



AGENDA
TAVARES CITY COUNCIL
August 5, 2020
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 Pastor Lillie Brown, St. Johns Free Methodist Church

III. APPROVAL OF AGENDA

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2 Presentation of N95 Masks from our Sister City the City of New Taipei in Taiwan (Fire & Police Chief)

Tab 3 Tavares Chamber of Commerce Update (Chamber)

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

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO RECORD

VII. CONSENT AGENDA

Tab 4 Authorize Staff to Enter Into a Lease Agreement with the Dora Queen for On-Site Storage (Community Services)

Tab 5 Merchant McIntyre Associates Agreement (City Administrator)

VIII. RESOLUTIONS

IX. ORDINANCES - PUBLIC HEARING

First Reading

Tab 6 Ordinance 2020-06 Green Property - Annexation & Rezoning of 119.57 Acres located at 27521 SR-19 (Community Development)

Tab 7 Ordinance 2020-08 Palmer Property - Annexation & Rezoning of 01.72 Acres located at the northwest corner of Slim Haywood Ave. & SR-19 (Community Development)

- Tab 8 Ordinance 2020-09 Palmer Property - SSFLUM of 01.72 Acres located at the northwest corner of Slim Haywood Ave. & SR-19 (Community Development)**

Second Reading

X. GENERAL GOVERNMENT

- Tab 9 Mayor's Youth Council Syllabus (City Administrator)**
Tab 10 Award of Contract City Hall Building Department Renovations (Public Works)
Tab 11 City Council Consideration of an Amendment to Land Development Regulations for Temporary Signs on Vacant Property (Community Development)
Tab 12 City Council Consideration of an Amendment to Land Development Regulations for Short Term Vacation Rentals (Community Development)
Tab 13 Discussion of Remaining 2020 City Events (City Administrator)
Tab 14 Approve Resolution 2020-18 - SRF Lake Frances Water Distribution Piping Project Loan DW350961, Amendment One (Finance)

XI. BUDGET WORKSHOP

- Tab 15 Budget Workshop - Five-Year Capital Improvement Plan (Finance)**

XII. NEW BUSINESS

XIII. OLD BUSINESS

XIV. AUDIENCE TO BE HEARD

XV. REPORTS

- Tab 16 City Administrator Report**
Tab 17 City Council Member Reports

XVI. 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
8/5/2020**

AGENDA TAB NO.: 1

SUBJECT TITLE: Pastor Lillie Brown, St. Johns Free Methodist Church

OBJECTIVE:

Pastor Lillie Brown, St. Johns Free Methodist Church, will provide the invocation and lead those present in the Pledge of Allegiance.

SUMMARY:

Pastor Lillie Brown, St. Johns Free Methodist Church, 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:

N/A

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 2

SUBJECT TITLE: Presentation of N95 Masks from our Sister City the City of New Taipei in Taiwan (Fire & Police Chief)

OBJECTIVE:

The Taipei Economic and Cultural Office in Miami will present the City of Tavares Fire and Police Chief with 2,000 N95 masks.

SUMMARY:

The Director General, David Chien, of the Taipei Economic and Cultural Office in Miami will be presenting a gift of 2,000 N95 masks to Tavares from the Republic of China (Taiwan). The City has had a multi-year Sister City relationship with the City of New Taipei in Taiwan.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

N/A

ATTACHMENTS:

Description	Type
Proclamation	Backup Material



PROCLAMATION The Republic of China (Taiwan) N-95 Mask Donation

WHEREAS, the Taipei Economic and Cultural Office in Miami, Florida has maintained a sister-city relation with Tavares – America's seaplane City in the support of bilateral economic, trade, educational, and cultural relations between Tavares and New Taipei Taiwan; and

WHEREAS, the United States and Taiwan have maintained and enhanced a close friendship over the decades encompassing commercial, cultural, and other interactions based on the 1979 Taiwan Relations Act which celebrates the 40th anniversary of its enactment in 2019; and

WHEREAS, the World continues to battle COVID-19; and

WHEREAS, the Taipei Economic and Cultural Office in Miami, Florida desires to assist the City of Tavares in combating the spread of COVID-19 by donating 2,000 N-95 respiratory masks to the City's first responders in the Police and Fire Departments.

NOW, THEREFORE, the City of Tavares proclaims its recognition and gratitude on the occasion of this gift from the Taipei Economic and Cultural Office in Miami Florida.

PASSED AND DULY ADOPTED by the Tavares City Council on this 5th day of August, 2020.

Amanda Boggus, Mayor
Tavares City Council

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 3

SUBJECT TITLE: Tavares Chamber of Commerce Update (Chamber)

OBJECTIVE:

Receive an update on the Chamber from the Executive Director, J. Scott Berry.

SUMMARY:

Mr. Berry will provide an update on Chamber activities.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Chamber Report

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 4

SUBJECT TITLE: Authorize Staff to Enter Into a Lease Agreement with the Dora Queen for On-Site Storage (Community Services)

OBJECTIVE:

To authorize staff to enter into a temporary lease agreement, providing a small storage room at the historic train depot to the Dora Queen for their business operations.

SUMMARY:

City staff was recently approached by Brian Heron, operator of the Dora Queen, asking for permission to utilize the available storage room located in the small ticket booth on the train platform at the historic train depot. The ticket booth is approximately 56 square feet, contains electricity, a window a/c unit, and a sink/vanity cabinet with running water. It is currently unoccupied and available, however future plans are to utilize it for the history museum or future tourist train operators.

Until such time, staff researched fair market value price options for the storage space and generated a simple agreement to lease the space for an initial term of six (6) months at \$50 per month. At the end of the initial lease term, both parties can mutually agree to extend the lease on a month-by-month basis.

OPTIONS:

1. Authorize staff to enter into a lease agreement with the Dora Queen to provide storage space in the train depot ticket booth.
2. Do not authorize staff to enter into a lease agreement with the Dora Queen to provide storage space in the train depot ticket booth.

STAFF RECOMMENDATION:

To authorize staff to enter into a lease agreement with the Dora Queen to provide storage space in the train depot ticket booth.

FISCAL IMPACT:

\$50 per month to the general fund.

LEGAL SUFFICIENCY:

Legally sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

N/A

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 5

SUBJECT TITLE: Merchant McIntyre Associates Agreement (City Administrator)

OBJECTIVE:

Approve an extension of the current Government Relations Agreement for Federal Grant initiatives at same cost with a 90 day cancellation clause.

SUMMARY:

Tavares has in place a Governmental Relations Agreement with Merchant & McIntyre Associates, a Washington DC based Governmental Services Firm who specializes in Federal Grant procurement strategies and initiatives. The cost is in the amount of \$7,500 per month with a cancellation clause exercisable by either party upon 90 days notice.

The U.S. Governmental Grant assistance they provide includes but is not limited to the following:

- * Federal Grants coordination with US DOT and EDA
- * Federal Grant Agency staff coordination assistance
- * Build Support Assistance with members of the U.S. Congress
- * Build Support Assistance with the President and his cabinet
- * Federal Funding strategy assistance
- * Federal Grant processing assistance

Currently, under pursuit, are two multi-million dollar grants. One is for a recreational trail from Tavares to Mount Dora and the other is an EDA grant for the new Public Works Facility and partnership with the Lake County Vocational Technical School.

The Merchant & McIntyre Associates team have been extremely useful for Tavares throughout this process and we expect positive outcomes this fall for both projects as a result of their work.

COVID -19 has made it challenging for Tavares representative to travel to DC to move these initiatives along, but with the aid of Merchant & McIntyre Associates, located in DC walking the hallways of DC on Tavares behalf, this challenge has been overcome.

OPTIONS:

1. Approve the extension of agreement.
2. Do not approve the extension of agreement

STAFF RECOMMENDATION:

#1 - Approve the extension of agreement with Merchant & McIntyre Associates.

FISCAL IMPACT:

This item is budgeted and there is no change in contract price \$7,500 per month with a 90 day cancellation clause by either party.

LEGAL SUFFICIENCY:

YES

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Original Agreement with Merchant & McIntyre Associates

Amendment to Extend Agreement with Merchant & McIntyre Associates

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 6

SUBJECT TITLE: Ordinance 2020-06 Green Property - Annexation & Rezoning of 119.57 Acres located at 27521 SR-19 (Community Development)

OBJECTIVE:

To consider the annexation and rezoning to Residential Single Family (RSF-2) and Wetlands Preservation Area (WPA) of approximately 119.57 acres of property located at 27521 State Road 19.

SUMMARY:

The subject property is approximately 119.57 acres located at 27521 State Road 19. The land consists of multiple parcels and includes an existing single-family home. The subject property is presently zoned as County Agriculture District (A). The applicant is proposing that the property be annexed and rezoned to City Residential Single Family (RSF-2). The exact location of wetlands will be determined in the field and all wetlands greater than one (1) acre in size shall be designated as Wetlands Preservation Area (WPA). Wetland that is proposed to be impacted by development is subject to Florida Department of Environmental Protection mitigation requirements.

The proposed zoning of Residential Single Family (RSF-2) is compatible with the surrounding zoning. The property is in close proximity to existing low density single family residential subdivisions that are within the city limits of Tavares. The applicant at this time envisions developing the property as a residential subdivision consisting of approximately 133 lots with a minimum width of sixty (60) feet and minimum area of 6,500 square feet as required under RSF-2 zoning.

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 to the City. City utility services are available to the property and connection shall be required upon development.

The environmental assessment submitted by Modica & Associates, Inc. indicates the presence of a protected species (gopher tortoise) that will require State permitting for relocation prior to development. No adverse conditions or environmental concerns were reported.

The traffic study submitted by Luke Transportation Engineering Consultants does not indicate an adverse impact to the level of service for surrounding roadways. The report recommends installation of a northbound left turn lane and southbound right turn lane on SR-19 at the subdivision entrance.

The applicant has applied to Lake County for school capacity reservation.

The City is concurrently processing a future land use map amendment to re-designate the property

from Lake County Rural Transition to City of Tavares Low Density (LOW) and Wetland and Conservation (CONS) on the Future Land Use Map 2020.

OPTIONS:

- 1 . That City Council moves to approve Ordinance 2020-06 annexing and rezoning to Residential Single Family (RSF-2) and Wetlands Preservation Area (WPA) approximately 119.57 acres of property located at 27521 S.R. 19.
2. That City Council moves to deny Ordinance 2020-06.

STAFF RECOMMENDATION:

At their July 16th meeting the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2020-06.

Staff recommends that City Council moves to approve Ordinance 2020-06 annexing and rezoning to Residential Single Family (RSF-2) and Wetlands Preservation Area (WPA) approximately 119.57 acres of property located at 27521 S.R. 19.

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:

Ordinance 2020-06
Aerial Map
Conceptual Plan
Zoning Map
Environmental Study
Traffic Study
Newspaper Advertisements

ATTACHMENTS:

Description	Type
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**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 7

SUBJECT TITLE: Ordinance 2020-08 Palmer Property - Annexation & Rezoning of 01.72 Acres located at the northwest corner of Slim Haywood Ave. & SR-19 (Community Development)

OBJECTIVE:

To consider the annexation and rezoning to Commercial (C-2) of approximately 01.72 acres of property located at the northwest corner of Slim Haywood Ave. and S.R. 19.

SUMMARY:

The subject property is approximately 01.72 acres located at the northwest corner of Slim Haywood Ave. and State Road 19. The land is vacant and presently zoned as County Agriculture District (A). The applicant is proposing that the property be annexed and rezoned to City Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is appropriate for property abutting a State highway and is compatible with the surrounding zoning. The property is adjacent to parcels already annexed into the City of Tavares and designated as Highway Commercial (C-2) zoning. The new Publix Shopping Center is directly adjacent and west of this property. The applicant at this time envisions commercial uses that would be compatible with the commercial development taking place on S.R. 19.

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 to the City. City utility services are available to the property and connection shall be required upon development.

The environmental assessment submitted by Atlantic Ecological Services, LLC indicates no adverse conditions or environmental concerns with the property.

The preliminary traffic analysis submitted by Traffic & Mobility Consultants, LLC does not indicate an adverse impact to the level of service for surrounding roadways.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Medium Density to City of Tavares Commercial on the Future Land Use Map 2020.

OPTIONS:

1 . That City Council moves to approve Ordinance 2020-08 annexing and rezoning to Commercial (C-2) approximately 01.72 acres of property located at the northwest corner of Slim Haywood Ave. and S.R. 19.

2. That City Council moves to deny Ordinance 2020-08.

STAFF RECOMMENDATION:

At their July 16th meeting the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2020-08.

Staff recommends that City Council moves to approve Ordinance 2020-08 annexing and rezoning to Commercial (C-2) approximately 01.72 acres of property located at the northwest corner of Slim Haywood Ave. and S.R. 19.

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:

Ordinance 2020-08
Aerial Map
Concept Plan
Zoning Map
Environmental Study
Traffic Study
Newspaper Advertisements

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 8

SUBJECT TITLE: Ordinance 2020-09 Palmer Property - SSFLUM of 01.72 Acres located at the northwest corner of Slim Haywood Ave. & SR-19 (Community Development)

OBJECTIVE:

To consider an application for a Future Land Use Map amendment from Lake County Urban Medium Density to City Commercial (COM) for 01.72 acres of property generally located at the northwest corner of Slim Haywood Ave. and S.R. 19.

SUMMARY:

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

The subject property (Parcel Alternate Key Number 2809451) is 01.72 acres in size and generally located at the northwest corner of Slim Haywood Ave. and S.R. 19. The property is currently vacant. The new Publix Shopping Center is directly adjacent and west of this property. The applicant envisions commercial uses that complement the commercial development taking place on S.R. 19. This ordinance would amend the current Future Land Use Designation from Lake County Urban Medium Density to City Commercial (COM).

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 Medium Density. A City Commercial designation is compatible with surrounding property.

Compatibility

The surrounding property is either commercial or residential in nature.

Site Conditions

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

Impact on City Services

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

FINDINGS

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

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

OPTIONS:

1 . That City Council moves to approve Ordinance 2020-09 Future Land Use Map amendment from Lake County Urban Medium to City Commercial (COM) for 01.72 acres of property generally located at the northwest corner of Slim Haywood Ave. and S.R. 19.

2. That City Council moves to deny of Ordinance 2020-09.

STAFF RECOMMENDATION:

At their July 16th meeting the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2020-09.

Staff recommends that City Council moves to approve Ordinance 2020-09 Future Land Use Map amendment from Lake County Urban Medium Density to City Commercial (COM) for 01.72 acres of property generally located at the northwest corner of Slim Haywood Ave. and S.R. 19.

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:

Ordinance 2020-09

FLU Map

Newspaper Advertisements

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 9

SUBJECT TITLE: Mayor's Youth Council Syllabus (City Administrator)

OBJECTIVE:

For the Council to discuss and approve the 2020-2021 Mayor's Youth Council Syllabus.

SUMMARY:

During the June 17, 2020 City Council meeting, the Council expressed a desire to agendize and discuss the Mayor's Youth Council (MYC) syllabus with a recommended increase to the program requirements.

The City Administrator and City Clerk met with Ms. Farnsworth, Assistant Principle and MYC program administrator, to discuss the syllabus for the upcoming year. Attached is the proposed 2020-2021 MYC syllabus that resulted from the meeting, and the initial 2016-2017 MYC syllabus for comparison.

Some of the proposed program increases include the following:

1. Increasing meeting attendance to 1.5 hours with a goal of attending the entire meeting.
2. Increasing attendance to Council functions outside normal meetings from two to 4.
3. Increasing Department shadowing from one to two Departments.

On another but related note: The Vice-Mayor will participate with the school on the selection committee to select students for the program.

OPTIONS:

1. Discuss and adopt the attached increased 2020-2021 MYC syllabus.
2. Discuss and adopt the proposed 2020-2021 MYC syllabus with changes.
3. Keep the current syllabus with no changes.

STAFF RECOMMENDATION:

1 - adopt the increased syllabus

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Proposed 2020-2021 MYC syllabus
2. 2016-2017 MYC syllabus

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 10

SUBJECT TITLE: Award of Contract City Hall Building Department Renovations (Public Works)

OBJECTIVE:

To award Morton Construction Company, low bidder, with the contract to conduct City Hall Building Department Renovations.

SUMMARY:

Request for Bid #2020-0020 for Building Department Renovations including HVAC was advertised on June 13, 2020, with a Pre-Bid meeting held at Tavares City Hall on June 23, 2020. Bid closing at 2:00 pm on July 9, 2020, resulted in the receipt of 7 Proposals as follows:

\$ 246,136.00 Morton Construction Company

\$ 344,706.46 PCDG Construction LLC

\$ 487,000.00 Odyssey International

\$ 299,491.00 Blackwater Construction Services

\$ 269,995.00 Ram General Contracting

\$ 355,375.00 Emmett Sapp

\$ 426,599.00 Advanced Commercial Contractors

Dredging & Marine Consultants (DMC), contracted with the City of Tavares to assist with design, engineering, permitting, bidding assistance and construction management services for this project, reviewed the proposals and requested references from the lowest bidder. After reviewing the references, meeting on-site with representatives from Morton Construction Company, and meeting with City staff who will be involved with the project, DMC submitted a formal letter of their professional recommendation for the selection of Morton Construction Company, low bidder, as the contractor for the City Hall Building Department Renovations including HVAC.

The City Purchasing Manager, Public Works Director, and Facilities Manager, reviewed the proposals and correspondence from DMC. Based on the information provided, meeting with DMC and Morton Construction Company representatives. All three City representatives concur with the professional recommendation of DMC to select Morton Construction Company as the lowest most responsive bidder and recommend award of a contract in the amount of \$246,136.00 for the City Hall Building Department Renovations.

OPTIONS:

1. Award Morton Construction Company with a contract in the amount of \$246,136.00 to perform City Hall Building Department Renovations including HVAC and issue a Notice to Proceed.
2. Do not award Morton Construction Company with a contract and re-evaluate the remaining proposals received for Bid #2020-0020.

STAFF RECOMMENDATION:

1. Award Morton Construction Company with a contract in the amount of \$246,136.00 to perform City Hall Building Department Renovations including HVAC and issue a Notice to Proceed.

FISCAL IMPACT:

Budgeted in Account # 001-1501-515.64-25 in the amount of \$246,136.00 utilizing Building Permit Revenue.

LEGAL SUFFICIENCY:

Yes

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Advertisement for RFB #2020-0020 Building Department Renovations including HVAC
Bid No. 2020-0020 Building Department Renovations including HVAC
Minutes of Bid Opening for Bid No. 2020-0020
PCDG Proposal for Bid No. 2020-0020
Odyssey Proposal for Bid No. 2020-0020
Blackwater Proposal for Bid No. 2020-0020
Ram General Contracting Proposal for Bid No. 2020-0020
Emmett Sapp Proposal for Bid No. 2020-0020
Advanced Commercial Proposal for Bid No. 2020-0020
Letter of Recommendation for Low Bidder Morton Construction Co Bid# 2020-0020

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 11

SUBJECT TITLE: City Council Consideration of an Amendment to Land Development Regulations for Temporary Signs on Vacant Property (Community Development)

OBJECTIVE:

To consider an amendment to the Temporary Sign Regulations for vacant property within the Land Development Regulations in conformity with Supreme Court decisions.

SUMMARY:

A U.S. Supreme Court decision in *Reed v Town of Gilbert* ruled that regulating signs based on the message on the sign would be a restriction to free speech or conversely show favoritism to some category of speech. The court further determined that regulating signs based on the message would be unconstitutional and would invalidate the regulation or governing code.

The court did recognize that governmental type signs such as traffic signs in the street right-of-ways fall into a separate category and are necessary for public safety and protection. The court also stated that sign design such as size, height, location, number allowed, etc. could be regulated provided no reference is made to the sign message.

Highlights of current Tavares Regulations:

1. Only Governmental Signs are allowed in street Right-of- Ways.
2. Snipe Signs are not allowed.
- 3 . Every land parcel excluding vacant property is allowed two temporary signs not exceeding 6' in height or 32 square feet in size. The message displayed on these signs is not regulated. Duration limit is ninety (90) days.
4. Subdivisions or similar developments undergoing construction - One (1) Temporary Sign may be permitted for each parcel undergoing construction and may not exceed five (5) square feet in size.
5. No permit is required for temporary signs.
- 6 . All references to messages displayed on signs have been removed (content-neutral).
7. No signs are permitted on vacant property.

City of Tavares Code Enforcement has received complaints regarding temporary signs being located on vacant land in violation of the Land Development Regulations. The exclusion of vacant land from being permitted to have signs on them may pose a challenge for property owners wishing to market their property for sale with a real-estate "For Sale" sign. It also prohibits political advertising signs being placed on vacant property during election time as it prohibits all signs regardless of content. Staff is requesting Council direction regarding a possible amendment to the Land Development Regulations that would allow temporary signs on vacant land consistent with number and size requirements for developed parcels.

For example, Council could permit “temporary signs” not just for developed property, but also vacant property. If this was the direction selected, then real-estate signs and political signs would be permitted on vacant property for 90 days – same as developed property.

There is an issue of enforcement for both developed property and vacant property. Council may want to require a no fee permit so that the City can enforce the duration a temporary sign is displayed.

OPTIONS:

1. That City Council moves to direct staff to propose an Ordinance amending the Temporary Sign Regulations for vacant property within the Land Development Regulations in conformity with Supreme Court decisions.
2. That City Council moves to take no action.

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This report has been reviewed by the City Attorney and approved for legal sufficiency. It should be noted that the current sign ordinance is legally sufficient as is with no changes needed. Should the Council keep the ordinance as is, temporary signs of any kind would not be permitted on vacant property (Except properties undergoing development).

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

There are no attachments to this report

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 12

SUBJECT TITLE: City Council Consideration of an Amendment to Land Development Regulations for Short Term Vacation Rentals (Community Development)

OBJECTIVE:

To consider directing staff to propose an Ordinance amending the City of Tavares Land Development Regulations providing regulations for short term vacation rentals.

SUMMARY:

Short term vacation rental properties have become an increasingly popular alternative to hotels for individuals that are travelling. What began as a cottage industry has now become prevalent throughout many communities worldwide. A report published by the University of Central Florida's Rosen College of Hospitality Management shows the economic impact of Florida's vacation home rental industry exceeds \$27 billion. Pursuant to Florida Statute 509.032 a local law, ordinance, or regulation may not prohibit vacation rentals, or regulate the duration or frequency of rental of vacation rentals.

The growth of the short term rental industry poses challenges for preserving the character of residential subdivisions because of a greater influx of transient residents. Municipalities may adopt short term rental regulations that pertain to property registration, and enforcement of issues such as noise, parking, trash collection, and life safety.

City staff researched regulations in Florida and found examples of regulations in the city of Orlando, and Miami-Dade County.

The City of Orlando passed an Ordinance in 2018 regulating "owner occupied home sharing". This regulation was reviewed by the Tavares City Attorney and the attorney presented the following examples of how a homeowner would be in violation of the Orlando ordinance:

- If I'm going on a cruise or vacation, and I allow someone to "house-sit" and care for my pets while I'm gone, I'd be in violation of the ordinance.
- If my elderly parent lives with me and stays at the house while I take a business trip, I'd be in violation of the ordinance.
- If my college roommate from Colorado and I decide to trade houses for a week in the summer to experience the different regions, I'd be in violation.

Miami-Dade County passed an Ordinance in 2017 regulating "vacation rentals". This regulation was reviewed by the Tavares City Attorney and it is the Attorney's opinion that this type of regulation may be cumbersome for Tavares to enforce taking into consideration the requirements for staff to license, inspect, collect fees, and have the ability to enforce and penalize offenders.

Miami-Dade has approximately 39 full time staff members to enforce vacation rental regulations.

At the July 15, 2020 meeting City Council received a request from a Home Owner at the Groves at Bay Tree subdivision for City Council to consider regulating short term vacation rentals within the City limits of Tavares because the home owner believed her neighbor was engaged in renting out space in their home which she considered a nuisance due to the activity and parking of cars on the street. Council instructed staff to review regulating Airbnb's and provide Council that information.

In addition to researching state law and other regulations, staff reviewed the Groves at Bay Tree HOA regulations (attached) and references two articles which may address the issue for the resident:

"Nothing shall be done....which may become a nuisance or an unreasonable annoyance to the neighborhood" and

"Vehicles shall not be permitted to park on the street of the subdivision".

The HOA and resident could exercise enforcement of these existing regulations to address the issue previously presented to Council. The HOA could also add additional regulations.

OPTIONS:

1. That City Council moves to take no action allowing governing Homeowners Association to regulate and enforce short term rentals.
2. That City Council moves to direct staff to propose an Ordinance similar to the City of Orlando amending the City of Tavares Land Development Regulations providing regulations for short term vacation rentals.
3. That City Council moves to direct staff to propose an Ordinance similar to Miami-Dade County amending the City of Tavares Land Development Regulations providing regulations for short term vacation rentals. (This one would require additional staff to manage).

STAFF RECOMMENDATION:

Staff recommends that City Council move to take no action allowing governing Homeowners Association to regulate and enforce short term rentals.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

The City Attorney has confirmed that a Homeowners Association may limit short term rentals by restrictive covenant. The City Attorney recommends against the City of Tavares regulating short term rentals. This report has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

City of Orlando Regulations

Miami-Dade Regulations

Excerpt from Groves at Baytree HOA Covenants and Restrictions

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 13

SUBJECT TITLE: Discussion of Remaining 2020 City Events (City Administrator)

OBJECTIVE:

For Council to discuss keeping two (2) and cancelling two (2) upcoming 2020 City events.

SUMMARY:

The Bell curve for the COVID-19 infection rate for Florida has recently moved from a summer tapering off forecast to a fall tapering off forecast. This has resulted in private event organizers cancelling 2020 events and focusing on 2021 events.

The following upcoming 2020 scheduled events have been cancelled by their respective private sector organizations.

Aug 3:	Lake County Education Foundation, Red For Ed
Oct 22:	Advent Health Waterman Pink Out 5k
Nov 7:	Camp Boggy Creek Challenge Ride
Nov. 14 & 15	Florida Vintage Race Boat Association
Oct. 3	Lake County Folk Fest. (See letter from partner)

As it relates to the upcoming 4 City organized 2020 Events, staff is recommending cancelling the first 2 and keeping the later 2 as follows:

October 10:	Rocktoberfest (Cancel)
October 30:	Boo Fest (Cancel)
October 31:	Monster Splash Fly-In (Keep)
December 5:	Christmas Parade & Celebration (Keep)

It is recommended that the City available for the city cancelled events be set aside for post COVID-19 Events in 2021. Those dollars total \$53,418.

OPTIONS:

1. Move to approve staff's recommendation.
2. Do not approve staff's recommendation.

STAFF RECOMMENDATION:

Move to approve option 1

FISCAL IMPACT:

The funding available for the 3 cancelled events are as follows:

1. Lake County Folk Festival - \$8,418
2. Rocktoberfest - \$30,000
3. Boo Fest - \$15,000

LEGAL SUFFICIENCY:

Legally sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Letter from Folk Fest Talent Recruitment Organization

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 14

SUBJECT TITLE: Approve Resolution 2020-18 - SRF Lake Frances Water Distribution Piping Project Loan DW350961, Amendment One (Finance)

OBJECTIVE:

Request Council to Approve Resolution No. 2020-18 authorizing the Mayor to execute Amendment No. 1 (Project Timeline Extension and project funding increase) with the Florida Department of Environmental Protection (FDEP) for State Revolving Loan Fund (SRF) Project No. DW 350961 which provides construction activity funding for the Lake Frances Water Distribution Piping Replacement Project.

SUMMARY:

On December 19, 2018, the City Council authorized acceptance of a State Revolving Loan for Project DW 350961 for the Lake Frances Water Distribution Piping Replacement Project. The SRF Loan Document, DW350961 for construction activities was executed on January 7, 2019 in the amount of \$829,780 excluding capitalized interest or loan service fees. The loan financing rate for the construction activities was set at 1.01% per annum.

Resolution 2020-18 authorizes Amendment 1 to SRF Loan DW 359061 which provides an extended timeline for construction activities for the project and increased funding in the amount of \$34,752 to reflect the actual low bid previously approved by the City Council. Amendment 1 includes the following changes to the loan terms:

- An extension of the project construction timeline, therefore, completion of the Project construction is scheduled for February 15, 2022.
- The First Semi-Annual loan payment is due August 15, 2022
- Semi-annual loan payments are due thereafter on August 15th and February 15th each year until all amounts due under the agreement have been made
- The first Semi-annual Loan Payment in the amount of \$24,770
- \$34,752 increase to total loan disbursable amount to reflect actual low bid.

Resolution 2020-18 authorizes the Mayor to execute loan documents for Amendment 1 for SRF Loan DW350961 for Lake Frances Water Distribution Piping Replacement Project with the Florida Department of Environmental Protection (FDEP) for construction activities which extends the construction time-line, and delays the first semi-annual debt service payment to August 15, 2022. Semi-annual debt services payments are due thereafter on August 15th and February 15th each year until all amounts due under the agreement have been made. The interest rate remains unchanged at 1.01% per annum. Loan term is unchanged and remains at 20 years.

OPTIONS:

1. Move to approve Resolution 2020-18 authorizing the Mayor to execute Amendment No. 1 for SRF Loan DW350961.
2. Do Not Approve Resolution 2020-18.

STAFF RECOMMENDATION:

1. Move to approve Resolution 2020-18 authorizing the Mayor to execute Amendment No. 1 for SRF Loan DW350961

FISCAL IMPACT:

Semi-annual Loan payments are \$24,770

LEGAL SUFFICIENCY:

The City Attorney has reviewed the resolution for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Resolution 2020-1 - Authorizing SRF Loan DW350961 Amendment 1
Megan Strohl of FDEP_Offer for Amendment_07022020
SRF DW350961 Loan Amendment 1 Agreement

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 15

SUBJECT TITLE: Budget Workshop - Five-Year Capital Improvement Plan (Finance)

OBJECTIVE:

To present the City of Tavares FY2021 Proposed Five-Year Capital Improvement Plan (CIP), and to provide Council and opportunity for discussion of the Fiscal Year 2021 Proposed Budget (October 1, 2020 through September 2021)

SUMMARY:

Previously, Council has reviewed the FY21 Proposed Budgets as follows:

- At the July 1st City Council meeting, Council was presented the FY2021 Proposed General Fund Budget.
- At the July 15th City Council meeting, Council was presented the Utility and Special Revenue Funds Proposed Budgets for FY2021, and after which the Council had opportunity to discuss the General Fund budget as well as the Utilities and Special Fund budgets.
- At the July 29th City Council Budget Workshop, the City Council discussed the FY 2021 General Fund Proposed Budget and the FY2021 Proposed Millage rate.
 - The City Council set the Maximum Tentative Millage Rate at 6.900, and the Maximum Tentative Voted Debt Service Millage Rate at .2623.
 - The Maximum Tentative Millage Rate for FY2021 represents a decrease from prior year of .05 mills or .72%
 - The Maximum Tentative Voted Debt Millage Rate for FY2021 represents a decrease from prior year of .0309 mills or 10.54%
 - The total Maximum Tentative Millage (ad valorem + voted debt) represents a decrease from prior year of .0809 mills or 1.12%

At this meeting the Council will be presented the Five-Year Capital Improvement Plan (CIP), after which the Council will have an opportunity to discuss the Five-Year Capital Improvement Plan, the General Fund Budget, the Utility Fund Budgets, the Special Funds, the Millage rate, and other items related to the FY2021 Proposed Budget.

OPTIONS:

Option 1: Allow the Finance Director to present the Five-Year Capital Improvement Plan after which discussions for the Capital Plan, General Fund, Utility Funds, and Special Revenue Funds may continue.

Option 2: Do not allow the Finance Director to present the Five-Year Capital Improvement Plan.

STAFF RECOMMENDATION:

Option 1: Allow the Finance Director present the Five Year Capital Improvement Plan after-which discussions for the Capital Plan, General Fund, Utility Funds, and Special Revenue Fund budgets may continue.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 16

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

The City Administrator will provide a summary at the meeting.

UPCOMING MEETINGS:

City Council Meetings and Budget Workshops	August 19 – 4 pm – City Council Chambers
Library Board	October 21, 2020 – 2:30 pm – Library Conference Room (No meetings June through September)
Planning and Zoning Board	August 20, 2020 – 3 pm – City Council Chambers
Code Enforcement Hearing	August 25, 2020 – 5 pm – City Council Chambers

UPCOMING EVENTS:

Hydro Drag Nationals	August 15-16, 2020 – Details to be Announced
Hydro Drag Nationals	September 12-13, 2020 – Details to be Announced
Coastal Cleanup	September 19, 2020 – Details to be Announced (City Event)
Lake County Folk Festival	October 3, 2020 – Details to be Announced (City Event)
Rocktoberfest/Monster Splash	October 10, 2020 – Details to be Announced (City Event)
Boo Fest	October 30, 2020 – Details to be Announced (City Event)
Kayakathon	October 31, 2020 – Details to be Announced
Hydro Drag Nationals	November 7-8, 2020 – Details to be Announced
Harris Chain of Lakes Steamboat Meet	November 9-12, 2020 – Details to be Announced
Santa Shuffle	December 5, 2020 – Details to be Announced
Christmas Parade & Celebration	December 5, 2020 – Details to be Announced (City Event)

OUTSIDE AGENCY MEETINGS:

Lake County League of Cities	August 14, 2020 – 12:00 noon – Mount Dora Golf Course – 1100 S. Highland St.
Lake Sumter MPO Executive Board Meeting	August 26, 2020 – 2:00 pm – 225 W. Guava St., Lady Lake
Tavares Chamber Business Luncheon	August 26, 2020 – 11:30 am – Tavares Pavilion on the Lake – Speaker to be Announced

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

N/A

**AGENDA SUMMARY
TAVARES CITY COUNCIL
8/5/2020**

AGENDA TAB NO.: 17

SUBJECT TITLE: City Council Member Reports

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

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

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

N/A