

RESOLUTION 2016-02

RESOLUTION OF THE CITY COMMISSION OF LAKE WALES, FLORIDA, AUTHORIZING THE MAYOR TO MAKE APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR APPROVAL OF A FEDERAL FISCAL YEAR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT SPONSORED BY THE CITY OF LAKE WALES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Lake Wales, Florida is experiencing a need for physical improvements in one or more low-to-moderate income neighborhoods; and

WHEREAS, it is the desire of the City Commission that local residents be assisted in creating an improved living environment in these areas.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE WALES, FLORIDA;

SECTION 1. The Community Development Block Grant (CDBG) program is declared to be a workable program for providing needed physical improvements to City residents;

SECTION 2. The City Commission hereby directs the Mayor, City Manager or City Clerk, in his/her absence, to sign all necessary certifications of the Community Development Block Grant application, grant contract or other grant documents required by the CDBG program.

SECTION 3. The City Commission directs the Mayor, City Manager, or City Clerk, in his/her absence, to execute and submit the CDBG grant application to the Florida Department of Economic Opportunity for state approval.

SECTION 4. The Mayor, City Manager or City Clerk, in his/her absence, is authorized and directed to approve, sign and submit additional information in a timely manner as may be required by the Florida Department of Economic Opportunity during the application review process and after execution of a contract agreement with the Department.

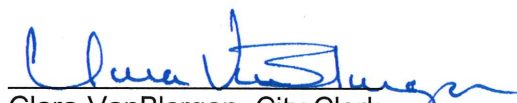
SECTION 5. The proposed CDBG application is consistent with the local comprehensive plan.

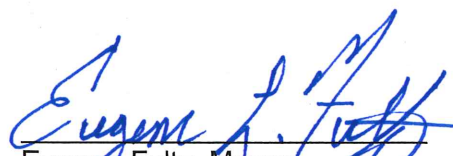
SECTION 6. The City's comprehensive plan is hereby adopted as the City's community development plan.

SECTION 7. This Resolution shall take effect immediately upon its passage.

ADOPTED unanimously in open session of the City Commission of Lake Wales, Florida, on this 16th day of February 2016.

Attest:


Clara VanBlargan, City Clerk


Eugene Fultz, Mayor



Florida Small Cities Community Development Block Grant (CDBG)

Application for Funding

Applicant: City of Lake Wales
(Name of Local Government)

- | | |
|---|---|
| <input type="checkbox"/> Commercial Revitalization | <input type="checkbox"/> Housing Rehabilitation |
| <input checked="" type="checkbox"/> Neighborhood Revitalization | <input type="checkbox"/> Economic Development |

Federal Fiscal Year 2015

Application Due Date: April 25, 2016

Mailing Address: Department of Economic Opportunity
Bureau of Community Revitalization
107 East Madison Street – MSC 400
Tallahassee, Florida 32399-6508

Telephone: (850) 717-8405
Fax: (850) 922-5609
Web: <http://www.floridajobs.org/SmallCitiesCDBG>

2016 APR 25 AM 11:02
CDBG
73C-23.0041, FAC

Contents

Left click on the appropriate check boxes to indicate which parts of the application form are included in this application package.

- ☐ **Part 1 – General Information**
- ☒ **Part 2 – Application Profile and General Scoring Criteria (Required)**
- ☒ **Part 3 – Sources and Uses of Non-CDBG Funds**
- ☐ **Part 4 – Commercial Revitalization**
- ☐ **Part 5 – Economic Development**
- ☐ **Part 6 – Housing Rehabilitation**
- ☒ **Part 7 – Neighborhood Revitalization**
- ☒ **Part 8 – Certification and Score Summary (Required)**
- ☒ **Part 9 –Supporting Documentation (Required)**
 - ☒ **Appendix A: Maps (Required)**
 - ☒ **Appendix B: Local Governing Body's Resolutions for Signature Delegation and Application Submission (Required)**
 - ☒ **Appendix C: Comprehensive Plan Documents (Required)**
 - ☒ **Appendix D: Public Hearing/CATF Meeting Documentation (Required)**
 - ☒ **Appendix E: Leverage Documentation**
 - ☐ **Appendix F: Grant Application Preparation Cost Documentation**
 - ☒ **Appendix G: Readiness to Proceed Documentation**
 - ☒ **Appendix H: VLI/LMI Worksheets and Survey Documentation or Census Data and Maps**
 - ☐ **Appendix I: Documentation Related to Health and Safety Impact Score**
 - ☐ **Appendix J: Joint Agreements/Contingency Funding Documentation/Interlocal Agreements**
 - ☐ **Appendix K: Housing Assistance Plan (Required for all Housing Rehabilitation Applications)**
 - ☒ **Appendix L: Historic Preservation Documents**
 - ☐ **Appendix M: Special Designation Documentation**
 - ☐ **Appendix N: Documentation for Economic Development Applications**
 - ☐ **Appendix O: Documentation for Other Community Development Activities Score (Commercial Revitalization)**
 - ☐ **Appendix P: Documentation for Demolition of Vacant Dilapidated Structures (Commercial Revitalization)**
 - ☐ **Appendix Q: Local Government Minority Contracting and Fair Housing Score Documentation**
 - ☐ **Appendix R:**

Part 2 – Application Profile and General Scoring Criteria

Application Profile
Table G-1

Local Government Contact Information:

Local Government Name: City of Lake Wales		
Street Address: 201 West Central Ave.		
Mailing Address (if different):		
City: Lake Wales	Zip Code: 33859	County: Polk
Main Telephone: 863-678-4182	Main Facsimile: 863-678-4180	Federal ID Number: 59-6000357
DUNS Number: 073212201	Local Government's Name in DUNS: Lake Wales, City of	

Chief Elected Official: Eugene Fultz	Title: Mayor
Telephone: 863-678-4182	Facsimile: 863-678-4180
E-mail Address: use: Jnanek@cityoflakewales.com	

Local Government Financial Officer: Dorothy Ecklund	Title: Finance Director
Telephone: 863-632-0424	Facsimile: 863-678-4180
E-mail Address: decklund@cityoflakewales.com	

Local Government Project Contact: Jennifer Nanek	Title: Deputy Clerk
Street Address: 201 West Central Ave.	
City: Lake Wales	Zip Code: 33859
Direct Telephone: 863-678-4182	Facsimile: 863-678-4180
E-mail Address: Jnanek@cityoflakewales.com	

Application Profile – Table G-1 (Continued)

Application Preparer Information		
Preparer's Name: Andy Easton & Associates		Organization Preparing Application: <input type="checkbox"/> Local Government <input checked="" type="checkbox"/> Private Company <input type="checkbox"/> RPC
Street Address: 203 Ridgeland Road		
City: Tallahassee	State: FL	Zip Code: 32312
Telephone: 850-445-7829		Facsimile: 850-807-7324
E-mail Address: andyeaston2@msn.com		

Consultant Information		
Consultant's Name:		<input type="checkbox"/> Private Company <input type="checkbox"/> RPC
Street Address:		
City:	State:	Zip Code:
Telephone:	E-mail Address:	

Demographics		
U.S. Congressional District Number: 12	Florida Senate District Number: 17	Florida House District Number: 66
Service Area Census Tract(s) and Block Group(s): 143.01		

Application Type: Indicate the application category. A completed application must include the appropriate section as listed below.	
<input type="checkbox"/> Commercial Revitalization (Part 4)	<input type="checkbox"/> Economic Development (Part 5)
<input type="checkbox"/> Housing Rehabilitation (Part 6)	<input checked="" type="checkbox"/> Neighborhood Revitalization (Part 7)

Application Profile – Table G-1 (Continued)

Funding for Planning and Design: You must check the Planning and Design Funding – Neighborhood Revitalization box if you want to be considered for funding. (The maximum funding for Planning and Design is \$70,000. In addition to the total funding needed for planning and design, the dollar amounts needed for basic engineering, additional engineering and administration must be shown below.)		
<input type="checkbox"/> Planning and Design Funding – Neighborhood Revitalization		
If you will accept funding for Planning and Design, indicate the total amount being requested: \$		
Basic Engineering \$	Additional Engineering \$	Administration \$

Citizen Participation – Public Hearings Documentation of the citizen participation activities must be included in Appendix D of Part 9.	
List the date that the public notice for the first public hearing was published: 2-5-16	List the date when the first public hearing was held: 2-16-15
List the date that the public notice for the second public hearing was published: 11-30-15	List the date when the second public hearing was held: 12-10-15

Subgrant Funding Request: The maximum funding request for Neighborhood Revitalization, Commercial Revitalization and Housing Rehabilitation subgrants is based on the jurisdiction's LMI population as determined by HUD. Please see the table below. The maximum subgrant funding request for Economic Development subgrants is \$1,500,000, and the cost per job created must be less than \$35,000. At the bottom of the left column, enter the actual LMI population. (Data available on CDBG website.) At the bottom of the right column, enter the actual subgrant amount being requested.	
LMI Population	Maximum Subgrant Request
1 – 499	\$600,000.00
500 – 1,249	\$650,000.00
1,250 – 3,999	\$700,000.00
4,000 – and above	\$750,000.00
Local Government's LMI Population: 6275	Subgrant Funds Being Requested: \$ 650,000

Application Profile

Table G-1 (Continued)

Answer the following questions by clicking on the correct check box.		
Historic Preservation Will the project impact a building, public improvement or planned open space that is 50 or more years old? If yes, documentation must be provided in Appendix L of Part 9. (See instructions.)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Interlocal Agreement Will project activities require an interlocal agreement? If yes , the interlocal agreement(s) must be provided in Appendix J of Part 9. (See instructions.)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State of Financial Emergency Is the local government currently identified as being in a State of Financial Emergency pursuant to Section 218.50 – 218.504, Florida Statutes? Check at http://www.leg.state.fl.us/cgi-bin/View_Page.pl?File=financial-emergencies.cfm&Directory=committees/joint/Jcla/&Tab=committees	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Grant Preparation Costs The applicant may request subgrant funds for the cost of application preparation. See instructions if funds are requested. Does the applicant wish to request subgrant funds for the cost of application preparation? If yes, documentation must be included in Appendix F of Part 9. Amount: \$ _____	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
National Flood Insurance Program Is the applicant currently participating in the National Flood Insurance Program?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Project Narrative — G-2

Describe the proposed project using the guidelines in the instructions. Specific directions for Commercial Revitalization and Economic Development application narratives can be found in the instructions. Use additional pages as needed.

The City of Lake Wales is applying for a \$650,000 CDBG grant in the Neighborhood Revitalization Category to fund sewer line replacement activities in a low to moderate income neighborhood. The CDBG funds will be combined with approximately \$936,664 in State Revolving Loan Funds (SRF) in order to complete the planned sewer line replacement activities. The sewer lines need to be replaced because they are in aging deteriorated condition. This CDBG project is part of a multi-phase sewer line replacement project that has the goal of replacing all sewer lines in the low income minority residential area of Lake Wales. The project phases and service areas have been arranged in the following manner:

SA 1- (Completed, not part of this CDBG application)- This was the first phase of the project. It was completed on January 29, 2015 and was funded by a \$750,000 CDBG grant and City funds. Project activities included the replacement of the sewer main along Wiltshire Avenue and a major upgrade to Sewer Lift Station #16 (which is located at the corner of Carver Drive and Wiltshire Avenue). The total project cost for this portion of the project was approximately \$2 million.

SA 2 (funded with an SRF loan, not part of this CDBG application) - This is the second phase of the project. It was bid in June/July of 2015 and is being funded entirely with SRF funds. It is not part of this CDBG grant project. The project activities include sewer line replacement on all streets west of C Street, North of Dr. A.J. Wiltshire Ave., south of Florida Avenue and east of G street. The total cost of this phase is expected to be approximately \$5 million.

SA 3 and 3A (This grant application - to be funded by CDBG and SRF Funds) - This is the 3rd and final phase of the project. Sewer line replacement activities will occur north of Dr. J. A. Wiltshire Avenue in the vicinity of A Street, B Street, and C Street and along the portions of Lincoln Avenue, Washington Ave and Harding Avenue that are located east of C Street. These streets comprise Service Area 3. CDBG funds will also be used for sewer line replacement activities along Carver Drive and Crescent Circle (Service Area 3A). The CDBG funds will be combined with \$936,664 in State Revolving Loan Funds in order to complete the planned sewer line replacement activities.

Construction, Grant Administration and Engineering Costs

Grant administration activities will include complete management and reporting for each project with separate tracking for each funding source. Engineering costs will include project inspection and construction contract administration. This grant application is budgeting \$39,000 for CDBG engineering, \$51,000 for CDBG grant administration, \$560,000 for CDBG sewer construction activities. Also, SRF funds in the amount of \$936,664 is being budgeted for sewer construction activities. The total project cost is \$1,586,664 (\$650,000 CDBG + \$936,664 SRF). The project accomplishments include 5,358 LF of replacement sewer line.

Meeting the CDBG National Objective

Over 51% of the people that will benefit from CDBG funds are classified by HUD as low to moderate (LMI) income persons. Therefore, the national objective to be met by this project is “benefit to low and moderate income persons”. The percent VLI and LMI benefit by service area is shown below:

SA 3 (A,B and C Streets)

Total Beneficiaries: 108

VLI Persons: 56

LMI Persons: 94

Above income Persons: 14

Percent VLI: 51.85%

Percent LMI: 87.04%

Total Households: 41

LMI Households: 36

SA 3A (Carver Drive)

Total Beneficiaries: 129

VLI Persons: 32

LMI Persons: 95

Above income Persons: 34

Percent VLI: 24.81%

Percent LMI: 73.64%

Total Households: 52

LMI Households: 37

SA 3 and 3A Combined

Total Beneficiaries: 237

VLI Persons: 88

LMI Persons: 189

Above income Persons: 48

Percent VLI: 37.13%

Percent LMI: 79.75%

Total Households: 93

LMI Households: 73

Project Cost: Service Area 3 (A, B & C Streets)

Item No.	Item	Unit	Estimated Quantity	Unit Cost	Total
1.0	Mobilization	LS	1	\$ 45,000.00	\$ 45,000.00
2.0	8" PVC Sewer Lines (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	LF	3,075	\$ 208.00	\$ 639,600.00
3.0	Sanitary Manholes (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	14	\$ 5,520.00	\$ 77,280.00
4.0	Manhole Abandonment in accordance with Construction plans	EA	10	\$ 1,261.00	\$ 12,610.00
5.0	Single Service Lateral Connections - (4") Same side of Existing Connection (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	21	\$ 1,052.00	\$ 22,092.00
6.0	Double Service Lateral Connections - (4") Same side of Existing Connection (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	13	\$ 1,400.00	\$ 18,200.00
7.0	New Single Sewer Service at Vacant Lot Location	EA	20	\$ 897.00	\$ 17,940.00
8.0	New Double Sewer Service at Vacant Lot Location	EA	8	\$ 1,119.00	\$ 8,952.00
Total					\$841,674.00

Project Cost: Service Area 3A (Carver Drive)

Item No.	Item	Unit	Estimated Quantity	Unit Cost	Total
1.0	Mobilization	LS	1	\$ 45,000.00	\$ 45,000.00
2.0	8" PVC Sewer Lines (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	LF	2,283	\$ 208.00	\$ 474,864.00
3.0	Sanitary Manholes (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	13	\$ 5,520.00	\$ 71,760.00
4.0	Manhole Abandonment in accordance with Construction plans	EA	14	\$ 1,261.00	\$ 17,654.00
5.0	Single Service Lateral Connections - (4") Same side of Existing Connection (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	5	\$ 1,052.00	\$ 5,260.00
6.0	Double Service Lateral Connections - (4") Same side of Existing Connection (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	26	\$ 1,400.00	\$ 36,400.00
7.0	New Single Sewer Service at Vacant Lot Location	EA	2	\$ 897.00	\$ 1,794.00
8.0	New Double Sewer Service at Vacant Lot Location	EA	2	\$ 1,119.00	\$ 2,238.00
Total					\$654,970.00

City of Lake Wales Sewer Line Replacement Project Budget			
Item	CDBG	SRF Funds	Totals
Engineering	\$39,000	--	\$39,000
Administration	\$51,000	--	\$51,000
Sewer Lines and Related Components	\$560,000	\$936,664	\$1,496,664
TOTAL	\$650,000	\$936,664	\$1,586,664

Additional Project Narrative Statements:

There are no plans by FDOT, Lake Wales or Polk County to undertake road construction activities in the service area.

The construction activities will not take in the 100 year flood plain.

The City is planning to begin construction during the 4th quarter of 2016

The project scope does not include providing handicap access to public buildings.

The project will not impact historic resources.

General Scoring Criteria — Table G-3

1. Community-Wide Needs Score (CWNS) The CWNS for each non-entitlement local government is posted on the Department's website at: http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/florida-small-cities-community-development-block-grant-program/downloads-and-information-for-applicants (Transfer this score to line 1. of the Application Scoring Summary page – Part 8, page 4.)		Score: <u>135.48</u>
2. Special Designation Score Check all applicable designations below and enter a score of 20 points if all CDBG activities will be conducted within any of the boundaries of the special designation areas checked. Documentation must be included in Appendix M of Part 9. (See instructions.) (Transfer this score to line 3a. of the Application Scoring Summary page.)		Score: <u>0</u>
<input type="checkbox"/> Rural Area of Opportunity (RAO)	<input type="checkbox"/> Rural Community as defined by §288.0656, F.S.	
<input type="checkbox"/> Area of Critical State Concern pursuant to §380.05, F.S.	<input type="checkbox"/> Florida Enterprise Zone pursuant to §290.0065, F.S.	
3. Grant History Score: If the applicant has not had an open CDBG contract in the NR, CR, or HR categories within five years of application deadline, claim 100 points. (Transfer this score to line 3b. of the Application Scoring Summary page.)		Score: <u>0</u>
4. CATF Score: The applicant can score a maximum of 10 points if it has appointed a Citizen Advisory Task Force (CATF) to provide input on all phases of the Small Cities CDBG Program process and the CATF met to discuss community needs and make recommendations to the local governing body before the application was drafted. The task force must be comprised of residents of the applying jurisdiction, and at least 51% of the members must be from LMI households. None of the members can be an elected official of the jurisdiction, and only one member can be an employee of the applicant. The CATF shall have at least five members, and at least 51% members must participate in the meeting to claim CATF points. Documentation must be included in Appendix D of Part 9. (See instructions.)		
4a. If the CATF met before the first public hearing was conducted and before a draft application was developed to discuss community needs and make recommendations to the local governing body as to the program area and activities that should be considered when drafting a Small Cities CDBG application, score 10 points, or 4b. If the CATF met before the notice for the second public hearing was published and before a draft application was finalized to make recommendations to the local governing body as to the program area and activities that should be included in its Small Cities CDBG application, score 5 points. (Transfer this score to line 3c. of the Application Scoring Summary page.)		Score: <u>10</u>
If applicable, list the date that the public notice for the CATF meeting was published: 11-10-15	If applicable, list the date when the CATF meeting was held: 11-15-16	

General Scoring Criteria — Table G-3 (Continued)

5. Outstanding Performance in Equal Employment Opportunity (EEO)						
M/WBE Contracting: The applicant may claim up to 20 points for achievement in Minority-/Women-Owned Business Enterprises (M/WBE) contracting in the most recent Small Cities CDBG subgrant that was administratively closed not more than four years before application deadline date. Review the M/WBE reports submitted to DCA/DEO for that subgrant and enter a score based on the achievement reported.						
Most Recent Administratively Closed Small Cities CDBG Contract Number:				12DB-OH-07-63-02-N15		
0 Amount Awarded to M/WBE firms	÷	0 Total Prime Contracts Amount	X 100 =	0 M/WBE %		
M/WBE %	Points		5a. M/WBE Contracting Score: <div style="text-align: center;"> 0 (Maximum 20 points) </div>			
0.0 – 4.99%	0					
5.0 – 14.99%	5					
15.0 – 19.99%	10					
20.0 – 24.99%	15					
25.00%+	20					
If the applicant has not administratively closed a Small Cities CDBG subgrant within four years of the application deadline date, score 5 points.						
Local Government Minority Employment: The applicant may claim up to 60 points for meeting minority employment goals. Complete the table below to calculate the applicant's percentage of minority employees. See instructions for calculations.						
Number of Permanent Full-time Equivalent Minority Applicant Employees 47	÷	Number of Permanent Full-time Equivalent Applicant Employees 170	=	Applicant's Percentage of Minority Employees 27.65%		
Enter percentage of minorities in the applicant's county: 20.1%						
If the "Prorated 60 Points Score" is claimed, complete the following equation:						
Applicant's Percentage of Minority Employees 27.65	÷	Percentage of Minorities in Applicant's County 20.1	=	Applicant's Percentage of Minority Employees 1.38	X 60 =	Points Claimed 60

If the applicant has three or less employees, 40 points may be claimed.		
5b. Local Government Minority Employment Score (60 Points Maximum):		na
6. Outstanding Performance in Fair Housing		
The applicant may claim five points for adopting a Fair Housing Ordinance prior to the application deadline and five points for conducting a Fair Housing workshop in the 12 months prior to the application deadline. See instructions for guidelines and documentation requirements.		
	Date	Score
6a. Date Fair Housing Ordinance Adopted:	11-19-2002	5
6b. Date of Fair Housing Workshop:	2-16-16	5
6c. Total Fair Housing (6a+6b) Score (10 Points Maximum):		10

Outstanding Performance in EEO and Fair Housing (5a+5b+6c) Score: 70
(Transfer this score to line 2. on the Application Scoring Summary page – Part 8, page 4.)
(90 points maximum)

Part 3 – Sources and Uses of Non-CDBG Funds

Sources and Uses of Non-CDBG Funds
Private, Participating Party, Public Leverage from Non-Local and Local Funding Sources
Table L-1

Activity #	Source	Amount Claimed for Scoring	Amount Not Claimed for Scoring	Type (Participating Party, Loan, Grant, Local Government Funds, Donated Land, or Other Leverage)
03J	SRF	\$50,000	\$866,664	State Revolving Loan Program (DEP)
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
Totals		\$50,000	\$866,664	
Total Funds Claimed for Leverage Scoring		\$50,000		

Use the preceding totals to compute the number of points you are claiming for leverage scoring on the next page.

Leverage Score Summary

Leverage Points Calculation for NR, CR, and HR

Communities with a LMI Population of 1,249 or Less

$$\underline{\$} \div \$1,000 = \underline{\hspace{2cm}} \text{ Points}$$

(25 Points Maximum)

Leverage Points Calculation for NR, CR, and HR

Communities with a LMI Population of 1,250 or More

$$\underline{\$50,000} \div \$2,000 = \underline{25} \text{ Points}$$

(25 Points Maximum)

Leverage Points Calculation for ED

$$\underline{\$} \div \$10,000 = \underline{\hspace{2cm}} \text{ Points}$$

(125 Points Maximum)

Leverage Score: 25

**(Transfer this score to line 3d. on the Application Scoring Summary page in Part 8.
25 Points Maximum for NR, HR, and CR. 125 Points Maximum for ED.)**

Part 7 – Neighborhood Revitalization

CDBG Funds and Activity Goals – Table N-1

A		B	C	D	E	F
1. Activity Number and Name (*Same points in the activity supported.)		Appropriate RUS Engineering Table	Enter CDBG Activity Funds	% Of CDBG Project Cost (Col. C ÷ Total of Col. C)	Goal Points	Activity Goal Score (D x E)
01	Acquisition (in support of (*)	NA	\$		*	
03J	Fire Hydrants ¹⁶	Table II	\$		60	
03J	Fire Protection ¹	Table II	\$		60	
03I	Flood and Drainage ²	Table II	\$.	70	
03I	Hazard Mitigation Activities ³	Table II	\$		50	
14A	Housing Rehabilitation – Plumbing ⁴	NA	\$		60	
03F	Parks, Playgrounds ⁵	Table II	\$		50	
03L	Pedestrian Malls/Sidewalks ⁶	Table II	\$		65	
03E	Recreation/Neighborhood Center	Table II	\$		50	
08	Relocation	NA	\$		35	
10	Removal of Architectural Barriers ⁷	Table II	\$		50	
03A	Senior Center	Table II	\$		55	
03C	Temporary Shelters ¹¹	Table II	\$		55	
03J	New Sewage Treatment Plant	Table I	\$		85	
03J	Sewage Treatment Plant Upgrades	Table I	\$		70	
03J	New Sewer Lines & Components ⁸	Table I	\$		85	
03J	Sewer Line Replacement ⁹	Table I	\$560,000	100	70	70
03J	Sewer Hookups ¹⁰	Table I	\$		85	
03J	Solid Waste Disposal	Table II	\$		25	
03K	Street Improvements – New Paving ¹²	Table II	\$		70	
03K	Street Improvements – Repaving ¹³	Table II	\$		55	

*Same points as the activity it supports.

CDBG Funds and Activity Goals – Table N-1 (Continued)

A		B	C	D	E	F
1. Activity Number and Name (*Same points in the activity supported.)		Appropriate RUS Engineering Table	Enter CDBG Activity Funds	% of CDBG Project Cost (Col. C ÷ Total CDBG Project Cost)	Goal Points	Activity Goal Score (D x E)
03J	Water Hookups ¹⁴	Table II	\$		85	
03J	Water Lines, New – Potable ¹⁵	Table II	\$		85	
03J	Water Line Replacement ⁹	Table II	\$		70	
03J	New Water Tank/Well/Treatment Plant ⁶	Table I	\$		85	
03J	Water Tank/Well/Treatment Plant Improvements ⁶	Table I	\$		70	
03M	Child Care Center	Table II	\$		55	
03P	Health Facility	Table II	\$		55	
			\$		25	
			\$		25	
2. Add Column C (from both pages) to get the Total CDBG Project Cost:			\$560,000			
3. Add the Activity Goal Scores in Column F (from both pages) to get the Total Activity Goal Score: <u>70.00</u> (85 Point Maximum)						
4. Indicate the Appropriate RUS Used and Enter Engineering Funds:			RUS Table Used: <input checked="" type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> Both Prorated			
4a. Basic Fee	\$10,000					
4b. Resident Inspection Fee	\$29,000					
4c. Preliminary Engineering Fee	\$0					
4d. Additional Engineering Services:	\$0					
5. Total the CDBG Engineering Fees (4a+4b+4c+4d_):		\$39,000				
6. Enter CDBG Administrative Cost:		\$51,000				
7. Total the CDBG Funds Requested (2+5+6):		\$650,000				

Addressed Needs – CDBG Activities and Beneficiaries

Table N-2a

Census or survey data must be compiled to complete this and the remainder of the application forms.

A		B	C	D	E	F
Activity Number and Name		Enter # of Addressed CDBG Units	Enter # of VLI Beneficiaries ≤ 30% AMI	Enter # of LI Beneficiaries 30.01-50% AMI	Enter # of MI Beneficiaries 50.01-80% AMI	Enter # of Total CDBG Beneficiaries
01	Acquisition (in support of)					
03J	Fire Hydrants					
03J	Fire Protection					
03I	Flood and Drainage					
03I	Hazard Mitigation Activities					
14A	Housing Rehabilitation – Plumbing					
03F	Parks, Playgrounds					
03L	Pedestrian Malls/Sidewalks					
03E	Recreation/Neighborhood Center					
08	Relocation					
14E	Removal of Architectural Barriers					
03A	Senior Center					
03C	Temporary Shelters ¹¹					
03J	Sewage Treatment Plant					
03J	New Sewer Lines & Components					

(Use the following units of measure in Column B: Barriers, Buildings, Homes, Hydrants, Lift Stations (LS), Linear Feet (LF), Plants, Sites, Tanks, Wells, and Units.)

Addressed Needs – Activities and Beneficiaries
Table N-2a (Continued)

A		B	C	D	E	F
Activity Number and Name		Enter # of Addressed CDBG Units	Enter # of VLI Beneficiaries ≤ 30% AMI	Enter # of LI Beneficiaries 30.01-50% AMI	Enter # of MI Beneficiaries 50.01-80% AMI	Enter # of Total CDBG Beneficiaries
03J	Sewer Line Replacement	5358 LF	88	55	46	237
03J	Sewer Hookups ¹⁰ (Beneficiaries calculated by Households)					
03J	Solid Waste Disposal					
03K	Street Improvements – New Paving ¹²					
03K	Street Improvements – Repaving ¹³					
03	Utility Hookups – Other (Beneficiaries calculated by Households)					
03J	Water Hookups ¹⁴ (Beneficiaries calculated by Households)					
03J	Water Lines, New – Potable ¹⁵					
03J	Water Line Replacement ⁹					
03J	New Water Tank/Well/Treatment Plant ⁶					
03J	Water Tank/Well/Treatment Plant Improvements ⁶					
03M	Child Care Center					
03P	Health Facility					

Unaddressed Needs – Activities and Beneficiaries

Table N-2b

Census or survey data must be compiled to complete this and the remainder of the application forms.

A		B	C	D	E	F
Activity Number and Name		Enter # of Unaddressed CDBG Units	Enter # of VLI Beneficiaries ≤ 30% AMI	Enter # of LI Beneficiaries 30.01-50% AMI	Enter # of MI Beneficiaries 50.01-80% AMI	Enter # of Total CDBG Beneficiaries
01	Acquisition (in support of)					
03J	Fire Hydrants					
03J	Fire Protection					
03I	Flood and Drainage					
03I	Hazard Mitigation Activities					
14A	Housing Rehabilitation – Plumbing					
03F	Parks, Playgrounds					
03L	Pedestrian Malls/Sidewalks					
03E	Recreation/Neighborhood Center					
08	Relocation					
14E	Removal of Architectural Barriers					
03A	Senior Center					
03C	Temporary Shelters ¹¹					
03J	Sewage Treatment Plant					
03J	Sewer Lines & Components					

(Use the following units of measure in Column B: Barriers, Buildings, Homes, Hydrants, Lift Stations (LS), Linear Feet (LF), Plants, Sites, Tanks, Wells, and Units.)

Unaddressed Needs – Activities and Beneficiaries

Table N-2b (Continued)

A		B	C	D	E	F
Activity Number and Name		Enter # of Unaddressed CDBG Units	Enter # of VLI Beneficiaries ≤ 30% AMI	Enter # of LI Beneficiaries 30.01-50% AMI	Enter # of MI Beneficiaries 50.01-80% AMI	Enter # of Total CDBG Beneficiaries
03J	Sewer Line Replacement	0				
03J	Sewer Hookups ¹⁰ (Beneficiaries calculated by Households)					
03J	Solid Waste Disposal					
03K	Street Improvements ¹²					
03K	Street Improvements – Repaving ¹³					
03	Utility Hookups – Other (Beneficiaries calculated by Households)					
03J	Water Hookups ¹⁴ (Beneficiaries calculated by Households)					
03J	Water Lines, New – Potable ¹⁵					
03J	Water Line Replacement ⁹					
03J	New Water Tank/Well Treatment Plant ⁶					
03J	Water Tank/Well/Treatment Plant Improvements ⁶					
03M	Child Care Center					
03P	Health Facility					

Beneficiary Verification Summary by Service Area
Table N-3

A	B	C	D	E	F	G	H	I	J
Enter Service Area # / Benefit Survey Method*	Enter Activities to be Completed in Each Service Area (Use More than One Line for Multiple Activities)	Enter Total # of Households (HH in the Service Area (Universe-Col. H)	Enter Total # of Responses Required	Enter Total # of Households Responding to the Survey	Enter Total # of VLI Beneficiaries	Enter Total # of LMI Beneficiaries	Enter Total # of All Beneficiaries	Calculate Percent of VLI Benefit (F ÷ H)	Calculate Percent of LMI Benefit (G ÷ H)
3/B	Sewer Line Replacement	41	41	41	56	94	108	51.85%	87.04%
3A/B	Sewer Line Replacement	52	52	52	32	95	129	24.81%	73.64%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%

* A= Random Sample, B=Small Service Area, C=Census, D= Survey from previous application, not more than five years old, where the service area is identical to the one in the previously submitted application. If a random survey was conducted, include as an appendix a description of the methodology which describes the basis of the universe, the confidence interval selected, and the procedures used to contact the initial sample before surveying an alternate. The sample and alternates must be selected from a random number generator website (such as random.org) and a print out of those numbers included in the appendix.

Beneficiaries Scores — Table N-4

For scoring purposes, the beneficiaries of a jurisdiction-wide activity, including a water or sewage treatment plant, on which less than 5% of total CDBG funds are expended shall not be used when calculating the unduplicated beneficiary scores in this table.		1.(a) Enter the total funds requested (total CDBG request)	650,000
1.(b) Enter the total number of grant unduplicated VLI beneficiaries:	88	1.(c) Enter the total number of grant unduplicated LMI beneficiaries:	189
1.(d) Enter the total number of grant unduplicated beneficiaries:	237	1.(e) Enter the total number of unduplicated LMI households:	73

<p>a. VLI Beneficiary Impact Score: Calculate the Unduplicated VLI Beneficiary Percentage:</p> <p>1.(b) divided by 1.(d) = <u>37.13%</u></p> <p>Based on the result, designate with an X the score that is appropriate.</p>	<p>Unduplicated VLI Beneficiary Percentage</p> <p>30.00% or More <input checked="" type="checkbox"/> 30</p> <p>20.00% to 29.99% <input type="checkbox"/> 20</p> <p>10.00% to 19.99% <input type="checkbox"/> 10</p> <p>Less than 10.00% <input type="checkbox"/> 0</p>
<p>b. LMI Beneficiary Impact Score: Calculate the Unduplicated LMI Beneficiary Percentage:</p> <p>1.(c) divided by 1.(d) = <u>79.75%</u></p> <p>Based on the result, designate with an X the score that is appropriate.</p>	<p>Unduplicated LMI Beneficiary Percentage</p> <p>70.00% and above <input checked="" type="checkbox"/> 125</p> <p>66.00% to 69.99% <input type="checkbox"/> 110</p> <p>61.00% to 65.99% <input type="checkbox"/> 90</p> <p>56.00% to 60.99% <input type="checkbox"/> 70</p> <p>51.01% to 55.99% <input type="checkbox"/> 50</p>
<p>c. Average Cost per Unduplicated LMI Beneficiary Score: Calculate the Average Cost per Unduplicated LMI Beneficiary:</p> <p>1.(a) divided by 1.(c) = <u>\$3439.15</u></p> <p>Based on the result, designate with an X the score that is appropriate.</p>	<p>Cost per Unduplicated LMI Beneficiary</p> <p>\$11,000 or More <input type="checkbox"/> 0</p> <p>\$10,000 to \$10,999 <input type="checkbox"/> 10</p> <p>\$9,000 to \$9,999 <input type="checkbox"/> 20</p> <p>Less than \$9,000 <input checked="" type="checkbox"/> 30</p>
<p>d. Average Cost per Unduplicated LMI Household Score: Calculate the Average Cost per Unduplicated LMI Household:</p> <p>1.(a) divided by 1.(e) = <u>\$8904.11</u></p> <p>Based on the result, designate with an X the score that is appropriate.</p>	<p>Cost per Unduplicated LMI Household</p> <p>\$20,000 or More <input type="checkbox"/> -100</p> <p>\$16,000 to \$19,999 <input type="checkbox"/> -50</p> <p>\$13,000 to \$15,999 <input type="checkbox"/> 20</p> <p>\$11,000 to \$12,999 <input type="checkbox"/> 40</p> <p>\$9,000 to \$10,999 <input type="checkbox"/> 60</p> <p>Less than \$9,000 <input checked="" type="checkbox"/> 85</p>

Readiness to Proceed Score

If biddable construction plans and specifications for all “addressed need” activities have been completed, and permit applications for all infrastructure activities have been submitted to the applicable permitting agencies no later than application deadline, the applicant can claim 100 points. Otherwise, score zero points. The documentation listed below must be submitted with the application to receive the 100 points.

To receive the points, the following documentation must be included in Appendix G of the application when it is submitted to the Department:

- 1) A letter from the engineer or architect who prepared the construction plans and specifications to the chief elected officer of the applicant certifying the following:
 - that the signed, sealed and dated plans and specifications are complete,
 - that the bid documentation, including the plans and specifications, provided with the application contains all of the information that a contractor would need to bid on the project, except for the Davis-Bacon wage decision(s) and the CDBG Supplemental Conditions, and
 - that applications have been submitted for all permits that are required to begin construction on the infrastructure activities included in the application. (If the only permitting agency is the applicant local government, the engineer shall certify that the applicant is the only agency from which a permit is required. If no permits are required for the project, the engineer shall certify to that effect.)
- 2) A signed and sealed copy of the plans and specifications, plus all necessary bid documents, except for the Davis-Bacon wage decision(s) and the CDBG Supplemental Conditions;
- 3) Documentation that all required infrastructure permit applications were submitted to the appropriate agency(ies). (Receipts from UPS or the U.S. Postal Service, email or letter from permitting agency(ies) saying that the permit applications had been received.)

Readiness to Proceed Score: 100 (100 Points Maximum)

Health and Safety Score — Table N-5

Enter the appropriate Health and Safety Impact score. Documentation for points claimed must be included in Part 9, Appendix I. Scoring options are as follows:

Option A: A total of 50 points can be claimed if the local government can document all of the following:

- The proposed activity will be in one or more of the service areas. Activities outside a service area may only count for scoring pursuant to Chapter 73C-23, F.A.C., and
- The activity to be paid for with CDBG funds will correct the deficiencies specified in an existing enforcement action (administrative order, consent order, judicial proceeding or order by a state or federal agency). Activities conducted in lieu of fines do not qualify.

All CDBG-funded construction activities must meet the requirements of this option to claim the full 50 points.

Health and Safety Score — Table N-5 (Continued)

Option B: A total of 40 points can be claimed if the activity will provide first-time sewer or drinking water service to a service area, that a state or local agency says could have health and safety issues associated with septic tanks or other contamination sources. All CDBG-funded construction activities must meet the requirements of this option to claim the full 40 points.

Option C: A total of 25 points can be claimed if the local government can document all of the following:

- An activity proposed to be addressed with CDBG funds has been the subject of a Federal Emergency Management Agency (FEMA) Damage Survey Report (DSR) or Project Worksheet prepared for and submitted to FEMA for review and approval and was prepared at least 30 days but no more than 30 months before the application deadline, and
- The FEMA Damage Survey Report, Data Sheet or Project Worksheet was prepared in response to a federally declared natural disaster, declared before the application deadline. An engineer's written statement that the proposed CDBG activity will prevent the recurrence of the damage specified in the FEMA Damage Survey Report, Data Sheet or Project Worksheet must be provided.

All CDBG-funded construction activities must meet the requirements of this option to claim the full 25 points

Option D: A total of 30 points can be claimed if the local government can document all of the following:

1. An activity to be addressed with CDBG funds was cited, in writing, by a State or Federal Regulatory Agency, before the application deadline;
2. The citation states a violation of state or federal statutes, rules, or regulations that affect the health and/or safety of the local government's citizenry; and
3. The citation was issued to the local government and includes the following:
 - the statutory or regulatory basis for the citation,
 - a description or reference to the corrective action that the regulatory agency requires, and
 - if a specific citation form, document, or process exists by State Rule or Federal Regulation, that form, document or process must be used.

All CDBG-funded construction activities must meet the requirements of this option to claim the full 30 points.

This option shall be used for work required by a regulatory agency's inspection report that meets 1-3 above, but has not risen to the level of enforcement action described in Option A.

Option E: A portion of the 50, 40, 25 or 30 points can be claimed if the local government documents that some activities meet the above criteria. If this option is selected, use the formula to calculate proportional points.

- e. If CDBG funds will be expended for activities that meet the criteria for more than one option, points shall be prorated for each option and then totaled together, but the total score claimed shall not exceed 50 points.

Please note that CDBG funds cannot be used to pay fines or civil penalties related to enforcement actions. Also, Health and Safety points cannot be claimed for a project that is being undertaken in lieu of fines and penalties related to enforcement actions. Health and Safety Points cannot be claimed to address the same deficiency/citation that was used to obtain funding in a previous CDBG subgrant.

If Option E was selected, complete the following equation:								
Enter the cost of activities subject to A, B, C, or D		Enter the CDBG Project Cost (not including Engineering or Admin. Costs)		Enter the result (%) as a four digit decimal		Enter the Appropriate Multiplier (50, 40, 25 or 30)		Option E Score
\$	÷	\$	=		x		=	
Check the Health and Safety Score being claimed.		<input type="checkbox"/> Option A. (50 Points) <input type="checkbox"/> Option B. (40 Points) <input type="checkbox"/> Option C. (25 Points) <input type="checkbox"/> Option D. (30 Points) <input type="checkbox"/> Option E. (Prorated) <input type="checkbox"/> N/A						

Enter the Health and Safety Score: 0
(50 Points Maximum)

Calculating the Category Summary Score	
Scores	Type of Score
70	Total Activity Goal Score (from page 3)
30	+ Unduplicated VLI Beneficiary Percentage Score (from page 9)
125	+ Unduplicated LMI Beneficiary Percentage Score (from page 9)
30	+ Cost per Unduplicated LMI Beneficiary Score (from page 9)
85	+ Cost per Unduplicated LMI Household Score (from page 9)
100	+ Readiness to Proceed Score (from page 10)
0	+ Health and Safety Score (from page 12)
440	= Category Summary Score (505 Points Maximum)

Category Summary Score: 440
(505 Points Maximum)

(Transfer this score to line 3e. in the NR column on the Application Scoring Summary page – Part 8, page 4.)

Part 8 – Certification and Score Summary

I, the undersigned chief elected official or authorized representative of the Applicant, certify that, to the best of my knowledge, this Florida Small Cities Community Development Block Grant Application for Funding was prepared in accordance with state and federal rules and regulations, contains information that is true and correct, and has been approved by the local governing body.

I also certify that the Applicant:

1. Has met all citizen participation requirements contained in Chapter 73C-23, Florida Administrative Code:
 - Following public notice, hearings were conducted by a member of the local governing body or a duly authorized employee;
 - The first public hearing was conducted to obtain citizen views about community development needs and potential uses of CDBG funding;
 - The notice for the second public hearing was published following the first public hearing. The notice included a summary of the activities that would be conducted with CDBG funds, the specific locations where those activities would take place, a line item budget, and the time and place where a copy of the draft application would be available for review; and
 - A second public hearing was conducted to obtain citizen comments on the CDBG application prior to submission.
2. Has properly conducted surveys of service areas to document LMI benefit, if applicable.
3. Will not attempt to recover, through special assessments, capital costs of public improvements funded in whole or in part with CDBG funds.
4. Will ensure that upon completion of housing structures addressed with CDBG funds, each housing structure will meet the local housing code.
5. Will administer the subgrant in conformity with the Civil Rights Act of 1964 and the Fair Housing Act.
6. Will affirmatively further fair housing and undertake one fair housing activity each quarter.
7. Has adopted or will adopt a Community Development Plan or has adopted the Local Comprehensive Plan as its Community Development Plan.
8. Will adopt an Anti-Displacement and Relocation Policy and will minimize the displacement of persons.
9. Has presented accurate information and has documentation on file and readily accessible to the Department of Economic Opportunity.
10. Has authorized the submission of this application by vote of the local governing body.
11. Will adopt a CDBG Procurement Policy that conforms to 2 CFR 200.317 – 200.326, Sections 255.0525 and 287.055, Florida Statutes, and Rule 73C-23.0051(3), Florida Administrative Code.
12. Has implemented a financial management system that complies with Section 218.33, Florida Statutes, and 2 CFR 200.302.

13. Will complete a self-evaluation of its facilities related to the Americans with Disabilities Act and adopt a Transition Plan, if applicable.
14. Will meet a National Objective for each funded activity other than administration and engineering prior to the administrative closeout of the subgrant.

Signature of Chief Elected Official or Designee
Signature: <u>Eugene K. Fultz</u>
Typed Name and Title: Eugene Fultz, Mayor
Date: <u>4/15/16</u>
If signed by a person other than the chief elected official, a copy of the resolution authorizing the person to sign the application must be included in Appendix B.

Signature of Application Preparer if not an employee of the Local Government
Signature: <u>Andy Easton</u>
Typed Name and Title: Andy Easton, Grant Writer
Name of Firm or Agency: Andy Easton & Associates

Failure of the Chief Elected Officer or designated person to properly sign the application by the deadline, or failure to include a copy of the ordinance or resolution of the governing body authorizing another individual to sign the application, will result in a 50-point penalty being assessed against the application that cannot be eliminated during the completeness process.

Application Scoring Summary

This form is the Applicant's evaluation of the application score. Use the "scores" identified in the application to complete this form when you have finished filling out the application. Enter the scores or other information in the appropriate columns. When all of the scores have been transferred to this form, add the scores and enter the total.

Applicant Name: City of Lake Wales			(For DEO Use Only) Application Number: _____			
Enter Type of Application: <input type="checkbox"/> Commercial Revitalization <input type="checkbox"/> Economic Development <input type="checkbox"/> Housing Rehabilitation <input checked="" type="checkbox"/> Neighborhood Revitalization						
Title/Score	Part	Page	CR	ED	HR	NR
1. Community-Wide Needs Score (250 Points Maximum)						135.48
2. Outstanding Performance in Equal Employment Opportunity and Fair Housing (90 points maximum)						70
3. Program Impact:						
3a. Special Designation Score (20 Points Maximum)						0
3b. Grant History Score (100 Points Maximum)						0
3c. CATF Score (10 Points Maximum)						10
3d. Leverage (25 Points Maximum for CR, NR and HR) (125 Points Maximum for ED)						25
3e. Category Summary Score						440
3f. Total Program Impact Score (3a+3b+3c+3d+3e) (660 Points Maximum)						475
4. Total Application Score (1+2+3f) (1000 Points Maximum)						680.48
Less Penalties Assessed (For DEO Use Only)						
Final Score (For DEO Use Only)						

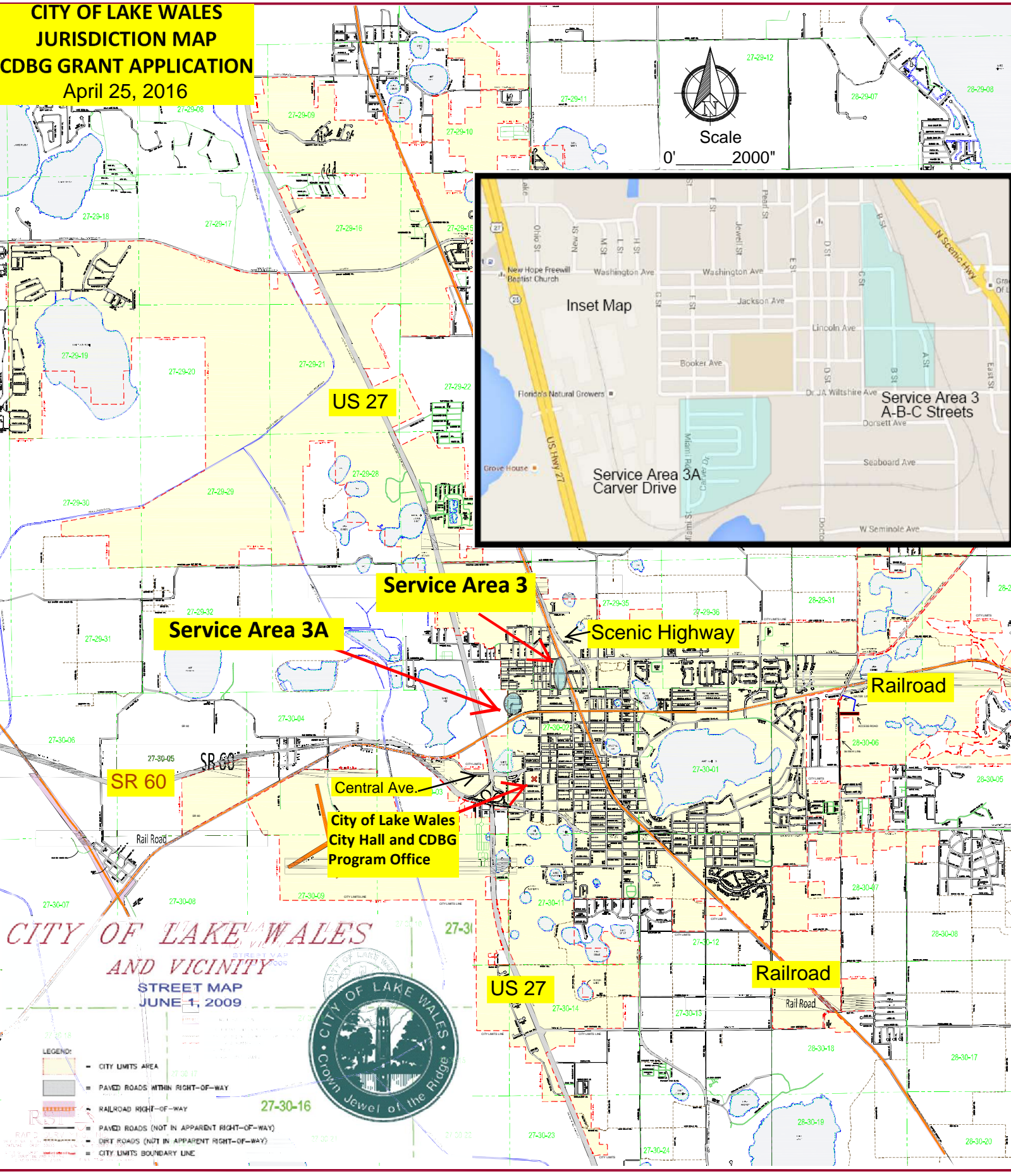
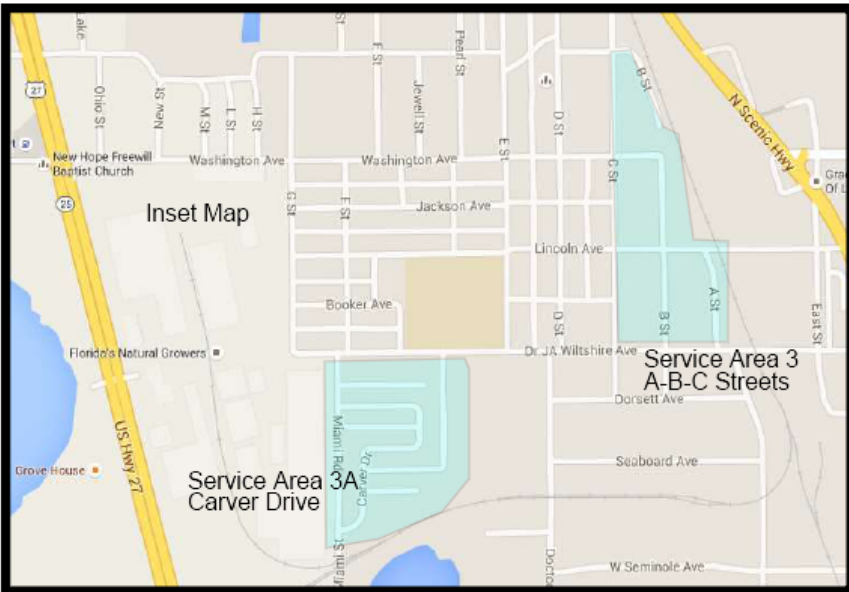
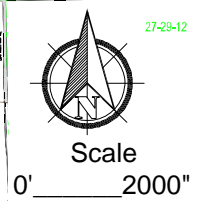
Part 9 –Supporting Documentation

Place all supporting documentation in this section. Separate the documents with a titled tab or titled colored paper. Include only those appendices that are required for the application.

Appendix	Title
A	Maps (Required)
B	Local Governing Body's Resolutions for Signature Delegation and Application Submission (Required)
C	Comprehensive Plan Documents (Required)
D	Public Hearing/CATF Documentation (Required)
E	Leverage Documentation
F	Grant Application Preparation Cost Documentation
G	Readiness to Proceed Documentation
H	VLI/LMI Worksheets and Survey Documentation or Census Data and Maps
I	Documentation Related to Health and Safety Impact Score
J	Joint Agreements, Contingency Funding Documentation and/or Interlocal Agreements
K	Housing Assistance Plan (Required for all Housing Rehabilitation Applications)
L	Historic Preservation Documents
M	Special Designation Documentation
N	Documentation for Economic Development Applications
O	Documentation for Other Community Development Activities Score (Commercial Revitalization)
P	Documentation for Demolition of Vacant Dilapidated Structures (Commercial Revitalization)
Q	Local Government Minority Contracting and Fair Housing Score Documentation
R	

Appendix A Maps (Required)

**CITY OF LAKE WALES
JURISDICTION MAP
CDBG GRANT APPLICATION
April 25, 2016**



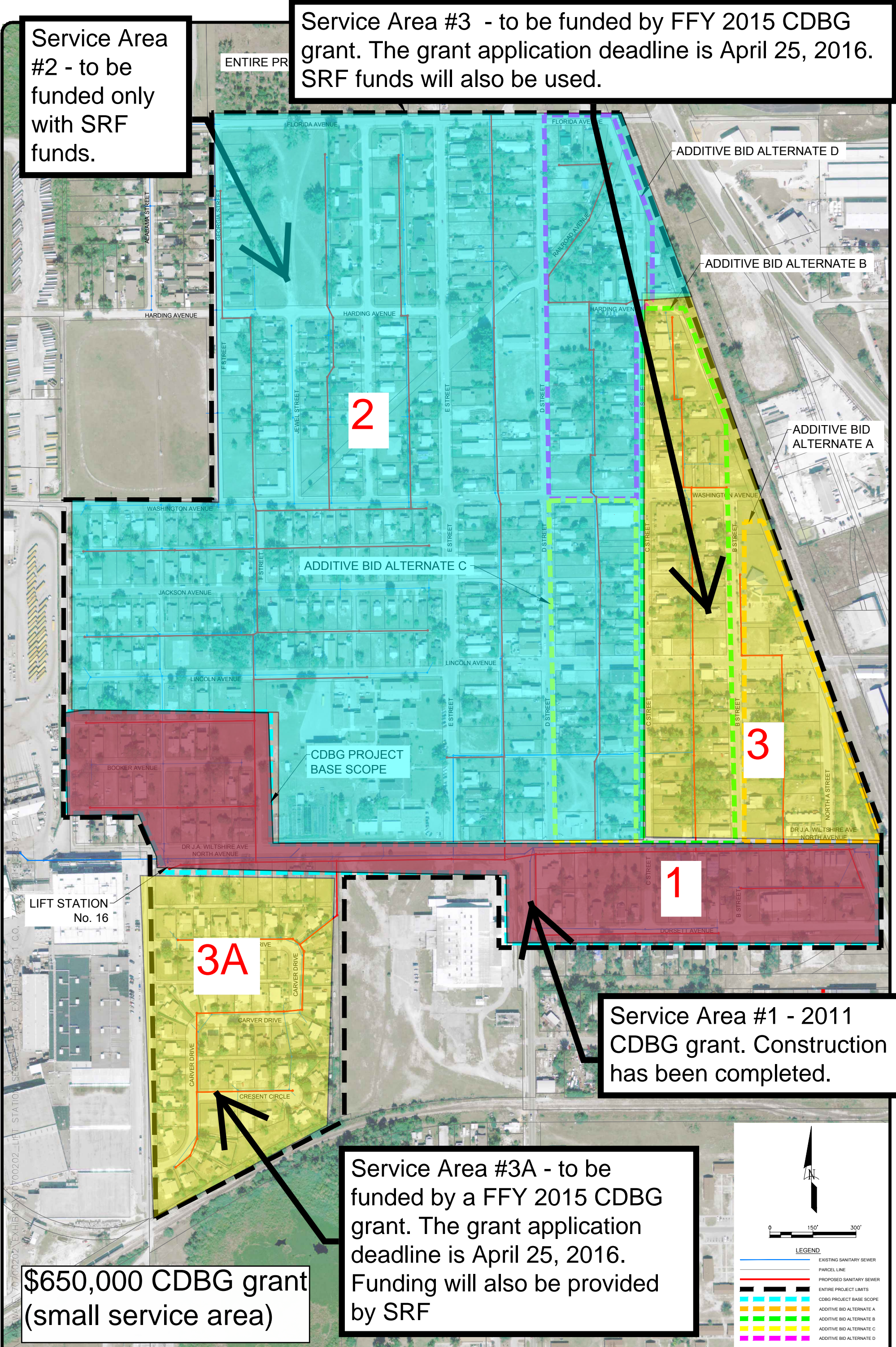
*CITY OF LAKE WALES
AND VICINITY*
STREET MAP
JUNE 1, 2009



- LEGEND:**
- CITY LIMITS AREA
 - PAVED ROADS WITHIN RIGHT-OF-WAY
 - RAILROAD RIGHT-OF-WAY
 - PAVED ROADS (NOT IN APPARENT RIGHT-OF-WAY)
 - DIRT ROADS (NOT IN APPARENT RIGHT-OF-WAY)
 - CITY LIMITS BOUNDARY LINE

Service Area #3 - to be funded by FFY 2015 CDBG grant. The grant application deadline is April 25, 2016. SRF funds will also be used.

Service Area #2 - to be funded only with SRF funds.

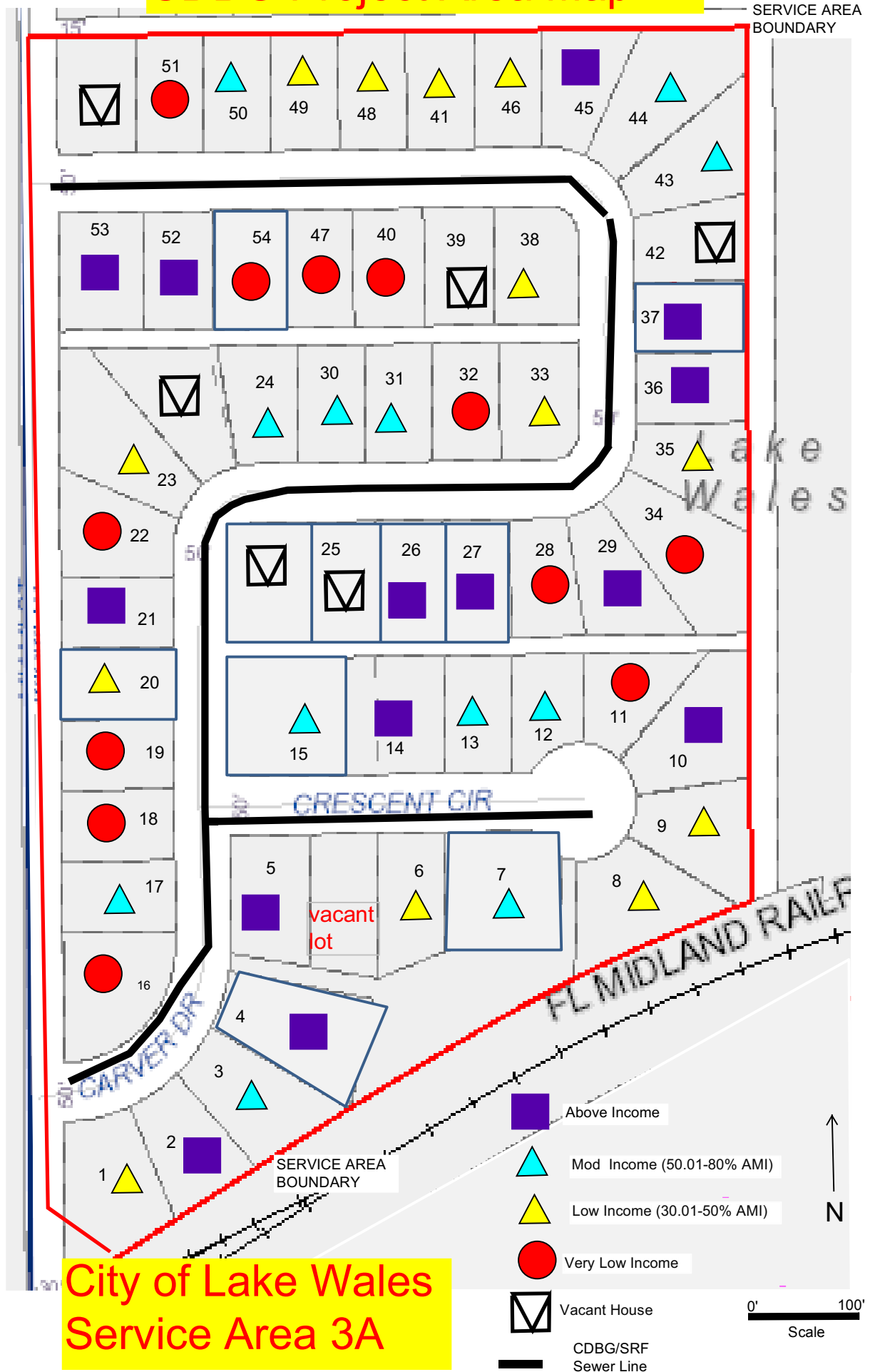


\$650,000 CDBG grant (small service area)

Service Area #3A - to be funded by a FFY 2015 CDBG grant. The grant application deadline is April 25, 2016. Funding will also be provided by SRF

Service Area #1 - 2011 CDBG grant. Construction has been completed.

CDBG Project Area Map



CDBG Project Area Map

KEY

- Above Income
- Mod Income (50.01-80% AMI)
- Low Income (30.01-50% AMI)
- Very Low Income
- Vacant House
- Service Area Boundary
- Replacement Sewer Lines

City of Lake Wales Service Area 3

Washington Avenue

Lincoln Avenue

Commercial

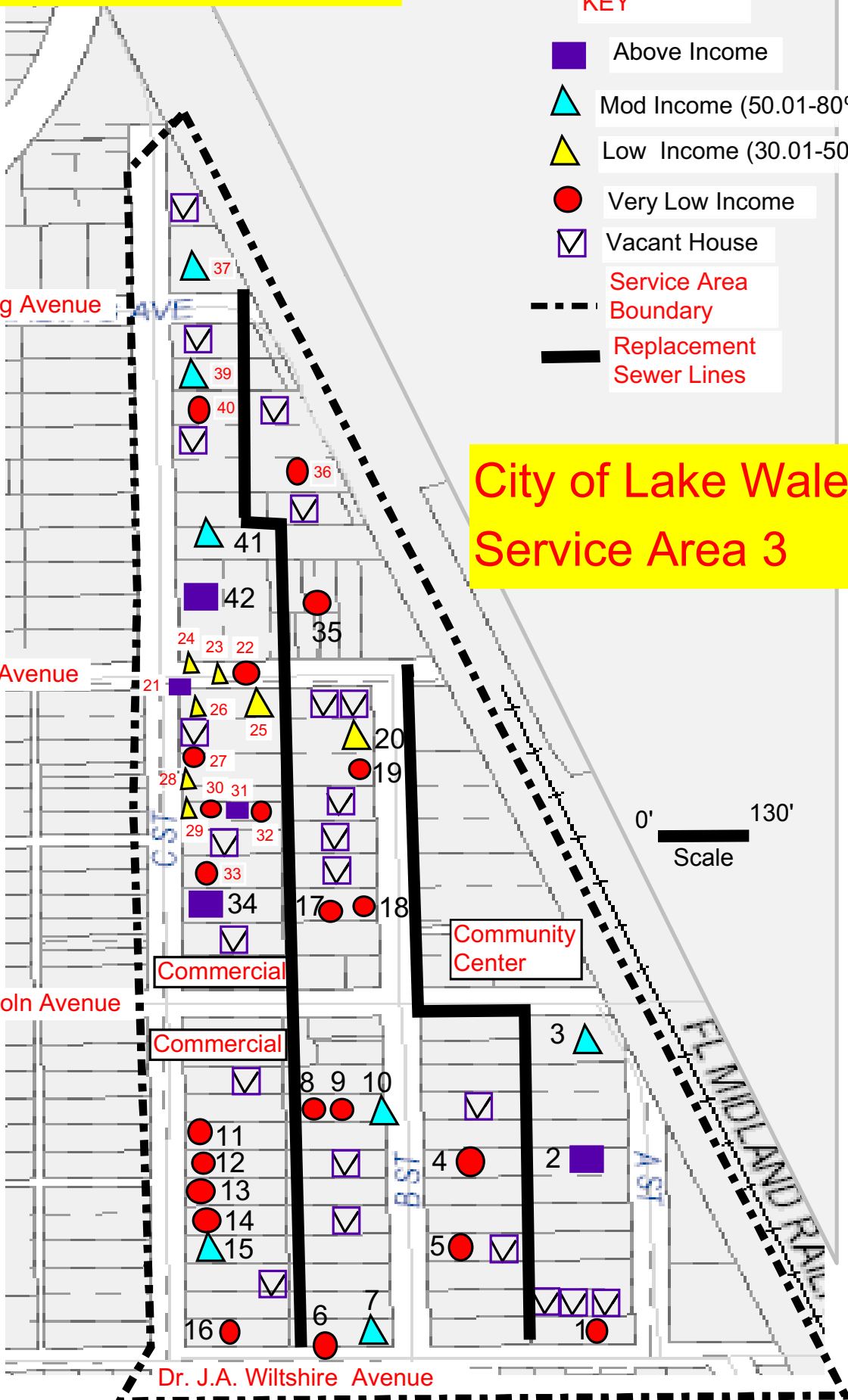
Commercial

Community Center

Dr. J.A. Wiltshire Avenue

0' 130'
Scale

N



Appendix B

Enabling Resolution

RESOLUTION 2016-02

RESOLUTION OF THE CITY COMMISSION OF LAKE WALES, FLORIDA, AUTHORIZING THE MAYOR TO MAKE APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR APPROVAL OF A FEDERAL FISCAL YEAR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT SPONSORED BY THE CITY OF LAKE WALES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Lake Wales, Florida is experiencing a need for physical improvements in one or more low-to-moderate income neighborhoods; and

WHEREAS, it is the desire of the City Commission that local residents be assisted in creating an improved living environment in these areas.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE WALES, FLORIDA;

SECTION 1. The Community Development Block Grant (CDBG) program is declared to be a workable program for providing needed physical improvements to City residents;

SECTION 2. The City Commission hereby directs the Mayor, City Manager or City Clerk, in his/her absence, to sign all necessary certifications of the Community Development Block Grant application, grant contract or other grant documents required by the CDBG program.

SECTION 3. The City Commission directs the Mayor, City Manager, or City Clerk, in his/her absence, to execute and submit the CDBG grant application to the Florida Department of Economic Opportunity for state approval.

SECTION 4. The Mayor, City Manager or City Clerk, in his/her absence, is authorized and directed to approve, sign and submit additional information in a timely manner as may be required by the Florida Department of Economic Opportunity during the application review process and after execution of a contract agreement with the Department.

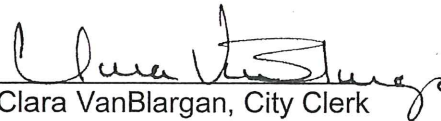
SECTION 5. The proposed CDBG application is consistent with the local comprehensive plan.

SECTION 6. The City's comprehensive plan is hereby adopted as the City's community development plan.

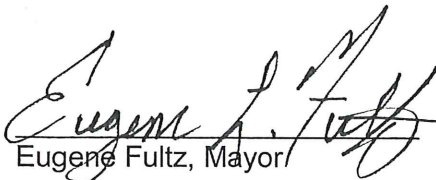
SECTION 7. This Resolution shall take effect immediately upon its passage.

ADOPTED unanimously in open session of the City Commission of Lake Wales, Florida, on this 16th day of February 2016.

Attest:


Clara VanBlargan, City Clerk




Eugene Fultz, Mayor

Appendix C

Comprehensive Plan Documents

City of Lake Wales Excerpt from Comprehensive Plan

**SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER &
NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT
GOALS, OBJECTIVES & POLICIES**

GOAL 1: SANITARY SEWER

It shall be the goal of the City of Lake Wales to ensure the environmentally sound treatment and disposal of wastewater generated by all residents and businesses. [9J-5.011(2)(a)]

Objective 1.1: Elimination of System Deficiencies

Eliminate identified deficiencies in the municipal sanitary sewer system by replacing worn-out and obsolete system components by 2015. [9J5-5.011(2)(b)1]

**CAPITAL IMPROVEMENTS ELEMENT
GOAL, OBJECTIVES & POLICIES**

GOAL: It shall be the goal of the City of Lake Wales to provide necessary public facilities and services for all existing and future development, at adopted level of service standards, through a process that permits development concurrent with the ability of the city to provide such facilities and services. [9J-5.016(3)(a)]

Objective 1: 5-Year Schedule of Capital Improvements

Continue to provide improvements to public facilities and services as indicated in the 5-Year Schedule of Capital Improvements to correct existing deficiencies, replace obsolete or worn-out facilities, and accommodate the needs of desired future growth. [9J5.016(3)(b)1]

Policy 1.01: Include in the 5-Year Schedule of Capital Improvements all projects and equipment identified as needed in other elements of this Comprehensive Plan that are relatively high in cost (\$25,000 or greater) and necessary to maintain the adopted level of service standards or correct existing deficiencies.

Policy 1.02: Continue to evaluate and rank proposed capital improvement projects in order of priority according to the following guidelines:

- a) Whether the project is needed to: correct an existing level of service deficiency, protect the public health and safety, serve developments for which development orders were issued prior to the adoption of the Comprehensive Plan, or fulfill a legal commitment of the city;

ORDINANCE 2009-18
(Update of Capital Improvements Element, Comprehensive Plan)

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN BY UPDATING POLICIES ON CONCURRENCY MANAGEMENT, ADOPTING BY REFERENCE THE POLK COUNTY AND FLORIDA DEPARTMENT OF TRANSPORTATION IMPROVEMENT PROGRAMS AND POLK SCHOOL FACILITIES WORK PROGRAM; UPDATING THE LAKE WALES SCHEDULE OF CAPITAL IMPROVEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida,

SECTION 1: AMENDMENTS TO GOALS, OBJECTIVES & POLICIES
CAPITAL IMPROVEMENTS ELEMENT

The goals, objectives and policies of the Capital Improvements Element of the Comprehensive Plan are hereby amended to read as follows:

CAPITAL IMPROVEMENTS ELEMENT
GOAL, OBJECTIVES & POLICIES

GOAL: It shall be the goal of the City of Lake Wales to provide necessary public facilities and services for all existing and future development, at adopted level of service standards, through a process that permits development concurrent with the ability of the city to provide such facilities and services.
[9J-5.016(3)(a)]

Objective 1: 5-Year Schedule of Capital Improvements

Continue to provide improvements to public facilities and services as indicated in the 5-Year Schedule of Capital Improvements, adopted as an appendix to this element, to correct existing deficiencies, replace obsolete or worn-out facilities, and accommodate the needs of desired future growth. [9J-5.016(3)(b)1]

Policy 1.01:

Include in the annual update of the 5-Year Schedule of Capital Improvements all projects and equipment identified as needed in other elements of this Comprehensive Plan that are relatively high in cost (\$25,000 or greater) and necessary to maintain the adopted level of service standards or correct existing deficiencies.

Policy 1.02:

Continue to evaluate and rank proposed capital improvement project in order of priority according to the following guidelines:

- a) Whether the project is needed to: correct an existing level of service deficiency, protect the public health and safety, serve developments for which development orders were issued prior to the adoption of the Comprehensive Plan, or fulfill a legal commitment of the city;
- b) Whether the project is needed to: replace worn-out or obsolete facilities to maintain the adopted level of service standard, improve operating efficiency, reduce costs, serve developed areas lacking full service, or promote in-fill development or redevelopment;

Appendix D

Public Hearing/CATF Documents

CATF Meeting

AFFIDAVIT OF PUBLICATION NEWS CHIEF

Lakeland, Polk County, Florida

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Michelle Reece who on oath says that she is an Account Executive for Advertising at The Ledger, the owner of the News Chief, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

PUBLIC NOTICE

In the matter of CITIZEN ADVISORY TASK FORCE

Concerning MEETING / CITY OF LAKE WALES

was published in said newspaper in the issues of

11-29; 2015

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed.....

Michelle Reece

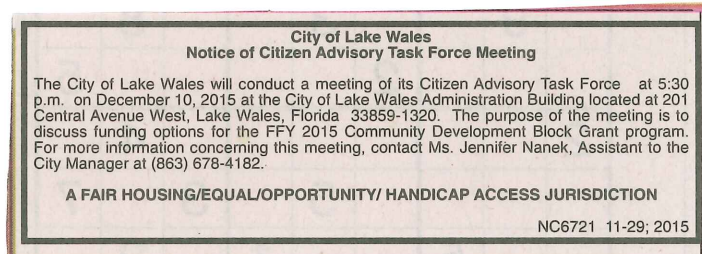
Advertising Account Executive

Who is personally known to me.

Sworn to and subscribed before me this 2nd day of December, A.D., 2015

.....
Notary Public

(SEAL)



Minutes – Citizen Advisory Task Force Meeting
City of Lake Wales
December 10, 2-15@ 5:30 p.m.

1. The Citizen Advisory Task Force meeting opened. An attendance sheet was signed. Also, an agenda and CDBG handout were provided. It was also mentioned that the Task Force meeting was advertised in the local newspaper.
2. It was stated that the purpose of the Citizen Advisory Task Force meeting is to discuss community needs and to review proposed options for the City in regard to submitting a Community Development Block Grant application for the FFY 2015 CDBG program year which has a grant application deadline in early to mid-March 2016.
3. The types of grant categories were explained to the CATF members. The categories include:
 - H - Housing (repair/replace substandard housing)
 - NR - Neighborhood Revitalization (repair City infrastructure)
 - CR - Commercial Revitalization (downtown streetscape improvements)
 - Concurrently, with the submission of a grant application in one of the above categories, the City may also submit an application in the Economic Development category. Funds may be used to provide a business with a low interest loan or can be used to construct an access road or water & sewer line extensions.
4. The CATF members discussed the grant categories in relation to the City's needs. The competitiveness of each grant category was also discussed and it was agreed that the NR grant category would address much needed City infrastructure needs. The CATF members agreed that sewer improvements were needed and could be funded by the CDBG grant.
5. A motion was made to recommend that the City submit a CDBG grant application to request funding in the NR grant category for sewer projects. The motion was seconded and it passed unanimously.
6. There being no further comments, the Citizen Advisory Task Force meeting was closed.



Jennifer Nanek, City of Lake Wales



Date:

City of Lake Wales CDBG Citizen Advisory Task Force Meeting

December 10, 2015

THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)

There are four categories of funds available under the Community Development Block Grant Program. Each is designed to address local needs and benefit low to moderate-income persons. A summary of each grant category is provided below.

(1) Housing Rehabilitation (HR)

Substandard housing occupied by low to moderate income households may be rehabilitated with CDBG funds to meet code requirements. Both owner occupied and rental housing may be included.

(2) Neighborhood Revitalization (NR)

This category is primarily for water and sewer improvements in low/moderate income neighborhoods. The CDBG-NR category also funds street paving, drainage and recreation improvements.

(3) Commercial Revitalization (CR)

Various improvements may be funded in commercial areas. Eligible projects include parking facilities, drainage, street paving, sidewalks, lighting, recreation facilities, water and sewer. This is an extremely competitive category.

(4) Economic Development (ED)

The CDBG-ED program provides grants to local governments for the construction of infrastructure needed to serve a new and expanding business. Local governments may also use CDBG funds to provide loans directly to the business for capital expenses (land, building, equipment, site development). The grant funds are made available on the condition that the new or expanding business create new jobs, of which, 51% would need to be available to low/moderate income persons.

Grant Schedule

The grant application deadline is expected to be in early to mid-March 2016.

Project Options:

1. Apply for a Housing grant to repair/replace substandard housing
2. Apply for a Neighborhood Revitalization grant to repair City infrastructure.
3. Apply for a Commercial Revitalization grant for downtown improvements.
4. If a business is making plans to locate or expand in the area, the City could also apply for an economic development grant to provide the business with an access road or water & sewer extensions.

Agenda

City of Lake Wales
Citizen Advisory Task Force
Community Development Block Grant (CDBG) Program

December 10, 2015, 5:30 p.m.

1. Open Meeting
2. Old Business
3. New Business

- Discussion on Community Needs and the CDBG grant program

The City is considering the submission of a CDBG grant application that will help to address community needs. The grant application deadline is expected to be in early to mid-March 2016. Although the grant application deadline will be in 2016, the funding will come from the 2015 Federal Fiscal Year (FFY).

The City may submit a grant application in one of three categories:

- H - Housing (repair/replace substandard housing)
- NR - Neighborhood Revitalization (repair City infrastructure)
- CR - Commercial Revitalization (downtown streetscape improvements)
- Concurrently with the submission of a grant application in one of the above categories, the City may also submit an application in the Economic Development category. Funds may be used to provide a business with low interest loan or can be used to construct an access road or water and sewer line extensions. A business must agree to participate in the grant in order for the City to submit a grant application.

4. Proposed Motion:

- The CATF will need to vote on a motion that recommends that the City submit a CDBG grant application in one of the following grant categories:

____ H - Housing
____ NR - Neighborhood Revitalization
____ CR - Commercial Revitalization

5. Close meeting.

SIGN IN SHEET

City of Lake Wales Citizen Advisory Task Force Meeting

Community Development Block Grant Program

December 10, 2015

Name	Are you a CATF Member? (Yes or No)
1 Jennifer Narek	NO
2 Linda Kimbrough	YES
3 Janice M. Snell	yes
4 Jerome Mack	yes
5 Andy Esten	NO
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	

First Public Hearing

AFFIDAVIT OF PUBLICATION NEWS CHIEF

Lakeland, Polk County, Florida

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Michelle Reece who on oath says that she is an Account Executive for Advertising at The Ledger, the owner of the News Chief, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

PUBLIC NOTICE

In the matter of FDEO FOR FFY 2015 SMALL CITIES

Concerning CITY OF LAKE WALES

was published in said newspaper in the issues of

11-29; 2015

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed.....

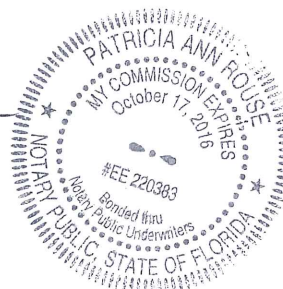
Michelle Reece
Advertising Account Executive
Who is personally known to me.

Sworn to and subscribed before me this 2nd day of December, A.D., 2015

Patricia Ann Rouse

Notary Public

(SEAL)



City of Lake Wales, Florida First Public Hearing Notice

The City of Lake Wales is considering applying to the Florida Department of Economic Opportunity for a FFY 2015 Small Cities Community Development Block Grant (CDBG). The City is eligible to apply for up to \$750,000 in the neighborhood revitalization, commercial revitalization, and housing rehabilitation categories and up to \$1.5 million in the economic development category. Construction activities funded through the CDBG Program must meet one of the following National Objectives: 1. Provide benefit to low- and moderate-income persons; 2. Prevent or eliminate slum or blight conditions; or 3. Meet a need of recent origin having a particular urgency. The types of activities that CDBG funds may be used for include constructing stormwater ponds, paving roads and sidewalks, installing sewer and water lines, building a community center or park, making improvements to a sewage treatment plant, and rehabilitating low-income homes. Additional information regarding the range of activities that could be funded will be provided at the public hearing. In developing a CDBG application, the City of Lake Wales must plan to minimize displacement of persons as a result of the activities. In addition, the City of Lake Wales is required to develop a plan to assist displaced persons. A public hearing to receive citizen views concerning the community's economic and community development needs will be held on THURSDAY, December 10, 2015 at 6:00 p.m. at the City of Lake Wales Administration Building located at 201 Avenue West, Lake Wales, Florida 33859-1320. For more information concerning this meeting, or to provide information on community and economic development needs, contact Ms. Jennifer Nanek, Assistant to the City Manager by mail at P.O. Box 1320, Lake Wales, Florida 33859-1320; by email at JNanek@cityoflakewales.com; or by phone at (863) 678-4182. The public hearing will be held in a handicapped accessible location. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the hearing is asked to advise the City at least five days before the hearing by contacting Ms. Jennifer Nanek at (863) 678-4182. If you are hearing or speech impaired, please contact the City using the Florida Relay Service, 1(800) 955-8771 (TDD) or 1(800) 955-8770 (Voice). Any non-English speaking person wishing to attend the public hearing should contact Ms. Nanek at (863) 678-4182 at least five days prior to the hearing and an interpreter will be provided.

A FAIR HOUSING/EQUAL OPPORTUNITY/HANDICAP ACCESS JURISDICTION

NC6720 11-29; 2015

SIGN IN SHEET

**City of Lake Wales
First Public Hearing**

Community Development Block Grant Program

December 10, 2015

#	Name
1	Andy B. A. [Signature]
2	[Signature]
3	[Signature]
4	Jerome Mack
5	Janice M. Snell
6	Jennifer Norek
7	
8	
9	
10	
11	
12	
13	
14	
15	

Minutes – CDBG First Public Hearing
City of Lake Wales
December 10, 2015 @ 6:00 p.m.

1. The First Public Hearing opened. An attendance sheet was signed. Also, an agenda and CDBG handout were provided. It was also mentioned that the First Public Hearing was advertised in the local newspaper. It was stated that the purpose of the First Public Hearing was to obtain comments from the public on the City's community and economic development needs and to review proposed options for the City in regard to submitting a Community Development Block Grant application for the FFY 2015 CDBG program year which has a grant application deadline in early to mid-March 2016.

2. Discussion of Community and Economic Development Needs.

It was stated that the City had the following community and economic development needs:

- Sewer improvement needs
- Job creation needs
- Housing improvement needs
- Business attraction needs

3. It was stated that construction activities funded through the CDBG program must meet one of the following National Objectives: 1. Provide benefit to low- and moderate-income persons; 2. Prevent or eliminate slum or blight conditions; or 3. Meet a need of recent origin having a particular urgency. The types of activities that CDBG funds may be used for include constructing stormwater ponds, paving roads and sidewalks, installing sewer and water lines, building a community center or park, making improvements to a sewage treatment plant, and rehabilitating low-income homes.

4. The types of grant categories were explained to the attendees. The categories include:

- H - Housing (repair/replace substandard housing)
- NR - Neighborhood Revitalization (repair City infrastructure)
- CR - Commercial Revitalization (downtown streetscape improvements)
- Concurrently, with the submission of a grant application in one of the above categories, the City may also submit an application in the Economic Development category. Funds may be used to provide a business with a low interest loan or can be used to construct an access road or water & sewer line extensions.

5. The attendees discussed the grant categories in relation to the City's needs. The competitiveness of each grant category was also discussed and it was agreed that the NR grant category would address much needed City infrastructure needs.

6. There being no further comments, the public hearing was closed.



Jennifer Nanek, City of Lake Wales

12/11/15

Date:

City of Lake Wales CDBG First Public Hearing

December 10, 2015 @ 6:00 p.m.

THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)

There are four categories of funds available under the Community Development Block Grant Program. Each is designed to address local needs and benefit low to moderate-income persons. A summary of each grant category is provided below.

(1) Housing Rehabilitation (HR)

Substandard housing occupied by low to moderate income households may be rehabilitated with CDBG funds to meet code requirements. Both owner occupied and rental housing may be included.

(2) Neighborhood Revitalization (NR)

This category is primarily for water and sewer improvements in low/moderate income neighborhoods. The CDBG-NR category also funds street paving, drainage and recreation improvements.

(3) Commercial Revitalization (CR)

Various improvements may be funded in commercial areas. Eligible projects include parking facilities, drainage, street paving, sidewalks, lighting, recreation facilities, water and sewer. This is an extremely competitive category.

(4) Economic Development (ED)

The CDBG-ED program provides grants to local governments for the construction of infrastructure needed to serve a new and expanding business. Local governments may also use CDBG funds to provide loans directly to the business for capital expenses (land, building, equipment, site development). The grant funds are made available on the condition that the new or expanding business create new jobs, of which, 51% would need to be available to low/moderate income persons.

Grant Schedule

The grant application deadline is expected to be in early to mid-March 2016.

Project Options:

1. Apply for a Housing grant to repair/replace substandard housing
2. Apply for a Neighborhood Revitalization grant to repair City infrastructure.
3. Apply for a Commercial Revitalization grant for downtown improvements.
4. If a business is making plans to locate or expand in the area, the City could also apply for an economic development grant to provide the business with an access road or water & sewer extensions.

Agenda

City of Lake Wales
First Public Hearing
Community Development Block Grant (CDBG) Program

December 10, 2015, 6:00 p.m.

1. Open Meeting

- Discuss Community Needs and the CDBG grant program

The City is considering the submission of a CDBG grant application that will help to address community needs. The grant application deadline is expected to be in early to mid-March 2016. Although the grant application deadline will be in 2016, the funding will come from the 2015 Federal Fiscal Year (FFY).

The City may submit a grant application in one of three categories:

- H - Housing (repair/replace substandard housing)
- NR - Neighborhood Revitalization (repair City infrastructure)
- CR - Commercial Revitalization (downtown streetscape improvements)
- Concurrently with the submission of a grant application in one of the above categories, the City may also submit an application in the Economic Development category. Funds may be used to provide a business with low interest loan or can be used to construct an access road or water and sewer line extensions. A business must agree to participate in the grant in order for the City to submit a grant application.

2. Citizen Comments:

3. Close meeting.

2nd Public Hearing

AFFIDAVIT OF PUBLICATION NEWS CHIEF

Lakeland, Polk County, Florida

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Michelle Reece who on oath says that she is an Account Executive for Advertising at The Ledger, the owner of the News Chief, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

PUBLIC NOTICE

In the matter of 2ND PUBLIC HEARING (NR)

Concerning CITY OF LAKE WALES

was published in said newspaper in the issues of

2-5; 2016

and further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed.....

Michelle Reece
Advertising Account Executive
Who is personally known to me.

Sworn to and subscribed before me this 8th day of February , A.D., 2016

Patricia Ann Rouse
Notary Public



City of Lake Wales NOTICE OF SECOND PUBLIC HEARING

The City of Lake Wales is considering applying to the Florida Department of Economic Opportunity for a grant under the FFY 2015 **Neighborhood Revitalization (NR)** category in the amount of \$650,000 under the Small Cities Community Development Block Grant (CDBG) Program. For each activity that is proposed, 70% of the funds must benefit low to moderate income (LMI) persons. The primary grant funded activity will be sewer line replacement along Carver Drive and Crescent Circle. Sewer line replacement activities will also occur north of Dr. J. A. Wiltshire Avenue in the vicinity of A Street, B Street and C Street and along the portions of Lincoln Avenue, Washington Ave and Harding Avenue that are located east of C Street.

The activities, estimated dollar amounts and percentage benefit to low-to-moderate income (LMI) persons for which the City is applying are:

Activity CDBG	Budget	LMI Benefit
Sewer Line Replacement	\$560,000	+51%
Engineering	\$39,000	NA
Grant Administration	\$51,000	NA
Total	\$650,000	

The CDBG funds will be combined with approximately \$1.2 million in State Revolving Loan Funds in order to complete the planned sewer line replacement activities. The City adopted an anti-displacement and relocation plan before submission of the grant application. The City will assist displaced persons with grant funds, as indicated in the budget and policy. No persons will be displaced as a result of this grant.

A public hearing to provide citizens an opportunity to comment on the application will be held at the City of Lake Wales City Commission Chambers located at 201 West Central Ave., Lake Wales, Florida 33859 on Tuesday, **February 16, 2016** during the City Commission meeting that begins at 6:00 p.m. To obtain additional information concerning the Application and the Public Hearing, or to submit written comments on the Application, contact Ms. Jennifer Nanek, Deputy Clerk and Special Projects Coordinator. Ms. Nanek can be reached by phone at: (863) 678-4182, ext. 270. Written comments can be delivered to Ms. Nanek at the above address, or sent by mail to: City of Lake Wales, P.O. Box 1320, Lake Wales, Florida 33859-1320. Comments can also be sent by email to: JNanek@CityofLakeWales.com

A draft of the application will be available for public review after **February 9, 2016**. Also, a final copy of the application will be made available at the City of Lake Wales City Hall located at 201 West Central Ave., Lake Wales, Florida 33859 Monday through Friday between the hours of 9:00 a.m. and 4:00 p.m. within 7 business days after submission of the application. The application will be submitted to the Florida Department of Economic Opportunity on or before **March 15, 2016**.

The public hearing is being conducted in a handicapped accessible location. Any person requiring an interpreter for the hearing impaired or the visually impaired, any non-English speaking person wishing to attend the public hearing, and any handicapped person requiring special accommodation at this meeting should contact the City at the phone number, email address or street address listed above at least five calendar days prior to the meeting.

Pursuant to Section 102 of the HUD Reform Act of 1989, the following disclosures will be submitted to the Florida Department of Economic Opportunity with the application. The disclosures will be made available by the City of Lake Wales and the Florida Department of Economic Opportunity for public inspection upon request. These disclosures will be available on and after the date of submission of the application and shall continue to be available for a minimum period of six years.

1. Other Government (federal, state, and local) assistance to the project in the form of a gift, grant, loan, guarantee, insurance payment, rebate, subsidy, credit, tax benefit, or any other form of direct or indirect benefit by source and amount;
2. The identities and pecuniary interests of all developers, contractors, or consultants involved in the application for assistance or in the planning or development of the project or activity;
3. The identities and pecuniary interests of any other persons with a pecuniary interest in the project that can reasonably be expected to exceed \$50,000 or 10% of the grant request (whichever is lower);
4. For those developers, contractors, consultants, property owners, or others listed in two (2) or three (3) above which are corporations, or other entities, the identification and pecuniary interests by corporation or entity of each of officer, director, principal stockholders, or other official of the entity;
5. The expected sources of all funds to be provided to the project by each of the providers of those funds and the amount provided; and
6. The expected uses of all funds by activity and amount.

A FAIR HOUSING/EQUAL OPPORTUNITY/HANDICAP ACCESS JURISDICTION
NC6940 2-5; 2016

**CITY COMMISSION
REGULAR MEETING
OFFICIAL AGENDA
February 16, 2016
6:00 p.m.**

**Municipal Administration Building
Commission Chambers
201 W. Central Avenue
Lake Wales, FL 33853**

1. INVOCATION

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. ROLL CALL

5. MAYOR

5.I. PROCLAMATION: Children's Day

Documents: [PROCLAMATION.PDF](#)

6. PRESENTATION/REPORT

7. COMMUNICATIONS AND PETITIONS

Public participation is encouraged. If you are addressing the Commission, step to the podium and state your name and whether your address resides inside or outside City limits. Please limit your discussions to five (5) minutes.

8. CONSENT AGENDA

Any member of the public can ask the City Commission to pull a consent item for separate discussion and vote that they would like to make comment on.

8.I. Approval Of Minutes: February 2, 2016, Regular Meeting

Documents: [2016-02-02REG.PDF](#)

8.II. Special Event Application: 4th Of July Celebration

The approval will allow the 4th of July Festival to take place on the shores of Lake Wales.

Documents: [AGENDA ITEM ID4 PERMIT16.PDF](#), [ID4 CELEBRATION 2016.PDF](#), [4TH OF JULY SITE MAP.PDF](#)

8.III. Resolution 2016-04, Railroad Reimbursement Agreement For Park Avenue Rail Crossing
The City Commission will consider approving Resolution 2016-04 with the Florida Department of Transportation hereinafter Florida Midland Railroad Company, Inc. for grade crossing traffic control devices on Park Avenue.

Documents: [MEMO](#), [RES2016-04.PDF](#), [RES2016-04.PDF](#), [FDOT AGREEMENT.PDF](#)

8.IV. Resolution 2016-06, Highway Maintenance Agreement With The Florida Department Of Transportation

The City Commission will consider approving Resolution 2016-06, to continue the

highway maintenance for certain State Road Rights of Ways with the Florida Department of Transportation for an additional three (3) year period for an annual compensation of \$26,210.51.

Documents: [MEMO-RES2016-06 HIGHWAY 60 MAINTENANCE AGREEMENT.PDF](#), [RES2016-06 HW 60 MAINTENANCE AGREEMENT.PDF](#), [FDOT-HWY 60 MAINTENANCE AGREEMENT.PDF](#)

8.V. Preliminary Financial Statements For January 31, 2016
Commission Financials for January 1/31/2016

Documents: [001 - AGENDA -COMMISSION FINANCIALS - JAN 2016.PDF](#), [002 - COMMISSION FINANCIALS JAN 2016.PDF](#)

9. OLD BUSINESS

9.I. Ordinance 2016-03, FY15'16 Budget Amendment #1, 2nd Reading & Public Hearing
The City Commission will consider approval of the first Amendment of FY 2015'16 Budget. The fiscal impact is shown in Exhibit A & B.

Documents: [001.5 - MEMO - BUDGET AMENDMENT FY 15-16 - NO 1 - SECOND READING.PDF](#), [002 - BUDGET AMENDMENT - ORDINANCE 2016-03.PDF](#), [003 - EXHIBIT A.PDF](#), [004 - EXHIBIT B.PDF](#), [005 - EXHIBIT C.PDF](#)

10. NEW BUSINESS

10.I. Fair Housing Public Hearing

As part of the CDBG requirements the City must hold a public meeting to provide information about fair housing regulations and practices to the general public and elected officials.

Documents: [AGENDA ITEM FAIR HOUSING MTG 2016.PDF](#), [--2-16-15 FAIR HOUSING TRAINING MATERIALS.PDF](#)

10.II. CDBG Grant Approval And 2nd Public Hearing; Resolution 2016-02 & Resolution 2016-03

Community Development Block Grant (CDBG) 2nd Public Hearing and Resolution 2016-02 to authorize the grant application and Resolution 2016-03 authorizing the SRF funds to be used as match.

Documents: [2-16-16 AGENDA ITEM 2ND PUB HEARING CDBG PH2.PDF](#), [2015-16 CDBG FISCAL IMPACT.PDF](#), [LAKE WALES CDBG GRANT APPLICATION DRAFT.PDF](#), [2-16-16 LW CDBG ENABLING RESOLUTION.PDF](#), [2-16-16 LOCAL MATCH RES.PDF](#)

10.III. City Of Lake Wales Charter Amendment Fire Assessment Fees

A petition was circulated to place a charter amendment on the 2016 Commission Election ballot.

Documents: [MEMO - FIRE ASSESSMENT FEE -021016.PDF](#), [ATTACHMENTS-CHARTER AMENDMENT.PDF](#)

11. CITY CLERK

11.I. 2016 Municipal Election & Canvassing Board Information

The City Commission will have a special meeting on February 19 at 4:00 p.m. in the Commission Chambers to approve the ballot language for the April 5, 2016 Commission Election.

Documents: [MEMO - 2015 MUNICIPAL ELECTION ACTIVITIES.PDF](#),

The meeting of the Lake Wales City Commission was held on February 16, 2016 in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor Eugene Fultz at approximately 6:00p.m. following the Invocation and the Pledge of Allegiance.

INVOCATION

The invocation was given by Dr. Jim Moyer.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Terrye Y. Howell; Pete Perez; Christopher Lutton; Jonathan Thornhill; Eugene Fultz, Mayor

COMMISSIONERS ABSENT: None

CITY REPRESENTATIVES PRESENT: Kenneth Fields, City Manager; Clara VanBlargan, City Clerk; Albert C. Galloway, Jr., City Attorney

5. MAYOR

Agenda Item 5.I. PROCLAMATION: Children's Day

Mayor Fultz read a proclamation proclaiming Saturday, January 24, 2016 as "Children's Day." No one was present to accept the proclamation.

6. PRESENTATION/REPORT

7. COMMUNICATIONS AND PETITIONS

Richard Nathans, non-resident and representing the Kiwanis Foundation Club, announced the Kiwanis Club's annual pancake breakfast including other events following that day on Saturday, February 27, 2016 starting at 7 a.m. and invited everyone to attend.

Gary Gose, VFW Post 2420 Commander, provided an update on the VFW Post 2420 upcoming events.

8. CONSENT AGENDA

Agenda Item 8.1. APPROVAL OF MINUTES: February 2, 2016 Regular Meeting

Agenda Item 8.II. Special Event Application: 4th of July Celebration

[Begin Agenda Memo]

SYNOPSIS

The approval will allow the 4th of July Festival to take place on the shores of Lake Wailes.

RECOMMENDATION

Staff recommends approval of permit for the 4th of July Festival. The event will be held on Monday, July 4th from 2pm to 9pm with Fireworks at 9pm.

expected changes within the current fiscal year. Explanation of change, for significant items, has been provided on both Exhibit A and B. Detail budgetary changes have been provided in Exhibit C.

OTHER OPTIONS

This is a required budgetary amendment for compliance purposes relating to the City's Charter and Florida State Statute.

Per the Lake Wales City Charter, Section 6.07, upon written request by the City Manager, the City Commission may by ordinance transfer part or all of any unencumber appropriation balance from one department, office or agency to another. Per Florida State Statute, Section 166.241, the budget must regulate expenditures of the municipality. If a budget amendment is required the amendment must be adopted in the same manner as the original budget.

FISCAL IMPACT

See Exhibit A and Exhibit B attached to Ordinance 2016-03 in the Commission agenda file.

[End Agenda Memo]

City Clerk Clara VanBlargan read Ordinance 2016-03 by title only:

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING ORDINANCE 2015-09 TO MODIFY THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY FOR THE 2015-2016 FISCAL YEAR AND TO MODIFY THE APPROPRIATION OF FUNDS RAISED AND COLLECTED FROM ALL SOURCES SET FORTH IN THE ESTIMATE OF REVENUES FOR SAID FISCAL YEAR; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

OPENED PUBLIC HEARING

There were no comments made by the public.

CLOSED PUBLIC HEARING

Deputy Mayor Thornhill made a motion to adopt Ordinance 2016-03 after second reading and public hearing. Commissioner Howell seconded the motion.

By Roll Call Vote:

Deputy Mayor Thornhill	"YES"
Commissioner Howell	"YES"
Commissioner Perez	"YES"
Commissioner Lutton	"YES"
Mayor Fultz	"YES"

The motion carried 5-0.

10. NEW BUSINESS

Agenda Item 10.I. Fair Housing Public Hearing

[Begin Agenda Memo]

SYNOPSIS

As part of the CDBG requirements the City must hold a public meeting to provide information about fair housing regulations and practices to the general public and elected officials.

RECOMMENDATION

Staff recommends that a brief presentation be given by Andy Easton, the City's grant consultant, about fair housing regulations and practices to the general public and elected officials.

BACKGROUND

The purpose of this meeting is to provide information about fair housing regulations and practices to the General Public and Elected Officials. Attendees are asked to sign an attendance sheet for this meeting. This meeting will provide an overview of the Fair Housing Act, provide examples of housing discrimination and will describe information sources to learn more about fair houses. Training materials will be available to the public.

OTHER OPTIONS

Do not hold public hearing

FISCAL IMPACT

None.

[End Agenda Memo]

Andy Easton, the City's grant administrator, reviewed Agenda Item 10.I. He provided information about fair housing regulations and practices and distributed information to the Commission.

OPENED PUBLIC HEARING

There were no comments made by the public.

CLOSED PUBLIC HEARING

Agenda Item 10.II. Community Development Block Grant (CDBG) 2nd Public Hearing and Resolution 2016-02 to authorize the grant application and Resolution 2016-03 authorizing the SRF funds to be used as match.

[Begin Agenda Memo]

SYNOPSIS

This is the required second public hearing regarding the City's CDBG application for funding for the third phase of the C Street Sewer project.

RECOMMENDATION

It is recommended that the City Commission take the following action:

1. Approve Resolution 2016-02 authorizing the Mayor to sign and submit an application in the Neighborhood Revitalization CDBG grant categories for \$650,000 towards the second phase of replacing sewer lines in the C Street area.
2. Approve Resolution 2016-03 authorizing SRF funds (local match) to be combined with CDBG funds in order to fund the full cost of phase 2 of the project.

BACKGROUND

On December 10, 2015, at 6:00 p.m., the first public hearing on the CDBG grant application was held and was conducted by Jennifer Nanek (with participation from the City's grant consultant, Andy Easton). The purpose of the first public hearing was to obtain comments from the public on the City's community development needs and to explain the four categories of the CDBG grant program which are Commercial Revitalization, Housing Rehabilitation, Economic Development, and Neighborhood Revitalization. It was mentioned during the first public hearing that the City had numerous sewer system improvement needs that could be funded with the CDBG grant program (Neighborhood Revitalization Category).

Also, on December 10, 2015, prior to the first public hearing, at 5:30 p.m., the Citizens Advisory Task Force met and voted unanimously to recommend to the City Commission that they apply for the CDBG Neighborhood Revitalization grant category to replace sewer lines in the C Street area. The City applied for the same grant last year, but the application was not funded because the score was not high enough.

The City of Lake Wales is eligible to receive up to \$750,000 in CDBG funds through the Small Cities Program, however, in order to make the application more competitive, only \$650,000 is being requested. These funds must be used for one of the following purposes:

1. To benefit low and moderate income persons;
2. To aid in the prevention or elimination of slums or blight; or
3. To meet other community development needs of recent origin having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and where other financial resources are not available to meet such needs.

The categories of activities for which these funds may be used are: housing, neighborhood revitalization, commercial revitalization, or economic development including such improvement activities as acquisition of real property, loans to private-for-profit business, purchase of machinery and equipment, construction of infrastructure, rehabilitation of houses and commercial buildings, and energy conservation.

OTHER OPTIONS

Do not apply for the FYF 2015 Small Cities Program grant. Since the City has missed the deadline for reentering the County's program, no CDBG funds could be expected in FY16'17.

FISCAL IMPACT

If the Commission decides to apply for the Neighborhood Revitalization funding category, and the CDBG grant is funded, the CDBG funds will be combined with loan funds from the State Revolving Loan fund that has already been approved for the project. The CDBG grant will help to lower the total amount of funds that need to be borrowed from the SRF program.

[End Agenda Memo]

City Clerk Clara VanBlargan read Resolution 2016-02 by title only:

RESOLUTION OF THE CITY COMMISSION OF LAKE WALES, FLORIDA, AUTHORIZING THE MAYOR TO MAKE APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR APPROVAL OF A FEDERAL FISCAL YEAR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT SPONSORED BY THE CITY OF LAKE WALES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

City Clerk Clara VanBlargan read Resolution 2016-03 by title only:

RESOLUTION OF THE CITY COMMISSION OF LAKE WALES, FLORIDA, AUTHORIZING FUNDS FOR THE PROPOSED SEWER LINE AND RELATED FACILITIES IMPROVEMENTS TO BE COMBINED WITH THE ANTICIPATED FEDERAL FISCAL YEAR 2015 CDBG NEIGHBORHOOD REVITALIZATION GRANT FUNDS

Andy Easton, the City's grant administrator, reviewed Agenda Item 10.II. He said the purpose of the public hearing is to inform the public of what the City is doing, which is applying for \$650,000 federal grant to help construct some of the sewer line improvements. This is the same grant applied for last year that did not get funded. It is not certain that it will get funded this year because it is highly competitive. The good news is however, because the State of Florida has not been as efficient as they should be they are backed up with their grant cycles. The submittal deadline for this grant is April 5 and there will probably be another one applied for toward the end of the year. The thing about CDBG funding is that you will get funding but you will not know when. It also depends on the project.

Commissioner Lutton asked that because we did not rank high enough on the list we did not get funding. Mr. Easton explained that the City is competing with about 300 or more other small cities in Florida and they get a pre-score based on census information, employment rate, poverty rate etc. The City ranked somewhere in the middle, which the score was based on the 2010 census. Because of the previous census the City ranked very high.

Commissioner Perez asked if there was a definitive plan for the elimination of slums and blight. Mr. Easton explained that the State only does their grants for definitive for low to moderate income. About 99% of the State of Florida's money is aimed at projects that benefit low to moderate income persons and a tiny bit is aimed at slum and blight conditions.

Deputy Mayor Thornhill said the slum and blight money probably goes toward tearing down dilapidated buildings and Mr. Easton confirmed. Mr. Fields said this money is for infrastructure improvements in low to moderate income communities which is why the sewer line qualifies for that. The county has granted us some of their CDBG money for building demolition, which is clearly slum and blight, getting rid of buildings. We appropriated money from the CRA fund for demolition of buildings that were a blighting influence. This money is in addition to the county's CDBG money. That state CDBG funding is for infrastructure improvement and the county's money is for getting rid of slum and blight.

OPENED PUBLIC HEARING

There were no comments made by the public.

CLOSED PUBLIC HEARING

The Mayor asked if the resolutions could be voted on together since they were read together and there was only one public hearing. The City Attorney said the resolutions would need to be voted on separately.

Deputy Mayor Thornhill made a motion to adopt Resolution 2016-02. Commissioner Lutton seconded the motion.

By Roll Call Vote:

Deputy Mayor Thornhill	"YES"
Commissioner Lutton	"YES"
Commissioner Perez	"YES"
Commissioner Howell	"YES"
Mayor Fultz	"YES"

The motion carried 5-0.

Deputy Mayor Thornhill made a motion to adopt Resolution 2016-03. Commissioner Howell seconded the motion.

By Roll Call Vote:

Deputy Mayor Thornhill	"YES"
Commissioner Howell	"YES"
Commissioner Lutton	"YES"
Commissioner Perez	"YES"
Mayor Fultz	"YES"

The motion carried 5-0.

Agenda Item 10.III. City of Lake Wales Charter Amendment Fire Assessment Fees

[Begin Agenda Memo]

SYNOPSIS

A Petition was circulated to place a Charter amendment on the ballot for the 2016 Municipal Election.

Article VIII, §2(a) of the State Constitution provides that municipalities may be established and their charters amended pursuant to general or special law. Section 166.031, Florida Statutes, states the manner in which municipal charters may be amended as follows:

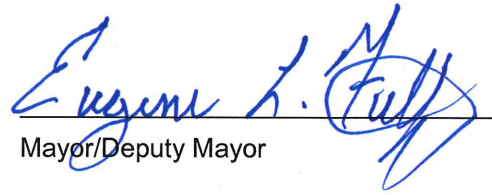
The governing body of a municipality may, by ordinance, or the electors of a municipality may, by petition signed by 10 percent of the registered electors as of the last preceding municipal general election, submit to the electors of said municipality a proposed amendment to its charter, which amendment may be to any part or to all of said charter except that part describing the boundaries of such municipality.

The statutory requirement for submitting the subject Petition to the electorate has been met.

The City Attorney has opined that the proposed Charter amendment violates Article VIII, §2(a) of the State Constitution and the Municipal Home Rule Powers Act set for in §166.021, Florida Statutes. The City Attorney requests that the City Commission authorize the filing of an action for declaratory relief in the Circuit Court to request the Court to determine that the proposed amendment is unconstitutional, violates applicable law, and is thus a nullity or otherwise unenforceable.

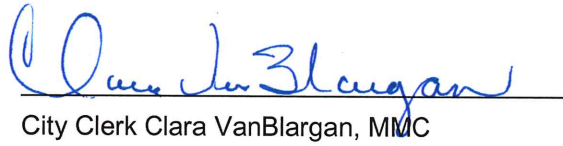
When placing a charter amendment on the ballot the language must consist of a title and the substance of the issue stated in the form of a question in clear and unambiguous language followed by the words "yes" and "no," and styled in such a manner that a "yes" vote will indicate approval of the proposal and "no" vote

City Commission Meeting
February 16, 2016



Mayor/Deputy Mayor

ATTEST:



City Clerk Clara VanBlargan, MMC

Appendix E

Leverage Documentation

RESOLUTION 2016-03

RESOLUTION OF THE CITY COMMISSION OF LAKE WALES, FLORIDA, AUTHORIZING FUNDS FOR THE PROPOSED SEWER LINE AND RELATED FACILITIES IMPROVEMENTS TO BE COMBINED WITH THE ANTICIPATED FEDERAL FISCAL YEAR 2015 CDBG NEIGHBORHOOD REVITALIZATION GRANT FUNDS

Whereas, the City of Lake Wales plans to provide improvements to the community to benefit low and moderate income persons; and

Whereas, the City of Lake Wales will apply for Federal Fiscal Year 2015 grant funds from the Neighborhood Revitalization Category of the Florida Small Cities Community Development Block Grant (CDBG) program to partially fund a sewer line and related facilities improvement project; and

Whereas, based on a phase 3 project cost of \$1,496,644, the City will need to provide \$936,664 in non-CDBG funds to be combined with the anticipated \$560,000 in construction funds from the CDBG grant to fund the full phase 3 cost; and

Whereas, the CDBG grant program rules require that the City document the absolute availability of the non-CDBG funds for the project; and

Whereas, the City has non-CDBG funds available from the State Revolving Fund (SRF) that may be used for the proposed improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE WALES, FLORIDA;

SECTION 1. That the City of Lake Wales commits non-CDBG funds in the amount of \$936,664 for the proposed sewer line and related facilities improvements to be combined with the anticipated construction funding of \$560,000 from the CDBG Neighborhood Revitalization grant.

SECTION 2. That the non-CDBG funds will be expended after the date of the grant agency's Site Visit and before administrative closeout of the CDBG grant.

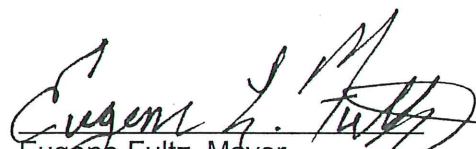
SECTION 3. That \$50,000 of the non-CDBG funds will be used for grant scoring purposes in the CDBG grant application. The project budget is included as Attachment "A" to this resolution.

ADOPTED unanimously by the City Commission of Lake Wales, Florida, on this 16th day of February, 2016.

Attest:


Clara VanBlargan, City Clerk




Eugene Fultz, Mayor

Attachment A

City of Lake Wales CDBG Grant Program Budget

Activity	CDBG Budget	LMI Benefit
Sewer Line Replacement	\$560,000	+51%
Engineering	\$39,000	NA
Grant Administration	\$51,000	NA
Total	\$650,000	

Other Funds: \$936,664 from the SRF program

Amount of other funds (non-CDBG) claimed for CDBG grant scoring purposes: \$50,000

Total Construction Cost: \$936,664 + \$560,000 = \$1,496,664



Dea/uy

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

AND

CITY OF LAKE WALES, FLORIDA

**CLEAN WATER STATE REVOLVING FUND
CONSTRUCTION LOAN AGREEMENT**

WW530310

**Florida Department of Environmental Protection
State Revolving Fund Program
Bob Martinez Center
2600 Blair Stone Road, MS 3505
Tallahassee, Florida 32399-2400**

CLEAN WATER STATE REVOLVING FUND CONSTRUCTION LOAN AGREEMENT

<u>CONTENTS</u>	<u>PAGE</u>
ARTICLE I - DEFINITIONS	1
1.01. WORDS AND TERMS.	1
1.02. CORRELATIVE WORDS.	3
ARTICLE II - WARRANTIES, REPRESENTATIONS AND COVENANTS	3
2.01. WARRANTIES, REPRESENTATIONS AND COVENANTS.	3
2.02. LEGAL AUTHORIZATION.	5
2.03. AUDIT AND MONITORING REQUIREMENTS.	6
ARTICLE III - LOAN REPAYMENT ACCOUNT	8
3.01. LOAN DEBT SERVICE ACCOUNT.	8
3.02. INVESTMENT OF LOAN DEBT SERVICE ACCOUNT MONEYS.	9
3.03. LOAN DEBT SERVICE ACCOUNT WITHDRAWALS.	9
3.04. ASSETS HELD IN TRUST.	9
ARTICLE IV - PROJECT INFORMATION	9
4.01. PROJECT CHANGES.	9
4.02. TITLE TO PROJECT SITE.	10
4.03. PERMITS AND APPROVALS.	10
4.04. ENGINEERING SERVICES.	10
4.05. PROHIBITION AGAINST ENCUMBRANCES.	10
4.06. COMPLETION MONEYS.	10
4.07. CLOSE-OUT.	10
4.08. LOAN DISBURSEMENTS.	10
ARTICLE V - RATES AND USE OF THE WATER AND SEWER SYSTEMS	11
5.01. RATE COVERAGE.	11
5.02. NO FREE SERVICE.	11
5.03. MANDATORY CONNECTIONS.	12
5.04. NO COMPETING SERVICE.	12
5.05. MAINTENANCE OF THE WATER AND SEWER SYSTEMS.	12
5.06. ADDITIONS AND MODIFICATIONS.	12
5.07. COLLECTION OF REVENUES.	12
ARTICLE VI - DEFAULTS AND REMEDIES	12
6.01. EVENTS OF DEFAULT.	12
6.02. REMEDIES.	13
6.03. DELAY AND WAIVER.	14
ARTICLE VII - THE PLEDGED REVENUES	14
7.01. SUPERIORITY OF THE PLEDGE TO THE DEPARTMENT.	14
7.02. ADDITIONAL DEBT OBLIGATIONS.	14
ARTICLE VIII - GENERAL PROVISIONS	15

CLEAN WATER STATE REVOLVING FUND CONSTRUCTION LOAN AGREEMENT

<u>CONTENTS</u>	<u>PAGE</u>
8.01. DISCHARGE OF OBLIGATIONS.	15
8.02. PROJECT RECORDS AND STATEMENTS.	15
8.03. ACCESS TO PROJECT SITE.	15
8.04. ASSIGNMENT OF RIGHTS UNDER AGREEMENT.	15
8.05. AMENDMENT OF AGREEMENT.	15
8.06. ANNULMENT OF AGREEMENT.	16
8.07. SEVERABILITY CLAUSE.	16
8.08. USE AS MATCHING FUNDS.	16
8.09. COMPLIANCE VERIFICATION.	16
ARTICLE IX - CONSTRUCTION CONTRACTS AND INSURANCE	17
9.01. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACTS.	17
9.02. SUBMITTAL OF CONSTRUCTION CONTRACT DOCUMENTS.	17
9.03. INSURANCE REQUIRED.	17
ARTICLE X - DETAILS OF FINANCING	18
10.01. PRINCIPAL AMOUNT OF LOAN.	18
10.02. LOAN SERVICE FEE.	18
10.03. FINANCING RATE.	18
10.04. LOAN TERM.	19
10.05. REPAYMENT SCHEDULE.	19
10.06. PROJECT COSTS.	19
10.07. SCHEDULE.	20
10.08. SPECIAL CONDITION.	20
ARTICLE XI - EXECUTION OF AGREEMENT	21

CLEAN WATER STATE REVOLVING FUND CONSTRUCTION LOAN AGREEMENT
WW530310

THIS AGREEMENT is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF LAKE WALES, FLORIDA, (Local Government) existing as a local governmental agency under the laws of the State of Florida.

WITNESSETH:

WHEREAS, pursuant to Section 403.1835, Florida Statutes, the Department is authorized to make loans to local government agencies to finance or refinance the construction of wastewater pollution control facilities, the planning and design of which have been reviewed by the Department; and

WHEREAS, funding is provided from the State Revolving Fund program repayments and interest, which are Federally protected but which are subject to state audit requirements; and

WHEREAS, the Local Government has made application for the financing of the Project, and the Department has determined that such Project meets all requirements for a loan.

NOW, THEREFORE, in consideration of the Department loaning money to the Local Government, in the principal amount and pursuant to the covenants hereinafter set forth, it is agreed as follows:

ARTICLE I - DEFINITIONS

1.01. WORDS AND TERMS.

Words and terms used herein shall have the meanings set forth below:

- (1) "Agreement" or "Loan Agreement" shall mean this construction loan agreement.
- (2) "Authorized Representative" shall mean the official of the Local Government authorized by ordinance or resolution to sign documents associated with the Loan.
- (3) "Capitalized Interest" shall mean a finance charge that accrues at the Financing Rate on Loan proceeds from the time of disbursement until six months before the first Semiannual Loan Payment is due. Capitalized Interest is financed as part of the Loan principal.
- (4) "Depository" shall mean a bank or trust company, having a combined capital and unimpaired surplus of not less than \$50 million, authorized to transact commercial banking or savings and loan business in the State of Florida and insured by the Federal Deposit Insurance Corporation.
- (5) "Financing Rate" shall mean the charges, expressed as a percent per annum, imposed on the unpaid principal of the Loan. The Financing Rate shall consist of an interest rate component and a Grant Allocation Assessment rate component.

(6) "Grant Allocation Assessment" shall mean an assessment, expressed as a percent per annum, accruing on the unpaid balance of the Loan. It is computed similarly to the way interest charged on the Loan is computed and is included in the Semiannual Loan Payment. The Department will use Grant Allocation Assessment moneys for making grants to financially disadvantaged small communities pursuant to Section 403.1835 of the Florida Statutes.

(7) "Gross Revenues" shall mean all income or earnings received by the Local Government from the ownership or operation of its Water and Sewer Systems, including investment income, all as calculated in accordance with generally accepted accounting principles. Gross Revenues shall not include proceeds from the sale or other disposition of any part of the Water or Sewer System, condemnation awards or proceeds of insurance, except use and occupancy or business interruption insurance, received with respect to the Water or Sewer System.

(8) "Loan" shall mean the amount of money to be loaned pursuant to this Agreement and subsequent amendments.

(9) "Loan Application" shall mean the completed form which provides all information required to support obtaining construction loan financial assistance.

(10) "Loan Debt Service Account" shall mean an account, or a separately identified component of a pooled cash or liquid account, with a Depository established by the Local Government for the purpose of accumulating Monthly Loan Deposits and making Semiannual Loan Payments.

(11) "Loan Service Fee" shall mean an origination fee which shall be paid to the Department by the Local Government.

(12) "Monthly Loan Deposit" shall mean the monthly deposit to be made by the Local Government to the Loan Debt Service Account.

(13) "Operation and Maintenance Expense" shall mean the costs of operating and maintaining the Water and Sewer Systems determined pursuant to generally accepted accounting principles, exclusive of interest on any debt payable from Gross Revenues, depreciation, and any other items not requiring the expenditure of cash.

(14) "Pledged Revenues" shall mean the specific revenues pledged as security for repayment of the Loan and shall be the Gross Revenues derived yearly from the operation of the Water and Sewer Systems after payment of the Operation and Maintenance Expense and the satisfaction of all yearly payment obligations on account of the Senior Revenue Obligations and any senior obligations issued pursuant to Section 7.02 of this Agreement.

(15) "Project" shall mean the works financed by this Loan and shall consist of furnishing all labor, materials, and equipment to construct the major sewer rehabilitation/replacement project in accordance with the plans and specifications accepted by the Department for the "Lift Station No. 16 Service Area Sewer Replacement – Phase II" contract.

The Project is in agreement with the planning documentation accepted by the Department effective February 21, 2012. A Florida Categorical Exclusion Notification was published on December 23, 2011 and no adverse comments were received.

(16) "Semiannual Loan Payment" shall mean the payment due from the Local Government to the Department at six-month intervals.

(17) "Senior Revenue Obligations" shall mean the following debt obligations:

(a) City of Lake Wales, Florida, Capital Improvement Refunding Revenue Note, Series 2003, issued in the amount of \$9,549,890.21, pursuant to Resolution No. 2003-35; and

(b) City of Lake Wales, Florida, Utility System Revenue Note, Series 2005, issued in the amount of \$1,110,000, pursuant to Resolution No. 96-09, as amended and supplemented and particularly as supplemented by Resolution No. 2005-05; and

(c) City of Lake Wales, Florida, Utility System Refunding Revenue Note, Series 2006A, issued in the amount of \$6,272,219.70, pursuant to Resolution No. 96-09, as amended and supplemented and particularly as supplemented by Resolution No. 2006-09; and

(d) City of Lake Wales, Florida, Utility System Revenue Note, Series 2006B, issued in the amount of \$3,100,000, pursuant to Resolution No. 96-09, as amended and supplemented and particularly as supplemented by Resolution No. 2006-14; and

(e) Additional bonds issued on a parity with the bonds identified above pursuant to Section 8(B) of Resolution No. 2003-35 and Resolution No. 96-09 ; and

(f) Any refunding bonds issued to refund the obligations identified above provided such bonds shall not increase annual debt service during the repayment period of this Loan.

(18) "Sewer System" shall mean all facilities owned by the Local Government for collection, transmission, treatment and reuse of wastewater and its residuals.

(19) "Water System" shall mean all facilities owned by the Local Government for supplying and distributing water for residential, commercial, industrial, and governmental use.

1.02. CORRELATIVE WORDS.

Words of the masculine gender shall be understood to include correlative words of the feminine and neuter genders. Unless the context shall otherwise indicate, the singular shall include the plural and the word "person" shall include corporations and associations, including public bodies, as well as natural persons.

ARTICLE II - WARRANTIES, REPRESENTATIONS AND COVENANTS

2.01. WARRANTIES, REPRESENTATIONS AND COVENANTS.

The Local Government warrants, represents and covenants that:

(1) The Local Government has full power and authority to enter into this Agreement and to comply with the provisions hereof.

(2) The Local Government currently is not the subject of bankruptcy, insolvency, or reorganization proceedings and is not in default of, or otherwise subject to, any agreement or any law, administrative regulation, judgment, decree, note, resolution, charter or ordinance which would currently restrain or enjoin it from entering into, or complying with, this Agreement.

(3) There is no material action, suit, proceeding, inquiry or investigation, at law or in equity, before any court or public body, pending or, to the best of the Local Government's knowledge, threatened, which seeks to restrain or enjoin the Local Government from entering into or complying with this Agreement.

(4) All permits, real property interests, and approvals required as of the date of this Agreement have been obtained for construction and use of the Project. The Local Government knows of no reason why any future required permits or approvals are not obtainable.

(5) The Local Government shall undertake the Project on its own responsibility, to the extent permitted by law.

(6) To the extent permitted by law, the Local Government shall release and hold harmless the State, its officers, members, and employees from any claim arising in connection with the Local Government's actions or omissions in its planning, engineering, administrative, and construction activities financed by this Loan or its operation of the Project.

(7) All Local Government representations to the Department, pursuant to the Loan Application and Agreement, were true and accurate as of the date such representations were made. The financial information delivered by the Local Government to the Department was current and correct as of the date such information was delivered. The Local Government shall comply with Chapter 62-503, Florida Administrative Code, and all applicable State and Federal laws, rules, and regulations which are identified in the Loan Application or Agreement. To the extent that any assurance, representation, or covenant requires a future action, the Local Government shall take such action as is necessary for compliance.

(8) The Local Government shall maintain records using generally accepted accounting principles established by the Governmental Accounting Standards Board. As part of its bookkeeping system, the Local Government shall keep accounts of the Water and Sewer Systems separate from all other accounts and it shall keep accurate records of all revenues, expenses, and expenditures relating to the Water and Sewer Systems, and of the Pledged Revenues, Loan disbursement receipts, and Loan Debt Service Account.

(9) In the event the anticipated Pledged Revenues are shown by the Local Government's annual budget to be insufficient to make the Semiannual Loan Payments for such Fiscal Year when due, the Local Government shall include in such budget other legally available non-ad valorem funds which will be sufficient, together with the Pledged Revenues, to make the Semiannual Loan Payments. Such other legally available non-ad valorem funds shall be budgeted in the regular annual governmental budget and designated for the purpose provided by this Subsection, and the Local Government shall collect such funds for application as provided

herein. The Local Government shall notify the Department immediately in writing of any such budgeting of other legally available non-ad valorem funds. Nothing in this covenant shall be construed as creating a pledge, lien, or charge upon any such other legally available non-ad valorem funds; requiring the Local Government to levy or appropriate ad valorem tax revenues; or preventing the Local Government from pledging to the payment of any bonds or other obligations all or any part of such other legally available non-ad valorem funds.

(10) Each year, beginning three months before the first Semiannual Loan Payment and ending with the year during which the final Loan repayment is made, the Local Government's Authorized Representative or its chief financial officer shall submit, pursuant to the schedule established in Section 10.07, a certification that: (a) Pledged Revenue collections satisfy, on a pro rata basis, the rate coverage requirement; (b) the Loan Debt Service Account contains the funds required; and (c) insurance, including that issued through the National Flood Insurance Program authorized under 42 U.S.C. secs. 4001-4128 when applicable, in effect for the facilities generating the Pledged Revenues, adequately covers the customary risks to the extent that such insurance is available.

(11) Pursuant to Section 216.347 of the Florida Statutes, the Local Government shall not use the Loan proceeds for the purpose of lobbying the Florida Legislature, the Judicial Branch, or a State agency.

(12) The Local Government agrees to construct the Project in accordance with the Project schedule. Delays incident to strikes, riots, acts of God, and other events beyond the reasonable control of the Local Government are excepted. If for any reason construction is not completed as scheduled, there shall be no resulting diminution or delay in the Semiannual Loan Payment or the Monthly Loan Deposit.

(13) The Local Government covenants that this Agreement is entered into for the purpose of constructing, refunding, or refinancing the Project which will in all events serve a public purpose. The Local Government covenants that it will, under all conditions, complete and operate the Project to fulfill the public need.

(14) The Local Government shall update the revenue generation system annually to assure that sufficient revenues are generated for debt service; operation and maintenance; replacement of equipment, accessories, and appurtenances necessary to maintain the system design capacity and performance during its design life; and to make the system financially self sufficient.

2.02. LEGAL AUTHORIZATION.

Upon signing this Agreement, the Local Government's legal counsel hereby expresses the opinion, subject to laws affecting the rights of creditors generally, that:

(1) This Agreement has been duly authorized by the Local Government and shall constitute a valid and legal obligation of the Local Government enforceable in accordance with its terms upon execution by both parties; and

(2) This Agreement specifies the revenues pledged for repayment of the Loan, and the pledge is valid and enforceable.

2.03. AUDIT AND MONITORING REQUIREMENTS.

The Local Government agrees to the following audit and monitoring requirements.

Funds provided under this Agreement have been identified as second-tier monies under the Federal Clean Water Act which are identified as state funds whose use is federally protected.

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

State Resources Awarded to the Local Government Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:					
State Program Number	Funding Source	CSFA Number	CSFA Title or Fund Source Description	Funding Amount	State Appropriation Category
Original Agreement	Wastewater Treatment and Stormwater Management TF	37.077	Statewide Surface Water Restoration and Wastewater Projects	\$5,932,251	140131

(2) Audits.

(a) In the event that the Local Government expends a total amount of state financial assistance equal to or in excess of \$500,000 in any fiscal year of such Local Government, the Local Government must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, Florida Statutes; applicable rules of the Department of Financial Services; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. In determining the state financial assistance expended in its fiscal year, the Local Government shall consider all sources of state financial assistance, including state financial assistance received from the Department of Environmental Protection, other state agencies, and other nonstate entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.

(b) In connection with the audit requirements addressed in the preceding paragraph (a); the Local Government shall ensure that the audit complies with the requirements of Section 215.97(7), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2), Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.

(c) If the Local Government expends less than \$500,000 in state financial assistance in its fiscal year, an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, is not required. The Local Government shall inform the Department of findings and

recommendations pertaining to the State Revolving Fund in audits conducted by the Local Government in which the \$500,000 threshold has not been met. In the event that the Local Government expends less than \$500,000 in state financial assistance in its fiscal year, and elects to have an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the non-state entity's resources (i.e., the cost of such an audit must be paid from the Local Government's resources obtained from other than State entities).

(d) For information regarding the Florida Catalog of State Financial Assistance (CSFA), a Local Government should access the Florida Single Audit Act website located at <https://apps.fldfs.com/fsaa> for assistance. In addition to the above websites, the following websites may be accessed for information: Legislature's Website at <http://www.leg.state.fl.us/Welcome/index.cfm>, State of Florida's website at <http://www.myflorida.com/>, Department of Financial Services' Website at <http://www.fldfs.com/> and the Auditor General's Website at <http://www.state.fl.us/audgen>.

(3) Report Submission.

(a) Copies of financial reporting packages shall be submitted by or on behalf of the Local Government directly to each of the following:

(i) The Department at the following address:

Valerie Peacock, Audit Director
Office of the Inspector General
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS 41
Tallahassee, Florida 32399-3123

(ii) The Auditor General's Office at the following address:

State of Florida Auditor General
Room 401, Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

(iii) Copies of reports or management letters shall be submitted by or on behalf of the Local Government directly to the Department of Environmental Protection at the following address:

Valerie Peacock, Audit Director
Office of the Inspector General
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, MS 41
Tallahassee, Florida 32399-3123

(b) Any reports, management letters, or other information required to be submitted to the Department pursuant to this Agreement shall be submitted timely in accordance with Florida

Statutes, or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

(c) Local Governments, when submitting financial reporting packages to the Department for audits done in accordance with Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the Local Government in correspondence accompanying the reporting package.

(4) Record Retention.

The Local Government shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of five years from the date the audit report is issued, and shall allow the Department, or its designee, Chief Financial Officer, or Auditor General access to such records upon request. The Local Government shall ensure that audit working papers are made available to the Department, or its designee, Chief Financial Officer, or Auditor General upon request for a period of five years from the date the audit report is issued, unless extended in writing by the Department.

The Local Government is hereby advised that the Florida Single Audit Act Requirements may further apply to lower tier transactions that may be a result of this Agreement.

The Local Government should confer with its chief financial officer, audit director or contact the Department for assistance with questions pertaining to the applicability of these requirements.

(5) Monitoring.

In addition to reviews of audits conducted in accordance with Section 215.97, F.S., as revised monitoring procedures may include, but not be limited to, on-site visits by Department staff and/or other procedures. By entering into this Agreement, the Local Government agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Department of Environmental Protection. In the event the Department of Environmental Protection determines that a limited scope audit of the Local Government is appropriate, the Local Government agrees to comply with any additional instructions provided by the Department to the Local Government regarding such audit. The Local Government further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer or Auditor General.

ARTICLE III - LOAN REPAYMENT ACCOUNT

3.01. LOAN DEBT SERVICE ACCOUNT.

The Local Government shall establish a Loan Debt Service Account with a Depository and begin making Monthly Loan Deposits no later than the date set forth for such action in Section 10.07 of this Agreement.

Beginning six months prior to each Semiannual Loan Payment, the Local Government shall make six Monthly Loan Deposits. The first five deposits each shall be at least equal to one-sixth of the Semiannual Loan Payment. The sixth Monthly Loan Deposit shall be at least equal to the amount required to make the total on deposit in the Loan Debt Service Account equal to the Semiannual Loan Payment amount, taking into consideration investment earnings credited to the account pursuant to Section 3.02.

Any month in which the Local Government fails to make a required Monthly Loan Deposit, the Local Government's chief financial officer shall notify the Department of such failure. In addition, the Local Government agrees to budget, by amendment if necessary, payment to the Department from other legally available non-ad valorem funds all sums becoming due before the same become delinquent. This requirement shall not be construed to give superiority to the Department's claim on any revenues over prior claims of general creditors of the Local Government, nor shall it be construed to give the Department the power to require the Local Government to levy and collect any revenues other than Pledged Revenues.

3.02. INVESTMENT OF LOAN DEBT SERVICE ACCOUNT MONEYS.

Moneys on deposit in the Loan Debt Service Account shall be invested pursuant to the laws of the State of Florida. Such moneys may be pooled for investment purposes. The maturity or redemption date of investments shall be not later than the date upon which such moneys may be needed to make Semiannual Loan Payments. The investment earnings shall be credited to the Loan Debt Service Account and applied toward the Monthly Loan Deposit requirements.

3.03. LOAN DEBT SERVICE ACCOUNT WITHDRAWALS.

The withdrawal of moneys from the Loan Debt Service Account shall be for the sole purpose of making the Semiannual Loan Payment or for discharging the Local Government's obligations pursuant to Section 8.01.

3.04. ASSETS HELD IN TRUST.

The assets in all accounts created under this Loan Agreement shall be held in trust for the purposes provided herein and used only for the purposes and in the manner prescribed in this Agreement; and, pending such use, said assets shall be subject to a lien and charge in favor of the Department.

ARTICLE IV - PROJECT INFORMATION

4.01. PROJECT CHANGES.

Project changes prior to bid opening shall be made by addendum to plans and specifications. Changes after bid opening shall be made by change order. The Local Government shall submit all addenda and all change orders to the Department for an eligibility determination. After execution of all construction, equipment and materials contracts, the Project contingency may be reduced.

4.02. TITLE TO PROJECT SITE.

The Local Government shall have an interest in real property sufficient for the construction and location of the Project free and clear of liens and encumbrances which would impair the usefulness of such sites for the intended use. The Authorized Representative shall submit a clear site title certification by the date set forth in Section 10.07 of this Agreement.

4.03. PERMITS AND APPROVALS.

The Local Government shall have obtained, prior to the Department's authorization to award construction contracts, all permits and approvals required for construction of the Project or portion of the Project funded under this Agreement.

4.04. ENGINEERING SERVICES.

A professional engineer, registered in the State of Florida, shall be employed by, or under contract with, the Local Government to oversee construction.

4.05. PROHIBITION AGAINST ENCUMBRANCES.

The Local Government is prohibited from selling, leasing, or disposing of any part of the Water or Sewer System which would materially reduce operational integrity or Gross Revenues so long as this Agreement, including any amendment thereto, is in effect unless the written consent of the Department is first secured.

4.06. COMPLETION MONEYS.

In addition to the proceeds of this Loan, the Local Government covenants that it has obtained, or will obtain, sufficient moneys from other sources to complete construction and place the Project in operation on, or prior to, the date specified in Article X. Failure of the Department to approve additional financing shall not constitute a waiver of the Local Government's covenants to complete and place the Project in operation.

4.07. CLOSE-OUT.

The Department shall conduct a final inspection of the Project and Project records. Following the inspection, deadlines for submitting additional disbursement requests, if any, shall be established, along with deadlines for uncompleted Loan requirements, if any. Deadlines shall be incorporated into the Loan Agreement by amendment. The Loan principal shall be reduced by any excess over the amount required to pay all approved costs. As a result of such adjustment, the Semiannual Loan Payment shall be reduced accordingly, as addressed in Section 10.05.

4.08. LOAN DISBURSEMENTS.

Disbursements shall be made only by the State Chief Financial Officer and only when the requests for such disbursements are accompanied by a Department certification that such withdrawals are proper expenditures. Disbursements shall be made directly to the Local

Government for allowance costs and reimbursement of the incurred construction costs and related services. Disbursement of the allowance costs shall be made upon the Department's receipt of a disbursement request form. Up to seventy percent of the estimated allowance shall be disbursed after the Loan Agreement is signed. The remainder of the allowance shall be disbursed after all procurement contracts are executed and shall be adjusted to reflect as-bid costs. The entire estimated allowance may be disbursed after the Loan Agreement is signed if the local government agrees to an allowance adjustment after all contracts have been bid. Disbursements for materials, labor, or services shall be made upon receipt of the following:

(1) A completed disbursement request form signed by the Authorized Representative. Such requests must be accompanied by sufficiently itemized summaries of the materials, labor, or services to identify the nature of the work performed; the cost or charges for such work; and the person providing the service or performing the work.

(2) A certification signed by the Authorized Representative as to the current estimated costs of the Project; that the materials, labor, or services represented by the invoice have been satisfactorily purchased, performed, or received and applied to the project; that all funds received to date have been applied toward completing the Project; and that under the terms and provisions of the contracts, the Local Government is required to make such payments.

(3) A certification by the engineer responsible for overseeing construction stating that equipment, materials, labor and services represented by the construction invoices have been satisfactorily purchased, or received, and applied to the Project in accordance with construction contract documents; stating that payment is in accordance with construction contract provisions; stating that construction, up to the point of the requisition, is in compliance with the contract documents; and identifying all additions or deletions to the Project which have altered the Project's performance standards, scope, or purpose since the issue of the Department construction permit.

(4) Such other certificates or documents by engineers, attorneys, accountants, contractors, or suppliers as may reasonably be required by the Department.

ARTICLE V - RATES AND USE OF THE WATER AND SEWER SYSTEMS

5.01. RATE COVERAGE.

The Local Government shall maintain rates and charges for the services furnished by the Water and Sewer Systems which will be sufficient to provide, in each Fiscal Year, Pledged Revenues equal to or exceeding 1.15 times the sum of the Semiannual Loan Payments due in such Fiscal Year. In addition, the Local Government shall satisfy the coverage requirements of all Senior Revenue Obligations and parity debt obligations.

5.02. NO FREE SERVICE.

The Local Government shall not permit connections to, or furnish any services afforded by, the Water or Sewer System without making a charge therefore based on the Local Government's uniform schedule of rates, fees, and charges.

5.03. MANDATORY CONNECTIONS.

The Local Government shall adopt, as necessary, and enforce requirements, consistent with applicable laws, for the owner, tenant or occupant of each building located on a lot or parcel of land which is served, or may reasonably be served, by the Sewer System to connect such building to the Sewer System.

5.04. NO COMPETING SERVICE.

The Local Government shall not allow any person to provide any services which would compete with the Water or Sewer System so as to adversely affect Gross Revenues.

5.05. MAINTENANCE OF THE WATER AND SEWER SYSTEMS.

The Local Government shall operate and maintain the Water and Sewer Systems in a proper, sound and economical manner and shall make all necessary repairs, renewals and replacements.

5.06. ADDITIONS AND MODIFICATIONS.

The Local Government may make any additions, modifications or improvements to the Water and Sewer Systems which it deems desirable and which do not materially reduce the operational integrity of any part of the Water or Sewer System. All such renewals, replacements, additions, modifications and improvements shall become part of the Water and Sewer Systems.

5.07. COLLECTION OF REVENUES.

The Local Government shall use its best efforts to collect all rates, fees and other charges due to it. The Local Government shall establish liens on premises served by the Water or Sewer System for the amount of all delinquent rates, fees and other charges where such action is permitted by law. The Local Government shall, to the full extent permitted by law, cause to discontinue the services of the Water and Sewer Systems and use its best efforts to shut off water service furnished to persons who are delinquent beyond customary grace periods in the payment of Water and Sewer System rates, fees and other charges.

ARTICLE VI - DEFAULTS AND REMEDIES

6.01. EVENTS OF DEFAULT.

Each of the following events is hereby declared an event of default:

(1) Failure to make any Monthly Loan Deposit or to make any installment of the Semiannual Loan Payment when it is due and such failure shall continue for a period of 30 days.

(2) Except as provided in Subsections 6.01(1) and 6.01(7), failure to comply with the provisions of this Agreement or failure in the performance or observance of any of the covenants or actions required by this Agreement and such failure shall continue for a period of 60 days after written notice thereof to the Local Government by the Department.

(3) Any warranty, representation or other statement by, or on behalf of, the Local Government contained in this Agreement or in any information furnished in compliance with, or in reference to, this Agreement, which is false or misleading.

(4) An order or decree entered, with the acquiescence of the Local Government, appointing a receiver of any part of the Water or Sewer System or Gross Revenues thereof; or if such order or decree, having been entered without the consent or acquiescence of the Local Government, shall not be vacated or discharged or stayed on appeal within 60 days after the entry thereof.

(5) Any proceeding instituted, with the acquiescence of the Local Government, for the purpose of effecting a composition between the Local Government and its creditors or for the purpose of adjusting the claims of such creditors, pursuant to any federal or state statute now or hereafter enacted, if the claims of such creditors are payable from Gross Revenues of the Water or Sewer System.

(6) Any bankruptcy, insolvency or other similar proceeding instituted by, or against, the Local Government under federal or state bankruptcy or insolvency law now or hereafter in effect and, if instituted against the Local Government, is not dismissed within 60 days after filing.

(7) Failure of the Local Government to give immediate written notice of default to the Department and such failure shall continue for a period of 30 days.

6.02. REMEDIES.

Upon any event of default and subject to the rights of others having prior liens on the Pledged Revenues, the Department may enforce its rights by any of the following remedies:

(1) By mandamus or other proceeding at law or in equity, cause to establish rates and collect fees and charges for use of the Water and Sewer Systems, and to require the Local Government to fulfill this Agreement.

(2) By action or suit in equity, require the Local Government to account for all moneys received from the Department or from the ownership of the Water and Sewer Systems and to account for the receipt, use, application, or disposition of the Pledged Revenues.

(3) By action or suit in equity, enjoin any acts or things which may be unlawful or in violation of the rights of the Department.

(4) By applying to a court of competent jurisdiction, cause to appoint a receiver to manage the Water and Sewer Systems, establish and collect fees and charges, and apply the revenues to the reduction of the obligations under this Agreement.

(5) By certifying to the Auditor General and the Chief Financial Officer delinquency on loan repayments, the Department may intercept the delinquent amount plus a penalty from any unobligated funds due to the Local Government under any revenue or tax sharing fund established by the State, except as otherwise provided by the State Constitution. The Department may impose a penalty in an amount not to exceed an interest rate of 18 percent per annum on the

amount due in addition to charging the cost to handle and process the debt. Penalty interest shall accrue on any amount due and payable beginning on the 30th day following the date upon which payment is due.

(6) By notifying financial market credit rating agencies and potential creditors.

(7) By suing for payment of amounts due, or becoming due, with interest on overdue payments together with all costs of collection, including attorneys' fees.

(8) By accelerating the repayment schedule or increasing the Financing Rate on the unpaid principal of the Loan to as much as 1.667 times the Financing Rate for a default under Subsection 6.01(1).

6.03. DELAY AND WAIVER.

No delay or omission by the Department to exercise any right or power accruing upon event of default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised as often as may be deemed expedient. No waiver or any default under this Agreement shall extend to or affect any subsequent event of default, whether of the same or different provision of this Agreement, or shall impair consequent rights or remedies.

ARTICLE VII - THE PLEDGED REVENUES

7.01. SUPERIORITY OF THE PLEDGE TO THE DEPARTMENT.

From and after the effective date of this Agreement, the Department shall have a lien on the Pledged Revenues, which along with any other Department State Revolving Fund liens on the Pledged Revenues, on equal priority, will be prior and superior to any other lien, pledge or assignment with the following exception. All obligations of the Local Government under this Agreement shall be junior, inferior, and subordinate in all respects in right of payment and security to the Senior Revenue Obligations defined in Section 1.01 of this Agreement and to any additional senior obligations issued with the Department's consent pursuant to Section 7.02. Any of the Pledged Revenues may be released from the lien on such Pledged Revenues in favor of the Department if the Department makes a determination, based upon facts deemed sufficient by the Department, that the remaining Pledged Revenues will, in each Fiscal Year, equal or exceed 1.15 times the debt service coming due in each Fiscal Year under the terms of this Agreement.

7.02. ADDITIONAL DEBT OBLIGATIONS.

The Local Government may issue additional debt obligations on a parity with, or senior to, the lien of the Department on the Pledged Revenues provided the Department's written consent is obtained. Such consent shall be granted if the Local Government demonstrates at the time of such issuance that the Pledged Revenues, which may take into account reasonable projections of growth of the Water and Sewer Systems and revenue increases, plus revenues to be pledged to the additional proposed debt obligations will, during the period of time Semiannual Loan Payments are to be made under this Agreement, equal or exceed 1.15 times the annual

combined debt service requirements of this Agreement and the obligations proposed to be issued by the Local Government and will satisfy the coverage requirements of all other debt obligations secured by the Pledged Revenues.

ARTICLE VIII - GENERAL PROVISIONS

8.01. DISCHARGE OF OBLIGATIONS.

All payments required to be made under this Agreement shall be cumulative and any deficiencies in any Fiscal Year shall be added to the payments due in the succeeding year and all years thereafter until fully paid. Payments shall continue to be secured by this Agreement until all of the payments required shall be fully paid to the Department. If at any time the Local Government shall have paid, or shall have made provision for the timely payment of, the entire principal amount of the Loan, and as applicable, Loan Service Fee, interest, and Grant Allocation Assessment charges, the pledge of, and lien on, the Pledged Revenues to the Department shall be no longer in effect. Deposit of sufficient cash, securities, or investments, authorized by law, from time to time, may be made to effect defeasance of this Loan. However, the deposit shall be made in irrevocable trust with a banking institution or trust company for the sole benefit of the Department. There shall be no penalty imposed by the Department for early retirement of this Loan.

8.02. PROJECT RECORDS AND STATEMENTS.

Books, records, reports, engineering documents, contract documents, and papers shall be available to the authorized representatives of the Department for inspection at any reasonable time after the Local Government has received a disbursement and until five years after the date that the Project-specific audit report, required under Subsection 2.03(4), is issued.

8.03. ACCESS TO PROJECT SITE.

The Local Government shall provide access to Project sites and administrative offices to authorized representatives of the Department at any reasonable time. The Local Government shall cause its engineers and contractors to cooperate during Project inspections, including making available working copies of plans and specifications and supplementary materials.

8.04. ASSIGNMENT OF RIGHTS UNDER AGREEMENT.

The Department may assign any part of its rights under this Agreement after notification to the Local Government. The Local Government shall not assign rights created by this Agreement without the written consent of the Department.

8.05. AMENDMENT OF AGREEMENT.

This Agreement may be amended in writing, except that no amendment shall be permitted which is inconsistent with statutes, rules, regulations, executive orders, or written agreements between the Department and the U.S. Environmental Protection Agency. This Agreement may be amended after all construction contracts are executed to re-establish the Project cost, Loan amount, Project schedule, and Semiannual Loan Payment amount. A final

amendment establishing the final Project costs and the Loan Service Fee based on actual Project costs shall be completed after the Department's final inspection of the Project records.

8.06. ANNULMENT OF AGREEMENT.

The Department may unilaterally annul this Agreement if the Local Government has not drawn any of the Loan proceeds by the date set in Section 10.07 for establishing the Loan Debt Service Account. If the Department unilaterally annuls this Agreement, the Department will provide written notification to the Local Government.

8.07. SEVERABILITY CLAUSE.

If any provision of this Agreement shall be held invalid or unenforceable, the remaining provisions shall be construed and enforced as if such invalid or unenforceable provision had not been contained herein.

8.08. USE AS MATCHING FUNDS.

The U.S. Environmental Protection Agency has provided a class deviation from the provisions of 40 CFR 35.3125(b)(1) to allow these second tier funds to be used as local matching requirements for most EPA grant funded treatment works projects, including special Appropriations Act projects.

8.09. COMPLIANCE VERIFICATION.

(1) The Local Government shall periodically interview 10% of the work force entitled to Davis-Bacon prevailing wages (covered employees) to verify that contractors or subcontractors are paying the appropriate wage rates. Local Governments shall immediately conduct interviews in response to an alleged violation of the prevailing wage requirements. As provided in 29 CFR 5.6(a)(5) all interviews must be conducted in confidence. The Local Government must use Standard Form 1445 or equivalent documentation to memorialize the interviews. Copies of the SF 1445 are available from EPA on request.

(2) The Local Government shall periodically conduct spot checks of a representative sample of weekly payroll data to verify that contractors or subcontractors are paying the appropriate wage rates. The Local Government shall establish and follow a spot check schedule based on its assessment of the risks of noncompliance with Davis-Bacon posed by contractors or subcontractors and the duration of the contract or subcontract. At a minimum, if practicable, the subrecipient should spot check payroll data within two weeks of each contractor or subcontractor's submission of its initial payroll data and two weeks prior to the completion date of the contract or subcontract. Local Governments must conduct more frequent spot checks if the initial spot check or other information indicates that there is a risk that the contractor or subcontractor is not complying with Davis-Bacon. In addition, during the examinations the Local Government shall verify evidence of fringe benefit plans and payments thereunder by contractors and subcontractors who claim credit for fringe benefit contributions.

(3) The Local Government shall periodically review contractors and subcontractors use of apprentices and trainees to verify registration and certification with respect to apprenticeship

and training programs approved by either the U.S Department of Labor (DOL) or a state, as appropriate, and that contractors and subcontractors are not using disproportionate numbers of laborers, trainees, and apprentices. These reviews shall be conducted in accordance with the schedules for spot checks and interviews described in items (1) and (2) above.

(4) Local Governments must immediately report potential violations of the Davis-Bacon prevailing wage requirements to the EPA Davis-Bacon contact Sheryl Parsons at Parsons.Sheryl@epamail.epa.gov and to the appropriate DOL Wage and Hour District Office listed at <http://www.dol.gov/whd/america2.htm>.

ARTICLE IX - CONSTRUCTION CONTRACTS AND INSURANCE

9.01. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACTS.

The following documentation is required to receive the Department's authorization to award construction contracts:

- (1) Proof of advertising.
- (2) Award recommendation, bid proposal, and bid tabulation (certified by the responsible engineer).
- (3) Certification of compliance with the conditions of the Department's approval of competitively or non-competitively negotiated procurement, if applicable.
- (4) Certification Regarding Disbarment, Suspension, Ineligibility and Voluntary Exclusion.
- (5) Assurance that the Local Government and contractors are in compliance with Section 1606 with labor standards, including prevailing wage rates established for its locality by the U.S. Department of Labor under the Davis-Bacon Act for Project construction.

9.02. SUBMITTAL OF CONSTRUCTION CONTRACT DOCUMENTS.

After the Department's authorization to award construction contracts has been received, the Local Government shall submit:

- (1) Contractor insurance certifications.
- (2) Executed Contract(s).
- (3) Notices to proceed with construction.

9.03. INSURANCE REQUIRED.

The Local Government shall cause the Project, as each part thereof is certified by the engineer responsible for overseeing construction as completed, and the Water and Sewer Systems (hereafter referred to as "Revenue Producing Facilities") to be insured by an insurance

company or companies licensed to do business in the State of Florida against such damage and destruction risks as are customary for the operation of Revenue Producing Facilities of like size, type and location to the extent such insurance is obtainable from time to time against any one or more of such risks.

The proceeds of insurance policies received as a result of damage to, or destruction of, the Project or the other Revenue Producing Facilities, shall be used to restore or replace damaged portions of the facilities. If such proceeds are insufficient, the Local Government shall provide additional funds to restore or replace the damaged portions of the facilities. Repair, construction or replacement shall be promptly completed.

ARTICLE X - DETAILS OF FINANCING

10.01. PRINCIPAL AMOUNT OF LOAN.

The estimated principal amount of the Loan is \$6,046,751, which consists of \$5,932,251 to be disbursed to the Local Government and \$114,500 of Capitalized Interest.

Capitalized Interest is not disbursed to the Local Government, but is amortized via periodic Loan repayments to the Department as if it were actually disbursed. Capitalized Interest is computed at the Financing Rate, or rates, set for the Loan. It accrues and is compounded annually from the time when disbursements are made until six months before the first Semiannual Loan Payment is due. Capitalized Interest is estimated prior to establishing the schedule of actual disbursements.

10.02. LOAN SERVICE FEE.

The Loan Service Fee is estimated as \$118,645 for the Loan amount authorized to date. The fee represents two percent of the Loan amount excluding Capitalized Interest amount; that is, two percent of \$5,932,251. The Loan Service Fee is estimated at the time of execution of the loan agreement and shall be revised with any increase or decrease amendment. The Loan Service Fee is based on actual Project costs and assessed in the final loan amendment. The Local Government shall pay the Loan Service Fee from the first available repayment(s) following the final amendment.

Capitalized Interest is computed on the assessed Loan Service Fee at the Financing Rate, or rates and included in the final amendment. It accrues and is compounded annually from the final amendment date until six months before the first Semiannual Loan Payment is due.

10.03. FINANCING RATE.

The Financing Rate on the unpaid principal of the Loan amount specified in Section 10.01 is 1.82 percent per annum. The Financing Rate equals the sum of the interest rate and the Grant Allocation Assessment Rate. The interest rate is .91 percent per annum and the Grant Allocation Assessment rate is .91 percent per annum. However, if this Agreement is not executed by the Local Government and returned to the Department before October 1, 2014 the Financing Rate may be adjusted. A new Financing Rate shall be established for any funds provided by amendment to this Agreement.

10.04. LOAN TERM.

The Loan shall be repaid in 40 Semiannual Loan Payments.

10.05. REPAYMENT SCHEDULE.

The Semiannual Loan Payment shall be computed based upon the principal amount of the Loan plus the estimated Loan Service Fee and the principle of level debt service. The Semiannual Loan Payment amount may be adjusted, by amendment of this Agreement, based upon revised information. After the final disbursement of Loan proceeds, the Semiannual Loan Payment shall be based upon the actual Project costs, the actual Loan Service Fee and Loan Service Fee capitalized interest, if any, and actual dates and amounts of disbursements, taking into consideration any previous payments. Actual Project costs shall be established after the Department's inspection of the completed Project and associated records. The Department will deduct the Loan Service Fee and any associated interest from the first available repayments following the final amendment.

Each Semiannual Loan Payment shall be in the amount of \$184,578 until the payment amount is adjusted by amendment. The interest and Grant Allocation Assessment portions of each Semiannual Loan Payment shall be computed, using their respective rates, on the unpaid balance of the principal amount of the Loan, which includes Capitalized Interest. Interest (at the Financing Rate) also shall be computed on the estimated Loan Service Fee. The interest and Grant Allocation Assessment on the unpaid balance shall be computed as of the due date of each Semiannual Loan Payment.

Semiannual Loan Payments shall be received by the Department beginning on February 15, 2017 and semiannually thereafter on August 15 and February 15 of each year until all amounts due hereunder have been fully paid. Funds transfer shall be made by electronic means.

The Semiannual Loan Payment amount is based on the total amount owed of \$6,165,396, which consists of the Loan principal and the estimated Loan Service Fee.

10.06. PROJECT COSTS.

The Local Government and the Department acknowledge that the actual Project costs have not been determined as of the effective date of this Agreement. Project cost adjustments may be made as a result of construction bidding or mutually agreed upon Project changes. Capitalized Interest will be recalculated based on actual dates and amounts of Loan disbursements. If the Local Government receives other governmental financial assistance for this Project, the costs funded by such other governmental assistance will not be financed by this Loan. The Department shall establish the final Project costs after its final inspection of the Project records. Changes in Project costs may also occur as a result of the Local Government's Project audit or a Department audit. The Local Government agrees to the following estimates of Project costs:

PROJECT COSTS

CATEGORY	COST(\$)
Allowance costs	457,251
Construction and Demolition	4,750,000
Contingencies	475,000
Technical Services After Bid Opening	250,000
SUBTOTAL (Disbursable Amount)	5,932,251
Capitalized Interest	114,500
TOTAL (Loan Principal Amount)	6,046,751

10.07. SCHEDULE.

The Local Government agrees by execution hereof:

- (1) Completion of Project construction is scheduled for August 15, 2016.
- (2) The Loan Debt Service Account shall be established and Monthly Loan Deposits shall begin no later than August 15, 2016.
- (3) A clear site title certification shall be submitted no later than August 15, 2016.
- (4) The initial annual certification required under Subsection 2.01(10) of this Agreement shall be due November 15, 2016. Thereafter the certification shall be submitted no later than September 30 of each year until the final Semiannual Loan Payment is made.
- (5) The first Semiannual Loan Payment in the amount of \$184,578 shall be due February 15, 2017.

10.08. SPECIAL CONDITION.

Before any funds are released, the Local Government shall submit a signed application by the Mayor or authorization that the City Manager is authorized to sign the application.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

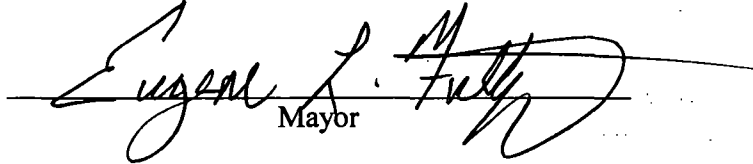
ARTICLE XI - EXECUTION OF AGREEMENT

This Loan Agreement WW530310 shall be executed in three or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

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

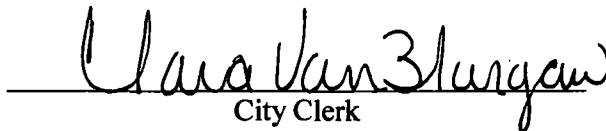
for

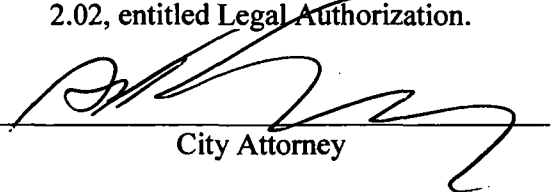
CITY OF LAKE WALES


Mayor

I attest to the opinion expressed in Section
2.02, entitled Legal Authorization.

Attest:

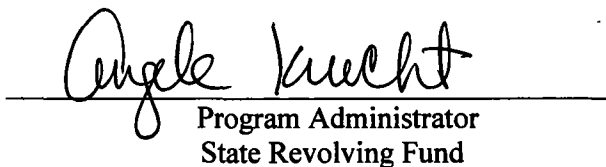

City Clerk


City Attorney

SEAL

for

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**


Program Administrator
State Revolving Fund

JUL 18 2014

Date

Clean Water SRF Encumbrance Information

Project Sponsor: Lake Wales
Project Funding Number: 530310 **Amendment #:** 0
Flair Contract Number: Y0236
Award Date: 07/18/2014

Principal Forgiveness Amount: \$0.00

Loan Amount: \$5,932,251.00

Total Amount: \$5,932,251.00

Principal Forgiveness Portion

Organization	EO	Object	Fund	Category	Grant	FY	Amount
37352010000	WB	790044	661001	140131	CWSRF	2014	\$0.00

Loan Portion

Organization	EO	Object	Fund	Category	Grant	FY	Amount
37352010000	WB	790042	661001	140131	CWSRF	2014	\$5,932,251.00

FEIN: 59-6000357 **Seq No:** 001

☐ Mail ☒ EFT

DisbTo: City of Lake Wales
PO BOX 1320
Lake Wales, FL 33859

14 April 2016

Ms. Sarah Kirkland
Public Works Director
CITY OF LAKE WALES
201 West Central Avenue Lake
Wales, Florida 33853

Subject | CDBG Project Description

Project | Sewer Line Replacement Project Phase 3
City of Lake Wales

Envisors No. | WAL51501

Dear Ms. Kirkland:

Envisors, a Pennoni Company (Envisors) is pleased to submit to the City of Lake Wales the following project description for use with the City's CDBG Application.

Project Overview:

The City is in the process of implementing a multi-phase project that will replace substandard gravity sanitary sewer system lines with more durable and reliable PVC pipe.

Phase 1, which was completed in early 2015, replaced the sewer main on Dr. J.A. Wiltshire Avenue, Dorsett Avenue, and in the vicinity of Booker Avenue and also rehabilitated Wastewater Lift Station No. 16 (Figure 1). Phase 1 was funded by a combination of CDBG and City funds.

Phase 2, which is currently under construction, involves the replacement of substandard sewer lines in the area that is generally bounded by C Street to the east, G Street to the west, Dr. J.A. Wiltshire to the south and Florida Avenue to the north (Figure 1). Phase 2 is being funded by the FDEP State Revolving Fund (SRF) program.

The final phase of the project, Phase 3, will involve the replacement of substandard sewer lines on Carver Drive and Crescent Circle and in the area north of Dr. J.A. Wiltshire Avenue between A Street and C Street (Figure 1). Phase 3 is anticipated to be funded by a combination of CDBG and SRF funds. It is our understanding that the CDBG application will request funds that are allocated to the State of Florida from the FFY 2015 CDBG program year. Since the project is already designed, the project may be bid after all of the required CDBG approvals have been obtained.]

Phase 3 Project Description:

As the City's engineering consultant, Envisors, has designed and has permitted a replacement sewer system for the entire area described above. Phase 3 will include the replacement of

existing substandard vitrified clay pipe gravity sanitary sewer system sewer lines with a new PVC sanitary sewer lines. However, the CDBG Project (Phase 3) as proposed will only involve constructing approximately 5,400 LF of 8-inch gravity sewer with associated manholes. Funding for Phase 3 is anticipated to be accomplished using a combination of currently available SRF funds and proposed CDBG funding. The limits of this project are illustrated on the attached project area map (Figure 1). The map shows that Phase 3 is divided into two service areas. Service Area "A" includes Carver Drive and Crescent Circle, and Service Area "B" includes the area north of Dr. J.A. Wiltshire Avenue between A Street and C Street.

The sewer system upgrades are designed in accordance with current City of Lake Wales and industry standards including minimum pipe slopes and minimum pipe cover to improve the level of service within the project area. The proposed sewer improvements include sewer pipes designed to be generally laid with steeper grades and at lower elevations compared to the existing system.

The design location of the proposed sewer system throughout the project area is in most cases parallel and directly adjacent to the existing sewer system. This route was determined to be the apparent most cost effective design scenario to replace the sewer system in the project area. All sewer line improvements will be located in existing public right of way or in previously properly acquired easements.

The contractor's scope of work for the CDBG project will be to furnish all labor, materials, equipment, management, administration, supervision, insurance coverage, and any other facilities and services necessary to successfully construct, start-up, and warranty the completed project. The major items of construction are summarized below:

- 1) Construct approximately 5,400 feet of 8-inch gravity PVC sanitary sewer pipe;
- 2) Construct 27 sanitary sewer manholes.
- 3) Provide the City with insurance, guarantees, lien releases, as-built drawings, etc.; and
- 4) Warranty the completed project for one (1) year and provide services as required during the one (1) year warranty period.

Project Cost Estimate and Phasing:

The engineer's opinion of probable cost for the proposed CDBG project is based on sewer construction projects that we are familiar with including the recently completed Phase 1 of the project (Table 1).

Unaddressed Needs: Unaddressed needs include the remainder Phase 3 of the project not funded by CDBG funds.

Ms. Sarah Kirkland
14 April 2016
Page 3

Please feel free to call us if you have any questions. We sincerely appreciate the opportunity to assist the City of Lake Wales with this important Project.

Sincerely,
ENVISORS, a Pennoni Company


Roger L. Homann
Project Manager

TABLE 1

CDBG PHASE 3 SEWER FACILITIES IMPROVEMENT PROJECT

CITY OF LAKE WALES

OPINION OF PROBABLE COST*

Carver Drive Area (Area "A")

Item No.	Item	Unit	Estimated Quantity	Unit Cost	Total
1.0	Mobilization	LS	1	\$ 45,000.00	\$ 45,000.00
2.0	8" PVC Sewer Lines (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	LF	2,283	\$ 208.00	\$ 474,864.00
3.0	Sanitary Manholes (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	13	\$ 5,520.00	\$ 71,760.00
4.0	Manhole Abandonment in accordance with Construction plans	EA	14	\$ 1,261.00	\$ 17,654.00
5.0	Single Service Lateral Connections - (4") Same side of Existing Connection (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	5	\$ 1,052.00	\$ 5,260.00
6.0	Double Service Lateral Connections - (4") Same side of Existing Connection (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	26	\$ 1,400.00	\$ 36,400.00
7.0	New Single Sewer Service at Vacant Lot Location	EA	2	\$ 897.00	\$ 1,794.00
8.0	New Double Sewer Service at Vacant Lot Location	EA	2	\$ 1,119.00	\$ 2,238.00
Total					\$654,970.00

*Because Envisors has no control over the cost of labor, materials, equipment, or services furnished by contractors; methods of determining prices; competitive bidding; nor economic market conditions, any opinions of construction and material costs are made on the basis of past experience and represent Envisors' best judgment as experienced and qualified professional engineers familiar with the construction industry. Envisors cannot guarantee that proposals, bids, or actual costs will not vary from our opinion of probable costs. If at any time the City of Lake Wales desires greater assurance as to the probable costs, an independent cost estimator can be retained to develop a detailed cost estimate.

TABLE 1 (Continued)
CDBG PHASE 3 SEWER FACILITIES IMPROVEMENT PROJECT
CITY OF LAKE WALES
OPINION OF PROBABLE COST*

Area Between A and C Streets (Area "B")

Item No.	Item	Unit	Estimated Quantity	Unit Cost	Total
1.0	Mobilization	LS	1	\$ 45,000.00	\$ 45,000.00
2.0	8" PVC Sewer Lines (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	LF	3,075	\$ 208.00	\$ 639,600.00
3.0	Sanitary Manholes (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	14	\$ 5,520.00	\$ 77,280.00
4.0	Manhole Abandonment in accordance with Construction plans	EA	10	\$ 1,261.00	\$ 12,610.00
5.0	Single Service Lateral Connections - (4") Same side of Existing Connection (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	21	\$ 1,052.00	\$ 22,092.00
6.0	Double Service Lateral Connections - (4") Same side of Existing Connection (Includes installation, dewatering, testing, site restoration to preconstruction conditions, etc.)	EA	13	\$ 1,400.00	\$ 18,200.00
7.0	New Single Sewer Service at Vacant Lot Location	EA	20	\$ 897.00	\$ 17,940.00
8.0	New Double Sewer Service at Vacant Lot Location	EA	8	\$ 1,119.00	\$ 8,952.00
Total					\$841,674.00

*Because Envisors has no control over the cost of labor, materials, equipment, or services furnished by contractors; methods of determining prices; competitive bidding; nor economic market conditions, any opinions of construction and material costs are made on the basis of past experience and represent Envisors' best judgment as experienced and qualified professional engineers familiar with the construction industry. Envisors cannot guarantee that proposals, bids, or actual costs will not vary from our opinion of probable costs. If at any time the City of Lake Wales desires greater assurance as to the probable costs, an independent cost estimator can be retained to develop a detailed cost estimate.

Appendix F

Grant Application Preparation

NA

Appendix G

Readiness to Proceed Documentation

14 April 2016

Mr. Eugene Fultz, Mayor
CITY OF LAKE WALES
201 West Central Avenue
Lake Wales, Florida 33853

Subject		Engineer's Certification for the City of Lake Wales Regarding the FFY 2015 CDBG Grant Application
Project		Sewer Line Replacement Project Phase 3
Envisors No.		WALS1501

Dear Mr. Fultz:

Please accept this certification that plans and specifications for the proposed CDBG funded Sewer Line Replacement Project Phase 3 have been completed and the required permit has been obtained for the proposed Project. Specifically, please note that:

1. The signed, sealed and dated plans and specifications were completed on 11 June 2015.
2. The bid documentation including the plans and specifications provided with the CDBG application contains all of the information that a contractor would need to bid on the project except for the Davis-Bacon wage decision(s) and the CDBG Supplemental Conditions.
3. The only permit that is required to begin construction on the infrastructure activities included in the CDBG Application is a General Permit for the Construction of a Domestic Wastewater Collection/Transmission System from the Florida Department of Environmental Protection, which has been obtained.
4. A copy of the obtained FDEP permit is attached.

Please feel free to call us if you have any questions. We sincerely appreciate the opportunity to assist the City of Lake Wales with this important Project.

Sincerely,
ENVISORS, a Pennoni Company



Steven L. Elias, P.E.
Division Manager



Roger L. Homann
Project Manager

ATTACHMENT

**General Permit for the Construction of a Domestic Wastewater
Collection/Transmission System**



FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

September 8, 2011

Herschel T. Vinyard Jr.
Secretary

Thomas J. Moran, P. E.
Public Works Director
City of Lake Wales
201 W. Central Avenue
Lake Wales, FL 33853
tmoran@cityoflakewales.com

Re: General Permit for Construction of a Domestic Wastewater Collection/Transmission System
Project: Lake Wales Lift Station No. 16 Service Area Sewer Replacement
FDEP Permit No.: CS53-0036002-085-DWC/CG
County: Polk

Dear Mr. Moran:

The Department has received your Notice of Intent to Use the General Permit to construct a domestic wastewater collection/transmission system to replace an existing clay pipe gravity sewer system and a lift station. Construction includes installation of 22,300 LF of 8-inch, 310 LF of 10-inch, and 2,400 LF of 18-inch PVC sanitary sewer gravity pipe. No additional flow will be treated at the City of Lake Wales Wastewater Treatment Facility. The Department received this Notice on August 15, 2011.

The Department has no objection to your use of a General Permit for the construction of a collection/transmission system that has been designed in accordance with the standards and criteria set forth in Rule 62-604.400, Florida Administrative Code (FAC). In accordance with Rules 62-4.530(1) and 62-604.600(6)(a)1., FAC, construction of this project shall not begin until at least 30 days after the receipt date (referenced above) of Application Form 62-604.300(8)(a). All General Permits are subject to the general conditions of Rule 62-4.540, FAC, (attached), and Rules 62-604.600 and 62-604.700, FAC. The construction activity must conform to the description contained in your Notice of Intent to Use the General Permit. Any deviation will subject the permittee to enforcement action and possible penalties.

If you have any questions, you may contact Patricia León at (813) 632-7600, extension 315 or via email at patricia.leon@dep.state.fl.us.

Sincerely,

Isabel King, P.E.
Permitting Supervisor
Domestic Wastewater Section

IK/pl

Attachments: General Conditions
Location of Public Water System Mains

cc: Steven L. Elias, P.E., Envisors, LLC, selias@envisors.com
Robert Garcia, P.E., JH Ham Engineering, garciape@jhameng.com

62-4.540 General Conditions for All General Permits.

(1) The terms, conditions, requirements, limitations, and restrictions set forth in this Part are "general permit conditions" and are binding upon the permittee. The conditions are enforceable under Chapter 403, F.S.

(2) The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit. The permittee is placed on notice that violation of the permit may result in suspension or revocation of the permittee's use of the general permit and may cause the Department to begin legal proceedings.

(3) The general permit does not convey any vested rights or any exclusive privileges. It does not authorize any injury to public or private property nor any invasion of personal rights. It does not authorize any infringement of federal, state or local laws or regulations. It does not eliminate the necessity for obtaining any other federal, state or local permits that may be required, or allow the permittee to violate any more stringent standards established by federal or local law.

(4) The general permit does not relieve the permittee from liability and penalties when the construction or operation of the permitted activity causes harm or injury to human health or welfare; causes harm or injury to animal, plant or aquatic life; or causes harm or injury to property. It does not allow the permittee to cause pollution in contravention of Florida Statutes and Department rules.

(5) The general permit conveys no title to land or water, nor does it constitute State recognition or acknowledgment of title. It does not constitute authority for reclamation of submerged lands. Only the Board of Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

(6) No general permit shall authorize the use of state owned land without the prior consent of the Board of Trustees of the Internal Improvement Trust Fund pursuant to Section 253.77, F.S.

(7) The general permit may be modified, suspended or revoked in accordance with Chapter 120, Florida Statutes, if the Secretary determines that there has been a violation of any of the terms or conditions of the permit, there has been a violation of state water quality standards or state air quality standards, or the permittee has submitted false, incomplete or inaccurate data or information.

(8) The general permit shall not be transferred to a third party except pursuant to Fla. Admin. Code Rule 62-4.120.

(9) The general permit authorizes construction and where applicable operation of the permitted facility.

(10) The permittee agrees in using the general permit to make every reasonable effort to conduct the specific activity or construction authorized by the general permit in a manner that will minimize any adverse effects on adjacent property or on public use of the adjacent property, where applicable, and on the environment, including fish, wildlife, natural resources of the area, water quality or air quality.

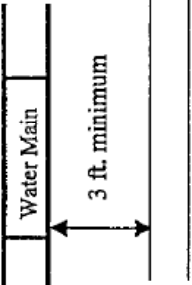
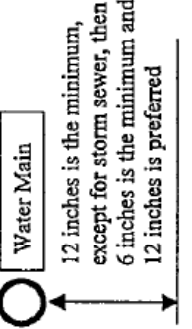
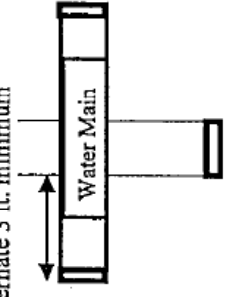
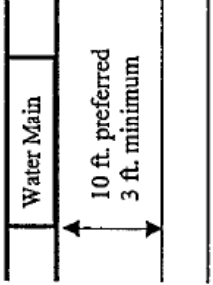
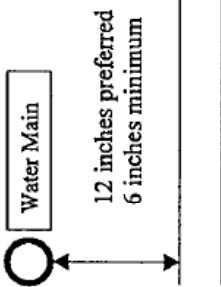
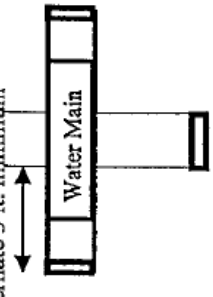
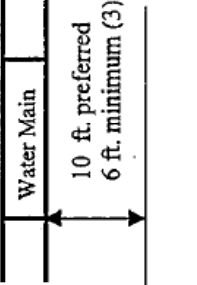
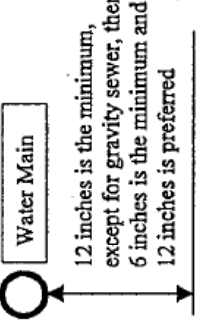
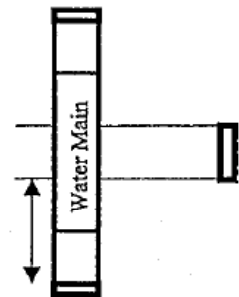
(11) The permittee agrees in using the general permit to allow a duly authorized representative of the Department access to the permitted facility or activity at reasonable times to inspect and test upon presentation of credentials or other documents as may be required by law to determine compliance with the permit and the Department rules.

(12) The permittee agrees to maintain any permitted facility, or activity in good condition and in accordance with the plans submitted to the department under Rule 62-4.530(1).

(13) A permittee's use of a general permit is limited to five years. However, the permittee may request continued use of the general permit by notifying the Department pursuant to Rule 62-4.530(1). However, the permittee shall give notice of continued use of a general permit thirty days before it expires.

Specific Authority 403.814(1) FS. Law Implemented 253.123, 253.124, 403.061, 403.087, 403.088, 403.702-403.73, 403.814, 403.851-403.864 FS. History - New 7-8-82, Formerly 17-5.54, Amended 8-31-88, Formerly 17-4.540.

LOCATION OF PUBLIC WATER SYSEYEM MAINS IN ACCORDANCE WITH F.A.C. RULE 62-555.314

Other Pipe	Horizontal Separation	Crossings (1)	Joint Spacing @ Crossings (Full Joint Centered)
Storm Sewer, Stormwater Force Main, Reclaimed Water (2)	 <p>Water Main</p> <p>3 ft. minimum</p>	 <p>Water Main</p> <p>12 inches is the minimum, except for storm sewer, then 6 inches is the minimum and 12 inches is preferred</p>	 <p>Water Main</p> <p>Alternate 3 ft. minimum</p>
Vacuum Sanitary Sewer	 <p>Water Main</p> <p>10 ft. preferred 3 ft. minimum</p>	 <p>Water Main</p> <p>12 inches preferred 6 inches minimum</p>	 <p>Water Main</p> <p>Alternate 3 ft. minimum</p>
Gravity or Pressure Sanitary Sewer, Sanitary Sewer Force Main, Reclaimed Water (4)	 <p>Water Main</p> <p>10 ft. preferred 6 ft. minimum (3)</p>	 <p>Water Main</p> <p>12 inches is the minimum, except for gravity sewer, then 6 inches is the minimum and 12 inches is preferred</p>	 <p>Water Main</p> <p>Alternate 6 ft. minimum</p>
On-Site Sewage Treatment & Disposal System	10 ft. minimum	---	---

- (1) Water main should cross above other pipe. When water main must be below other pipe, the minimum separation is 12 inches.
 (2) Reclaimed water regulated under Part III of Chapter 62-610, F.A.C.
 (3) 3 ft. for gravity sanitary sewer where the bottom of the water main is laid at least 6 inches above the top of the gravity sanitary sewer.
 (4) Reclaimed water not regulated under Part III of Chapter 62-610, F.A.C.

Disclaimer - This document is provided for your convenience only. Please refer to F.A.C. Rule 62-555.314 for additional construction requirements.

Appendix H

VLI/LMI Worksheets or Census Data and/or Census Maps

LMI Benefit

VLI-LMI WORKSHEETS

Over 51% of the people that will benefit from CDBG funds are classified by HUD as low to moderate (LMI) income persons. Therefore, the national objective to be met by this project is “benefit to low and moderate income persons”.

Service Areas 3 and 3A Combined						
Service Areas 3 and 3A Combined				Persons	Number	Percent
Category		Number	percent	VLI+LMI+LMI	189	79.75%
(50-80%)	Mod - LMI per	46	19.41%	abv	48	20.25%
(30-50%)	Low LMI per	55	23.21%	total	237	100.00%
(less 30%)	VLI person	88	37.13%			
(over 80%)	Abv	48	20.25%	Households	Number	Percent
	Total	237	100.00%	VLI+LMI+LMI	73	78.49%
				abv	20	21.51%
				total	93	100.00%
Service Area 3A						
Service Area 3A				Persons	Number	Percent
Category		Number	percent	VLI+LMI+LMI	95	73.64%
(50-80%)	Mod - LMI per	30	23.26%	abv	34	26.36%
(30-50%)	Low LMI per	33	25.58%	total	129	100.00%
(less 30%)	VLI person	32	24.81%			
(over 80%)	Abv	34	26.36%	Households	Number	Percent
	Total	129	100.00%	VLI+LMI+LMI	37	71.15%
				abv	15	28.85%
				total	52	100.00%
Service Area 3						
Service Area 3				Persons	Number	Percent
Category		Number	percent	VLI+LMI+LMI	94	87.04%
(50-80%)	Mod - LMI per	16	14.81%	abv	14	12.96%
(30-50%)	Low LMI per	22	20.37%	total	108	100.00%
(less 30%)	VLI person	56	51.85%			
(over 80%)	Abv	14	12.96%	Households	Number	Percent
	Total	108	100.00%	VLI+LMI+LMI	36	87.80%
				abv	5	12.20%
				total	41	100.00%

Appendix I

Health and Safety Impact Documentation

NA

Appendix J

***Joint Agreements, Contingency Funding
and/or Interlocal Agreements***

NA

Appendix K

Housing Assistance Plan

NA

Appendix L

Historic Preservation

NA

Appendix M

Special Designation Documentation

NA

Appendix N

Economic Development Documentation

NA

Appendix O

***Other Community Development Activities
(CR)***

NA

Appendix P

Demolition Documentation (CR)

NA

Appendix Q

***Minority Contracting and Fair Housing
Score Documentation***

MEMORANDUM

FEBRUARY 1, 2016

TO: Honorable Mayor and City Commission
VIA: Kenneth Fields, City Manager
FROM: Jennifer Nanek, Assistant to the City Manager
RE: Fair Housing Public Hearing

SYNOPSIS

As part of the CDBG requirements the City must hold a public meeting to provide information about fair housing regulations and practices to the general public and elected officials.

RECOMMENDATION

Staff recommends that a brief presentation be given by Andy Easton, the City's grant consultant, about fair housing regulations and practices to the general public and elected officials.

BACKGROUND

The purpose of this meeting is to provide information about fair housing regulations and practices to the General Public and Elected Officials. Attendees are asked to sign an attendance sheet for this meeting. This meeting will provide an overview of the Fair Housing Act, provide examples of housing discrimination and will describe information sources to learn more about fair houses. Training materials will be available to the public.

OTHER OPTIONS

Do not hold public hearing

FISCAL IMPACT

None.

ATTACHMENTS

Fair Housing Workshop training materials.

AFFIDAVIT OF PUBLICATION

NEWS CHIEF

Lakeland, Polk County, Florida

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Michelle Reece who on oath says that she is an Account Executive for Advertising at The Ledger, the owner of the News Chief, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

PUBLIC NOTICE

In the matter of FAIR HOUSING

Concerning CITY OF LAKE WALES

was published in said newspaper in the issues of

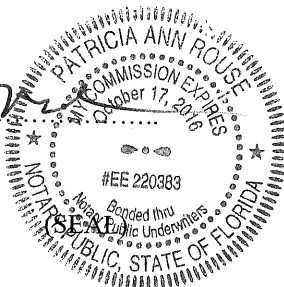
2-5; 2016

ant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed Michelle Reece
Michelle Reece
Advertising Account Executive
Who is personally known to me.

Sworn to and subscribed before me this 8th day of February , A.D., 2016

Patricia Ann Rouse
Notary Public



FAIR HOUSING PUBLIC INFORMATION MEETING

The City of Lake Wales will conduct a fair housing public information meeting in the City Commission Chambers at the City of Lake Wales Administration Building located at 201 Central Avenue West, Lake Wales, Florida 33853 on February 16, 2016 during the City of Lake Wales City Commission meeting that begins at 6:00 p.m. The meeting is intended to provide the general public, property owners, housing professionals and local elected officials with information concerning fair housing requirements. Anyone interested in understanding the importance of fair housing should attend. For more information concerning this meeting, contact Ms. Jennifer Nanek at (863) 678-4182, ext. 270. Also, persons seeking additional information about fair housing issues may contact the following toll free hotlines 1-802-342-8170 (Florida Commission of Human Relations) or 1-800-669-9777 (HUD-Washington, D.C.)
A FAIR HOUSING/EQUAL/OPPORTUNITY/HANDICAP ACCESS JURISDICTION

NC6941 2-5; 2016

Agenda and Training Materials

Fair Housing Training for the General Public and Elected Officials

I. Purpose of This Meeting

Educate local elected officials and general public concerning fair housing requirements

II. Laws That Protect Fair Housing

- Local Ordinance
- State Law (Statute 760.23(1), Florida Statutes)
- Federal Law (Civil Rights Act of 1968, amended 1988)

III. Recognizing Discrimination

Under the Fair Housing Act, It is Against the Law to:

- Refuse to rent to you or sell you housing
- Tell you housing is unavailable when in fact it is available
- Show you apartments or homes in certain neighborhoods only
- Advertise housing to preferred groups of people only
- Refuse to provide you with information regarding mortgage loans, deny you a mortgage loan, or impose different terms or conditions on a mortgage loan
- Deny you property insurance
- Conduct property appraisals in a discriminatory manner
- Refuse to make certain modifications or accommodations for persons with a mental or physical disability, including persons recovering from alcohol and substance abuse, and HIV/AIDS-related illnesses
- Fail to design and construct housing in an accessible manner
- Harass, coerce, intimidate, or interfere with anyone exercising or assisting someone else with their fair housing rights

Based on these factors...

- Race
- Color
- National origin
- Religion
- Gender
- Familial status (families with children under the age of 18, or who are expecting a child), or
- Disability (if you or someone close to you has a disability)

IV. Several ways to make a complaint

- 1) Fill out an online form at <http://www.hud.gov/hdiscrim.html>;
- 2) You can call toll-free 1-800-669-9777;
- 3) Complete the online form and mail it to:

Office of Fair Housing and Equal Opportunity
Department of Housing and Urban Development
Room 5204 451 Seventh St. SW
Washington, DC 20410-2000

- 4) You may contact the City of Lake Wales Fair Housing Coordinator, Sandra Davis at (863) 678-4182

- 4) You can write HUD a letter with:
 - Your name and address
 - The name and address of the person your complaint is about
 - The address of the house or apartment you were trying to rent or buy
 - The date when this incident occurred
 - A short description of what happened
 - Then mail it to the Fair Housing Hub closest to you (listed in handout)

SIGN IN SHEET

City of Lake Wales Second Public Hearing Fair Housing Meeting

Community Development Block Grant Program

February 16, 2016

#	Name
1	Dina Reed
2	Clifford E. Smith
3	Steve Steiner
4	Deusa Allen
5	Giovanni Fazzini
6	Josh M. [unclear]
7	Charlene D. Smith
8	Tracy E. [unclear]
9	Kathy Banbury
10	Larry Barabato
11	Sandy Odom
12	[unclear]
13	[unclear]
14	Pamela A. [unclear]
15	Ken [unclear]

MR. DOBRUCK

SYNOPSIS

As part of the CDBG requirements the City must hold a public meeting to provide information about fair housing regulations and practices to the general public and elected officials.

RECOMMENDATION

Staff recommends that a brief presentation be given by Andy Easton, the City's grant consultant, about fair housing regulations and practices to the general public and elected officials.

BACKGROUND

The purpose of this meeting is to provide information about fair housing regulations and practices to the General Public and Elected Officials. Attendees are asked to sign an attendance sheet for this meeting. This meeting will provide an overview of the Fair Housing Act, provide examples of housing discrimination and will describe information sources to learn more about fair houses. Training materials will be available to the public.

OTHER OPTIONS

Do not hold public hearing

FISCAL IMPACT

None.

[End Agenda Memo]

Andy Easton, the City's grant administrator, reviewed Agenda Item 10.I. He provided information about fair housing regulations and practices and distributed information to the Commission.

OPENED PUBLIC HEARING

There were no comments made by the public.

CLOSED PUBLIC HEARING

Agenda Item 10.II. Community Development Block Grant (CDBG) 2nd Public Hearing and Resolution 2016-02 to authorize the grant application and Resolution 2016-03 authorizing the SRF funds to be used as match.

[Begin Agenda Memo]

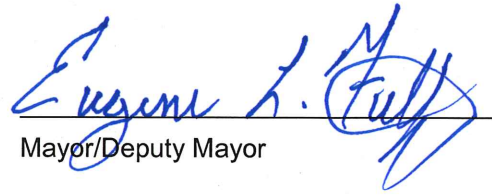
SYNOPSIS

This is the required second public hearing regarding the City's CDBG application for funding for the third phase of the C Street Sewer project.

RECOMMENDATION

It is recommended that the City Commission take the following action:

City Commission Meeting
February 16, 2016



Mayor/Deputy Mayor

ATTEST:



City Clerk Clara VanBlargan, MMC



April 23, 2016

Director
Central Florida Regional Planning Council
P.O. Box 2089
Bartow, FL 33831

Dear Director:

Enclosed for your use is one copy of portions of the City of Lake Wales CDBG-Neighborhood Revitalization grant application that has been submitted to the Florida Department of Economic Opportunity (DEO). The following sections are enclosed:

Application Profile and General Scoring Criteria
Appendix A - Maps

Please send complimentary copies of any correspondence that is sent to City of Lake Wales to the CDBG Section at DEO.

Sincerely,

A handwritten signature in black ink that reads "Andy Easton". The signature is written in a cursive, slightly slanted style.

Andy Easton, AICP