

**AGENDA
TAVARES CITY COUNCIL**

**August 6, 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 Rick Fountain, First Baptist Church of Tavares

III. APPROVAL OF AGENDA

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

IV. APPROVAL OF MINUTES

Tab 1) Minutes of July 2, 2014 Regular Council Meeting Mayor Wolfe

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Update to Alfred Street One Way Pair Project & Efforts to Minimize Impacts on Businesses Jacques Skutt

Tab 3) Alfred Street Business Owners Construction Concerns John Drury

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS

VIII. CONSENT AGENDA

Tab 4) Agreement with Freedom Boat Club for Dock Rental Spaces Bill Neron

Tab 15) Agreement for Engineering Design of Lake Dora Circle Gravity Sewer Extension Brad Hayes

Tab 16) Purchase of Boom Mower Brad Hayes

XI. FISCAL YEAR 2015 BUDGET WORKSHOP

Tab 17) Fiscal Year 2015 Budget Continued Council Discussion John Drury

XII. OLD BUSINESS

XIII. NEW BUSINESS

XIV. AUDIENCE TO BE HEARD

XV. REPORTS

Tab 18) City Administrator John Drury

Tab 19) 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.

THIS PAGE INTENTIONALLY LEFT BLANK



**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
JULY 2, 2014
CITY COUNCIL CHAMBERS
4:00 p.m.**

COUNCILMEMBERS PRESENT

ABSENT

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

Robert Wolfe, Mayor

STAFF PRESENT

John Drury, City Administrator
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
Lori Tucker, Human Resources Director
Tammey Rogers, Community Services Director
Richard Keith, Fire Department

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Carlos Colon, Chaplain, Fire Department, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

MOTION

Norman Hope moved to approve the agenda, seconded by Robert Speaks. The motion carried unanimously 4-0.

IV. APPROVAL OF MINUTES

Tab 1) Approval of City Council Meeting Minutes – June 18, 2014

1 **MOTION**

2
3 **Robert Speaks moved for approval of the minutes of June 18, 2014, seconded by Norman Hope. The motion carried unanimously 4-0.**

4
5
6 **V. PROCLAMATIONS/PRESENTATIONS**

7
8 None

9
10 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE CONTACTS**

11
12 Mr. Williams invited those who wished to speak on the following quasi-judicial matters to be
13 sworn in: Tabs 5 – Resolution #2014-14 Lake County School Board Special Use Permit at 615 &
14 621 N. New Hampshire; Tab 6 – Resolution #2014-15 – Partial Vacate of Unopened Right of Way
15 at 1101 Lakeshore Blvd; and Tab 7) Ordinance #2014-04 – Large Scale Future Land Use Map
16 Amendment, 15.5 Acres for the Tavares Village Shops. He sworn in those in the audience who
17 indicated they wished to speak. He then asked Council if any members had any ex-parte
18 communications to report. There were none.

19
20 **VII. READING OF ALL ORDINANCES/RESOLUTIONS**

21
22 Ms. Barnett read the following ordinances/resolutions by title only:

23
24 **ORDINANCE 2014-06**

25
26 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE**
27 **FOLLOWING SECTIONS OF THE CITY LAND DEVELOPMENT**
28 **REGULATIONS; SECTION 8-11 (A)(7), DESCRIPTION OF C-2 COMMERCIAL**
29 **DISTRICT, DELETION OF REFERENCE TO U.S. 441 CORRIDOR; SECTION 8-**
30 **11(D)(2), ACCESSORY USES AND STRUCTURES IN NON-RESIDENTIAL**
31 **DISTRICTS, PERMITTING ACCESSORY BUILDINGS IN REAR AND SIDE**
32 **YARDS; TABLE 8-2, PERMITTED USES AND SPECIAL USES, PERMITTING**
33 **ANIMAL HOSPITALS, VETERINARY CLINICS OR ANIMAL BOARDING**
34 **WITHIN A MIXED USE ZONING AS A SPECIAL USE; SECTION 20-3 (D), LIMIT**
35 **ON ADDITIONAL PARKING SPACES, ALLOWING ADDITIONAL PARKING**
36 **SPACES IF SUPPORTED BY ENGINEERING STUDY; SUBJECT TO THE**
37 **RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF**
38 **TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

39
40 **RESOLUTION 2014-14**

41
42 **A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING A**
43 **SPECIAL USE PERMIT FOR FUTURE SCHOOL EXPANSION ON**
44 **APROXIMATELY .7 ACRES OF PROPERTY LOCATED ON THE WEST SIDE**
45 **OF NEW HAMPSHIRE AVENUE AND ADDRESSED AS 615 AND 621 N. NEW**
46 **HAMPSHIRE AVENUE; SUBJECT TO THE RULES, REGULATIONS AND**

1
2 Kelly Randall, Senior Planner with the School Board, stated that the School Board has not
3 approached the other land owner at this time due to budget constraints. She said the seller of the
4 properties covered by the resolution, had approached the School Board.

5
6 Discussion followed on the possible interest of the School Board on the third property at a future
7 point.

8
9 **MOTION**

10
11 **Kirby Smith moved to approve Resolution #2014-14, seconded by Norman Hope. The**
12 **motion carried 4-0.**

13
14 **Tab 6) Resolution #2014-15 – Partial Vacate of Unopened Right-of-Way at 1101 Lakeshore**
15 **Blvd.**

16
17 Mr. Skutt said this is a request to vacate unopened right of way of Lakeshore Blvd. The owner of
18 the property at 1101 Lakeshore Blvd. is selling the property and the new owner wishes to
19 construct a boathouse. The right of way is actually submerged land that runs behind the rear of
20 his home. The vacate does not impose on the lift station located south of the right of way. It will
21 remove the public interest in this submerged land. The Planning & Zoning Board voted to
22 recommend approval unanimously on June 19th and staff recommends approval.

23
24 Councilmember Hope asked if this would have any adverse effect on the City. Mr. Skutt said he
25 did not think there was any impact and the Utility Director is in agreement.

26
27 **MOTION**

28
29 **Bob Speaks moved for approval of Resolution #2014-15, seconded by Kirby Smith. The**
30 **motion carried unanimously 4-0.**

31
32 **X. ADOPTION HEARING FOR COMPREHENSIVE PLAN AMENDMENT**

33
34 **Tab 7) Ordinance #2014-04 – Large Scale Future Land Use Map Amendment – 15.5 Acres –**
35 **West Side of SR 19 at CR 461 – Tavares Village Shops**

36
37 Mr. Skutt stated this is the final reading and adoption hearing for a Large Scale Future Land Use
38 Amendment for the Tavares Villages Shops to be located on the west side of SR 19 at the
39 intersection of CR 561. The transmittal was approved in May. The Department of Economic
40 Opportunity identified no cause to comment on the proposed changes but noted that other state
41 agencies retained the right to make comments which could result in a legal challenge of the
42 amendment. The Florida Department of Transportation did express concern about traffic
43 congestion and made two recommendations. They asked that the city incorporate into the
44 adoption ordinance language which would reference and support that the highest priority of the
45 MPO is the FDOT's future SR 19 widening project and that language has been included in the
46 ordinance. They have also asked that the City amend its Capital Improvement Element to include

1 a reference to the SR 19 widening project. Staff will update the Capital Improvement Element
2 when the budget is adopted in September.

3
4 The Planning and Zoning Board recommended approval unanimously of this ordinance and future
5 land use change and staff recommends approval with the addition of the language recommended
6 by FDOT.

7
8 **MOTION**

9
10 **Kirby Smith moved to approve Ordinance #2014-04 for final reading and adoption with the**
11 **addition of the language recommended by the Florida Department of Transportation.**
12 **seconded by Robert Speaks.**

13
14 Vice Mayor Pfister noted no request to speak had been received from the audience.

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

17
18 **X. GENERAL GOVERNMENT**

19
20 **Tab 8) Intergovernmental Agreement with School Board of Lake County for Facilities Use**

21
22 Ms. Rogers stated the City has worked with the School Board over a number of years to
23 allow the ballfields to be used by the schools through an informal agreement. This formal
24 agreement will reinforce the partnership between the city and the School Board for
25 facilities use. She acknowledged the author of the agreement, Scott Aldrich and School
26 Board Member Debbie Stivender who was present.

27
28 Mr. Drury pointed out that there is a 30 day cancellation clause by either party that takes
29 effect at the end for the two year term. If that is not exercised it renews for two year
30 periods.

31
32 Councilmember Speaks said he had two additions. He said the agreement did not include
33 the School Board office on US 441 and the building on Ingraham. He said he would want
34 to clarify that the use of Wooton Park will only be for its outside use. Mr. Neron noted it
35 would only be if no other events are scheduled. Ms. Stivender agreed and said it would
36 need to be reciprocal for both sides. Mr. Drury said the contract will be amended with
37 Councilmember Speaks' proposed amendments and forwarded to the School Board.

38
39 Ms. Stivender said that Councilmember Hope had also requested an amendment
40 regarding having the city connect to an IP address at the Ingraham Park for security
41 purposes. She said Dr Wheeler will contact the City's IT staff member. Ms Stivender
42 thanked the city staff and Council for their work on the agreement.

43
44 **MOTION**

45
46 **Norman Hope moved to approve the interlocal agreement with the amendments,**
47 **seconded by Robert Speaks. The motion carried unanimously 4-0.**

1
2 **Tab 8A) Generator for Wooton Park**
3

4 Mr. Drury stated the Pavilion on the Lake is nearing completion and appears to be coming
5 in under budget due to some project savings that have occurred. The project should be
6 substantially complete by the end of July and the first wedding is scheduled for August
7 30th. The project savings so far come to \$77,750. Direct purchases by the owner have
8 contributed to the savings in addition to value engineering discussions. Originally the
9 project was designed for the Utility Department Wooton Station to have a small backup
10 generator for temporary power similar to other lift stations and the Pavilion would have a
11 connection plug in station for this portable generator. Mr. Drury said that through value
12 engineering efforts it has been determined that it would be in the best interest of the
13 project to only purchase one generator and that it be permanently installed. The
14 generator is estimated to cost \$176,000 delivered and installed at the site. The proposal
15 to cover the cost is as follows:

16
17 Utility Department share (in lieu of buying a separate portable generator) - \$47,250
18 Project Savings - \$77,000
19 Water Taxi revenues - \$51,000
20

21 Staff is requesting that the Board approve the use of \$51,000 from the water taxi
22 revenues (total was \$75,000) to be put towards the purchase of the generator. Mr. Drury
23 noted the water taxi revenues had been designated for the west end improvements at
24 Wooton Park; however that project continues to receive grants from various sources. He
25 stated if additional project savings occur less of the water taxi dollars will be utilized. Staff
26 will provide a close out report when the project is done.
27

28 Councilmember Hope asked Mr. Neron if this will adversely affect the completion of the
29 Wooton Park project. Mr. Neron said he did not believe that it will affect the project. He
30 said there is a large FDOT grant that he is working on for the future. Councilmember
31 Hope asked Mr. Hayes the source of the utility department share. Staff responded that it
32 will either come out of impact fees or utility reserves.
33

34 Councilmember Smith asked where the generator will be located. Mr. Drury said it will be
35 next to the pump house that is providing the water for the air conditioner. It will be an
36 exterior generator and be landscaped.
37

38 **MOTION**
39

40 **Kirby Smith moved to approve the appropriations of funding to support the**
41 **generator project, seconded by Norman Hope.**
42

43 Vice Mayor Pfister stated that she is not in favor of purchasing the generator but should
44 have been in the original agreement if imperative. She suggested waiting until some
45 events have been held to generate revenues.

1 Vice Mayor Pfister commended Ms. Houghton on her presentation. She asked if there
2 were questions from Council.

3
4 Councilmember Smith asked the following: 1) millage impact to non-homesteaded homes
5 and the impact to the businesses; 2) questioned why the millage rate did not drop in
6 earlier years; 3) noted the budget was drafted based on a 3.14 property assessment
7 however the property assessment came in higher at 5.15 so he had expected a drop in
8 millage. Mr. Drury stated staff does not set a millage rate and create a budget around that
9 figure; staff is asked to build a budget that they believe is necessary to maintain Council's
10 goals. He said he then makes cuts that are not in line with the goals or can be put off for
11 awhile longer. He said if there is an area that Council feels needs to be reduced it will end
12 up in a reduced millage rate.

13
14 Councilmember Smith said he is concerned about one of the four positions and feels
15 there is still room in the budget to make cuts. He asked if \$300,000 cut from the budget
16 would be equal to zero millage increase. Mr. Drury said staff can provide the additional
17 cuts that would be necessary to get to a zero millage rate increase.

18
19 Councilmember Speaks said Council has always tried to keep the millage rate down but
20 also during the time when revenues were down, the City decided to continue doing
21 projects which should pay off in the future. However, he noted the city needed to
22 determine whether it wants to go backwards or continue to go forward.

23
24 **XI. OLD BUSINESS**

25
26 None

27
28 **XII. NEW BUSINESS**

29
30 Councilmember Smith commended staff on the flags on both east and west Main Street.

31
32 **XIII. AUDIENCE TO BE HEARD**

33
34 Vance Joachim, 12619 Milwaukee, Tavares

35
36 Mr. Joachim said in reference to the budget, that the city should compare economic indicators for
37 the general public versus government benefits. He said there is resentment by the general public
38 who are not getting increases but noted he had been a government employee at one time. In
39 addition he commented on corporate practices of setting aside a capital allocation and
40 maintenance costs fund and if these funds are not available, no further allocations are made. He
41 said he does not attend the Tavares meeting frequently as he thinks Tavares is well run.

42
43 **XIV. REPORTS**

44
45 **Tab 14) City Administrator**

46

1 Mr. Drury reminded those present of the upcoming budget workshops. He stated the city looks
2 forward to public participation and if there are any questions to please contact the Finance
3 Director or himself. He said he is proud of the City Council for making strategic decisions over the
4 past five years to grow the city.

5
6 **City Clerk**

7
8 Ms. Barnett stated at the next meeting the annual election proclamation will be presented.
9

10 **Communications Director**

11
12 Ms. Royce said two items were recently completed: the new Tavares sign on the front of City Hall
13 and the digital bulletin board.

14
15 **Community Services Director**

- 16
17
 - Thanked Council for supporting the girl's softball team who were edged out of the next
 - 18 level by one run.
 - Noted the July 4th event is coming up and many events are being planned.
 - 19
 - Thanked Council for supporting the Pavilion project. She said she is taking people on
 - 20 tours on a rapid pace and there are already 23 paid bookings; 16 of the 23 are weddings.
 - 21

22
23 Ms. Rogers also introduced Carrie Patroski, new Pavilion Manager.

24
25 **City Attorney**

26
27 **Tab 15) City Council**

28
29 **Vice Mayor Pfister**

30
31 Vice Mayor Pfister said she wanted to reiterate the important of the public attending the meetings
32 and providing input.

33
34 She said she hoped the anticipation and excitement of the pavilion is rising and asked that her
35 position on the generator purchase not been seen as a criticism of the pavilion, but a reflection of
36 her desire to find the funds elsewhere.

37
38 **Councilmember Hope**

39
40 Councilmember Hope said he would be emceeding the 4th of July parade.

41
42 **Councilmember Speaks**

43
44 Councilmember Speaks commended staff on their budget. He said he understands the challenge
45 of developing a budget, has reviewed the entire budget and will be reviewing again.

46
47 **Councilmember Smith**

1
2 Councilmember Smith thanked Ms. Rogers for the pavilion information. He noted he had received
3 the Splash Park report from Mr. Neron.

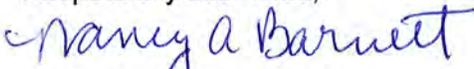
4
5 On Tavares history, he reported that on July 3, 1930, at the regular Council Meeting, there was
6 discussion regarding lawnmower repair of \$8.50. In addition, on July 4th in 1903 at the court
7 house square there was a huge barbeque attended by Governor Jenkins and Miss H.H. Duncan
8 made an American flag that was 12 feet by 16 feet. (He thanked Ms. Burleigh for providing that
9 information.)

10
11 He wished everyone a safe 4th of July.

12
13 **Adjournment**

14
15 There was no further business and the meeting was adjourned at 5:40 p.m.

16
17 Respectfully submitted,

18 

19
20 Nancy A. Barnett, C.M.C.
21 City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 6, 2014**

AGENDA TAB NO. 2

**SUBJECT TITLE: Alfred Street One-Way Pair Project
Update and Efforts to Minimize Impacts on Businesses**

OBJECTIVE:

To update City Council on the construction progress and anticipated completion times of the Alfred Street One-Way Project and the steps taken to minimize impacts on businesses.

SUMMARY:

By way of background, Alfred Street is a County Road and the project is funded with County transportation impact fees. The project is being managed by the County. Through an interlocal agreement, after construction is completed, the road will be transferred to the City of Tavares for maintenance.

The Alfred/Caroline Street improvement project was a by-product of the City's visioning process that began in 2005. The stakeholders of the City of Tavares (Business Community, Citizens, Faith Based, and Governmental) met for two years at City Hall to develop a vision for its future and a Down Town Master Plan. One of the many projects identified in the Master Plan was to request that Lake County improve County Road Old 441 (Alfred Street) and develop a one way pair of east – west streets in the Down Town (Alfred and Caroline Streets). The plan identified the Alfred/Caroline Street project as a key infrastructure component needed to promote and encourage this corridor to continue to develop as the city's Mixed Use District. The plan was presented to City Council who voted to adopt it and implement it.

Between February 2005 and October 2007, the Engineering Consultant, DRMP hosted a total of 12 Public Meetings that included presentations to the County, City and City CRA Advisory Committee on one-way pair alternatives after which one of the alternatives was selected for design and construction.

Between 2007 and 2012, the Alfred Street project was brought to 12 public City Council meetings to establish the County funding agreement, award of the final design to BESH Engineering and to receive direction on design and streetscaping details.

During this phase, city staff mailed letters to commercial property owners, offering an on-site meeting to discuss how the proposed one-way pair design could affect parking, access and driveways. Several owners responded and a series of on-site meetings were held during May of 2011 with those business owners.

The construction contract was issued to Dewitt Excavating and construction began in November 2013. Since the beginning of the construction, weekly co-ordination meetings have been held between the County and City staff, design engineers and construction contractors. At these meetings, matters related to conflicts, resident and business concerns and complaints and traffic detours are closely examined, addressed and

adjustments and changes are made where needed. Project updates and changes in traffic patterns are then updated on the City's web page.

The project includes the complete reconstruction of both Caroline and Alfred Street. To minimize impacts to both residential and commercial properties and to continue to facilitate traffic flow, Caroline Street was closed and constructed first and now Alfred Street has been closed with traffic to be diverted onto Caroline. Once Alfred Street is completed, both streets will be opened and converted to one-way travel.

With the closure of Alfred Street, every effort has been made to insure all north/south crossing streets and alleyways remain opened. This grid provides access to every business on Alfred Street, but not necessarily from Alfred Street. For those businesses that are gaining access from either a north/south street or Alleyway, the City has temporarily relaxed its off-site snipe sign regulations and has allowed businesses to place directional signs in the city right of ways pointing towards their business location. In addition the County has placed "Business Access" signs where appropriate to notify the public.

The city received complaints that additional signage was needed for businesses so the City provided a list of business names on Alfred Street to the County and the County has agreed to develop and install 24"x 16" business directional signs that specifically name each business location. These will be placed in appropriate locations to direct business customers.

The City's outreach program to keep citizens, Chamber and businesses informed includes updating the city website with Alfred Street news, traffic maps and a County Project Manager name point of contact phone and e-mail address. Postings on Facebook and Twitter are made as needed and several articles have been written about the project in the City Newsletters, Daily Commercial and Orlando Sentinel.

At the July 28th County/City coordination meeting, it was confirmed that Alfred Street between St. Clair Abrams and Disston Avenues will be opened by August 26th. The block between Rockingham and New Hampshire will be opened to local traffic by September 19th. The entire project is on target for completion by the end of the year.

Both the City of Tavares and Lake County have been planning and working on this project for ten years. The city is also undertaking a complete upgrade of the downtown storm water, sewer and water utility lines. During these construction projects, the objective though is to complete all the construction as quickly as possible and in one time period avoiding piecemeal and repetitive road excavation and rebuilding. In addition, the goal has been to update the public continuously on the project through all means of media and communications outlets and be responsive to any suggested improvements as can be reasonably accommodated

OPTIONS/RECOMMENDATION:

That City Council receives this update and report concerning the Alfred Street project and efforts made to minimize business impacts.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: August 6, 2014**

AGENDA TAB NO. 3

SUBJECT TITLE: Alfred Street Business Owners Construction Concerns

OBJECTIVE:

To receive input from Lisa Johnson, owner of EZ Nutrition, on the Alfred Street one way pair project.

SUMMARY:

Pursuant to the attached letter (which was meant for City Council) an opportunity is provided to Lisa Johnson to address City Council on her concerns.

OPTIONS:

N/A

STAFF RECOMMENDATION:

That Council receive input from Lisa Johnson as requested.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient.

Nancy Barnett

From: Lisa Johnson [eznutrition101@aol.com]
Sent: Thursday, July 24, 2014 7:50 AM
To: Nancy Barnett
Subject: save small business in Lake county

To: Planning & Zoning Committee Members
From: Lisa Johnson
RE: Save Small Business in Lake County

I would like your permission to speak at the Committee Meeting to be held on August 6, 2014. I have several issues to address regarding the construction in downtown Tavares. I am a small business owner and I would like the opportunity to be heard. Please contact me at 352-516-9855.

Thank you in advance for your consideration.

Respectfully,

Lisa Johnson

E-Z NUTRITION 101
1ST SMOOTHIE ALWAYS FREE
320 EAST ALFRED STREET TAVARES
352-516-9855

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: AUGUST 6, 2014**

AGENDA TAB NUMBER: 4

SUBJECT TITLE: APPROVAL OF AGREEMENT FOR PRIVATELY OPERATED BOAT RENTAL CLUB AT TAVARES SEAPLANE BASE AND MARINA

OBJECTIVE:

To have City Council consider approval of an Agreement for a privately operated Boat Rental Club at the Tavares Seaplane Base and Marina.

SUMMARY:

The City has been approached by the Freedom Boat Club of Tampa Bay to operate a private boat club rental operation at the Tavares Seaplane Base and Marina.

The Boat Club would dock an initial four boats at the Seaplane Base and Marina. The boats would be used by members of the Boat Club who pay an initial initiation fee and a monthly Club membership to use the boats. The Boat Club in addition to paying dock rental fees would purchase all of the needed boat fuel from the Tavares Marina at the going rate for fuel.

OPTIONS:

1. That the City Council approves the attached Agreement with the Boat Club to operate at the Tavares Seaplane Base and Marina.
2. That the City Council not approve the attached Agreement.

RECOMMENDATION

Staff recommends that the City Council approve the attached Agreement with the Boat Club to operate at the Tavares Seaplane Base and Marina.

FISCAL IMPACT:

First year boat space rental fees will amount to \$4,020 plus the sale of fuel related to the Boat Club rental operations.

LEGAL SUFFICIENCY:

The proposed Agreement was drafted by the City Attorney.

AGREEMENT

THIS AGREEMENT made this day of August, 2014, between the City of Tavares, Florida (hereinafter referred to as "the City") and Another Day In Paradise dba: Freedom Boat Club of Tampa Bay, headquartered at 23 Oscar Hill Rd, Tarpon Springs, FL 34689 (hereinafter referred to as "Vendor").

RECITALS

1. The City desires to enter into an agreement with Vendor for the provision of a privately operated boat club providing boat rental services to members of the Freedom Boat Club.

2. Vendor desires to enter into an agreement with the City to lease dock space and boat slips for commercial purposes, and to provide boat rental services to members of the Freedom Boat Club using specified boats moored at the docks of the Tavares Seaplane Base and Marina, and further agrees to be bound by the terms and conditions of this Agreement.

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

1. Vendor's Obligations. The Vendor agrees to establish a boat rental service to members of the Freedom Boat Club at the boat docks at the Tavares Seaplane Base and Marina and shall be responsible to carry out the following:

a. initiate Freedom Boat Club rental operations as of August 1, 2014 initially from four (4) designated boat slips as shown on the attached Exhibit 1.

- b. Provide an insurance policy consistent with the terms herein
- c. purchase all fuel for its boats located at the Seaplane Base and Marina from the pumps at the Seaplane Base and Marina.
- d. Follow an operating schedule which is pre-approved by the City.
- e. Pay the City a monthly lease/usage fee, as set forth herein.

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

- a. Provide four (4) boat slips for Vendor's boats.
- b. Provide boat fuel from its pumps at the going rate as periodically adjusted.

3. Term. The term of this Contract shall be from August 1, 2014 to September 30, 2015 (Hereinafter "Term") and shall automatically renew each year for three (3) years thereafter unless terminated by either party without cause upon thirty (30) day written notice prior to the end of the initial lease period.

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

5. Insurance. Vendor agrees to obtain and maintain in force, at its cost, liability insurance coverage (hereinafter called "Insurance") as specifically described in Exhibit "2" attached hereto. Vendor shall provide the City with the Certificate of Insurance or other proof of said insurance at least ten (10) days prior to beginning operations.

6. Monthly Lease/Usage Payment to City. The Vendor shall pay the City THREE HUNDRED TWENTY-FIVE DOLLARS (\$325.00) per month, beginning August 1, 2014, and on the 1st day of each month thereafter for six months. Beginning February 1, 2015 and on the first of each month thereafter, Vendor shall pay the City THREE HUNDRED FIFTY DOLLARS (\$350.00) per month for the next twelve months. In the event the contract is renewed after eighteen months, the City and the Vendor shall renegotiate the new monthly amount to be paid by the Vendor to the City.

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

8. Licenses, Permits, Certificates, Etc. Vendor shall be responsible for obtaining any and all necessary licenses, health certificates, permits, or other documents required for its operation. Vendor shall also be responsible for any and all sales or income tax liability that it may incur by reason of its operation.

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

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

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

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

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

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

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

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

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

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

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials this Contract which shall be deemed an original on the date last signed as below written.

Dated this _____ day of _____, 2014, in Tavares, Lake County, Florida.

CITY OF TAVARES, FLORIDA

John A. Drury, City Administrator

ATTEST:

Nancy Barnett, City Clerk

Approved as to Form:

Robert Q. Williams, City Attorney

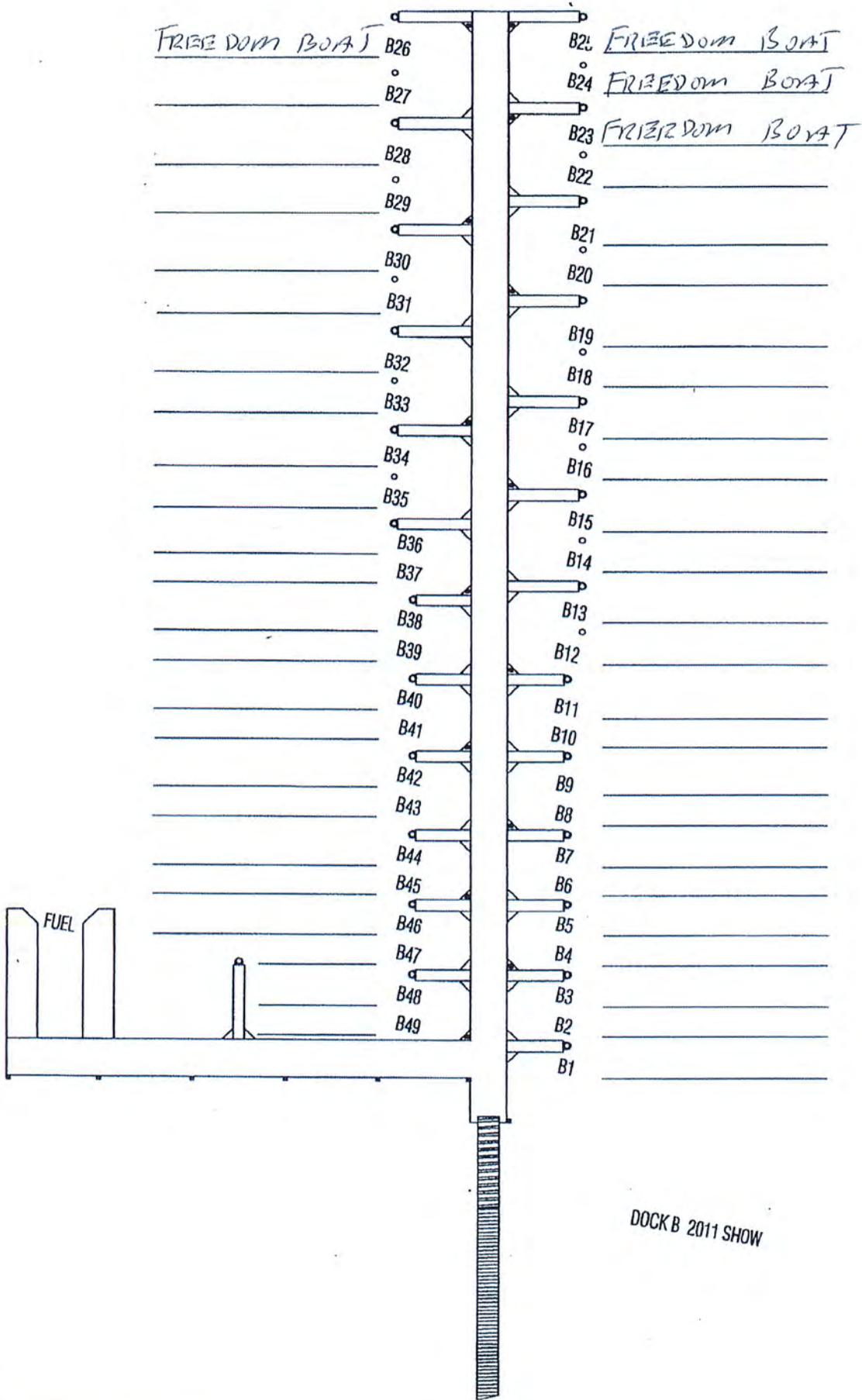
VENDOR

FREEDOM BOAT CLUB OF TAMPA BAY

By: _____

GLENN BERGOFFEN

Its: President



FREEDOM BOAT

- B26
- B27
- B28
- B29
- B30
- B31
- B32
- B33
- B34
- B35
- B36
- B37
- B38
- B39
- B40
- B41
- B42
- B43
- B44
- B45
- B46
- B47
- B48
- B49

FREEDOM BOAT

FREEDOM BOAT

FREEDOM BOAT

- B22
- B21
- B20
- B19
- B18
- B17
- B16
- B15
- B14
- B13
- B12
- B11
- B10
- B9
- B8
- B7
- B6
- B5
- B4
- B3
- B2
- B1

FUEL



DOCK B 2011 SHOW

EXHIBIT 2
INSURANCE REQUIREMENTS
FREEDOM BOAT CLUB
DOCK SPACE AGREEMENT

- i. \$1M commercial general liability, each occurrence
- ii. \$1M damage to rented premises
- iii. \$1M personal and advertising injury
- iv. \$1M general aggregate
- v. \$2M products – comp/op aggregate
- vi. Workers' Compensation - Florida statutory limits, or valid exemption certificate
- vii. The City of Tavares is added as additional insured and certificateholder, with endorsement and waiver of subrogation
- viii. Certificate of insurance must be provided on a standard Acord form, with accompanying endorsement and waiver attached (refer to Item vii)

**AGENDA SUMMARY
TAVARES CITY COUNCIL
August 6, 2014**

AGENDA TAB NO. 5

**SUBJECT TITLE: Edward Byrne Memorial Justice Assistance Grant (JAG)
Countywide Funding 2014 – Purchase of Rifle Optics**

OBJECTIVE:

To consider the request to apply for and accept funding from the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Countywide Funding for the purchase of rifle optics for the officers' rifles.

SUMMARY:

The U.S. Department of Justice will be dispersing 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Countywide funds for FY 2014/2015 through a reimbursable grant. The countywide allotment is \$105,713. At the Substance Abuse Advisory Board Meeting on July 16th, it was determined that the City of Tavares Police Department portion of this funding will be \$5,743.

This funding will be used to purchase fifteen (15) rifle optics for the officer's rifles at \$387.20 each totaling \$5,808.00 with a difference of \$65.00 that will be covered by existing line items.

These optics are red dot sights that will vastly improve an officers ability to accurately and quickly aim a rifle.

OPTIONS:

- 1) Apply for and accept the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Countywide funds for FY 2014/2015.
- 2) Do not apply for the grant

STAFF RECOMMENDATION:

Move to apply for and accept the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Countywide funds for FY 2014/2015 in the amount of \$5,743.00.

FISCAL IMPACT:

100% reimbursable grant with no match requirement and \$65.00 from the department operating budget

LEGAL SUFFICIENCY:

This has met legal sufficiency.

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: August 6, 2014**

AGENDA ITEM NO. 6

SUBJECT TITLE: Approval to execute Amendment No. 2 for the State Revolving Fund Loan WW789060 for Reclaimed Water Facility Construction Phase 2 and 3, DECREASING and finalizing the amount of the Loan.

OBJECTIVE:

To seek approval to authorize the Mayor to execute Amendment Number 2 for the State Revolving Fund (SRF) Reclaim Preconstruction Loan No. WW789060 with Florida Department of Environmental Protection (FDEP) which decreases the amount of the loan.

SUMMARY:

On January 21, 2009, the City Council approved Resolution 2009-01 which provided authorization for application to FDEP for a Preconstruction Loan for the City of Tavares Water Reclamation Project.

On March 4, 2009, the City Council authorized an SRF Pre-construction Loan with FDEP pre-construction activities in the amount of \$1,027,466. The pre-construction loan provided funding for design and planning activities for the reclaim project.

On March 17, 2009, the Mayor and the FDEP executed Preconstruction Loan Documents.

On September 19, 2012, the City Council approved Amendment No. 1 to the Loan which provided an extension for completion of preconstruction activities.

The attached amendment:

- Adjusts the project costs and reduces the semiannual loan payment. The adjustments are final unless further revisions become necessary as a result of an audit.

The revised principal loan amount is revised from \$1,071,466 to \$750,026 (disbursed amount), and the total amount for capitalized interest is adjusted from \$47,800 to 100,825.14. The semi-annual loan payment is revised from \$37,852 to \$27,728.13, beginning October 15, 2014 and thereafter on October 15 and April 15 until all amounts due have been fully paid. In addition the Loan Service Fee is reduced by \$6,428, and the adjusted total service fee for this Loan is \$15,001 (2% of the Loan amount excluding Capitalized interest).

OPTIONS:

1. **Move to Authorize** the Mayor or Vice Mayor to execute Amendment Number 2 with the Florida Department of Environmental Protection State Revolving Loan Fund (WW789060) for Preconstruction Activities for the Water Reclamation Project which decreases the

principal amount of the loan to \$750,026, and the amendment represents the final amendment to the Loan.

2. **Do Not Move to Authorize** the Mayor or Vice Mayor to execute Amendment Number 2 with the Florida Department of Environmental Protection State Revolving Loan Fund (WW789060) for Preconstruction Activities for the Water Reclamation Project.

STAFF RECOMMENDATION:

Option Number 1:

1. **Move to Authorize** the Mayor or Vice Mayor to execute Amendment Number 2 with the Florida Department of Environmental Protection State Revolving Loan Fund (WW789060) for Preconstruction Activities for the Water Reclamation Project which decreases the principal amount of the loan to \$750,026, and the amendment represents the final amendment to the Loan.

FISCAL IMPACT:

Decreases the semi-annual loan payment by \$9,123.87

LEGAL SUFFICIENCY:

The City Attorney and Bond Counsel have reviewed the loan documents for legal sufficiency.



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**
BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

July 28, 2014

Ms. Lori Houghton
Finance Director
City of Tavares
East 201 Main Street
Tavares, Florida 32778

Re: WW789060 - Tavares
Reuse Distribution

Dear Ms. Houghton:

Attached is a copy of proposed Amendment 2 to the City of Tavares' State Revolving Fund loan agreement. The amendment adjusts the project costs and reduces the semiannual loan payment. The adjustments are final unless further revisions become necessary as a result of an audit. An amortization schedule is also attached.

Please have the appropriate officials sign and seal three copies and return them to us within three weeks at 2600 Blair Stone Road, Mail Station 3505, Tallahassee, Florida, 32399-2400. We will arrange for the documents to be signed and mail a fully executed original to you. If you have any questions, please call Teresa Cruce at (850) 245-8377.

Sincerely,

Angela Knecht, Program Administrator
State Revolving Fund Management

AK/tc

Attachments

**AMENDMENT 2 TO LOAN AGREEMENT WW789060
CITY OF TAVARES**

This amendment is executed by the FLORIDA WATER POLLUTION CONTROL FINANCING CORPORATION (the "Corporation") and the CITY OF TAVARES, FLORIDA, (the "Local Borrower") existing as a local governmental agency under the laws of the State of Florida.

WITNESSETH:

WHEREAS, the Corporation and the Local Borrower entered into a Clean Water State Revolving Fund Loan Agreement, Number WW789060, as amended, authorizing a Loan amount of \$1,071,466, excluding Capitalized Interest; and

WHEREAS, the Loan Amount, Loan Service Fee, and Project costs need adjustment to reflect actual costs; and

WHEREAS, the Semiannual Loan Payment amount needs revision to reflect adjustment of project costs; and

WHEREAS, revised provisions for audit and monitoring are needed.

NOW, THEREFORE, the parties hereto agree as follows:

1. The Loan amount is hereby reduced by \$321,440, and the adjusted total disbursed amount for this loan is \$750,026.

2. The Loan Service Fee is reduced by \$6,428, and the adjusted total service fee for this Loan is \$15,001. This fee represented two percent of the Loan amount excluding Capitalized Interest; that is, two percent of \$750,026. The Loan Service Fee of \$15,001 was assessed on July 24, 2014 and will be paid in the October 15, 2014 payment.

Interest shall accrue on the Loan Service Fee at the Financing Rate, or rates, set for the Loan until the fee is paid.

3. The total amount to repay is \$865,852.14, consisting of unpaid principal of the Loan of \$750,026.00 and an unpaid service fee charge of \$15,001.00 both at a Financing Rate of 2.92 percent per annum (the interest rate is 1.46 percent per annum, and the Grant Allocation Assessment rate is 1.46 percent per annum).

4. The Semiannual Loan Payment amount is hereby revised and shall be in the amount of \$28,728.13. Such payments shall be received by the Department on October 15, 2014 and semiannually thereafter on April 15 and October 15 of each year until all amounts due hereunder have been fully paid.

5. Subsection 2.04(1) is hereby deleted and replaced as follows:

The Local Borrower agrees to the following audit and monitoring requirements.

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

Federal Resources, Including State Match, Awarded to the Recipient Pursuant to this Agreement Consist of the Following:					
Federal Program Number	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category
CS120001-090	EPA	66.458	Capitalization Grants for State Revolving Funds	\$750,026	140131

6. Project Costs are revised as follows:

The Local Borrower, the Corporation, and the Department acknowledge that changes in Project costs may occur as a result of the Local Borrower's Project audit or a Department audit pursuant to Chapter 62-503 of the Florida Administrative Code. Unless this Agreement is amended subsequent to an audit, the following Project disbursements shall be final.

CATEGORY	PROJECT COST(\$)
Allowance Cost	750,026.00
Capitalized Interest	100,825.14
TOTAL (Loan Principal Amount)	850,851.14

7. All other terms and provisions of the Loan Agreement shall remain in effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

**AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 6, 2014**

AGENDA TAB NO. 7

FIRST READING

**SUBJECT TITLE: Ordinance 2014-08
Amendment of Conceptual Plan- Lakeview Center/Bakers Grove**

OBJECTIVE:

To consider the amendment of PD Ordinance 2006-09 by changing the westerly end of the conceptual plan on Nightingale from residential to commercial development.

SUMMARY:

The conceptual site plan for Lakeview Center/Bakers Grove, Ordinance 2006-09, depicts the southerly tract along Lake Francis as Residential Development. Osprey Lodge has been constructed and is operating on this property. At the extreme west end of this property is an unfinished building that was intended to be used as a clubhouse for a previous but undeveloped project. The owners of this property desire to sell the clubhouse building and land to a purchaser who wishes to complete the building for use as a medical office. To be used for commercial purposes, it is required that the conceptual site plan of the governing PD ordinance and the Future Land Use Map designation of this property be changed to Commercial. Further, to provide sufficient parking, a partial vacate of the cul-de-sac located on the southwest leg of Nightingale Lane is being requested.

The Lakeview Center/Bakers Grove Planned Development is considered the city's Medical Village. This proposed amendment to the PD Ordinance, the accompanying small scale future land use amendment and the proposed road vacate will facilitate a medical office use which is most appropriated for this location. If the rezoning is approved, a site plan demonstrating compliance with all applicable regulations must be submitted and approved.

OPTIONS:

No Council action required at First Reading.

PLANNING & ZONING BOARD RECOMMENDATION:

At its July 17th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2014-08.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2014-08.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

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

1 site plan for this office is attached to this report. Staff has determined that this partial vacate
2 will not impact the safe movement of traffic on Nightingale Lane.

3
4 There was discussion regarding the vacation of the City's interest to the property. Attorney Williams
5 explained the body of law that addresses right-of-way dedication. In response to a question, he
6 confirmed that the City can only withdraw its public interest in the land and does not have ownership.

7
8 Mr. Wicks, representing the applicant addressed the property owners future development intent.

9
10 Mr. Santoro questioned the development of the original cul-de-sac. Mr. Wicks explained that the
11 original design was based on antiquated subdivision regulations.

12
13 Attorney Williams provided additional history of the development of the cul-de-sac to address a
14 boardmember's question.

15
16 **MOTION**

17
18 **Howard Haynes moved to recommend approval of Resolution 2014-16. The motion was**
19 **seconded by Bob Stomp. The motioned carried 5-0.**

20
21 2) Lakeview Crest, LLC – Rezoning – (Ordinance 2014-08)

22
23 Jacques Skutt, Community Development Director provided the following staff report;

24
25 The conceptual site plan for Lakeview Center/Bakers Grove, Ordinance 2006-09, depicts the
26 southerly tract along Lake Francis as Residential Development. Osprey Lodge has been
27 constructed and is operating on this property. At the extreme west end of this property is an
28 unfinished building that was intended to be used as a clubhouse for a previous but
29 undeveloped project. The owners of this property desire to sell the clubhouse building and land
30 to a purchaser who wishes to complete the building for use as a medical office. To be used for
31 commercial purposes, it is required that the conceptual site plan of the governing PD
32 ordinance and the Future Land Use Map designation of this property be changed to
33 Commercial. Further, to provide sufficient parking, a partial vacate of the cul-de-sac located on
34 the southwest leg of Nightingale Lane is being requested.

35
36 The Lakeview Center/Bakers Grove Planned Development is considered the city's Medical
37 Village. This proposed amendment to the PD Ordinance, the accompanying small scale future
38 land use amendment and the proposed road vacate will facilitate a medical office use which is
39 most appropriated for this location. If the rezoning is approved, a site plan demonstrating
40 compliance with all applicable regulations must be submitted and approved.

41
42 **MOTION**

43 **Howard Haynes moved to recommend approval of Ordinance 2014-08. The motion was**
44 **seconded by Steve Puschel. The motion carried 5-0.**

45
46 3) Lakeview Crest LLC – SSFLUM – (Ordinance 2014-09)

47
48 Jacques Skutt, Community Development Director provided the following staff report;

49
50 Ordinance 2014-09 proposes a small scale amendment to the Future Land Use Map 2020 of the
51 Comprehensive Plan.

RETIREMENT

Finances on right course will do fine on autopilot

BY ANNE KATY SMITH
Kiplinger's Personal Finance

"Everyone should look at the default [contribution] rate and think about whether they should do more."

UCLA professor Shlomo Benartzi

Turns out that Americans — humans, really — are pretty good at doing nothing. So behavioral experts have pushed 401(k) plan sponsors to use inertia to our benefit. Make saving effortless, the argument goes, and more people will save. Guess what? It's working. Vanguard, the giant investment firm, manages more than \$370 billion in 401(k) and equivalent employer-sponsored retirement plans. An analysis of the plans in 2013 found that when enrollment was automatic, 82 percent of workers participated. When employees had to sign up for the plans on their own, only 65 percent participated.

The problem with automatic enrollment is that workers may start out at dangerously low savings rates. Fidelity reports that 73 percent of employers that automatically sweep employees into a savings plan enroll them at a default rate of 3 percent of salary or less. Even accounting for employer contributions, those workers could be well short of what they should be saving.

Many companies will raise your annual contribution rate for you — again, no need to lift a finger (although you might have to sign up at the beginning). Such plans typically escalate your savings rate by 1 percent of your salary per year, up to a cap of, say, 6 percent. About 20 percent of plan participants at Fidelity increased their savings rate in the past 12 months, and more than one-third of the increases were automatic. Half of the increases young workers made were due to automatic-escalation programs.

Still, for many savers such nudges

might not be enough, says UCLA professor and behavioral finance guru Shlomo Benartzi. It's generally recommended that savers put away 10 percent to 15 percent of their income, including any employer match. "Everyone should look at the default rate and think about whether they should do more," says Benartzi. "At the same time, employers should be more proactive about suggesting that people go beyond the default."

He sees default rates increasing at corporate plans, for both initial savings and annual increases.

"The trend is in the right direction," he says.

Automating can pay off in areas besides retirement. You can shave 0.25 percentage point off the interest rate on your federal student loans by having your payments electronically debited. And almost all major car insurers will give you a discount for paperless billing or automatic payments. For instance, Allstate's Easy Pay Plan will discount your premium by 2 percent to 7 percent (depending on your state) if you pay via automatic withdrawals from your bank account.

So go ahead, relax. As long as you set the right course, parts of your financial life will do fine on autopilot.

Client Name: / PO# Mike Fitzgerald
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E005/LAK
Description: Ord 2014-08 and 09

Ad Number: 2510330-1
Insertion Number: 3 x 10.5
Size: B&W
Color Type:

Orlando Sentinel
Publication Date: 07/07/2014

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



Like your news in 140 characters or less?
@OrlandoSentinel
Where Orlando tweets the news
OrlandoSentinel.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 Ordinance 2014-08 & Ordinance 2014-09 billed as follows:

ORDINANCE 2014-08

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING ORDINANCE 2008-09, LAKEVIEW CENTER/BAKERS GROVES PLANNED DEVELOPMENT, BY AMENDING THE CONCEPTUAL SITE PLAN BY CHANGING THE WESTERLY END OF THE RESIDENTIAL SECTION TO COMMERCIAL DEVELOPMENT; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2014-09

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 1 ACRE OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST BEND OF NIGHTINGALE LANE, FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2014-08 & Ordinance 2014-09 will be considered at the following public meetings:
1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m., and
2. Tavares City Council meeting on August 6, 2014, at 4 p.m. (Introduction and First Reading by Title Only), and
3. Tavares City Council meeting on August 20, 2014, at 4 p.m. (Second Reading)

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

Proposed Ordinance 2014-08 & Ordinance 2014-09 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.



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 2014-10 & Ordinance 2014-11 billed as follows:

ORDINANCE 2014-10

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 1.73 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF U.S. 441 AND CLASSIQUE LANE FROM C-2 (HIGHWAY COMMERCIAL) TO RWF-3 (RESIDENTIAL MULTI-FAMILY); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2014-11

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 1.73 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF U.S. 441 AND CLASSIQUE LANE, FROM COMMERCIAL TO HIGH DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2014-10 & Ordinance 2014-11 will be considered at the following public meetings:
1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m., and
2. Tavares City Council meeting on August 6, 2014, at 4 p.m. (Introduction and First Reading by Title Only), and
3. Tavares City Council meeting on August 20, 2014, at 4 p.m. (Second Reading)

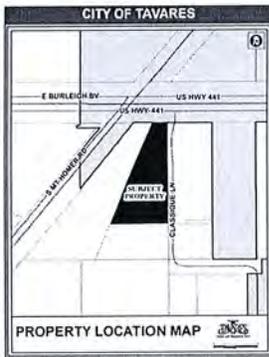
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2014-10 & Ordinance 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, 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.



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 2014-16 billed as follows:

RESOLUTION 2014-16

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE A PORTION OF THE SOUTH WESTERLY CUL-DE-SAC OF NIGHTINGALE LANE, A PUBLIC RIGHT-OF-WAY, SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

Proposed Resolution 2014-16 will be considered at the following public meetings:
1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m., and
2. Tavares City Council meeting on August 20, 2014, at 4 p.m.

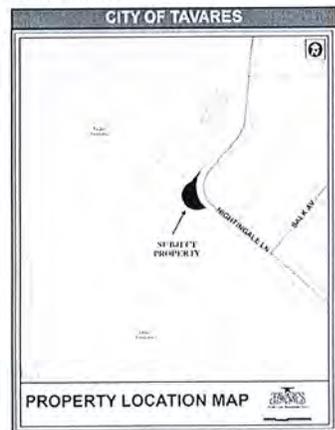
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Resolution 2014-16 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.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

ORDINANCE 2014-08

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING ORDINANCE 2006-09, LAKEVIEW CENTER/BAKERS GROVES PLANNED DEVELOPMENT, BY AMENDING THE CONCEPTUAL SITE PLAN BY CHANGING THE WESTERLY END OF THE RESIDENTIAL SECTION TO COMMERCIAL DEVELOPMENT; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the subject property described in Exhibit "A" attached hereto, is requesting to change the use depicted on the conceptual site plan for Lakeview Center/Bakers Grove from Residential to Commercial Development; and

WHEREAS, situated on the subject property, there exists an unfinished building that was intended to be used as a clubhouse serving a residential community that was never developed; and

WHEREAS, the owner of the subject property now desires to finish and utilize this building and property as a medical office; and

WHEREAS, the subject property is located in an area of the city designated as our Medical Village; and

WHEREAS, a commercial designation and medical use is considered to be appropriate for this property; and

WHEREAS, the City of Tavares held duly noticed public hearings before the Planning and Zoning Board and the City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding this proposed amended zoning; and

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

WHEREAS, the City is concurrently processing an amendment to the City's Comprehensive Plan to re-designate the subject property from Medium Density Residential to Commercial on the Future Land Use Map 2020; and

1 **WHEREAS**, the City Council finds this amendment in compliance with the City of
2 Tavares Land Development Regulations and the proposed amended Comprehensive Plan; now
3 therefore

4
5 **BE IT ORDAINED** by the City Council of the City of Tavares, Florida, as follows:
6

7 **Section 1. Rezoning**

8 That the Conceptual Site Plan, Exhibit "A" of Ordinance 2006-09 be amended as shown
9 in Exhibit "B" of this ordinance, by changing the lands described in Exhibit "A" of this ordinance
10 from Residential Development to Commercial Development, under the specific provisions as
11 established by the City of Tavares Land Development Regulations.
12

13 **Section 2. Severability.**

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

17 **Section 3. Effective Date.**

18 This ordinance shall take effect immediately upon its final adoption by the Tavares City
19 Council.
20

21 **PASSED AND ORDAINED** this _____ of _____, 2014, by the City Council of the
22 City of Tavares, Florida.

23
24 _____
25 Robert Wolfe, Mayor
26 Tavares City Council

27 First Reading: _____

28
29 Passed Second Reading: _____

30
31 ATTEST:

32
33 _____
34 Nancy Barnett, City Clerk

35
36
37 APPROVED AS TO FORM AND LEGALITY:

38 _____
39 Robert Q. Williams, City Attorney

A SKETCH OF DESCRIPTION

SHEET 1 OF 2

*** NOT A BOUNDARY SURVEY ***

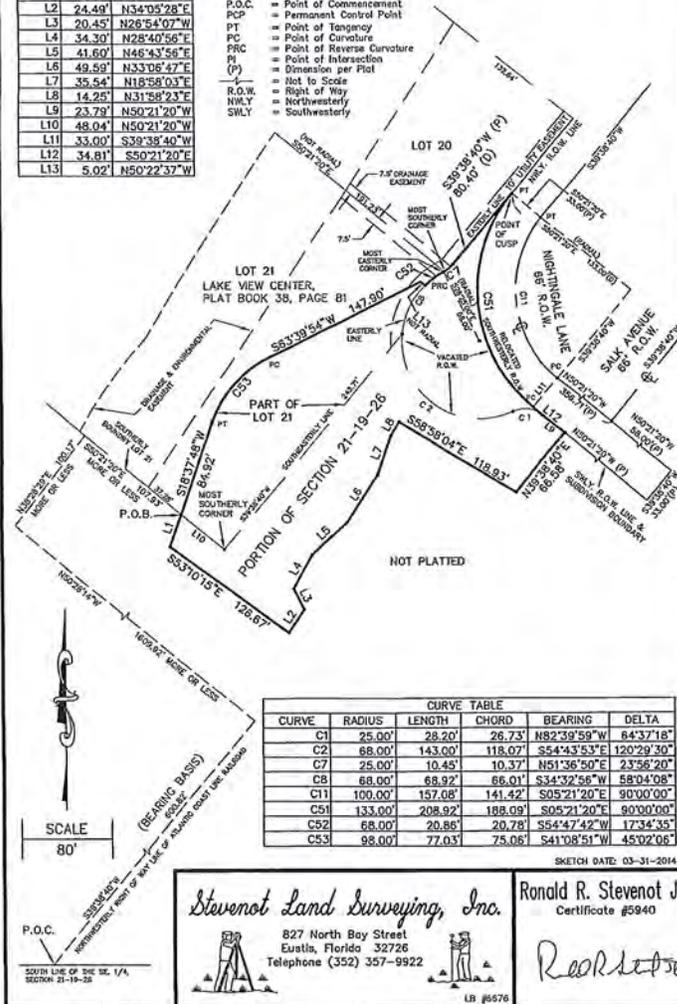
NOT VALID WITHOUT SHEET 2 OF 2

Legend & Standard

Abbreviations

- C = Centerline
- R.O.W. = Right of Way
- LB = Licensed Business
- P.O.B. = Point of Beginning
- P.O.C. = Point of Commencement
- PCP = Permanent Control Point
- PT = Point of Tangency
- PC = Point of Curvature
- PRC = Point of Reverse Curvature
- Pi = Point of Intersection
- (P) = Dimension per Plot
- = Not to Scale
- R.O.W. = Right of Way
- N.W.L.Y. = Northwesternly
- S.W.L.Y. = Southwesterly

LINE	LENGTH	BEARING
L1	29.69'	S18°37'49"W
L2	24.49'	N34°05'28"E
L3	20.45'	N26°54'07"W
L4	34.30'	N28°40'56"E
L5	41.60'	N46°43'56"E
L6	49.59'	N33°08'47"E
L7	35.54'	N18°59'03"E
L8	14.25'	N31°58'23"E
L9	23.79'	N50°21'20"W
L10	48.04'	N50°21'20"W
L11	33.00'	S39°39'40"W
L12	34.81'	S50°21'20"E
L13	5.02'	N50°22'37"W



Stevenot Land Surveying, Inc.
 827 North Bay Street
 Eustis, Florida 32726
 Telephone (352) 357-9922

Ronald R. Stevenot Jr.
 Certificate #5940

Reaklet

SKETCH DATE: 03-31-2014

A SKETCH OF DESCRIPTION

*** NOT A BOUNDARY SURVEY ***

Description

A portion of Section 21, Township 19 South, Range 26 East, Lake County, Florida, a portion of Lot 21, of the Record Plat of Lake View Center, Phase 1, as recorded in Plat Book 38, Page 81, Public Records, Lake County, Florida and a portion of the right of way (vacated) of Nightingale Lane, according to said plat, being more particularly described as follows:

Commence at the intersection of the South line of the Southeast 1/4 of said Section 21 with the Northwesterly right of way line of the Atlantic Coast Line Railroad, said Railroad right of way being 100 feet in width; thence run N39°38'40"E, along said right of way line a distance of 600.82 feet; thence departing said right of way line run N50°28'14"W, 1609.92 feet, more or less, to the waters edge of Lake Junietta; thence along said waters edge run N38°28'29"E, 100.17 feet, more or less, to a point on the Southerly boundary of said Lot 21; thence S50°21'20"E along said Southerly line 107.93 feet, more or less, to a point that is N50°21'20"W, 48.04 feet from the most Southerly corner of said Lot 21, said point being the Point of Beginning of this description; thence S18°37'48"W, 29.69 feet; thence S53°10'15"E, 126.67 feet; thence N34°05'28"E, 24.49 feet; thence N26°54'07"W, 20.45 feet; thence N28°40'56"E, 34.30 feet; thence N46°43'56"E, 41.60 feet; thence N33°06'47"E, 49.59 feet; thence N18°58'03"E, 35.54 feet; thence N31°58'23"E, 14.25 feet; thence S58°58'04"E, 118.93 feet; thence N39°38'40"E, 66.58 feet to a point on the Southwesterly right of way line of said Nightingale Lane; thence N50°21'20"W along said Southwesterly right of way line and extension thereof, 34.81 feet to the point of curvature of a curve concave Northeast from which a radial line bears N39°38'40"E, said curve having a radius of 133.00 feet; thence Northwesterly and Northeasterly along the arc of said curve and the relocated Southwesterly right of way line of said Nightingale Lane, 208.92 feet, through a central angle of 90°00'00", to the point of cusp, said point being on the Northwesterly right of way line of said Nightingale Lane and the Easterly line of Lot 20 of said Lake View Center Phase 1: thence S39°38'40"W along said Easterly line of said Lot 20, 80.40 feet to the point of curvature of a curve concave Northwesterly, having a radius of 25.00 feet; thence Southwesterly along the arc of said curve and the Easterly line of said Lot 20, 10.45 feet to the most Southerly corner of said Lot 20, the most Easterly corner of Lot 21 of said Lake View Center, Phase 1, and the point of reverse curvature of a curve concave Southeasterly, from which a radial line bears S25°25'00"E, said curve having a radius of 68.00 feet; thence Southeasterly along the arc of said curve and the Easterly line of said Lot 21, 20.86 feet, through a central angle of 17°34'35"; thence departing said curve run thence N50°22'37"W (not radial) 5.02 feet; thence S63°39'54"W, 147.90 feet to the point of curvature of a curve concave Southeasterly, having a radius of 98.00 feet; thence Southwesterly along the arc of said curve 77.03 feet, through a central angle of 45°02'06" to the point of tangency thereof; thence S18°37'48"W 84.92 feet to the Point of Beginning.

SHEET 2 OF 2

NOT VALID WITHOUT
SHEET 1 OF 2

SKETCH DATE: 03-31-2014

Stevenot Land Surveying, Inc.



827 North Bay Street
Eustis, Florida 32726
Telephone (352) 357-9922



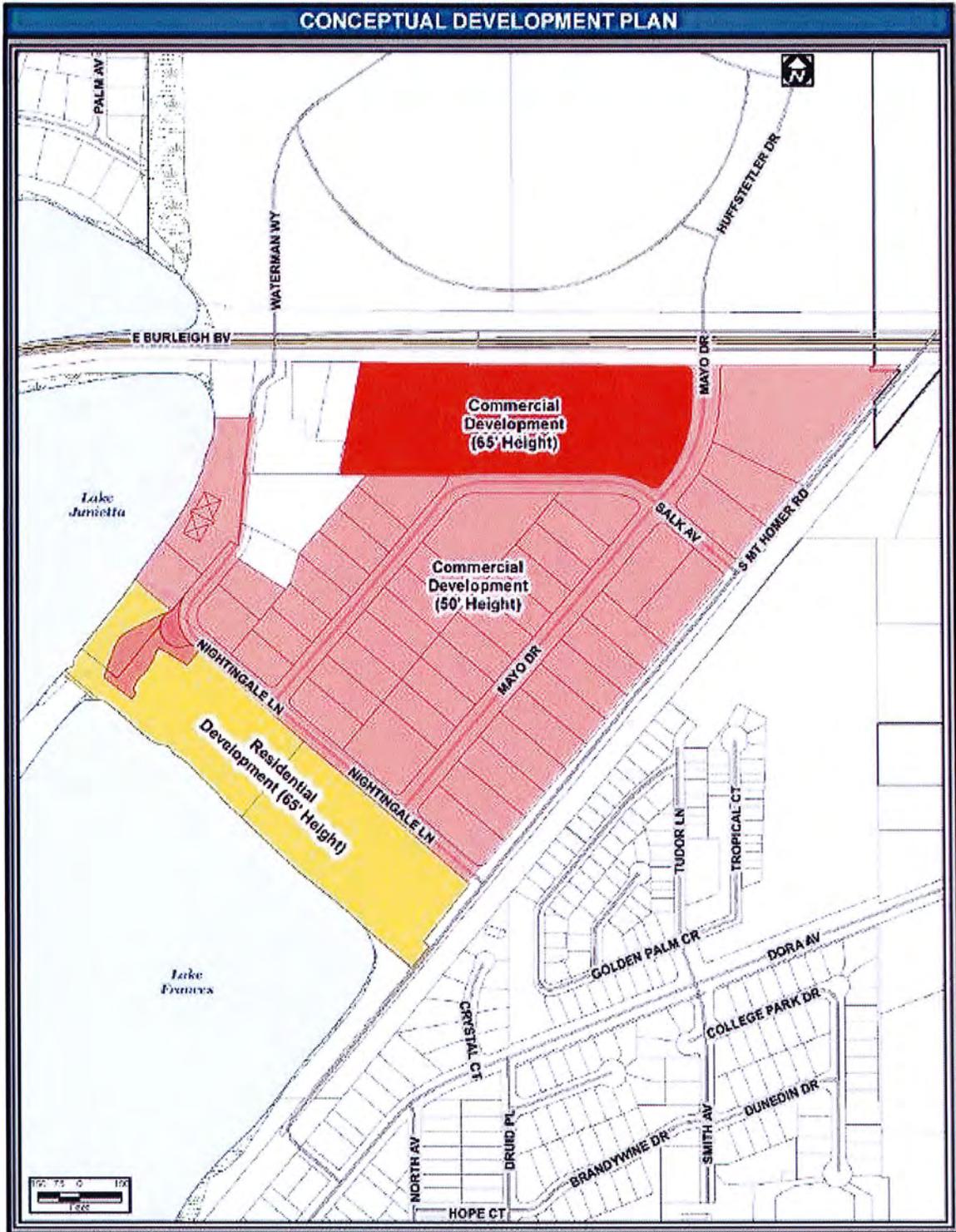
LB #6676

Ronald R. Stevenot, Jr.
Certificate #5940

Ronald R. Stevenot, Jr.

1
2
3
4

Exhibit "B" Amended Conceptual Plan



5

DRAWN BY: CITY OF LAKEVIEW

T:\CITY\DATA\PROJECT FILES\Lakeview\Cent. Revise_SSP\UM - P22014-14019215_Maps\Lakeview_2014_Guv_Site_Plan_P1.mxd

MAP CREATED ON: 02/14

**AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 6, 2014**

AGENDA TAB NO. 8

FIRST READING

**SUBJECT TITLE: Ordinance 2014-09
Small Scale FLUM Amendment- Lakeview Center/Bakers Grove
Clubhouse property on Nightingale Lane**

OBJECTIVE:

To consider a Future Land Use Map amendment for approximately 1 acre of property located on the southwest bend of Nightingale Lane from Medium Density Residential to Commercial.

SUMMARY:

Ordinance 2014-09 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (the west segment of Parcel Alternate Key Number 3858154) is approximately 1 acre in size, located on the southwest bend of Nightingale Lane. An application to change the conceptual site plan attached to the governing PD Ordinance 2006-09 from Residential to Commercial is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from Medium Density Residential to Commercial.

Future Land Use Amendment/Compatibility

The Lakeview Center/Bakers Grove Planned Development is considered the city's Medical Village.. Established uses within this development are all Commercial/Medical in nature. Osprey Lodge, a large assisted living facility, is adjacent to this property. A Commercial designation is most compatible with surrounding property and with the city's future vision for this area of the city.

Site Conditions

The owner desires to convert an unfinished clubhouse building from a previous but undeveloped residential project to a medical office. A site plan demonstrating compliance with all city regulations including applicable state and federal environmental laws must be approved prior to the issuance of permits allowing site modifications.

Impact on City Services

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

FINDINGS

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

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

OPTIONS:

No Council action required at First Reading.

PLANNING & ZONING BOARD RECOMMENDATION:

At its July 17th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2014-09.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2014-09.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

1 site plan for this office is attached to this report. Staff has determined that this partial vacate
2 will not impact the safe movement of traffic on Nightingale Lane.

3
4 There was discussion regarding the vacation of the City's interest to the property. Attorney Williams
5 explained the body of law that addresses right-of-way dedication. In response to a question, he
6 confirmed that the City can only withdraw its public interest in the land and does not have ownership.

7
8 Mr. Wicks, representing the applicant addressed the property owners future development intent.

9
10 Mr. Santoro questioned the development of the original cul-de-sac. Mr. Wicks explained that the
11 original design was based on antiquated subdivision regulations.

12
13 Attorney Williams provided additional history of the development of the cul-de-sac to address a
14 boardmember's question.

15
16 **MOTION**

17
18 **Howard Haynes moved to recommend approval of Resolution 2014-16. The motion was**
19 **seconded by Bob Stomp. The motioned carried 5-0.**

20
21 2) Lakeview Crest, LLC – Rezoning – (Ordinance 2014-08)

22
23 Jacques Skutt, Community Development Director provided the following staff report;

24
25 The conceptual site plan for Lakeview Center/Bakers Grove, Ordinance 2006-09, depicts the
26 southerly tract along Lake Francis as Residential Development. Osprey Lodge has been
27 constructed and is operating on this property. At the extreme west end of this property is an
28 unfinished building that was intended to be used as a clubhouse for a previous but
29 undeveloped project. The owners of this property desire to sell the clubhouse building and land
30 to a purchaser who wishes to complete the building for use as a medical office. To be used for
31 commercial purposes, it is required that the conceptual site plan of the governing PD
32 ordinance and the Future Land Use Map designation of this property be changed to
33 Commercial. Further, to provide sufficient parking, a partial vacate of the cul-de-sac located on
34 the southwest leg of Nightingale Lane is being requested.

35
36 The Lakeview Center/Bakers Grove Planned Development is considered the city's Medical
37 Village. This proposed amendment to the PD Ordinance, the accompanying small scale future
38 land use amendment and the proposed road vacate will facilitate a medical office use which is
39 most appropriated for this location. If the rezoning is approved, a site plan demonstrating
40 compliance with all applicable regulations must be submitted and approved.

41
42 **MOTION**

43 **Howard Haynes moved to recommend approval of Ordinance 2014-08. The motion was**
44 **seconded by Steve Puschel. The motion carried 5-0.**

45
46 3) Lakeview Crest LLC – SSFLUM – (Ordinance 2014-09)

47
48 Jacques Skutt, Community Development Director provided the following staff report;

49
50 Ordinance 2014-09 proposes a small scale amendment to the Future Land Use Map 2020 of the
51 Comprehensive Plan.

1
2 The subject property (the west segment of Parcel Alternate Key Number 3858154) is
3 approximately 1 acre in size, located on the southwest bend of Nightingale Lane. An
4 application to change the conceptual site plan attached to the governing PD Ordinance 2006-
5 09 from Residential to Commercial is concurrently under consideration. This ordinance would
6 amend the current Future Land Use Designation from Medium Density Residential to
7 Commercial.

8
9 Future Land Use Amendment/Compatibility

10 The Lakeview Center/Bakers Grove Planned Development is considered the city's Medical Village.
11 Established uses within this development are all Commercial/Medical in nature. Osprey Lodge, a large
12 assisted living facility, is adjacent to this property. A Commercial designation is most compatible with
13 surrounding property and with the city's future vision for this area of the city.

14
15 Site Conditions

16 The owner desires to convert an unfinished clubhouse building from a previous but undeveloped
17 residential project to a medical office. A site plan demonstrating compliance with all city regulations
18 including applicable state and federal environmental laws must be approved prior to the issuance of
19 permits allowing site modifications.

20
21 Impact on City Services

22 The subject property is connected to municipal water and sewer utilities. The City's Concurrency
23 Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted
24 levels of service for all regulated public facilities. It is anticipated that this amendment will not implicate any
25 significant increase on Levels of Service.

26
27 FINDINGS

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

- 30
31 1. A Commercial Future Land Use designation would serve as the most appropriate land use for
32 the subject property in accordance with Future Land Use policy 1-1.1.6.
33
34 2. Impacts of the proposed development of the subject property shall be monitored through the
35 City's Concurrency Management System. (Comp Plan, Chapter 7A)
36

37 **MOTION**

38 **Howard Haynes moved to recommend approval of Ordinance 2014-09. The motion was**
39 **seconded by Richard Root. The motion carried 5-0.**
40

41 4) Excel Hospitality Group – Rezoning – Ordinance 2014-10
42

43 Jacques Skutt, Community Development Director provided the following staff report;
44

45 The subject property is situated on the southwest corner of US Hwy 441 and Classique Lane.
46 The owner, Excel Hospitality Group, desires to convert the existing Comfort Inn Hotel on this
47 property into an Assisted Living Facility for senior citizens. ACLFs are not a permitted use in a
48 Highway Commercial zoning district thus the owner has applied for a zoning amendment to
49 Residential Multi-Family which allows this use.
50

RETIREMENT

Finances on right course will do fine on autopilot

By ANNE KAYES SMITH
Kiplinger's Personal Finance

Turns out that Americans — humans, really — are pretty good at doing nothing. So behavioral experts have pushed 401(k) plan sponsors to use inertia to our benefit. Make saving effortless, the argument goes, and more people will save. Guess what? It's working. Vanguard, the giant investment firm, manages more than \$750 billion in 401(k) and equivalent employer-sponsored retirement plans. An analysis of the plans in 2013 found that when enrollment was automatic, 82 percent of workers participated. When employees had to sign up for the plans on their own, only 65 percent participated.

The problem with automatic enrollment is that workers may start out at dangerously low savings rates. Fidelity reports that 73 percent of employers that automatically sweep employees into a savings plan enroll them at a default rate of 3 percent of salary or less. Even accounting for employer contributions, these workers could be well short of what they should be saving.

Many companies will raise your annual contribution rate for you — again, no need to lift a finger (although you might have to sign up at the beginning). Such plans typically escalate your savings rate by 1 percent of your salary per year, up to a cap of, say, 6 percent. About 20 percent of plan participants at Fidelity increased their savings rate in the past 12 months, and more than one-third of the increases were automatic. Half of the increases young workers made were due to automatic-escalation programs.

Still, for many savers such nudges

"Everyone should look at the default [contribution] rate and think about whether they should do more."

UCLA professor Shlomo Benartzi

might not be enough, says UCLA professor and behavioral finance guru Shlomo Benartzi. It's generally recommended that savers put away 10 percent to 15 percent of their income, including any employer match. "Everyone should look at the default rate and think about whether they should do more," says Benartzi. "At the same time, employers should be more proactive about suggesting that people go beyond the default."

He sees default rates increasing at corporate plans, for both initial savings and annual increases.

"The trend is in the right direction," he says.

Automating can pay off in areas besides retirement. You can shave 0.25 percentage point off the interest rate on your federal student loans by having your payments electronically debited.

And almost all major car insurers will give you a discount for paperless billing or automatic payments. For instance, Allstate's Easy Pay Plan will discount your premium by 2 percent to 7 percent (depending on your state) if you pay via automatic withdrawals from your bank account.

So go ahead, relax. As long as you set the right course, parts of your financial life will do fine on autopilot.

Client Name: / PO# Mike Fitzgerald
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E005/LAK
Description: Ord 2014-08 and 09

Ad Number: 2510330-1
Insertion Number:
Size: 3 x 10.5
Color Type: B&W

Orlando Sentinel

Publication Date: 07/07/2014

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



Like your news in 140 characters or less?

@OrlandoSentinel

Where Orlando tweets the news

OrlandoSentinel.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 Ordinance 2014-08 & Ordinance 2014-09 titled as follows:

ORDINANCE 2014-08

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING ORDINANCE 2008-09, LAKEVIEW CENTERBARKERS GROVES PLANNED DEVELOPMENT, BY AMENDING THE CONCEPTUAL SITE PLAN BY CHANGING THE WESTERLY END OF THE RESIDENTIAL SECTION TO COMMERCIAL DEVELOPMENT, SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2014-09

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 1 ACRE OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST BEND OF NIGHTINGALE LANE, FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2014-08 & Ordinance 2014-09 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m.; and
2. Tavares City Council meeting on August 6, 2014, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on August 20, 2014, at 4 p.m. (Second Reading)

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

Proposed Ordinance 2014-08 & Ordinance 2014-09 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.



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 2014-10 & Ordinance 2014-11 titled as follows:

ORDINANCE 2014-10

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 1.73 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF U.S. 441 AND CLASSIQUE LANE FROM C-2 (HIGHWAY COMMERCIAL) TO RMF-3 (RESIDENTIAL MULTI-FAMILY); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2014-11

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 1.73 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF U.S. 441 AND CLASSIQUE LANE, FROM COMMERCIAL TO HIGH DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2014-10 & Ordinance 2014-11 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m.; and
2. Tavares City Council meeting on August 6, 2014, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on August 20, 2014, at 4 p.m. (Second Reading)

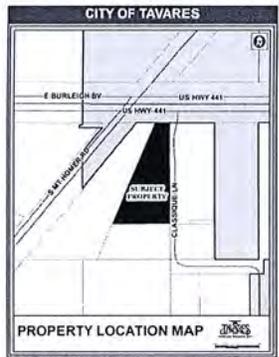
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2014-10 & Ordinance 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, 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.



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 2014-16 titled as follows:

RESOLUTION 2014-16

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE A PORTION OF THE SOUTH WESTERLY CUL-DE-SAC OF NIGHTINGALE LANE, A PUBLIC RIGHT-OF-WAY, SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

Proposed Resolution 2014-16 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m.; and
2. Tavares City Council meeting on August 20, 2014, at 4 p.m.

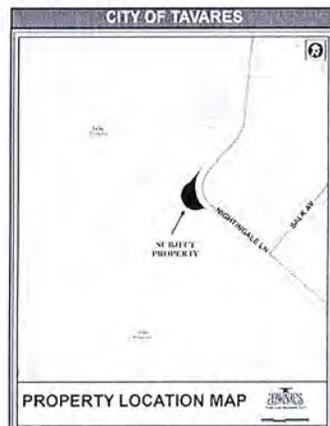
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Resolution 2014-16 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.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

ORDINANCE 2014-09

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 1 ACRE OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST BEND OF NIGHTINGALE LANE; FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property described in Exhibit "A" attached hereto, is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of said property from Medium Density Residential to Commercial; and

WHEREAS, the property consists of less than ten acres; and

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

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

WHEREAS, the City desires to encourage commercial uses in this particular area of the City; and

WHEREAS, a Commercial Future Land Use designation is compatible with surrounding future land use designations; and

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

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

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

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

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

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

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

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

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

19
20 **Section 3. Transmittal**

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

28
29 **Section 4. Effective Date**

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

1 become effective. If a final order of noncompliance is issued by the Administration Commission,
2 this amendment may nevertheless be made effective by adoption of a resolution affirming its
3 effective status, a copy of which resolution shall be sent to the state land planning agency.

4
5
6 **PASSED AND ADOPTED** this _____ day of _____, 2014 by the City Council of
7 the City of Tavares, Florida.

8
9
10 _____
11 Robert Wolfe, Mayor
12 Tavares City Council
13

14
15 First Reading: _____
16

17 Second Reading & Final Adoption: _____
18

19 ATTEST:

20
21
22
23 _____
24 Nancy A. Barnett, City Clerk
25

26 Approved as to form:
27

28
29
30 _____
31 Robert Q. Williams, City Attorney
32

EXHIBIT "A"

A SKETCH OF DESCRIPTION

SHEET 1 OF 2

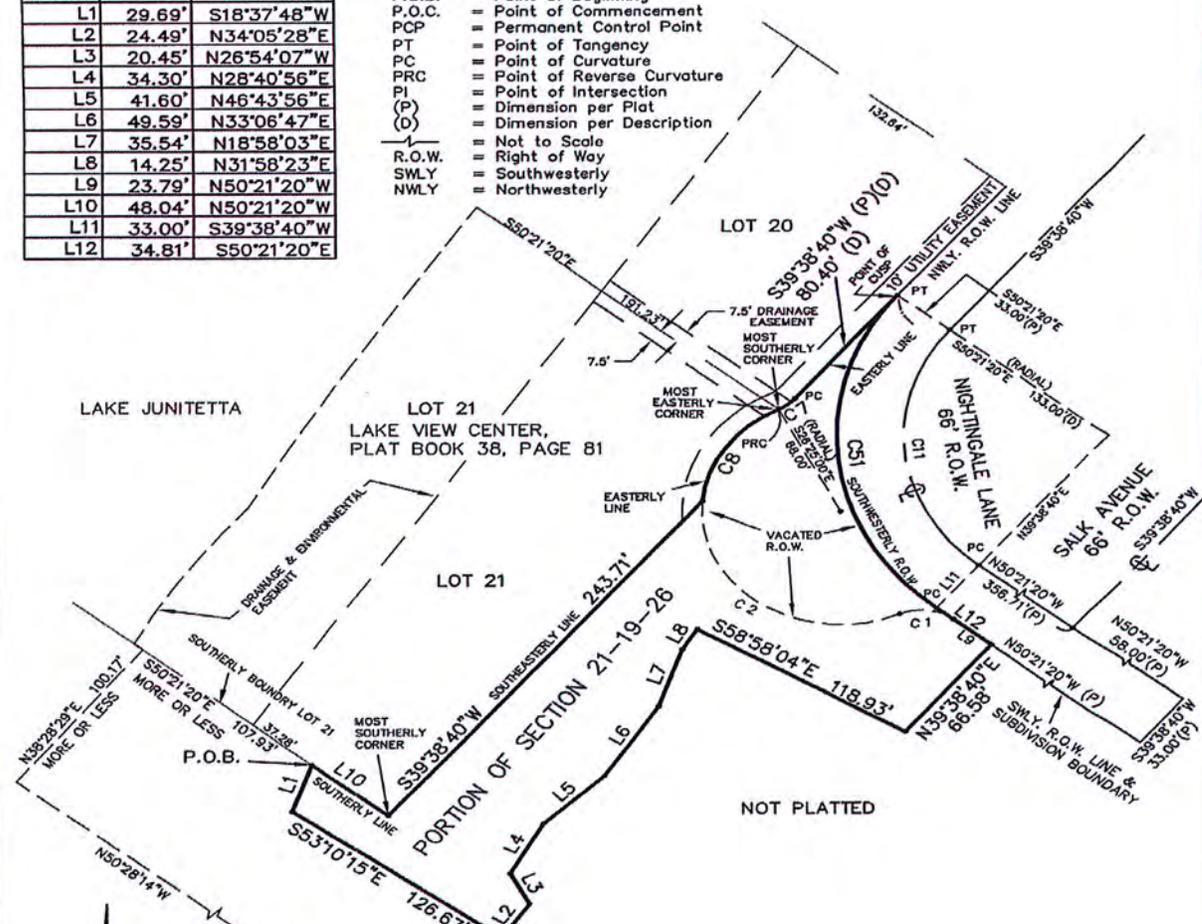
NOT VALID WITHOUT SHEET 2 OF 2

*** NOT A BOUNDARY SURVEY ***

Legend & Standard Abbreviations

- C = Centerline
- R.O.W. = Right of Way
- LB = Licensed Business
- P.O.B. = Point of Beginning
- P.O.C. = Point of Commencement
- PCP = Permanent Control Point
- PT = Point of Tangency
- PC = Point of Curvature
- PRC = Point of Reverse Curvature
- PI = Point of Intersection
- (P) = Dimension per Plat
- (D) = Dimension per Description
- ↔ = Not to Scale
- R.O.W. = Right of Way
- SWLY = Southwesterly
- NWLY = Northwesterly

LINE TABLE		
LINE	LENGTH	BEARING
L1	29.69'	S18°37'48"W
L2	24.49'	N34°05'28"E
L3	20.45'	N28°54'07"W
L4	34.30'	N28°40'56"E
L5	41.60'	N46°43'56"E
L6	49.59'	N33°06'47"E
L7	35.54'	N18°58'03"E
L8	14.25'	N31°58'23"E
L9	23.79'	N50°21'20"W
L10	48.04'	N50°21'20"W
L11	33.00'	S39°38'40"W
L12	34.81'	S50°21'20"E



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	25.00'	28.20'	26.73'	N82°39'59"W	64°37'18"
C2	68.00'	143.00'	118.07'	S54°43'53"E	120°29'30"
C7	25.00'	10.45'	10.37'	N51°36'50"E	23°56'20"
C8	68.00'	68.92'	66.01'	S34°32'56"W	58°04'08"
C11	100.00'	157.08'	141.42'	S05°21'20"E	90°00'00"
C51	133.00'	208.92'	188.09'	S05°21'20"E	90°00'00"

SKETCH DATE: 03-31-2014



P.O.C.
SOUTH LINE OF THE SE 1/4, SECTION 21-19-26

Stevenot Land Surveying, Inc.
 827 North Bay Street
 Eustis, Florida 32726
 Telephone (352) 357-9922




LB #6676

Ronald R. Stevenot, Jr.
 Certificate #5940



A SKETCH OF DESCRIPTION

*** NOT A BOUNDARY SURVEY ***

Description

A portion of Section 21, Township 19 South, Range 26 East, Lake County, Florida, and a portion of the right of way (vacated) of Nightingale Lane according to the plat of Lake View Center, Phase 1, recorded in Plat Book 38, Page 81, Public Records, Lake County, Florida, being more particularly described as follows:

Commence at the intersection of the South line of the Southeast 1/4 of said Section 21 with the Northwestern right of way line of the Atlantic Coast Line Railroad, said Railroad right of way being 100 feet in width; thence run N39°38'40"E, along said right of way line a distance of 600.82 feet; thence departing said right of way line run N50°28'14"W, 1609.92 feet, more or less, to the waters edge of Lake Junietta; thence along said waters edge run N38°28'29"E, 100.17 feet, more or less, to a point on the Southerly boundary of Lot 21 of said Lake View Center, Phase 1; thence S50°21'20"E along said Southerly boundary 107.93 feet, more or less, to a point that is N50°21'20"W, 48.04 feet from the most Southerly corner of said Lot 21, said point being the Point of Beginning of this description; thence S18°37'48"W, 29.69 feet; thence S53°10'15"E, 126.67 feet; thence N34°05'28"E, 24.49 feet; thence N26°54'07"W, 20.45 feet; thence N28°40'56"E, 34.30 feet; thence N46°43'56"E, 41.60 feet; thence N33°06'47"E, 49.59 feet; thence N18°58'03"E, 35.54 feet; thence N31°58'23"E, 14.25 feet; thence S58°58'04"E, 118.93 feet; thence N39°38'40"E, 66.58 feet to a point on the Southwesterly right of way line of said Nightingale Lane; thence N50°21'20"W along said Southwesterly right of way line and extension thereof, 34.81 feet to the point of curvature of a curve concave Northeasterly from which a radial line bears N39°38'40"E, said curve having a radius of 133.00 feet; thence Northwesterly and Northeasterly along the arc of said curve and the relocated Southwesterly right of way line of said Nightingale Lane, 208.92 feet, through a central angle of 90°00'00", to the point of cusp of said curve, said point being on the Northwesterly right of way line of said Nightingale Lane and the Easterly line of Lot 20 of said Lake View Center Phase 1; thence S39°38'40"W along said Easterly line of said Lot 20, 80.40 feet to the point of curvature of a curve concave Northwesterly, having a radius of 25.00 feet; thence Southwesterly along the arc of said curve and the Easterly line of said Lot 20, 10.45 feet to the most Southerly corner of said Lot 20, the most Easterly corner of Lot 21 of said Lake View Center, Phase 1, and the point of reverse curvature of a curve concave Northeasterly having a radius of 68.00 feet from which a radial line bears S26°25'00"E; thence Southwesterly along the arc of said curve and the Easterly line of said Lot 21, 68.92 to the Southeasterly line of said Lot 21; thence S39°38'40"W along said Southeasterly line, 243.71 feet to the most Southerly corner of said Lot 21; thence N50°21'20"W along the Southerly line of said Lot 21, 48.04 feet to the Point of Beginning.

SHEET 2 OF 2

NOT VALID WITHOUT
SHEET 1 OF 2

SKETCH DATE: 03-31-2014

Stevenot Land Surveying, Inc.



827 North Bay Street
Eustis, Florida 32726
Telephone (352) 357-9922



LB #6676

Ronald R. Stevenot, Jr.
Certificate #5940

A handwritten signature in blue ink, appearing to read "Ronald R. Stevenot, Jr." with a stylized flourish at the end.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 6, 2014**

AGENDA TAB NO. 9

FIRST READING

**SUBJECT TITLE: Ordinance 2014-10
15000 US HWY 441- Regency (Comfort) Inn-Rezoning**

OBJECTIVE:

To consider the rezoning of approximately 1.73 acres of property (15000 US HWY 441-Regency Inn) from C-2 (Highway Commercial) to RMF-3 (Residential Multi-Family).

SUMMARY:

The subject property is situated on the southwest corner of US Hwy 441 and Classique Lane. The owner, Excel Hospitality Group, desires to convert the existing hotel on this property into an Assisted Living Facility for senior citizens. ACLFs are not a permitted use in a Highway Commercial zoning district thus the owner has applied for a zoning amendment to Residential Multi-Family which allows this use.

This property is located across the street from the Waterman Hospital and is adjacent to the City's Medical Village District. An ACLF at this location would benefit from the proximity to these medical facilities.

The owners of this property and their architects have had several meetings with the city's Building and Fire Officials to review the modifications needed to convert the hotel to an ACLF and they are prepared to begin work as soon as the rezoning is approved.

The city is concurrently processing a Small Scale Future Land Use amendment to change its map designation from Commercial to High Density Residential.

The applicant will be required to prepare a minor site plan submittal to insure that the modifications to the site are in compliance with applicable land development regulations.

OPTIONS:

No Council action required at First Reading.

PLANNING & ZONING BOARD RECOMMENDATION:

At its July 17th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2014-10.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2014-10.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY:

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

1
2 The subject property (the west segment of Parcel Alternate Key Number 3858154) is
3 approximately 1 acre in size, located on the southwest bend of Nightingale Lane. An
4 application to change the conceptual site plan attached to the governing PD Ordinance 2006-
5 09 from Residential to Commercial is concurrently under consideration. This ordinance would
6 amend the current Future Land Use Designation from Medium Density Residential to
7 Commercial.

8
9 **Future Land Use Amendment/Compatibility**

10 The Lakeview Center/Bakers Grove Planned Development is considered the city's Medical Village.
11 Established uses within this development are all Commercial/Medical in nature. Osprey Lodge, a large
12 assisted living facility, is adjacent to this property. A Commercial designation is most compatible with
13 surrounding property and with the city's future vision for this area of the city.

14
15 **Site Conditions**

16 The owner desires to convert an unfinished clubhouse building from a previous but undeveloped
17 residential project to a medical office. A site plan demonstrating compliance with all city regulations
18 including applicable state and federal environmental laws must be approved prior to the issuance of
19 permits allowing site modifications.

20
21 **Impact on City Services**

22 The subject property is connected to municipal water and sewer utilities. The City's Concurrency
23 Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted
24 levels of service for all regulated public facilities. It is anticipated that this amendment will not implicate any
25 significant increase on Levels of Service.

26
27 **FINDINGS**

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

- 30
31 1. A Commercial Future Land Use designation would serve as the most appropriate land use for
32 the subject property in accordance with Future Land Use policy 1-1.1.6.
33
34 2. Impacts of the proposed development of the subject property shall be monitored through the
35 City's Concurrency Management System. (Comp Plan, Chapter 7A)

36
37 **MOTION**

38 **Howard Haynes moved to recommend approval of Ordinance 2014-09. The motion was**
39 **seconded by Richard Root. The motion carried 5-0.**

40
41 **4) Excel Hospitality Group – Rezoning – Ordinance 2014-10**

42
43 Jacques Skutt, Community Development Director provided the following staff report;

44
45 The subject property is situated on the southwest corner of US Hwy 441 and Classique Lane.
46 The owner, Excel Hospitality Group, desires to convert the existing Comfort Inn Hotel on this
47 property into an Assisted Living Facility for senior citizens. ACLFs are not a permitted use in a
48 Highway Commercial zoning district thus the owner has applied for a zoning amendment to
49 Residential Multi-Family which allows this use.

1 This property is located across the street from the Waterman Hospital and is adjacent to the
2 City's Medical Village District. An ACLF at this location would benefit from the proximity to
3 these medical facilities.

4 The owners of this property and their architects have had several meetings with the city's
5 Building and Fire Officials to review the modifications needed to convert the hotel to an ACLF
6 and they are prepared to begin work as soon as the rezoning is approved.
7

8 The city is concurrently processing a Small Scale Future Land Use amendment to change its
9 map designation from Commercial to High Density Residential.
10

11 The applicant will be required to prepare a minor site plan submittal to insure that the
12 modifications to the site are in compliance with applicable land development regulations.
13
14

15 In response to a question, Mr. Skutt explained the reason high density residential is not permitted in
16 commercial future land use designations.
17

18 **MOTION**

19 **Howard Haynes moved to recommend approval of Ordinance 2014-10. The motion was**
20 **seconded by Richard Root. The motion carried 5-0.**
21

22 5) Excel Hospitality Group – SSFLUM – Ordinance 2014-11

23
24 Jacques Skutt, Community Development Director provided the following staff report;
25

26 Ordinance 2014-11 proposes a small scale amendment to the Future Land Use Map 2020 of the
27 Comprehensive Plan.
28

29 The subject property (Parcel Alternate Key Number 2543361) is 1.73 acres in size, located on
30 the southwest corner of US HWY 441 and Classique Lane. An application to rezone this
31 property to RMF-3 (Residential Multi-Family) is concurrently under consideration. This
32 ordinance would amend the current Future Land Use Designation from Commercial to High
33 Density Residential.
34

35 Future Land Use Amendment/Compatibility

36 The owner of this property desires to convert an existing hotel into an Assisted Living Facility
37 for senior citizens. This property is located across the street from the Waterman Hospital and
38 is adjacent to the City's Medical Village District. An ACLF at this location would benefit from the
39 proximity to these medical facilities. A High Density Residential Land Use designation is
40 therefore most compatible with surrounding property and with the city's future vision for this
41 part of the city.
42

43 Site Conditions

44 An existing hotel presently exists on the property. The owner desires to convert the hotel into an ACLF.
45 Modifications to the site will be minimal and minor site plan approval from the city will be required to
46 insure compliance with all applicable city, state and federal regulations.
47

48 Impact on City Services

49 The subject property is connected to municipal water and sewer utilities. The City's Concurrency
50 Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted

RETIREMENT

Finances on right course will do fine on autopilot

BY ANNE KATZ SMITH
Kiplinger's Personal Finance

Turns out that Americans — humans, really — are pretty good at doing nothing. So behavioral experts have pushed 401(k) plan sponsors to use inertia to our benefit. Make saving effortless, the argument goes, and more people will save. Guess what? It's working.

Vanguard, the giant investment firm, manages more than \$570 billion in 401(k) and equivalent employer-sponsored retirement plans. An analysis of the plans in 2013 found that when enrollment was automatic, 82 percent of workers participated. When employees had to sign up for the plans on their own, only 65 percent participated.

The problem with automatic enrollment is that workers may start out at dangerously low savings rates. Fidelity reports that 73 percent of employers that automatically sweep employees into a savings plan enroll them at a default rate of 3 percent of salary or less. Even accounting for employer contributions, these workers could be well short of what they should be saving.

Many companies will raise your annual contribution rate for you — again, no need to lift a finger (although you might have to sign up at the beginning). Such plans typically escalate your savings rate by 1 percent of your salary per year, up to a cap of, say, 6 percent. About 20 percent of plan participants at Fidelity increased their savings rate in the past 12 months, and more than one-third of the increases were automatic. Half of the increases were automatic. Half of the increases were automatic. Half of the increases were automatic.

Still, for many savers such nudges

"Everyone should look at the default [contribution] rate and think about whether they should do more."

UCLA professor Shlomo Benartzi

might not be enough, says UCLA professor and behavioral finance guru Shlomo Benartzi. It's generally recommended that savers put away 10 percent to 15 percent of their income, including any employer match. "Everyone should look at the default rate and think about whether they should do more," says Benartzi. "At the same time, employers should be more proactive about suggesting that people go beyond the default."

He sees default rates increasing at corporate plans, for both initial savings and annual increases.

"The trend is in the right direction," he says.

Automating can pay off in areas besides retirement. You can shave 0.25 percentage point off the interest rate on your federal student loans by having your payments electronically debited. And almost all major car insurers will give you a discount for paperless billing or automatic payments. For instance, Allstate's Easy Pay Plan will discount your premium by 2 percent to 7 percent (depending on your state) if you pay via automatic withdrawals from your bank account.

So go ahead, relax. As long as you set the right course, parts of your financial life will do fine on autopilot.



Like your news in 140 characters or less?

@OrlandoSentinel

Where Orlando tweets the news

OrlandoSentinel.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 Ordinance 2014-10 & Ordinance 2014-11 titled as follows:

ORDINANCE 2014-10

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 1.73 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF U.S. 441 AND CLASSIQUE LANE FROM C-2 (HIGHWAY COMMERCIAL) TO RMF-3 (RESIDENTIAL MULTI-FAMILY), SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2014-11

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 1.73 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF U.S. 441 AND CLASSIQUE LANE; FROM COMMERCIAL TO HIGH DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2014-10 & Ordinance 2014-11 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m.; and
2. Tavares City Council meeting on August 6, 2014, at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on August 20, 2014, at 4 p.m. (Second Reading)

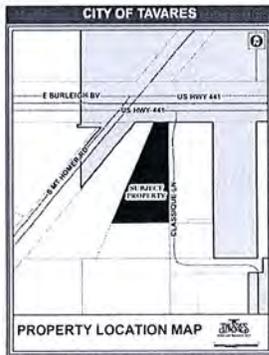
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 231 East Main St., Tavares, Florida.

Proposed Ordinance 2014-10 & Ordinance 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, 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.



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 2014-08 & Ordinance 2014-09 titled as follows:

ORDINANCE 2014-08

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING ORDINANCE 2008-09, LAKVIEW CENTER/BAKERS GROVES PLANNED DEVELOPMENT, BY AMENDING THE CONCEPTUAL SITE PLAN BY CHANGING THE WESTERLY END OF THE RESIDENTIAL SECTION TO COMMERCIAL DEVELOPMENT; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2014-09

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 1 ACRE OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST BEND OF NIGHTINGALE LANE, FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

- Proposed Ordinance 2014-08 & Ordinance 2014-09 will be considered at the following public meetings:
1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m.; and
 2. Tavares City Council meeting on August 6, 2014, at 4 p.m. (Introduction and First Reading by Title Only); and
 3. Tavares City Council meeting on August 20, 2014, at 4 p.m. (Second Reading)

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

Proposed Ordinance 2014-08 & Ordinance 2014-09 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.



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 2014-16 titled as follows:

RESOLUTION 2014-16

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE A PORTION OF THE SOUTH WESTERLY CUL-DE-SAC OF NIGHTINGALE LANE, A PUBLIC RIGHT-OF-WAY, SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

Proposed Resolution 2014-16 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m.; and
2. Tavares City Council meeting on August 20, 2014, at 4 p.m.

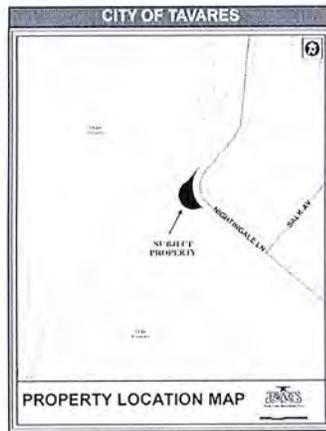
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Resolution 2014-16 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.



Orlando Sentinel

Publication Date: 07/07/2014

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

Ad Number: 2510330-1
 Insertion Number: 3 x 10.5
 Size: B&W
 Color Type:

Client Name: / PO# Mike Fitzgerald
 Advertiser: City of Tavares
 Section/Page/Zone: Lake Zone/E005/LAK
 Description: Ord 2014-08 and 09

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

ORDINANCE 2014-10

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 1.73 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF U.S. 441 AND CLASSIQUE LANE FROM C-2 (HIGHWAY COMMERCIAL) TO RMF-3 (RESIDENTIAL MULTI-FAMILY); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property described in Exhibit "A" attached hereto, is requesting to rezone said property from C-2 (Highway Commercial) to RMF-3 (Residential Multi-Family); and

WHEREAS, the owner of said property desires to convert an existing hotel situated on this property to an Assisted Living Facility; and

WHEREAS, the said property is across the road from Waterman Hospital and adjacent to the City's Medical Village district, thus considered an ideal location for an Assisted Living Facility; and

WHEREAS, an Assisted Living Facility use requires a Residential Multi-Family zoning designation under the city's Land Development Regulations; and

WHEREAS, City of Tavares held duly noticed public hearings before the Planning and Zoning Board and City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed amended zoning; and

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

WHEREAS, the City is concurrently processing an amendment to the City's Comprehensive Plan to re-designate the property from Commercial to High Density Residential on the Future Land Use Map 2020; and

WHEREAS, the City Council finds this amendment in compliance with the City of Tavares Land Development Regulations and the proposed amended Comprehensive Plan; now therefore

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

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

Section 1. Rezoning

The said property, as legally defined in Exhibit "A", attached hereto and made a part herewith, is hereby rezoned from C-2 (Highway Commercial) to RMF-3 (Residential Multi-Family), under the specific provisions as established by the City of Tavares Land Development Regulations.

Section 2. 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 3. 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:

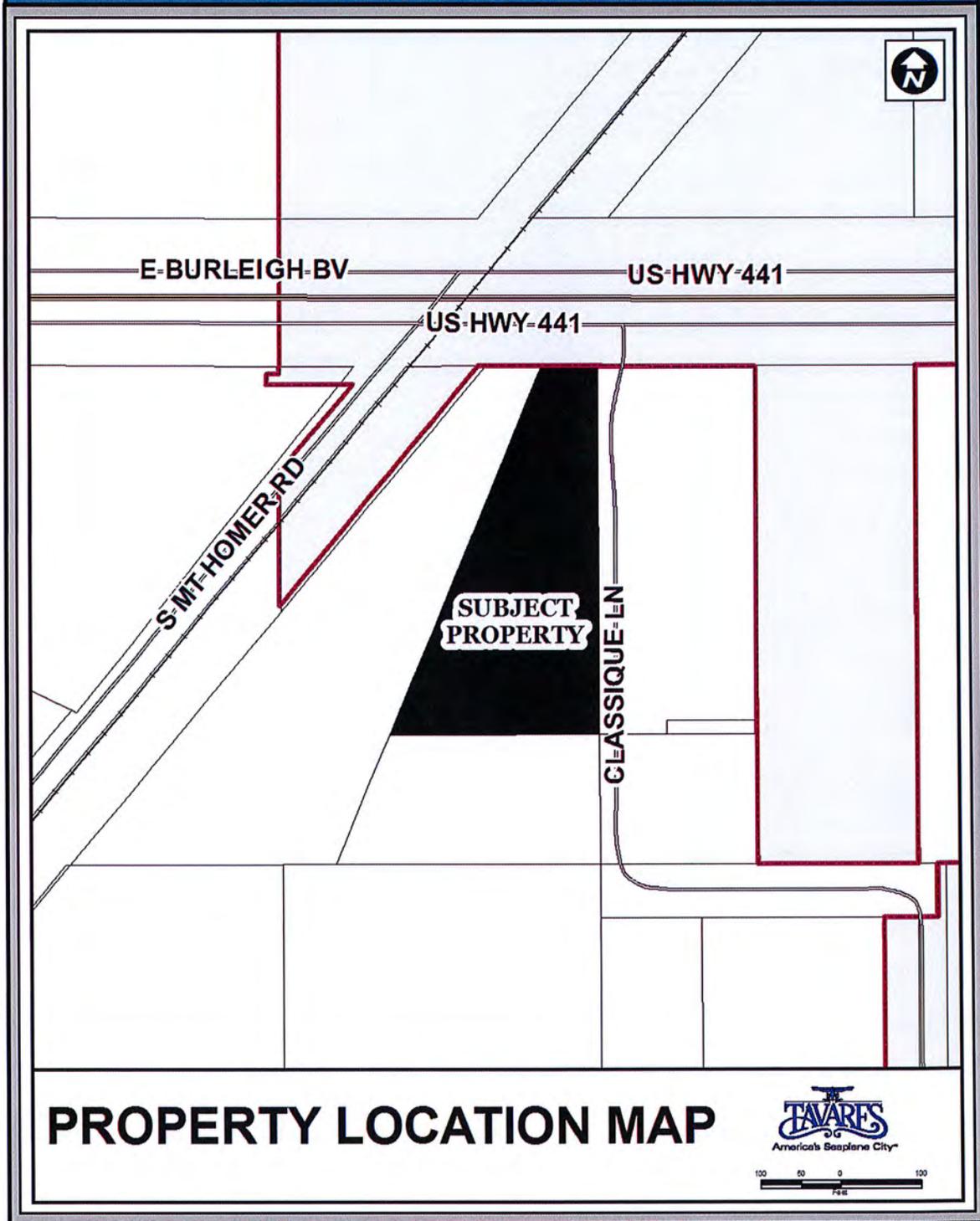
Robert Q. Williams, City Attorney

EXHIBIT "A"

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

Lot 2 of OMNI SUBDIVISION, according to the Plat thereof as recorded in Plat Book 56, Page(s) 2, of the Public Records of Lake County, Florida.

CITY OF TAVARES



Created By: City of Tavares GIS

T:\pzd\DATA\PROJECT FILES\Excel Hospitality\Assisted Living Facility, Rezone, SSFLUM - P22014-13\GIS\GIS_Maps\AD_Excel.mxd

Map Created on 6/25/14

1
2

**AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 6, 2014**

AGENDA TAB NO. 10

**SUBJECT TITLE: Ordinance 2014-11 FIRST READING
Small Scale FLUM Amendment- Regency Inn
15000 US HWY 441**

OBJECTIVE:

To consider a Small Scale Future Land Use Map amendment for approximately 1.73 acres of property (15000 US HWY 441-Comfort Inn) from Commercial to High Density Residential.

SUMMARY:

Ordinance 2014-11 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 2543361) is 1.73 acres in size, located on the southwest corner of US HWY 441 and Classique Lane. An application to rezone this property to RMF-3 (Residential Multi-Family) is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from Commercial to High Density Residential.

Future Land Use Amendment/Compatibility

The owner of this property desires to convert an existing hotel into an Assisted Living Facility for senior citizens. This property is located across the street from the Waterman Hospital and is adjacent to the City's Medical Village District. An ACLF at this location would benefit from the proximity to these medical facilities. A High Density Residential Land Use designation is therefore most compatible with surrounding property and with the city's future vision for this part of the city.

Site Conditions

An existing hotel presently exists on the property. The owner desires to convert the hotel into an ACLF. Modifications to the site will be minimal and minor site plan approval from the city will be required to insure compliance with all applicable city, state and federal regulations.

Impact on City Services

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

FINDINGS

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

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

OPTIONS:

No Council action required at First Reading.

STAFF RECOMMENDATION:

At its July 17th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2014-11.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

1 This property is located across the street from the Waterman Hospital and is adjacent to the
2 City's Medical Village District. An ACLF at this location would benefit from the proximity to
3 these medical facilities.

4 The owners of this property and their architects have had several meetings with the city's
5 Building and Fire Officials to review the modifications needed to convert the hotel to an ACLF
6 and they are prepared to begin work as soon as the rezoning is approved.

7
8 The city is concurrently processing a Small Scale Future Land Use amendment to change its
9 map designation from Commercial to High Density Residential.

10
11 The applicant will be required to prepare a minor site plan submittal to insure that the
12 modifications to the site are in compliance with applicable land development regulations.

13
14
15 In response to a question, Mr. Skutt explained the reason high density residential is not permitted in
16 commercial future land use designations.

17
18 **MOTION**

19 **Howard Haynes moved to recommend approval of Ordinance 2014-10. The motion was**
20 **seconded by Richard Root. The motion carried 5-0.**

21
22 5) Excel Hospitality Group – SSFLUM –Ordinance 2014-11

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

25
26 Ordinance 2014-11 proposes a small scale amendment to the Future Land Use Map 2020 of the
27 Comprehensive Plan.

28
29 The subject property (Parcel Alternate Key Number 2543361) is 1.73 acres in size, located on
30 the southwest corner of US HWY 441 and Classique Lane. An application to rezone this
31 property to RMF-3 (Residential Multi-Family) is concurrently under consideration. This
32 ordinance would amend the current Future Land Use Designation from Commercial to High
33 Density Residential.

34
35 Future Land Use Amendment/Compatibility

36 The owner of this property desires to convert an existing hotel into an Assisted Living Facility
37 for senior citizens. This property is located across the street from the Waterman Hospital and
38 is adjacent to the City's Medical Village District. An ACLF at this location would benefit from the
39 proximity to these medical facilities. A High Density Residential Land Use designation is
40 therefore most compatible with surrounding property and with the city's future vision for this
41 part of the city.

42
43 Site Conditions

44 An existing hotel presently exists on the property. The owner desires to convert the hotel into an ACLF.
45 Modifications to the site will be minimal and minor site plan approval from the city will be required to
46 insure compliance with all applicable city, state and federal regulations.

47
48 Impact on City Services

49 The subject property is connected to municipal water and sewer utilities. The City's Concurrency
50 Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted

1 levels of service for all regulated public facilities. It is anticipated that this amendment will not implicate any
2 significant increase on Levels of Service.

3
4 **FINDINGS**

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

- 7
8 1. A High Density Residential Future Land Use designation would serve as the most
9 appropriate land use for the subject property in accordance with Future Land Use policy 1-
10 1.1.6.
11
12 2. Impacts of the proposed development of the subject property shall be monitored through the
13 City's Concurrency Management System. (Comp Plan, Chapter 7A)

14
15 **MOTION**

16 **Howard Haynes moved to recommend approval of Ordinance 2014-11. The motion was**
17 **seconded by Richard Root. The motion carried 5-0.**

18
19 ~~6) Land Development Regulations Update – Medical Marijuana Dispensaries-Ordinance 2014-~~
20 ~~12~~

21
22 Jacques Skutt, Community Development Director provided the following staff report;

23
24 On the ballot for November 4, 2014, the State of Florida will consider a constitutional amendment that if
25 passed by voter approval would legalize the cultivation, purchase, possession and use of marijuana to
26 treat medical conditions when recommended by a licensed physician. The measure would also order
27 the Florida Department of Health to register and regulate producers and distributors of medical
28 marijuana and to issue identification cards to patients and caregivers utilizing marijuana.

29
30 On June 18th, 2014, staff submitted a report seeking direction from City Council on this matter. Staff
31 was directed to draft an ordinance that would amend the city's Land Development Regulations and
32 allow Medical Marijuana Dispensaries in a C-2 (Highway Commercial) zoning district. This ordinance
33 would be pro-active and the selling of marijuana products would only be allowed if legalized by the
34 State of Florida.

35
36 Proposed Ordinance 2014-12 is an amendment to the City's Land Development Regulations.
37 It adds the definition of a Medical Marijuana Dispensaries into Chapter 3-2 and it amends the Permitted
38 Use Chart in Chapter 8 to allow this use in C-2 (Highway Commercial) zoning district.

39
40 The definition for Medical Marijuana Dispensaries intentionally excludes the growing and cultivation of
41 the cannabis plant. This was done to differentiate from the State's proposed "Medical Marijuana
42 Treatment Center" definition which appears to include both the cultivation and sale of marijuana
43 products.

44
45 The Highway Commercial zoning district exists only on properties along US 441 and SR 19. This
46 zoning district permits hospitals, drug stores, medical offices and clinics. Medical Marijuana
47 Dispensaries is viewed as a pharmacological type use and would be compatible with other medical
48 uses allowed in this zoning.

49
50 **MOTION**

51 **Howard Haynes moved to recommend approval of Ordinance 2014-12. The motion was**
52 **seconded by Steve Pueschel. The motion carried 4-1.**

RETIREMENT

Finances on right course will do fine on autopilot

By ANNE KATES SMITH
Kiplinger's Personal Finance

Turns out that Americans — humans, really — are pretty good at doing nothing. So behavioral experts have pushed 40(k) plan sponsors to use inertia to our benefit. Make saving effortless, the argument goes, and more people will save. Guess what? It's working.

Vanguard, the giant investment firm, manages more than \$570 billion in 40(k) and equivalent employer-sponsored retirement plans. An analysis of the plans in 2013 found that when enrollment was automatic, 82 percent of workers participated. When employees had to sign up for the plans on their own, only 65 percent participated.

The problem with automatic enrollment is that workers may start out at dangerously low savings rates. Fidelity reports that 73 percent of employers that automatically sweep employees into a savings plan enroll them at a default rate of 3 percent of salary or less. Even accounting for employer contributions, these workers could be well short of what they should be saving.

Many companies will raise your annual contribution rate for you — again, no need to lift a finger (although you might have to sign up at the beginning). Such plans typically escalate your savings rate by 1 percent of your salary per year, up to a cap of, say, 6 percent. About 20 percent of plan participants at Fidelity increased their savings rate in the past 12 months, and more than one-third of the increases were automatic. Half of the increases young workers made were due to automatic-escalation programs.

Still, for many savers such nudges might not be enough, says UCLA professor and behavioral finance guru Shlomo Benartzi. It's generally recommended that savers put away 10 percent to 15 percent of their income, including any employer match. "Everyone should look at the default rate and think about whether they should do more," says Benartzi. "At the same time, employers should be more proactive about suggesting that people go beyond the default."

He sees default rates increasing at corporate plans, for both initial savings and annual increases.

"The trend is in the right direction," he says.

Automating can pay off in areas besides retirement. You can shave 0.25 percentage point off the interest rate on your federal student loans by having your payments electronically debited. And almost all major car insurers will give you a discount for paperless billing or automatic payments. For instance, Allstate's Easy Pay Plan will discount your premium by 2 percent to 7 percent (depending on your state) if you pay via automatic withdrawals from your bank account.

So go ahead, relax. As long as you set the right course, parts of your financial life will do fine on autopilot.

"Everyone should look at the default [contribution] rate and think about whether they should do more."

UCLA professor Shlomo Benartzi

might not be enough, says UCLA professor and behavioral finance guru Shlomo Benartzi. It's generally recommended that savers put away 10 percent to 15 percent of their income, including any employer match. "Everyone should look at the default rate and think about whether they should do more," says Benartzi. "At the same time, employers should be more proactive about suggesting that people go beyond the default."

He sees default rates increasing at corporate plans, for both initial savings and annual increases.

"The trend is in the right direction," he says.

Automating can pay off in areas besides retirement. You can shave 0.25 percentage point off the interest rate on your federal student loans by having your payments electronically debited. And almost all major car insurers will give you a discount for paperless billing or automatic payments. For instance, Allstate's Easy Pay Plan will discount your premium by 2 percent to 7 percent (depending on your state) if you pay via automatic withdrawals from your bank account.

So go ahead, relax. As long as you set the right course, parts of your financial life will do fine on autopilot.

Client Name: / PO# miike fitzgerald
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E005/LAK
Description: Ord 2014-10 and 11

Ad Number: 25103558-1
Insertion Number: 3 x 10.5
Size: B&W
Color Type:

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

Orlando Sentinel

Publication Date: 07/07/2014



Like your news in 140 characters or less?

@OrlandoSentinel

Where Orlando tweets the news

OrlandoSentinel.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 Ordinance 2014-08 & Ordinance 2014-09 titled as follows:

ORDINANCE 2014-08

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING ORDINANCE 2008-09, LAKEVIEW CENTERBARKERS GROVES PLANNED DEVELOPMENT, BY AMENDING THE CONCEPTUAL SITE PLAN BY CHANGING THE WESTERLY END OF THE RESIDENTIAL SECTION TO COMMERCIAL DEVELOPMENT; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2014-09

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 1 ACRE OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST BEND OF NIGHTINGALE LANE, FROM MEDIUM DENSITY RESIDENTIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2014-08 & Ordinance 2014-09 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m., and
2. Tavares City Council meeting on August 6, 2014, at 4 p.m. (Introduction and First Reading by Title Only), and
3. Tavares City Council meeting on August 20, 2014, at 4 p.m. (Second Reading)

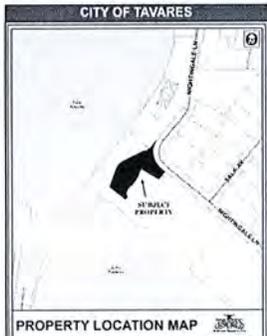
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2014-08 & Ordinance 2014-09 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.



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 2014-10 & Ordinance 2014-11 titled as follows:

ORDINANCE 2014-10

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 1.73 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF U.S. 441 AND CLASSIQUE LANE FROM C-2 (HIGHWAY COMMERCIAL) TO RMF-3 (RESIDENTIAL MULTI-FAMILY); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2014-11

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 1.73 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF U.S. 441 AND CLASSIQUE LANE, FROM COMMERCIAL TO HIGH DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2014-10 & Ordinance 2014-11 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m., and
2. Tavares City Council meeting on August 6, 2014, at 4 p.m. (Introduction and First Reading by Title Only), and
3. Tavares City Council meeting on August 20, 2014, at 4 p.m. (Second Reading)

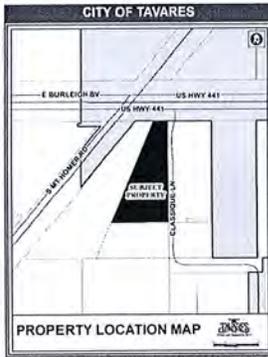
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2014-10 & Ordinance 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, 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 this 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 Resolution 2014-16 titled as follows:

RESOLUTION 2014-16

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE A PORTION OF THE SOUTH WESTERLY CUL-DE-SAC OF NIGHTINGALE LANE, A PUBLIC RIGHT-OF-WAY, SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

Proposed Resolution 2014-16 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m.; and
2. Tavares City Council meeting on August 20, 2014, at 4 p.m.

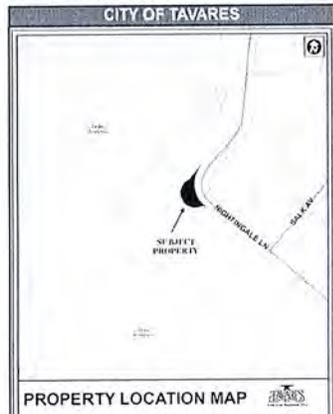
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Resolution 2014-16 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.



ORDINANCE 2014-11

1
2
3 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE
4 TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,
5 PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON
6 APPROXIMATELY 1.73 ACRES OF PROPERTY GENERALLY LOCATED ON
7 THE SOUTHWEST CORNER OF U.S. 441 AND CLASSIQUE LANE; FROM
8 COMMERCIAL TO HIGH DENSITY RESIDENTIAL; PROVIDING FOR
9 SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND
10 PROVIDING FOR AN EFFECTIVE DATE.
11

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

17 WHEREAS, the owner of this property desires to convert an existing hotel to an Assisted
18 Living Facility; and
19

20 WHEREAS, the City desires to encourage medical and associated uses in this particular
21 area of the City; and
22

23 WHEREAS, the property consists of less than ten acres; and
24

25 WHEREAS, the City of Tavares has advertised as required by law for two public
26 hearings prior to adoption of this ordinance; and
27

28 WHEREAS, the City has held such public hearings and the records of the City provide
29 that the owners of the land affected have been notified as required by law; and
30

31 WHEREAS, a High Density Residential Future Land Use designation is compatible with
32 surrounding future land use designations; and
33

34 WHEREAS, the City of Tavares Planning and Zoning Board, Local Planning Agency,
35 and City Council held duly noticed public hearings providing opportunity for individuals to hear
36 and be heard regarding the adoption of the proposed map amendment; and
37

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

3
4 **WHEREAS**, the City Council finds this amendment in compliance with Chapter 163,
5 Florida Statutes, and the City of Tavares Comprehensive Plan; and

6
7 **WHEREAS**, adoption of this amendment is in the best interest of the health, safety, and
8 general welfare of the citizens of Tavares;

9
10 **NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Tavares,
11 Florida as follows:

12
13 **Section 1. Future Land Use Amendment**

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

18
19 **Section 2. Severability and Conflicts**

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

24
25 **Section 3. Transmittal**

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

33
34 **Section 4. Effective Date**

35 The effective date of this plan amendment, if the amendment is not timely challenged,

1 shall be 31 days after the state land planning agency notifies the local government that the plan
2 amendment package is complete. If timely challenged, this amendment shall become effective
3 on the date the state land planning agency or the Administration Commission enters a final order
4 determining this adopted amendment to be in compliance. No development orders, development
5 permits, or land uses dependent on this amendment may be issued or commence before it has
6 become effective. If a final order of noncompliance is issued by the Administration Commission,
7 this amendment may nevertheless be made effective by adoption of a resolution affirming its
8 effective status, a copy of which resolution shall be sent to the state land planning agency.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

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

Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Nancy A. Barnett, City Clerk

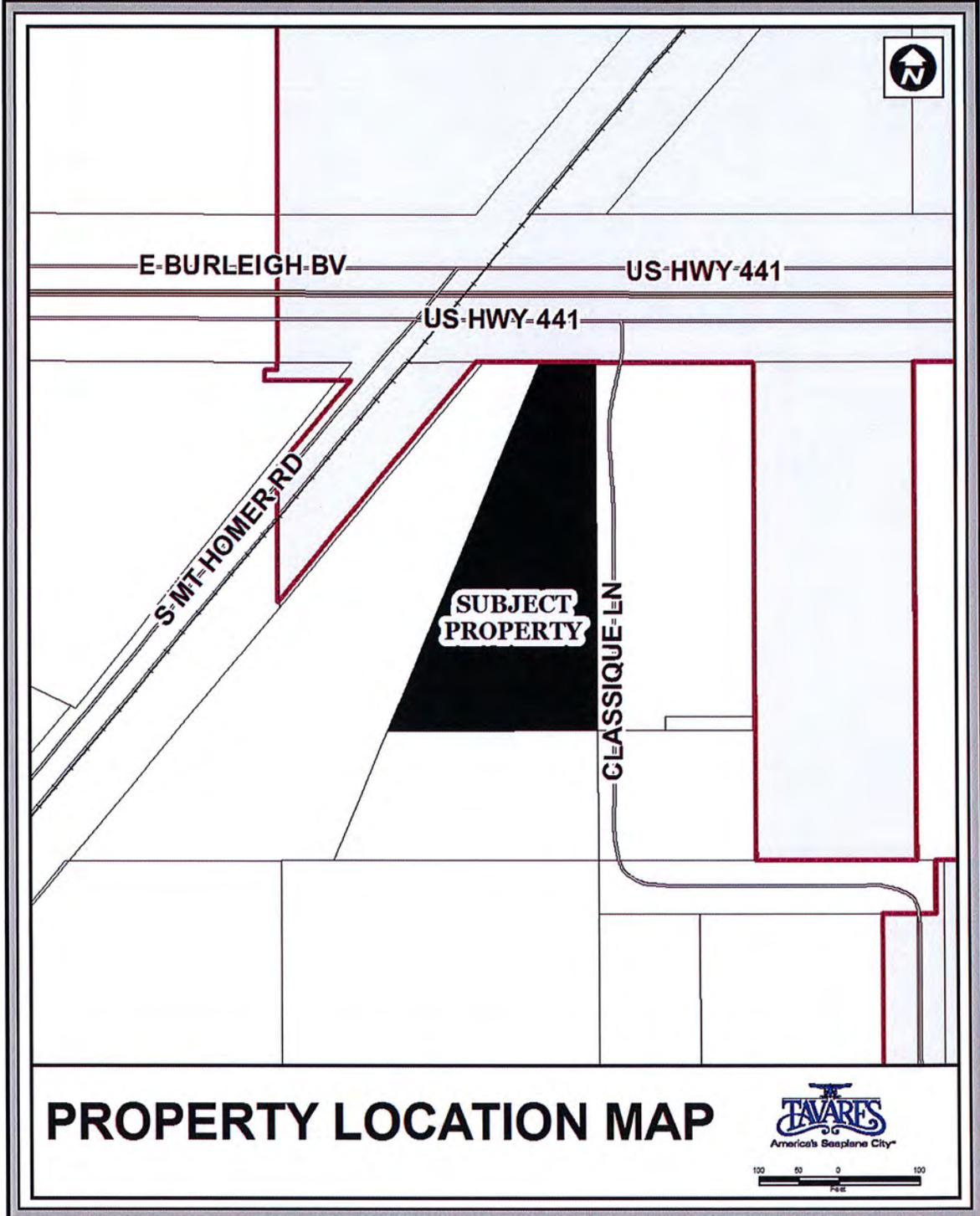
Approved as to form:

Robert Q. Williams, City Attorney

EXHIBIT "A"

Lot 2 of OMNI SUBDIVISION, according to the Plat thereof as recorded in Plat Book 56,
Page(s) 2, of the Public Records of Lake County, Florida.

CITY OF TAVARES



PROPERTY LOCATION MAP

Created By: City of Tavares GIS

T:\pzd\DATA\PROJECT FILES\Excel Hospitality Assisted Living Facility, Rezone, SSFLUM - P22014-13\GIS\GIS_Maps\AD_Excel.mxd

Map Created on 6/25/14

1

**AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 6, 2014**

AGENDA TAB NO. 11

FIRST READING

**SUBJECT TITLE: Ordinance 2014-12
Medical Marijuana Dispensaries**

OBJECTIVE:

To consider an amendment to the city's Land Development Regulations that defines a Medical Marijuana Dispensary use and limits this use to the C-2 (Highway Commercial) district with a provision that this use would only be permitted if approved by Florida Law.

SUMMARY:

On the ballot for November 4, 2014, the State of Florida will consider a constitutional amendment that if passed by voter approval would legalize the cultivation, purchase, possession and use of marijuana to treat medical conditions when recommended by a licensed physician. The measure would also order the Florida Department of Health to register and regulate producers and distributors of medical marijuana and to issue identification cards to patients and caregivers utilizing marijuana.

On June 18th, 2014, staff submitted a report seeking direction from City Council on this matter. Staff was directed to draft an ordinance that would amend the city's Land Development Regulations and allow Medical Marijuana Dispensaries in a C-2 (Highway Commercial) zoning district. This ordinance would be pro-active and the selling of marijuana products would only be allowed if legalized by the State of Florida.

Proposed Ordinance 2014-12 is an amendment to the City's Land Development Regulations. It adds the definition of a Medical Marijuana Dispensaries into Chapter 3-2 and it amends the Permitted Use Chart in Chapter 8 to allow this use in C-2 (Highway Commercial) zoning district.

The definition for Medical Marijuana Dispensaries intentionally excludes the growing and cultivation of the cannabis plant. This was done to differentiate from the State's proposed "Medical Marijuana Treatment Center" definition which appears to include both the cultivation and sale of marijuana products.

The Highway Commercial zoning district exists only on properties along US 441 and SR 19. This zoning district permits hospitals, drug stores, medical offices and clinics. A Medical Marijuana Dispensary is viewed as a pharmacological type use and would be compatible with other medical uses allowed in this zoning.

OPTIONS:

No Council action required at First Reading.

PLANNING & ZONING BOARD RECOMMENDATION:

At its July 17th meeting, the Planning & Zoning Board voted 4-1 to recommend approval of Ordinance 2014-12.

STAFF RECOMMENDATION:

At Second Reading, staff will recommend that City Council moves to approve Ordinance 2014-12.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

1 levels of service for all regulated public facilities. It is anticipated that this amendment will not implicate any
2 significant increase on Levels of Service.

3
4 **FINDINGS**

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

- 7
8 1. A High Density Residential Future Land Use designation would serve as the most
9 appropriate land use for the subject property in accordance with Future Land Use policy 1-
10 1.1.6.
11
12 2. Impacts of the proposed development of the subject property shall be monitored through the
13 City's Concurrency Management System. (Comp Plan, Chapter 7A)
14

15 **MOTION**

16 **Howard Haynes moved to recommend approval of Ordinance 2014-11. The motion was**
17 **seconded by Richard Root. The motion carried 5-0.**

18
19 6) Land Development Regulations Update – Medical Marijuana Dispensaries-Ordinance 2014-
20 12
21

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

23
24 On the ballot for November 4, 2014, the State of Florida will consider a constitutional amendment that if
25 passed by voter approval would legalize the cultivation, purchase, possession and use of marijuana to
26 treat medical conditions when recommended by a licensed physician. The measure would also order
27 the Florida Department of Health to register and regulate producers and distributors of medical
28 marijuana and to issue identification cards to patients and caregivers utilizing marijuana.
29

30 On June 18th, 2014, staff submitted a report seeking direction from City Council on this matter. Staff
31 was directed to draft an ordinance that would amend the city's Land Development Regulations and
32 allow Medical Marijuana Dispensaries in a C-2 (Highway Commercial) zoning district. This ordinance
33 would be pro-active and the selling of marijuana products would only be allowed if legalized by the
34 State of Florida.
35

36 Proposed Ordinance 2014-12 is an amendment to the City's Land Development Regulations.
37 It adds the definition of a Medical Marijuana Dispensaries into Chapter 3-2 and it amends the Permitted
38 Use Chart in Chapter 8 to allow this use in C-2 (Highway Commercial) zoning district.
39

40 The definition for Medical Marijuana Dispensaries intentionally excludes the growing and cultivation of
41 the cannabis plant. This was done to differentiate from the State's proposed "Medical Marijuana
42 Treatment Center" definition which appears to include both the cultivation and sale of marijuana
43 products.
44

45 The Highway Commercial zoning district exists only on properties along US 441 and SR 19. This
46 zoning district permits hospitals, drug stores, medical offices and clinics. Medical Marijuana
47 Dispensaries is viewed as a pharmacological type use and would be compatible with other medical
48 uses allowed in this zoning.
49

50 **MOTION**

51 **Howard Haynes moved to recommend approval of Ordinance 2014-12. The motion was**
52 **seconded by Steve Pueschel. The motion carried 4-1.**
53

Legal Notices

Advertisements for Bid

INVITATION TO BID

Sealed bids under Invitation to Bid 14-0215 will be received by the Office of Procurement Services, on behalf of the Lake County Board of County Commissioners, until 3:00 PM on July 30, 2014, for the furnishing of all services, labor, materials and equipment required to replace and/or coat hot and cold water piping at the Lake County Detention Center located at 551 W. Main St., Tavares, FL 32778. A mandatory pre-bid conference will be held at the Detention Center on July 16, 2014 at 2:00 PM. Vendors attending the conference are to assemble on the patio area of the main entrance of the Detention Center.

Plans, specifications and bid forms for the project are to be obtained in the manner stated within the Invitation to Bid which can be viewed on or about July 7, 2014 at the Lake County website (http://www.lakecountyfl.gov/departments/facilities_and_operations/bid_procurement_services/doing_business_in/). Individual bids shall be submitted in the manner described within the Invitation to Bid. All bids must be accompanied by a Bid Bond in the sum of five percent (5%) of the base bid and provided in the form designated within the Invitation to Bid. Additional information is available from the contracting officer at 352-343-9424.

The Board of County Commissioners reserves the right to reject any or all bids, to waive formalities, and to award the contract in the best interest of Lake County, Florida.

LAK2515372 07/07/2014

Notice of Administration

IN THE CIRCUIT COURT FOR LAKE COUNTY, FLORIDA PROBATE DIVISION

IN RE: ESTATE OF Joseph C. Arborio, Deceased
NOTICE TO CREDITORS
The administration of the Estate of Joseph C. Arborio, deceased, whose date of death was May 31, 2014, File Number 2014 CP 862, is pending in the Circuit Court for Lake County, Florida, Probate Division, the address of which is 550 West Main Street, Tavares, FL 32778. The names and addresses of the personal representative and the personal representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate, on whom a copy of this notice is served must file their claims with this court WITHIN THE LATER OF 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.
ALL CLAIMS NOT SO FILED WILL BE FOREVER BARRED.
NOTWITHSTANDING THE TIME PERIOD SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.

All other creditors of the decedent and other persons having claims or demands against decedent's estate, including unmatured, contingent or unliquidated claims, must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.
ALL CLAIMS NOT SO FILED WILL BE FOREVER BARRED.

The date of first publication of this Notice is June 30, 2014.
Attorney for Personal Representative:
Brett L. Swigert, Esquire
Florida Bar No. 0880493
Brett L. Swigert, P.A.
1231 N. County Road 452
Post Office Box 680
Pestis, Florida 32777-0680
Telephone: (352) 357-0770
Facsimile: (352) 357-0818
Personal Representative:
Verá D. Arborio
P.O. Box 350116
Grand Island, FL 32735

LAK2493973 6/30, 7/7

Public Hearing Notices

FOUNDERS RIDGE COMMUNITY DEVELOPMENT DISTRICT

NOTICE OF PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE FISCAL YEAR 2014/2015 BUDGET; AND NOTICE OF REGULAR BOARD OF SUPERVISORS' MEETING.

The Board of Supervisors of the Founders Ridge Community Development District will hold a public hearing on July 21, 2014 at 10:00 a.m. of Minneola City Hall, 800 N. US Highway 27, Minneola, Florida for the purpose of hearing comments and objections on the adoption of the budget of the District for Fiscal Year 2014/2015. A regular board meeting of the District

the provisions of Florida law for Community Development Districts. The public hearing and meeting may be continued to a date, time, and place to be specified on the record at the meeting.

There may be occasions when staff or other individuals may participate by speaker telephone.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (407) 841-5524 at least forty-eight (48) hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770, for aid in contacting the District Office.

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the public hearing or meeting is advised that person will need a record of proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

George S. Flint
Governmental
Management Services - Central
Florida, LLC
District Manager
LAK2487142 6/30/2014 & 7/7/2014

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 2014-12 titled as follows:

ORDINANCE 2014-12
AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 3, DEFINING "MEDICAL MARIJUANA DISPENSARY"; AMENDING CHAPTER 8, TABLE B-2, PERMITTED AND SPECIAL USES, BY ALLOWING MEDICAL MARIJUANA DISPENSARIES IN A C-2 (HIGHWAY COMMERCIAL) DISTRICT; PROVIDING THAT THE OPENING OF A MARIJUANA DISPENSARY IN A C-2, TABLE B-2, MARIJUANA TREATMENT CENTER AND THE SELLING OF MARIJUANA PRODUCTS AS DEFINED BY THE FLORIDA CONSTITUTION OR FLORIDA LAW SHALL OCCUR ONLY UPON AND AFTER THE OFFICIAL DATE ON WHICH THE SALE AND DISTRIBUTION OF MARIJUANA HAS BEEN DEEMED LEGAL BY THE STATE OF FLORIDA; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.
Proposed Ordinance 2014-12 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on July 17, 2014, at 3 p.m.; and
2. Tavares City Council meeting on August 6, 2014, at 4 p.m. (Introduction of Public Reading by Title Only); and
3. Tavares City Council meeting on August 20, 2014, at 4 p.m. (Second Reading)
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.
Proposed Ordinance 2014-12 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 of 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 Skuff, Community Development Director, at 742-6404.

LAK2510580 7/7/2014

BUSINESS OWNERS

You're in the Business!

So advertise your firm, franchise opportunity or mortgage company in the Orlando Sentinel! Visit OrlandoSentinel.com to advertise or call 1-800-669-5757.

Post Separation Support, Alimony, Child Custody, Attorney's Fees, and Absolute Divorce.

You are required to make defense to such pleading not later than August 4th, 2014 and upon your failure to do so the party seeking service against you will apply to the court for the relief sought.

This, the 30th day of June, 2014.

Douglas K. Simmons, Attorney for Plaintiff
8210 University Executive Park Dr., Suite 160 Charlotte, NC 28262

LAK2486818 06/30, 07/07, 07/14/2014

Foreclosure Sales

IN THE CIRCUIT COURT IN AND FOR LAKE COUNTY, FLORIDA
CASE NO: 2013-CA-001267

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
Plaintiff,

vs.
RAYMOND L. LEAP; GLENDA J. HARNE; UNKNOWN SPOUSE OF RAYMOND L. LEAP; UNKNOWN SPOUSE OF GLENDA J. HARNE; UNKNOWN TENANT 1; UNKNOWN TENANT 11, and any unknown heirs, devisees, grantees, creditors, and other unknown persons or unknown spouses claiming by, through and under any of the above-named Defendants, Defendants.

NOTICE OF FORECLOSURE SALE

NOTICE is hereby given that the undersigned Clerk of the Circuit Court of Lake County, Florida, will on the 21 day of AUG, 2014 at 11:00 o'clock A.M. at the Front door of the Courthouse, 550 W. Main Street in Tavares, Florida, offer for sale and sell of public outcry to the highest and best bidder for cash, the following-described property situate in Lake County, Florida:

LOT 146 AND 147, FOREST RETREAT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 15, PAGE 40, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

TOGETHER WITH THAT CERTAIN 1989 LIBERTY MOBILE HOME SERIAL NUMBER 10L21291X AND 10L21291U

pursuant to the Final Judgment entered in a case pending in said Court, the style of which is indicated above.

Any person or entity claiming an interest in the surplus, if any, resulting from the foreclosure sale, other than the property owner as of the date of the Lis Pendens, must file a claim on some with the Clerk of Court within 60 days after the foreclosure sale.

WITNESS my hand and official seal of said Court this 20 day of June, 2014.

AMERICANS WITH DISABILITIES ACT. 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 ADA Coordinator at the Office of the Trial Court Administrator, Lake County Judicial Center, P.O. Box 7800/550 W. Main Street, Tavares, Florida 32778, Telephone (352) 253-1604, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

NEIL KELLY
CLERK OF THE CIRCUIT COURT (COURT SEAL)

By: D. NEAL
Deputy Clerk

LAK2495036 06/30, 07/07, 2014

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT IN AND FOR LAKE COUNTY, FLORIDA (CIVIL DIVISION)
CASE NO. 2012-CA-001539

BANK OF AMERICA, N.A.,
Plaintiff,

vs.
NEWTON ARRUDA-NETO, et al.,
Defendants.

NOTICE OF FORECLOSURE SALE

NOTICE IS HEREBY GIVEN pursuant to a Final Judgment of Foreclosure as dated June 20, 2014 and the Order Setting the Foreclosure Sale Date as noticed herein, entered in the above-captioned matter of the Circuit Court of the Fifth Judicial Circuit in and for Lake County, Florida wherein BANK OF AMERICA, N.A., is the Plaintiff and Defendants, NEWTON ARRUDA-NETO, ALESSANDRA V. ARRUDA, UNKNOWN TENANT 1, UNKNOWN TENANT 11, LANCASTER AT LOCH LEVEN HOMEOWNERS ASSOCIATION, INC., AND ANY UNKNOWN HEIRS, DEVISEES, GRANTEES, CREDITORS, AND OTHER UNKNOWN PERSONS OR UNKNOWN SPOUSES CLAIMING BY, THROUGH AND UNDER ANY OF THE ABOVE-NAMED DEFENDANTS

PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

DATED this 25 day of June, 2014.

NEIL KELLY
Clerk of Court Seal

(SEAL)

By: D. NEAL
Deputy Clerk

LAK2507236 07/07, 14, 2014

Miscellaneous Legals

NOTICE OF RULE DEVELOPMENT BY ARLINGTON RIDGE COMMUNITY DEVELOPMENT DISTRICT

In accord with Chapters 120 and 190, Florida Statutes, the Arlington Ridge Community Development District ("District") hereby gives notice of its intention to develop rules establishing fees related to the use of the District's recreation facilities and services, and repeal its existing Rules of Procedure in total and to develop new Rules of Procedure to govern the operations of the District.

The purpose and effect of these rules is to provide for efficient and effective District operations by setting rates and fees to implement the provisions of section 190.035, Florida Statutes. Specific legal authority for the rule includes sections 190.035(2), 190.011(5), 120.54 and 120.81, Florida Statutes.

The Rules of Procedure address such areas as the Board of Supervisors, officers and voting, District offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor

purpose or effect of the proposed rules or may be obtained by contact District Manager, c/o Arlington Community Development District, Lyons Road, Suite 100, Coconut Creek, Florida 33073 or by calling (954) 2105.
District Manager
Arlington Ridge
Development District
LAK2482169

JOBS ONLINE

Orlando Sentinel Classified employment ads can also be seen on OrlandoSentinel.com & Careerbuilder.com. When it's time to find a new job look to Orlando Sentinel Classifieds!



Breaking news sent right to you

Sign up today by texting M

Orlando Sentinel

Msg&data rates may apply. Text HELP for help. Text STOP to stop. You may receive subsequent messages clarifying/confirming your Policy. www.OrlandoSentinel.com/tcpp

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38

ORDINANCE 2014-12

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 3, DEFINING "MEDICAL MARIJUANA DISPENSARY"; AMENDING CHAPTER 8, TABLE 8-2, PERMITTED AND SPECIAL USES, BY ALLOWING MEDICAL MARIJUANA DISPENSARIES IN A C-2 (HIGHWAY COMMERCIAL) DISTRICT; PROVIDING THAT THE OPENING OF A MARIJUANA DISPENSARY/MEDICAL MARIJUANA TREATMENT CENTER AND THE SELLING OF MARIJUANA PRODUCTS AS DEFINED BY THE FLORIDA CONSTITUTION OR FLORIDA LAW SHALL OCCUR ONLY UPON AND AFTER THE OFFICIAL DATE IN WHICH THE SALE AND DISTRIBUTION OF MARIJUANA HAS BEEN DEEMED LEGAL BY THE STATE OF FLORIDA; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida is considering legalizing the dispensing of medical marijuana;

and

WHEREAS, the City Council of the City of Tavares has determined that it is in the best interest of the citizens of Tavares to regulate the location of medical marijuana dispensaries within the city in the event the State of Florida legalizes said dispensaries; and

WHEREAS, the City Council has the responsibility and authority to determine what uses are best suited to particular zoning districts with the City; and

WHEREAS, the City of Tavares has determined that a medical marijuana dispensary would be a use similar, related and complimentary to medical offices, clinics, pharmacies and hospitals; and

WHEREAS, these types of uses are most appropriate within the C-2 (Highway Commercial) District; therefore;

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

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

Section 1. Medical Marijuana Dispensary Defined

Chapter 3-2, Definitions, is amended by adding the definition of a Medical Marijuana Dispensary:

Medical Marijuana Dispensary: A facility that is operated by an organization or business holding all necessary licenses and permits from which marijuana, cannabis, cannabis-based products or cannabis plant(s) are delivered, purchased, possessed or dispensed for medical purposes and operated in accordance with all local and state laws. A medical marijuana dispensary, as defined by this ordinance, shall not include the growing or cultivation of the cannabis plant.

Section 2. Amendment to Table 8-2, Permitted and Special Uses with Associated Notes

Adding *Medical Marijuana Dispensaries* as a permitted use within the C-2 (Highway Commercial) District.

Table 8-2 Permitted and Special Uses (30)

LAND USE	ZONING												
	RSF-A	RSF-1	RMF-2	RMF-3	RMH-P	RMH-S	PD	MU	CD	C-1	C-2	I	PFD
AGRICULTURE													
Citrus Groves	P	P	P	P	P	P		P	P	P	P	P	
Wholesale plant production, wholesale nurseries, and greenhouses.												P	
Boarding and keeping of horses and cattle	P (7)												
RESIDENTIAL													
Single-family Dwelling	P	P	P		P(28)	P(28)	(1)	P					
Two-family Dwellings, Duplexes			P(23)	P(23)			(1)(23)	P(23)					
Townhomes			P (24)	P (24)			(1)(24)	P (24)	P (24)				
Multiple-family Dwelling (3 or more attached dwelling units)				P(25)			(1)(25)	P(25)	P(25)				
Manufactured/Mobile Home Dwellings					P	P							
Travel Trailer and Motor Home Dwellings					P (4)								
Ancillary Apartments							(1)(2)	P(2)	P (2)				
Guest Apartments	P (3)		P (3)					P					
Boarding and Rooming Houses	P (21)		P (21)										
Group Home / Community Residential Home (max. 6 residents)	S (5)	S (5)	P (5)	P (5)	S (5)	S (5)		S (5)					
Group Home / Community Residential Home (7 or more residents)			S (6)	S (6)		S (6)		S (6)					
Nursing Home				P			(1)	P					
Adult Congregate Living Facilities				P (26)			(1)	P (26)					
Adult Activity Center	P(27)	P(27)	P(27)	P	P	P	1	P	P	P	P		

PUBLIC/SEMIPUBLIC, INSTITUTIONAL														
Public and Private Schools (Elementary through High School)	S	S	S	S	S	S	(1)	S	S	S	S	S	S	S
Community Colleges, Colleges or Universities or College annexes							(1)		S		S	S	S	
Libraries							(1)	S	S	S	P			P
Community Centers	S	S	S	S	S	S	(1)	S	S	P	P	P	P	P
Community Shelters	S	S	S	S	S	S		S	S					P
Government Facility							(1)							P
Churches and other places of Worship, with attendant educational and recreational facilities	S	S	S	S	S	S	(1)	S	S	P	P			
Hospitals							(1)				P	P		
Medical Clinics and Emergency Treatments Centers							(1)				P	P		
Medical Care Facility, outpatient only							(1)			S	P	P		
RECREATIONAL, CULTURAL AND CIVIC USES														
Community recreation buildings, utility buildings, recreation facilities or areas for use of subdivision or park residents.	S	S	S	S	P	P	(1)							
Community Boat Docks and Boat Houses	S	S	S	S	S	S	(1)							
Private docks and Boathouses	P (10)	(1)		S	S	S								
Private Clubs and Lodges, Community Centers, Civic and Social Organization facilities							(1)	P (11)	P	P	P	P	P	(1)
	RSF-A	RSF-1	RMF-2	RMF-3	RMH-P	RMH-S	PD	MU	CD	C-1	C-2	I	PFD	
Parks, play grounds, recreational areas and recreational or community structures owned and maintained by any private non-profit or for-profit association							(1)		S	S	P	P		
Public Parks, Play grounds and Recreation Areas							(1)							P
General Cultural Uses							(1)	P (11)	P	P	P	P	P	P
Auditoriums, stadiums, arenas, and expositions							(1)				S	S	P	
Health or Fitness uses							(1)	P (11)	P	P	P			
Family / General Entertainment uses							(1)		P	P	P	P		
BUSINESS AND COMMERCIAL USES														
Business and Professional office uses							(1)	P (11)	P	P	P	P		
Banks and Financial Institutions							(1)		P	P	P			
Grocery Stores							(1)				P			
Convenience Store (not including gas/fuel sales)							(1)	S (11)	P	P	P	P		
Convenience Store (including gas/fuel sales)							(1)				P	P		

Retail, General Business, or Personal Service							(1)	P (11)	P	P	P		
Retail, General Business, or Personal Service > 50K sq ft. – single use							(1)				P		
Personal Service or Specialty Shop with light retail							(1)	P (11)					
Retail plant nursery							(1)				P	P	
Medical/Dental/Optical Supplies Stores							(1)		P	P	P		
Medical and Dental/Optical Laboratories							(1)			S	P		
Restaurant / Food Service / Food Retail							(1) (20)	P (11) (20)	P (20)	P (20)	P (20)	P (20)	
Medical Marijuana Dispensary											P		
Bar-Beer and Wine									P				
Adult Entertainment Establishments													S (22)
Child Care Centers	P (8)	(1)	S (9)	S (9)	S (9)	S (9)							
Business and Technical Trade Schools							(1)		P	P	P	P	
Vocational and Industrial Trade Schools											S	P	
Animal hospital, veterinary clinic or animal boarding with boarding of animals in completely enclosed buildings.							(1)			P	P	P	
Pet Stores that may include retail, grooming services, and boarding of domestic animals									P (29)	P (29)	P (29)		
Laundromats/Dry Cleaning (self service)							(1)	S (11)	P	P	P		
Laundry/Dry Cleaners without drive-through pickup (no on-site processing, not self service)							(1)	S (11)	P	P	P		
Laundry/Dry Cleaners with drive-through pick-up (no on-site processing, not self service)							(1)			P	P		
Laundry/Dry Cleaners with on-site processing							(1)				P	P	
Automobile/Truck, boat, motorcycle, recreational vehicles sales & rental											S (12)	P (12)	
Automobile/Truck Parts Sales											P	P	
Automobile/Truck/Motorcycle/Boat repair & service											P (13)	P (13)	
Car Wash											P	P	
	RSF-A	RSF-1	RMF-2	RMF-3	RMH-P	RMH-S	PD	MU	CD	C-1	C-2	I	PFD
INDUSTRIAL USES													
Manufacturing, fabricating, processing, packaging, storage, and sales / distribution uses													P (12-16) (18) (20) (22)
Mini-warehouse, personal storage facilities (climate controlled, internal entrance only)											S	P	
Retail accessory establishments (only)													P

1 **Section 4. Effective Date**

2 This Ordinance shall take effect immediately upon its final adoption by the Tavares City Council
3 as to the acceptable siting locations for marijuana dispensaries, however the opening of a marijuana
4 dispensary and the selling of marijuana products as defined by the Florida Constitution or Florida Law
5 shall occur only upon and after the official date in which the sale and distribution of marijuana has been
6 deemed legal by the State of Florida.

7

8 **PASSED AND ADOPTED** this ____ day of _____, 2014 by the City Council of the City of
9 Tavares, Florida.

10

11 _____
12 Robert Wolfe, Mayor
13 Tavares City Council

14 First Reading: _____

15

16 Second Reading: _____

17

18

19 ATTEST:

20

21 _____
22 Nancy A. Barnett, City Clerk

23

24 Approved as to form:

25

26

27 _____
28 Robert Q. Williams, City Attorney

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: August 6, 2014**

AGENDA TAB NO. 12

SUBJECT TITLE: Library Board Appointment

OBJECTIVE:

The Mayor will designate an appointment to the Library Board to replace a member who has recently resigned.

SUMMARY:

Mr. Sheppard recently resigned from the Tavares Library Advisory Board. His position would have been up for reappointment in 2015.

An application has been received from Mary Drees to fill the unexpired portion of this position until May 2015.

OPTIONS:

N/A

STAFF RECOMMENDATION:

The Mayor will make his recommendation.

FISCAL IMPACT:

n/a

LEGAL SUFFICIENCY:

Legally sufficient



America's Seaplane City™

**Application for a Board/Committee Appointment
City of Tavares**

Please Print: Drees Mary Ellen
Last Name First Middle Initial
Telephone: 352) 343-7028 Email: drivelmed@icloud.com
Cell Phone: 352) 874-4123 Fax: _____
Present Address 1796 Virginia Ct. Tavares FL 32778

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

- Bicycle Pedestrian Committee of the Metropolitan Planning Organization
- Citizens Advisory Committee of the Metropolitan Planning Organization
- Community Redevelopment Area Advisory Committee
- Fire Pension Board
- Lake County Cultural Affairs Council – Tavares Representative
- Library Advisory Board
- Planning and Zoning Board*
- Police Pension Board

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

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

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

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

Elementary & High School

College or University

Graduate School

1 2 3 4 5 6 7 8 9 10 11 12

1 2 3 **(4)**

1 2 3 4

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

Name of Last or Present Employer: Lake County Schools

Address: Tavares High, 603 N. New Hampshire Ave, Tavares FL 32778
Number and Address City State Zip

Date Hired: Jan 1998 Position: geometry teacher

Brief Description of Responsibilities: taught various math classes, grades 9-12, sponsor of Jr. and Sr. Class

Have You Served on a City of Tavares Board or Committee? yes

If You Answered Yes: ^{Where} Library Advisory ^{When} approx. 1992-1999
_{When?} _{Where?}

Professional or Civic Memberships:

- 1) National Education Assn. 2) _____
- 3) _____ 4) _____

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

- 1) Why would you be a good candidate for this appointment? What experience, knowledge, or special skills do you have that would be helpful to this board?
I have been a previous member of the board. As such I am interested in all the library can do for the local population. I have been a teacher in several states. I am recently retired from Lake
- 2) What do you think should be the purpose of this board?
The board should be advisory only - it is a ^{County} _{Schools} sounding board for ideas and issues concerning

members

the library and the population it serves. Also ~~it~~ should be supportive and promote library programs.

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

- | | | | |
|----|----------------------------|---|-------------------------------------|
| 1) | <u>Kathleen Stillman</u> | <u>1600 N. New Hampshire Ave</u> | <u>Tavares 32778</u> |
| | Name | Address | Business Years Known <u>22 yrs.</u> |
| 2) | <u>Miriam Gottfried</u> | <u>Triangle Elementary, Mt. Dora FL</u> | <u>22 yrs.</u> |
| | Name | Address | Business Years Known |
| 3) | <u>Patricia R. Mueller</u> | <u>604 Banning Beach Rd</u> | <u>Tavares 32778 22 yrs.</u> |
| | Name | Address | Business Years Known |

Next of Kin: David Drees 1412 Yale St. Orlando, FL son

Name Address Relationship

In Case of Emergency, Please Notify:

Kathleen Stillman 1600 N. New Hampshire Ave. Tavares FL

Name Address Telephone No. 352-455-9336

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

Applicants Signature Mary Ellen Drees Date 7/7/2014

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

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

Mary Ellen Drees 7/7/2014
Name Date of Application

Please select one of the following:

An African American; that is a person having origins in any of the racial groups of the African Diaspora.

A Hispanic American; that is, a person of Spanish or Portuguese culture with origins in Spain, Portugal, Mexico, South America, Central America, or the Caribbean, regardless of race.

An Asian American; that is, a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands, including the Hawaiian Islands prior to 1778.

A Native American, that is, a person who has origins in any of the Indian Tribes of North America prior to 1835.

An American woman.

An American man.

None of the above.

Do you qualify as physically disabled? Yes: No:

***Planning and Zoning Board
Applicant Questionnaire Attachment***

1) How do you balance property development rights with government development regulations?

2) What is your overall philosophy on growth in the City and in Lake County?

**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: August 6, 2014**

AGENDA TAB NO. 13

SUBJECT TITLE: Naming of Wooton Park Expansion Area

OBJECTIVE:

Discussion of a suggested name for the Wooton Park Expansion area.

SUMMARY:

The Council set goals for next year which included the naming of the Wooton Park Expansion area which is slated for upgrades over the next year. The Mayor would like to present the following name for Council's consideration:

Ratliff Memorial Park

OPTIONS:

1. Provide an opportunity for the Mayor to explain his reasoning for naming the park and then name the Wooton Park Expansion Area the Ratliff Memorial Park.
2. Do not name the Expansion Area

STAFF RECOMMENDATION:

Provide an opportunity for the Mayor to explain his reasoning for naming the park and then name the Wooton Park Expansion Area the Ratliff Memorial Park.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY: YES

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: August 6, 2014**

AGENDA TAB NO. 14

**SUBJECT TITLE: Florida League of Cities Legislative Policy Committees –
City Representation**

OBJECTIVE: To designate representatives to the Florida League of Cities Legislative Policy Committees.

SUMMARY: Each year the Florida League of Cities invites its member cities to designate representatives to participate on its legislative committees for the legislative policy process which will begin in September 2014. The meetings will be held in Orlando from 10 am to 3 pm on September 12, October 10, November 13 and at the FLC Annual Conference in August 2015.

The committees are:

Energy, Environmental & Nature Resources
Finance, Taxation & Personnel (**Lori Houghton**)
Growth Management & Economic Affairs
Transportation & Intergovernmental Relations (**Chris Thompson**)
Urban Administration (**Norman Hope**)

Currently Councilmember Hope serves on Urban Administration. Lori Houghton serves on Finance and Taxation and is willing to be reappointed and Chris Thompson is willing to serve on the Transportation & Intergovernmental Relations Committee. One elected official and one non-elected city official can serve on each committee.

OPTIONS:

- 1) Have the Mayor designate the representatives and obtain confirmation from Council.
- 2) Do not send representatives

STAFF RECOMMENDATION: That the Mayor designate the representatives to the Florida League Of Cities Legislative Committees and obtain confirmation from Council.

FISCAL IMPACT: Minimal travel expenses to Orlando to attend meetings

LEGAL SUFFICIENCY: Legally sufficient.

Nancy Barnett

From: Holly McPhail [HMcPhail@flcities.com] on behalf of Scott Dudley [SDudley@flcities.com]
Sent: Monday, June 09, 2014 12:48 PM
To: Scott Dudley
Cc: Holly McPhail
Subject: FLC Legislative Policy Development Process
Attachments: 2014-2015 Policy Committee Sign up Memo.pdf; 2014-2015 Policy Committee Sign up Form.pdf

Importance: High

FLC Membership:

The Florida League of Cities is pleased to announce the start of the League's legislative policy process for 2014 – 2015. The policy committees develop the League's legislative priorities and help League staff understand the real world implications of proposed legislation. In an effort to get more cities involved, the League is requesting that each city be represented on one or more of the League's Legislative policy committees.

Due to potential Sunshine Law issues, only one elected official per city can be represented on each committee, but a city could have both an elected and non-elected city official on each of the five committees. **Please complete the online sign-up form by August 16, 2014 by clicking [here](#).** Sign-up forms (see attached) can also be submitted to Holly McPhail via mail, fax or email.

League policy committee appointments will be confirmed by August 22, 2014. Policy committee members are expected to attend the following meetings: (please note that the League is unable to reimburse travel costs)

Legislative Policy Committee Meeting Dates:

- September 12, 2014 – Hyatt Regency Orlando
- October 10, 2014 – Hilton Orlando
- November 13, 2014 – Hyatt Regency Orlando International Airport

Attached is a listing of the five League policy committees and the issues that fall within the purview of those committees. Should you have any questions or require additional information, please contact Holly McPhail at the League at (850) 222-9684 or by e-mail at hmcphail@flcities.com.

We look forward to your city's involvement developing the League's legislative agenda for the 2015 Legislative Session.



Memorandum

To: Florida League of Cities Membership

From: C. Scott Dudley, Legislative Director
Legislative Affairs

Date: June 9, 2014

Re: FLC Legislative Policy Development Process

The Florida League of Cities is pleased to announce the start of the League's legislative policy process for 2014 – 2015. The policy committees develop the League's legislative priorities and help League staff understand the real world implications of proposed legislation. In an effort to get more cities involved, the League is requesting that each city be represented on one or more of the League's Legislative policy committees.

Due to potential Sunshine Law issues, only one elected official per city can be represented on each committee, but a city could have both an elected and non-elected city official on each of the five committees. **Please complete the online sign-up form by August 16, 2014 by clicking [here](#).** Sign-up forms can also be submitted to Holly McPhail via mail, fax or email.

League policy committee appointments will be confirmed by August 22, 2014. Policy committee members are expected to attend the following meetings: (please note that the League is unable to reimburse travel costs)

Legislative Policy Committee Meeting Dates:

- September 12, 2014 – Hyatt Regency Orlando
- October 10, 2014 – Hilton Orlando
- November 13, 2014 – Hyatt Regency Orlando International Airport

Below is a listing of the five League policy committees and the issues that fall within the purview of those committees. Should you have any questions or require additional information, please contact Holly McPhail at the League at (850) 222-9684 or by e-mail at hmcphail@flcities.com.

We look forward to your city's involvement developing the League's legislative agenda for the 2015 Legislative Session.

2014 -2015 FLC Legislative Committees

Energy, Environmental & Natural Resources (*Ryan Matthews*)

- coastal management
- energy
- environmental and wetlands permitting
- general utilities
- hazardous and toxic wastes
- recycling
- solid waste collection and disposal
- stormwater
- wastewater treatment and reuse
- water management
- water quality and quantity

Finance, Taxation & Personnel (*Amber Hughes*)

- general finance & tax issues
- home rule revenues
- infrastructure funding
- insurance
- local option revenues
- pension issues
- personnel and collective bargaining issues
- revenue sharing
- tax and budget reform
- telecommunications
- workers' compensation

Growth Management & Economic Affairs (*David Cruz*)

- community redevelopment
- economic development
- growth management and land use planning issues
- annexation
- eminent domain
- tort liability
- property rights
- ethics/elections

Transportation & Intergovernmental Relations (*Megan Sirjane-Samples*)

- affordable housing/foreclosures
- billboards
- charter counties
- charter schools
- gaming
- rights-of-way
- sunshine law
- transportation and highway safety

Urban Administration (*Casey Cook*)

- building & fire safety codes
- building codes and construction
- code enforcement
- emergency management
- homeland security
- public meetings
- public property management
- public records
- public safety
- purchasing
- special districts

**AGENDA SUMMARY
TAVARES CITY COUNCIL
August 6, 2014**

AGENDA TAB NO. 15

**SUBJECT TITLE: Engineering Design of Lake Dora Circle Gravity Sewer Extension
Approval of Agreement/Proposal with BESH Engineering**

OBJECTIVE:

To seek Council's approval of the attached contract with BESH Engineering in the amount of \$15,720 for the engineering design of a gravity sewer line extension on Lake Dora Circle.

SUMMARY:

The property owners of Lake Dora Circle have approached the city concerning the feasibility of connecting to city sewer. These properties, presently in the County, form an enclave within our city boundaries. They have indicated verbally that they would annex into the city if our sewer utility can be made available to them at a reasonable cost. The attached proposal from BESH Engineering is for the design of approximately 400 linear feet of gravity sewer that would run from the end of Lake Dora Circle to the city's Lift Station at the intersection of Lake Dora Circle north to the end of the road and South Shore Drive. It is noted that this sewer extension could not only service these three properties, but could potentially serve the other properties to the west on Lake Dora Circle. Once the line extension is properly engineered and designed, an estimated cost to construct and hook up property owners can be calculated. Utilizing that information, the city would advise each property owner their proportionate share. The city would execute a "Covenant to Annex" agreement with the owners of these properties prior to installing the sewer line. The City Utility Department will be utilizing Impact Fee funds for the engineering design of this contract.

OPTIONS:

- 1) That City Council moves to approve the attached agreement/proposal with BESH Engineering in the amount of \$15,720 for the design of a gravity sewer line extension.
- 2) That City Council denies the proposed contract with BESH Engineering.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve the attached contract with BESH Engineering in the amount of \$15,720 for the design of a gravity sewer line on Lake Dora Circle.

FISCAL IMPACT:

Funding for this project will come from the Impact Fees

Legal Sufficiency:

City Attorney has reviewed this for legal sufficiency.



VIA EMAIL

June 26, 2014

Brad Hayes
CITY OF TAVARES
201 East Main Street
Tavares, Florida 32778

RE: **PROPOSAL/AGREEMENT FOR THE CITY OF TAVARES**
LAKE DORA CIRCLE GRAVITY SEWER EXTENSION

Dear Brad:

Enclosed please find Booth, Ern, Straughan & Hiott, Inc.'s proposal for engineering, surveying and permitting necessary to complete the above-referenced project, as requested.

We look forward to serving you in the upcoming year, and into the future. Should you have any questions with regards to this matter, please feel free to contact our office.

Sincerely,

BOOTH, ERN, STRAUGHAN & HIOTT, INC.

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

RAE\sd

Enclosure

H:\stacey\WordPerfect\Rob\Proposal\City of Tavares\Lake Dora Circle Gravity Sewer Extension\Submittal Letter 06-26-14.wpd

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

ENGINEERING PROPOSAL/AGREEMENT
FOR
CITY OF TAVARES
LAKE DORA CIRCLE GRAVITY SEWER EXTENSION

ENGINEERS:
BOOTH, ERN, STRAUGHAN & HIOTT, INC.
Robert A. Ern, Jr., P.E.
350 North Sinclair Avenue
Tavares, Florida 32778
(352) 343-8481 - Phone
(352) 343-8495 - Fax

CLIENT:
CITY OF TAVARES
Brad Hayes, Utility Director
201 East Main Street
Tavares, Florida 32778
(352) 742-6485 - Phone
(352) 742-6351 - Fax

PROJECT: Lake Dora Circle Gravity Sewer Extension
CLIENT: City of Tavares, Brad Hayes
DATE: June 26, 2014

PROPOSAL/AGREEMENT

Scope: Booth, Ern, Straughan & Hiott, Inc., is pleased to submit this proposal for the Lake Dora Circle Gravity Sewer Extension project. The scope of the project includes the design and permitting of the improvements including installation of approximately 400 LF of 8" gravity sewer along Lake Dora Circle to connect existing homesites which are currently on private septic systems. The proposed line will connect to an existing lift station located on Lake Dora Circle and extend south approximately 400 LF to the existing cul-de-sac. Also included are utility locating services, surveying services, bidding assistance and construction administration. Permitting will include both FDEP and Lake County r/w permitting, as well as completing the required FDEP certification of completion. BESH shall also attempt to locate the existing septic tanks on the private property, as identified by the property owners, for the purposes of designing sewer laterals. City shall obtain permission for said survey work on private property. Note, the portion of Lake Dora Circle to be designed is located in unincorporated Lake County, not within the corporate limits of the City of Tavares.

TASK 001 UNDERGROUND UTILITY LOCATES

BESH shall utilize the services of Central Florida Locating to obtain the locations of existing below-grade utilities along the proposed corridor within the r/w (not on private property). Information obtained by this Task shall be utilized during the route survey portion of the project.

FEE: \$2,080.00

TASK 002 ROUTE SURVEY

BESH shall conduct a route survey from r/w to r/w along Mansfield Road from the southernmost driveway on the west side of Mansfield Road, north to the manhole located on County Drive. The survey shall attempt to locate all above ground and below grade utilities and improvements along the route. The survey shall also attempt to locate the existing septic tank locations on private property for the purposes of designing sewer laterals to the new gravity line. The property owners shall be responsible for showing the survey crews the locations of the existing septic tanks.

FEE: \$3,950.00

TASK 003 COLLECTION SYSTEM DESIGN AND PERMITTING

Prepare detailed design drawings for the construction of the water distribution system to meet FDEP and City of Tavares Land Development Regulations. The scope of these services shall include the following:

1. Prepare detailed design drawings for +/- 400 linear feet of 8" gravity sewer line, two manholes, and fourteen (14) sewer laterals. Plans shall also include provisions for reconstruction of Mansfield Road, which shall be impacted by the construction.

PROJECT: Lake Dora Circle Gravity Sewer Extension
CLIENT: City of Tavares, Brad Hayes
DATE: June 26, 2014

2. Prepare the FDEP water supply system permit application
3. Prepare the Lake County R/W Utilization permit application

FEE: \$4,360.00

TASK 004 CONSTRUCTION BID DOCUMENTS

Services to include preparation of construction contract bid documents and specifications. Booth, Ern, Straughan & Hiott, Inc., shall coordinate with all qualified bidders during bid processes and prepare final bid evaluations with recommendations to client. Booth, Ern, Straughan & Hiott, Inc., shall also prepare final contract documents between Owner and Contractor.

FEE: \$2,200.00

TASK 005 PROJECT ADMINISTRATION

The scope of services shall include administrative services necessary to coordinate all aspects of the project through the planning, design and permitting phase. These services shall include project scheduling with all regulatory agencies and public utility companies during the design and permitting phase of the project.

FEE: \$1,200.00

TASK 006 CONSTRUCTION ADMINISTRATION SERVICES

Booth, Ern, Straughan & Hiott, Inc., will advise and consult with Owner and act as its representative during construction. Booth, Ern, Straughan & Hiott, Inc., will make periodic visits to the site to observe the progress and quality of the executed site work and to determine in general if the work is proceeding in accordance with the construction drawings. Booth, Ern, Straughan & Hiott, Inc., will review and approve shop drawings, results of tests and inspections and other data that the contractor is required to submit.

Based upon the on-site observations and field survey as-builts to be provided by Contractor, Booth, Ern, Straughan & Hiott, Inc., shall prepare and submit certifications of completions to the following State and local agencies as required:

1. City of Tavares.
2. Florida Department of Environmental Protection.

Fee: \$1,930.00

PROJECT: Lake Dora Circle Gravity Sewer Extension
CLIENT: City of Tavares, Brad Hayes
DATE: June 26, 2014

SUMMARY FEE SCHEDULE

TASK 001	\$ 2,080.00
TASK 002	\$ 3,950.00
TASK 003	\$ 4,360.00
TASK 004	\$ 2,200.00
TASK 005	\$ 1,200.00
TASK 006	\$ 1,930.00
TOTAL	\$ 15,720.00

THIS PROPOSAL DOES NOT INCLUDE THE FOLLOWING ITEMS:

1. Environmental Assessments
2. Geotechnical Investigations
3. Sketch and Descriptions for Easements
4. NPDES Permitting
5. Advance of permit fees, impact fees, title search fees, recording or advertising fees
6. Reimbursables to be billed based upon direct expense incurred by Booth, Ern, Straughan & Hiott, Inc., blueprints, copies, mylars, reproductions, postage, etc.

PROJECT: Lake Dora Circle Gravity Sewer Extension
CLIENT: City of Tavares, Brad Hayes
DATE: June 26, 2014

**HOURLY RATE SCHEDULE
(2014)**

Professional Services shall be charged at the following rate schedule:

ENGINEERING

PROFESSIONAL ENGINEER (PRINCIPAL)	\$145.00/HOUR
PROFESSIONAL ENGINEER	\$130.00/HOUR
PROJECT ENGINEER	\$110.00/HOUR
ENGINEER TECHNICIAN I	\$95.00/HOUR
ENGINEER TECHNICIAN II	\$75.00/HOUR
BUILDING INSPECTOR	\$65.00/HOUR
CONSTRUCTION ENGINEER	\$85.00/HOUR
EXPERT TESTIMONY PROFESSIONAL ENGINEER	\$300.00/HOUR

SURVEYING

PROFESSIONAL SURVEYOR (PRINCIPAL)	\$145.00/HOUR
PROFESSIONAL SURVEYOR	\$110.00/HOUR
3 MAN FIELD CREW	\$145.00/HOUR
2 MAN FIELD CREW	\$125.00/HOUR
SURVEY TECHNICIAN I	\$95.00/HOUR
SURVEY TECHNICIAN II	\$75.00/HOUR
SURVEY TECHNICIAN III	\$30.00/HOUR
TITLE RESEARCHER	\$110.00/HOUR
EXPERT TESTIMONY PROFESSIONAL SURVEYOR	\$300.00/HOUR

PROJECT: Lake Dora Circle Gravity Sewer Extension
CLIENT: City of Tavares, Brad Hayes
DATE: June 26, 2014

All printing for this project shall be billed out at the following rate schedule, plus sales tax:
(Outside Copying Services will be billed at cost)

Engineering Bond Copies

Black & White

11 x 17.....\$1.25
24 x 36.....\$2.50

Color Copies

11 x 17.....\$2.00
24 x 36.....\$6.00

Black & White Copies

8 ½ x 11.....\$0.10
8 ½ x 14.....\$0.15
11 x 17.....\$0.20

Color Copies

8 ½ x 11.....\$1.20
8 ½ x 14.....\$1.45
11 x 17.....\$1.70

Other Printing Services

24 x 36 Vellum.....\$9.00
24 x 36 Mylar.....\$12.00
24 x 36 Photo Paper, Color..... \$36.00
24 x 36 Foam Board.....\$20.00

Other Services

Fax.....\$1.00/Copy
Postage (Fed-Ex, Certified Mail, Etc)...@ cost
Concrete Monuments..... \$10.00
Rebar..... \$2.00
Mileage (T/M Projects Only)..... \$0.59

PROJECT: Lake Dora Circle Gravity Sewer Extension
CLIENT: City of Tavares, Brad Hayes
DATE: June 26, 2014

TERMS AND CONDITIONS

I. GENERAL CONDITIONS

A. AGREEMENT:

These terms and conditions are attached to and made part of the proposal for services (the "Proposal for Services") by which Booth, Ern, Straughan & Hlott, Inc. ("BESH") has agreed to perform certain professional engineering and/or surveying services for and on behalf of **City of Tavares** ("Client"). The Proposal for Services, these terms and conditions, the hourly rate schedule, and the executed authorization to proceed attached to these terms and conditions shall constitute a contract (hereinafter referred to as the "Agreement") for the provision of services by BESH to and on behalf of Client.

B. TERMINATION:

This Agreement may be terminated by either party by furnishing written notice to the other party at least thirty (30) days prior to the effective date of termination. In the event that this Agreement is terminated by either party, Client shall pay BESH for all services performed and expenses incurred through the date of termination.

C. DOCUMENTS:

ENGINEERING DOCUMENTS

All original drawings, computations, details, design calculations, and electronic media that result from engineering services performed by BESH pursuant to this Agreement are and at all times shall remain the property of BESH. Signed and sealed construction plans, pdf files and AutoCad files will be issued to the Client as needed for permitting, bidding and construction. In doing so, Client agrees that no additions, deletions, changes or revisions shall be made to any of said documents without the express written approval of BESH. If payment for services is not received in accordance with Section II.(C)(Payment) of this Agreement, BESH reserves the right not to release any documents until payment is made current.

SURVEYING DOCUMENTS

All original drawings, computations, details, design calculations, field notes, and electronic media that result from surveying services performed by BESH pursuant to this Agreement are and at all times shall remain the property of BESH. Signed and sealed surveys may be obtained for a period of time up to ninety (90) days after issuance of the survey, and certifications may be revised during that same period of time for a fee of \$50.00 for each revision. Upon payment in full for services completed, and within the same period of ninety (90) days, Client, at Client's expense, may obtain copies of any documents or reproducible copies of drawings. In doing so, Client agrees that no additions, deletions, changes or revisions shall be made to any of said documents without the express written approval of BESH. After ninety (90) days and within one hundred eighty (180) days following issuance of the survey, BESH will revise certifications and will visually inspect the subject property for the purpose of reissuing a signed and sealed survey, charging its then-current hourly rates for performing said services and reissuing the survey.

D. FEE RENEGOTIATION:

The Proposal for Services describes the specific services to be performed and tasks to be undertaken by BESH for and on behalf of Client, and states the fee (the contract price) for each service and task. Except as otherwise provided in this Agreement, the contract prices quoted in the Proposal for Services shall remain in effect for a period of two (2) years from the date of execution of this

PROJECT: Lake Dora Circle Gravity Sewer Extension
CLIENT: City of Tavares, Brad Hayes
DATE: June 26, 2014

Agreement. After the expiration of two (2) years from the date hereof, the contract prices stated in the Proposal for Services shall be renegotiated between BESH and Client with respect to all services and tasks that have not been completed by that date. The hourly rates set forth in the hourly rate schedule that is part of this Agreement shall apply to all **additional services** requested by Client outside the scope of the services and tasks described in the Proposal for Services. Said hourly rates are applicable through December 31st of the year in which this Agreement was executed, and are subject to renegotiation on January 1 of each year thereafter.

E. REGULATORY REQUIREMENTS:

The contract prices and hourly rates set forth in this Agreement have been quoted based on all federal, state and local regulations in effect as of the date that the authorization to proceed work is signed by the latter of BESH and Client. If any of said regulations change during the permitting and design phase of this project, BESH reserves the right to increase fees for services that may be affected by regulatory changes upon written notice to the Client.

F. PERMIT ACQUISITION

BESH cannot guarantee the acquisition of any or all of the permits and/or approvals that shall be required for Client's project. BESH agrees that it shall exercise its best efforts try to obtain all of the necessary permits and/or approvals. Nevertheless, Client shall be responsible for payment of all consulting fees due BESH regardless of agency/governmental actions, including without limitation the failure of one or more governmental agencies to give the necessary approval for the project.

II. COMPENSATION

A. ADDITIONAL SERVICES:

BESH shall be fully compensated by Client for all additional services performed by BESH, including, without limitation, the following:

1. Changes made at Client's request to the scope of services defined in this Agreement.
2. Revisions made necessary as a result of changes to local, state or federal governmental requirements after the date of this Agreement.
3. Redesign per Client after preliminary design has been submitted to the relevant approving agency.

Client must sign a separate authorization to proceed form (a "Change Order") for each change in scope of services requested by Client before BESH is obligated to perform the revised scope of services.

B. OUT-OF-POCKET EXPENSES:

In addition to the fee schedule set forth in the Proposal for Services and the hourly rates to be charge for all additional services performed by BESH, BESH shall be reimbursed for all out-of-pocket expenses incurred by BESH, including, without limitation: blueprints, copies, plots, aerials, express deliveries, specialized postage, overnight courier services (such as Federal Express and UPS) and travel outside of the Central Florida area (greater than 25 miles from BESH's office located in Tavares, Florida). Printing and mileage expenses are set forth on the hourly rate schedule that is part of this Agreement. All other charges shall be billed to and paid by Client based on the actual costs incurred by BESH.

PROJECT: Lake Dora Circle Gravity Sewer Extension
CLIENT: City of Tavares, Brad Hayes
DATE: June 26, 2014

C. PAYMENT:

BESH shall submit invoices to Client on a semi-monthly (twice per month) basis. On each invoice, BESH will bill for its services in accordance with the hourly rate schedule included as part of this Agreement. The invoice also will identify the task or the tasks from the Proposal for Services on which BESH performed services during the billing period. If the Proposal for Services states a lump sum dollar figure for any particular task, the lump sum amount will represent a "not to exceed" figure for the task in question, and BESH will continue to bill by the hour for its services on that task until the "not to exceed" figure has been billed in full. Thereafter, unless the scope of services to be performed by BESH pursuant to said task has been changed and the compensation to be paid to BESH has been modified pursuant to Section II.A. of these Terms and Conditions, BESH will continue to perform its services under that task without additional charges for its services until BESH has performed all work required by that task. Client shall notify BESH in writing within ten (10) days from the date of the invoice if Client has any questions about the services performed or the charges for those services as reflected on the invoice. Client waives any and all challenges to the services performed and the charges for those services not raised within said ten (10) day timeframe. All invoices shall be due and payable in full within fourteen (14) days from the date of the invoice. All unpaid balances that remain unpaid after fourteen (14) days from the date of the invoice shall be subject to interest on the unpaid balance at the rate of 1.5% per month.

All outstanding invoices shall be paid in full by Client prior to plan submittal to any permitting agency, preparation of Final Plans for building purposes, Final Recording of Record Plat, and/or Final Certification of Completion to state and local agencies. BESH shall have no obligation under this Agreement to submit or prepare any of the foregoing materials unless and until Client complies with this requirement. In addition, in the event that any balance remains unpaid for at least 45 days from the date of the invoice which included the unpaid balance, BESH shall have the right to terminate any and all further work on the project until Client has paid said balance in full.

III. MISCELLANEOUS

A. FORCE MAJEURE:

BESH shall not be liable for any delays or failure in performance due to contingencies beyond BESH's reasonable control including, without limitation, acts of God, war, fire, explosion, flood, epidemic, severe weather, earthquake, rainstorm, riots, theft, accidents, strike, work stoppage, acts or regulations of a governmental entity, shortages of vehicles, fuel, power, labor or material, delays of other companies or contractors, or any other causes whatsoever whether similar or dissimilar to those previously enumerated. In the event of delay caused by any of the foregoing, BESH's time for performance shall be extended for such time as may be reasonably necessary to enable BESH to perform.

B. LIMITATION OF LIABILITY:

UNDER NO CIRCUMSTANCES SHALL BESH BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES, INCLUDING WITHOUT LIMITATION LOST PROFITS, LIQUIDATED DAMAGES, DELAYS, LOSS OF PRODUCTIVITY, INEFFICIENCY, LOSS OF GOOD WILL, OR ANY OTHER DAMAGES WHICH ARE SPECIAL, INCIDENTAL, INDIRECT OR CONSEQUENTIAL. THE LIABILITY OF BESH TO CLIENT, FOR ANY CAUSE OR COMBINATION OF CAUSES ARISING OUT OF OR RELATED TO THIS AGREEMENT, SHALL BE LIMITED TO THE TOTAL AMOUNT OF THE COMPENSATION PAID BY CLIENT TO BESH PURSUANT TO THIS AGREEMENT.

PROJECT: Lake Dora Circle Gravity Sewer Extension
CLIENT: City of Tavares, Brad Hayes
DATE: June 26, 2014

C. ENTIRE AGREEMENT:

This Agreement constitutes the entire agreement between BESH and Client and supercedes any and all prior or contemporaneous understandings, representations and agreements, oral or written. No amendment, modification or waiver hereof will be binding on BESH unless made in writing and duly executed by an authorized representative of BESH.

D. WAIVER:

The failure of BESH to enforce any provision of this Agreement or to exercise any right accruing through the default of the Client hereunder, shall not constitute a waiver of any other rights of BESH with respect to this Agreement.

E. COSTS AND ATTORNEY'S FEES:

In the event of any litigation to enforce the terms of this Agreement, BESH shall be entitled to recover court costs and reasonable attorney's fees for all proceedings, including at the trial court level, on appeal, and in connection with bankruptcy court proceedings. In the event that BESH retains the services of an attorney to collect from Client any sums due hereunder, BESH shall be entitled to recover from Client all fees and costs incurred with said attorney, whether suit is brought or not.

F. GOVERNING LAW; VENUE:

This Agreement shall be governed by and construed under the laws of the State of Florida. Venue for any proceeding based upon this Agreement shall lie exclusively in the state court of competent jurisdiction in Lake County, Florida.

G. SEVERABILITY:

If any provision of this Agreement is held invalid or otherwise unenforceable, the enforceability of the remaining provisions shall not be impaired thereby but rather this Agreement shall be construed as if not containing the particular invalid or unenforceable provision or provisions and the rights and obligations of the parties shall be construed and enforced accordingly.

**H. STATEMENT REGARDING DESIGN PROFESSIONALS
(ABSENCE OF LIABILITY).**

THIS AGREEMENT HAS BEEN ENTERED INTO BETWEEN CLIENT AND BESH. CLIENT ACKNOWLEDGES AND AGREES THAT THE INDIVIDUAL EMPLOYEES AND AGENTS OF BESH, INCLUDING WITHOUT LIMITATION THE DESIGN PROFESSIONALS WHO ARE EMPLOYEES OR AGENTS OF BESH, ARE NOT PARTIES TO THIS AGREEMENT. PURUSANT TO SECTION 558.0035, FLORIDA STATUTES, THE INDIVIDUAL EMPLOYEES OR AGENTS OF BESH (INCLUDING WITHOUT LIMITATION ALL ENGINEERS, SURVEYORS, AND OTHER DESIGN PROFESSIONALS WHO ARE EMPLOYEES OR AGENTS OF BESH), SHALL NOT BE HELD INDIVIDUALLY

PROJECT: Lake Dora Circle Gravity Sewer Extension
CLIENT: City of Tavares, Brad Hayes
DATE: June 26, 2014

LIABLE FOR NEGLIGENCE ARISING OUT OF OR RELATED TO
ANY WORK PERFORMED BY SAID EMPLOYEES OR AGENTS
PURSUANT TO THIS AGREEMENT.

PROJECT: Lake Dora Circle Gravity Sewer Extension
CLIENT: City of Tavares, Brad Hayes
DATE: June 26, 2014

AUTHORIZATION TO PROCEED

**PROPOSAL FOR ENGINEERING, SURVEYING & PERMITTING SERVICES
AS DESCRIBED IN THE ATTACHED PROPOSAL**

To acknowledge your agreement with the terms and conditions set forth in this Agreement (consisting of the Proposal for Services, the Terms and Conditions, the Hourly Rate Schedule and this Authorization to Proceed), and to provide Booth, Ern, Straughan & Hiott, Inc. (BESH) with Client's authorization to proceed with the work described in the Agreement, please fill out and sign the Authorization to Proceed below and return it to our office. We will schedule the work upon receipt of the executed Authorization to Proceed. The contract prices, hourly rates, and costs for printing and similar expenses set forth in this Agreement shall be valid for ninety (90) days from the date of this proposal. If this Agreement is not accepted by Client within said period of ninety (90) days, BESH reserves the right to modify any and all of the contract prices, hourly rates and cost figures set forth herein.

Retainer Amount: \$ N/A

THIS PROPOSAL/AGREEMENT ACCEPTED THIS _____ DAY OF _____, 2014.

Booth, Ern, Straughan & Hiott, Inc.

Client

Signature 
By: Robert A. Ern, Jr., P.E.
Title: Principal

Signature _____
By: _____
Title: _____

1995

Green Bay Dr

Lake Dora Cir

Westland Dr

Lake Dora Cir, Tavares, FL 32718 USA

S Shore Dr

Sunset Ct

Sunshine Ln

© 2014 Google

Potential customers

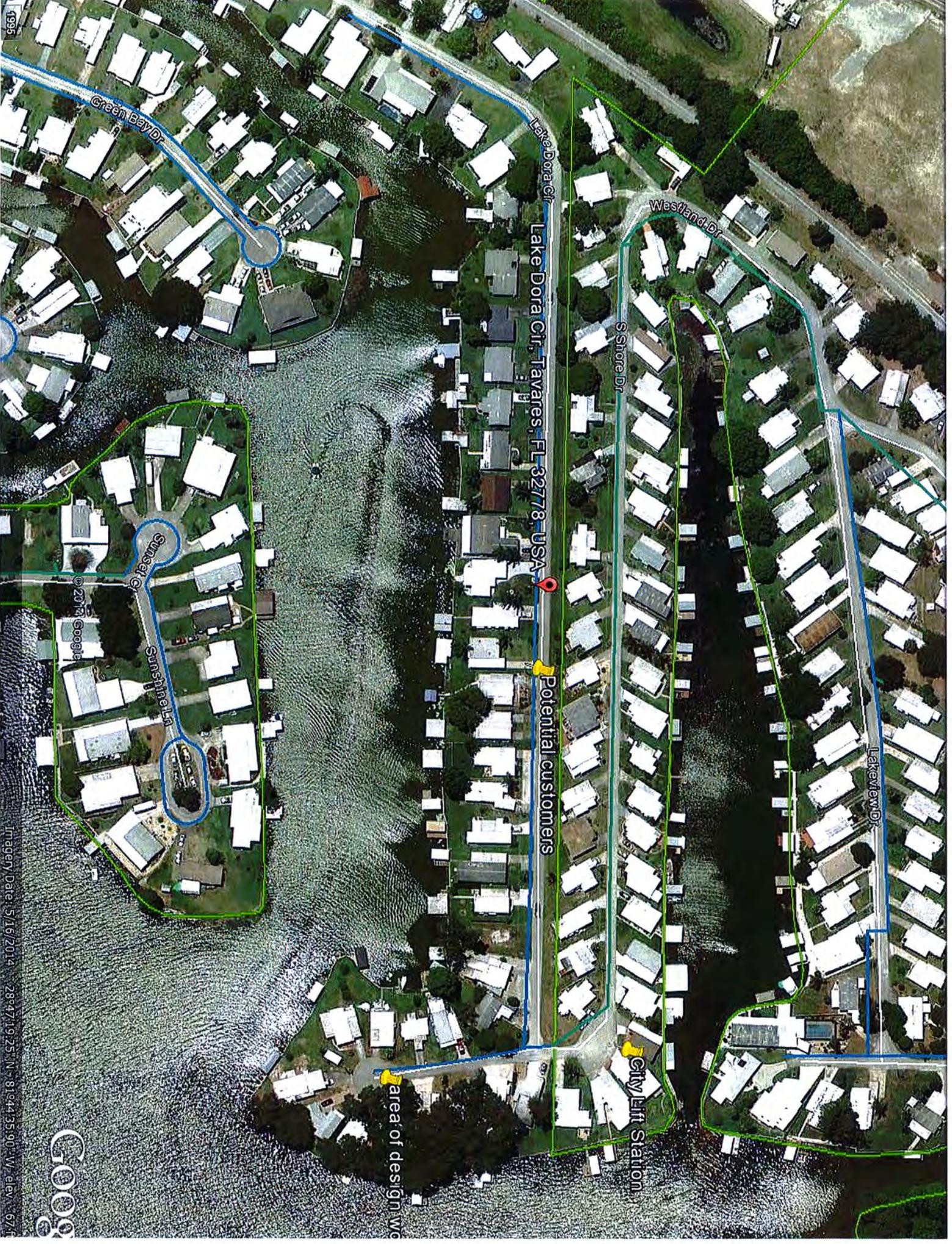
Lakewood Dr

City Lift Station

Area of design wo

Imagery Date: 5/16/2014 28°47'19.25" N, 81°44'39.90" W, elev. 67 ft

GOOGLE



THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: August 6, 2014**

**AGENDA TAB NO. 16
SUBJECT TITLE: Purchase of Boom Mower**

OBJECTIVE:

To consider the approval to purchase a new Boom Mower from Everglades Farm Equipment Co., Inc. in the amount of \$154,800 through a Capital Lease program utilizing "Piggy-Back" provision of Sherriff's Contract 13-11-0904

SUMMARY:

The FY 2015 budget which begins October 1, includes a request from the Stormwater Department to replace the existing 1988 Ferguson Massey tractor with a 30 foot four wheel drive boom mower. This mower is used to maintain the city's rights of ways, retention/detention ponds, ditch lines, and the Tav-Lee bike trail to name a few locations of maintenance and is used on steep inclines. This request has been made in previous budget years due to the safety concerns and repeated breakdown of the equipment due to the age of the equipment. Replacement parts are difficult to locate and the mower continuously breaks down.

The existing two wheel drive mower only has a 20' boom, which calls for staff to ride on top of the sidewalk can in some instances result in damaged sidewalks. The new mower has a 30' boom which can reach over sidewalks and is a four wheel drive, which allows staff to cover a wider area, drive through more rugged terrain and reduces hazards to operators. The Parks Department also utilizes the boom mower to mow rights of way.

Over the past 2 years the tractor has had frequent breakdowns and thus was budgeted for replacement. With the new mower safety features, staff will be able to use the mower more often in a variety of weather conditions.

Although the equipment has been budgeted for next fiscal year, because of the rainfall and high growth of grass and weeds and recurring equipment problems, staff is recommending that the City purchase the equipment this fiscal year under the Sherriff's bid. Enclosed is a memo from the Vehicle Maintenance Supervisor detailing the condition of this equipment and recommending replacement as soon as possible.

OPTIONS:

1. Approve and authorize purchase of Boom Mower in the amount of \$154,800 utilizing pricing under the Sherriff's RFP and Contract 13-11-0904 through a Capitol Lease program and authorize sending 1988 Ferguson Massey tractor mower to auction.
2. Do not approve the purchase of the Boom Mower at this time.

STAFF RECOMMENDATION:

1. Move to approve and authorize purchase of Boom Mower in the amount of \$154,800 utilizing pricing from the Sheriff's Contract 13-11-0904 through a Capitol Lease program and to authorize sending the 1988 Ferguson Massey tractor mower to auction.

FISCAL IMPACT:

It is estimated that the Capital Lease program would be for five (5) years at 3% interest resulting in an estimated annual cost of \$35,500 per year for five years. There are sufficient funds budgeted in the Utility Department's operations and maintenance fund to pay the \$35,500 annual capital lease for five years.

LEGAL SUFFICIENCY: Legally sufficient.

Nancy Barnett

From: Charlie Pell
Sent: Thursday, July 24, 2014 3:01 PM
To: John Drury; Lori Houghton
Cc: Brad Hayes; Chris Thompson; Jason Spann
Subject: FW: Boom mower

From: Chris Thompson
Sent: Thursday, July 24, 2014 9:45 AM
To: Charlie Pell
Subject: RE: Boom mower

Thanks Charlie. Please send this to John Drury and Lori Houghton. Cc Brad & I. Thanks

From: Charlie Pell
Sent: Thursday, July 24, 2014 7:32 AM
To: Chris Thompson
Subject: RE: Boom mower

During recent inspection of this equipment we found the mower deck had damaged places that needed repaired and that the deck would have to be replaced soon because of the wear on it. Also the pins and bushings on the boom were getting looser. With the prior inspection in April this year I had noted the age and repairs and reliability of this machine is well beyond it useful value. The safety of our employees and residents is still a factor because of the nonexistent safety devises this machine should have in place in this day and age is a big concern of mine, it is still my recommendation to replace and auction this unit as soon as possible.

From: Charlie Pell
Sent: Monday, April 21, 2014 10:28 AM
To: Jason Spann
Subject: Boom mower

We currently own a 1988 Massey Ferguson 283 with a Alamo boom mower that is in dire need of replacing, this unit is used for keeping the right of way, retention ponds, ditch banks and hill side slopes mowed. Beside this machine being 26 years old and over 2500 hrs of operation it was built in the time that safety was not nearly as crucial as of today's standards. We are also experiencing the lack of service and replacement parts available because of the age of this unit. Over its life in the city we have spent in the area of \$35,000.00 in repairs and maintenance on this machine. As it stands to date this machine in the market place is worth \$5,000.00 to \$10,000.00. things to note with the increase of the emission standards getting tighter the cost of a new machine is getting much higher in price.

Charlie Pell
Fleet Manager
The City of Tavares
100 North Disston Ave.
Tavares Fl. 32778-1068
Ph (352)-742-6215
Fax (352)-742-6337

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
BUDGET WORKSHOP
DATE OF MEETING: August 6, 2014**

AGENDA TAB NO. 17

SUBJECT TITLE: Fiscal Year 2015 Budget Continued Council Discussion

OBJECTIVE:

To continue Council deliberations on the 2015 fiscal year budget.

SUMMARY:

That The City Council continue to deliberate the FY 2015 budget.

OPTIONS:

N/A

STAFF RECOMMENDATION:

That the Council continue to deliberate the FY 2015 budget

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient

THIS PAGE INTENTIONALLY LEFT BLANK



**AGENDA SUMMARY
TAVARES CITY COUNCIL
August 6, 2014**

AGENDA TAB NO. 18

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 & Budget Workshop – August 20, 2014 – 4:00 p.m.
- City Council Regular Meeting & Public Hearing to Adopt Tentative Millage Rate and Tentative Budget for Fiscal Year 14-15 (4:00 for Meeting and 5:05 p.m. for Public Hearing) – September 3, 2014
- City Council Regular Meeting & Public Hearing to Adopt Final Millage Rate & Final Budget for Fiscal Year 2014-2015 (Meeting at 4:00 p.m. and Public Hearing at 5:05 p.m. – September 17, 2014
- Code Enforcement Special Magistrate Hearing – August 26, 2014 – 5:30 p.m.
- Lake County League of Cities Meeting – August 8, 2014; 12:00 p.m. Elks Lodge, Tavares
- Lake Sumter MPO Board – August 27, 2014 – 2:00 p.m. - MPO Board Room, Leesburg
- Library Board – August 20, 2014 - Library Conference Room – 2:00 p.m.
- Planning & Zoning Board – July 17, 2014 – City Council Chambers – 3:00 p.m.

OTHER EVENTS

Hydro Drag World Champs – August 30-31

Hydrocross Water Racing – September 6 and 7, 2014

Rifles, Rails & History – September 26-28

Pavilion on the Lake Grand Opening – October 11, 2014

Monster Splash – October 25

Howl o Fest – October 24-25

Z-Fest – November 15, 2014

Christmas Parade & Celebration – December 6

**AGENDA SUMMARY
TAVARES CITY COUNCIL
August 6, 2014**

AGENDA TAB NO. 19

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

THIS PAGE INTENTIONALLY LEFT BLANK

