

**AGENDA  
TAVARES CITY COUNCIL**

**MAY 7, 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 Rick Fountain, First Baptist Church of Tavares**

**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 City Council Meeting, April 2 and April 16, 2014**

**V. PROCLAMATIONS/PRESENTATIONS**

**Tab 2) Stamp Out Hunger Food Drive May 10, 2014** **Vice Mayor Pfister**

**Tab 3) National Public Works Week– May 18-24, 2014** **Vice Mayor Pfister**

**Tab 4) Water Reuse Week May 18-24, 2014** **Vice Mayor Pfister**

**Tab 5) American Public Works Association Central Florida  
Branch Project of the Year Award – Freedom Flag** **Vice Mayor Pfister**

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

**VII. READING OF ALL ORDINANCES/RESOLUTIONS**

**VIII. CONSENT AGENDA**

Tab 6) Extension of Jones Brothers Agreement Bill Neron

**IX. ORDINANCES/RESOLUTIONS**

**FIRST READING**

Tab 7) Ordinance #2014-03 – Annexation & Rezoning – Jacques Skutt  
15.5 Acres West Side of SR 19 at CR 561 – Tavares Village Shops

**TRANSMITTAL HEARING**

Tab 8) Ordinance #2014-04 – Large Scale Future Land Use Map Jacques Skutt  
Amendment – 15.5 Acres - West Side of SR 19 at CR 561 – Tavares Village Shops

**SECOND READING**

**RESOLUTIONS**

Tab 9) Resolution #2014-11 – Extension of Special Use Permit Jacques Skutt  
For Storage of Boats and Trailers at Fox Run Subdivision

Tab 10) Resolution #2014-13 – Initiating Water & Wastewater Attorney Williams  
Improvements for Sunset View and Three Lakes Park

**X. GENERAL GOVERNMENT**

Tab 11) Agreement for Engineering & Design for Lift Station 49 Brad Hayes  
Rehabilitation and Increase of Sewer Line Capacity

Tab 12) Award of Bid for Royal Harbor Water Pressure System Brad Hayes

Tab 13) Interlocal Agreement between Lake County and Lori Houghton  
Municipalities relating to Local Option Fuel Tax

Tab 14) Amendment One to State Revolving Debt Purchase Lori Houghton  
Agreement – Sewer Rehabilitation in CRA

Tab 15) Amendment 3 to the State Revolving Fund Loan Lori Houghton  
Agreement for Reuse Distribution Lines - Phases 2 and 3

**XI. OLD BUSINESS**

**XII NEW BUSINESS**

**XIII. AUDIENCE TO BE HEARD**

**XIV. REPORTS**

**Tab 16) City Administrator**

**John Drury**

**Tab 17) Council Reports**

**City Councilmembers**

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

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

## **The Language of Local Government**

### **Definition of Terms**

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

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

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

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

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

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

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

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

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

**contiguous** – Sharing a common boundary.

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

**DCA – Department of Community Affairs**

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

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

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

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

**FDOT – Florida Department of Transportation**

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

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

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

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

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

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

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

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

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

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

**PUD – Planned Unit Development**

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

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

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

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

**right-of-way** – Strip of land owned by a government agency over which the public has right of passage such as streets, parkways, medians, side walks, 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  
APRIL 2, 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**

Tom Cavanaugh, First Baptist Church of Mt. Dora, 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 Robert Speaks. The motion carried unanimously 5-0.

**IV. APPROVAL OF MINUTES**

**Tab 1) Approval of Minutes – March 19, 2014 - Deferred**

1 **V. PROCLAMATIONS/PRESENTATIONS**

2  
3 **Tab 2) Library Appreciation Week**

4  
5 Mayor Wolfe read a proclamation designating April 13-19, 2014 as Library Appreciation Week.

6  
7 Ms. Rogers introduced those present from the Tavares library: Rosa Rosario, Director; Deborah  
8 Summers and April Mazack. She noted there will be an appreciation breakfast for the staff next  
9 Tuesday morning.

10  
11 **Tab 3) Water Conservation Month**

12  
13 Mayor Wolfe read a proclamation designating April as Water Conservation Month.

14  
15 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE CONTACTS**

16  
17 Attorney Williams noted there was one quasi-judicial matter, Tab 7, Variance for a Rear Yard  
18 setback at 2408 Vindale Avenue. He swore in those who would be giving testimony.

19  
20 Council indicated there were no ex-parte communications on this matter.

21  
22 **VII. READING OF ALL ORDINANCES/RESOLUTIONS**

23  
24 Ms. Barnett read the following ordinances and resolutions by title only:

25  
26 **ORDINANCE 2014-01**

27  
28 **AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY**  
29 **ANNEXING APPROXIMATELY 0.36 ACRES OF LAND CONSISTING OF THREE**  
30 **MOBILE HOME LOTS GENERALLY LOCATED ON THE SOUTHWEST END OF**  
31 **MANSFIELD ROAD, REZONING THE PROPERTY FROM COUNTY RM (MIXED**  
32 **HOME RESIDENTIAL) TO CITY RMH-S (RESIDENTIAL MANUFACTURED HOME**  
33 **SUBDIVISION); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS**  
34 **ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN**  
35 **EFFECTIVE DATE.**

36  
37 **ORDINANCE 2014-02**

38  
39 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**  
40 **TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,**  
41 **PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON**  
42 **APPROXIMATELY .36 ACRES OF LAND CONSISTING OF THREE MOBILE**  
43 **HOME LOTS GENERALLY LOCATED ON THE SOUTHWEST END OF**  
44 **MANSFIELD ROAD FROM LAKE COUNTY URBAN LOW TO CITY MOBILE**  
45 **HOME; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR**  
46 **TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**  
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**RESOLUTION 2014-07**

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, GRANTING A VARIANCE TO THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS, MINIMUM REAR YARD SETBACK FOR A RESIDENTIAL MANUFACTURED HOME SUBDIVISION (RMH-S) ZONING FOR PROPERTY LOCATED AT 2408 VINDALE AVENUE, TAVARES, FL; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

**RESOLUTION NO. 2014-10**

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA ACCEPTING THE PROPOSAL OF BRANCH BANKING AND TRUST COMPANY TO PURCHASE THE CITY'S NOT TO EXCEED \$735,000 CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2014, TO FINANCE THE CITY'S COST OF ACQUIRING POLICE VEHICLES AND A SANITATION VEHICLE AND EQUIPMENT RELATED THERETO; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH SAID BANK TO SECURE THE REPAYMENT OF SAID LOAN; PROVIDING FOR THE PAYMENT OF THE NOTE FROM THE CITY'S COVENANT TO BUDGET AND APPROPRIATE NON AD VALOREM REVENUES ALL AS PROVIDED IN THE LOAN AGREEMENT; AUTHORIZING THE PROPER OFFICIALS OF THE CITY TO DO ANY OTHER ADDITIONAL THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE EXECUTION OF THE LOAN AGREEMENT, THE NOTE, AND THE SECURITY THEREFORE; AUTHORIZING THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS IN CONNECTION WITH SAID LOAN; DESIGNATING THE NOTE AS "BANK QUALIFIED"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**VIII CONSENT AGENDA**

**IX. ORDINANCES/RESOLUTIONS**

**Tab 4) Ordinance #2014-01 – Annexation and Zoning – 30329, 30333, and 30337 Mansfield Road – City Residential Mobile Home Subdivision – First Reading Only**

**Tab 5) Ordinance #2014-02 – Future Land Use Amendment 30329, 30333, and 30337 Mansfield Road from County Urban Low to City Mobile Home – First Reading Only**

**Tab 6) Resolution #2014-10 – Approval of Financing for Lease of Police Vehicles & Sanitation Truck**

Ms. Houghton explained that this resolution will approve the execution of loan documents for Capital Improvement Revenue Note, Series 2014, in order to purchase 12 police vehicles and a

1 solid waste automated truck. She reviewed the bid process for the financing which was awarded  
2 to BB&T Bank on March 19, 2014. She said the total amount including closing costs will be  
3 \$730,630.90. She noted the packet included a memorandum from the financial advisor.

4  
5 **MOTION**

6  
7 **Robert Speaks moved for approval of Resolution #2014-10, seconded by Norman Hope.**  
8 **The motion carried unanimously 5-0.**

9  
10 **Tab 7) Resolution #2014-07 – Variance for Read Yard Setback – 2408 Vindale Avenue**

11  
12 Mr. Skutt stated that the applicant for this variance was unable to attend this meeting and has  
13 submitted a written request that City Council table this matter until the next Council Meeting on  
14 April 16<sup>th</sup>.

15  
16 Mr. Drury explained the options to Council. Mayor Wolfe noted there was a Request to Speak  
17 form from Jean Silvasey.

18  
19 **Jean Silvasey**

20  
21 Ms. Silvasey of 2311 Vindale Road stated she is on the Board of Imperial Terrace Association.  
22 She said she had questions about the location and its proximity to the subdivision wall. She said  
23 that the owner had started to remove his shed and then consequently put it back up. She said it  
24 does not appear to have electricity. She said she questioned how he will use the shed. She asked  
25 if the wall was owned by the City of Tavares or by FDOT and were there regulations about how  
26 close buildings could be to the wall.

27  
28 Mr. Drury asked Ms. Silvasey if she would be able to attend the next meeting on April 16<sup>th</sup> if  
29 Council decided to table this item. Ms. Silvasey said she would attend. Mr. Drury asked Ms.  
30 Silvasey if she would email her questions to him and he would prepare the answers.

31  
32 **MOTION**

33  
34 **Kirby Smith moved to table Resolution #2014-07 until the April 16<sup>th</sup> meeting, seconded by**  
35 **Robert Speaks. The motion carried unanimously 5-0.**

36  
37 **X. GENERAL GOVERNMENT**

38  
39 **Tab 8) Purchase of Police Vehicles and Sanitation Truck Utilizing the Lake County Sheriff's**  
40 **Bid**

41  
42 Ms. Houghton noted this item requests authorization to purchase the police vehicles and one  
43 garbage truck utilizing the Sheriff's bid (Miami Gardens Bid Res 2013-72-1868).

44  
45 **MOTION**

46

1 **Kirby Smith moved to authorize the purchase of 12 police cars and one automated**  
2 **garbage truck, seconded by Robert Speaks. The motion carried unanimously 5-0.**

3  
4 **Tab 10) Update on Tavares Interlocal Service Boundary Agreement**

5  
6 (Mr. Drury requested that Council take up discussion of Tab 10 first before Tab 9)

7  
8 Mr. Skutt reported that on October 2, 2013, the City of Tavares passed Resolution 2013-15 to  
9 initiate the process for negotiating an ISBA between Lake County and the City of Tavares for  
10 lands located along the Old 441 Corridor. This initiating resolution was sent to Lake County and  
11 to all municipalities within the County.

12  
13 Lake County replied with a responding resolution indicating their desire for an ISBA with Tavares,  
14 but they increased the utility service boundary map to include all lands to which the city could  
15 possibly supply future utilities. The Cities of Leesburg, Mount Dora and Astatula also responded  
16 that they too desired to participate in the process. City and County staff have had informal  
17 meetings and sample agreements from other municipalities have been reviewed. Of primary  
18 importance to the County is the coordination of County and City Fire and Rescue Services and  
19 the provision that the closest emergency aid would respond to emergency calls, regardless of  
20 jurisdiction.

21  
22 Staff has met with Councilmember Smith, the project's liaison, and have produced boundary  
23 maps of unincorporated areas that could reasonably be serviced and annexed into the City of  
24 Tavares in the future. Lands that presently are serviced by other jurisdictions were excluded.  
25 Care was taken to insure that subdivisions and properties were not bisected by the boundary line.  
26 The City of Leesburg is concurrently negotiating an ISBA with the County and they have adjusted  
27 their boundary map to correspond with the Tavares' proposed boundary.

28  
29 Mr. Skutt reviewed the draft maps showing extended boundaries.

30  
31 In terms of the old 441 corridor, the City of Mt. Dora has a JPA agreement with Lake County that  
32 runs along Old 441, west of Bay Road. Mt. Dora has some utilities in the south part of Bay Road.  
33 As a compromise the City has removed that area from the Utility Boundary Area and has  
34 extended the area up northerly along Bay Road until it hits the boundary of Mt. Dora.

35  
36 The first formal ISBA meeting with the County and participating municipalities is tentatively set for  
37 May 23<sup>rd</sup> at 2:00 p.m. Prior to that date, a draft agreement that is presently under legal review will  
38 be distributed to this City Council, the County and all municipalities within Lake County.

39  
40 Mr. Drury noted that Councilmember Smith was appointed to be the Horizon Project team  
41 member and he has met with staff several times to look at the overall ISBA area and has helped  
42 with his historical knowledge. In addition he noted that a JPA is a "Joint Planning Area" and some  
43 cities have a JPA with the County. He said the Mt. Dora JPA was probably done 10 or 15 years  
44 ago and went close to Fairview Road. (Tavares had not been part of that JPA.) He stated that  
45 JPA's are becoming a thing of the past and are being replaced by ISBA. The ISBA states that the  
46 City will identify the areas to which they could possibly grow and anyone in the area has the right  
47 to request voluntary annexation. He said it is a negotiation process with the County. He stated the

1 City of Leesburg has signed off on the proposed map with Tavares and negotiations are  
2 underway with Mt. Dora. There appears to be no issues with Eustis and Howey in the Hills. There  
3 are no anticipated issues with the town of Astatula.  
4

5 Mr. Drury added that when the agreement is signed it will include obligations one of which is  
6 "closest unit response." It will stipulate that if there is a fire all of the City of Tavares fire trucks  
7 and all of Lake County's trucks will have a GPS device. This software will allow the dispatchers to  
8 identify who is the closet unit to the structure. Whoever is closest will respond to the fire whether  
9 or not it is in the City or County. At the end of the quarter, a "true up" is done to summarize how  
10 many times the city fire truck responded versus the County fire truck and a check is written to  
11 whoever responded more times.  
12

13 Attorney Williams noted this is a relatively new statutory amendment to the annexation statute.  
14 Traditionally annexations have only been available for contiguous properties. The major change  
15 is that the government has done away with the requirement to have it touch the city's boundaries.  
16

17 Councilmember Speaks mentioned the southern boundary is just south of CR 448 for the City  
18 and he was not sure how much further it was to the Astatula boundary. He said the City may want  
19 to explore that space in between. Mr. Skutt stated that Astatula has indicated that they wish to  
20 participate. Mr. Drury stated that staff will look at that in their meetings.  
21

### 22 **Tab 9) Local Gas Tax Options**

23  
24 Councilmember Speaks stated he had been appointed to represent the City for the 2 cents gas  
25 tax (six cents in actuality over three years with the two cents coming due this year). The objective  
26 of this item is for the City Council to select a formula option for distribution of the proposed  
27 renewed second Local Option Gas Tax (2 cents).  
28

29 Councilmember Speaks referred to the Lake County memorandum of February 4<sup>th</sup> detailing the  
30 formulas and their impact. He reviewed the options:  
31

- 32 1. Current Distribution Formula (based on 1984-1996 formulas)
- 33 2. Formula based on Population & Road Miles (each element is 50%)
- 34 3. Formula based on Population, Transportation Expenditures, & Road Miles (each element  
35 is 1/3 of the formula)
- 36 4. Formula based on Population & Transportation Expenditures (25% population & 75%  
37 transportation)

38  
39 He commented that Formula #2 is the easiest to calculate. He said approval will be based on  
40 51% of the 14 cities' population to approve the formula and eight of the municipalities have  
41 already approved formula #2. He said in terms of population and road miles in the future, he  
42 believed it would be to the city's advantage to adopt this formula.  
43

44 Mr. Drury thanked Councilmember Speaks for attending the meetings.  
45

### 46 **MOTION**

47

1 **Kirby Smith moved to approve formula #2 based on population and road miles, seconded**  
2 **by Norman Hope. The motion carried unanimously 5-0.**

3  
4 **Tab 11) Commercial Utility Accounts – Interest Credit**

5  
6 Ms. Houghton advised this item is to address an issue with an overbilling of some of the  
7 commercial accounts. This is to request authorization to provide those customers with an  
8 additional one time credit of 1% similar to an interest credit. It would only be for certain metered  
9 accounts with meters greater than 1 inch.

10  
11 **MOTION**

12  
13 **Kirby Smith moved to approve a one-time, 1% credit of the total amount that was**  
14 **overbilled, to be applied to the affected commercial utility accounts, seconded by**  
15 **Robert Speaks. The motion carried 4-1 as follows:**

16  
17 **Robert Wolfe** Yes  
18 **Kirby Smith** Yes  
19 **Norman Hope** No  
20 **Lori Pfister** Yes  
21 **Robert Speaks** Yes

22  
23 **XI. OLD BUSINESS**

24  
25 **Chickens in the Downtown**

26  
27 Mayor Wolfe asked the status of the chickens in the downtown. Mr. Drury said the last rooster  
28 was caught and homes have been found.

29  
30 **City Flag**

31  
32 Councilmember Speaks said Council has approved the City Flag and he would like to see the flag  
33 flown at City Hall and below the Freedom Flag. He said he was very proud of the City and the  
34 flag.

35  
36 Mr. Drury said staff will research flag etiquette and whether it needs to be on a separate pole.

37  
38 **MOTION**

39  
40 **Kirby Smith moved to allow city staff to venture into obtaining flags and to check on the**  
41 **flag etiquette to properly display flags in various locations throughout the city, seconded**  
42 **by Norman Hope.**

43  
44 Mr. Thompson mentioned that there is added hardware that will be needed. Mr. Drury stated the  
45 funding will be found.

46  
47 **The motion carried unanimously 5-0.**

1  
2 **XII. NEW BUSINESS**

3  
4 **XIII. AUDIENCE TO BE HEARD**

5  
6 Mayor Wolfe asked for public comment for anything not on the agenda.

7  
8 **XIV. REPORTS**

9  
10 **Tab 14) City Administrator**

11  
12 Mr. Drury stated this Friday at 6 p.m. will be the opening ceremony and fireworks for the  
13 Dragonboat festival and the Tavares team will be competing Saturday.

14  
15 **City Clerk**

16  
17 **Human Resources**

18  
19 **Economic Development**

20  
21 **Public Works**

22  
23 **Public Communications**

24  
25 **Utility Department**

26  
27 **Police Department**

28  
29 **Community Services**

30  
31 Ms. Rogers stated she had received a check in the amount of \$1,889 from the Tavares High  
32 School class of 1984 to pay off the balance of the first reservation for the pavilion. Their event is  
33 September 27<sup>th</sup>.

34  
35 **Fire Department**

36  
37 **Community Development**

38  
39 Mr. Skutt stated the city has contracted with the East Central Florida Regional Planning Council  
40 to undertake an economic development study of the commercial and industrial land within the city  
41 located south of Lake Dora. The Planning Council will be holding a stakeholders meeting in  
42 Council Chambers on April 17<sup>th</sup> at 2 p.m. to present their first draft of the report to the business  
43 and commercial property owners within that area. He noted Councilmember Hope has been the  
44 liaison on this project. He invited each councilmember to attend. Mr. Drury noted the meeting will  
45 be advertised.

46  
47 **Finance Department**

1  
2 Ms. Houghton stated a check had been received from Mrs. Wu for a \$1,000 donation for the  
3 Dragonboat fireworks.

4  
5 **City Attorney**

6  
7 **Tab 15) City Council**

8  
9 **Vice Mayor Pfister**

10  
11 **Councilmember Hope**

12  
13 Councilmember Hope said he had not attended the weekend events because he was in a  
14 seminar in Orlando for the MPO. He said his take aways were that he now knows more of the  
15 questions to ask and HE understands the time involved in the process. He said he also received  
16 reinforcement that he needs to remember to think globally because of the need to work  
17 collectively with the other government entities.

18  
19 **Councilmember Speaks**

20  
21 Councilmember Speaks said Ohio State has a band that also has the dotting of the eye in their  
22 program.

23  
24 **Councilmember Smith**

25  
26 Councilmember Smith stated on this day in history Florida was discovered by Ponce de Leon. He  
27 said this week in City of Tavares the following employees have anniversaries: April Mazak's  
28 birthday is April 7<sup>th</sup>; service anniversary of Bill Neron with Economic Development; John Russo's  
29 anniversary with the Seaplane Base, and Matthew Simmons with the Fire Department. He wished  
30 the staff members congratulations.

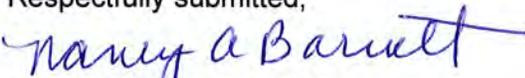
31  
32 **Mayor Wolfe**

33  
34 Mayor Wolfe stated that the head of Rotary International is planning to attend next year's  
35 Dragonboat festival. He said it should be a great event to showcase the waterfront.

36  
37 **Adjournment**

38  
39 There was no further business and the meeting was adjourned at 5:08 p.m.

40  
41 Respectfully submitted,

42 

43  
44 Nancy A. Barnett, C.M.C.  
45 City Clerk  
46

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**CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
APRIL 16, 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**

Robert Q. Williams, City Attorney  
Nancy Barnett, City Clerk  
Brad Hayes, Utility Director  
Lori Houghton, Finance Director/Acting City Administrator  
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**

Jacob Roberts, 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 – March 19, 2014**

1 **MOTION**

2  
3 **Robert Speaks moved for approval of the minutes of March 19, 2014, seconded by Kirby**  
4 **Smith. The motion carried unanimously 5-0.**

5  
6 **V. PROCLAMATIONS/PRESENTATIONS**

7  
8 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE CONTACTS**

9  
10 Attorney Williams noted there were two quasi-judicial matters, Tab 2 - 30329, 30333, and 30337  
11 Mansfield Road annexation and zoning and Tab 4 – variance to rear yard setback for 2408  
12 Vindale Road He swore in those who would be giving testimony.

13  
14 Council indicated there were no ex-parte communications on these matters.

15  
16 **VII. READING OF ALL ORDINANCES/RESOLUTIONS**

17  
18 Ms. Barnett read the following ordinances and resolutions by title only:

19  
20 **ORDINANCE 2014-01**

21  
22 **AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY**  
23 **ANNEXING APPROXIMATELY 0.36 ACRES OF LAND CONSISTING OF THREE**  
24 **MOBILE HOME LOTS GENERALLY LOCATED ON THE SOUTHWEST END OF**  
25 **MANSFIELD ROAD, REZONING THE PROPERTY FROM COUNTY RM (MIXED**  
26 **HOME RESIDENTIAL) TO CITY RMH-S (RESIDENTIAL MANUFACTURED HOME**  
27 **SUBDIVISION); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS**  
28 **ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN**  
29 **EFFECTIVE DATE.**

30  
31 **ORDINANCE 2014-02**

32  
33 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**  
34 **TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,**  
35 **PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON**  
36 **APPROXIMATELY .36 ACRES OF LAND CONSISTING OF THREE MOBILE**  
37 **HOME LOTS GENERALLY LOCATED ON THE SOUTHWEST END OF**  
38 **MANSFIELD ROAD FROM LAKE COUNTY URBAN LOW TO CITY MOBILE**  
39 **HOME; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR**  
40 **TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

41  
42 **RESOLUTION 2014-07**

43  
44 **A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, GRANTING A**  
45 **VARIANCE TO THE CITY OF TAVARES LAND DEVELOPMENT**  
46 **REGULATIONS, MINIMUM REAR YARD SETBACK FOR A RESIDENTIAL**  
47 **MANUFACTURED HOME SUBDIVISION (RMH-S) ZONING FOR PROPERTY**



1 Mr. Skutt stated this matter was tabled from the last City Council meeting. This is a variance  
2 application from Gary Reineck for a reduction for the required minimum rear yard setback of 10  
3 feet for property at 2408 Vindale Road. The owner has constructed an 8' x 12' shed attached to  
4 his mobile home. He did not pull a building permit and the City's Code Enforcement Officer issued  
5 a notice of violation requiring him to pull a permit. The mobile home appears to already project  
6 into the required rear yard and the shed extends to the rear property line.  
7

8 The majority of the homes on this section of Vindale Road appear to project into the required 10'  
9 rear yard setback. These lots back onto the Tav-Lee Trail that is buffered by a 10'+ high masonry  
10 wall. Since these encroachments into the rear yards are not visible from the rear or front, and  
11 since existing conditions are consistent with limited or no rear setback, staff is recommending  
12 approval of this variance. There are no recorded utility easements in the rear yard of the  
13 properties.  
14

15 Mr. Skutt addressed the questions that were asked at the previous Council Meeting:

- 16
- 17 • A building permit application has not as yet been received by the City's Building
- 18 Department for this structure
- 19 • If there is electrical work that is going to be done within that shed, the applicant would
- 20 have to pull an electrical permit also along with the building permit. Mr. Skutt said he is not
- 21 aware of any reason why the applicant could not put electrical receptacles into the shed.
- 22 • The masonry wall is owned by FDOT. As part of the normal variance process, FDOT was
- 23 advised of this proposed variance and staff did not receive any response from FDOT.
- 24 • There are no recorded setbacks or FDOT easements that are related to this wall, The
- 25 homes existing on this segment of Vindale were placed there in the 1970's and it is
- 26 unknown what the required setbacks were at that time but it appears that no setbacks
- 27 were enforced and that the existing setbacks of these homes could be considered legally
- 28 nonconforming or grandfathered in  
29

30 At the March Planning & Zoning meeting the Board recommended approval unanimously of this  
31 resolution and staff recommends approval.  
32

33 Mayor Wolfe invited Jean Salvasey to speak.  
34

35 Jean Silvasey – 2311 Vindale Road  
36

37 Ms. Silvasey noted she was mainly concerned about the ownership of the wall by FDOT and  
38 whether or not the variance could be issued by the City. In addition she said she had a question  
39 about the lack of electrical since the summary that was provided in the last agenda stated there  
40 would be no electrical. She said there seems to be some discrepancy amongst the Imperial  
41 Terrace community as to whether or not Mr. Reineck began the removal of the building and  
42 therefore she would not be addressing that issue; however, she said her major questions had  
43 been answered.  
44

45 Councilmember Smith asked how far the shed is from the wall. Mr. Skutt the shed goes to the  
46 property line and appears to be two or three feet from the wall. Councilmember Smith asked  
47 Chief Keith if he had any problem with the request. Chief Keith answered "no." Councilmember

1 Speaks asked if there was enough room for an FDOT vehicle to pass. Mr. Skutt said he did not  
2 think so. Councilmember Speaks said that Mr. Reineck needs to know that if he goes to sell the  
3 property there may be an exception on his title policy because the survey will show it over the  
4 setback. Attorney Williams said it would show as an exception since it is in an easement.  
5

6 Mayor Wolfe asked Mr. Reineck for comment. Mr. Reineck said that when he met with the P&Z  
7 Board, he noted he had made a mistake of not pulling the permit but he had just moved to Florida  
8 and did not realize the requirement. He said in discussing this with Mr. McCormick he had been  
9 advised to first get the variance which is why he has not yet pulled the building permit. He said  
10 Mr. Fitzgerald of Community Services has been very helpful. He said he had a survey done and  
11 submitted that to the committee at the park. He said there was not enough room for any vehicles  
12 behind his property before he put up the shed. He said the clubhouse does not meet the variance  
13 either. He said there is electrical available but he only plans on using it for storage.  
14

15 **MOTION**

16  
17 **Kirby Smith moved for approval of Resolution #2014-07, seconded by Norman Hope. The**  
18 **motion carried unanimously 5-0.**  
19

20 **Tab 5) Resolution #2014-12 – Authorization of Credit Card Limit Increase for the City's**  
21 **Corporate Credit Card Account**  
22

23 Ms. Houghton stated this is to request an increase to the City's corporate credit card from a  
24 current amount of \$30,000 to \$55,000. The \$30,000 services 10 credit cards through an umbrella  
25 account. When staff reviewed the limits in light of the upcoming storm season, it was determined  
26 to be inadequate. This amount has not changed in over 10 years. Sun Trust can increase the limit  
27 by a \$25,000 increase to \$55,000. All 10 credit cards will share this limit.  
28

29 [Discussion followed regarding the agenda cover sheet reflecting a request to raise to \$65,000  
30 but Ms. Houghton noted this was a typographical error and the request is for a \$25,000 increase  
31 for a total of \$55,000.] Ms. Houghton stated each card will receive an equal limit. She said the  
32 City pays off the account every month. She said all credit card purchases go through the normal  
33 requisition process and are approved by the budget analyst. The cards are kept in the Finance  
34 Department and are signed out by the individual staff members.  
35

36 **MOTION**

37  
38 **Lori Pfister moved to approve an additional \$25,000 for a total of \$55,000 credit card limit,**  
39 **seconded by Kirby Smith.**  
40

41 Councilmember Smith asked Ms. Wood (Budget Analyst) for comment. Ms. Wood indicated her  
42 agreement.  
43

44 **The motion carried unanimously 5-0.**  
45

46 **X. GENERAL GOVERNMENT**  
47

1 **Tab 6) Request from Fire Pension Board to Submit Disability Claim to the State Attorney**  
2 **for Review**  
3

4 Chief Keith said he was representing the Fire Pension Fund as a board member. He said the  
5 objective is to consider a request from the Firefighter Pension Board Trustees to refer a firefighter  
6 disability claim to the Lake County Sheriff's Office and/or State Attorney's Office for a possible  
7 criminal investigation. He noted the Board had submitted a letter with this request. He said the  
8 staff recommendation to Council is to move to authorize the City Attorney to represent the  
9 Council in all matters related to joining the Pension Board on this referral to the Lake County  
10 Sheriff's Office and/or State Attorney's office. The Pension Fund itself will cover any costs  
11 associated with the prosecution and litigation.  
12

13 Chief Keith read a memorandum from the City Attorney regarding the disability claim of former  
14 fighter Landon Lee Gayheart which reflected that the pension award negatively impacts the  
15 pension fund. It also referred to alleged misrepresentations and omissions made by Mr. Gayheart  
16 when he was an employee.  
17

18 Attorney Williams stated the discretion of whether to prosecute rests with the State Attorney's  
19 office. He said the Pension Board attorney had referred the Board to a statute which makes it  
20 unlawful to make misrepresentations and has the penalty of forfeiture of pension. He said he  
21 concurred that it is worthwhile to review.  
22

23 Councilmember Smith said he understood that the reason the City is agreeing to the review is not  
24 because of the amount of money but because of the issue of misrepresentation.  
25

26 **MOTION**  
27

28 **Norman Hope moved to approve the request from the Fire Pension Board to submit**  
29 **disability claim to the State Attorney for review, seconded by Kirby Smith. The motion**  
30 **carried unanimously 5-0.**  
31

32 **Tab 7) Golden Triangle Fire District Update**  
33

34 Chief Keith stated this was an update on the status of the proposed Golden Triangle Fire District.  
35 Chief Keith reviewed the previous steps taken to create the District, noting that the three cities of  
36 Eustis, Mt. Dora, and Tavares had agreed on October 22, 2012 to move forward. Subsequently  
37 the City of Eustis decided not to participate by consensus at its June 27, 2013 meeting.  
38

39 The City Attorneys, City Administrators, and Fire Chiefs for Mt. Dora and Tavares then met and  
40 determined the District could most easily be developed by an interlocal agreement with the  
41 following points:  
42

- 43 • Each City Council would need to vote by a majority to create the incorporated District as a  
44 public corporation similar to Lake EMS that would be owned by Tavares and Mt. Dora
- 45 • The District could be made up by a five member board comprised of two Tavares  
46 councilmembers and two Mt. Dora councilmembers and one member from the County's  
47 Lake EMS Board.

- 1 • The District Board would hire a fire chief and approve an annual budget
- 2 • The annual budget would be funded by each city based on a 50-50 split after truing up the
- 3 value of each fire department. The revenue source would be different for each city.
- 4 • An option to include Eustis in the future would be included with Eustis having two
- 5 councilmembers on the board bringing the membership up to seven members.
- 6 • A transition plan would need to be developed to address various issues.
- 7

8 Chief Keith stated that staff recommended that Council discuss and direct staff to continue the  
9 formation of the District and bring back the transitional plan to Council.

10  
11 Mayor Wolfe spoke in support. Councilmember Hope also spoke in support of going  
12 forward. Councilmember Smith said he was in support as it would save the citizens  
13 significant savings. Vice Mayor Pfister indicated her approval.

14  
15 **MOTION**

16  
17 **Kirby Smith moved to direct staff to continue on with the negotiations for creating**  
18 **a Golden Triangle Fire District, seconded by Norman Hope. The motion carried**  
19 **unanimously 5-0.**

20  
21 **Tab 8) Response from Lake County Water re: Request for Reclaim Water and**  
22 **Requirement to Pay Fire Assessment**

23  
24 Ms. Houghton noted Mr. Perry, Executive Director of the Lake County Water Authority  
25 was present. She said this item is to discuss the LCWA's request not to pay a fire  
26 assessment fee.

27  
28 Ms. Houghton reviewed the previous request for fire service protection in the form of  
29 connecting to the city reclaim lines to serve the fire hydrant necessary to protect the new  
30 LCWA administration building. The City Council had previously approved the request on  
31 the condition of the LCWA paying their fair share of the fire assessment fee. The Water  
32 Authority has requested that Council not require that they pay this fire assessment fee  
33 and have listed their concerns in a letter to to the City included in the agenda packet.

34  
35 Ms. Houghton stated at present the Water Authority pays an average of \$3,287 per month  
36 for their potable water account which includes sewer service. The LCWA also issues  
37 grants to the city for various stormwater improvement programs. The Water Authority  
38 does not want to annex into the city nor does it want to pay what the city estimates as  
39 \$275 a month for a fire assessment fee.

40  
41 Vice Mayor Pfister asked about the reference to grants in the letter from the Water  
42 Authority. She said she felt this was a suggestion that if the city did not approve the  
43 request, it would never receive another grant. She referred to the agreement to annex  
44 that was broken by the Water Authority.

45  
46 Mr. Perry stated that the reason that the grant information was provided was to reflect the  
47 long and respectful relationship that the Water Authority has had with the City and the fact

1 that the Water Authority was at the same time evaluating grant options. He said he is not  
2 aware of any other government building that is paying a fire assessment fee at this time.

3  
4 Councilmember Hope said he appreciated the relationship between the two agencies and  
5 he appreciated the grants that had been provided to Tavares. He said he had the same  
6 concern about the wording in the letter referring to the grants as Council is already aware  
7 that the Water Authority provides grants. He said he has never seen the signed document  
8 reflecting that the Water Authority would agree to annex at a future date.

9  
10 Councilmember Hope asked what it will cost the city to put in a hydrant or the line. Mr.  
11 Hayes said it would not be a cost to the city. It was noted if there is a fire, the County will  
12 respond.

13  
14 Councilmember Smith said he believed there was intent to annex and that documentation  
15 of that agreement exists. He said he intends to ask every year if they are willing to come  
16 into the city because of this agreement. He noted that the grants that are received benefit  
17 the entire population of Lake County, not just Tavares or the Tavares Council.

18  
19 Councilmember Smith agreed that the Water Authority should not be paying a fire  
20 assessment fee as there are currently no other entities paying for fire assessment that are  
21 not in the city limits, but that before they are hooked up to the reclaim they should agree  
22 to be annexed.

23  
24 Vice Mayor Pfister said she agreed with Councilmember Smith.

25  
26 Councilmember Hope noted the Water Authority would likely have needs for reclaim for  
27 irrigation on its sports fields in the future and Mr. Perry agreed.

28  
29 Attorney Williams stated there is a signed document regarding the agreement to annex.

30  
31 Mayor Wolfe said he did not understand why the Board does not want to annex. Mr. Perry  
32 said there are two major issues: one is that there has never been a statement from the  
33 City as to why it wants the Water Authority to annex. Mr. Perry said the agreement said  
34 that at some point the Water Authority would enter into another agreement in the future  
35 which appears to be missing. The Board is also concerned about a piece of property  
36 behind the Water Authority known as the Hochberg piece that might be of more value to  
37 the City. In addition the Board believes as they are the Lake County Water Authority they  
38 should be in the county.

39  
40 Councilmember Smith reiterated that the reason he requests annexation is because of this  
41 earlier agreement that was made. He said he believed it is in the best interest to the  
42 Water Authority and the city to continue to work together. He said he had not seen the  
43 original agreement either. He said there have been changes in the city manager and city  
44 councilmembers change and consequently attitudes change. He said there will be  
45 legislation regarding the ability to annex which may also affect the agreement. He said he  
46 agreed with the request and not to charge a fire assessment fee but to continue to look at  
47 the annexation issue.



1 Mayor Wolfe asked the status of the chickens in the downtown. Chief Lubins stated he thought  
2 they had all been relocated.

3  
4 **XII. NEW BUSINESS**

5  
6 Vice Mayor Pfister asked for Council's thoughts on having staff look into zoning for medical  
7 marijuana dispensaries as a proactive measure in case the voter referendum passes in  
8 November.

9  
10 Mayor Wolfe asked Mr. Skutt if he has done research. Mr. Skutt said he has seen some  
11 ordinances but has not worked on the issue has yet. Councilmember Hope asked if there is  
12 already zoning in place. Mr. Skutt said it is not included on the city's list of permitted uses but it  
13 would probably be similar to a drugstore; however, he did not have a recommendation as yet.

14  
15 Attorney Williams said there are many cities looking at this issue and there will be probably some  
16 enabling state legislation that accompanies it, if the constitutional amendment passes. He said  
17 there is concern about the problems with the pain clinics that occurred in other areas of Florida.

18  
19 **Consensus for staff to look at the zoning options to be prepared should the referendum**  
20 **pass.**

21  
22 **XIII. AUDIENCE TO BE HEARD**

23  
24 Mayor Wolfe asked for public comment for anything not on the agenda.

25  
26 **XIV. REPORTS**

27  
28 **Tab 14) City Administrator**

29 Ms. Houghton referred to the list of meetings in the agenda.

30  
31 **City Clerk**

32  
33 **Human Resources**

34  
35 **Economic Development**

36  
37 **Public Works**

38  
39 **Public Communications**

40  
41 **Utility Department**

42  
43 **Police Department**

44  
45 **Community Services**

46  
47 **Fire Department**

1  
2 **Community Development**

3 Mr. Skutt advised that the Alfred Street One Way pair project is progressing quickly. He said they  
4 are almost done paving Caroline Street, are preparing to start opening Caroline Street to traffic on  
5 April 24<sup>th</sup> and at the same time will begin to close Alfred Street to traffic.  
6

7 **Finance Department**

8  
9 **City Attorney**

10  
11 **Tab 15) City Council**

12  
13 **Vice Mayor Pfister**

14  
15 Vice Mayor Pfister said an interesting fact is that every day this week is the same date forward as  
16 it is backward.  
17

18 **Councilmember Hope**

19 Councilmember Hope said last weekend's event was excellent and there was a tremendous turn  
20 out. He said attending the events allows an opportunity to promote Tavares.  
21

22 Councilmember Hope expressed condolences to Mr. Drury and his wife on the loss of a member  
23 of his family and said he wished to express concern from the Council to Mr. and Mrs. Drury.  
24

25 **Councilmember Speaks**

26 Councilmember Speaks added his thoughts on his condolence to the Drury family. He expressed  
27 appreciation to Ms. Houghton for filling in for Mr. Drury in his absence.  
28

29 **Councilmember Smith**

30 Councilmember Smith stated Planes, Trains, and BBQ was a fantastic event. He said in 1705  
31 Queen Anne of England knighted Isaac Newton. For this week in city history, Kay Mayes' birthday  
32 is April 17<sup>th</sup> and Dwayne Cannon has been hired on this date, Alex Patton's birthday is April 19<sup>th</sup>  
33 and Anthony Carter's birthday was on April 12<sup>th</sup>. He expressed happy birthday and happy service  
34 anniversary with his appreciation to the employees.  
35

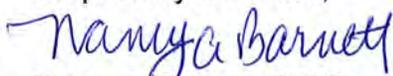
36 **Mayor Wolfe**

37 Mayor Wolfe asked that thoughts and prayers be with Mr. Drury and his family due to their loss.  
38 He commented on the successful Planes, Trains and BBQ event and thanked staff.  
39

40 **Adjournment**

41 There was no further business and the meeting was adjourned at 5:17 p.m.  
42

43 Respectfully submitted,

44 

45  
46 Nancy A. Barnett, C.M.C.  
47 City Clerk

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: May 7, 2014**

**AGENDA TAB NO. 2**

**SUBJECT TITLE: Stamp Out Hunger Food Drive Proclamation**

---

**OBJECTIVE:**

Vice Mayor Pfister will read a proclamation designating May 10<sup>th</sup> as Stamp Out Hunger Food Drive Day.

**SUMMARY:**

The Central Florida Letter Carriers have requested the City to issue a proclamation designating May 10<sup>th</sup> as Stamp Out Hunger Food Drive. Residents are asked to leave nonperishable food items by their mail box to be picked up by the letter carriers for delivery to local food banks.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

Legally sufficient.



## “Letter Carriers’ Food Drive Day”

*May 10, 2014*

**WHEREAS:** *Every year on the second Saturday in May, letter carriers across the country collect non-perishable food as part of the nation’s largest one-day food drive, distributing the donations to local food banks; and*

**WHEREAS:** *The Letter Carriers’ Stamp Out Hunger Food Drive is just one example of how letter carriers work to make a difference in the lives of those they serve. Since the pilot drive was held in 1991, more than a billion pounds of food have been collected; and*

**WHEREAS:** *We would like to recognize all letter carriers for their hard work and their commitment to their communities. All of the food collected in our community stays in our community and we support carriers’ efforts to help those in need in our community.*

**NOW, THEREFORE,** the City Council of the City of Tavares does proclaim Saturday, May 10, 2014 as “**LETTER CARRIERS’ FOOD DRIVE DAY**” in the City of Tavares, and encourages the citizens of our community to support the food drive by placing non-perishable food items in or near your mailbox on food drive day. Your letter carrier will pick it up while delivering the mail—and together, we can all help to feed our hungry.

---

**Vice Mayor Lori Pfister**



## CENTRAL FLORIDA LETTER CARRIERS NALC BRANCH 1091

21 FEB 2014 RCVD

February 19, 2014

Mayor Robert Wolfe  
201 E. Main Street  
Tavares, FL 32778

Dear Mayor Wolfe,

Currently NALC branches across the country as well as our local Central Florida Branch 1091 are preparing for the 22<sup>nd</sup> anniversary of our "Stamp Out Hunger" Food Drive to be held Saturday, May 10<sup>th</sup>, 2014. This event is the nation's largest one-day effort to combat hunger.

The effort of letter carriers represented by the National Association of Letter Carriers (NALC), with the help of rural letter carriers, other postal employees and numerous other volunteers has resulted in delivery of **more than 1.2 billion pounds** of donations to community food banks and pantries over the past 21 years. Locally, Florida collected 11 million pounds, and the Central Florida Letter Carriers of NALC Branch 1091 collected over 980,000 pounds of food last year.

The U.S. Postal Service and Campbell Soup Co. are major supporters again in 2014, cosponsoring the printing of more than 120 million postcards carriers will deliver the week prior to the drive. Other national sponsors include the National Rural Letter Carriers Association, Valpak Direct Marketing Systems, Feeding America, United Way and the AFL-CIO. In addition to countless local sponsors, Publix Supermarkets is a national sponsor, donating 21 million grocery bags in all of the Southeastern United States. These grocery bags will be imprinted with the food drive logo for delivery throughout the states of Florida, Georgia and South Carolina.

All citizens need do is place a bag or can of non-perishable food next to their mailbox prior to their letter carrier's arrival on Saturday, May 10<sup>th</sup>. The carrier will do the rest. The food with volunteer help is taken back to the postal station, sorted, and then delivered to local food banks or pantries. There it is available for needy families.

An estimated 50 million people face hunger every day in America, including 17 million children and 9 million senior citizens. This drive is just one way people can help those right in their own city or town who need help.

Our hope is that you would consider proclaiming May 10<sup>th</sup>, 2014 as NALC "Stamp Out Hunger" National Food Drive Day for the City of Tavares to help us publicize this event and promote donations. Please call me, via the contact information listed below, if you'd like to use this proclamation for a photo opportunity with local food bank agencies for the newspaper or if I may answer any further questions you may have. Thanking you in advance for your consideration and efforts to this cause.

Sincerely,

*Lynne Pendleton*

Lynne Pendleton  
NALC Branch 1091 Food Drive Coordinator  
(386) 785-7411 or  
Unionbarbie50@aol.com  
2932 W. Elston Drive Deltona Florida 32738.

P.O. Box 585889 Orlando, FL 32858-5889

Phone: 407-298-1091 • Fax: 407-298-4170 • Email: [nalc1091@cfl.rr.com](mailto:nalc1091@cfl.rr.com)



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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: May 7, 2014**

**AGENDA TAB NO. 3**

**SUBJECT TITLE: National Public Works Week May 18-24, 2014**

---

**OBJECTIVE:**

Vice Mayor Pfister will read a proclamation designating May 18-24 as National Public Works Week.

**SUMMARY:**

National Public Works Week recognizes the public work professionals and projects that serve the citizens.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

Legally sufficient.



**PROCLAMATION  
NATIONAL PUBLIC WORKS WEEK**

**WHEREAS**, public works services provided in our community are an integral part of our citizens' everyday lives; and

**WHEREAS**, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, solid waste collection, parks and canal maintenance; and

**WHEREAS**, the health, safety, and comfort of this community greatly depends on these facilities and services; and

**WHEREAS**, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

**WHEREAS**, the efficiency of the qualified and dedicated personnel, who staff public works departments, is materially influenced by the people's attitude and understanding of the importance of the work they perform.

**WHEREAS**, this year's theme, "Building for today, planning for tomorrow" speaks to the all-pervasive effort of public works professionals and their projects, while bringing quality of life contributions and the necessities of our communities to the citizens of the world.

**NOW, THEREFORE**, the City Council of the City of Tavares, Florida does hereby proclaim the week of May 18<sup>th</sup> through May 24<sup>th</sup>, 2014 as

**NATIONAL PUBLIC WORKS WEEK**

and calls upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

**PASSED AND DULY ADOPTED** in regular session this 7<sup>th</sup> day of May, 2014

\_\_\_\_\_  
Vice Mayor Lori Pfister  
City of Tavares

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: May 7, 2014**

**AGENDA TAB NO. 4**

**SUBJECT TITLE: Florida Water Reuse Week May 18-24, 2014**

---

**OBJECTIVE:**

Vice Mayor Pfister will read a proclamation designating May 18-24 as Florida Water Reuse Week.

**SUMMARY:**

Florida Water Reuse Week recognizes water reuse programs and the Florida Water Environment Association for its educational programs and promotion of water reuse public policy.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

Legally sufficient.



America's Seaplane City™

## **Proclamation Florida Water Reuse Week**

**WHEREAS, safe, clean, and sustainable water resources are essential to Florida's environment, economy, citizens and visitors; and**

**WHEREAS, although Florida's water supplies are finite, the state's population and need for water resources continues to increase; and**

**WHEREAS, water reuse provides a means for conserving and augmenting Florida's precious water resources; and**

**WHEREAS, Florida has established the encouragement and promotion of water reuse as state objectives in Chapters 373 and 403, Florida Statutes, and**

**WHEREAS, Florida's permitted reuse capacity exceeds 1.7 billion gallons per day (more than 67 percent of Florida's total permitted capacity for all domestic wastewater treatment facilities); and**

**WHEREAS, Florida has risen to be a national leader in water reuse, reusing 725 million gallons of reclaimed water per day to conserve freshwater supplies and recharge our freshwater resources; and**

**WHEREAS, May, typically a dry month when water demands are high, is a good time to educate citizens about how they can help save Florida's precious water resources through water reuse; and**

**WHEREAS, the Florida Water Environment Association (FWEA) is an organization uniting Florida's clean water professionals responsible for protecting the environment through education programs, professional development and promotion of sound public policy;**

**NOW, THEREFORE, the City Council of the City of Tavares, Florida does hereby proclaim the week of May 18<sup>th</sup> through May 24<sup>th</sup>, 2014 as**

*Florida Water Reuse Week*

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**Vice Mayor Lori Pfister**

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING:  
May 7, 2014**

**AGENDA ITEM NO. 5**

**SUBJECT TITLE: APWA Project of the Year Award**

---

**OBJECTIVE:**

Presentation of American Public Works Association (APWA), Central Florida Branch, Project of the Year Award.

**SUMMARY:**

The American Public Works Association (APWA), Central Florida Branch, selected the "Freedom Flag Project", submittal by the City of Tavares, as their Project of the Year. Presentation will be made by Mike McCabe, APWA Central Florida Branch Chair.

**OPTIONS:** N/A

**STAFF RECOMMENDATION:** N/A

**FISCAL IMPACT:** N/A

**LEGAL SUFFICIENCY:** N/A



April 28, 2014

Chris Thompson  
Public Works Director  
City of Tavares, FL

RE: **City of Tavares Freedom Flag Project**

Dear Mr. Thompson:

Thank you for submitting the **Freedom Flag Project** to be considered for the **APWA Central Florida Branch Project of the Year**. On behalf of the Central Florida Branch, I want to congratulate you on winning the **Project of the Year** for your submission!

The American Public Works Association (APWA) serves professionals in all aspects of public works—a fact that sets it apart from other organizations and makes it an effective voice of public works throughout North America. With a worldwide membership over 28,000 strong, APWA includes not only personnel from local, county, state/province, and federal agencies, but also private sector personnel who supply products and services to those professionals. The American Public Works Association exists to develop and support the people, agencies, and organizations that plan, build, maintain, and improve our communities. Working together, APWA and its membership contribute to a higher and sustainable quality of life.

The Central Florida Branch holds an Annual Awards Meeting with the purpose of recognizing individuals, projects and agencies that truly make a difference in the communities in which they serve. The Central Florida Branch consists of the following counties: Brevard, Lake, Orange, Osceola, Seminole and Volusia Counties.

We are proud to recognize the **City of Tavares Public Works Department** for the **Freedom Flag Project** as our **Project of the Year** and we plan to publish the project photos and information in the upcoming APWA Central Florida Branch Newsletter.

Thank you,

Amy M. Blaida, MPA  
District V Representative, APWA Florida Chapter

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: MAY 7, 2014**

**AGENDA TAB NO. 6**

**SUBJECT TITLE: Approval of Amendment to Jones Bros. Seaplane Base Agreement to extend the term and amend payment terms of the current Lease Agreement.**

---

**OBJECTIVE:**

To consider approval of an Amendment to the current Jones Bros. Seaplane Base Agreement to extend the term and amend the payment provisions.

**SUMMARY:**

In May of 2010 the City entered into the attached Agreement with Jones Bros. to lease space at the Seaplane Base & Marina to conduct tourist seaplane rides and flight training services. This agreement currently expires on September 30, 2014.

Staff has met with representatives of Jones Bros. and proposes to extend the current agreement for five (5) additional years and proposes to increase the rental fee \$25 per month each year on each October 1<sup>st</sup> during the five (5) year renewal term. The proposed lease amendment is attached.

**OPTIONS:**

1. That Council moves to approve the attached Lease Amendment
2. The Council moves not to approve the attached Lease Amendment

**STAFF RECOMMENDATION:**

That Council moves to approve the attached Lease Amendment.

**FISCAL IMPACT:** The proposed Lease Amendment provides for a continued tenant and lease revenue stream at the Seaplane Base & Marina.

**LEGAL SUFFICIENCY:** The proposed Lease amendment was prepared by the City Attorney.

**AMENDMENT TO AGREEMENT**

This Amendment forms a part of that Agreement dated May 10, 2010 by and between the City of Tavares, ("City") and JB SPB, Inc., ("Vendor").

1. Paragraph 3 of the Agreement is hereby amended as follows:

Term. The term of this contract shall be extended from October 1, 2014 through September 30, 2019, ("Term") and shall automatically renew each year for a five (5) year period, unless terminated by either party without cause, upon a thirty (30) day written notice.

2. Paragraph 6 of the Agreement is hereby amended as follows:

Monthly Payment to City. The Vendor shall pay the City FIVE HUNDRED TWENTY FIVE DOLLARS (\$525.00) per month, beginning on October 1, 2014 and continuing on the 1<sup>st</sup> day of each month thereafter for twelve consecutive months. Effective one year from the commencement of this Amendment and each year thereafter (including any renewal terms) the Monthly Payment to City provided for herein shall be adjusted upward an additional \$25.00 per month.

3. Except as modified herein all the terms and conditions of the Agreement shall remain in full force and effect.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**ATTEST:**

**CITY OF TAVARES, FLORIDA**

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

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

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Printed Name

**JB SPB, INC.**

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Richard Rowe, President

AGREEMENT

THIS AGREEMENT made this 10<sup>th</sup> day of May, 2010, between the City of Tavares, Florida (hereinafter referred to as "the City") and JB SPB, Inc. a Florida Corporation to be formed (hereinafter referred to as "Vendor").

RECITALS

1. The City desires to enter into an agreement with Vendor for the provision of a fully operating seaplane training center, seaplane rides and seaplane charter services among other things to be operated at the City of Tavares waterfront in accordance with the terms and conditions described herein.

2. Vendor desires to enter into an agreement with the City to provide said services, and further agrees to be bound by the terms and conditions of this Agreement.

THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, receipt of which is hereby acknowledged, the City and Vendor hereby covenant and agree as follows:

1. Vendor's Obligations. The Vendor agrees to relocate its seaplane training operations to the City and shall be responsible to carry out the following:

- a. Move training and flight tour aircraft to the City by October 31, 2010.
- b. Provide an insurance policy consistent with the terms herein.
- c. Commence soft opening operations starting May 1, 2010.
- d. Provide an aircraft for any scheduled media event.
- e. Provide an aircraft for dedication and practice event.
- f. Commence full scale operations no later than October 31, 2010.
- g. Pursue and obtain Part 91 Flight tours Letter of Authorization from FAA.
- h. If exercise first right of refusal, pursue and obtain Part 135 Certificate and all other required certificates, authorizations, and permits.
- i. Provide all rules and regulations for operation and fully

assume responsibility for administering those rules.

- j. Enforce adherence to safety and insurance requirements including, but not limited to, signing of waivers by all participants and employees, and the enforcement of the utilization of safety equipment.
- k. Follow an operating schedule which is pre-approved by the City.

2. City's Obligations. The City shall be responsible for the following:

- a. Provide reserved paved parking with tie downs for Vendor's principle multi engine trainer.
- b. Provide reserved beach parking and tie downs for two additional straight float aircraft west of the tree.
- c. Provide a dolly to remove straight float plane from water.
- d. Provide skid guards on concrete seaplane dock to protect floats.
- e. Provide fixed fuel pricing – first 6 months \$0.03 per gallon above cost; thereafter \$.05 per gallon above costs for the first two years of the contract. "Cost" shall mean the per gallon cost to the City for fuel delivered to its Wooton Park fueling facility. The City's obligation to provide fixed fuel pricing as provided herein shall terminate if this contract is terminated prior to the first two years.
- f. Provide limited training and office space at the Seaplane Base/Marina location. The specific location of the office space is to be determined by the parties.
- g. Include Flight Tours and Marketing Material for sale in retail "Prop" Shop.
- h. Purchase from the Vendor at the Vendor's actual cost plus 20% of the cost certain logoed items (such as shirts and hats) for resale in the "Prop" Shop. The City, in its discretion, shall decide the specific items and quantities to purchase for resale and the retail price of said items. The City shall retain all sale proceeds of the said items. If after one year, certain items have not sold, the Vendor will buy back the unsold items in an amount equal to the City's cost. The City's cost is the amount the City paid to purchase the

items from the Vendor.

- i. Provide Reserved Dock Space for Flight tour operations. However, the City can use reserved dock space from time to time for special events after giving reasonable notice to Vendor. The City's use of the reserved dock space shall not unreasonably interfere with the Vendor's flight tour operations.
- j. Grant Vendor first right of refusal for Part 135 Operations.

3. Term. The term of this Contract shall be from May 1, 2010 to September 30, 2011 (Hereinafter "Term") and shall automatically renew each year for three years unless terminated by either party without cause upon thirty (30) day written notice.

4. Indemnification. The Vendor agrees to indemnify the City for and to hold the City harmless from any and all liability, claims, costs, damages, attorney's fees, or other charges, liens, or fees of any kind or nature as a result of Vendor's use (or the use by any person or participant authorized by Vendor) of City Property, or the execution of this agreement. Vendor further agrees to defend any action or claim whatsoever against the City for any damages or for injunction or other relief resulting from Vendor's use of City property, or the execution of this agreement.

5. Insurance. Vendor agrees to obtain and maintain in force, at its cost, liability insurance coverage (hereinafter called "Insurance") as specifically described in Exhibit "A" attached hereto. Vendor shall provide the City with the Certificate of Insurance or other proof of said insurance at least ten (10) days prior to beginning operations.

6. Monthly Payment to City. The Vendor shall pay the City FOUR HUNDRED DOLLARS (\$400.00) per month, beginning May 1, 2010, and on the 1<sup>st</sup> day of each month thereafter for six months. Beginning October 1, 2010 and on the first of each month thereafter, Vendor shall pay the City FIVE HUNDRED DOLLARS (\$500.00) per month for the next twelve months. In the event the contract is renewed after eighteen months, the City and the Vendor shall renegotiate the new monthly amount to be paid by the Vendor to the City.

7. Termination of Agreement. The parties agree that if either party violates the terms and conditions of this Agreement, or violates any other applicable state, county or municipal ordinances, either party shall have the option of terminating the agreement upon reasonable notice considering the circumstances.

8. Licenses, Permits, Certificates, Etc. Vendor shall be responsible for obtaining any and all necessary licenses, health certificates, permits, or other documents required for its operation. Vendor shall also be responsible for any and all

sales or income tax liability that it may incur by reason of its operation.

9. Minimum Standards for Aeronautical and Maritime Operations. Vendor shall be responsible for compliance with all Rules and Regulations concerning Minimum Standards for Commercial Aeronautical and Maritime Operations for Tavares Seaplane and Marina Basin.

10. Assignment. Vendor shall not be permitted to sublet or assign any part of its obligations, privileges or services as set forth in this Agreement without first obtaining the written consent of the City.

11. Attorney's Fees. Should either party breach the terms of this agreement, causing the other party to employ an attorney for the enforcement of the provisions hereof, or for the collection of damages as a result of a breach, then the prevailing party's attorney's fees and court costs shall be paid by the non-prevailing party.

12. Administration of Contract. The City Administrator or his representative shall administer this contract for the City.

13. Venue. This contract shall be interpreted, construed, and governed according to the laws of the State of Florida. The parties agree to venue in Lake County, Florida for any litigation pertaining to this Contract. In the event there is litigation, the prevailing party shall be entitled to reasonable attorney's fees.

14. Amendments. No Amendments or variation of the terms or conditions of this Contract shall be valid unless in writing and signed by all parties.

15. Entire Contract. This contract constitutes the entire agreement between the parties and supercedes any and all prior communications, discussions, negotiations, understandings and agreements.

16. Invalid Provision. The invalidity or unenforceability of any particular provision of this Contract shall not affect the other provisions hereof, and the Contract shall be construed in all respects as if such invalid or unenforceable provisions were omitted.

17. Contract Interpretation. In the event that it becomes necessary for any reason to construe this agreement, it shall be construed as being jointly prepared and drafted by all parties hereto.

18. Remedies. All rights and remedies of the City herein enumerated shall be cumulative and none shall exclude any other right or remedy allowed by law. Likewise, the exercise by the City of any remedy provided for herein or allowed by law shall not be to the exclusion of any other remedy.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed

by their duly authorized officials this Contract which shall be deemed an original on the date last signed as below written.

Dated this 10<sup>th</sup> day of May, 2010.

ATTEST:

CITY OF TAVARES, FLORIDA

Nancy Barnett  
Nancy Barnett, City Clerk

Robert Wolfe  
Robert Wolfe, Mayor  
Tavares City Council

Chris Presley  
Witness Signature  
Chris Presley  
Printed Name

VENDOR

Eric Weaver  
Eric Weaver, as officer of JB  
Seaplanes, Inc. a Florida Corporation to  
be formed.

Bill Neron  
Witness Signature  
Bill Neron  
Printed Name

Ricci Rowe  
Ricci Rowe, as officer of JB Seaplanes, Inc.  
a Florida Corporation to be formed

LEGAL REVIEW:

Robert Q. Williams  
Robert Q. Williams  
City Attorney

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
MAY 7, 2014**

**AGENDA TAB NO. 7**

**FIRST READING**

**SUBJECT TITLE: Ordinance 2014-03  
Annexation & Rezoning –Tavares Village Shops**

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**OBJECTIVE:**

To consider the annexation and rezoning to Highway Commercial of approximately 15.15 acres of property located on the west side of S.R. 19 at the intersection of C.R. 561.

**SUMMARY:**

The subject property is located on the west side of S.R. 19 at the intersection of C.R. 561. The property is approximately 15.15 acres in size. An existing, light manufacturing business and building is located on that portion of the property that fronts onto S.R. 19. This structure is proposed to be demolished. The applicant is proposing to develop a retail shopping center with four outparcels. The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Medium to City of Tavares Commercial on the Future Land Use Map 2020.

**STAFF COMMENT:**

Properties situated along this segment of S.R. 19 are primarily commercial in nature. FDOT has undertaken an engineering study to widen the road from Howey-in-the-Hills to the intersection of C.R.561. This work will replace the Howey Bridge and increase substantially the traffic capacity of S.R.19. This study has determined that the existing configuration of the C.R. 561 intersection will remain the same, although the placement of a new shopping center at this location may necessitate the addition of turn lanes and traffic signals to comply with FDOT regulations. Given the number of existing commercial properties, the increase in traffic capacity and this proposed new shopping center, it is anticipated that S.R. 19 will evolve as a primary commercial corridor for Tavares. A site plan demonstrating compliance with all city regulations including applicable state and federal environmental laws must be approved prior to the issuance of any building permits. It is staff's opinion that a Highway Commercial (C-2) zoning is the most compatible designation for this property.

**OPTIONS:**

No Council action required at First Reading.

**PLANNING & ZONING BOARD RECOMMENDATION:**

At its April 17<sup>th</sup> meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2014-03.

**STAFF RECOMMENDATION:**

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2014-03.

**FISCAL IMPACT:** N/A

**LEGAL SUFFICIENCY:**

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

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**ORDINANCE 2014-03**

**AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 15.15 ACRES LOCATED ON THE WEST SIDE OF S.R. 19 AT THE INTERSECTION OF C.R. 561; REZONING SAID PROPERTY FROM LAKE COUNTY AGRICULTURAL AND PLANNED INDUSTRIAL TO CITY OF TAVARES HIGHWAY COMMERCIAL (C-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

14           **WHEREAS**, the owners of the property described in **Exhibit "A"** have voluntarily  
15 petitioned to annex into the City of Tavares, and

16           **WHEREAS**, the property legally defined in **Exhibit "A"** is contiguous with the  
17 corporate limits of the City of Tavares and the annexation of said property will not result in  
18 the creation of any enclave; and

19           **WHEREAS**, the City of Tavares, Florida, is in a position to provide municipal  
20 services to the property described herein; and,

21           **WHEREAS**, the City Council of the City of Tavares, Florida, deems it in the best  
22 interest of the City to accept said petition and to annex said property; and,

23           **WHEREAS**, the property is currently zoned Lake County Agricultural and  
24 Planned Industrial and the applicant has requested that said property be rezoned to a  
25 City designation of Highway Commercial (C-2); and,

26           **WHEREAS**, the City is concurrently processing a large scale future land use map  
27 amendment to re-designate the property from Lake County Urban to a City of Tavares  
28 Commercial designation on the Future Land Use Map; therefore

29  
30           **BE IT ORDAINED** by the City Council of the City of Tavares, Florida, as follows:  
31

32   **Section 1.   Annexation**

33           The property legally defined as and depicted in **Exhibit "A"** attached hereto,  
34 situated in Lake County, Florida, is hereby incorporated into and made a part of the City  
35 of Tavares, Florida, pursuant to the voluntary annexation provisions of Section 171.044,  
36 Florida Statutes.  
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**Section 2. Rezoning**

The property described in **Exhibit "A"** shall hereby be rezoned from Lake County Agricultural and Planned Industrial to City of Tavares Highway Commercial (C-2) and shall be subject to the provisions contained within the Land Development Regulations for this zoning designation.

**Section 3. Severability.**

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

**Section 4. Effective Date.**

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

**PASSED AND ORDAINED** this \_\_\_\_\_ of \_\_\_\_\_, 2014, by the City Council of the City of Tavares, Florida.

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

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

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

ATTEST:

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

APPROVED AS TO FORM AND LEGALITY:

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

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**EXHIBIT A**

**PARCEL 1**

LOTS 2, 3, AND 4, ALFRED ST. CLAIR-ABRAMS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 19, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA (Taken from G.R. Book 2609/1959)

**PARCEL 2**

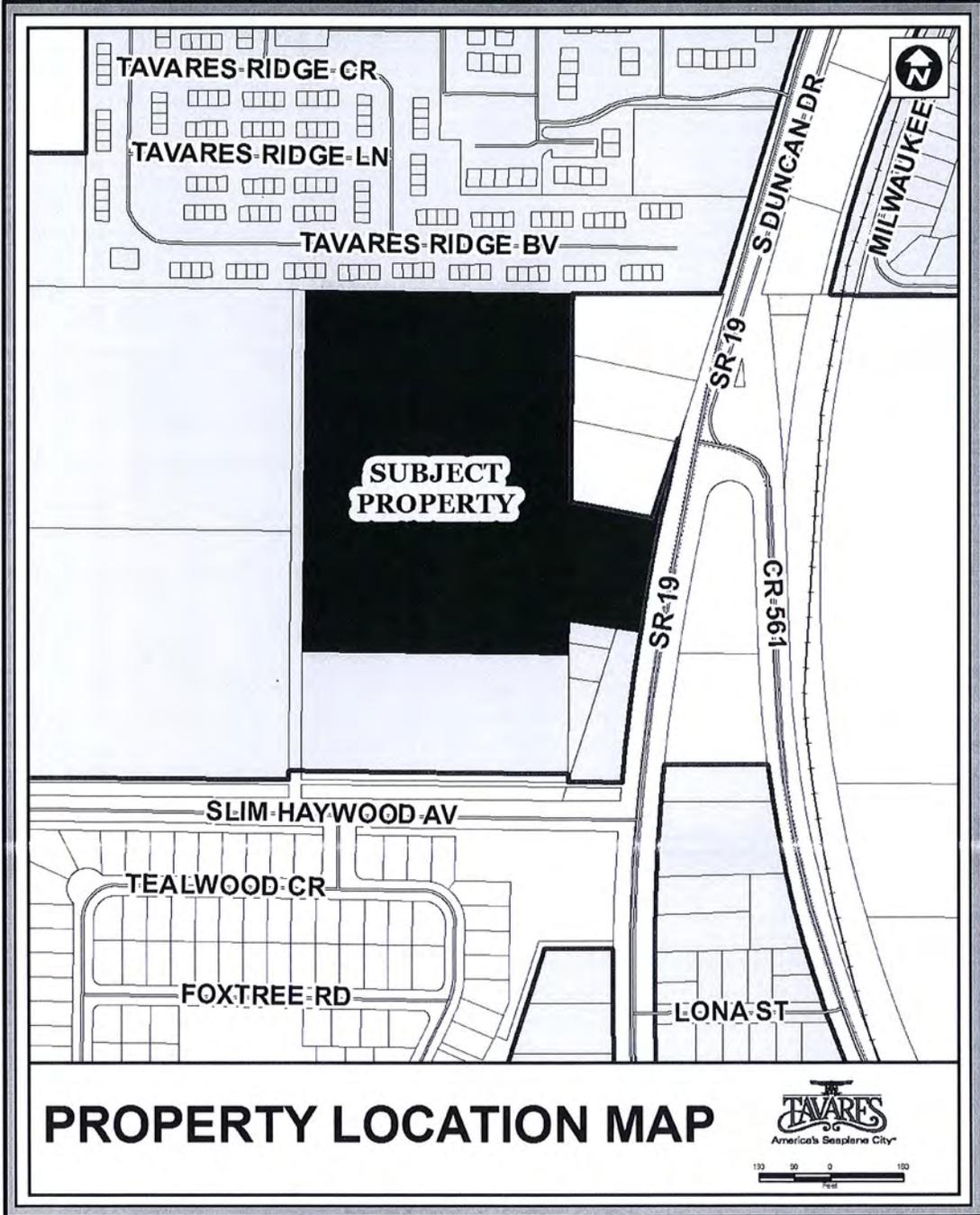
THAT PORTION OF GOVERNMENT LOT 2, IN SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:  
FROM THE SOUTHWEST CORNER OF THE NORTH 1/2 OF GOVERNMENT LOT 2, RUN N00°08'02"E ALONG THE WEST LINE THEREOF A DISTANCE OF 397.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°08'02"E ALONG SAID WEST LINE A DISTANCE OF 296.55 FEET; THENCE DEPARTING SAID WEST LINE RUN S78°30'25"E A DISTANCE OF 230.98 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE LANE PARK BRANCH OF THE ATLANTIC COAST LINE RAILROAD (ABANDONED) AS ESTABLISHED BY A SURVEY PREPARED BY HOWARD DURDEN AND ASSOCIATES, INC. DATED OCTOBER 19, 1987, REVISED NOVEMBER 15, 1995; THENCE ALONG SAID WESTERLY LINE RUN S17°49'52"W A DISTANCE OF 283.24 FEET TO A POINT THAT IS 397.00 FEET NORTHERLY OF THE SOUTH LINE OF THE NORTH 1/2 OF AFOREMENTIONED GOVERNMENT LOT 2, (WHEN MEASURED ALONG SAID LINE); THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN N82°14'47"W A DISTANCE OF 141.61 FEET TO THE POINT OF BEGINNING.  
(Taken from title policy provided by client)

**PROPOSED PARCEL 3**

THAT PORTION OF THE NORTH 1/2 OF GOVERNMENT LOT 2, SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING EASTERLY OF THE WESTERLY RIGHT-OF-WAY OF THE OLD A.C.L. RAILROAD AND WESTERLY OF STATE ROAD NO. 19; SAID PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE: FROM THE SOUTHWEST CORNER OF THE NORTH 1/2 OF SAID GOVERNMENT LOT 2, RUN N00°08'02"E ALONG THE WEST LINE THEREOF A DISTANCE OF 397.00 FEET; THENCE CONTINUE N00°08'02"E ALONG SAID WEST LINE A DISTANCE OF 296.55 FEET; THENCE DEPARTING SAID WEST LINE RUN S78°30'25"E A DISTANCE OF 230.98 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE LANE PARK BRANCH OF THE ATLANTIC COAST LINE RAILROAD (ABANDONED) AS ESTABLISHED BY A SURVEY PREPARED BY HOWARD DURDEN AND ASSOCIATES, INC. DATED OCTOBER 19, 1987, REVISED NOVEMBER 15, 1995; THENCE ALONG SAID WESTERLY LINE RUN S17°49'52"W A DISTANCE OF 283.24 FEET TO A POINT THAT IS 397.00 FEET NORTHERLY OF THE SOUTH LINE OF THE NORTH 1/2 OF AFOREMENTIONED GOVERNMENT LOT 2, (WHEN MEASURED ALONG SAID LINE), SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIBED LINE; THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN S82°14'47"E TO THE WEST LINE OF THE RIGHT OF WAY OF STATE ROAD NO. 19 AND THE END OF THIS DESCRIBED LINE.  
(Based on description taken from title policy provided by client)

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# CITY OF TAVARES



Created By: City of Tavares GIS

T:\pzt\DATA\PROJECT FILES\Public Annex Rezone LSFUM - P22014-08\GIS\GIS\_Maps\

Map Created on 3/31/14

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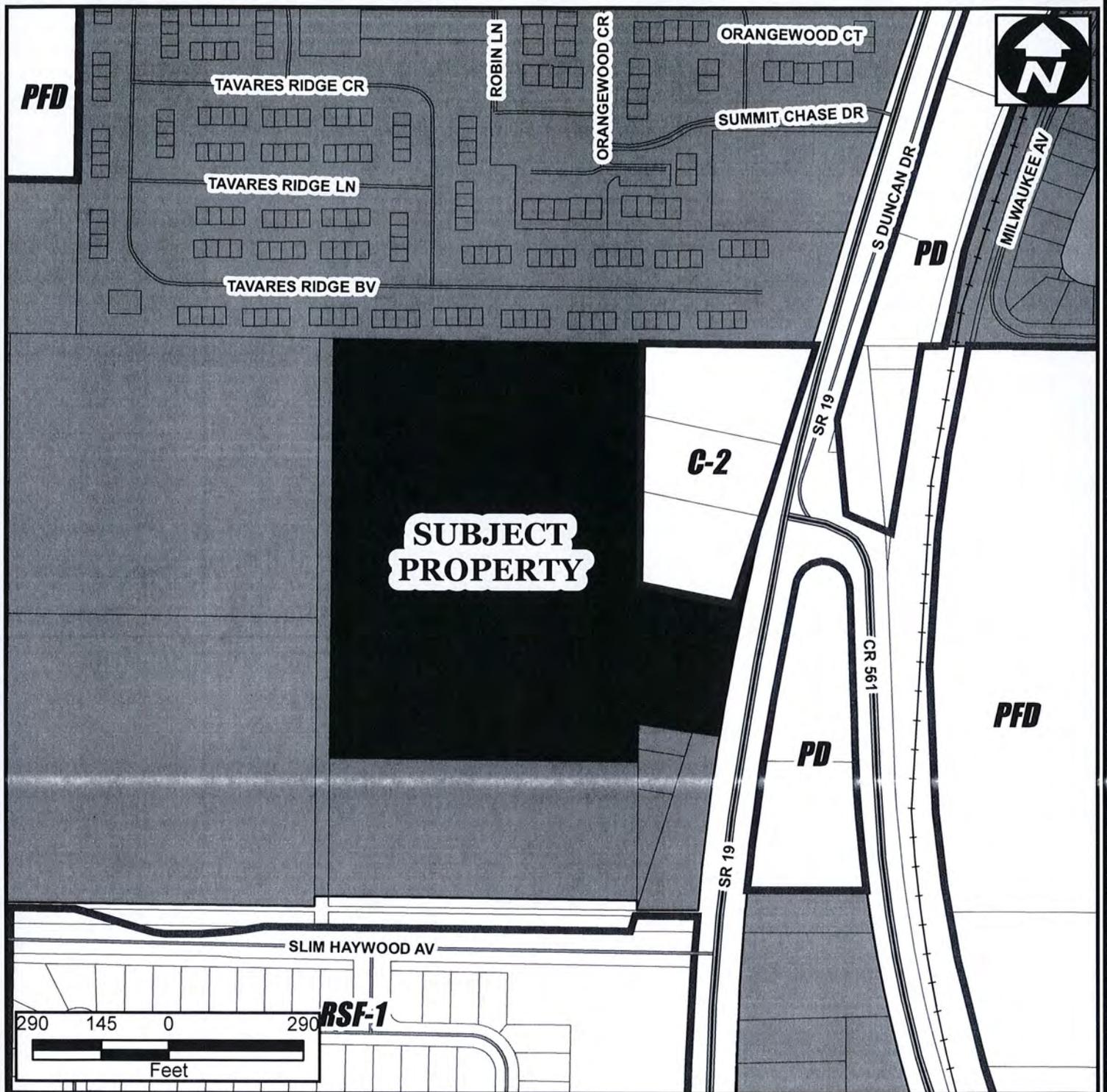
# CITY OF TAVARES



## PROPERTY LOCATION MAP TAVARES VILLAGE SHOPS



# CITY OF TAVARES ORDINANCE # 2014-03



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



## ZONING MAP

### ORDINANCE # 2014-03

### Tavares Village Shops

Current Zoning: Lake County  
Industrial and Agriculture  
Proposed Zoning: C-2  
15.15 ± Acres

- #### Legend
- CITY BOUNDARY
  - MAJOR ROADS
  - ZONING
  - STREETS
  - SUBJECT PROPERTY
  - PARCELS
  - UNINCORPORATED
  - CONS/WETLANDS

1 05 was approved subject to a two year expiration from the date of approval. An extension to the  
2 special use permit was granted through Resolution 2009-02. The applicant is requesting a time  
3 extension of 5 years for this special use. Fox Run, Inc. has complied with all of the conditions of  
4 Resolution 2007-05 as they relate to proper maintenance of the area.

5  
6 **MOTION**

7  
8 **Morris Osborn moved to recommend approval of Ordinance 2014-11. The motion was**  
9 **seconded by Richard Root. The motioned carried 4-0.**

10  
11  
12 2) Tavares Village Shops – Annexation / Rezoning – (Resolution 2014-03)

13  
14  
15 Jacques Skutt, Community Development Director provided the following staff report;

16  
17 Properties situated along this segment of S.R. 19 are primarily commercial in nature. FDOT has  
18 undertaken an engineering study to widen the road from Howey-in-the-Hills to the intersection of C.R.561.  
19 This work will replace the Howey Bridge and increase substantially the traffic capacity of S.R.19. This  
20 study has determined that the existing configuration of the C.R. 561 intersection will remain the same,  
21 although the placement of a new shopping center at this location may necessitate the addition of turn lanes  
22 and traffic signals to comply with FDOT regulations. Given the number of existing commercial properties,  
23 the increase in traffic capacity and this proposed new shopping center, it is anticipated that S.R. 19 will  
24 evolve as a primary commercial corridor for Tavares. A site plan demonstrating compliance with all city  
25 regulations including applicable state and federal environmental laws must be approved prior to the  
26 issuance of any building permits. It is staff's opinion that a Highway Commercial (C-2) zoning is the most  
27 compatible designation for this property.

28  
29 Chairman Adams the public if there were any questions or comments.

30  
31 Mr. Duane Booth of BES and H Engineering, 350 N. Sinclair Avenue, Tavares, introduced himself and  
32 committed to answer questions asked of the board or audience if there were any.

33  
34 Mr. Bryan Donahue of the Tavares Ridge Homeowners Association, 30110 Tavares Ridge Blvd  
35 Tavares, representing the community expressed concern for the traffic congestion, possible cross traffic,  
36 noise and lighting. He felt that buffering as required by the City of Tavares Land Development Regulations  
37 and discussed by Community Development Director Jacques Skutt would address some of the  
38 communities concerns.

39  
40 Mrs. Cecilia Bonifay of Akerman Senterfitt, 420 S. Orange Avenue, representing Lane Park Commons,  
41 LLC expressed concern that the applicant did not request a PD as opposed to a straight zoning.

42  
43 Mr. Skutt explained that Land Development Regulations would address most if not all of the concerns  
44 expressed.

45  
46 Mr. Tim Green of Green Consulting, 4070 United Avenue, Mount Dora, representing Tavares Village Shop  
47 conveyed that he was confident that the Land Development Regulations would address most if not all of  
48 the concerns expressed.

49  
50 Mr. Booth of BESH addressed a few of the concerns expressed. He explained that the site development  
51 would address flooding and move surface water away from the residential community.

1 Mr. Macky McCay explained he supported a landscape buffer.

2  
3 Mr. Neron, Economic Development Director communit

4  
5 Chairman Santoro conveyed his confidence that staff would hold the developer responsible for  
6 creating a quality project and that staff would work cooperatively with the adjacent residents.

7  
8 **MOTION**

9 **Richard Root moved to recommend approval of Ordinance 2014-03. The motion was seconded**  
10 **by Howard Haynes. The motion carried 4-0.**

11  
12 3) Tavares Village Shops – LSFLUM – (Resolution 2014 – 04)

13  
14  
15 Jacques Skutt, Community Development Director provided the following staff report;

16  
17 Ordinance 2014-04 proposes a large scale amendment to the Future Land Use Map 2020 of the  
18 Comprehensive Plan.

19  
20 The subject properties (Parcel Alternate Key Numbers 3778813, 1492874 and the north half of  
21 2809451) are 15.15 acres in size, located on the west side of S.R. 19 at the intersection of C.R. 561.  
22 An existing, light manufacturing business and building is located on that portion of the property that  
23 fronts onto S.R. 19 (Parcel 3778813-one acre). The remaining property is vacant. An application to  
24 annex and rezone this property to a Highway Commercial designation is concurrently under  
25 consideration. This ordinance would amend the current Future Land Use Designation from County  
26 Urban Medium to City Commercial.

27  
28 **Future Land Use Amendment**

29 The city is required to place a future land use designation on annexed property. The subject property is  
30 currently designated County Urban Medium. A City Commercial designation is most compatible with the  
31 evolving commercial development situated along S.R. 19.

32  
33 **Compatibility**

34 Properties directly north and across of S.R.19 are also City Commercial. Numerous other properties  
35 along this corridor have been annexed into the City and given a Commercial Future Land Use  
36 designation.

37  
38 **Site Conditions**

39 An existing, light manufacturing business and building is located on that portion of the property that  
40 fronts onto S.R. 19. The applicant is proposing to demolish this building and develop a retail shopping  
41 center on the combined three parcels and on other adjacent parcels assembled along S.R. 19. An  
42 approved site plan will be required prior to issuance of a building permit. All applicable environmental  
43 assessments, traffic analysis and permitting must be in place before the site plan is approved.

44  
45 **Impact on City Services**

46 The subject property is located in the City's Utility Service Area. The City of Tavares has municipal  
47 water and sewer services available to the subject parcel and any new development on this property  
48 must connect to city utilities. The City's Concurrency Management System will ensure that Levels of  
49 Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities.

50  
51 **FINDINGS**

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
MAY 7, 2014**

**AGENDA TAB NO. 8**

**SUBJECT TITLE: Ordinance 2014-04- TRANSMITTAL HEARING  
Large Scale FLUM Amendment-Tavares Village Shops**

---

**OBJECTIVE:**

To consider a Future Land Use Map amendment for approximately 15.15 acres of property located on the west side of S.R. 19 at the intersection of C.R. 561 from County Urban Medium to City Commercial.

**SUMMARY:**

Ordinance 2014-04 proposes a large scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject properties (Parcel Alternate Key Numbers 3778813, 1492874 and the north half of 2809451) are 15.15 acres in size, located on the west side of S.R. 19 at the intersection of C.R. 561. An existing, light manufacturing business and building is located on that portion of the property that fronts onto S.R. 19 (Parcel 3778813-one acre). The remaining property is vacant. An application to annex and rezone this property to a Highway Commercial designation is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from County Urban Medium to City Commercial.

**Future Land Use Amendment**

The city is required to place a future land use designation on annexed property. The subject property is currently designated County Urban Medium. A City Commercial designation is most compatible with the evolving commercial development situated along S.R. 19.

**Compatibility**

Properties directly north and across of S.R.19 are also City Commercial. Numerous other properties along this corridor have been annexed into the City and given a Commercial Future Land Use designation.

**Site Conditions**

An existing, light manufacturing business and building is located on that portion of the property that fronts onto S.R. 19. The applicant is proposing to demolish this building and develop a retail shopping center on the combined three parcels and on other adjacent parcels assembled along S.R. 19. An approved site plan will be required prior

to issuance of a building permit. All applicable environmental assessments, traffic analysis and permitting must be in place before the site plan is approved.

#### Impact on City Services

The subject property is located in the City's Utility Service Area. The City of Tavares has municipal water and sewer services available to the subject parcel and any new development on this property must connect to city utilities. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities.

#### FINDINGS

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

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

#### **OPTIONS:**

1. That City Council moves to Transmit Ordinance 2014-04, a Large Scale Future Land Use Amendment to the State Department of Economic Opportunity for consideration.
2. That City Council denies Ordinance 2014-04, a Large Scale Future Land Use Amendment.

#### **PLANNING & ZONING BOARD RECOMMENDATION:**

At its April 17<sup>th</sup> meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2014-04.

#### **STAFF RECOMMENDATION:**

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2014-04.

#### **FISCAL IMPACT:**

N/A

#### **LEGAL SUFFICIENCY:**

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

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**ORDINANCE 2014-04**

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 15.15 ACRES OF LAND GENERALLY LOCATED ON THE WEST SIDE OF S.R. 19 AT THE INTERSECTION OF C.R. 561 FROM COUNTY URBAN MEDIUM TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the owner of the property described in **Exhibit "A"** has voluntarily petitioned to annex into the City of Tavares, and

**WHEREAS**, the City of Tavares is concurrently processing the annexation of this property with proceedings to amend the Future Land Use Map designation pertaining to said property from Lake County Urban to City of Tavares Commercial; and

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

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

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

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

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

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

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

2           The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida is  
3 hereby amended to reflect a re-designation from County Urban to City of Tavares Commercial  
4 on certain real property as described in Exhibit "A" attached hereto and incorporated herein by  
5 reference.

6  
7    **Section 2.    Severability and Conflicts**

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

12  
13   **Section 3.    Transmittal**

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

21  
22   **Section 4.    Effective Date**

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

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1           **PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014 by the City Council of  
2 the City of Tavares, Florida.

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

First Reading (Approval for Transmittal): \_\_\_\_\_

Second Reading (Approval for Adoption): \_\_\_\_\_

ATTEST:

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

Approved as to form:

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

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**EXHIBIT "A"**

**PARCEL 1**

LOTS 2, 3, AND 4, ALFRED ST. CLAIR-ABRAMS SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 19, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA (Taken from O.R. Book 2609/1959)

**PARCEL 2**

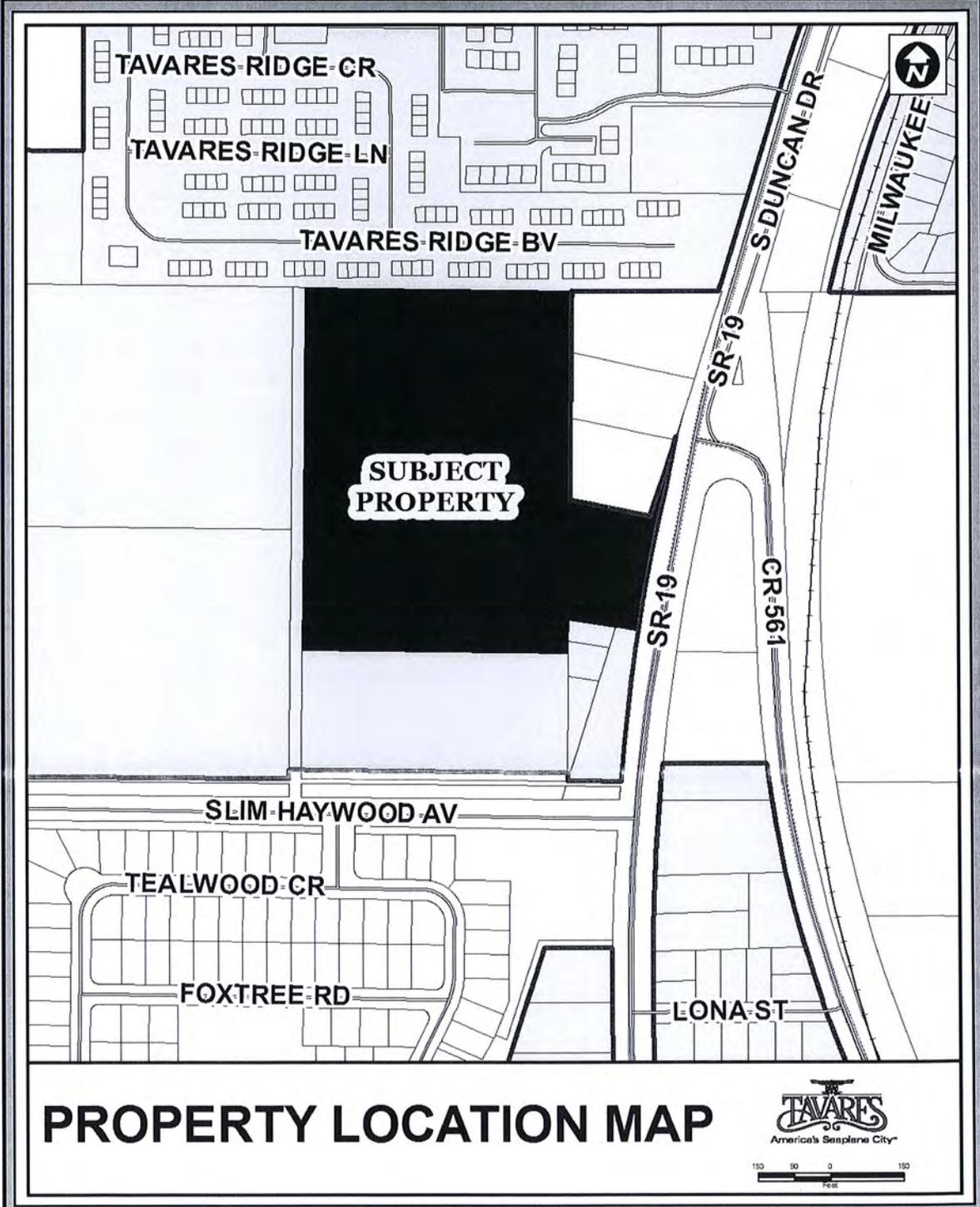
THAT PORTION OF GOVERNMENT LOT 2, IN SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:  
FROM THE SOUTHWEST CORNER OF THE NORTH 1/2 OF GOVERNMENT LOT 2, RUN N00°08'02"E ALONG THE WEST LINE THEREOF A DISTANCE OF 397.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°08'02"E ALONG SAID WEST LINE A DISTANCE OF 296.55 FEET; THENCE DEPARTING SAID WEST LINE RUN S78°30'25"E A DISTANCE OF 230.98 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE LANE PARK BRANCH OF THE ATLANTIC COAST LINE RAILROAD (ABANDONED) AS ESTABLISHED BY A SURVEY PREPARED BY HOWARD DURDEN AND ASSOCIATES, INC. DATED OCTOBER 19, 1987, REVISED NOVEMBER 15, 1995; THENCE ALONG SAID WESTERLY LINE RUN S17°49'52"W A DISTANCE OF 283.24 FEET TO A POINT THAT IS 397.00 FEET NORTHERLY OF THE SOUTH LINE OF THE NORTH 1/2 OF AFOREMENTIONED GOVERNMENT LOT 2, (WHEN MEASURED ALONG SAID LINE); THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN N82°14'47"W A DISTANCE OF 141.61 FEET TO THE POINT OF BEGINNING.  
(Taken from title policy provided by client)

**PROPOSED PARCEL 3**

THAT PORTION OF THE NORTH 1/2 OF GOVERNMENT LOT 2, SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, LYING EASTERLY OF THE WESTERLY RIGHT-OF-WAY OF THE OLD A.C.L. RAILROAD AND WESTERLY OF STATE ROAD NO. 19; SAID PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:  
FROM THE SOUTHWEST CORNER OF THE NORTH 1/2 OF SAID GOVERNMENT LOT 2, RUN N00°08'02"E ALONG THE WEST LINE THEREOF A DISTANCE OF 397.00 FEET; THENCE CONTINUE N00°08'02"E ALONG SAID WEST LINE A DISTANCE OF 296.55 FEET; THENCE DEPARTING SAID WEST LINE RUN S78°30'25"E A DISTANCE OF 230.98 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE LANE PARK BRANCH OF THE ATLANTIC COAST LINE RAILROAD (ABANDONED) AS ESTABLISHED BY A SURVEY PREPARED BY HOWARD DURDEN AND ASSOCIATES, INC. DATED OCTOBER 19, 1987, REVISED NOVEMBER 15, 1995; THENCE ALONG SAID WESTERLY LINE RUN S17°49'52"W A DISTANCE OF 283.24 FEET TO A POINT THAT IS 397.00 FEET NORTHERLY OF THE SOUTH LINE OF THE NORTH 1/2 OF AFOREMENTIONED GOVERNMENT LOT 2, (WHEN MEASURED ALONG SAID LINE), SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIBED LINE; THENCE DEPARTING SAID RIGHT-OF-WAY LINE RUN S82°14'47"E TO THE WEST LINE OF THE RIGHT OF WAY OF STATE ROAD NO. 19 AND THE END OF THIS DESCRIBED LINE.  
(Based on description taken from title policy provided by client)

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# CITY OF TAVARES



## PROPERTY LOCATION MAP

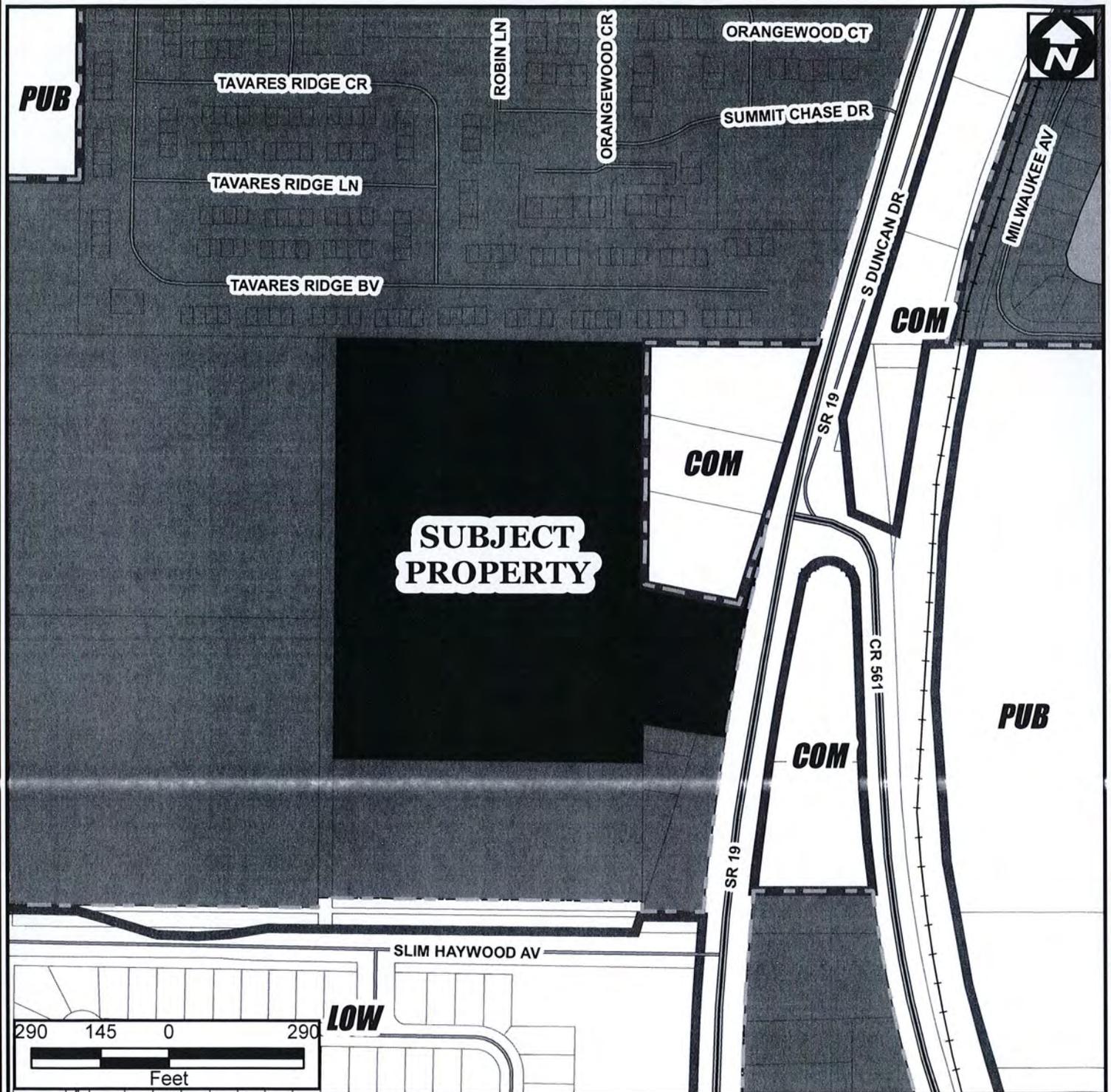
Created By: City of Tavares GIS

T:\pzd\DATA\PROJECT FILES\Publix Annex Rezone, LSFLUM - P22014-08\GIS\GIS\_Maps\

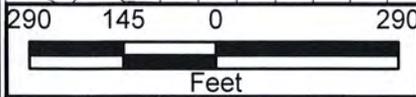
Map Created on 3/31/14

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# CITY OF TAVARES ORDINANCE # 2014-04



**SUBJECT  
PROPERTY**



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

## FUTURE LAND USE MAP ORDINANCE # 2014-04

**Tavares Village Shops**

Current FLU: County  
Urban Medium  
Proposed FLU: Commercial  
15.15 ± Acres

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

1 ~~Mr. Macky McCay explained he supported a landscape buffer.~~

2  
3 ~~Mr. Neron, Economic Development Director communit~~

4  
5 ~~Chairman Santoro conveyed his confidence that staff would hold the developer responsible for~~  
6 ~~creating a quality project and that staff would work cooperatively with the adjacent residents.~~

7  
8 **MOTION**

9 **Richard Root moved to recommend approval of Ordinance 2014-03. The motion was seconded**  
10 **by Howard Haynes. The motion carried 4-0.**

11  
12 3) Tavares Village Shops – LSFLUM – (Resolution 2014 – 04)

13  
14  
15 Jacques Skutt, Community Development Director provided the following staff report;

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17 Ordinance 2014-04 proposes a large scale amendment to the Future Land Use Map 2020 of the  
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51 **FINDINGS**

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

- 3
- 4 1. A Commercial Future Land Use designation would serve as the most appropriate land use for  
5 the subject property in accordance with Future Land Use policy 1-1.1.6.
- 6
- 7 2. Impacts of the proposed development of the subject property shall be monitored through the  
8 City's Concurrency Management System. (Comp Plan, Chapter 7A)
- 9

10

11 There were no comments or questions of the public or staff

12

13 **MOTION**

14 **Morris Osborn moved to recommend approval of Ordinance 2014-03. The motion was seconded**  
15 **by Howard Haynes. The motion carried 4-0.**

16

17

18 There was no further business and the meeting adjourned at approximately 3:53.

19

20 Respectfully submitted,

21

22 \_\_\_\_\_

23 Alisha Maraviglia  
24 Senior Planner

# Orlando Sentinel

Publication Date: 04/14/2014

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

Ad Number: 2279171-1  
 Client Name: / PO# Mike Fitzgerald  
 Insertion Number: City of Tavares  
 Size: 3 x 10.5  
 Color Type: B&W  
 Section/Page/Zone: Lake Zone/E004/LAK  
 Description: Ordinance 2014-03



A bee checks out the bottlebrush tree. SHERRY BOAS/CORRESPONDENT

## BOAS

Continued from Page E1

the anole might have been marking his territory or trying to intimidate another lizard. Regardless of whether his efforts worked on other anoles, he succeeded in attracting my attention, putting on a show I was happy to have witnessed.

Butterflies tend to flutter about the bottlebrush tree a little later in the season when the weather is warmer, but the other day as I was still lazing about in bed, I noticed a beautiful blue-colored butterfly land on one of the uppermost blooms. Few things motivate me to move faster than a wildlife sighting. As soon as I saw the butterfly, I jumped out of bed, grabbed my camera and ran outside. Since then getting up quickly, I find myself staying in bed longer to see what other treats the tree will provide.

Lately, I've spotted yellow-rumped warblers landing on the red, bristly blooms. I've yet to learn whether these pretty birds are there to enjoy a sip of the sweet nectar or to eat tiny bugs caught in the sticky substance. It could be they're after both.

Cardinals also are drawn to the tree, although they don't frequent it as often as the warblers do. When they do come, I usually see both male and female cardinals feeding together. If I didn't see them fly in, I'd probably miss them entirely. The male cardinal's coloring is exactly the same shade of red as the bottlebrush blooms, and the bird is about the same length as a cardinal's body. I wonder why cardinals don't spend more time in the bottlebrush tree since it provides such excellent camouflage.

In past years, I've seen hummingbirds hover over the blooms, but I've yet to see one arrive on the tree outside my new bedroom window. Hummingbirds like bottlebrush trees since they are such a rich source of nectar. One of these mornings, I'm sure one will appear.

I may not have seen hummers yet, but I sure have seen bees. Yesterday, the tree was abuzz with pollen-gathering insects. We've all heard about bee colony collapse and the shortage of honeybees worldwide, but in our yard, especially around the bottlebrush tree, bees are working overtime. Along with them, various wasps zoom in and out of the tree. Like bees, wasps also are pollinators, but because they lack a bee's fuzzy hair, they aren't as efficient at gathering pollen.

One recent afternoon, I watched a male green anole try to attract a female from his perch on one of the tree's thin branches. The native lizard bobbed up and down displaying his bright pink dewlap. However, I don't think he was rewarded since I didn't see any females approach. Instead of trying to attract a mate,

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## THE ARTS IN LAKE

# Paint night away at social art-working

BY DEBBIE MANIS  
 Staff Writer

Enjoy an evening of painting, even if you've never picked up a brush before.

Participants will complete an antique roost painting on canvas.

The Leesburg Regional Medical Center Ladies in Philanthropy is presenting the social art-working event from 6:30 to 8:30 p.m. May 15 at the Leesburg Center for the Arts, 429 W. Magnolia St.

The philanthropy group is a network of community-minded women who are committed to making a significant impact on the health and well-being of the community.

Cost is \$30 a person and includes all materials.

To register online or more information, visit [contacte/ILQROya](http://contacte/ILQROya) or call 352-365-0232.

## Fair art winners

The following people won top awards at this year's Lake County Fair's Fine Art Department show, which ended Saturday.

Oil: first place, Glenda Dupuis; second, Jose Diaz; third, Harry Gray; Jr. and honorable mention, Laura Schöffner and Wanda Andrews.

Acrylic: first place, Sharon Repple; second, Donna Hughes; third, Bonnie Crews;

and honorable mention, Wilton Nelson and Cheryl Jacobs.

Water media on paper: first place, Carrie Ann Knupp; second, Manny Alonso; third, Richard Carter; and honorable mention, Sandy Earnest and Susan Fierzyg.

Pastel and drawings: first place, Ron Colgrove; second, Janet Hodson; third, Claire Vaccaro; and honorable mention, Kay Gross and Heather Earnest.

Mixed media: first place, James Kautenburger; second, Jan Krassner; third, June Longnecker; and honorable mention, Steve Carson and Susan Mulholland.

## Poetry contest

The East Lake County Library, 3340 County Road 457, Sorrento, will have its 12th annual poetry contest to celebrate National Poetry Month in April.

Age categories include children up to 12, teens 13 to 18, and adults 19 or older.

Poems can be on any topic or any style of writing, one page long (8 1/2-by-11-inch), and typed. Prizes will be awarded to the top three winners in each category.

First place will be a \$50 gift certificate to Books-a-Million; second, a \$25 gift certificate to Books-a-Million; and third, a \$15 gift certificate to Books-a-Million.

## GeorgeFest button design

The Lake Eastus Area Chamber of Commerce is accepting entries for its 2015 GeorgeFest button design.

Local students and artists are eligible to participate.

Entries must submit a design for a logo, which will be used for promotional material. The design must depict the theme "From Sea to Shining Sea" and can be a square, circle or oval shape.

The specifications for the design include: 8 1/2-by-11-inch full color original work.

The deadline is 5 p.m. May 23.

Submissions made by anyone younger than 18 must be made with parental permission.

The public can view and vote for their favorite design at the Lake Eastus Museum of Art during June. The winner will be announced July 1.

For more information, call the chamber at 352-367-3434 or email info@EustisChamber.org.

## 'An Evening of Estrogen'

"An Evening of Estrogen," a 90-minute comedy show featuring music, standup comedy, improvisation and song parodies.

The show, created by Orlando musical comedian Jill Shargaa, is scheduled for 8 p.m. April 26 at the Mount Dora Community Building, 520 N. Bolser St.

The other entertainers include optometrist standup comedian and writer Amy Beckham; improv comic and singer Mary Thompson; Hum of Disney's Hollywood Studios and pianist and singer Carol Stein from the Rose and Crown Pub at Epcot.

Orlando native Shargaa began her comedy career in 1979 and has since performed at the Orlando International Fringe Festival, comedy clubs and with such entertainers as Lily Tomlin, Rosie O'Donnell and Louie Anderson.

Reserved seating is \$25 and general admission is \$20 and available online at [mountdoraproductions.com](http://mountdoraproductions.com) or call 352-383-2679. Tickets also are available at Barrel of Books and Games, 128 W. Fourth Ave., Mount Dora.

Orlando Sentinel, 8898 E. Borlough Blvd., Tavares, FL 32783, 352-742-5932 or [dmanis@tribune.com](mailto:dmanis@tribune.com).

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**THE CITY OF TAVARES NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2014-03 & Ordinance 2014-04 listed as follows:

**ORDINANCE 2014-03**

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 15.15 ACRES LOCATED ON THE WEST SIDE OF S.R. 19 AT THE INTERSECTION OF C.R. 961; REZONING SAID PROPERTY FROM LAKE COUNTY AGRICULTURAL AND PLANNED INDUSTRIAL TO CITY OF TAVARES HIGHWAY COMMERCIAL (C-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL, PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE 2014-04**

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2010, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 15.15 ACRES OF LAND GENERALLY LOCATED ON THE WEST SIDE OF S.R. 19 AT THE INTERSECTION OF C.R. 961 FROM COUNTY URBAN MEDIUM TO CITY COMMERCIAL, PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2014-03 & Ordinance 2014-04 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on April 17, 2014, at 3 p.m. and
2. Tavares City Council meeting on May 7, 2014, at 4 p.m. (Introduction and First Reading by Title Only - Ord. 14-03, Transmittal Hearing - Ord. 14-04), and
3. Tavares City Council meeting on May 21, 2014, at 4 p.m. (Second Reading - Ord. 14-03 only)
4. Tavares City Council Second Reading for Ord. 14-04 will follow completion of State review.

Public hearings will be conducted at the Tavares City Council Chambers, 201 East Main Street, Tavares, Florida.

Proposed Ordinance 2014-03 & Ordinance 2014-04 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

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

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

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

**CITY OF TAVARES**

PROPERTY LOCATION MAP

**Asthma Immunology Center**

ACCEPTING NEW PATIENTS Medicare and Most Insurance Plans New Acupuncture, Acute and Medicaid

**Adult & Pediatric Care**  
 Full-time care for Lake County and surrounding areas

**Complete Management of:**

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 Leesburg, FL 34788  
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 BellaToscanaSpa.com

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 (100 MINIMUM REQUIRED)  
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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
MAY 7, 2014**

**AGENDA TAB NO. 9**

**SUBJECT TITLE: Resolution 2014-11  
Fox Run, Inc. – 5 Year Time Extension for Special Use Permit**

---

**OBJECTIVE:**

To consider a request by Fox Run, Inc. to allow a time extension of 5 years for a special use permit originally approved through Resolution 2007-05 and extended through Resolution 2009-02 for the storage of vehicles, boats, and trailers on property located adjacent to and easterly of the Fox Run Subdivision, lying south of Dead River Road.

**BACKGROUND:**

Owner: Fox Run, Inc.  
Location: Adjacent and easterly of the Fox Run Subdivision, Dead River Road.  
Existing Zoning: Residential Multi-Family (RMF-3)  
Request: 5 year extension to special use permit, Resolution 2007-05

**SUMMARY:**

On March 7, 2007 City Council approved Resolution 2007-05 allowing a special use permit for the storage of vehicles, boats, and trailers on property located adjacent to and easterly of the Fox Run Subdivision, lying south of Dead River Road. Resolution 2007-05 was approved subject to a two year expiration from the date of approval. An extension to the special use permit was granted through Resolution 2009-02. The applicant is requesting a time extension of 5 years for this special use. Fox Run, Inc. has complied with all of the conditions of Resolution 2007-05 as they relate to proper maintenance of the area.

**OPTIONS:**

1. That City Council moves to approve Resolution 2014-11 as presented.
2. That City Council denies the requested Special Use Permit.

**PLANNING & ZONING BOARD RECOMMENDATION:**

At its April 17<sup>th</sup> meeting, the Planning & Zoning Board voted unanimously to recommend approval of Resolution 2014-11.

**STAFF RECOMMENDATION:**

Staff recommends that City Council moves to approve Resolution 2014-11.

**FISCAL IMPACT:** N/A

**LEGAL SUFFICIENCY:**

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

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**RESOLUTION 2014-11**

**A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING A TIME EXTENSION OF FIVE YEARS FOR A SPECIAL USE PERMIT GRANTED FOR THE STORAGE OF VEHICLES, BOATS, AND TRAILERS ON PROPERTY LOCATED ADJACENT AND EASTERLY OF THE FOX RUN SUBDIVISION, LYING SOUTH OF DEAD RIVER ROAD; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Fox Run Inc. is the owner of property located along Dead River Road adjacent to the Fox Run Mobile Home Subdivision, Tavares, Florida, and legally defined as:

The west 230 feet of the north 633 feet of the NW ¼ of the NW ¼ of Section 31, Township 19 South Range 26 East, Lake County Florida; and,

**WHEREAS**, on March 7, 2007, through Resolution 2007-05 and on February 4<sup>th</sup> 2009, through Resolution 2009-02, City Council approved temporary Special Use Permits for the storage of vehicles, boats, and trailers on the above described property; and,

**WHEREAS**, the owner desires to extend the Special Use Permit for the temporary storage of vehicles, boats, and trailers on the above described property for an additional five years; and,

**WHEREAS**, the property is zoned RMF-3 (Residential Multi-Family) and temporary storage of vehicles, boats, and trailers is permitted by Special Use approval in said zoning district; and,

**WHEREAS**, the City Council finds that the Special Use for the temporary storage of vehicles, boats, and trailers would be in harmony with surrounding uses and existing site conditions; therefore,

1  
2 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES,**  
3 **FLORIDA AS FOLLOWS:**  
4

- 5 1. The owner is hereby granted the approval of a Special Use Permit  
6 for the temporary storage of vehicles, boats, and trailers subject to  
7 conformance with items 2 through 7 below.  
8
- 9 2. The use of the property as a temporary storage site shall not  
10 exceed a period of five (5) years from the date of approval of this  
11 resolution.  
12
- 13 3. The use approved by this Special Use Permit shall be confined to  
14 the location depicted on the aerial location map attached hereto  
15 as Exhibit A and made a part herewith, and shall not exceed an  
16 area of 230' x 600'.  
17
- 18 4. The applicant shall maintain the 6 foot high stockade fence along  
19 Dead River Road, running the entire length of the storage area,  
20 extending south of Dead River Road for 20 feet on both the east  
21 and west ends.  
22
- 23 5. No vehicles taller than 6 feet shall be parked within 100 feet of the  
24 fence.  
25
- 26 6. No trees shall be removed within the storage area.  
27
- 28 7. No pavement, concrete or other impervious material shall be  
29 installed within the storage area.  
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**THIS RESOLUTION** will become effective upon approval by the Tavares City Council.

**PASSED AND RESOLVED** this \_\_\_\_ day of May 2014, by the Tavares City Council.

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

ATTEST

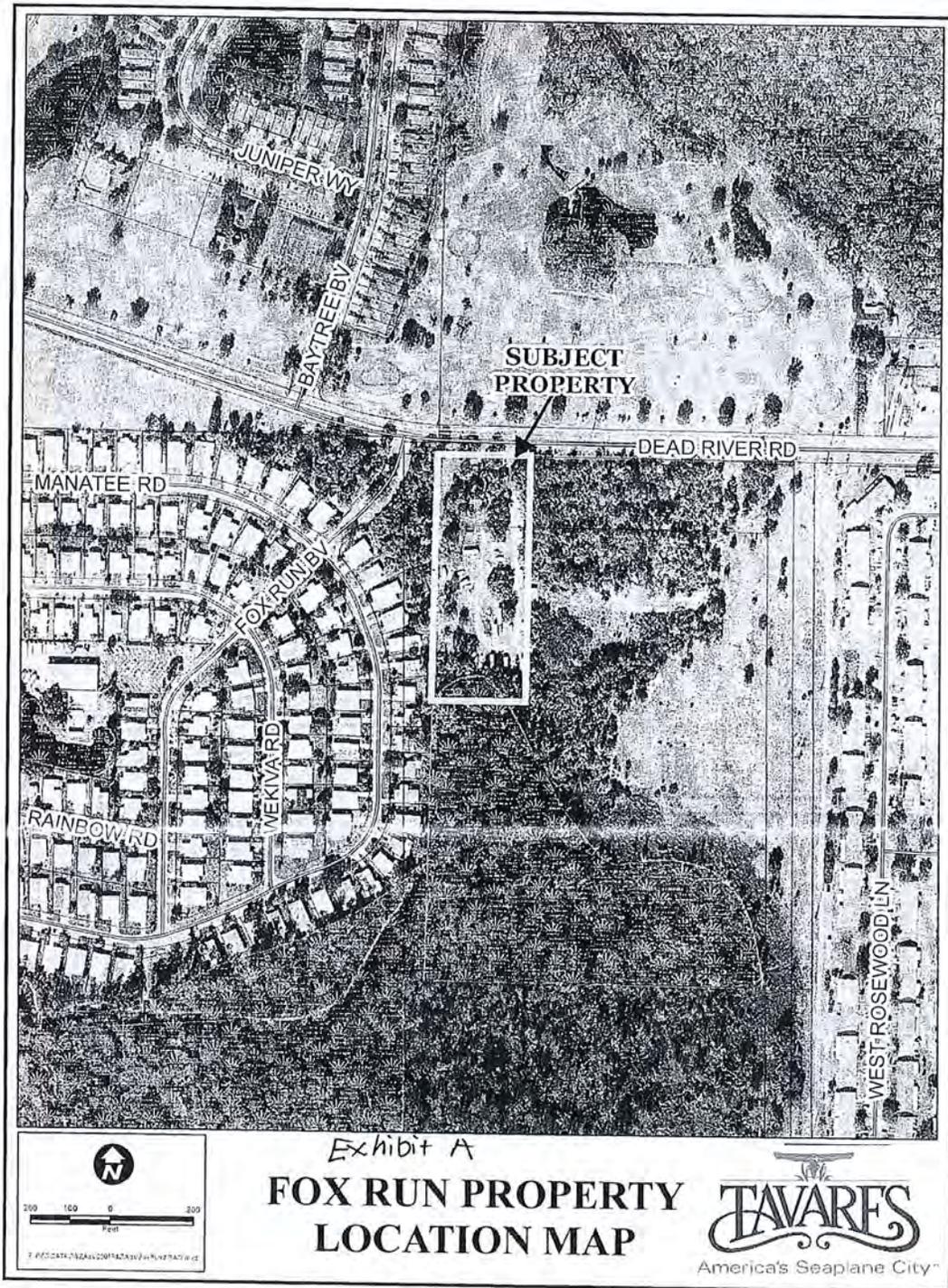
\_\_\_\_\_  
Nancy A. Barnett, City Clerk

Approved as to form and legality:

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

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Exhibit A

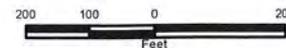


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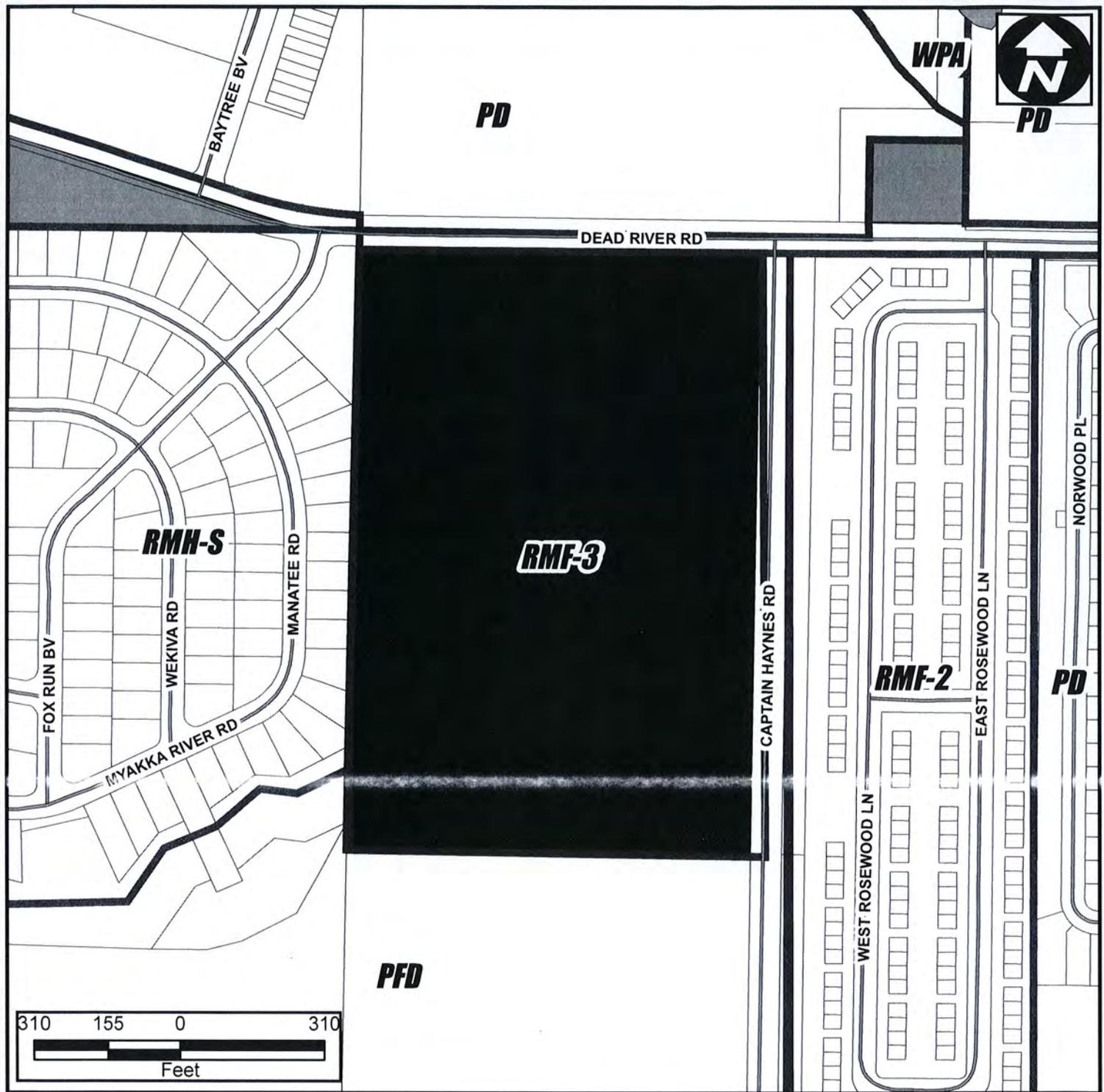
# CITY OF TAVARES



## PROPERTY LOCATION MAP FOX RUN STORAGE AREA



# CITY OF TAVARES RESOLUTION # 2014-11



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



## ZONING MAP

### RESOLUTION # 2014-11

### FOX RUN STORAGE AREA

Current Zoning: RMF-3

25.3± Acres

#### Legend

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

### THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Resolution 2014-11 titled as follows:

#### RESOLUTION 2014-11

**RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING A TIME EXTENSION OF FIVE YEARS FOR A SPECIAL USE PERMIT GRANTED FOR THE STORAGE OF VEHICLES, BOATS, AND TRAILERS ON PROPERTY LOCATED ADJACENT AND EASTERLY OF THE FOX RUN SUBDIVISION, LYING SOUTH OF DEAD RIVER ROAD, SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL, PROVIDING AN EFFECTIVE DATE.**

Proposed Resolution 2014-11 will be considered at the following public meetings:

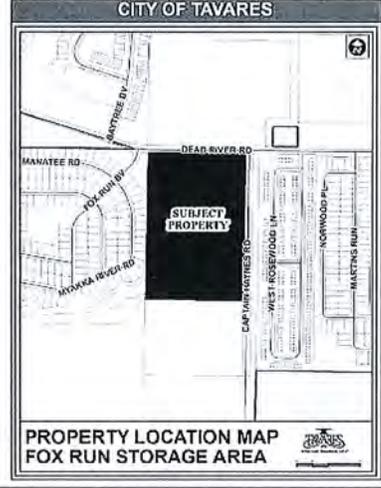
1. Tavares Planning & Zoning Board meeting on April 17, 2014, at 3 p.m. and Tavares City Council meeting on May 7, 2014, at 4 p.m.
2. All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Resolution 2014-11 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

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



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#### ORDINANCE 2014-03

**AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE (L) L. A. BUILDING APPROXIMATELY 15.15 ACRES (L) L. E. G. THE WEST SIDE OF S. R. 19 AT THE INTERSECTION OF C. R. 561, REZONING SAID PROPERTY FROM LAKE COUNTY AGRICULTURAL AND PLANNED INDUSTRIAL TO CITY OF TAVARES HIGHWAY COMMERCIAL (C-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.**

#### ORDINANCE 2014-04

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 15.15 ACRES OF LAND GENERALLY LOCATED ON THE WEST SIDE OF S. R. 19 AT THE INTERSECTION OF C. R. 561 FROM COUNTY URBAN MEDIUM TO CITY COMMERCIAL, PROVIDING FOR SEVERABILITY AND CONFLICTS, PROVIDING FOR TRANSMITTAL, AND PROVIDING FOR AN EFFECTIVE DATE.**

- Proposed Ordinance 2014-03 & Ordinance 2014-04 will be considered at the following public meetings:
1. Tavares Planning & Zoning Board meeting on April 17, 2014, at 3 p.m., and Tavares City Council meeting on May 7, 2014, at 4 p.m. (Introduction and First Reading by Title Only - Ord. 14-03, Transmittal Hearing - Ord. 14-04), and
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  3. Tavares City Council Second Reading for Ord. 14-04 will follow completion of State review.

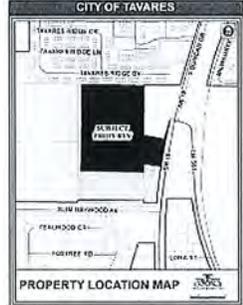
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Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404.



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#### YOUR COMMUNITY IN BRIEF

## Libraries will present free programs in money matters

BY DEBBIE MANIS  
Staff Writer

"Money Smart Week @ Your Library," a national initiative in its fourth year between the American Library Association and the Federal Reserve Bank (Chicago) to provide financial literacy programming to the community, kicked off Saturday. The Lake County Library System will offer a variety of free programs at the following libraries:

- "Organizing Your Finances" from 1:30 to 3 p.m. Tuesday at Astor County Library, 54905 Alco Road. Details: 352-759-9913. The program will be repeated from 6 to 7:30 p.m. Tuesday at Paisley County Library, 24954 County Road 42. Details: 352-669-0001.
- "Social Security - What You Need to Know" at 2 p.m. Tuesday followed by "Florida Wills and Trust" at 3 p.m. at Tavares Public Library, 334 N. New Hampshire Ave. Registration is required for either program by calling 352-742-6204.
- "Social Security - What You Need to Know" at 10 a.m. Wednesday and "Florida Wills and Trust" at 3 p.m. at Lady Lake Public Library, 225 W. Guava St. Registration is required for either program by calling 352-753-2957.
- Children will learn about how to save their pennies for the Money Smart program at 10:30 a.m. Wednesday at Fruitland Park Library, 205 W. Berckman St. They also will make piggy banks.

sheet is required for each child before the program. Details: 352-357-0896 or 352-357-5686.

- To commemorate Holocaust Remembrance Day, Cooper Memorial Library will present "Comics, Cartoons and Children of the Holocaust" at 5 p.m. Thursday in Room 108 of the library, 2525 Oakley Seaver Drive, Clermont. Sheryl Needle Cohn, who wrote "The Boy in the Suitscase: Holocaust Family Stories of Survival," will be the guest speaker. A PowerPoint presentation with multimedia clips also will be shown.
- Cohn will sign copies of her books. The book will be available for purchase. Details: 352-536-2275.
- If you have a computer or laptop with Windows 8 and you need help migrating it, the WT, Bland Public Library in Mount Dora will offer an Exploring Windows 8 program at 10:30 a.m. Thursday, April 17, May 15, June 5 and 19 at the library, 1995 N. Donnelly St. Gary Marshall will present the free program.

- Participants should know how to use the mouse and a keyboard and how to browse a simple website. Attendees may bring their own laptop or sign up to use one of the library's eight laptops. Space is limited to 12 people per class.
- Registration is required by calling 352-735-7180, Option 5 or stop by the circulation desk.

#### Meetings

- The Lake County Parkinson's Support Group will meet from 1 to 3 p.m. Tuesday in the Family Life Center at Lake Square Presbyterian Church, 10200 Morningside Drive, Leesburg. Dr. Anette Nieves, a neurologist who specializes in Parkinson's disease, will present a program. Details: Pat or Dave Tribbey, 352-343-0376.
- New Dimensions Blind/Visually Impaired Person support group, sponsored by New Vision for Independence, will meet from 11:30 a.m. to 1 p.m. Friday at the IHOP restaurant, 10322 U.S. Highway 441 across from Lake Square Mall in Leesburg. Dr. Shalesh Kaushal from the Retina Institute will speak about macular degeneration and diabetic retinopathy. Details: 352-435-5040.

#### Juvenile Justice

The Fifth Circuit of the Department of Juvenile Justice will have its annual conference from 8:15 a.m. to 3:30 p.m. Friday at Oxford Assembly of God in Sumter County, 1204 N. U.S. Highway 301. The conference is free and includes complimentary breakfast and lunch to the first 200 people who register. Details: Debi MacIntyre, 352-408-2009 or debi@safelclimatecoalition.org.

Orlando Sentinel, 1898 E. Burleigh Blvd., Tavares, FL 32778, 352-742-5932 or dmanis@tribune.com

#### Victorian hats

Ladies Tea Adventures will present its next tea at 2 p.m. Tuesday at the Donnelly House, 525 N. Donnelly St., downtown Mount Dora. Participants are invited to make a Victorian hat.

The cost is \$22 for members of the Ladies Tea Adventures or \$24 for non-members.

For a list of supplies and to make a reservation, call Margaret Andersen at 352-360-9197.

#### Travel softball

The Lady Rave travel softball team is seeking girls 12 and younger. The season consists of three team practices per week and two tournaments per month through June.

To register or more information, call Jennifer Rice at 352-255-7269 or jenniferice973@gmail.com.

#### Free library programs

- Children are invited to attend Reading Paws from 3:30 to 4:30 p.m. Wednesday and April 30 at Eustis Memorial Library, 120 N. Center St. Reading Paws is part of a national program that uses trained Reading Education Assistance Dogs, which helps students practice pronouncing words without the pressure of missing up in front of other children. A signed parental consent

#### LAKE THINGS TO DO

##### Aquatics

**MOUNT DORA SWIM TEAM** is taking registrations. Fee: \$40 per month with practices from 4:30 to 6 p.m., Monday, Tuesday, Thursday, Friday. No Wednesday practices. Location: heated Mount Dora City Pool. Details: Beth Kosmowicz at 352-516-2791.

##### LEESBURG AQUATICS

for swimmers from age 5 through masters (19 and older) is offering recreational swimming looking to develop their swimming skills. Fees: \$35-\$55 per month and other fees for meets and USA Swimming registration. Year-round and summer recreational programs are available. Details: leesburgaquaticsclub.com, 407-421-8049 or email leesburgaquaticsclub@hotmail.com.

##### GOLDEN TRIANGLE

YMCA is running swim-lesson program for students from 6 months old to adults. Fees: \$45 for members for eight sessions, \$90 for non-members for eight sessions. Details: Contact aquatics.

director Pam Sanders, psanders@cityofltd.org, or call 352-363-9444.

**SAFE START** program by the Central Florida YMCA teaches youngsters to float, rest, breathe and swim to the wall. It is a six-week program taught five days a week for 10 minutes by Heather Worrell, certified Safe Start instructor. Details: 352-343-9444, Ext. 235, or email hsaunders@safe-start@gmail.com.

##### NTC AQUATICS

for children who are competitive swimmers or would like to learn the basic fundamentals of swimming in a team atmosphere. Ages 5-18. This is a year-round program offering seven different categories of teams based on skill level. Details: Ozine Quevedo at ozine.quevedo@orlandohealth.com or 352-241-7444, Ext. 4293.

##### KIDS SPLASH CAMP

(ages 5-10) offers six one-week sessions, 9 a.m.-4 p.m. weekdays. The programs provide specific instruction in swimming, springboard diving and field group activities. Details: 329-282-2558.

##### GOLDEN TRIANGLE

YMCA is running swim-lesson program for students from 6 months old to adults. Fees: \$45 for members for eight sessions, \$90 for non-members for eight sessions. Details: Contact aquatics.

**YMCA Sharks** team is a fun way to get in shape and develop swimming skills. Ages 5-18. Details: 352-343-9444.

**GOLDEN TRIANGLE** YMCA Masters swim team is a competitive team for adults. Meetings are Saturdays at 9:30 a.m. Details: 352-343-9444.

##### Archery

**JOSEPH STEED'S ARCHERY** offers beginning, intermediate and advanced archery classes Saturdays and Sundays at 9 a.m. in Montverde. Ages 9-90. All experience levels welcome. Details: Joseph Steed, 407-913-4140 or josephsteed@schery.com.

##### Baseball

**MOUNT DORA BASEBALL ACADEMY** is offering training sessions Mondays from 6-8 p.m. There are 12 hitting stations, a speed and agility workout. Program is for players 112. Fee: \$15 per session or \$50 a month, and. Please turn to Page E4.



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

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CITY OF TAVARES  
PLANNING AND ZONING BOARD MEETING  
TAVARES COUNCIL CHAMBERS  
April 17, 2014

**BOARD MEMBERS PRESENT**

John Adams, Chairman - Absent  
Gary Santoro, Vice Chairman  
Morris Osborn  
Howard Haynes  
Richard Root  
Norb Thomas - Absent

**LAKE COUNTY SCHOOL BOARD**

Debbie Stivender, Boardmember - Absent  
Dawn McDonald, Senior Planner - Absent

**STAFF MEMBERS PRESENT**

Jacques Skutt, Community Development Director  
Alisha Maraviglia, Senior Planner - Absent

**CALL TO ORDER**

Vice Chairman, Gary Santoro, called the meeting to order at 3:10 p.m. and the Pledge of Allegiance was recited.

**APPROVAL OF MINUTES OF March 20, 2014**

The minutes were approved as read.

**OLD BUSINESS**

None.

**SWEARING IN OF THOSE GIVING TESTIMONY**

Attorney Williams gave the oath to staff and audience.

**CASES TO BE HEARD**

- 1) Fox Run Subdivision - Special Use Permit – (Resolution 2014-11)

Jacques Skutt, Community Development Director provided the board an amended map of the subject property further clarifying the site location and the following staff report;

This is a request to extend a current use. On March 7, 2007 City Council approved Resolution 2007-05 allowing a special use permit for the storage of vehicles, boats, and trailers on property located adjacent to and easterly of the Fox Run Subdivision, lying south of Dead River Road. Resolution 2007-

1 05 was approved subject to a two year expiration from the date of approval. An extension to the  
2 special use permit was granted through Resolution 2009-02. The applicant is requesting a time  
3 extension of 5 years for this special use. Fox Run, Inc. has complied with all of the conditions of  
4 Resolution 2007-05 as they relate to proper maintenance of the area.

5  
6 **MOTION**

7  
8 **Morris Osborn moved to recommend approval of Ordinance 2014-11. The motion was**  
9 **seconded by Richard Root. The motioned carried 4-0.**

10  
11  
12 2) Tavares Village Shops – Annexation / Rezoning – (Resolution 2014-03)

13  
14  
15 Jacques Skutt, Community Development Director provided the following staff report;

16  
17 Properties situated along this segment of S.R. 19 are primarily commercial in nature. FDOT has  
18 undertaken an engineering study to widen the road from Howey-in-the-Hills to the intersection of C.R.561.  
19 This work will replace the Howey Bridge and increase substantially the traffic capacity of S.R.19. This  
20 study has determined that the existing configuration of the C.R. 561 intersection will remain the same,  
21 although the placement of a new shopping center at this location may necessitate the addition of turn lanes  
22 and traffic signals to comply with FDOT regulations. Given the number of existing commercial properties,  
23 the increase in traffic capacity and this proposed new shopping center, it is anticipated that S.R. 19 will  
24 evolve as a primary commercial corridor for Tavares. A site plan demonstrating compliance with all city  
25 regulations including applicable state and federal environmental laws must be approved prior to the  
26 issuance of any building permits. It is staff's opinion that a Highway Commercial (C-2) zoning is the most  
27 compatible designation for this property.

28  
29 Chairman Adams the public if there were any questions or comments.

30  
31 Mr. Duane Booth of BES and H Engineering, 350 N. Sinclair Avenue, Tavares, introduced himself and  
32 committed to answer questions asked of the board or audience if there were any.

33  
34 Mr. Bryan Donahue of the Tavares Ridge Homeowners Association, 30110 Tavares Ridge Blvd  
35 Tavares, representing the community expressed concern for the traffic congestion, possible cross traffic,  
36 noise and lighting. He felt that buffering as required by the City of Tavares Land Development Regulations  
37 and discussed by Community Development Director Jacques Skutt would address some of the  
38 communities concerns.

39  
40 Mrs. Cecilia Bonifay of Akerman Senterfitt, 420 S. Orange Avenue, representing Lane Park Commons,  
41 LLC expressed concern that the applicant did not request a PD as opposed to a straight zoning.

42  
43 Mr. Skutt explained that Land Development Regulations would address most if not all of the concerns  
44 expressed.

45  
46 Mr. Tim Green of Green Consulting, 4070 United Avenue, Mount Dora, representing Tavares Village Shop  
47 conveyed that he was confident that the Land Development Regulations would address most if not all of  
48 the concerns expressed.

49  
50 Mr. Booth of BESH addressed a few of the concerns expressed. He explained that the site development  
51 would address flooding and move surface water away from the residential community.

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: April 7, 2014**

**AGENDA TAB NO. 10**

**SUBJECT TITLE: Resolution #2014-13 – Initiating Program for Providing Water and Wastewater Improvements for Sunset View and Three Lakes Park**

---

**OBJECTIVE:**

Consider the approval of Resolution #2014-13 initiating program for providing water and wastewater improvements for Sunset View and Three Lakes Park.

**SUMMARY:**

Resolution #2014-13 initiates the water and wastewater services program for Sunset View and Three Lakes Mobile Home Park located on US 441 west of Tavares Recreation Park. Previously Council had approved two engineering agreements with Ted Wicks for engineering and construction management services, and a financing plan for the project estimated at \$820,937.50 (see attached summary from February 5, 2014).

All residents who have agreed to be assessed have completed the necessary paperwork and submitted to the City Attorney.

The City proposes to borrow the money for the project and to assess the property owners their proportionate share of the cost to borrow plus 1% interest for a length of 10 years. No down payment will be required.

Once the project has been bid out and construction costs are confirmed, further resolutions to accept the plans and specifications and to approve the assessment roll will be presented at a future public hearing.

**OPTIONS:**

- 1) Move to approve Resolution #2014-13 initiating the Sunset View and Three Lake Mobile Home Park Water and Wastewater Program
- 2) Do not approve Resolution #2014-13

**STAFF RECOMMENDATION:**

Move to approve Resolution #2014-13 initiating the Sunset View and Three Lakes Mobile Home Park Water and Wastewater Program

**FISCAL IMPACT:**

No Impact.

**LEGAL SUFFICIENCY:** Legally sufficient

Attachment

From 2/5/14 CC  
mtg

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
February 5, 2014**

**AGENDA TAB NO. 7**

**SUBJECT TITLE: Financing Plan and Engineering Contracts for Sunset View Water & Sewer Project**

---

**OBJECTIVE:**

To approve the financing plan for the water and sewer infrastructure project estimated at \$786,437.50 in the Sunset View Subdivision/Three Lakes Mobile Home Park area located on US 441 west of Tavares Recreation Park and to approve the associated engineering amendments to the engineering contract with Wick's Engineering for engineering and construction management services.

**SUMMARY:**

The City has been working with the homeowners at Sunset View subdivision for approximately five (5) years on a project that will provide water and sewer services to the Sunset View homes and Three Lakes Mobile Home park to address their failing septic tank and poor drinking water situation which should also assist in improving water quality along the shore line that all of these homes are located on.

Previously on May 1, 2013, City Council approved an engineering agreement with Wicks Engineering in the amount of \$20,320 (excluded debt issuance costs) to design, engineer and permit the extension of water lines and sewer lines from the city's utility's system to this area, as well as engineering services to design a water and sewer system for the single family homes in the Sunset View area. This design is approximately 97% complete and ready to go out to bid. Once the project goes out to bid and a contractor is selected it will be necessary to have an Engineer provide construction inspection services and construction contract administration services. Staff has negotiated a contract with Wicks Engineering in the amount of \$16,000 to do the construction inspections and construction contract administration work (see attached Addendum # 1 contract).

**Financing Plan**

The city proposes to borrow the money for the Sunset View project and to assess the property owners their proportionate share of the cost to borrow plus 1% interest for a length of 10 years (see attached Sunset View/Tavares Three Lakes Park Financing Plan Summary). Additional details of this plan include the following:

Estimated cost of this project and loan the city would take out is \$591,316.90.

26 connections at \$22,742.96 each

4.5% interest (3.5% market rate plus 1% city overhead cost)

10 year payback no prepayment penalty

Monthly payments from each connection for the construction utility assessment is \$219.65

\$0 down from home owners or they can pay the full \$22,742.96 up front.

Home owners do pay a connection fee of \$270 (cost of meter and its installation), cross connection device of \$40 and utility deposit fee of \$175 at such time as they connect.

Prior to construction, 75% of the home owners in Sunset View and 100% of the homeowners in Three Lakes Mobile Home Park would be required to:

- Execute a Utility Agreement agreeing to the monthly utility construction assessment
- Execute a Utility Easement
- Execute an annexation petition
- Execute a Covenant to annex into the city within five years from completion of construction of the utility lines.

The City Attorney has been coordinating the development and execution of these documents and the Mayor has been meeting with the leadership of both Sunset View and Three Lakes. In addition, there will be other documents to be prepared by the City Attorney that will be brought forward to City Council required by State Statute for the assessment process, to confirm construction costs and to prepare the assessment roll.

By annexing into the City the residents will be provided with fire protection, police protection and sanitation services. They will be placed on the fire assessment roll and pay all city taxes and fees normally required by property owners. The city will not be committing to do any infrastructure upgrades to roads, storm water or other infrastructure other than to replace what is disturbed as a result of the utility installation work. The roads do not meet city standards.

#### Recent Change of Events:

Originally the city was going to require that all home owners make a down payment and pay off the note in five years. Staff is now recommending a 10 year pay-off and no down payment which would parallel the city's debt structure, and therefore the city is essentially passing that on to the residents. Since this change, Three Lakes Mobile Home Park has shown interest in also being connected to the city's water and sewer system.

A major portion of the project cost is associated with extending utility service to this area. The cost to add Three Lakes Mobile Home Park to the project is an additional \$223,620.60, bringing the project total to \$820,937.50 and adding 36 connections for a total of 62 connections. Utilizing the same financing plan as proposed above would result in a reduction to the resident's monthly payment from \$227.18 down to \$130.93 for ten (10) years.

Staff has negotiated addendum #2 with Wicks Engineering add the Mobile Home Park connections to the water and sewer system design as well as handling all of the construction inspections and contract administration for a fee of \$6,000.

It should be noted that the project may be bid out utilizing a bid alternate format wherein the base bid would be to construct utility service to and throughout Sunset View and the bid alternate would be to add a cost to construction for utility service through Three Lakes. If three Lakes votes to hook up and executes the necessary documents prior to bidding then the bid alternate would not be necessary.

Staff is seeking approval of the proposed financing plan and two engineering contracts necessary to hook up Sunset View and Three Lakes to the Tavares utility system.

**OPTIONS:**

- 1) Move to approve the proposed financing plan and two engineering contracts with Wicks Engineering in the amount of \$16,000 for Addendum #1 and \$6,000 for Addendum #2.
- 2) Do not approve the attached proposed financing plan nor engineering contracts.

**STAFF RECOMMENDATION:** Move to approve the proposed financing plan and two engineering contracts with Wicks Engineering in the amount of \$16,000 for Addendum #1 and \$6,000 for Addendum #2.

**FISCAL IMPACT:**

If 100% of the home owners hook up then all costs are passed through and there is no fiscal impact other than to do the necessary budget amendments to identify the expenses and offsetting revenues coming from the home owners. If only 75 % of the Sunset home owners sign up then there would be a carrying cost for 6 homes at Sunset View until they hooked up. The city has added a 1% city overhead cost for the entire project and when these six (6) properties hook up in the future they would be charged for their proportionate share of the project.

**Legal Sufficiency:**

City Attorney has reviewed this for legal sufficiency.

RESOLUTION NO. 2014 - 13

A RESOLUTION INITIATING A PROGRAM FOR THE PURPOSE OF PROVIDING WATER AND WASTEWATER IMPROVEMENTS FOR SUNSET VIEW AND THREE LAKES PARK, LOCATED ADJACENT TO TAVARES, LAKE COUNTY, FLORIDA; DESIGNATING CONSULTING ENGINEERS FOR SUCH IMPROVEMENTS AND INSTRUCTING THE CONSULTING ENGINEERS TO PREPARE PLANS AND SPECIFICATIONS FOR SUCH IMPROVEMENTS, AN ASSESSMENT PLAT SHOWING THE AREA TO BE ASSESSED AND AN ESTIMATE OF THE COST OF SUCH IMPROVEMENTS; AND PROVIDING AN EFFECTIVE DATE.

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

**SECTION 1.** This resolution is adopted pursuant to the provisions of Chapter 170, Florida Statutes, as amended, and other applicable provisions of law.

**SECTION 2.** It is hereby found and determined as follows:

A. It is in the best interest of the economy, health, welfare, convenience and safety of the City of Tavares (the "City") and its citizens and inhabitants to provide for the construction and financing of water and wastewater improvements, and incidental road repairs (the "Project") within the area adjacent to the City generally described as Sunset View and Three Lakes Park, which includes parts of Canal Street and Lakeside Lane.

B. The cost of the Project is preliminarily estimated to be the sum of \$750,000.00. All of the cost of the Project shall be paid by the levy and collection of special assessments against the properties abutting, adjoining or contiguous to and specially benefitted by the Project, on a per connection basis. Such cost, in addition to the cost of acquiring and constructing the specific items contained in the plans and specifications hereinafter mentioned, shall include the items which are authorized by Section 170.03, Florida Statutes, as amended. The benefitted property owners have all executed covenants to annex into the City limits and the City of Tavares, and have agreed to be assessed for these utility improvements.

**SECTION 3.** The construction and financing of the Project is hereby authorized and initiated.

**SECTION 4.** Consulting engineers for the Project are hereby designated as Wicks Consulting Services, Tavares, Florida, and they are instructed to prepare plans and specifications for the Project, an assessment plat showing the area to be assessed and an estimate of the cost of the Project. The assessment plat, the plans and specifications and the estimate of the cost, when completed, shall be filed with the City Administrator and be open to the inspection of the public.

**SECTION 5.** The area to be assessed shall consist of all lots and lands adjoining and contiguous or abounding and abutting upon the Project or specially benefitted thereby and as shall be further designated by such assessment plat, generally being all lots and parcels in Sunset View and Three Lakes Park that have agreed to annex and be assessed for the Project.

**SECTION 6.** All resolutions or parts thereof in conflict herewith are hereby superseded and repealed to the extent of such conflict.

**SECTION 7.** This resolution shall become effective immediately upon its passage.

PASSED AND RESOLVED this \_\_\_\_ day of \_\_\_\_\_, 2014, by the Tavares City Council.

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

ATTEST:

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

Passed First Reading \_\_\_\_\_

\_\_\_\_\_  
Approved as to form:  
Robert Q. Williams  
City Attorney

[4/22/14\1\city\reso1.cot]

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: May 7, 2014**

**AGENDA TAB NO. 11**

**SUBJECT TITLE: Work Authorization from ARCADIS for Lift Station 49 Improvements**

---

**OBJECTIVE:** To Approve a Work Authorization for the Design, Permitting, Bidding, and Construction of the Improvements on lift station 49 (LS 49) for the City of Tavares in the amount of \$126,512.00.

**SUMMARY:**

The City created a vision for enabling the future growth of businesses, medical facilities, and residential developments in Tavares. The goal of the Utility Department is to meet and support that plan by providing adequate water, wastewater, reclaimed water, and stormwater infrastructure, which will enhance and sustain the growth and development in the community. The City is experiencing growth in the wastewater service area for LS 49 as a result of Waterman Hospital completing the development of its facility. LS 49 currently discharge wastewater into an existing 10-inch gravity sewer main along Mount Homer Rd. The City utility staff is concerned with potential surcharging of the gravity system and a hydraulic assessment study of this area was performed and it identified that the existing gravity sewer system is undersized. The recommendation from this study is to relocate the existing force main from LS 49 into an existing 12-inch force main. The additional recommendations from this study are to replace the existing pumps at LS 49 with new pumps and rehabilitate the existing 10-inch gravity sewer main along Mount Homer Rd. This work will provide a better wastewater flow design and additional reliability for this area while supporting future growth.

This work is typical and necessary to keep the City's utilities operational and support the additional growth the City is currently experiencing. The work allows the City to continue to provide an increased level of utility support to the existing and new customers.

The engineering services proposed for this work are to minimize construction disturbance to the local residents as well as utility interruptions. The project work will take place on the existing City LS 49 site, and work within the Mt. Homer Road Right-of-Way. The piping modifications are anticipated to be one excavation for the relocation of the LS 49 force main to the existing 12-inch force main. The work at LS 49 will be to replace pumps within the underground wet well structure. The work for the gravity sewer system will be performed with trenchless cured in place lining, which requires limited excavation to perform. The engineering services include survey, environmental and electrical services to complete the design, permitting and construction services anticipated for this project.

**OPTIONS:**

- 1. Approve this Work Authorization for the Lift Station 49 Improvements in the amount of \$126,512.00**

**2. Do Not Approve this Work Authorization for the Lift Station 49 Improvements in the amount of \$126,512.00**

**STAFF RECOMMENDATION:**

1. **Approve** the Work Authorization for the Lift Station 49 Improvements in the amount of \$126,512.00

**FISCAL IMPACT:**

The FY 2014 Impact Fee Budget includes \$137,500 in appropriations for this project.

**LEGAL SUFFICIENCY:**

This summary meets Legally Sufficiency

**Work Authorization for**  
**LIFT STATION 49 IMPROVEMENTS**

**City of Tavares, Florida**

This Work Authorization constitutes a Project Agreement under the terms of the Agreement for Continuing Engineering Services per RFQ 2008-0001, between the City of Tavares (City) and Malcolm Pirnie, the Water Division of ARCADIS (Engineer). The Engineer will perform the scope of work described herein to assist the City with final design, permitting, bidding and construction phase services related to the lift station 49 (LS 49) and sanitary sewer modifications along Mount Homer south of US Hwy 441.

**Project Background**

The City is experiencing growth in the wastewater service area for LS 49 as a result of an expanding development. LS 49 currently discharges wastewater into an existing 10-inch gravity sewer main along Mount Homer Rd. The City is concerned with potential surcharging of the gravity system and performed a hydraulic assessment of this area. The recommendation is to relocate the wastewater from LS 49 into an existing 12-inch force main. The additional recommendations from this assessment are to replace the existing pumps at LS 49 with new and rehabilitate the existing 10-inch gravity sewer main along Mount Homer Rd as shown in Figure 1 in Attachment A.

The City requested the Engineer provide final design, permitting, bidding and construction phase services to include the recommendations from the assessment. The detailed Scope of Work is defined below:

**SCOPE OF WORK**

**Task 1 – Survey Services**

1.1 Engineer will provide survey services to begin the design activities. The survey services will include:

- Location of the new tie-in location between the 8-inch force main from LS 49 and the existing 12-inch force main from LS 65 at Mount Homer Road;
- Survey of the existing 10-inch sanitary sewer manhole alignment along Mount Homer to the Caroline Pump Station with topography 10-foot on either side of the gravity sewer alignment; and,
- Site survey of LS 49 including topography.

1.2 Engineer will use the new survey information to perform the final design services.

## **Task No. 2 – Ecological Services**

2.1 Engineer will provide an ecological survey to confirm existence of threatened or endangered species and location of the potential wetland for the improvement locations. No mitigation work is included within this scope of services.

## **Task No. 3 - Final Design Services**

3.1 Engineer will provide a site evaluation to confirm no electrical modifications are required as part of the pump replacement. A site investigation memorandum will be provided.

3.2 Engineer will prepare 90% and 100% construction documents (drawings and technical specifications) for the modifications to lift station 49, tie-in location for the existing 12-inch force main, and rehabilitation of the gravity sewer system. It is anticipated that the drawings will be developed as follows:

## **Task 4 - Permitting Services**

4.1 Engineer will provide permitting services for the design improvements of the sanitary sewer and lift station. The following permits will be applied for this project:

- FDEP wastewater intent to construct permit for the lift station modification and wastewater system rehabilitation work
- Florida Central Railroad coordination for intent to work
- SJRWMD Letter of Determination to construct

## **Task 5 – Bidding Phase Services**

It is assumed that the City will copy, log and distribute the bid sets. The Engineer will provide the following items during the course of the bidding phase:

5.1 Engineer will prepare for and attend the pre-bid meeting. The Engineer will take notes and develop meeting minutes which will be incorporated in an addendum for distribution to the potential bidders.

5.2 Engineer will assist the City in responding to potential bidder questions and organizing them into an addendum. It is assumed that the Engineer will develop two (2) addendums for this project during the course of the bidding phase service. The City will distribute all the final addendums to the plan holders.

5.3 Engineer will assist the City in reviewing the apparent low bidder bid package for completeness. The Engineer will contact the references provided for the apparent low bidder and determine if the contractor is responsive. The Engineer will prepare and submit to the City a letter of recommendation for the apparent low and responsive bidder.

5.4 Conform Documents – The Engineer will develop the conformed documents for the project corrected as part of the submitted addenda (Task 7.2). The final conformed documents will be submitted to the City. One (1) signed and sealed conformed record set will be sent to the City for their files.

#### **Task 6 – Construction Phase Services**

The Engineer will provide construction services for a full 6-month period for the project. It is assumed that funding technical services are not included as part of the construction phase services. The services are as follows:

- 6.1 Prepare for and attend the pre-construction meeting.
- 6.2 Coordinate, log, review and distribute shop drawing and operational and maintenance submittals for the project. Maintain and provide status of the shop drawing log during the course of the construction project.
- 6.3 Prepare for and attend one (1) monthly construction progress meeting during the construction period. Develop and distribute summary of progress meetings to the attendees and project team as designated by the City.
- 6.4 Make two periodic site visits to the site to observe the work in progress.
- 6.5 Coordinate, log, review and prepare written responses and issue correspondence in response to contractor requests for information (RFIs). Maintain and provide status of the RFI log during the course of the construction project.
- 6.6 Assist the City in development of one (1) change order for the project.
- 6.7 Participate in one (1) substantial completion and one (1) final completion site visits. The Engineer will develop a deficiency list and assist in development of the substantial and final completion forms.
- 6.8 Develop the record drawings from the contractor's As-built information. The final product will provide the City with one (1) signed and sealed record set for their files.

#### **Schedule**

- Engineer will commence with this scope of work upon issuance of the City's written Notice-to-Proceed (NTP).
- Completion of the survey will be completed 60 days after NTP.
- 90% Design documents will be complete 60 days after receipt of the completion of the survey.
- 100% Design documents will be complete 20 days after receipt of the City's comments.

- Permitting activities are expected to occur after the 100% design and prior to bidding in order to secure the construction permits. It is assumed that this will be completed within 60 days after the 100% Design documents are completed.
- Bidding is anticipated to be completed within 90 days after City's advertisement of the project. Construction is anticipated to be complete 6 months after the contractor's notice-to-proceed issued by the City.

The schedule allows for 14 days for the City to review each design submittal.

**Fee**

Engineer will perform the scope of work described above for a fee not-to-exceed **\$126,512.00** in Attachment B. Compensation will be paid on a monthly basis from an estimated percent complete. Subconsultant scopes of services are provided in Attachment C.

**Execution**

This Work Authorization for LIFT STATION 49 IMPROVEMENTS shall be executed upon signed approval and acceptance below:

APPROVED BY:

**CITY OF TAVARES**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

ACCEPTED BY:

**MALCOLM PIRNIE, INC.**

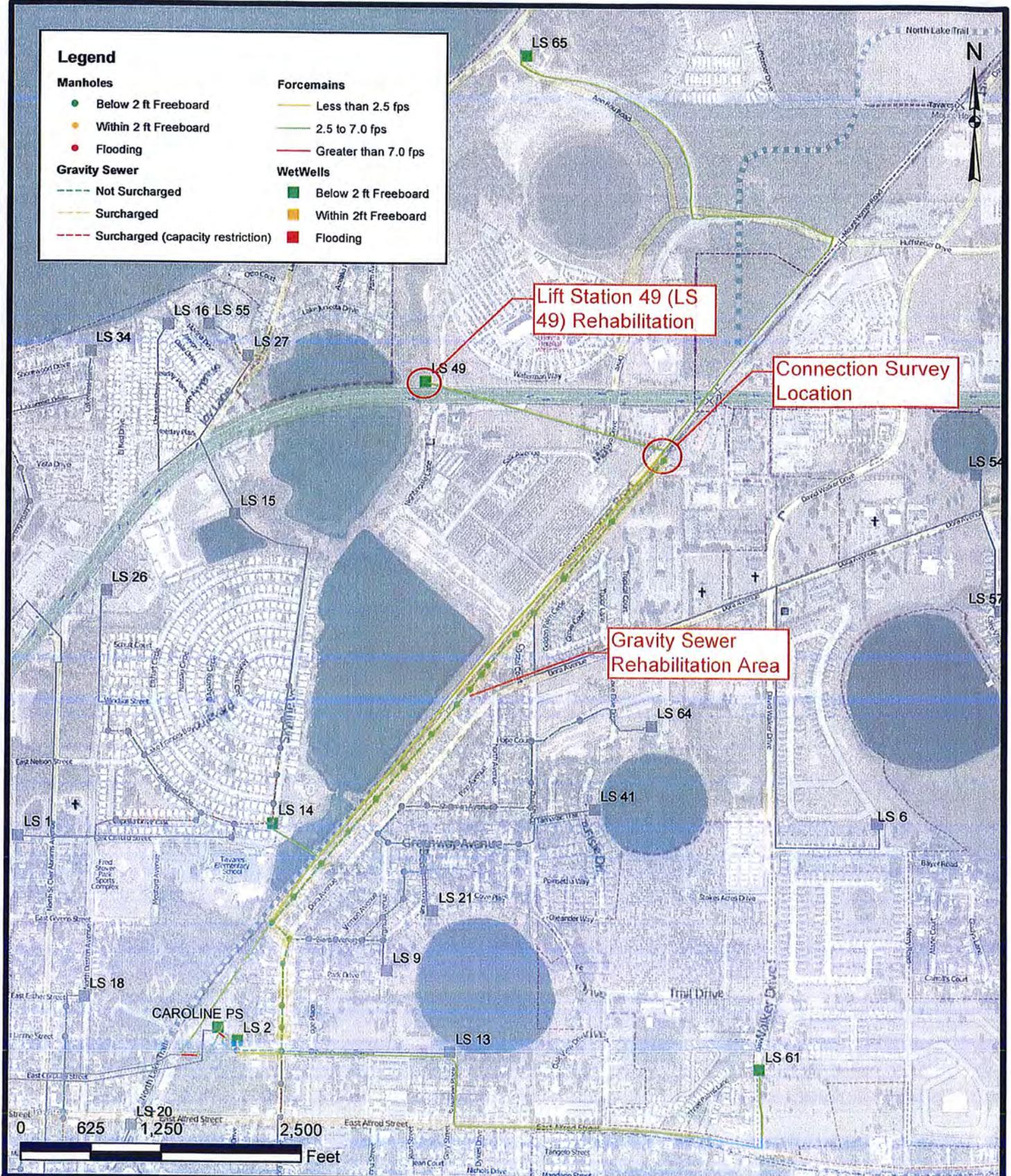
  
\_\_\_\_\_  
Signature

4/29/2014  
\_\_\_\_\_  
Date

Scott C Shannon, P.E.  
\_\_\_\_\_  
Printed Name

Vice President  
\_\_\_\_\_  
Title

# **Attachment A**



# **Attachment B**

CITY OF TAVARES  
LIFT STATION 49 IMPROVEMENTS

Engineering Services Fee Estimate

Task No.	Task Description	Senior Associate	Senior Project Engineer	Senior Project Scientist	Project Design Engineer / Scientist	Senior Technician / CADD	Clerical	Total hrs	Total Labor	Expenses	Subconsultant	Total Labor Plus Expenses
		\$200.00	\$149.00	\$149.00	\$124.00	\$120.00	\$62.00					
1.0	Survey Services	2	16	0	2	10	2	32	\$4,356.00	\$436.00	\$19,608.00	\$24,400.00
	--  re are an ro uce ro ect urvey											
	--  ew o o ra by Survey an Coor ination											
2.0	Ecological Services	1	2	8	16	4	1	32	\$4,216.00	\$422.00	\$939.00	\$5,577.00
	--  colo ical Survey					4						
3.0	Final Design Services	3	48	0	104	148	22	325	\$39,772.00	\$3,978.00	\$939.00	\$44,689.00
	--  lectrical Site valuation										\$939.00	
	--  inal e i n Service ocu ent evelo ent (9 an )		4			4						
4.0	Permitting Services											
4	--  er itin Service				4							
5.0	Bidding Phase Services	4	24	0	76	12	8	124	\$15,736.00	\$1,574.00		\$17,310.00
	--  re i in eetin				4							
	--  Re on to ue fon an re are A en a				4	4	4					
	--  Review i an rovi e Letter of Reco en ation											
4	--  re are Confor e ocu ent		4		4							
6.0	Construction Phase Services	3	38	0	187	44	28	300	\$36,466.00	\$3,647.00		\$40,113.00
	--  re con truction eetin											
	--  Sub ital Review											
	--  on thly Con truction eetin (A u e otal)				4							
4	--  Site i R urin Con truction (A u e otal)		4									
	--  Re on to R					4						
	--  A i i with C (A u e )		4			4						
	--  Sub tantial an inal Co etion ffort											
	--  Recor rawin											
<b>TOTAL (Task Nos. 1-6)</b>		<b>12</b>	<b>126</b>	<b>0</b>	<b>369</b>	<b>214</b>	<b>60</b>	<b>781</b>	<b>\$96,330.00</b>	<b>\$9,635.00</b>	<b>\$20,547.00</b>	<b>\$126,512.00</b>

# **Attachment C**

Steven L. Anler, on... S... LS  
 Charles A. Arnett, S...  
 Russell G. Galy, S... LS...  
 Michael L. Chouherty, S...  
 Bruce C. Cuccheri, S...  
 Dale E. Gunn, S...  
 Charles R. Firsiroti, S...  
 Thomas A. Gier, on... S...  
 Kate M. Lower, LS...  
 Robert M. Gardner, S...  
 Brian R. Garvey, S...  
 Bennin M. Griffin, S... (Retire...)  
 Daniel M. Henry, S... LS...  
 Gary M. Riccio, S...  
 Travis L. Lachley, S... LS...  
 Byron M. Luca, S... S...



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James A. Acura, S...  
 Thomas A. Acura, S... LS...  
 Timothy M. O'Byrne, S...  
 James L. Esterline, S...  
 William C. Rowe, S... C...  
 Tony G. Syfrett, S... LS...  
 John S. Horton, S...  
 Rick M. Ravi, S...  
 Catherine M. Galano, G.S...  
 Patricia M. Hill, G.S...  
 Miriam R. Ball, S...  
 Donna L. Canney, CS...  
 Cranford M. Henry, CS...  
 David M. Rentfrow, CS...  
 Steve M. Smith, CS...  
 Celeste M. Van Geller, CS...

Land Surveying & Mapping Services • Sub-Surface Utility Designation & Location Services • Geographic Information Systems • GPS Asset Inventories

February 18, 2014

Via e-mail: [dwayne.kreidler@arcadis-us.com](mailto:dwayne.kreidler@arcadis-us.com)

Mr. Dwayne Kreidler, P.E.  
 Senior Engineer  
 Arcadis U.S., Inc.  
 2301 Maitland Center Parkway  
 Suite 244  
 Maitland, FL 32751

**RE: City of Tavares - Downtown Community Redevelopment Area (CRA)  
 Lift Station No. 49 Improvements  
 Sections 21 & 28, Township 19 South, Range 26 East, Lake County, Florida**

Dear Mr. Kreidler,

We are pleased to submit our *revised* proposal for Surveying Services on the above referenced project.

**SCOPE OF WORK:**

Provide Surveying Services in accordance with Chapter 5J-17 F.A.C. to include the following:

**Task I**

**Force Main Tie-in:**

1. Survey a 50' foot x 50 foot area (north & south), right-of-way to right-of-way, at the location of the last northerly sanitary manhole on Mount Homer Road.
2. Detail the area and manhole with horizontal, vertical and pipe size information.
3. Determine the apparent right-of-way in the area.

4000 All American Blvd Orlando, FL 32811 407.944.4141	4000 Highway 90 Chilley, FL 32834 407.944.4141	Cypressline Center Cypressline, FL 32834 Suite 400 Lacandonville, FL 32834 904.999.9999	1900 E. Main Street Tavares, FL 32841 407.944.4141	1000 East Lake Street Tavares, FL 32844 407.944.4141	University Corporate Center North 4th Street Suite C Tavares, FL 32844 407.944.4141
---	--	---	--	--	---

**Task II**

**Gravity Sewer Rehabilitation Area (approximately 7500 feet):**

1. Beginning at the northerly manhole in Task 1 above, perform a topographic survey, 20 feet wide, 10 feet on each side of the existing gravity sewer, centered on underground location as marked by the City's staff. The route will follow Mount Homer Road south to the right angle turn of Mount Homer Road to Dora Avenue; at the turn of road, the gravity line continues southerly along the railroad right-of-way, approximately 2600 feet, to a point where it leaves the railroad right-of-way near Clara Avenue to Dora Avenue; then running south under the existing pavement to East Caroline Street where it turns west towards the Caroline Street Pump Station. In the area where the gravity line runs under the asphalt roadway edge of pavement of Dora Avenue and East Caroline Street, both edge of pavement shots at 100 foot intervals will be taken. Driveways and sidewalks will not be located. The survey will end at the manhole outside of the Caroline Street Pump Station fence.
2. The apparent right-of-way line will be shown as well as the City located gravity line.
3. Sunshine 811 will be called to have other utility lines located.
4. Locate trees over 8 inches and tree lines within the 20 foot corridor.

**Task III**

**Lift Station No. 49:**

1. Perform a topographic survey at Lift Station No. 49.
2. Detail all features with critical Lift Station details.
3. Locate the access drive from US 441 with apparent right-of-way shown.
4. Locate the generator, wet well, valve vault, control panel, and all items at or above grade.
5. **NO** underground details are required.

The final product will be two (2) certified prints and an electronic file of same on disk for your use.

Our fee for the above referenced work is outlined on the attached fee schedule.

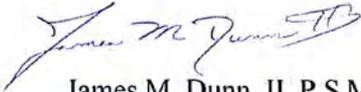
We anticipate completion of the above described work within five (5) weeks after receipt of a written notice to proceed. Payment is expected within thirty (30) days from date of invoice.



Page 3  
Mr. Dwayne Kreidler, P.E.  
City of Tavares -Downtown CRA  
February 18, 2014

We look forward to the opportunity to work with you on this project.

Sincerely,



James M. Dunn, II, P.S.M.  
Survey Project Manager

cc: e-mail: [alexis.stewart@arcadis-us.com](mailto:alexis.stewart@arcadis-us.com)

JMD:gac

If the above scope, period of service and method of compensation meets with your approval, please execute below and fax to Southeastern Surveying and Mapping Corporation as notice to proceed along with the notice of commencement.

**The person executing this document **must indicate** that he/she is a Principal and/or Corporate Officer.**

**If the signatory is not a Principal and/or Corporate Officer, a Letter of Authorization on company letterhead signed by a Principal and/or Corporate Officer, MUST be provided that specifically provides that signatory has the authority to bind the parties by entering into this agreement.**

ACCEPTED BY:

---

Principal / or Corporate Officer	/	Title	Printed Name	Date
----------------------------------	---	-------	--------------	------



**FEE QUOTATION PROPOSAL**

Date: February 18, 2014

Project Name: City of Tavares Downtown CRA Project - LS No. 49 Improvements

Contract: \_\_\_\_\_ Name of Firm: Southeastern Surveying and Mapping Corporation

ACTIVITY	PLS			SEN TECH			DRAFTSPERSON			2 MAN CREW			3 MAN CREW		
	Man Hrs	Hrly Rate	Fee	Man Hrs	Hrly Rate	Fee	Man Hrs	Hrly Rate	Fee	Man Hrs	Hrly Rate	Fee	Man Hrs	Hrly Rate	Fee
<b>TASK I</b>															
Horizontal & Vertical Control to Site	1	115.00	115.00		85.00	0.00		75.00	0.00	2	115.00	230.00		145.00	0.00
Topographic Survey - 50' x 50' area		115.00	0.00		85.00	0.00	3	75.00	225.00	8	115.00	920.00		145.00	0.00
QA/QC	1.5	115.00	172.50		85.00	0.00		75.00	0.00		115.00	0.00		145.00	0.00
<b>TASK II</b>		115.00	0.00		85.00	0.00		75.00	0.00		115.00	0.00		145.00	0.00
Horizontal & Vertical Control to Site	2	115.00	230.00		85.00	0.00		75.00	0.00	8	115.00	920.00		145.00	0.00
Determine Apparent R/W	1	115.00	115.00	2	85.00	170.00	8	75.00	600.00	16	115.00	1,840.00		145.00	0.00
Topographic Survey /X-Sections - 7500'		115.00	0.00		85.00	0.00	24	75.00	1,800.00	70	115.00	8,050.00		145.00	0.00
<b>TASK III</b>		115.00	0.00		85.00	0.00		75.00	0.00		115.00	0.00		145.00	0.00
Horizontal & Vertical Control to Site		115.00	0.00		85.00	0.00		75.00	0.00	6	115.00	690.00		145.00	0.00
Detail Lift Station & Access Easement		115.00	0.00		85.00	0.00	6	75.00	450.00	10	115.00	1,150.00		145.00	0.00
Determine Apparent R/W	2	115.00	230.00	2	85.00	170.00	2	75.00	150.00	8	115.00	920.00		145.00	0.00
QA/QC	4	115.00	460.00		85.00	0.00		75.00	0.00		115.00	0.00		145.00	0.00

**LUMP SUM FEE BREAKDOWN**

Professional Surveyor	\$ 1,322.50
Senior Technician	\$ 340.00
Draftsperson	\$ 3,225.00
Two-Man Crew	\$ 14,720.00
Three-Man Crew	\$ 0.00

**LUMP SUM FEE TOTAL**

\$ 19,607.50



# EMI Consulting Specialties, Inc.

5742 River Bed Rd  
 Groveland, FL 34736  
 (352) 460-4034  
 (352) 460-4036 (Fax)

# Fee Estimate

DATE	ESTIMATE NO.
2/10/2014	1541

CLIENTS NAME / ADDRESS
Malcolm Pirnie, Inc. 2301 Maitland Center Parkway, Suite 244 Maitland, FL 32751

PROJECT
Tavares LS 49

CATEGORY	DESCRIPTION	HRS	COST	TOTAL
	Task I (Evaluation)			
Clerical	General clerical, filing, invoicing, correspondence, etc.	2	32.00	64.00
Site Visit	Data gathering, site investigation, photos, field notes etc.	3	125.00	375.00
Engineering	Evaluate new pump with existing power/generator systems and provide tech memo	4	125.00	500.00
				939.00
			<b>TOTAL</b>	\$939.00

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: May 7, 2014**

**AGENDA TAB NO. 12**

**SUBJECT TITLE: Request to Award the Bid for the Royal Harbor Potable Water Booster Pump Station**

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**OBJECTIVE:** To Approve the recommended apparent low bidder of a Booster Pump Station for the Royal Harbor Development.

**SUMMARY:**

Royal Harbor is a gated, active adult community in Tavares, Florida on the shores of Little Lake Harris. The City has logged a history of complaints regarding water pressure in the Royal Harbor community dating back to 2002. The City of Tavares supplies drinking water to the community and has undertaken steps to determine a best course of action to prevent low water pressure to residents. Previously staff was given direction to design and construct this booster pump station and amend the Utility Capital Budget for FY 2013 by budgeting \$890,000.00 for the Royal Harbor Potable Water Booster Pump Station. Previously the City Council authorized a contract in the amount of \$110,527 with ARCADIS to design, engineer, and bid out the project. This work has been completed, and in February 2014 the project went out to Bid and the bids were received by the City on March 27, 2014. Six bidders submitted bids for this project.

ARCADIS has reviewed the each bid packages for the subject project. The apparent low bidder, Jones Mechanical Corporation voluntarily withdrew their bid. The second apparent low bidder is A.C. Schultes of Florida, Inc. Review of the references from A.C. Schultes of Florida, Inc indicated a potential lack of experience for the expected work related to the Royal Harbor Pump Station and difficulty in completing projects within their scheduled time. Therefore, a review of the third apparent low bidder, Pospiech Contracting, Inc. was performed on their references, which indicated good reviews with similar work experience.

It has been determined that Pospiech Contracting, Inc. is responsive to the requirements of the Bidding Documents. The City has verified acceptance of the Bid Bond and Power of Attorney provided by Pospiech Contracting, Inc. in their bid package. Staff and the Engineer, ARCADIS, recommend that the Royal Harbor Booster Pump Station project be awarded to Pospiech Contracting, Inc. for the amount of \$810,000.00.

The acceptance of the bid from Pospiech Contracting, Inc. does not exceed the original budgeted amount. The bid tabulation for each of the six bidders is as follows:

Jones Mechanical Corporation	\$649,100.00
A.C. Schultes of Florida, Inc.	\$798,100.00
Pospiech Contracting, Inc.	\$810,000.00
TLC Diviserified, Inc.	\$820,700.00
Villages Construction, Inc.	\$837,500.00
McMahan Construction Company Inc.	\$879,100.00

The Total available for construction for the project is as follows:

\$890,000 Budget  
-110,527 for Engineering Services  
\$779,473

The recommended bid of \$810,000 leaves a shortfall of \$30,527 to come from Utility Reserves.

**OPTIONS:**

- 1. Approve this Bid Award to Pospiech Contracting, Inc. in the amount of \$810,000, and authorize reserve appropriations of \$30,527 to complete the funding for the project.**
- 2. Do Not Approve this Bid Award to Pospiech Contracting, Inc. in the amount of \$810,000**

**STAFF RECOMMENDATION:**

- 1. Approve this Bid Award to Pospiech Contracting, Inc. in the amount of \$810,000**

**FISCAL IMPACT:**

\$890,000 was previously approved and budgeted. \$30,527 will need to be appropriated from Utility Fund Reserves.

The Government Financial Officers' Association recommends that at a minimum, general-purpose local governments, regardless of size, maintain unreserved fund balances in their General and Utility Operating funds of between 5 and 20% of Operating Expenditures.

Currently the Utility Fund Reserves are estimated at \$3,494,105 which exceeds the recommended reserve requirement.

**LEGAL SUFFICIENCY:** This summary meets Legally Sufficient



John Drury, City Manager  
City of Tavares  
201 E. Main Street  
Tavares, FL 32778

ARCADIS U.S., Inc.  
2301 Maitland Center Parkway  
Suite 244  
Maitland  
Florida 32751-7414  
Tel 407.660.1133  
Fax 407.660.9550  
[www.arcadis-us.com](http://www.arcadis-us.com)

Subject:  
Recommendation of Award  
Royal Harbor Booster Pump Station

Dear Mr. Drury:

ARCADIS has reviewed the bid packages for the subject project. A total of six bid packages were received by the City on March 27, 2014. The official bid form and associated attachments were provided in the bid packages we received from the City. Each of the Contractor's licenses were verified through the Florida Department of Business & Professional Regulation. A bid tabulation of the six bidders was developed and enclosed for the City's file. The apparent low bidder, Jones Mechanical Corporation voluntarily withdrew their bid. The second apparent low bidder is A.C. Schultes of Florida Inc. Review of the references from A.C. Schultes of Florida Inc. indicated a potential lack of experience for the expected work related to the Royal Harbor Pump Station and difficulty in completing projects within their scheduled time. The following are the reference results:

- The following are the references for A.C. Schultes indicating their overall opinion of the Contractor's work, excluding the well drilling portion of their projects: "Unsatisfactory" (2 references) and "Good" (2 references).
- Two out of four references would not recommend them unless it was for well drilling type work.

Therefore, a review of the third apparent low bidder, Pospiech Contracting, Inc. was performed with the following results:

- Pospiech includes four references within their bid package for previous work experience. These references indicated their overall opinion of the Contractor's work as follows: "Satisfactory" (2 references), "Very Good" (1 reference) and "Good" (1 reference).
- One out of four references would not recommend them.

Imagine the result

Date:  
April 25, 2014

Contact:  
Alexis Stewart, PE

Phone:  
407.660.1133

Email:  
[alexis.stewart@arcadis-us.com](mailto:alexis.stewart@arcadis-us.com)

Our ref:  
06033041.0000

**Florida License Numbers**

**Engineering**  
7917

We have determined that Pospiech is responsive to the requirements of the Bidding Documents. It is our understanding that the City has verified acceptance of the Bid Bond and Power of Attorney provided by Pospiech in their bid package. Therefore, we recommend that the Royal Harbor Booster Pump Station project be awarded to Pospiech for the amount of \$810,000.00. The total cost in the bid tabulation for Pospiech is mathematically correct.

The acceptance of Pospiech's bid does not exceed the original engineer's estimate or the City's budgeted amount, and therefore, should be within the City's ability to fund the project. Please contact me if you have any questions.

Sincerely,

ARCADIS U.S., Inc.

A handwritten signature in blue ink, appearing to read 'Alexis K. Stewart', with a long horizontal line extending to the right.

Alexis K. Stewart, PE (FL)  
Principal Engineer

Copies:

Brad Hayes, City of Tavares  
John Rumble, City of Tavares  
Scott Shannon, P.E., ARCADIS

City of Tavares  
ROYAL HARBOR BOOSTER PUMP STATION  
BID TABULATION

Item	Item Description	Est. Qty.	Unit	EOPCC at Bid-Date	Jones Mechanical Corp. *	A.C. Schultes of Florida, Inc. **	Pospiech Contracting, Inc.	TLC Diversified, Inc.	Villages Construction, Inc. ***	McMahan Construction Co., Inc.
<b>WATER IMPROVEMENTS</b>										
1	Factory Built Pump Station	1	LS		\$258,000.00	\$561,000.00	\$481,900.00	\$426,000.00	\$545,000.00	\$484,000.00
2	Pressure Sustaining Valves	1	LS		\$240,000.00	\$12,000.00	\$44,000.00	\$76,000.00	\$58,000.00	\$54,000.00
3	Check Valves	1	LF		\$27,000.00	\$10,000.00	\$41,000.00	\$98,000.00	\$60,000.00	\$66,000.00
4	Pressure Relief Valves	400	EA		\$81,000.00	\$80,000.00	\$108,000.00	\$95,600.00	\$39,400.00	\$140,000.00
5	Allowance for Security Equipment	1	LS		\$100.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00
6	Indemnification	1	LS		\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
7	Construction Contingency	1	LS		\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
8	Permanent Electrical Power Allowance	1	LS		\$798,100.00	\$798,100.00	\$810,000.00	\$820,700.00	\$837,500.00	\$879,100.00
<b>TOTAL BID</b>	<b>(confirm written in words matches total)</b>			<b>\$0.00</b>						

\* Bid withdrawn by contractor  
 \*\* Typo in bid tab for PRV - Provided as \$200, should be \$80,000  
 \*\*\* Error in calculated total on bid tab. Total above based on each bid item provided.

BIDDING DOCUMENTS REQUIRED WITH SUBMITTAL:

Item	Item Description	Jones Mechanical Corp.	A.C. Schultes of Florida, Inc.	Pospiech Contracting, Inc.	TLC Diversified, Inc.	Villages Construction, Inc.	McMahan Construction Co., Inc.
(a)	Bidding Requirements, Pages 1-28	X					
(b)	Page 1 - Information	X	X	X	X	X	X
(c)	Page 12 - Bidder's Certification	X	X	X	X	X	X
(d)	Page 13 - Addendum Acknowledgement	X	X	X	X	X	X
(e)	Addendum No. 1 - 3/14/2014	X	X	X	X	X	X
(f)	Addendum No. 2 - 3/19/2014	X	X	X	X	X	X
(g)	Addendum No. 3 - 3/25/2014	X	X	X	X	X	X
(h)	Addendum No. 4 - 3/26/2014	X	X	X	X	X	X
(i)	Page 14 - Signatures and Notarized	X	X	X	X	X	X
(j)	Page 15 - Subcontractor Listing	X	X	X	X	X	X
(k)	Page 16 - Material Suppliers	No	1	2	2	4	3
(l)	Page 17 - Schedule of Bid Items	No	1	1	1	1	2
(m)	Page 18 Bidders breakdown of Unit Price Bid and Price in Words	X	X	X	X	X	X
(n)	Page 19-20 - Experience and References	\$615,000.00	798,100.00	810,000.00	820,700.00	837,500.00	879,100.00
(o)	Resumes	X	X	X	X	X	X
(p)	Licenses	X	X	X	X	X	X
(q)	Page 21-22 Bid Bond at 5% of total bid	X	X	X	X	X	X
(r)	Page 23 - Trench Safety Affidavit	X	X	X	X	X	X
(s)	Page 24 - Cert. as to Corporate Principal	\$1,515	\$2,500	\$500	\$300	\$1,500	\$200
(t)	Page 25 - Affidavit of Non-Collusion	X	X	X	X	X	X
(u)	Page 26 - 28 Public Entity Crimes	X	X	X	X	X	X

# Orlando Sentinel

City Of Tavares  
PO BOX 1068

TAVARES, FL 32778-1068

Before the undersigned authority personally appeared Jo Simons/Deborah M. Toney/Jacqueline Lewis-Edwards, who on oath says that s/he is the Advertising Representative of Orlando Sentinel, a daily newspaper published in Lake County, Florida; that the attached copy of advertisement, being a Advertisement for Bid in the matter of BID NO. 2014-0009 in the Lake County \_\_, was published in said newspaper in the issue(s); of

02/23/14

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

The foregoing instrument was acknowledged before me this 25 day of February, 2014, Jo Simons/Deborah M. Toney/Jacqueline Lewis-Edwards, who is personally known to me and who did take an oath.


1272109

**ADVERTISEMENT FOR  
CITY OF TAVARES ROYAL HARBOR  
BOOSTER PUMP STATION  
BID NO. 2014-0009**

Separate sealed bids are invited by the City of Tavares, to be received at the office of the City Clerk, 201 E. Main Street, Tavares, FL 32778, so as to be received not later than 2:00 pm (Local Time) on March 27, 2014.

Please provide one (1) original and six (6) copies and one (1) digital copy preferably in PDF format. Digital copy may be submitted up to one week after bid close. Bids received after this specified time and date will not be considered. The sealed bids will be publicly opened and read aloud in the City of Tavares Council Chambers on the same date at 2:05 pm. The project work to be performed under this Contract includes, but is not limited to:

Complete construction of a booster pump station integrated into the City's potable water distribution system. The work shall include: furnish and install a pump station building with all pumps, piping, valving, electrical work, instrumentation and SCADA work; drainage and grading; site concrete slab and all other appurtenances complete as shown in the bid documents. The work includes construction of check and pressure sustaining valves within a valve vault at specific locations identified in the bid documents. The project work also includes utility locates, shop drawing and manufacturer operational and maintenance submittals, erosion control, startup, testing and all necessary ancillary activities to complete the Work.

All contractors intending to bid on the project MUST attend a pre-bid conference Thursday, March 6, 2014 at 10:00 am at the Tavares City Hall Council Chambers, located at 201 East Main Street, Tavares, FL 32778.

The Contract Documents may be examined at the following location(s):

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

Copies of the Contract Documents may be obtained at the Issuing Office: Construction specifications and engineering plans may be obtained from John Rumble, Purchasing Manager, at Tavares City Hall, 201 E Main Street, Tavares FL 32778; phone: (352) 742-6131; or fax: (352) 742-6001 upon payment of non-refundable \$300 for each set.

City of Tavares  
Tavares, FL  
John Rumble, Purchasing Manager  
LAK1272109 02/23/2014



March 28, 2014

Mr. John Rumble, Purchasing Manager  
City of Tavares, Florida  
201 East Main St.  
Tavares, Florida 32778

Re: Royal Harbor Booster Pump Station  
Bid No. 2014-0009

Dear Mr. Rumble,

On Thursday March 27, 2014 Jones Mechanical Corp. submitted our bid for the referenced project. While our bid was the lowest of the several bids the city received, the disparity in the pricing gave us cause for concern. We have reviewed our estimate and bid and we have discovered significant mathematical errors that deem our bid price insufficient.

In consideration of the errors made by JMC and the magnitude of the discrepancy in pricing we have determined that we could not produce the project for the price bid. We hereby respectfully request your authorization to withdraw our bid without prejudice.

We truly regret these circumstances and apologize to the City for any inconveniences this may cause.

Please respond to this request at your earliest convenience.

Sincerely,

A handwritten signature in black ink that reads 'Herschel Jones'. The signature is written in a cursive style and is positioned above the printed name.

Herschel Jones

President



**CITY OF TAVARES  
MINUTES OF BID OPENING  
March 27, 2014  
Request for Proposals  
City of Tavares Royal Harbor Booster Pump Station  
Bid No. 2014-0009**

**TAVARES CITY HALL**

**PRESENT**

John Rumble, Purchasing Manager  
Mack McKinley, Arcadis U.S., Inc.  
Kay Mayes, Admin Assistant, Finance

Mr. Rumble noted today's date as Thursday, March 27, 2014. This is the opening of submission packages received in response to RFP 2014-0009, Royal Harbor Booster Pump Stations. There were six proposals received; Mr. Rumble read the Total Amount of Bid including the Payment & Performance Bond amount:

1.	Villages Constructions, Inc. 1410 Emerson Street Leesburg, FL 34748	\$ 827,500.00
2.	A.C. Schultes of Florida, Inc. 11865 US Highway 41 South Gibsonton, FL 33534	\$798,100.00
3.	TLC Diversified, Inc. 2719 17 <sup>th</sup> Street East Palmetto, FL 34221	\$ 820,700.00
4.	Jones Mechanical Corp. 1795 Cogswell Street Rockledge, FL 32955	\$ 649,100.00
5.	McMahan Construction Co., Inc. P.O. Box 223 Deland, FL 32721-0223	\$ 879,100.00
6.	Pospiech Contracting, Inc. 201 S. Apopka Avenue Inverness, FL 34452	\$ 810,000.00

It was noted the packages would be forwarded to Engineer of Record for review and evaluation. The bid opening concluded at approximately 2:15 p.m.

Respectfully submitted,

Kay Mayes  
Admin Assistant, Finance

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: May 7, 2014**

**AGENDA TAB NO. 13**

**SUBJECT TITLE: Approve Interlocal Agreement with Lake County setting Local Gas Tax Distribution Formulas based on Option 2 (Road Miles and Population) and authorize staff to execute Inter-local Agreement.**

---

**OBJECTIVE:**

Request City Council Approval of Interlocal Agreement with Lake County which sets forth distribution formulas for all Gas Tax Revenues based on Population (50%) and Road Miles (50%).

**SUMMARY:**

The 6 cents Local Option Fuel Tax is up for renewal and is scheduled to go into effect on September 1, 2014.

Councilmember Speaks has attended the Local Option Fuel Tax Committee meetings in which the options for renewal were discussed. Each City was asked to vote on an option. If 51% of the population of the cities represented by their City Councils can agree on a formula, that will be the formula that will be applied for the next 20+ years. If the councils cannot agree on a formula, the formula defaults to state statute formula (default formula).

Five options were considered for the renewal distribution formula, see below:

1. Current Distribution Formula (based on 1984-1996 formulas)
2. **Formula based on Population & Road Miles (each element is 50%)**
3. Formula based on Population, Transportation Expenditures, & Road Miles (each element is 1/3 of the formula)
4. Formula based on Population & Transportation Expenditures (25% population & 75% transportation)

On April 2, 2013, the City Council approved Option Number 2 as the preferred method for the distribution formula.

Attached is the proposed Lake County Inter-local Agreement for distribution of the local option gas tax. This agreement is predicated on Option 2 (50% population and 50% road miles). The agreement was approved by the Lake County Board of County Commissioners on April 8, 2014 for transmittal to the cities.

In order for the agreement to become effective September 1<sup>st</sup>, cities comprising 50% plus 1 of the incorporated population, as well as the County Commission, must approve the Inter-local Agreement prior to June 1<sup>st</sup>.

The agreement is scheduled for final approval by the County Commission on May 20, 2014, thus cities are requested to forward approvals for the Inter-Local Agreement to the Office of the County Manager before May 20<sup>th</sup>.

The following attachment is provided for your review:

- A copy of the proposed Lake County Inter-local Agreement for renewed Gas Tax Distributions.

**OPTIONS:**

- 1) Approve Inter-local Agreement with Lake County for renewed Local Option Gas Tax with Distributions based on, 50% Road Miles and 50% Population (Option No. 2)

**STAFF RECOMMENDATION:**

**Option 1. - Move to** Approve Inter-local Agreement with Lake County for renewed Local Option Gas Tax with Distributions based on, 50% Road Miles and 50% Population (Option No. 2)

**FISCAL IMPACT:** The new formula may result in a small reduction in revenue in the first two years, but as the City grows in population and road miles, the formula will be adjusted which should result in increased revenues over time.

**LEGAL SUFFICIENCY:** Legally Sufficient.

INTERLOCAL AGREEMENT  
BETWEEN  
LAKE COUNTY  
AND  
MUNICIPALITIES  
RELATING TO  
LOCAL OPTION FUEL TAX

**THIS AGREEMENT** entered into by and between the Board of County Commissioners of Lake County, Florida, hereinafter referred to as "County", and the Municipalities who have signed this Agreement, hereinafter referred to as "Municipalities".

**WHEREAS**, Florida Statute 336.025 (1)(a)(1) allows the governing body of a county to impose in addition to other taxes allowed by law, a one-cent, two-cent, three-cent, four-cent, five-cent, or six-cent local option fuel tax, upon every gallon of motor fuel and diesel fuel sold in that county and taxed under Chapter 206, Florida Statutes (hereinafter referred to as the "Gas Tax"), and

**WHEREAS**, County imposed the first two cents (the first and second cents) Gas Tax in 1984 beginning September 1, 1984 for an initial period of ten years, and

**WHEREAS**, County extended the first two cents Gas Tax in 1994 beginning September 1, 1994 for a period of twenty years extending until August 31, 2014, and

**WHEREAS**, County further extended the first two cents Gas Tax in 2014 for a period of twenty-nine years and four months extending until December 31, 2043, and

**WHEREAS**, County imposed the second two cents (the third and fourth cents) of the Gas Tax in 1985 beginning September 1, 1985 for an initial period of thirty years extending until August 31, 2015, and

**WHEREAS**, County imposed the third two cents (the fifth and sixth cents) of the Gas Tax in 1986 beginning September 1, 1986 for an initial period of thirty years extending until August 31, 2016, and

**WHEREAS**, Florida Statute 336.025 provides that the proceeds of the Gas Tax may only be used for transportation expenditures as defined in the statute, and further that such tax shall be distributed between a county and municipalities located in such county based either on transportation

expenditures or upon the formula approved by the county and municipalities representing a majority of the incorporated population of that county, and

**WHEREAS**, the current Gas Tax in Lake County is divided between the County and the Municipalities in the county based on interlocal agreements, and

**WHEREAS**, County is considering the extension of some or all of the Gas Tax as each two cents expire in 2015, and 2016, and is desirous of entering into a new interlocal agreement which would set forth a new formula for distribution of the Gas Tax should any of such taxes be extended, and

**WHEREAS**, Florida Statute 336.025 requires that such agreement be approved by the county and with municipalities representing a majority of the incorporated population of the county, and

**WHEREAS**, Municipalities are desirous of entering into a new agreement with County and other Lake County municipalities to set forth a new formula for the distribution of the Gas Tax should any or all of it be extended by County, and

**IT IS AGREED** by County and Municipalities as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein.
2. **Authority.** This agreement is entered into by County and Municipalities pursuant to the authority provided by Florida Statutes 336.025 and 163.01.
3. **Scope of Agreement.** This agreement shall apply to all or any of the Gas Tax should such taxes be extended or imposed by County. This agreement shall not apply to the one-cent tax on every net gallon of motor and diesel fuel sold in Lake County which is known as the Ninth-Cent Fuel Tax and which is authorized by Florida Statute 336.021(1)(a).
4. **Effective Date; Existing Agreements.**
  - a. This agreement shall become effective upon the date that it is approved by County and Municipalities representing a majority of the incorporated population of Lake County.
  - b. The existing agreements between the parties relating to the Gas Tax shall be replaced by this agreement upon the effective date and the new formula implemented by the Department of Revenue at the earliest possible date.

5. **Distribution Formula.** County and Municipality agree that the proceeds of the one, two, three, four, five, and six cent Gas Tax, shall be distributed between County and Municipalities within Lake County based on the formula contained in this paragraph.

a. **County Share.** Beginning September 1, 2014 and thereafter, 66.38% of all six cents shall be distributed to County. The parties understand that the third and fourth cents of the Gas Tax will need to be renewed in 2015 and the fifth and sixth cents of the Gas Tax will need to be renewed in 2016; it is the intent of the parties that the County share of all six cents of the Gas Tax shall be 66.38% and shall continue for any of the six cents that are renewed.

b. **Municipal Share.**

i. **First and Second Cent Gas Tax.** Beginning September 1, 2014, the municipal share of the one and two cent Gas Tax shall be distributed to Municipalities in Lake County as follows: one-half (1/2) of the proceeds shall be based on the population distribution among each municipality and one-half (1/2) of the proceeds shall be based upon road miles of public roads maintained by each municipality. Population shall be determined utilizing the population estimates provided to the Governor by the Office of Economic and Demographic Research as provided in Florida Statute 186.901. Maintained road miles shall be determined from information reported by municipalities to the Florida Department of Transportation as provided in Florida Statute 218.322. The percentages set forth in this paragraph shall be recalculated each year beginning January 1, 2016, and the newly calculated percentages shall become effective on January 1<sup>st</sup> of each following year.

ii. **Third and Fourth Cent Gas Tax.** The municipal share of the third and fourth cents Gas Tax shall be distributed to municipalities in Lake County as follows:

1. Until August 31, 2015, the proceeds shall be distributed as follows:

Astatula	0.2932%
Clermont	3.6813%
Eustis	7.1562%
Fruitland Park	0.5430%

Groveland	0.7493%
Howey-In-The-Hills	0.2932%
Lady Lake	0.5321%
Leesburg	9.8276%
Mascotte	0.8470%
Minneola	0.5104%
Montverde	0.4126%
Mount Dora	5.5165%
Tavares	1.9655%
Umatilla	1.2922%

2. Commencing September 1, 2015 and thereafter the proceeds shall be distributed in the same manner and percentages as the first and second cent Gas Tax as set forth above.

iii. Fifth and Six Cent Gas Tax. The municipal share of the fifth and sixth cents Gas Tax shall be distributed to municipalities in Lake County as follows:

1. Until August 31, 2016, the proceeds shall be distributed as follows:

Astatula	0.5538%
Clermont	3.4749%
Eustis	6.8847%
Fruitland Park	1.5311%
Groveland	1.2271%
Howey-In-The-Hills	0.3909%
Lady Lake	1.2379%
Leesburg	8.2530%
Mascotte	0.9556%
Minneola	0.5430%
Montverde	0.2606%
Mount Dora	3.6378%

Tavares	3.4641%
Umatilla	1.2054%

2. Commencing September 1, 2016 and thereafter the proceeds shall be distributed in the same manner and percentages as the first and second cent Gas Tax as set forth above.
  - c. The county manager is hereby directed to determine the percentage allocations as provided in paragraph (b) and to provide copies to all Municipalities within Lake County, and to the Department of Revenue prior to October 1 of each year that the Gas Tax is in effect.
  - d. Any dispute as to the determination of distribution proportions shall be resolved as provided in Florida Statutes 336.025(5)(b).
- 6. Term of Agreement; Modification.**
- a. Once effective, this agreement shall remain in effect until modified or terminated by the parties, or until the termination of the Gas Tax.
  - b. This agreement may be modified or terminated only by agreement in writing and approved by County and Municipalities representing a majority of the unincorporated population within Lake County, Florida.
  - c. The parties shall review and hold public hearings on the terms of this Agreement every ten (10) years.

Interlocal Agreement Between Lake County and Municipalities Relating to Local Option Gas Tax and Local Option Motor Fuel Tax

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute and deliver this Agreement as of the date set forth above.

ATTEST:

LAKE COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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

\_\_\_\_\_  
Jimmy Conner, Chairman

This \_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Sanford A. Minkoff  
County Attorney

**Interlocal Agreement Between Lake County and Municipalities Relating to Local Option Gas Tax and Local Option Motor Fuel Tax**

MUNICIPALITY

\_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
City Attorney

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: May 7, 2014**

**AGENDA TAB NO. 14**

**SUBJECT TITLE: Request approval to authorize the Mayor or Vice Mayor to execute Amendment No. 1 for the State Revolving Fund Loan DP350900 for the Downtown CRA Capital Wastewater Line Improvements**

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**OBJECTIVE:**

To request Council Approval to authorize the Mayor or Vice Mayor to execute Amendment Number 1 for State Revolving Fund (SRF) Downtown CRA Capital Wastewater Line Improvement Loan No. DP350900 from the Florida Department of Environmental Protection (FDEP) in the amount of \$500,000, interest rate of 2.06% to fund additional costs to restore roads and sidewalks damaged or removed due to project construction.

**SUMMARY:**

Previously, the City Council authorized application and acceptance of a USDA-RD Loan for rehabilitation and replacement of the Downtown CRA Wastewater and Sewer Infrastructure. Due to significant timing constraints imposed by the USDA, and the availability of SRF Funding options, the **City Council approved the supplanting of USDA funding with FDEP State Revolving Loan Funds (SRF) on November 21, 2012.**

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

- On February 17, 2010, the City Council held a Public Information Meeting concerning application to the USDA Rural Development Agency for funding of the Downtown Water/Wastewater Improvement Project
- On May 17, 2010, the City Council approved the acceptance the Letter of Conditions dated May 10, 2010 from the USDA Rural Development agency for loan funding in the amount of \$15,805,000 and with a grant funding component in the amount of \$1,195,000 from the USDA Rural Development Agency for the Downtown Water/Wastewater Improvement Project.
- On July 7, 2010, a presentation was presented to the City Council detailing the various aspects of the project.
- On November 11, 2010, the City Council approved Resolution 2010-15 known as the Bond Resolution which set forth acceptance of the USDA Loan.
- On January 11, 2011, the City Council approved Resolution 2011-03 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 May 18, 2012, the City Council approved a affordability study for the additional required debt service required for the USDA Project.
- On November 21, 2012, the City Council approved the consolidation of the Stormwater Utility with the Water/Wastewater Utility and supplanting the USDA Loan Application and requested

the City Administrator to pursue SRF funding for the CRA Water/Wastewater Improvement Project.

- This project was designed by Arcadis (Malcolm Pirnie), and was advertised for Public Bid on February 27, 2013.
- On May 18, 2013, the City Council Approved Resolution No. 2013-05 which provided authorization for executing SRF Loan No. DP 350900 for Downtown CRA Wastewater Improvements.
- City Council awarded the project bid to Dallas 1 Construction on June 5, 2013.

This Amendment provides funding to cover restoration paving costs needed to restore roads and sidewalks to required compliance standards.

**OPTIONS:**

1. **Move to Approve SRF Loan DP350900 Amendment No. 1** in the amount of \$500,000, increasing the loan principal from \$5,427,500 to \$5,927,500 (excluding capitalized interest and loan service fees) for Wastewater System Improvements in the Downtown CRA, and authorize the Mayor or Vice Mayor to execute the loan amendment documents.
2. **Do Not Approve SRF Loan DP350900 Amendment No. 1** in the amount of \$500,000, increasing the loan principal from \$5,427,500 to \$5,927,500 (excluding capitalized interest and loan service fees) for Wastewater System Improvements in the Downtown CRA.

**STAFF RECOMMENDATION:**

**Option 1: Move to Approve SRF Loan DP350900 Amendment No. 1** in the amount of \$500,000, increasing the loan principal from \$5,427,500 to \$5,927,500 (excluding capitalized interest and loan service fees) for Wastewater System Improvements in the Downtown CRA, and authorize the Mayor or Vice Mayor execute the loan amendment documents.

**FISCAL IMPACT:**

Debt service requirements for this project were included in the City's most recent Water, Wastewater, and Reclaim Water Rate Study, and were also included in the affordability analysis provided to the City Council on May 4, 2011.

Annual Debt Service obligations (**annual** debt service) will increase from \$236,074 to \$256,120 annually (including coverage and capitalized interest). Debt service obligations will not occur in the current fiscal year (2014).

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



**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER  
2600 BLAIRSTONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT  
GOVERNOR

CARLOS LOPEZ-CANTERA  
LT. GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

March 18, 2014

Mr. Brad Hayes  
Utilities Director  
City of Tavares  
201 East Main Street  
Tavares, Florida 32778

Re: DP350900 – Tavares  
Major Sewer Rehabilitation

Dear Mr. Hayes:

Attached is proposed Amendment 1 to the City of Tavares' State Revolving Fund Debt Purchase Agreement. The amendment provides an additional \$500,000 for this project.

**Please have the appropriate officials sign and seal three copies** and return them to us within three weeks at 2600 Blair Stone Road, Mail Station 3505, Tallahassee, Florida, 32399-2400. We will sign the documents and mail a fully executed original to the City. Please note that the Special Conditions listed in Section 10.08 of the Agreement must be provided before any funds can be released.

If you have any questions regarding this amendment, please call Dawn Walker at (850) 245-8381.

Sincerely,

A handwritten signature in blue ink that reads "Angela Knecht".

Angela Knecht, Program Administrator  
State Revolving Fund Management

AK/dw

cc: John Drury – City of Tavares  
Lori Houghton – City of Tavares

**CLEAN WATER STATE REVOLVING FUND  
AMENDMENT 1 TO DEBT PURCHASE AGREEMENT DP350900  
CITY OF TAVARES**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF TAVARES, FLORIDA, (Local Government) existing as a local government agency under the laws of the State of Florida.

WITNESSETH:

WHEREAS, the Department and the Local Government entered into a Clean Water State Revolving Fund Debt Purchase Agreement, Number DP350900, authorizing a Debt amount of \$5,427,500, excluding Capitalized Interest; and

WHEREAS, the Local Government is entitled to additional financing of \$500,000, excluding Capitalized Interest; and

WHEREAS, a Financing Rate must be established for the additional financing amount awarded in this amendment; and

WHEREAS, an estimated Service Fee must be established for the additional financing; and

WHEREAS, the Semiannual Payment amount needs revision to reflect adjustment in the Debt amount; and

WHEREAS, the Project costs need adjustment to reflect revised estimates.

NOW, THEREFORE, the parties hereto agree as follows:

1. Subsections 2.03(1) and (3)(a)(iii) are hereby deleted and replaced as follows:

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.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

(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	\$5,927,500	140131

(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:

(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

2. Section 8.09 of the Agreement is deleted and replaced as follows:

(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>.

3. Additional financing in the amount of \$500,000, excluding Capitalized Interest, is hereby awarded to the Local Government.

4. A Financing Rate of 2.06 percent per annum is established for the additional financing amount awarded in this amendment. Individually, the interest rate is 1.03 percent per annum and the Grant Allocation Assessment rate is 1.03 percent per annum. However, if this amendment is not executed by the Local Government and returned to the Department before April 1, 2014, the Financing Rate may be adjusted.

5. The estimated principal amount of the Debt Purchase is hereby revised to \$5,987,000, which consists of \$5,927,500 authorized for disbursement to the Local Government and \$59,500 of Capitalized Interest. This total consists of the following:

(a) Original Agreement of \$5,484,600, including \$5,427,500 authorized for disbursement to the Local Government and \$57,100 of Capitalized Interest, at a Financing Rate of 1.62 percent per annum (the interest rate is .81 percent per annum and the Grant Allocation Assessment rate is .81 percent per annum); and

(b) Amendment 1 of \$502,400, including \$500,000 authorized for disbursement to the Local Government and \$2,400 of Capitalized Interest, at a Financing Rate of 2.06 percent per annum (the interest rate is 1.03 percent per annum and the Grant Allocation Assessment rate is 1.03 percent per annum)

6. An additional Service Fee in the amount of \$10,000, for a total of \$118,550, is projected based on the total Debt Purchase amount being disbursed. The fee represents two percent of the Debt Purchase amount excluding Capitalized Interest; that is, two percent of \$5,927,500.

7. The Semiannual Payment amount is hereby revised and shall be in the amount of \$129,560 until this Agreement is further amended. Such payments shall be received by the Department on April 15, 2015 and semiannually thereafter on October 15 and April 15 of each year until all amounts due hereunder have been fully paid. Each Semiannual Payment, will be

proportionally applied toward repayment of the amounts owed on each incremental amount at the date such payment is due.

The Semiannual Payment amount is based on the total amount owed of \$6,105,550, which consists of Debt principal of \$5,987,000 plus the estimated Service Fee of \$118,550.

8. The Local Government and the Department acknowledge that the actual cost of the Project has not been determined. Project cost adjustments may be made as a result of mutually agreed upon Project changes. Capitalized Interest will be recalculated based on actual dates and amounts of disbursements. If the Local Government receives other governmental financial assistance for this Project, the costs funded by such other governmental assistance will not be financed by this Debt Purchase. The Department shall establish the final Project costs after its final inspection of the Project records. Changes in Project costs may also occur as a result of the Local Government's Project audit or a Department audit.

Funds disbursed in accordance with Section 4.08 of this Agreement shall be disbursed in the order in which they have been obligated without respect to budgetary line item estimates. All disbursements shall be made from the original Debt amount until that amount has been disbursed; the Financing Rate established for the original Debt amount shall apply to such disbursements for the purpose of determining the associated Capitalized Interest and repayment amount. The Financing Rate established for any additional increment of Debt financing shall be used to determine the Capitalized Interest and repayment amount associated with the funds disbursed from that increment.

The estimated Project costs are revised as follows:

CATEGORY	PROJECT COST(\$)
Allowance	438,680
Construction and Demolition	4,535,290
Contingencies	226,765
Technical Services After Bid Opening	226,765
Other	500,000
SUBTOTAL (Disbursable Amount)	5,927,500
Capitalized Interest	59,500
TOTAL (Debt Principal Amount)	5,987,000

9. Section 10.08 is deleted and replaced as follows:

Prior to any funds being released, the Local Government shall submit a certified copy of the Resolution which authorizes the increase and establishes all Pledged Revenues sources.

10. All other terms and provisions of the Loan Agreement shall remain in effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

This Amendment 1 to Loan Agreement DP350900 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 amendment to the Loan Agreement to be executed on its behalf by the Deputy Director and the Local Government has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Deputy Director.

for  
**CITY OF TAVARES**

\_\_\_\_\_

Mayor

Attest:

Approved as to form and legal sufficiency:

\_\_\_\_\_

City Clerk

SEAL

\_\_\_\_\_

City Attorney

for  
**STATE OF FLORIDA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

\_\_\_\_\_

Program Administrator  
State Revolving Fund

\_\_\_\_\_

Date

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: May 7, 2014**

**AGENDA TAB NO. 15**

**SUBJECT TITLE: Approval to execute Amendment No. 3 for the State Revolving Fund Loan WW350920 for Reclaimed Water Facility Construction Phase 2 and 3, INCREASING the amount of the Loan.**

---

**OBJECTIVE:**

To seek approval to authorize the Mayor or Vice Mayor to execute Amendment Number 3 for the State Revolving Fund (SRF) Reclaim Loan Phases 2 and 3, Loan No. WW350920 with Florida Department of Environmental Protection (FDEP) increasing the amount of the loan.

**SUMMARY:**

On January 21, 2009, the City Council approved Resolution 2009-01 which provided authorization for application to FDEP for the City of Tavares Water Reclamation Project. This request included all phases of the project estimated at \$16,541,549.

On March 4, 2009, the City Council authorized an SRF Pre-construction Loan with FDEP pre-construction activities in the amount of \$1,027,466. The pre-construction loan provided funding for design and planning activities for the reclaim project.

On June 15, 2011, the City Council approved Resolution 2011-14 which authorized application to FDEP for loan funding of Phases 2 and 3 construction activities for the project which includes a reclaim utility administration building and a reclaim operation's building.

On October 20, 2011, the State Revolving Loan with the Florida Department of Environmental Services was executed for the project.

On April 1, 2012, the City issued Invitation to Bid Number ITB-2012-0021-0-2012/JR for Phases 2 and 3 for the reclaim project.

On August 1, 2012, the City Council awarded Bid Number ITB-2012-0021-0-2012/JR to Johnson and Laux Construction.

On February 20, 2013, The City Council approved Amendment No. 1 to the Loan which decreased the principal amount of the loan in response to the bid award for the project.

On January 15, 2014, the City Council approved a work authorization for additional services in the amount of \$52,180 to Malcolm Pirnie for the Project

On February 5, 2014, the City Council approved Amendment No. 2 to the Loan which increased the principal amount of the loan by \$76,537 and extended the repayment date of the loan to allow for completion of construction activities. The interest rate for the amended amount was set at 2.07.

The attached amendment:

- Increases the amount of the SRF Loan in the amount of \$200,000 for Phases 2 and 3 of the Reclaim Project which provides funding for final changes to the project which includes final technology and infrastructure requirements for the facility.

The revised principal loan amount is revised from \$2,850,638 to \$3,050,638 which excludes capitalized interest and loan service fees, which will also be adjusted. The semi-annual loan payment is revised from \$93,866 to \$102,114, beginning October 15, 2014 and thereafter on October 15 and April 15 until all amounts due have been fully paid.

**OPTIONS:**

1. **Move to Authorize** the Mayor or Vice Mayor to execute Amendment Number 3 with the Florida Department of Environmental Protection State Revolving Loan Fund (WW350920) for Phases 2 and 3 of the Water Reclamation Project which increases the principal amount of the loan by \$200,000.
2. **Do Not Move to Authorize** the Mayor or Vice Mayor to execute Amendment Number 3 with the Florida Department of Environmental Protection State Revolving Loan Fund (WW350920) for Phases 2 and 3 of the Water Reclamation Project.

**STAFF RECOMMENDATION:**

**Option Number 1:**

**Move to Authorize** the Mayor or Vice Mayor to execute Amendment Number 3 with the Florida Department of Environmental Protection State Revolving Loan Fund (WW350920) for Phases 2 and 3 of the Water Reclamation Project which increases the principal amount of the loan by \$200,000.

**FISCAL IMPACT:**

Increases the semi-annual loan payment by \$8,248.

**LEGAL SUFFICIENCY:**

The City Attorney and Bond Counsel have reviewed the loan documents for legal sufficiency.



**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER  
2600 BLAIRSTONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT  
GOVERNOR  
HERSCHEL T. VINYARD JR.  
SECRETARY

March 18, 2014

Mr. Brad Hayes  
Utilities Director  
City of Tavares  
East 201 Main Street  
Tavares, Florida 32778

Re: WW350920 – Tavares  
Reuse Distribution Facilities (Phases 2 and 3)

Dear Mr. Hayes:

Attached is a copy of proposed Amendment 3 to the City of Tavares' State Revolving Fund loan agreement. The amendment provides an additional \$200,000 for this project.

**Please have the appropriate officials sign and seal three copies** and return them to us within three weeks at 2600 Blair Stone Road, Mail Station 3505, Tallahassee, Florida, 32399-2400. We will sign the documents and mail a fully executed original to the City.

If you have any questions, please call Dawn Walker at (850) 245-8381.

Sincerely,

A handwritten signature in black ink that reads 'Angela Knecht'. The signature is written in a cursive, flowing style.

Angela Knecht, Program Administrator  
State Revolving Fund Management

AK/dw

Attachment

cc: John Drury – City of Tavares  
Lori Houghton – City of Tavares

**AMENDMENT 3 TO LOAN AGREEMENT WW350920  
CITY OF TAVARES**

This amendment is executed by the FLORIDA WATER POLLUTION CONTROL FINANCING CORPORATION (the "Corporation") and the CITY OF TAVARES, FLORIDA, (the "Local Borrower") existing as a local governmental agency under the laws of the State of Florida.

WITNESSETH:

WHEREAS, the Corporation and the Local Borrower entered into a Clean Water State Revolving Fund Loan Agreement, Number WW350920, as amended, authorizing a Loan amount of \$2,850,638, excluding Capitalized Interest; and

WHEREAS, the Local Borrower is entitled to additional financing of \$200,000, excluding Capitalized Interest; and

WHEREAS, revised provisions for audit and monitoring are needed; and

WHEREAS, a Financing Rate must be established for the additional financing amount awarded in this amendment; and

WHEREAS, a Loan Service Fee must be estimated for the additional financing; and

WHEREAS, the Semiannual Loan Payment amount needs revision to reflect an adjustment in the Loan amount; and

WHEREAS, the Project costs need adjustment to reflect revised estimates.

NOW, THEREFORE, the parties hereto agree as follows:

1. Subsection 2.04(1) is deleted and replaced as follows:

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.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

State Resources Awarded to the Local Borrower 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	\$3,050,638	140131

2. Additional financing in the amount of \$200,000, excluding Capitalized Interest, is hereby awarded to the Local Borrower.

3. A Financing Rate of 2.06 percent per annum is established for the additional financing amount awarded in this amendment. Individually, the interest rate is 1.03 percent per annum and the Grant Allocation Assessment rate is 1.03 percent per annum. However, if this amendment is not executed by the Local Borrower and returned to the Department before April 1, 2014, the Financing Rate may be adjusted.

4. The estimated principal amount of the Loan is hereby revised to \$3,146,538, which consists of \$3,050,638 authorized for disbursement to the Local Borrower and \$95,900 of Capitalized Interest. This total consists of the following:

(a) Original Agreement of \$2,869,901, including \$2,774,101 authorized for disbursement to the Local Borrower and \$95,800 of Capitalized Interest, at a Financing Rate of 2.51 percent per annum (the interest rate is 1.255 percent per annum and the Grant Allocation Assessment rate is 1.255 percent per annum); and

(b) Amendment 2 of \$76,637, including \$76,537 authorized for disbursement to the Local Borrower and \$100 of Capitalized Interest, at a Financing Rate of 2.07 percent per annum (the interest rate is 1.035 percent per annum and the Grant Allocation Assessment rate is 1.035 percent per annum); and

(c) Amendment 3 of \$200,000, including \$200,000 authorized for disbursement to the Local Borrower and \$0 of Capitalized Interest, at a Financing Rate of 2.06 percent per annum (the interest rate is 1.03 percent per annum and the Grant Allocation Assessment rate is 1.03 percent per annum).

5. An additional Loan Service Fee in the amount of \$4,000, for a total of \$61,013, is hereby estimated. The fee represents two percent of the Loan amount excluding Capitalized Interest, that is, two percent of \$3,050,638.

6. The Semiannual Loan Payment amount is hereby revised and shall be in the amount of \$102,114. Such payments shall be paid to, and must be received by the Trustee beginning on October 15, 2014 and semiannually thereafter on April 15 and October 15 of each year until all amounts due hereunder have been fully paid. Until this Agreement is further amended, each Semiannual Loan Payment will be proportionally applied toward repayment of the amounts owed on each incremental Loan amount at the date such payment is due.

The Semiannual Loan Payment amount is based on the total amount owed of \$3,207,551, which consists of the Loan principal plus the estimated Loan Service Fee and its Capitalized Interest, if any.

7. Section 10.06 PROJECT RELATED COSTS is revised as follows:

The Local Borrower, the Corporation and the Department acknowledge that the actual Project costs have not been determined as of the effective date of this Agreement. Project cost adjustments may be made as a result of Project changes agreed upon by the Department. Capitalized Interest will be recalculated based on actual dates and amounts of Loan disbursements. If the Local Borrower receives other governmental financial assistance for this Project, the costs funded by such other governmental assistance will not be financed by this Loan. The Department shall establish the final Project costs after its final inspection of the Project records. Changes in Project costs may also occur as a result of the Local Borrower's Project audit or a Department audit.

Funds disbursed in accordance with Section 4.08 of this Agreement shall be disbursed in the order in which they have been obligated without respect to budgetary line item estimates. All disbursements shall be made from the original Loan amount until that amount has been disbursed; the Financing Rate established for the original Loan amount shall apply to such disbursements for the purpose of determining the associated Capitalized Interest and repayment amount. The Financing Rate established for any additional increment of Loan financing shall be used to determine the Capitalized Interest and repayment amount associated with the funds disbursed from that increment.

The Local Borrower agrees to the following estimates of Project costs:

PROJECT COSTS

<u>CATEGORY</u>	<u>COST(\$)</u>
Construction and Demolition	2,840,000
Contingencies	142,000
Technical Services After Bid Opening	412,281
Other	250,000
Less SJRWMD Grant	(593,643)
SUBTOTAL (Disbursable Amount)	3,050,638
Capitalized Interest	95,900
TOTAL (Loan Principal Amount)	3,146,538

8. All other terms and provisions of the Loan Agreement shall remain in effect.



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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
MAY 7, 2014**

**AGENDA TAB NO. 16**

**SUBJECT TITLE: City Administrator Report**

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**OBJECTIVE:**

To inform Council on city related matters.

**SUMMARY: Will be presented at meeting**

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

- Planning & Zoning Board – May 22, 2014 – City Council Chambers – 3:00 p.m.
- Code Enforcement Special Magistrate Hearing – May 27, 2014 – 5:30 p.m.
- Lake County League of Cities Meeting – May 9, 2014; 12:00 p.m. Elks Lodge, Tavares
- Lake Sumter MPO Board – May 28, 2014 – 2:00 p.m. - MPO Board Room, Leesburg
- City Council Regular Meeting – May 21, 2014, 4:00 p.m.

**OTHER EVENTS**

March of Dimes Walk – May 10 – 8:00 a.m. Wooton Park

Pro Hydro-X Jet Ski Competition May 31 and June 1

Boxing Event – May 31, 2014

4<sup>th</sup> of July Celebration

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
MAY 7, 2014**

**AGENDA TAB NO. 17**

**SUBJECT TITLE: City Councilmembers Report**

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**OBJECTIVE:**

To inform Council on city related matters.

**SUMMARY:**

Council will be offered an opportunity to provide a report at the meeting.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

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