigation requirements are anticipated for all species except the gopher tortoise (*Gopherus polyphemus*). Unavoidable impacts to these species burrows will be mitigated through the Florida Fish and Wildlife Conservation Commission (FWC) under the Relocation Permit process. This process is consistent with federal and state mandates for the protection of listed and imperiled species. The scope of the project and the schedule for phasing has not been finalized.
Water Quality	**Alternative No. 1** - Continued use of the existing stormwater collection system will use the existing stormwater outfalls into existing wetlands and also directly into Lake Dora. The outfalls have minimal treatment and will continue to contribute to the degradation of the water quality in Lake Dora and	No anticipated mitigation.

Environmental Category	Summary of Impacts	Summary of Mitigation
	affect the biological resources within the Lake. **Alternative No. 2** – Construction of the proposed system will provide stormwater treatment for the stormwater runoff prior to discharge into Lake Dora, contributing to the improvement of the water quality. **Alternative No. 3** - Construction of the proposed system will provide stormwater treatment for the stormwater runoff prior to discharge into Lake Dora, contributing to the improvement of the water quality.	
Coastal Resources	**Alternative No. 1** - Continued use of the existing stormwater collection system will use the existing stormwater outfalls into existing wetlands and also directly into Lake Dora. The outfalls have minimal treatment and will continue to contribute to the degradation of the water quality in Lake Dora and affect the biological resources within the Lake. **Alternative No. 2** – Construction of the proposed system will provide stormwater treatment for the stormwater runoff prior to discharge into Lake Dora, contributing to the improvement of the water quality. **Alternative No. 3** - Construction of the proposed system will provide stormwater treatment for the stormwater runoff prior to discharge into Lake Dora, contributing to the improvement of the water quality.	No anticipated mitigation.
Socio-Economic Resources	**Alternative No. 1** – There is no anticipated direct impact to the socio-economic and environmental justice status from the use of the existing system. However, continued use of the undersized system will result in ongoing flooding/ponding isssues within the CRA and could result in damage to personal property and inconvenience to pedestrians and residents.	No anticipated mitigation.

Environmental Category	Summary of Impacts	Summary of Mitigation
	Alternative No. 2 - There is no anticipated direct impact to the socio-economic and environmental justice status of the CRA from this project. However, construction of the modifications will alleviate the ongoing flooding/ponding isssues within the CRA for the existing developed condition. **Alternative No. 3** – There is no anticipated direct impact to the socio-economic and environmental justice status of the CRA from this project. However, construction of the modifications will alleviate the ongoing flooding/ponding isssues within the CRA for the future build-out condition.	
Air/Noise/ Transportation	**Alternative No. 1** – Flooding from the existing system will continue to be a potential nuisance to residents and business patrons. **Alternative No. 2** - The construction of the proposed project is not anticipated to produce any long term environmental consequences; however, some areas of construction may be required within existing roadways. **Alternative No. 3** – The construction of the proposed project is not anticipated to produce any long term environmental consequences, however, some areas of construction may be required within existing roadways. Alternative No. 3 will provide more inconvenience due to extended construction times.	No mitigation will be required for air quality and noise. Due to the nature of the project, construction will not remain in any one area for an extended period of time. All efforts will be made to conduct construction activities during the day in noise sensitive areas such as hospitals/nursing homes and residential areas. Construction in areas proximal to schools will be conducted when school is not in session. Construction will be limited to proper times and noise constraints and will adhere to the City Zoning regulations. Construction will be limited to existing public roadway rights-of-way where

Environmental Category	Summary of Impacts	Summary of Mitigation
		possible. For construction that is required within roadways, Florida Department of Transportation Roadway and Traffic Design Standards will be followed for safety and maintenance of traffic.

5. Correspondence and Coordination

Below is a list of agencies that were contacted or researched during this report preparation. Correspondence received from these agencies follows where applicable.

5.1. Federal Agencies

United States Environmental Protection Agency
United States Environmental Protection Agency Region IV, Atlanta, Georgia

Federal Emergency Management Agency
Federal Emergency Management Agency, Hyattsville, Maryland

Natural Resources Conservation Service
Rick Robbins, Natural Resources Conservation Service Florida State Office, United States Department of Agriculture, Gainesville, FL

National Park Service
National Park Service, Washington, D.C.

National Register of Historic Places, National Park Service
National Register of Historic Places, National Park Service, Washington, D.C.

United States Fish and Wildlife Service
Linda Walker, Jacksonville ES Field Office, Jacksonville, FL
* A draft copy of this report was sent on November 1, 2010 to the FWS. The response is provided at the end of Section 5. Comments provided by FWS will be addressed during design and permitting activities.

United States Army Corps of Engineers
Miguel Mozdzen, Cocoa Permitting Section, Cocoa, FL
*A draft copy of this report was sent on November 1, 2010 to USACE. The response is provided at the end of Section 5. Comments provided by USACE will be addressed during design and permitting activities.

5.2. State Agencies

State of Florida, State Clearinghouse
Lauren Milligan, Florida State Clearinghouse, Florida Department of Environmental Protection, Tallahassee, Florida

State of Florida, Florida Department of Environmental Protection.
Florida Department of Environmental Protection, Tallahassee, Florida

State of Florida, State Historic Preservation Office
Celeste Ivory, Master File Administrator, Tallahassee, Florida

State of Florida, State Historic Preservation Office
Laura Kammerer, Deputy State Historic Preservation Officer, Tallahassee, Florida

Florida Natural Areas Inventory
Florida Natural Areas Inventory, Tallahassee, FL

East Central Florida Regional Planning Council
Philip Laurien, Altamonte Springs, Florida

Florida Department of Transportation
Scott Stutson, FDOT District Five Local Maintenance Office

St. John's River Water Management District
David Dewey, Altamonte Springs, Florida

5.3. County and Local Agencies

City of Tavares

Lake County, Geographic Information Systems
Lake County, Florida

6. Exhibits

LIST OF EXHIBITS

Exhibit A: USGS Topographic Map

Exhibit B: Existing Stormwater Collection System (B-1)

Proposed Stormwater Collection System (B-2)

Exhibit C: City of Tavares Future Land Use Map

Exhibit D: UMAM Assessment

Exhibit E: FEMA Floodplain Map

Exhibit F: Soils Map with Identified Wetlands and Soil Key

Exhibit G: CRA Historical Areas

Exhibit H: FNAI Report

Exhibit I: FLUCCS Map

Exhibit J: State Clearinghouse Letter

7. List of Preparers

7.1. List of Preparers

Name/Organization	Degree	Professional Discipline	Years of Experience
Scott Shannon	MS. Environmental Engineering BS. Mechanical Engineering Florida Professional Engineer	Environemental Engineering	16
Laura Strach	B.S. Environmental Engineering B.S. Molecular Biology Florida Professional Engineer	Environemental Engineering	6
Stephen Rice	MS. Environmental Science (Ecology) BS. Biology Certified Ecologist Professional Wetlands Scientist Certified in Florida Unified Wetlands Delineation Methodology Authorized Gopher Tortoise Agent	Environmental Science Aquatic Biology	24

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

AND

CITY OF TAVARES, FLORIDA

CLEAN WATER STATE REVOLVING FUND
LOAN AGREEMENT
SW350940

Florida Department of Environmental Protection
State Revolving Fund Program
Bob Martinez Center
2600 Blair Stone Road, MS 3505
Tallahassee, Florida 32399-2400

CLEAN WATER STATE REVOLVING FUND LOAN AGREEMENT

CONTENTS PAGE

ARTICLE I - DEFINITIONS 1
1.01. WORDS AND TERMS. 1
1.02. CORRELATIVE WORDS. 3

ARTICLE II - WARRANTIES, REPRESENTATIONS AND COVENANTS 3
2.01. WARRANTIES, REPRESENTATIONS AND COVENANTS. 3
2.02. LEGAL AUTHORIZATION. 5
2.03. AUDIT AND MONITORING REQUIREMENTS. 5

ARTICLE III - LOAN REPAYMENT ACCOUNT 9
3.01. LOAN DEBT SERVICE ACCOUNT. 9
3.02. INVESTMENT OF LOAN DEBT SERVICE ACCOUNT MONEYS. 9
3.03. LOAN DEBT SERVICE ACCOUNT WITHDRAWALS. 9
3.04. ASSETS HELD IN TRUST. 9

ARTICLE IV - PROGRAM INFORMATION 10
4.01. PROJECT CHANGES. 10
4.02. TITLE TO PROJECT SITE. 10
4.03. RESERVED. 10
4.04. RESERVED. 10
4.05. PROHIBITION AGAINST ENCUMBRANCES. 10
4.06. COMPLETION MONEYS. 10
4.07. CLOSE-OUT. 10
4.08. LOAN DISBURSEMENTS. 11

ARTICLE V - RATES AND USE OF THE WATER, SEWER, AND STORMWATER UTILITY SYSTEMS 11
5.01. RATE COVERAGE. 11
5.02. NO FREE SERVICE. 11
5.03. MANDATORY CONNECTIONS. 12
5.04. NO COMPETING SERVICE. 12
5.05. MAINTENANCE OF THE WATER, SEWER, AND STORMWATER UTILITY SYSTEMS. 12
5.06. ADDITIONS AND MODIFICATIONS. 12
5.07. COLLECTION OF REVENUES. 12

ARTICLE VI - DEFAULTS AND REMEDIES 12
6.01. EVENTS OF DEFAULT. 12
6.02. REMEDIES. 13
6.03. DELAY AND WAIVER. 14

ARTICLE VII - THE PLEDGED REVENUES 14
7.01. SUPERIORITY OF THE PLEDGE TO THE DEPARTMENT. 14
7.02. ADDITIONAL DEBT OBLIGATIONS. 14

CONTENTS PAGE

ARTICLE VIII - GENERAL PROVISIONS 15
8.01. DISCHARGE OF OBLIGATIONS. 15
8.02. RECORDS AND STATEMENTS. 15
8.03. ACCESS TO WORK SITE. 15
8.04. ASSIGNMENT OF RIGHTS UNDER AGREEMENT. 15
8.05. AMENDMENT OF AGREEMENT. 16
8.06. ANNULMENT OF AGREEMENT. 16
8.07. SEVERABILITY CLAUSE. 16
8.08. USE AS MATCHING FUNDS. 16
8.09. COMPLIANCE VERIFICATION. 16

ARTICLE IX - RESERVED 17

ARTICLE X - DETAILS OF FINANCING 17
10.01. PRINCIPAL AMOUNT OF LOAN. 17
10.02. LOAN SERVICE FEE. 17
10.03. FINANCING RATE. 18
10.04. LOAN TERM. 18
10.05. REPAYMENT SCHEDULE. 18
10.06. PROJECT RELATED COSTS. 18
10.07. SCHEDULE. 19

ARTICLE XI - EXECUTION OF AGREEMENT 20

CLEAN WATER STATE REVOLVING FUND LOAN AGREEMENT

SW350940

THIS AGREEMENT is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF TAVARES, FLORIDA, (Local Government) existing as a local governmental agency under the laws of the State of Florida.

WITNESSETH:

WHEREAS, pursuant to Section 403.1835, Florida Statutes, the Department is authorized to make loans to local governmental agencies to finance the planning, design, and construction of wastewater pollution control facilities; and

WHEREAS, funding is provided from the State Revolving Fund program repayments and interest, which are Federally protected but which are subject to state audit requirements; and

WHEREAS, the Local Government has made application for the financing of Preconstruction Activities, and the Department has determined that all requirements for a loan have been met.

NOW, THEREFORE, in consideration of the Department loaning money to the Local Government, in the principal amount and pursuant to the covenants hereinafter set forth, it is agreed as follows:

ARTICLE I - DEFINITIONS

1.01. WORDS AND TERMS.

Words and terms used herein shall have the meanings set forth below:

(1) "Agreement" or "Loan Agreement" shall mean this agreement.

(2) "Authorized Representative" shall mean the official of the Local Government authorized by ordinance or resolution to sign documents associated with the Loan.

(3) "Capitalized Interest" shall mean a finance charge that accrues at the Financing Rate on Loan proceeds from the time of disbursement until six months before the first Semiannual Loan Payment is due. Capitalized Interest is financed as part of the Loan principal.

(4) "Construction Related Costs" shall mean costs for Project construction, equipment, materials, demolition, contingency, legal and technical services incurred after construction bid opening, and Capitalized Interest associated with the foregoing costs.

(5) "Depository" shall mean a bank or trust company, having a combined capital and unimpaired surplus of not less than $50 million, authorized to transact commercial banking or savings and loan business in the State of Florida and insured by the Federal Deposit Insurance Corporation.

(6) "Financing Rate" shall mean the charges, expressed as a percent per annum, imposed on the unpaid principal of the Loan. The Financing Rate shall consist of an interest rate component and a Grant Allocation Assessment rate component.

(7) "Grant Allocation Assessment" shall mean an assessment, expressed as a percent per annum, accruing on the unpaid balance of the Loan. It is computed similarly to the way interest charged on the Loan is computed and is included in the Semiannual Loan Payment. The Department will use Grant Allocation Assessment moneys for making grants to financially disadvantaged small communities pursuant to Section 403.1835 of the Florida Statutes.

(8) "Gross Revenues" shall mean all income or earnings received by the Local Government from the ownership or operation of its Water, Sewer, and Stormwater Utility Systems, including investment income, all as calculated in accordance with generally accepted accounting principles. Gross Revenues shall not include proceeds from the sale or other disposition of any part of the Water, Sewer, or Stormwater Utility System, condemnation awards or proceeds of insurance, except use and occupancy or business interruption insurance, received with respect to the Water, Sewer, or Stormwater Utility System.

(9) "Loan" shall mean the amount of money to be loaned pursuant to this Agreement and subsequent amendments.

(10) "Loan Application" shall mean the completed form which provides all information required to support obtaining loan financial assistance from the Department.

(11) "Loan Debt Service Account" shall mean an account, or a separately identified component of a pooled cash or liquid account, with a Depository established by the Local Government for the purpose of accumulating Monthly Loan Deposits and making Semiannual Loan Payments.

(12) "Loan Service Fee" shall mean an origination fee which shall be paid to the Department by the Local Government.

(13) "Monthly Loan Deposit" shall mean the monthly deposit to be made by the Local Government to the Loan Debt Service Account.

(14) "Operation and Maintenance Expense" shall mean the costs of operating and maintaining the Water, Sewer, and Stormwater Utility Systems determined pursuant to generally accepted accounting principles, exclusive of interest on any debt payable from Gross Revenues, depreciation, and any other items not requiring the expenditure of cash.

(15) "Pledged Revenues" shall mean the specific revenues pledged as security for repayment of the Loan and shall be the Gross Revenues derived yearly from the operation of the Water, Sewer, and Stormwater Utility Systems after payment of the Operation and Maintenance Expense and the satisfaction of all yearly payment obligations on account of the Senior Revenue Obligations and any senior obligations issued pursuant to Section 7.02 of this Agreement.

(16) "Preconstruction Activities" shall mean the planning, administrative, and engineering work necessary for the Local Government to qualify for Clean Water State

Revolving Fund financing for construction of wastewater transmission, collection, reuse, and treatment facilities.

(17) "Project" shall mean the construction of facilities planned and designed through the Preconstruction Activities.

(18) "Semiannual Loan Payment" shall mean the payment due from the Local Government to the Department at six-month intervals.

(19) "Senior Revenue Obligations" shall mean the following debt obligations:

(a) City of Tavares, Florida, Utility System Refunding Revenue Bonds, Series 2012A, issued in the amount not to exceed $4,725,000, pursuant to Master Utility System Bond Resolution No. 2012-17; and

(b) City of Tavares, Florida, Utility System Improvement Revenue Bonds, Series 2012B, issued in the amount not to exceed $3,000,000, pursuant to Master Utility System Bond Resolution No. 2012-18; and

(c) Additional bonds issued on a parity with the bonds identified above pursuant to Section 18(Q) of Master Utility System Bond Resolution No. 2012-17; and

(d) Any refunding bonds issued to refund the obligations identified above provided such bonds shall not increase annual debt service during the repayment period of this Loan.

(20) "Sewer System" shall mean all facilities owned by the Local Government for collection, transmission, treatment and reuse of wastewater and its residuals.

(21) "Stormwater Utility System" shall mean all devicies and facilities owned by the Local Government for collection, transmission, detention, retention, treatment, and management of stormwater.

(22) "Water System" shall mean all facilities owned by the Local Government for supplying and distributing water for residential, commercial, industrial, and governmental use.

1.02. CORRELATIVE WORDS.

Words of the masculine gender shall be understood to include correlative words of the feminine and neuter genders. Unless the context shall otherwise indicate, the singular shall include the plural and the word "person" shall include corporations and associations, including public bodies, as well as natural persons.

ARTICLE II - WARRANTIES, REPRESENTATIONS AND COVENANTS

2.01. WARRANTIES, REPRESENTATIONS AND COVENANTS.

The Local Government warrants, represents and covenants that:

(1) The Local Government has full power and authority to enter into this Agreement and to comply with the provisions hereof.

(2) The Local Government currently is not the subject of bankruptcy, insolvency, or reorganization proceedings and is not in default of, or otherwise subject to, any agreement or any law, administrative regulation, judgment, decree, note, resolution, charter or ordinance which would currently restrain or enjoin it from entering into, or complying with, this Agreement.

(3) There is no material action, suit, proceeding, inquiry or investigation, at law or in equity, before any court or public body, pending or, to the best of the Local Government's knowledge, threatened, which seeks to restrain or enjoin the Local Government from entering into or complying with this Agreement.

(4) The Local Government knows of no reason why any future required permits or approvals associated with the Project are not obtainable.

(5) The Local Government shall undertake Preconstruction Activities and the Project on its own responsibility, to the extent permitted by law.

(6) To the extent permitted by law, the Local Government shall release and hold harmless the State, its officers, members, and employees from any claim arising in connection with the Local Government's actions or omissions in its planning, engineering, administrative, and construction activities financed by this Loan or in its operation of Project facilities.

(7) All Local Government representations to the Department, pursuant to the Loan Application and Agreement, were true and accurate as of the date such representations were made. The financial information delivered by the Local Government to the Department was current and correct as of the date such information was delivered. The Local Government shall comply with Chapter 62-503, Florida Administrative Code, and all applicable State and Federal laws, rules, and regulations which are identified in the Loan Application or Agreement. To the extent that any assurance, representation, or covenant requires a future action, the Local Government shall take such action as is necessary for compliance.

(8) The Local Government shall maintain records using generally accepted accounting principles established by the Governmental Accounting Standards Board. As part of its bookkeeping system, the Local Government shall keep accounts of the Water, Sewer, and Stormwater Utility Systems separate from all other accounts and it shall keep accurate records of all revenues, expenses, and expenditures relating to the Water, Sewer, and Stormwater Utility Systems, and of the Pledged Revenues, Loan disbursement receipts, and Loan Debt Service Account.

(9) In the event the anticipated Pledged Revenues are shown by the Local Government's annual budget to be insufficient to make the Semiannual Loan Payments for such Fiscal Year when due, the Local Government shall include in such budget other legally available non-ad valorem funds which will be sufficient, together with the Pledged Revenues, to make the Semiannual Loan Payments. Such other legally available non-ad valorem funds shall be budgeted in the regular annual governmental budget and designated for the purpose provided by this Subsection, and the Local Government shall collect such funds for application as provided

herein. The Local Government shall notify the Department immediately in writing of any such budgeting of other legally available non-ad valorem funds. Nothing in this covenant shall be construed as creating a pledge, lien, or charge upon any such other legally available non-ad valorem funds; requiring the Local Government to levy or appropriate ad valorem tax revenues; or preventing the Local Government from pledging to the payment of any bonds or other obligations all or any part of such other legally available non-ad valorem funds.

(10) Each year, beginning three months before the first Semiannual Loan Payment and ending with the year during which the final Loan repayment is made, the Local Government's Authorized Representative or its chief financial officer shall submit, no later than the date established in Section 10.07, a certification that: (a) Pledged Revenue collections satisfy, on a pro rata basis, the rate coverage requirement; (b) the Loan Debt Service Account contains the funds required; and (c) insurance, including that issued through the National Flood Insurance Program authorized under 42 U.S.C. secs. 4001-4128 when applicable, in effect for the facilities generating the Pledged Revenues, adequately covers the customary risks to the extent that such insurance is available.

(11) Pursuant to Section 216.347 of the Florida Statutes, the Local Government shall not use the Loan proceeds for the purpose of lobbying the Florida Legislature, the Judicial Branch, or a State agency.

(12) The Local Government agrees to complete the Preconstruction Activities and, if included by an amendment to this Agreement, the Project, in accordance with the Preconstruction Activities schedule set forth in Section 10.07 and a Project schedule added by amendment to this Agreement. Delays incident to strikes, riots, acts of God, and other events beyond the reasonable control of the Local Government are excepted. However, there shall be no resulting diminution or delay in the Semiannual Loan Payment or the Monthly Loan Deposit.

(13) The Local Government covenants that this Agreement is entered into for the purpose of completing planning, engineering, and administrative activities in order to construct facilities which will, in all events, serve a public purpose.

2.02. LEGAL AUTHORIZATION.

Upon signing this Agreement, the Local Government's legal counsel hereby expresses the opinion, subject to laws affecting the rights of creditors generally, that:

(1) This Agreement has been duly authorized by the Local Government and shall constitute a valid and legal obligation of the Local Government enforceable in accordance with its terms upon execution by both parties; and

(2) This Agreement specifies the revenues pledged for repayment of the Loan, and the pledge is valid and enforceable.

2.03. AUDIT AND MONITORING REQUIREMENTS.

The Local Government agrees to the following audit and monitoring requirements.

Funds provided under this Agreement have been identified as second-tier monies under the Federal Clean Water Act which are identified as state funds whose use is federally protected.

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

State Resources Awarded to the Local Government Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:					
State Program Number	Funding Source	CSFA Number	CSFA Title or Fund Source Description	Funding Amount	State Appropriation Category
Original Agreement	Wastewater Treatment and Stormwater Management TF	37.077	Statewide Surface Water Restoration and Wastewater Projects	$247,416	140131

(2) Audits.

(a) In the event that the Local Government expends a total amount of state financial assistance equal to or in excess of $500,000 in any fiscal year of such Local Government, the Local Government must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, Florida Statutes; applicable rules of the Department of Financial Services; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. In determining the state financial assistance expended in its fiscal year, the Local Government shall consider all sources of state financial assistance, including state financial assistance received from the Department of Environmental Protection, other state agencies, and other nonstate entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.

(b) In connection with the audit requirements addressed in the preceding paragraph (a); the Local Government shall ensure that the audit complies with the requirements of Section 215.97(7), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2), Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.

(c) If the Local Government expends less than $500,000 in state financial assistance in its fiscal year, an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, is not required. The Local Government shall inform the Department of findings and recommendations pertaining to the State Revolving Fund in audits conducted by the Local Government in which the $500,000 threshold has not been met. In the event that the Local Government expends less than $500,000 in state financial assistance in its fiscal year, and elects to have an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the non-state entity's resources (i.e., the cost of such an

audit must be paid from the Local Government's resources obtained from other than State entities).

(d) For information regarding the Florida Catalog of State Financial Assistance (CSFA), a Local Government should access the Florida Single Audit Act website located at https://apps.fldfs.com/fsaa for assistance. In addition to the above websites, the following websites may be accessed for information: Legislature's Website at http://www.leg.state.fl.us/Welcome/index.cfm, State of Florida's website at http://www.myflorida.com/, Department of Financial Services' Website at http://www.fldfs.com/ and the Auditor General's Website at http://www.state.fl.us/audgen.

(3) Report Submission.

(a) Copies of financial reporting packages shall be submitted by or on behalf of the Local Government directly to each of the following:

(i) The Department at the following address:

Valerie Peacock, Audit Director
Office of the Inspector General
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS 41
Tallahassee, Florida 32399-3123

(ii) The Auditor General's Office at the following address:

State of Florida Auditor General
Room 401, Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

(iii) Copies of reports or management letters shall be submitted by or on behalf of the Local Government directly to the Department of Environmental Protection at the following address:

Valerie Peacock, Audit Director
Office of the Inspector General
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS 41
Tallahassee, Florida 32399-3123

(b) Any reports, management letters, or other information required to be submitted to the Department pursuant to this Agreement shall be submitted timely in accordance with Florida Statutes, or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

(c) Local Governments, when submitting financial reporting packages to the Department for audits done in accordance with Chapters 10.550 (local governmental entities) or 10.650

(nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the Local Government in correspondence accompanying the reporting package.

(4) Project-Specific Audit.

Within 12 months after the amendment establishing final Project costs, the Local Government shall submit to the Department a Project-specific audit report for the Loan related revenues and expenditures. The audit shall address Loan disbursements received, Project expenditures, and compliance with Loan Agreement covenants. The Local Government shall cause the auditor to notify the Department immediately if anything comes to the auditor's attention during the examination of records that would constitute a default under the Loan Agreement. The audit findings shall set aside or question any costs that are unallowable under Chapter 62-503, Florida Administrative Code. A final determination of whether such costs are allowed shall be made by the Department.

(5) Record Retention.

The Local Government shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of five years from the date the audit report is issued, and shall allow the Department, or its designee, Chief Financial Officer, or Auditor General access to such records upon request. The Local Government shall ensure that audit working papers are made available to the Department, or its designee, Chief Financial Officer, or Auditor General upon request for a period of five years from the date the audit report is issued, unless extended in writing by the Department.

The Local Government is hereby advised that the Florida Single Audit Act Requirements may further apply to lower tier transactions that may be a result of this Agreement.

The Local Government should confer with its chief financial officer, audit director or contact the Department for assistance with questions pertaining to the applicability of these requirements.

(6) Monitoring.

In addition to reviews of audits conducted in accordance with Section 215.97, F.S., as revised monitoring procedures may include, but not be limited to, on-site visits by Department staff and/or other procedures. By entering into this Agreement, the Local Government agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Department of Environmental Protection. In the event the Department of Environmental Protection determines that a limited scope audit of the Local Government is appropriate, the Local Government agrees to comply with any additional instructions provided by the Department to the Local Government regarding such audit. The Local Government further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer or Auditor General.

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ARTICLE III - LOAN REPAYMENT ACCOUNT

3.01. LOAN DEBT SERVICE ACCOUNT.

The Local Government shall establish a Loan Debt Service Account with a Depository and begin making Monthly Loan Deposits no later than the date set forth in Section 10.07 unless the date is revised by amendment of this Agreement.

Beginning six months prior to each Semiannual Loan Payment, the Local Government shall make six Monthly Loan Deposits. The first five deposits each shall be at least equal to one-sixth of the Semiannual Loan Payment. The sixth Monthly Loan Deposit shall be at least equal to the amount required to make the total on deposit in the Loan Debt Service Account equal to the Semiannual Loan Payment amount, taking into consideration investment earnings credited to the account pursuant to Section 3.02.

Any month in which the Local Government fails to make a required Monthly Loan Deposit, the Local Government's chief financial officer shall notify the Department of such failure. In addition, the Local Government agrees to budget, by amendment if necessary, payment to the Department from other legally available non-ad valorem funds all sums becoming due before the same become delinquent. This requirement shall not be construed to give superiority to the Department's claim on any revenues over prior claims of general creditors of the Local Government, nor shall it be construed to give the Department the power to require the Local Government to levy and collect any revenues other than Pledged Revenues.

3.02. INVESTMENT OF LOAN DEBT SERVICE ACCOUNT MONEYS.

Moneys on deposit in the Loan Debt Service Account shall be invested pursuant to the laws of the State of Florida. Such moneys may be pooled for investment purposes. The maturity or redemption date of investments shall be not later than the date upon which such moneys may be needed to make Semiannual Loan Payments. The investment earnings shall be credited to the Loan Debt Service Account and applied toward the Monthly Loan Deposit requirements.

3.03. LOAN DEBT SERVICE ACCOUNT WITHDRAWALS.

The withdrawal of moneys from the Loan Debt Service Account shall be for the sole purpose of making the Semiannual Loan Payment or for discharging the Local Government's obligations pursuant to Section 8.01.

3.04. ASSETS HELD IN TRUST.

The assets in all accounts created under this Loan Agreement shall be held in trust for the purposes provided herein and used only for the purposes and in the manner prescribed in this Agreement; and, pending such use, said assets shall be subject to a lien and charge in favor of the Department.

ARTICLE IV - PROGRAM INFORMATION

4.01. PROJECT CHANGES.

After the Department's environmental review has been completed, the Local Government shall promptly notify the Department, in writing, of any Project change that would require a modification to the environmental information document.

4.02. TITLE TO PROJECT SITE.

No later than the date established by Section 10.07, the Local Government shall have an interest in real property sufficient for the construction and location of any facility planned and designed through Preconstruction Activities free and clear of liens and encumbrances which would impair the usefulness of such sites for the intended use. If a limited site title certification is accepted at that date, the Department shall establish a date for submittal of a clear site title certification in an amendment or new agreement which provides financing for construction of affected facilities.

4.03. RESERVED.

4.04. RESERVED.

4.05. PROHIBITION AGAINST ENCUMBRANCES.

The Local Government is prohibited from selling, leasing, or disposing of any part of the Water, Sewer, or Stormwater Utility System which would materially reduce operational integrity or Gross Revenues so long as this Agreement, including any amendment thereto, is in effect unless the written consent of the Department is first secured.

4.06. COMPLETION MONEYS.

In addition to the proceeds of this or subsequent loans, the Local Government covenants that it has obtained, or will obtain, sufficient moneys from other sources to complete the Preconstruction Activities. The Local Government also covenants that if additional Loan financing is provided for Construction Related Costs by amendment of this Agreement, it will obtain sufficient moneys from other sources as necessary to complete the Project.

4.07. CLOSE-OUT.

The Department may conduct a final inspection of the Preconstruction Activities records, or if this Agreement is amended to fund Construction Related Costs, the Department shall conduct a final inspection of the Project records. Following the inspection, deadlines for submitting additional disbursement requests, if any, shall be established, along with deadlines for uncompleted Loan requirements, if any. After the Department establishes the final allowance to be financed by the Loan, the amount may be adjusted by amendment. The Loan principal shall be reduced by any excess over the amount required to pay the approved allowance costs. As a result of such adjustment, the Semiannual Loan Payment shall be reduced accordingly, as addressed in Section 10.05.

4.08. LOAN DISBURSEMENTS.

Disbursements shall be made only by the State Chief Financial Officer and only when the requests for such disbursements are accompanied by a Department certification that such withdrawals are proper expenditures. Disbursements shall be made directly to the Local Government for an allowance based on planning, engineering, and administration costs.

Requests by the Local Government for disbursements of the preconstruction funds shall be made using the Department's disbursement request form but shall not require documentation of actual costs incurred. Up to twenty percent of the allowance shall be disbursed after a Loan Agreement is signed. Up to fifty percent of the allowance shall be disbursed after the planning documentation has been completed and accepted. The remainder of the allowance shall be disbursed after all procurement contracts are executed and shall be adjusted to reflect as-bid costs. The Department may disburse the entire estimated allowance amount after acceptance of the plans and specifications or completion of the request for proposals, if the Local Government agrees to an allowance adjustment once all contracts have been bid.

Disbursements for Construction Related Costs shall occur only as a result of an amendment to this Agreement. The following allowance amount will be disbursed after the specified milestone events unless the allowance is reduced pursuant to Section 10.06:

Milestone Event		Amount
Loan Agreement executed	$	49,483
Department acceptance of planning documents		123,708
Department acceptance of executed procurement contracts		74,225
Total	$	247,416

ARTICLE V - RATES AND USE OF THE WATER, SEWER, AND STORMWATER UTILITY SYSTEMS

5.01. RATE COVERAGE.

The Local Government shall maintain rates and charges for the services furnished by the Water, Sewer, and Stormwater Utility Systems which together with impact fees will be sufficient to provide, in each Fiscal Year, Pledged Revenues equal to or exceeding 1.15 times the sum of the Semiannual Loan Payments due in such Fiscal Year. In addition, the Local Government shall satisfy the coverage requirements of all senior and parity debt obligations.

5.02. NO FREE SERVICE.

The Local Government shall not permit connections to, or furnish any services afforded by, the Water, Sewer, or Stormwater Utility System without making a charge therefore based on the Local Government's uniform schedule of rates, fees, and charges.

5.03. MANDATORY CONNECTIONS.

The Local Government shall adopt, as necessary, and enforce requirements, consistent with applicable laws, for the owner, tenant or occupant of each building located on a lot or parcel of land which is served, or may reasonably be served, by the Sewer System to connect such building to the Sewer System.

5.04. NO COMPETING SERVICE.

The Local Government shall not allow any person to provide any services which would compete with the Water, Sewer, or Stormwater Utility System so as to materially and adversely affect Gross Revenues.

5.05. MAINTENANCE OF THE WATER, SEWER, AND STORMWATER UTILITY SYSTEMS.

The Local Government shall operate and maintain the Water, Sewer, and Stormwater Utility Systems in a proper, sound and economical manner and shall make all necessary repairs, renewals and replacements.

5.06. ADDITIONS AND MODIFICATIONS.

The Local Government may make any additions, modifications or improvements to the Water, Sewer, and Stormwater Utility Systems which it deems desirable and which do not materially reduce the operational integrity of any part of the Water, Sewer, or Stormwater Utility System. All such renewals, replacements, additions, modifications and improvements shall become part of the Water, Sewer, and Stormwater Utility Systems.

5.07. COLLECTION OF REVENUES.

The Local Government shall use its best efforts to collect all rates, fees and other charges due to it. The Local Government shall establish liens on premises served by the Water, Sewer, or Stormwater Utility System for the amount of all delinquent rates, fees and other charges where such action is permitted by law. The Local Government shall, to the full extent permitted by law, cause to discontinue the services of the Water, Sewer, and Stormwater Utility Systems and use its best efforts to shut off water service furnished to persons who are delinquent beyond customary grace periods in the payment of Water, Sewer, and Stormwater Utility Systems rates, fees and other charges.

ARTICLE VI - DEFAULTS AND REMEDIES

6.01. EVENTS OF DEFAULT.

Each of the following events is hereby declared an event of default:

(1) Failure to make any Monthly Loan Deposit or to make any installment of the Semiannual Loan Payment when it is due and such failure shall continue for a period of 30 days.

(2) Except as provided in Subsections 6.01(1) and (7), failure to comply with the provisions of this Agreement or failure in the performance or observance of any of the covenants or actions required by this Agreement and such failure shall continue for a period of 60 days after written notice thereof to the Local Government by the Department.

(3) Any warranty, representation or other statement by, or on behalf of, the Local Government contained in this Agreement or in any information furnished in compliance with, or in reference to, this Agreement, which is false or misleading.

(4) An order or decree entered, with the acquiescence of the Local Government, appointing a receiver of any part of the Water, Sewer, or Stormwater Utility System or Gross Revenues thereof; or if such order or decree, having been entered without the consent or acquiescence of the Local Government, shall not be vacated or discharged or stayed on appeal within 60 days after the entry thereof.

(5) Any proceeding instituted, with the acquiescence of the Local Government, for the purpose of effecting a composition between the Local Government and its creditors or for the purpose of adjusting the claims of such creditors, pursuant to any federal or state statute now or hereafter enacted, if the claims of such creditors are payable from Gross Revenues of the Water, Sewer, or Stormwater Utility System.

(6) Any bankruptcy, insolvency or other similar proceeding instituted by or against, the Local Government under federal or state bankruptcy or insolvency law now or hereafter in effect and, if instituted against the Local Government, is not dismissed within 60 days after filing.

(7) Failure of the Local Government to give immediate written notice of default to the Department and such failure shall continue for a period of 30 days.

6.02. REMEDIES.

Upon an event of default and subject to the rights of others having prior liens on the Pledged Revenues, the Department may enforce its rights by any of the following remedies:

(1) By mandamus or other proceeding at law or in equity, cause to establish rates and collect fees and charges for use of the Water, Sewer, and Stormwater Utility Systems, and to require the Local Government to fulfill this Agreement.

(2) By action or suit in equity, require the Local Government to account for all moneys received from the Department or from the ownership of the Water, Sewer, and Stormwater Utility Systems and to account for the receipt, use, application, or disposition of the Pledged Revenues.

(3) By action or suit in equity, enjoin any acts or things which may be unlawful or in violation of the rights of the Department.

(4) By applying to a court of competent jurisdiction, cause to appoint a receiver to manage the Water, Sewer, and Stormwater Utility Systems, establish and collect fees and charges, and apply the revenues to the reduction of the obligations under this Agreement.

(5) By certifying to the Auditor General and the Chief Financial Officer delinquency on Loan repayments, the Department may intercept the delinquent amount plus a penalty from any unobligated funds due to the Local Government under any revenue or tax sharing fund established by the State, except as otherwise provided by the State Constitution. The Department may impose a penalty in an amount not to exceed an interest rate of 18 percent per annum on the amount due in addition to charging the cost to handle and process the debt. Penalty interest shall accrue on any amount due and payable beginning on the 30th day following the date upon which payment is due.

(6) By notifying financial market credit rating agencies and potential creditors.

(7) By suing for payment of amounts due, or becoming due, with interest on overdue payments together with all costs of collection, including attorneys' fees.

(8) By accelerating the repayment schedule or increasing the Financing Rate on the unpaid principal of the Loan to as much as 1.667 times the Financing Rate for a default under Subsection 6.01(1).

6.03. DELAY AND WAIVER.

No delay or omission by the Department to exercise any right or power accruing upon an event of default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised as often as may be deemed expedient. No waiver or any default under this Agreement shall extend to or affect any subsequent event of default, whether of the same or different provision of this Agreement, or shall impair consequent rights or remedies.

ARTICLE VII - THE PLEDGED REVENUES

7.01. SUPERIORITY OF THE PLEDGE TO THE DEPARTMENT.

From and after the effective date of this Agreement, the Department shall have a lien on the Pledged Revenues, which along with any other Department State Revolving Fund liens on the Pledged Revenues, on equal priority, will be prior and superior to any other lien, pledge or assignment with the following exception. All obligations of the Local Government under this Agreement shall be junior, inferior, and subordinate in all respects in right of payment and security to the Senior Revenue Obligations defined in Section 1.01 of this Agreement and to any additional senior obligations issued with the Department's consent pursuant to Section 7.02. Any of the Pledged Revenues may be released from the lien on such Pledged Revenues in favor of the Department if the Department makes a determination, based upon facts deemed sufficient by the Department, that the remaining Pledged Revenues will, in each Fiscal Year, equal or exceed 1.15 times the debt service coming due in each Fiscal Year under the terms of this Agreement.

7.02. ADDITIONAL DEBT OBLIGATIONS.

The Local Government may issue additional debt obligations on a parity with, or senior to, the lien of the Department on the Pledged Revenues provided the Department's written

consent is obtained. Such consent may be granted if the Local Government demonstrates at the time of such issuance that the Pledged Revenues, which may take into account reasonable projections of growth of the Water, Sewer, and Stormwater Utility Systems and revenue increases, plus revenues to be pledged to the additional proposed debt obligations will, during the period of time Semiannual Loan Payments are to be made under this Agreement, equal or exceed 1.15 times the annual combined debt service requirements of this Agreement and the obligations proposed to be issued by the Local Government and will satisfy the coverage requirements of all other debt obligations secured by the Pledged Revenues.

ARTICLE VIII - GENERAL PROVISIONS

8.01. DISCHARGE OF OBLIGATIONS.

All payments required to be made under this Agreement shall be cumulative and any deficiencies in any Fiscal Year shall be added to the payments due in the succeeding year and all years thereafter until fully paid. Payments shall continue to be secured by this Agreement until all of the payments required shall be fully paid to the Department. If, at any time, the Local Government shall have paid, or shall have made provision for the timely payment of, the entire principal amount of the Loan, and as applicable, Loan Service Fee, interest, and Grant Allocation Assessment charges, the pledge of, and lien on, the Pledged Revenues to the Department shall be no longer in effect. Deposit of sufficient cash, securities, or investments, authorized by law, from time to time, may be made to effect defeasance of this Loan. However, the deposit shall be made in irrevocable trust with a banking institution or trust company for the sole benefit of the Department. There shall be no penalty imposed by the Department for early retirement of this Loan.

8.02. RECORDS AND STATEMENTS.

Books, records, reports, engineering documents, contract documents, and papers shall be available to the authorized representatives of the Department and the U.S. Environmental Protection Agency's Inspector General for inspection at any reasonable time after the Local Government has received a disbursement and until five years after the date that the Project-specific audit report, required under Subsection 2.03(4), is issued.

8.03. ACCESS TO WORK SITE.

The Local Government shall provide access to offices and other sites where Preconstruction Activities or Project work (if financed by this Loan) is ongoing, or has been performed, to authorized representatives of the Department at any reasonable time. The Local Government shall cause its engineers and contractors to provide copies of relevant records and statements for inspection.

8.04. ASSIGNMENT OF RIGHTS UNDER AGREEMENT.

The Department may assign any part of its rights under this Agreement after notification to the Local Government. The Local Government shall not assign rights created by this Agreement without the written consent of the Department.

8.05. AMENDMENT OF AGREEMENT.

This Agreement may be amended, except that no amendment shall be permitted which is inconsistent with statutes, rules, regulations, executive orders, or written agreements between the Department and the U.S. Environmental Protection Agency. A final amendment establishing the final allowance costs financed by this Loan and the actual Loan Service Fee shall be completed after the Department's final inspection of relevant documents and records.

8.06. ANNULMENT OF AGREEMENT.

The Department may unilaterally annul this Agreement if the Local Government has not drawn any of the Loan proceeds within eighteen months after the effective date of this Agreement. If the Department unilaterally annuls this Agreement, the Department will provide written notification to the Local Government.

8.07. SEVERABILITY CLAUSE.

If any provision of this Agreement shall be held invalid or unenforceable, the remaining provisions shall be construed and enforced as if such invalid or unenforceable provision had not been contained herein.

8.08. USE AS MATCHING FUNDS.

The U.S. Environmental Protection Agency has provided a class deviation from the provisions of 40 CFR 35.3125(b)(1) to allow these second tier funds to be used as local matching requirements for most EPA grant funded treatment works projects, including special Appropriations Act projects.

8.09. COMPLIANCE VERIFICATION.

(1) The Local Government shall periodically interview 10% of the work force entitled to Davis-Bacon prevailing wages (covered employees) to verify that contractors or subcontractors are paying the appropriate wage rates. Local Governments shall immediately conduct interviews in response to an alleged violation of the prevailing wage requirements. As provided in 29 CFR 5.6(a)(5) all interviews must be conducted in confidence. The Local Government must use Standard Form 1445 or equivalent documentation to memorialize the interviews. Copies of the SF 1445 are available from EPA on request.

(2) The Local Government shall periodically conduct spot checks of a representative sample of weekly payroll data to verify that contractors or subcontractors are paying the appropriate wage rates. The Local Government shall establish and follow a spot check schedule based on its assessment of the risks of noncompliance with Davis-Bacon posed by contractors or subcontractors and the duration of the contract or subcontract. At a minimum, if practicable, the subrecipient should spot check payroll data within two weeks of each contractor or subcontractor's submission of its initial payroll data and two weeks prior to the completion date the contract or subcontract. Local Governments must conduct more frequent spot checks if the initial spot check or other information indicates that there is a risk that the contractor or subcontractor is not complying with Davis-Bacon. In addition, during the examinations the Local

Government shall verify evidence of fringe benefit plans and payments thereunder by contractors and subcontractors who claim credit for fringe benefit contributions.

(3) The Local Government shall periodically review contractors and subcontractors use of apprentices and trainees to verify registration and certification with respect to apprenticeship and training programs approved by either the U.S Department of Labor (DOL) or a state, as appropriate, and that contractors and subcontractors are not using disproportionate numbers of laborers, trainees, and apprentices. These reviews shall be conducted in accordance with the schedules for spot checks and interviews described in items (1) and (2) above.

(4) Local Governments must immediately report potential violations of the Davis-Bacon prevailing wage requirements to the EPA Davis-Bacon contact Sheryl Parsons at Parsons.Sheryl@epamail.epa.gov and to the appropriate DOL Wage and Hour District Office listed at http://www.dol.gov/whd/america2.htm.

ARTICLE IX - RESERVED

ARTICLE X - DETAILS OF FINANCING

10.01. PRINCIPAL AMOUNT OF LOAN.

The principal amount of the Loan is $249,316, which includes $247,416 to be disbursed to the Local Government and $1,900 of Capitalized Interest.

Capitalized Interest is not disbursed to the Local Government, but is amortized via periodic Loan repayments to the Department as if it were actually disbursed. Capitalized Interest is computed at the Financing Rate, or rates, set for the Loan. It accrues and is compounded annually from the time when disbursements are made until six months before the first Semiannual Loan Payment is due. Capitalized Interest is estimated prior to establishment of the schedule of actual disbursements.

10.02. LOAN SERVICE FEE.

The Loan Service Fee is estimated as $4,948 for the Loan amount authorized to date. The fee represents two percent of the Loan amount excluding Capitalized Interest; that is, two percent of $247,416. The fee shall be revised with any increase or decrease amendment. The Loan Service Fee shall be based on actual Project costs and will be assessed in the final Loan amendment. The Local Government shall pay the Loan Service Fee from the first available repayments following the final amendment.

Capitalized Interest is computed on the assessed Loan Service Fee at the Financing Rate, or rates and included in the final amendment. It accrues and is compounded annually from the final amendment date until six months before the first Semiannual Loan Payment is due. A service fee assessed in a final amendment occurring later than six months before the first Semiannual Loan Payment date would not accrue Capitalized Interest charges.

10.03. FINANCING RATE.

The Financing Rate on the unpaid principal of the Loan amount specified in Section 10.01 is 2.06 percent per annum. The Financing Rate equals the sum of the interest rate and the Grant Allocation Assessment Rate. The interest rate is 1.03 percent per annum and the Grant Allocation Assessment rate is 1.03 percent per annum. However, if this Agreement is not executed by the Local Government and returned to the Department before April 1, 2014, the Financing Rate may be adjusted. A new Financing Rate shall be established for any funds provided by amendment to this Agreement.

10.04. LOAN TERM.

The Loan shall be repaid in 40 Semiannual Loan Payments.

10.05. REPAYMENT SCHEDULE.

The Semiannual Loan Payment shall be computed based upon the principal amount of the Loan plus the estimated Loan Service Fee and the principle of level debt service. The Department will deduct the Loan Service Fee and any associated interest from the first available repayments following the final amendment. The Loan principal and Semiannual Loan Payment amounts may be revised by amendment of the Agreement. After the final disbursement of Loan proceeds, the Loan principal will be adjusted to reflect the actual dates and amounts of disbursements. Accordingly, the Semiannual Loan Payment amount shall be adjusted, taking into consideration any previous payments.

Until the principal amount of the Loan is amended, the Semiannual Loan Payment shall be in the amount of $7,788. The interest and Grant Allocation Assessment portions of each Semiannual Loan Payment shall be computed, using their respective rates, on the unpaid balance of the principal amount of the Loan, which principal includes Capitalized Interest. Interest (at the Financing Rate) shall also be computed on the unpaid balance of the estimated Loan Service Fee. The interest and Grant Allocation Assessment on the unpaid balance shall be computed as of the due date of each Semiannual Loan Payment.

Unless repayment is deferred by an amendment to this Agreement, Semiannual Loan Payments shall be received by the Department beginning on June 15 ,2015 and semiannually thereafter on December 15 and June 15 of each year until all amounts due have been fully paid. Funds transfer shall be made by electronic means.

The Semiannual Loan Payment amount is based on the total amount owed of $254,264, which consists of the Loan principal plus the estimated Loan Service Fee.

10.06. PROJECT RELATED COSTS.

The Local Government and the Department acknowledge that actual Project costs and Preconstruction Activities allowance costs have not been determined as of the effective date of this Agreement. An adjustment to the Preconstruction Activities allowance may be made due to a reduction in the scope of work proposed for construction or based on construction contract bid prices. Failure to achieve Department acceptance of plans and specifications prior to the date

specified in Section 10.07 may cause adjustment of the Preconstruction allowance. Capitalized Interest will be recalculated based on actual dates and amounts of Loan disbursements. The final allowance amount, and Project costs if financed by this Loan, shall be established in the final amendment. Changes in the Preconstruction Activities allowance or Project costs may also occur as a result of the Local Government's audit or the Department's audit.

The Local Government agrees to the following estimates of the Preconstruction Activities allowance and related costs:

Allowance (Disbursable Amount)	$	247,416
Capitalized Interest	$	1,900
TOTAL (Loan Principal Amount)	$	249,316

The listed allowance is based on estimated construction costs of $2,400,000, which excludes Capitalized Interest.

10.07. SCHEDULE.

All Preconstruction Activities shall be completed no later than the completion of all Preconstruction Activities date set forth below. Planning activities shall be completed in time to enable the Department to accept the planning documents as scheduled in Subsection (1) below.

(1) Acceptance of the planning documents by the Department (Design Authorization) no later than March 15, 2014.

(2) Design of all Project facilities proposed for loan funding no later than May 15, 2014.

(3) Certification of availability of all sites for facilities proposed for loan funding no later than May 15, 2014.

(4) Evidence that permitting requirements have been satisfied for all Project facilities proposed for construction loan funding no later than June 15, 2014.

(5) Completion of all Preconstruction Activities for all Project facilities proposed for loan funding no later than June 15, 2014.

(6) Unless deferred by amendment, establish the Loan Debt Service Account and begin Monthly Loan Deposits no later than December 15, 2014.

(7) Unless deferred by amendment, provide certifications under Subsection 2.01(10) beginning March 15, 2015, and annually thereafter no later than September 30 of each year until the final Semiannual Loan Payment is made.

(8) Unless this Agreement is amended to provide construction financing, the first Semiannual Loan Payment in the amount of $7,788 shall be due June 15, 2015.

ARTICLE XI - EXECUTION OF AGREEMENT

This Loan Agreement SW350940 shall be executed in three or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this Agreement to be executed on its behalf by the Program Administrator and the Local Government has caused this Agreement to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this Agreement shall be as set forth below by the Program Administrator.

for
CITY OF TAVARES

_____
Mayor

Attest

I attest to the opinion expressed in Section 2.02, entitled Legal Authorization.

_____ _____

City Clerk

City Attorney

SEAL

for

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

_____ _____

Program Administrator
State Revolving Fund

Date