

**City Commission Workshop  
Meeting Minutes  
September 16, 2020  
(APPROVED)**

**This meeting was conducted partially via teleconference Pursuant to 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 Exectutive Orders 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.**

9/16/2020 - Minutes

1. CALL TO ORDER & ROLL CALL

**Commissioners Present:** Terrye Howell, Curtis Gibson, Al Goldstein, Robin Gibson

Mayor Fultz arrived late.

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

Deputy Mayor Robin Gibson called the meeting to order at 3:00 p.m.

Deputy Mayor Robin read a statement:

Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron DeSantis on March 20, 2020, extended by Executive Order 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 this partial virtual Public Meeting.

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.

2. City Manager Comments

James Slaton, Interim City Manager, asked the Commission about a discussion on limiting comments at Commission meetings. Deputy Mayor Robin Gibson said that the subject matter should be relevant to the meeting of the Lake Wales City Commission. Property owners should be able to talk about anything. We

are impacted by residents in all three zip codes and they have an interest as well. At a recent meeting much of what was discussed had nothing to do with their agenda. He doesn't like imposing restrictions so it needs to be positively stated that we want to hear from those with comments related to the agenda. This is not a church or a political platform. Our open format attracts people to say anything they wish to say. We need rational limitations on what is talked about. There are some things the City Commission can't do a thing about.

Albert Galloway, Jr., City Attorney, reviewed statutory provisions concerning this topic. The Commission can narrow things if they want. They can limit speakers to citizens, taxpayers and utility customers about utility matters.

Commissioner Howell said if people who aren't taxpayers or don't have a dog in the fight then she doesn't have to hear me. She said that business owners are fine. She said she doesn't go to the City of Orlando Commission meetings to complain about what she doesn't like about their city. She agrees with the proposed changes.

Commissioner Curtis Gibson agreed and said we need rules and regulations about what we want to hear.

Commissioner Goldstein said we need some type of restrictions because we end up with an extra hour of meeting that we don't need.

Commissioner Curtis Gibson asked about a time limit for speakers. Mr. Galloway said he has seen 3 minutes and 5 minutes. Deputy Mayor Robin Gibson said if its relevant then he is in favor of 5 minutes. Commissioner Howell agreed and said relevant is the key word.

### 3. Discussion - Mask Mandate

James Slaton, Interim City Manager, said we have had the mask mandate for 30 days so its time to evaluate to see where we are. He asked Fire Chief Joe Jenkins to give an update. Joe Jenkins, Fire Chief, reported that over the last 14 days the percent positive average rate is 6.58% and is moving in the right direction. What we are doing is working. Our overall average is 14.85%. We need to focus on recent days. If we can get the average daily rate at 5% or below then its showing that we are getting a grip on this. The hospitalization rate is 11% in Polk County. The state is at 6%. Polk County has become a hot spot.

Commissioner Curtis Gibson said what we have been doing is working as numbers are dropping. He does not see officers writing tickets or businesses enforcing it. Why do we have it? What we were doing was working. The Mayor at a meeting today was not wearing a mask in a City that requires masks so its pointless.

Deputy Mayor Robin Gibson said he was encouraged by our positivity rate. The schools and the City are requiring masks and numbers are going down. He supports the idea of dropping the mandate if we go below 5%. He supports tying the mandate to a 5% positivity rate. The people want it both ways. They want business and will wear masks to get businesses open.

Commissioner Goldstein said he has never been for big government or taking away a person's common sense. The masks give a false sense of security. This should be left to merchants to decide. We should go back to just the resolution. Many are in a depression dealing with this. We need to take politics out of this. Masks should be up to the person.

Commissioner Howell said she hopes our numbers keep going down. We need to keep the mask mandate. The Commission needs to make the hard decisions. We need to help each other. There are things in life that are mandates. There are lots of things we have to do that we don't like. We have to agree on things like the fire assessment and garbage collection that many don't like.

James Slaton asked Albert Galloway Jr., City Attorney, if its doable to tie the Ordinance to a number. Mr. Galloway said yes. Mr. Slaton said it could be problematic and confusing turning it on and off.

Commissioner Goldstein said some of the reported numbers are inaccurate. Masks are causing problems. Commissioner Howell said staff at the doctors offices are all wearing masks. Commissioner Goldstein said people in Doctors offices may be sick. Its hostile territory.

Commissioner Curtis Gibson said he opposed tying the mandate to a certain figure will cause confusion.

Deputy Mayor Robin Gibson said the on and off switch tests the benefits of voluntary compliance. Commissioner Curtis Gibson said that the earlier resolution already tested voluntary compliance.

#### 4. Discussion Board Appointments

James Slaton, Interim City Manager, reviewed the current procedure about board appointments. He asked Deputy Mayor Robin Gibson who was on the Charter Review Committee when the current language was put into the Charter what the original thought was behind the process.

Deputy Mayor Robin Gibson explained what they were trying to do. The model was the appointment power of Presidents and Governors. It was to give the Mayor clearer authority. When the Commissioners made appointments that worked out well. It is not working out as intended. Some appointees have a personal axe to grind.

Commissioner Goldstein said he wants potential appointees to come to the Commission so we can speak to them. We don't need people with agendas. We need to convey the seriousness of this. Many members don't attend. The Commission should look at the appointees in the eye.

Commissioner Curtis Gibson said the staff recommends appointees. He attended the Commission meeting when he was appointed to the Code Board. The applicants should show that they are serious and come to the Commission meeting so that the Commissioners to ask questions. The position should not be about a title.

Commissioner Howell said it was important that these people are seen and that they don't have an ax to grind. The Commission needs to see all the applicants. Some people were not chosen and not told why.

Commissioner Curtis Gibson suggested maybe different Commissioners take responsibility to get members for certain boards. We should alleviate the work load of the Mayor. Deputy Mayor Robin Gibson said this is not a bad idea as each person has their own interests. There needs to be accountability for the appointee.

Commissioner Goldstein said the applications should be tracked and the Commission should see all of the applications for a position on the agenda. Mr. Slaton said the applications are generally on the agenda.

#### 5. 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]

James Slaton, Interim City Manager, reviewed this item.

#### 6. 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]

James Slaton, Interim City Manager, reviewed this item.

Commissioner Goldstein asked about the other names listed. Sarah Kirkland, Utilities Director, said those are the other companies that submitted bids.

7. Agreements- 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]

James Slaton, Interim City Manager, reviewed this item.

8. Purchase And Installation Of An Insertion Valve For \$48,500.00 From EA Tapping Service LLC.

[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.

**ATTACHMENTS** EA Tapping Service LLC Quote \$48,500.00 Florida Flow Control Quote \$52,150.00 Rangeline Quote \$49,995.00

[End Agenda Memo]

James Slaton, Interim City Manager, reviewed this item.

9. 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 2020-21. 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 2020-11, 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 COMPARED TO FY19'20:**

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

Capital Projects Fund 1,481,000

Cemetery (LWMG) 484,706

Utility System Fund 30,082,050

Airport Fund 905,217

Stormwater Fund 500,000

TOTAL 60,253,678

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]

James Slaton, Interim City Manager, reviewed this item.

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

[Begin Agenda Memo]

#### **SYNOPSIS:**

The Commissioners will consider adopting a millage rate of 6.7974 mills for Fiscal Year 2020-21. 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 2020-11, 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 2020-12 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 COMPARED TO FY19'20:

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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- 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.

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## **CONCLUSION**

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[End Agenda Memo]

James Slaton, Interim City Manager, reviewed this item. The budget has been changed to reflect no increase to the fire assessment otherwise it is unchanged.

Commissioner Goldstein asked if this is complete. Mr. Slaton said upon adoption on Tuesday yes.

11. Ordinance 2020-13 Five-Year Capital Improvement Plan FY2020/21 - FY2024/25 – 2nd Reading

[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]

James Slaton, Interim City Manager, reviewed this item.

Commissioner Howell asked about the possibility of adding body cams to the agenda. Mr. Slaton said he is working on this issue.

12. 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

[End Agenda Memo]

James Slaton, Interim City Manager, reviewed this item.

13. Ordinance 2020-22 – 2nd Reading – Public Hearing Development Impact Fee Study And Schedule

[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 ¾" 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    |
| Fire       | 683.68     | 488.00     | (195.68)   |
| 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]

James Slaton, Interim City Manager, reviewed this item

14. CITY COMMISSION AND MAYOR COMMENTS

Commissioner Howell said she loves the workshops because they can talk things out.

Commissioner Goldstein said accountability is important. it should be part of our brand. It is important.

Commissioner Curtis Gibson said he also likes the workshops where they can hear each other's point of views. He asked for an update to his request for review of our current contracts. He spoke with Kevin Kieft and they agreed that the contract should be revisited. He always wants to be sure our dollars are spent wisely.

Commissioner Curtis Gibson said he would like to explore costs for an in-house attorney and also go out for an RFP for attorney services. Our current attorney would be welcome to apply.

Commissioner Curtis Gibson invited everyone to come help with the cleanup of Burns Avenue he is organizing on September 26.

Deputy Mayor Robin Gibson said the appointment process does not work as intended and now is a good time to change it as the Charter Review Committee is meeting and discussing these things.

Deputy Mayor Robin Gibson said we can't afford an in-house attorney. One attorney cannot cover all the different fields.

James Slaton, Interim City Manager, gave an update on the Seminole Hotel. The property is in foreclosure. There is a new owner that wants to redevelop it. They are moving forward with the foreclosure. Once the City acquires it they can give it to the CRA and the CRA can decide what to do with it. Mr. Galloway described the liens that are on the property. The new owner was aware of these liens when he purchased the property.

Commissioner Curtis Gibson said we need to do better with this than the Grand Hotel. we need accountability.

Deputy Mayor Robin Gibson said the CRA can do more with this property than the City.

Commissioner Goldstein said he has changed his mind about using a magistrate for code enforcement as that would take personalities out of the decision making. Some property owners get repeat extensions.

Commissioner Curtis Gibson asked how the other Commissioners feel about going out for an RFP for a City Attorney. Mr. Galloway said that the last vote was 4-1 and to leave it until March and April when the next evaluation is done. Commissioner Goldstein said we should look and see if this is the best possible situation. He asked who would review the proposals. Deputy Mayor Robin Gibson said the Commission does.

Commissioner Goldstein said we need to vote on the City Manager soon and he supports appointing Slaton as City Manager.

Commissioner Howell said she is fine with going out for an RFP for City Attorney. She wants Galloway to participate more and provide more input. The Attorney needs direction.

James Slaton, City Manager, suggested waiting until the next evaluation. As the City is transitioning the

City Manager it may not be a good idea to change City Attorneys at the same time.

Deputy Mayor Robin Gibson said now that the fiscal year is at an end and the budget is done he is fine with moving forward on the issue of the City Manager.

15. ADJOURN

The meeting was adjourned at 4:38 p.m.

*Eugene L. F. [Signature]*

\_\_\_\_\_  
Mayor

ATTEST:

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