

SPECIAL MEETING OF THE LADY LAKE TOWN COMMISSION

DATE: Wednesday, February 19, 2014
TIME: 6:00 p.m.
PLACE: Town Hall Commission Chambers
409 Fennell Blvd., Lady Lake, Florida

ALL INTERESTED PERSONS ARE CORDIALLY INVITED TO ATTEND THIS PUBLIC MEETING

AGENDA*

- A. CALL TO ORDER:** Mayor Ruth Kussard
- B. PROCEDURAL:** *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*
- C. PLEDGE OF ALLEGIANCE:** Mayor Ruth Kussard
- D. INVOCATION¹:** Minister Donn Poole, Brownwood Baptist Church
- E. ROLL CALL**
- F. PUBLIC COMMENTS²**
- G. CONSENT³:**
1. Minutes – February 3, 2014 – Regular Commission Meeting
 2. Consideration for the Lady Lake Historical Society to Host a Community Rummage Sale on March 22, 2014 and November 8, 2014 at the Log Cabin Park (Mike Burske)
 3. Consideration for New Song Community Church to Hold Easter Sunrise Services at the Log Cabin/Veterans Park on Easter Sunday (Mike Burske)
- H. OLD BUSINESS:**
- I. NEW BUSINESS:**

4. Consideration of Approval for the Second Annual Scam Jam Shred-A-Thon on March 15, 2014 (Chris McKinstry)
5. Consideration of Approval to Enter into a Memorandum of Agreement (MOA) with the Fraternal Order of Police (FOP) Regarding the Modification of Article 15, Promotions (Chris McKinstry)
6. Consideration of Department of Economic Opportunity (DEO) Community Development Block Grant (CDBG) – Approval to Award Project for Construction Pending Final DEO Approval (C.T. Eagle/Greg Lang-Mittauer & Associates)
7. Consideration of Proposal from All Weather Heating & Cooling, Inc. for HVAC Duct Cleaning and Sanitizing for Town Hall and the Police Department (C.T. Eagle)

J. TOWN ATTORNEY'S REPORT:

8. Ordinance No. 2014-02 – Second/Final Reading – An Ordinance Requiring the Commission to Discuss Postponing Voting on Matters Until There Are Three Votes to Deny or Approve (Kris Kollgaard)
9. Resolution No. 2014-101 – First/Final Reading - A Resolution of the Town of Lady Lake Establishing a Restricted Fund for Certain Equipment Purchases, Real Property Purchases, and Building and Facility Improvements and Expansions (Kris Kollgaard)

K. TOWN MANAGER'S REPORT:

10. Discussion/Direction Regarding Property – Wildflower Subdivision (5.73± acres) (Kris Kollgaard)
11. Discussion/Direction Regarding Local Option Gas Tax Distribution Among the Municipalities (Kris Kollgaard)

L. MAYOR/COMMISSIONER'S REPORT:

M. PUBLIC COMMENTS⁴

N. ADJOURN

***Back up for agenda items is available on the Town's website at www.ladylake.org or contact the Town Clerk at (352) 751-1571.**

This public hearing is being conducted in a handicapped accessible location. Any handicapped person requiring an interpreter for the hearing impaired or the visually impaired should contact the Clerk's Office at least two (2) days prior to the meeting and an interpreter will be provided. To access a Telecommunication Device for Deaf Persons (TDD), please call (352) 751-1565. Any handicapped person requiring special accommodations at this meeting should contact the Clerk's Office at least two (2) days prior to the meeting.

Advice to the Public: If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he may need a verbatim record of the proceedings including the testimony and evidence, a record of which is not provided by the Town of Lady Lake. (F.S. 286-0105)

Please be advised that one or more members of any other Town Board or Committee may be in attendance of this meeting.

¹ Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

² This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.

³ All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

⁴ This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.

MINUTES OF THE REGULAR MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA
February 3, 2014

The Regular Meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Ruth Kussard presiding. The meeting convened at 6:00 p.m.

A. **CALL TO ORDER:** Mayor Ruth Kussard

B. **PROCEDURAL:** *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*

C. **PLEDGE OF ALLEGIANCE:** Mayor Ruth Kussard

D. **INVOCATIONⁱ:** Pastor Keith Johnson, Chapel of Christian Faith

E. **ROLL CALL:** Tony Holden, Commissioner Ward 2
Dan Vincent, Commissioner Ward 3
Paul Hannan, Commissioner Ward 4
Jim Richards, Commissioner Ward 5
Ruth Kussard, Mayor/Commissioner Ward 1

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Mike Burske, Parks & Recreation Director; Chief Chris McKinstry, Police Department; Jeannine Michaud, Finance Director; and Nancy Slaton, Deputy Town Clerk

F. **PUBLIC COMMENTSⁱⁱ**

Mayor Kussard asked if anyone in the audience would like to speak on any item.

- Joe Quinn of 633 Rainbow Blvd. stated that the new Paradise Park walking trail opened last week in Lady Lake and it is very nice and has comfortable walking surfaces, but many people are walking their dogs there and are not cleaning up after them. He stated The Villages is allowing a six month trial period for pets to be allowed there, but asked if there was anything to be done about it now by any authority. Mr. Quinn stated he loves dogs, but many people are not picking up after their pets. He stated this occurred at the Art in the Park event at the Log Cabin Park as well.

Mayor Kussard stated she would like to speak with Mr. Quinn about this after the meeting.

Commissioner Hannan stated he has also visited this new park and is in agreement with Mr. Quinn about the pet messes being left behind. He stated that John Rohan is the person to speak to and he was

1 considering sending him an email about this as well, but thought it might be better that it come from
2 the Town. He also commented that the park closes at dusk and he thinks this is good.

3
4 **G. CONSENTⁱⁱⁱ:**

5
6 **1. Minutes – January 6, 2014 – Regular Commission Meeting**

7
8 **2. Consideration of Budget Amendment to Increase Parks & Recreation Capital Outlay**
9 **Equipment (Jeannine Michaud)**

10
11 The background summary for this agenda item is on file in the Town Clerk's office. It states that the
12 Town received a settlement check for \$12,933.00 from the insurance company to replace the bleacher
13 sun shades damaged in a storm on September 24, 2013. This amendment will increase capital outlay
14 to replace the sun shades and increase insurance claims proceeds. This amendment requires
15 Commission approval because it involves the capital budget and it also increases the total revenue and
16 expenditure bottom line budget.

17
18 **3. Consideration of Request from Lake County Supervisor of Elections to Utilize the Lady**
19 **Lake Public Library for an Early Voting Site for the 2014 Primary and General Elections (Kris**
20 **Kollgaard)**

21
22 The background summary for this agenda item is on file in the Town Clerk's office. It states that the
23 Lake County Supervisor of Elections is requesting to utilize the Lady Lake Library as an early voting
24 site for the Primary Election for the dates of August 11-16, 2014 and August 17-23, 2014; and for the
25 General Election for the dates of October 20-25, 2014 and October 26-November 1, 2014.

26
27 **4. Consideration for the Parks and Recreation Department to Invest \$400.00 to Install**
28 **Irrigation at the Driving Range to Assist in Controlling Dust at Their Parking Lot (Mike Burske)**

29
30 The background summary for this agenda item is on file in the Town Clerk's office. It states that the
31 Parks and Recreation Department is asking to install irrigation that would allow the Driving Range to
32 water their parking lot during periods without rain. The irrigation would come on manually and would
33 be controlled by the Range. The water for the irrigation would be paid for by the Driving Range and
34 Parks and Recreation staff would install the system using new and old irrigation parts from our
35 inventory.

36
37 **5. Consideration to Host the Annual Lady Lake Easter Egg Hunt at the Junior Field at the**
38 **Guava Street Athletic Complex on April 12, 2014 (Mike Burske)**

39
40 The background summary for this agenda item is on file in the Town Clerk's office. It states that last
41 year, the Lady Lake Easter Egg Hunt Volunteers counted over 2,700 people attending the event. The
42 Parks and Recreation Director is proposing to host this event at the Junior Baseball Field at the Guava
43 Street Athletic Complex. The size of the field and the available parking will assist in handling a crowd
44 of this size. As in years past, many different groups and organizations will assist the Town with this
45 event. Many Chamber members, businesses and churches donate their time, labor and signs for the
46 event. Last year, over 30 different groups supported this event and allowed for a controlled Easter Egg
47 Hunt. The egg hunt goes for the duration of the event and allows children of similar ages to hunt at the
48 same time. The number of children is also controlled to make sure every child is able to get several
49 eggs. Some of the groups who assisted last year were the Lady Lake Library, Chamber of Commerce,
50 Girls Scouts, Relay for Life, Steeple People, Life Family Practice, United Southern Bank, Lady Lake

1 Area Rotary Club, Heritage Community Church, First Baptist Church of Lady Lake, Crossroads
2 Community Church, Sonic Drive Thru, Chick-Fil-A, Z88 Radio, Recreation Plantation and the
3 Historical Society. As with any event, the groups and games will change from year to year, and
4 bounce houses are expected to be donated for the event once again this year. The businesses who
5 donate their time and efforts are able to advertise who they are and hand out coupons or literature to
6 help support their organization; this is also the practice for the Halloween Party. To assist with
7 marketing, this event will appear on many websites for different organizations and will give the event
8 great exposure while not having to pay to advertise. There are many different churches and
9 organizations that volunteer to run the egg hunt and the front gate, which allows the Town to staff the
10 event without utilizing paid staff. Including those running games, approximately 100 people volunteer
11 for this event and assist in the coordination.

12
13 *Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the*
14 *Commission approved Consent Items #G-1 through #G-5 by a vote of 5 to 0.*

15
16 **H. OLD BUSINESS:**

17
18 **I. NEW BUSINESS:**

19
20 **6. Consideration to Construct a Sun Shade at Town Hall Utilizing Up to \$500.00 in**
21 **Contingency Funds and Using Parts from Several Storm Damaged Shades to Build one Shade**
22 **(Mike Burske)**

23
24 Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on
25 file in the Town Clerk's office). He stated that the Parks and Recreation Department is asking to
26 restore and utilize one of the sun shades that was destroyed at the Rolling Acres Sports Complex. It is
27 estimated to cost \$500.00 to paint and build concrete supports for the shade structure. The shade
28 would be located behind Town Hall and would serve as a picnic table cover. He stated that staff was
29 able to restore one of the shades and place it at Pyramid Park, so he believes that the shade will hold up
30 to the repairs and placement at another area.

31
32 Town Manager Kris Kollgaard pointed out that the proposed location for the shade structure is in back
33 near the steps and by the side of the building and will provide staff with a shaded area to take breaks or
34 eat their lunch outdoors.

35
36 Commissioner Hannan questioned whether the Town should spend nearly \$500.00 on this when
37 hurricanes or wind gusts have damaged others, and suggested coming up with something more stable.

38
39 Ms. Kollgaard stated that the structure should be protected to a degree since it will be between the
40 woods and the building, and Mr. Burske agreed.

41
42 Commissioner Richards commented that to put it in perspective, the dog park put in hardened pavilions
43 at \$8,000.00 each.

44
45 Ms. Kollgaard asked Mr. Burske if the shade screen can be removed.

46
47 Mr. Burske replied that the top part can be removed during storms and that staff plans on putting the
48 supports three feet into the ground using concrete.

1 Commissioner Richards asked that Mr. Burske be recognized for the Town receiving a Horizon Award
2 for a Large Municipality from the Lake-Sumter MPO for the Rolling Acres Road Sidewalk Project.
3 He stated this was a grant that Mr. Burske worked on and he is the local agency project manager,
4 which requires a lot of work to keep the State happy for the award of the grant money. Commissioner
5 Richards stated this project will help provide sidewalks within two miles of the school on Rolling
6 Acres Road, Hermosa St., Lemon St., part of Clay St., Griffin Rd., and First, Second and Third Streets.
7

8 *Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission*
9 *approved the Consideration to Construct a Sun Shade at Town Hall Utilizing Up to \$500.00 in*
10 *Contingency Funds and Using Parts from Several Storm Damaged Shades to Build one Shade, by a*
11 *vote of 5 to 0.*
12

13 **7. Consideration of Mattress Firm-Major Site Plan 12/13-001 – Proposal for Construction of**
14 **a Single-Use Development Consisting of 4,020 Sq. Ft. of Furniture Retail Sales Area – Located at**
15 **867 N. Hwy 27/441 Within the Home Depot Subdivision (Thad Carroll)**
16

17 Growth Management Director Thad Carroll gave the background summary for this agenda item (on
18 file in the Town Clerk's office). He stated that the applicant, Van MF Lady Lake, LLC, has submitted
19 a site plan for the construction of a one-story single-use development consisting of 4,020 sq. ft. of
20 furniture retail sales area. The parcel is approximately 1.19 +/- acres located at 867 N. Hwy 27/441
21 and is an outparcel of the Home Depot Subdivision. Mr. Carroll stated this is located in front of the
22 Home Depot and to the north of the retention pond. He noted there is another Mattress Firm located
23 further up the road in Summerfield. He reviewed plans and photos showing the site plan and the
24 present view of the site. It was noted that the site plan was reviewed to determine if it is in compliance
25 with the Land Development Regulations (LDRs) including parking, setbacks, landscaping,
26 engineering, environmental protection and commercial design standards.
27

28 Mr. Carroll reported that the property is zoned Heavy Commercial ("HC") which permits the
29 development and construction of the proposed project. The Future Land Use Map designation for the
30 site is Commercial General-Retail Sales & Services (RET). The requested use is consistent with the
31 directives of the Comprehensive Plan and adopted Land Development Regulations.
32

33 Mr. Carroll stated that site plans have been submitted by Gregory Robert Roth, Professional Engineer
34 with Thomas Engineering Group (formerly Bohler Engineering). The landscaping and irrigation plans
35 have been prepared and certified by Jason E. Rinard, Registered Landscape Architect with Hardeman
36 Kempton & Associates, Inc. The applicant has complied with all requirements pursuant to the Land
37 Development Regulations (LDRs) for site plans, including Chapter 7-Site Plan Development
38 Regulations, Chapter 10-Landscaping & Tree Protection, Chapter 14-Water, Reuse Water, and Sewer
39 Standard Specifications, and Chapter 20-Commercial Design Standards of the LDRs. Reviews were
40 completed for the Town of Lady Lake by Town staff, Neel-Schaffer Engineering, and Kerry Barnett
41 for compliance with the Florida Fire Prevention Code. The following reviews are contained in the
42 packet:
43

- 44 a. Town Engineer comments for the site plan dated January 23, 2014 (satisfied).
- 45 b. Fire Review comments dated December 7, 2013 (satisfied).
- 46 c. Waste Management comments dated December 5, 2013 (satisfied).
- 47 d. Lady Lake Building Official comments dated December 5, 2013 (satisfied).
- 48 e. Lake-Sumter MPO comments dated December 11, 2013 (satisfied).
- 49 f. Lady Lake Public Works comments dated December 23, 2013 & granted reuse waiver
50 request dated January 6, 2014 (satisfied).

- 1 g. Florida Dept. of Transportation comments dated January 15, 2014 (satisfied).
- 2 h. Florida Dept. of Environmental Protection Wastewater Permit Exemption
- 3 Determination dated January 6, 2014 (satisfied).
- 4 i. Florida Dept. of Environmental Protection Water Permit Exemption Determination
- 5 dated January 7, 2014 (satisfied).
- 6 j. St. John's River Water Management Individual Environmental Resource Permit No.
- 7 IND-069-94056-7 (pending approval).
- 8

9 It is anticipated that the applicant will receive the St. John's River Water Management District
10 Individual Environmental Resource permit in the next coming weeks; however, in accordance with
11 Florida Statute 166.033. Paragraph 4, this permit may not be a requirement for development approval.
12 However, the applicant shall provide all required state permits prior to commencing construction.

13
14 Mr. Carroll stated the application was not presented to the Town Commission in the venue of the
15 conceptual workshop as the plan meets all requirements of the code, and no waivers to the commercial
16 design standards were requested. Photos of the proposed landscaping vegetation and drawings of the
17 building elevations were presented.

18
19 Commercial Design Standards: The project will exhibit exterior building designs in accordance with
20 the Mediterranean Architectural Style. No waivers are needed and none have been requested.

21
22 Landscaping and Tree Protection - Tree Requirements: In accordance with Chapter 10-Landscape and
23 Tree Protection, the site is required to provide 190.4 tree caliper inches based on its 1.19-acre area
24 (160'x 1.19). The landscaping tree proposal breakdown is as follows:

25		
26	Existing trees to remain	20.5 tree caliper inches
27	Proposed trees for the site	179.0 tree caliper inches
28	Total tree caliper inches	199.5 tree caliper inches
29		

30 Mr. Carroll reiterated that the caliper inches of the landscaping material exceeds minimum
31 requirements of the LDRs. All landscaping buffers and required plant material for landscaping islands
32 and building base will be provided; a Buffer Type Class "A" will be provided on the property. No
33 waivers are required and none have been requested.

34
35 Mr. Carroll stated the application was received on December 5, 2013, and the Technical Review
36 Committee reviewed the application at its regular meeting on January 7, 2014 and voted 5-0 to move
37 forward to the Town Commission. He noted that the Planning and Zoning Board does not review Site
38 Plan applications, and the Tree & Beautification Advisory Committee did not review the site plan
39 application as the plan meets all requirements of the code and no landscaping waivers were requested.

40
41 Mr. Carroll stated that sidewalks are being proposed to be installed by the FDOT along this road. He
42 stated the applicants are present if there are any questions.

43
44 Commissioner Hannan clarified that the fire safety issues for the project were resolved. He also asked
45 if it would be in the best interest of the Town if boring were to be done under Hwy 27/441 and if it
46 would be beneficial to the other businesses on that side of the street. He stated perhaps the cost could
47 be shared.

48
49 Mr. Carroll stated the boring would be for the reuse and that it is already at Sam's Club at this time.
50 He stated the cost would be prohibitive at \$33,000 for the applicant to connect, whereas by not

1 connecting to the reuse, the applicant would pay \$641 for one irrigation ERU. He stated this has been
2 approved by Public Works. Mr. Carroll stated that there are no other new applications for businesses
3 in this area to share the cost, and the Town has no leverage to mandate it.
4

5 Commissioner Richards asked if the Town had enough reuse available to satisfy everyone at this time.
6

7 C.T. Eagle, Public Works Director, stated that the reuse system output is equal to what comes in. He
8 reiterated that it is cost prohibitive for the applicant and that is why they sought a waiver on hooking
9 up to the reuse and are instead paying \$641 for one irrigation ERU.
10

11 Ms. Kollgaard asked if Mr. Eagle could estimate what it would cost to hook up the other businesses in
12 the area.
13

14 Mr. Eagle replied that the Home Depot and Panda Express are not hooked up to reuse, and would use a
15 minimal amount if they were, due to the lack of landscaping, etc., although Sam's Club is the big user
16 and is already hooked up to reuse.
17

18 Commissioner Hannan asked if there were other vacant outparcels in this area.
19

20 Mr. Carroll replied this is the last outparcel available in the plat.
21

22 Commissioner Vincent asked if the new development projects proposed on the opposite side of the
23 highway near Tire Kingdom are set to hook up to reuse.
24

25 Mr. Eagle stated that side of the road is already piped for reuse and the developer has already reserved
26 and purchased the capacity for water, sewer and reuse, and that unless a major user of reuse hooks up,
27 the output should equal the input. He stated that residential properties are major users as they do not
28 produce a lot of effluent, but use a lot of irrigation water. Mr. Eagle stated that taking on commercial
29 accounts is good for reuse.
30

31 *Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission*
32 *approved Consideration of Mattress Firm-Major Site Plan 12/13-001 – Proposal for Construction of*
33 *a Single-Use Development Consisting of 4,020 Sq. Ft. of Furniture Retail Sales Area – Located at*
34 *867 N. Hwy 27/441 Within the Home Depot Subdivision, by a vote of 5 to 0.*
35

36 **8. Consideration to Reschedule the Second Commission Meeting in February to February**
37 **19, 2014 Due to the President's Day Holiday on February 17, 2014 (Kris Kollgaard)**
38

39 Town Manager Kris Kollgaard asked that the Commission consider rescheduling the second meeting
40 in February to Wednesday, February 19th since it would normally fall on the President's Day holiday
41 on Monday, February 17, 2014.
42

43 *The Commissioners agreed to reschedule the second Commission meeting in February to February*
44 *19, 2014 due to the President's Day holiday on February 17, 2014.*
45

46 **9. Review of Draft Resolution for Establishing a Restricted Fund to Pay for Future Land**
47 **Purchases, Building and Facility Improvements/Expansions, and Large Capital Equipment (Kris**
48 **Kollgaard)**
49

1 Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Town
2 Clerk's office). She stated that the draft resolution establishes a separate restricted property purchase
3 fund. The primary purpose of the fund is to pay for future land purchases, building and facility
4 improvements/expansions, and large capital equipment. Ms. Kollgaard stated that if the wording of the
5 resolution is acceptable to the Commission, then staff will advertise the resolution in all three
6 newspapers since it pertains to Town funds, and put it on the next Commission meeting agenda for
7 consideration of approval.
8

9 *It was the consensus of the Commissioners to move forward with the resolution as presented.*

10
11 **J. TOWN ATTORNEY'S REPORT:**

12
13 **10. Ordinance No. 2014-01 – Second/Final Reading – Regarding Reduction of Supplemental**
14 **Educational Impact Fees (Kris Kollgaard)**

15
16 Derek Schroth, Town Attorney, read the ordinance by title only.

17
18 Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Town
19 Clerk's office). She stated that on January 6, 2014, the Town Commission approved the first reading
20 of Ordinance No. 2014-01 which reduces the Town's supplemental education assistance fee rates to
21 25% of the original rate set by Ordinance No. 2006-61. The new rates will be as follows:
22

23 All residential construction occurring within the Town shall pay the following Supplemental Education
24 Assistance Fee:

- 25
26
 - \$750.00 per dwelling unit
 - \$450.00 per multi-family dwellings
27
28

29 Ms. Kollgaard stated there have been no changes since the first reading.

30
31 Mayor Kussard asked if there was any public comment on this ordinance, and seeing none, asked for a
32 motion.
33

34 *Upon a motion by Commissioner Vincent and seconded by Commissioner Richards, the Commission*
35 *approved Ordinance No. 2014-01 – Second/Final Reading – An Ordinance Regarding a 25%*
36 *Reduction of Supplemental Educational Impact Fees by the Town of Lady Lake, by the following*
37 *roll call vote:*

38
39 **HOLDEN** **YES**
40 **VINCENT** **YES**
41 **HANNAN** **YES**
42 **RICHARDS** **YES**
43 **KUSSARD** **YES**
44

45 **11. Ordinance No. 2014-02 – First Reading – An Ordinance Requiring the Commission to**
46 **Discuss Postponing Voting on Matters Until There Are Three Votes to Deny or Approve (Kris**
47 **Kollgaard)**

48
49 Derek Schroth, Town Attorney, read the ordinance by title only.
50

1 Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Town
2 Clerk's office). She stated that as discussed at the January 13, 2014 Commission Workshop, staff has
3 attached the recommended ordinance which establishes the procedures on how to handle a tie vote by
4 the Commission. She stated the Town has been lucky over the years, but this will be in place in the
5 event a Commissioner has to be absent.

6
7 Mayor Kussard asked if there was any public comment on this ordinance, and seeing none, asked for a
8 motion.

9
10 *Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the*
11 *Commission approved Ordinance No. 2014-02 – First Reading – An Ordinance Requiring the*
12 *Commission to Discuss Postponing Voting on Matters Until There Are Three Votes to Deny or*
13 *Approve, by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

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20
21 **K. TOWN MANAGER'S REPORT:**

22
23 Town Manager Kris Kollgaard reported that resident Joe Quinn brought an issue to her attention. She
24 stated that although the Town has a no smoking policy, people have been throwing cigarette butts on
25 the ground near the entrance of the library. Ms. Kollgaard stated that there is no ashtray there now
26 because it almost encourages people to smoke there. Instead, she stated she has spoken with Mr.
27 Eagle, and he presented a sign that states that smoking is not allowed and cigarettes are to be placed in
28 the receptacle.

29
30 Commissioner Hannan asked who empties the receptacles.

31
32 Ms. Kollgaard replied that the cleaning people empty the receptacles.

33
34 *It was the consensus of the Commission to go ahead with placement of the signs and receptacles at*
35 *the Library.*

36
37 **12. Consideration of Two Appointments/Reappointments to the Planning & Zoning Board**
38 **(Kris Kollgaard)**

39
40 Town Manager Kris Kollgaard gave the background summary from the agenda item cover sheet (on
41 file in the Town Clerk's office). She reported that the Planning and Zoning Board has two members
42 whose terms are expiring this month. Michael McKenzie and William Scott are currently on the Board
43 and Mr. McKenzie wishes to be reappointed, but Mr. Scott does not as he has been on the Board for
44 many years. Ms. Kollgaard stated there are two other applications currently on file for Sue Nord and
45 Alfred Monteleone.

46
47 Ms. Kollgaard asked if any applicants were in the audience.

48
49 Mr. Monteleone introduced himself.

1 Mayor Kussard asked Mr. Monteleone why he would like to serve on the Planning and Zoning Board.

2
3 Mr. Monteleone replied that he believes that planning and zoning is an important function of the Town
4 of Lady Lake and he would like to be part of it, and to put his past experience in water and wastewater
5 construction to use as an asset to that Board.

6
7 Commissioner Richards stated he also had a background in building wastewater plants for ten years.

8
9 Mayor Kussard confirmed that no other applicants for the Planning and Zoning Board were in the
10 audience.

11
12 Commissioner Hannan commented that although Mr. McKenzie is not present, other than the
13 absenteeism during his illness, he has been a good Board member. He stated that he is glad to see that
14 Mr. Monteleone is at the meeting and that attendance makes a difference, and although he was on the
15 fence about the appointment, he is not now.

16
17 The Commissioners were asked to make their selections. The following results were read into the
18 record and tallied:

19
20 *Michael McKenzie received five votes and was reappointed.*

21
22 *Alfred Monteleone received five votes and Sue Nord received no votes. Mr. Alfred Monteleone was*
23 *appointed as a new member.*

24
25 **L. MAYOR/COMMISSIONER'S REPORT:**

26
27 Commissioner Richards stated he is very happy with the tremendous job staff is doing in making sure
28 the Commissioners have the information they need to make the decisions they have to make. He also
29 thanked all the volunteers for their attendance at the meetings.

30
31 Commissioner Vincent noted that one of the Town's vendors, Kling Towing, deserves a shout-out for
32 going above and beyond during a recent incident that happened on US Hwy 27/441 and Rolling Acres
33 Road. He asked that the Commission send a thank you letter to them as they are of value to the Town.
34 Commissioner Vincent also thanked the Police Chief and the Corporal for their involvement during the
35 incident.

36
37 Town Manager Kris Kollgaard stated the Town has some nice thank you cards on hand and she could
38 give one to the Mayor to sign on behalf of the Commission.

39
40 Commissioner Hannan asked how many emails have been received regarding allowing residents who
41 live outside of Lady Lake and Lake County to serve on the Town's boards and committees. He stated
42 he only received one email in favor, but about ten against.

43
44 Ms. Kollgaard stated there have been quite a few against, but she has not counted them.

45
46 Mayor Kussard stated she has received over 30 against.

47
48 Commissioner Holden stated it was clear to him after reading the emails that the respondents did not
49 understand that it was proposed that there would be only one member per board/committee that would
50 be allowed to live outside of town.

1
2 Mayor Kussard stated that she has discovered that many Lady Lake residents were not aware of the
3 necessity for people to apply for the various board/committee appointments, even though the Town
4 publicizes this in the paper and on the web site. She stated residents want to make sure that Town
5 residents make the recommendations as they have a vested interest and pay taxes in Town. Mayor
6 Kussard stated she has received inquiries on what the requirements are for the various
7 boards/committees. She asked if there was any other way to get the word out about volunteer
8 board/committee vacancies.

9
10 Ms. Kollgaard stated the Town puts a big ad out once a year, and other clubs help by posting the
11 vacancies. She stated someone has suggested using radio advertisement.

12
13 Commissioner Hannan suggested an article in The Villages News as a lot of people are reading it.

14
15 Ms. Kollgaard asked if the Commission still wanted staff to proceed with the changes to the ordinance
16 regarding allowing residents outside of Lady Lake to be on the boards/committees.

17
18 After further discussion, the Commission agreed that staff should postpone for 60 days changing the
19 ordinance in that regard to see if more applications come in.

20
21 Ms. Kollgaard suggested that when the ordinance is changed, requirements for experience should be
22 included.

- 23
24 - Joe Quinn of 633 Rainbow Blvd. stated that whenever there are gatherings in Lady Lake
25 such as the Art in the Park, the Town should have a booth or table set up to promote the
26 Town and take advantage of the crowds. He also confirmed that all the boards/committees
27 are advisory and stated that perhaps that should be made known, as otherwise it may scare
28 people off.
- 29
30 - Dan Bard of Mira Mesa in The Villages introduced himself and stated he is the director of
31 for the PHA in the Lady Lake portion of The Villages. He stated every month, an insert is
32 put in the paper called The Voice, and he stated he would be glad to include information in
33 his article for The Voice.
- 34
35 - Jeremiah Delgado of The Villages News stated he would also write an article on this and
36 asked that information be sent to him.

37
38 Ms. Kollgaard thanked the gentlemen for their offers.

39
40 Mayor Kussard stated there is going to a ribbon cutting ceremony at 10 a.m. on Wednesday at the new
41 Affordable Lock and Security Solutions business which has gone into the castle building on Hwy
42 27/441. She stated it would be nice to see other Commissioners attend to show support for a new
43 business in town.

44
45 Ms. Kollgaard stated she has been in contact with Wildflower Development regarding the property and
46 a meeting is scheduled for Wednesday. She stated she will let them know the Town would like to have
47 the property, but it is not a great need, and the Town is only willing to pay \$150,000. The
48 Commissioners agreed with this.

1 Commissioner Hannan stated he was curious as to why the group of Boy Scouts was in attendance at
2 tonight's meeting.
3

- 4 - Larry Lupin introduced himself as a member of The Villages Scouts and stated they have a
5 required merit badge called Citizenship in the Community, and it requires attendance at a
6 business meeting and a write up on an item for a yes or no value. He stated this is also a
7 requirement for Eagle, which is the highest award.
8

9 **M. PUBLIC COMMENTS^{iv}:**

- 10
11 - Regarding Kling Towing, Jeremiah Delgado of The Villages News commented that a
12 woman in Orange Blossom Gardens had her golf cart stolen, and the Lady Lake Police
13 Department found it and Kling Towing volunteered to tow it back to her and will do so
14 tomorrow morning.
15

16 **N. ADJOURN**

17
18 There being no further discussion, the meeting was adjourned at 6:53 p.m.
19
20
21

22 _____
Kristen Kollgaard, Town Clerk

23 _____
Ruth Kussard, Mayor

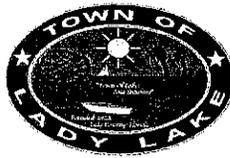
24 Minutes transcribed by Nancy Slaton, Deputy Town Clerk

ⁱ Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

ⁱⁱ This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.

ⁱⁱⁱ All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

^{iv} This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE : February 19, 2014

SUBJECT: Consideration for the Lady Lake Historical Society to Host a Community Rummage Sale on March 22, 2014 and November 8, 2014 at the Log Cabin Park

DEPARTMENT: Parks and Recreation

STAFF RECOMMENDED MOTION: Approval for the Lady Lake Historical Society to Host a Community Rummage Sale on March 22, 2014 and November 8, 2014 at the Log Cabin Park

SUMMARY: The Lady Lake Historical Society is seeking permission to host two rummage sales in front of the museum. They will rent tables to vendors and also sell donated items. The anticipated rummage sale dates will be March 22, 2014 and November 8, 2014. The proposed hours of the event are from 8:00 a.m. – 4 p.m., with set-up beginning around 6:00 a.m. before the park opens. The Parks and Recreation Director will attend to help set-up and take down the tables and chairs, and may be assisted by another Parks and Recreation staff member. The last sale had around 50 vendors, and this event has proven to be very popular and attracts many area residents. In case of inclement weather, I am asking for flexibility to work with the Historical Society to choose an alternate date.

FISCAL IMPACT: Up to \$150.00 in overtime will be used.

- [] Capital Budget
[] Operating
[X] Other (overtime budget)

ATTACHMENTS: [] Ordinance [] Resolution [] Budget Resolution

[] Other

[] Support Documents

DEPARTMENT HEAD [Signature] Submitted 02/16/14 Date 02/16/14

HR [Signature] Approved as to Form Date 02-10-14

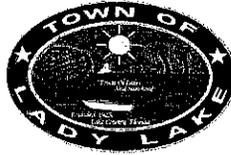
FINANCE DEPARTMENT [Signature] Approved as to Budget Requirements Date 2/10/14

TOWN MANAGER [Signature] Approved Agenda Item for: 2/19/14 Date 2/10/14

COMMISSION ACTION:

- [] Approved as Recommended [] Disapproved [] Tabled Indefinitely
[] Continued to Date Certain [] Approved with Modification

[Handwritten mark]



G-3

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: February 19, 2014

SUBJECT: Consideration for New Song Community Church to Hold Easter Sun Rise Service at the Log Cabin/Veterans Park on Easter Sunday

DEPARTMENT: Parks and Recreation

STAFF RECOMMENDED MOTION: Approval for New Song Community Church to Hold Easter Sun Rise Service at the Log Cabin/Veterans Park on Easter Sunday

SUMMARY: The New Song Community Church is asking for the use of the lawn at the Log Cabin/Veterans Park for a sunrise service on April 20, 2014 between the hours of 6:00 a.m. to 8:00 a.m., which is before the park opens. Parking will be utilized at the Cabin and at their facility across the street. They are expecting 50 people to attend this event. No Town services are requested except the use of the power. As this is Easter Sunday, the Parks and Recreation Director will work if there is a call for assistance. There is no fee for this facility or the use of the lawn listed in the Town's Code of Ordinances. The Chamber of Commerce was notified and has no problem with the activity. New Song Community Church has hosted this event at Veterans Park twice before and has been a great steward of the park.
-No additional insurance coverage is required.

FISCAL IMPACT: No fiscal impact

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

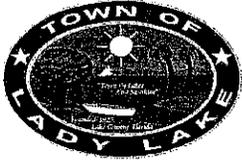
Support Documents

DEPARTMENT HEAD <i>MDB</i>	Submitted 02/16/14	Date 02/19/14
HR <i>[Signature]</i>	Approved as to Form	Date 02-10-14
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN MANAGER <i>[Signature]</i>	Approved Agenda Item for: 2-19-14	Date 2-10-14

COMMISSION ACTION:

- Approved as Recommended
- Disapproved
- Tabled Indefinitely
- Continued to Date Certain
- Approved with Modification

JS



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: February 19, 2014

SUBJECT: Scam Jam Shred-A-Thon

DEPARTMENT: Police Department

RECOMMENDED MOTION: The Lady Lake Police Department (LLPD) requests approval to host the Second Annual Scam Jam Shred –A-Thon on Saturday, March 15, 2014.

SUMMARY: The Lady Lake Police Department is requesting to host the Second Annual Scam Jam Shred-A-Thon on Saturday, March 15, 2014 from 10:00 am until 2:00 pm at the north front parking area of Target. This program is designed to increase public awareness with regard to current trends in criminal scams affecting our community and identify those responsible. Additionally, our agency will have educational information available to help citizens protect their identity and personal financial information from being compromised. Residents will be able to bring documents to be destroyed to this event and two (2) shred trucks are being made available courtesy of Citizens First Bank. Community partners confirmed for this event include: Citizens First Bank, Target, Seniors vs. Crime, and the Sheriffs Offices of Lake, Sumter and Marion counties.

FISCAL IMPACT: -0-

- Capital Budget
- Operating
- Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other –Attachments: 2014 Scam Jam Shred-A-Thon Flyer

Support Documents/Contracts Available for Review in Manager’s Office

DEPARTMENT HEAD	Submitted <i>[Signature]</i>	Date 2/5/2014
<i>[Signature]</i> FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN ATTORNEY	Approved as to Form and Legality	Date
TOWN MANAGER <i>[Signature]</i>	Approved Agenda Item for: 2/19/14	Date 2/10/14

COMMISSION ACTION:

- Approved as Recommended
- Disapproved
- Tabled Indefinitely
- Continued to Date Certain
- Approved with Modification

Help protect yourself from **IDENTITY THEFT** and join regional law enforcement for the...

SECOND ANNUAL SCAM JAM / SHRED-A-THON

Saturday, March 15, 2014
From 10:00 am until 2:00 pm
TARGET parking lot, 716 North US 27/441

hosted by



The Lady Lake Police Department



in partnership with



Lake County Sheriff



Sumter County Sheriff



Marion County Sheriff

Bring your documents containing personal information and we will shred them for **FREE**; three (3) box/bag maximum. Local law enforcement will share educational information regarding identity theft, current scams, and wanted persons.



TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: February 19, 2014

SUBJECT: Consideration of approval to enter into a Memorandum of Agreement (MOA) with the Fraternal Order of Police regarding the modification of Article 15, Promotions.

DEPARTMENT: POLICE

STAFF RECOMMENDED MOTION:

Approval of the Memorandum of Agreement with the Fraternal Order of Police regarding Article 15, Promotions.

SUMMARY: Recent police department staffing changes have resulted in a need for supervisory personnel. The police department currently does not have an eligibility list for promotions. The attached MOA contains provisions to fill the need quickly and fairly. The proposed MOA language was overwhelmingly approved by the police department FOP members. This proposed MOA does not change the structure of the police department, only the process for promotion. Attorney Wayne Helsby has reviewed and approved this agreement.

FISCAL IMPACT: 0 [] Capital Budget [] Operating [] Other

ATTACHMENTS: [] Ordinance [] Resolution [] Budget Resolution [] Other [X] Support Documents - Memorandum of Agreement

DEPARTMENT HEAD Submitted [Signature] Date 01/27/2014
HR Approved as to Form [Signature] Date 02-05-14
FINANCE DEPARTMENT Approved as to Budget Requirements Date
TOWN MANAGER [Signature] Approved Agenda Item for: 2-19-14 Date 2-10-14

Reviewed [Signature]

COMMISSION ACTION:

- [] Approved as Recommended [] Disapproved [] Tabled Indefinitely
[] Continued to Date Certain [] Approved with Modification

[Signature]

MEMORANDUM OF AGREEMENT

This memorandum is made by and between The Town of Lady Lake ("The Town") and the Fraternal Order of Police ("The FOP"). The parties bind themselves to undertake a Memorandum of Agreement ("Agreement") under the following terms in regards to Article 15 (Promotions):

- A. Section 1 – Separates the rank of "Corporal" and "Sergeant" from the described promotional testing process.
- B. Section 2 - Permits the appointment to the rank of "Corporal" by the Chief of Police based on the recommendations of the Operations Lieutenant and squad sergeants.
- C. Section 3, #3 - Removes the minimum eligibility requirement that a candidate achieve the rank of "Corporal" prior to testing for the rank of "Sergeant".
- D. Section 3 - Adds language: "Must have obtained Florida Field Training Officer certification.
- E. Section 4 – affirms the rank of "Corporal" receives 4% above their current pay rate.
- F. Section 4 – clarifies the rank of "Sergeant" receives 5% above their current pay rate if the bargaining unit member is promoted from the rank of "Corporal".
- G. Section 4 – clarifies the rank of "Sergeant" receives 9% above their current pay rate if the bargaining unit member is promoted from the rank of "Officer".

The provisions of this Agreement expire simultaneous with the current contract.

This Agreement may be modified or amended if the amendment is made in writing and signed by both parties.

SIGNED this _____ day of _____, 2014

TOWN:

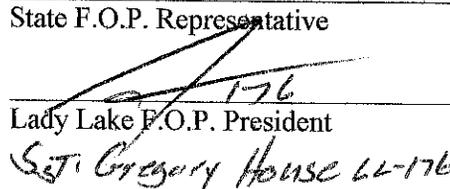
Mayor

Town Manager

Town Clerk

FRATERNAL ORDER OF POLICE:

State F.O.P. Representative



Lady Lake F.O.P. President

SGT Gregory House 62-176

ARTICLE 15

PROMOTIONS

SECTION 1

All vacancies in the rank of Police ~~Sergeant and Corporal~~ shall be filled on the basis of a an appointment process administered by the Chief of Police in accordance with accepted law enforcement and supervisory practices provided the candidate meets the criteria established in Section 2 of this article.

All vacancies in the rank of Police Sergeant shall be filled on the basis of a process administered by the Chief of Police in accordance with accepted law enforcement and supervisory practices.

The process shall include three components: (1) a written examination; (2) a response to a written scenario/s; and (3) an oral interview. If an employee meets the minimum eligibility requirements for promotion to the rank of Police Sergeant ~~or Corporal~~ or if they will become eligible during the time the eligibility list will be active, they will be allowed to sit for the examination.

A. Written Examination

For the written examination component of the promotional process, written questions comprised of true/false, multiple choice, and fill-in-the-blank or matching questions. The written examination shall be assigned a grade of between 0% and 100%.

B. Response to Written Scenario(s)

1 For the written scenario component of the promotional process, the candidate will
2 be required to respond in writing to a written scenario(s). The response will be
3 graded by a panel comprised of at least three (3) individuals who are each sworn
4 law enforcement officers and whose rank is at least Sergeant or above, with no
5 more than one panel member from the Town's Police Department (the "Panel").
6 The written scenario(s) shall be assigned a grade of between 0% and 100%.

7 C. Oral Interview

8
9 For the oral interview component of the promotional process, the candidate will
10 be interviewed and graded by the Panel. The candidate will be assigned a grade
11 of between 0% and 100%.

12
13 The promotional list shall be posted of those candidates who receive an
14 aggregate score of 75% or better on the three components of the promotional
15 process. Those rankings shall remain in effect for one (1) year from the date of
16 the posting. The Chief of Police shall fill Sergeant and ~~Corporal~~ vacancies by
17 selecting any of the candidate(s) on the promotion list. Promotions shall be
18 made within forty five (45) days of the vacancy, provided that the rankings are in
19 effect at such time as the vacancy occurs. In the event no candidates are on the
20 promotions list at the time the vacancy occurs, the promotion shall be made
21 within forty five (45) days of completion of the promotional process referenced
22 herein.

23
24
25
26

1 SECTION 2

2
3 The minimum eligibility requirements for the rank of Corporal, ~~in addition to the~~
4 ~~successful completion of the promotional process above~~, shall be as follows:

- 5
6 1. One (1) year continuous service with the Town of Lady Lake Police
7 Department, or
8 2. Two (2) years previous experience as a certified police officer and successful
9 completion of the Town's probationary period for newly hired employees; and
10 3. No documented disciplinary action (three or more written reprimands, a
11 suspension without pay or a demotion) within one-year period prior to the
12 vacancy being posted.

13 4. Must have obtained Florida Field Training Officer certification.

14 4.5. Appointment to the rank of "Corporal" is made by the Chief of Police
15 based on the recommendations of the Operations Bureau Lieutenant and
16 squad sergeants.

17
18 ~~5. 15 credit hours in criminal justice and/or completion of 2 of the following 3~~
19 ~~advanced courses:~~

20 ➤ ~~Line Supervision or Middle Management~~

21 ➤ ~~Writing and Reviewing Reports~~

22 ➤ ~~Special Tactical Problems~~
23

24 SECTION 3

25
26 The minimum eligibility requirements for the rank of Police Sergeant shall be as follows
27 in addition to successful completion of the promotional process above:
28

- 1 1. Three (3) years continuous service with the Town of Lady Lake Police
2 Department, or
- 3 2. Five (5) years previous experience as a certified police officer and successful
4 completion of the Town's probationary period for newly hired employees and;
- 5 ~~3. Must have obtained Corporal status with the Town and successful completion~~
6 ~~of the promotional probationary period. ; and~~
- 7 3. Must have obtained Florida Field Training Officer certification.
- 8 4. Fifteen (15) credit hours in Criminal Justice and/or completion of two (2) of the
9 three (3) advanced courses:
- 10
- 11 ➤ Line Supervision or Middle Management
- 12 ➤ Writing and Reviewing Reports
- 13 ➤ Special Tactical Problems
- 14
- 15 ~~4. 5.~~ No documented disciplinary action (three or more written reprimands, a
16 suspension without pay or a demotion) within one-year period prior to the
17 vacancy being posted.
- 18

19 SECTION 4

22 ~~Upon promotion to the rank of Sergeant, the bargaining unit member shall~~
23 ~~receive the base pay for Sergeant or 5% above their current pay rate, whichever is~~
24 ~~greater. Upon promotion to the rank of Corporal, the bargaining unit member shall~~
25 ~~receive the base pay for Corporal or 4% above their current pay rate, whichever is~~
26 ~~greater.~~

1 Upon promotion to the rank of Corporal, the bargaining unit member shall
2 receive the base pay for Corporal or 4% above their current pay rate, whichever
3 is greater.

4
5 Upon promotion to the rank of Sergeant, the bargaining unit member shall
6 receive the base pay for Sergeant or 5% above their current pay rate, whichever
7 is greater if the bargaining unit member is promoted from the rank of Corporal.

8
9 Upon promotion to the rank of Sergeant, the bargaining unit member shall
10 receive the base pay for Sergeant or 9% above their current pay rate, whichever
11 is greater if the bargaining unit member is promoted from the rank of Officer.

12
13 SECTION 5

14
15 All employees who are promoted to a new position shall be subject to a
16 probationary period of 180 days. The Town shall have the right to unilaterally extend
17 this probationary period for one (1) additional ninety (90) day period. Should such an
18 extension be imposed, this employee will be provided with written progress reports
19 every thirty (30) days. During this probationary period, such employees may be
20 demoted to their previous position without cause, but they may not be otherwise
21 terminated or disciplined except in accordance with the terms of this agreement. For
22 the purpose of this Section, "promoted to a new position", shall mean any increase in
23 the employee's rank, pay grade (other than lateral transfer pay differentials) or
24 supervisory duties.

Greg House

From: Greg House
Sent: Monday, January 27, 2014 5:28 AM
To: Chris McKinstry
Cc: Jason Brough; Vernon Wherry; 'fop16llpd@aol.com'; 'FopStateRep@aol.com'
Subject: FW: FOP Contract MOU
Attachments: FOP Article 15 Proposed.pdf; MEMORUNDAUM OF AGREEMENT (Article 15).docx

Importance: High

Expires: Saturday, January 25, 2014 12:00 AM

Good Mornin' Chief,

I've printed the attached MOU, signed it and have placed it into an Inner Office Delivery Envelope in your file box outside the Admin Office door. Please advise if you need anything further.

Thank you,

Sgt. Gregory W. House LL-176
Lady Lake Police Department
423 Fennell Blvd.
Lady Lake, Fl. 32159
Town Hall Hours: Mon - Thurs 7:30am - 6:00pm
(352) 751-1565
Fax: (352) 751-1566
Dept Cell Ph: (352) 551-4130
Office: (352) 751-1578 Email: GHouse@LadyLakePD.org



FSS 668.6076 - "Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

From: Greg House
Sent: Saturday, January 25, 2014 1:20 AM
To: Police Officers
Cc: 'fop16llpd@aol.com'; 'fopstaterep@aol.com'
Subject: FW: FOP Contract MOU
Importance: High

To All:

A total of 13 votes were received within the allotted voting time. The results: **12** votes to approve and **1** vote to reject the MOU and verbiage amendment were counted.

The attached MOU and Article 15 verbiage amendment has been ratified.

I will coordinate efforts with the Chief and FOP Rep Bill Hastings to possibly have this item placed on the agenda for the next general commission meeting scheduled for Monday, February 3rd, 2014 at 6pm. This will be pending the deadline date for submitting monthly commission agenda items to be reviewed by the commission. If passed the deadline date, it will have to be placed the following scheduled general commission meeting which is scheduled to be held on Monday, March 3rd, 2014 at 6pm.

Thank you,

Sgt. Gregory W. House LL-176
Lady Lake Police Department
423 Fennell Blvd.
Lady Lake, Fl. 32159
Town Hall Hours: Mon - Thurs 7:30am - 6:00pm
(352) 751-1565
Fax: (352) 751-1566
Dept Cell Ph: (352) 551-4130
Office: (352) 751-1578 Email: GHouse@LadyLakePD.org



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From: Greg House
Sent: Wednesday, January 22, 2014 2:44 AM
To: Police Officers
Cc: 'fop16llpd@aol.com'; 'fopstaterep@aol.com'
Subject: FW: FOP Contract MOU
Importance: High

To All:

As indicated in the email below, the attached MOU will need a majority vote to be approved / ratified by the Officers in order to forward it to the Town Commission for their review and pending approval.

I've created a vote attachment to this email help expedite the ratification vote which will expire this Friday, January 24th at midnight. To further document the votes, I have also asked that each Officer casting their vote, also send a "read receipt" for this message, when prompted to do so. To cast your vote, simply check the vote box in the upper left hand corner of this email and click to either "approve" or "reject" the attached MOU and Verbiage amendments. After making your selection, you will be prompted to send your vote.

At the conclusion of the ratification vote, the results will be forwarded to all Officers after counting and verifying the votes received.

Please do not hesitate to call if you have any question.

Thank you,

Sgt. Gregory W. House LL-176
Lady Lake Police Department
423 Fennell Blvd.
Lady Lake, Fl. 32159
Town Hall Hours: Mon - Thurs 7:30am - 6:00pm
(352) 751-1565
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From: Greg House
Sent: Friday, January 17, 2014 5:35 AM
To: Police Officers
Cc: 'fop16llpd@aol.com'; 'fopstaterep@aol.com'
Subject: FOP Contract MOU

To All:

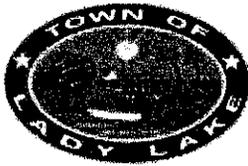
Attached are (2) documents generated by the Chief in reference to concerns surrounding the current supervisor shortages within the patrol division. The Memorandum of Understanding will amend Article 15 (Promotions) of our current FOP contract as it pertains to the eligibility, selection and testing process for both Corporals and Sergeants. Please review the attached documents and feel free to contact the Chief or myself with any questions and / or concerns you may have. To allow adequate time for review, I plan to present this MOU and Article 15 to everyone for a vote of ratification by Friday, January 24th next week.

Thank you,

Sgt. Gregory W. House LL-176
Lady Lake Police Department
423 Fennell Blvd.
Lady Lake, Fl. 32159
Town Hall Hours: Mon - Thurs 7:30am - 6:00pm
(352) 751-1565
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TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: February 19, 2014

SUBJECT: Consideration of Department of Economic Opportunity (DEO) Community Development Block Grant (CDBG) – Approval to Award Project for Construction pending final DEO Approval

DEPARTMENT: Public Works

STAFF RECOMMENDED MOTION: Approve to Award CDBG Project for Construction pending final DEO Approval.

SUMMARY: On September 19, 2012, the Town authorized Fred Fox Enterprises to submit a CDBG application in the Neighborhood Revitalization (NR) category to make drainage improvements to portions of the Skyline Drive area. The complete application was submitted to the DEO on October 1, 2012, and subsequently approved/awarded to the Town. DEO cleared the project for bidding on November 5, 2013.

On January 14, 2014, five (5) bids were received in response to the Town’s Advertisement for Bids on the CDBG 13 NR Skyline Drive Drainage Improvements project. The Town’s Engineer has reviewed the bids, contacted the low-bidder’s references, and has found B.R.W. Contracting, Inc. to be low bidder for this project. The base bid work includes construction of the drainage improvements with reinforced concrete pipe and concrete sidewalks through the project limits. The Town’s approval should be contingent upon approval by the Department of Economic Opportunity (DEO), as well as receipt of proper bonds and insurance certificates by the contractor. The Town’s approval is required first to move the process to the next steps.

The attached documents have been reviewed and approved by the Town Engineer and Town Attorney.

FISCAL IMPACT: \$ 631,082.00 (Construction to be paid from grant) [] Capital Budget [] Operating [X] Other - Grant Funds

ATTACHMENTS: [] Ordinance [] Resolution [] Budget Resolution [] Other [X] Support Documents -Engineer’s Recommendation of Award Letter, bid documents.

DEPARTMENT HEAD Submitted Date 02/04/2014
FINANCE DEPARTMENT JRM Approved as to Budget Requirements Date 2/6/2014
TOWN MANAGER [Signature] Approved Agenda Item for: 2/19/14 Date 2/10/14

COMMISSION ACTION:

- [] Approved as Recommended [] Disapproved [] Tabled Indefinitely
[] Continued to Date Certain [] Approved with Modification

JS



MITTAUER
& ASSOCIATES, INC.
CONSULTING ENGINEERS &
PROJECT FUNDING SPECIALISTS

580-1 WELLS ROAD
ORANGE PARK, FL 32073
PHONE: (904) 278-0030
FAX: (904) 278-0840
WWW.MITTAUER.COM

January 28, 2014

Mayor and Town Commission
Town of Lady Lake
136 Skyline Drive
Lady Lake, FL 32159

RE: Engineer's Recommendation of Award
CDBG 13 NR Skyline Drive Drainage Improvements
Town of Lady Lake, Florida
Mittauer & Associates, Inc. Project No. 9514-18-1

Dear Mayor and Town Commission Members:

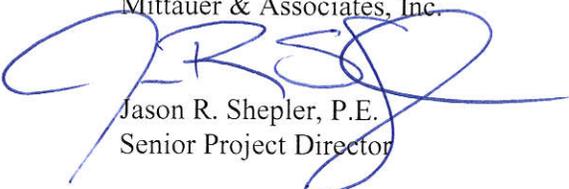
On January 14, 2014, five (5) bids were received in response to the Town's Advertisement for Bids on the CDBG 13 NR Skyline Drive Drainage Improvements project. We have reviewed the bids, contacted the low-bidder's references, and have found the below listed Contractor to be low bidder for this project. Contingent upon approval by the Department of Economic Opportunity (DEO) and your attorney, as well as receipt of proper bonds and insurance certificates, we recommend that the project be awarded as follows:

CONTRACTOR: B.R.W. Contracting, Inc.
2522 Hunt Road
Land O' Lakes, Florida 34638
813.996.5882 (office) | 813.996.1129 (fax)
Bob@BRWContracting.org

BASE BID AWARD AMOUNT: \$631,082.00

Enclosed herein is the certified bid tabulation and other documentation provided by the low bidder. We look forward to continuing our services on the Construction Phase of this project. As always, we remain available to answer any questions.

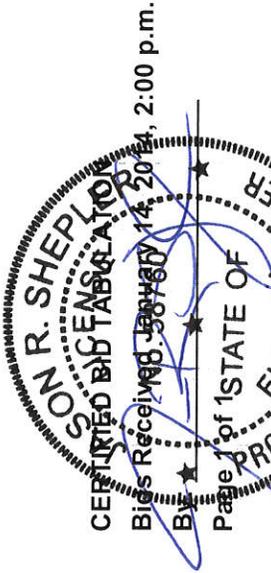
Sincerely yours,
Mittauer & Associates, Inc.


Jason R. Shepler, P.E.
Senior Project Director

Encl.
JRS

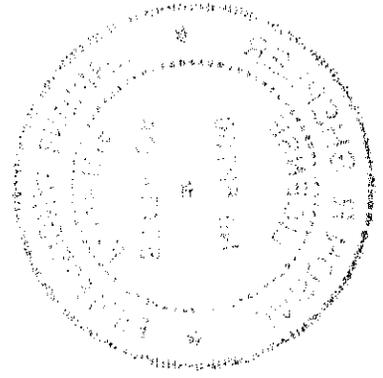
cc: B.R.W. Contracting, Inc.
Fox Enterprises

CDBG 13 NR Skyline Drainage Improvements
 Town of Lady Lake, Lake County, Florida
 Mittauer & Associates, Inc. Project No. 9514-18-1



Part A - Skyline Drainage Improvements				Part B - Skyline Drainage Improvements		Total Base Bid Price
Bidders	Lump Sum Bid	Permitting Allowance	Total Base Bid Price (1+2)	Lump Sum Bid Price	Part A + Part B	Total Base Bid Price
1. B.R.W. Contracting, Inc.	\$608,582.00	\$15,000.00	\$623,582.00	\$7,500.00	\$631,082.00	
2. GWP Construction, Inc.	\$632,400.00	\$15,000.00	\$647,400.00	\$6,800.00	\$654,200.00	
3. T&C Underground	\$650,000.00	\$15,000.00	\$665,000.00	\$20,000.00	\$685,000.00	
4. ACY Contractors, LLC	\$669,950.00	\$15,000.00	\$684,950.00	\$8,350.00	\$693,300.00	
5. Art Walker Construction, Inc.	\$688,000.00	\$15,000.00	\$703,000.00	\$9,500.00	\$712,500.00	

Deductive Alternate No. 1 - Corrugated Metal Piping (CMP)			Deductive Alternate No. 2 - Concrete Sidewalk	
Bidders	RCP Furnish & Install Lump Sum Price	CMP Furnish & Install Lump Sum Price	Lump Sum Deductive Price	Lump Sum Deductive Bid Price
1. B.R.W. Contracting, Inc.	\$0.00	\$10,500.00	(\$10,500.00)	(\$34,380.00)
2. GWP Construction, Inc.	\$163,000.00	\$161,000.00	(\$2,000.00)	(\$28,000.00)
3. T&C Underground	\$131,872.00	\$128,000.00	(\$3,872.00)	(\$30,000.00)
4. ACY Contractors, LLC	\$693,300.00	\$664,700.00	(\$28,600.00)	(\$22,300.00)
5. Art Walker Construction, Inc.	\$200,000.00	\$198,000.00	(\$2,000.00)	(\$23,000.00)



Jason Shepler

From: Dylan <dylan@brwcontracting.org>
Sent: Thursday, January 23, 2014 4:14 PM
To: Jason Shepler
Subject: CDBG Forms for Lady Lake
Attachments: Lady Lake CDBG Forms.pdf

Jason here are the CDBG Forms. We will be mailing out the originals in the morning to you.

Thanks,

Dylan Northrup

B.R.W. Contracting, Inc.
2522 Hunt Road | Land O' Lakes, FL 34638
Main: 813.996.5882 Ext 210 | Fax: 813.996.1129 |
Excellence is Standard. | dylan@brwcontracting.org

RECEIVED

JAN 23 2014

Mittauer & Assoc., Inc.

The information contained in this e-mail transmission is intended specifically for the individual or entity to which it is addressed and is privileged and confidential. If you are not the intended recipient, nor the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, copying or storing of this transmission (including any attachments) is strictly prohibited. If you have received this e-mail in error, please notify the sender promptly by return e-mail. We thank you for your compliance with this request.

SECTION 00811

Department of Economic Opportunity – Community Development Block Grant Program

Bidding Information and Contractor Eligibility

10/26/2011

Local Government: Town of Lady Lake, Florida

CDBG Contract #:

13DB-OI-06-45-02-N36

Use a separate form for each prime contractor hired under the CDBG subgrant.

A contract is expected to be awarded to the contractor(s) listed below. Please advise whether any contractor is identified on the List of Parties Excluded from Federal Procurement Programs.

Prime Contractor	Bid Amount	Bid Date	Wage Decision Information	
			Number	Modification
B.R.W. Contracting, Inc	\$631,082.00	1/14/2014	FL	
			FL	

Describe the contract work to be performed: *Storm Structures & Drainage, Paving & Driveway Aprons*

List any subcontractors that will be working under the prime contract: *N/A*

1. Is there additional work to be bid?	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No
2. Is contract award to the apparent low bidder?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No*
3. After bid opening, was any bidder allowed to modify his bid, or was the project changed in any way?	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No
4. Was any bidder rejected or allowed to withdraw after bid opening?	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No
5. If there is only one bid, is it within the estimate or do the files document that the bid is reasonable?	<input type="checkbox"/> Yes <input type="checkbox"/> No* <input checked="" type="checkbox"/> N/A
6. Has the prime contractor documented efforts to obtain minority and women subcontractors as required by 24 CFR 85.36(e) (2) (vi)? (Documentation of efforts must be retained in project files for review and reporting purposes.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No*
7. Did any party (bidder, sub, or supplier) file a protest? (Grantees must have written protest procedures.)	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No

* For these situations, please provide details on a separate sheet of paper. It is recommended that the subgrant administrator discuss this with CDBG staff before the contract is awarded to ensure compliance with procurement regulations.

Phyllis K. Blankenship
Name

Phyllis K. Blankenship
Signature

1-23-2014
Date

SECTION 00811

Department of Economic Opportunity – Community Development Block Grant Program

Section 3 Compliance Information

(Construction Prime Contractor)

10/26/2011

RECEIVED

Local Government: Town of Lady Lake, Florida

JAN 23 2014

CDBG Contract #:

13DB-OI-06-45-02-N36

Project: CDBG 13 NR Skyline Drainage Improvements

Mittauer & Assoc., Inc.

Part A: Completed by the prime contractor only if the contract amount is at least \$100,000.

Contractor Name: *B.R.W. Contracting, Inc*

Contract Amount: \$ *631,082.00*

1. Does the business qualify as a "Section 3 Business Concern" because	
a) It is at least <u>51% owned</u> by Section 3 residents*, or	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b) At least 30% of its <u>permanent full-time employees</u> are	
i) Currently Section 3 residents*, or	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii) Were Section 3 residents* within first three years of employment, or	<input type="checkbox"/> Yes <input type="checkbox"/> No
c) Will at least 25% (dollar value) of construction subcontracts (no material/supplies/equipment vendors unless they are also installing same) be to businesses meeting (a) or (b) above?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes , list any Section 3 subcontractors and subcontract amount:	
Subcontractors	Subcontract Amount
	\$
<i>None</i>	\$
	\$
2. Will the contractor be hiring any additional staff (office or field) for this project?	
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• If yes , what types of jobs (e.g., laborer, equipment operator), and how many additional hires estimated in each job type?	

*Section 3 resident means: (1) A public housing resident; or (2) An individual who resides in the metropolitan area or nonmetropolitan county in which the section 3 covered assistance is expended, and who is: (i) A *low-income person*, as this term is defined in section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)). Section 3(b)(2) of the 1937 Act defines this term to mean families (including single persons) whose incomes do not exceed 80 per centum of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families; or (ii) A *very low-income person*, as this term is defined in section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)). Section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)) defines this term to mean families (including single persons) whose incomes do not exceed 50 per centum of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. (3) A person seeking the training and employment preference provided by section 3 bears the responsibility of providing evidence (if requested) that the person is eligible for the preference.

Note: This contract is funded with federal funds and this information is required for reporting purposes. See Section 3 portion of CDBG Supplemental Conditions for additional information.

SECTION 00811

Department of Economic Opportunity – Community Development Block Grant Program

Section 3 Compliance Information

(Construction Subcontractor)

10/26/2011

Local Government: Town of Lady Lake, Florida

CDBG Contract #:

Project: CDBG 13 NR Skyline Drainage Improvements

13DB-OI-06-45-02-N36

Part B: Completed by construction subcontractors only if the prime contract is at least \$100,000 (Do not include equipment or material suppliers unless they are installing also.)

Subcontractor Name:

Subcontract Amount: \$

1. Does the business qualify as a "Section 3 Business Concern" because	
a) It is at least <u>51% owned</u> by Section 3 residents*, or	<input type="checkbox"/> Yes <input type="checkbox"/> No
b) At least 30% of its <u>permanent full-time employees</u> are	
i) Currently Section 3 residents*, or	<input type="checkbox"/> Yes <input type="checkbox"/> No
ii) Were Section 3 residents* within first three years of employment, or	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Will the subcontractor be hiring any additional staff (office or field) for this project?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> If yes, what types of jobs (e.g., laborer, equipment operator), and how many additional hires estimated in each job type? 	

*Section 3 resident means: (1) A public housing resident; or (2) An individual who resides in the metropolitan area or nonmetropolitan county in which the section 3 covered assistance is expended, and who is: (i) A *low-income person*, as this term is defined in section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)). Section 3(b)(2) of the 1937 Act defines this term to mean families (including single persons) whose incomes do not exceed 80 per centum of the median income for the area, as determined by the Secretary, with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 80 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low-income families; or (ii) A *very low-income person*, as this term is defined in section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)). Section 3(b)(2) of the 1937 Act (42 U.S.C. 1437a(b)(2)) defines this term to mean families (including single persons) whose incomes do not exceed 50 per centum of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50 per centum of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes. (3) A person seeking the training and employment preference provided by section 3 bears the responsibility of providing evidence (if requested) that the person is eligible for the preference.

Note: This contract is funded with federal funds and this information is required for reporting purposes. See Section 3 portion of CDBG Supplemental Conditions for additional information.

SECTION 00811

Department of Economic Opportunity – Community Development Block Grant Program
Documentation for Businesses Claiming Section 3 Status

10/1/2011

Name of Business:

Address of Business:

Type of Business: Corporation Partnership
 Sole Proprietorship Joint Venture

Attached is the following documentation as evidence of Section 3 status:

For a business claiming status as a Section 3 resident-owned enterprise

Copy of resident lease Copy of receipt of public assistance
 Copy of evidence of participation Other evidence
 in a public assistance program

For a business claiming Section 3 status by subcontracting 25 percent of the dollar awarded to qualified Section 3 business

List of Section 3 subcontractor(s) and subcontract amount(s).

For a business claiming Section 3 status based on at least 30 percent of their workforce currently qualifying as Section 3 residents or having been qualified as Section 3 eligible residents within three years of date of first employment with the business

List of all current full-time employees, and
 List of employees claiming Section 3 status and for each such employee:
 PHA/IHA Residential lease less than three years from date of employment, or
 Other evidence of Section 3 status less than three years from day of employment.

Signature

Type Name

Date

Note: The local government shall maintain this form and supporting documentation in the CDBG project files for review during monitoring.

**Certification Regarding
Debarment, Suspension,
And Other Responsibility Matters
Primary Covered Transactions**

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JAN 23 2014

Mittauer & Assoc., Inc.

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicated for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Phyllis K. Blankenship
Name

Town of Lady Lake, Florida
Local Government

President
Title

CDBG 13 NR Skyline Drainage Improvements
Project Name

B.R.W. Contracting, Inc
Firm (Contractor)

13DB-01-06-45-02-N36
CDBG Contract Number

2522 Hunt Road
Street Address

Phyllis K. Blankenship, Pres
Signature

Land D' Lakes, FL 34638
City, State, Zip

1-23-14
Date

**Certification Regarding
Debarment, Suspension, Ineligibility
And Voluntary Exclusion**

RECEIVED

JAN 23 2014

Mitauer & Assoc., Inc.

Lower Tier Covered Transactions

- (1) The prospective lower tier participant certifies, by submission of this document, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to the above statement, the prospective participant shall attach an explanation to this form.

Phyllis K. Blankenship
Name

Town of Lady Lake, Florida
Local Government

President
Title

CDBG 13 NR Skyline Drainage Improvements
Project Name

B.R.W. Contracting, Inc.
Firm (Contractor)

13DB-01-06-45-02-N36
CDBG Contract Number

2500 Hunt Road
Street Address

✓ Phyllis K. Blankenship, Pres
Signature

Land O Lakes, FL 34638
City, State, Zip

1-23-14
Date

JAN 23 2014

Mittauer & Assoc., Inc.

Certification Regarding Good Faith Efforts to Utilize Minority and Women's Business Enterprises

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principal have complied with 24 CFR 85.36(e)(2)(vi) as shown below:

24 CFR 85.36(e) *Contracting with small and minority firms, women's business enterprise and labor surplus area firms.*

(1) The grantee and subgrantee will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible.

(2) Affirmative steps shall include:

- (i) placing qualified small and minority businesses, and women's business enterprises on solicitation lists;
- (ii) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (iii) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises;
- (iv) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;
- (v) Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and
- (vi) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (e)(2)(i) through (v) of this section.

Phyllis K. Blankenship
Name

Town of Lady Lake, Florida
Local Government

President
Title

CDBG 13 NR Skyline Drainage Improvements
Project Name

B.R.W. Contracting, Inc
Firm (Contractor)

13DB-OI-06-45-02-N36
CDBG Contract Number

2522 Hunt Road
Street Address

Phyllis K. Blankenship, Pres
Signature

Land O' Lakes, FL 34638
City, State, Zip

1-23-14
Date

JAN 23 2014

Mittauer & Assoc., Inc.

SWORN STATEMENT UNDER SECTION 287.133(3)(a),
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER
OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to Town of Lady Lake, Florida
by Phyllis K. Blankenship, President
[print individual's name and title]

for B.R.W. Contracting, Inc
[print name of entity submitting sworn statement]

whose business address is

2522 Hunt Road
Land O' Lakes, FL 34638

and (if applicable) its Federal Employer Identification Number (FEIN) is 26-0000205

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn
statement: _____.)

2. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision or any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:
1. A predecessor or successor of a person convicted of a public entity crime: or
2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. [indicate which statement applies.]

Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. [attach a copy of the final order]

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND, THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

Rhyllia K. Blankenship, Pres
[signature]

Sworn to and subscribed before me this 23rd day of January, 2014.

Personally known

Jean A. Overstreet

OR Produced identification

Notary Public - State of Florida

My commission expires 6-25-16



JEAN A. OVERSTREET
MY COMMISSION # EE 205277
EXPIRES: June 25, 2016
Bonded Thru Budget Notary Services

(Printed typed or stamped
commissioned name of notary public)



1-7

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: February 19, 2014

SUBJECT: Consideration of Proposal from All Weather Heating & Cooling, Inc. for HVAC Duct Cleaning and Sanitizing for the Town Hall and Police Department.

DEPARTMENT: Public Works – Facilities Maintenance

STAFF RECOMMENDED MOTION: Approve the proposal from All Weather Heating & Cooling, Inc. utilizing budgeted contingency funds.

SUMMARY: Public Works staff recommends the cleaning and sanitizing of the HVAC ductwork for Town Hall and Police Department. The buildings have been in continuing service for 15 years in which regular maintenance of the HVAC Units and serviceable areas have been maintained regularly. This is a specialized type of commercial service, requiring specialized machines and skills. Purchasing the machinery and training current staff would not be cost feasible since this type of service is not needed on a regular basis for Town Facilities. Staff has solicited 3 proposals from 3 vendors, the presented proposal is the lowest competent price submitted for this specialized service.

FISCAL IMPACT: \$ 8,595.00
(Paid from Contingency Funds)

- Capital Budget
- Operating
- Other - 001-1901-519-9900

ATTACHMENTS: Ordinance Resolution Budget Resolution Other
 Support Documents – Proposal from All Weather Heating & Cooling, Inc.

DEPARTMENT HEAD  Submitted Date 02/06/2014

FINANCE DEPARTMENT  Approved as to Budget Requirements ^{\$119,197 in Contingency} Date 2/10/14

TOWN MANAGER  Approved Agenda Item for: 2-19-14 Date 2-11-14

COMMISSION ACTION:

- Approved as Recommended
- Disapproved
- Tabled Indefinitely
- Continued to Date Certain
- Approved with Modification



All Weather Heating & Cooling, Inc.

Candy Jones

710 NE 17th Place

Ocala, Fl 34470

Marion #352-867-0019

Lake #352-365-2653

Fax #352-867-0916

Proposal

02-06-2014

Att: Ted

Town of Lady Lake

423 Fennel Blvd

Lady Lake, FL 32159

Town Hall & Police Department Combined

We will perform a complete duct clean on 10 roof top units with 172 drop supplies and returns.

One piece of equipment will penetrate each duct, break loose dirt and debris, and then remove.

We will clean and sanitize all grills, seal and mastic boots.

We will also clean blower and evaporator coils in place on each of the ten units.

Total job--- \$ 8595.00----- job will take 3 people a total of 4 days

Proposal submitted by:

Candy Jones

Note: This proposal may be withdrawn by us if not accepted in 30 days

We propose hereby to furnish material & labor --complete in accordance with above specifications: for the sum of: \$8595.00 if no Payment is made & collection proceedings will commence. Late Charges, Attorney Fees and court cost to be paid by signee. Neither personal nor corporate bankruptcy will exonerate the below from paying.

Acceptance of Proposal

Date

License No CACO 55532

For PD only

All Weather Heating & Cooling, Inc.

*Candy Jones
710 NE 17th Place
Ocala, FL 34470*

Marion #352-867-0019

Lake#352-365-2653

Fax #352-867-0916

Proposal

01-14-2014

Att: Ted

Town of Lady Lake

423 Fennel Blvd

Lady Lake, FL 32159

To do a complete duct clean on 4 roof top units with 84 drops supplies & returns. Clean & sanitize all grills mastic boots clean blower in place

→ Total job--- \$ 4200.00--- job will take 2 people a total of 2 days

Note: This proposal may be withdrawn by us if not accepted in 15 days

We propose hereby to furnish material & labor -complete in accordance with above specifications: for the sum of: \$
if no Payment is made & collection proceedings will commence. Late Charges, Attorney Fees and court cost to be
paid by signee. Neither personal nor corporate bankruptcy will exonerate the below from paying.

Acceptance of Proposal

Date

License No CACO 55532

For PD
only

Ted Williams

From: Mato Barisic [mato.barisic@ductdetectives.com]
Sent: Tuesday, January 21, 2014 3:11 PM
To: Ted Williams
Cc: Chad Cowan; Michael Knight; Bo Levesque
Subject: Lady Lake Police Department - Commercial Air Duct Cleaning Quote
Attachments: Lady Lake Police Department.pdf

Good Afternoon Ted,

Attached is our proposal for cleaning the air systems in the Lady Lake Police Department. Thank you for the opportunity and have a great day!

Thank You
Mato Barisic
Chief Estimator
Duct Detectives, Inc.
6457 Hazeltine National Drive
Suite 145
Orlando, FL 32822
Cell # 407-761-5220
Office # 407-243-6601 ext. 102
Fax # 407-243-6602



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(888)893-9110

Serving the Southeast for over 20 years with Quality Commercial Duct Cleaning

Lic. # CAC1816309

Lic. # MRSR2441

Corp. Office/Billing Office
6457 Hazeltine National Drive
Suite 145
Orlando, FL 32822
407-243-6601

Regional Office
700 Wave Crest Ave/Suite 105
Melbourne Beach, FL 32907
321-299-7149

Regional Office
1410 West Main Street
Franklin, TN 37064
615-405-6914

Regional Office
2750 Mission Run Court
Tallahassee, FL 32303
615-829-3561

www.ductdetectives.com

2013 Ranked #1 Largest NADCA Certified Company in the South

Commercial Air Duct Cleaning Quote

Date: 1/21/14

Project: Lady Lake Police Department
423 Fennell Blvd.
Lady Lake, FL 32159

Attention: Ted Williams
twilliams@ladylakepw.org

Description of Service: The HVAC system shall be cleaned using source-removal mechanical cleaning methods designed to extract contaminants from within your HVAC system and to safely remove these contaminants from the facility. No cleaning method, or combination of methods, shall be used that could potentially damage components of the HVAC system or negatively alter the integrity of the system. All HVAC cleaning will be performed per ACR 2013 NADCA standards.

- **Air Handler Cleaning Includes:** Hand contact HEPA vacuum cleaning the interior surfaces, the blower fan, and thoroughly wet cleaning the cooling coils with an EPA approved coil cleaner. **(4) RTUs Serving the Police Department**
- **Terminal Air Unit Cleaning Includes:** Hand contact HEPA vacuum cleaning the interior surfaces until thoroughly cleaned.
- **Ductwork Cleaning Includes:** Connecting the ductwork to a HEPA filtered negative air machine to collect the debris within the air system. Once connected, we will use air washing lances and air agitation devices to dislodge any debris internally and collect it back to the negative air machine until the ductwork is visibly cleaned. **(Supply Air Ducts & Return Air Ducts)**
- **Air Vent Cleaning Includes:** HEPA vacuum cleaning the surfaces and hand washing until thoroughly cleaned.

Scope of Work: We plan to clean the existing to remain (4) RTUs, their associated terminal air units, supply air ducts, return air ducts, and air vents serving air to the Lady Lakes Police Department. Our cleaning methodologies are listed above. All cleaning will be performed per NADCA ACR 2013 standards.

Qualifications:

Duct Detectives, Inc.

* NADCA Member Company ASCS, VSMR, CVI

* BBB

* Florida Class HVAC Contractor CAC1816309

* IICRC Certified Firm

* Specializing in Commercial Duct Cleaning:

Hospitals, Schools, & Government Municipalities

* All 18 Technicians are OSHA 10 Certified and Respiratory Fitted

Chad Cowan – President of Duct Detectives, Inc.

* NADCA since 1996

* NADCA technical trainer for three years for Region 7

* IAQA Member #18991

* CAC1816309

Cost: \$12,570.00

Quote includes all Wages, Materials, Equipment, Mobilization Cost, and Insurance to complete the above description of services per “ACR 2013 NADCA Standard”

Excluded: Access doors and access door installation. We will use existing access points to access the air ducts and re-patch per SMACNA standards.

Labor or materials to install filters or filter media for AHUs or covering air vents will be provided by others.

Quote is valid for 120 days from the date shown above

Post Project Report

A post project report will be presented to include digital documentation, findings, recommendations, and success of services provided. The report will be sent via email to the client’s office no later than 7 business days from completion and sign off of project.

Duct Detectives, Inc. is a licensed/insured (4,000,000)/ NADCA certified company. We have over 30 years of combined experience in the Duct Cleaning, Installation, and Restoration Business. We look forward to working with you on this project.

Thank you for allowing Duct Detectives, Inc. to bid on this project.

Mato Barisic – Chief Estimator
Office # 407-243-6601 ext. # 102
mato.barisic@ductdetectives.com

Cc: Bo Levesque – ASCS
Office # 407-243-6601 ext. # 105
bo.levesque@ductdetectives.com

Cc: Chad Cowan – ASCS
Office # 407-243-6601 ext. # 101
chad.cowan@ductdetectives.com

Cc: Michael Knight – Regional Sales Manager
Office # 407-243-6601 ext. # 107
michael.knight@ductdetectives.com

SIMPSON ENVIRONMENTAL SERVICES, INC.

PO Box 735
 Trilby, FL 33593
 407-767-5487
 407-767-5497
 E-Mail: sbrigham@simpsonenv.com
 Web Site: www.simpsonenv.com

*Base Bid
 plus options*

Total = \$34,716.00

**Lady Lake Emergency Call Center - Base Bid
 Mechanical System Decontamination**

COST ESTIMATE

General	Item	Total Units	SCPS Rate	Total
Floor Tile Abatement	1-160		\$3.00	\$0.00
	160-500		\$1.75	\$0.00
	500-1000		\$1.75	\$0.00
	1000-1500		\$1.75	\$0.00
	1500-3000		\$1.75	\$0.00
	above 3000		\$1.75	\$0.00
	Removal of Carpets		1.1	\$0.00
	Removal of Tile from wood floors		1.1	\$0.00
	More than one layer of tile		1.1	\$0.00
	Class I Asbestos	Worker		\$30.00
Supervisor			\$35.00	\$0.00
Lead Based Paint	Worker		\$30.00	\$0.00
	Supervisor		\$35.00	\$0.00
Indoor Air Quality	1-160		\$2.75	\$0.00
	160-500		\$2.50	\$0.00
	500-1000		\$1.50	\$0.00
	1000-1500		\$1.50	\$0.00
	1500-3000		\$1.50	\$0.00
	above 3000		\$1.00	\$0.00
Coil Cleaning	Small 1 - 5 ton (fan coil)		\$215.00	\$0.00
	Small 1 - 5 ton (wall hung)		\$175.00	\$0.00
	Medium 5 - 15 ton		\$400.00	\$0.00
	Large 15 - 30 ton		\$600.00	\$0.00
	Extra Large above 30 ton		\$700.00	\$0.00
Time and Materials - Other (Duct Cleaning and Coating)	Worker	50.00	\$30.00	\$1,500.00
Time and Materials - Other (Duct Cleaning and Coating)	Supervisor	12.00	\$35.00	\$420.00
Time and Materials - Other (Duct Cleaning and Coating)	Materials - Flexible Duct, Duct Doors, Foster 40/80, Foster 40/30, etc.	765.00	1.1	\$841.50
	Materials - Portercept, Foster 40-80		1.1	\$0.00
Additonal Materials	Duct tape - roll		\$3.90	\$0.00
	Rags - box	3.00	\$32.00	\$96.00
	Barrier tape - roll		\$12.00	\$0.00
	Disposal Bags - roll		\$76.00	\$0.00
	Disposable Uniforms - box	1.00	\$20.00	\$20.00
	Gloves - box		\$7.00	\$0.00
	6-mil Poly Sheeting	1.00	\$62.00	\$62.00
	Glove Bags - roll		\$145.00	\$0.00
	Plywood - sheet		\$19.50	\$0.00
	Spray Glue - case		\$32.50	\$0.00

Estimated Total

\$2,939.50

SIMPSON ENVIRONMENTAL SERVICES, INC.

PO Box 735

Trilby, FL 33593

407-767-5487

407-767-5497

E-Mail: sbrigham@simpsonenv.com

Web Site: www.simpsonenv.com

**Lady Lake Police Department - Option 1
Mechanical System Decontamination**

COST ESTIMATE

General	Item	Total Units	SCPS Rate	Total
Floor Tile Abatement	1-160		\$3.00	\$0.00
	160-500		\$1.75	\$0.00
	500-1000		\$1.75	\$0.00
	1000-1500		\$1.75	\$0.00
	1500-3000		\$1.75	\$0.00
	above 3000		\$1.75	\$0.00
	Removal of Carpets		1.1	\$0.00
	Removal of Tile from wood floors		1.1	\$0.00
	More than one layer of tile		1.1	\$0.00
	Class I Asbestos	Worker		\$30.00
Supervisor			\$35.00	\$0.00
Lead Based Paint	Worker		\$30.00	\$0.00
	Supervisor		\$35.00	\$0.00
Indoor Air Quality	1-160		\$2.75	\$0.00
	160-500		\$2.50	\$0.00
	500-1000		\$1.50	\$0.00
	1000-1500		\$1.50	\$0.00
	1500-3000		\$1.50	\$0.00
	above 3000		\$1.00	\$0.00
Coil Cleaning	Small 1 - 5 ton (fan coil)		\$215.00	\$0.00
	Small 1 - 5 ton (wall hung)		\$175.00	\$0.00
	Medium 5 - 15 ton		\$400.00	\$0.00
	Large 15 - 30 ton		\$600.00	\$0.00
	Extra Large above 30 ton		\$700.00	\$0.00
Time and Materials - Other (Duct Cleaning and Coating)	Worker	270.00	\$30.00	\$8,100.00
Time and Materials - Other (Duct Cleaning and Coating)	Supervisor	68.00	\$35.00	\$2,380.00
Time and Materials - Other (Duct Cleaning and Coating)	Materials - Flexible Duct, Duct Doors, Foster 40/80, Foster 40/30, etc.	3825.00	1.1	\$4,207.50
	Materials - Portercept, Foster 40-80		1.1	\$0.00
Additional Materials	Duct tape - roll		\$3.90	\$0.00
	Rags - box	12.00	\$32.00	\$384.00
	Barrier tape - roll		\$12.00	\$0.00
	Disposal Bags - roll		\$76.00	\$0.00
	Disposable Uniforms - box	6.00	\$20.00	\$120.00
	Gloves - box		\$7.00	\$0.00
	6-mil Poly Sheeting	6.00	\$62.00	\$372.00
	Glove Bags - roll		\$145.00	\$0.00
	Plywood - sheet		\$19.50	\$0.00
	Spray Glue - case		\$32.50	\$0.00

Estimated Total

\$15,563.50

SIMPSON ENVIRONMENTAL SERVICES, INC.

PO Box 735

Trilby, FL 33593

407-767-5487

407-767-5497

E-Mail: sbrigham@simpsonenv.com

Web Site: www.simpsonenv.com

Lady Lake Town Hall - Option 2

Mechanical System Decontamination

COST ESTIMATE

General	Item	Total Units	SCPS Rate	Total
Floor Tile Abatement	1-160		\$3.00	\$0.00
	160-500		\$1.75	\$0.00
	500-1000		\$1.75	\$0.00
	1000-1500		\$1.75	\$0.00
	1500-3000		\$1.75	\$0.00
	above 3000		\$1.75	\$0.00
	Removal of Carpets		1.1	\$0.00
	Removal of Tile from wood floors		1.1	\$0.00
	More than one layer of tile		1.1	\$0.00
	Class I Asbestos	Worker		\$30.00
Supervisor			\$35.00	\$0.00
Lead Based Paint	Worker		\$30.00	\$0.00
	Supervisor		\$35.00	\$0.00
Indoor Air Quality	1-160		\$2.75	\$0.00
	160-500		\$2.50	\$0.00
	500-1000		\$1.50	\$0.00
	1000-1500		\$1.50	\$0.00
	1500-3000		\$1.50	\$0.00
	above 3000		\$1.00	\$0.00
Coil Cleaning	Small 1 - 5 ton (fan coil)		\$215.00	\$0.00
	Small 1 - 5 ton (wall hung)		\$175.00	\$0.00
	Medium 5 - 15 ton		\$400.00	\$0.00
	Large 15 - 30 ton		\$600.00	\$0.00
	Extra Large above 30 ton		\$700.00	\$0.00
Time and Materials - Other (Duct Cleaning and Coating)	Worker	290.00	\$30.00	\$8,700.00
Time and Materials - Other (Duct Cleaning and Coating)	Supervisor	68.00	\$35.00	\$2,380.00
Time and Materials - Other (Duct Cleaning and Coating)	Materials - Flexible Duct, Duct Doors, Foster 40/80, Foster 40/30, etc.	3870.00	1.1	\$4,257.00
	Materials - Portercept, Foster 40-80		1.1	\$0.00
Additional Materials	Duct tape - roll		\$3.90	\$0.00
	Rags - box	12.00	\$32.00	\$384.00
	Barrier tape - roll		\$12.00	\$0.00
	Disposal Bags - roll		\$76.00	\$0.00
	Disposable Uniforms - box	6.00	\$20.00	\$120.00
	Gloves - box		\$7.00	\$0.00
	6-mil Poly Sheeting	6.00	\$62.00	\$372.00
	Glove Bags - roll		\$145.00	\$0.00
	Plywood - sheet		\$19.50	\$0.00
	Spray Glue - case		\$32.50	\$0.00

Estimated Total

\$16,213.00

ORDINANCE NO. 2014-02

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA; REQUIRING THE TOWN COMMISSION TO DISCUSS POSTPONING CONSIDERATION OF MATTERS UNTIL, IF POSSIBLE, THERE ARE THREE COMMISSION VOTES TO APPROVE OR THREE VOTES TO DENY ANY MATTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Chapter 166 provides municipalities with the discretion to impose additional requirements for the adoption or enactment of ordinances or resolutions and to prescribe procedures in greater detail than those provided by statute;

WHEREAS, The Town Commission finds it in the best interests of the Town and its citizens to consider having at least three votes to approve or three votes to deny any matter when legally possible.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA:

Section 1. INTENT AND PURPOSE

The intent and purpose of this Ordinance is to have at least three votes to approve or three votes to deny any matter when legally possible by implementing procedures which require Commissioners to discuss and vote on whether or not to postpone consideration of matters when one or more Commissioners is curably absent from a meeting.

Section 2. CURABLE ABSENCE DEFINED

A "curable absence" is when a Commissioner does not attend a meeting and is not legally disqualified from voting upon a particular measure pursuant to section 112.3143(3), *Fla. Stat.* Curable absence might include absence from the meeting due to illness, vacation, or a death in the Commissioner's family.

Section 3. REQUIRED DISCUSSION TO POSTPONE WHERE A COMMISSIONER IS CURABLY ABSENT.

If a Commissioner is not present at a meeting due to a curable absence, the Commission shall discuss and vote on whether or not to postpone consideration of the matter. To achieve the goal of having at least three votes to approve or three votes to deny any matter when legally possible, the Commission shall consider the following guidelines when one or more Commissioners are curably absent:

Number of Commissioners Curably Absent	Recommended Procedure
1 Commissioner Curably Absent	The Presiding Officer shall straw poll the 4 remaining Commissioners. If the straw poll vote is a 3 to 1 vote or a 4 to 0 vote, the Presiding Officer shall proceed to a formal roll call vote. If the straw poll vote is a 2 to 2 vote, the Commission shall discuss and decide whether the matter should be postponed until there are enough Commissioners present to have three votes to deny or approve the matter.
2 Commissioners Curably Absent	The Presiding Officer shall straw poll the 3 remaining Commissioners. If the straw poll vote is 3 to 0, the Presiding Officer shall proceed to a formal roll call vote. If the straw poll vote is 2 to 1, the Commission shall discuss and decide whether the matter should be postponed until there are enough Commissioners present to have three votes to deny or approve the matter.
3 or more Commissioners Curably Absent	There is no quorum and the Presiding Officer shall adjourn the meeting until there is a quorum.

Section 4. POSTPONEMENT PROCEDURES

If a majority of the Commission decides to postpone the matter it shall be postponed. If a majority of the Commission decides to not postpone the matter the matter shall proceed to a roll call vote.

Section 5. INCURABLE ABSENCES

In the event one or two Commissioners are absent and the absence is not curable under Florida law, the Commission shall proceed according to the Recommended Procedures specified above addressing only the curable absences and disregarding the incurable absences.

Section 6. CODIFICATION

Codification of this Ordinance is hereby directed and authorized.

Section 7. SEVERABILITY

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 8. EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption.

PASSED AND ORDAINED in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, this 19th day of February, 2014.

TOWN OF LADY LAKE, FLORIDA

Ruth Kussard, Mayor

ATTEST:

Kris Kollgaard, Town Clerk

APPROVED AS TO FORM:

Derek Schroth, Town Attorney

RESOLUTION NO. 2014-101

A RESOLUTION OF THE TOWN OF LADY LAKE ESTABLISHING A RESTRICTED FUND FOR CERTAIN EQUIPMENT PURCHASES, REAL PROPERTY PURCHASES, AND BUILDING AND FACILITY IMPROVEMENTS AND EXPANSIONS.

WHEREAS, The Town of Lady Lake is fiscally responsible and is in sound financial condition; and,

WHEREAS, The Town of Lady Lake recognizes that investment in property and equipment will benefit the Town of Lady Lake and its citizens and promote the general health, safety and welfare of the Town; and,

WHEREAS, the Town of Lady Lake desires to establish a separate Restricted Property Purchase Fund and the primary intention of the fund is to pay for future land purchases, building and facility improvements and expansions, and large capital equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE:

1. At the end of each fiscal year, the Town of Lady Lake may disperse from Reserves to a Restricted Property Purchase Fund all or a portion of the funds in Reserves exceeding 50% of the Town's anticipated total annual budget for the next fiscal year.
2. Funds in the Restricted Property Purchase Fund can only be spent on future purchases of real property, building and facility improvements and expansions, and large capital equipment (equipment with a life expectancy of four (4) years or more) as approved by a majority of the Town Commission.
3. The Town Commission, by resolution, may amend, alter, rescind or modify this Resolution in its sole discretion by majority vote at any time or for any reason.

PASSED AND RESOLVED in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, this 19th day of February, 2014.

TOWN OF LADY LAKE, FLORIDA

Ruth Kussard, Mayor

ATTEST:

Kristen Kollgaard, Town Clerk

APPROVED AS TO FORM:

Derek Schroth, Town Attorney



K-10

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: February 19, 2014

SUBJECT: Discussion/Consideration of Purchasing 5.73 +/- Acres Known as the Wildflower Property

DEPARTMENT: Town Manager

STAFF RECOMMENDED MOTION: Direction only at this time

SUMMARY: The Town has shown interest in purchasing the 5.73 +/- acres of vacant land known as the Wildflower Property which is contiguous to the 6.31 acres that the Town purchased last year. The original asking price for the property was \$325,000, and after negotiations, Mr. Farnsworth advised that his lowest price is \$179,000. He also requested that the Town be responsible for closing costs and taxes, and that we close within 30 days. If the price is acceptable to the Town Commission, the Town Attorney can prepare the contract for the Commission's consideration at the March 3rd Commission meeting. If the Commission does want to move forward with this, I would recommend we agree to pay the closing costs; however, any unpaid property taxes would have to be paid by Wildflower, and we close within 45 days to give us time to do our due diligence. We would want to have soil testing done (approximately \$1,800), and closing costs and title insurance would cost approximately \$1,500. If we have to do a survey, that will be approximately \$2,500.

FISCAL IMPACT: None at this time
 Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

Support Documents--- email.

DEPARTMENT HEAD  Submitted 2/11/14 Date

HR Approved as to Form Date

FINANCE DEPARTMENT Approved as to Budget Requirements Date

TOWN MANAGER  Approved Agenda Item for: 2/19/14 Date 2/11/14

COMMISSION ACTION:

Approved as Recommended Disapproved Tabled Indefinitely

Continued to Date Certain Approved with Modification

AS
5/10

Kris Kollgaard

From: Derek Schroth [dschroth@brslegal.com]
Sent: Friday, November 22, 2013 1:42 PM
To: Kris Kollgaard; _Town Commission
Subject: Wildflower Property

I spoke with Mr. Farnsworth. He said he would sell the property to the Town of Lady Lake for \$325,000. He also commented that this price is negotiable and that \$325,000 was the total of his expenses he spent on the property.

Sincerely,

DEREK A. SCHROTH
BOWEN RADSON SCHROTH, P.A.
600 Jennings Ave.
Eustis, Florida 32726
Telephone: (352) 589-1414
Facsimile: (352) 589-1726
Florida Bar No. 0352070
Web Site: www.brslegal.com

Florida Bar Board Certified in City, County and Local Government Law.



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Wildflower Development Corporation

10160 McGregor Blvd., Fort Myers, Florida 33919, (239) 849-4558, focus494@yahoo.com

December 3, 2013

Delivered by E-mail to
dschroth@brslegal.com this date

Mr. Derek Schroth
Bowen Rodson Schroth, PA
600 Jennings Avenue
Eustis, FL 32726

RE: OFFER TO SELL WILDFLOWER DEVELOPMENT CORPORATION PROPERTY, LADY LAKE, FL (Parcel No. 20-18-24-000100002400)

Dear Mr. Schroth:

We appreciate the interest the Town of Lady Lake has shown in purchasing property owned by the Wildflower Development Corporation ("WDC"), Lake County Parcel No. 20-28-24-000100002400. The property is shown on the Property Appraiser's records as 5.8 acres.

WDC has an interest in seeing the property being combined with property the Town recently purchased immediately to and contiguous with the east property line and turned into a public park. The two parcels combined will make a beautiful addition to the Town.

In establishing what WDC feels is a fair price for the property we have researched the price the Town of Lady Lake paid for the parcel to the east and would offer our parcel for sale for the same price per acre.

Calculation of Value:

Purchase Price: \$225,000 for 5.03 Acres
Value of existing structure: \$11,463 (From Property Appraiser Records)
Resulting Net Land Value: \$213,537 or \$42,452.68 per acre.

Equivalent Wildflower Parcel Value (Parcel No. 20-18-24-000100002400)
5.8 acres at \$42,452.68 per acre = \$246,225.57

Wildflower Development Corporation therefor offers Parcel No. 20-18-24-000100002400 to the Town of Lady Lake for the price of **\$246,225.57** for 5.8 acres (as depicted on the Lake County Property Appraisers Web site). WDC understands that the Town will pay the title insurance and closing costs and WDC will pay any current property taxes owed on the property at the time of the transaction. We are available to move as quickly as the Town desires with the firm understanding that this offer to sell is valid only through 31 December 2013.

Very truly yours,

WILDFLOWER DEVELOPMENT CORPORATION

Original signed by
Robert L. Farnsworth, P.E.
President
RLF/rf

Kris Kollgaard

From: Derek Schroth [dschroth@brslegal.com]
Sent: Tuesday, November 26, 2013 11:29 AM
To: Kris Kollgaard
Cc: _Town Commission
Subject: RE: Wildflower Property
Attachments: doc00290620131126085917.pdf; doc00290720131126085932.pdf

Good Morning Kris:

Please see attached deeds. Based on the taxes paid on the deed (documentary stamp tax), he paid \$98,214.28 for the property in 1990. He told me he had significant engineering costs and taxes over the years.

Sincerely,

DEREK A. SCHROTH
BOWEN RADSON SCHROTH, P.A.
600 Jennings Ave.
Eustis, Florida 32726
Telephone: (352) 589-1414
Facsimile: (352) 589-1726
Florida Bar No. 0352070
Web Site: www.brslegal.com

Florida Bar Board Certified in City, County and Local Government Law.



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From: Kris Kollgaard [<mailto:kkollgaard@ladylake.org>]
Sent: Monday, November 25, 2013 2:49 PM
To: Derek Schroth
Subject: RE: Wildflower Property

Derek,

Yes, if you could find out the purchase price that would be helpful. We only pd \$225,000 for the 6+/- acres next to it and that was zoned light commercial. This property is zoned RS-6. Thanks, Kris

BOB MCKEE
LAKE COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
2009 Paid Real Estate

ACCOUNT NUMBER	ESCROW CODE	ALTERNATE KEY	MILLAGE CODE
2018240001-000-02400		1698693	00LL

WILDFLOWER DEVELOPMENT CORP
10160 MC GREGOR BLVD
FORT MYERS, FL 33919

BEG N 89DEG 53MIN 30SEC E 110 FT FROM
SW COR OF NE 1/4 OF NE1/4, RUN N
126.60 FT, S 89DEG 56MIN 15SEC W 55.03
FT TO PCOF A CURVE CONCAVE SE'LY
HAVING A RADIUS 0
See Additional Legal on Tax Roll



PAY IN U.S. FUNDS TO BOB MCKEE, TAX COLLECTOR · PO BOX 327 · TAVARES, FL 32778-0327 · 352-343-9602

AD VALOREM TAXES						
TAXING AUTHORITY	ASSESSED VALUE	EXEMPTION AMT	TAXABLE VALUE	MILLAGE RATE	TAXES LEVIED	
LAKE COUNTY GENERAL	289,275	0	289,275	4.6511	1,345.45	
AMBULANCE MSTU	289,275	0	289,275	0.4651	134.54	
ENVIRON LAND PURCHASE	289,275	0	289,275	0.1101	31.85	
FIRE MSTU	289,275	0	289,275	0.3222	93.20	
LAKE CO SCHOOL BOARD CURRENT	289,275	0	289,275	6.0320	1,744.91	
CAPITAL OUTLAY	289,275	0	289,275	1.5000	433.91	
TOWN OF LADY LAKE	289,275	0	289,275	3.2808	949.05	
ST JOHNS WATER MGMT	289,275	0	289,275	0.4158	120.28	
LAKE CO WATER AUTH	289,275	0	289,275	0.2130	61.62	
N LAKE CNTY HOSP	289,275	0	289,275	1.0000	289.28	
TOTAL:				17.9901	\$5,204.09	

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
NON-AD VALOREM ASSESSMENTS:		\$0.00

COMBINED TAXES AND ASSESSMENTS: \$5,204.09

If Paid By	Mar 31, 2010			
Please Pay	\$0.00			

Paid 03/29/2010 Receipt # 6067576 \$5,204.09

BOB MCKEE
LAKE COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
2009 Paid Real Estate

PAY IN U.S. FUNDS TO BOB MCKEE, TAX COLLECTOR · PO BOX 327 · TAVARES, FL 32778-0327 · 352-343-9602

If Paid By	Mar 31, 2010			
Please Pay	\$0.00			

WILDFLOWER DEVELOPMENT CORP
10160 MC GREGOR BLVD
FORT MYERS, FL 33919

BEG N 89DEG 53MIN 30SEC E 110 FT FROM
SW COR OF NE 1/4 OF NE1/4, RUN N 126.60
FT, S 89DEG 56MIN 15SEC W 55.03 FT TO
PCOF A CURVE CONCAVE SE'LY HAVING A
RADIUS 0
See Additional Legal on Tax Roll

ACCOUNT NUMBER	ESCROW CODE	ALTERNATE KEY	MILLAGE CODE
2018240001-000-02400		1698693	00LL

Paid 03/29/2010 Receipt # 6067576 \$5,204.09



BOB MCKEE

LAKE COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

2010 Paid Real Estate

ACCOUNT NUMBER	ESCROW CODE	ALTERNATE KEY	MILLAGE CODE
2018240001-000-02400		1698693	00LL

WILDFLOWER DEVELOPMENT CORP
10160 MC GREGOR BLVD
FORT MYERS, FL 33919

BEG N 89DEG 53MIN 30SEC E 110 FT FROM
SW COR OF NE 1/4 OF NE1/4, RUN N
126.60 FT, S 89DEG 56MIN 15SEC W 55.03
FT TO PCOF A CURVE CONCAVE SE'LY
HAVING A RADIUS 0
See Additional Legal on Tax Roll



PAY IN U.S. FUNDS TO BOB MCKEE, TAX COLLECTOR · PO BOX 327 · TAVARES, FL 32778-0327 · 352-343-9602

AD VALOREM TAXES						
TAXING AUTHORITY	ASSESSED VALUE	EXEMPTION AMT	TAXABLE VALUE	MILLAGE RATE	TAXES LEVIED	
LAKE COUNTY GENERAL	109,620	0	109,620	4.7309	518.60	
AMBULANCE MSTU	109,620	0	109,620	0.3853	42.24	
ENVIRON LAND PURCHASE	109,620	0	109,620	0.1101	12.07	
FIRE MSTU	109,620	0	109,620	0.3222	35.32	
LAKE CO, SCHOOL BOARD CURRENT	109,620	0	109,620	6.0230	660.24	
CAPITAL OUTLAY	109,620	0	109,620	1.5000	164.43	
TOWN OF LADY LAKE	109,620	0	109,620	3.2808	359.64	
ST JOHNS WATER MGMT	109,620	0	109,620	0.4158	45.58	
LAKE CO WATER AUTH	109,620	0	109,620	0.2405	26.36	
N LAKE CNTY HOSP	109,620	0	109,620	1.0000	109.62	
TOTAL:				18.0086	\$1,974.10	

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
NON-AD VALOREM ASSESSMENTS:		\$0.00

COMBINED TAXES AND ASSESSMENTS: \$1,974.10

If Paid By	Nov 30, 2010			
Please Pay	\$0.00			

Paid 11/30/2010 Receipt # 2010-6034909 \$1,895.14

BOB MCKEE

LAKE COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

2010 Paid Real Estate

PAY IN U.S. FUNDS TO BOB MCKEE, TAX COLLECTOR · PO BOX 327 · TAVARES, FL 32778-0327 · 352-343-9602

If Paid By	Nov 30, 2010			
Please Pay	\$0.00			

WILDFLOWER DEVELOPMENT CORP
10160 MC GREGOR BLVD
FORT MYERS, FL 33919

BEG N 89DEG 53MIN 30SEC E 110 FT FROM
SW COR OF NE 1/4 OF NE1/4, RUN N 126.60
FT, S 89DEG 56MIN 15SEC W 55.03 FT TO
PCOF A CURVE CONCAVE SE'LY HAVING A
RADIUS 0
See Additional Legal on Tax Roll

ACCOUNT NUMBER	ESCROW CODE	ALTERNATE KEY	MILLAGE CODE
2018240001-000-02400		1698693	00LL

Paid 11/30/2010 Receipt # 2010-6034909 \$1,895.14



BOB MCKEE
LAKE COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
2013 Real Estate

ACCOUNT NUMBER	ESCROW CODE	ALTERNATE KEY	MILLAGE CODE
2018240001-000-02400		1698693	00LL

WILDFLOWER DEVELOPMENT CORP
10160 MC GREGOR BLVD
FORT MYERS, FL 33919

BEG N 89DEG 53MIN 30SEC E 110 FT FROM
SW COR OF NE 1/4 OF NE1/4, RUN N
126.60 FT, S 89DEG 56MIN 15SEC W 55.03
FT TO PCOF A CURVE CONCAVE SE'LY
HAVING A RADIUS 0
See Additional Legal on Tax Roll



PAY IN U.S. FUNDS TO BOB MCKEE, TAX COLLECTOR · PO BOX 327 · TAVARES, FL 32778-0327 · 352-343-9602

AD VALOREM TAXES					
TAXING AUTHORITY	ASSESSED VALUE	EXEMPTION AMT	TAXABLE VALUE	MILLAGE RATE	TAXES LEVIED
LAKE COUNTY GENERAL	60,900	0	60,900	4.7309	288.11
AMBULANCE MSTU	60,900	0	60,900	0.3853	23.46
ENVIRON LAND PURCHASE	60,900	0	60,900	0.1900	11.57
FIRE MSTU	60,900	0	60,900	0.3222	19.62
LAKE CO SCHOOL BOARD					
CURRENT	60,900	0	60,900	5.6700	345.30
CAPITAL OUTLAY	60,900	0	60,900	1.5000	91.35
TOWN OF LADY LAKE	60,900	0	60,900	3.2808	199.80
ST JOHNS WATER MGMT	60,900	0	60,900	0.3283	19.99
LAKE CO WATER AUTH	60,900	0	60,900	0.2554	15.55
N LAKE CNTY HOSP	60,900	0	60,900	1.0000	60.90
TOTAL:				17.6629	\$1,075.65

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
		NON-AD VALOREM ASSESSMENTS:
		\$0.00

COMBINED TAXES AND ASSESSMENTS: \$1,075.65

If Paid By	Nov 30, 2013	Dec 31, 2013	Jan 31, 2014	Feb 28, 2014	Mar 31, 2014
Please Pay	\$1,032.62	\$1,043.38	\$1,054.14	\$1,064.89	\$1,075.65

BOB MCKEE
LAKE COUNTY TAX COLLECTOR

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS
2013 Real Estate

PAY IN U.S. FUNDS TO BOB MCKEE, TAX COLLECTOR · PO BOX 327 · TAVARES, FL 32778-0327 · 352-343-9602

If Paid By	Nov 30, 2013	Dec 31, 2013	Jan 31, 2014	Feb 28, 2014	Mar 31, 2014
Please Pay	\$1,032.62	\$1,043.38	\$1,054.14	\$1,064.89	\$1,075.65

WILDFLOWER DEVELOPMENT CORP
10160 MC GREGOR BLVD
FORT MYERS, FL 33919

BEG N 89DEG 53MIN 30SEC E 110 FT FROM
SW COR OF NE 1/4 OF NE1/4, RUN N 126.60
FT, S 89DEG 56MIN 15SEC W 55.03 FT TO
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RADIUS 0
See Additional Legal on Tax Roll

ACCOUNT NUMBER	ESCROW CODE	ALTERNATE KEY	MILLAGE CODE
2018240001-000-02400		1698693	00LL

000000000 2013 0000107565 0000000001698693 0001 0



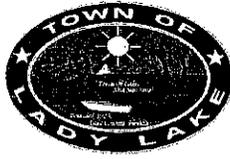
Property Record Card

General Information

Alternate Key:	1698693	Parcel:	20-18-24-000100002400
Owner Name:	WILDFLOWER DEVELOPMENT CORP	Millage:	00LL (Lady Lake) : 17.6629
Owner Address:	10160 MC GREGOR BLVD FORT MYERS, FL 33919	Property Location:	LADY LAKE FL 32159
Legal Description:	<p>BEG N 89DEG 53MIN 30SEC E 110 FT FROM SW COR OF NE 1/4 OF NE 1/4, RUN N 126.60 FT, S 89DEG 56MIN 15SEC W 55.03 FT TO PC OF A CURVE CONCAVE SE'LY HAVING A RADIUS OF 25 FT & A CENTRAL ANGLE OF 89DEG 56MIN 15SEC, SW'LY ALONG ARC OF SAID CURVE 39.24 FT, N 100 FT TO PC OF A CURVE CONCAVE NE'LY & HAVING A RADIUS OF 25 FT & A CENTRAL ANGLE OF 90DEG 03MIN 45SEC, SE'LY ALONG ARC OF SAID CURVE 39.30 FT, N 89DEG 56MIN 15SEC E 144.97 FT, N 160 FT, S 89DEG 56MIN 15SEC W 44 FT, N 197.06 FT, N 63DEG 15MIN 28SEC E 148.27 FT, N 26DEG 00MIN 25SEC W 33 FT, N 64DEG 01MIN 26SEC 109.96 FT, S 26DEG 00MIN 25SEC E TO S LINE OF NE 1/4 OF NE 1/4, W TO POB ORB 1222 PG 240 </p>		

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class Value	Just Value
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K-11

TOWN COMMISSION AGENDA ITEM

REQUESTED COMMISSION MEETING DATE: February 19, 2014

SUBJECT: Discussion/Direction Regarding Local Option Gas Tax Distribution among the Municipalities

DEPARTMENT: Town Manager

STAFF RECOMMENDED MOTION: Discussion Only

SUMMARY: As you know the current six-cent local option fuel tax is expiring in two-cent increments in 2014, 2015, and 2016. The Lake County Board of County Commissioners (BCC) is planning on re-imposing the local option fuel tax in two-cent increments as it comes up for expiration. Currently the entire six-cent local option fuel tax is distributed as 66.38% County share and 33.62% Municipality share. The BCC has indicated that they are going to keep the County share of the re-imposed gas tax at the same 66.38% rate, and that the municipalities will need to come to an agreement as to the distribution of the remaining 33.62%. Attached are the current and proposed formulas for consideration.

FISCAL IMPACT: N/A	<input type="checkbox"/> Capital Budget
	<input type="checkbox"/> Operating
	<input type="checkbox"/> Other

ATTACHMENTS: Ordinance Resolution Budget Resolution

Other

Support Documents

DEPARTMENT HEAD 	Submitted 2/11/14	Date
HR	Approved as to Form	Date
FINANCE DEPARTMENT	Approved as to Budget Requirements	Date
TOWN MANAGER 	Approved Agenda Item for: 2/19/14	Date 2/19/14

COMMISSION ACTION:

- Approved as Recommended Disapproved Tabled Indefinitely
- Continued to Date Certain Approved with Modification

Handwritten initials/signature

LAKE COUNTY, FLORIDA

LOCAL OPTION GAS TAX DISTRIBUTION SCENARIOS WITH LAKE COUNTY AT 66.38% FY 2014 est.

AGENCY	CURRENT DISTRIBUTION		FORMULA #2		FORMULA #3, BASED ON		FORMULA #4, BASED ON		DEFAULT FORMULA, BASED ON	
	based on several formulas 1984 - 1994		BASED ON POPULATION ¹ & ROAD MILES ²		POPULATION, TRANSPORTATION EXPENDITURES & ROAD MILES		POPULATION & TRANSPORTATION EXPENDITURES		TRANSPORTATION EXPENDITURES (Past Five Years)	
	6 CENTS REVENUE ESTIMATE	Distribution %	6 CENTS REVENUE ESTIMATE	Distribution %	6 CENTS REVENUE ESTIMATE	Distribution %	6 CENTS REVENUE ESTIMATE	Distribution %	6 CENTS REVENUE ESTIMATE	Distribution %
Lake County	\$5,407,046	66.38%	\$5,407,046	66.38%	\$5,407,046	66.38%	\$5,407,046	66.38%	\$5,611,600	68.888%
Astatula	\$26,914	0.33%	\$44,540	0.55%	\$34,720	0.43%	\$17,155	0.21%	\$7,942	0.098%
Clermont	\$293,044	3.60%	\$539,309	6.62%	\$448,150	5.50%	\$328,160	4.03%	\$190,820	2.343%
Eustis	\$642,671	7.89%	\$364,450	4.47%	\$508,193	6.24%	\$705,800	8.66%	\$823,440	10.109%
Fruitland Park	\$77,485	0.95%	\$82,020	1.01%	\$76,650	0.94%	\$67,830	0.83%	\$57,706	0.708%
Groveland	\$103,153	1.27%	\$164,655	2.02%	\$154,760	1.90%	\$143,050	1.76%	\$118,915	1.460%
Howey-in-the-Hills	\$19,159	0.24%	\$31,760	0.39%	\$23,136	0.28%	\$7,190	0.09%	\$163	0.002%
Lady Lake	\$144,689	1.78%	\$254,450	3.12%	\$255,730	3.14%	\$260,390	3.20%	\$239,851	2.944%
Leesburg	\$607,993	7.46%	\$357,140	4.38%	\$371,740	4.56%	\$401,150	4.92%	\$380,035	4.655%
Mascotte	\$64,573	0.79%	\$105,260	1.29%	\$86,070	1.06%	\$56,150	0.69%	\$32,437	0.398%
Minneola	\$53,886	0.66%	\$171,010	2.10%	\$133,770	1.64%	\$84,674	1.04%	\$32,323	0.397%
Montverde	\$21,717	0.27%	\$63,410	0.78%	\$48,235	0.59%	\$14,425	0.18%	\$7,160	0.088%
Mount Dora	\$337,310	4.14%	\$238,620	2.93%	\$253,890	3.12%	\$275,740	3.38%	\$272,427	3.344%
Tavares	\$261,625	3.21%	\$248,680	3.05%	\$275,300	3.38%	\$318,550	3.91%	\$320,252	3.931%
Umatilla	\$84,735	1.04%	\$73,650	0.90%	\$68,610	0.84%	\$58,690	0.72%	\$50,929	0.625%
TOTAL	\$9,146,000	100.0%	\$9,146,000	100.0%	\$9,146,000	100.0%	\$9,146,000	100.0%	\$9,146,000	100.0%

Source: ¹ Bureau of Economic and Business Research, University of Florida April 2013 estimate

² FDOT 2013 City County Mileage (Data as of Sept 30, 2012)

DT/gas trav/2014/DIST distribution scenarios with cities Jan 2014



LAKE COUNTY
FLORIDA

February 4, 2014

FEB 6 2014

Kristen Kollgaard, Town Manager
Town of Lady Lake
4098 Fennell Blvd.
Lady Lake, FL 32159

Dear ~~Ms. Kollgaard~~: *Kristen*

Re: Two-Cent Local Option Fuel Tax

As you know, the current six-cent local option fuel tax was initially adopted by the Board of County Commissioners in two-cent increments in 1984, 1985, and 1986. The first two-cent increment expires August 31, 2014, the second expires August 31, 2015, and the third expires August 31, 2016. On January 14, 2014, the Board of County Commissioners held a public hearing and adopted Ordinance No. 2014-1 to re-impose the first 2 cent increment for a period of twenty-nine (29) years and four (4) months commencing September 1, 2014, and continuing through December 31, 2043. The BCC also adopted Resolution No. 2014-4 expressing its intent to adopt the local option gas tax and providing that if a statutorily required interlocal agreement between the County and its municipalities is not approved by June 1, 2014, that the statutory distribution of the tax will be utilized. Enclosed are copies of the adopted Ordinance and Resolution.

The average of the entire six-cent local option fuel tax is currently distributed as 66.38% County share and 33.62% Municipality share. The Board of County Commissioners has indicated that it wishes to keep the County share of the re-imposed gas tax at the same 66.38% that currently exists. The Board has also indicated a similar intent for the remaining renewals that expire in 2015 and 2016, respectively.

County staff is prepared to work with the municipalities to assist in the drafting of an interlocal agreement to determine the distribution of the municipal shares. As I previously noted, should an interlocal agreement with the County and municipalities representing a majority of the population of the incorporated area of Lake County not be adopted prior to June 1, 2014, the default distribution formula, provided by Florida Statute, will be utilized. That statutory distribution formula currently provides a 68.88% County share and 31.12% Municipality share.

COUNTY MANAGER'S OFFICE
P.O. BOX 7800 • 315 W. MAIN ST. • SUITE 308 • TAVARES, FL 32778-7800 • P 352.343.9888 • F 352.343.9495
Board of County Commissioners • www.lakecountyfl.gov

TIMOTHY L. SULLIVAN
District 1

SEAN M. PARKS, AICP, QEP
District 2

JIMMY CONNER
District 3

LESLIE CAMPIONE
District 4

WELTON G. CADWELL
District 5

Enclosed is a spreadsheet outlining various distribution scenarios that have been discussed in our managers' meetings. Different formulas have been developed involving population, transportation expenditures, and maintained road miles based on input from the municipalities. I believe the Board of County Commissioners will give serious consideration to any equitable agreement regarding the municipal share that meets the statutory requirements. I and my staff are willing to work with you to provide any assistance that we can.

I look forward to hearing from you soon. Please let me know if I can provide additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "David", written over a vertical line.

David C. Heath
County Manager

Enclosures: Ordinance No. 2014-1
Resolution No. 2014-4
Distribution Scenario spreadsheet

1 **Ordinance Summary**

2 The purpose of this ordinance is to re-impose the one-cent and two-cent local option fuel tax
3 pursuant to Section 336.025, Florida Statutes. The re-imposition shall be for a period of twenty
4 nine years (29) years and four (4) months commencing September 1, 2014 and continuing
5 through December 31, 2043. The ordinance also repeals Section 13-26, Lake County Code,
6 entitled Two-cent tax as the section is outdated, and amends Section 13-29, Lake County Code,
7 to make it consistent with the re-imposition of the local option tax.

8
9 **ORDINANCE NO. 2014 - 1**

10 **AN ORDINANCE OF THE BOARD OF THE COUNTY**
11 **COMMISSIONERS OF LAKE COUNTY, FLORIDA; REPEALING**
12 **SECTION 13-26, LAKE COUNTY CODE, ENTITLED TWO-CENT TAX;**
13 **RE-IMPOSING THE ONE-CENT AND TWO-CENT LOCAL OPTION**
14 **FUEL TAX AS AUTHORIZED PURSUANT TO SECTION 336.025(1)(a),**
15 **FLORIDA STATUTES; RE-IMPOSING SUCH LOCAL OPTION FUEL**
16 **TAX FOR A PERIOD OF TWENTY-NINE (29) YEARS AND FOUR (4)**
17 **MONTHS COMMENCING ON SEPTEMBER 1, 2014 AND CONTINUING**
18 **THROUGH DECEMBER 31, 2043; AMENDING SECTION 13-29, LAKE**
19 **COUNTY CODE, ENTITLED TWO-CENT TAX REIMPOSED;**
20 **PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR**
21 **SEVERABILITY; PROVIDING FOR FILING WITH DEPARTMENT OF**
22 **STATE; AND PROVIDING FOR AN EFFECTIVE DATE.**

23
24 **WHEREAS**, Section 336.025, Florida Statutes, allows the governing body of a county to
25 impose in addition to other taxes allowed by law, a one-cent, two-cent, three-cent, four-cent,
26 five-cent or six-cent local option fuel tax upon every gallon of motor fuel and diesel fuel sold in
27 that county and taxed under Chapter 206, Florida Statutes; and

28 **WHEREAS**, the Board of County Commissioners of Lake County enacted Ordinance
29 No. 1984-5 which imposed the one-cent and two-cent local option fuel tax for a period of ten
30 (10) years ending on August 31, 1994; and

31 **WHEREAS**, the Board of County Commissioners of Lake County did extend the one-
32 cent and two-cent local option fuel tax for an additional period of twenty (20) years by the
33 enactment of Ordinance No. 1994-8, with such tax continuing through August 31, 2014; and

34 **WHEREAS**, it is the intent of the Board of County Commissioners to re-impose the one-
35 cent and two-cent local option fuel tax for a period of twenty-nine (29) years and four (4) months
36 commencing September 1, 2014 and continuing through December 31, 2043; and

1 **WHEREAS**, it is the intent of the Board of County Commissioners not to amend or
2 otherwise alter the ordinances governing three-cent, four-cent or six-cent local option fuel taxes;
3 and

4 **WHEREAS**, the Board of County Commissioners of Lake County, Florida hereby
5 declare that re-imposition of the local option fuel tax serves a valid and important public purpose
6 and shall be in the best interests of the citizens of Lake County, Florida.

7 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
8 Lake County, Florida as follows:

9
10 **Section 1. Repealer.** Section 13-26, Lake County Code, entitled Two-cent tax, is
11 hereby repealed in its entirety.

12 **Section 2. Re-imposition of Local Option Gas Tax.** Pursuant to Section 336.025
13 (1)(a), Florida Statutes, the Board of County Commissioners of Lake County, Florida re-imposes
14 the one and two cent local option fuel tax upon every gallon of motor fuel and diesel fuel sold in
15 Lake County and taxed under the provisions of part I or part II of Chapter 206, Florida Statutes,
16 for an additional twenty-nine (29) year and four (4) month period, commencing September 1,
17 2014 and continuing until December 31, 2043.

18 **Section 3. Amendment.** Section 13-29, Lake County Code, entitled Two-cents
19 reimposed, is amended to read as follows:

20
21 **Sec. 13-29. - Two-cent tax reimposed.**

22 (a) Beginning September 1, ~~1994~~2014, and continuing for a period of ~~twenty-nine~~ twenty
23 (~~20~~29) years and four (4) months until ~~August-December 31, 2014~~2043, there shall be reimposed
24 in addition to all other taxes allowed by law, a two-cent local option tax upon every gallon of
25 motor fuel and ~~special~~diesel fuel sold in Lake County, Florida, and taxed under the provisions of
26 Chapter 206, Florida Statutes.

27 (b) The tax shall be collected in the manner provided by ~~Florida Statute~~ Section 336.025(2),
28 Florida Statutes.

29 (c) The proceeds of the tax shall be distributed among the Lake County government and
30 eligible municipalities based on general law unless on or before June 1, 2014, an interlocal
31 agreement providing for a different distribution formula is approved by the Board of County
32 Commissioners and one or more municipalities located within the geographic boundaries of Lake
33 County, Florida, representing a majority of the population of the incorporated area within the
34 County, in which case the distribution shall be made in accordance with such interlocal
35 agreement, the following formula: Any interlocal agreement entered into shall comply with
36 Section 336.025, Florida Statutes.

1 ~~(1) Lake County shall receive 61.82 percent of the tax proceeds, which percentage is the~~
2 ~~proportion of Lake County's transportation expenditures for the past five (5) fiscal years as to the~~
3 ~~total of such expenditures for Lake County and all municipalities within Lake County for that~~
4 ~~same period.~~

5 ~~(2) The eligible municipalities shall receive 38.18 percent of the tax proceeds, which amount~~
6 ~~shall be divided among the eligible municipalities based on current population.~~

7 ~~If on or before June 1, 1994, an interlocal agreement providing for the foregoing distribution~~
8 ~~formula is not approved by one or more of the municipalities located in Lake County~~
9 ~~representing a majority of the population of the incorporated area within the county, then the~~
10 ~~distribution of the tax proceeds shall be made according to general law.~~

11 ~~(d) In the absence of an interlocal agreement between the County and the municipalities, the~~
12 ~~proportions shall be recalculated every ten Ten (10) years from the date of the enactment of the~~
13 ~~enabling ordinance, the proportions shall be recalculated based upon the transportation~~
14 ~~expenditures of the immediately preceding five (5) years.~~

15 (e) The county manager is hereby directed to determine the percentage allocations as
16 provided in paragraph (c) and to provide copies to all municipalities within Lake County, and to
17 the Florida dDepartment of rRevenue prior to July 1, 19942014. The eClerk of the bBoard of
18 eCounty eCommissioners shall provide a certified copy of this section to the Florida
19 dDepartment of rRevenue upon passage. Any dispute as to the determination of distribution
20 proportions shall be resolved as provided in Florida StatutesSection 336.025(5)(b), Florida
21 Statutes.

22 (f) Proceeds of the tax shall be used by Lake County and eligible municipalities only for
23 transportation expenses as defined in Florida Statute 336.025.

24 (g) The provisions of this section shall not affect any distribution of prior allocations of the
25 three-cent, four-cent, five-cent or six-cent local option gas tax.

26 **Section 4. Severability.** If any section, sentence, clause or phrase of the Ordinance
27 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
28 shall in no way affect the validity of the remaining portion of this Ordinance.

29 **Section 5. Inclusion in the Code.** It is the intent of the Board of County
30 Commissioners that the provisions of this Ordinance shall become and be made a part of the
31 Lake County Code and that the sections of this Ordinance may be renumbered or relettered and
32 the word "ordinance" may be changed to "section", "article" or such other appropriate word or
33 phrase in order to accomplish such intentions.

34
35 **Section 6. Filing with the Department of State.** The Clerk shall be and is
36 hereby directed forthwith to send a copy of this Ordinance to the Secretary of State for the State
37 of Florida in accordance with Section 125.66, Florida Statutes.



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

January 24, 2014

Honorable Neil Kelly
Clerk of the Circuit Court
Lake County
550 West Main Street
P. O. Box 7800
Tavares, Florida 32778-7800

Attention: Courtney T. Vincent, Senior Secretary

Dear Mr. Kelly:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge of your electronic copy of Lake County Ordinance No. 2014-1, which was filed in this office on January 24, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/elr

Enclosure

RESOLUTION NO. 2014-4

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY,
FLORIDA READOPTING AND EXTENDING THE ONE-CENT AND TWO-CENT LOCAL
OPTION GAS TAX.

WHEREAS, Florida Statute 336.025 allows the Board of County Commissioners to adopt and or
extend a one, two, three, four, five or six cent local option gas tax on every gallon of motor fuel and
special fuel sold in Lake County, Florida, and

WHEREAS, said statute requires that if an interlocal agreement has not been executed by
municipalities representing a majority of those persons living in the incorporated areas within Lake
County and the Board of County Commissioners by June 1, that the Board of County Commissioners
must adopt a Resolution of intent to levy the tax allowed under the statute, and

WHEREAS, the Board of County Commissioners of Lake County, Florida wishes to readopt and
extend the one and two cent tax effective September 1, 2014, in Lake County, Florida.

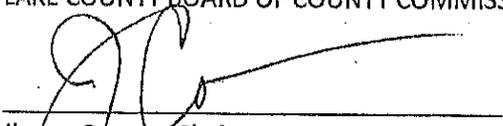
NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lake County,
Florida:

1. That this Resolution is adopted pursuant to Florida Statute 336.025 and is an expression
of the intent of the Board of County Commissioners to readopt and extend the one and two cent local
option gas tax pursuant to said statute.

2. Should no interlocal agreement with municipalities representing a majority of those
persons living in the incorporated areas within Lake County be adopted prior to June 1 of this year,
distribution proportions for said tax shall be as established in Florida Statute.

DONE AND RESOLVED this 14 day of January, 2014.

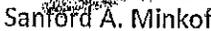
LAKE COUNTY BOARD OF COUNTY COMMISSIONERS


Jimmy Conner, Chairman

This 14 day of January, 2014.


Neil Kelly, Clerk of the Board of County
Commissioners Lake County, Florida

Approved as to form and legality:


Sanford A. Minkoff
County Attorney