



**AGENDA
TAVARES CITY COUNCIL
September 8, 2021
4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 E MAIN STREET, TAVARES**

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

I. CALL TO ORDER

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1 Tom Cavanaugh, First Baptist Church of Mount Dora

III. APPROVAL OF AGENDA

IV. PROCLAMATIONS/PRESENTATIONS

V. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO RECORD

VII. CONSENT AGENDA

Tab 2 Approval of the August 4 and August 18, 2021 Regular and Budget Workshop Meeting Minutes (City Clerk)

VIII. RESOLUTIONS

Tab 3 Resolution 2021-19 - Acceptance of United States Department of Justice Edward Byrne Memorial Justice Assistance Grant (Finance)

Tab 4 Resolution 2021-22 - Supporting the Proposal Memorandum of Understanding Regarding the Ongoing Opioid Litigation (Police)

Tab 5 Approve Award of Financing Bid and Approve Resolution 2021-23 Authorizing Execution of Loan Documents for City of Tavares Florida Utility System Improvement Revenue Bond Series 2021 with Sterling Bank (Finance)

Tab 6 **Resolution 2021-24 Acceptance of Agreement with the State of Florida Division of Emergency Management for American Rescue Plan Act Funding (Finance)**

IX. ORDINANCES - PUBLIC HEARING

First Reading

Second Reading

Tab 7 **Ordinance 2021-15 - Amendment to Police Officers' Pension Plan Amending Sections 15-75, 15-77, 15-80, and 15-86 as it related to Required Age Distribution of Benefits (Finance)**

X. TRANSMITTAL HEARING

Tab 8 **Ordinance 2021-09 - Comprehensive Plan 2040 Amendment - Addition of Property Rights Element pursuant to House Bill 59 (Community Development)**

XI. GENERAL GOVERNMENT

Tab 9 **American Rescue Plan Act Spending Plan (City Administrator)**

Tab 10 **School Resource Officer Agreement With Lake County School Board (Police)**

Tab 11 **Dispatch Agreement with Lake County Sheriff's Office for Dispatch Services (Police)**

Tab 12 **Access Easement Agreement between the City of Tavares and Orange County granting a 20' access easement across City-owned property located north of Woodlea Road, west of Captain Haynes Road (Community Development)**

Tab 13 **Freedom Boat Club Commercial Lease Agreement at Tavares Marina (Economic Development)**

Tab 14 **Adventure Boating Club LLC Lease Agreement, Tavares Marina (Economic Development)**

Tab 15 **Care Free Boat Club of Central Florida Marina Lease Agreement (Economic Development)**

Tab 16 **Lake Adventures LLC Marina Lease Agreement (Economic Development)**

Tab 17 **Approval of Utility Agreement with Atwater Apartments, LLC for Water Line Upsize (Finance)**

XII. BUDGET HEARING - FISCAL YEAR 2021-2022 TENTATIVE MILLAGE & BUDGET - READING OF TENTATIVE MILLAGE & BUDGET RESOLUTIONS - 5:05 PM

Tab 18 **Approve Resolution 2021-20 for Tentative Millage Rate for FY 2022
– First Reading**

Tab 19 **Approve Resolution 2021-21 for Tentative Budget for FY 2022 –
First Reading**

XIII. NEW BUSINESS

XIV. OLD BUSINESS

XV. AUDIENCE TO BE HEARD

XVI. REPORTS

Tab 20 **City Administrator Report**

Tab 21 **City Council Member Reports**

XVII. ADJOURNMENT

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) 742-6209.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 1

SUBJECT TITLE: Tom Cavanaugh, First Baptist Church of Mount Dora

OBJECTIVE:

Tom Cavanaugh, First Baptist Church of Mount Dora, will provide the invocation and lead those present in the Pledge of Allegiance.

SUMMARY:

Tom Cavanaugh, First Baptist Church of Mount Dora, will provide the invocation and lead those present in the Pledge of Allegiance.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 2

SUBJECT TITLE: Approval of the August 4 and August 18, 2021 Regular and Budget Workshop Meeting Minutes (City Clerk)

OBJECTIVE:

To consider approval of the August 8 and August 18, 2021 City Council Regular Meeting and Budget Workshop.

SUMMARY:

Attached are the August 8 and August 18, 2021, City Council meeting minutes as submitted by the City Clerk.

OPTIONS:

1. Move to approve the City Council meeting minutes as submitted under the Consent Agenda.
2. Move to approve the City Council meeting minutes with corrections.

STAFF RECOMMENDATION:

For Council approval.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 08-04-2021 CC Minutes
2. 08-18-2021 CC Minutes

Attachments not provided are available to the public upon request to the City Clerk.



**TAVARES CITY COUNCIL
MEETING MINUTES
AUGUST 4, 2021 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

**Amanda Boggus, Mayor
Lou Buigas, Vice Mayor
Lori Pfister, Council Member
Walter Price, Council Member
Troy Singer, Council Member**

STAFF PRESENT

**John Drury, City Administrator
Bob Williams, City Attorney
Susie Novack, City Clerk
Mike Fitzgerald, Community Development Director
Bob Tweedie, Economic Development Director
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Stoney Lubins, Police Chief
James Dillon, Public Works Director
Phil Clark, Utilities Director
Crissy Bublitz, Human Resources Director
Mark O'Keefe, Public Communications Director
Scott Aldrich, Community Services Director**

I. CALL TO ORDER

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

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Richard Keith, Fire Chief

Richard Keith, Fire Chief, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mr. Drury said he would like to renumber and move Tab 5 [Request Approval of Budget Transfer to Purchase Sand Pro and Miscellaneous Tools to Prepare Sports Fields at Woodlea Sports Complex and Fred Stover Sports Complex] from the Consent Agenda, to be heard as Tab 9a under General Government.

MOTION

Lori Pfister moved to approve the Agenda, seconded Lou Buigas. The motion carried unanimously 5-0.

IV. PROCLAMATIONS/PRESENTATIONS

V. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Attorney Holt said there were no quasi-judicial matters before Council.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following resolution by title only:

RESOLUTION NO. 2021-16

A RESOLUTION OF CITY OF TAVARES, FLORIDA; AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE FLORIDA HUMANITIES; AND THE GRANT REPRESENTS A SUB RECIPIENT HUMANITIES GRANT FOR LOCAL LIBRARIES FOR THE PROMOTION OF THE HUMANITIES; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

VII. CONSENT AGENDA

Mayor Boggus asked if anyone would like to pull any items from the Consent Agenda for discussion.

Council Member Price said he would like to pull Tab 3 for discussion.

Council Member Pfister said she would like to pull Tab 4 for discussion.

MOTION

Lou Buigas moved to approve the Consent Agenda [Tab 2. Approval of the July 7, 2021 City Council Regular and Budget Workshop Meeting Minutes], seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 2. Approval of the July 7, 2021 City Council Regular and Budget Workshop Meeting Minutes

Approved on the Consent Agenda.

Tab 3. Captain Haynes Heights Subdivision – Preliminary Plat

Council Member Price noted a previous discussion regarding taking \$30,000 out of Reserves to help pay for road improvements at the intersection at Dead River Road and SR 19. He said Council Member Pfister had asked if there were any developments in the area the City had agreements to cost-share the intersection improvements. He said the Council should have been advised there was a new development on Dead River Road.

Mr. Fitzgerald said the project includes 71 single-family homes. Each home would be responsible for an average of \$1000 in road impact fees to Lake County.

Vice Mayor Buigas noted her concern regarding the timeliness of the traffic study as there had been significant growth in the City since 2018. Mr. Fitzgerald said the engineers provided staff with an updated traffic study indicating an additional four lots from the previous approval of Captain Haynes Reserve. The updated study showed there would be a de minimis impact on surrounding roadways.

Council Member Pfister said she did not agree with the 2018 traffic study at that time and felt the intersection upgrades would not accommodate the growth in the area. Council Member Pfister asked which subdivision required intersection approvals before obtaining a Certificate of Occupancy. Mr. Drury said the Waterstone project was required to make intersection improvements. He said the cost for the intersection resulted in the developer pulling out of the project, and they are not moving forward. As a result, the County agreed to make the improvements. Council Member Pfister said someone else came before the Council and asked for the same deal. Mr. Fitzgerald said there was no current project at Waterstone.

Council Member Singer asked for a review of the preliminary plats' process and what would happen if Council denied the preliminary plat. Mr. Fitzgerald said the preliminary plat is approval or denial of the layout of lots. The subject property is zoned as residential multi-family with vested rights to be developed as a single-family subdivision. Council Member Singer asked if the developer completed all requests from the City. Mr. Fitzgerald confirmed.

Council Member Singer asked if there would be any legal issues if Council denied the preliminary plat. Attorney Holt said under Florida Statutes Chapter 163, subsection

3215, a person or developer could challenge a denial per the statute definitions and as long as the request does not contrast with the Land Development Regulations (LDR). Mr. Fitzgerald said denial should be made based on facts, and if perceived as arbitrary, the applicant may have ground to pursue action against the City. Mr. Fitzgerald said the plat is consistent with the LDR's, Comprehensive Plan, existing zoning, and density allowed on the property. He said before Council is an approval of the layout of a subdivision. Moving forward, if the plat is approved, the applicant could complete the infrastructure design, site plan, and construction plans. The Council would still review and approve the final plat.

Mr. Fitzgerald said staff could contact the traffic engineer and ask for a fully updated traffic study. Council Member Singer asked if a traffic study could be provided before the final plat approval. Mr. Fitzgerald said he always includes traffic study conclusions with the final plat. Vice Mayor Buigas noted her preference that a study would be provided and not a certification letter. Mr. Fitzgerald said if Council would like to request a full 2021 or 2022 traffic study it could be required.

Council Member Pfister asked for confirmation none of the developments before Council was named Waterstone in the past. Mr. Fitzgerald confirmed. Council Member Pfister asked if the Council could be advised if someone wishes to take over the Waterstone project. Mr. Fitzgerald said at the time of rezoning, Waterstone was called the Wooten property, after the owner's name. Staff called the development Waterstone after the developer determined the name. Council Member Pfister asked for confirmation that the second developer called it Waterstone as well. Mr. Fitzgerald confirmed and said the project had been consistently called Waterstone, and if the name changed, he would advise the Council.

MOTION

Lou Buigas moved to approve the plat, contingent on a current traffic study for final platting, seconded by Lori Pfister.

Council Member Pfister said it is her understanding that if a plat is within the realm of the LDR, the Council could not contest nor require a different traffic study if already approved. She asked for confirmation that the property owner is not asking for any variances, and the Council could not object legally. Mr. Fitzgerald said the final plat is an administrative review and approval. He said the traffic study from 2018 was reviewed and amended by the traffic engineer and still stands. Mr. Drury asked the applicant if he would be agreeable to update the traffic study.

Marcus Vernon, 1721 Rainbow Drive, Clearwater, said he is the project's property owner, engineer, and attorney. He said the project was not formally known as Waterstone. The traffic study presented meets all the institute of transportation engineer standards as of the time it was submitted, which was within the past six to eight weeks. He said he had the traffic engineer review the study and met all current standards. His determination was there were two more trips each day with a de minimus impact. Mr.

Vernon said if Council wishes to have the study updated again before the final plat, he would be happy to do that.

Council Member Pfister asked if the Council can legally add something if the applicant has complied with the LDR's. Mr. Drury said if there is a requirement above and beyond, it is challenging for the City Attorney to defend the lawsuit. Attorney Holt said it is a gray area if the City goes beyond what was required initially, it could potentially be a liability.

The motion failed 5-0.

MOTION

Lori Pfister moved to approve, seconded by Lou Buigas. The motion carried unanimously 5-0.

Tab 4. Elmwood Subdivision – Final Plat

Council Member Pfister said she does not have the location of Elmwood Subdivision in her agenda packet. Mayor Boggus said it is a subdivision on Lake Elsie.

MOTION

Lori Pfister moved to approve, seconded by Troy Singer. The motion carried unanimously 5-0.

[Tab 5 was renumbered to Tab 9a and moved to be heard under General Government during Approval of the Agenda]

VIII. RESOLUTIONS

Tab 6. Resolution 2021-16 – Acceptance of Florida Humanities Grant

Ms. Houghton made the following presentation:

The City of Tavares has been awarded a Florida Talks Grant from the Florida Humanities. The Grant is a pass-through grant funded through the National Endowment for the Humanities

The Florida Talks grant represents a humanities program for non-profit organizations, and provides an as an easy way to host informative and thought-provoking presentations (in-person or virtual) by expert historians, storytellers, researchers, researchers, and authors.

Various details of the grant include the following:

- *Agreement Number: CC_FT21_Fall_2141*

- *Grant Services: City of Tavares Library Programs*
- *Award Period: August 1, 2021 through December 31, 2021*
- *Grant Award: \$1,000*
- *Grant Match: \$1,000 (allowable in-kind personal services, etc.)*
- *Approved expenses: Speaker fees (3 at \$300 each, promotion fees (\$50), and postage fees (\$50)*
- *The grant is identified under the Federal Catalog No. CFDA 45.129*
- *The City of Tavares is a subrecipient for this grant*
- *The grant is be subject to Federal and State Single Audit Requirements.*
- *The grant is subject to Uniform administrative requirements of the Office of Management and Budget Circular A-110 further identified as 2 CFR Part 215.*

Mayor Boggus asked for comments from the audience.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, noted his support and said Council might wish to ensure speakers and topics are not controversial or political per grant requirements.

Mr. Aldrich said staff has full control regarding speakers and topics.

MOTION

Lori Pfister moved to approve, seconded by Lou Buigas. The motion carried unanimously 5-0.

IX. ORDINANCES – PUBLIC HEARING

First Reading

Second Reading

X. GENERAL GOVERNMENT

Tab 7. Greenbrier at Baytree Phase 1 – Final Plat

Mr. Fitzgerald made the following presentation:

Greenbrier at Baytree Phase 1 Subdivision is a proposed residential subdivision located north of Dead River Road, west of Baytree Boulevard. The subject property is 13.53 acres in size, and the proposed Final Plat subdivides the land into 36 lots for the construction of single-family dwellings as permitted under the existing Planned Development zoning approved by City Council on June 5, 1991. The Preliminary Plat for this subdivision was approved by City Council on December 19, 2018. City staff has reviewed the Final Plat and determined that adopted levels of service for all regulated public facilities will be provided. This

Final Plat document meets the requirements of the Tavares Land Development Regulations and Comprehensive Plan.

Mayor Boggus asked for comments from the audience. There were none.

Mayor Boggus asked for comments from the Council.

Council Member Singer asked if the plat was the same as those previously approved and if plats were normally placed on the Consent Agenda. Mr. Fitzgerald confirmed. He said due to previous discussions regarding Greenbriar and Baytree subdivisions and the Baytree HOA, staff felt the item would be better placed under General Government to provide an opportunity for a full discussion.

Mayor Boggus noted the Baytree community purchased some of the property from the developer resulting in a smaller development than Greenbriar originally intended. Mr. Fitzgerald confirmed and said the developer planned to build on the entire golf course surrounding the perimeter of Baytree. The Baytree HOA purchased a majority of the property surrounding their north side, and the Greenbriar homes would be clustered in the front of their property abutting Dead River Road. He confirmed phase 1 of the 2-phase project is 36 lots.

Council Member Pfister said the December 2018 minutes included a discussion of her concerns about traffic. She said during that discussion Mr. Wicks said improvements would have to be made at SR19 and Dead River Road before the project can move forward.

Ted Wicks, Wicks Engineering Service, said those discussions were held during the preliminary plat process when Waterstone was moving forward with their project, and the road improvements were under consideration. Since then, the Greenbriar project was determined not to impact the intersection, and the County agreed to improve. With the redesign of the Greenbriar project, they are not obligated to provide any additional funds except for transportation impact fees. He said the project meets the City's LDR requirements. Mr. Drury said the staff was as equally concerned as Council Member Pfister and asked for a legal opinion from the City Attorney before approval. The legal opinion was they were not responsible for the intersection.

Council Member Price asked if the traffic study was 3 to 4 years old. Mr. Wicks said the traffic study was compliant at the time of the preliminary plat and when construction plans were submitted. He said traffic studies are required to follow protocol.

Mayor Boggus asked for the number of homes in the initial Phase 1 of the project. Mr. Fitzgerald said 145 single-family homes. Mayor Boggus asked if the traffic study was based on 145 homes. Mr. Fitzgerald confirmed and said the anticipated buildout was 2022.

MOTION

Troy Singer moved to approve, seconded by Lou Buigas. The motion carried 4-1 as follows:

Amanda Boggus: Yes
Lou Buigas: Yes
Lori Pfister: No
Walter Price: Yes
Troy Singer: Yes

Tab 8. Renewal of Joint Use Facility Agreement Between the City of Tavares and the School Board of Lake County, Florida

Mr. Aldrich made the following presentation:

On October 17, 2018, the City entered into an interlocal agreement with the School Board of Lake County for the joint use of facilities. The agreement established specific parameters and guidelines for both governmental agencies when utilizing the other's facilities.

The agreement was set to be renewed annually and an extension was signed on December 14, 2020 extending the agreement through September 30, 2021. Staff is seeking approval to amend the agreement and requesting an extension for a length of three years.

Mayor Boggus asked for comments from the audience. There were none.

Mayor Boggus asked for comments from the Council.

Vice Mayor Buigas asked if the agreement enables the City to work with the high school on opportunities such as the basketball clinic. Mr. Aldrich confirmed.

Mayor Boggus referred to the October 17, 2018 agreement in the agenda packet. She said the covenants section of the agreement 3(b)(i) states the City would not operate the Woodlea Sports Complex, and all reservations must go through Lake County beginning October 1, 2019. Mr. Drury said the Woodlea Sports Complex is an ongoing negotiation, and there should be no date. He said Council could include no termination date in their motion, and staff would make the change.

Council Member Pfister inquired about the termination clause. Mr. Drury said there is a 30-day cancellation notice by either party.

MOTION

Lori Pfister moved to approve, with the discussed date change, seconded by Lou Buigas. The motion carried unanimously 5-0.

Tab 9. Update on US 441 Golf Cart Crossing

Mr. Dillon made the following presentation:

City of Tavares submitted a request to the Florida Department of Transportation (FDOT) District 5 in October 2020 to permit a golf cart crossing over US 441 at the intersection running north to Banning Beach Road and south to St Clair Abrams Avenue. The request included an engineering study of the proposed US 441 crossing by Griffey Engineering which determined that the crossing meets all criteria except the maximum vehicular volume from both Banning Beach Drive and St Clair Abrams Avenue. Mr. Griffey, however, recommends approval based on his professional engineering evaluation of the intersection's current condition and level of safety.

The Central Office District of FDOT has provided a letter authorizing a variance that exceeds their standards and criteria set forth in the Traffic Engineering Manual (TEM), Section 5.1.5(3) for the provision and safe operation of golf cart crossing subject to certain conditions:

- *The golf cart crossing is authorized where the City of Tavares is the applicant/permittee for a General Use Permit subject to the provisions of F.A.C. Rule 14-20.010.*
- *The local agency will provide additional focus on the enforcement of red-light running at the intersection.*
- *Change the Traffic Signal Yellow and All-Red Clearance Time to accommodate golf cart speed and crossing distance.*
- *At the end of a one (1) year period, the permittee shall submit a report to FDOT District 5 and FDOT Central Office Traffic Operations Office providing traffic volume and crash data.*
- *Install golf cart warning signs in accordance with Chapter 5.1 of the TEM.*

A request has been made to Griffey Engineering for a cost proposal to submit the required General Use Permit, obtain the data to prepare and submit the required annual year-end traffic volume and crash report, and submit the required permit to place signs along US 441 on FDOT's Right-of-Way. In addition, a meeting will be coordinated with Lake County and FDOT to open a dialog on how to implement the traffic signal timing changes and if the existing equipment is sufficient or will require retrofit, and what the cost associated would be, if any.

Mr. Drury said Council Member Pfister went to Tallahassee and met with Representative Keith Truenow, Lake County Commissioner Kirby Smith, and the Florida

Secretary of Transportation regarding the golf cart crossing. He said the crossing would be the first on a state road with four lanes and is precedent-setting. The City requested the crossing for many years and had been denied. A study would be completed, including signage and signalization at a de minimis cost. Mr. Drury thanked the three elected officials for working together to complete the project.

Mayor Boggus asked for comments from the audience.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, requested another golf cart crossing on the east side of SR19 to the west side near Publix.

Lake County Commissioner Kirby Smith, District 3, said he is in full support and available for questions.

Mayor Boggus asked for comments from the Council.

Vice Mayor Buigas, Council Member Singer, and Council Member Price thanked Representative Truenow, Lake County Commissioner Smith, and Council Member Pfister. Each expressed their appreciation for collaboration between the various levels of government.

Council Member Pfister noted her appreciation in working with Representative Truenow and Commissioner Smith.

MOTION

Lori Pfister moved to approve, seconded by Lou Buigas. The motion carried unanimously 5-0.

Tab 9a. Request Approval of Budget Transfer to Purchase Sand Pro and Miscellaneous Tools to Prepare Sports Fields at Woodlea Sports Complex and Fred Stover Sports Complex

Ms. Houghton made the following presentation:

The Community Services department is responsible for upkeep, maintenance, and programming of the City of Tavares sports fields. A Sand Pro tractor is required in order to maintain the sports fields (nine baseball/softball fields, and one football field). The City currently operates with a 1995 Sand Pro that is past its intended life cycle, and close to reaching an inoperable status. With the Babe Ruth season coming very soon the department would like to replace the current Sand Pro now with a newer refurbished model in order to avoid any service interruptions.

The Community Services department would like to transfer budget from the cancelled 2020 Boo! Festival event in order to fund the purchase of the

refurbished Sand Pro and additional miscellaneous tools as necessary to prepare the sports fields. The 2020 Boo! Festival was budgeted for \$15,000; however, due to the Covid19 pandemic the event was cancelled. The Department would like to transfer \$10,000 to purchase the Sand Pro, and \$2,000 to purchase miscellaneous tools as necessary to maintain the sports fields.

The Finance Department requests approval to amend the FY 2021 Budget as follows:

- *001-7202-572.48-60 Sponsored Events (Boo! Festival) - \$12,000*
- *001-7202-572.52-11 Durable Goods +\$2,000*
- *001-7202-572.64-10 Equipment Replacement +\$10,000*

If approved this budget transfer will have no impact on the total General Fund budget.

Ms. Houghton said the Finance Department reviewed the request with the Fleet Manager, who indicated this had been requested in the budget for the past three years. Each time the request was cut from the budget. The Fleet Manager provided a recommendation that the existing equipment is beyond repair.

Mr. Drury said Tavares is a baseball community and noted field maintenance utilizes one employee with older equipment. Mr. Aldrich said the equipment is used daily.

Mayor Boggus asked for comments from the audience.

Sandy Gamble, 112 South Lake Avenue, Tavares, said when he coached youth baseball state tournaments were held in Tavares. The teams that traveled to Tavares could not believe how well maintained the Tavares fields were. He noted his support for moving forward with the purchase.

Mayor Boggus asked for comments from the Council.

Council Member Price asked how much a new unit would cost. Mr. Aldrich said the cost would vary between \$20,000 to \$30,000. He said staff has looked at several refurbished models and prefers the model currently used. Council Member Price asked if the purchase would come under warranty. Mr. Aldrich said the details would be negotiated with the vendor.

Council Member Singer said there is a need for the equipment and expressed his support. He commended the Finance Department for finding the funds and making the purchase a possibility.

MOTION

Lou Buigas moved to approve the transfer of the funds, seconded by Troy Singer. The motion carried unanimously 5-0.

XI. BUDGET WORKSHOP

Tab 10. Budget Workshop – Five-Year Capital Improvement Plan

Mr. Drury made the following presentation:

Previously, Council has reviewed the FY22 Proposed Budgets as follows:

- *At the July 7th City Council meeting, Council was presented the FY2022 Proposed General Fund Budget.*
- *At the July 21st City Council meeting, Council was presented the Utility and Special Revenue Funds Proposed Budgets for FY2022, and after which the Council had opportunity to discuss the General Fund budget as well as the Utilities and Special Fund budgets.*
- *At the July 21st City Council Budget Workshop, the City Council discussed the FY 2022 General Fund Proposed Budget and the FY2022 Proposed Millage rate.*
 1. *The City Council set the Maximum Tentative Millage Rate at 6.850, and the Maximum Tentative Voted Debt Service Millage Rate at .2391.*
 2. *The Maximum Tentative Millage Rate for FY2022 represents a decrease from prior year of .05 mills or .72%*
 3. *The Maximum Tentative Voted Debt Millage Rate for FY2021 represents a decrease from prior year of .0232 mills or 8.84%*
 4. *The total Maximum Tentative Millage (Ad Valorem + Voted Debt) represents a decrease from prior year of .0732 mills or 1.02%*

At this meeting the Council will be presented the Five-Year Capital Improvement Plan (CIP), and after which the Council will have an opportunity to discuss the Five-Year Capital Improvement Plan, the General Fund Budgets, the Special Funds, the Millage rate, and other items FY2022 Proposed Budget.

Ms. Houghton provided a PowerPoint presentation on the Five-Year Capital Improvement Plan.

Mayor Boggus asked the Council for questions or comments.

Vice Mayor Buigas

Vice Mayor Buigas asked if it would be more cost-effective or beneficial to hire an additional building inspector in-house due to growth. Mr. Fitzgerald said contracted services provide the City flexibility for staffing that account for ups and downs in the economy. He said there is a tremendous benefit to contracting when there is a downturn in the economy. The City also does not have to cover sick or vacation time.

He said hiring a full-time building inspector would be a staff request through the budget process, working with the City Administrator, Finance Director, and Human Resources for recruitment. The cost of the position would include salary, benefits, and purchase of a truck and would be a little less or a wash with a vehicle purchase. Long term, there may be a benefit to the City to continue with a contracted service.

Vice Mayor Buigas asked for the impact on the budget if the City continues with the contracted building services model and then finds additional building and plan reviews are needed, incurring additional costs. Mr. Fitzgerald said if staff found an excessive amount of monies were incurring for contract services, a decision would be a team effort with the City Administrator, Finance Director, and Human Resources Director, with long-term funding availability in mind.

Vice Mayor Buigas asked if a credit card fee could be placed on building permits. Ms. Houghton said credit cards are utilized in a limited amount for building permits as the online payment option is not available. She said the Finance Department is currently working on an online payment option with implementation anticipated in early fall. In conjunction, the staff is also looking at a possible fee implementation that would come back to the Council for consideration with either a flat fee, percentage fee, or minimum fee without regard to price along with other general government credit card collections fees.

Vice Mayor Buigas inquired about the Lake County Interlocal Agreement for street signs and maintenance and asked for clarification of the agreement. Mr. Dillon said there are two interlocal agreements; street sign maintenance and signals. The street sign maintenance agreement covers 1,019 signs, including inspection repair and maintenance, emergency repair and replacement, and maintains compliance requirements. Vice Mayor Buigas asked if \$387,000 for electricity is the cost of traffic and street lights on City streets only, or if County roads are included, such as those on SR 19. She asked if those on County roads are cost-shared with Lake County. Mr. Dillon said effective August, Lake County will be taking over signals and absorb electrical costs and maintenance for all state roads. Vice Mayor Buigas asked how those funds would impact the budget. Mr. Drury said the City receives reimbursement for costs. Ms. Houghton noted that the City has agreements with the Florida Department of Transportation (FDOT) for lighting major arteries, including US441 and SR19. The City also has an agreement with FDOT for traffic light maintenance costs. Reimbursements are listed under revenues, intergovernmental, and grants for General Fund. She said both agreements are approximately \$110,000.

Vice Mayor Buigas asked if the City is committed to purchasing the major collections books located in the Library budget because the funds are received from the County. She asked if there is wiggle room in those numbers. Mr. Aldrich said there is wiggle room and noted the funds are used to purchase best seller and children books that patrons like to check out. Based on how much the library checks out, Lake County appropriates funds to the Tavares Library from state aid. The City spends \$3,000 to \$4,000 each month to buy new books and is the 4th or 5th in county circulation. As the

City increases the budget, more books are purchased, and patrons check out more of the City's inventory which increases funding from the County. If decreased, fewer people will come in and check out books resulting in fewer dollars from the County. Vice Mayor Buigas asked if a dollar is received for each book that is checked out. Mr. Aldrich confirmed. Mr. Drury said the City gets \$100,000 from Lake County, and the City spends \$40,000 to purchase new books.

Vice Mayor Buigas asked if the \$6,600 in funding for America in Bloom could be cut in half. Mr. Dillon noted staff cut \$1,600 and said \$6,600 supports a participation fee, the judge's visit to the City, and staff attending the National Symposium. He said staff reduced the amount so the City could still support the program. Mr. Drury said the fees are currently spent on receiving the judges to go throughout the community and send two personnel to the National Conference. He said it is a Council decision if you wish to end America in Bloom program. Vice Mayor Buigas said she would like the program continued at a lesser value or limited involvement.

Vice Mayor Buigas asked if \$4,800 for trees in the cemetery could be moved to the following year until after the restrooms are built. She said it is food for thought and will add up at the end of the day. Mr. Dillon said the goal was to convert the cemetery to an arboretum and could be pushed out a year.

Vice Mayor Buigas noted three lawn maintenance contracts would be rebid in the upcoming year and said utilizing one company may be beneficial in negotiations. Ms. Houghton said John Rumble, Purchasing Manager, is working with each department on a needs assessment for an Request for Proposal (RFP). She noted different department landscaping requirements, including the Seaplane Base, right-of-way, and water/wastewater/stormwater landscaping. Mr. Drury said bids would come back for Council's approval in the next fiscal year.

Vice Mayor Buigas asked if furniture replacement at the Pavilion could be pushed out to the following year and asked if the condition of the furniture is a liability or cosmetic. Mr. Tweedie said it is a combination of both. He noted the Pavilion was built 7.5 years ago, and some of the furnishings were antiques that were purchased, refurbished, and painted. Some of the pieces are falling apart, creating a liability issue. There is also an aesthetic need in the facility with a cost to defer maintenance and equipment purchases. He said both are equally important and would not recommend postponing. Mr. Tweedie confirmed the furniture is for the individual rooms such as the bride room, groom room, and cushion replacement on some chairs.

Council Member Price

Council Member Price said the value of the properties in the City's two CRA districts is \$36,000,000, according to the property appraiser. He said a 6.85% proposed maximum millage rate indicates approximately \$249,000 in revenue, and the budget amount for expenditures reflects \$463,000. He inquired about the difference and asked where the additional \$210,000 would come. Ms. Houghton said tax increment revenues are

collected from the City, County, 911 emergency, and the Lake County Water Authority. Those areas come together and provide a revenue greater than \$249,000 that meets the budget need of over \$400,000 in expenditures. Council Member Price said he did not see any other revenue sources other than TIF funds. Ms. Houghton said she would review and ensure the funding is appropriately described.

Council Member Price asked when the actual cost for insurance premiums would be received. Mr. Drury said the information would be provided at the next meeting.

Council Member Price asked how many years out the rail from Tavares to Mount Dora is anticipated to be completed. Mr. Drury said five years. Council Member Price asked why \$300,000 is included to reroute the trail when there are no connecting trails for five years. Mr. Drury said an existing trail crosses through the Seaplane Base and traverses through a hot/active aircraft ramp. The staff does a good job of separating people and propellers during hot ramp situations. The City has done well for the last few years, and there comes a time where staff has to make recommendations to improve safety. The \$300,000 to reroute the trail is not related to the Tavares to Mount Dora trail segment as much as it is a safety improvement to the air operations area. The project is a relocation from the front of the ramp to the back of the ramp, and staff believes it is a safety issue. He said the project is pushed each year, there is more liability than he and staff feel comfortable, and the project should be completed sooner rather than later.

Council Member Singer

Council Member Singer said he spoke with Ms. Houghton and was advised the General Fund does not support the entire list of capital items. Ms. Houghton confirmed and said there are various funding sources to meet the total \$3.1 million capital listing amount. Council Member Singer said only a certain number of items could be cut or reduced to affect the General Budget. Ms. Houghton confirmed and said some items in the General Fund Budget paid by transfers from Utilities, such as vehicles for the meter reading, Barracuda, and servers, are shared with the proprietary funds for their pro-rata contribution. Council Member Singer said to lower the millage as much as possible, items only supported by the General Fund would need to be cut. Ms. Houghton confirmed. Council Member Singer asked Ms. Houghton if she could notate which items come from the General Fund so Council can identify which ones can be cut or reduced to lower the millage rate. Mr. Drury said staff would bring back to the Council a list to shine a light on which would affect the millage rate. Council Member Singer said the majority of the General Fund supports first responders and does not wish cuts to those departments.

Council Member Pfister

Council Member Pfister said she understood insurance had to be offered due to changes in government requirements. Mr. Drury said he believes the legal opinion was that Council is considered an employee and can either take insurance or not. He said he would bring that back to Council after conducting research.

Council Member Pfister expressed her concern regarding game rooms and said there was a previous discussion regarding a cost to regulate gaming rooms. She said a cost to regulate gaming rooms was not included in the budget. Mr. Drury said the Council would develop gaming room regulations and then staff would identify the cost. Council Member Pfister said she would like an amount brought back to the Council. Mr. Drury said an estimate would be brought back.

Vice Mayor Buigas

Vice Mayor Buigas said Finance recently provided scenarios on a rollback rate and how it would affect taxpayers. She asked if the information could be shared with the residents in the City newsletter. Mr. Drury confirmed and said the staff provided scenarios based on an average house. He noted the upcoming newsletter would include information on debt at the request of the Council.

There was a consensus from Council to include rollback rate options/scenarios in the next available newsletter.

Mayor Bogus

Mayor Boggus thanked Ms. Houghton for the detailed budget. She thanked Mr. Jones for his efforts on the budget.

XII. NEW BUSINESS

XIII. OLD BUSINESS

XIV. AUDIENCE TO BE HEARD

Vance Jochim, 12619 Milwaukee Avenue, Lake County, noted a server is included in the budget and asked why the City uses stand-alone servers instead of utilizing the cloud. He said the Tavares Nature Park has been closed for four years and asked why a sinking fund was not established instead of waiting for grants.

XV. REPORTS

Tab 11. City Administrator Report

Mr. Drury thanked the Council and Department Directors for working on the budget. He said the budget is one of the leanest with the smallest staff in Lake County. He noted the City receives the least tax dollars due to government agencies, a hospital, and many non-profit organizations located in the City. He said Council had asked good questions, and the Directors have put together budgets that are lean and mean, which is why Tavares has a strong financial performance.

Mr. Aldrich noted the Library will be a drop-off location for Lake County school supplies during July 2021.

Tab 12. Council Member Reports

Council Member Price

Council Member Price said he was at the Lake County Clerk of Court offices, where he observed they charged \$1.00 per page for copies. He said the Clerk of Court recommended their customer go to the Tavares Library to save monies making copies.

Council Member Singer

Council Member Singer said a concerned resident from Lake Francis Estates contacted him regarding an issue at their home. He thanked Mr. Clark for his assistance and meeting with the resident.

Vice Mayor Buigas

Quote of the Day: “There is no shortage of remarkable ideas, what’s missing is the will to execute them.” ~ Seth Godin

XVI. ADJOURNMENT

There was no further business and Mayor Boggus adjourned the meeting at 5:49.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk



**TAVARES CITY COUNCIL
MEETING MINUTES
AUGUST 18, 2021 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

**Amanda Boggus, Mayor
Lou Buigas, Vice Mayor
Lori Pfister, Council Member
Walter Price, Council Member
Troy Singer, Council Member**

STAFF PRESENT

**John Drury, City Administrator
Bob Williams, City Attorney
Susie Novack, City Clerk
Mike Fitzgerald, Community Development Director
Bob Tweedie, Economic Development Director
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Stoney Lubins, Police Chief
James Dillon, Public Works Director
Phil Clark, Utilities Director
Crissy Bublitz, Human Resources Director
Mark O'Keefe, Public Communications Director
Scott Aldrich, Community Services Director**

I. CALL TO ORDER

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

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Dewey Smith, Retired Pastor

Pastor Smith, Retired, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mr. Drury said he would like to pull Tabs 13, 14, and 15 (marina leases) which will come back to the Council for consideration at the next meeting.

MOTION

Lori Pfister moved to approve, seconded by Lou Buigas. The motion carried unanimously 5-0.

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2. Tavares Chamber of Commerce Update

Erika Buigas noted she accepted a position offered as the President and CEO of the Tavares Chamber of Commerce. She provided an update on upcoming events and said a candidate forum would be held in person with details to be announced.

Council Member Singer congratulated Ms. Buigas on her new position.

Tab 3. Proclamation regarding the Lake County Citrus Label Tour

Mayor Boggus made the following presentation:

Formed by the Lake County Historical Society, the City of Tavares and the Tavares History Museum are proud to join the Lake County Citrus Label Tour to highlight the rich citrus industry that was an economic engine in the county for over 125 years. The Tavares History Museum is one of twelve stops on the Lake County Citrus Label Tour that serves as an informative driving trail throughout the county to showcase the history of the citrus industry in our area.

MOTION

Troy Singer moved to approve the Proclamation, seconded by Lou Buigas.

Mr. Drury invited those who wish to join the City for a ribbon-cutting event at 1:30 p.m. on August 24, 2021, at the Train Depot platform.

The motion carried unanimously 5-0.

V. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Attorney Williams said there was one quasi-judicial matter before the Council [Tab 10. Ordinance 2021-08 – LSFLUM – Hammock Citrus Corporation – Approximately 16.84 Acres Located East of SR19 and 600 Feet North of Lane Park Cutoff]. He swore in who would provide testimony.

Attorney Williams asked the Council to disclose any ex parte communications. There was none.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

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

RESOLUTION 2021-15

A RESOLUTION OF CITY OF TAVARES, FLORIDA, SUPPORTING THE USE AD VALOREM REVENUES FROM THE GENERAL FUND OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS, FLORIDA, TO FUND TRANSPORTATION PROJECTS WITHIN THE LAKE COUNTY FIVE YEAR TRANSPORTATION CONSTRUCTION PROGRAM

RESOLUTION NO. 2021-17

A RESOLUTION OF CITY OF TAVARES, FLORIDA; AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA); AND THE GRANT REPRESENTS AN ASSISTANCE TO FIREFIGHTERS AWARD to PROTECT THE HEALTH AND SAFETY OF THE PUBLIC AND FIREFIGHTING PERSONNEL AGAINST FIRE-RELATED HAZARDS; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

RESOLUTION 2021-18

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, SUPPORTING LAKE COUNTY'S PURCHASE OF THE RAILROAD RIGHTS OF WAY FROM TAVARES TO MOUNT DORA AND OUT TO SORRENTO FOR USE AS A UTILITY CORRIDOR FOR WATER, WASTEWATER STORMWATER AND A RECREATIONAL TRAIL

ORDINANCE NO. 2021-15

AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE

CITY OF TAVARES; AMENDING SECTION 15-76, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 15-77, PRERETIREMENT DEATH; AMENDING SECTION 15-80, OPTIONAL FORMS O BENEFITS; AMENDING SECTION 15-86, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 2021-16

AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-106, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 15-107, PRERETIREMENT DEATH; AMENDING SECTION 15-110, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 15-116, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2021-08

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 16.84 ACRES OF LAND GENERALLY LOCATED EAST OF STATE ROAD 19, APPROXIMATELY 600 FEET NORTH OF LANE PARK CUTOFF, FROM COMMERCIAL (COM) TO INDUSTRIAL (IND); PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

VII. CONSENT AGENDA

Mayor Boggus asked if anyone wished to pull an item from the Consent Agenda.

MOTION

Lori Pfister moved to approve the Consent Agenda [Tab 4. Approval of the July 21, 2021 City Council Regular and Budget Workshop Meeting Minutes], seconded by Lou Buigas. The motion carried unanimously 5-0.

Tab 4. Approval of the July 21, 2021 City Council Regular and Budget Workshop Meeting Minutes

Approved on the Consent Agenda.

VIII. RESOLUTIONS

Tab 5. Resolution 2021-15 – Road Funding Support Resolution

Mr. Drury made the following presentation:

Lake 100 group made a presentation to the Lake County League of Cities and requested that each city consider issuing a resolution in support of Lake County funding roads with property taxes. Attached is a Resolution for the Council's consideration.

Mayor Boggus asked for comments from the audience.

Kyle Tetzlaff, Realtors Association and Lake 100 Member, asked the Council for their support for the resolution requesting 2% in funding from the County's General Revenue Fund for roads in Lake County. He said Lake County is the 4th fastest growing county in Florida and 54th in transportation spending per capita.

Mayor Boggus asked for comments from the audience. There were none.

Mayor Boggus asked for comments from the Council.

Council Member Price noted his support for road repair and repaving. He said it should not be the business of the City of Tavares to tell Lake County how they should do their tax policy and is not in favor of the resolution.

Council Member Singer said he is in favor of road repairs. He asked if the resolution obligates the city in any way. Mr. Drury said the resolution supports Lake 100's position to encourage the Board of County Commission to spend more funds on roads. Dead River Road is a county road that needs upgrading from sidewalks, width, and intersections. Lake 100 asks to use property taxes for those repairs, and improving roads in Lake County improves roads in the City of Tavares. Council Member Singer asked if the County requested City support. Mr. Drury said the request did not come from Lake County.

Council Member Pfister said she travels extensively and throughout the country and state. She said the roads in Lake County are not bad compared to other communities and does not wish the Council to tell the county how to spend their tax dollars. She said she is not in favor of the resolution.

Vice Mayor Buigas asked Mr. Tetzloff if Lake 100 believes the dollars are there and not being identified properly for roads or wants to increase property taxes for roads. She noted impact fees pay for roads. Mr. Tetzloff said there would not be an additional tax.

He said road funding was removed from the General Revenue Fund in 1988, and Lake 100 stance is roads are in dire need. He said 2% of the General Revenue Funds would hopefully go toward roads.

Mayor Boggus asked Mr. Tetzloff if he is following federal legislation regarding infrastructure and allocated funds to states and smaller cities. He said no.

Council Member Pfister said if taxes are not raised, then funding would have to be pulled from other projects. She said she spoke with County Commissioners who indicated road improvements are a high priority. She asked if the County is sure they would not raise taxes. Mr. Tetzloff said he presented the request to the County Commission during their July meeting and they discussed diverting funds from other projects.

Council Member Singer said Council would need more information before making a decision.

MOTION

Lori Pfister moved to not approve the resolution, seconded by Walter Price. The motion carried 4-1 as follows:

Vice Mayor Buigas said she would like to see the resolution come back to Council with additional information on where the funds would come from as many residents express frustration regarding roads.

Mayor Boggus concurred and said the request may be premature due to pending federal infrastructure bills.

Amanda Boggus: Yes
Lou Buigas: No
Lori Pfister: Yes
Walter Price: Yes
Troy Singer: Yes

Tab 6. Resolution 2021-17 – Authorizing Acceptance fo FY2020 Assistance to Firefighters Grant – EWW-2020-FG-12621

Ms. Houghton provided the following presentation:

The City of Tavares has been awarded an Assistance to Firefighters Grant from the Federal Emergency Management Agency (FEMA) Grant Programs Directorate and Region IV. The Grant is a direct Federal funded grant to the City of Tavares through the Federal Emergency Management Agency (FEMA) Grants Programs Directorate.

The grant awards the City of Tavares \$48,485.71 in Federal Funding for "source capture exhaust system modifications to City of Tavares Fire Station No. 29." As a condition of the Grant, the City is required to contribute non-Federal funds equal to or greater than 5% of the Federal funds awarded, or \$2,424.29 for a total project budget of \$50,910.00

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards.

Various details of the grant include the following:

- *Grant Agreement Number: EMW-2020-FG-12621*
- *Grant Scope/Project: Source Capture Exhaust System Modifications*
- *Award Performance Period: 07-14-2021 to 07-13-2023*
- *Grant Award: \$48,485.71*
- *Grant Match: \$ 2,424.29 (2% of total project costs of \$50,910.*
- *This is a direct Federal Grant*
- *The grant is subject to Federal and State Single Audit Requirements.*
- *The grant is subject to Uniform Administrative Requirements of 2 C.F.R. Part 200.*

Chief Keith provided a PowerPoint presentation and said the system removes diesel exhaust from the fire stations. He said it is a FEMA firefighter grant that is highly competitive to obtain, and the City has applied for the past five years. The grant would provide the system installation at Station 29 on Lane Park Road.

Mayor Boggus asked for comments from the audience. There were none.

Mayor Boggus asked for comments from the Council.

Vice Mayor Buigas asked if \$50,910 would cover the cost of the entire system, including installation. Chief Keith confirmed. He noted the company is honoring a year-old quote.

MOTION

Lou Buigas moved to approve Option 1 [Approve Resolution 2021-17 authorizing the City Administrator or his Designee to Accept Assistance to Firefighters FEMA Grant Agreement EMW-2020-FG-12621 in the amount of \$48,485.71 with City match of \$2,424.29], seconded by Walter Price. The motion carried unanimously 5-0.

Tab 7. Resolution 2021-18 – Supporting Lake County’s Purchase of the Rail Road Rights of Way

Mr. Drury made the following presentation:

Lake County plans to pursue the acquisition of the Rail Road Rights of Way from downtown Tavares to Mount Dora and out to Sorrento so that a Utility Corridor can be established along with a trail. Tavares supports this to extend its utility services of Water, Waste Water, Storm Water to Bay Road and the placement of a recreational trail.

Mr. Drury said the City partnered with the City of Mount Dora and Lake County to build a trail and submit a grant application to the Federal Government. He said this resolution would assist in getting the project completed. Lake County requested support from Tavares and Mount Dora; Mount Dora issued their support, and Lake County is now asking for support from Tavares.

Mayor Boggus asked for comments from the audience. There were none.

Mayor Boggus asked for comments from the Council.

Council Member Singer asked if the resolution would go toward the RAISE grant. Mr. Drury confirmed. Council Member Singer noted his support and said it is a great project.

MOTION

Lou Buigas moved to approve Resolution 2021-18, seconded by Troy Singer. The motion carried unanimously 5-0.

IX. ORDINANCES – PUBLIC HEARING

First Reading

Tab 8. Ordinance 2021-15 – Amendment to Police Officers Pension Plan Amending Sections 15-76, 15-77, 15-80, and 15-86, as it relates to Required Age Distribution of Benefits

No Discussion at First Reading.

Tab 9. Ordinance 2021-16 – Amendment to Firefighter Pension Plan Amending Sections 15-106, 15-107, 15-110, and 15-116, Minimum Age Distribution of Benefits

No Discussion at First Reading.

Second Reading

Tab 10. Ordinance 2021-08 – LSFLUM – Hammock Citrus Corporation – Approximately 16.84 Acres Located East of SR19 and 600 Feet North of Lane Park Cutoff

Mr. Fitzgerald made the following presentation:

Ordinance 2021-08 proposes a large-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 3925309) is 16.84 acres in size, located at east of State Road 19, approximately 600 feet north of Lane Park Cutoff. This ordinance would amend the current Future Land Use Designation from Commercial (COM) to Industrial (IND).

The city is required to place a future land use designation on annexed property. The subject property is currently designated City Commercial (COM). A City Industrial (IND) designation is compatible with surrounding property.

Lands surrounding this property are industrial and commercial in nature.

The property is currently vacant. Prior to any development, an approved site plan will be required. All applicable surveying, environmental assessments, and permitting must be in place before the site plan is approved. Any proposed development project will be required to connect to city water and wastewater utilities.

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

The Florida Department of Economic Opportunity had no comment regarding the proposed amendment, and staff received no comments from other governmental agencies regarding the proposed amendment.

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

- 1. An Industrial 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.*
- 2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

Mayor Boggus asked for comments from the audience. There were none.

Mayor Boggus asked for comments from the Council.

Mayor Boggus asked if the industrial park is full. Mr. Fitzgerald said there is vacant property in the City's industrial park in addition to county industrial property in the area. He said industrial interest in Tavares is growing.

MOTION

Lou Buigas moved to approve Option 1 [Approve Ordinance 2021-08 Future Land Use Map amendment from Commercial (COM) to Industrial (IND) for 16.84 acres of property located east of SR19, approximately 600 feet north of Lane Park Cutoff], seconded by Walter Price. The motion carried unanimously 5-0.

X. GENERAL GOVERNMENT

Tab 11. City Attorney Contract

Attorney Williams said he is proud to bring forward a contract for Attorney Holt's legal services as requested by the Council upon his retirement announcement. He noted Attorney Holt was present in the audience. Attorney Williams said the contract is similar to his, with the exception of names. No term is included, and either party can cancel the contract with a seven-day notice. The billing rate is the same. He said Attorney Holt provided a resume and letters of recommendation in the agenda packet. Attorney Williams said the Council made an excellent choice, and he is proud to recommend his friend and associate to be the next City Attorney.

Mayor Boggus asked for comments from the audience. There were none.

Mayor Boggus asked for comments from the Council.

Vice Mayor Buigas asked who would act as a backup attorney. Attorney Williams said Attorney Holt is a partner in the Law Firm Crawford, Modica & Holt, including five attorneys. He said he plans to continue to practice real estate and maintain an office in the firm's building. He is available at any time and could cover during vacations.

Vice Mayor Buigas noted one attorney in the firm has taken planning and zoning cases and asked for confirmation that would not happen in the future due to conflict. Attorney Holt confirmed. Attorney Williams said the Florida Bar rules stipulate any conflict with an attorney in a firm would apply to all members. He said that is why he conducted no land use development work in the City.

Council Member Price asked if the hourly rate and base salary are typical. Attorney Williams said the rates remain the same and are low for private practice and government attorneys.

MOTION

Lori Pfister moved to accept the contract with Lindsay Holt, seconded by Walter Price. The motion carried unanimously 5-0.

Mayor Boggus congratulated Attorney Holt.

Attorney Holt said she is honored and looks forward to working with the Council, Directors, and Staff.

Tab 12. Revocable Exclusive Right-of-Way Utilization Agreement Baytree HOA

Mr. Dillon made the following presentation:

Baytree Villas Homeowners' Association, Inc. (Baytree HOA) is the homeowners association for the development known as Baytree of Tavares. Historically, Baytree HOA has maintained the curbed, landscaped median which is the main entrance into Baytree of Tavares, located within the westernmost 100 feet of Baytree Boulevard. Baytree HOA desires to improve and continue to preserve and maintain the landscaping and related structures median.

A Revocable Exclusive Right-of-Way Utilization Agreement between the City of Tavares and Baytree Villas Homeowners' Association, Inc. has been drafted that will authorize the HOA to improve and continue to preserve and maintain the landscaping and related structures in the curbed, landscaped median at the main entrance into Baytree of Tavares at the HOA's expense, on a temporary and consensual basis subject to the terms and conditions of the agreement.

The City shall have the unilateral right, upon giving ninety (90) days notice, to terminate the permit at any time, if necessary for municipal purposes. Baytree HOA shall agree, at its expense, to restore the median to its original condition at the expiration or cancellation of this permit within ninety (90) days of receipt of said notice.

Mayor Boggus asked for comments from the audience. There was none.

Mayor Boggus asked for comments from the Council.

Mayor Boggus asked if Baytree wished to maintain the development entrance and for confirmation that the City is not giving away easement rights. Attorney Williams confirmed and said the City holds similar agreements, including one with Imperial Terrace.

MOTION

Lori Pfister moved to approve Option 1 [Approve the issuance of a Revocable Exclusive Right-of-Way Utilization Agreement to Baytree Villas Homeowners' Association, Inc. (Baytree HOA) to improve and continue to preserve and maintain the landscaping and related structures in the curbed, landscaped median at the main entrance into Baytree of Tavares at Baytree HOA's expense, on a temporary and consensual basis subject to the terms and conditions of the agreement], seconded by Lou Buigas. The motion carried unanimously 5-0.

Tab 13. Freedom Boat Club Commercial Lease Agreement, Tavares Marina

Pulled during Approval of the Agenda.

Tab 14. Lake Adventures LLC Lease Agreement, Tavares Marina

Pulled during Approval of the Agenda.

Tab 15. Salt Therapy INC Lease Agreement, Carefree Boat Club

Pulled during Approval of the Agenda.

Mr. Drury said new residents who relocated to Tavares during the pandemic have asked about seaplane events usually held when there is no pandemic. He said the United States Aircraft Association came to Tavares and filmed one of the events. He said their YouTube video provides insight into the Tavares event experience pre-Covid and the events after post-Covid. He presented the following video:

<https://www.youtube.com/watch?v=iAbHr9Yg2LU>

Mayor Boggus inquired about the upcoming Monster Splash Fly-In. Mr. Tweedie confirmed the Monster Splash Fly-In would be included with the Roctoberfest and the Marina ribbon-cutting event on October 17, 2021.

XI. BUDGET WORKSHOP

Tab 16. Budget Workshop

Lori Houghton provided a PowerPoint presentation on proposed budget adjustments, and made the following presentation:

Previously, the City Council has reviewed and discussed the Fiscal Year 2022 Proposed Budgets as follows:

- *7/1/2021 – General Fund Budget.*
- *7/21/2021 – Utility and Special Revenue Fund Budgets.*
- *7/21/2020 – Established a lower millage rate of 6.8500, and a lower Voted Debt Service Millage Rate of .2391.*
- *8/4/2021 – Capital Improvement Program.*

City staff has updated the Fiscal Year 2022 Proposed Budget as described in Exhibit A. Updates to the proposed budget have resulted in a General Fund budget decrease of \$79,680 (from \$20,680,860 to \$20,601,180). Appropriations for General Fund reserves have increased by \$333,033 (from \$332,841 to \$665,874).

After Council finalizes the budgets, they will be brought back to Council along with supporting resolutions at the two upcoming Public Hearings in September (September 8 and September 22) for further public input and Council consideration. Any changes today and at the first public hearing will be included in the TRIM notice advertisement for the September 22, 2021 budget hearing.

Ms. Houghton said the changes to the budget keep the Council's broad-based budget goals intact by increasing reserves, fairly compensating employees, maintaining a similar level of service, and lowering the millage rate from the prior year.

Mr. Drury said the budget is balanced with increased Reserves, a lowered millage rate, an increase to road paving, with a similar level of service across the board while maintaining auditor recommendations. He said many of the Council's goals in January had been accomplished, and Tavares continues to run a fiscally conservative budget that addresses stability for the City's future. He said the budget is strong to weather all storms, up or down, as it has been for the last decade. The auditors have advised the City to continue to increase reserves. He said the Department Directors working under the Council's guidance had done a great job working with him to meet the Council's goals.

Mayor Boggus asked for comments from the audience.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, said Lake County discounted road impact fees by 25% and is only collecting 75%. He said the County Commissioners eliminated impact fees for schools several years ago, resulting in a \$30 million dollar loss to school revenues. He believes the country is in a pandemic and inflationary period, and cautioned the Council to monitor expenses, inflation, and hyperinflation. He noted his support for the City to take over county roads. He commended the Finance Department and said Tavares is a well-run city.

Mayor Boggus asked for comments from the Council.

Council Member Pfister asked for the amount needed to get to a rollback rate and for the rollback rate. Mr. Drury said \$404,393 with a rollback rate of 6.4948.

Council Member Price asked if Tavares would receive additional Cares Act monies. Mr. Drury said the American Rescue Plan funds would be around \$9 million dollars. Ms. Houghton said staff received notice from the state and would bring information back to the Council. Mr. Drury confirmed the funding would not affect the FY 2021 budget and

would affect the FY 2022 budget. Council Member Price said he is a proponent of getting to the rollback rate. He said a rollback rate could be achieved by not moving forward with the trail reroute (\$333,000), using insurance savings (\$78,000), and using Reserves (\$5,000). Mr. Drury said he could not make that recommendation as those funds would be a one-time revenue to fund a continuing cost, and the next fiscal year would begin with a \$404,000 deficit. Using revenues that continue to offset expenses that continue is easy to sustain fiscally. Using a one-time payment from a seaplane base insurance proceed that will not come back the following year for a continuous bill impacts the next fiscal year. Mr. Drury noted the \$9 million dollars American Rescue Act funds cannot be used for the General Fund and can only be used for water, sewer, and stormwater.

Council Member Pfister asked if there are any funds in the Utility department that could be utilized to get to the rollback rate and pay for those items with the \$9 million dollar American Rescue Act Funds. Mr. Drury said you could not use enterprise funds to pay for the General Fund beyond what you currently do. He said a proportionate fair share of the General Fund expenses comes out of the enterprise funds and is at its maximum. Each year he works with the Finance Director and Utility Director to maximize utilities for General Fund items such as the amount of time the City Administrator and Finance Director spends on managing the Utility Fund. Ms. Houghton said American Rescue Act Funds (ARPA) can only be used for capital projects and cannot be used for operational type expenditures. Mr. Drury confirmed there are capital project items, and the Council will see a recommendation that ARPA funds for water, sewer, and stormwater capital projects.

Council Member Singer asked Mr. Drury to elaborate on the trail reroute project and its safety aspect. Mr. Drury said the Tav-Lee Trail runs along the waterfront of Tavares and bisects the seaplane ramp. He said pedestrians and bicycles maneuver through a hot aircraft ramp with moving propellers. The Staff separates airplanes and pedestrians for safe operations. Tavares has grown, resulting in more seaplane and pedestrian traffic. Two years ago, the Staff planned to begin the process of rerouting a portion of the trail behind the seaplane ramp so pedestrians would never walk into an aircraft with a turning propeller. As the waterfront has grown, personnel has not due to tight budgets and lower millage rates. A new boat ramp, restrooms, marina, and park have been built on the west end with no additional staffing. It is getting challenging to maintain a distance between seaplanes and pedestrians. It is a simple fix in the amount of \$300,000 to relocate a small portion of the trail, so if an aircraft is entering the ramp, pedestrians will walk behind the ramp at a safe distance. The trail reroute is a safety project that Staff recommends addressing, and it takes years to complete a project in government. More people will continue to use the trail in the next few years, and more seaplanes will come. Mr. Drury said he is mindful of adding personnel because the highest cost to the government is personnel. Instead of adding additional staff, it is a one-time \$300,000 cost. Council Member Singer asked how long the project had been planned. Mr. Tweedie said the 2017 Master Plan formally identified the project. Prior to the Master Plan, it was a priority project for Staff. Council Member Singer said he is in favor of getting the lowest millage rate and is not in support of sacrificing a safety issue.

He said if Council had to postpone the project, he would hope it would be a number one priority the following year.

Council Member Singer said in 2015 Council health insurance cost the City \$161,000. He said the cost in the FY22 budget was approximately \$47,000. He asked Mr. Drury if it is legal not to offer the Council health insurance. Mr. Drury said the City Attorney issued a legal opinion that the City has to offer health insurance to City Council members. He confirmed it is an optional decision for each Council member to take health insurance or not. Council Member Singer inquired about options if Council wished to remove the health insurance option to get the millage rate as low as possible. Mr. Drury said that if Council members did not take health insurance, there would be \$47,866 in savings for the City's portion. Council Member Singer asked if the Council would take a pledge to not take health insurance for the upcoming year. Council Member Pfister and Council Member Price said they do not support removing the option for health insurance. Mayor Boggus, Vice Mayor Buigas, and Council Member Singer said they do not take health insurance. Council Member Singer said two Council members take health insurance and three do not and asked if there would be a reduction to the current amount budgeted. Mr. Houghton said the reduction would be approximately \$16,000.

Vice Mayor Buigas asked for confirmation the City currently has the highest dollar amount in Reserves over the past ten years. Ms. Houghton confirmed.

Vice Mayor Buigas asked if the items she brought up at the last meeting would be addressed at a future meeting.

A discussion was held, and there was a consensus from the Council to address items previously identified as possible cuts from the budget during the September 8, 2021, City Council meeting.

XII. NEW BUSINESS

XIII. OLD BUSINESS

XIV. AUDIENCE TO BE HEARD

David Serdar, 66 Wintergreen Drive, Fruitland Park, said businesses relocate to the City because life is good in Tavares.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, noted his concern that other cities have restricted voter registration opportunities during their events. He said city broadband utility infrastructure is being federally funded and may be an option for Tavares. Mr. Jochim asked for the status of improving the Tavares Nature Park walkway. Mr. Drury said staff will look into the status of the walkway and send an email to Mr. Jochim, with a copy to the Council.

XV. REPORTS

Tab 17. City Administrator Report

Mr. Drury noted an August 2021 MPO meeting had been canceled. He said a summary was provided for a PD&E study for the trail includes the trail's status from downtown Tavares to downtown Mount Dora to Sorrento. The County held a kick-off meeting including Mount Dora, Tavares, and the consultant to begin the PD&E study to design and engineer the trail. Lake County has the funding lined up to purchase the railroad right of way and a grant to build. He said the trail would be premier along the waterfront and a gamechanger for the City and the Old US441 corridor.

Mr. Tweedie said August 19 is National Aviation Day and encouraged those present to stop by the seaplane base and take a seaplane ride.

Chief Keith provided information on a brotherhood ride coming to the Elks Lodge in Tavares on August 23, 2021. He said the bicycle ride is in honor of public safety professionals who passed away the previous year. The ride will end in New York City in remembrance of the 20th anniversary of 9/11.

Mr. Fitzgerald said construction would begin on the post-acute medical rehabilitation center on Nightingale Lane and Mayo Drive. He said it is a 48,000 square foot in-patient center and a tremendous project for the medical village.

Tab 18. City Council Member Reports

Council Member Singer said he enjoyed attending the Florida League of Cities conference the previous weekend. He thanked Mr. Dillon for attending and working on partnerships.

Vice Mayor Buigas provided the following positive quote of the day: "There is more to life than being a passenger." ~Amelia Earhart

Mayor Boggus said she attended the Florida League of Mayor's conference and Florida League of Cities conference. She noted she was on the Board of Directors of the Florida League of Mayors and was nominated to serve another term representing District 6. She said both conferences were wonderful and encouraged each Council member to attend future League of Cities conferences.

XVI. ADJOURNMENT

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

Respectfully,

Susie Novack, MMC, FCRM
City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 3

SUBJECT TITLE: Resolution 2021-19 - Acceptance of United States Department of Justice Edward Byrne Memorial Justice Assistance Grant (Finance)

OBJECTIVE:

Consider approval of Resolution 2021-19 authorizing acceptance of United States Department of Justice JAG Grant.

SUMMARY:

The City of Tavares has been awarded a United States Department of Justice (US DOJ) Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase a portable wireless surveillance camera to assist the Police Department in criminal investigations.

Details of the grant include the following:

- Agreement Number: 2021-JAGC-LAKE-3-3B-084.
- Pass-through Entity: Florida Department of Law Enforcement.
- Subrecipient: City of Tavares.
- Grant Award: \$3,402.
- No grant match required.
- Award Period: 10/1/2021 – 9/30/2022.
- The grant is subject to all applicable rules, regulations, and conditions, as contained in the Department of Justice Grants Financial Guide, and the Office of Management and Budget Uniform Grant Requirements (2 C.FR. Part 200).

OPTIONS:

Option 1: Move to approve resolution 2021-19 authorizing the Chief of Police and Mayor to execute the wireless surveillance camera JAG grant.

Option 2: Do not approve resolution 2021-19.

STAFF RECOMMENDATION:

Option 1: Move to approve resolution 2021-19 authorizing the Chief of Police and Mayor to execute the wireless surveillance camera JAG grant.

FISCAL IMPACT:

\$3,402 will be budgeted in the Fiscal Year 2022 Budget.

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution 2021-19
2. 2021-JAGC-LAKE-3-3B-084 SIGNATURE PAGES

Attachments not provided are available to the public upon request to the City Clerk.

RESOLUTION 2021-19

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A JUSTICE ASSISTANCE GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE TO PURCHASE A WIRELESS SURVEILLANCE CAMERA

WHEREAS, the Florida Department of Law Enforcement as a pass-through entity for the United States Department of Justice has awarded the City of Tavares an Edward Byrne Memorial Justice Assistance Grant (JAG).

WHEREAS, the grant awarded by the Florida Department of Law Enforcement represents a program to assist municipal law enforcement agencies in their effort to combat crime.

WHEREAS, the Justice Assistance Grant provides funding to purchase a wireless surveillance camera in the amount of \$3,402.

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

SECTION I. The Chief of Police and Mayor are hereby authorized to execute an award Agreement with the Florida Department of Law Enforcement for award of an Edward Byrne Memorial Justice Assistance Grant. Elements of the award include:

- Agreement Number: 2021-JAGC-LAKE-3-3B-084.
- Pass-through Entity: Florida Department of Law Enforcement.
- Subrecipient: City of Tavares.
- Grant Award: \$3,402.
- No grant match required.
- Award Period: 10/1/2021 – 9/30/2022.
- The grant is subject to all applicable rules, regulations, and conditions, as contained in the Department of Justice Grants Financial Guide, and the Office of Management and Budget Uniform Grant Requirements (2 C.FR. Part 200).

SECTION II. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION III. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 8th day of September, 2021, by the City Council of the City of Tavares, Florida.

Amanda Boggus, Mayor
Tavares City Council

ATTEST:

Susie Novack
City Clerk

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

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 4

SUBJECT TITLE: Resolution 2021-22 - Supporting the Proposal Memorandum of Understanding Regarding the Ongoing Opioid Litigation (Police)

OBJECTIVE:

To adopt Resolution 2021-22 to the proposed memorandum of understanding to further continue settlement negotiations in the Opioid lawsuit filed by the State of Florida and many cities and counties.

SUMMARY:

Almost 100 political subdivisions within the State of Florida, as well as the State of Florida itself, have filed suit against numerous entities engaged in the manufacture, marketing, promotion, distribution or dispensing of opioids. In the hopes of using the proceeds from the Settlements to increase the amount of funding presently spent on opioid and substance abuse education, the State and its local governments are considering entering a Proposal Memorandum of Understanding ("PMOU") relating to the allocation and use of the Settlement proceeds, subject to the completion of formal documents. If the City Council is acceptable to the PMOU, it is requested the Board adopt a Resolution in support of the PMOU to continue with settlement negotiations.

The settlement funds will be disbursed via a "metric" that is shown in the accompanying documents. There are essentially 3 funds; city/county fund, regional fund and state fund.

OPTIONS:

1. Adopt Resolution 2021-22 in support of the Proposed Memorandum of Understanding to continue with settlement negotiations.
2. Do not adopt a Resolution 2021-22 in support of the Proposed Memorandum of Understanding to continue with settlement negotiations

STAFF RECOMMENDATION:

Staff recommends Option 1

FISCAL IMPACT:

There is no fiscal impact. The City may receive funds as a result of the settlement.

LEGAL SUFFICIENCY:

This item is legally sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution 2021-22
2. Opioid-06-22-21 BCC Agenda Packet re Opioid Litigation and MOU
3. Opioid-Enclosures

4. Opiod-Tavares

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 5

SUBJECT TITLE: Approve Award of Financing Bid and Approve Resolution 2021-23 Authorizing Execution of Loan Documents for City of Tavares Florida Utility System Improvement Revenue Bond Series 2021 with Sterling Bank (Finance)

OBJECTIVE:

To seek City Council's approval for award of bid for debt financing to Sterling Bank, and to approve Resolution No. 2021-23, authorizing the execution of loan documents for City of Tavares Utility System Improvement Revenue Bond, Series 2021 in the amount of \$3,600,000 with Sterling Bank.

SUMMARY:

On April 7, 2021 the City Council authorized the issuance of an RFP for debt financing in the amount of \$3,600,000 including cost of issuance. The proceeds will provide funding for expansion of water and wastewater capital lines for the area known as the Peninsula which includes 16 developed homes and undeveloped vacant land within and abutting the Peninsula area.

RFP 2021-0010 for debt financing to be secured by a pledge of water, wastewater, reclaim, and utility impact fees, and subordinate to existing debt of the Water/Wastewater Utility was issued on July 20, 2021. RFP 2021-0010 was advertised on the City website, DemandStar.com, and in the Orlando Sentinel.

The RFP was issued with the following elements requested:

- Amount: not to exceed \$3,600,000
- Security: payable solely from and secured by the Net Revenues, including impact fees of the City's combined Utility System subject to the conditions and covenants as provided in the Master Utility System Bond Resolution 2012-17. The Series 2021 Bond will be issued as an Additional Parity Obligation under the Bond Resolution on parity with the City's Utility System Refunding Revenue Bond Series 2012A and the Utility System Improvement Revenue Bond Series 2012B.
- Rate: fixed
- Term: 20 years
- Bank Qualified (BQ), tax-exempt fixed interest rate
- Prepayment option requested

On August 10, 2021, five responses to RFP 2021-0010 were received and opened publicly. Sterling Bank was selected for submittal to the City Council for award of bid (proposal) and for request of approval to execute a loan in the amount of \$3,600,000.

1. **Sterling Bank – 2.07%**
2. Truist Bank (BB&T) - 2.24%
3. Citizen Bank - 2.80% 2.21% / 2.36%
4. SouthState Bank – 2.31%
5. Seaside Bank – 2.44%

The bids (proposals) were reviewed and evaluated by the City's Financial Advisor, Mark Galvin, of Hilltop Securities, and City Staff. Proposals were ranked according to RFP requirements and overall benefit to the City of Tavares. It was determined that Sterling Bank provided the best overall benefit to the City of Tavares. A copy of the bid review and recommendation from the City's Financial Advisor, Mark Galvin, of Hilltop Securities is attached for your review.

Resolution 2021-23 and the Loan Agreement for City of Tavares, Florida Utility System Improvement Revenue Bond Series 2021 has been prepared by the City's Bond Counsel, Steve Miller, Esq. of Nabors, Giblin & Nickerson. The City Attorney (Bob Williams), and City staff have reviewed the documents for any required changes.

OPTIONS:

1. **Move to award**Bid
 1. **Move to award** Bid No. 2021-0010 to Sterling Bank, **and Approve** Resolution No. 2021-23, authorizing the execution of the City of Tavares Florida Utility System Improvement Revenue Bond Series 2021 in the amount of \$3,600,000.
 2. Do not approve.

STAFF RECOMMENDATION:

Option 1. Move to award Bid No. 2021-0010 to Sterling Bank, **and Approve** Resolution No. 2021-23, authorizing the execution of the City of Tavares Florida Utility System Improvement Revenue Bond Series 2021 in the amount of \$3,600,000.

FISCAL IMPACT:

Semi-Annual Loan Payments begin October 1, 2022 (FY2023).

LEGAL SUFFICIENCY:

Legally Sufficient - City Attorney Opinion Letter

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. City of Tavares FL Utility System Improvement Revenue Bond Series 2021 (Recommendation Letter) August 18 2021 (002)
2. Legal Ad for RFP 2021-0010_Peninsula
3. Sterling Bank_Tavares, FL Revenue Bond - SNB Term Sheet 8.10.21
4. Resolution 2021-23_City of Tavares Utility System Improvement Revenue Bond, Series 2021

5. Exhibit A - SNB Proposal

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 6

**SUBJECT TITLE: Resolution 2021-24 Acceptance of Agreement with the State of Florida
Division of Emergency Management for American Rescue Plan Act Funding (Finance)**

OBJECTIVE:

Consider approval of Resolution 2021-24 authorizing execution of an Agreement with the State of Florida Department of Emergency Management for American Rescue Act Funding to the City of Tavares as a Non-Entitlement Unit.

SUMMARY:

The American Rescue Plan Act was enacted into law on March 11, 2021. The American Rescue Plan provides additional relief to address the continued impact of COVID-19 on the economy, public health, state and local governments, individuals, and businesses.

Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2, §9901) added section 603(1) to the Social Security Act (ARPA) which created the Coronavirus Local Fiscal Recovery Fund for the purpose of providing funds to local governments in order to facilitate the ongoing recovery from the COVID-19 pandemic (Fiscal Recovery Funds); the American Recovery Plan Act provides funding to local governments to mitigate and address the impacts of COVID-19.

The American Recovery Plan Act defines local governments with populations generally less than 50,000 as Non-Entitlement Units, thus requiring funding under the Act to pass-through the respective state of the Non-Entitlement Unit.

The City of Tavares has been identified by the United States Treasury as a Non-Entitlement Unit (NEU) of local government, and therefore funding will pass from the Treasury to the State of Florida to be disbursed from the State of Florida to the City of Tavares. The Florida Division of Emergency Management (the Division) has provided an Agreement to the City of Tavares for execution to provide the pass-through funding from the American Recovery Plan Act.

The Agreement provides funding under the Agreement in the amount of \$8,889,651.00 which will be disbursed to the City of Tavares in two installments. The Act requires that expenditure obligations be incurred no later than December 31, 2024 with disbursements by December 31, 2026.

Federal Code 2 CFR §200.49, 2 CFR §200.50, and Florida Statutes 215.97(2)(i) apply for accounting, auditing, and reporting.

OPTIONS:

1. **Move to Approve Resolution 2021-24** Authorizing the City Administrator to Execute Agreement No. Y5305, with Unique Identifier Code FL0303 for American Rescue Plan Act Coronavirus Local Fiscal Recovery Act Funding in the amount of \$8,889,651.00.

2. Do not Approve.

STAFF RECOMMENDATION:

OPTION 1: Move to Approve Resolution 2021-24 Authorizing the City Administrator to Execute Agreement No. Y5305, with Unique Identifier Code FL0303 for American Rescue Plan Act Coronavirus Local Fiscal Recovery Act Funding in the amount of \$8,889,651.00.

FISCAL IMPACT:

\$8,889,651.00 in funding will be received in two installments.

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution 2021-24_ Authorizing Agrmt With FDEM for American Rescue Plan Act Funding 9-8-2021_3
2. Agrmt_rec'd_08182021_Tavares, City of-American Rescue Plan-Draft
3. ARPA Divsion Memorandum (003) received via email on 8-27-2021

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 7

SUBJECT TITLE: Ordinance 2021-15 - Amendment to Police Officers' Pension Plan Amending Sections 15-75, 15-77, 15-80, and 15-86 as it related to Required Age Distribution of Benefits (Finance)

OBJECTIVE:

Approve Ordinance 2021-15 which amends Section 15 of the City of Tavares Code of Ordinances, City of Tavares Police Officers' Pension Plan for Benefit Amounts and eligibility, Pre-Retirement Death, Optional Forms of Benefits, and Minimum Distribution of Benefits to comply with recent IRC Changes for required distribution age.

SUMMARY:

Ordinance 2021-15 provides changes to the Police Pension Plan to comply with recent changes to the Internal Revenue Code, related Treasury Regulations, and guidance from the Internal Revenue Service.

The Pension Plan Board Attorney, Scott Christiansen, Law Offices of Christiansen & Dehner, P.A., has prepared Ordinance 2021-15 to address these Internal Revenue Code (IRC) changes. A summary of the changes are as follows:

- Amend Section 15-76, Benefit Amounts and Eligibility to address required distribution age per Amended Section 15-86.
- Amend Section 15-77, Pre-Retirement Death to address required distribution age per Amended Section 15-86.
- Amend Section 15-80, Optional Forms of Benefits to address required distribution age per Amended Section 15-86.
- Amend Section 15-86, Minimum Distribution of Benefits to provide for recent changes to the IRC changing the required distribution age from 70 ½ to 72.

The Plan Actuaries, Foster and Foster, have provided a letter of “no-impact” to the plan that no formal Actuarial Impact Statement is required to support adoption. A copy of their letter detailing the Plan changes, and their opinion is attached.

OPTIONS:

1. **Move to Adopt** Ordinance 2021-15 amending Chapter 15 of the Code of Ordinances for the City of Tavares Police Officer’s Pension Plan.

2. Do not Adopt Ordinance 2021-15.

STAFF RECOMMENDATION:

1. **Move to Adopt** Ordinance 2021-15 amending Chapter 15 of the Code of Ordinances for the City of Tavares Police Officer's Pension Plan.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. ORD 2021-15_PolicePens_BenAmts&Elgibility_MinDistribAge
2. AttnyLetter&ActuaryLetter for Ord 2021-15_PolicePens

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 8

SUBJECT TITLE: Ordinance 2021-09 - Comprehensive Plan 2040 Amendment - Addition of Property Rights Element pursuant to House Bill 59 (Community Development)

OBJECTIVE:

To consider approval of the transmittal to the State for review of Ordinance 2021-09, an amendment to the City of Tavares Comprehensive Plan 2040 providing for the addition of a Property Rights Element pursuant to HB 59.

SUMMARY:

On November 18, 2020, the City of Tavares adopted Comprehensive Plan 2040 in accordance with Florida Statutes - Chapter 163, and the State of Florida Local Government Comprehensive Planning and Land Development Regulation Act. Subsequently to that adoption, the 2021 Florida Legislature enacted House Bill 59, signed by Governor DeSantis on June 29, 2021, requiring each local government to include in its Comprehensive Plan a Property Rights Element to ensure that private property rights are considered in local decision making. Ordinance 2021-09 proposes amending the City of Tavares Comprehensive Plan providing for the addition of a Property Rights Element inclusive of goals, objectives, and policies, as mandated by the State of Florida.

At the August 19th Planning & Zoning Board meeting, the Board requested legal clarification regarding the language of HB 59 in regard to a property owner's control over property, including easements. City staff obtained the following legal summary from the City Attorney:

HB 59 is basically a restatement and codification into policy of existing Florida and U.S. Constitutional Law. It has been universally recognized by the courts, and it is specifically stated in the 5th and 14th Amendments, that individuals enjoy private property rights that cannot be taken or infringed upon by the government without due process and just compensation. The issues that have been litigated extensively, however, are what constitutes "property" and what governmental action constitutes a compensable "taking." There is not a black-white line on these questions – the courts are all over the place – and most of the cases turn on their individual facts. The only thing the new statute and policy say is that the city needs to be mindful of person's property rights – whatever they are ultimately determined to be – which, as noted above – is basically a statement of existing law. To the extent a person has a "property" interest – be it fee simple, mineral rights, easement, life estate, the City is agreeing as a matter of policy that we will not take or infringe upon those rights.

STAFF RECOMMENDATION:

At their August 19th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-09.

Staff recommends that City Council move to approve the transmittal to the State for review of Ordinance 2021-09, an amendment to the City of Tavares Comprehensive Plan 2040 providing for the addition of a Property Rights Element pursuant to HB 59.

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2021-09
2. Revised Comprehensive Plan Table of Contents
3. Property Rights Element
4. House Bill 59
5. Newspaper Ad

ORDINANCE 2021-09

PURSUANT TO HOUSE BILL 59 OF THE FLORIDA LEGISLATURE, AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN 2040, BY PROVIDING FOR THE ADDITION OF A PROPERTY RIGHTS ELEMENT; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 18, 2020 the City of Tavares adopted a Comprehensive Plan in accordance with Florida Statutes – Chapter 163, and the State of Florida Local Government Comprehensive Planning and Land Development Regulation Act by adoption of Ordinance 2020-10; and

WHEREAS, the 2021 Florida Legislature enacted House Bill 59 requiring each local government to include in its Comprehensive Plan a Property Rights Element to ensure that private property rights are considered in local decision making; and

WHEREAS, City of Tavares proposes to amend the city Comprehensive Plan by the addition of the Property Rights Element and adopting policies within the plan that ensure that private property rights are protected and considered in the City’s decision-making processes; and

WHEREAS, the City of Tavares Planning & 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 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 and Chapter 187, 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. Comprehensive Plan Amendment: Property Rights Element:

The Comprehensive Plan is hereby amended with the addition of the Property Rights Element attached hereto as Exhibit “A” and incorporated herein by reference.

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 _____ of _____ 2021, by the City Council
of the City of Tavares, Florida.

Amanda Boggus, Mayor
Tavares City Council

Approved for Transmittal: _____

Final Reading and Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

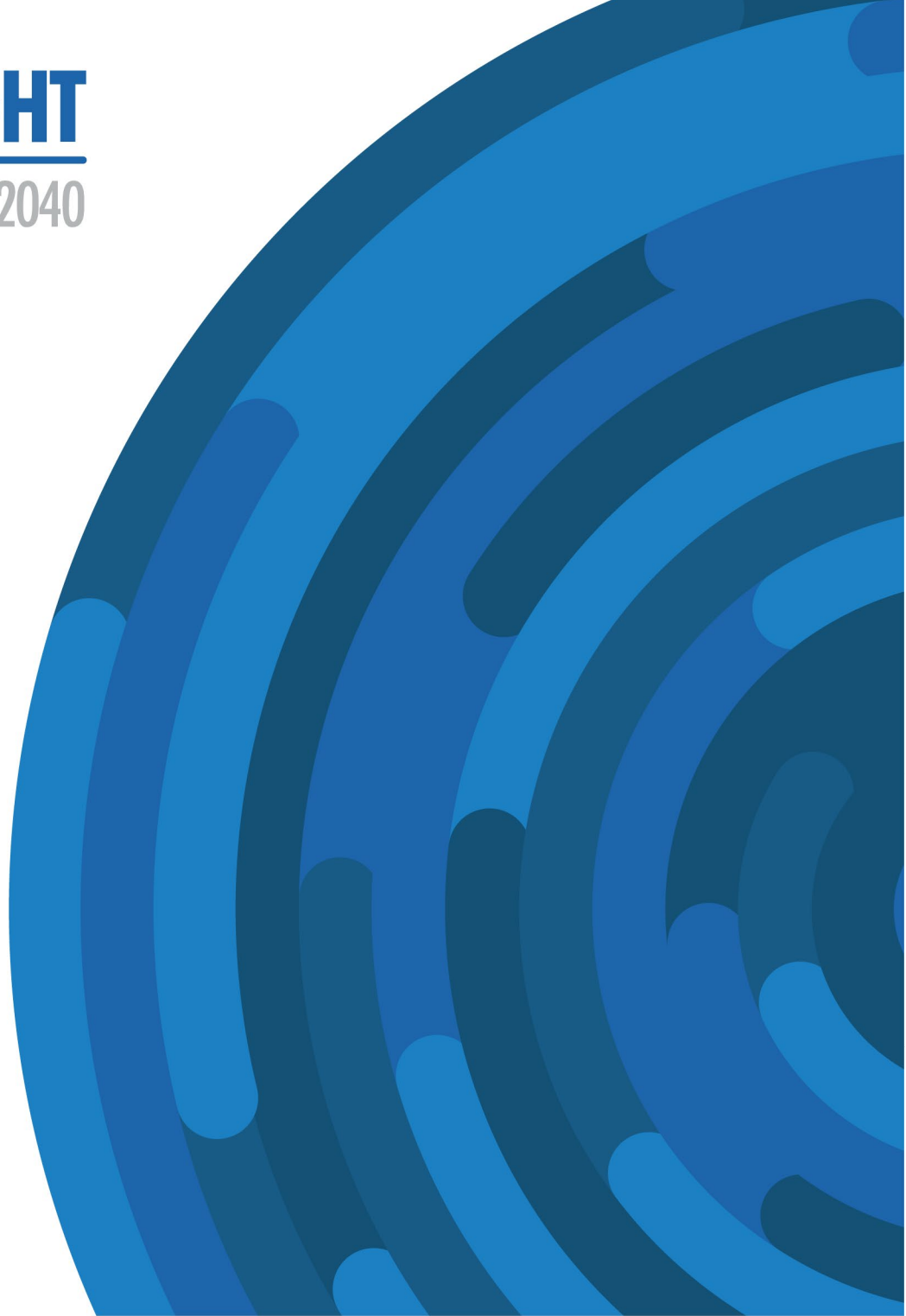
Robert Q. Williams, City Attorney

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Housing Element	3-1
Public Facilities Element	4-1
Conservation Element	5-1
Recreation and Open Space Element	6-1
Intergovernmental Coordination Element	7-1
Capital Improvements Element	8-1
<u>Property Rights Element</u>	<u>9-1</u>

TAKING FLIGHT

COMPREHENSIVE PLAN 2040



Property Rights Goals, Objectives, and Policies



GOAL

Protection of private property rights.

Objective 9-1

Consistent with HB 59 (2021), ensure that private property rights are protected and considered in the City's decision-making processes.

Policy 9-1.1 The City shall protect and preserve private property rights as follows:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 9

SUBJECT TITLE: American Rescue Plan Act Spending Plan (City Administrator)

OBJECTIVE:

To approve a spending plan using American Rescue Plan Act (ARPA) funds.

SUMMARY:

The American Rescue Plan Act of 2021 provides funds for municipalities, counties, states, tribal governments, and territories to respond to the Covid-19 emergency, and related public health and economic challenges. The City of Tavares will receive \$8,889,651 in ARPA funding. Disbursements will be made to the City from the State of Florida in two installments.

ARPA funds have several uses and many restrictions enumerated in the Department of Treasury's 31 CFR Part 35 ruling – See attachment. In particular as described on page 26806 (pg. 21) under "*Restrictions on Use*", cities "*may not use the funds...to either directly or indirectly offset a reduction innet tax revenue....*". Further, cities who do not use the funds consistent with the Treasury's ruling will have to pay them back. Based on the eligible uses and restrictions laid out in the Treasury's attached ruling, staff recommends the most cost-effective manageable and equitable uses of ARPA funds within the time frame allocated for these funds for Tavares are as follows:

1. Drinking Water Improvements.
2. Wastewater Improvements.
3. Stormwater Improvements.
4. Improving air quality of Public Buildings.

Upon approval by Council on the above four uses of the ARPA funds, staff will bring back to Council specific projects that meet the four (4) above uses that are compliant with the Treasury's ruling for Council's consideration and approval. Project descriptions will include the total cost, funding sources proposed and amount of ARPA funding allocated.

OPTIONS:

Option 1: Approve the above four (4) recommended uses of ARPA funding and instruct staff to bring back each project for Council approval.

Option 2: Direct staff to develop programs other than the above four to allocate ARPA funds towards that are consistent with the Treasury's rulings.

STAFF RECOMMENDATION:

Option 1: Council moves to approve the above four (4) recommended uses of ARPA funding and instruct staff to bring back each project for Council approval.

FISCAL IMPACT:

No fiscal impact at this time. All projects and their fiscal impacts will be brought back to the City Council for approval.

LEGAL SUFFICIENCY:

Option one is legally sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 31 CFR Part 35 (Treasury Interim Final Rule)

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 10

SUBJECT TITLE: School Resource Officer Agreement With Lake County School Board (Police)

OBJECTIVE:

To obtain approval to enter into an agreement for a school resource officer at Tavares Elementary school between the City of Tavares and Lake County School Board.

SUMMARY:

The Lake County School Board (LCSB) provides funding for a police officer to be at Tavares Elementary for security and safety during the school year. This will be the fourth year in which the LCSB and City have entered into this agreement. During the times when there is no school, SRO will be available for duties within the department.

OPTIONS:

1. Approve the agreement between the City of Tavares and LCSB to provide a police officer at Tavares Elementary
2. Do not approve the agreement

STAFF RECOMMENDATION:

Staff recommends Option 1

FISCAL IMPACT:

The LCSB will pay the City of Tavares \$60,010.00 for a police officer during the school year. This amount has been budgeted in the proposed FY 21-22 budget. The cost of the currently assigned officer to the City is \$75,222.36 including benefits. The funding provided by the LCSB covers the nine months for the SRO. If any overtime is incurred as a result of being an SRO, the LCSB will reimburse for the overtime.

LEGAL SUFFICIENCY:

Yes

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. FINAL City of Tavares SY21-22 REV

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 11

SUBJECT TITLE: Dispatch Agreement with Lake County Sheriff's Office for Dispatch Services (Police)

OBJECTIVE:

To obtain Council approval to renew the agreement for dispatching and 911 services with Lake County Sheriff's Office for FY2021-2022

SUMMARY:

The Lake County Sheriff's Office (LCSO) provides dispatch and 911 services for the Tavares Police Department. The agreement has not changed from previous years, including the cost.

OPTIONS:

1. Approve the agreement with LCSO for dispatch and 911 services
2. Do not approve the agreement with LCSO for dispatch and 911 services.

STAFF RECOMMENDATION:

Staff recommends Option 1

FISCAL IMPACT:

The amount for providing these services is \$199,873.80. This amount remains unchanged from the previous year. This amount has been budgeted in the proposed FY2021-2022 budget.

LEGAL SUFFICIENCY:

This item is legally sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Dispatch Agreement 2021-22

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 12

SUBJECT TITLE: Access Easement Agreement between the City of Tavares and Orange County granting a 20' access easement across City-owned property located north of Woodlea Road, west of Captain Haynes Road (Community Development)

OBJECTIVE:

To approve the Access Easement Agreement between the City of Tavares and Orange County granting a 20' access easement across City-owned property located north of Woodlea Road, west of Captain Haynes Road

SUMMARY:

The City has been approached by a developer's attorney requesting a 20' access easement across City-owned property located north of Woodlea Road, west of Captain Haynes Road. The developer is constructing a project in Orange County and is required to contribute property to a land mitigation bank to offset the impact of the Orange County project. The developer owns a parcel of property in Tavares that is being used for mitigation purposes, and that parcel is located immediately west of the City's property. The developer's property is land-locked, and as part of the mitigation process, there needs to be legal access for ingress and egress. The developer's attorney has submitted for City Council's consideration an Access Easement Agreement that, if approved, shall be recorded in Lake County Public Records to establish the 20' access easement across City property in perpetuity, resulting in the developer's property in Tavares being categorized as conservation land. The developer shall be required to convey the property to Orange County to complete the mitigation process, and therefore the Access Easement Agreement is in favor of Orange County. This easement request has been reviewed by City staff, and it has been determined that the easement does not conflict with the sports park's future expansion nor the future wastewater facilities expansion. There has been no discussion between the City staff and the developer's attorney regarding financial compensation for the City of Tavares.

OPTIONS:

1. That City Council moves to approve the Access Easement Agreement between the City of Tavares and Orange County granting a 20' access easement across City-owned property located north of Woodlea Road, west of Captain Haynes Road.
2. That City Council moves to deny the Access Easement Agreement.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve the Access Easement Agreement between the City of Tavares and Orange County granting a 20' access easement across City-owned property located north of Woodlea Road, west of Captain Haynes Road.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This Access Easement Agreement has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Property Location Aerial Map
2. Access Easement Agreement

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 13

**SUBJECT TITLE: Freedom Boat Club Commercial Lease Agreement at Tavares Marina
(Economic Development)**

OBJECTIVE:

For Council to approve the attached lease agreement between the City and Another Day in Paradise dba: Freedom Boat Club of Tampa Bay.

SUMMARY:

Previously the City Council approved the Tavares Seaplane Base & Marina Facility Leasing Policy (attached) which includes, among other provisions a rate and fee schedule for commercial and non-commercial marina tenants. In accordance with that policy, commercial leases and lease rates are to be approved by Council on a case by case basis.

Freedom Boat Club of Tampa Bay is a franchise private boat share membership company and a previous commercial lease holder occupying boat slips in the former marina facility destroyed by Hurricane Irma, ready to return to the Tavares waterfront to resume their boat club operations from the newly reconstructed marina. Staff has negotiated the attached lease for Council consideration and Freedom Boat Club has agreed to these terms and conditions. The lease rate negotiated and applied has been determined on the basis of current market conditions of similar commercial boat dock rental lease rates throughout the region. Salient points for this lease are:

- A 1-year initial term with 5 additional 1-year optional renewal terms.
- A monthly boat slip lease fee of: \$292/slip (35 ft. slip) X 7 slips = **\$2,044 per month total X 12 months = \$24,528.**
- A 4% increase in lease rate per year for each renewal period throughout the term of the lease

OPTIONS:

1. For Council to approve the attached lease agreement between the City of Tavares and Freedom Boat Club of Tampa Bay.
2. For Council to not approve the attached lease agreement between the City of Tavares and Freedom Boat Club of Tampa Bay.

STAFF RECOMMENDATION:

Staff recommends that Council moves to approve option 1.

FISCAL IMPACT:

The first year of this agreement will generate total additional revenue of **\$24,528** in lease rental fees for the Seaplane Base/Marina Enterprise fund, increasing by 4% each additional year thereafter.

LEGAL SUFFICIENCY:

Meets legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Leasing_Policy_and_supporting_docs.Council_Approved_Edits MJO ADA Compliant
2. Contract - Freedom Boat Club of Tampa BayFinal

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 14

SUBJECT TITLE: Adventure Boating Club LLC Lease Agreement, Tavares Marina (Economic Development)

OBJECTIVE:

For Council to approve the attached lease agreement between the City and Adventure Boating Club LLC.

SUMMARY:

Previously, the City Council approved the Tavares Seaplane Base & Marina Facility Leasing Policy (attached) which includes, among other provisions, a rate and fee schedule for commercial and non-commercial marina tenants. In accordance with that policy, commercial leases and lease rates are to be approved by the Council on a case by case basis.

Adventure Boating Club LLC is a private boat share membership company, currently headquartered in Leesburg, FL, desirous of expanding its operations to the Tavares waterfront's newly reconstructed marina. The staff has negotiated the attached lease for Council consideration and the Boat Club has agreed to these terms and conditions. Lease rates have been developed, negotiated, and applied based on current market conditions for similar commercial boat dock spaces throughout the area.

There are two classifications and therefore two rates of boat docks, lease space: 1) Individual boat slips, and 2) linear dock space along the floating dock perimeter. Salient points for this lease are:

- A 1-year initial term with 5 additional 1-year optional renewal terms.
- A monthly lease fee of :

1.) Boat slip space: Five (5) thirty- five foot (35ft.) boat slips X \$292.00/slip =	\$1,460.00
2.) Linear boat dock space: One (1) 55 ft. linear dock space X \$7.20 per ft. =	\$396.00
Total	\$1,856.00

A 4% increase in lease rate per year for each renewal period throughout the term of the lease.

OPTIONS:

1. For Council to approve the attached lease agreement between the City of Tavares and Adventure Boating Club LLC.
2. For Council to not approve the attached lease agreement between the City of Tavares and Adventure Boating Club LLC.

STAFF RECOMMENDATION:

Staff recommends that Council moves to approve option 1.

FISCAL IMPACT:

The first year of this agreement will generate additional annual revenues of **\$22,272** in lease rental fees for the Seaplane Base/Marina Enterprise fund, increasing by 4% each additional year thereafter.

LEGAL SUFFICIENCY:

Meets Legal Sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Leasing_Policy_and_supporting_docs.Council_Approved_Edits MJO ADA Compliant
2. Contract - Adventure Boat ShareFinal

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 15

SUBJECT TITLE: Care Free Boat Club of Central Florida Marina Lease Agreement (Economic Development)

OBJECTIVE:

For Council to approve the attached commercial marina lease agreement between the City and Salt Therapy INC, dba Care Free Boat Club of Central FL.

SUMMARY:

Previously the City Council approved the Tavares Seaplane Base & Marina Facility Leasing Policy (attached) which includes, among other provisions a rate and fee schedule for commercial and non-commercial marina tenants. In accordance with that policy, commercial leases and lease rates are to be approved by Council on a case by case basis.

Care Free Boat Club of Central Florida is a private boat share membership club headquartered in Groveland, FL, and desires to expand its operations to the Tavares waterfront at the newly constructed Tavares Marina. The staff has negotiated the attached lease agreement with Care Free Boat Club. The lease rate has been developed, negotiated, and applied based on market conditions for similar commercial boat dock space throughout the area. Salient points for this lease are:

- A 1-year initial term with 5 additional 1-year optional renewal terms.
- A monthly lease fee of: \$242.50 per slip X three (3) thirty foot (30ft.) slips = **\$727.50 Total per month.**
- A 4% increase in lease rate per year for each renewal period throughout the term of the lease.

OPTIONS:

1. For Council to approve the attached lease agreement between the City of Tavares and Care Free Boat Club.
2. For Council to not approve the attached lease agreement between the City of Tavares and Care Free Boat Club

STAFF RECOMMENDATION:

Staff recommends that Council moves to approve option 1.

FISCAL IMPACT:

The first year of this agreement will generate additional revenues of **\$8,730** in lease rental fees for the Seaplane Base/Marina Enterprise fund, with an additional 4% increase each additional year

thereafter.

LEGAL SUFFICIENCY:

Meets legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Leasing_Policy_and_supporting_docs.Council_Approved_Edits MJO ADA Compliant
2. Contract - Care Free Boat ClubFinal

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 16

SUBJECT TITLE: Lake Adventures LLC Marina Lease Agreement (Economic Development)

OBJECTIVE:

For Council to approve the attached commercial marina lease agreement between the City and Lake Adventures LLC.

SUMMARY:

Previously, the City Council approved the Tavares Seaplane Base & Marina Facility Leasing Policy (attached) which includes, among other provisions, a rate and fee schedule for commercial and non-commercial marina tenants. In accordance with that policy, commercial leases and lease rates are to be approved by the Council on a case-by-case basis.

Lake Adventures LLC is a Lake County-based pontoon boat rental company desirous of entering into a commercial agreement with the City to expand their current boat rental services currently located on Lake Eustis to the newly constructed Tavares Marina. The company had previously submitted and Council accepted a proposal to negotiate a lease with the City for construction of a dock on City property at the waterfront for their operation. Upon completion of their due diligence for this process, Lake Adventures concluded a more operational and cost-feasible opportunity to conduct their business would be to lease space at the newly constructed City Marina. The staff has negotiated the attached agreement with Lake Adventures for Council consideration. Lease rates have been developed, negotiated, and applied based on current market conditions for similar commercial boat dock spaces throughout the area. There are two classifications and therefore, two rates of boat dock lease space: 1.) Industrial boat slips and 2) linear dock space along the floating dock perimeter. Salient points for this lease are:

- A 1-year initial term with 5 additional 1-year optional renewal terms.
- A monthly lease fee of:

1.) Boat slip space: \$292.00 X Five (5) thirty-five foot (35ft.) boat slips =	\$1,460.00
2.) Linear boat dock space: \$7.20 per foot X one (1) 35 linear ft. docking berth =	\$252.00
	Total \$1,712.00

- A 4% increase in lease rate per year for each renewal period throughout the term of the lease.

OPTIONS:

1. For Council to approve the attached lease agreement between the City of Tavares and Lake Adventures LLC.
2. For Council to not approve the attached lease agreement between the City of Tavares and Lake

Adventures LLC.

STAFF RECOMMENDATION:

Staff recommends that Council moves to approve option 1.

FISCAL IMPACT:

The first year of this agreement will generate additional annual revenues of **\$20,554** in lease rental fees for the Seaplane Base/Marina Enterprise fund, with an additional 4% increase each additional year thereafter.

LEGAL SUFFICIENCY:

Meets legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Leasing_Policy_and_supporting_docs.Council_Approved_Edits MJO ADA Compliant
2. Contract - Lake AdventuresFinal

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 17

SUBJECT TITLE: Approval of Utility Agreement with Atwater Apartments, LLC for Water Line Upsize (Finance)

OBJECTIVE:

To consider approval of a Utility Agreement between the City of Tavares and Atwater Apartments, LLC (Developer) for City payment to the Developer for the proportional cost of upsizing utility water lines at the City's request to service the Atwater Apartments Phase 2 Development as well as future off-site development.

SUMMARY:

The Developer, Atwater Apartments LLC, owns property inside the City and within the City's utility service district. The Developer is in the process of constructing potable water and wastewater lines and facilities and other infrastructure improvements, at its expense, to be connected to the City's utility system to make potable water and wastewater utility services available to the Developer's proposed apartment complex located on the northeast corner of the intersection of Ann Rou and Huffstetler Drives.

To service future development in the northeast section of the City, our Utility Director has requested the developer to engineer and upsize a watermain extension for the Atwater Apartments Phase Two apartment project. The upsizing is needed to provide service to the future off-site City water system that is planned for the area. The request by City staff provides additional linear feet of watermain extension to the current water system.

The total cost for the upsizing of the line has been determined to be \$44,691.79. A copy of cost details from the developer's engineer is attached for Council's review. An agreement has been prepared by the City Attorney which will provide a reimbursement credit to the developer upon completion of the water main extension by the developer and acceptance by the City of Tavares Utility Department.

A copy of the agreement is attached for Council's review.

OPTIONS:

1. **Move to Approve** Utility Agreement with Atwater Apartments LLC for Water Main Extension and upsize servicing Atwater Phase 2 and future developments in the area.
- 2, Do not approve.

STAFF RECOMMENDATION:

OPTION 1: Move to Approve Utility Agreement with Atwater Apartments LLC for Water Main Extension and upsize servicing Atwater Phase 2 and future developments in the area.

FISCAL IMPACT:

Reimbursement of \$44,691.79 to Developer from Impact Fees paid for the Atwater Phase 2 Development.

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Atwater Phase 2 Utility Agreement_09082021(002)
2. Atwater Phase 2_from Ted Wicks_20210816_151935 (002)

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 18

SUBJECT TITLE: Approve Resolution 2021-20 for Tentative Millage Rate for FY 2022 – First Reading

OBJECTIVE:

To receive public input and consider the approval of Resolution 2021-20 to adopt the Tentative Millage Rate for Fiscal Year 2022

SUMMARY:

The City Administrator and his staff have developed a budget for Fiscal Year 2022 for Council's consideration totaling \$50,437,924 that is fully balanced. The proposed budget for FY2022 includes, among many other items, the following:

1. Similar Level of Service.
2. General Fund millage rate decrease (from 6.90 to 6.85) which is 5.47% above the rollbacked rate.
3. Debt Service millage rate decrease (from .2623 to .2391).
4. Increased reserve appropriations.
5. Fire Assessment level funded (no rate increase).
6. Employee increase of 2.5%.
7. Street paving is increased from \$130,000 to \$500,000.
8. The annual July 4th and Christmas holiday celebration events are level funded.
9. Expanded programs are cut.

Previously the City Council discussed the proposed Fiscal Year 2022 Budget at the following public meetings:

- 7/01/2021 – City Council Budget Workshop – (General Fund Budget)
- 7/21/2021 – City Council Budget Workshop – (Utility and Special Revenue Fund Budgets)
- 7/21/2021 – City Council Budget Workshop – (Set Maximum Tentative Millage rate)
- 8/04/2021 – City Council Budget Workshop – (Capital Improvement Plan Presentation)
- 8/18/2021 – City Council Budget Workshop – (Discussion on FY 2022 Proposed Budget)

A Tentative Budget (all funds) has been prepared for the City Council. Attached are the remaining budgetary items that the City Council will need to reach a consensus on.

The Final Public Hearing to Adopt the FY2022 Millage Rate and the FY2022 Budget will be held at 5:05 p.m. on September 22, 2021 at which time the final millage rates will be adopted.

OPTIONS:

Option 1: Take Public input and approve the Tentative Millage for Fiscal Year 2022 as reflected in Resolution 2021-20.

Option 2: Take Public input and approve the Tentative Millage for Fiscal Year 2022 as reflected in Resolution 2021-20, including any additional changes the Council proposes.

STAFF RECOMMENDATION:

Option 1: Take Public input and approve the Tentative Millage for Fiscal Year 2022 as reflected in Resolution 2021-20.

FISCAL IMPACT:

At this point all budgets are balanced. Changes will require revisions to the Tentative Budget.

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution 2021-20 - Tentative Millage Rate for FY 2022
2. Exhibit A

Attachments not provided are available to the public upon request to the City Clerk.

RESOLUTION 2021 - 20

A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 6.850 FOR THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM TAXES FOR FISCAL YEAR 2021-2022; SETTING FORTH THE PERCENT BY WHICH THE MILLAGE RATE IS GREATER THAN THE "ROLLED-BACK" RATE.

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

WHEREAS, the City of Tavares of Lake County, Florida on September 8, 2021, adopted the 2021-2022 Fiscal Year Tentative Millage Rate following a public hearing as required by Florida Statute 200.065.

WHEREAS, the City of Tavares of Lake County, Florida, following due public notice as required by law, held a second public hearing on September 22, 2021, as required by Florida Statute 200.065 on the 2021-2022 Millage Rate; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within Lake County has been certified by the County Property Appraiser to the City of Tavares as \$1,138,385,564.

NOW THEREFORE, BE IT RESOLVED by the City of Tavares of Lake County, Florida, that:

1. The City of Tavares Fiscal Year 2021-2022 operating millage rate to be levied is hereby set at 6.8500 mills, which millage rate is greater than the rolled back rate of 6.4948 by 5.47%.
2. The voted debt service millage rate is set at .2391 mills for Fiscal Year 2021-2022.
3. This Resolution will take effect immediately upon its adoption.

PASSED AND RESOLVED this 22nd day of September 2021 by the City Council of the City of Tavares, Florida. Time Adopted: _____.

Amanda Boggus, Mayor
Tavares City Council

ATTEST:

Susie Novack
City Clerk

Approved as to form:
Robert Q. Williams,
City Attorney

Exhibit A

Vice Mayor Lou Buigas:

1. Reduce America in Bloom entry fee and travel expenditures budget in the Parks Department in half (from \$6,600 to \$3,300) saving \$3,300.
2. Remove \$4,800 budgeted in the Parks Department for cemetery trees. Postpone the purchase until next year.

Council Member Troy Singer:

1. Remove City Council health and dental insurance \$47,705.

Council Member Walter Price:

1. Achieve rolled-back rate by:
 - a. Removing \$300,000 budgeted for Tav-Lee Trail Safety Improvements (re-route Tav-Lee trail around seaplane ramp).
 - b. Re-allocating \$78,083 from reserves (primarily health insurance savings that were allocated to reverses).
 - c. Reduce reserves as necessary to get to the remaining amount of dollars necessary to go to the rolled-back rate (\$26,271)

Final Budget Updates

- Final costs for general liability expenses.

- Decrease in General Fund expenditures of \$109,559. Decrease in General Fund revenues of \$109,559. Increase in appropriated reserves of \$109,559 (total going into reserves is \$775,433).
- Decrease in Water/Wastewater Utility Fund expenditures of \$65,842. Decrease in revenues of \$65,842. Increase in appropriated reserves of \$65,842.
- Minor adjustments in all other funds with liability costs due to the decrease in general liability expenses.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 19

SUBJECT TITLE: Approve Resolution 2021-21 for Tentative Budget for FY 2022 – First Reading

OBJECTIVE:

To receive public input and consider the approval of Resolution 2021-21 to adopt the Tentative Budget for Fiscal Year 2022

SUMMARY:

The City Administrator and his staff have developed a budget for Fiscal Year 2022 for Council's consideration totaling \$50,437,924 that is fully balanced. The proposed budget for FY2022 includes, among many other items, the following:

1. Similar Level of Service.
2. General Fund millage rate decrease (from 6.90 to 6.85) which is 5.47% above the rollbacked rate.
3. Debt Service millage rate decrease (from .2623 to .2391).
4. Increased reserve appropriations.
5. Fire Assessment level funded (no rate increase).
6. Employee pay increase of 2.5%.
7. Street paving is increased from \$130,000 to \$500,000.
8. The annual July 4th and Christmas holiday celebration events are level funded.
9. Expanded programs are cut.

Previously the City Council discussed the proposed Fiscal Year 2022 Budget at the following public meetings:

- 7/01/2021 – City Council Budget Workshop – (General Fund Budget)
- 7/21/2021 – City Council Budget Workshop – (Utility and Special Revenue Fund Budgets)
- 7/21/2021 – City Council Budget Workshop – (Set Maximum Tentative Millage rate)
- 8/04/2021 – City Council Budget Workshop – (Capital Improvement Plan Presentation)
- 8/18/2021 – City Council Budget Workshop – (Discussion on FY 2022 Proposed Budget)

A Tentative Budget (all funds) has been prepared for the City Council. Attached are the remaining budgetary items that the City Council will need to reach a consensus on.

The Final Public Hearing to Adopt the FY2022 Millage Rate and the FY2022 Budget will be held at 5:05 p.m. on September 22, 2021 at which time the final millage rates will be adopted.

OPTIONS:

Option 1: Take Public input and approve the Tentative Millage for Fiscal Year 2022 as reflected in

Resolution 2021-21.

Option 2: Take Public input and approve the Tentative Millage for Fiscal Year 2022 as reflected in Resolution 2021-21, including any additional changes the Council proposes.

STAFF RECOMMENDATION:

Option 1: Take Public input and approve the Tentative Millage for Fiscal Year 2022 as reflected in Resolution 2021-21.

FISCAL IMPACT:

At this point all budgets are balanced. Changes will require revisions to the Tentative Budget.

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution_Budget_2020-21
2. Exhibit A

Attachments not provided are available to the public upon request to the City Clerk.

RESOLUTION 2021-21

**A RESOLUTION ADOPTING THE FINAL BUDGET FOR
THE CITY OF TAVARES, FLORIDA, FOR THE FISCAL
YEAR 2021 - 2022.**

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

WHEREAS, a public hearing on the tentative 2021-2022 budget was held at the Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County, Florida on Thursday, September 8, 2021 at 5:05 p.m., as required by Florida Statutes 200.065; and

WHEREAS, the general public was given an opportunity to express its views pertaining to the tentative budget, and

WHEREAS, the City Council approved the tentative budget for 2021-2022,
and

WHEREAS, a second public hearing on the proposed 2021-2022 budget was held in the Council Chambers at the Tavares City Hall, 201 East Main Street in the City of Tavares, Florida, on Wednesday, September 22, 2021, at 5:05 p.m.,

NOW, THEREFORE, BE IT RESOLVED that the Budget for 2021-2022 fiscal year for the City of Tavares, Florida is hereby adopted by the Tavares City Council in the amount of \$50,437,924 at public hearing this 22nd day of September, 2021.

Fund Name	Fund Number	Estimated Revenues ¹	Reserve Appropriations ³	Unappropriated Revenues ²	Estimated Appropriations/ Expenditures
General Fund	001	21,267,054	\$ -	\$ (775,433)	\$ 20,491,621
Water/Wastewater Utility	401	11,414,970	-	(157,596)	\$ 11,257,374
Water/Wastewater Impacts	441	657,000	-	(27,000)	\$ 630,000
W/WW RR&I Fund	443	300,000	204,000	-	\$ 504,000
SRF Construction Fund	444	-	-	-	\$ -
W/WW SRF Loan	445	2,214,472	-	-	\$ 2,214,472
Capital Project Fund	446	-	-	-	\$ -
Sunset View Fund	447	112,397	14,755	-	\$ 127,152
Solid Waste/Sanitation	402	3,549,858	-	(73,114)	\$ 3,476,744
Stormwater	403	2,039,336	-	(26,931)	\$ 2,012,405
Seaplane Base Fund	405	789,026	-	-	\$ 789,026
Pavilion Fund	406	718,125	-	-	\$ 718,125
Police Education	102	-	-	-	\$ -
Community Redevelopment	105	463,964	-	-	\$ 463,964
Police Impacts	110	100,578	-	(70,488)	\$ 30,090
Fire Impacts	111	188,098	-	(168,508)	\$ 19,590
Forfeiture Fund	112	-	-	-	\$ -
Park Impacts	114	205,475	-	(205,475)	\$ -
Building Permits	115	173,919	-	(173,919)	\$ -
Freedom Flag Fund	117	-	-	-	\$ -
Fire Assessment Fund	122	1,844,259	-	-	\$ 1,844,259
Infrastructure Sales Tax ⁵	150	-	48,000	-	\$ 48,000
Grant Fund	151	-	-	-	\$ -
Infrastructure Sales Tax ⁵	152	1,599,443	99,457	-	\$ 1,698,900
Debt Service Fund	201	1,194,762	33	-	\$ 1,194,795
Capital Project Fund	301	-	-	-	\$ -
Capital Project Fund ⁶	302	795,674	-	-	\$ 795,674
Municipal Police Pension ⁴	601	1,003,895	-	(223,332)	\$ 780,563
Firefighter's Pension ⁴	602	1,733,994	-	(393,124)	\$ 1,340,870
Mildred Hunter Trust	605	150	-	-	\$ 150
Wooton Park Playground Trust	606	150	-	-	\$ 150
		\$ 52,366,599	\$ 366,245	\$ (2,294,920)	\$ 50,437,924

¹ Estimated Revenues = anticipated revenue collections.

\$ 50,437,924

² Negative Reserve Appropriations assumes unappropriated revenues.

³ Positive Reserve Appropriations assumes appropriating (spending) an amount of reserves.

⁴ Special Revenue Fund.

⁵ Fund 150 Infrastructure Surtax Revenue collections sunset in December 2017, and begin again in January 2018 (Fund 152).

⁶ Fund 302 is a new capital project fund for the Seaplane Base and Marina rebuild project.

This resolution will take effect immediately upon its adoption.

PASSED AND RESOLVED this 22nd day of September, 2021, by the City Council of the City of Tavares, Florida. Time Adopted: _____ P.M.

Amanda Boggus, Mayor
Tavares City Council

ATTEST:

Susie Novack
City Clerk

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

Exhibit A

Vice Mayor Lou Buigas:

1. Reduce America in Bloom entry fee and travel expenditures budget in the Parks Department in half (from \$6,600 to \$3,300) saving \$3,300.
2. Remove \$4,800 budgeted in the Parks Department for cemetery trees. Postpone the purchase until next year.

Council Member Troy Singer:

1. Remove City Council health and dental insurance \$47,705.

Council Member Walter Price:

1. Achieve rolled-back rate by:
 - a. Removing \$300,000 budgeted for Tav-Lee Trail Safety Improvements (re-route Tav-Lee trail around seaplane ramp).
 - b. Re-allocating \$78,083 from reserves (primarily health insurance savings that were allocated to reverses).
 - c. Reduce reserves as necessary to get to the remaining amount of dollars necessary to go to the rolled-back rate (\$26,271)

Final Budget Updates

- Final costs for general liability expenses.

- Decrease in General Fund expenditures of \$109,559. Decrease in General Fund revenues of \$109,559. Increase in appropriated reserves of \$109,559 (total going into reserves is \$775,433).
- Decrease in Water/Wastewater Utility Fund expenditures of \$65,842. Decrease in revenues of \$65,842. Increase in appropriated reserves of \$65,842.
- Minor adjustments in all other funds with liability costs due to the decrease in general liability expenses.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 20

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

To inform the Council on city-related matters.

SUMMARY:

OPTIONS:

The City Administrator will provide a summary at the meeting.

UPCOMING MEETINGS: *Library Board will not meet until November due to an increase in Covid.

City Council Meetings and Budget Hearings	September 22, 2021, 4:00 p.m. Regular Meeting; 5:05 Budget Hearing to Adopt the Tentative FY2022 Budget and Millage, City Council Chambers
Planning and Zoning Board Meetings	September 16, 2021, 3:00 p.m., City Council Chambers
Library Board Meeting	November 17, 2021, 2:30 p.m., Library Board Room
Code Enforcement Special Magistrate Hearing	September 28, 2021, 5:00 p.m., City Council Chambers

UPCOMING EVENTS:

9/11 20th Anniversary Commemoration Event "Never Forget"	September 11, 2021, 8:00 a.m., Main Street and Freedom Flag
Coastal Cleanup - Harris Chain of Lakes	September 18, 2021, 8:00 a.m. to 1:00 p.m., Wooton Park Boat Ramp
Tavares High School Homecoming Parade	October 1, 2021 - Details to be Announced
Roctoberfest featuring, Monster Splash Fly, and Marina Ribbon Cutting	October 16, 2021, 10:00 a.m. to 10:00 p.m., Wooton Park - Details to be Announced
6th Annual Boo Fest	October 29, 2021, 6:00 p.m. to 9:00 p.m., Downtown Tavares Trunk-or-Treat, Games, Kid's Costume Contest, Music, Performers, Food - Contact 352-742-6319 for more information or to sign-up to participate in the Trunk-or-Treat

OUTSIDE AGENCY MEETINGS:

Lake County League of Cities	September 10, 2021, 11:30 a.m., Mount Dora Golf Course
Lake Sumter MPO Executive Board Meeting	October 27, 2021, 2:00 p.m., 1300 Citizens Blvd., Leesburg
Tavares Chamber of Commerce Business Luncheon	September 22, 2021, 11:30 a.m., Tavares Pavilion on the Lake

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
9/8/2021**

AGENDA TAB NO.: 21

SUBJECT TITLE: City Council Member Reports

OBJECTIVE:

To inform the Council council on city-related items.

SUMMARY:

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

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.