

CITY OF AVON PARK

Highlands County, Florida

Office of the City Manager
110 East Main Street
Avon Park, Florida 33825

August 20, 2014

Avon Park City Council
110 E. Main St.
Avon Park, FL 33825

Dear Council Members:

Pursuant to City Ordinance No. 874, you are hereby notified of a Regular Meeting of the City Council on Monday, August 25, 2014, at 6:00 p.m. in the Avon Park City Council Chambers, located at 123 E. Pine St.

If you are unable to attend, please contact me at 452-4403.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julian Deleon".

Julian Deleon,
City Manager

/bb

**CITY COUNCIL REGULAR MEETING
CITY COUNCIL CHAMBERS
123 E. Pine St. Avon Park, FL
August 25, 2014
6:00 PM**

A. OPENING

1. Invocation
2. Pledge of Allegiance
3. Roll Call

B. CONSENT AGENDA:

4. Council Minutes – Approval of Regular Council Meeting of August 11, 2014

C. CITIZENS/OUTSIDE AGENCIES

5. AP Chamber of Commerce road closure permit requests:
 - a. Christmas Parade on Dec 1st 2014
 - b. Christmas on Main Street on Dec 8th 2014
 - c. Mall Festival March 27th & 28th 2014

D. COMMITTEE REPORTS/ATTY UPDATES/ANNOUNCEMENTS/PRESENTATIONS

E. ADMINISTRATIVE

9. ISO Rating - PS Director Lister
10. Final Fire Rescue Assessment Rate Resolution 14-14
Public Hearing on Resolution 14-14
11. Airport Engineer Consultant Recommendation
12. Approval FDEP/SRF Program final amendment
13. N. Lake Verona drainage Bid Award

F. CITIZENS PARTICIPATION

G. ADJOURN

Any person who might wish to appeal any decision made by the City Council of the City of Avon Park, Highlands County, Florida, in public hearing or meeting is hereby advised that he/she will need a record of the proceedings, and for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based. Any person with disabilities requiring accommodations in order to participate should contact the City Manager prior to the meeting.

B-4

CITY COUNCIL REGULAR MEETING MINUTES
Council Chambers – 123 E. Pine St., Avon Park, FL
August 11, 2014
6:00 PM

Members Present: Deputy Mayor Brenda Giles, Councilman Parke Sutherland and Councilman Terry Heston. **Members Absent:** Mayor Sharon Schuler, Councilman Garrett Anderson

Others Present: City Manager Julian Deleon, and Administrative Services Director Maria Sutherland, Attorney Gerald T. Buhr, Members of Press and Audience.

Deputy Mayor Brenda Giles called the meeting to order at 6:00 P.M. The invocation was given and the Pledge of Allegiance was recited. The roll was called and a quorum was present.

CONSENT AGENDA: City Manager, Julian Deleon, noted the items on the consent agenda. Council Minutes Regular Meeting July 28, 2014. **Motion** made by Councilman Parke Sutherland, seconded by Councilman Terry Heston to approve consent agenda as presented. Motion carried unanimously.

CITIZENS/OUTSIDE AGENCIES:
Proclamation – Women’s Equality Day- Highlands County Democratic Women’s Club.
Motion made by Councilman Terry Heston, Seconded by Councilman Parke Sutherland to approve the Proclamation. Motion approved unanimously.

ADMINISTRATIVE:
City Manager Julian Deleon presented the up to date information on the Brickell Building purchase. Some elements of the contract are still pending and Attorney Buhr explained the proposed contract and suggested ratifying the form of the contract.
Motion made by Council Parke Sutherland, Seconded by Councilman Terry Heston to ratify the City Manager’s execution of the agreement and use of \$15,000.00 towards purchase of the Brickell Building with actual purchase of building subject to City Council approval within the 45 days diligence period.

City Manager Julian Deleon asked that item E 12, contract approval Lake Verona Water quality improvements be pulled from the agenda, he felt it needed more work with the Attorney, Council agreed.

CDBG Agreement between City and DEO. After some discussion, **motion** made by Councilman Terry Heston, seconded by Councilman Parke Sutherland to approve an agreement between the City and DEO for the Southside CRA area streetscape project. Motion carried unanimously.

Resolution 14-13 Signature Agreement. Motion made by Councilman Parke Sutherland, Seconded by Terry Heston to allow the City Clerk to sign Sub-grant agreements with DEO. Motion carried unanimously.

Annexation and Utility Service Agreement with Ben Hill Griffin. City Manager Julian Deleon asked the Council consider moving forward with annexation the 200 acres and run an additional 8" water line coming off Crystal Lake water treatment plant which runs along the Parkway with an estimated cost of \$54,000.00 and would establish the City's utility footprint. We will not disturb any trees during installation of the lines.

Motion made by Councilman Parke Sutherland, Seconded by Deputy Mayor Brenda Giles, Motion carried with Councilman Terry Heston Abstaining because he owns property next to the property to be annexed. Motion carried with 2 for and 1 abstention.

Deputy Mayor Brenda Giles announced that Governor Scott would be attending an award ceremony honoring Veterans on Friday August 15, 2014.

Meeting adjourned at 6:30 PM

ATTEST: _____
Maria Sutherland

Sharon Schuler, Mayor



C-5a

August 13, 2014

Mr. Julian DeLeon
City Manager
110 E Main St
Avon Park FL 33825

Dear Mr. DeLeon:

The Avon Park Chamber of Commerce would like to schedule the upcoming event planned for the 2014 Christmas Parade. The parade is scheduled for Monday, December 1, 2014 at 7:00 PM with float line up beginning at 5:30 PM. We request the use of N. Anoka and the east-bound side of Main Street to use for line-up and the parade.

We are asking City Council to consider granting the Avon Park Chamber of Commerce permission to hold the annual Christmas Parade and request a permit from FDOT to close Main Street (east-bound only) from Anoka to Delaney between the hours of 5:30 and 8:30 PM for the event.

We request coordination with all law enforcement and public works that is needed for the event.

I want to thank you in advance for your consideration of this request.

Best Regards,

Tori Trinder
Executive Director
Avon Park Chamber of Commerce

28 East Main Street • Avon Park, Florida 33825
Phone: (863) 453-3350
Email: avonparkcc@gmail.com
web address: www.avonparkchamberofcommerce.com



C-56

August 13 2014

Mr. Julian DeLeon
City Manager
110 E Main St
Avon Park FL 33825

Dear Mr. De Leon

Christmas on Main Street is scheduled for Monday December 8, 2014 between the hours of 6:00 and 9:00 in front of the Hotel Jacaranda.

We are requesting a permit from FDOT to close Main Street (westbound only) between North Verona Avenue and North Lake Avenue between the hours of 5:00p.m. and 10:00p.m. for this event.

We also request Law enforcement assistance with traffic control, use of trash cans placed on the mall, use of city cones to block traffic flow and possible use of the city bucket truck during the parade.

I want to thank you in advance for your consideration of this request.

Sincerely

Tori Trinder
Executive Director
Avon Park Chamber of Commerce

28 East Main Street • Avon Park, Florida 33825
Phone: (863) 453-3350
Email: avonparkcc@gmail.com
web address: www.avonparkchamberofcommerce.com



C-5c

August 13, 2014

Mr Julian DeLeon
City of Avon Park
110 E Main ST
Avon Park FL 33825

Dear Mr DeLeon,

The Avon Park Chamber of Commerce requests the City council's consideration on the following items we feel will promote a successful 35th Annual "Springtime on the Mall" festival to be held March 27 & 28, 2015.

The following Items are requested:

1. Permission to hold the 35th Annual Mall Festival, Friday, March 27, 2015 from 9:00am - 5:00 pm and Saturday, March 28, 2015 from 9:00 - 4:00pm. Set-up time will start at 5:00am Friday.
- 2 We would request the city to obtain a permit from FDOT to close the inside lanes traveling East and West on Main Street between Central Avenue and Delaney Avenue.
- 3 We also request the crossovers between Central Avenue and Delaney Avenue to be closed to promote safety.
- 4 Trash receptacles placed in appropriate areas to keep the Mall clear of trash with scheduled pick-up each day of the festival.
- 5 Law enforcement cooperation with traffic control
- 6 APCI work crew to clean up trash Monday morning following the festival.
- 7 Permission to park recreational vehicles for vendors in the Union Congregational Church parking lot on Pleasant Street, Thursday night March 26 2015 and Friday night March 27, 2015. The vehicles will leave Saturday at the end of the festival.

We want to thank you for your consideration of this request and welcome the City of Avon Park's participation in the 35th Annual "Springtime on the Mall".

Sincerely
Tori Trinder
Tori Trinder
Executive Director

28 East Main Street • Avon Park, Florida 33825
Phone: (863) 453-3350
Email: avonparkcc@gmail.com
web address: www.avonparkchamberofcommerce.com

Agenda Item Summary

Subject: Budget Public Hearing on Final Fire Rescue Assessment Resolution

Item No. E-10

Placed on Agenda by: City Manager

Total Amount of Project:

Staff Review: Yes

Attorney Review: Yes

Recommended Motion(s):

1. Motion to approve the Final Fire Rescue Assessment Resolution 14-14.

Background:

As a result of the City's growth, and further as approved on the preliminary rate resolution on July of 2014, staff is recommending a 15% rate reduction on the fire assessment for City residents and businesses for FY 2014/2015.

For the Fiscal Year beginning on October 1, 2014, the estimated Fire Rescue Assessed Cost to be collected is estimated at \$878,285. The total fire Department budget is forecasted at \$1,378,647.

At the proposed funding level, the fire rescue assessment funds the department at 64% of the total operating cost. Based on the study methodology, the collected assessment amounts should remain below 75% of the total operating cost. Therefore, the 64% funding level meets the threshold requirement.

As an informational item, we have also budgeted \$60,000 into 2014/2015 to update the current study and response call data.

CITY OF AVON PARK, FLORIDA

**FIRE RESCUE ASSESSMENT
ANNUAL RATE RESOLUTION**

ADOPTED AUGUST 25, 2014

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RESOLUTION NO. 14-14

A RESOLUTION OF AVON PARK, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF AVON PARK; ESTABLISHING THE RATE OF ASSESSMENT FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2014; IMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF AVON PARK; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of Avon Park, Florida, has enacted Ordinance No. 01-00 (the "Ordinance"), which authorizes the imposition of Fire Rescue Assessments for fire rescue services, facilities, and programs against Assessed Property located within the City of Avon Park (the "City"); and

WHEREAS, the reimposition of a Fire Rescue Assessment for fire rescue services; facilities, and programs each Fiscal Year is an equitable and efficient method of allocating and apportioning the Fire Rescue Assessed Cost among parcels of Assessed Property; and

WHEREAS, the City Council desires to continue its Fire Rescue Assessment program within the City using the tax bill collection method for the Fiscal Year beginning on October 1, 2014; and

WHEREAS, the City Council adopted Resolution No. 14-08 on July 14, 2014 (the "Preliminary Rate Resolution"), containing a brief and general description of the fire rescue facilities and services to be provided to Assessed Property, describing the method of apportioning the Fire Rescue Assessed Cost to compute the Fire Rescue Assessment for fire rescue services, facilities, and programs against Assessed Property, estimating a rate of assessment, and directing preparation of the

Assessment Roll and provision of mailed and published notice to Owners of Assessed Property; and

WHEREAS, pursuant to the provisions of the Ordinance, the City is required to confirm or repeal the Preliminary Rate Resolution, with such amendments as the City Council deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the Assessment Roll for the Fire Rescue Assessments has heretofore been made available for inspection by the public; and

WHEREAS, notice of a public hearing to consider adoption of the Assessment Roll has been provided in accordance with the requirements of the Ordinance, an affidavit regarding the mailing of notice being attached hereto as Appendix A and the proof of publication being attached hereto as Appendix B; and

WHEREAS, a public hearing was held on August 25, 2014, and comments and objections of all interested persons have been heard and considered.

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

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to the Ordinance, City Resolution No. 00-08 (and together with City Resolution No. 00-09, the "Initial Assessment Resolution"), sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

SECTION 2. DEFINITIONS AND INTERPRETATION. This Resolution constitutes the Annual Rate Resolution as defined in the Ordinance. All capitalized terms in this Resolution shall have the meanings defined in the Ordinance, the Initial

Assessment Resolution and the Preliminary Rate Resolution.

SECTION 3. REIMPOSITION OF FIRE RESCUE ASSESSMENTS.

(A) The parcels of Assessed Property described in the Assessment Roll as updated pursuant to the Preliminary Rate Resolution, which is hereby approved, are hereby found to be specially benefited by the provision of the fire rescue services, facilities, and programs described in the Preliminary Rate Resolution in the amount of the Fire Rescue Assessment set forth in the updated Assessment Roll, a copy of which was present or available for inspection at the above referenced public hearing and is incorporated herein by reference.

(B) It is hereby ascertained, determined and declared that each parcel of Assessed Property within the City will be benefited by the City's provision of fire rescue services, facilities, and programs in an amount not less than the Fire Rescue Assessment for such parcel, computed in the manner set forth in the Preliminary Rate Resolution. Adoption of this Annual Rate Resolution constitutes a legislative determination that all parcels assessed derive a special benefit, as set forth in the Ordinance and the Preliminary Rate Resolution from the fire rescue services, facilities, or programs to be provided and a legislative determination that the Fire Rescue Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the Preliminary Rate Resolution.

(C) The method for computing Fire Rescue Assessments described in the Initial Assessment Resolution and the Preliminary Rate Resolution is hereby approved.

(D) For the Fiscal Year beginning October 1, 2014, the estimated Fire Rescue Assessed Cost to be assessed is \$878,285. The Fire Rescue Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost

Apportionment and Parcel Apportionment to generate the estimated Fire Rescue Assessed Cost for the Fiscal Year commencing October 1, 2014, are set forth in Appendix B of the Preliminary Rate Resolution and incorporated herein by reference.

(E) Such rates were used in preparation of the Assessment Roll for Fiscal Year 2014-15 and are hereby approved. Except as otherwise provided herein, the Fire Rescue Assessments for fire rescue services, facilities, and programs in the amounts set forth in the Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property described in the Assessment Roll.

(F) No Fire Rescue Assessment shall be imposed upon a parcel of Government Property; however, Government Property that is owned by federal mortgage entities, such as the VA and HUD, shall not be exempted from the Fire Protection Assessment.

(G) Any shortfall in the expected Fire Rescue Assessment proceeds due to any reduction or exemption from payment of the Fire Rescue Assessments required by law or authorized by the City Council shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Rescue Assessments. In the event a court of competent jurisdiction determines any exemption or reduction by the City Council is improper or otherwise adversely affects the validity of the Fire Rescue Assessment imposed for this Fiscal Year, the sole and exclusive remedy shall be the imposition of a Fire Rescue Assessment upon each affected Tax Parcel in the amount of the Fire Rescue Assessment that would have been otherwise imposed save for such reduction or exemption afforded to such Tax Parcel by the City Council.

(H) As authorized in the Ordinance, interim Fire Rescue Assessments are

also levied and imposed against all property for which a Certificate of Occupancy is issued after adoption of this Annual Rate Resolution based upon the rate of assessment approved herein.

(I) Fire Rescue Assessments shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(J) The Assessment Roll as herein approved, together with the correction of any errors or omissions, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance. The Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix C.

SECTION 4. CONFIRMATION OF PRELIMINARY RATE RESOLUTION. The Preliminary Rate Resolution is hereby confirmed.

SECTION 5. EFFECT OF ADOPTION OF RESOLUTION. The adoption of this Annual Rate Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the Assessed Property, the method of apportionment and assessment, the rate of assessment, the Assessment Roll and the levy and lien of the Fire Rescue Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Annual Rate Resolution.

SECTION 6. SEVERABILITY. If any clause, section or other part of this

Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way effecting the validity of the other provisions of this Resolution.

SECTION 7. EFFECTIVE DATE. This Annual Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED, ADOPTED AND APPROVED THIS 25TH DAY OF AUGUST, 2014.

Mayor

ATTEST:

City Manager

APPROVED AS TO FORM:

Gerald T. Buhr
City Attorney

APPENDIX A

AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS

BEFORE ME, personally appeared the undersigned affiant, who after being duly sworn depose and say:

(1) Julian Deleon is the City Manager of the City of Avon Park, Florida (the "City").

(2) On or before August 1, 2014, I facilitated and directed the mailing of notice in accordance with Section 12 of City Resolution No. 14-08 (the "Preliminary Rate Resolution") and Section 2.05 of City Ordinance No. 01-00, to each owner of Assessed Property that was not included on the assessment roll approved for the prior fiscal year, at the addresses then shown on the real property assessment tax roll database maintained by the Highlands County Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

FURTHER AFFIANT SAYETH NAUGHT.

Julian Deleon

Julian Deleon, affiant

STATE OF FLORIDA
COUNTY OF HIGHLANDS

The foregoing Affidavit of Mailing was sworn to and subscribed before me this 19th day of August, 2014, by Julian Deleon. He is personally known to me or has produced _____ as identification and did take an oath.

Brenda Sliva

Printed/Typed Name: BRENDA SLIVA
Notary Public-State of _____
Commission Expires: _____

(SEAL)



**APPENDIX B
PROOF OF PUBLICATION**

NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF FIRE RESCUE SPECIAL ASSESSMENTS

Notice is hereby given that the City Council of the City of Avon Park will conduct a public hearing to consider the imposition of annual fire rescue special assessments for the provision of fire rescue services within the municipal boundaries of the City of Avon Park:

The hearing will be held at 6:00 p.m. on August 25, 2014, in the Council Chambers, 123 East Pine Street, Avon Park, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the City Council within 20 days of this notice. If a person decides to appeal any decision made by the City Council with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the City Manager's Office at (863) 452-4400, at least three days prior to the date of the hearing.

The assessment for each parcel of property will be based upon each parcel's

classification and the total number of billing units attributed to that parcel. The following table reflects the proposed fire rescue assessment schedules.

FIRE RESCUE ASSESSMENTS

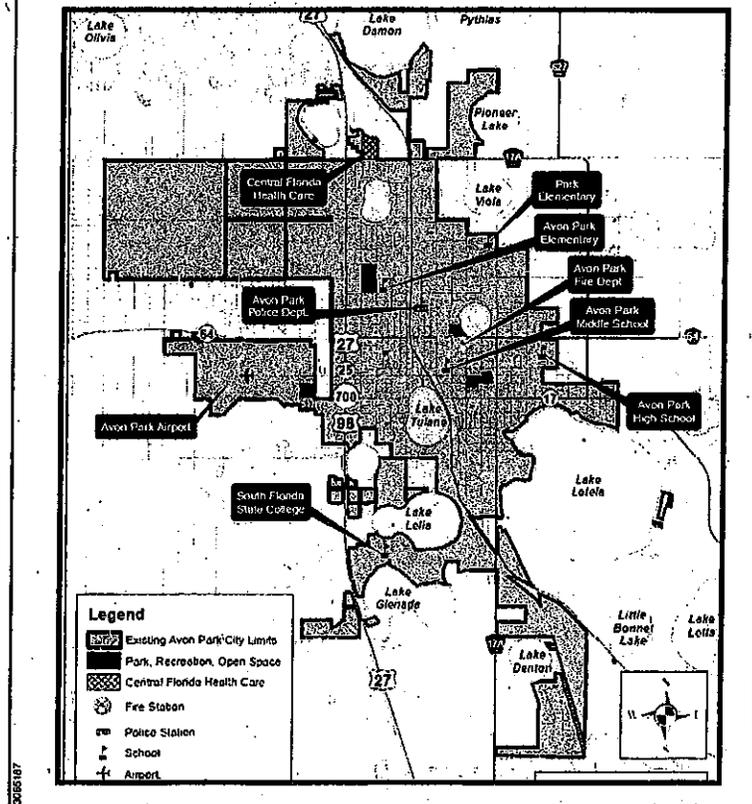
RESIDENTIAL PROPERTY USE CATEGORIES	Rate Per Dwelling Unit				
Residential	\$140				
NON-RESIDENTIAL PROPERTY USE CATEGORIES	Building Classification (in square foot ranges)	Commercial	Industrial/Warehouse	Institutional	Nursing Homes
	< 1,999	\$113	\$43	\$152	\$1,104
	2,000 - 3,499	\$226	\$85	\$304	\$2,209
	3,500 - 4,999	\$398	\$148	\$532	\$3,866
	5,000 - 9,999	\$585	\$212	\$760	\$5,522
	10,000 - 19,999	\$1,131	\$423	\$1,521	\$11,044
	20,000 - 29,999	\$2,262	\$847	\$3,040	\$22,089
	30,000 - 39,999	\$3,392	\$1,269	\$4,561	\$33,133

Copies of the Assessment Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, the Preliminary Rate Resolution for Fiscal Year 2014-15, and the updated Assessment Roll are available for inspection at City Hall, located at 110 East Main Street, Avon Park, Florida.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2014, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the City Finance Department at (863) 452-4400, Monday through Friday between 9:00 a.m. and 5:00 p.m.

CITY COUNCIL CITY OF AVON PARK, FLORIDA



**APPENDIX C
FORM OF CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the City Manager of the City of Avon Park, Florida (the "City") and an authorized agent of the City; as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for fire rescue services (the "Non-Ad Valorem Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the Highlands County Tax Collector by September 15, 2014.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Highlands County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this _____ day of August, 2014.

AVON PARK, FLORIDA

By: _____

[to be delivered to Tax Collector prior to September 15]

Agenda Item Summary

August 25, 2014

Subject: Engineering/ Consulting Services for Airport

Item No. E-11

Placed on Agenda by: M. Sutherland

Total Amount of Project: Project based

Staff Review: yes

Attorney Review: n/a

Recommended Motion: Approve AmHerst Consulting for new Professional Aviation Engineering and Planning Services for the Avon Park Executive Airport.

Background:

The City's previous Consulting engineer firm CDM Smith has phased out the aviation component from their business model. The City went out for RFQ and only two consulting firms responded. Both AID (American Infrastructure Development, Inc) and AHC (AmHerst Consulting) submitted their statement of qualifications and AHC was selected.

Agenda Item Summary

Subject: SRF Project Close out approval of Final Amendment

Item No. E-12

Placed on Agenda by: City Manager

Total Amount of Project: \$591,608 budgeted for FY 2014/2015

Staff Review: Yes

Attorney Review: Yes

Recommended Motion(s):

1. Motion to approve amendment-2 as described in Exhibit-A.
2. Motion to approve the full payment of the SRF loan proceeds as budgeted on FY 2014/2015.

Background:

Sometime in 2012, under FDEP's SRF program, we were awarded \$2.45 Million to build over 60,000 ft of water distribution mains to service areas which had contaminated shallow wells within the unincorporated areas of the County.

In the original contract approved by the City Council, approximately, \$591,608 of this amount was scheduled as a loan to the City, and the remaining funds were considered "grant" funds.

Sometime in 2013, under a second program known as FDEP's WSRP program, the City applied for assistance to cover the loan portion of the SRF program. We were awarded \$326,418 to help cover the loan portion.

The net results follow:

Total Project cost:	\$2,442,927
FDEP SRF Paid Portion	-\$1,855,982
FDEPWSRP Paid Portion	-\$326,418
The City's total fiscal impact is	\$260,527



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

June 25, 2014

Mr. Julian DeLeon
City Manager
City of Avon Park
110 East Main Street
Avon Park, Florida 33825

Re: DW280400 - Avon Park
Distribution

Dear Mr. DeLeon:

Attached is a copy of proposed Amendment 2 to your State Revolving Fund loan agreement. The amendment adjusts the project costs and reduces the semiannual loan payment. The adjustments are final unless further revisions become necessary as a result of an audit. An amortization schedule is also attached.

Please have the appropriate officials sign and seal three copies and return them to us within three weeks at 2600 Blair Stone Road, Mail Station 3505, Tallahassee, Florida, 32399-2400. We will sign the documents and mail a fully executed original to you. If this Amendment is not fully executed before the next payment date, October 15, 2014, the higher payment amount specified in the preceding amendment (Number 1) will be due.

If you have any questions, please call Tommy Williams at (850) 245-8364.

Sincerely,

A handwritten signature in black ink that reads "Angela Knecht".

Angela Knecht, Program Administrator
State Revolving Fund Management

AK/tw

Attachments

cc: Cheryl Tietjen - City of Avon Park

**DRINKING WATER STATE REVOLVING FUND
AMENDMENT 2 TO LOAN AGREEMENT DW280400
CITY OF AVON PARK**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF AVON PARK, FLORIDA, (Project Sponsor) existing as a local government agency under the laws of the State of Florida.

WITNESSETH:

WHEREAS, the Department and the Project Sponsor entered into a Drinking Water State Revolving Fund Loan Agreement, Number DW280400, as amended, authorizing a Loan amount of \$588,325, excluding Capitalized Interest and including a Principal Forgiveness amount of \$1,859,862; and

WHEREAS, the Loan amount, Principal Forgiveness amount, and Project costs need adjustment to reflect actual costs; and

WHEREAS, the Semiannual Loan Payment amount needs revision to reflect adjustment of the Loan amount.

NOW, THEREFORE, the parties hereto agree as follows:

1. The total disbursed amount is \$2,442,927, which includes \$1,855,982 in Principal Forgiveness and a balance of \$586,945 in Loan.
2. The Loan amount is hereby reduced by \$1,380, and the adjusted total disbursed Loan amount is \$586,945.
3. The Principal Forgiveness amount is hereby reduced by \$3,880, and the adjusted total disbursed Principal Forgiveness amount is \$1,855,982.
4. The Loan Service Fee is reduced by \$28.00, and the adjusted total service fee for this Loan is \$11,739.00. Capitalized Loan Service Fee interest is \$311.37.
5. The total and unpaid principal amount of the Loan is \$591,607.09, which consists of \$586,945.00 disbursed to the Project Sponsor and \$4,662.09 of accrued Capitalized Interest at an interest rate of 1.99 percent per annum.
6. The total amount remaining to be repaid, which includes the unpaid balance of the Loan Service Fee is \$603,657.46.
7. The Semiannual Loan Payment amount is hereby revised and shall be in the amount of \$13,409.73. Such payments shall be received by the Department on October 15, 2014 and

semiannually thereafter on April 15 and October 15 of each year until all amounts due hereunder have been fully paid.

8. The Semiannual Loan Payment amount is based on the total amount owed of \$603,657.46, which consists of the Loan principal of \$591,607.09, plus the Loan Service Fee charge of \$12,050.37, which consists of a Loan Service Fee of \$11,739.00, and associated capitalized interest of \$311.37.

9. Subsection 2.03(1) of the Agreement is deleted and replaced as follows:

The Project Sponsor agrees to the following audit and monitoring requirements.

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

Federal Resources, Including State Match, Awarded to the Recipient Pursuant to this Agreement Consist of the Following:					
Federal Program Number	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category
FS984522-120	EPA	66.468	Capitalization Grants for Drinking Water State Revolving Fund	\$2,442,927	140129

10. The Project Sponsor and the Department acknowledge that changes in Project costs may occur as a result of the Project Sponsor’s Project audit or a Department audit pursuant to Chapter 62-552 of the Florida Administrative Code. Unless this Agreement is amended subsequent to an audit, the following Project disbursements shall be final.

CATEGORY	PROJECT COST(\$)
Administrative Allowance	12,414.00
Planning Allowance	66,300.00
Engineering Allowance	150,000.00
Construction and Demolition	2,033,740.00
Technical Services During Construction	180,473.00
SUBTOTAL (Total Disbursed)	2,442,927.00
Less Principal Forgiveness	(1,855,982.00)
Adjusted Loan Amount	586,945.00
Capitalized Interest	4,662.09
TOTAL (Loan Principal Amount)	591,607.09

11. The Project-specific audit required under Subsection 2.03(4) of the Agreement shall be submitted within twelve months after the effective date of this amendment.

12. All other terms and provisions of the Loan Agreement shall remain in effect.

This Amendment 2 to Loan Agreement DW280400 shall be executed in three or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Program Administrator, and the Project Sponsor has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Program Administrator.

for
CITY OF AVON PARK

City Manager

Attest:

Attest as to form and legal sufficiency:

City Clerk

City Attorney

SEAL

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Program Administrator
State Revolving Fund

Date

Agenda Item Summary

8/25/2014

Subject: Lake Verona Drainage Contract/Bid Award

Item No. E-13

Placed on Agenda by: City Manager

Total Amount of Project: \$509,329 budgeted for FY 2014/2015

Staff Review: Yes

Attorney Review: N/A

Recommended Motion(s):

Motion to authorize the contract between the City and the lowest most responsible bidder Excavation Point, Inc. in the amount of \$509,329.

Background:

The City entered into a contract with the SWFWMD for joint funding for drainage and water quality improvements for the north end drainage basin discharging into Lake Verona. (This project is similar to the current projects on Lake Tulane and Lake Isis.)

The project has been designed, permitted, and bids were received as tabulated below:

Excavation Point	\$ 509,329.00
Cobb Site Development	\$ 697,203.67
Close Construction	\$ 729,579.00

As a reminder, this project is funded through the District's joint funding program which amounts to 75% District Funds and 25% City Funds.