

# City Commission Work Session

## Meeting Minutes

September 1, 2021

(APPROVED)

9/1/2021 - Minutes

### 1. CALL TO ORDER & ROLL CALL

**Commission Members Present:** Mayor Eugene Fultz, Terrye Howell, Robin Gibson, Daniel Williams, Jack Hilligoss

**Staff Present:** James Slaton, City Manager; Albert Galloway, Jr., City Attorney; Jennifer Nanek, City Clerk

Mayor Fultz called the meeting to order at approximately 2:00 p.m.

### 2. City Manager Comments

James Slaton, City Manager, announced that the next Commission Meeting and 1st Budget Hearing will be Wednesday September 8th 6:00 p.m. There will be a CRA meeting before then at 5:30 p.m. to approve the CRA budget and bond counsel.

### 3. Ordinance 2021-15, Adoption Of FY2021-22 Millage Rate – 1st Reading & Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** The Commissioners will consider adopting a millage rate of 6.7697 mills for Fiscal Year 2021-22. The Commissioners will also consider adopting the proposed operating budget.

#### RECOMMENDATION

After first reading and separate public hearings, it is recommended that the City Commission take the following actions:

1. Approve Ordinance 2021-15, adopting a millage rate of 6.7697 mills for FY2021-2022;
2. Approve Ordinance 2021-16, adopting an operating budget for FY2021-2022.

#### BACKGROUND

In accordance with Florida Statutes and the City Charter, Ordinances 2020-15 and 2020-16 are presented for first reading and public hearing. Ordinance 2020-15 establishes the millage rate for FY21'22, and Ordinance 2020-16 adopts the proposed FY21'22 budget. These ordinances must have separate public hearings and must be voted upon individually.

The proposed FY21'22 budget document includes the revenue and expenditure details for the General Fund, CRA Fund, Special Revenue Funds, Debt Service Fund, Capital Projects Fund, Utility System Fund, Airport

Fund and Stormwater.

This budget has been prepared in accordance with Article VI, Section 6.04 of the City Charter, which requires that the budget provide a complete financial plan of municipal funds and activities. Estimated current year ending fund balances have been considered and are included in the budget.

## PROPERTY TAX

On July 20, 2021, the City Commission adopted an Interim Millage Rate of 6.7697 which was rolled-back rate.

## BUDGETARY CHANGES IN GENERAL FUND "REVENUE SOURCES & TRANSFERS IN" FOR FY21 '22 COMPARED TO FY20'21:

General Fund revenues in FY21 '22 (\$13,971,624 + 1,534,000 – 334,000 financing/leases = 15,171,624) are projected to be \$1,239,354 more than budgeted in FY20'21 (\$12,224,848 + 1,552,522 – 0 financing/leases = 13,932,270). **An expected increase of \$1,380,235 is mainly due to the following items:**

- Increase in ad valorem tax of \$240,613
- Increases in sales and use taxes of \$355,200 due to increase in utilities and communication service taxes.
- Increases in licenses and permits of \$30,000 due to site development permit and \$255,000 in franchise fees.
- Increase in intergovernmental revenues of \$146,340 mainly due to local government & 1/2; cent sales tax.
- Increase in charges for services of \$220,723 mainly due to management fees and garbage fees.
- Increase in miscellaneous revenue of \$10,000. ? Decrease in transfers of \$18,522

## BUDGETARY CHANGES IN GENERAL FUND "OPERATING EXPENDITURES" FOR FY21 '22 COMPARED TO FY20'21:

General Fund "operating" expenditures in FY21 '22 are projected to be \$15,962,221, which is \$1,793,704 more than budgeted in FY20'21 \$14,168,517.

## GOVERNMENTAL FUND BALANCE

As of September 30, 2020, the City's governmental funds reported combined ending fund balances of \$9,269,067 (page 13 of the CAFR). An increase of \$1,100,794 for the year. Approximately 39% (\$5,687,546) of total funds balance is available for spending at the government's discretion (unassigned)

At the end of September 30, 2020, unassigned fund balance of the General Fund was \$3,581,521, while total fund balance reached \$4,585,360. In 2011, the City established a reserve policy for the General Fund equal to 15% - 20% of total operating costs. As of September 30, 2020, the general fund's unassigned fund balance represented 23% of total general fund expenditures, while total fund balance represents 29% of the same amount.

## SUMMARY OF ALL FUNDS

General Fund	19,349,624
CRA Fund	14,388,386

Special Revenue Funds	2,845,894
Debt Service Fund	2,266,231
Capital Projects Fund	8,486,000
Cemetery (LWMG)	642,950
Utility System Fund	31,047,050
Airport Fund	2,604,118
Stormwater Fund	880,400
TOTAL	82,510,653

The expenditure total of \$65,708,778 is comprised of operating costs in the amount of \$30,470,087 and capital outlay in the amount of \$35,238,691. Transfers in the amount of \$2,779,240 bring total expenditures plus transfers to \$68,780,383.

Note: Capital expenditures proposed for FY21'22 are itemized in "Schedule C" within the budget document.

## **CONCLUSION**

The local economy, as well as the global economy, struggled in 2020 due to the Covid-19 pandemic. The public's desire to return to a more normal life, has led the economy returning to a more stable status. City staff will continue throughout next year to watch for changes in the economy.

The City Manager, in the August 11, 2021 budget workshop, highlighted the following items, which are included within FY 2021'22 Budget:

### **Growth Management:**

-Utility Service Area Land Use Designation Project – The Purpose of this project is to establish a planning document to identify a preferred land use pattern for properties that are currently in unincorporated Polk County, and in the City's Utility Service Area.

-Mobility Plan – This plan will create a transportation-related funding source to supplement the revitalization/redevelopment of the City's Core Area, in addition to providing a framework for the improvement of city-wide transportation facilities.

- Sr. Planner – Included in the FY'22 budget request is the addition of a Sr. Planner position to assist with increased demands on the development services department related to growth.

### **General Capital and Significant Projects: Completion of the Parks and Recreation Master Plan.**

- Approximately 3 to 4 miles of residential streets will be resurfaced in the upcoming fiscal year.

- Update/upgrade of the Audio and Video systems in the City Commission Chambers to enhance the experience of viewers in the chamber and watching from home.

- Replacement of the roof of the James P. Austin Community Center to address deferred maintenance issues for the past 5 years.
- Continuing the City's equipment and vehicle replacement program.
- Upgrade and replacement of both the Jet A and 100L fuel systems at the airport. This enhancement will replace antiquated equipment and allow for larger aircraft to fuel at the Lake Wales Municipal Airport.
- Construction phase of the east apron rehabilitation at the airport.

**Redevelopment:**

- The City and CRA will continue implementation of the award-winning Lake Wales Connected plan in FY'22. Activities include affordable housing construction, housing rehabilitation, development incentives, and capital construction.
- Significant redevelopment projects that will begin next year are the design and construction of the Northwest Neighborhood Pedestrian and Street Tree Improvements.
- The completion of the 1st Street Streetscape design, the start of construction of the Park Avenue Streetscape and Market Plaza redesign, and the construction of the Park Avenue connector trail project. These enhancements will dramatically improve resident and visitor experiences in Historic downtown Lake Wales.

**Employees:**

- Tuition reimbursement has been provided within the proposed budget for employees seeking higher education to continue developing the City's workforce.
- Employee health insurance co-pays have been reduced for the upcoming year.
- A 3% Cost of Living Adjustment has been provided for in the FY'22 proposed budget.

**Communication:** In an effort to increase community engagement and citizen communications, included in the proposed budget is:

- A marketing and communications specialist position within the City Manager's Office.
- The City's quarterly newsletter and city-wide citizen survey to assess the level of services provided and to identify areas of opportunity.

**Public Safety:**

- Additional funds have been appropriated for the continued implementation of the Body Worn Camera program in the Police Department in the proposed budget.
- Three additional firefighter positions are included in the proposed budget. The new positions will once again bring the City to an adequate staffing level for the current population and coverage area.

**Utilities:** Significant utility projects proposed for the FY'22 budget include:

- The construction of the Northwest Neighborhood water line extension, force main upgrades.
- The creation of a Stormwater Master Plan. The creation of the Stormwater Master Plan will mitigate the issues created by water runoff and will positively affect lake water quality.

[End Agenda Memo]

Dorothy Abbott, Finance Director, reviewed this item.

4. Ordinance 2021-16, Adoption Of FY2021-22 Budget – 1st Reading & Public Hearing

[Begin Agenda Memo]

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**RECOMMENDATION**

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[End Agenda Memo]

Dorothy Abbott, Finance Director, reviewed this item.

5. ORDINANCE 2021-17, Five-Year Capital Improvement Plan FY2021/22 - FY2025/26 – 1st Reading

[Begin Agenda Memo]

**SYNOPSIS:**

The Commissioners will consider adopting the Five-Year Capital Improvement Plan for fiscal years 2021/22 through 2025/26.

**RECOMMENDATION**

It is recommended that the City Commission approve after first reading Ordinance 2021-17 adopting the Five-Year Capital Improvement Plan for fiscal years 2021/22 through 2025/26

**BACKGROUND**

In accordance with section 6.05 of the City Charter, Ordinance 2021-17 adopts the proposed 5-year Capital Improvement Plan (CIP) for the period FY2021/22 through FY2025/26. Capital improvements and capital acquisitions proposed for Year 1 of the 5-Year plan are incorporated into the FY21'22 operating budget, as are appropriation of funding sources necessary to implement Year 1 of the plan.



The 5-Year CIP document includes all capital facility and infrastructure improvements which staff believes should be undertaken during the next five years and supporting information to explain the necessity for the improvements. In addition, the CIP includes all capital equipment proposed for acquisition during this period. Cost estimates, method of funding and time schedule for the proposed improvements and equipment acquisitions are identified in the document.

The proposed 5-Year CIP totals \$89,200,072 and includes \$275,000 in land acquisition, \$4,613,981 in building improvements/acquisitions, \$67,968,768 in infrastructure and recreation improvements, \$10,612,000 in equipment acquisition, and \$5,730,323 in other capital outlay. Schedule "C", within the 5-year CIP, provides a detail listing of each asset type.

Improvements and equipment needs for the next 5 years were submitted by department heads with a justification of necessity and a recommended time schedule for completion or acquisition. These requests were prioritized by the City Manager in view of the available funding resources and urgency of need.

### **FISCAL IMPACT**

Funding of the CIP will be accomplished through utilization of existing cash surpluses and current year operating revenues, future grants, private contributions, leases/debt service issuances, and impact fees. Growth related improvements will be funded by impact fees.

Costs of all capital improvements and equipment acquisitions are distributed over 5 years as follows:

Year 1 - FY2021/22	34,238,691
Year 2 - FY2022/23	14,542,121
Year 3 - FY2023/24	23,490,128
Year 4 - FY2024/25	11,172,632
Year 5 - FY2025/26	5,756,500
5 Year Total	89,200,072

All items scheduled for Year 1 are included in the proposed FY21'22 operating budget presented to the City Commission for consideration.

[End Agenda Memo]

Dorothy Abbott, Finance Director, reviewed this item.

#### 6. Resolution 2021-19, Final Assessment Resolution For Fire Protection Assessments

[Begin Agenda memo]

**SYNOPSIS:** The adoption of Resolution 2021-19 established the methodology used to calculate the fire assessment rates. Adoption of Resolution 2021-19 will set the final fire assessment rates.

### **RECOMMENDATION**

It is recommended that the City Commission set the final Fire Protection Assessment rates and adopt Final Assessment Resolution 2021-19 providing for Fire Protection Assessments for fiscal year beginning October 1, 2021.

**BACKGROUND**

On September 8, 2021, the City Commission adopted Resolution 2021-19 which set the initial Fire Protection Assessment rates.

Initial Fire Protection Assessment Rates

Residential Property Use Categories	Rate Per Dwelling Unit
Single-Family	\$146.00
Multi-Family	\$72.00
Mobile Home	\$129.00
Non-Residential Property Use Categories	Rate Per Square Foot
Commercial	\$0.06
Industrial/Warehouse	\$0.01
Institutional	\$0.08

**OTHER OPTIONS**

Rely solely on ad valorem taxes to fund fire protection services, equipment and programs.

Failure in adopting Resolution 2021-19 will result in a loss of \$1,152,830 in estimated net revenue dedicated to the fire department budget. This money would then have to come from the general fund.

**FISCAL IMPACT**

The Fire Protection Assessment will create a dedicated funding source for fire protection services.

[End Agenda Memo]

- 7. Resolutions No. 2021-20, Final Rate Resolution – Brookshire Street Lighting District

[Begin Agenda Memo]

**SYNOPSIS:** Final Rate Resolution for the Brookshire Street Lighting District

**RECOMMENDATION**

It is recommended that City Commission adopt Resolution No 2021-20 providing the Final Rate Resolution for the Brookshire Street Lighting District.

**BACKGROUND**

In 2010, the City of Lake Wales received a petition requesting the creation of a Street Lighting District for the Brookshire subdivision. The District includes the thirty-one (31) decorative street lighting poles. Eighty-seven (87) platted lots are within the street lighting district and the estimated annual street lighting costs are \$13,485. The estimated annual charge per plated lot is \$155.

## OTHER OPTIONS

Do not approve Brookshire Street Lighting District special assessment.

## FISCAL IMPACT

Annual estimated assessment revenue of \$13,485 is expected to pay all street lighting costs relating to the services, facilities and programs within the Brookshire Street Lighting District.

[End Agenda Memo]

Dorothy Abbott, Finance Director, reviewed this item.

### 8. Request For Qualifications For Brownfields Consulting Services

[Begin Agenda Memo]

**SYNOPSIS:** The purpose of this memorandum is to request that the City Commission approve the selection of Cardno as a Brownfield Consultant.

## RECOMMENDATION

Staff recommends approval to obtain Cardno for selected Brownfields Consulting Services.

## BACKGROUND

On July 7, 2021, the City of Lake Wales posted a request for qualifications (RFQ) for a brownfields consultant. They will help identify former industrial and/or commercial sites where future use is affected by real or perceived environmental contamination. A brownfield can be a property that is either contaminated or what may be perceived as contaminated. Common examples include former gas stations, dry cleaners, or any abandoned areas in cities, which have been previously used for industrial and commercial purposes.

Three responsive bids were received and evaluated by the RFQ-21-491 Selection Committee on July 23, 2021. Cardno was selected as the most qualified for the brownfields consultant role by the Committee.

## LAKE WALES CONNECTED PLAN ACTION STEPS

Action #	Description
31	Recruit businesses to Northwest Neighborhood industrial properties
53	Develop new Northwest Neighborhood park near Burns Avenue

## BROWNFIELDS CONSULTING SERVICES, CARDNO

Cardno is a global infrastructure, environmental and social development company operating in more than 100 countries. They were established in 1945 by two Australian engineers following stints of working for the U.S. Army command during the Second World War. Their diverse team of technical experts and professionals builds upon a 75-year track record of experience in designing, developing and delivering sustainable projects and community advancement programs.

Their vision is, "To be leaders in improving the physical and social environment for people around the world."

The firm will work to obtain grants for the City and ensure any projects are successfully completed in accordance with the applicable state and/or EPA regulations and as directed by City staff. This includes

that the proper Brownfields procedures are followed, that adequate documentation is maintained and that the outcome specified in the grant application is accomplished.

#### **FISCAL IMPACT**

No Fees will be charged for these activities until grant award, work plan approval and authorization are granted by the City.

#### **OTHER OPTIONS**

Decline to approve Cardno as a Brownfields Consultant.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Mayor Fultz asked if the location is where the cement place. Mr. Slaton said that could be a potential site. Mayor Fultz said that has been sitting for so long and wondered if there are any plans for that site. Mr. Slaton said not yet.

9. Ordinance 2021-18 Corrects A Scrivener's Error In The Legal Description Provided In Ordinance 2021-02 Petition To Establish The Leoma's Landing Community Development District (CDD) 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Ordinance 2021-02 was adopted for the establishment of the Leoma's Landing Community Development District (hereinafter referred to as the "CDD"), as petitioned by Leoma's Landing, LLC. Ordinance 2021-18 corrects a scrivener's error in the original legal description provided.

#### **RECOMMENDATION**

City Commission approved the ordinance at first reading. Staff recommends adoption at second reading of Ordinance 2021-18 following a public hearing.

#### **BACKGROUND**

Leoma's Landing is a 94.11-acre unimproved site on the north side of Chalet Suzanne Road, abutting the Dinner Lake subdivision to the east. The property has development approval from the City for a 336-unit single-family Planned Development Project (PDP), as well as a Site Development permit for Phase I.

City Commission approved the establishment of the CCD at regular meeting on January 19, 2021. The purpose of this ordinance is to correct an error in the legal description provided for the CDD boundary.

#### **OTHER OPTIONS**

Decline request to correct legal description.

#### **FISCAL IMPACT**

Once the roads, water, and wastewater improvements are constructed at the developer's expense, these facilities will be subsequently dedicated to the City for operation and maintenance and will create a long-term fiscal impact.

[End Agenda memo]

James Slaton, City Manager, reviewed this item.

10. Ordinance 2021-19 Annexation 20.07 Acres Of Land East Of Tangelo Street Public Hearing – Notice Requirements Have Been Met

[Begin Agenda Memo]

**SYNOPSIS:** Ordinance 2021-19 proposes the voluntary annexation of approximately 20.07 acres of land located east of Tangelo Street, and contiguous to the incorporated City limits.

#### **RECOMMENDATION**

City Commission approved the annexation ordinance at first reading on August 17, 2021. Staff recommends adoption at second reading following a public hearing.

A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

#### **BACKGROUND**

MOW Groves LLC and Changcocco Family Trust, owners of two separate parcels, petitioned annexation into the corporate city limits of Lake Wales on July 20, 2021.

“Attachment A” to the ordinance shows the properties’ locations. It is contiguous to the City Limits along the northern property boundary of MOW Groves LLC.

#### **OTHER OPTIONS**

Decline to annex the property.

#### **FISCAL IMPACT**

The annexation will add to the City’s tax roll. The property is valued at \$140,664, which would bring in additional property taxes.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Deputy Mayor Gibson expressed concern about not being able to extend sewer lines to annexed properties as they would have to use septic tanks. Mr. Slaton said that each annexation needs to be looked at on a case by case basis. Deputy Mayor Gibson said this needs to be brought up each time.

11. Ordinance D2021-10 Zoning Designation – 2804 Hwy 60 E PID: 283008941000027040 Public Hearing – Notice Requirements Have Been Met

[Begin Agenda Memo]

**SYNOPSIS:** Staff requests that City Commission amend the Zoning Map, on one parcel of land located at 2804 Hwy 60 East.

#### **RECOMMENDATION**

Staff recommends adoption at second reading, following a public hearing, to re-assign the following zoning

designation:

Proposed: Zoning: C-3 – Highway Commercial

At a regular meeting on August 17, 2021, City Commission approved the first reading of the zoning map ordinance. The Future Land Use designation of CAC Community Activity Center was approved at second reading on August 17.

## **BACKGROUND**

In 1999, the City of Lake Wales entered into a binding annexation agreement with the then-owners of the subject property, in order for them to obtain water and sewer services prior to being contiguous to the city limits. According to the agreement, once the property became contiguous, they were to annex into the City.

Staff recently did a review of existing annexation agreements executed by the City, and found that the subject property is now contiguous and should annex per the agreement. The second reading of the annexation ordinance went before City Commission on January 19, 2021 and was unanimously approved.

The next step is to assign the Zoning designation to the property.

A Zoning designation of C-3 Commercial is compatible with the surrounding area and will complement the built environment.

The City Commission assigns future Land Use and zoning designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

## **FISCAL IMPACT**

None.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

## 12. Proposed Amendments To Zoning Regulations (Public Hearing Required)

[Begin Agenda Memo]

**SYNOPSIS:** Staff proposes amendments to areas of the Land Development Regulations (LDRs), Chapter 23, Lake Wales Code of Ordinances. These amendments are necessary to streamline signage regulations in the Downtown Historic District, and create regulations to address solar power generation facilities.

## **RECOMMENDATION**

At a regular meeting on July 27, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission of the proposed changes to the Land Development Regulations. City Commission approved the amendments at first reading on August 17, 2021.

## **BACKGROUND**

Areas of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments. These amendments are necessary to address the growth and

needs of the community, better align with current best practices, and facilitate a more business-friendly approach to development in Lake Wales.

Amendments are proposed to the following sections:

- a. Sec. 23-227 – Certificate of Appropriateness
- b. Chapter 23:
  - a. Article III, Division 2 – New Section titled “Solar Power Generation Facility”
  - b. Table 23-421 Permitted Uses & Special Exception Uses
- c. Article VIII, Definitions – New Definition “Solar Power Generation Facility”

Certificate of Appropriateness for Vinyl Signage – The Historic District Regulatory Board reviews Certificate of Appropriateness applications for exterior improvements to buildings in the Historic Downtown District. In many cases, the signage proposed is insignificant and non-structural in nature; therefore, staff discussed an option with the Historic Board that would empower Staff to review and approve certain signs administratively. Below is the language recommended by the Historic District Regulatory Board:

Sec. 23-227.3.a.5.

5. An application for a Certificate of Appropriateness for vinyl, painted, etched, or other types of non-structural signs may be reviewed and approved by the Administrative Official. The Administrative Official's decision shall be based on an assessment of compliance according to section 23-545 and section 23-653. In any case, the Administrative Official has the right to determine that formal review and approval by the Historic Board is necessary.

Solar Power Generation Facilities – Staff has approached by potential applicants wishing to construct solar power generation facilities within the City. Also known as solar farms, these are typically located on large tracts, and are usually owned/operated by electric utilities.

However, the City currently does not have any regulations in place to address the location, siting, or any use-specific development standards. The proposed changes to Chapter 23 will provide criteria for locating these types of facilities. Key components of these regulations include the following:

- o Only allowed in the R-1A Zoning District
- o Special Exception (Planning Board Approval) required
- o Delineation of permitted and ancillary activities within this use category
- o Design Standards, to include development standards such as placement, setbacks, height, fencing/buffering, glare reduction, access, and similar criteria
- o Addition of the proposed use on Table 23-421 Permitted and Special Exception Uses
- o Inclusion of a Definition of Solar Power Generation Facility

The intent of these provisions is to allow for this type of use while any potential impacts, plus allow for public comment thru the Special Exception process (which requires a public hearing).

## **CODE REFERENCES AND REVIEW CRITERIA**

Section 23-227. Certificate of appropriateness.

**FISCAL IMPACT**

None.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

13. Special Event Application - Northwest Community Market Fall 2021

[Begin Agenda Memo]

**RECOMMENDATION**

Staff recommends approval of the Special Event permit for the Northwest Community Market on the second Saturday of the month, from September through December and the closure of Lincoln Avenue and B Street from 7:00 a.m. to 6:00 p.m.

**BACKGROUND**

The Lincoln Community Development Corporation has submitted a special event permit application to sponsor a Northwest Community Market on the second Saturdays of each month from September through December in 2021. These dates are September 11, October 9, November 13, and December 11. Event hours are 11:00 a.m. – 5:00 p.m. Set up will begin at 7:00 a.m.

This event will require the closing of Lincoln Avenue from C Street to A Street and a portion of B Street from 7:00 a.m. to 6:00 p.m.

The event will include a DJ, live music, vendors, food, and a kids area.

**OTHER OPTIONS**

Do not approve the permit.

**FISCAL IMPACT**

This is a budgeted event for the 2021-2022 Fiscal year. The total cost will be \$1428. Lincoln Community Development Corporation will reimburse the City 25% of Public Services and Police costs.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Commissioner Williams asked if this was every second Saturday. Jennifer Nanek, City Clerk, said yes.

14. SPECIAL EVENT APPLICATION - Rockin' Main Street Series

[Begin Agenda Memo]

**SYNOPSIS:**

Approval of this Special Event Application will allow the Lake Wales Arts Council to sponsor a series of five



Concerts Downtown in 2021-2022.

## **RECOMMENDATION**

Staff recommends that the City Commission consider taking the following action:

1. Approve the Special Event Permit Application for the Rockin Main Street Concert Series on September 23, November 18, January 13, March 10 and May 19 from 7:00 p.m. – 9:00 p.m.
2. Approve the request to close Market Street from Park Avenue to Orange Avenue.
3. Approve the request to serve alcohol within the designated boundaries.

## **BACKGROUND**

The Lake Wales Art Council, Inc. submitted a Special Event Permit Application to sponsor a series of concerts downtown on the following dates in 2021-2022: September 23, November 18, January 13, March 10 and May 19

Set-up will begin at 8:00 a.m. Market Street will be closed from Park Avenue to Orange Avenue along with the Marketplace Parking lot and the Alley between Park & Stuart Avenue.

Alcohol will be served within the designated boundaries.

## **OTHER OPTIONS**

Do not approve the event

## **FISCAL IMPACT**

No In-kind services were budgeted for this event. Costs will be paid at 100% by the Arts Council.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Mayor Fultz said these events will be good for downtown. Deputy Mayor Gibson said this is a good example of pooling resources.

15. Special Event Permit: Lake Wales Live 2021-2022

[Begin Agenda Memo]

## **SYNOPSIS**

This is a request from the City of Lake Wales Recreation Department to host music in the park events, called Lake Wales Live, in the Tina Peak gazebo and along the Downtown Trail. These events will be on the 3rd Friday of the month from September 17, 2021 – April 15, 2022. These events include serving alcohol.

## **RECOMMENDATION**

Staff recommends

1. That the City Commission approve the permit request to hold Lake Wales Live Events on the 3rd Fridays of the month from September 2021 - April 2022.

2. That the City Commission approve the serving of alcohol at the event.

## **BACKGROUND**

City of Lake Wales Recreation has applied to host Lake Wales Live events on the third Friday of the month beginning September 17th from 6pm -10pm. This event will feature live music, food trucks and alcohol sales. Alcohol will be served by a vendor.

The event dates will be September 17, October 15, November 19, and December 17 in 2021.

The event dates in 2022 are January 21, February 18, March 18, and April 15.

## **OTHER OPTIONS**

Do not approve the Special Event Permit.

## **FISCAL IMPACT**

Cost of off-duty officers.

[End Agenda Memo]

16. Ordinance 2021-21 Amending Chapter 16, Pensions And Retirement – City Of Lake Wales Municipal Firefighter’s Pension Plan And Trust – Sec Reading

[Begin Agenda Memo]

## **SYNOPSIS:**

Ordinance 2021-21 seeks to improve the efficiency and overall administration of the Firefighters’ Pension Plan. Based on recommendations from its financial consultant, actuary and attorney.

## **RECOMMENDATION**

It is recommended that the City Commission adopt Ordinance 2021-21 as recommended by the Board of Trustees on First Reading.

Lastly, the amendments to Sec. 16-175 and 16-186, are meant to update the Ordinance to comply with recent changes to the Internal Revenue Code to reconcile with the pension plan’s fiscal year and past practice correcting an apparent scrivener’s error.

## **BACKGROUND**

Effective July 1, 2019, the Florida Legislature enacted legislation providing various benefits to qualifying full-time and retired firefighters. The new law amends F.S. 112 to provide additional disability and death benefits to eligible firefighters who have been disabled or died as a result of certain forms of cancer. Specifically, the new law creates a presumption of service-connected disability, or pre-retirement death, for eligible firefighters who either perish or are found to be totally and permanently disabled from useful and efficient service as a firefighter, based on at least one of 21 enumerated forms of cancer or circumstances that arise out of the treatment of such cancer. The amendments to Section 16-167, Disability, Subsection (a), and Section 16-168, Pre- retirement death, of the Code of Ordinances will update the Retirement System’s governing code to comply with the recent enactment of Ch. 2019-21, Laws of Florida.

Furthermore, the Financial Consultant is recommending an amendment to Section 16-164, Finances and

Fund Management, expanding the Board of Trustees' investment authority to allow for investment in investment grade bonds as well as slightly increasing the maximum pension fund portfolio equity allocation.

### **FISCAL IMPACT**

According to the Actuary (Foster & Foster) there is no cost to the City to implement the proposed amendments.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Deputy Mayor Gibson noted that there is no additional cost to the City. Mr. Slaton confirmed this.

17. Ordinance 2021-22 Amending Chapter 16, Pensions And Retirement – City Of Lake Wales Police Officers' Pension Plan And Trust – Second Reading & Public Hearing

[Begin Agenda Memo]

### **SYNOPSIS:**

Ordinance 2021-22 seeks to improve the efficiency and overall administration of the Police Officers' Retirement System. Based on recommendations from its financial consultant, actuary and attorney.

### **RECOMMENDATION**

It is recommended that the City Commission adopt Ordinance 2021-22 as recommended by the Board of Trustees on Second Reading & Public Hearing.

### **BACKGROUND**

The proposed amendment seeks to improve the efficiency and overall administration of the Police Officers' Retirement System.

Furthermore, the Financial Consultant is recommending an amendment to Section 16-234, Finances and Fund Management, expanding the Board of Trustees' investment authority to allow for investment in investment grade bonds as well as slightly increasing the maximum pension fund portfolio equity allocation.

Lastly, the amendments to Sec. 16-251 and 16-256, are meant to update the Ordinance to comply with recent changes to the Internal Revenue Code to reconcile with the pension plan's fiscal year and past practice correcting an apparent scrivener's error.

### **FISCAL IMPACT**

According to the Actuary (Foster & Foster) there is no cost to the City to implement the proposed amendments.

[End Agenda Memo]

18. CITY COMMISSION AND MAYOR COMMENTS

Commissioner Hillgoss thanked staff for bringing him up to speed.

Commissioner Williams asked everyone to keep up the good work and to be proud of our City.

Mayor Fultz commended the Finance Department on the hard work they did on the budget and the award recently received.

Commissioner Howell said she was glad the budget was done early and everything was well explained.

19. ADJOURN

The meeting was adjourned at 2:20 p.m.

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Mayor

ATTEST:

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City Clerk