

**AGENDA
TAVARES CITY COUNCIL**

**MAY 21, 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 agenda 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 Greg Watts, Liberty Baptist Church

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Tab 1) City Council Regular City Council Meeting, May 7, 2014

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Burney Vaughn Retirement

Mayor Wolfe

Tab 3) Presentation on US 441 Corridor Study

Bill Neron

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS

VIII. CONSENT AGENDA

IX. ORDINANCES/RESOLUTIONS

FIRST READING

Tab 4) Ordinance #2014-05 – Distribution of Free Publications John Drury

SECOND READING

Tab 5) Ordinance #2014-03 – Annexation & Rezoning – Jacques Skutt
15.5 Acres West Side of SR 19 at CR 561 – Tavares Village Shops

RESOLUTIONS

Tab 6) Resolution #2014-17 – Extension of Deadline in Ordinance Jacques Skutt
#2008-07 for Planned Development of Woods at Lake Harris Subdivision

X. GENERAL GOVERNMENT

Tab 7) Agreement with FDOT for Traffic Signal Maintenance Chris Thompson
and Compensation Agreement

Tab 8) Discussion on Wind Signs Jacques Skutt

Tab 9) Request to Submit Grant Application for Phase 1 of Nancy Barnett
Historic Train Depot Rehabilitation

Tab 10) Approval of Phase 2A of Architectural Agreement Richard Keith
For Public Safety Complex

Tab 11) Final Approval of Architectural Renderings of Public Richard Keith
Safety Complex

Tab 12) Ribbon Cutting & Grand Opening Date for Pavilion Tammy Rogers

XI. OLD BUSINESS

XII NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

Tab 13) City Administrator John Drury

Tab 13) 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
MAY 7, 2014
CITY COUNCIL CHAMBERS
4:00 p.m.

COUNCILMEMBERS PRESENT

ABSENT

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

Robert Wolfe, Mayor

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
Chief Stoney Lubins, Police Department

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Rick Fountain, First Baptist Church of Tavares, 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 4-0.

IV. APPROVAL OF MINUTES

Tab 1) Approval of Minutes – April 2 and 16, 2014

1 **MOTION**

2
3 **Norman Hope moved for approval of the minutes of April 2, 2014 and April 16, 2014, as**
4 **submitted, seconded by Robert Speaks. The motion carried unanimously 4-0.**
5

6 **V. PROCLAMATIONS/PRESENTATIONS**

7
8 **Tab 2) Stamp Out Hunger Food Drive, May 10, 2014**

9
10 Vice Mayor Pfister read a proclamation recognizing May 10, 2014 as Stamp Out Hunger Food
11 Drive sponsored by the National Association of Letter Carriers.
12

13 **Tab 3) National Public Works Week – May 18-24, 2014**

14
15 Vice Mayor Pfister read a proclamation designating May 18-24 as Public Works Week.
16

17 **Tab 3) Water Reuse Week – May 18-24, 2014**

18
19 Vice Mayor Pfister read a proclamation recognizing Water Reuse Week May 18-24, 2014.
20

21 **Tab 4) American Public Works Association Central Florida Branch Project of the Year**
22 **Award**

23
24 Vice Mayor Pfister presented the Project of the Year award to Chris Thompson, Director of Public
25 Works, on behalf of the American Public Works Association Central Florida Branch for the
26 Freedom Flag (located in the traffic circle adjacent to the Judicial Center).
27

28 Chris Thompson thanked everyone for their support. He said it was done as a collaboration of the
29 citizens and staff members Joyce Ross and Lauren Farrell and everyone in the city.
30

31 Vice Mayor Pfister commended Mr. Thompson.
32

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

34
35 Attorney Williams stated there were two quasi-judicial matters, Tab 8 - Ordinance #2014-04 –
36 Transmittal Hearing for the Large Scale Future Land Use Map Amendment for Tavares Village
37 Shops at SR 19 and CR 561. He noted it is also on the agenda for first reading but discussion
38 would occur at the second reading. The second is Tab 9 – Resolution #2014-11 – Extension of
39 Special Use permit for Storage of Boats and Trailers at Fox Run Subdivision. He swore in those
40 who would be giving testimony.
41

42 Council indicated there were no ex-parte communications on these matters.
43

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

45
46 Ms. Barnett read the following ordinances and resolutions by title only:
47

ORDINANCE 2014-03

1
2
3 **AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES**
4 **OF THE CITY BY ANNEXING APPROXIMATELY 15.15 ACRES LOCATED ON**
5 **THE WEST SIDE OF S.R. 19 AT THE INTERSECTION OF C.R. 561; REZONING**
6 **SAID PROPERTY FROM LAKE COUNTY AGRICULTURAL AND PLANNED**
7 **INDUSTRIAL TO CITY OF TAVARES HIGHWAY COMMERCIAL (C-2);**
8 **SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED**
9 **BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY;**
10 **PROVIDING FOR AN EFFECTIVE DATE.**

11
12 **ORDINANCE 2014-04**

13
14 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**
15 **TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,**
16 **PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON**
17 **APPROXIMATELY 15.15 ACRES OF LAND GENERALLY LOCATED ON THE**
18 **WEST SIDE OF S.R. 19 AT THE INTERSECTION OF C.R. 561 FROM COUNTY**
19 **URBAN MEDIUM TO CITY COMMERCIAL; PROVIDING FOR SEVERABILITY**
20 **AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR**
21 **AN EFFECTIVE DATE.**

22
23 **RESOLUTION 2014-11**

24
25 **A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING A TIME**
26 **EXTENSION OF FIVE YEARS FOR A SPECIAL USE PERMIT GRANTED FOR**
27 **THE STORAGE OF VEHICLES, BOATS, AND TRAILERS ON PROPERTY**
28 **LOCATED ADJACENT AND EASTERLY OF THE FOX RUN SUBDIVISION,**
29 **LYING SOUTH OF DEAD RIVER ROAD; SUBJECT TO THE RULES,**
30 **REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES**
31 **COUNCIL; PROVIDING AN EFFECTIVE DATE.**

32
33 **RESOLUTION NO. 2014 - 13**

34
35 **A RESOLUTION INITIATING A PROGRAM FOR THE PURPOSE OF**
36 **PROVIDING WATER AND WASTEWATER IMPROVEMENTS FOR SUNSET**
37 **VIEW AND THREE LAKES PARK, LOCATED ADJACENT TO TAVARES, LAKE**
38 **COUNTY, FLORIDA; DESIGNATING CONSULTING ENGINEERS FOR SUCH**
39 **IMPROVEMENTS AND INSTRUCTING THE CONSULTING ENGINEERS TO**
40 **PREPARE PLANS AND SPECIFICATIONS FOR SUCH IMPROVEMENTS, AN**
41 **ASSESSMENT PLAT SHOWING THE AREA TO BE ASSESSED AND AN**
42 **ESTIMATE OF THE COST OF SUCH IMPROVEMENTS; AND PROVIDING AN**
43 **EFFECTIVE DATE.**

44
45 **VIII. CONSENT AGENDA**

1 **MOTION**

2 **Robert Speaks moved for the approval of the Consent Agenda [Extension of Jones**
3 **Brothers Agreement), seconded by Norman Hope. The motion carried unanimously 4-0.**

4 **TRANSMITTAL HEARING**

5
6 **Tab 7) Ordinance #2014-04 – Large Scale Future Land Use Amendment – 15.5 Acres –**
7 **West Side of SR 19 at CR 561 – Tavares Village Shops**

8
9 Mr. Skutt stated this is a 50 acre site located on the west side of SR 19 and CR 561. Staff is
10 concurrently processing applications for an annexation and rezoning of this property which will be
11 discussed at the second reading on May 21.

12
13 The purpose of this ordinance is to change the Future Land Use Designation from County Urban
14 Medium to City Commercial. If approved this amendment will be sent to the state to determine if
15 any objections. Mr. Skutt noted a future land use designation is an indication of a city's vision of
16 how city areas and city corridors will develop over the next 20 years. Tavares has already
17 established through its existing Future Land Use Map that this segment of SR 19 will become a
18 main commercial corridor in the city.

19
20 The Planning & Zoning Board voted unanimously for approval at its meeting on April 17th and
21 staff recommends approval of the transmittal of this ordinance.

22
23 **MOTION**

24
25 **Kirby Smith moved to approve Ordinance #2014-04 for transmittal, seconded by Robert**
26 **Speaks.**

27
28 Vice Mayor Pfister asked for audience comment.

29
30 **The motion carried unanimously 4-0.**

31
32 **IX. ORDINANCES/RESOLUTIONS**

33
34 **Tab 9) Resolution #2014-11 – Extension of Special Use Permit for Storage of Vehicles,**
35 **Boats and Trailers next to Fox Run Subdivision**

36
37 Mr. Skutt stated this is a request to extend the special use permit for the storage of vehicles,
38 boats and trailers on property that is located adjacent and east of the Fox Run Subdivision. This
39 special use permit was granted in 2007 with certain stipulations. The city has extended this permit
40 several times but it has expired and the owner is requesting a five year extension. The owner has
41 complied with the original conditions of the permit. No complaints have been received about this
42 use and no objections to this request have been received. The Planning & Zoning Board voted
43 unanimously on April 17th to recommend approval and staff recommends approval.

44

1 Councilmember Speaks asked if there had been any additions or corrections to the original
2 agreement. Mr. Skutt said there have been no changes.

3
4 **MOTION**

5
6 **Norman Hope moved to approve Resolution #2014-11, seconded by Kirby Smith.**

7
8 Vice Mayor Pfister asked for audience comment.

9
10 **The motion carried unanimously 4-0.**

11
12 **Tab 10) Resolution #2014-13 – Initiating Water & Wastewater Improvements for Sunset**
13 **View and Three Lakes Park**

14
15 Attorney Williams stated that this is the beginning of the process initiated at least over a year ago
16 in order to provide water and wastewater out to the Sunset View and Three Lakes Park (TLP). As
17 noted from past meetings, preliminary design has been done, and easements and rights of way,
18 utility agreements and annexation agreements from homeowners have been obtained. The
19 owners have agreed to be assessed for the work that will be done. Attorney Williams stated that
20 the pipes will go under the road and enter at the Three Lakes entrance by the boat basin and
21 then will turn to the west to go to Sunset View, then turn right and go through Three Lakes Park.
22 It will bring water, sewer, and fire protection. There will be some limited street paving done. The
23 line that goes to the Three Lakes Park will also go to the Buzzard Beach property. He discussed
24 the history of the problems with the septic tanks at TLP.

25
26 He asked Mr. Wicks, project engineer to confirm the estimated cost per single family connection.
27 Mr. Wicks responded that he believes it is around \$120 per month per connection. The overall
28 estimate of the cost of the project is about \$750,000 which comes out to be between \$12,000 to
29 \$14,000 per connection.

30
31 Attorney Williams noted that under the utility agreement because this was initiated before the
32 impact fee waiver program was expired, the owners who have signed on will come under that
33 waiver program.

34
35 Attorney Williams said the purpose of this resolution is to explain the project, and approve the
36 inducement resolution. It authorizes the project to be initiated and bid. When the bids come in
37 there will be three more resolutions in the process: acceptance of the bids, authorization of the
38 work, and finalization of the assessments. The terms of annexation are to annex within five years
39 after the project is completed.

40
41 Mr. Wicks discussed the status of the bid noting the bids will be due on May 27th.

42
43 Councilmember Speaks asked how many parcels have not signed on. Mr. Wicks said the
44 easements have been acquired however it is anticipated there are four to five parcels that may
45 opt out. Attorney Williams noted the impact fees will be applied later for any parcels that have not
46 signed on at this stage of the project.

47

1 Vice Mayor Pfister asked for public comment.
2

3 **MOTION**

4
5 **Robert Speaks moved for approval of Resolution #2014-13, seconded by Norman Hope.**
6 **The motion carried unanimously 4-0.**
7

8 **X. GENERAL GOVERNMENT**

9
10 **Tab 11) Agreement for Engineering and Design for Lift Station 49 – Rehabilitation and**
11 **Increase of Sewer Line Capacity**
12

13 Brad Hayes reported that this is a request to relocate the existing force main from Lift Station 49
14 into an existing 12 inch force main, replace the existing pumps with new pumps and rehabilitate
15 the existing 10 inch gravity sewer main along Mt. Homer Road. This work will provide a better
16 wastewater flow design and additional reliability for this area while supporting future growth. The
17 work will take place on the existing City Lift Station 49 site and work within the Mt. Homer Road
18 right of way. Staff recommends approval for the work authorization in the amount of \$126,512.
19

20 **MOTION**

21
22 **Kirby Smith moved to approve the work authorization for the Lift Station 49 improvements**
23 **with Arcadis in the amount of \$126,512, seconded by Robert Speaks. The motion carried**
24 **unanimously 4-0.**
25

26 **Tab 12) Award of Bid for Royal Harbor Water Pressure System**
27

28 Brad Hayes discussed the background of the long term problems with the Royal Harbor water
29 pressure system and the recent bid process for construction. He noted six bidders responded.
30 The apparent low bidder Jones Mechanical Corporation voluntarily withdrew their bid. The second
31 low bidder is A.C. Schultes of Florida. Review of their references indicated a potential lack of
32 experience for this project therefore a review of the third apparent low bidder Pospiech
33 Contracting was performed. Their references indicated good review with similar work experience.
34

35 Staff recommends approval of the award to Pospiech Contracting, Inc. in the amount of
36 \$810,000.00.
37

38 Ms. Stewart from Arcadis clarified how the review was done and noted the references provided
39 for the second bidder were not relevant to this type of work. The third low bidder, Pospiech
40 Contracting, was then reviewed and better reviews obtained.
41

42 **MOTION**

43
44 **Kirby Smith moved to award the bid to the third lowest bidder per staff recommendation,**
45 **seconded by Robert Speaks. The motion carried unanimously 4-0.**
46

1 **Tab 13) Interlocal Agreement between Lake County and Municipalities relating to**
2 **Local Option Fuel Tax**

3
4 Ms. Houghton stated this agreement will set forth the distribution formula for all gas tax
5 revenues based on 50% of the population and 50% of road mile.

6
7 The 6 cents Local Option Fuel Tax is up for renewal and is scheduled to go into effect on
8 September 1, 2014. Ms. Houghton noted Councilmember Speaks has been attending the Local
9 Option Fuel Tax Committee Meeting in which the options for renewal were discussed and each
10 city was asked to vote on an option. If 51% of the population of the cities represented by their City
11 Councils can agree on a formula, that will be the formula that will be applied for the next 20 years.
12 If the councils cannot agree on a formula, the formula defaults to state statute formula (default
13 formula).

14
15 Ms. Houghton reviewed the options and noted Option #2, the formula based on Population and
16 Road miles, is being recommended.

17
18 **MOTION**

19
20 **Norman Hope moved to approve the Interlocal Agreement with Lake County for renewed**
21 **Local Option Gas Tax with Distributions based on 50% road miles and 50% population,**
22 **seconded by Kirby Smith. The motion carried unanimously 4-0.**

23
24 **Tab 14) Amendment One to State Revolving Fund Loan Debt Purchase Agreement**
25 **(DP 350900) for the Downtown CRFA Wastewater Rehabilitation**

26
27 Ms. Houghton stated this is to request approval of an amendment to this agreement in the
28 amount of \$500,000 with an interest rate of 2.06% of this portion. This represents additional costs
29 that are needed for the project to restore roads and sidewalks damaged or removed due to
30 project construction. She noted she had projected a review of the project history in the agenda
31 summary. She said this will increase the loan principle from \$5,427,500 to \$5,927,500 (excluding
32 capitalized interest and loan service fees). The amount of the loan payment will change from
33 \$236,074 to \$256,120 annually. Staff recommends approval.

34
35 Councilmember Smith asked if the rate study has covered this increase. Ms. Houghton
36 confirmed. She said the bid was lower than the original estimate.

37
38 **MOTION**

39
40 **Kirby Smith moved to approve the SRF Loan DP350900 Amendment No. 1 in the amount of**
41 **\$500,000, increasing the loan principal from \$5,427,500 to \$5,927,500 (excluding**
42 **capitalized interest and loan service fees) for Wastewater System improvements in the**
43 **Downtown CRA, and authorize the Mayor or Vice Mayor to execute the loan amendment**
44 **documents. The motion was seconded by Norman Hope.**

45
46 **The motion carried unanimously 4-0.**
47

1 **Tab 15) Amendment No. 3 for the State Revolving Fund Loan WW 350920 for Reuse**
2 **Distribution Lines Phases 2 and 3**
3

4 Ms. Houghton stated this is the final amendment to the reuse SRF Loan for Phases 2 and 3 in the
5 amount of \$200,000 which will complete all the technical requirements that are needed for the
6 new facility. She noted a historical reference of the project has been provided in the agenda
7 summary. The amendment will increase the amount of the loan in the amount of \$200,000. The
8 revised principal loan amount will change from \$2,850,638 to \$3,050,638 (which excludes
9 capitalized interest and loan service fees, which will also be adjusted). The semi-annual loan
10 payment is revised from \$93,866 to \$102,114, beginning October 15, 2014 and thereafter on
11 October 15 and April 15 until all amounts due have been fully paid.
12

13 Councilmember Smith asked for confirmation that this amount is covered under the rate study.
14 Ms. Houghton confirmed and noted that this project also came in lower when the bids were
15 received.
16

17 **MOTION**
18

19 **Norman Hope moved to authorize the Mayor or Vice Mayor to execute Amendment Number**
20 **3 with the Florida Department of Environmental Protection State Revolving Loan Fund**
21 **(WW 350920) for Phases 2 and 3 of the Water Reclamation Project which increases the**
22 **principal amount of the loan by \$200,000. The motion was seconded by Robert Speaks.**
23 **The motion carried unanimously 4-0.**
24

25 **XI. OLD BUSINESS**
26

27 **Wind Signs**
28

29 Councilmember Smith said recently the topic of wind signs was discussed by City Council and it
30 was determined that the City would not allow any wind signs in the city limits. He said he has
31 since noticed three wind signs in the city limits: Jones Brothers in Wooton Park and in front of the
32 restaurant Pastore's and Pressed for Time restaurant.
33

34 He said he had requested at the previous discussion to allow staff to review and come back with
35 an ordinance to regulate wind signs. He requested that Council re-think the decision not to allow
36 wind signs. He noted the signs he had observed are tastefully done.
37

38 Councilmember Speaks commented that at the previous discussion there was mention of the
39 possibility of a sign permit and a limited amount of time they could be displayed. He agreed to
40 have staff review. Councilmember Hope said he was also in favor of a sign permit, limiting the
41 amount of signs and how long they could be used. He said he believed the city should control the
42 number of signs. Vice Mayor Pfister said she had voted to continue to not allow them because the
43 problem is ruling on whether or not a sign is "tastefully done." She said she does not mind re-
44 addressing it but knows it will be a challenge for Code Enforcement. She suggested allowing two
45 signs per business.
46

47 **MOTION**

1
2 **Kirby Smith moved to allow staff to go over the wind sign issue and bring it back to**
3 **Council for consideration with one recommendation (i.e. what staff considers the best**
4 **option), seconded by Norman Hope.**

5
6 Mr. Drury said that staff will bring back three or four options with one recommendation.

7
8 Vice Mayor Pfister asked if anyone in the audience has an opinion on this issue.

9
10 Lou Buigas, 206 W. Main Street, stated that two per business is probably too much because
11 there can be several businesses in one location. She said tasteful is the key.

12
13 Mr. Drury said he agrees with the idea of a permit and limited time because the biggest concern
14 with wind signs is appearance when they fade.

15
16 **The motion carried unanimously 4-0.**

17
18 **XII. NEW BUSINESS**

19
20 **XIII. AUDIENCE TO BE HEARD**

21
22 Vice Mayor Pfister asked for public comment for anything not on the agenda.

23
24 **XIV. REPORTS**

25
26 **Tab 14) City Administrator**

27
28 Mr. Drury said he has provided a list of upcoming events and meetings.

29
30 **City Clerk**

31
32 **Human Resources**

33
34 Ms. Tucker reminded Council of the upcoming Picnic in the Park and noted she had sent out
35 invitations to Council. The date is Friday May 16th at 11:30.

36
37 **Economic Development**

38
39 **Public Works**

40
41 **Public Communications**

42
43 **Utility Department**

44
45 **Police Department**

46
47 **Community Services**

1
2 Ms. Rogers stated there are staircases in the Pavilion now that were shipped in from Wisconsin.

3
4 **Fire Department**

5
6 **Community Development**

7
8 **Finance Department**

9
10 **City Attorney**

11
12 Attorney Williams noted that the Supreme Court has ruled that the prayer that the City Council
13 opens its meetings with (including sectarian prayers) is not in violation of the Constitution.

14
15 **Tab 15) City Council**

16
17 **Councilmember Hope**

18
19 Councilmember Hope said he had enjoyed participating in the recent Seaplane Fly-In event,
20 riding in a seaplane and dropping the watermelon. He said from the air the beauty of the area and
21 number of lakes can be appreciated.

22
23 **Councilmember Speaks**

24
25 Councilmember Speaks stated he had recently attended the advanced classes of the Florida
26 Elected Officials training last weekend. He said it was very good information and he
27 recommended that others attend if they have not done so.

28
29 Councilmember Speaks noted his granddaughter was born in Maryland this morning at 12:06
30 a.m. and her name is Savannah K. Speaks.

31
32 **Councilmember Smith**

33
34 Councilmember Smith commended the staff (Lauren Farrell, Bill Neron, Joey Graham and John
35 Russo and all staff involved) on the Seaplane Fly In. He said Lou Buigas did a great job with
36 people, plane, and boat moving. He said the pontoon picnic the day of the Fly In was well
37 orchestrated and the Air Boss did a great job.

38
39 Councilmember Smith recognized the following employees anniversaries: May 8 – Richard Keith
40 (8 years); May 9 – Jeremy Miller (7 years); May 6 – Alan Gagne (18 years); May 6 – Joan Giesy
41 (20 years). He said recognizing anniversary dates shows a testament to the type of environment
42 in the City of Tavares. He acknowledged that one staff member [Burney Vaughn] will be resigning
43 at the end of May after 40 years.

44
45 In addition, Councilmember Smith said on this date in 1914 the U.S. Congress established
46 Mothers Day. He wished all mothers a Happy Mother's Day.

47

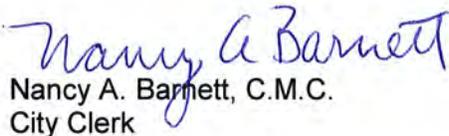
1 **Vice Mayor Pfister**

2
3 Vice Mayor Pfister thanked the audience for its input. She said listening to the audience is
4 important and hearing audience feedback assists the City Council in doing a better job.

5
6 **Adjournment**

7
8 There was no further business and the meeting was adjourned at 5:09 p.m.

9
10 Respectfully submitted,

11
12
13 Handwritten signature of Nancy A. Barnett in blue ink.

14 Nancy A. Barnett, C.M.C.
15 City Clerk
16

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 21, 2014**

AGENDA TAB NO. 2

SUBJECT TITLE: Proclamation for Burney Vaughn

OBJECTIVE:

The Mayor will read a proclamation honoring Burney Vaughn, Water Department Supervisor on his retirement.

SUMMARY:

Burney Vaughn is the longest serving employee with the City of Tavares and is retiring after 40 years with the Water Department.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A



PROCLAMATION

WHEREAS, Burney Vaughn has completed 40 years of dedicated service to the City of Tavares from 1974 to 2014;

WHEREAS, Burney Vaughn will be retiring from the city on May 30, 2014 after beginning his employment earning \$2.74 as a Water Service Worker;

WHEREAS, Burney Vaughn was promoted to Water Department Supervisor in 1985;

WHEREAS, Burney Vaughn has been part of a city that has gone through many changes including population growth from 3082 in 1974 to 14,260 in 2014;

WHEREAS over the years that Burney Vaughn has served the City, he has overseen numerous utility projects that have improved the quality of life for the Tavares' residents;

WHEREAS since 1991 Burney Vaughn has served the Tavares community as a Trustee on the Ellanora McGinty Scholarship Trust that awards college scholarships to Tavares High School students with financial needs;

WHEREAS; Burney Vaughn is recognized by the employees and city officials for his professionalism, high standards, and integrity;

WHEREAS, Burney Vaughn will be sorely missed by the employees, residents, and city officials; and

WHEREAS, we wish Burney Vaughn a long, happy, well-earned retirement;

NOW, THEREFORE, BE IT RESOLVED that I, Robert Wolfe, Mayor of the City of Tavares hereby proclaim special thanks and congratulation to Burney Vaughn for his many contributions these 40 years with the City of Tavares this 21st day of May 2014.

Robert Wolfe, Mayor

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 21, 2014**

AGENDA TAB NO. 3

SUBJECT TITLE: Presentation on US 441 Corridor Study

OBJECTIVE:

To receive a presentation from the FDOT project consultant regarding the status of the US 441 corridor study regarding future transportation planning.

SUMMARY:

The project consult for the study commissioned by FDOT for the US 441 corridor study that covers US 441 from downtown Orlando to Eustis will be making a presentation to Council on the alternatives being considered for future transportation needs.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient

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

AGENDA TAB NO. 4

SUBJECT TITLE: Ordinance #2014-05 – Distribution of Free Publications

OBJECTIVE:

Consider the approval of Ordinance #2014-05 addressing distribution of free publications in the City of Tavares.

SUMMARY:

At its meeting on March 19th, Council directed staff to develop an ordinance that would permit a homeowner to be put on a “do not deliver” listing for free unsolicited publications. Discussion was held regarding the problem of unsolicited publications collecting on driveways and public rights of ways and related issues. It was noted that complaints have been received from residents who are concerned about the signal it gives that no one is at home if the flyers or newspapers are not picked up.

The attached ordinance is patterned after the City of Mt. Dora’s ordinance which gives the option for a homeowner to contact the publisher requesting to not receive the publication. It would then require the publisher to mail by U.S. post a 3 x 5 card acknowledging the request and indicating a date of termination not to exceed 10 days from the date of acknowledgement.

OPTIONS:

- 1) Move to approve Ordinance #2014-05 regarding distribution of free publications
- 2) Do not approve Ordinance #2014-05 regarding distribution of free publications

STAFF RECOMMENDATION:

Move to approve Ordinance #2014-05 regarding distribution of free publications

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY: Legally sufficient

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ORDINANCE 2014-05

AN ORDINANCE CREATING SECTION 11-6 ET SEQ. OF
THE CITY OF TAVARES CODE OF ORDINANCES
PERTAINING TO THE DISTRIBUTION OF FREE
PUBLICATIONS; CREATING DEFINITIONS; PROVIDING
A PROCEDURE FOR PROPERTY OWNERS TO
REQUEST CESSATION OF DELIVERIES OF FREE
PUBLICATIONS; PROVIDING FOR NOTICE AND
EXEMPTIONS; PROVIDING AN EFFECTIVE DATE

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

Sec. 11-6. – Distribution of free publications.

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

Acknowledgment date means the date of the acknowledgment letter required to be sent by the publisher immediately upon receipt of the first nondistribution request.

Adjoining public right-of-way means that portion of any public right-of-way lying between the centerline of the right-of-way and the front plot line and between the side plot lines extended to the centerline of the right-of-way, adjoining any plot of privately owned real property, the owner or tenant of which has delivered a nondistribution request to the publisher of any free publication. For the purpose of this definition, the centerline of a median of any improved street shall be presumed to be the centerline of the right-of-way.

Date of request means either the date upon which a second nondistribution request as described in this section is delivered by hand to the publisher of a free publication or, if a nondistribution request is delivered by mail, the fifth calendar day after the nondistribution request is deposited in the mail.

Distributor means any person who drops, throws, abandons or otherwise places copies of any free publication upon privately owned real property, excluding real property owned by the distributor of the publisher, or upon any public right-of-way.

Free publication means any newspaper, magazine, handbill, pamphlet, circular or other publication which is made available to the public at no cost, including but not limited to free copies of newspapers ordinarily delivered to paid subscribers.

Publisher means any person who prepares or causes to be prepared any newspaper, magazine, handbill, pamphlet, circular or other publication for distribution to

47 the general public.

48

49 (b) *Placing on private property or adjacent right-of-way.* Copies of any free
50 publication may be placed upon privately owned property or the adjoining public
51 right-of-way subject to the following conditions:

52 (1) Any property owner or tenant may file a request telephonically or in
53 writing, with the publisher through its circulation department or person of
54 the free publication, that it not be placed upon the owner's or tenant's
55 property. The publisher, its circulation department or manager or owner
56 shall immediately provide written confirmation by a three-inch by five-inch
57 card or by letter, or email to the property owner or tenant having made the
58 request acknowledging the request with a date of termination not to
59 exceed ten days from the date of the acknowledgment letter. If the
60 publisher continues to distribute the free publication to that property owner
61 or tenant, the property owner or tenant shall file a second request in
62 writing with the publisher through its circulation department or manager or
63 owner that copies of the free publication not be placed upon the owner's
64 or tenant's property. The publisher through its circulation department or
65 manager or owner shall acknowledge a nondistribution request which may
66 be for a specific period of time not to exceed one year and shall remain
67 valid until revoked or the maximum period has expired. A copy of the
68 second nondistribution request shall be filed with the chief code
69 enforcement officer of the City together with proof of the date of delivery of
70 the request to the publisher.

71 (2) It shall be the responsibility of the publisher to give the distributor of the
72 free publication notice of any nondistribution request immediately upon
73 receipt thereof.

74 (3) It shall be violation of this section for a distributor to place a copy of any
75 free publication on privately owned property or the adjoining public right-
76 of-way contrary to a nondistribution request at any time after the tenth
77 calendar day following the date of the second acknowledgment letter
78 through the date of the date specified in the request to terminate or the
79 one-year maximum period from the date of the acknowledgment letter
80 whichever is the shorter.

81 (4) It shall be a violation of this section for a publisher, directly or through the
82 employment or agency of a distributor, to place a copy of any free
83 publication on privately owned property or the adjoining public right-of-way
84 contrary to a second nondistribution request at any tie after the third
85 calendar day following the date of the second request.

86

87 (c) *Hand delivery on public right-of-way.* This section shall not be construed or
88 applied to be a limitation upon the right of any person to distribute by hand
89 delivery any free publication upon a public right-of-way to any person by whom
90 immediate in-hand receipt of the publication is intended.

91

92 (d) *Exemptions.* This section shall not apply to the distribution of regularly published
93 and distributed newspapers to regular paid subscribers thereof.
94

95
96 This ordinance shall take effect immediately upon its final adoption by the
97 Tavares City Council.
98

99
100 PASSED AND ORDAINED this _____ day of _____, 2014,
101 by the City Council of the City of Tavares, Florida.
102

103
104
105 _____
106 Robert Wolfe, Mayor
107 Tavares City Council

108 ATTEST:
109

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111 _____
112 Nancy A. Barnett
113 City Clerk
114

115
116 Passed First Reading _____
117

118 Passed Second Reading _____
119

120
121 _____
122 Approved as to form:
123 Robert Q. Williams
124 City Attorney
125

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
MAY 21, 2014**

AGENDA TAB NO. 5

SECOND READING

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

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:

1. That City Council moves to approve Ordinance 2014-03.
2. That City Council denies the proposed annexation and rezoning.

PLANNING & ZONING BOARD RECOMMENDATION:

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

STAFF RECOMMENDATION:

Staff recommends 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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2

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)

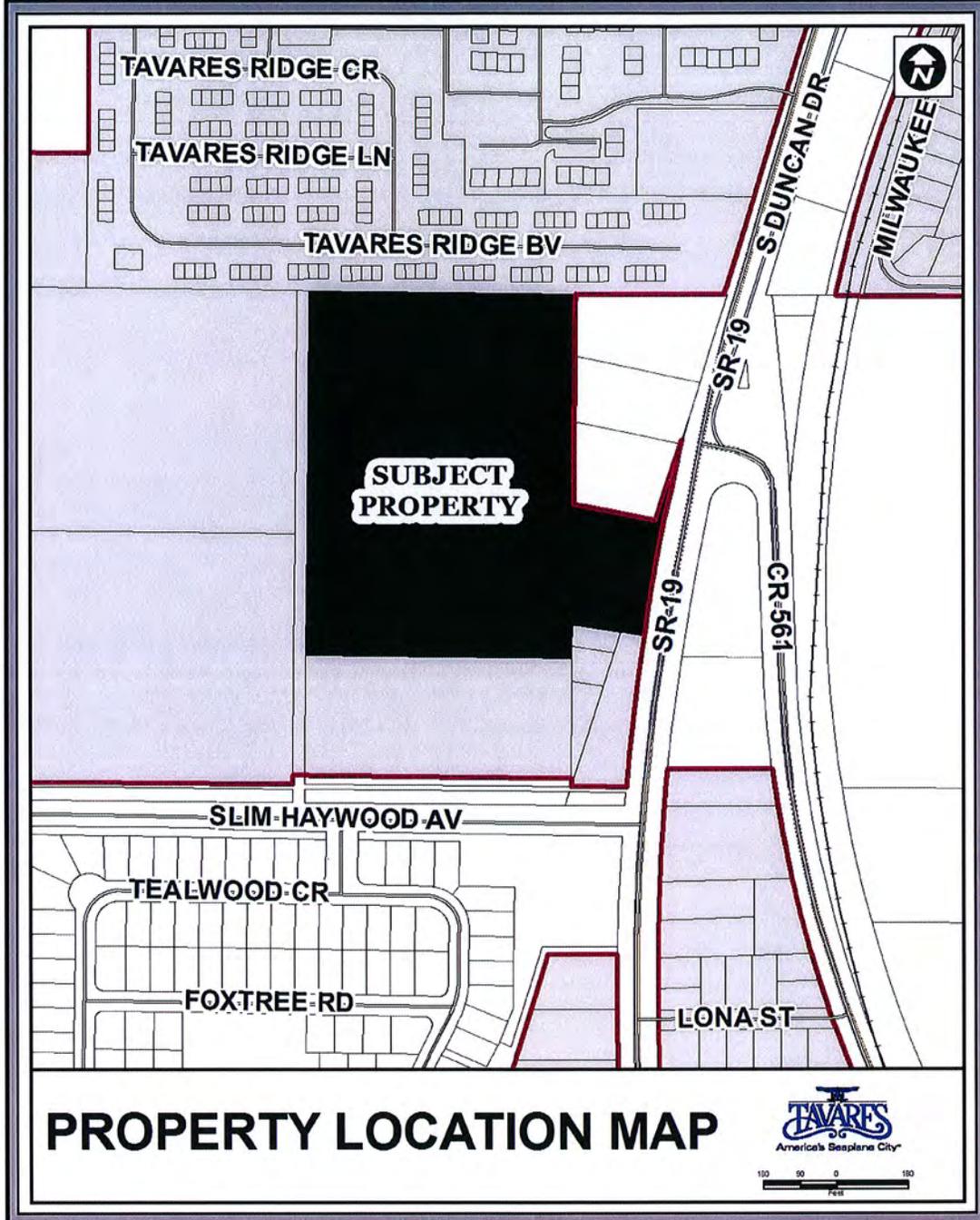
PROPOSED PARCEL 3

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



Created By: City of Tavares GIS

T:\pzd\DATA\PROJECT FILES\Public\Annex, Rezone, LSFLUM - PZ2014-08\GIS\GIS_Maps\

Map Created on 3/31/14

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Client Name: / PO# Mike Fitzgerald
 Advertiser: City of Tavares
 Section/Page/Zone: Lake Zone/E004/LAK
 Description: Ordinance 2014-03

Ad Number: 2279171-1
 Insertion Number: 3 x 10.5
 Size: B&W
 Color Type:

Orlando Sentinel

Publication Date: 04/14/2014

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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 moving into the new bedroom, I'd gotten into the habit of keeping my camera in the room with me. I took several pictures that morning and later identified the flutterer as *Limenitis arthemis astyanax*, commonly known by the descriptive name, red-spotted purple butterfly.

When we decided to enter into a renovation project to free our home of allergens, I had no idea our efforts would result in such unexpected bounty. Not only can I now breathe easier, I also enjoy an endless array of wildlife sightings from the comfort and sneeze-free zone of my tiny new bedroom.

Bottlebrush trees bloom from spring through summer. I've seen so much already in just a few short weeks from my new view. I can't wait to see what the next few months will reveal.

Sherry Boas can be reached at simplifying@beautifulbambos.com. Her columns can be found online at OrlandoSentinel.com/lake.

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 roses 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 contact@LRO/Ya or call 352-365-0232.

Fair art winners

The following people were 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 Schoffner and Wanda Anderson.

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 Knapp; second, Manny Alonso; third, Richard Cartier; and honorable mention, Sandy Earnest and Susan Hertzog.

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 Kattenburger; second, Jan Krassner; third, June Longmecker; and honorable mention, Steve Carson and Susan Mulholland.

Poetry contest

The East Lake County Library, 31340 County Road 437, 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.

'An Evening of Estrogen'

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

GeorgeFest button design

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

Local students and artists are eligible to participate. Entrants 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-4 1/8-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 Eustis Museum of Art during June. The winner will be announced July 1.

For more information, call the chamber at 352-357-3434 or email info@EustisChamber.org.

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Orlando Sentinel

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 stated 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. 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
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.

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., 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 any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department, City of Tavares, 201 East Main Street, Tavares, Florida 32718, 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 Skull, Community Development Director, at 742-6404.

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CITY OF TAVARES

PROPERTY LOCATION MAP

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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: 352-759-9918. The program will be repeated from 6 to 7:30 p.m. Tuesday at Paisley County Library, 24954 County Road 42. Details: 352-669-1001.
- 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, 314 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 352-753-2955.
- 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 Suitcase: 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 navigating it, the WCT Island 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 352-735-7800, 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, 12184 N. U.S. Highway 30L. 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@safelimitcoalition.org.

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

THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

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

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.

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

1. Tavares Planning and 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.

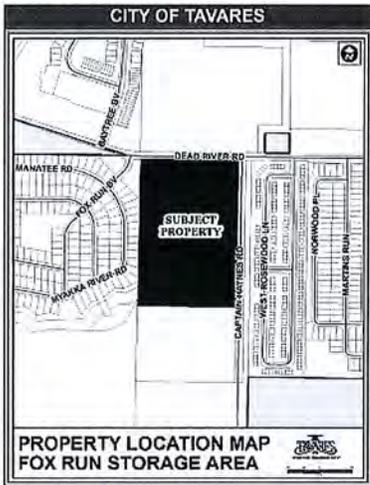
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

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.

Interested parties may appear at the meetings and be heard with respect to the proposed resolution. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

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

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



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 titled 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. 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 11.15 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 and 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.

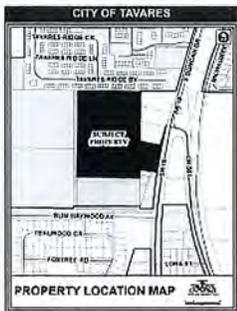
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

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

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



Orlando Sentinel

Publication Date: 04/07/2014

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Client Name: / PO# Mike Fitzgellad
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E002/LAK
Description: Ordinance 2014-03
Ad Number: 2279164-1
Insertion Number:
Size: 3 x 10.5
Color Type: B&W

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 Kownoski at 352-286-2378.

LEESBURG AQUATICS for swimmers from age 5 through masters (19 and older) is inviting recreational swimmers looking to develop their swimming skills. Fees are \$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@clymca.org, or call 352-343-9444.

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 heather.safe.start@gmail.com.

NTC AQUATICS is 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/teams based on skill level. Details: Ozze Quevedo at ozze.quevedo@orlandohealth.com or 352-241-7144, Ext. 4293.

KIDS SPLASH CAMP (Ages 5-14) 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: 321-282-2558.

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 8 a.m. in Montverde. Ages 9-90. All experience levels welcome. Details: Joseph Steed, 407-913-4140 or josephsteed@archery.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 7-12. Fee: \$15 per session or \$50 a month, and

Please turn to Page E4

PICKLES



How to reach us: Lake County newsroom contacts

COUNTY EDITOR
JERRY FALLSTROM
jfallstrom@orlandosentinel.com
352-742-5916

COMMUNITIES EDITOR
SAL RECCHI
srecchi@orlandosentinel.com
407-420-5493

LAKE NEWS ONLINE
LakeSentinel.com

Delivery issues, wet paper complaints, vacation stops, manager contact: 1-800-359-5353

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 – (Ordinance 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.
52

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 21, 2014**

AGENDA TAB NO. 6

**SUBJECT TITLE: Resolution 2014-17
Woods at Lake Harris – 2 Year Time Extension for Submittal of
Development Plans**

OBJECTIVE:

To consider a request to allow a two year time extension for submittal of development plans for Woods at Lake Harris Planned Development Ordinance 2008-07.

SUMMARY:

On April 23, 2008, City Council approved a Planned Development Ordinance for Woods of Lake Harris, a Mixed Use Development west of SR 19 across from Royal Harbor Subdivision. The ordinance included a timing clause that would enable City Council to revoke the ordinance if part or all of the development plans for the project were not submitted within two years. This deadline was extended administratively by staff under Senate Bill. 1742. These extensions have now expired.

The owner is seeking a two year extension for development plan submission. The project continues to be appropriate for this location and in harmony with surrounding uses and existing conditions.

OPTIONS:

1. That City Council moves to approve Resolution 2014-17.
2. That City Council denies the Resolution 2014-17.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Resolution 2014-17.

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 2014-17

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, EXTENDING THE TIMING FOR FINAL PLAN APPROVAL FOR WOODS AT LAKE HARRIS, A PLANNED DEVELOPMENT GOVERNED BY ORDINANCE 2008-07, APPROVED ON APRIL 13, 2008 AND SUBJECT TO REVOCATION ON APRIL 23, 2014; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance 2008-07, a Planned Development Ordinance for Woods at Lake Harris, included a timing section that would allow City Council to revoke the approval of this ordinance unless part or all of the development plans were submitted within two years of the effective date of the ordinance; and

WHEREAS, staff administratively granted extensions to this ordinance under Senate Bill 1742 that have now expired; and,

WHEREAS, the owner desires to extend the timing provision of this ordinance until April 13, 2016; and

;

WHEREAS, the City of Tavares continues to view this development as an appropriate use of this property that is in harmony with surrounding uses and existing site conditions; therefore,

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

That the timing clause, Section 2.7 of Planned Development Ordinance 2008-07, be extended to April 13, 2016.

1 **THIS RESOLUTION** will become effective upon approval by the Tavares City Council.

2

3

4 **PASSED AND RESOLVED** this ___ day of _____ 2014, by the Tavares City Council.

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Robert Wolfe, Mayor
Tavares City Council

10

ATTEST

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Nancy A. Barnett, City Clerk

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Approved as to form and legality:

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Robert Q. Williams, City Attorney

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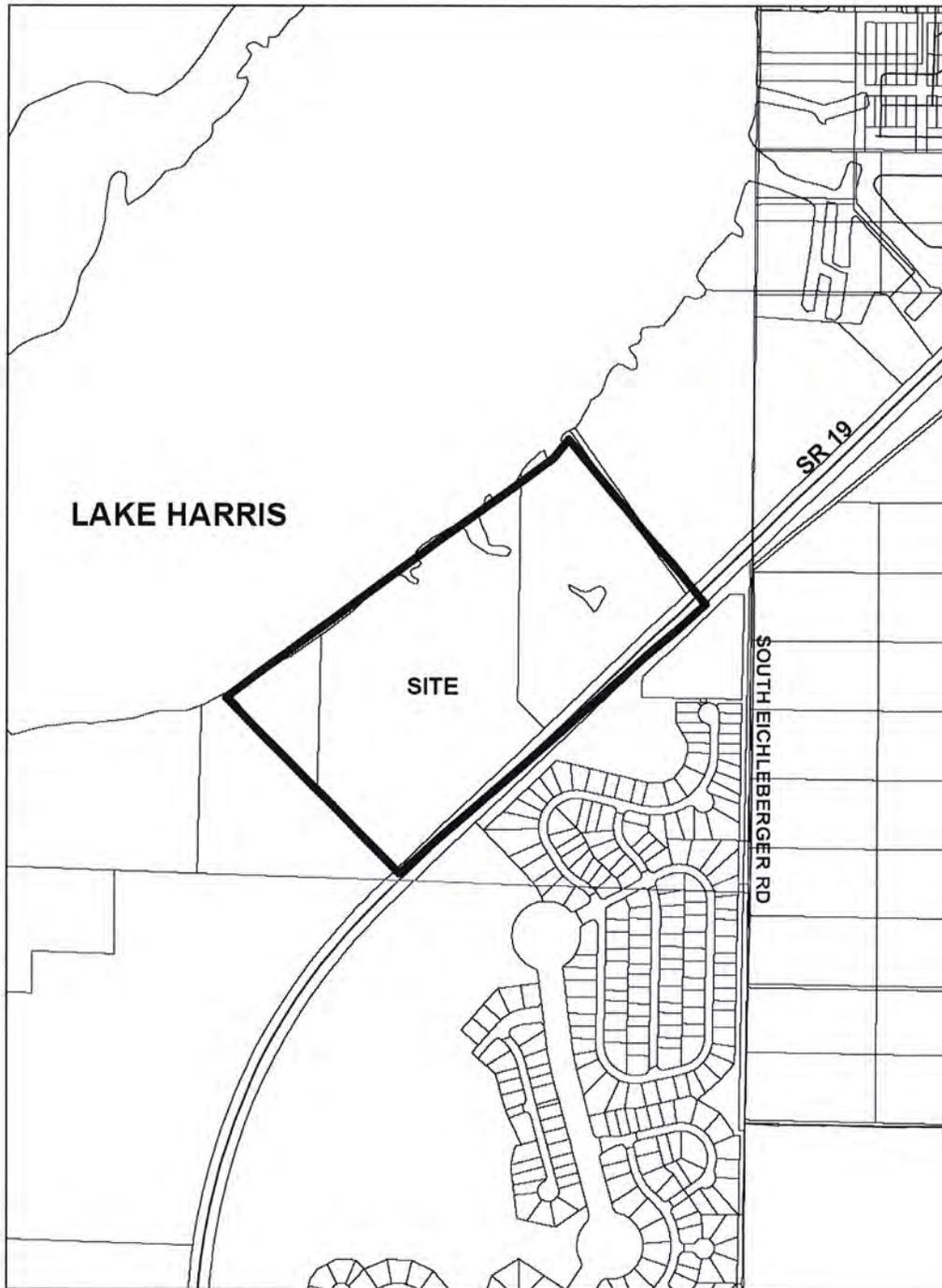
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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 21, 2014**

AGENDA TAB NO. 7

SUBJECT TITLE: FDOT Traffic Signal Maintenance and Compensation Agreement

OBJECTIVE:

Approval of Traffic, Signal Maintenance and Compensation Agreement with FDOT in the amount of \$15,998.00 for the period July 1, 2014 through June 30, 2015.

SUMMARY:

The city has a compensation agreement with the Florida Department of Transportation (FDOT) for traffic signals located on State roads within the City limits. The current agreement was entered into in 2002, and has had annual amendments when new signals are added.

Currently FDOT provides compensation in an annual payment of \$15,533.00 to the city. FDOT has submitted a revised one year agreement for compensation in the amount of \$15,998.00. Per the letter attached from FDOT, the revisions in this agreement include compensation for new traffic signals and additional warning beacons and other devices (signals identified in Exhibit A are the same as in current contract), and some clarifying language on other maintenance requirements that are already being performed by Lake County through the City's contract with Lake County for traffic signal maintenance. Lake County has reviewed this contract and confirmed there will be no further obligations required by this contract.

FDOT has noted that it intends to begin negotiations for developing a new Agreement for future years.

OPTIONS:

Option #1: Move to authorize the City Administrator to enter into the revised Traffic Signal Maintenance and Compensation Agreement in the amount of \$15,998.00.

Option #2: Do not authorize the City Administrator to enter into the agreement.

STAFF RECOMMENDATION:

Move to authorize the City Administrator to enter into the revised Traffic Signal Maintenance and Compensation Agreement in the amount of \$15,998.00.

FISCAL IMPACT: Increase in annual compensation to the City from \$15,533.00 to \$15,998.00

LEGAL SUFFICIENCY: Legally sufficient



Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

ANANTH PRASAD, P.E.
SECRETARY

April 25, 2014

To: Traffic Signal Maintaining Agencies

Re: Traffic Signal Maintenance and Compensation Agreement

Dear Colleagues:

At the outset, I want to thank the Maintaining Agencies, FACERS and Department staff for the valuable input and feedback in finalizing the revised *Traffic Signal Maintenance and Compensation Agreement*. The intent is that this Agreement will be used for the period July 1, 2014 through June 30, 2015 and we will begin negotiations for an Agreement that will be used in future years. The revisions in this Agreement include compensation for new traffic signals and additional warning beacons and other devices; clarifying language on the responsibilities for maintenance of mast arms; a requirement of an annual report with performance measures to include detection device malfunction repairs or restoration within sixty days; and each traffic signal shall receive at least one minor preventative maintenance inspection per year.

The Department is requesting that this new Agreement be signed by all Maintaining Agencies and returned to the Department by June 15, 2014 so that the Agreement can be executed effective July 1, 2014. If your Agency is unable to meet the June 15, 2014 deadline, please contact your local District Traffic Operations Engineer and let them know of the anticipated date by when the Agreement will be signed.

The Department intends to begin negotiations for developing a new Agreement for future years, which will include additional performance measures, and a review of the overall compensation structure and all contract language. The Department is committed to discussing compensation, performance measures or other aspects of the Agreement during negotiations. In preparing for these negotiations, we will be requesting the Maintaining Agencies to provide information on the costs for operating and maintaining traffic signals and other devices on the state highway system. This information was very helpful during the initial discussions for developing the compensation amounts that are currently used.

Once again, thank you for your assistance, and we look forward to our continued partnership in providing traffic signal services on the state highway system. The Department looks forward to working with all parties on developing the future Agreement. If any Maintaining Agency has any questions concerning the Agreement, they should contact their local District Traffic Operations Office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark C. Wilson".

Mark C. Wilson, P.E.

State Traffic Operations Engineer

cc: Ananth Prasad, P.E., Secretary
District Secretaries
District Traffic Operations Engineers

NEW

Section	MP	SR No.	Intersection	Agency	Conf.	%	fy 14/15
11010	14.031	500	Lk. Shore Blvd.	Tavares	TS	50	\$1,476.00
11010	14.226	19/500	SR 19 (south leg)/Orange Ave.	Tavares	TS	75	\$2,213.00
11010	14.852	19/500	CR 452 (St. Clair Abrams Ave.)	Tavares	TS	50	\$1,476.00
11010	14.998	19/500	Tavares Square/Post Office	Tavares	TS	50	\$1,476.00
11010	15.226	19/500	Lk. Eustis Dr.	Tavares	TS	50	\$1,476.00
11010	15.957	500	Huffstetler Dr / Mayo Dr	Tavares	TS	50	\$1,476.00
11080	3.868	19	Lane Park Cut-off	Tavares	TS	50	\$1,476.00
11090	31.177	19/561	Dead River Rd./Lk. Harris Dr.	Tavares	TS	50	\$1,476.00
11090	31.441	19/561	Main St.	Tavares	TS	67	\$1,977.00
11090	31.813	19/561	Lakeshore Blvd.	Tavares	TS	50	\$1,476.00

\$15,998.00

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

750-010-22
TRAFFIC OPERATIONS
4/14
Page 1 of 6

CONTRACT NO. _____
FINANCIAL PROJECT NO. _____
F.E.I.D. NO. _____

THIS AGREEMENT, made and entered into this _____ day of _____, _____, by and between the Florida Department of Transportation, an agency of the State of Florida, herein called the "Department", and _____, Florida, herein called the "Maintaining Agency".

WITNESSED:

WHEREAS, the Maintaining Agency has the authority to enter into this Agreement and to undertake the maintenance and operation of traffic signals or signal systems on the State Highway System, and the Department is authorized under Sections 334.044 and 335.055, Florida Statutes, to enter into this Agreement, and;

WHEREAS, the Maintaining Agency has authorized its undersigned representative to enter into and execute this Agreement;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein to be undertaken by the respective parties hereto, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties mutually agree and covenant as follows:

1. The Maintaining Agency shall be responsible for the maintenance and continuous operation of the traffic signals, traffic signal structures (including signal mast arm structure or strain pole), traffic signal systems (central computer, cameras, message signs, communications devices, interconnect / network, vehicle, bicycle & pedestrian detection devices, traffic signal hardware and software), and control devices (intersection control beacons, traffic warning beacons, illuminated street name signs, pedestrian flashing beacons (school zone flashing beacons, pedestrian crossing beacons, Rectangular Rapid Flashing Beacons), emergency/fire department signals and speed activated warning displays). The Maintaining Agency shall be responsible for the payment of electricity and electrical charges incurred in connection with operation of such traffic signals and signal systems and devices upon completion of their installation. All traffic signals and control devices mentioned in this paragraph shall hereafter be referred to 'Traffic Signals and Devices'.

2. The Department agrees to pay to the Maintaining Agency, an annual compensation based on Department's fiscal year for the cost of the maintenance and continuous operation of the Traffic Signals and Devices as identified in Exhibit A. Payments will be made in accordance with Exhibit B. Should the Maintaining Agency withdraw from the compensation portion of this Agreement, the Maintaining Agency will still be responsible for the maintenance and continuous operation of the above items. In the case of construction contracts, the Maintaining Agency shall be responsible for the payment of electricity and electrical charges incurred in connection with the operation of the Traffic Signals and Devices, and shall undertake the maintenance and continuous operation of said Traffic Signals and Devices upon final acceptance of the installation by the Department. Prior to any acceptance by the Department, the Maintaining Agency shall have the opportunity to inspect and request modifications/corrections to the installation(s) and Department agrees to undertake those prior to acceptance so long as the modifications/corrections comply with the contract and specifications previously approved by both the Department and Maintaining Agency. Repair or replacement and other responsibilities of the installation contractor and the Department, during construction, are contained in the Department's Standard Specifications for Road and Bridge Construction.

3. The Maintaining Agency shall maintain and operate the Traffic Signals and Devices in a manner that will ensure safe and efficient movement of highway traffic and that is consistent with maintenance practices prescribed by the International Municipal Signal Association (IMSA) and operational requirements of the Manual on Uniform Traffic Control Devices (MUTCD), as amended.

4. The Maintaining Agency's maintenance responsibilities shall include, but not be limited to, preventive maintenance (periodic inspection, service and routine repairs) and emergency maintenance (trouble shooting in the event of equipment malfunction, failure, or damage). Restoration of services may include temporary poles, stop signs or other methods to maintain traffic. The Maintaining Agency shall record its maintenance activities in a traffic signal maintenance log.

5. The Department intends to conduct an inspection of the mast arm structures and strain poles every 60 months. The inspection report will document deficiencies that necessitate preventative maintenance and periodic maintenance. Preventative maintenance includes but is not limited to: spot painting or repainting; tightening of nuts and replacing missing or deficient bolts (not including anchor bolts); replacing missing cap covers or equivalent; cleaning; replacement of missing or deficient access hole cover plates; all wiring issues, including improper grounding; graffiti removal; all signal related issues (lighting, signs and connections); and response to traffic impact including repair and replacement of all components damaged by the traffic impact. Damaged mast arm replacement shall be repaired or replaced by the Maintaining Agency and the Maintaining Agency is authorized to seek reimbursement from the responsible 3rd party. If the Maintaining Agency is unable to recover the costs from a 3rd party, then the Department intends to reimburse the Maintaining Agency for repair or replacement of the mast arm. The Maintaining Agency shall be responsible for preventative maintenance of the mast arm structures. Failure to perform preventative maintenance after notification of inspection deficiency may result in the Maintaining Agency being responsible for the corrective actions.

6. Periodic maintenance includes but is not limited to: repair of cracks in the mast arm structure; removal and/or repair of grout pads; resetting of anchor bolts; repair or replacement of deteriorated anchor bolts and nuts; and replacement of the mast arm when it is determined through the inspection process that the mast arm has reached the end of its service life unless this is due to lack of

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

preventative maintenance by the Maintaining Agency. For any new mast arm installations after the date of this Agreement, if a Maintaining Agency requests a painted mast arm, the Maintaining Agency agrees to perform all required periodic and preventative maintenance. Any periodic maintenance performed on the mast arm structure by the Maintaining Agency needs Department approval prior to commencement of work unless under an emergency situation. Any and all work performed by the Maintaining Agency shall conform to the current Department Standard Specifications for Road and Bridge Construction.

The Table below summarizes the roles of the Maintaining Agency and the Department with regard to preventative and periodic maintenance:

Maintaining Agency	Florida DOT
Preventative maintenance of all mast arm structures	Periodic maintenance of all mast arm structures (except for any new painted and existing painted structures with signed separate Agreement)
Periodic maintenance of structures (for any new painted and existing painted structures with signed separate Agreement)	
Damage repair or replacement of structures with recoverable costs	May compensate Maintaining Agency for damage repair or replacement of structures when costs are non-recoverable
	Replacement at end of life cycle of the structure

7. The Maintaining Agency may remove any component of the installed equipment for repair; however, it shall not make any permanent modifications and/or equipment replacements unless the equipment provided is capable of performing at minimum the same functions. The Department shall not make any modifications and/or equipment replacements without prior written notice to and consultation with the Maintaining Agency.

8. The Maintaining Agency shall implement and maintain the timing and phasing of the traffic signals in accordance with the Department's timing and phasing plans, specifications, special provisions, and the Department's Traffic Engineering Manual. The Maintaining Agency shall obtain prior written approval from the Department for any modification in phasing of signals and flash times (where applicable). Signal Systems timings (cycle length, split, offsets, sequence) are considered operational changes and may be changed by the Maintaining Agency to accommodate changing needs of traffic. The Maintaining Agency may make changes in the signal timing provided these changes are made under the direction of a qualified Professional Engineer registered in the State of Florida. The Maintaining Agency shall make available a copy of the timings to the Department upon request. The Department reserves the right to examine equipment, timing and phasing at any time and, after consultation with the Maintaining Agency, may specify modifications. If the Department specifies modification in timing and/or phasing, implementation of such modifications shall be coordinated with, or made by, the Maintaining Agency.

9. The Maintaining Agency shall note in the maintenance log any time/phasing changes and keep a copy of the timings and any approval documentation in a file. A copy of the log shall be provided to the Department upon request. Maintaining Agencies may provide this information electronically.

10. The Maintaining Agency and the Department will develop annually the Exhibit A which by this reference is made a part of this Agreement as though fully set forth herein. Exhibit A shall contain all Traffic Signals and Devices on the State Highway System, applicable to the jurisdiction of the Maintaining Entity, those that are maintained by the Maintaining Agency and those that are maintained but not included for compensation. No changes or modifications will be made to Exhibit A during the year for compensation. New Traffic Signals and Devices added by the Department during the fiscal year shall be maintained and operated by the Maintaining Agency upon Department final acceptance as stated in paragraph 2. The Maintaining Agency and the Department, preceding each fiscal year, shall develop and execute a new Exhibit A, which shall include all new Department Traffic Signals and Devices added during the previous fiscal year and delete those removed. The Maintaining Agency shall begin receiving compensation for new Department's Traffic Signals and Devices in the next fiscal year. In the event that no change has been made to the previous year's Exhibit A, a statement to this effect should be included. The annual compensation will be a lump sum payment detailed in Exhibit B. Future payments will be based on the information provided in Exhibit A, in accordance with the provisions as detailed in Exhibit B, attached and made a part hereof.

- a) Payment shall be made only after receipt and approval of service.
- b) Payment shall be made in accordance with Section 215.422, Florida Statutes.
- c) Bills for fees or other compensation for services or expenses shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof.
- d) Record of costs incurred under terms of this Agreement shall be maintained and made available upon request to the Department at all times during the period of this Agreement and for three (3) years after final payment for the work pursuant to this Agreement is made. Copies of these documents and records shall be furnished to the Department upon request. Record of costs incurred include the Maintaining Agency's general accounting records, together with supporting documents and records of the Maintaining Agency and all subcontractors performing work, and all other records of the Maintaining Agency and subcontractors considered necessary by the Department for proper audit of costs.

11. Maintaining Agency providing goods and services to the Department should be aware of the following time frames. Upon receipt, the Department has five (5) working days to inspect and approve the goods and services, unless the Agreement specifies otherwise. The Department has twenty (20) days to deliver a request for payment (voucher) to the Department of Financial Services.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

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TRAFFIC OPERATIONS
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Page 3 of 6

The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved.

12. If a payment is not available within forty (40) days, a separate interest penalty at a rate as established pursuant to Section 215.422, Florida Statutes, shall be due and payable, in addition to the invoice amount, to the Maintaining Agency. Interest penalties of less than one (1) dollar shall not be enforced unless the Maintaining Agency requests payment. Invoices returned to a Maintaining Agency because of Maintaining Agency preparation errors shall result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department.

13. A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for contractors/vendors who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516.

14. An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

15. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

16. The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of this Agreement.

17. The State of Florida's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature. In the event this Agreement is in excess of \$25,000 and has a term for a period of more than one year, the provisions of Section 339.135(6)(a), Florida Statutes, are hereby incorporated:

- (a) The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection shall be null and void, and no money may be paid on such contract. The Department shall require a statement from the Comptroller of the Department that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years, and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of \$25,000 and which have a term for a period of more than one year.

18. The Maintaining Agency may be subject to inspections of Traffic Signals and Devices by the Department. Such findings will be shared with the Maintaining Agency and shall be the basis of all decisions regarding payment reduction, reworking, Agreement termination, or renewal. If at any time the Maintaining Agency has not performed the maintenance responsibility on the locations specified in the Exhibit A, the Department shall have the option of (a) notifying the Maintaining Agency of the deficiency with a requirement that it be corrected within a specified time, otherwise the Department shall deduct payment for any deficient Traffic Signal(s) and Device(s) maintenance not corrected at the end of such time, or (b) take whatever action is deemed appropriate by the Department. Any suspension or termination of funds does not relieve any obligation of the Maintaining Agency under the terms and conditions of this Agreement.

19. The Department intends to monitor the performance of the Maintaining Agency in the fulfillment of the agreement. The Maintaining Agency is required to submit an annual Report on April 1 of each year detailing the following:

- a. Detection device malfunctions shall be repaired or restored within sixty (60) days of discovery and such events shall be logged into the annual report. If repairs cannot be performed within 60 days, the agency shall document the reasons why. Discovery of such events shall be logged into the annual report.
- b. All traffic signals shall receive at least one (1) minor preventative maintenance inspection, preferably two inspections, within a twelve (12) month period. At a minimum, minor preventative maintenance inspection includes verification that all detection is working, the signal is cycling properly, the ventilation system is functioning and filters are clean. The inspection report should note the location, date of inspection and any items noted.

20. The Maintaining Agency may enter into agreements with other parties pertaining to Traffic Signals and Devices including, but not limited to, agreements relating to costs and expenses incurred in connection with the operation of traffic signals and signal systems

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

on the State Highway System, provided that such Agreements are consistent with the mutual covenants contained in this Agreement. The Maintaining Agency shall furnish a copy of such agreements to the Department.

21. This Agreement may not be assigned or transferred by the Maintaining Agency in whole or in part without consent of the Department.

22. The Maintaining Agency shall allow public access to all documents, papers, letters, or other material subject to provisions of Chapter 119, Florida Statutes, and made or received by the Maintaining Agency in conjunction with this Agreement. Failure by the Maintaining Agency to grant such public access shall be grounds for immediate unilateral cancellation of this Agreement by the Department.

23. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. The invalidity or unenforceability of any portion of this Agreement shall not affect the remaining provisions and portions hereof. Any failure to enforce or election on the part of the Department to not enforce any provision of this Agreement shall not constitute a waiver of any rights of the Department to enforce its remedies hereunder or at law or in equity.

24. This Agreement shall remain in force during the life of the original installed equipment and/or the life of any replacement equipment installed with the mutual consent of the parties hereto.

25. Upon execution, this Agreement cancels and supersedes any and all prior Traffic Signal Maintenance Agreement(s) between the parties, except specific separate Agreements covering painted mast arm maintenance.

26. This Agreement contains all the terms and conditions agreed upon by the parties.

IN WITNESS WHEREOF, the parties have caused these presents to be executed, the day and year first above written.

**STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION**

_____, Florida
(Maintaining Agency)

By _____
(Authorized Signature)

By: _____
(Authorized Signature)

Print/Type Name: _____

Print/Type Name: _____

Title: _____

Title: _____

Attest: _____
(Seal if Applicable)

Attest: _____

Reviewed:

Legal Review:

Attorney Date

EXHIBIT B

TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

1.0 PURPOSE

This exhibit defines the method and limits of compensation to be made to the Maintaining Agency for the services described in this Agreement and in Exhibit A and Method by which payments will be made.

2.0 COMPENSATION

For the satisfactory completion of all services detailed in this Agreement and Exhibit A of this Agreement, the Department will pay the Maintaining Agency the Total Lump Sum in Exhibit A. The Maintaining Agency will receive one lump sum payment at the end of each fiscal year for satisfactory completion of service.

Total Lump Sum Amount for each fiscal year is calculated by adding all of the individual intersection amounts. The individual intersection amounts are calculated by taking the FY Unit Rate times the percent of State Road Approaches to Total Approaches. Intersection Control Beacons are paid at 25% of the Unit Rate for full traffic signal.

Pedestrian Flashing Beacon: includes school zone beacons, pedestrian crossing beacons and rectangular rapid flashing beacons (RRFB). School zones, crosswalks and warning sign locations shall be paid at a unit rate regardless of the number of individual beacons.

Example 1: For a traffic signal intersection with 4 approaches with 2 approaches (50%) being state roads, the intersection amount for FY 10-11 will be: $\$2,622 \times (2/4) = \$1,311$

Example 2: For an intersection control beacon with 3 approaches, with 2 approaches being state roads, the intersection amount for FY 11-12 will be $\$675 \times (2/3) = \450

Example 3: For a location with a school zone flashing beacon and two speed activated warning displays, the intersection amount for FY 14-15 will be $\{(\$295 \times 1) + (\$148 \times 2)\} = \$591$

Unit Rates per 100% State Intersections

FY	Traffic	Intersection	Pedestrian	Emergency	Speed	Traffic
	Signals	Control	Flashing	Fire/Dept.	Activated	Warning
	(TS)	Beacon	Beacon	Signal	Displays	Beacon
		(ICB)	(PFB)	(FDS)	(SAWD)	(TWB)
		(0.25*TS)	(0.10*TS)	(0.25*TS)	(0.05*TS)	(0.05*TS)
11-12	\$2,701	\$675				
12-13	\$2,782	\$696				
13-14	\$2,866	\$716				
14-15	\$2,951	\$738	\$295	\$738	\$148	\$148
15-16	\$3,040	\$760	\$304	\$760	\$152	\$152
16-17	\$3,131	\$783	\$313	\$783	\$157	\$157

The Unit Rate for each fiscal year is 3% more than the Unit Rate for the previous fiscal year, unless otherwise specified in an amendment to this Agreement.

3.0 PAYMENT PROCESSING

The Maintaining Agency shall invoice the Department yearly in a format acceptable to the Department.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
MAY 21, 2014**

**AGENDA TAB NO. 8
SUBJECT TITLE: Wind Signs**

OBJECTIVE:

To present to Council options for regulating wind signs (feather signs) with a proposed draft ordinance for consideration.

SUMMARY:

On May 7th, City Council directed staff to review the wind sign issue and to bring back three or four options with a recommendation to approve one of these. The sign industry refers to these types of signs as "feather signs".

The City's present Land Development Regulations prohibit these.

Options that could be considered are:

1. Continue to prohibit feather signs.
2. Allow the unregulated use of feather signs.
3. Allow an unlimited number of feather signs provided they are permitted by the city.
4. Allow feather signs provided they are permitted by the city and provided they comply with new proposed regulations concerning the location, number, height, length of time allowed and general condition of sign.

Staff is recommending **Option 4**.

If Option 4 is chosen, regulations suggested are:

1. Feather Signs may not be placed in City Right-of-Ways, protrude over any city sidewalks or obstruct traffic visibility.
2. A maximum number of 2 feather signs is allowed per business.
3. A Sign Permit for each feather sign must be obtained from the building department for \$29.
4. The Permit will be good for six months from the date of issuance, after which a new Permit must be obtained if the feather sign is going to continue to be displayed.
5. If a feather sign becomes tattered or damaged within the 6 month period, it must be removed.

OPTIONS:

1. That City Council moves to approve Option 4. The attached draft ordinance will be submitted for First Reading at the next Council meeting.
2. That City Council chooses a different option and instructs staff to draft an appropriate ordinance.

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-xx

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY PROVIDING FOR THE PERMITTING OF TEMPORARY FEATHER SIGNS; BY AMENDING CHAPTER 21, SIGN REGULATIONS, AMENDING SECTION 21-2, DEFINITIONS, AMENDING SECTION 21-15, TEMPORARY SIGNS; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 7, 2005, the City of Tavares adopted the Land Development Regulations, specifying therein standards and regulations governing signs within the city; and

WHEREAS, signs commonly referred to as wind signs are generally prohibited; and

WHEREAS, feather signs, a unique type of wind sign, is considered to be an appropriate and viable method of advertising businesses if properly permitted and regulated; and

WHEREAS, the City of Tavares desires to amend its sign regulations to provide for the approval and permitting of feather signs; and

WHEREAS, the City of Tavares has determined these changes are appropriate and in the best interest of the community; therefore;

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

Section 1. Text Amendments

That the City of Tavares Land Development Regulations be hereby amended as follows:

Section 21-2 Definitions

Insertion of the following definition:

Feather Sign- A lightweight portable advertising medium, mounted on a pole that resembles a sail.

1 **Section 21-15 Temporary Signs**

2
3 *Add (E) Feather Signs*

4
5 (E) Feather Signs- Feather Signs shall be subject to the following regulations:

6
7 (1). Feather Signs may not be placed in City Right-of-Ways, protrude over any city sidewalks or
8 obstruct traffic visibility.

9
10 2. A maximum number of 2 feather signs are allowed per parcel of property.

11
12 3. A feather sign cannot exceed 15 feet in height.

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14 4. A Sign Permit for each feather sign must be obtained from the city building department.

15
16 5. The Permit will be valid for six months from the date of issuance, after which a new Permit
17 shall be obtained if the feather sign is going to continue to be displayed.

18
19 6. If a feather sign becomes tattered or damaged within the 6 month period, it must be removed.
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22 **Section 2. Severability and Conflicts**

23
24 The provisions of this ordinance are severable and it is the intention of the City Council of
25 Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of
26 competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the
27 decision of such court shall not impair any remaining provisions of this ordinance.
28

29 **Section 3. Effective Date**

30 This Ordinance shall take effect immediately upon its final adoption by the Tavares City
31 Council.
32

33 **PASSED AND ADOPTED** this _____ day of _____, 2014 by the City Council of the
34 City of Tavares, Florida.

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36 _____
37 Robert Wolfe, Mayor
38 Tavares City Council
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40 First Reading: _____

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42 Second Reading: _____

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ATTEST:

Nancy A. Barnett, City Clerk

Approved as to form:

Robert Q. Williams, City Attorney

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 21, 2014**

AGENDA TAB NO. 9

**SUBJECT TITLE: Request to Submit Grant Application for Phase 1 of
Historic Train Depot Rehabilitation**

OBJECTIVE:

Approval of submittal of grant application to the Florida Department of State Bureau of Historic Preservation for a small matching grant in the amount of \$50,000 for exterior preservation planning activities for the historic Atlantic Coastal Line train depot on Alfred Street and approval of donation of \$12,500 to be matched by the Historical Society.

SUMMARY:

The Bureau of Historic Preservation is soliciting applications for the 2015-2016 Grant Cycle for Small Matching Grant-in-Aid assistance for historical preservation projects. The application must be submitted by May 30, 2014 and if awarded the funds would become available in July 2015.

Projects eligible for funding include the preparation of plans and specifications for historic development projects. The grant application will focus on the exterior of the building in terms of bringing all outside features up to code, including windows, roof, walls and foundation, addressing any handicap access issues, and replicating appropriate historical features such as the loading platform that was in back of the original depot.

The City has entered into a partnership with the Historical Society of Tavares to lease the historic train depot on Alfred Street currently utilized by the Fire Department as Station #1. Once the Public Safety Complex has been built, the agreement allows the Historical Society to lease the building as their headquarters and museum.

If the planning project is funded, it will require a 50% match. 25% of the match must be in cash and the remaining can be in-kind donations. The Historical Society has indicated that they will be willing to contribute \$12,500 and provide to the City to be kept in a restricted fund. The City Administrator has included the City's match of \$12,500 in the fiscal year budget for 2015. The remaining \$25,000 will be donated in-kind through services of an architect.

OPTIONS:

- 1) Move to approve the application for a Small Matching Grant from the Bureau of Historic Preservation in the amount of \$50,000, accept the contribution of the Historical Society of Tavares in the amount of \$12,500 to be kept in a restricted fund, and approve the City's donation of \$12,500 to this restricted fund.
- 2) Do not approve the grant application at this time and direct staff to re-apply in the next grant cycle
- 3) Do not approve the grant application.

STAFF RECOMMENDATION:

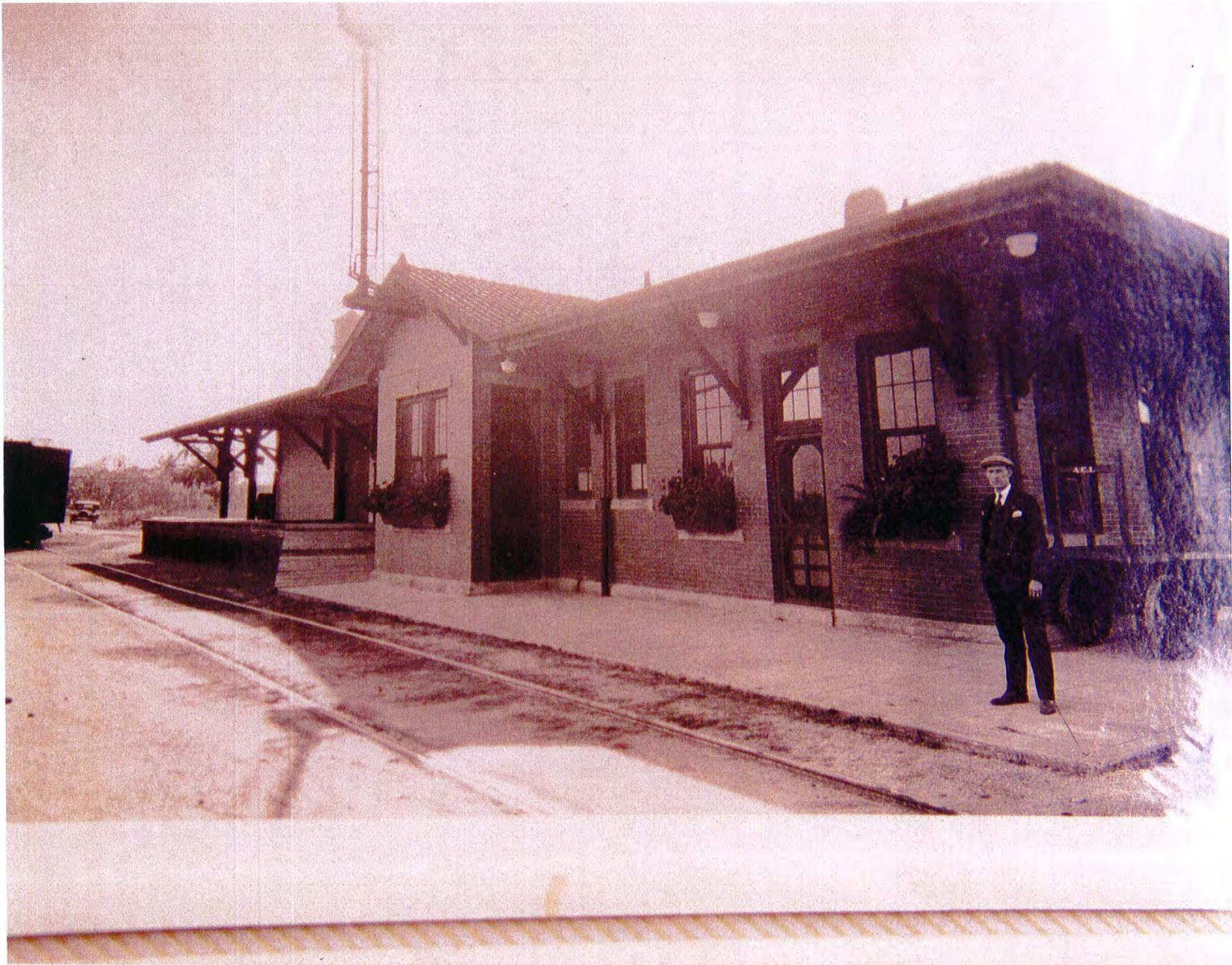
Move to approve the application for a Small Matching Grant from the Bureau of Historic Preservation in the amount of \$50,000, accept the contribution of the Historical Society of Tavares in the amount of \$12,500 to be kept in a restricted fund, and approve the City's donation of \$12,500 to this restricted fund.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient.



**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 21, 2014**

AGENDA TAB NO. 10

SUBJECT TITLE: Approval of Phase IIA of the Contract with GatorSkitch Architects, Inc., for continued Design and Engineering of the Public Safety Facility.

OBJECTIVE:

To authorize the Phase IIA portion of the contract with GatorSkitch Architects Inc. for continued design and engineering of the Public Safety Facility and Emergency Operations Center in the amount of \$256,754.

SUMMARY:

The City received a FEMA grant in 2009 for \$500,000 to assist in the preliminary design services of a public safety complex and emergency operations center.

Previously the Council selected GatorSkitch Architects to design the facility after which staff negotiated a contract with GatorSkitch Architects, Inc. to design, permit, develop bids and administer construction of the Public Safety Complex and Emergency Operations Center. The negotiated contract was broken out into several phases with associated cost and on September 5, 2012 Council approved the negotiated contract as well as authorizing phase I design services in the amount of \$231,522.

(Attached is the agenda summary from September 5, 2012 which provides detailed background information on the project.)

Phase I design services are now complete and staff seeks approval to authorize Phase IIA as follows:

Design Development for Bid Documents	\$ 161,156
Civil Engineering Fees	\$ 5,814
Landscape Architecture	\$ 9,744
MEP Engineering Fees	\$ 21,054
Security Consultant Fees	\$ 33,060
Structural Engineering Fees	\$ 7,656
Cost Estimator	\$ 9,570
Kitchen Consultant	\$ 8,700
Total cost	\$256,754

The \$256,754 Phase IIA costs for architectural services will be submitted for full reimbursement from the \$500,000 FEMA E.O.C. grant as was phase 1. Staff has simultaneously submitted phase IIA design service costs to the grant agency for approval too and this Council approval is subject to grant agency approval. Once the Council and Grant agency approve Phase IIA design services, there will be \$11,724.00 remaining in the FEMA grant of \$500,000.00.

OPTIONS

Option 1: Authorize Phase IIA of the Engineering contract for Architectural services in the amount of \$256,754.00 with GatorSkitch contingent upon the grant Agency approving the contract too.

Option 2: Do not authorize Phase IIA of the Engineering contract for Architectural services in the amount of \$256,754.00 with GatorSkitch.

Staff Recommendation: That Council moves to authorize Phase IIA of the Engineering contract for Architectural services in the amount of \$256,754.00 with GatorSkitch contingent upon the grant Agency approving the contract too

FISCAL IMPACT: Phase IIA is subject to being reimbursed fully by the FEMA grant.

LEGAL SUFFICIENCY: All options are Legally sufficient.

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

AGENDA TAB NO. 12

SUBJECT TITLE: Request to Approve the Contract with GatorSkтч Architects for Design and Engineering of the Proposed Public Safety Facility.

OBJECTIVE:

The objective of this agenda item is to secure a City Council authorization directing our City Administrator or his designee to execute a contract with GatorSkтч Architects for Phase 1 of design and engineering of a proposed public safety facility at a cost of \$231,522.00, funded by a Federal Emergency Management Agency (F.E.M.A.) grant previously secured for this purpose.

SUMMARY:

A horizon project team was established by City Administrator John Drury and City Council for the purpose of reviewing the City's current public safety facilities and making recommendations, if necessary, for replacement. The Horizon Project Team had recommended for replacement of the current facilities, and has been working toward that outcome.

In July and August of 2010, a "Request For Qualifications" (R.F.Q.) process was approved by Council and conducted by Staff to identify an architect that the City would work with in the design and engineering portion of the Public Safety Facility project. The list of the top three picks of architectural firms that the Horizon Project Team developed had the Clermont firm of GatorSkтч Architects, Inc. ranked first.

At the September 22, 2010 regular meeting of City Council, the Horizon Project Team presented its report to Council. In that report, Fire Chief Richard Keith, representing the Horizon Project Team, presented the list of architectural firms, and the Team's recommendation that GatorSkтч Architects, Inc. be recognized by Council as the prevailing architect, and requesting authorization for Staff to negotiate a contract with GatorSkтч Architects, Inc. for preliminary design and engineering for a public safety facility. Council voted unanimously to accept Staff's recommendation.

Through the ensuing months, Staff and Mayor Wolfe have diligently and relentlessly pursued a site for the Public Safety Facility project. Those efforts reached a culmination when the City, the County, and the School Board closed on a 3-way property deal that brought the site of the School Board's Fleet Maintenance facility on Alfred Street into City ownership. This property, known to the City as our "Gateway" property, has received Council authorization as the dedicated site for the new Public Safety Facility.

Previously, the City received promise of a \$500,000 non-competitive grant from F.E.M.A. (through then Congressman Alan Grayson's office) to be used for the Emergency Operations Center (E.O.C.) portion of the project. That money could not be accessed, however, until an actual site, owned by the City, had been chosen for the project. With the closing of the property deal, the way had been cleared for the City to gain access to the \$500,000 grant money.

Now that the Gateway property is owned by the City, Staff is ready to bring a recommendation to Council on the proposed contract with GatorSkitch Architects, Inc. Staff has been working with Mr. Michael Latham, Vice President of Operations of GatorSkitch, Inc., on contract language memorializing the relationship between the City and GatorSkitch.

Draft contracts have been circulating for the last several months. On Wednesday, June 22, 2011, City Administrator John Drury, City Attorney Bob Williams, Finance Director Lori Houghton and Fire Chief Richard Keith, met with Michael Latham of GatorSkitch for the final contract negotiation session. At this meeting, final proposed contract was reviewed, required deliverables and expectations were discussed and clarified, and a final cost was agreed to by both the City and GatorSkitch.

While the contract with GatorSkitch has been ready for over a year, the City could not sign the contract because the FEMA grant money was not immediately available to the City. The City could not legally hire GatorSkitch without having the money to pay them for their service.

If City Council approves the previous agenda item, approving the signing of a contract with Florida Division of Emergency Management for the access of the FEMA grant money, the funds become available to pay GatorSkitch.

Contract Highlights:

- The proposed cost for Phase 1 services of GatorSkitch Architects, Inc. is \$ 231,552.00
- Contract follows standard guidelines of the American Institute of Architects (A.I.A.).

- The entire project is divided into three different phases for architectural services:
- Phase 1 consists of; Data Collection, Preliminary Program, Conceptual Designs (up to 3 designs), and one Schematic Design (based on the approved Conceptual design).
- Phase 2 consists of; Design Development, Construction Documents, and Permitting.
- Phase 3 consists of; Bidding and Construction Phase Services.
- The contract proposal presented to Council at this time is for Phase 1, only.
- The “up to three” conceptual design phase (in Phase 1) will include color boards of visual representations of the various designs. (City Council will use these conceptual designs to pick one design for the project.)
- The Schematic design (in Phase 1) will include general floor plan and space allocations for the chosen conceptual design. (City Council will use this design to approve final floor plan and allocations of space.)
- The City will receive color boards with visual representations of the final chosen design that it may use in public meetings and display.
- GatorSkтч and City Staff will use this design and this materiel in the formulation of additional grant requests and proposals.
- Phases 2 and 3 will be negotiated separately.
- All materials produced by GatorSkтч in Phase 1, with the exception of their actual Computer Aided Drawing (C.A.D.) materials, become the property of the City of Tavares.
- Even though this agenda item seeks the City Council authorization of the contract with GatorSkтч, the City will only issue GatorSkтч a “Notice to Proceed” after the following two items are obtained from F.E.M.A.;
 - 1. A Grant Agreement from F.E.M.A. authorizing the City to expend funds from the F.E.M.A. grant.
 - 2. An authorization between the Grantee and Grantor exists that indicates our grant is compliant with the terms and conditions of a 75% federally funded match grant.

- Quarterly Reports, required by F.E.M.A. for the performance period of the grant will be generated by the City's Finance Department under the direction of Finance Director Lori Houghton.

Option 1:

City Council may move to approve the proposed contract with GatorSkitch Architects, Inc. in the amount of \$ 231,552.00, authorizing the City Administrator to sign the contract with GatorSkitch Architects, Inc. on behalf of the City, authorizing Staff to access the \$500,000 F.E.M.A grant to fund the payment.

Option 2:

City Council may choose to take no action and direct Staff to pursue a different course of action.

STAFF RECOMMENDATION:

Move Option 1: Move to approve the proposed contract with GatorSkitch Architects, Inc. in the amount of \$ 231,552.00, authorizing the City Administrator to sign the contract with GatorSkitch Architects, Inc. on behalf of the City, authorizing Staff to access the \$500,000 F.E.M.A. grant to fund the payment.

FISCAL IMPACT:

The City has received promise of a \$500,000 federal earmark for the Emergency Operations Center portion of the Public Safety Facility project. This federal money is allowed to be used for design and engineering of the project. This \$500,000 will be used to fund the architectural firm's Phase 1 design and engineering costs of \$231,522.00.

This grant is a twenty-five percent (25%) local match. City funds that were used to purchase the property (\$200,000) and demolish and clear existing buildings (\$100,000) will count toward the City's local match.

LEGAL SUFFICIENCY:

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

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 21, 2014**

AGENDA TAB NO. 11

SUBJECT TITLE: Presentation of Architectural Renderings for the Proposed City of Tavares Public Safety Facility, for City Council Discussion and Approval.

OBJECTIVE:

To approve the final architectural renderings of the Public Safety Complex.

SUMMARY:

The Gatorstch architectural firm will make a presentation on the final architectural renderings of the public safety complex in follow up to the City Council presentation made on December 4, 2013 for Council consideration and approval.

At the December 4, 2013 meeting of Tavares City Council, the architectural firm of GatorStkch, Architects, Inc. made a presentation to Council on their work to date and provided several architectural renderings. At that meeting, City Council approved the traditional design rendering for the appearance of the building (termed "traditional elevation"); the proposed floor plan presented; an estimated budget of \$10.4 million with the addition of a firing range; the proposed site plan and directed staff to negotiate the acquisition of a small parcel of abutting property . (It should be noted that the owner of this property has not indicated a desire to sell his property as of this date.)

Council also requested that a final architectural rendering be brought back to Council for final approval (see attached rendering).

OPTIONS:

Option 1: Move to accept the final architectural renderings for the proposed City of Tavares Public Safety Facility

Option 2: Do not accept the final architectural renderings and provide alternative direction.

Staff Recommendation:

Move to accept the final architectural renderings for the proposed City of Tavares Public Safety Facility

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient



 **GatorSketch**
CORPORATION

CITY OF TAVARES PUBLIC SAFETY BUILDING

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: May 21, 2014**

AGENDA TAB NO. 12

SUBJECT TITLE: Ribbon Cutting and Grand Opening Date for Pavilion

OBJECTIVE: To consider combining the ribbon cutting event and grand opening event for the Pavilion to the same day of Saturday October 11, 2014.

SUMMARY: Previously, Council approved setting up a “Ribbon Cutting” date to be this spring when the contractor reaches substantial completion and then a Grand Opening Date of Saturday October 11, 2014. Both events would provide an opportunity for the General Public to tour the facility and be provided free complementary celebratory entertainment.

The uniqueness of this facility (over the water, hand crafted staircases, specialty glass etc..) has made it difficult for the contractor to provide a “substantial completion date” and therefore made it impossible for staff to develop an appropriate ribbon cutting event as entertainers and performers require contracts and a set block-out date to commit to.

The Horizon project team members have met to discuss this issue and have concluded that it is in the best interest of these events to have the Council consider combining the “Ribbon Cutting” date and “Grand Opening” date to the same day of Saturday October 11, 2014. If approved it will enable the city to enter into and lock down **every** contractual agreement with entertainers and performers that is associated with an all day public ribbon cutting and grand opening event now well in advance of the event. If approved the day would unfold as follows:

- During the day, beginning at approximately 9:00 a.m on Saturday, the event will include:

Public ribbon cutting event lead by City Council, followed by public tours of the Pavilion for citizens with photo opportunities. A complementary and free ‘1914 experience on the shore (“tin lizzies” ice cream “cranked” by Opsrey Lodge, photo booth, actors in period attire, exotic cars on the pier and “Jimmy Buffett” tribute band).

- During the evening, the event will include: Free musical concerts on the shore, free fireworks, and a ticketed Gala dinner at the Pavilion. Dinner tickets will be made available and sold to the general public at city hall on a first come first serve basis. The revenues from ticket sales will be used to off-set the cost of the dinner.

OPTIONS:

- 1) Combine the Ribbon Cutting event with the Grand opening event as proposed by the Horizon Project team.
- 2) Keep the ribbon cutting event on the date of substantial completion but limit it to ribbon cutting and tours (no complementary entertainment).

STAFF RECOMMENDATION: That Council moves to combine the Ribbon Cutting event with the Grand opening event as proposed by the Horizon Project team on Saturday October 11, 2014.

FISCAL IMPACT: Combining this event to one day would result in some limited cost savings.

LEGAL SUFFICIENCY: Both options are legally sufficient.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
MAY 21, 2014**

AGENDA TAB NO. 13

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY: Will be presented at meeting

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

- City Council Regular Meeting – June 4, 2014, 4:00 p.m.
- Code Enforcement Special Magistrate Hearing – May 27, 2014 – 5:30 p.m.
- Lake County League of Cities Meeting – June 13, 2014; 12:00 p.m. Elks Lodge, Tavares – Chief Deputy Property Appraiser Michael Prestridge
- Lake Sumter MPO Board – May 28, 2014 – 2:00 p.m. - MPO Board Room, Leesburg
- Library Board – June 18, 2014 – 2:00 p.m.
- Planning & Zoning Board – May 22, 2014 – City Council Chambers – 3:00 p.m.

OTHER EVENTS

Pro Hydro-X Jet Ski Competition May 31 and June 1

Boxing Event – May 31, 2014

4th of July Celebration

**AGENDA SUMMARY
TAVARES CITY COUNCIL
MAY 21, 2014**

AGENDA TAB NO. 14

SUBJECT TITLE: City Councilmembers Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

Council will be offered an opportunity to provide a report at the meeting.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A