

**City Commission Meeting Minutes  
September 22, 2020  
(APPROVED)**

**Executive Order No. 20-69, issued by the Office of Governor Ron Desantis on March 20, 2020, extended via Executive order no. 20-112, and further extended by Executive Orders No 20-114, 20-150, and 20-179 municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54 (5)(b)2, Florida Statutes.**

**The City of Lake Wales held this hybrid virtual public meeting using the GoToMeeting Web/Teleconference service.**

9/22/2020 - Minutes

1. INVOCATION

Dr. Ullom gave the invocation

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

Mayor Fultz called the meeting to order at approximately 6:00 p.m. after the invocation and the pledge of allegiance.

Mayor Fultz read a statement:

Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron DeSantis on March 20, 2020, and extended by Executive Order No. 20 -112, and further extended by Executive Order No. 20 -114, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

Procedures for public participation will be explained by the City Attorney shortly.

Albert Galloway, Jr., City Attorney, read a statement on Procedures for Virtual Public Meetings.

Mr. Galloway asked the Commissioners, "are you comfortable with all the notice provisions set forth and these uniform rules of procedures we have established for this Virtual meeting? The Commissioners answered affirmatively.

4. ROLL CALL

**Commission Members Present:** Eugene Fultz - Mayor, Terrye Howell, Al Goldstein, Curtis Gibson, Robin Gibson

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

5. COMMUNICATIONS AND PETITIONS

Virgil Ullom, non- resident, apologized for offending the Deputy Mayor last week. He said that due to his loss of hearing he couldn't fully understand what was said. He read Psalm 109 and explained that we are created in God's image.

## 6. BUDGET HEARINGS

Mayor Fultz read a statement as the Budget hearing began:

The City of Lake Wales is the taxing authority and the proposed millage rate to be levied for Fiscal Year 2020-2021 is 6.7974 mills, which is the rolled-back rate.

### 6.I. Ordinance 2020-11, Adoption Of FY2020-21 Millage Rate – 2nd Reading & Public Hearing

[Begin Agenda Memo]

#### **SYNOPSIS:**

The Commissioners will consider adopting a millage rate of 6.7974 mills for Fiscal Year

#### **RECOMMENDATION**

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

1. Approve Ordinance 2020-11, adopting a millage rate of 6.7974 mills for FY2020-2021;
2. Approve Ordinance 2020-12, adopting an operating budget for FY2020-2021.

#### **BACKGROUND**

In accordance with Florida Statutes and the City Charter, Ordinances 2020-11 and 2020-12 are presented for first reading and public hearing. Ordinance 2020-11 establishes the millage rate for FY20'21, and Ordinance 2020-21 adopts the proposed FY20'21 budget. These ordinances must have separate public hearings and must be voted upon individually.

The proposed FY20'21 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 21, 2020, the City Commission adopted an Interim Millage Rate of 7.0974. The proposed budget was balanced on a Millage Rate equal to the roll-back rate of 6.7974 millage rate per \$1,000 taxable valuation.

#### **BUDGETARY CHANGES IN GENERAL FUND “REVENUE SOURCES & TRANSFERS IN” FOR FY20'21**

General Fund revenues in FY20'21 (\$12,379,748 + 1,552,522 – 53,522 impact fee reimbursement – 0 financing/leases = 13,878,748) are projected to be \$154,715 less than budgeted in FY18'19 (\$13,999,789

+ 1,538,322 – 211,322 impact fee reimbursement – 1,293,326 financing/leases = 14,033,463). An expected decrease of \$154,715 is mainly due to the following items:

- Increase in ad valorem tax of \$125,226

- Decrease in sales and use taxes of \$170,150 due to allocation needed for debt service leased vehicles.
- Decrease in licenses and permits of \$320,500 due to \$170,500 decrease in franchise fees and \$150,000 decrease in building permits.
- Increase in special assessments of \$95,000 due to increase in fire special assessment.
- Decrease in intergovernmental revenues of \$113,332 mainly due to decrease in state revenue sharing and grants for the Museum/Depot ( Pioneer Day Advertisement)
- Increase in charges for services of \$95,041 mainly due to garbage fees.
- Decrease in fines and forfeitures of \$22,000 mainly due to code enforcement fines.
- Decrease in miscellaneous revenue of \$16,000 mainly due to \$13,000 for Ridge League Dinner, \$3,000 facility rentals.
- Increase in transfers of \$172,000

**BUDGETARY CHANGES IN GENERAL FUND “OPERATING EXPENDITURES” FOR FY20’21 COMPARED TO FY19’20:**

General Fund “operating” expenditures in FY20’21 are projected to be \$14,168,517, which is \$511,392 less than budgeted in FY19’20 \$14,679,909.

**GOVERNMENTAL FUND BALANCE**

As of September 30, 2019, the City’s governmental funds reported combined ending fund balances of \$8,168,273 (page 13 of the CAFR). An increase of \$193,953 for the year. Approximately 40% (\$3,253,113) of total funds balance is available for spending at the government’s discretion (unassigned)

At the end of September 30, 2019, unassigned fund balance of the General Fund was \$3,253,113, while total fund balance reached \$4,281,310. In 2011, the City established a reserve policy for the General Fund equal to 15% - 20% of total operating costs. As of September 30, 2019, the general fund’s unassigned fund balance represented 21% of total general fund expenditures, while total fund balance represents 20% of the same amount.

**SUMMARY OF ALL FUNDS**

General Fund	16,077,270
CRA Fund	5,551,300
Special Revenue Funds	2,723,223
Debt Service Fund	2,448,912

The expenditure total of \$47,973,859 is comprised of operating costs in the amount of \$27,455,251 and capital outlay in the amount of \$20,518,608. Transfers in the amount of \$2,702,062 bring total expenditures plus transfers to \$50,675,921.

Note: Capital expenditures proposed for FY20’21 are itemized in “Schedule C” within the budget document.

## CONCLUSION

The local economy, as well as the global economy, has struggled in 2020 due to the Covid-19 pandemic. As the Governor directed all non-essential services to close for the month of April, the resulting business closures led to a jump in the State unemployment rate and a decline in State Revenue sharing of sales tax and gasoline taxes. As Americans stay home, Florida's tourist economy has suffered, exemplified by the lower than expected visitors to Florida. Economists have failed to agree on the length of the current economic downturn. Some economists are optimistic a vaccine for Covid-19 will be approved before the end of the year and in wide circulation by the end of 2021 which in turn will lead the economy returning to a more stable status. Other economists are forecasting the Covid-19 pandemic to continue through to 2023.

While forecasting the future economy is extremely difficult, for the FY2020-2021 budget, staff has taken the conservative approach relating to the economic effects of the Covid-19 pandemic. As such, staff has taken a conservative methodology approach to appropriations relating to revenues and expenditures. City staff will continue throughout next year to watch for changes in the economy.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2020-11** by title only.

### ORDINANCE 2020-11

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, ADOPTING THE FINAL LEVYING OF AD VALOREM TAXES FOR THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, FOR FISCAL YEAR 2020-21; PROVIDING FOR AN EFFECTIVE DATE.**

OPENED FOR PUBLIC HEARING

CLOSED FOR PUBLIC HEARING

Commissioner Goldstein made a motion to adopt **ORDINANCE 2020-11** after second reading and public hearing. Deputy Mayor Robin Gibson seconded the motion.

By Roll Call Vote:

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0 at 6:15 p.m.

## 6.II. Ordinance 2020-12, Adoption Of FY2020-21 Budget – 2nd Reading & Public Hearing

[Begin Agenda Memo]

### SYNOPSIS:

The Commissioners will also consider adopting the proposed operating budget.

## **RECOMMENDATION**

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

1. Approve Ordinance 2020-12, adopting an operating budget for FY2020-2021.

## **BACKGROUND**

In accordance with Florida Statutes and the City Charter, Ordinances 2020-11 and 2020-12 are presented for first reading and public hearing. Ordinance 2020-11 establishes the millage rate for FY20'21, and Ordinance 2020-12 adopts the proposed FY20'21 budget. These ordinances must have separate public hearings and must be voted upon individually.

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## **PROPERTY TAX**

On July 21, 2020, the City Commission adopted an Interim Millage Rate of 7.0974. The proposed budget was balanced on a Millage Rate equal to the roll-back rate of 6.7974 millage rate per \$1,000 taxable valuation.

## **BUDGETARY CHANGES IN GENERAL FUND "REVENUE SOURCES & TRANSFERS IN" FOR FY20'21**

General Fund revenues in FY20'21 (\$12,379,748 + 1,552,522 – 53,522 impact fee reimbursement – 0 financing/leases = 13,878,748) are projected to be \$154,715 less than budgeted in FY18'19 (\$13,999,789

+ 1,538,322 – 211,322 impact fee reimbursement – 1,293,326 financing/leases = 14,033,463). An expected decrease of \$154,715 is mainly due to the following items:

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Note: Capital expenditures proposed for FY20’21 are itemized in “Schedule C” within the budget document.

**CONCLUSION**

The local economy, as well as the global economy, has struggled in 2020 due to the Covid-19 pandemic. As the Governor directed all non-essential services to close for the month of April, the resulting business closures led to a jump in the State unemployment rate and a decline in State Revenue sharing of sales tax and gasoline taxes. As Americans stay home, Florida’s tourist economy has suffered, exemplified by the lower than expected visitors to Florida. Economists have failed to agree on the length of the current economic downturn. Some economists are optimistic a vaccine for Covid-19 will be approved before the end of the year and in wide circulation by the end of 2021 which in turn will lead the economy returning to a more stable status. Other economists are forecasting the Covid-19 pandemic to continue through to 2023.

While forecasting the future economy is extremely difficult, for the FY2020-2021 budget, staff has taken the conservative approach relating to the economic effects of the Covid-19 pandemic. As such, staff has taken a conservative methodology approach to appropriations relating to revenues and

expenditures. City staff will continue throughout next year to watch for changes in the economy.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2020-12** by title only.

**ORDINANCE 2020-12**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, RATIFYING, APPROVING, ACCEPTING AND ADOPTING THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY, AND ALL NECESSARY AND ORDINARY EXPENSES OF SAID CITY FOR THE 2020-21 FISCAL YEAR, APPROPRIATING ALL FUNDS TO BE RAISED AND COLLECTED FROM ALL SOURCES SET FORTH IN THE ESTIMATE OF REVENUES & BALANCES FOR SAID FISCAL YEAR, AND THE REPEALING OF ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.**

OPENED FOR PUBLIC HEARING

CLOSED FOR PUBLIC HEARING

Commissioner Goldstein made a motion to adopt **ORDINANCE 2020-12** after second reading and public hearing. Deputy Mayor Robin Gibson seconded the motion.

By Roll Call Vote:

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0 at 6:16 p.m.

- 6.III. Ordinance 2020-13 Five-Year Capital Improvement Plan FY2020/21 - FY2024/25 – 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:**

The Commissioners will consider adopting the Five-Year Capital Improvement Plan for fiscal years 2020/21 through 2024/25.

**RECOMMENDATION**

It is recommended that the City Commission approve after first reading Ordinance 2020-13 adopting the Five-Year Capital Improvement Plan for fiscal years 2020/21 through 2024/5

## **BACKGROUND**

In accordance with section 6.05 of the City Charter, Ordinance 2020-13 adopts the proposed 5-year Capital Improvement Plan (CIP) for the period FY2020/21 through FY2024/25. Capital improvements and capital acquisitions proposed for Year 1 of the 5-Year plan are incorporated into the FY20'21 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 \$87,412,089 and includes \$300,000 in land acquisition, \$4,565,981 in building improvements/acquisitions, \$62,615,700 in infrastructure and recreation improvements,

\$14,096,500 in equipment acquisition, and \$5,833,908 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 - FY2020/21	20,518,608
Year 2 - FY2021/22	19,477,966
Year 3 - FY2022/23	22,240,383
Year 4 - FY2023/24	17,574,132
Year 5 - FY2024/25	7,601,000
5 Year Total	87,412,089

All items scheduled for Year 1 are included in the proposed FY20'21 operating budget presented to the City Commission for consideration.

[End Agenda Memo]



Jennifer Nanek, City Clerk, read **ORDINANCE 2020-13** by title only.

**ORDINANCE 2020-13**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, RATIFYING, APPROVING, ACCEPTING AND ADOPTING A 5-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2020/21 THROUGH 2024/25; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED FOR PUBLIC HEARING

CLOSED FOR PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE 2020-13** after second reading and public hearing. Deputy Mayor Robin Gibson seconded the motion.

By Roll Call Vote:

Commissioner Howell "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0 at 6:18 p.m.

7. CITY CLERK

7.I. Board Appointments - Historic District Regulatory Board

[Begin Agenda Memo]

**RECOMMENDATION**

Staff recommends that the Mayor and Commission to make the following appointments as deemed appropriate.

1. Appoint Jonathan Kaufman to a term on the Historic District Regulatory board for a term expiring July 1, 2022.

**BACKGROUND**

As of July 1, 2020 terms will have expired on many of our boards. These are those applying for appointment to new terms.

The Mayor makes appointments to various citizen advisory and regulatory boards, commissions, committees, and authorities with the advice and consent of the City Commission (City Charter, Sec. 3.06).

## **Historic District Regulatory Board**

Historic District Regulatory Board (City Code Sec. 23-208.2) – The board consists of five (5) regular members (appointed in accordance with section 2-26). At least 50% of the members shall reside or own property within the City. Members shall be chosen to provide expertise in the following disciplines to the extent such professionals are available in the community: historic preservation, architecture, architectural history, curation, conservation, anthropology, building construction, landscape architecture, planning, urban design, and regulatory procedures. (3-year term)

- An interview process is necessary for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 2 vacancies, resident or own property in City;

Current Members:

Lawrence (Larry) Bossarte, business owner 02/04/20 – 07/01/22, 1

Mark Bennett, resident 06/17/20 – 7/1/2022, P

John Turley, resident 12/18/18 – 07/01/21, 1

Brandon Alvarado, resident 12/18/18 - 07/01/21, 1

Ronni Wood, resident 02/05/19 – 07/01/21, 1

Applying for Appointment: Jonathan Kaufman, resident, for a partial term expiring on 07/01/22  
Staff has interviewed the applicant and recommends his appointment.

Meetings (City Code Sec. 23-208.3(c)) – The historic board shall hold regular meetings at the call of the chair and at such other times as the board may determine. Special meetings may be called by the chair or vice-chair with twelve (12) hours of notice. No less than four (4) meetings shall be held each year.

Current Meeting Schedule: 3rd Thursday @ 5:30 PM; Commission Chamber

Functions, powers, and duties (City Code Sec. 23-208.4)

1. To hear and decide upon applications for certificates of appropriateness as required under this chapter;
2. To adopt guidelines for the review and issuance of certificates of appropriateness consistent with the purposes of this chapter, the historic preservation element of the comprehensive plan, and the Secretary of the Interior's standards for historic properties;
3. To make recommendations to the city commission on matters relating to the establishment of historic districts and regulation of such districts;
4. To make recommendations to the planning board and the city commission for amendments to the code of ordinances and the comprehensive plan on matters relating to historic preservation;
5. To make recommendations to the planning board and city commission regarding special permits for properties within an historic district in cases in which the special permit involves work requiring a certificate of appropriateness;

6. To perform any other duties which are lawfully assigned to it by the city commission

**OPTIONS**

Do not appoint those that have applied.

**FISCAL IMPACT**

None. These are volunteer boards.

[End Agenda Memo]

Jennifer Nanek, City Clerk, reviewed this item.

Mayor Fultz appointed Jonathan Kaufman to a term on the Historic District Regulatory board for a term expiring July 1, 2022.

Deputy Mayor Robin Gibson made a motion to approve the appointment.

By voice vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Goldstein "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8. CONSENT AGENDA

Deputy Mayor Robin Gibson made a motion to approve the consent agenda. Commissioner Howell seconded the motion.

By Voice vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Mayor Fultz "YES"

Motion passed 5-0.

8.I. Minutes - July 22, 2020 Budget Workshop

8.II. Preserve At Oakwood – Final Subdivision Plat Residential Development – Capps Road

[Begin Agenda Memo]

**Recommendation:** Approval of plat as submitted

No recommendation from the Planning Board or public hearing is necessary for approval of a final plat. Provided the plat meets all of the requirements of state statutes and local ordinances, approval by the City Commission is a formality.

**Background:** Preserve at Oakwood consists of 7 large single-family lots fronting on Capps Road and abutting the Oakwood subdivision. The lots are zoned R-1A residential and were subdivided in compliance with the Land Development Regulations.

The requirements for approval of the final subdivision plat are:

- Consistency with the approved preliminary plat (confirmed)
- Compliance with zoning district standards for lot dimensional requirements (confirmed)
- Completion of infrastructure to city standards (confirmed)
- Approval of the plat and survey by the city's consulting surveyor (completed)
- Approval of the title opinion by the city attorney (completed)

[End Agenda Memo]

8.III. Award Of Bid To Benchmark Enviroanalytical Inc. For Laboratory Analysis Services

[Begin Agenda Memo]

**SYNOPSIS:**

Staff recommends commission approve the award of bid for the lab services annual contract to Benchmark Enviroanalytical, Inc.

**STAFF RECOMMENDATION**

It is recommended that the City Commission consider taking the following action:

1. Approve the Award of Bid for Laboratory Services to Benchmark Enviroanalytical Inc.
2. Authorize the Interim City Manager to execute the appropriate documents, on the City's behalf in regards to this service.

**BACKGROUND**

The City of Lake Wales' Water and Wastewater Divisions are required by the Department of Environmental Protection Agency and the Florida Department of Environmental Regulation to routinely monitor and sample the water and solid residuals throughout the various stages of their respective treatment processes. The majority of these samples must be submitted to a laboratory certified by the State of Florida for analysis and reporting purposes to ensure that proper treatment is taking place and that compliance parameters are being met.

Staff posted a request for bid for laboratory services on August 21, 2020 with a bid open date of September 9, 2020. There were five responsive bidders, to which Benchmark Enviroanalytical Inc. was the responsive low bidder. Staff is recommending the City Commission approve entering into an annual contract for these services. The award of bid for lab services is being recommended to be awarded to Benchmark Enviroanalytical, Inc.

#### **OPTIONS**

None. This testing is a requirement per the Florida Department of Environmental Protection and Department of Environmental Regulation.

#### **FISCAL IMPACT**

Both water and waste water have need to use lab services. Both divisions have budgeted monies in its respective budgets to cover the cost of testing in the FY20'21 budget year.

[End Agenda Memo]

#### 8.IV. General Engineering Services

[Begin Agenda Memo]

#### **SYNOPSIS:**

The City Commission will consider awarding continuous/master consulting contracts for general engineering services.

#### **STAFF RECOMMENDATION**

It is recommended that the City Commission consider taking the following action:

1. Authorize the City Manager to execute Continuous / Master Consulting Engineering Service Agreements with the following firms: Chastain-Skillman, Civil Surv, Patel Green & Associates LLC, Kimley-Horn, Reiss Engineering, Dewberry and Hoyle-Tanner for a period of thirty-six months with a yearly renewal, not to exceed five (5) years total, at the discretion of the City of Lake Wales.

#### **BACKGROUND**

The City had solicited through RFQ #20-471 for general engineering services that would allow the city staff to expedite engineering services that are required for City projects. There is the need for small engineering projects and work that will aid in the processing of work for water, sewer, planning, and economic development projects. In addition, as we apply for Grants and funding for projects, one of the requirements is to submit engineering plans at a certain state of completion in order to accumulate necessary ranking points to qualify for funding consideration. The City Commission will still need to authorize expenditures on all projects. This process allows staff to reduce time in advertising / soliciting for engineering services for projects.

Staff is recommending the City Commission approve the following action. Authorize the City Manager to execute Continuous / Master Consulting Engineering Service Agreements with the following firms: Chastain-Skillman, Civil Surv, Patel Green & Associates LLC, Kimley-Horn, Reiss Engineering, Dewberry and Hoyle-Tanner for a period of thirty-six months with a yearly renewal, not to exceed five (5) years total, at the discretion of the City of Lake Wales. entering into an annual contract for these services.

#### **OPTIONS**

Reject the staff recommendation and do not award any continuing engineering services and expend the time, paperwork and expense involved in soliciting engineers for each project.

#### **FISCAL IMPACT**

Each project will have the engineering / planning funds in the budget so there is no negative fiscal impact in approving these contracts.

[End Agenda Memo]

#### 8.V. Installation Of An Insertion Valve From EA Tapping Service LLC US 27 Force Main

[Begin Agenda Memo]

#### **SYNOPSIS**

The City Commission will consider approving the purchase of two insertion valves for the US27 force main relocation associated with the SR60/US27 Interchange construction project.

#### **STAFF RECOMMENDATION**

It is recommended that the City Commission consider taking the following action:

1. Approve the purchase and installation of two insertion valves for \$31,000.00 from EA Tapping Service LLC.

#### **BACKGROUND**

The City is involved with the relocation of utilities associated with the US27/SR60 Interchange construction project. As a part of this relocation, the force main on US27 south of the interchange in front of the cemetery has to be relocated. In order to relocate this force main it would have to be taken off line. Taking this force main off line would be problematic due to this is the main line to the wastewater plant coming from east of town. The remedy to avoid shutting the wastewater system down from the east of town is to install two insertion valves in order to keep the system on line while the relocation is taking place. Staff contacted three vendors for pricing, with EA Tapping Service LLC having the lowest price of \$31,000 for the installation of both valves.

Staff is recommending the City Commission approve the expenditure of \$31,000 for the purchase and installation of two insertion valves from EA Tapping Service LLC to be installed on the US27 force main.

#### **OPTIONS**

None. The purchase and installation has to be made for the continued operation of the force main while the relocation is taking place.

#### **FISCAL IMPACT**

\$95,000.00 was placed in the FY 19'20 operations budget for any repairs related to the collections system.

[End Agenda Memo]

#### 8.VI. Installation Of An Insertion Valve From EA Tapping Service LLC Water Treatment Plant #1

[Begin Agenda Memo]

**SYNOPSIS:**

The City Commission will consider approving the purchase of an insertion valve for water treatment plant #1.

**STAFF RECOMMENDATION**

It is recommended that the City Commission consider taking the following action:

1. Approve the purchase and installation of an insertion valve for \$48,500.00 from EA Tapping Service LLC.

**BACKGROUND**

One of the high service pumps at the Market Street Water plant is in need of repair. The purpose of the high service pump is to distribute water to the elevated storage tower on site and to the distribution system. In order for this repair to be completed, the inline valve in the system needs to be tuned off to keep water from coming back in and flooding the pump house. Staff has done everything possible, with no success, to get the valve to hold in the closed position. The installation of the insertion valve is necessary, so the high service pump can be repaired. Staff contacted three vendors for pricing, with EA Tapping Service LLC having the lowest price of \$48,500.

Staff is recommending the City Commission approve the expenditure of \$48,500 for the purchase and installation of an insertion valve from EA Tapping Service LLC to be installed at the Market Street Water Treatment Plant.

**OPTIONS**

None. The purchase and repair has to be made for the continued operation of the water treatment plant.

**FISCAL IMPACT**

\$70,000.00 was placed in the FY 19'20 operations budget for water plant repairs.

[End Agenda Memo]

**9. OLD BUSINESS****9.I. ORDINANCE 2020-14- Increase In Commissioner Salaries First Reading**

[Begin Agenda Memo]

**SYNOPSIS:**

ORDINANCE 2020-14 will increase Commissioner Salaries to \$6323.27 beginning with the new term in May 2021.

**RECOMMENDATION**

Staff Recommends approval of ORDINANCE 2020-14 after First Reading.

**BACKGROUND**

At a recent workshop, the Commission expressed a desire to increase Commissioner salaries to a

level similar to the City of Auburndale's. This Ordinance will increase Commissioner salaries from \$4,817 to \$6,323.27 and will increase the Mayor's salary from \$7,226 to \$9,484.91 (50% higher than Commissioners).

#### **OTHER OPTIONS**

Do not approve the ordinance or recommend a revision.

#### **FISCAL IMPACT**

Commission member salaries will increase to \$6,323.27 annually and the Mayor's \$9484.91. This results in a total annual increase of \$8,283.99.

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2020-14** by title only.

#### **ORDINANCE 2020-14**

#### **AN ORDINANCE ADJUSTING COMPENSATION FOR CITY COMMISSIONERS; PROVIDING AN EFFECTIVE DATE.**

Deputy Mayor Robin Gibson asked what the amount is. Jennifer Nanek, City Clerk, said this Ordinance will increase Commissioner salaries from \$4,817 to \$6,323.27 and will increase the Mayor's salary from \$7,226 to \$9,484.91 which is 50% higher than Commissioners.

Deputy Mayor Robin Gibson said the Commissioners are doing more work with the workshops and some are going to various meetings and conferences that he cannot attend. Deputy Mayor Robin Gibson asked how we arrived at the amount. James Slaton, City Manager, said it was based on the Auburndale Commissioners salary.

Commissioner Goldstein made a motion to approve ORDINANCE 2020-14 after first reading. Deputy Mayor Robin Gibson seconded the motion.

By Roll Call vote:

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "NO"

Commissioner Curtis Gibson "NO"

Mayor Fultz "YES"

Motion passed 3-2.

#### 9.II. Ordinance 2020-16 Candidate Qualifying 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Ordinance 2020-16 modifies language in our Code of Ordinances to comply with Florida State Statutes concerning when a potential candidate may begin their campaign.



## RECOMMENDATION

Staff recommends the City Commission approve Ordinance 2020-16 after second reading and public hearing.

## BACKGROUND

In the Lake Wales Code of Ordinances Chapter 8 Elections, Article III potential candidates are to file the form for appointing a campaign treasurer and designating of a campaign depository during qualifying.

This is inconsistent with Florida State Statute that says:

106.021: Each candidate for nomination or election to office shall appoint a campaign treasurer. Each person who seeks to qualify for nomination or election to office shall appoint a campaign treasurer and designate a primary campaign depository before qualifying for office.

This Ordinance brings our Code into compliance with this section of the statute.

## OTHER OPTIONS

Do not pass Ordinance 2020-16 or recommend additional modifications.

## FISCAL IMPACT

None

[End Agenda Memo]

Jennifer Nanek, **ORDINANCE 2020-16**, by title only.

## ORDINANCE 2020-16

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE LAKE WALES CODE OF ORDINANCES, CHAPTER 8, ELECTIONS, ARTICLE III, SECTION 8-44(a)(3) CAMPAIGN TREASURER AND CAMPAIGN DEPOSITORY, TO CONFORM WITH THE PROVISIONS OF SECTION 106.021, FLORIDA STATUTES; AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Curtis Gibson made a motion to approve **ORDINANCE 2020-16** after second reading and public hearing. Commissioner Howell seconded the motion.

By Roll Call vote:

Commissioner Curtis Gibson "NO"

Commissioner Howell "NO"

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

### 9.III. Ordinance 2020-22 Impact Fee Study 2nd Reading And Public Hearing

[Begin Agenda Memo]

#### **SYNOPSIS**

Ordinance 2020-22 adopts the Impact Fee Study prepared by Raftelis including a new fee schedule, altering the impact fees based upon the City's current capital improvements plan and costs for providing facilities to serve new development.

#### **RECOMMENDATION**

Staff recommends adoption of Ordinance 2020-22 upon second reading, following a public hearing.

#### **BACKGROUND**

Impact fees are charged by the City to cover the capital costs of services to new development. Impact fees must be updated periodically to reflect the most recent and localized data used as a basis for the fees. Fees were last updated in 2011. The "Development Impact Fee Study" completed by Raftelis recommends increases in some impact fees, and reductions in others, as shown in the attached presentation prepared by Raftelis. Passage of the ordinance will adopt the impact fee study including the fee changes. Recommended adjustments in fees will be effective 90 days following notification requirements of state law.

Recommended adjustments proposed will take effect in December in order to comply with the state's 90-day notice requirement for fee increases.

The impact fee study was presented to the City Commission by Shawn Ocasio with Raftelis at the Commissioners Workshop on Wednesday, September 2, and was approved at the September 9 Commission meeting at first reading.

Specific changes proposed in the ordinance:

Section 1 – Adopts the impact fee study update by Raftelis and the revised impact fee schedule.

- Consolidation of north and south fire-EMS services areas on the Impact Fee Schedule.
- Change multi-family ERC factor from 50% to 75%.

Section 2 – Changes the annual rate adjustment from June 1 to October 1, to be consistent with the date that other City fees are adjusted.

Section 3 – Changes the number of years that a property can be vacant in order to be exempt from the payment of impact fees upon redevelopment from three years to five years. This is consistent with the County.

Section 4 – Severability clause (standard language for this type of ordinance).

Section 5 – Effective dates. The proposed changes in fees will become effective in December, ninety days after the first advertisement of the ordinance, as required under state statute.

#### **FISCAL IMPACT**

The new fees reflect the City's costs based upon current and local conditions. Maintaining current fees is not justified by the study.

For easy reference on a summary basis the combined changes for a standard single family home with a 3/4" meter (based on the preliminary fees) are as follows:

Single Family Per Unit Rate

Fee Type	Existing	Proposed	Net Change
Police	\$533.68	\$564.00	\$30.32
683.68	488.00	(195.68)	Fire
Parks	1,092.80	1,787.00	694.20
Library	503.70	323.00	(180.70)
Water	2,191.26	2,438.00	246.74
Wastewater	3,592.94	3,091.00	(501.94)
Total	\$8,598.06	\$8,691.00	\$92.94

**OTHER OPTIONS**

None

[End Agenda Memo]

Jennifer Nanek, City Clerk, read **ORDINANCE 2020-22** by title only.

**ORDINANCE 2020-22**

**(Adoption of updated impact fee study and impact fee schedule)**

**AN ORDINANCE AMENDING ARTICLE VII, DIVISION 4, PUBLIC FACILITIES IMPACT FEES OF CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS, LAKE WALES CODE OF ORDINANCES, BY ADOPTING THE 2020 STUDY ENTITLED "DEVELOPMENT IMPACT FEES, CITY OF LAKE WALES, FLORIDA"; AMENDING THE SCHEDULE OF IMPACT FEES TO BE ASSESSED FOR THE CAPITAL COSTS OF PROVIDING POTABLE WATER, SANITARY SEWER, POLICE, FIRE/RESCUE, PARKS, AND LIBRARY SERVICES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Curtis Gibson expressed support for keeping the impact fees at the current level.

Commissioner Howell made a motion to approve **ORDINANCE 2020-22** after second reading and public hearing. Commissioner Goldstein seconded the motion.

By Roll Call vote:

Commissioner Howell "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "NO"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

10. CITY ATTORNEY

Albert Galloway Jr., City Attorney, said there is no new or pending legal action currently. He then gave an update on the Charter Review Committee. He has drafted Ordinances for their recommended changes that will be discussed at the meeting later this week.

11. CITY MANAGER

James Slaton, Interim City Manager, said he had no report.

11.I. Tracking Report

11.II. Social Media Tracking Report

11.III. Commission Meeting Calendar

12. CITY COMMISSION COMMENTS

Commissioner Goldstein said the workshops have made the Commission meetings more efficient and would like to continue them.

Commissioner Curtis Gibson commended the staff and Finance department for their work on the budget.

Commissioner Curtis Gibson invited everyone to participate in a cleanup of Burns Avenue on Saturday at Grace Healthcare that is sponsored by other organizations such as Keep Polk County Beautiful.

Commissioner Curtis Gibson said he agreed that the workshops have been speeding up the meetings.

Deputy Mayor Robin Gibson recommended reading *Our Towns* which discussed what makes them tick. He said we should not be influenced by the national scene. Everything should not be political. The book discusses new ideas and plans. People have to work together on these new ideas. He read some lines towards the end.

Commissioner Howell said we should vote from our hearts and not be mad at the opinions of others.

13. MAYOR COMMENTS

Mayor Fultz said we are "our Brothers Keeper". He will do what he can to reach out and help others in a positive way. People are suffering in different ways. We each need to do our part.

14. ADJOURNMENT

The meeting was adjourned at 6:39 p.m.

Eugene L. F. [Signature]

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk