



AGENDA
TAVARES CITY COUNCIL
December 1, 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 Dr. Tom Burdick, Lake County Baptist Association

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 November 17, 2021 City Council Regular Meeting Minutes (City Clerk)

VIII. RESOLUTIONS

Tab 3 Resolution 2021-28 - Herring Property - Vacate Easement Located at 1417 Schult Court (Community Development)

IX. ORDINANCES - PUBLIC HEARING

First Reading

Tab 4 Ordinance 2021-11 - Idamere Crossings - Rezoning of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff (Community Development)

- Tab 5 Ordinance 2021-12 - Idamere Crossings - Small Scale FLUM
Amendment of Approximately 19.46 Acres Located at the Southeast
Corner of SR-19 & Lane Park Cutoff (Community Development)
- Tab 6 Ordinance 2021- 13 - Avalon Park Tavares, LLC - Annexation and
Rezoning of Approximately 0.63 Acres Located at 1693 & 1695
South Palm Circle (Community Development)
- Tab 7 Ordinance 2021-14 - Avalon Park Tavares, LLC - Small Scale FLUM
Amendment of Approximately 0.63 Acres Located at 1693 & 1695
South Palm Circle (Community Development)
- Tab 8 Ordinance 2021-17 - Lane Park Commons (Supervisor of Elections /
Sheriff Site) - Rezoning of Approximately 13.19 Acres Located at
the Northwest Corner of SR-19 & Lane Park Road (Community
Development)
- Tab 9 Ordinance 2021-18 - Lane Park Commons (Supervisor of Elections /
Sheriff Site) - Small Scale FLUM Amendment of Approximately
13.19 Acres Located at the Northwest Corner of SR-19 & Lane Park
Road (Community Development)
- Tab 10 Ordinance 2021-19 - Land Trust Service Corporation Trustee -
Annexation and Rezoning of Approximately 0.21 Acres Located at
31325 David Walker Drive (Community Development)
- Tab 11 Ordinance 2021-20 - Land Trust Service Corporation Trustee - Small
Scale FLUM Amendment of Approximately 0.21 Acres Located at
31325 David Walker Drive (Community Development)

Second Reading

X. GENERAL GOVERNMENT

- Tab 12 Utility Department Employee Recognition, Donna Christopher
(Utilities)
- Tab 13 Request City Council Approval to Amend Budget for
Councilmember Health Insurance (Finance)
- Tab 14 Discussion on a Tavares Babe Ruth League All-Star Program
(Community Services)
- Tab 15 Request Council Authorization to extend payment plan for Sunset
ViewSpecial Assessment Beneficiaries not previously connected to
Water & Wastewater Utilities (Finance Department)

XI. NEW BUSINESS

XII. OLD BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

Tab 16 City Administrator Report

Tab 17 City Council Member Reports

XV. 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
12/1/2021**

AGENDA TAB NO.: 1

SUBJECT TITLE: Dr. Tom Burdick, Lake County Baptist Association

OBJECTIVE:

Dr. Tom Burdick, Lake County Baptist Association, will provide the invocation and lead those present in the Pledge of Allegiance.

SUMMARY:

Dr. Tom Burdick, Lake County Baptist Association, 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
12/1/2021**

AGENDA TAB NO.: 2

SUBJECT TITLE: Approval of the November 17, 2021 City Council Regular Meeting Minutes (City Clerk)

OBJECTIVE:

To consider approval of the November 17, 2021 City Council Regular Meeting Minutes

SUMMARY:

Attached are the November 17, 2021, City Council Regular 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. 11-17-2021 CC Minutes

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



**TAVARES CITY COUNCIL
MEETING MINUTES
NOVEMBER 17, 2021 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

**Lori Pfister, Mayor
Walter Price, Vice Mayor
Amanda Boggus, Council Member
Sandy Gamble, Council Member
Troy Singer, Council Member**

STAFF PRESENT

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

Chief Keith provided the invocation and led those present in the Pledge of Allegiance in Pastor Griggs's absence.

III. ELECTION RESULTS

Tab 2. Election Results

Ms. Novack made the following presentation:

The City of Tavares Canvassing Board completed their certification of the November 2, 2021 Tavares City Council Municipal Election on Friday, November 5, 2021. The 2021 City of Tavares Canvassing Board members included Council Member Walter Price, City Attorney Lindsay Holt, and City Clerk Susie Novack.

Effective August 16, 2021 at 12:00 noon the following candidates qualified for the office of the Tavares City Council, Seats 2 and 4 as follows:

Seat 2:

- Lou Buigas
- Sandy Gamble

Seat 4:

- Steve Farley
- Troy W. Singer

The certified election results reflect that Lou Buigas received 941 votes and Sandy Gamble received 1,102 votes for Tavares City Council Seat 2.; and, Steve Farley received 737 votes and Troy W. Singer received 1,313 votes for Tavares City Council Seat 4.

IV. SWEARING IN OF NEW COUNCIL MEMBERS

Lieutenant Coursey swore in Sandy Gamble, Seat 2, and Troy Singer, Seat 4 to the Tavares City Council.

V. CONVENING OF NEW COUNCIL

VI. ELECTION OF MAYOR

Mayor Boggus passed the gavel to Mr. Drury for the election of Mayor.

Tab 3. Election of Mayor

Mr. Drury made the following presentation:

Section 3.04 of the City Charter states that “The council shall elect from its members, a Mayor and Vice Mayor” and “the City Administrator shall conduct the election of the Mayor”. The Council has traditionally followed Roberts Rules of Order when conducting meetings and elections.

Based on the Roberts Rules of Order process, the City Administrator will open up the floor for nominations of Mayor. Council members will be invited to nominate any council member, including themselves. No second is required for a nomination. Once nominations have been completed, the City Administrator will close nominations. Any nominee for Mayor may decline such a nomination.

The City Administrator will then offer an opportunity for any audience member or council member who wishes to speak to make comment at this time. Upon completion of receiving comment, the City Administrator will request a hand vote (raising of the right arm) for each nominee based on the order in which they were received at the time of nomination until three or more votes are made for a nominee.

Mr. Drury asked for questions regarding the election process. There were none.

Mr. Drury opened the floor for nominations for Mayor.

Troy Singer nominated Amanda Boggus for Mayor.

Walter Price nominated Lori Pfister for Mayor.

There were no additional nominations and Mr. Drury closed the floor to nominations. He said one Request to Speak form was received and invited Don Kehr to the podium.

Don Kehr, 16833 Deer Island Road, Lake County, commended Lou Buigas for her service on the Council. He noted his support for Lori Pfister to serve as Mayor.

Mr. Drury asked for comments from the audience.

Kristy Furman, 204 N. Rockingham Avenue, Tavares, thanked each Board member for their service with a special mention to Lou Buigas for her service. She said each member is qualified to serve as Mayor and encouraged all Council members to attend city events throughout the year.

Mike Watkins, 805 Summerall Avenue, Tavares, said each member of the Council is qualified to serve as Mayor. He asked the Council to serve from their heart for all citizens. He noted his support for Amanda Boggus to serve as Mayor.

Mr. Drury closed public comments for the election of Mayor and asked if the Council wished to speak prior to holding the election.

Walter Price noted his support for rotation for the positions of Mayor and Vice Mayor and said Lori Pfister has served one year as Mayor in her 16-year tenure.

Sandy Gamble noted the position of Mayor is a great responsibility with time requirements.

Mr. Drury closed Council comments for the election of Mayor and asked for a vote in the order names were received.

Amanda Boggus was not elected as Mayor by a show of hands 3-2 as follows:

Amanda Boggus:	Yes
Sandy Gamble:	No
Lori Pfister:	No
Walter Price:	No
Troy Singer:	Yes

Lori Pfister was elected as Mayor by a show of hands 3-2 as follows:

Amanda Boggus:	No
Sandy Gamble:	Yes
Lori Pfister:	Yes
Walter Price:	Yes
Troy Singer:	No

Mr. Drury passed the gavel to Mayor Pfister.

VII. ELECTION OF VICE MAYOR

Tab 4. Election of Vice Mayor

Section 3.04 of the City Charter states that “The council shall elect from its members, a Mayor and Vice Mayor”. The Council has traditionally followed Roberts Rules of Order when conducting meeting and elections.

Based on the Roberts Rules of Order process, the Mayor should open up the floor for nominations of Vice Mayor. Council members should be invited to nominate any council member including themselves. No second is required for a nomination. Once nominations have been completed the Mayor should close nominations. Any nominee for Vice-Mayor may decline such a nomination.

The Mayor should then offer an opportunity for any audience member or council member who wishes to speak to make comment at this time. Upon completion of receiving comment, the Mayor should request a hand vote (raising of the right

arm) for each nominee based on the order in which they were received at the time of nomination until three or more votes are made for a nominee.

Sandy Gamble nominated Walter Price for Vice Mayor.

Troy Singer nominated Amanda Boggus for Vice Mayor.

Don Kehr, 16833 Deer Island Road, Lake County, said he had no further comments.

Mayor Pfister asked for comments from the Council.

Council Member Boggus congratulated Mayor Pfister and said she hoped the Mayor would take serve in her position on the Florida League of Mayor's Board of Directors, District 6.

Walter Price said he would be honored to serve as Vice Mayor.

Walter Price was elected as Vice Mayor with a show of hands 3-2 as follows:

Lori Pfister:	Yes
Amanda Boggus:	No
Sandy Gamble:	Yes
Walter Price:	Yes
Troy Singer:	No

VIII. SUNSHINE LAW/ETHICS UPDATE

Tab 5. Sunshine and Ethics Law Update

Attorney Holt provided an overview of the Sunshine Law and Code of Ethics governing City business with some of the following highlights:

- Annual 4-hour ethics training course required by Florida Statutes every calendar year
- Code of Ethics, Chapter 112 Florida Statutes; filing an annual statement of interests, soliciting or accepting gifts, nepotism, and refraining from private gains through government business
- Conflicts of interest, disclosure, and recusal
- Ethics violations and penalties
- Sunshine Laws including meetings and communications, and penalties
- Records retention

Mayor Pfister asked for comments from the Council. There were none.

IX. APPROVAL OF AGENDA

Mr. Drury said staff would like to table Tab 7, Tavares Chamber of Commerce Update, to the December 15, 2021, City Council meeting.

MOTION

Troy Singer moved to approve the Agenda with changes, seconded by Amanda Boggus. The motion carried unanimously 5-0.

X. PROCLAMATIONS/PRESENTATIONS

Tab 6. Lake County Redistricting Process

Jennifer Barker, Lake County Interim County Manager, provided an overview and PowerPoint Presentation on the Census population-based redistricting of Lake County's 5 Commissioner Seats as required in the Florida Statutes.

Mayor Pfister thanked Ms. Barker for her presentation.

Tab 7. Tavares Chamber of Commerce Update

Tabled to the December 15, 2021 City Council meeting.

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

Attorney Holt said there was one quasi-judicial matter before the Council; Tab 13, Greenbrier at Baytree Phase 2 – Final Plat. She swore in those who wished to provide testimony.

Attorney Holt asked the Council for any exparte communications. There were none.

XII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following ordinance and resolution by title only:

RESOLUTION 2021-29

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AMENDING THE 2021 FISCAL YEAR ADOPTED BUDGET FOR THE CITY OF TAVARES, REPRESENTING THE THIRD AND FINAL AMENDMENT TO THE ADOPTED BUDGET, AND PROVIDING FOR A REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

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.

XIII. CONSENT AGENDA

MOTION

Sandy Gamble move to approve the Consent Agenda as presented, seconded by Amanda Boggus. The motion carried unanimously 5-0.

Tab 8. Approval of the October 20, 2021 City Council Regular Meeting Minutes

Approved on the Consent Agenda.

XIV. RESOLUTIONS

Tab 9. Resolution 2021-29 – Final Budget Amendment for FY 2021

The attached Resolution represents increases and/or decreases to the Adopted Budget for Fiscal Year 2021. Appropriation increases represent capital projects, Cares Act expenditures, and prior year/project encumbrance rollovers. In addition, the Resolution also reflects transfers between individual accounts within adopted budgets for all departments.

This resolution represents the THIRD AND FINAL AMENDMENT to the Adopted Budget for Fiscal Year 2020-2021.

Mayor Pfister asked for comments from the Council. There were none.

MOTION

Walter Price moved to approve Resolution 2021-29, seconded by Troy Singer. The motion carried unanimously 5-0.

XV. ORDINANCES – PUBLIC HEARING

First Reading

Second Reading

Tab 10. Ordinance 2021-09 – Comprehensive Plan 2040 Amendment – Addition of Property Rights Element Pursuant to House Bill 59

Mr. Fitzgerald made the following presentation:

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.

On September 8, 2021, City Council approved the transmittal of Ordinance 2021-09 for State agency review. The City of Tavares received no State comments or objections regarding the adoption of Ordinance 2021-09.

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

Staff recommends Option 1, for the City Council move to approve 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.

Mayor Pfister asked for comments from the Council. There were none.

MOTION

Troy Singer moved to approve Ordinance 2021-09, seconded by Sandy Gamble. The motion carried unanimously 5-0.

XVI. GENERAL GOVERNMENT

Tab 11. Board Appointment – Police Pension Board

Mayor Pfister made the following presentation:

One Council-appointed seat on the Police Pension Board is expiring on November 30, 2021. The City advertised the seat appointment in the Daily Commercial and on the City website. This appointment is for a two-year term expiring in November 2023. The City received a letter of request for the re-appointment of John Clark. (attached) No new applications were received. The Pension Board appointments are recommended by the Mayor and ratified by the City Council.

Mayor Pfister said she would like to appoint John Clark to the Police Pension Board.

MOTION

Troy Singer moved to approve the Mayor's recommendation [John Clark], seconded by Amanda Boggus. The motion carried unanimously 5-0.

Tab 12. Horizon Team and Board Representation

Mr. Drury made the following presentation:

The City Administrator has identified staff teams who work on projects that are multi-year projects off into the future/horizon - "Staff Horizon Teams" (see attachment). The staff researches a subject matter and brings their research to the City Administrator. The Administrator may bring to the Council, from time to time, that research for the Council's benefit and further discussion and/or action. The City Administrator invites one Council member to join the "Staff Horizon Team" and attend research meetings on occasion for those "Horizon Teams" in which the Council member has a particular interest. Attached is a listing of those staff teams, and the Council is provided an opportunity to discuss/change representation on those staff teams and fill vacant positions.

A discussion was held and there was a consensus from the Council to approve the following 2022 Tavares Horizon Teams and Community Board Representatives:

Horizon Teams (Council Member Liaison/Lead Staffer)

- **Special Events (Amanda Boggus/Bob Tweedie)**

- Economic Development (Amanda Boggus/Bob Tweedie)
- Sister City Program (Lori Pfister/John Drury)
- Library Expansion (Lori Pfister/Scott Aldrich)
- Public Works Complex (Amanda Boggus/James Dillon)
- West Main Street Gateway (Sandy Gamble/Mike Fitzgerald)
- N/S City Gateways – St Clair and Sinclair (Walter Price/James Dillon)
- Mount Dora Trail (Troy Singer/James Dillon)
- Eustis Trail (Amanda Boggus/James Dillon)
- Emergency Preparedness/Public Safety Horizon Team (Amanda Boggus/Mark O’Keefe)
- Wooton Wonderland Rebuild (Troy Singer/James Dillon)
- S.R. 19/561 and 448 Corridors (Walter Price/Mike Fitzgerald)
- Old 441 Corridor (Troy Singer/Mike Fitzgerald)
- Central Lake Regional Park East Campus Partnership (Lori Pfister/John Drury/Scott Aldrich)
- Central Lake Regional Park West Campus Partnership (Sandy Gamble/John Drury/Scott Aldrich)

Board Representatives

- B.E.T.T.E.R. Tavares Race Relations Group: (Troy Singer, Alternate Sandy Gamble/John Drury/Stoney Lubins)
- Florida League of Cities Legislative Committees:
 - Environment & Energy Council (Phil Clark)
 - Transportation & Intergovernmental (Mike Fitzgerald)
 - Finance & Taxation (Lori Houghton)
- Lake Community Action Agency – Donna L. Klinger
- Lake County Library Advisory Board (3rd Thursday at 5 p.m.): (Norma Emerson/Alternate Amanda Boggus)
- Lake County Arts and Cultural Alliance: (Iliana Buigas)
- Lake County League of Cities (2nd Friday at 11:30 a.m.): (Troy Singer/Alternate Sandy Gamble)
- Lake County League of Cities Solid Waste Advisory Committee: (Lori Houghton)
- Lake County Water Alliance Technical Committee: (Phil Clark)
- Metropolitan Planning Organization Governing Board Member: (Sandy Gamble/Alternate Walter Price)
- Metropolitan Planning Organization Technical Advisory Committee: (Antonio Fabre)
- Metropolitan Planning Organization Citizens Advisory Committee: (T.J. Fish)
- YMCA Golden Triangle Advisory Board: (John Drury & Phil Clark)
- Tavares Chamber of Commerce: (Troy Singer/Bob Tweedie)
- School Concurrence Committee Annual Meeting: (Troy Singer)
- School Concurrence Technical Advisory Committee: (Mike Fitzgerald)

Mr. Drury said the Council would be notified of the next Horizon Team meetings.

Tab 13. Greenbrier at Baytree Phase 2 – Final Plat

Mr. Fitzgerald made the following presentation:

Greenbrier at Baytree Phase 2 Subdivision is a proposed residential subdivision located north of Dead River Road, east of Baytree Boulevard. The subject property is 20.94 acres in size, and the proposed Final Plat subdivides the land into 56 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. The developer completed all necessary infrastructure improvements for the subdivision, passed all final inspections, and was issued a Certificate of Completion for the construction on September 29, 2021. City staff 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 City of Tavares Land Development Regulations and Comprehensive Plan.

Staff recommends Option 1, that City Council moves to approve the Final Plat for Greenbrier at Baytree Phase 2 Subdivision Located North of Dead River Road, East of Baytree Boulevard.

Mayor Pfister asked if the City would be subject to lawsuits if the Final Plat was not approved. Attorney Holt said there could be challenges if denied. Council Member Gamble said that it is his understanding there should be no deviation from the approved preliminary plat. Mr. Fitzgerald confirmed. Mayor Pfister noted that the City of Orlando is currently in a \$17 million dollar lawsuit by stopping development at Final Plat on a golf course.

Mayor Pfister asked for comments from the Council.

Council Member Singer said the developer meets all requirements.

Vice Mayor Price said he was happy to see the intersection at Dead River Road and SR 19 under construction to help remedy traffic issues.

Don Kehr, 16833 Deer Island Road, Lake County, congratulated Mayor Pfister on her election as Mayor. Mr. Kehr provided a history of the Baytree project. He felt the City lost an opportunity to lease the golf course from the Baytree community at \$1.00 per year to operate a municipal golf course. He referred to a previous report presented to the Council projecting a \$1 million dollar cost to the City and said the estimate was high for an operational golf course.

Preston Hage, 600 East Colonial Drive, Orlando, said he had no further comment.

Ted Wicks, Wicks Engineering, Inc., 108 Shorewood Court, Tavares, congratulated the Council on their elections. Mr. Wicks said he had nothing to add to the staff report and requested approval from the Council.

Jacob Schrimsher, 600 East Colonial Drive, Orlando said he had no further comment.

MOTION

Amanda Boggus moved to approve, seconded by Troy Singer.

Council Member Boggus said she would like to respond to Mr. Kehr's comments as her recollection was the golf course was not operational, and the City received a request to purchase and bring the property up to golf course standards.

The motion carried unanimously 5-0.

Tab 14. Approval of Award to Kompan's by Piggy- Back for Direct Purchase Agreement for Wooton Wonderland Play Equipment

Ms. Houghton made the following presentation:

In May 2021, Council approved the Schematic Design for the Wooton Wonderland playground rebuild as developed and presented by DRMP and Manley Design. As promised at that time, the new playground will honor the existing playground's character and embrace the seaplane theme with a custom Airport Tower and Net Plane centerpiece. Kompan, the manufacturer of the Airport Tower and Net Plane structures, has provided a proposal for an Owner Direct Purchase to allow the City to purchase these features via "piggybacking" off of the current Omnia Partners Cooperative (US Communities) Agreement to acquire the same commodities or services at the same or lower price.

Kompan's Omnia contract was awarded through competitive solicitation and was publicly awarded, with the governmental entity of Charlotte, NC serving as the lead agency. Award to Kompan was made utilizing best practice maximum value with complete transparency of the process. The Omnia (US Communities) contract allows municipalities to piggyback on the contract. Florida statute 163.01, the Florida Interlocal Cooperation Act of 1969 authorizes local governmental units to utilize cooperative agreements for procuring goods or services. The statute includes all governmental units and agencies of the United States. The City of Tavares is a participating member of the Cooperative.

Exercising the Owners Direct Purchasing under Piggy-Back with the Omnia Partners Cooperative will save an estimated 15-20% on the contractor's mark-up as well as the 7% sales tax by utilizing Tavares tax-exempt status. Should the

City include the purchase of the equipment with the project contractor agreement, the selected play equipment cost would increase due to contractor mark-up, as well as the sales tax.

*Staff recommends approval of Option 1. **Council moves to award** the Owner Direct Purchase contract to Kompan for the purchase and installation of the Airport Tower and Net Plane in the amount of \$300,161.85*

Mayor Pfister asked for comments from the Council.

Council Member Boggus asked Ms. Houghton to explain how a piggyback contract can save cost over an individual agreement. Ms. Houghton said piggybacking provides an opportunity to receive goods at a lower price. She noted savings by purchasing directly with no sales tax, which a general contractor generally passes on. She said staff decided to pull the item to piggyback, purchase separately, and then go out to bid for the project as a whole.

Council Member Gamble asked Ms. Houghton to discuss the sales proposal extension. Ms. Houghton said due to the timing of the Council meeting, the original proposal had an expiration of November 14, 2021, and Koman agreed to update the expiration date on the proposal before execution.

Council Member Gamble said he is familiar with piggyback contracts and direct purchases through the Lake County School Board, which saved millions of dollars in taxes.

Vice Mayor Price asked for an estimate of savings to the City. Ms. Houghton said the savings would be significant and utilized if needed when the project goes to bid as inflation unknowns may affect bid prices. Council Member Gambles said savings would be close to \$60,000.

MOTION

Troy Singer moved to approve the staff recommendation, seconded by Sandy Gamble.

Ms. Houghton said sales tax savings would be approximately \$25,000 with additional savings upon purchase of the component.

Council Member Singer said he looks forward to the Wooton Wonderland rebuild. He noted the project was funded in the current budget, and the City received a \$500,000 grant for the project.

The motion carried unanimously 5-0.

XVII. NEW BUSINESS

Volley Ball Court Lighting

Mayor Pfister said the City has beautiful volleyball courts on the waterfront that need lighting. She asked Council if they would like staff to bring forward lighting costs for Council consideration. She said she spoke with local business owners who may provide sponsorship. Council Member Boggus said the City could reach out to Duke Energy as well.

Mr. Drury said staff could provide options, pricing, and funding opportunities, and Council could decide to include in the next year's budget to compete with other projects or fund during the current year. He said Council might also wish to look at the cost of adding another court in addition to lighting. Mayor Pfister said she had received comments that a third court is needed to hold tournaments.

Council Member Gamble asked staff to look into obtaining LED lighting for cost-effectiveness. He said Lake County assisted Fruitland Park in placing LED lighting in their ballfields and may be another financial resource.

Council Member Singer noted a concern about costs as the Council wishes to be fiscally conservative.

There was a consensus from the Council for Staff to provide pricing and funding options for volleyball court lighting.

Lowering Speed Limit on Mount Homer Road

Mayor Pfister asked the Council if the speed limit on Mt. Homer Road could be reduced by 5 miles per hour to accommodate golf carts to the medical village. She asked if Mt. Homer Road is a City or County road. Mr. Drury said Mt. Homer Road is under the jurisdiction of Lake County, and with Council direction, staff could pursue a request with the County to lower the speed limit and report back to the Council.

A discussion was held, and there was a consensus from the Council for staff to request from Lake County a 5 mile per hour reduction in speed on Mt. Homer Road to the medical village to allow golf carts.

XVIII. OLD BUSINESS

XIX. AUDIENCE TO BE HEARD

Don Kehr, 16833 Deer Island Road, Lake County, thanked the Council for completing the docks at the Marina and Seaplane Base. He said subdivision growth has exploded and noted his support for business over residential. He encouraged the Council to review how they look at planning and zoning and building safety.

Chris Fitts, Salt and Light Faith Committee Member, 423 HWY 466, Lady Lake, thanked Council Member Gamble for responding to their candidate questionnaire and taking

time to meet with Salt and Life members before the election. He discussed the Salt and Faith organization's goals and faith-based issues.

John Labriola, Salt and Life Faith Committee Member, 2806 Eisenhower Street W, Inverness, thanked Council Member Gamble for responding to their candidate questionnaire and engaging with their organization. He discussed the Salt and Faith organization's goals and faith-based issues and said the organization enjoyed assisting Council Member Gamble with his campaign.

Mike Watkins, 805 Summerall Avenue, Tavares, congratulated the new Council. He commended and thanked Lou Buigas for her service on the Council. He provided a prayer to the Council for wisdom during their tenure.

Kristy Furman, 204 N. Rockingham Avenue, Tavares, asked for direction in who she should contact regarding a broken Tavares High School scoreboard. Council Member Gamble said the scoreboard would be a School Board issue. Ms. Furman asked for direction on how to make a connection for events at the Lake County mall. Mr. Drury recommended Ms. Furman meet with the Economic Director.

XX. REPORTS

Tab 15. City Administrator Report

Mr. Drury wished those present a Happy Thanksgiving. He noted the upcoming Christmas parade and said Mr. Aldrich is recruiting parade judges.

Council Member Boggus said she would be interested in serving as a parade judge.

Mr. Clark thanked Lou Buigas for her service and wished those present a Happy Thanksgiving.

Tab 16. City Council Member Reports

Council Member Gamble thanked those persons who assisted with his campaign. He wished those present a Happy Thanksgiving.

Council Member Singer said he looks forward to serving another term and wished those present a Happy Thanksgiving.

Council Member Boggus congratulated each Council member on their elections.

Vice Mayor Price thanked Lou Buigas for her service on the Council. He congratulated each Council member on their elections.

Mayor Pfister congratulated each Council member on their election. She thanked Council Member Boggus and said she did an amazing job as Mayor. Mayor Pfister wished those present a Happy Thanksgiving.

XXI. ADJOURNMENT

There was no further business and Mayor Pfister adjourned the meeting at 5:34 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 3

SUBJECT TITLE: Resolution 2021-28 - Herring Property - Vacate Easement Located at 1417 Schult Court (Community Development)

OBJECTIVE:

To consider the vacation of an easement located at 1417 Schult Ct, Lot 728 and the south 1/2 of Lot 727, Lake Frances Estates-Unit 5, as recorded in Plat Book 26, Page 12.

SUMMARY:

This is a request to vacate a platted easement lying across the property located at 1417 Schult Ct. Tavares, Florida 32778. As a stipulation of the proposed sale of the property, the mortgage company issuing the buyer's mortgage is requiring the current owner of the property to petition to vacate an existing easement as it is no longer practical as a result of a lot line deviation in 2002 by Warranty Deed recorded in BK 2177, PG 1328 of the Public Records of Lake County, and the subsequent construction of the existing mobile home in 2002 that encroaches on the easement. City staff reviewed the vacate request and determined no conflicts in the vacation with regard to drainage, utilities, health, safety, or welfare of the Public. This vacate will remove the city's public interest in this land, thus allowing the applicant to eliminate any perceived exception to clear title of this property.

OPTIONS:

1. City Council moves to approve Resolution 2021-28 vacation of an easement located at 1417 Schult Ct, Lot 728 and the south 1/2 of Lot 727, Lake Frances Estates-Unit 5, as recorded in Plat Book 26, Page 12.
2. City Council moves to deny Resolution 2021-28.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Resolution 2021-28.

Staff recommends that City Council moves to approve Resolution 2021-28 vacation of an easement located at 1417 Schult Ct, Lot 728 and the south 1/2 of Lot 727, Lake Frances Estates-Unit 5, as recorded in Plat Book 26, Page 12.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution 2021-28
2. Aerial Map
3. Newspaper Ad

RESOLUTION 2021-28

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, TO VACATE AN EASEMENT LOCATED AT 1417 SCHULT CT. TAVARES, FL 32778, LOT 728 AND THE SOUTH ½ OF LOT 727, LAKE FRANCES ESTATES – UNIT 5, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 26, PAGE 12, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property located at 1417 Schult Ct. has petitioned for a vacation of said easement; and

WHEREAS, the easement described in Exhibit “A” is no longer practical as a result of the lot line deviation between Lots 727 & 728 of Lake Frances Estates – Unit 5, completed in 2002 by Deed as recorded in Book 2177, Page 1328 of the Public Records of Lake County, Florida, and the construction of a mobile home in 2002 across the portion of said easement; and

WHEREAS, this proposed vacate will remove the City's public interest in this property; and

WHEREAS, the petition to vacate said easement has been duly noticed as required by law; and

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

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

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

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

PASSED AND RESOLVED this ____ day of ____, 2021 by the Tavares City Council.

Lori Pfister, Mayor
Tavares City Council

ATTEST

Susie Novack, City Clerk

Approved as to form and legality:

Lindsay C. T. Holt, City Attorney

Exhibit "A"

SKETCH OF DESCRIPTION

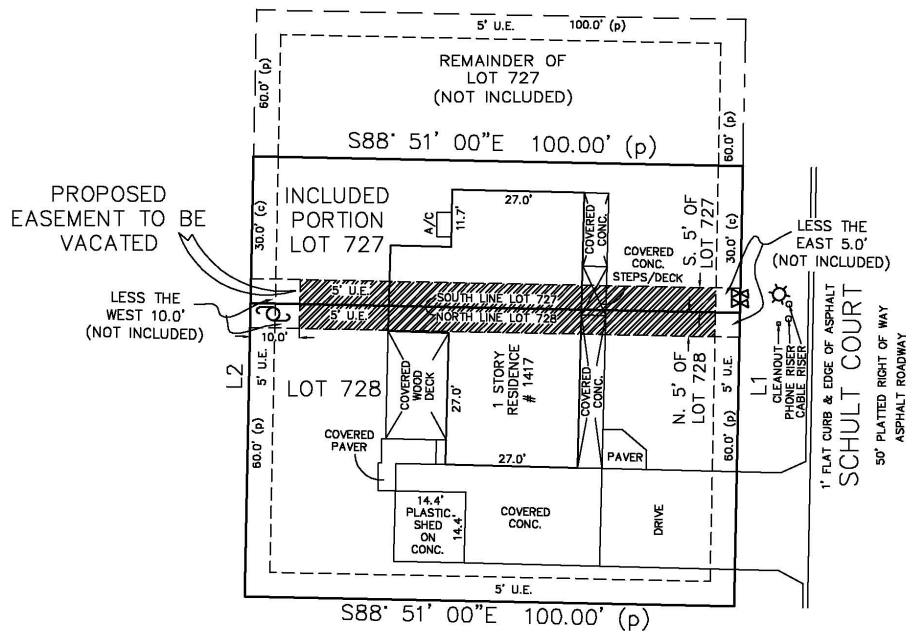
PAGE 1 IS FOR LEGAL DESCRIPTION AND
GRAPHICAL VIEW OF PROPOSED
EASEMENT AREA TO BE VACATED

PROPERTY DESCRIPTION

Lot 728 and the South 1/2 of Lot 727, LAKE FRANCES ESTATES – UNIT 5, according to the Plat thereof, recorded in Plat Book 26, Page(s) 12 of the Public Records of Lake County, Florida.

PROPOSED LEGAL FOR EASEMENT VACATION

The North 5' of Lot 728 and the South 5' of Lot 727, Less the West 10.0' and the East 5.0' thereof, LAKE FRANCES ESTATES – UNIT 5, according to the Plat thereof, recorded in Plat Book 26, Page(s) 12 of the Public Records of Lake County, Florida. Containing +850.00± Sq.Ft.



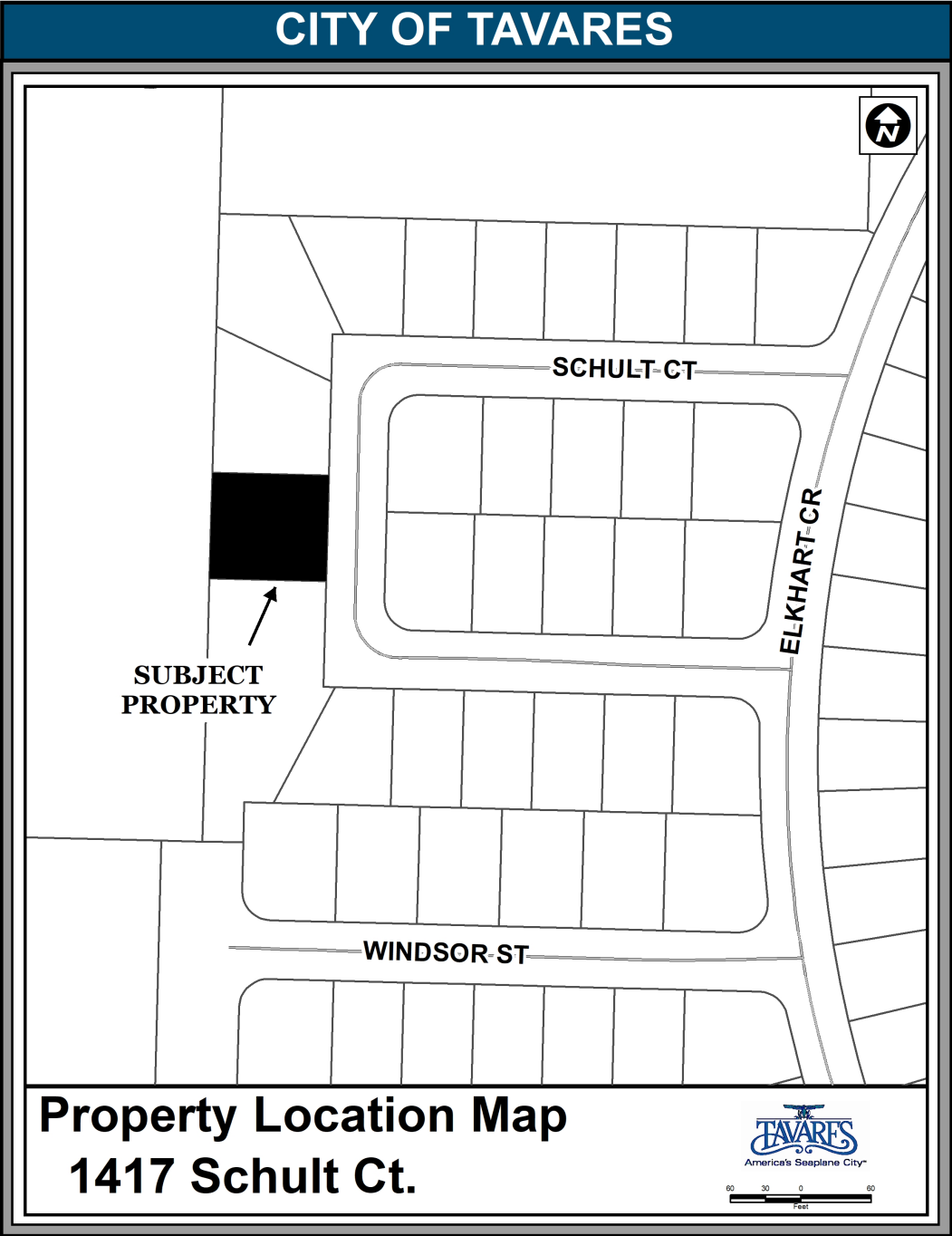
11-07-21	SKETCH OF DESCRIPTION PER THE CITY OF TAVARES
11-09-21	REVISE LEGAL PER THE CITY OF TAVARES #1
11-14-21	REVISE LEGAL PER THE CITY OF TAVARES #2

PLEASE VISIT OUR WEBSITE: WWW.DSWSURVEYS.COM



PROFESSIONAL SURVEYORS AND MAPPERS
CERTIFICATION OF AUTHORIZATION #LB7945
32138 OKALOOSA TRAIL
SORRENTO, FLORIDA 32776
Phone: (352) 735-3796
JOB NO. 21.1411 Sheet 1 of 1

DRAWING: 21.1411	SURVEY DATE: 09/23/21
INTENDED DISPLAY SCALE 1" = 30'	DRAWN: DSW
EXPECTED USE OF THIS LAND: RESIDENTIAL PURPOSES	
IT IS CERTIFIED THAT THE SURVEY REPRESENTED HEREON MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH IN CHAPTER 61017-8 AND 61017-9, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTIONS 22.027, FLORIDA STATUTES.	
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	
 DOUGLAS S. WILLIS, Florida Registration # 5984 FOR THE FIRM:	



Created By: City of Tavares GIS T:\pzd\DATA\PROJECT FILES\Ildamere Crossing, PD Rezoning, Conceptual Plan & LSFLUM - PZ2021-22\GIS\GIS_Maps\AD.mxd Map Created on 10/26/21

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 4

SUBJECT TITLE: Ordinance 2021-11 - Idamere Crossings - Rezoning of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff (Community Development)

OBJECTIVE:

To consider the rezoning of approximately 19.46 acres of property located at the southeast corner of SR-19 & Lane Park Cutoff from Commercial (C-2) to Planned Development (PD).

SUMMARY:

The subject property consists of approximately 19.46 acres of vacant property located at the southeast corner of SR-19 & Lane Park Cutoff. The property is currently zoned as Highway Commercial (C-2), and the applicant is proposing that the property be rezoned to Planned Development (PD).

The proposed zoning of Planned Development (PD) is compatible with the surrounding zoning, which is a mixture of residential, commercial, and Public Facilities zoning. The applicant at this time envisions the construction of one hundred sixty-five (165) residential apartments together with recreational amenities including a clubhouse, fitness center, walking trails, and picnic tables. The proposed use is consistent with the Comprehensive Plan by ensuring the availability, quality, and sustainability of a mix of housing types in Tavares. The subject property is approximately 0.30 miles from Tavares Middle School and is walkable for students as there is an existing sidewalk on the south side of Lane Park Cutoff. The property owner is required to obtain school capacity reservation prior to development approval.

The environmental assessment submitted by E Sciences, Inc. indicates no adverse conditions or environmental concerns with the property. Prior to any development, the property owner must comply with all Florida Fish and Wildlife Conservation Commission provisions as they pertain to threatened species.

The preliminary traffic analysis submitted by VHB does not indicate an adverse impact on the level of service for surrounding roadways. The report states that the proposed residential zoning and land use presents a potential trip reduction from the existing commercial zoning.

Development of the property will be in accordance with the provisions of Ordinance 2021-11 and the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required.

The City is concurrently processing a future land use map amendment to re-designate the property from Commercial (COM) to High Density (HD) on the Future Land Use Map 2040.

OPTIONS:

1. City Council moves to approve Ordinance 2021-11 rezoning of approximately 19.46 acres of

property located at the southeast corner of SR-19 & Lane Park Cutoff from Commercial (C-2) to Planned Development (PD).

2. City Council moves to deny Ordinance 2021-11.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-11.

Staff recommends that City Council moves to approve Ordinance 2021-11 rezoning of approximately 19.46 acres of property located at the southeast corner of SR-19 & Lane Park Cutoff from Commercial (C-2) to Planned Development (PD).

FISCAL IMPACT:

N/A

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 2021-11
2. Aerial Map
3. Zoning Map
4. Concept Plan
5. Environmental Assessment
6. Traffic Analysis
7. Newspaper Ad

ORDINANCE 2021-11

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA; REZONING APPROXIMATELY 19.46 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF STATE ROAD 19 AND LANE PARK CUTOFF FROM HIGHWAY COMMERCIAL (C-2) TO PLANNED DEVELOPMENT (PD); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the applicant is requesting to rezone property, legally described in **Exhibit "A"** of this ordinance, from a designation of Highway Commercial (C-2) to Planned Development (PD); and

WHEREAS, the applicant would like to develop the property as a Multi-Family Dwelling Community with a Planned Development (PD) zoning; and

WHEREAS, the City of Tavares held duly noticed public hearings before the Planning and Zoning Board, and the City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed rezoning; 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 of the City of Tavares, Florida, deems it in the best interest of the City to apply a Planned Development (PD) zoning designation to said property; therefore,

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

Section 1. Definition.

"Owner" or "Applicant" means the title holder of the Property

Unless otherwise noted, the definitions of all terms shall be the same as the definitions set forth in the City of Tavares Land Development Regulations or the City Comprehensive Plan.

Section 2.1. Rezoning

The purpose of this section is to set forth basic development regulations and to generally describe the Property which is being developed as a Planned Development (PD) as specified in Chapter 8 of the Regulations and shall hereafter be referred to as “the Project”.

Development of this Project shall be governed by the contents of this Ordinance and applicable sections of the City’s Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City in effect at the time of development of the Project. Unless otherwise noted, where in conflict, the terms of this document shall take precedence over the Land Development Regulations and Code of Ordinances and all other applicable rules, regulations and ordinances of the City.

Section 2.2. Land Uses

- A. The Conceptual Master Plan for the project is attached hereto as **Exhibit "B"** and is an integral part of this PUD document. Elements in the Conceptual Master Plan include residential acreage, recreation space, open space, and jurisdictional wetlands. The general location of each of these land uses has been established as depicted in the Conceptual Master Plan. A breakdown of uses, densities, and acreage is as follows:

Permitted Uses: All uses permitted under the RMF-3 zoning district per the City of Tavares Land Development Regulations Chapter 8.

Total Acreage: 19.46+- acres

Acreage Breakdown:

Upland: 11.06+- acres

Wetland: 3.5+- acres

Lake: 4.9+- acres

Maximum Allowable Residential Density:

The number of residential dwelling units shall be determined at the following maximum densities:

Upland acres x 25 dwelling units per acre

Wetland acres may be used for density calculations of 1 dwelling unit per acre providing a conservation easement is granted

Open Space:

Minimum Open Space required shall be 30% of the gross acreage = 5.8 ± acres.

- B. In addition to the planned elements shown on the Land Use Plan, easements and rights-of-way shall be established within or adjacent to the Property as may be necessary or desirable for the service, function or convenience of the Project. Such easements and rights-of-way, if required, shall be indicated on all site plans or recorded plats of the Property.
- C. Prior to construction, a site plan shall be submitted proposing comprehensive development of the Property regarding stormwater management, utilities, access, parking, landscaping, future location of structures, amenities and other information as required by the Regulations.

Section 2.3. Development Standards

- A. Setbacks. All setbacks shall be measured from the Property line to the foremost vertical face of the structure. Where any setbacks conflict with required easement widths, the easement widths, if larger, shall prevail. Setbacks are as follows:

Right-of-way of State Road 19	25'
Right-o-way of Lane Park Cutoff	25'
Lake Idamere (from mean high water line)	50'
Wetlands	25'
Accessory Buildings including Dumpster Enclosures	15'
Side Yard	15'
Rear Yard – same as Lake Idamere & Wetland	50' & 25'

- B. Impervious Surface Area. The maximum impervious surface area shall not exceed seventy percent (70%).
- C. Height of Structures. The height of a structure shall be determined by measuring the distance from highest grade elevation to the highest point of the roof and shall not exceed sixty feet (60').

- D. Landscape & Buffer Requirements. Landscaping shall comply with the City of Tavares Development Regulations in effect at the time of development.
1. A landscaping master plan shall be submitted concurrent with site plan submittal.
 2. All landscaped and common areas shall be properly irrigated and maintained by the management company (as described in this Ordinance) (the “Manager”).
- E. Signage. All signage shall comply with the requirements of Chapter 21 of the Land Development Regulations.
- F. Site Parking and Traffic Circulation:
1. All parking, internal roads, and access aisles shall comply with Chapter 20 of the Land Development Regulations.
 2. All parking, internal roads, access aisles, and storm water management areas shall remain private and shall be maintained by the Owner and Manager.
- G. Lighting:
1. Exterior lighting shall be designed and installed in a sensitive manner so as to prevent direct glare, light spillage and hazardous interference with automotive and pedestrian traffic on adjacent streets and properties.
 2. Lighting shall be designed in a consistent and coordinated manner for the entire site. The lighting and lighting fixtures shall be integrated and designed so as to enhance the visual impact of the project by accenting key architectural elements and/or emphasizing landscape features. The light poles and fixtures shall be earth tones in color.
 3. Electrical wiring to all site lighting shall be provided underground.
 4. No light fixtures shall be placed in a position where existing or future tree canopy will reduce the illumination levels.

5. Lighting fixtures shall be a maximum of fifteen feet (15') high and shall be downward directed.
- (6) All lighting fixtures within parking areas and walkways shall be decorative light fixtures in accordance with Chapter 9 of the Land Development Code.

Section 2.4. Public Facilities.

- A. Impact Fees. The Developer acknowledges that the City has impact fees for water, wastewater, fire and police, while Lake County has impact fees for transportation. The Project shall be subject to such impact fees or any additional impact fees effective at the time of issuance of any building permit.
- B. Potable water. Potable water shall be provided by the City of Tavares and impact fees shall be paid by the Developer. The Developer shall extend water lines from the existing location to the development. Lines shall be extended in a manner in accordance with the City of Tavares Utility Department and Construction Specifications Manual.
- C. Wastewater. Wastewater treatment service shall be provided by the City and the Developer shall pay the impact fees. The Developer shall extend sanitary sewer lines from the existing location to the development. Lines shall be extended and improvements shall be made in accordance with specifications of the City of Tavares Utility Department and Construction Specifications Manual.
- D. Drainage. Retention pond design shall incorporate a naturalistic approach in accordance with Chapter 9 of the Land Development Regulations. Prior to receiving any development approvals, the Developer shall submit a master site drainage plan for review and approval by the City. All applicable St. John's River Water Management District permits shall be required prior to approval of any development order. The maintenance of the drainage system shall be the responsibility of the Owner and Manager.

- E. Reuse Water. The Developer shall be required to install a water reuse distribution system to serve all irrigation needs within the Property. The lines will be served by potable water until such time as reclaimed water is available for irrigation.
- F. Site Ingress/ Egress and Traffic Circulation. The project will be limited to one driveway as shown on **Exhibit “B”**. The driveway shall conform to Lake County Access Management and Spacing Standards. Subject to Lake County requirements, turn lanes may be required at the driveway intersection. Construction of said turn lanes shall be the responsibility of the developer.
- G. Sidewalks and Pedestrian Access. Sidewalks shall be connected to the internal pedestrian system allowing accessible routes to the entrances of each building on site, per federal requirements of the American with Disabilities Act. An internal pedestrian access plan shall be submitted concurrent with site plan submittal providing for connectivity among the rights-of-way, structures and amenities. The maintenance of internal sidewalks shall be the responsibility of the Owner and Manager.

Section 2.5. Platting

All plats shall be filed in accordance with all applicable rules and regulations of the City. All conditions to platting within this ordinance must be satisfied prior to acceptance of any final plat for public hearing by the City Council. Any required analyses shall be submitted prior to plat acceptance, including but not limited to transportation analysis and environmental assessment.

Section 2.6. Timing

- A. The Developer shall submit for site plan approval within twenty-four (24) months from the effective date of this Ordinance and such plan shall be developed in conformance with the requirements of the Regulations and other applicable local or state regulations in effect at the time of application for any development order. If the City Council finds, on the basis of substantial competent evidence, that there has been failure to comply with the terms of this Ordinance, the Ordinance may be revoked or modified by the City

through action of the City Council after notification to the Developer and the opportunity to be heard.

- B. Concurrency tests shall be required for a development order (site plan) and shall be conducted pursuant to Chapter 10 of the Regulations. Future rights to develop the Property are subject to such concurrency tests and no vested rights have been or will be granted to the Applicant until concurrency tests are complete and a final development order issued for the portion of the Property for which the concurrency tests were required.

Section 2.7. Covenants, Conditions and Restrictions

Submitted and approved with a final plat, Covenants, Conditions and Restrictions shall be adopted and recorded and an established structure shall be designated whereby the Manager of the Project selected by the title holder of the dominant parcel within the Project will oversee and maintain any open space, water retention area, required buffer and any other component of the overall Project.

Section 2.8. Permits

Prior to platting or construction, the Developer shall obtain all necessary permits from the applicable local, regional, state and federal agencies. Copies of all permits shall be furnished to the Community Development Director of the City.

Section 3. Effective Date

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

PASSED AND ORDAINED this _____ day of _____, 2022, by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

Exhibit "A"

THE WEST 1/2 OF THE SW 1/4, SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LESS THE RIGHT OF WAY OF STATE ROAD NO. 19 AND THAT PORTION LYING WITHIN 35 FEET SOUTH OF THE NORTH LINE OF THE SW 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

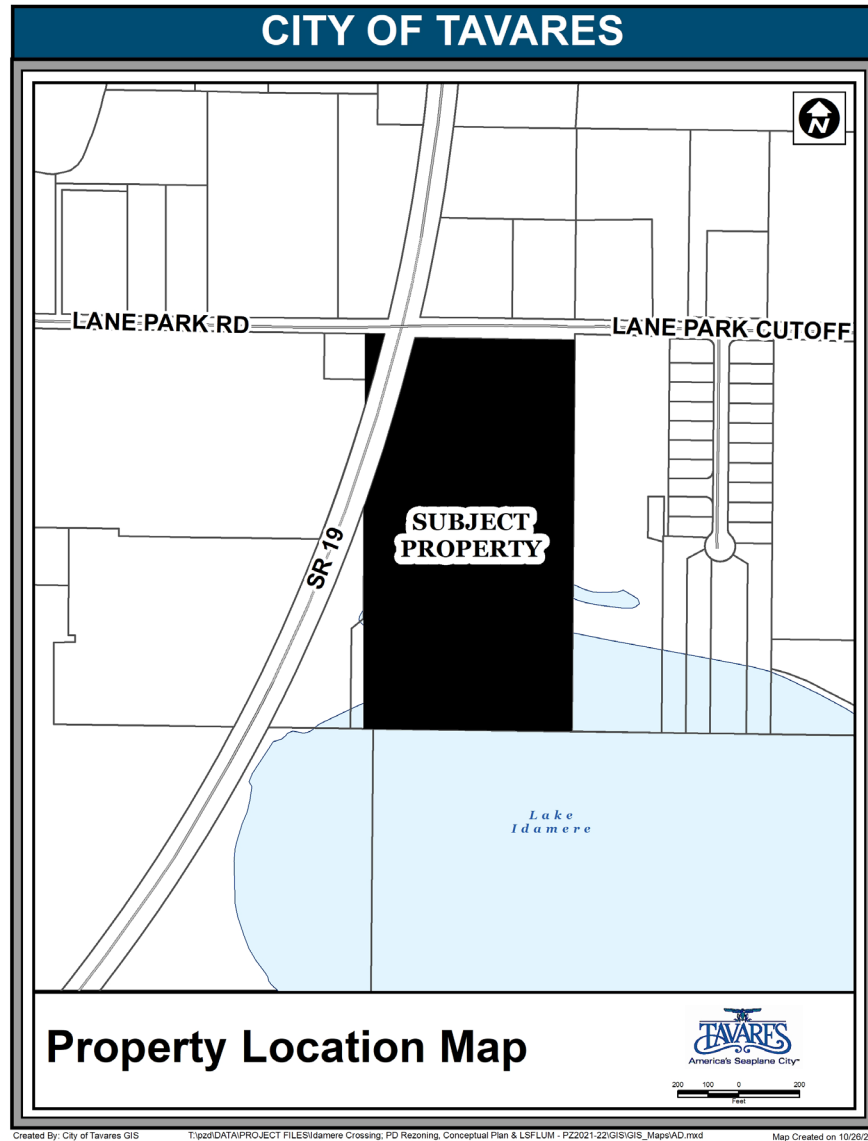
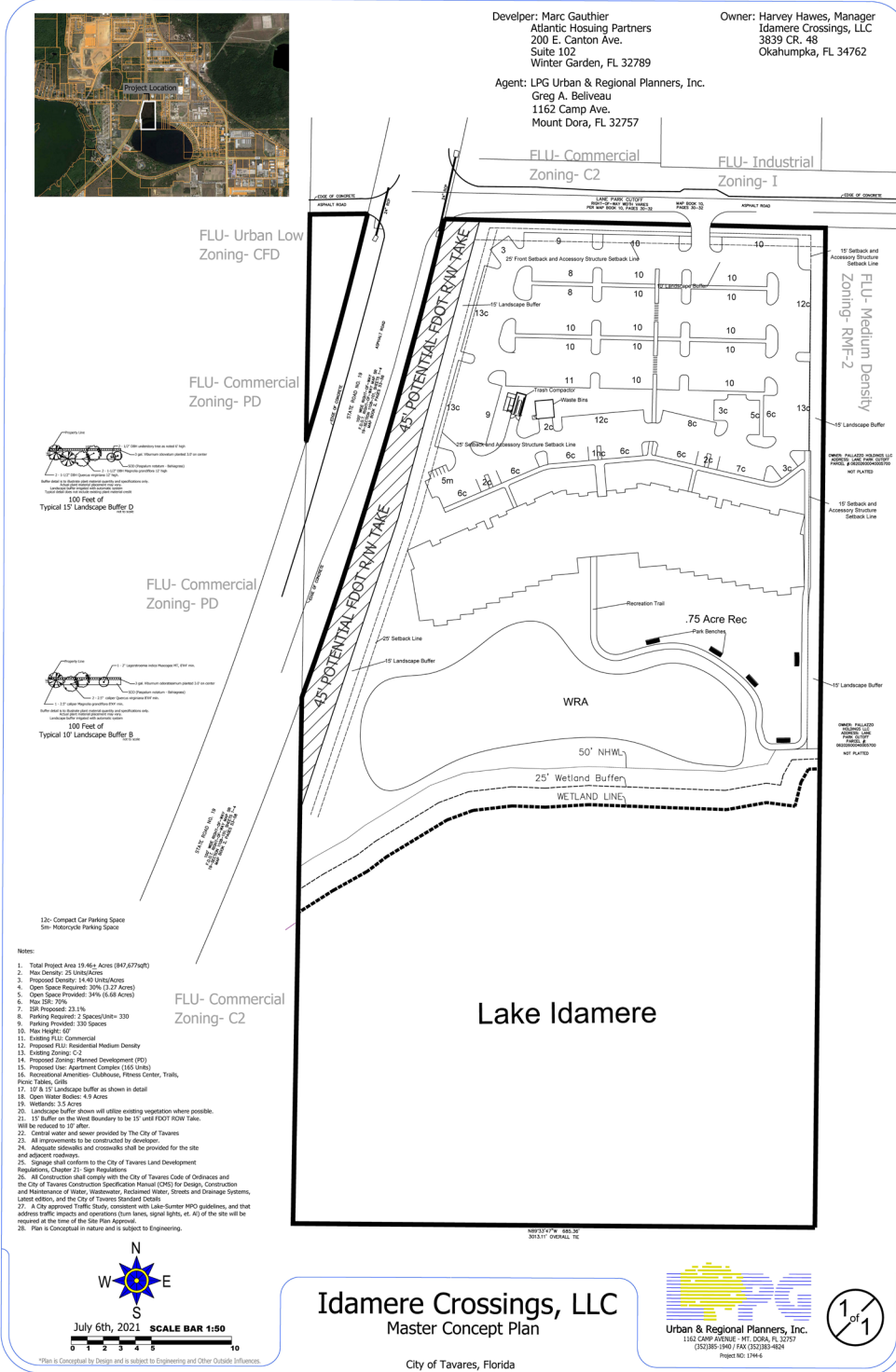


Exhibit “B”

Conceptual plan



**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 5

SUBJECT TITLE: Ordinance 2021-12 - Idamere Crossings - Small Scale FLUM Amendment of Approximately 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff (Community Development)

OBJECTIVE:

To consider a Future Land Use Map amendment from Commercial (COM) to High Density (HD) for 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff.

SUMMARY:

The subject property is located at the Southeast Corner of SR-19 & Lane Park Cutoff, and is approximately 19.46 acres in size. The land is presently vacant and has a land use designation of Commercial (COM). The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Commercial (COM) to High Density (HD).

Ordinance 2021-12 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Commercial (COM) to High Density (HD).

The subject property is adjacent to a mixture of a mixture of residential, commercial, and public facilities uses. An application to rezone this property to a Planned Development (PD) designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated Commercial (COM). A City High Density (HD) designation is compatible with surrounding property and County Future Land Use.

Compatibility

Land surrounding this property is residential, commercial, and public facilities in nature.

Site Conditions

The property is currently vacant.

Impact on City Services

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available for the subject parcel. 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.

FINDINGS

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

1. A High Density (HD) 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)

OPTIONS:

1. City Council moves to approve Ordinance 2021-12, a Future Land Use Map amendment from Commercial (COM) to High Density (HD) for 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff.
2. City Council moves to deny Ordinance 2021-12.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-12.

Staff recommends that City Council moves to approve Ordinance 2021-12, a Future Land Use Map amendment from Commercial (COM) to High Density (HD) for 19.46 Acres Located at the Southeast Corner of SR-19 & Lane Park Cutoff.

FISCAL IMPACT:

N/A

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 2021-12
2. FLU Map
3. Newspaper Ad

ORDINANCE 2021-12

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 19.46 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF STATE ROAD 19 AND LANE PARK CUTOFF, FROM COMMERCIAL (COM) TO HIGH DENSITY (HD); PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of the property described in **Exhibit “A”** has voluntarily petitioned to change the future land use designation from Commercial (COM) to High Density (HD); and

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

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

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

WHEREAS, the City desires to ensure the availability of attainable housing opportunities and a mix of housing types in the City; and

WHEREAS, a High Density Future Land Use designation is compatible with surrounding designations and such designation is compatible with both City of Tavares and Lake County surrounding future land use designations; and

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

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

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

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

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

Section 1. Future Land Use Amendment

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

Section 2. Severability and Conflicts

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

Section 3. Transmittal

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

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order

determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED this _____ day of _____, 2021 by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Second Reading: _____

ATTEST:

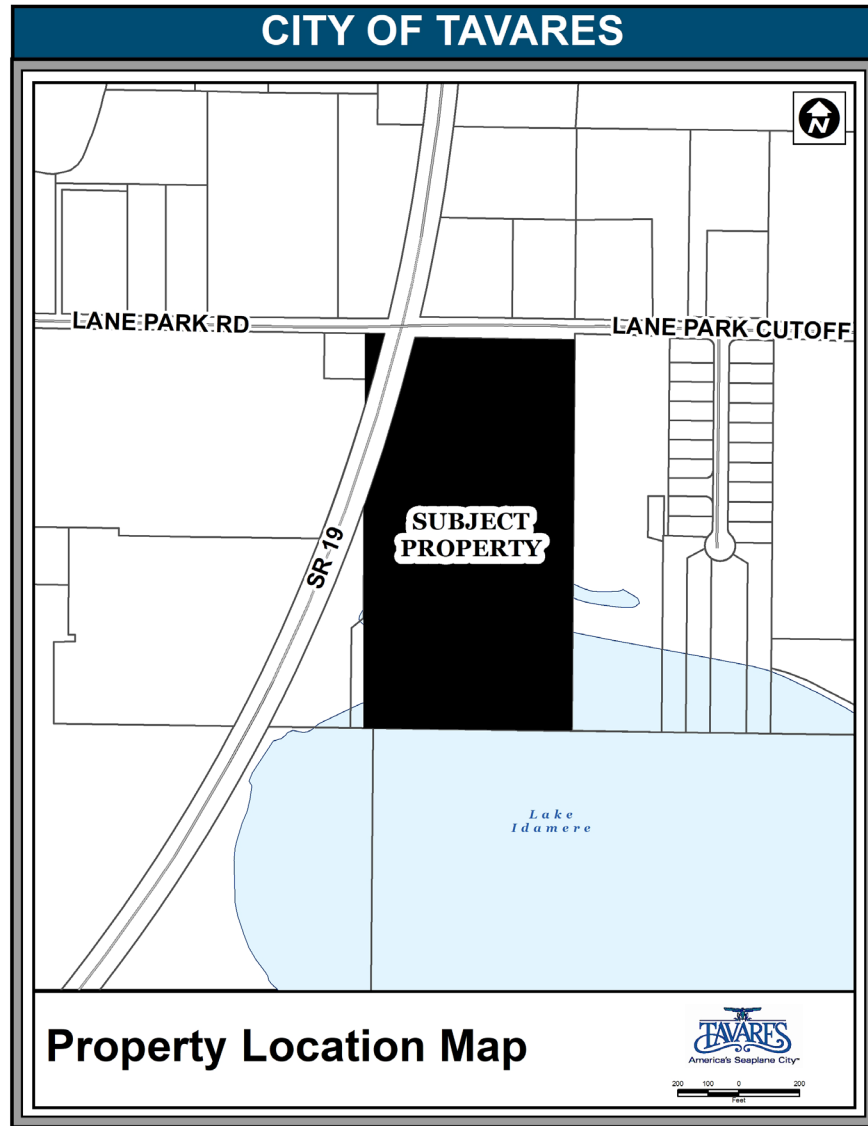
Susie Novack, City Clerk

Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

THE WEST 1/2 OF THE SW 1/4, SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LESS THE RIGHT OF WAY OF STATE ROAD NO. 19 AND THAT PORTION LYING WITHIN 35 FEET SOUTH OF THE NORTH LINE OF THE SW 1/4 OF THE SE 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.



**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 6

SUBJECT TITLE: Ordinance 2021- 13 - Avalon Park Tavares, LLC - Annexation and Rezoning of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle (Community Development)

OBJECTIVE:

To consider the annexation and rezoning to Planned Development (PD), of approximately 0.63 acres of property located at 1693 & 1695 South Palm Circle

SUMMARY:

The subject property is located at 1693 & 1695 South Palm Circle, approximately 0.63 acres in size, and contiguous to the City boundary. The land is presently zoned as County Urban Residential (R-6), and the applicant is proposing that the property be annexed and rezoned to Planned Development (PD), and incorporated into the Avalon Park Planned Development that is subject to the provisions contained in Ordinance 2016-27 approved by City Council on October 19, 2016. Two (2) single family homes are located on the subject parcels, and it is the intention of the owner, Avalon Park LLC, to demolish the existing homes, and have the property become part of a future phase of the Avalon Park development.

This property is in close proximity to a mixture of single family and commercial uses. The proposed zoning of Planned Development (PD) is compatible with surrounding property.

The annexation of this property has been reviewed per the City's Annexation Policy. It has been determined by City staff that the property may be properly serviced by the City without undue hardship or significant negative fiscal impact on the City. The City of Tavares has municipal water and waste water utility capacity available for the subject parcels. The Avalon Park developer shall be responsible for extending municipal utility services to the subject property upon development.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Low Density to City of Tavares Medium Density (MED) on the Future Land Use Map 2040.

OPTIONS:

1. City Council moves to approve Ordinance 2021-13 annexation and rezoning to Planned Development (PD), of approximately 0.63 acres of property located at 1693 & 1695 South Palm Circle.
2. City Council moves to deny Ordinance 2021-13.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-13.

Staff recommends that City Council moves approve Ordinance 2021-13 annexation and rezoning to Planned Development (PD), of approximately 0.63 acres of property located at 1693 & 1695 South Palm Circle.

FISCAL IMPACT:

N/A

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 2021-13
2. Aerial Map
3. Zoning Map
4. Newspaper Ad 11-7-21
5. Newspaper Ad 11-14-21

ORDINANCE 2021-13

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 0.631 ACRES OF PROPERTY LOCATED AT 1693 SOUTH PALM CIRCLE AND 1695 SOUTH PALM CIRCLE; REZONING THE PROPERTY FROM COUNTY URBAN RESIDENTIAL DISTRICT (R-6) TO CITY PLANNED DEVELOPMENT (PD); AMENDING CITY OF TAVARES ORDINANCE 2016-27 IN PART BY JOINING SAID 0.631 ACRES WITH THE PROPERTY SUBJECT TO ORDINANCE 2016-27 TO FORM ONE PLANNED DEVELOPMENT; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

WHEREAS, the applicant would like to combine and develop property legally defined in **Exhibit “A”** and the property subject to Ordinance 2016-27 as a unified Planned Development (PD) zoning; and

WHEREAS, the property is currently zoned Lake County Urban Residential District (R-6) and the applicant has requested that said property be rezoned to a City designation of Planned Development (PD); and,

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

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

WHEREAS, the City is concurrently processing a small scale future land use map amendment to re-designate the property from Lake County Urban Low Density to a City of Tavares Medium Density (MED) on the Future Land Use Map; therefore

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

Section 1. Annexation

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

Section 2. Rezoning

The property described in **Exhibit “A”** shall hereby be rezoned from Lake County Urban Residential District (R-6) to City of Tavares Planned Development (PD) and shall be subject to the provisions contained within Ordinance 2016-27 and the Land Development Regulations.

Section 3. Severability.

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

Section 4. Effective Date.

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

PASSED AND ORDAINED this _____ of _____, 2021, by the City Council
of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

Parcel per commitment # 1069433

Lots 21, 22, 23, Block 30, EUSTIS HEIGHTS, according to the plat thereof as recorded in Plat Book 6, Page 84, Public Records of Lake County, Florida, ALSO that part of South Palm Circle described as follows: Begin at the Southwest corner of Lot 21, Block 30, run Westerly on a line that extends to the center line of South Palm Circle, thence Northerly along said center line to a point 10 feet Northerly of the Westerly extension of the South line of Lot 23, Block 30, thence Easterly along said parallel line to the Westerly line of said Lot 23, thence Southerly along Westerly lines of Lots 23, 22 and 21 to Point of Beginning.

LESS:

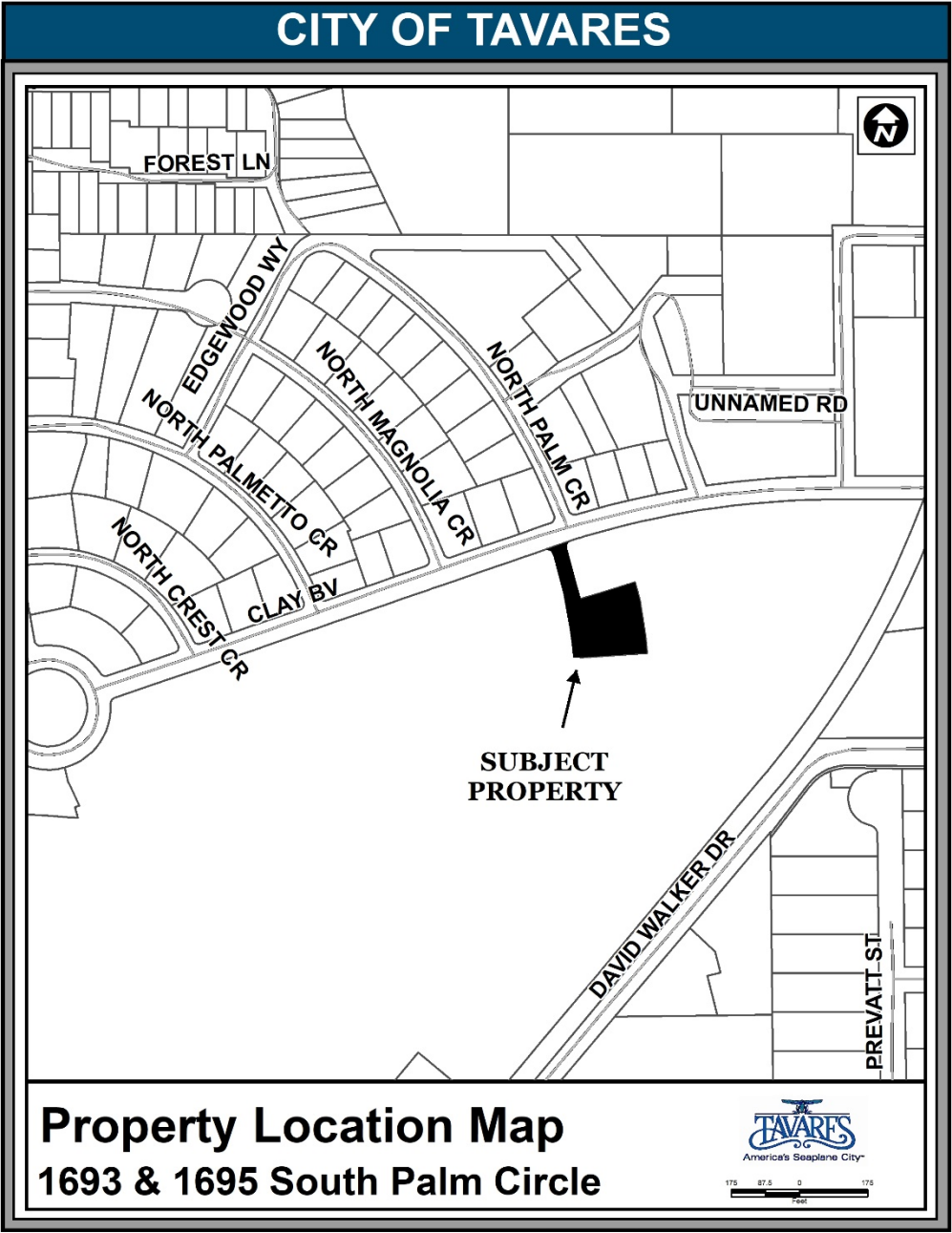
A part of Lot 23, Block 30 of Eustis Heights Subdivision according to the plat thereof as recorded in Plat Book 6, Page 84, Public Records of Lake County, Florida, described as follows: Begin at the NW corner of Lot 23 and run Southerly along the Westerly line of Lot 23 a distance of 40.0 ft.; thence Easterly in a straight line to the SE corner of said Lot 23, thence Northerly along the Easterly line of Lot 23 a distance of 65.0 ft. to the NE corner of Lot 23; thence Southwesterly along the northerly line of Lot 23 a distance of 147.0 ft. to the P.O.B.

Parcel per commitment # 1069459

A part of Lot 23, Block 30 of Eustis Heights Subdivision according to the plat thereof as recorded in Plat Book 6, Page 84, Public Records of Lake County, Florida, described as follows: Begin at the NW corner of Lot 23 and run Southerly along the Westerly line of Lot 23 a distance of 40.0 ft.; thence Easterly in a straight line to the SE corner of said Lot 23, thence Northerly along the Easterly line of Lot 23 a distance of 65.0 ft. to the NE corner of Lot 23; thence Southwesterly along the northerly line of Lot 23 a distance of 147.0 ft. to the P.O.B, ALSO that part of South Palm Circle described as follows: Begin at the NW corner of Lot 23; run thence Southerly along the Westerly line of Lot 23 a distance of 40.0 ft.; thence Westerly on an extension of a line running from the SE corner of Lot 23 to the center of South Palm Circle; thence Northerly along the centerline of said South Palm Circle to the intersection of the Northerly line of Lot 23 extended Westerly; thence Easterly along said extension of the North line of Lot 23 to the Point of Beginning.

-and-

Remainder of South Palm Circle 40' Wide Public R/W per P.B. 6, Pg. 84 and vacated by Resolution recorded in O.R. 289, Pg. 177



**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 7

**SUBJECT TITLE: Ordinance 2021-14 - Avalon Park Tavares, LLC - Small Scale FLUM
Amendment of Approximately 0.63 Acres Located at 1693 & 1695 South Palm Circle (Community
Development)**

OBJECTIVE:

To consider a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 0.63 acres of property located at 1693 & 1695 South Palm Circle

SUMMARY:

The subject property is located at 1693 & 1695 South Palm Circle, and is approximately 0.63 acres in size. The land presently has a land use designation of County Urban Low Density, and the property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Lake County Urban Low to City Medium Density (MED).

Ordinance 2021-14 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban Low to City Medium Density (MED).

The subject property is adjacent to a mixture of residential and commercial uses. An application to annex and rezone this property to a Planned Development (PD) designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated County Urban Low Density. A City Medium Density (MED) designation is most compatible with surrounding property and County Future Land Use.

Compatibility

The land surrounding this property is residential and commercial in nature.

Site Conditions

The property currently contains single family homes.

Impact on City Services

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service capacity available for the subject parcel. 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.

FINDINGS

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

1. A Medium Density (MED) 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)

OPTIONS:

1. City Council moves to approve Ordinance 2021-14, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 0.63 acres of property located at 1693 & 1695 South Palm Circle.
2. City Council moves to deny Ordinance 2021-14.

STAFF RECOMMENDATION:

At their November 18th meeting the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-14.

Staff recommends that City Council moves to approve Ordinance 2021-14, a Future Land Use Map amendment from County Urban Low Density to City Medium Density for 0.63 acres of property located at 1693 & 1695 South Palm Circle.

FISCAL IMPACT:

N/A

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 2021-14
2. FLU Map
3. Newspaper Ad 11-7-21
4. Newspaper Ad 11-14-21

ORDINANCE 2021-14

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 0.631 ACRES OF PROPERTY FROM COUNTY URBAN LOW TO CITY MEDIUM DENSITY (MED) FOR PROPERTY LOCATED AT 0.631 ACRES OF PROPERTY LOCATED AT 1693 SOUTH PALM CIRCLE AND 1695 SOUTH PALM CIRCLE; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the City of Tavares is concurrently processing the annexation of this property; and

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

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

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

WHEREAS, a Medium Density Future Land Use designation is compatible with surrounding designations and such designation is compatible with both City of Tavares and Lake County surrounding future land use designations; and

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

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

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

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

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

Section 1. Future Land Use Amendment

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

Section 2. Severability and Conflicts

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

Section 3. Transmittal

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

Section 4. Effective Date

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

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

PASSED AND ADOPTED this _____ day of _____, 2021 by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

Parcel per commitment # 1069433

Lots 21, 22, 23, Block 30, EUSTIS HEIGHTS, according to the plat thereof as recorded in Plat Book 6, Page 84, Public Records of Lake County, Florida, ALSO that part of South Palm Circle described as follows: Begin at the Southwest corner of Lot 21, Block 30, run Westerly on a line that extends to the center line of South Palm Circle, thence Northerly along said center line to a point 10 feet Northerly of the Westerly extension of the South line of Lot 23, Block 30, thence Easterly along said parallel line to the Westerly line of said Lot 23, thence Southerly along Westerly lines of Lots 23, 22 and 21 to Point of Beginning.

LESS:

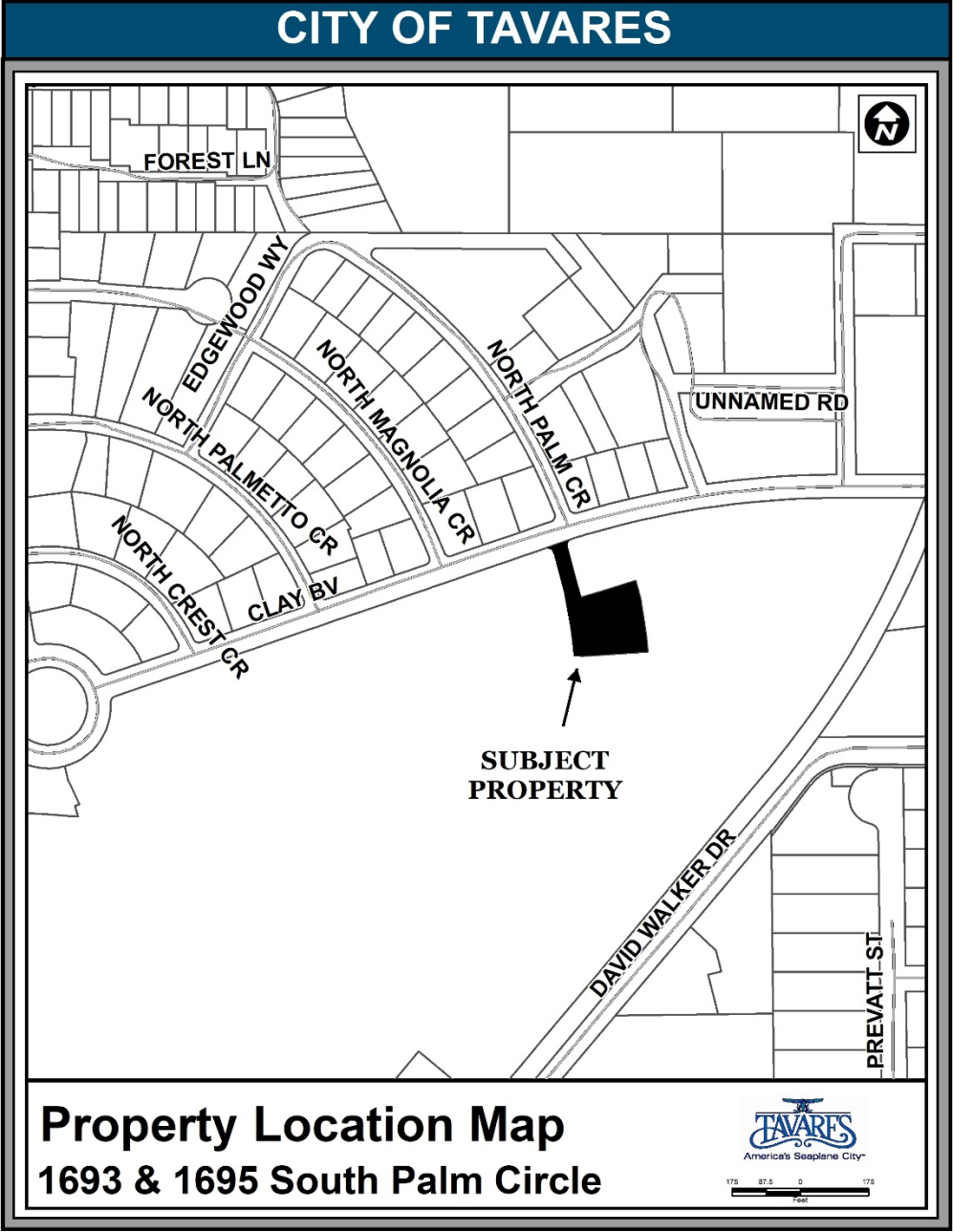
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-and-

Remainder of South Palm Circle 40' Wide Public R/W per P.B. 6, Pg. 84 and vacated by Resolution recorded in O.R. 289, Pg. 177



Created By: City of Tavares GIS T:\pzd\DATA\PROJECT FILES\Palm Circle Properties; Annexation, Rezoning & SSFLUM - PZ2021-24\GIS\GIS_Maps\AD.mxd Map Created on 10/27/21

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 8

SUBJECT TITLE: Ordinance 2021-17 - Lane Park Commons (Supervisor of Elections / Sheriff Site) - Rezoning of Approximately 13.19 Acres Located at the Northwest Corner of SR-19 & Lane Park Road (Community Development)

OBJECTIVE:

To consider the rezoning of approximately 13.19 acres of property located at the northwest corner of SR-19 & Lane Park Road from Residential Single Family (RSF-2) to Public Facilities District (PFD).

SUMMARY:

The subject property consists of approximately 13.19 acres of vacant property located at the northwest corner of SR-19 & Lane Park Road. The property is currently zoned as Residential Single Family (RSF-2), and the applicant, Lake County, is proposing that the property be rezoned to Public Facilities District (PFD).

The proposed zoning of Public Facilities District (PFD) is compatible with Lake County's proposal to construct government facilities on the subject property. The surrounding zoning is a mixture of residential and commercial zoning. Lake County at this time envisions the construction of a fifty-thousand (50,000) square foot building to house operations for the Supervisor of Elections, and an eighty-thousand (80,000) square foot building for the Lake County Sheriff's office. The proposed use is consistent with the Comprehensive Plan by ensuring intergovernmental coordination between the City of Tavares and Lake County.

The environmental assessment submitted by Kleinfelder, Inc. states that no conditions were visually and/or physically observed on the property that would suggest the presence of conditions representative of environmental concerns that could impact the property. The assessment recommends soil sampling to confirm or dismiss the presence of residual agricultural products on the property. Prior to any development, the property owner must comply with all Florida Fish and Wildlife Conservation Commission provisions as they pertain to threatened species.

Lake County submitted a statement to City staff regarding traffic impact that the Supervisor of Elections will not require a traffic study as the trips will meet the Lake-Sumter MPO de minimis requirement with a very low number of staffed employees. Lake County is requesting that the traffic study for the Sheriff's office be deferred until the time of site plan submittal.

Any development of the property will be in accordance with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required.

The City is concurrently processing a future land use map amendment to re-designate the property from Low Density (LOW) to Public Facility / Institutional (PUB) on the Future Land Use Map 2040.

OPTIONS:

1. City Council moves to approve Ordinance 2021-17 rezoning approximately 13.19 acres of property located at the northwest corner of SR-19 & Lane Park Road from Residential Single Family (RSF-2) to Public Facilities District (PFD).
2. City Council moves to recommend denial of Ordinance 2021-17.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted 3-3 on the motion to recommend approval of Ordinance 2021-17, and as a result of the split vote the motion failed.

Staff recommends that City Council moves to approve Ordinance 2021-17 rezoning approximately 13.19 acres of property located at the northwest corner of SR-19 & Lane Park Road from Residential Single Family (RSF-2) to Public Facilities District (PFD).

FISCAL IMPACT:

N/A

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 2021-17
2. Aerial Map
3. Concept Plan
4. Zoning Map
5. Environmental Assessment
6. Environmental Assessment - Threatened Species
7. Newspaper Ad 11-7-21
8. Newspaper Ad 11-14-21

ORDINANCE 2021-17

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 13.19 ACRES OF PROPERTY LOCATED ON THE NORTHWEST CORNER OF STATE ROAD 19 AND LANE PARK ROAD, FROM RESIDENTIAL SINGLE FAMILY (RSF-2) TO PUBLIC FACILITIES DISTRICT (PFD); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owners of the property legally described in “**Exhibit A**” of this Ordinance have applied for the rezoning of this land from Residential Single-Family (RSF-2) to Public Facilities District (PFD); and

WHEREAS, the City is concurrently processing an amendment to the City’s Comprehensive Plan to re-designate the property from Low Density (LOW) to Public Facility / Institutional (PUB) on the Future Land Use Map 2040; and

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

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

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

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

Section 1. Rezoning

The said properties, as legally defined in **Exhibit “A”**, attached hereto and made a part herewith, are hereby rezoned from Residential Single-Family (RSF-2) to Public Facilities District (PFD).

Section 2. Severability.

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

Section 3. Effective Date.

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

PASSED AND ORDAINED this _____ of _____, 2021, by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

Exhibit "A"

PARCEL 1:

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LYING WEST OF THE RIGHT-OF-WAY OF STATE ROAD 19, LESS RIGHT OF WAY FOR LANE PARK ROAD, LAKE COUNTY, FLORIDA.

AND

PARCEL 2:

BEGIN 30 FEET NORTH AND 276 YARDS EAST OF THE SOUTHWEST CORNER OF THE NORTH 1/2 OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 143 YARDS, NORTH 265 YARDS, WEST 142 YARDS, SOUTH 265 YARDS TO BEGINNING, LESS THE SOUTH 53.6 FEET OF THE NORTH 555 FEET OF EAST 360 FEET OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; ALSO LESS THAT PORTION IF ANY WHICH LIES WITHIN THE PARCEL DESCRIBED IN THAT QUIT CLAIM DEED FROM WARREN GLOVER TO REGINALD C. WALKER, RECORDED IN OFFICIAL RECORDS BOOK 1476, PAGE 1571, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

PARCEL 3:

BEGIN 30 FEET NORTH AND 1257 FEET EAST OF THE SOUTHWEST CORNER OF NORTH 1/2 OF LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 63 FEET, NORTH 735, WEST 63 FEET, SOUTH 735 FEET TO POINT OF BEGINNING, LAKE COUNTY, FLORIDA.

AND

PARCEL 4:

BEGIN 462 FEET NORTH AND 348 FEET EAST OF THE SOUTHWEST CORNER OF NORTH 1/2 OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 480 FEET, THENCE NORTH 306 FEET, THENCE WEST 270 FEET, THENCE SOUTHWEST TO POINT OF BEGINNING, LAKE COUNTY, FLORIDA.

} SEE SPECIAL BOUNDARY NOTE #2
REGARDING THIS "CALL". SEE ALSO
DEED BOOK 26, PAGE 103.

AND

PARCEL 5:

BEGIN 30.00 FEET NORTH AND 1320.00 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTH 1/2 OF LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, RUN EAST TO A POINT ON THE EAST LINE OF THE SAID NORTH 1/2 OF GOVERNMENT LOT 9; THENCE NORTH ALONG SAID EAST LINE OF THE NORTH 1/2 OF GOVERNMENT LOT 9 A DISTANCE OF 737.84 FEET TO A POINT 555.00 FEET SOUTH OF AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES THERETO, THE EAST-WEST MID SECTION LINE OF SAID SECTION 6; THENCE SOUTH 89 DEGREES 28 MINUTES 59 SECONDS WEST ALONG SAID PARALLEL LINE TO A POINT ON A LINE, SAID LINE HAVING A BEARING OF NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID LINE 737.77 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND POINT OF TERMINUS.

Exhibit "A" Continued

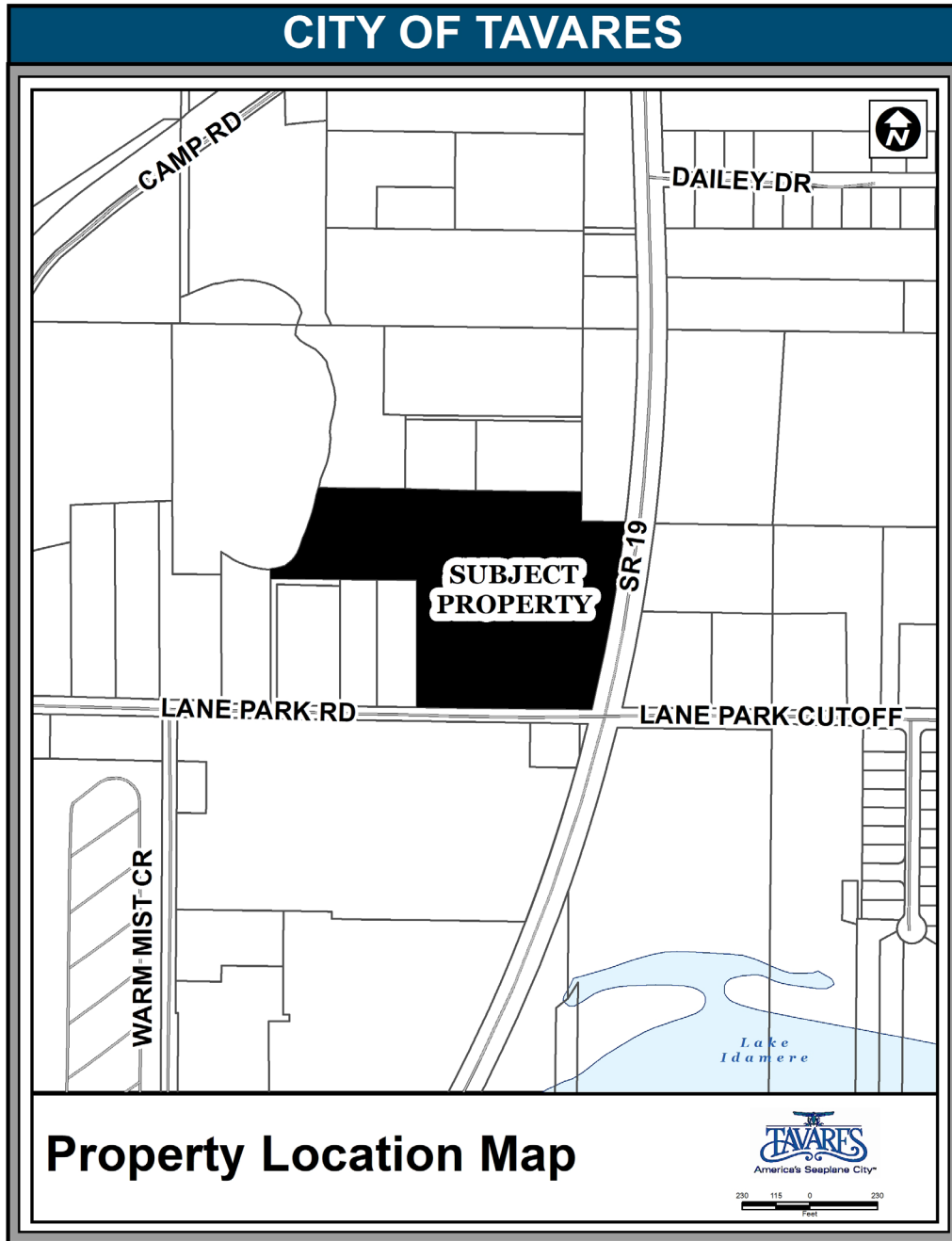
SPECIAL BOUNDARY NOTE #2:

THE WEST BOUNDARY OF PARCEL #4 AS DESCRIBED IN SCHEDULE "A" SHOWN HEREON IS CALLED AS BEING "SOUTHWEST TO THE POINT OF BEGINNING". IT IS UNCLEAR FROM THIS WORDING IF THE SCRIVENER MEANT FOR THE LINE TO BE A STRAIGHT LINE. UPON FURTHER RESEARCH, AN EARLIER DESCRIPTION OF PARCEL 4 CONTAINED IN DEED BOOK 26, PAGE 103, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA WAS OBTAINED AND IN THIS EARLY DESCRIPTION THE WEST BOUNDARY LIMITS ARE CALLED AS BEING "THENCE ALONG HIGH WATER MARK TO POINT OF BEGINNING IN A SOUTHWESTERLY DIRECTION". THIS CALL INDICATES A DEFINITION FOR THE WEST BOUNDARY AND IS NOT A STRAIGHT LINE. ANOTHER DEED FROM THIS SAME TIME PERIOD AND ADJACENT PROXIMITY RECORDED IN DEED BOOK 107, PAGE 52, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA CALLS OUT "ALONG THE MARGIN OF LAKE".

IT IS APPARENT FROM EARLY DEEDS THAT THE GENERAL OUTLINE OF LAKE MARQUIS WAS BEING FOLLOWED. THE HIGH WATER MARK IN FLORIDA IS GENERALLY DEFINED AS THE ORDINARY HIGH WATER LINE (OHWL). THE ORDINARY HIGH WATER LINE IS DEFINED AS THE BOUNDARY BETWEEN STATE OWNED LANDS AND PRIVATE UPLAND OWNERSHIP. LAKE MARQUIS WAS SOLD AS A PART OF GOVERNMENT LOT 9 ACCORDING TO DEED NO. 779 BOARD OF EDUCATION OF FLORIDA (GRANTOR) TO GOULD H. NORTON (GRANTEE) DATED 1882.

THE CLIENT MAY WANT TO EMPLOY THE SERVICES OF AN ENVIRONMENTAL PROFESSIONAL THAT CAN ASCERTAIN THE APPROXIMATE POSITION OF THE ORDINARY HIGH WATER LINE AND/OR A SAFE UPLAND BOUNDARY.

WITH THE CURRENT EVIDENCE AVAILABLE TO THIS SURVEYOR, AN AVERAGED DISTANCE BASED ON DEED BOOK 26, PAGE 103 WILL BE USED TO ESTABLISH THE WEST BOUNDARY OF PARCEL #4. LANDS LYING WEST OF THIS BOUNDARY MAY STILL BE TITLED TO THE ORIGINAL PATENT HOLDER LISTED ABOVE.



**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 9

SUBJECT TITLE: Ordinance 2021-18 - Lane Park Commons (Supervisor of Elections / Sheriff Site) - Small Scale FLUM Amendment of Approximately 13.19 Acres Located at the Northwest Corner of SR-19 & Lane Park Road (Community Development)

OBJECTIVE:

To consider a Future Land Use Map amendment from Low Density (LOW) to Public Facility / Institutional for 13.19 Acres Located at the northwest Corner of SR-19 & Lane Park Road.

SUMMARY:

The subject property is located at the Northwest Corner of SR-19 & Lane Park Road, and is approximately 13.19 acres in size. The land is presently vacant and has a land use designation of Low Density (LOW). The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Low Density (LOW) to Public Facility / Institutional (PUB).

Ordinance 2021-18 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Low Density (LOW) to Public Facility / Institutional (PUB).

The subject property is adjacent to a mixture of residential and commercial uses. An application to rezone this property to Public Facilities District (PFD) designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated Low Density (LOW). A City Public Facility / Institutional (PUB) designation is compatible with surrounding property and County Future Land Use.

Compatibility

The land surrounding this property is residential and commercial in nature.

Site Conditions

The property is currently vacant.

Impact on City Services

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available for the subject parcel. 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.

FINDINGS

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

1. A Public Facility / Institutional (PUB) 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, and Intergovernmental Coordination policy 7-2.3.

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

OPTIONS:

1. City Council moves to approve Ordinance 2021-18, a Future Land Use Map amendment from Low Density (LOW) to Public Facility / Institutional for 13.19 Acres Located at the northwest Corner of SR-19 & Lane Park Road.
2. City Council moves to deny Ordinance 2021-18.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend denial of Ordinance 2021-18.

Staff recommends that City Council moves to approve Ordinance 2021-18, a Future Land Use Map amendment from Low Density (LOW) to Public Facility / Institutional for 13.19 Acres Located at the northwest Corner of SR-19 & Lane Park Road.

FISCAL IMPACT:

N/A

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 2021-18
2. FLU Map
3. Newspaper Ad 11-7-21
4. Newspaper Ad 11-14-21

ORDINANCE 2021-18

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 13.19 ACRES OF PROPERTY FROM LOW DENSITY (LOW) TO PUBLIC FACILITY / INSTITUTIONAL (PUB) FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF STATE ROAD 19 AND LANE PARK ROAD; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property described in Exhibit "A" attached hereto, is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Low Density (LOW) to Public Facility / Institutional (PUB); and

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

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

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

WHEREAS, a Public Facility / Institutional Future Land Use designation is compatible with surrounding designations and such designation is compatible with both City of Tavares and Lake County surrounding future land use designations; and

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

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

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

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

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

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Low Density (LOW) to Public Facility / Institutional (PUB) on certain real property as legally described in Exhibit "A". All provisions of the Comprehensive Plan shall hereby apply to said property.

Section 2. Severability and Conflicts

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

Section 3. Transmittal

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

Section 4. Effective Date

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

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

PASSED AND ADOPTED this _____ day of _____, 2021 by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

PARCEL 1:

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LYING WEST OF THE RIGHT-OF-WAY OF STATE ROAD 19, LESS RIGHT OF WAY FOR LANE PARK ROAD, LAKE COUNTY, FLORIDA.

AND

PARCEL 2:

BEGIN 30 FEET NORTH AND 276 YARDS EAST OF THE SOUTHWEST CORNER OF THE NORTH 1/2 OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 143 YARDS, NORTH 265 YARDS, WEST 142 YARDS, SOUTH 265 YARDS TO BEGINNING, LESS THE SOUTH 53.6 FEET OF THE NORTH 555 FEET OF EAST 360 FEET OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; ALSO LESS THAT PORTION IF ANY WHICH LIES WITHIN THE PARCEL DESCRIBED IN THAT QUIT CLAIM DEED FROM WARREN GLOVER TO REGINALD C. WALKER, RECORDED IN OFFICIAL RECORDS BOOK 1476, PAGE 1571, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

AND

PARCEL 3:

BEGIN 30 FEET NORTH AND 1257 FEET EAST OF THE SOUTHWEST CORNER OF NORTH 1/2 OF LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 63 FEET, NORTH 735, WEST 63 FEET, SOUTH 735 FEET TO POINT OF BEGINNING, LAKE COUNTY, FLORIDA.

AND

PARCEL 4:

BEGIN 462 FEET NORTH AND 348 FEET EAST OF THE SOUTHWEST CORNER OF NORTH 1/2 OF GOVERNMENT LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, RUN EAST 480 FEET, THENCE NORTH 306 FEET, THENCE WEST 270 FEET, THENCE SOUTHWEST TO POINT OF BEGINNING, LAKE COUNTY, FLORIDA.

} SEE SPECIAL BOUNDARY NOTE #2
REGARDING THIS "CALL". SEE ALSO
DEED BOOK 26, PAGE 103.

AND

PARCEL 5:

BEGIN 30.00 FEET NORTH AND 1320.00 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTH 1/2 OF LOT 9 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, RUN EAST TO A POINT ON THE EAST LINE OF THE SAID NORTH 1/2 OF GOVERNMENT LOT 9; THENCE NORTH ALONG SAID EAST LINE OF THE NORTH 1/2 OF GOVERNMENT LOT 9 A DISTANCE OF 737.84 FEET TO A POINT 555.00 FEET SOUTH OF AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES THERETO, THE EAST-WEST MID SECTION LINE OF SAID SECTION 6; THENCE SOUTH 89 DEGREES 28 MINUTES 59 SECONDS WEST ALONG SAID PARALLEL LINE TO A POINT ON A LINE, SAID LINE HAVING A BEARING OF NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID LINE 737.77 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND POINT OF TERMINUS.

Exhibit "A" Continued

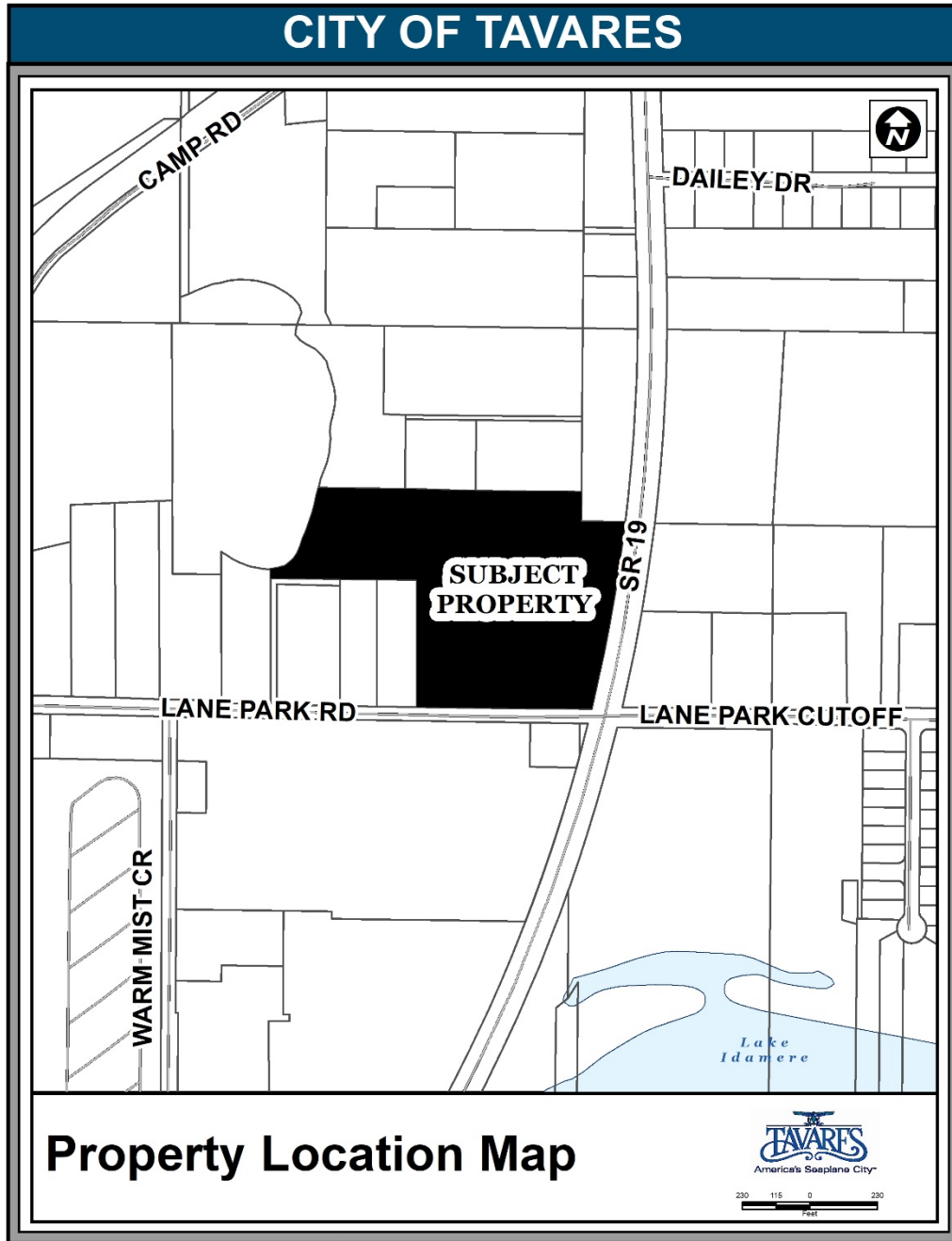
SPECIAL BOUNDARY NOTE #2:

THE WEST BOUNDARY OF PARCEL #4 AS DESCRIBED IN SCHEDULE "A" SHOWN HEREON IS CALLED AS BEING "SOUTHWEST TO THE POINT OF BEGINNING". IT IS UNCLEAR FROM THIS WORDING IF THE SCRIVENER MEANT FOR THE LINE TO BE A STRAIGHT LINE. UPON FURTHER RESEARCH, AN EARLIER DESCRIPTION OF PARCEL 4 CONTAINED IN DEED BOOK 26, PAGE 103, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA WAS OBTAINED AND IN THIS EARLY DESCRIPTION THE WEST BOUNDARY LIMITS ARE CALLED AS BEING "THENCE ALONG HIGH WATER MARK TO POINT OF BEGINNING IN A SOUTHWESTERLY DIRECTION". THIS CALL INDICATES A DEFINITION FOR THE WEST BOUNDARY AND IS NOT A STRAIGHT LINE. ANOTHER DEED FROM THIS SAME TIME PERIOD AND ADJACENT PROXIMITY RECORDED IN DEED BOOK 107, PAGE 52, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA CALLS OUT "ALONG THE MARGIN OF LAKE".

IT IS APPARENT FROM EARLY DEEDS THAT THE GENERAL OUTLINE OF LAKE MARQUIS WAS BEING FOLLOWED. THE HIGH WATER MARK IN FLORIDA IS GENERALLY DEFINED AS THE ORDINARY HIGH WATER LINE (OHWL). THE ORDINARY HIGH WATER LINE IS DEFINED AS THE BOUNDARY BETWEEN STATE OWNED LANDS AND PRIVATE UPLAND OWNERSHIP. LAKE MARQUIS WAS SOLD AS A PART OF GOVERNMENT LOT 9 ACCORDING TO DEED NO. 779 BOARD OF EDUCATION OF FLORIDA (GRANTOR) TO GOULD H. NORTON (GRANTEE) DATED 1882.

THE CLIENT MAY WANT TO EMPLOY THE SERVICES OF AN ENVIRONMENTAL PROFESSIONAL THAT CAN ASCERTAIN THE APPROXIMATE POSITION OF THE ORDINARY HIGH WATER LINE AND/OR A SAFE UPLAND BOUNDARY.

WITH THE CURRENT EVIDENCE AVAILABLE TO THIS SURVEYOR, AN AVERAGED DISTANCE BASED ON DEED BOOK 26, PAGE 103 WILL BE USED TO ESTABLISH THE WEST BOUNDARY OF PARCEL #4. LANDS LYING WEST OF THIS BOUNDARY MAY STILL BE TITLED TO THE ORIGINAL PATENT HOLDER LISTED ABOVE.



**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 10

SUBJECT TITLE: Ordinance 2021-19 - Land Trust Service Corporation Trustee - Annexation and Rezoning of Approximately 0.21 Acres Located at 31325 David Walker Drive (Community Development)

OBJECTIVE:

To consider the annexation and rezoning to Residential Multi-Family (RMF-3), of approximately 0.21 acres of property located at 31325 David Walker Drive.

SUMMARY:

The subject property is located at 31325 David Walker Drive, approximately 0.21 acres in size, and contiguous to the City boundary. The land is presently zoned as County Mobile Home Rental Park District (RMRP), and the applicant is proposing that the property be annexed and rezoned to Residential Multi-Family (RMF-3).

This property is in close proximity to a mixture of single family, multi-family, and commercial uses. The proposed zoning of Residential Multi-Family (RMF-3) is compatible with surrounding property. There is an existing mobile home located on the property, and the use of the property for a mobile home residence may continue until the time that the property is developed for multi-family purposes.

The annexation of this property has been reviewed per the City's Annexation Policy. It has been determined by City staff that the property may be properly serviced by the City without undue hardship or significant negative fiscal impact on the City. The City of Tavares has municipal water and waste water utility services available for the subject parcel.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban High Density to City of Tavares High Density (HD) on the Future Land Use Map 2040.

OPTIONS:

1. City Council moves to approve Ordinance 2021-19 annexation and rezoning to Residential Multi-Family (RMF-3) of approximately 0.21 acres of property located at 31325 David Walker Drive.
2. City Council moves to deny Ordinance 2021-19.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-19.

Staff recommends that City Council moves to approve Ordinance 2021-19 annexation and rezoning to Residential Multi-Family (RMF-3) of approximately 0.21 acres of property located at 31325 David Walker

Drive.

FISCAL IMPACT:

N/A

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 2021-19
2. Aerial Map
3. Zoning Map
4. Newspaper Ad 11-7-21
5. Newspaper Ad 11-14-21

ORDINANCE 2021-19

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 0.21 ACRES OF PROPERTY LOCATED AT 31325 DAVID WALKER DRIVE; REZONING THE PROPERTY FROM COUNTY MOBILE HOME RENTAL PARK DISTRICT (RMRP) TO CITY RESIDENTIAL MULTI-FAMILY (RMF-3); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

WHEREAS, the property is currently zoned Lake County Mobile Home Rental Park District (RMRP) and the applicant has requested that said property be rezoned to a City designation of Residential Multi-Family (RMF-3); and,

WHEREAS, the City is concurrently processing a small scale future land use map amendment to re-designate the property from Lake County Urban High Density to a City of Tavares High Density (HD) on the Future Land Use Map; therefore

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

Section 1. Annexation

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

Section 2. Rezoning

The property described in **Exhibit “A”** shall hereby be rezoned from Lake County Mobile Home Rental Park District (RMRP) to City of Tavares Residential Multi-Family (RMF-3) and shall be subject to the provisions contained within the Land Development Regulations for this zoning designation.

Section 3. Severability.

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

Section 4. Effective Date.

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

PASSED AND ORDAINED this _____ of _____, 2021, by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

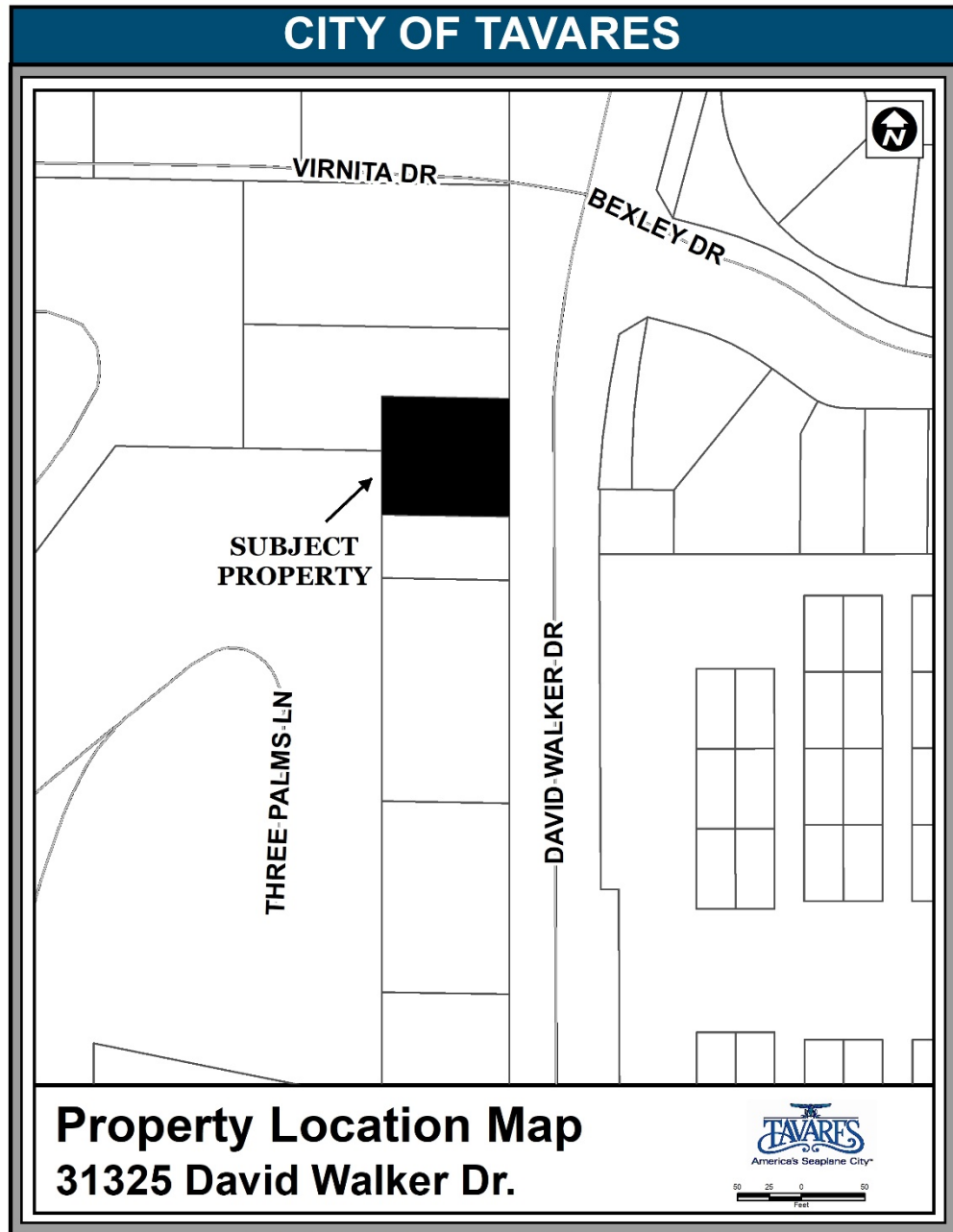
That part of Lot 9, Plat of Land of James M. Conner, according to the plat thereof, as recorded in Plat Book 1, Page 32, of the Public Records of Lake County, Florida, being more particularly described as follows:

From the Northwest corner of Southwest 1/4, said Section 27, run thence South 0°08' East along the West line of said Southwest 1/4 a distance of 377.6 feet, thence South 89°33' East 447.47 feet, thence South 0°08' East 210 feet, thence South 89°33' East 100 feet to Point of Beginning; thence North 0°08' West 42.5 feet, thence South 89°33' East 108.7 feet, thence South 0°08' East 42.5 feet, thence North 89°33' West 108.7 feet to Point of Beginning.

Also

The North 1/2 of the following described tract of land:

From the West 1/4 corner of Section 27, Township 19 South, Range 26 East, run South 89°33' East along the North line of Lots 13 and 14 of S.B. Hewitt's Land, according to the plat thereof, as recorded in Plat Book 1, Page 52, of the Public Records of Lake County, Florida, a distance of 672.67 feet, thence South 0°08' East parallel to the West line of said Lot 13 and along the East line of Lot 9, Plat of Land of James M. Conner, according to the plat thereof, as recorded in Plat Book 1, Page 32, of the Public Records of Lake County, Florida, a distance of 588.46 feet to Point of Beginning; run thence South 0°08' East along the East line of said Lot 9, 100 feet, thence North 89°33' West parallel to the North line of said Lot 13 of S.B. Hewitt's Land, a distance of 116.5 feet, thence North 0°08' West parallel to the East line of said Lot 9, Plat of Land of James M. Conner, a distance of 100 feet, thence South 89°33' East parallel to the North line of said Lot 13 of S.B. Hewitt's Land, a distance of 116.5 feet to Point of Beginning, less the East 16.5 feet thereof.



Created By: City of Tavares GIS

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Map Created on 10/28/21

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 11

SUBJECT TITLE: Ordinance 2021-20 - Land Trust Service Corporation Trustee - Small Scale FLUM Amendment of Approximately 0.21 Acres Located at 31325 David Walker Drive (Community Development)

OBJECTIVE:

To consider a Future Land Use Map amendment from County Urban High Density to City High Density (HD) for 0.21 Acres Located at 31325 David Walker Drive.

SUMMARY:

The subject property is located at 31325 David Walker Drive, and is approximately 0.21 acres in size. The land presently has a land use designation of County Urban High Density, and the property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Lake County Urban High Density to City High Density (HD).

Ordinance 2021-20 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban High Density to City High Density (HD).

The subject property is adjacent to a mixture of residential and commercial uses. An application to annex and rezone this property to Residential Multi-Family (RMF-3) designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated County Urban High Density. A City High Density (HD) designation is most compatible with surrounding property and the existing County Future Land Use.

Compatibility

The land surrounding this property is residential and commercial in nature.

Site Conditions

The property currently contains one mobile home.

Impact on City Services

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility services available for the subject parcel. 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.

FINDINGS

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

1. A High Density (HD) 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)

OPTIONS:

1. City Council moves to approve Ordinance 2021-20, a Future Land Use Map amendment from County Urban High Density to City High Density for 0.21 acres of property located at 31325 David Walker Drive.
2. City Council moves to deny Ordinance 2021-20.

STAFF RECOMMENDATION:

At their November 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2021-20.

Staff recommends that City Council moves to approve Ordinance 2021-20, a Future Land Use Map amendment from County Urban High Density to City High Density for 0.21 acres of property located at 31325 David Walker Drive.

FISCAL IMPACT:

N/A

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 2021-20
2. FLU Map
3. Newspaper Ad 11-7-21
4. Newspaper Ad 11-14-21

ORDINANCE 2021-20

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 0.21 ACRES OF PROPERTY FROM COUNTY URBAN HIGH DENSITY TO CITY HIGH DENSITY (HD) FOR PROPERTY LOCATED AT 31325 DAVID WALKER DRIVE; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the City of Tavares is concurrently processing the annexation of this property; and

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

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

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

WHEREAS, a High Density Future Land Use designation is compatible with surrounding designations and such designation is compatible with both City of Tavares and Lake County surrounding future land use designations; and

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

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

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

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

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

Section 1. Future Land Use Amendment

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

Section 2. Severability and Conflicts

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

Section 3. Transmittal

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

Section 4. Effective Date

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

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

PASSED AND ADOPTED this _____ day of _____, 2021 by the City Council of the City of Tavares, Florida.

Lori Pfister, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

Lindsay C. T. Holt, City Attorney

EXHIBIT "A"

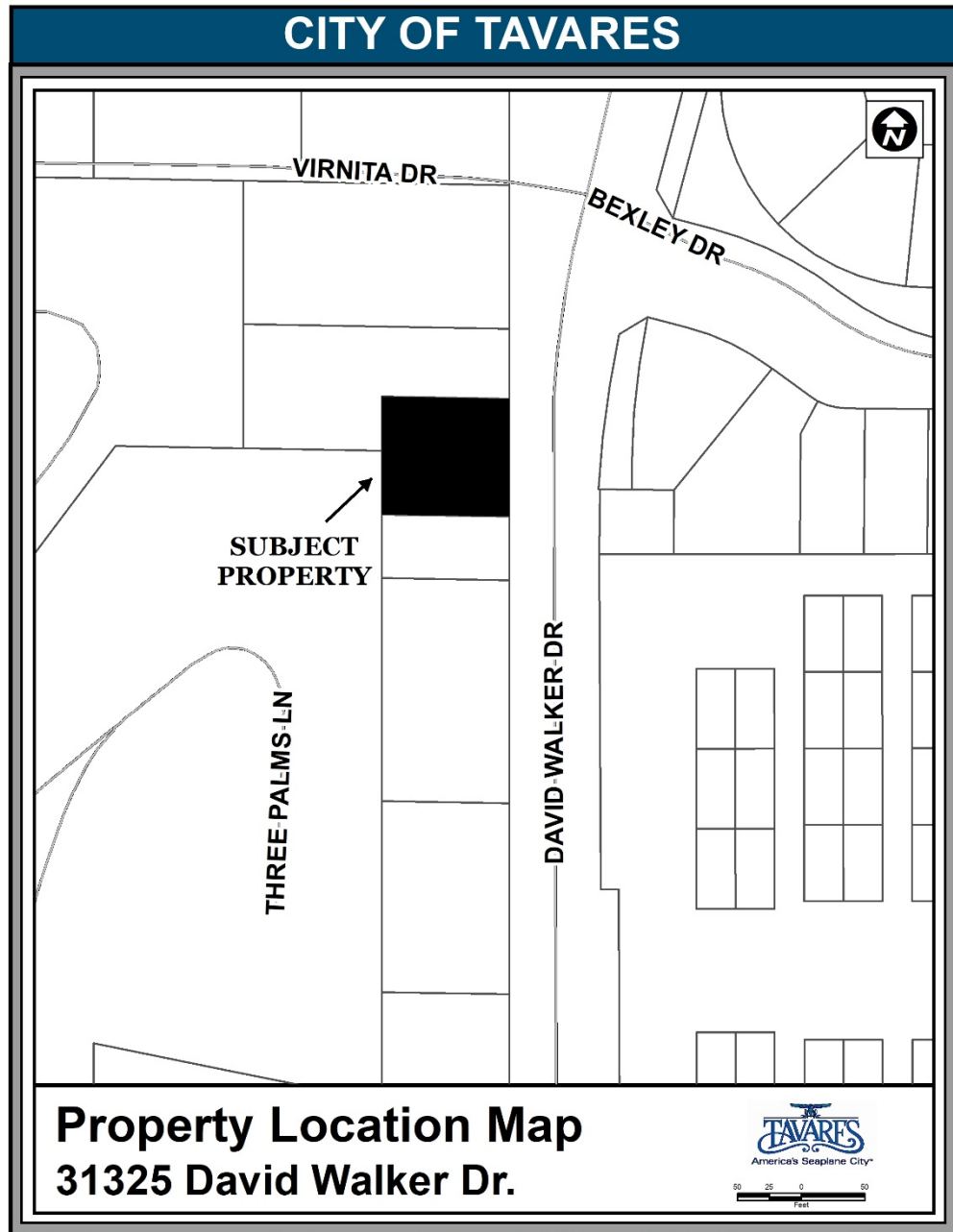
That part of Lot 9, Plat of Land of James M. Conner, according to the plat thereof, as recorded in Plat Book 1, Page 32, of the Public Records of Lake County, Florida, being more particularly described as follows:

From the Northwest corner of Southwest 1/4, said Section 27, run thence South 0°08' East along the West line of said Southwest 1/4 a distance of 377.6 feet, thence South 89°33' East 447.47 feet, thence South 0°08' East 210 feet, thence South 89°33' East 100 feet to Point of Beginning; thence North 0°08' West 42.5 feet, thence South 89°33' East 108.7 feet, thence South 0°08' East 42.5 feet, thence North 89°33' West 108.7 feet to Point of Beginning.

Also

The North 1/2 of the following described tract of land:

From the West 1/4 corner of Section 27, Township 19 South, Range 26 East, run South 89°33' East along the North line of Lots 13 and 14 of S.B. Hewitt's Land, according to the plat thereof, as recorded in Plat Book 1, Page 52, of the Public Records of Lake County, Florida, a distance of 672.67 feet, thence South 0°08' East parallel to the West line of said Lot 13 and along the East line of Lot 9, Plat of Land of James M. Conner, according to the plat thereof, as recorded in Plat Book 1, Page 32, of the Public Records of Lake County, Florida, a distance of 588.46 feet to Point of Beginning; run thence South 0°08' East along the East line of said Lot 9, 100 feet, thence North 89°33' West parallel to the North line of said Lot 13 of S.B. Hewitt's Land, a distance of 116.5 feet, thence North 0°08' West parallel to the East line of said Lot 9, Plat of Land of James M. Conner, a distance of 100 feet, thence South 89°33' East parallel to the North line of said Lot 13 of S.B. Hewitt's Land, a distance of 116.5 feet to Point of Beginning, less the East 16.5 feet thereof.



Created By: City of Tavares GIS

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Map Created on 10/28/21

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 12

SUBJECT TITLE: Utility Department Employee Recognition, Donna Christopher (Utilities)

OBJECTIVE:

Employee recognition

SUMMARY:

Ms. Donna Christopher has been the Tavares City Utilities Laboratory Manager since 1997 for permit compliance in both water and wastewater. Donna is originally from Luton, England. She attended Luton University and graduated with a Bachelors degree in Laboratory Technology. She immigrated to the US in 1995.

Over her career, Donna has been an active member of several environmental associations. She has been a member of the Florida Society of Environmental Analysis (FSEA) since the late 1990's and Region Director from 2014-2021.

I am pleased to announce on Monday, November 22nd, Donna was recognized for this dedication and service by the Florida Society of Environmental Analysis with an award and plaque exemplifying the high standards Donna applies to the profession and the Tavares Laboratory each and every day. This is very high recognition and one of the reasons Tavares enjoys a world class laboratory and safe drinking water for all of our citizens each and every day.

Although Donna could not join us today, as Utility Director, I thought it important to share this recognition with you as we appreciate Donna's service and dedication to the City and her profession.

OPTIONS:

None

STAFF RECOMMENDATION:

Recognize Donna for excellence

FISCAL IMPACT:

None

LEGAL SUFFICIENCY:

All Donna's work is court worthy!!

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. IMG_5844

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

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 13

SUBJECT TITLE: Request City Council Approval to Amend Budget for Councilmember Health Insurance (Finance)

OBJECTIVE:

Request Council Approval to Amend the FY2021-2022 Budget for Council Member Employee Health Insurance in the Amount of \$6,581.

SUMMARY:

Previously, the City Council Adopted the FY2022 Operating Budget which included \$15,793 for City Council Employee Health Insurance. This included health insurance for two Council Members.

On November 2, 2021, Sandy Gamble was elected as the newest City Council Member. Councilmember Gamble was sworn in on November 17, 2021.

Councilmember Gamble has elected Single Health Insurance for the FY2022 Fiscal Year. The cost is \$6,580.40. This amount was not included in the FY2022 Adopted Budget, and therefore requires an approved Budget Amendment.

Staff requests authorization to increase the amount budgeted for City Council Employee Health Insurance in the amount of \$6,581, and to utilize reserve appropriations.

OPTIONS:

1. **Move to Approve** Budget Amendment in the amount of \$6,581 to increase City Council Health Insurance Appropriations, utilizing General Fund Reserves.
2. Do not approve.

STAFF RECOMMENDATION:

1. **Move to Approve** Budget Amendment in the amount of \$6,581 to increase City Council Employee Health Insurance Appropriations for FY2022, utilizing General Fund Reserves.

FISCAL IMPACT:

City Council Employee Health Insurance

Amount Budgeted:
001-1101-511-23-10 \$15,793

Budget Amount Needed:
001-1101-511-23-10 \$22,284

Budget Shortfall \$ 6,581

Appropriate \$6,581 from General Fund Reserves

Estimated Reserve Balance:	\$2,547,856
Reserve Balance 10% contingencies	\$ 283,095
Total Estimated Reserve Balance	\$2,830,951
As a Percent of General Fund Budget	13.9%

LEGAL SUFFICIENCY:

Legally Sufficient

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
12/1/2021**

AGENDA TAB NO.: 14

SUBJECT TITLE: Discussion on a Tavares Babe Ruth League All-Star Program (Community Services)

OBJECTIVE:

To discuss a Tavares Babe Ruth League All-Star Program.

SUMMARY:

Staff seek direction from the City Council regarding reinstituting the Tavares Babe Ruth League All-Star Program.

By way of background, Tavares does not currently have an All-Star Program as part of the Babe Ruth League. An All-Star Program is typically developed by the coaches of each Babe Ruth team from the Babe Ruth League by selecting "The Best Player" or two from their team to make up one "All-Star" team. That one All-Star team plays other All-Star teams in the region.

The City of Tavares currently administers the Tavares Babe Ruth League twice per year, with a season in the spring and a season in the fall. Previously, Tavares had both a Babe Ruth League and an All-Star Program during its spring season. During the September 6, 2019, City Council meeting, staff discussed adjusting the programs offered by the City Recreation Division, indicating staff would no longer offer an All-Star Program due to reduced number of teams, limited resources, limited staffing, time constraints, and programming costs. The Recreation Division replaced the All-Star Program with the new programs below but continued the regular Babe Ruth spring and fall programs.

New Programs:

- Senior Bingo
- Senior Gamers Program
- Senior Enrichment Series
- Teen/Pre-Teen Youth Summer Camp
- Youth Basketball Camp
- Youth Basketball League
- Rec Rover Tour Stops
- Movie-in-the-Park Events
- Start Smart Soccer Program
- Wacky World of Sports Program
- NFL Youth Flag Football League

In addition to these new programs offered, Tavares continued to provide:

- Babe Ruth Baseball & Softball - spring & fall seasons (without the All-Star Program)

- Senior Shakedown / Karaoke
- Father-Daughter Dance
- Mother-Son Night Out Event
- African American Heritage Festival
- July 4th Celebration
- Youth Summer Camp
- Christmas Celebration
- BOO! Festival
- Adult Yoga Programs
- Adult Kickball League
- Senior Softball League
- Start Smart Baseball Program

All of these programs operate with a small staff of three (3) full-time employees and a current program budget of \$58,300 excluding the community events and the youth camps, which have separate line item budgets.

The cost of reinstituting the All-Star Program, in addition to keeping the same level of service by offering the other additional programs listed, is estimated as follows:

1. Add one Part-Time Employee to manage the Babe Ruth League: \$23,100
2. Add an additional \$8,000 to the Recreation Division Program Costs line item to run the All-Star Program

Total Cost to City: \$31,100

OPTIONS:

1. Do not re-institute an All-Star program
2. Re-institute the All-Star program utilizing reserves
3. Pass the Babe Ruth program on to parents to run. This is how Mount Dora, Umatilla, Sorrento, and Clermont run their league programs (Parent Run)
4. Budget to re-institute the All-Star Program next fiscal year

STAFF RECOMMENDATION:

Council discusses and provides direction

FISCAL IMPACT:

\$31,100 from reserves or from FY23 budget

LEGAL SUFFICIENCY:

Legally Sufficient

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
12/1/2021**

AGENDA TAB NO.: 15

SUBJECT TITLE: Request Council Authorization to extend payment plan for Sunset View Special Assessment Beneficiaries not previously connected to Water & Wastewater Utilities (Finance Department)

OBJECTIVE:

Request Council Approval to authorize payment plan for Sunset View Assessment property not connected with the original assessment, but included in the benefited properties roll for Water and Wastewater utilities.

SUMMARY:

On December 21, 2016, the City Council Adopted Resolution 2016-23 which authorized a Special Assessment for Water and Sewer Infrastructure for benefited properties in the Lake County Sunset View Subdivision and the neighboring Three Lakes Park. An assessment roll listing benefited properties was attached to the Resolution. The Assessment Roll included the following:

**Sunset View/Three Lakes Park Special Assessment
For Water and Wastewater Infrastructure & Connections**

Sunset View Properties	elected to connect	*	20
Three Lake Properties	elected to connect	*	32
Additional Miscellaneous connections	elected to connect	*	3
			55
Sunset View Properties	elected to not connect at time of assessment **		7
			7
Total - All properties benefiting from the Special Assessment Infrastructure			62

* These properties elected to connect, signed agreements, and covenant to annex
These properties were connected and assessed \$20,059.44 for each lot, and are being billed monthly for 10 years plus interest at 3.63% per annum

** These properties elected NOT to connect at the time the infrastructure was installed, and opted to connect in the future. These properties are to be billed and pay the full amount of impact fees and assessment at the time of connection.

Each property that opted to connect to City Water & Sewer was provided the option to pay their assessment in a lump sum payment or a monthly payment over 120 monthly installments. An interest rate of 3.63% per annum was included in the installment payments. Monthly payments were set at

\$199.20.

The property located at 12115 Canal Street, and identified by Alt Key #1735858 has recently been sold, and the new owner was not aware of the assessment at the time of purchase, and thus has requested to pay the assessment monthly over 120 months.

As the option for installment payments over 120 months was not extended to the seven (7) properties that had elected **not** to connect in 2017, City Council approval is needed in order to extend a payment plan to the homeowner at 12115 Canal Street.

Should the Council elect to extend installment payments to the seven (7) properties of Sunset View Assessment Roll not currently connected, Staff provides two options:

- The homeowner pays \$9,144.12 (2017 through 2021), and the remainder is financed over five years with the homeowner paying monthly payments over 60 months with interest until paid.
- The homeowner is extended the same plan as the original connected properties and pays \$199.20 per month for 120 months or until paid in full, whichever occurs first. Payments include interest at 3.63% per annum. Due to current economic conditions related to the pandemic, staff recommends Sunset View properties connected in calendar year 2021 or 2022 be extended the same option provided to the original connected properties, of monthly installment payments over 120 months with 3.63% interest per annum.

OPTIONS:

1. **Move to Authorize the seven** Sunset View Assessment Properties not previously connected to City of Tavares Water and Wastewater utilities the option to pay assessments in 120 monthly installments plus interest at 3.63% per annum if connected in calendar years 2021 or 2022.
2. Move to authorize the seven Sunset view Assessment Properties not previously connected to City of Tavares Water and Wastewater utilities the option to pay \$9,144.12 at time of connection, and the remainder in monthly installments over 60 months at an interest rate of 3.63% per annum.
3. Do not approve.

STAFF RECOMMENDATION:

1. **Move to Authorize the seven** Sunset View Assessment Properties not previously connected to City of Tavares Water and Wastewater utilities the option to pay assessments in 120 monthly installments plus interest at 3.63% per annum if connected in calendar years 2021 or 2022.

FISCAL IMPACT:

With 120 installments, the City will collect:

- \$20,059.44 – Assessment
- \$ 3,844.59 - Interest

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Res 2016-23_recorded 02232017_SunsetViewAssessments
2. EXC-Burns

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

November 17, 2016

Mary L. Burns
12115 Canal Street
Tavares, FL 32778

**RE: Sunset View & Three Lakes Park Water & Sewer Improvement Project
Alternate Key Number 1735858-Assessment**

Dear Ms. Burns:

This is to notify you that the City Council of the City of Tavares, Florida, will meet on December 21, 2016 at 4:00 p.m., at the Tavares City Hall, 201 East Main Street, Tavares, for the purpose of equalizing the assessments on water and sewer improvements along all lots and parcels of Sunset View Subdivision and Three Lakes Park Co-Op. The said assessments shall be levied upon all lots and lands adjoining and contiguous or bounding to and abutting upon such improvements.

Attached is the preliminary assessment roll containing a description of the assessed lots and lands and the assessment against each lot and parcel of land.

The estimated cost of the project is \$1,263,744.68, which when divided among the 63 parcels to be assessed results in a per parcel assessment of \$20,059.44. Your assessment is for one parcel. This can be paid in a single lump sum within 30 days (due by January 21, 2016) after the Equalization Hearing, or in 120 monthly installments of approximately \$199.20, plus interest at 3.63% per annum. (See attached schedule of payments.) All but seven lots have been connected to City Water and Sewer, and will be billed monthly as previously stated. The seven lots not connected and shown on the attached Final Assessment Roll will be required to pay the full assessment plus impact fees at the time they are connected to City water and sewer.

The assessments will be approved formally at the Equalization Hearing on December 21, 2016. You are welcome to attend and address any comments to the City Council at that time.

If you have further questions please do not hesitate to contact my office at 742-6212.

Sincerely,



Lori Houghton
Finance Director

lh

C: John Drury, City Administrator
Nancy Barnett, City Clerk
Robert Q. Williams, City Attorney

**AGENDA SUMMARY
TAVARES CITY COUNCIL
12/1/2021**

AGENDA TAB NO.: 16

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

The City Administrator will inform the Council on city-related items.

SUMMARY:

The City Administrator will provide a summary at the meeting.

UPCOMING MEETINGS:

City Council Meetings	December 15, 2021, 4:00 p.m., City Council Chambers January 15, 2022, 4:00 p.m., City Council Chambers
Planning and Zoning Board Meeting	December 16, 2021, 3:00 p.m., City Council Chambers
Library Board Meeting	January 19, 2022, 2:30 p.m., Library Conference Room
Code Enforcement Special Magistrate Hearing	January 25, 2022, 5:00 p.m., City Council Chambers

UPCOMING EVENTS:

Christmas Parade & Celebration	December 4, 2021, 3:00 p.m. to 9:00 p.m., Tavares Square <i>5:50 p.m. - Parade on Ruby Street and Main Street</i> <i>9:00 p.m. - Santa Leaves by Seaplane and Fireworks</i>
Surf & Turf Ski Show and Christmas December	December 11, 2021 - Details to be Announced

OUTSIDE AGENCY MEETINGS:

Lake County League of Cities	December 10, 2021, 11:30 a.m., Mount Dora Golf Course
Lake Sumpter MPO Executive Board Meeting	December 8, 2021, 2:00 p.m., 1300 Citizens Blvd., Leesburg
Tavares Chamber of Commerce Business Luncheon	December 15, 2021, 11:30 a.m., Tavares Pavilion on the Lake - City Administrator will

	provide the State of the City presentation
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OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Yes.

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
12/1/2021**

AGENDA TAB NO.: 17

SUBJECT TITLE: City Council Member Reports

OBJECTIVE:

To inform the Council on city-related items.

SUMMARY:

The 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:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

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