AGENDA
TAVARES CITY COUNCIL

August 20, 2014
4:00 P.M.
TAVARES CITY HALL COUNCIL CHAMBERS

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

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Greg Watts, Liberty Baptist

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 16, 2014 Regular Council Meeting — **Mayor Wolfe**
Minutes of July 30th, 2014 City Council Budget Workshop
Minutes of August 6, 2014 Regular Council Meeting

V. PROCLAMATIONS/PRESENTATIONS

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS

VIII. CONSENT AGENDA

IX. ORDINANCES/RESOLUTIONS

FIRST READING

SECOND READING

Tab 2) Ordinance #2014-08 – Amendment to Lakeview Center Planned Development Conceptual Site Plan by Changing Westerly End of Residential Section to Commercial Development — **Jacques Skutt**

Tab 3) Ordinance #2014-09 – Small Scale Future Land Use Amendment for 1 Acre of Property Located at Lakeview Center on the Southwest Bend of Nightingale Lane from medium Density Residential to Commercial — **Jacques Skutt**

Tab 4) Ordinance #2014-10 – Rezoning of Approximately 1.73 Acres From C2 (Highway Commercial) to RMF-3 (Residential Multi-Family) for Property Located at 15000 US 441 (Regency Inn/Comfort Inn) — **Jacques Skutt**

Tab 5) Ordinance #2014-11 – Small Scale Future Land Use Amendment for 1.73 Acres from Commercial to High Density Residential for ACLF For Property Located at 15000 US 441 (Regency Inn/Comfort Inn) — **Jacques Skutt**

Tab 6) Ordinance #2014-12 – Land Development Regulations Allowing Medical Marijuana Dispensaries in C-2 (Highway Commercial) District if Approved by Voter Referendum — **Jacques Skutt**

RESOLUTIONS

Tab 7) Resolution #2014-16 – Partial Vacate of Westerly Cul-de-Sac Of Nightingale Lane — **Jacques Skutt**

Tab 8) Resolution #2014-21 – Interlocal Service Boundary Agreement between the Town of Astatula and Lake County — **Jacques Skutt**

Tab 9) Resolution #2014-22 – Authorization to Execute Financing Agreement for Purchase of Boom Mower — **Lori Houghton**

X. GENERAL GOVERNMENT

Tab 10) Award of Bid for Ingraham Restrooms — **Tammy Rogers**

Tab 11) Discuss Golf Cart Ordinance Rules & Regulations Related to Drivers License and Age — **Mayor Wolfe**

Tab 12) Discuss Ordinance on Sale & Consumption of Alcoholic Beverages – Sale of Food Requirement — **Mayor Wolfe**

Tab 13) Discuss Impact of Mobile Food Vendors Ordinance on Existing Establishments — **Mayor Wolfe**

Tab 14) Florida League of Cities Legislative Policy Committees - City Representation — **Mayor Wolfe**

Tab 15) Revised Facilities Use Agreement with Lake County School Board — **Tammy Rogers**

Tab 16) Re-Authorization of Grant with Florida Department of Of Environmental Protection/TMDL Program to Utilize Funds for Construction of Stormwater Pond in the CRA — **Brad Hayes**

Tab 17) Appointment to Lake Community Action Agency — **Mayor Wolfe**

XI. FISCAL YEAR 2015 BUDGET WORKSHOP

Tab 18) Fiscal Year 2015 Budget Continued Council Discussion — **John Drury**

XII. OLD BUSINESS

XIII. NEW BUSINESS

XIV. AUDIENCE TO BE HEARD

XV. REPORTS

Tab 19) City Administrator — **John Drury**

Tab 20) 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.

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TAVARES

America's Seaplane City™

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
JULY 16, 2014
CITY COUNCIL CHAMBERS
4:00 p.m.

COUNCILMEMBERS PRESENT **ABSENT**

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

STAFF PRESENT

John Drury, City Administrator
Robert Q. Williams, City Attorney
Susie Novack, Deputy 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
Richard Keith, Fire Department

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Tom Cavanaugh, First Baptist Church of Mt. Dora, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

Mayor Wolfe asked for any changes to the agenda.

Mr. Drury requested to add item 9A - 90 Day Extension for the Sale of the Tri City Landfill Property under General Government.

MOTION

Norman Hope moved to approve the agenda with the addition [9A – 90 Day Extension for the Sale of the Tri City Landfill Property], seconded by Robert Speaks. The motion carried unanimously 5-0.

IV. APPROVAL OF MINUTES

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) 2014 Notice of Election Proclamation

Mayor Wolfe read the 2014 Election Proclamation in its entirety.

PROCLAMATION
BY ORDER OF THE MAYOR OF THE CITY OF TAVARES

NOTICE OF ELECTION

The 2014 City Election will be held on Tuesday, November 4, 2014 in the City Hall Council Chambers, First United Methodist Church, Lake County Agriculture Center, Lake Frances Estates Clubhouse, Tavares Masonic Lodge, Imperial Terrace, and Royal Harbor Social Hall, for the purpose of electing three non-partisan Councilmembers to Seats 1, 3, and 5 to serve at large for 2014-2016.

NOTICE IS HEREBY GIVEN that the registration for Lake County is now open for registration of all qualified voters of the City of Tavares at the office of the Supervisor of Elections for Lake County in the Administrative Building of Tavares, Florida, during the usual office hours.

Electors of the City of Tavares who have registered on or prior to October 6, 2014 at 5 p.m. will be processed for voting at the City Election to be held on the 4th day of November, 2014.

Nominations to Seats 1, 3, and Seat 5 shall be by petition signed by at least twenty-five (25) qualified electors of the City of Tavares and must name the individual and the specific Council seat sought. A candidate may qualify for only one seat. The petition must be filed with the City Clerk by Noon at City Hall for the City of Tavares on or before the 15th day of August, 2014 along with all required election documents. Election packets may be obtained from the City Clerk.

Dated this 16th day of July, 2014.

Tab 3) Main Street Water Lateral Improvements

Mr. Hayes introduced Alexis Stewart, Arcadis U.S., Inc., who presented a PowerPoint presentation on the proposed water main improvements for a 1960 6" cast iron water main on the North side of Main Street from Texas Avenue to Disston Avenue that is in poor condition, difficult to repair, and near the end of its useful life. This 6" water main serves 8 customers with 2 connections into an existing 12" water main on the South side of Main Street. The 12" water main

pipe was designed to handle future capacity, as well as capacity from this 6" cast iron pipe. Mr. Hayes said the contractor is currently on site and there will be minimal impact to customers. Mr. Hayes said he is available for questions.

Councilmember Smith asked why water lines are being filled with grout. Mr. Hayes said holes created in cast iron pipes have the potential to fill up with dirt and sand which can result in a sinkhole. He said the standard practice is to fill them with grout so that there are no future issues.

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

None

VII. READING OF ALL ORDINANCES/RESOLUTIONS

Ms. Novack read the following ordinances and resolutions by title only:

ORDINANCE 2014-06

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

RESOLUTION 2014-18

A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF TAVARES, FLORIDA TO ISSUE TAX-EXEMPT DEBT TO DESIGN, PERMIT AND CONSTRUCT WATER AND SEWER IMPROVEMENTS IN THE AREAS KNOWN AS SUNSET VIEW SUBDIVISION AND THREE LAKES PARK; EXPRESSING THE INTENT FOR PURPOSES OF COMPLIANCE WITH UNITED STATES TREASURY REGULATION SECTION 1.150-(2)(E) TO REIMBURSE WITH THE PROCEEDS OF SUCH TAX-EXEMPT FINANCING, EXPENDITURES MADE WITH RESPECT TO THE DESIGN, PERMITTING AND CONSTRUCTION OF SUCH IMPROVEMENTS; PROVIDING FOR THE ISSUANCE BY THE CITY OF NOTES, BONDS OR OTHER OBLIGATIONS IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT

EXCEEDING $850,000 TO PAY THE COST OF SUCH PROJECTS; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION 2014-19

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING THE ACCEPTANCE OF A PORTION OF LAKE COUNTY PARCEL 29-19-26-010010300000 FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF SERVING COMMUNITY STORMWATER NEEDS.

VIII. CONSENT AGENDA

Mayor Wolfe asked for comments from Council.

MOTION

Kirby Smith moved for approval of the consent agenda [Tab 4 – Urban County Cooperation Agreement], seconded by Robert Speaks. The motion carried unanimously 5-0.

IX. ORDINANCES/RESOLUTIONS

Tab 5) Ordinance 2014-06 – Text Amendments to Land Development Regulations – Chapter 8 Zoning Regulations

Mr. Skutt said Ordinance 2014-06 includes four minor amendments to the Land Development Regulations. He said that Staff will periodically suggest changes addressing consistency and problems that have been noticed over the previous year.

1. Section 8-11 (A)(7)- Presently, it is inferred that intense commercial uses found in a C-2 Highway Commercial District would only be located along U.S. 441. This section predates the evolution of SR 19 as a main commercial corridor. The amendment removes this restriction.

2. Section 8-11(D)(2)- Presently, accessory uses and structures are not permitted in commercial districts. Commercial landowners have asked for small accessory buildings that could be utilized for storage or landscaping equipment. Staff finds this reasonable provided the accessory building is located in the side or rear yard and provided it complies with the same setback requirements of the principle building.

3. Table 8-2 Permitted and Special Uses- Presently, a veterinary clinic is not an allowed use in the Mixed Use District. An existing clinic that predates these regulations is located in the Mixed Use District with no apparent problems. Making this a Special Use would allow a new Veterinary Clinic to locate in the Mixed Use District subject to neighborhood support and compliance with imposed conditions.

4. Section 20-3(D) Limit on Additional Parking Spaces.-In 2009, an amendment was made to the Land Development Regulations that limited the maximum amount of off-street parking to that provided by Table 20 of the regulation. Certain developments, particularly those related to medical uses, have found these numbers to be too low. This amending ordinance would allow additional parking if supported by an Engineer's study.

Mr. Skutt said the Planning and Zoning Board unanimously approved Ordinance 2014-06 on June 19, 2014, and Staff recommends approval.

Mayor Wolfe asked for comments from Council.

MOTION

Kirby Smith moved to approve Ordinance 2014-06, seconded by Norman Hope. The motion carried unanimously 5-0.

Tab 6) Resolution 2014-18 – Reimbursement for Sunset View Project

Ms. Houghton said Resolution 2014-18 expresses the city's intent to issue tax exempt debt for the Sunset View Subdivision water and sewer project, allowing for reimbursement of expenditures that are incurred prior to the issuance of debt. Ms. Houghton said the city has been working with the residents of Sunset View and Three Lakes Mobile Home Park for 5 years; she provided a review of the approval process for the project. Ms. Houghton said that in order to allow the City to reimburse itself for project costs during the period that the City issues an RFP for Tax Exempt financing, this Resolution is needed under the requirements of United States Treasury Regulations Section 1.152-(2)(c). She said this will be reimbursed by a Special Assessment to the homeowners with a 10 year debt repayment period. Staff recommends approval with debt not exceeding $850,000.

Mayor Wolfe asked for comments from Council.

MOTION

Kirby Smith moved to approve Resolution 2014-18, seconded by Lori Pfister. The motion carried unanimously 5-0.

Tab 7) Resolution 2014-19 – Acceptance of Land for Public Purposes

Mr. Hayes said Council previously approved the city moving forward to accept a piece of surplus property from FDOT for community stormwater needs. In order for FDOT to complete the transfer they require an approved resolution.

MOTION

Robert Speaks moved for approval of Resolution 2014-19, seconded by Norman Hope. The motion carried unanimously 5-0.

X. GENERAL GOVERNMENT

Tab 8) FY 2015 Council Goals for Administrator

Mr. Drury said that each Councilmember has identified their FY2015 individual goals for the Administrator. He said that once the goals are reviewed and the collective goals are established by Council, he will meet with all of the Department Heads and begin discussing the strategies, initiatives, and budgets necessary to try to achieve those goals.

Mayor Wolfe asked for comments from Council.

Councilmember Hope said goals need to be obtainable and measureable. He said his top three goals are the completion of the Wooton Park Expansion, Pavilion parking, and the Public Safety Complex when funding becomes available in the future [three years].

Council discussed and reviewed the individual list of goals and the collective goals were identified as follows:

1. Complete Wooton Park Expansion
2. Develop Golden Triangle Fire District – Continue and Rollover
3. Secure funding/grants for Phase III of Pavilion (Seaplane/Boat Dock Area)
4. Golf Cart Crossing 441 and St Clair Abrams - Continue
5. Secure Grants for Woodlea Sports Complex from Lake County
6. Develop Funding program for Public Works Facility – Long Term Goal
7. Develop Funding program for Public Safety Complex – Long Term Goal.
8. Complete Alfred Street Project – Continue working with County
9. Install Gateway signs at the Chris Daniels Fountain Park and Florida Hospital Waterman property.
10. Upgrade Ruby Street (sidewalks, lighting, brick pavers) – ongoing
11. Continue implementing and completing prior year goals
12. Performing/Cultural Center – *identifying location(s)*
13. Develop necessary parking for the Pavilion
14. Continue to work with County on paying their fair share of fire protection
15. Have a section of Wooton Park Expansion completed for public use
16. Create a name for Wooton Park expansion
17. Have City Flags installed at city buildings (where appropriate) and for sale in Implement Street repaving plan in 2015
18. Increase retail community by 20 businesses in 2015

Tab 9) Award of Bid for Sunset View Water and Wastewater Project

Mr. Hayes said the objective is to approve a construction contract with Morrison and Associates, Inc. in the amount of $759,986.50 for the Sunset View/Three Lakes Park sewer and water project and to approve the direct purchase of E-One grinder pumps from Water Resource Technologies in the amount of $274,237.71. The city recently received competitive bids for the construction and installation of the water and sewer systems for Sunset View/Three Lakes Park. After reviewing submittal information Morris and Associates, Inc. was determined to be the low bid. He

said the direct purchase of the E-One grinder will result in a savings in the amount of $57,788.96. Staff recommends approval.

Vice Mayor Pfister said she is thrilled to see a Lake County/Tavares based business be awarded the bid. Councilmember Hope, Councilmember Smith, Councilmember Speaks, and Mayor Wolfe concurred.

Councilmember Hope inquired about the difference in the dollar amount of the previously approved Resolution 2014-18 for $850,000. Ms. Houghton said Resolution 20141-18 was based on the information at the time of prior Council approval. The final financing and project costs will be brought back to Council for approval.

Councilmember Hope asked if the higher amount will increase the reimbursement that the residents will have to pay over the 10 year period; Ms. Houghton confirmed. Councilmember Smith asked if they are aware of the increase; Ms. Houghton confirmed. Mr. Drury and Mr. Hayes said they were given a range up to $25,000 throughout the entire process and this will be less.

Councilmember Smith asked if all of the companies had the same bid requirements; Mr. Hayes confirmed.

Mayor Wolfe asked when the project will begin. Mr. Hayes said they will be on site at the end of August and the project will be completed within 120 days.

MOTION

Norman Hope moved for approval, seconded by Kirby Smith. The motion carried 5-0.

Tab 9A) 90 Day Extension for Sale of Tri-City Landfill Property

Attorney Williams said Council contracted to sell the Tri-City Landfill property that is owned jointly by the cities of Tavares, Mount Dora, and Eustis to Vulcan Industries. Vulcan Industries had a 90 day due diligence period that will expire at the end of July. They are completing an environmental workup and a land use change. Staff recommends approval.

MOTION

Lori Pfister moved for approval, seconded by Robert Speaks. The motion carried unanimously 5-0.

Tab 10) LakeXpress Bus Shelter Matching Funds Program

T.J. Fish, Director, Lake Sumter MPO, said the Lake County Commission is considering a new policy that would earmark a certain amount of federal funds that are received from the Federal Transportation Administration which can be used for capital items including bus stops and bus shelters. Mr. Fish provided the history of LakeXpress and the creation

of the now existing bus stops and shelters. He said bus stops will continue to be fully funded by the county.

Mr. Fish said that municipalities have never been asked for any financial participation and the $20.000 budget request was a suggested amount that would cover more than one shelter. The MPO will create an official priority list for the shelters and whoever has the funding in place. Mr. Fish said he is available for questions.

Discussion was held regarding the shelters, LakeXpress operational costs, ridership, designated bus stops, bus shelter engineering, and the para transit program. Mr. Fish said the ridership is currently 1.1M with 300,000 one way rides on an annual basis. He said automated passenger counters have recently been installed and he will return to provide an accurate reporting of Tavares ridership in 90 days. Discussion was held regarding unapproved bus stops and people flagging down busses; Mr. Fish said that they would be tightening up on those issues in the future.

Councilmember Smith said he would like to reduce the budget amount from $20,000 to $6,000 for one shelter. Mr. Fish said somewhere between $6,000 and $10,000 would include a buffer to cover any unexpected engineering or other costs. Discussion was held regarding a need for a bus stop across the street from City Hall. Mr. Neron said that in the initial discussion stages with the new medical office going in across the street from City Hall, staff committed to do everything in their power to have a bus stop placed within the vicinity. He said he anticipates funding that bus stop/shelter in the current fiscal year budget.

Mayor Wolfe said any bus stop/shelter located at the Judicial Center should be funded 100% by the county as that will be utilized by residents throughout the county.

Tab 11) Presentation of Proposed Fiscal Year 2015 Enterprise and Special Fund Budgets

Mr. Drury noted the General Fund Budget was previously delivered which includes Police, Fire, Library, Finance, Human Resources, Administration, Council, Parks, Recreation. He staff will provide answers to Council questions during the July 30, 2014 Budget Workshop when staff will deliver the capital program, and Council will set the Tentative Maximum Millage Rate. There will be two budget workshops in August and two in September.

Ms. Houghton presented a PowerPoint presentation of the Fiscal Year 2015 Enterprise and Special Fund Budgets including Water/Wastewater/Reuse, Stormwater, Solid Waste, Seaplane Base, Pavilion, as well as a brief overview of Other Funds; General Government, Utility Restricted.

Ms. Houghton said she is available for questions and also invited Council to call her office in order to address any concerns.

Mayor Wolfe asked for comments from Council.

Councilmember Smith said he is not in support of a .75 cent stormwater increase. Mr. Smith said he would like to know what the impact of the increase would be to the business community. Ms. Houghton said the information will be provided to Council.

Councilmember Smith said the fuel sales are shown as going down when the actual trend on the Department Report has shown an increase month by month and year by year. Mr. Drury said that information will be provided to Council.

Councilmember Smith said he would like to look at the $10,000 pipe saw and $150,000 lawnmower as areas for reduction.

Vice Mayor Pfister inquired about the anticipated increase in the Splash Park attendance. Ms. Houghton said an increase is anticipated as the park expansion is completed. Vice Mayor Pfister inquired about 3% raises to new employees. Ms. Houghton said anyone employed prior to October 1 would get a 3% raise with a city-wide increase.

Vice Mayor Pfister asked if the boat slip rentals are at full capacity. Mr. Drury said some are reserved for transient boats and staff has discussed moving transient to the L shaped docs which would open up more boat slips for rental. There is currently a waiting list for boat slips. Mr. Neron said he will be bringing forward a proposed contract in August for a boat club that wants to locate 3 boats at the Seaplane Base and Marina which will provide rental income. He said the contract will also include a requirement that the club purchases all their fuel from the city which will help with fuel sales.

Councilmember Speaks inquired about the bear resistant dumpsters included in the Solid Waste Fund. Mr. Thompson said bear resistant dumpsters are included in the Waste Management contract and will be supplied if needed. Councilmember Hope noted there has been recent bear activity in his neighborhood.

XI. OLD BUSINESS

Golf Cart Ordinance

Mayor Wolfe said the golf cart ordinance has been in effect for years and asked that the ordinance be brought back for discussion regarding a requirement for a drivers license. He said there has been abuse of ordinance with what appears to be 8-12 year old children driving golf carts in the city. Councilmember Hope and Councilmember Speaks said they concurred. .

Vice Mayor Pfister noted her support for the current ordinance and said those that are caught should be given a warning.

Councilmember Smith said he prefers the age limit and suggested penalties be included in the ordinance instead of a drivers license.

There was consensus to bring the golf cart ordinance back for discussion.

Zoning – 1 Way Pair – Caroline Street to Ianthe

Councilmember Smith said he would like to have the zoning from Caroline to Ianthe reviewed for commercial zoning.

Mr. Skutt said he agrees and this has been anticipated. Staff was waiting for completion before moving forward.

XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

Diana Aten, St. Clair Abrams Street, asked Council to consider adding the alleyway improvements as one of the goals. She said she agrees there is a lot of abuse on the golf carts in the middle of the night and perhaps a time of operation can be considered.

Mayor Wolfe said alleyway upgrades are included in the budget.

Ms. Houghton noted funding for alleyway improvements was included in the budget.

XIV. REPORTS

Tab 14) City Administrator

Mr. Drury said the budget workshops dates are included in his report provided in the agenda packet.

Mr. Drury said city employee Eddie Ratliff passed away as a result of a tragic event. He said Mr. Ratliff worked for the city for 21 years and this is a sad day for the community and employees. He commended Lori Tucker, Joyce Ross, Stoney Lubins, and Chris Thompson for their assistance during the tragic event and how professionally they represented the City.

City Clerk

Ms. Novack said the 2014 Election Qualification Packets will be available for pick up in the City Clerk's Office in the morning.

Human Resources

Economic Development

Public Works

Public Communications

Utility Department

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Police Department

Community Services

Fire Department

Community Development

Finance Department

City Attorney

Tab 15) City Council

Vice Mayor Pfister

Vice Mayor Pfister said the 4th of July festivities were wonderful and that they get better each year.

Councilmember Hope

Councilmember Hope asked to be advised of the upcoming services for Eddie Ratliff and his family. He said he would like to represent the City Council at the service. Mr. Thompson said the family mentioned they planned to have the three funerals together.

Councilmember Speaks

Councilmember Speaks asked if a fund had been set up for the Ratliff family. Vice Mayor Pfister confirmed it is at United Southern Bank.

Councilmember Speaks said that he was on Mr. Ratliff's route. He said he was accommodating and always extended a honk and a wave and that he will be missed.

Councilmember Speaks inquired about the Tavares softball teams funding request for the state competition. He asked if they had requested a certain amount. Mr. Drury said $250.00 was included in the budget and then the board authorized a $250.00 match from reserves for a total of $500.00 funding toward travel to State competition. He said they also asked for support for Regional competition. Councilmember Speaks said he received a letter where they returned a portion of the approved funding from the team.

Councilmember Smith

Councilmember Smith asked if the city can let the community know about the Ratliff family fund that has been established.

Councilmember Smith said on this day in history in 1888 the final vote was held to see which city would become the County Seat. Tavares received 1162 votes and Leesburg received 927 votes.

Mayor Wolfe

Mayor Wolfe said on this day in history on July 16, 1969 the Apollo 11 was launched with astronauts Neil Armstrong, Buzz Aldrin, and Michael Collins.

Mayor Wolfe said Eddie Ratliff was also on his route and that he was a great guy. He said that Eddie and his Mother would go to Wooton Park one to two times a day to enjoy. He asked if Council wished to donate a plot at the cemetery.

Mr. Drury asked if that request can extended to all three family members.

Consensus of Council to donate three burial plots to the Ratliff family.

Mayor Wolfe asked everyone to keep the Ratliff family in their thoughts and prayers.

Adjournment

There was no further business and the meeting was adjourned at 6:25 p.m.

Respectfully submitted,

Susie Novack

Susie Novack
Deputy City Clerk

CITY OF TAVARES
CITY COUNCIL BUDGET WORKSHOP
MINUTES
JULY 30, 2014
CITY COUNCIL CHAMBERS

COUNCILMEMBERS PRESENT **ABSENT**

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

STAFF PRESENT

John Drury, City Administrator
Nancy Barnett, City Clerk
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Bill Neron, Director of Economic Development
Chris Thompson, Director of Public Works
Brad Hayes, Director of Utilities
Stoney Lubins, Police Chief
Jacques Skutt, Director of Community Development
Tammey Rogers, Director of Community Services

I CALL TO ORDER

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

II. DELIVERY OF FIVE YEAR CAPITAL IMPROVEMENT PROGRAM

Mr. Drury asked Ms. Houghton to provide an overview of the Capital Improvement program document that had been distributed.

Ms. Houghton outlined the 11 programs within the five year plan:

- Beautification
- Economic Development
- Public buildings & facilities
- Parks and Recreation
- Transportation
- Water Facility and improvements

- Wastewater facilities and improvements
- Water reuse
- Solid Waste
- Stormwater
- General Government

She noted the total capital program is 96+ million. The capital improvement document identifies various funding sources such as general government, debt, mixed sources, etc. Prior year, current year, and four years into the future are identified. Also included are some graphs to show the percentage of each program to compare to the CIP as a whole. When a project is added it is assigned a numerical order in sequential order. If there is a downtown master plan correlation that is also identified. The status of any grant funding is also provided.

Mr. Drury said in terms of the current proposed year for 2014-2015, anything listed is proposed for the next fiscal year; if it is highlighted the revenue source has not been identified. If it is not highlighted it is included in the budget. He noted that the option to purchase the County Records Center building is included however the source of funding has not been clearly identified. Street lighting is another example; it has been scheduled for the 2015-2016 budget instead of this year.

Vice Mayor Pfister asked about the parking lot for the Pavilion. Mr. Drury said there is money budgeted to pave the Public Works parking lot, fence it with the same black fencing that is along Ruby Street, and to add signage.

<u>III) Answer Previous Council Questions</u>

Mr. Drury said he will keep an ongoing list of questions and will update it throughout the budget process.

1. Completion of capital improvement program – Delivered at this meeting
2. Identify the exact amount of money that is needed to have a zero millage rate increase. Mr. Drury said staff took the figure from the budget deliberations in which the budget was reduced to the bus service; added the Property Appraiser's final numbers; and then moved the parking lot funding from General Fund to infrastructure sales tax. After all those adjustments, Council would need to find $189,263 in either cuts or additional revenues to have a zero rate millage increase.
3. Develop the proposed half mil tax impact on some sampling commercial businesses. Mr. Drury said he had analyzed some franchises in different parts of the community and picked two residential homes. The attachment provided shows (without a fire assessment) the taxes paid since 2008. Another spreadsheet also shows the data with a fire assessment.
4. What does a mil equal in terms of dollars? A spread sheet showing this amount was provided (1 mil = $635,751)

5. What has the population increase been since 2006? The City has had a 30.32% increase
6. What is the impact of a .75 stormwater increase from $6.25 to $7.00 per ERU on residential and large commercial with significantly sized impervious areas. For a resident it will go up to $9.00 a year. Van Gannaway is $60.75 a month or $729 a year and Sun State would go up by $15.18 a month or $182.28 a year.
7. What is the proposed millage rate impact on a non-homesteaded home with a value of $150,000. That increase would be $6.09 a month or $73.03 a year.
8. Explain why the fuel sales at the Seaplane Base Marina are projected to be lower next fiscal year. There was a large boating company doing engine testing for a year which is expected to stop. The Twin B relocated to Lakeland and a decrease has been seen related to that.

IV. Budget Discussion

Mayor Wolfe said he believed the Alfred and Caroline Street lighting should be put into the upcoming budget to make the project complete. He noted the residents and businesses have gone through difficulties and this would be an enhancement to have lighting on the streets. He noted that Captain Myers retirement is coming up and he understood that his position will not be filled. Chief Lubins confirmed. Mayor Wolfe said he believed that salary figure could be used to pay for the lighting

Councilmember Hope asked for confirmation on the salary figure. Ms. Houghton responded that there will be sufficient funds for installation and to pay for the lighting costs.

Vice Mayor Pfister spoke in support of putting in the lights now, as a goal of the project was to make the community more walkable.

Mr. Drury confirmed that the direction he was hearing was to take out the budgeted Captain's position and add the street lights. He said staff will bring back an adjusted budget that reflects that and also the adjustments to the two union contracts will be added. Councilmember Hope agreed. He noted the infrastructure for the lighting has already been added.

Mr. Drury noted Councilmember Smith had asked that Council be apprised of his concerns as he was unable to attend this meeting due to a previously planned absence. Ms. Barnett read the following comments provided by Councilmember Smith:

- Keep the current millage rate
- Does not support the new Finance Department position for inventory management
- Agrees with the Street Department position and the new truck
- Agrees with the mower for Utilities and Parks
- Agrees with the extra garbage truck pursuant to receiving some new data on homes

V. Establish Maximum Tentative Millage Rate

Mayor Wolfe noted whatever rate is set can be lowered but not raised. In addition because there are two councilmembers absent, if the original increase were to be approved at .4869, a 3-0 vote would be required. Mayor Wolfe said he agreed with Councilmember Hope on the .2977 increase however not all the numbers are in and he would not want to be forced to make further cuts without having all the data.

Councilmember Hope said he would like to set a .50 or a half a mil increase as the maximum, knowing that Council does not wish to approve that as a final figure unless it is absolutely necessary and he said he would prefer the .2977 if that can be accomplished.

MOTION

Norman Hope moved to approve a half mil increase (.50), seconded by Lori Pfister.

Mayor Wolfe asked if the proposed .4869 was set for a specific reason, and if Council exceeds that amount would that be lawful. Ms. Houghton answered in the affirmative.

Mr. Drury said that amount is within the percentage of the rollback rate for regular majority. Mr. Drury said the motion he had heard from Council is for a maximum tentative millage rate of 6.9531 which equates to a .5 mil increase. **Council confirmed that this figure was correct.**

The motion carried unanimously 3-0.

Mr. Drury noted the next Budget Workshop will be at the Regular Council Meeting of August 6, 2014.

Mayor Wolfe said he believed Council should work towards getting the millage rate cut by .2

Adjournment

There was no further business and the meeting was adjourned at 4:46 p.m.

Respectfully submitted,

Nancy Barnett

Nancy Barnett, C.M.C.
City Clerk

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
AUGUST 6, 2014
CITY COUNCIL CHAMBERS
4:00 p.m.

COUNCILMEMBERS PRESENT	**ABSENT**
Robert Wolfe, Mayor	Robert Speaks, Councilmember
Lori Pfister, Vice Mayor	
Norman Hope, Councilmember	
Kirby Smith, Councilmember	

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

Mayor Wolfe called the meeting to order at 4:04 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. APPROVAL OF AGENDA

MOTION

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

IV. APPROVAL OF MINUTES

Tab 1) Approval of City Council Meeting Minutes – July 2, 2014

MOTION

Kirby Smith moved for approval of the minutes of July 2, 2014, seconded by Norman Hope. The motion carried unanimously 4-0.

V. PROCLAMATIONS/PRESENTATIONS

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

Mr. Drury stated that Alfred Street is a county owned road. He discussed the process of citizen involvement in the visioning process that began in 2005 which resulted in the Downtown Master Plan. One of the primary projects that came out of the master plan was the decision to one way pair Alfred Street and Caroline Street.

The City requested that Lake County reconstruct the road because of the many stormwater issues in the downtown that were being exacerbated by the continuously overlay that had been done for the last 20 years. The County agreed to reconstruct the road with impact fee money from the District 1 area if the City would agree to take over the road. This was done through an interlocal agreement.

Mr. Drury noted the project is moving forward fairly rapidly now. The base is completed and the curbing is in. This weekend they will be paving from Disston Avenue to St. Clair Abrams and opening up St. Clair Abrams. When it is completed there will be improved parking and a reconstructed road that will be good for 30 to 40 years.

Mr. Drury said he had met with Ms. Johnson and other business owners last week. He said the County has agreed to make signs for those businesses that are not just in the closed area but for other businesses who are also feeling the impact of the project. He said some of the other issues discussed were tractor trailer parking, garbage, placement of the business signs, alleyway access and better signage.

Tab 3) Presentation by Lisa Johnson on Business Owners' Concerns

Ms. Johnson said her business is located at 320 E. Alfred Street (EZ Nutrition). She recognized the other business owners present: Ray Corman, Richard Thompson, Ron from Caskey's Mower, Crystal and Michele from Trinity Spa, and Melina from Pico de Galla.

Ms. Johnson thanked the City Administrator for the meeting held last week and for updates on signage. She requested that attention be made to advertising to let people know the businesses are open and how to get to the businesses.

Mr. Drury thanked Ms. Johnson for meeting with the city and said he would follow-up with the issues discussed at the business owners meeting and at this meeting.

Mayor Wolfe requested comment from any other business owners present.

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

None

VII. READING OF ALL ORDINANCES/RESOLUTIONS

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

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.

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 RESIDENTIALTO COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

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.

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.

VIII. CONSENT AGENDA

Mayor Wolfe noted the ordinances read will be discussed at the second reading on August 20th. Mayor Wolfe stated he has received a request to speak on Tab 4 – Agreement with Freedom Boat Club.

Tab 4) Agreement with Freedom Boat Club for Dock Rental

Mr. Neron said the City was approached by Freedom Boat Club to rent dock spaces which staff believes fits in with the marina activities.

Councilmember Smith asked if the operation has already started. Mr. Neron said the company has begun to put in their boats but they will be moved if the Board does not approve the agreement. Councilmember Smith had questions regarding status of insurance, what will happen during the boat show; and clarification on the rate provided in the agreement. Mr. Neron said the insurance has been provided; the boats will be moved during the boat show, and the agreement provides them a $25.00 reduced rate for the first six months, which goes up by $25.00 through the first renewal period. Councilmember Smith said the contract says twelve months so it is only six months [at the reduced rate] and then it renews another twelve months at the end of the first twelve month period.. Attorney Williams noted that was a correct reading.

Councilmember Smith said the contract does not address the cleanliness of the boats. Attorney Williams noted there is a provision that states that they are responsible for compliance with all of the rules and regulations and minimum standards regarding the maritime operations at the base. He noted the City also has the ability to terminate the lease if they do not work out.

Vice Mayor Pfister asked about the capacity at the marina. Mr. Neron said two of the boat slips will be utilized that were intended for seaplane parking and there is plenty of boat mooring in the inner harbor that was not there before. This will be a revenue source to help offset the cost of running the marina. The fee is the same as compared to the other boat rentals.

Denise Laratta, Royal Harbor

Ms. Laratta said while she thinks the rental club is a good idea and it is a good business, the boat slips should be more for residents. She said she would be more in favor if they would rent the boats to the general public but since it is a requirement to be a member to rent the boats she did not think they should get a discount.

MOTION

Norman Hope moved to approve the agreement with Freedom Boat Club for dock rental, seconded by Kirby Smith.

The motion carried unanimously 4-0.

Mayor Wolfe asked if anyone in the audience opposed Tabs 5 and 6 on the Consent Agenda.

MOTION

Norman Hope moved to approve Items 5 and 6 [Tab 5 – Edward Byrne Memorial Justice Assistance Grant – Purchase of Equipment for Police Department and Tab 6 – Amendment 2 to State Revolving Fund Loan for Water Reuse Preconstruction Loan – Finalization], seconded by Kirby Smith. The motion carried unanimously 4-0.

IX. ORDINANCES/RESOLUTIONS

Tab 12) Appointment to the Library Board

Mayor Wolfe recommended the appointment of Mary Drees to the Library Board.

Consensus of Council to approve the appointment.

X. GENERAL GOVERNMENT

Tab 13) Naming of Wooton Park Expansion Area

Mayor Wolfe stated one of the City Administrator's goals established by the Council for the coming year is to name the Wooton Park expansion property. He said that as a memorial to Eddie Ratliff he wished to suggest that the name of Eddie Ratliff Memorial Park be considered for that west section of the park. Mayor Wolfe noted several people had signed up to speak on this issue.

Council Discussion

Councilmember Hope

Councilmember Hope said he when he had spoken to residents before he came on Council on the proposal to acquire the property, it had been for the expansion of Wooton Park in total. He said he did not see a need to separate it into two separate parks. In addition, he noted at the funeral, the Fire Chief had stated there would be a memorial at the new Public Safety Complex for employees who have died while in service to Tavares.

Councilmember Smith

Councilmember Smith noted the renaming of the park expansion had been one of his goals with the intention to have a liaison from Council, city staff, and to have citizens' input. He said he believed it needed to be a different name as Mr. Wooton had only donated a small piece of land where the playground is located, whereas the acquisition of the expanded area was from the citizens. He said this section therefore should have its own identity.

Vice Mayor Pfister

Vice Mayor Pfister said she agreed with the division of the properties for better identification. She said she would like to see a name selected that will go along with the branding process and she did not wish to single out one employee from the others who have passed away.

Audience to be Heard

Denise Laratta, Royal Harbor

Ms. Laratta said she believed Wooton Park is already a brand of Tavares and the expansion means that it is an expansion of the Wooton Park waterfront.

Charlotte Hope

Ms. Hope indicated she agreed with Ms. Laratta's remarks.

Rick Gonzales – Property Owner

Mr. Gonzalez suggested "Wooton Park East" and "Wooton Park West", if another name was needed. He discussed another possibility for a memorial park.

Mark Zinkrewicz

Mr. Zinkrewicz said he is new to Tavares and that he believes the park represents fun, families and gathering. He suggests getting input from the public as well as local businesses. He said he would not be opposed to something attached to Wooton Park's name but getting feedback from the taxpayers would be a good idea.

Roger Kooser – AL's Landing

Mr. Kooser said he agreed with everyone who had spoken. He said there should be consideration made in the naming of the park of its history; i.e. the 100 year history of the Lake Region orange packing plant. He said his company has tried to be considerate of that history.

Heather Graham – Owner of Boleros

Ms. Graham agreed with previous comments. She said she would like to see the taxpayers input. She suggested a naming contest with a positive name. She said she liked the idea of it having its own distinction, i.e. something "at" Wooton Park.

Bob Grenier – 681 Woodview Drive

Mr. Grenier thanked Mayor Wolfe for putting this issue on the agenda. He said he agreed with previous comments. He said one of the popular things to do is to name rooms, auditoriums, and galleries for individuals.

Council Discussion

Mayor Wolfe said he understood and respected the opinions that had been shared. He asked Council if they still wished to keep the naming of the area as one of Mr. Drury's goals.

Vice Mayor Pfister said this would be a good way to have a distinction for the Entertainment District from Wooton Wonderland.

Mr. Drury suggested there are several ways for a community to name a park. He said he could come back to Council with suggestions: (community contests, ads in the newspapers, liaisons, create a committee, invite the business community, etc.). He said Council could clarify whether they still wished to name the property, and then pick one of the methods that communities utilize for naming a park.

Councilmember Smith said he agreed with Mr. Drury's suggestion. Vice Mayor Pfister said the Historical Society should be involved. Councilmember Hope agreed with public involvement on the name and whether they want it separated or not. Councilmember Smith said he would like to be the Council liaison.

Mayor Wolfe thanked the audience members for their input and said that Council will move forward with determining an option for the name of the expansion area that will be discussed at a future meeting.

Tab 14) Appointments to Florida League of Cities Legislative Policy Committee

Mayor Wolfe stated the Florida League of Cities has asked for the City to make its appointments to the various legislative policy committees which will begin to meet in September in Orlando. He noted there are currently members from Council and from staff on four committees. Councilmember Hope indicated he would be willing to continue to be

on the Urban Administration Committee; Chris Thompson is willing to be appointed to the Transportation & Intergovernmental Relations Committee; and Lori Houghton will continue to serve on the Finance, Taxation and Personnel Committee. This will leave two spots: Energy, Environmental & Natural Resources and Growth Management & Economic Affairs.

Councilmmeber Smith suggested that this item be tabled to the next meeting until Councilmember Speaks can be present. Consensus to table.

Tab 15) Engineering Design of Lake Dora Circle Gravity Sewer Extension – Approval of Agreement with BESH Engineering for Preliminary Design

Mr. Skutt stated this agreement is in the amount of $15,720 for the engineering design of a gravity sewer line extension on Lake Dora Circle. The property owners have approached the city regarding the feasibility of having sewer access. They have verbally indicated that they would be willing to annex into the city, but in order to proceed, the design work on the gravity sewer system is necessary in order to know the costs associated with this project. He noted Mr. Ern was present to answer questions.

Mayor Wolfe asked who will pay for the construction. Mr. Hayes said the cost of the engineering design will be included in an assessment paid for by the residents who wish to have the service. Councilmember Smith asked for an estimate of the number of residents in the area who have shown interest. Mr. Hayes said he has only spoken to about 10 residents. He said a new group of residents have moved in who are taking down their mobile homes and building larger homes and have expressed concern about polluting Lake Dora.

Councilmember Hope asked if the homeowners decide to not annex in would the city still go ahead with the project. Mr. Hayes said it would be a requirement to annex into the city and this has been communicated to the residents he has spoken to.

Mr. Drury said the residents will need an estimate in order to decide whether or not to commit to be annexed and to be assessed for the service. The goal is determine the size of the line, whether or not to build a pump station, gravity fed or not; the rights of ways, surveys, etc. and then to develop an engineer's probable cost that would be divided amongst the residents who decide to hook up.

MOTION

Kirby Smith moved to approve the agreement with BESH Engineering in the amount of $15,720 for the design of a gravity sewer line extension, seconded by Norman Hope. The motion carried unanimously 4-0.

Tab 16) Purchase of a Boom Mower

Mr. Hayes said this is a request to purchase a new boom mower from Everglades Farm Equipment in the amount of $154,800 through a capital lease program utilizing the "piggy-

back" provision of Sheriff's Contract. The FY 2015 has $150,000 budgeted to purchase a new boom mower to replace a 1988 Ferguson Massey Tractor which is repeatedly breaking down. He said the company has a mower in stock.

Mr. Drury noted in next year's budget a five year capital lease program for a boom mower is budgeted. If approved, the boom mower would be purchased now instead of on October 1st.

Discussed followed on the pricing on the sheriff's contract. Mr. Drury noted Mr. Hayes has not gotten bids so cannot answer affirmatively that the Sheriff's price is the best, however, the Sheriff did do a bid at one time and staff can double check with local vendors.

Ms. Houghton noted Mr. Hayes has explained the need and she would also like to ask Council's permission for the Finance Department to contact the city's bank, BB&T and negotiate a capital lease instead of going out for a bid process for the lease as that would take 60 to 90 days. She said the city has a lease now with BB&T so this would be added to the current schedule.

Discussion followed on the issue of privatizing the service. Mr. Drury said it could be privatized however the City has chosen to have a Stormwater Department and he is not sure the city would save money or be as responsive to the citizens by contracting it out.

Councilmember Smith expressed concern about piggy backing off the Sheriff's Bid because of the time it has taken to get new police vehicles. Ms. Houghton said the cars were ordered May 1st as soon as the funding was in place. Mr. Drury noted the capital lease program was pushed off to January 1 in order to keep a balanced budget. He said in this scenario, Council may opt to approve the purchase and financing immediately of the boom mower.

MOTION

Norman Hope moved to approve the purchase as long as the boom mower can be purchased and financed immediately with BB&T and have it on site in 30 days, seconded by Kirby Smith.

Vice Mayor Pfister asked staff to double check the pricing before the mower is ordered. Mr. Hayes said staff had contacted Evergreen as they are on the Sheriff's list and they actually had a boom mower in stock but that staff would check with other companies.

The motion carried unanimously 4-0.

Tab 17) Fiscal Year 2015 Budget Workshop

Mr. Drury summarized the current status of the proposed FY 2015 budget:

1. There is a balanced budget of $13,749,243 proposed where estimated revenues equal estimated expenses.

2. A millage rate of 6.7299 which is .2768 above the current mileage rate of 6.4531 supports this balanced budget.

3. The following budget adjustments are reflected:

   State revenues increased by $27,711
   County Aide to Libraries decreased by $5,233
   Lake Express Shelters decreased by $14,000
   Police Personnel decreased (Eliminated Captains position) by $130,050
   Added Street lights for Alfred and Caroline Street in January $140,713
   Reduced Police Pension cost per pension board $19,958
   Added estimated cost of Police Union Contract $11,120
   Reduced Fire Pension costs per pension board $15,141

4. The following were re-categorized or moved:

- Moved Public Works/Pavilion over flow parking lot repaving project from GF to Sales Tax
- Moved voter debt from GF to voter debt service fund

5. Health Insurance rate is still under negotiations and should be completed by next budget meeting.
6. Both Union contracts have been negotiated and await union voting after which they will come to Council for Council consideration at next meeting.
7. Reserves for unforeseen Emergencies: $1,347,424 (90%)
   Reserves for unforeseen Contingencies: $ 148,714 (10%)

Mayor Wolfe invited further Council discussion.

Councilmember Smith and Hope and Vice Mayor Pfister expressed concern about the inventory position. Councilmember Smith said he will meet with Ms. Houghton in order to have a better understanding of this position. He said his second request is to have an updated figure for revenues for 2013-2014 and on anticipated revenues for FY 2015 that might affect the projected millage rate.

Mr. Drury asked to have a final decision on the inventory position at the next meeting after Ms. Houghton has provided additional information to Council.

XI. OLD BUSINESS

Vice Mayor Pfister stated (in support of Mr. Hayes' interest in wind power) that on top of her building she has placed a weathervane of a seaplane; it is built of a heavy metal and is noticeably spinning which demonstrates that there is wind power available.

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XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

Mayor Wolfe asked for audience input.

Vance Joachim, Fiscal Ranger Blogger

Mr. Joachim noted that Council had notes that had not been made available to the public. He said he spent time going through the agenda and found only a page for Tab 17 that did not include all the information presented. He said it would be helpful for the public to have this information earlier.

Mr. Drury responded that normally the information is in the agenda package. He said there was a short window between the July 30th City Council Budget workshop and this meeting and in order to have numbers that are audited and correct for this meeting, there was insufficient time to include in the packet. Mr. Joachim suggested that if the information is not going to be provided in the summary that would normally be there, that this be acknowledged.

XIV. REPORTS

Tab 14) City Administrator

Mr. Drury noted the next budget meeting will be August 20th along with the regular City Council meeting and there will be two Public Hearings in September on the budget.

Economic Development Director

Mr. Neron announced that his daughter Kelly Hawkins has been promoted to Master Chief in the Navy.

Tab 15) City Council

Vice Mayor Pfister

Councilmember Hope

Councilmember Hope said he would be attending the Florida League of Cities conference next week. He commented on the role of the League in promoting the cities.

Councilmember Smith

Councilmember Smith asked if Mr. Skutt has been in touch with Duke Energy regarding a street light. Mr. Skutt said he is still speaking with Duke Energy.

Adjournment

There was no further business and the meeting was adjourned at 5:43 p.m.

Respectfully submitted,

Nancy A. Barnett

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

AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 20, 2014

AGENDA TAB NO. 2 **SECOND 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:

1. That City Council moves to approve Ordinance 2014-08.
2. That Council denies the proposed rezoning.

PLANNING & ZONING BOARD RECOMMENDATION:

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

STAFF RECOMMENDATION:

Staff recommends 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.

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

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

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

Section 1. Rezoning

That the Conceptual Site Plan, Exhibit "A" of Ordinance 2006-09 be amended as shown in Exhibit "B" of this ordinance, by changing the lands described in Exhibit "A" of this ordinance from Residential Development to Commercial Development, 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

A SKETCH OF DESCRIPTION

*** NOT A BOUNDARY SURVEY ***

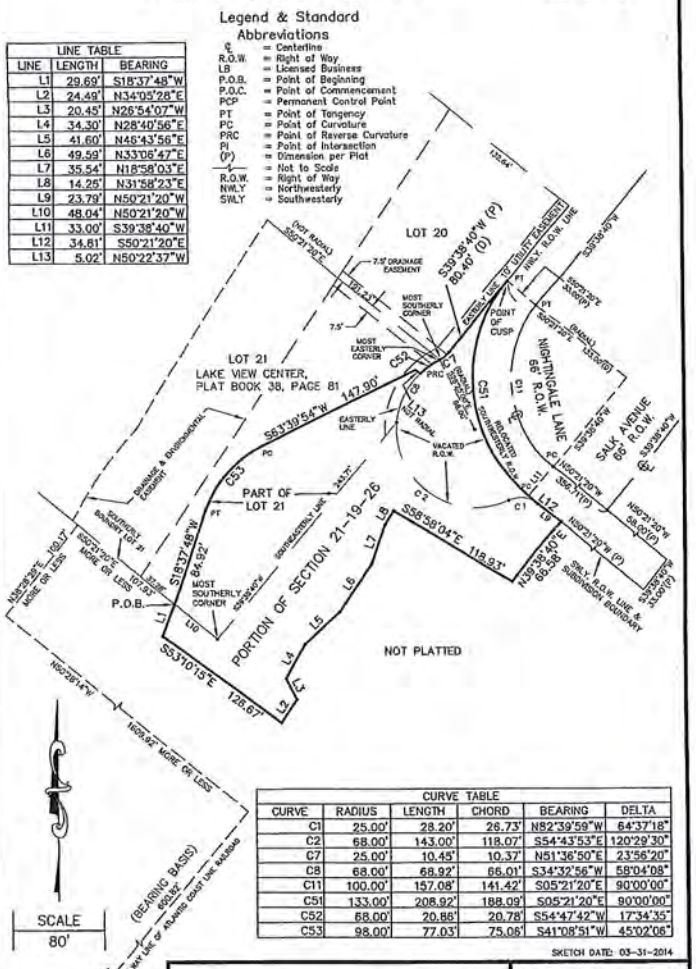
SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

LINE TABLE		
LINE	LENGTH	BEARING
L1	29.69'	S18°37'48"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°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
L13	5.02'	N50°22'37"W

Legend & Standard Abbreviations

- ℄ = 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
- ~ = Not to Scale
- R.O.W. = Right of Way
- NWLY = Northwesterly
- SWLY = Southwesterly



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"
C52	68.00'	20.86'	20.78'	S54°47'42"W	17°34'35"
C53	98.00'	77.03'	75.06'	S41°08'51"W	45°02'06"

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

1

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 if 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

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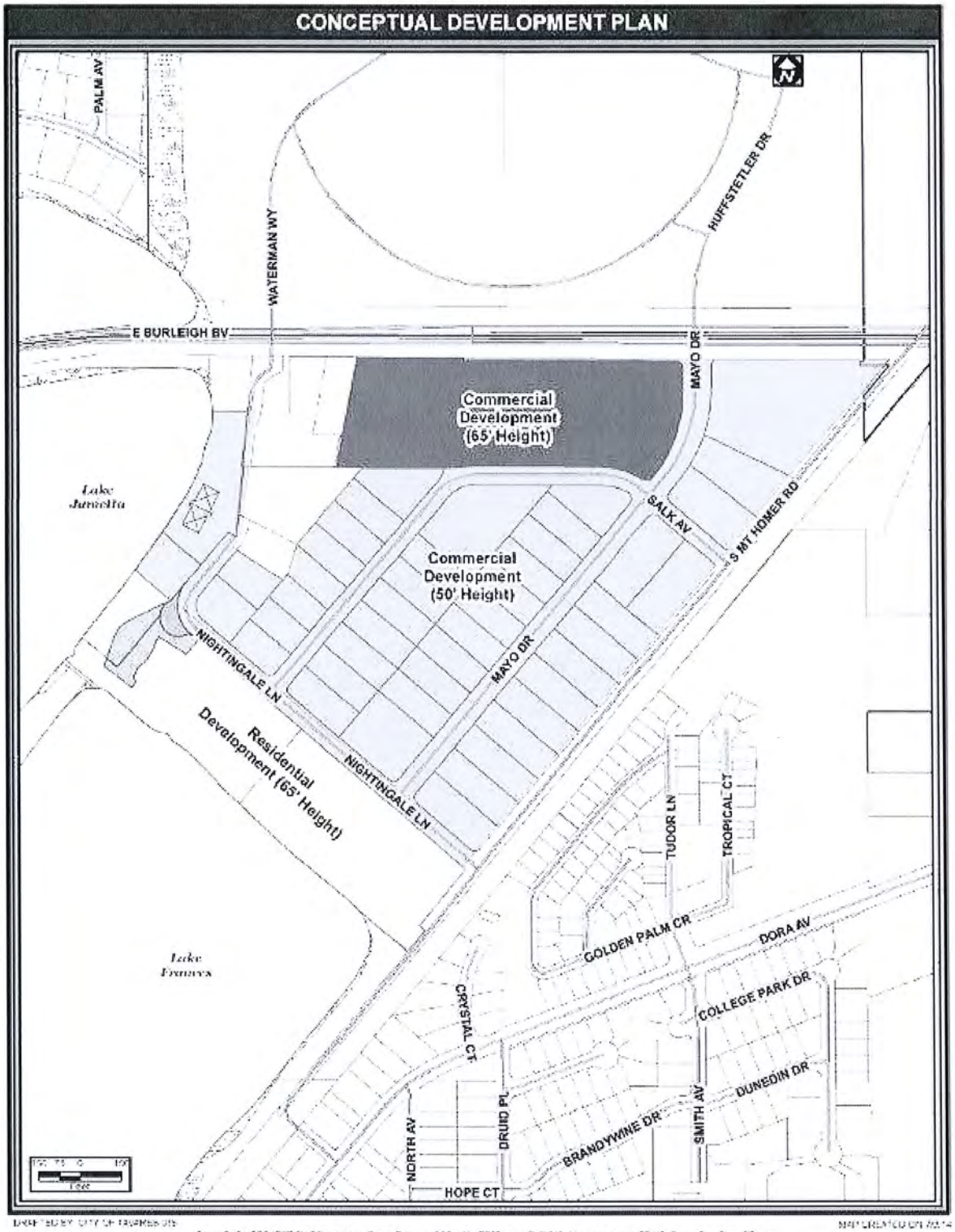
Eustis, Florida 32726
Telephone (352) 357-9922
LB #6676

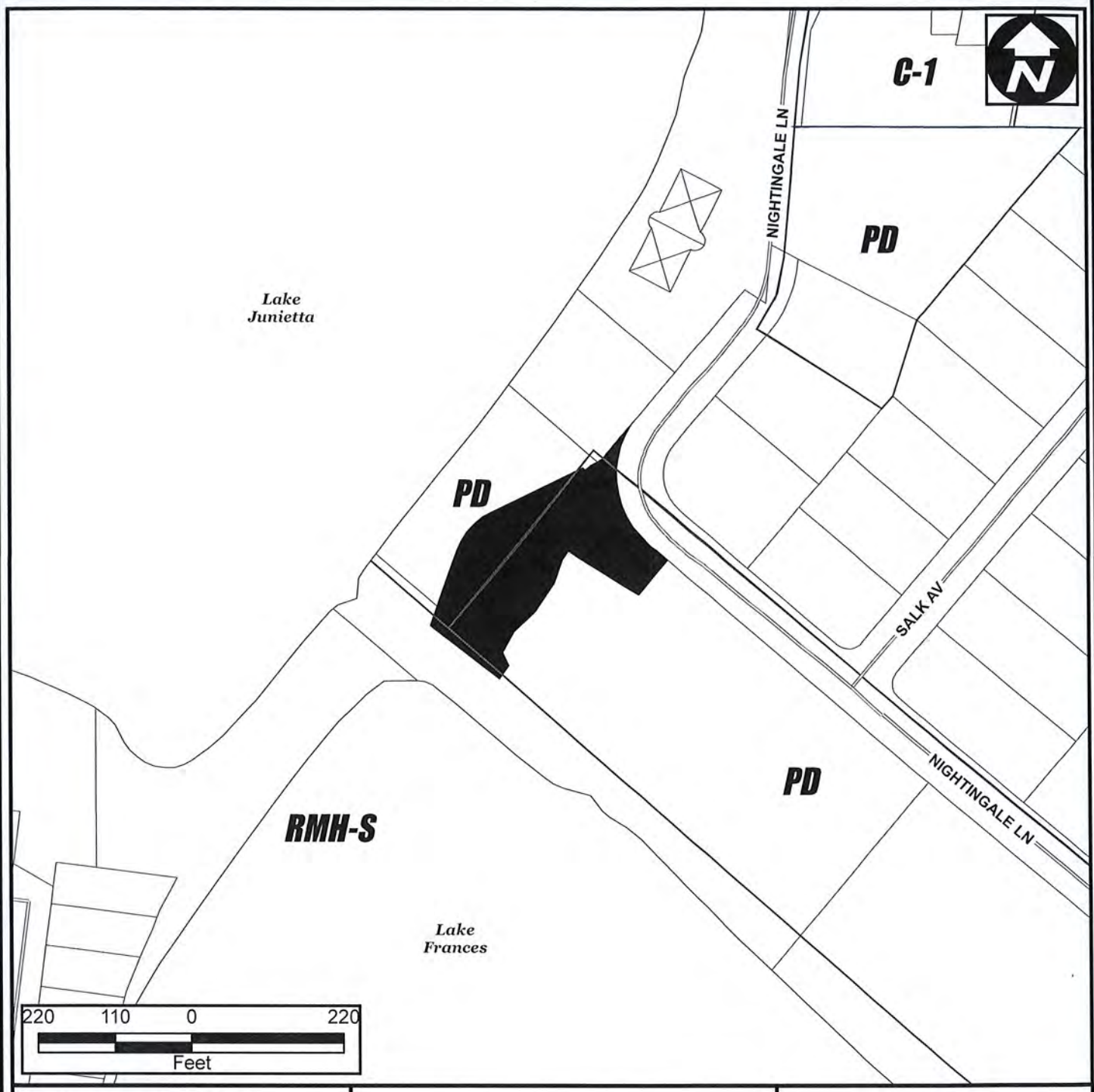
Ronald R. Stevenot, Jr.
Certificate #5940

1
2

Exhibit "B"
Amended Conceptual Plan



CITY OF TAVARES ORDINANCE # 2014-08



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

TAVARES
America's Seaplane City

ZONING MAP

ORDINANCE # 2014-08

Lakeview Crest

Current Zoning: PD
Proposed Zoning: PD
0.987 ± Acres

Legend

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

DRAFTED BY: CITY OF TAVARES GIS T:\pzd\DATA\PROJECT FILES\Lakeview Crest; Rezone, SSFLUM - PZ2014-14\GIS\GIS_Maps\Lakeview_ZONE_PT.mxd MAP CREATED ON 6/25/14

CITY OF TAVARES

PROPERTY LOCATION MAP

TAVARES
America's Seaplane City

60 30 0 60
Feet

Created By: City of Tavares GIS T:\pzd\DATA\PROJECT FILES\Lakeview Crest; Rezone, SSFLUM - PZ2014-14\GIS\GIS_Maps\AD_Lakeview.mxd Map Created on 6/25/14

AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 20, 2014

AGENDA TAB NO. 3 **SECOND 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:

1. That City Council moves to approve Ordinance 2014-09.
2. That City Council denies the proposed Future Land Use Map amendment.

PLANNING & ZONING BOARD RECOMMENDATION:

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

STAFF RECOMMENDATION:

Staff recommends 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.

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 RESIDENTIALTO 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

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

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

Section 1. Future Land Use Amendment

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

Section 2. Severability and Conflicts

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

Section 3. Transmittal

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

Section 4. Effective Date

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

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

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"

A SKETCH OF DESCRIPTION

SHEET 1 OF 2

NOT VALID WITHOUT SHEET 2 OF 2

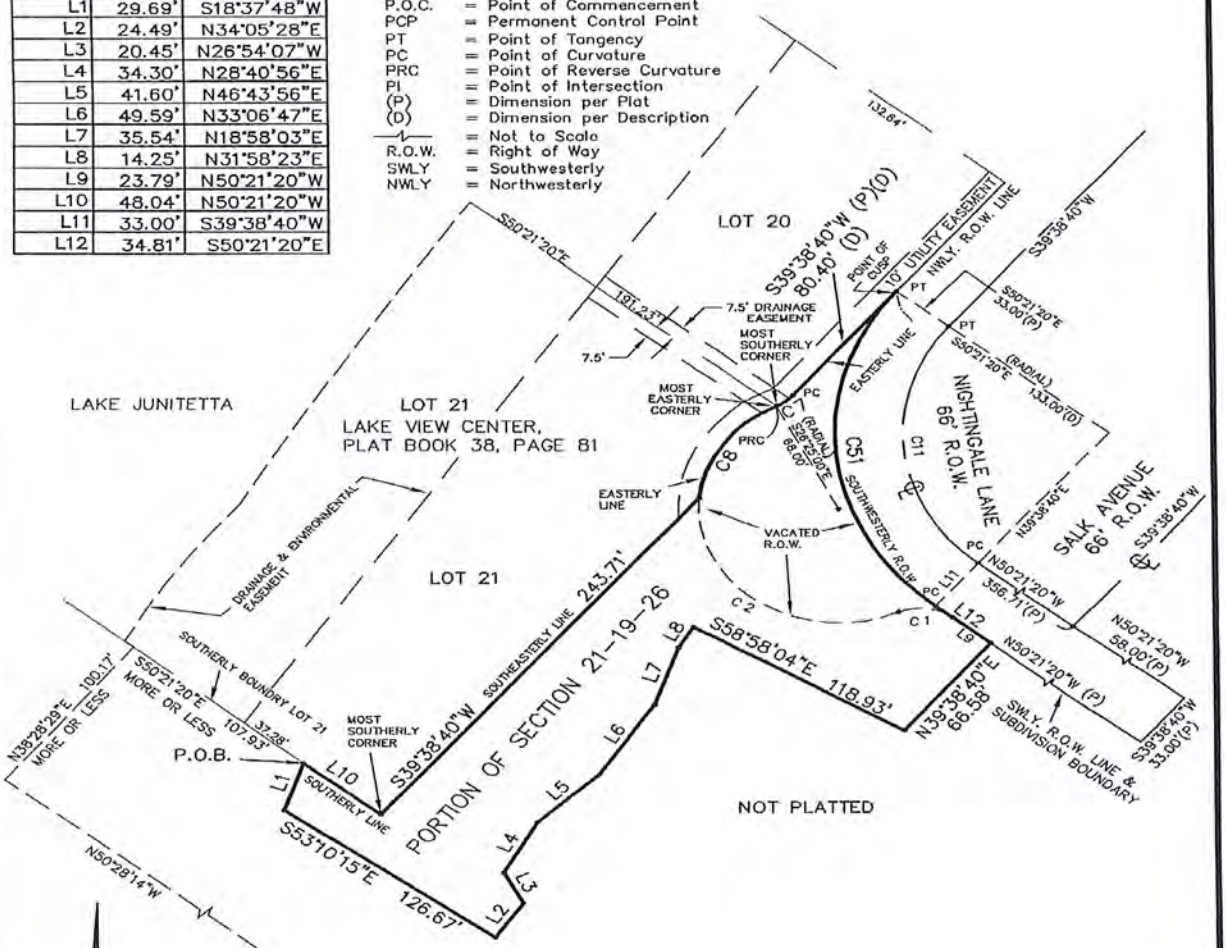
*** NOT A BOUNDARY SURVEY ***

Legend & Standard Abbreviations

℄	= 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'	N26°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

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 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 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

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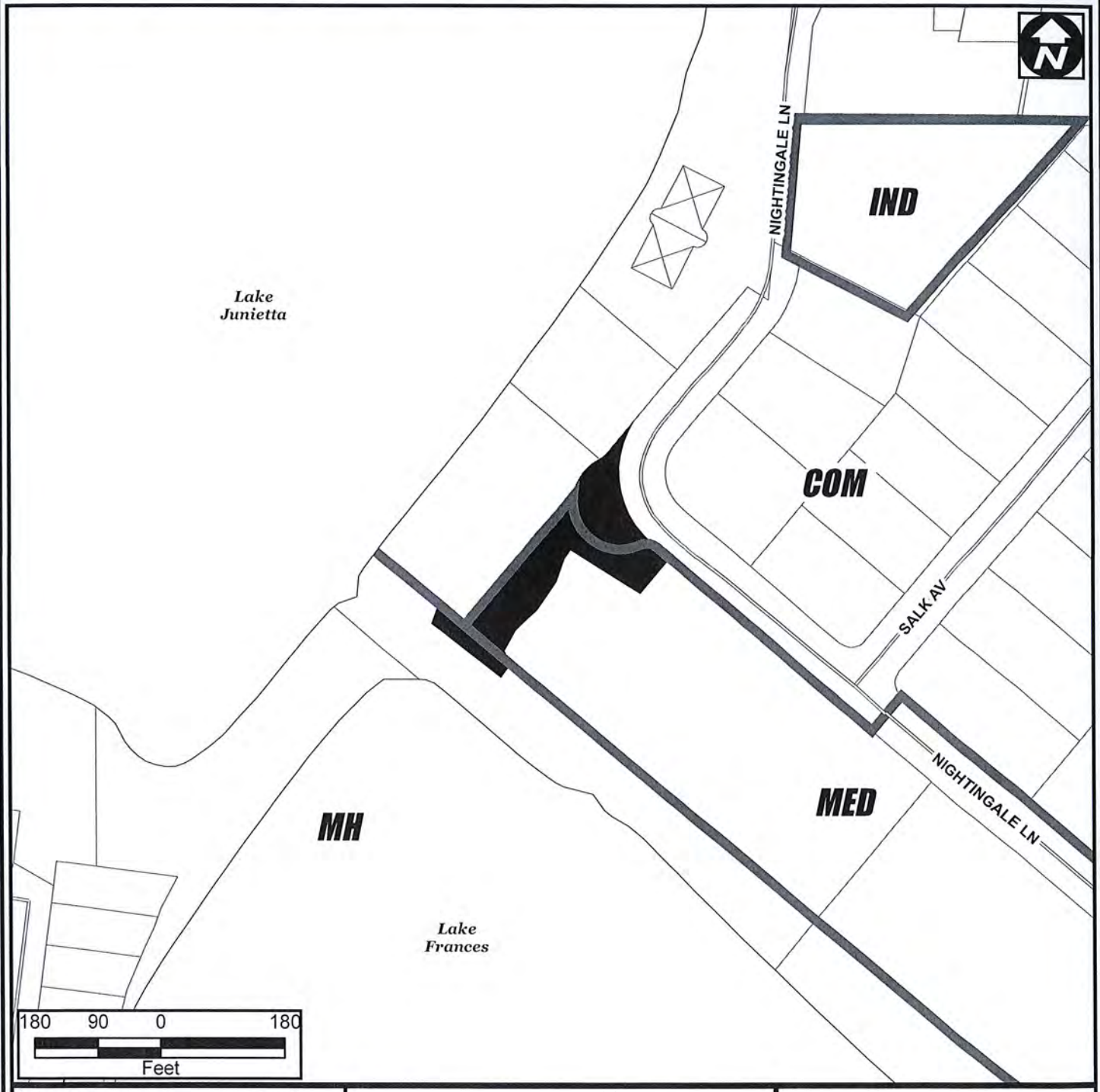
1

CITY OF TAVARES ORDINANCE # 2014-09



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

FUTURE LAND USE MAP

ORDINANCE # 2014-09

Lakeview Crest

Current FLU: MED
Proposed FLU: COM

0.725 ± Acres

Legend

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

DRAFTED BY: CITY OF TAVARES GIS T:\pzd\DATA\PROJECT FILES\Lakeview Crest; Rezone, SSFLUM - PZ2014-14\GIS\GIS_Maps\Lakeview_FLU_PT.mxd MAP CREATED ON 6/25/14

Orlando Sentinel

Publication Date: 07/07/2014

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

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

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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 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 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."

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

UCLA professor Shlomo Benartzi

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.

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 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.

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)

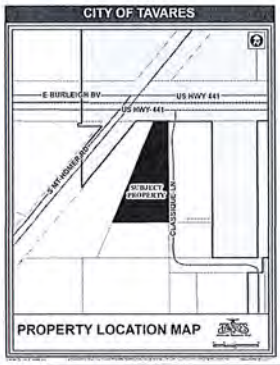
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

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.

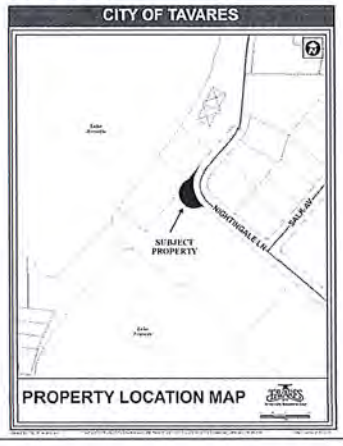
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

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.



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

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

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

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

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

MOTION

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

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

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

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.

MOTION

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

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

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

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)

MOTION

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

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

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

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 Comfort Inn 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.

AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 20, 2014

AGENDA TAB NO. 4 **SECOND 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. Classique Lane, at this location, is actually a privately owned easement. The owner, 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:

1. That City Council moves to approve Ordinance 2014-10.
2. That Council denies the proposed rezoning.

PLANNING & ZONING BOARD RECOMMENDATION:

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

STAFF RECOMMENDATION:

Staff recommends 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.

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

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:

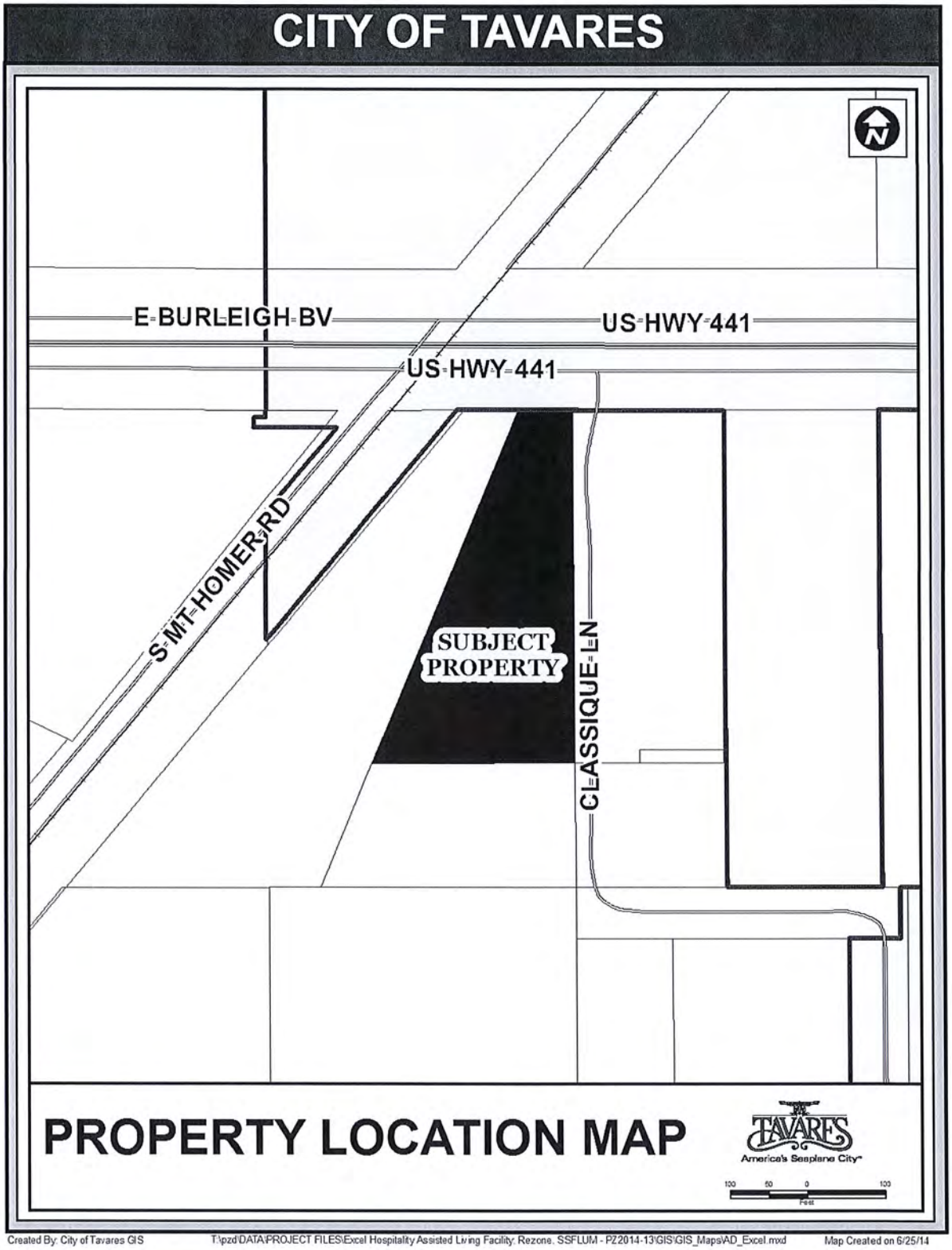
_____
Nancy Barnett, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
Robert Q. Williams, City Attorney

EXHIBIT "A"

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.



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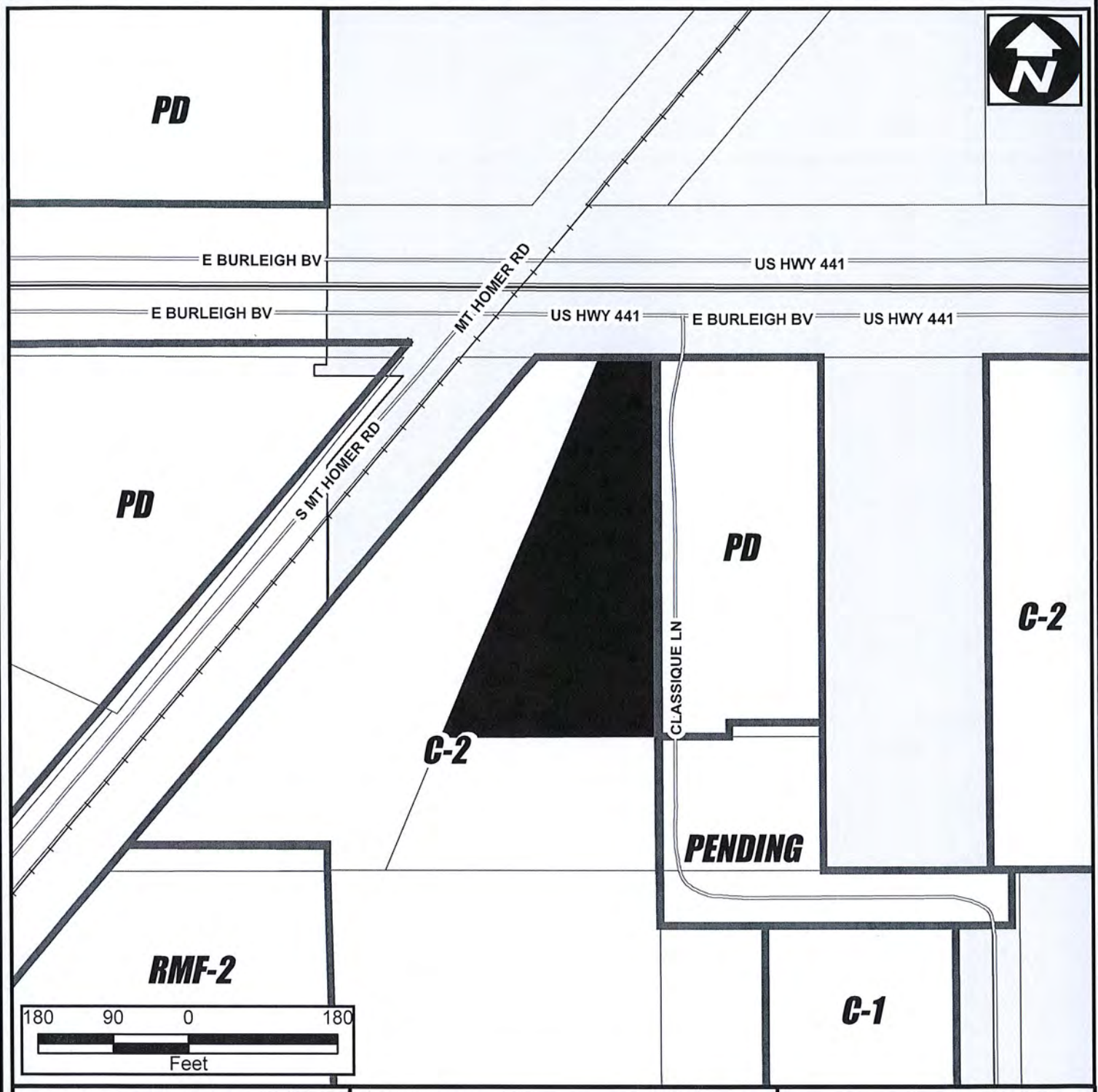
CITY OF TAVARES ORDINANCE # 2014-10



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

ZONING MAP

ORDINANCE # 2014-10

15000 Burleigh Blvd

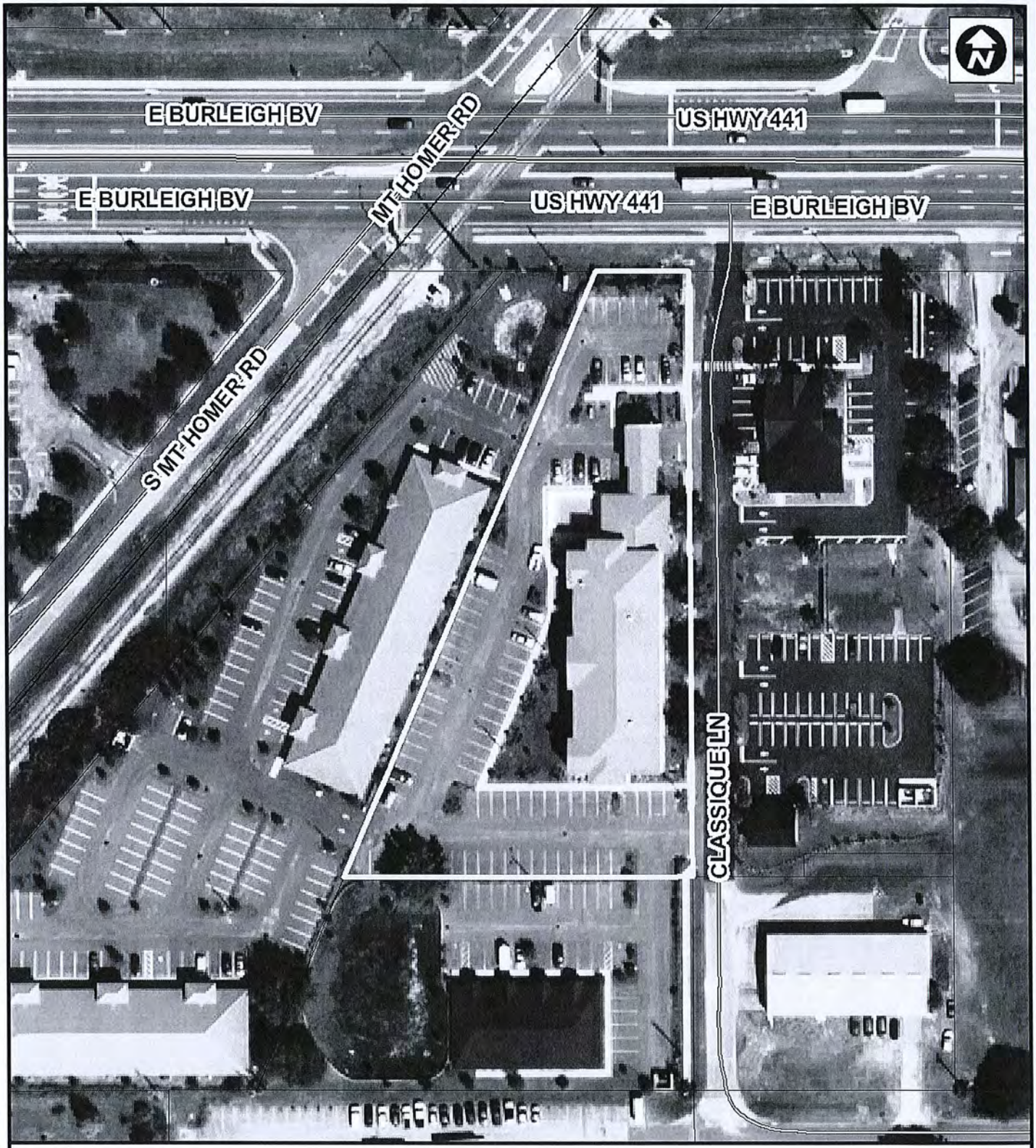
Current Zoning: C-2
Proposed Zoning: RMF-3
01.73 ± Acres

Legend

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

DRAFTED BY: CITY OF TAVARES GIS T:\pzd\DATA\PROJECT FILES\Excel Hospitality Assisted Living Facility; Rezone, SSFLUM - PZ2014-13\GIS\GIS_Maps\Excel_ZONE_PT.mxd MAP CREATED ON 6/25/14

CITY OF TAVARES



PROPERTY LOCATION MAP

TAVARES
America's Seaplane City

70 35 0 70
Feet

Created By: City of Tavares GIS T:\pzd\DATA\PROJECT FILES\Excel Hospitality Assisted Living Facility; Rezone. SSFLUM - PZ2014-13\GIS\GIS_Maps\AD_Excel.mxd Map Created on 6/25/14

AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 20, 2014

AGENDA TAB NO. 5
SUBJECT TITLE: Ordinance 2014-11 **SECOND 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:

1. That City Council moves to approve Ordinance 2014-11.
2. That Council denies the proposed future land use amendment.

PLANNING & ZONING BOARD RECOMMENDATION:

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

STAFF RECOMMENDATION:

Staff recommends that City council moves to approve Ordinance 2014-11.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

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.

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 Commercial to High Density Residential; and

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

WHEREAS, the City desires to encourage medical and associated uses in this particular area of the City; 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, a High Density Residential 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

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

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

Section 1. Future Land Use Amendment

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

Section 2. Severability and Conflicts

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

Section 3. Transmittal

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

Section 4. Effective Date

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

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

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:

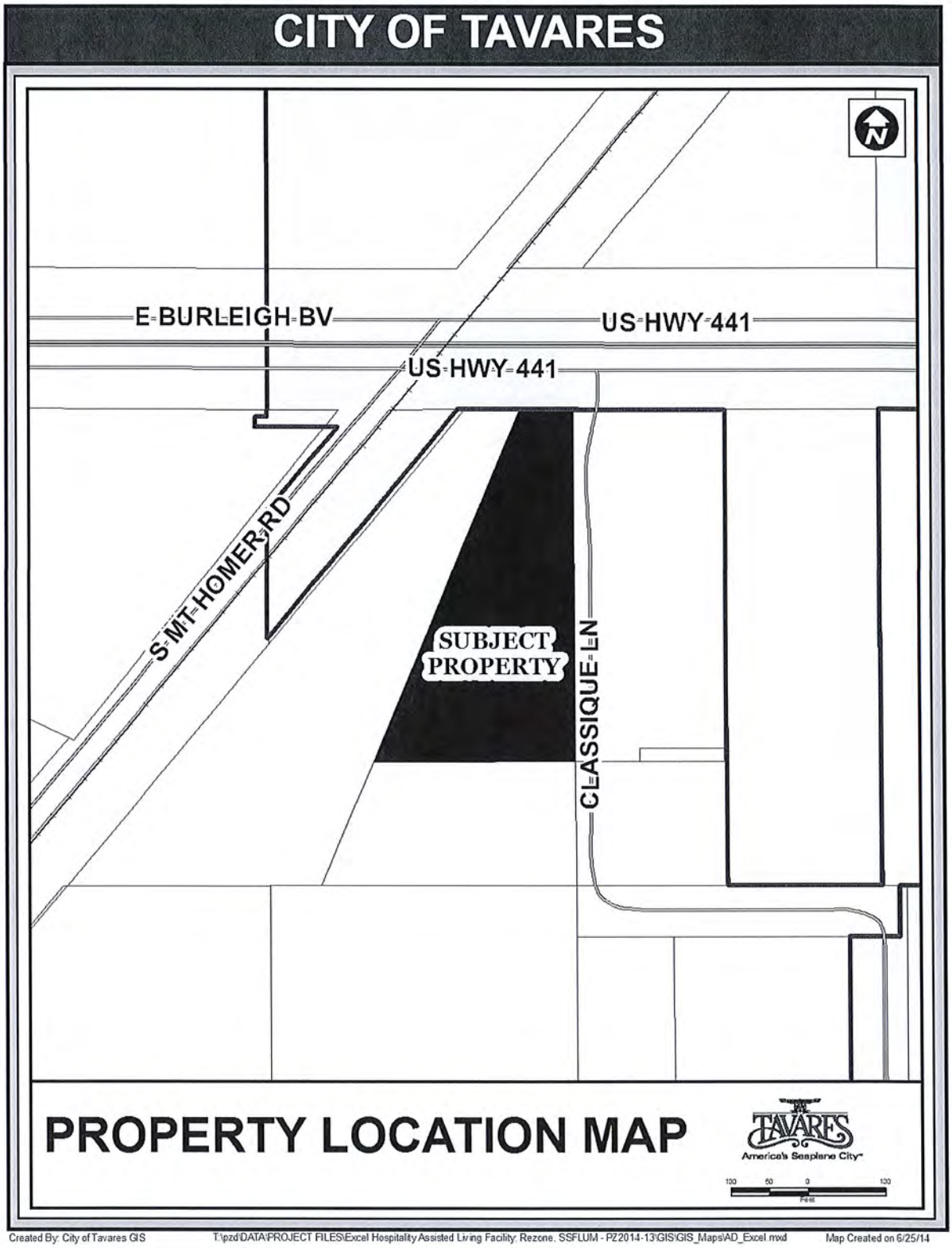
_____
Nancy A. Barnett, City Clerk

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.



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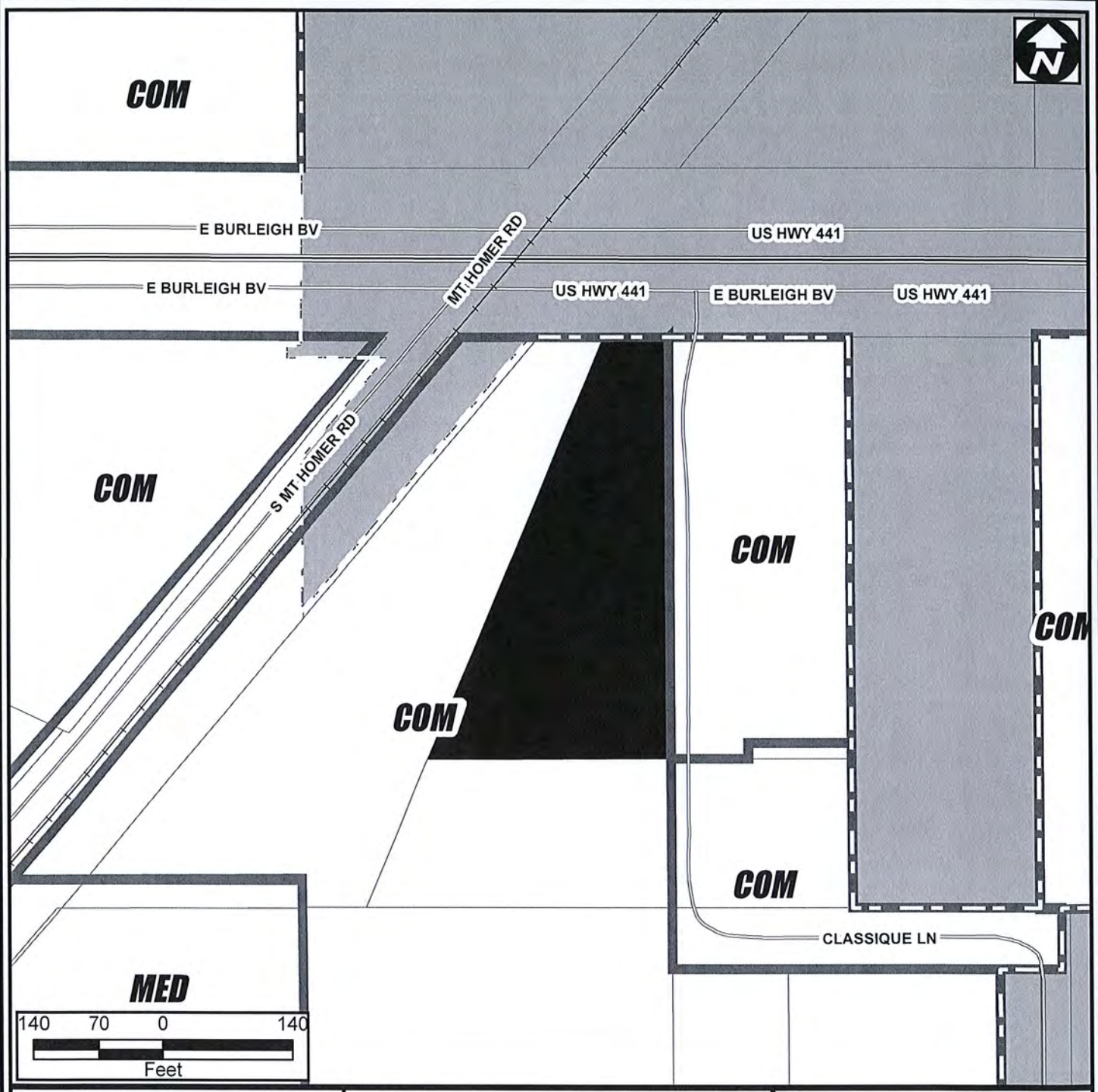
CITY OF TAVARES ORDINANCE # 2014-11



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

FUTURE LAND USE MAP

ORDINANCE # 2014-11

15000 Burleigh Blvd

Current FLU: COM
Proposed FLU: HD

01.73 ± Acres

Legend

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

DRAFTED BY: CITY OF TAVARES GIS T:\pzd\DATA\PROJECT FILES\Excel Hospitality Assisted Living Facility; Rezone, SSFLUM - PZ2014-13\GIS\Excel_FLU_PT.mxd MAP CREATED ON 6/25/14

Orlando Sentinel

Publication Date: 07/07/2014

Ad Number: 2510358-1
Insertion Number:
Size: 3 x 10.5
Color Type: B&W

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

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.

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 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 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."

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

UCLA professor Shlomo Benartzi

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.

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)

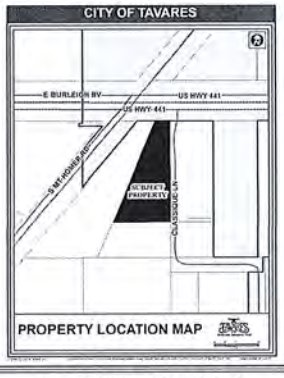
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

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

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.

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.

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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.

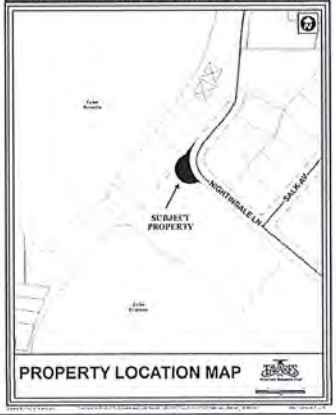
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

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.



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)

MOTION

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

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

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

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 Comfort Inn 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.

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

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

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

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

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)

MOTION

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

6) Land Development Regulations Update – Medical Marijuana Dispensaries-Ordinance 2014-12

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

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. Medical Marijuana Dispensaries is viewed as a pharmacological type use and would be compatible with other medical uses allowed in this zoning.

MOTION

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

AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 20, 2014

AGENDA TAB NO. 6 **SECOND 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 (for additional information on this issue attached is a Tampa Bay Tribune discussion piece dated July 25, 2014).

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 a 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:

1. That City Council moves to approve Ordinance 2014-12.
2. That Council denies the proposed amendment to the Land Development Regulations.

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:

Staff recommends 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.

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)	P (21)	P (21)	P (21)	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
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
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)	P (10)	P (10)	P (10)	P (10)	P (10)	(1)		S	S	S		
Private Clubs and Lodges, Community Centers, Civic and Social Organization facilities							(1)	P (11)	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
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)	P (8)	P (8)	P (8)	P (8)	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	

for the sale of goods manufactured on site)													
Wholesale Stores											P	P	
Research Laboratory												P	
Radio and Television stations and transmitters, but no radio or television tower											P	P	
Wrecking Yards (including automotive vehicle wrecking yards) and junk yards												S	
Truck Stop												S	
Mobile home sales yards											S	P	
Fuel storage yards, coal, coke or wood yards.												S (15)	
PUBLIC UTILITY USES													
Refuse Transfer Stations												P	P
Sewage Treatment Facilities, local												P	P
Water withdrawal operations, local												P	P
Gas and water metering stations												P	P
Wireless Communications Towers, Antennas and Equipment Facilities							(1) (16)		S (16)	S (16)	S (16)	S (16)	P (16)
LODGING													
Hotel, Motel and Motor Court accommodations							(1) (18)		P(18)		P(18)	S (18)	
Bed and Breakfast Accommodations	S (19)	S (19)	S (19)					P (19)					
Tourist Resort							(1)						
MISCELLANEOUS													
Home Owners Association/Park Business Office	P	P	P	P	P	P							
Community Storage Areas for use of subdivision and park residents for storage of boats, boat trailers and recreation vehicles.		S	S	S	S	S							
Public parking lots and parking garages, either rental or free parking.									S	S	P	P	P
Transportation terminals including bus stations, railroad stations or other mass transit systems												P	P
Airports and heliports											S	S	P
Funeral Homes									P (17)	S (17)	P (17)		
Cemeteries and mausoleums													P

Section 3. Severability and Conflicts

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

Section 4. Effective Date

This Ordinance shall take effect immediately upon its final adoption by the Tavares City Council as to the acceptable siting locations for marijuana dispensaries, however the opening of a marijuana dispensary 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.

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: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

Ad Number: 2510720-1S01 Client Name: / PO# ORDINANCE 2014-1
Insertion Number: Advertiser: City Of Tavares
Size: 1 x 0.07 Section/Page/Zone: LAKC/E007/LAK
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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 prebid conference will be held at the Detention Center on July 16, 2014 at 2:00 P.M. 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/ fiscal_and_administrative_services/ procurement_services/doing_business. aspx). 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 manner 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.

LAK2515272 07/13/2014

Notice of Administration

IN THE CIRCUIT COURT FOR LAKE COUNTY, FLORIDA PROBATE DIVISION
IN RE: ESTATE OF
2014 CP 862
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 TIME 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. 0865923
Brett L. Swigert, P.A.
1231 N. County Road 452
Post Office Box 680
Eustis, Florida 32727-0680
Telephone: (352) 357-0770
Facsimile: (352) 357-0818
Personal Representative:
Vera D. Arborio
P.O. Box 300116
Grand Island, FL 32735

LAK2510372 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. at 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 will also be held at that time where the

Legal Notices

Public Hearing Notices

Board may consider any other business that may properly come before it.

A copy of the agenda and budget may be obtained at the offices of the District Manager, 135 W. Central Blvd., Suite 320, Orlando, Florida 32801, during normal business hours.

The public hearing and meeting are open to the public and will be conducted in accordance with 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

LAK2487140 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 2, 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.
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 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 2014-12 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 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) 742-6432.
Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404.

LAK2510720 7/7/2014

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Legal Notices

Suit Notices

NOTICE OF SERVICE OF PROCESS BY PUBLICATION STATE OF NORTH CAROLINA MECKLENBURG COUNTY IN THE DISTRICT COURT
Nadine M. Bucek, Plaintiff, v. Stephanie Marie Woodhall F/K/A Steven Mark Woodall Defendant, Civil No. 13-CVD-21532 TO: Stephanie Marie Woodhall F/K/A Steven Mark Woodall:

Take notice that a pleading seeking relief against you has been filed in the above-entitled action. The nature of the relief being sought is as follows:

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

LAK2486118 6/26, 7/07, 07/14/14

Foreclosure Sales

IN THE CIRCUIT COURT IN AND FOR LAKE COUNTY, FLORIDA
CASE NO: 2013-CA-001367

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 I; UNKNOWN TENANT II, 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 at 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 1999 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 same 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

LAK2491036 6/30, 7/07, 2014

IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT IN AND FOR LAKE COUNTY, FLORIDA (CIVIL DIVISION)
CASE NO. 2013-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 I, UNKNOWN TENANT II, 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 IN POSSESSION (collectively, the

Legal Notices

Foreclosure Sales

"Defendants"), that I will sell to the highest and best bidder for cash at the Lake County Courthouse, 550 W. Main Street, Tavares, Florida on AUG 28 2014 at 11:00 A.M. the following described property as set forth below:

LOT 39 OF LANCASTER AT LOCH LEVEN PHASE ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 59, PAGE(S) 1 THROUGH 4, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

DATED this 25 day of June, 2014.

NEIL KELLY
Clerk of Said Court
(SEAL)
By: D. NEAL
Deputy Clerk

LAK2509724 6/30, 7/7, 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

Legal Notices

Miscellaneous Legals

selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations. The purpose and effect of the repeal of the District's current Rules of Procedure is to, among other things, repeal rules rendered obsolete by statutory changes. Specific legal authority for the repeal of the existing Rules of Procedure and the adoption of the proposed Rules of Procedure includes sections 190.011(5), 190.011(15) and 190.035, Florida Statutes. The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 112.07, 189.4221, 190.006, 190.007, 190.008, 190.011(3), 190.011(5), 190.011(15), 190.033, 190.035, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 287.017, 287.055 and 287.084, Florida Statutes (2013), and Ch. 2013-227, Laws of Florida.

A copy of the proposed rules and rates may be obtained by contacting the District Manager, c/o Arlington Ridge Community Development District, 6131 Lyons Road, Suite 100, Coconut Creek, Florida 33073 or by calling (954) 426-2105.

District Manager
Arlington Ridge Community Development District

LAK2482149 7/7/2014

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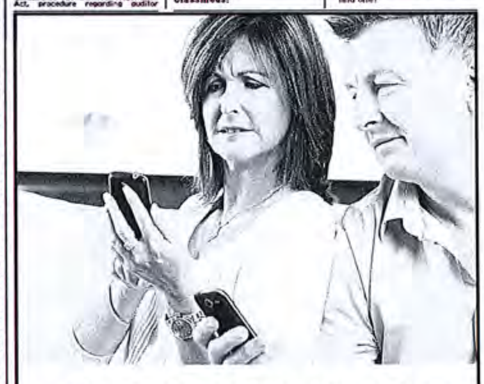

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levels of service for all regulated public facilities. It is anticipated that this amendment will not implicate any significant increase on Levels of Service.

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)

MOTION

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

6) Land Development Regulations Update – Medical Marijuana Dispensaries-Ordinance 2014-12

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

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. Medical Marijuana Dispensaries is viewed as a pharmacological type use and would be compatible with other medical uses allowed in this zoning.

MOTION

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

(From Tampa Bay Tribune Article 7-25-14)

What is medical marijuana?

The term generally refers to the whole unprocessed marijuana plant or its crude extracts, which are not recognized or approved as medicine by the FDA. Marinol and Cesamet, FDA approved medicines for treating nausea and appetite loss, contain a synthetic version of THC, the most common active ingredient in marijuana. Pain is the most common reason patients seek medical marijuana, which may be smoked, vaporized, eaten or taken as a liquid extract. Other reasons for its use include muscle spasms, tremors and seizures, nausea and poor appetite from cancer chemotherapy, PTSD and glaucoma. The effects of marijuana can vary widely depending on the strain.

Why is this an issue now in Florida?

Because on Nov. 4, voters will be asked to consider Amendment 2, which if ratified would change the state Constitution to legalize marijuana for medical use. The amendment is there because of a ballot initiative led by Orlando attorney John Morgan and his United for Care.

What does the amendment say?
Here's the summary that will appear on the November ballot:

Use of Marijuana for Certain Medical Conditions
Allows the medical use of marijuana for individuals with debilitating diseases as determined by a licensed Florida physician. Allows caregivers to assist patients' medical use of marijuana. The Department of Health shall register and regulate centers that produce and distribute marijuana for medical purposes and shall issue identification cards to patients and caregivers. Applies only to Florida law. Does not authorize violations of federal law or any non-medical use, possession or production of marijuana.

Get the full text of the constitutional amendment
here:http://election.dos.state.fl.us/initiatives/fulltext/pdf/50438-2.pdf

Who could get medical marijuana?

A person with a doctor's certificate stating that the patient qualifies for medical marijuana. The Florida Department of Health would issue an identification card to be shown at purchase. The card would let law enforcement know the patient can possess amounts set by law.

Would I need a doctor's prescription to get medical marijuana in Florida?

Not exactly. Since marijuana is not a prescription drug, there will be no prescriptions for it. However, you will need a licensed physician to recommend its use for you.

What medical conditions would qualify?

Cancer, glaucoma, HIV/AIDS, hepatitis C, ALS, multiple sclerosis, Parkinson's disease and Crohn's disease are all listed in the amendment as qualifying diseases. Beyond those, a doctor may recommend medical marijuana for any "debilitating" conditions for which the doctor thinks benefits of use would outweigh risk.

Can patients go to any doctor for a recommendation?

Certifying doctors must be licensed in Florida and perform a physical exam and "full assessment of a patient's history" before certifying a patients for medical marijuana use. But the amendment does not require doctors and patients to have an ongoing relationship. The amendment allows the Department of Health to establish renewal periods, requiring recertification after a certain period of time.

When could a patient start legally using marijuana?

The effective date of the amendment is Jan. 6. After that date, the Department of Health must implement regulations within six months and begin issuing identification cards within nine months. If the department fails to issue cards within nine months, the doctor's certification will serve as identification.

How much marijuana could a patient possess?

That will be determined by the Department of Health, based on what is "reasonably presumed to be an adequate supply." Patients who think they need more could appeal. Marijuana, oil, tinctures and cannabis-laced food products would be allowed.

Where would medical marijuana be sold?

Only at state-licensed dispensaries called "Medical Treatment Centers." Growers would also be licensed as treatment centers. The Department of Health would issue rules about how dispensaries would be monitored, who can own them and work in them and what security and inventory control measures must be met.

Would I be able to grow my own pot?

No. That would remain illegal, as it is under current law.

What if the Department of Health writes regulations so restrictive that usage is effectively banned?

The department must issue "timely" and "reasonable" rules that "ensure the availability and safe use of medical marijuana by qualifying patients." If the regulations are too restrictive, any Florida citizen could sue to enforce constitutional intent.

Can caregivers possess marijuana?

A person over 21 can buy and handle the marijuana on behalf of up to five patients. Caregivers would have an identification card issued by the state.

How old must a patient be?

The amendment does not set age limits. In other states, use by minors requires parental consent, as with prescription drugs and other medical treatments. Some states require certification by two doctors for use by a minor.

Would insurance cover it?

That would be up to the insurer. The amendment does not require coverage. Medicare does not cover nonprescription drugs and supplements.

What about using it at work or in schools?

Schools and employers would be free to prohibit on-site use. The amendment does not prohibit employers from requiring drug tests or imposing sanctions for positive results.

Would information on identification cards be public?

No. The Department of Health must keep records confidential, even from employers or family members. But the information could be disclosed for "valid medical or law enforcement purposes."

Could the Legislature set up its own system to regulate medical marijuana?

Yes, but it could not contradict the amendment. For example, the Legislature could not make dispensaries illegal. However, it could permit home cultivation, which is now banned by statute.

Could pot-smoking in public be regulated just as cigarette smoking is regulated?

Yes. Calling it medicine does not confer the right to use pot anywhere.

What about DUI?

Driving under the influence of "medical" marijuana would still be illegal, as is to drive under the influence of alcohol and drugs.

What's the most common reason people use medical marijuana?

AIDS and cancer patients may use pot for nausea. People with chronic anxiety say pot calms their nerves. But pain is the major factor. States that keep statistics show that 90 percent of patients or more list severe pain as one of their qualifying symptoms. Two-thirds to three quarters list pain as their only symptom.

Didn't the Florida Legislature just vote to allow the use of medical marijuana?

The Legislature approved a low-THC strain of pot for cancer patients and to control seizures, as for children with intractable epilepsy. This strain, often called "Charlotte's Web," does not have the potency needed to combat pain, advocates say.

How many people will have to vote for the amendment for it to pass?

Florida requires a 60 percent majority to amend the state Constitution. Numerous polls indicate at least that much support for medical marijuana, but opponents note that although older voters — who usually dominate turnout — favor medical marijuana, their support is not as strong as that of younger voters.

How many other states allow medical use of marijuana?

Twenty-three states plus the District of Columbia allow the use of multiple strains of marijuana for medical use. California was the first to legalize medical marijuana, in 1996. If the measure is approved by voters, Florida would become the first Southern state to legalize medical use of multiple strains of marijuana.

Does medical marijuana work?

An increasing body of science shows that chemical substances found in pot can, indeed, be beneficial for treating some conditions. Studies are usually small and limited -- nothing like the large, dosage controlled clinical studies typically required for FDA approved medicine. Much of the support for medical marijuana comes from anecdotal reports of patients who have used it to treat their ailments.

What are arguments against medical marijuana?

Some studies indicate that prolonged use of marijuana in adults could cause serious health problems. Young teens, whose brains are still developing, may be particularly vulnerable. Opponents worry that giving official approval to any kind of marijuana use could lead to higher illegal use among teens. They say that many medical marijuana patients in other states are simply using it for recreational purposes. They contend that medical marijuana could lead to increased crime and driving under the influence. Opponents also say that, in the future, FDA-approved prescription drugs could use the same chemicals found in marijuana without risking potential for societal damage.

Is it true that marijuana is less harmful than alcohol?

A massive dose of alcohol can kill while the same has never been observed with marijuana. But that doesn't mean pot is harmless. Dependence is uncommon, but it does happen in about 9 percent of all users, according to the National Institute of Drug Abuse. In some marijuana strains, the concentration of THC, the ingredient that produces mind-altering euphoria, has more than doubled from 1993 to 2008 due to selective breeding, meaning today's pot can be far more potent than in the past, and possibly lead to more serious side effects.

I am interested in being a licensed grower. How much will it cost and what can I do now to apply?

If the amendment passes, regulations will not be complete until spring or summer of 2015. Until then, there is not much anyone can do to get a dispensary license or get in line for an application.

Didn't the Legislature just limit dispensaries to just five growers with 30 years of continuous experience in the nursery business?

That was for the low-THC strain of marijuana often called Charlotte's Web. Those regulations may not have any bearing on how the general medical marijuana system would work if Amendment 2 passes.

How do I go about asking my doctor for a certificate?

If the amendment passes, you cannot seek certification until the rules are established, probably next summer. You just ask your doctor to fill out the paperwork after taking your medical history and conducting a physical exam. The certificate will then allow you to get an identification card from the Department of Health so you can start buying. Exactly what the paperwork will entail and how it gets to state officials remains to be seen. Many doctors in other states have been uncomfortable issuing certificates, for various reasons. So you may have to find a more willing doctor.

What is the definition of a licensed doctor/physician? A trained medical doctor? A self professed holistic healer? A veterinarian?

Physicians are defined under Chapters 458 and 459 of the Florida Statutes. They clearly include medical doctors and osteopathic doctors. They clearly do not include veterinarians or holistic healers. Chiropractors and podiatrists are also listed as physicians and there is some debate about whether they could conduct exams, take physical histories and issue certificates if Amendment 2 passes. The answer to that may await the regulations and any subsequent court challenges.

Will health care professionals, such as massage therapists and chiropractors be able to apply medical marijuana to their clients, in cream form?

Health professionals have no special protection for marijuana possession under Amendment 2, unless they secure an identification card as your personal caregiver. And even if they do, caregivers can serve no more than five patients. So technically, it is possible that authorities could arrest a massage therapist for possession if they have your medical marijuana cream in their hands. On a practical level, no one is going to get arrested for that unless they are also abusing the system somehow, such as sharing your pot product.

Medical marijuana laws often start out restrictive, then get looser over time. Is there anything to keep that from happening in Florida?

Florida is unique in that Amendment 2 will be in the constitution, so its provisions cannot be overridden by legislation. The amendment guarantees "safe access" to pot for qualifying patients, which means that legislators probably cannot pass changes to the system that are unreasonably restrictive. They can, however, expand the system -- like allowing people to grow their own. For that matter, the Legislature could legalize marijuana for recreational use without conflicting with the Amendment. Since the trend nationwide is toward reducing criminal penalties for pot use, a looser system for Florida down the road is a distinct possibility.

How is marijuana different from cigarettes in terms of addiction, lung health, etc?

Marijuana can be administered as a vapor, extract, gel or eaten, but most users smoke it. The Institute of Medicine, a neutral group of experts that studied medical marijuana research, concluded that 9 percent of users become dependent on pot, compared with 15 percent dependency among alcohol users and 32 percent dependency among nicotine users. Withdrawal from marijuana can last several days and symptoms include anxiety, irritability, sleep disorders, runny nose and sweating. Prolonged pot smoking increases the odds of bronchitis and coughing and weakens the lungs' ability to fight fungus and bacteria, the Institute said. Marijuana contains many carcinogenic tars also found in tobacco, but the National Cancer Institute's review of studies found few links to lung cancer once concurrent cigarette smoking is accounted for. However, the American Cancer Association cautions that many of these studies included infrequent pot users, and heavy use may increase the risk of lung, throat and tongue cancer.

AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 20, 2014

AGENDA TAB NO. 7

SUBJECT TITLE: Resolution 2014-16
Partial Vacate of Nightingale Lane

OBJECTIVE:

To consider the partial vacate of the south westerly cul-de-sac of Nightingale Lane.

SUMMARY:

This is a request to vacate the south westerly cul-de-sac of Nightingale Lane. The owners of property abutting the right-of-way at this location desire to sell this land on which an unfinished, unused clubhouse exists. The purchasers desire to convert this building to a medical office. The right-of-way under consideration for vacation is needed for required parking. A preliminary site plan for this office is attached to this report. Staff has determined that this partial vacate will not impact the safe movement of traffic on Nightingale Lane. The existing cul-de sac is not a requirement of our present subdivision regulations and may be a remnant of a time when Nightingale dead-ended at this location.

OPTIONS:

1. That City Council moves to approve Resolution 2014-16.
2. That City Council denies the proposed partial right-of-way vacate.

PLANNING & ZONING BOARD RECOMMENDATION:

At its July 17th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Resolution 2014-16.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Resolution 2014-16.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

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.

WHEREAS, the owner of property abutting the south westerly cul-de-sac of Nightingale Lane has petitioned and applied for a partial vacation of a portion of said right-of-way as legally described in Exhibit "A" of this petition; and

WHEREAS, the owner of property abutting Nightingale Lane desires to sell land that is proposed to be used as a medical office; and

WHEREAS, the proposed medical office requires the vacated right-of-way to construct a parking lot with sufficient parking to meet the needs of this use; and

WHEREAS, this proposed vacate will remove the City's public interest in this property thus enabling the applicant to pursue options to gain title to this property; and

WHEREAS, the portion of the right-of-way that is proposed to be vacated is not required for the safe movement of vehicular traffic; and

WHEREAS, the petition to vacate said right-of-way has been duly noticed as required by law; and

WHEREAS, the abutting property owners have been notified per the requirements of the City of Tavares Land Development Regulations; and,

WHEREAS, the City of Tavares has reviewed the vacate request and determined no conflicts in the vacation with regard to utilities, traffic, health, safety, or welfare,

NOW, THEREFORE, be it resolved by the City Council of the City of Tavares, Florida as follows:

The City of Tavares hereby vacates any and all interest in the aforesaid portion of right-of-way, as described in Exhibit "A," attached hereto and made part of this resolution.

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

_____

Robert Wolfe, Mayor
Tavares City Council

ATTEST

_____

Nancy A. Barnett, City Clerk

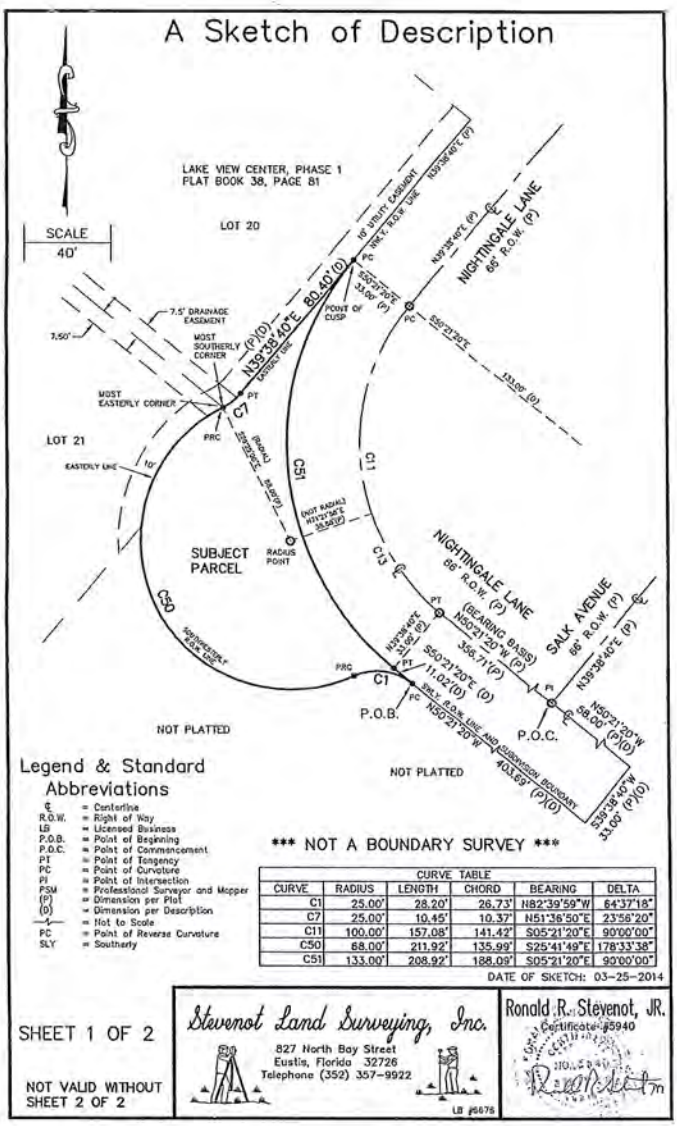
Approved as to form and legality:

_____

Robert Q. Williams, City Attorney

Exhibit A:

Legal Description:



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	25.00'	28.20'	26.73'	N82°39'59"W	64°37'18"
C7	25.00'	10.45'	10.37'	N51°36'50"E	23°58'20"
C11	100.00'	157.08'	141.42'	S05°21'20"E	90°00'00"
C50	68.00'	211.92'	135.99'	S25°41'49"E	178°33'38"
C51	133.00'	208.92'	188.09'	S05°21'20"E	90°00'00"

A Sketch of Description

Description

That portion of the right of way of Nightingale Lane, according to the record plat of Lake View Center, Phase 1, recorded in Plat Book 38, Page 81, of the Public Records of Lake County, Florida, described as follows: Commence at the center line intersection of said Nightingale Lane and Salk Avenue, according to said plat; thence South 50°21'20" East along the center line of said Nightingale Lane, 58.00 feet to said subdivision boundary; thence South 39°38'40" West along said subdivision boundary 33.00 feet to the Southwesterly right of way line of said Nightingale Lane; thence North 50°21'20" West along said Southwesterly right of way line and said subdivision boundary 403.69 feet to the Point of Beginning of this description, said point being the point of curvature of a curve concave Southerly, having a radius of 25.00 feet; thence Northwesterly and Westerly along the arc of said curve and the right of way line of said Nightingale Lane, an arc length of 28.20 feet, through a central angle of 64°37'18", to a point of reverse curvature of a curve concave Northeasterly, having a radius of 68.00 feet; thence Westerly, Northwesterly and Northeasterly along the arc of said curve, along the Southwesterly right of way line of Nightingale Lane and the Easterly line of Lot 21, of said Lake View Center, Phase 1, 211.92 feet, through a central angle of 178°33'38", to the point of reverse curvature of a curve concave Northwesterly, from which a radial line bears South 26°25'00" East, said point also being the most Easterly corner of said Lot 21 and the most Southerly corner of Lot 20 of said Lake View Center, Phase 1, said curve having a radius of 25.00 feet; thence Northeasterly along the arc of said curve, along the Easterly line of said Lot 20 and the right of way line of Nightingale Lane 10.45 feet, through a central angle of 23°56'20" to the point of tangency thereof; thence North 39°38'40" East along the Easterly line of said Lot 20 and the Northwesterly right of way line of Nightingale Lane 80.40 feet to the point of cusp of a curve concave Northeasterly from which a radial line bears South 50°21'20" East, said curve having a radius of 133.00 feet; thence Southerly and Southeasterly along the arc of said curve 208.92 feet, through a central angle of 90°00'00", to the point of tangency thereof; thence South 50°21'20" East along the Northwesterly extension of the Southwesterly right of way line of said Nightingale Lane 11.02 feet to the Point of Beginning.

1

DATE OF SKETCH: 03-25-2014

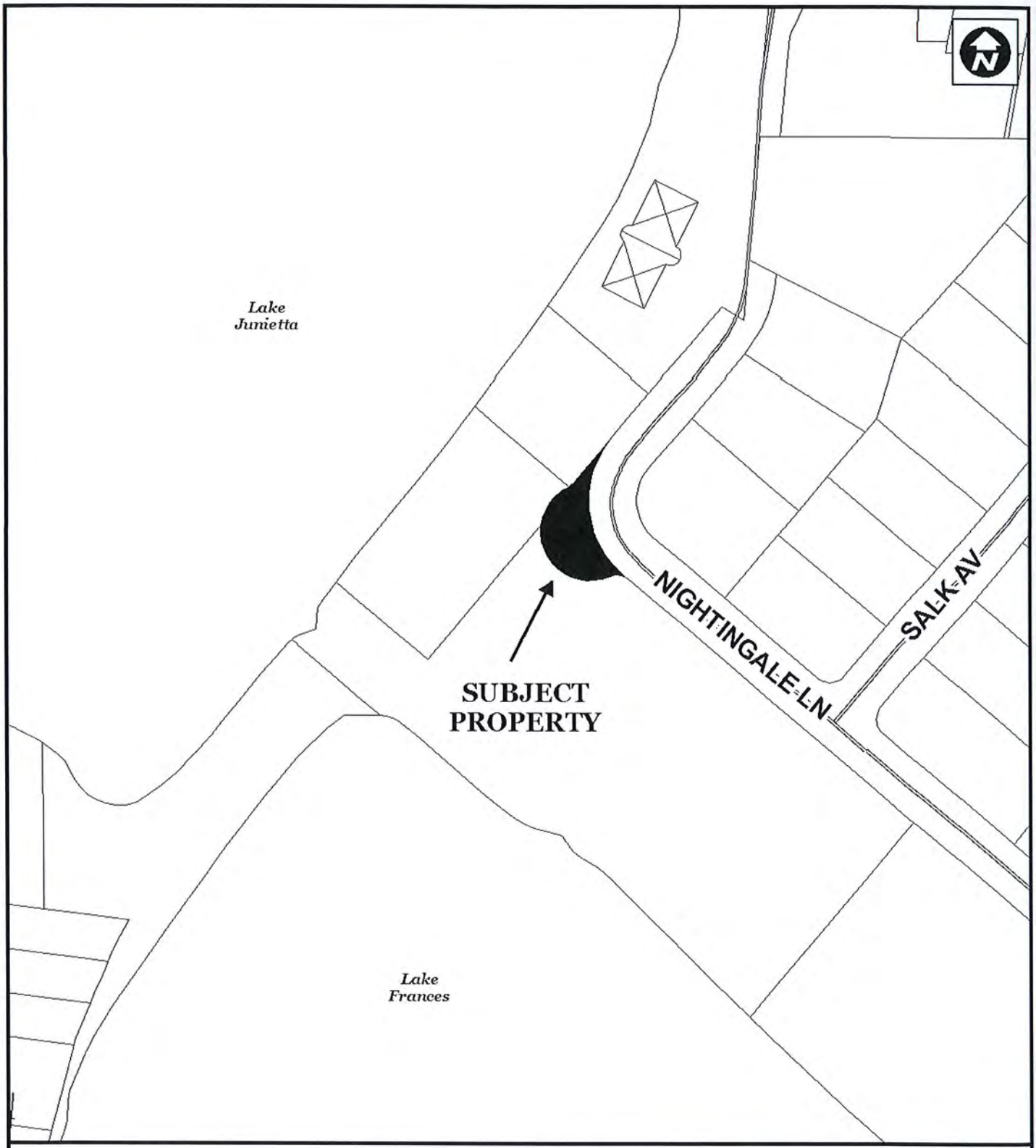
SHEET 2 OF 2

NOT VALID WITHOUT SHEET 1 OF 2

Stevenot Land Surveying, Inc.
827 North Bay Street
Eustis, Florida 32726
Telephone (352) 357-9922
LB #6876

Ronald R. Stevenot, Jr.
Certificate #5940

CITY OF TAVARES

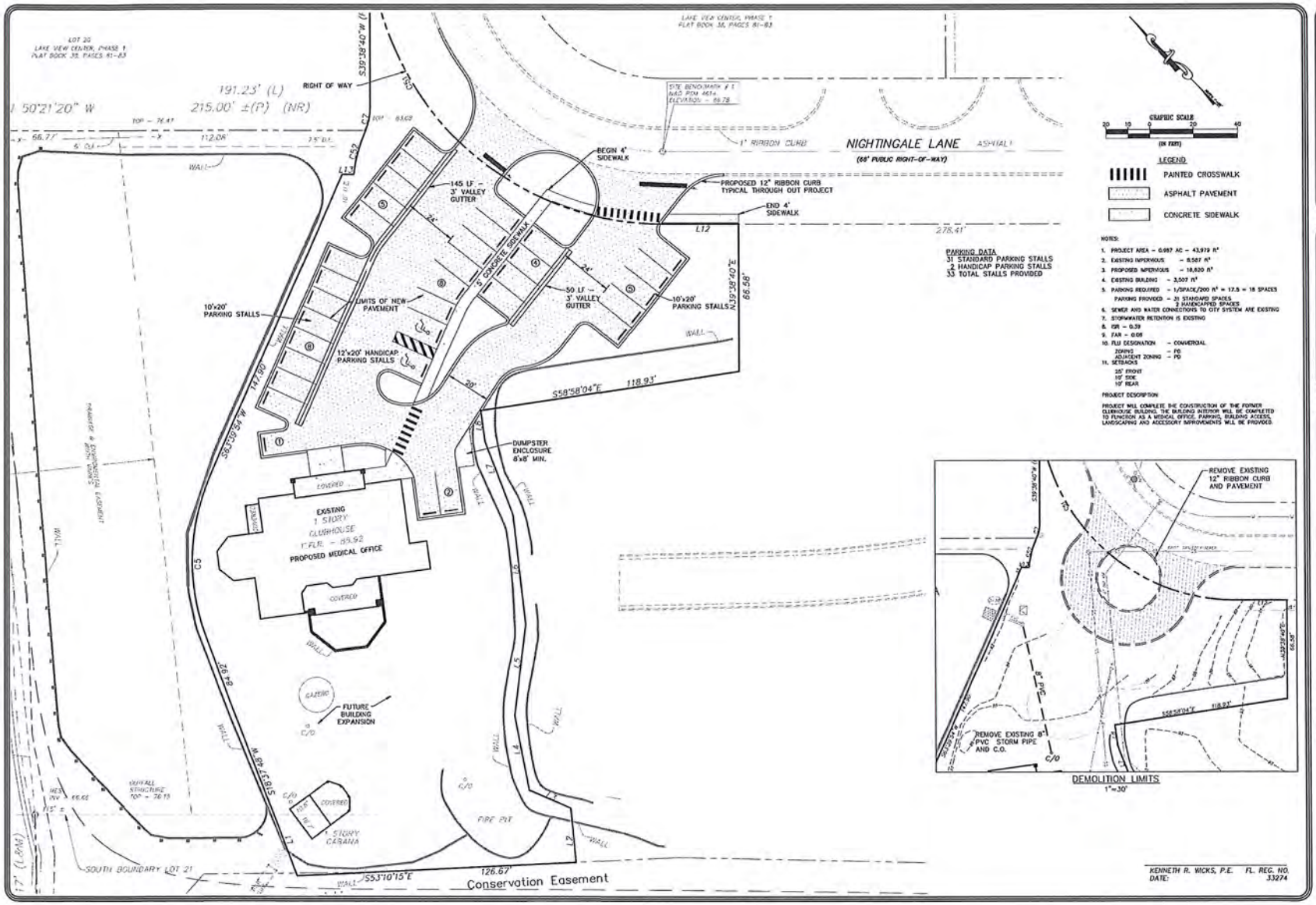


PROPERTY LOCATION MAP

TAVARES
America's Seaplane City

110 55 0 110
Feet

Created By: City of Tavares GIS T:\pzd\DATA\PROJECT FILES\Lakeview Crest; Rezone, SSFLUM - PZ2014-14\GIS\GIS_Maps\AD_Lakeview_Vacate.mxd Map Created on 6/25/14



Wicks Engineering Services, Inc.
225 West 16th Street, Tavares, Florida 32778
www.wicksengineering.com (352) 343-8867
C.A. #00062

LAKEVIEW CREST, LLC
4130 UNITED AVENUE, SUITE 1
MOUNT DORA, FLORIDA 32757

SITE PLAN
PROPOSED MEDICAL OFFICE
Tavares, Florida

Drawn: NSR	REVISION:
Checked: KRW	DATE:
Date: 06-28-2014	
Scale: AS SHOWN	
File No.: 14107	Sheet: 4 of 7

CITY OF TAVARES

PROPERTY LOCATION MAP

TAVARES
America's Seaplane City

60 30 0 60
Feet

Created By: City of Tavares GIS T:\pzd\DATA\PROJECT FILES\Lakeview Crest; Rezone, SSFLUM - PZ2014-14\GIS\GIS_Maps\AD_Lakeview.mxd Map Created on 6/25/14

Orlando Sentinel

Publication Date: 07/07/2014

Ad Number: 2510365-1
Insertion Number:
Size: 3 x 10.5
Color Type: B&W

Client Name: / PO# Mike Fitzgerald
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E005/LAK
Description: Ord 2014-16

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.

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 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 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."

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

UCLA professor Shlomo Benartzi

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.

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 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.

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.

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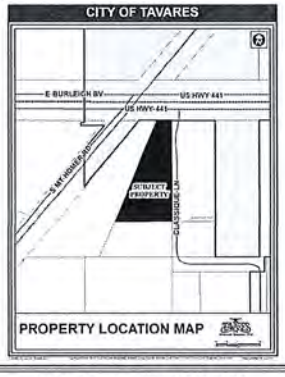


THE CITY OF TAVARES
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed 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.

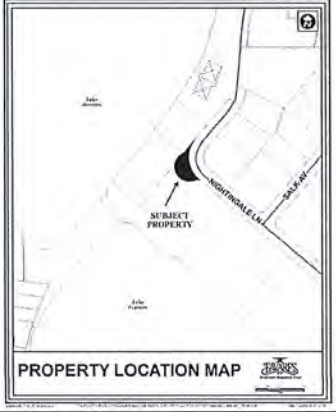
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

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.



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

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Richard Root , Vice Chairman
Morris Osborn
Norb Thomas
Howard Haynes
Bob Stomp
Steven Pueschel

LAKE COUNTY SCHOOL BOARD

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

STAFF MEMBERS PRESENT

Jacques Skutt, Community Development Director
Alisha Maraviglia, Senior Planner

CALL TO ORDER

Vice Chairman, Gary Santoro, called the meeting to order at 3:00 p.m. and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES OF JUNE 19, 2014

The minutes were approved as read.

SWEARING IN OF THOSE GIVING TESTIMONY

Attorney Williams gave the oath to staff and members of the audience.

CASES TO BE HEARD

1) Lakeview Crest, LLC – Partial Vacate of Nightingale Lane- Resolution 2014-16

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

This is a request to vacate the south westerly cul-de-sac of Nightingale Lane. The owners of property abutting the right-of-way at this location desire to sell this land on which an unfinished, unused clubhouse exists. The purchasers desire to convert this building to a medical office. The right-of-way under consideration for vacation is needed for required parking. A preliminary

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

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

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

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

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

MOTION

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

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

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

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.

MOTION

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

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

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

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

AGENDA SUMMARY
TAVARES CITY COUNCIL
AUGUST 20, 2014

AGENDA TAB NO. 8
SUBJECT TITLE: Responding Resolution- 2014-21
Interlocal Service Boundary Agreement between the Town of Astatula and Lake County.

OBJECTIVE:

To obtain Council's approval of a Responding Resolution for a proposed ISBA between the Town of Astatula and Lake County.

SUMMARY:

On May 12, 2014, the Town of Astatula adopted Resolution 2014-D, an "Initiating Resolution", inviting Lake County and towns of Mont Verde, Howey-in-the-Hills, and the cities of Minneola, and Tavares to begin negotiations towards the entering of an Interlocal Service Boundary Agreement as authorized by Florida Statutes. The Town of Astatula's proposed ISBA area overlaps the southern portion of our city's ISBA with Lake County that is currently under review for adoption.

Florida Statute requires that, municipalities wishing to participate in the negotiations of an ISBA, adopt a resolution reflecting that desire. This proposed City of Tavares Resolution 2014-21 will satisfy that requirement and enable the City to participate in the negotiating process.

OPTIONS:

1. That City Council approves Resolution 2014-21.
2. That City Council denies Resolution 2014-21.

STAFF RECOMMENDATION:

Staff recommends that City Council approves Resolution 2014-21.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This agenda summary has been reviewed for legal sufficiency.

RESOLUTION 2014-21

A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, EXPRESSING THAT THE CITY OF TAVARES DESIRES TO PARTICIPATE IN NEGOTIATIONS WITH THE TOWN OF ASTATULA AND LAKE COUNTY TOWARDS THE ENTERING OF AN INTERLOCAL SERVICE BOUNDARY AGREEMENT UNDER CHAPTER 171.203, FLORIDA STATUTES; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Astatula adopted Resolution 2014-D on May 12, 2014 (the "Initiating Resolution"), inviting Lake County, the City of Tavares, City of Minneola, the Town of Montverde, and the Town of Howey-in-the-Hills to begin negotiations towards the entering of an Interlocal Service Boundary Agreement as authorized by Florida Statutes; and

WHEREAS, the identified ISBA boundary area may affect the City of Tavares with respect to future service delivery, fiscal responsibilities and boundary adjustment; and

WHEREAS, Section 171,203, Florida Statues, provides for interested municipalities to participate in the negotiation of an Interlocal Service Boundary Agreement through the adoption of a requesting resolution.

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

Section 1. The City of Tavares, Florida hereby requests to participate in the negotiation of an Interlocal Service Boundary Agreement between the Town of Astatula and Lake County that was initiated by the Town of Astatula through Resolution 2014-D.

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

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

_____
Robert Wolfe, Mayor
Tavares City Council

ATTEST

_____
Nancy A. Barnett, City Clerk

Approved as to form and legality:

_____
Robert Q. Williams, City Attorney

Town of Astatula

Post Office Box 609
ASTATULA, FLORIDA 34705

29JUL '14 RCVD

STATE OF FLORIDA

COUNTY OF LAKE

I, the undersigned duly appointed Town Clerk of the Town of Astatula, Florida, HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution 2014D relating to initiation of the Negotiation process to enter into an interlocal service boundary agreement, adopted by the Astatula Town Council on May 12th, 2014 as shown in the records of the Town on file in the Office of the Town Clerk.

WITNESS my hand and official seal of the Town of Astatula, Florida, on this 21st day of July, 2014.

Mary K. Cooper

Mary K. Cooper

Town Clerk

P O BOX 609, ASTATULA, FLORIDA 34705
PHONE: 352/742-1100, FAX: 352/394-2379

RESOLUTION 2014-D

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA, INTIATING THE PROCESS PURSUANT TO SECTION 171.203, FLORIDA STATUTES FOR NEGOTIATING AN INTERLOCAL SERVICE BOUNDARY AGREEMENT; INVITING LAKE COUNTY, TOWN OF MONTVERDE, CITY OF MINNELOLA, CITY OF TAVARES, AND TOWN OF HOWEY IN THE HILLS TO PARTICIPATE; IDENTIFYING AN UNINCOPORATED AREA OF LAND TO BE DISCUSSED, IDENTIFYING ISSUES TO BE NEGOTIATED; PROVIDING FOR DIRECTIONS TO THE TOWN CLERK, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature adopted Part II of Chapter 171, Florida Statutes as an alternative for local governments regarding annexation of real property into a municipality, and

WHEREAS, in part, the intent of the Legislature is to "encourage intergovernmental coordination in planning, service delivery, and boundary adjustments", and

WHEREAS, the Town is authorized by Section 171.203 to initiate negotiations with other local governments; and

WHEREAS, the Town of Astatula desires to initiate negotiations of a Interlocal Service Boundary Agreement with Lake County, the Town of Montverde, the City of Minneola, the City of Tavares and the Town of Howey in the Hills concerning an unincorporated area of real property and service delivery for that unincorporated area;

BE IT RESOLVED by the Town Council of the Town of Astatula, Florida, as follows:

1. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this resolution.

2. The Town of Astatula invites Lake County, the Town of Montverde, the City of Minneola, the City of Tavares and the Town of Howey in the Hills to negotiate an interlocal service boundary agreement.

3. The Town of Astatula identifies for discussion the unincorporated area of real property depicted in Exhibit A which is attached hereto and incorporated herein.

4. The issues for negotiation are as follows:

a. Designation of all or a portion of the unincorporated area depicted Exhibit A as a Municipal service area;
b. Possible designation of a portion of the unincorporated area;
c. A process and schedule for annexation of an area within the designated municipal service area;
d. Providing the following services to the unincorporated area depicted in Exhibit A:
    - Water
    - Wastewater
    - Fire Protection
    - Emergency rescue and medical
    - Public safety
    - Road ownership, construction and maintenance
    - Parks and recreation
    - Solid waste and recycling service
    - Library service
    - Permitting and building services
    - Signage
    - Addressing
    - Stormwater management and drainage
    - Protection of agricultural interests
    - Transportation system
    - Future Economic Opportunities
    - Protection of environmental interests
    - Protection of natural resources and assets

5. The Town Clerk shall send a certified copy of this Resolution by United States Certified Mail to the County Manager of Lake County, Florida, and the City Manager of the Following cities: City of Tavares and City of Minneola, the Mayor of the following towns; Town of Montverde, Town of Howey in the Hills; all in Lake County, Florida.

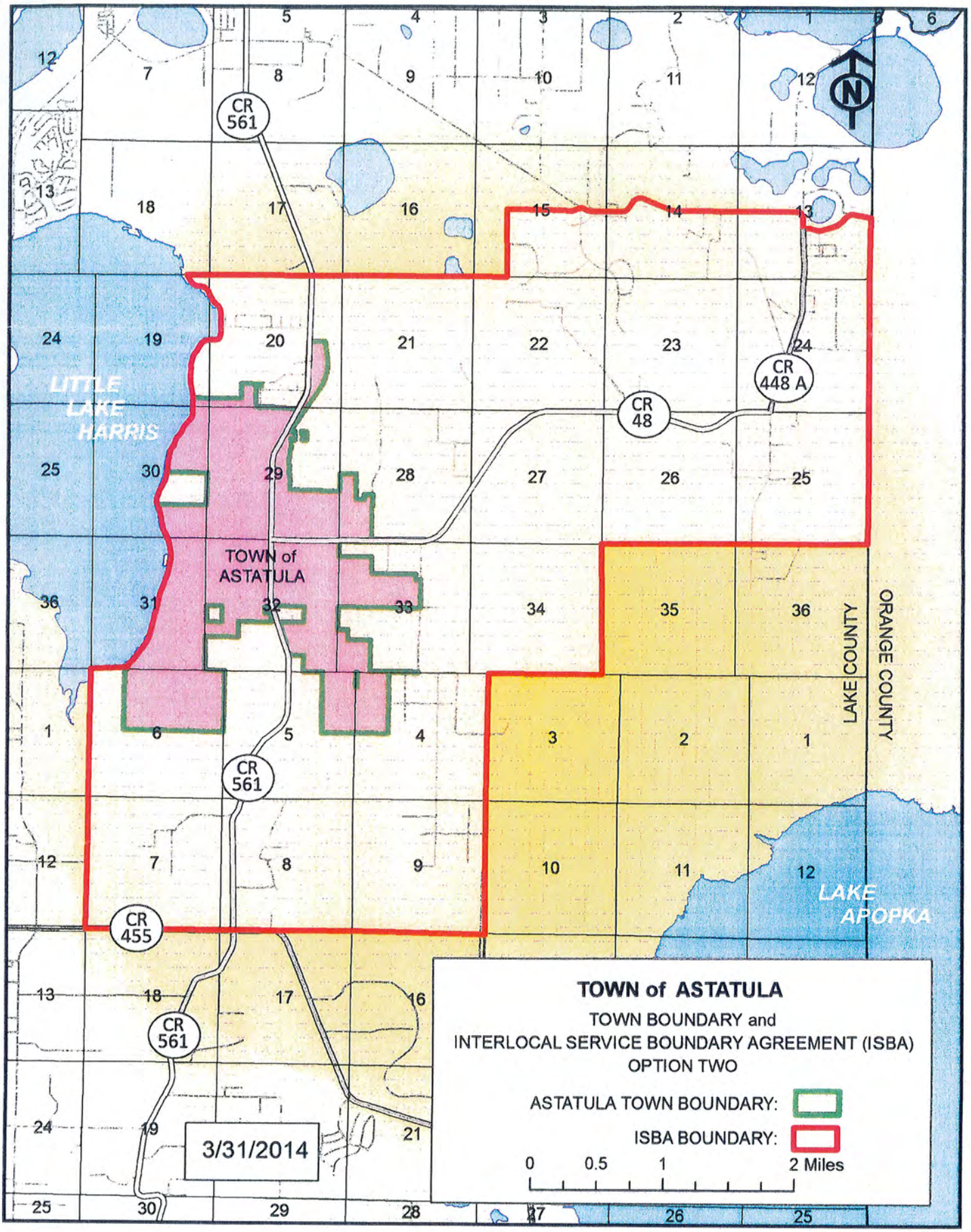
6. The Resolution shall be effective immediately upon adoption. ADOPTED at a regular meeting of the Town Council of the Town of Astatula, Florida, This 12th day of May, 2014.

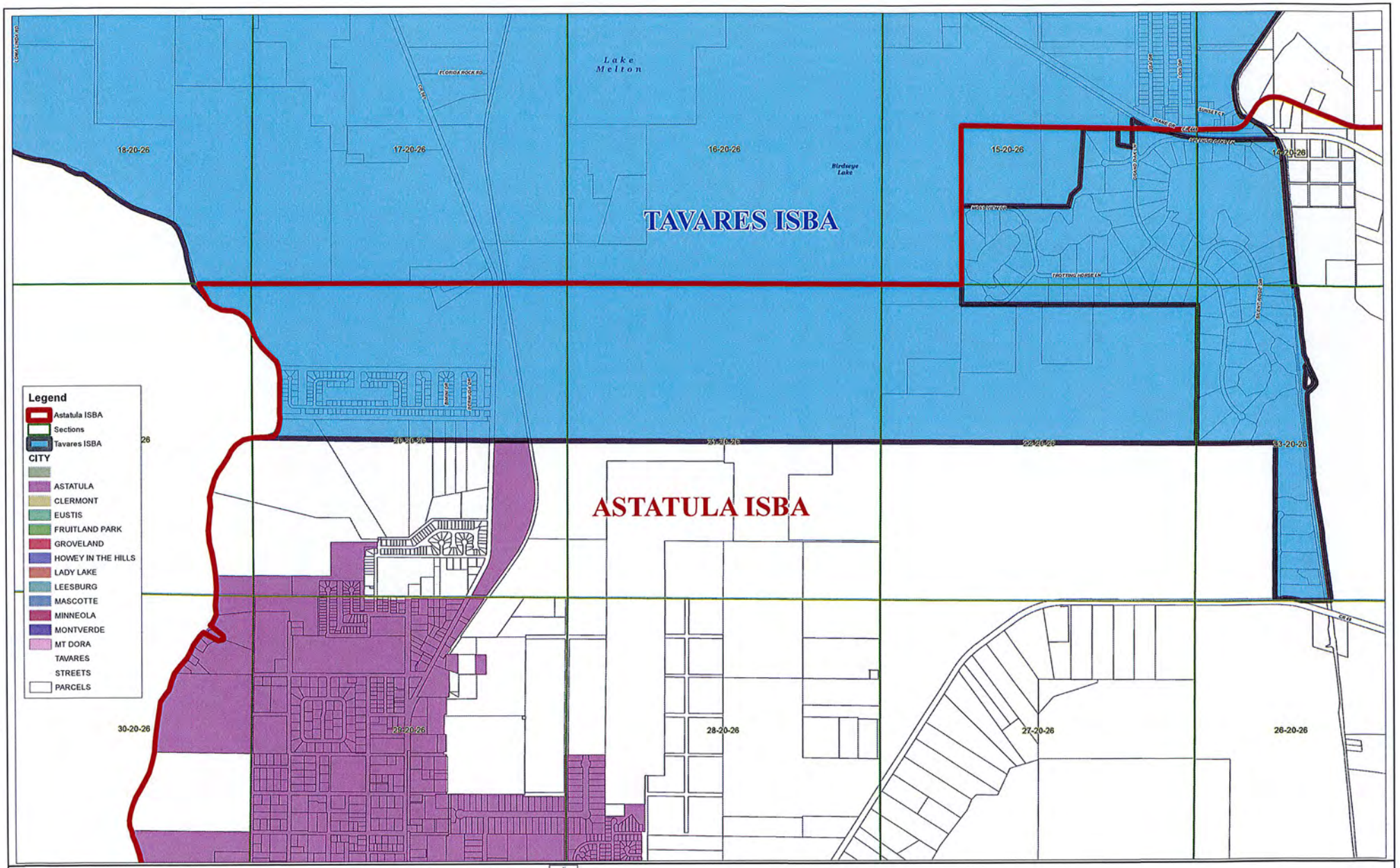
Attest Mary K. Cooper
Mary Cooper, Town Clerk

Judith Tice
Judith Tice, Mayor

Approved as to form and legality:

Mark Brionez, Town Attorney


TOWN of ASTATULA
TOWN BOUNDARY and
INTERLOCAL SERVICE BOUNDARY AGREEMENT (ISBA)
OPTION TWO
ASTATULA TOWN BOUNDARY:
ISBA BOUNDARY:
0 0.5 1 2 Miles
3/31/2014
LITTLE LAKE HARRIS
LAKE APOPKA
LAKE COUNTY
ORANGE COUNTY
TOWN of ASTATULA
CR 561
CR 48
CR 448 A
CR 455
N


TAVARES ISBA
ASTATULA ISBA
Lake Melton
Birdseye Lake
FLORIDA ROCK RD
CR 561
18-20-26
17-20-26
16-20-26
15-20-26
14-20-26
20-20-26
21-20-26
22-20-26
23-20-26
30-20-26
29-20-26
28-20-26
27-20-26
26-20-26
Legend
Astatula ISBA
Sections
Tavares ISBA
CITY
ASTATULA
CLERMONT
EUSTIS
FRUITLAND PARK
GROVELAND
HOWEY IN THE HILLS
LADY LAKE
LEESBURG
MASCOTTE
MINNEOLA
MONTVERDE
MT DORA
TAVARES
STREETS
PARCELS
0 290 580 1,160 1,740 2,320
Feet

ISBA AREA 3