

City Commission Workshop minutes

December 14, 2022

(APPROVED)

12/14/2022 - Minutes

1. CALL TO ORDER & ROLL CALL

Members Present: Mayor Jack Hilligoss, Terrye Howell, Robin Gibson, Danny Krueger, Robin Gibson, Daniel Williams

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

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

2. City Manager Comments

James Slaton, City Manager, reminded the Commission to turn in their City Manager evaluations.

3. Resolution 2020-35-Draft Comments And Petitions

[Begin Agenda Memo]

Synopsis:

Resolution 2020-35 served to establish some limitations on what was formerly referred to as the Communications and Petitions portion of the City's public meetings. Mayor Hilligoss suggested some possible revisions to the Resolution. The inserted draft now references the Comments and Petitions portion of the meeting and also addresses agenda items which call for public comment.

Recommendation: The inserted draft is for the purpose of Commission discussion of the suggested revisions to Resolution 2020-35.

[End Agenda Memo]

Albert Galloway, Jr., City Attorney, reviewed the changes in the resolution.

Mayor Hilligoss reviewed and clarified his proposed changes. He said we need to identify procedures both for public comment and comment during public hearings. We are currently operating under a resolution now that currently has limits. He is recommending those wanting to speak during a public hearing sign up in advance. This is separate from public comment. That change isn't included in the draft but recommended that it be considered. He said he wanted to clarify the word taxpayer on who is allowed to address the City Commission. This is a loophole that he has seen exploited. The language used on the agenda will need to be edited as well. The rules should be posted on the website.

Mr. Galloway said he revised the list of those allowed to speak to be citizens, owners of property and owners of businesses. Mayor Hilligoss asked if those are what we mean by citizen. Mr. Galloway said a renter can be a citizen. Deputy Mayor Gibson said the phrase replaces taxpayer. A person shopping in Lake Wales paying sales tax can consider themselves a tax payer.

Commissioner Howell asked if it is the interest of the public to limit public comment from 5 minutes to 3 minutes. Mr. Galloway said that is up to what the body wants to allow an individual to speak.

Commissioner Howell asked if this will be on the agenda Tuesday to vote on. Mr. Galloway said yes if the Commission directs him to draft a Resolution to put on the agenda.

Commissioner Howell said people who work for the City that do not live in the City limits but help make decisions for the City. She has a problem with this restriction and should be explained better than what she is hearing.

She asked about extending the time for public comment. Can the Commission vote to extend the time if the Mayor is against it? Mr. Galloway said yes. Commissioner Howell said this only allows one extension for 15 minutes only once. Mr. Galloway said people can speak to certain items while they are being discussed. Mayor Hilligoss said citizens can talk about items not on the agenda within the scope of authority during comments and petitions. Commissioner Howell asked if a person can talk about their water bill? Mr. Galloway said they could both those receiving utility services and those living in the City. Commissioner Howell asked if business owners are restricted in what they can speak on. Mr. Galloway said no. They can talk about whatever is in the purview of this body.

Commissioner Howell mentioned in #6 that a person can only come to the podium once. Does that mean they can only come up during one agenda item? Mayor Hilligoss said a person can come to the podium during public comment and public hearing. Commissioner Williams said if we have 4 public hearings then a person can come speak on each one but can't come up several times during one. Commissioner Howell said can someone clarify a comment taken out of context. Mayor Hilligoss said that leads to debate and we don't want to engage in debate.

Commissioner Howell asked about the public entitled to speak in #7 and those qualified speakers in #8. People who are qualified don't have to be a citizen, property owner or business owners? Are these different. Mr. Galloway said those qualified is the same as the entitled public. They are the same. He said he can reword these to match if the Commission wants.

Commissioner Howell asked about #9 where the meeting is dragging on. We can stop talk on debate? We have had comments that escalate to something else. But if its just normal talking he can deny a right to be heard? Mr. Galloway said that language is in the original resolution and is in place.

Commissioner Krueger said other entities such as the School Board and County Commission only allow 3 minutes for public comment. Usually we only have about 6 people make comment. Usually 30 minutes will be plenty of time. He is not opposed to people signing up ahead of time providing their name, address and topic. Those with topics not on the agenda should go first. Those who wish to speak on an agenda item should wait until that item. We can also keep track of the order. Whoever signs up first should talk first. Mayor Hilligoss said this is not part of the current resolution but agreed with this.

Commissioner Williams said we are not trying to allow citizens to speak. We are trying to provide structure to allowing input on the issue being discussed. Commissioner Howell said she wants the 5 minutes. We should be special and ahead of everyone else. People might have several things they want to say. We are shortchanging the citizens.

Deputy Mayor Gibson said he is not uptight about this. People can talk to Commissioners directly. People should not treat the platform as a way to vent on their own personal opinions on religious and political topics. Public comment needs to be relevant to the topic or making the City better or more beautiful.

James Slaton, City Manager, said we will draft a resolution based on the conversation. Mayor Hilligoss expressed support for requiring people wanting to speak during a public hearing. This is a business session of the City Commission. We need to conduct the business in a certain fashion because we serve the entire city. There are a few people who come with personal attacks and agendas. They should not be able to hold the commission hostage or filibuster in a way that is not regulated or appropriate. Having a sign up is not a bad thing.

Commissioner Krueger said we should expect those speaking to conduct themselves in a business like manner.

Mayor Hilligoss said this makes sure that those with legitimate business can still be heard in a timely way but cuts back on folks from coming to filibuster the commission. It stops the commission from having to be subjected to that.

Commissioner Krueger said this should be publicized ahead of time and the policy should be available with the sign up sheets.

There was consensus to move forward on this. Mr. Galloway said he will add a paragraph on this.

Mr. Slaton said the Resolution can always be amended.

4. Task Order - Dover, Kohl & Partners

[Begin Agenda Memo]

SYNOPSIS: The City Commission will consider approval of a Task Order that will authorize Dover, Kohl & Partners (DK&P) to complete Phases 1 and 2 of the Lake Wales Envisioned long-range plan.

RECOMMENDATION It is recommended that the City Commission take the following actions:

1. Approve the Task Order.
2. Authorize the expenditure of \$297,760.
3. Authorize a budget amendment in the amount of \$297,760. 4. Authorize the City Manager to execute the necessary documents on behalf of the City.

BACKGROUND The Lake Wales Envisioned plan will shape and direct the form of future infill development, new neighborhoods, and conservation areas within Lake Wales' incorporated city limits and in areas in unincorporated Polk County that lie within the City's utility service area.

The long-range plan will be developed in four separate Phases: (1) Project Launch, (2) Vision Framework, (3) Draft Plan Concepts, and (4) the Vision Plan.

The proposed Task Order will authorize DK&P to complete Phases 1 and 2, which will take approximately seven months to complete. Key tasks associated with these Phases include: community outreach, research and review of best practices, assembling base maps, on-site planning session(s), promotion and preparation of a charrette, and conducting a six-day charrette. Additional, specific, sub-tasks can be found within the attached scope of work.

Staff intends to request approval of a subsequent Task Order authorizing DK&P to complete Phases 3 and 4 prior to the completion of Phase 2. The estimated costs of Phases 3 and 4 are \$285,720. The timelines associated with the project have the potential to cross fiscal years, which is why staff is not requesting appropriations for the final Phases at this time. Additionally, staff will have a clearer picture of the City's current-year financial position at the mid-year point in April 2023.

The Lake Wales Envisioned plan will ultimately serve as the guiding document for infrastructure planning in addition to future development and, as such, is eligible to be funded by the City's various impact fees and transportation funds, in addition to any other funding sources. At this time, the City has sufficient impact fees and transportation funds to cover the costs of this Task Order with additional impact fee revenues projected throughout the 2023 calendar year.

The City has an existing, competitively bid agreement with DK&P for Professional Planning Services

OTHER OPTIONS

1. Do not approve the proposed Task Order and direct staff to search for an alternative external planning firm.

FISCAL IMPACT

The current-year fiscal impact of the Task Order is \$297,760, of which all will be a combination of impact fees and transportation funds.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Commissioner Howell said she is glad Dover Kohl is doing this.

Mayor Hilligoss said this is being done in response to citizen concerns related to the recent Land Development Work Session. Mr. Slaton said while the land use study meeting did not go well the end product will be much better as a result of that and the concerns expressed.

5. Task Order – S&ME

[Begin Agenda Memo]

SYNOPSIS: The City Commission will consider approval of a Task Order that will authorize S&ME to assist Dover, Kohl & Partners (DK&P) in completing Phases 1 and 2 of the Lake Wales Envisioned long-range plan.

RECOMMENDATION It is recommended that the City Commission take the following actions:

1. Approve the Task Order.
2. Authorize the expenditure of \$42,300.
3. Authorize a budget amendment in the amount of \$14,194.
4. Authorize the City Manager to execute the necessary documents on behalf of the City.

BACKGROUND The Lake Wales Envisioned plan will shape and direct the form of future infill development, new neighborhoods, and conservation areas within Lake Wales' incorporated city limits and in areas in unincorporated Polk County that lie within the City's utility service area.

The long-range plan will be developed in four separate Phases: (1) Project Launch, (2) Vision Framework, (3) Draft Plan Concepts, and (4) the Vision Plan.

The proposed Task Order will authorize S&ME to assist DK&P in completing Phases 1 and 2, which will take approximately seven months to complete. Key tasks associated with these Phases include: community outreach, on-site planning, and participation in a six-day charrette. Additional, specific, sub-tasks can be found within the attached scope of work.

S&ME has collected extensive qualitative and quantitative data over the past eight months that will, in addition to the firm's technical expertise, be useful in the development of the Lake Wales Envisioned plan. The firm has experience with updating the City's Comprehensive Plan, updating the City's CRA plan, and

creating the City's recent Parks and Recreation Masterplan.

Staff intends to request approval of a subsequent Task Order authorizing S&ME to complete Phases 3 and 4 prior to the completion of Phase 2. The estimated costs of Phases 3 and 4 are \$36,780. The timelines associated with the project have the potential to cross fiscal years, which is why staff is not requesting appropriations for the final Phases at this time. Additionally, staff will have a clearer picture of the City's current-year financial position at the mid-year point in April 2023.

\$28,106.67 is unexpended from S&ME's original task order to complete the land-use study project that will be re-directed toward the company's efforts in the development of Lake Wales Envisioned.

The remaining balance of \$14,194 will come from the City's unappropriated general fund balance. Sufficient funds are in place to cover these costs. The City has an existing, competitively bid agreement with S&ME for Professional Planning Services

OTHER OPTIONS

1. Do not approve the proposed Task Order and direct staff to search for an alternative external planning firm.

FISCAL IMPACT The current-year fiscal impact of the Task Order is \$42,300, of which \$28,106.67 has been appropriated by the City Commission. A budget amendment in the amount of \$14,194 is requested from unrestricted fund balance.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Commissioner Howell asked if we paid them to talk to us at the Austin Center. Mr. Slaton said we didn't pay them.

Deputy Mayor Gibson said let's not trash S&ME because of that meeting. They have talent and expertise. He said DoverKohl knows how to deal with the public and include input into a plan in a way that works. We are comfortable with them. We have a good relationship. As long as DoverKohl is the leader let's still utilize S&ME.

Mr. Slaton said Victor Dover recommends approval of this.

6. Contract Award(S) – Continuing Architectural/Landscape Architectural Services

[Begin Agenda Memo]

SYNOPSIS: Staff is requesting Commission approval to enter into Consulting Agreement for Continuing Architectural/Landscape Architectural Services.

RECOMMENDATION It is recommended that the City Commission take the following actions:

1. Approve the piggyback agreements with Boggs Design Partners, Catalyst Design, Parlier + Crews.
2. Authorize the City Manager to execute the agreements on behalf of the City.

BACKGROUND Pursuant to FS 287.055 (C.C.N.A), the City of Lake Wales solicited statements of qualifications from firms qualified to provide architectural services on a continuing basis (RFQ# 22-512). Projects requiring architectural services may include, but are not limited to, the design and construction of new facilities, the remodeling of existing facilities, the design and construction of park and recreation spaces, and streetscape improvements.

The firm(s) will be required to provide sufficient information to permit contractors to respond to the City's request for proposals and permit the City to enter into construction contracts. The budget for each project and services requested shall be determined based upon each project's specific scope and requirements.

Eleven firms submitted statements of qualifications in response to RFQ# 22-512. Each firm was evaluated against the following criteria in accordance with FS 287.055 (the Consultants Competitive Negotiation Act):

- Architectural/Landscape Architectural team
- Previous experience
- Services provided and quality control methods
- Overall quality of submittal
- Certified MBE/DBE/WBE

Staff recommendation is to award contracts for continuing architectural services to the following firms; Boggs Design Partners, Catalyst Design, Parlier + Crews.

Staff plans to bring additional agreements to the Commission at a later date. The agreement will each be for a period of five (5) years.

OTHER OPTIONS The Commission can choose not to approve the agreements.

FISCAL IMPACT Funds will be requested annually on a project-by-project basis.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Deputy Mayor Gibson said consultants are important. We can't afford architects but we need to be sure we are getting our money's worth.

7. Housing Rehabilitation Bid From Charif Homes, LLC

[Begin Agenda Memo]

SYNOPSIS: Approve the bid from Charif Homes, LLC. for Lake Wales Community Development Block Housing Rehabilitation Grant.

RECOMMENDATION It is recommended the City Commission consider the following action(s)

1. Approve the bid given by Charif Homes for the Lake Wales Community Development Block Grant for the rehab of five (5) homes, and demolition and replacement of one (1) home.
2. Authorize the Mayor to sign all related documents

BACKGROUND On July 12th the City of Lake Wales received an award letter for \$750,000 through the Small Cities Community Development Block Grant (CDBG) program.

On October 3rd the City ran a notice to bidders for the rehabilitation of five (5) homes, and demolition and replacement of one (1) home through the CDBG program. The City did not receive any bidders on this date.

On October 18th the City ran the 2nd notice to bidders for the rehabilitation of five (5) homes, and demolition and replacement of one (1) home through the CDBG program. There were three contractors that attended the meeting but only Charif Homes, LLC submitted a bid. Charif Homes submitted a bid that exceeds the cost estimate by more than 15%. The City received approval from the Department of Economic Opportunity to draft a resolution to amend the Housing Assistance Plan (HAP) to accept a bid that exceeds the estimated cost of more than 15%. On December 6th the City Commission passed the resolution to amend the HAP to allow the expenditure of CDBG funds on housing rehabilitation construction activities that exceed the construction cost estimate by more than 15%.

LAKE WALES CONNECTED PLAN ACTION STEPS

Action # Description

9 Partner with housing contractor to build infill housing in the Northwest Neighborhood.

FISCAL IMPACT The City of Lake Wales was awarded \$750,000 to go toward housing rehabilitation through the Community Development Block Grant.

OTHER OPTIONS Not approve the bid from Charif Homes, LLC for the Lake Wales CDBG Housing Rehabilitation Grant.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Darrell Starling, CRA Project manager, reviewed this item.

8. ORDINANCE 2022-52 – Florida Water Star Certification Requirement For New Construction Or Renovation Of Residential And Commercial Structures. 1st Reading

[Begin Agenda Memo]

SYNOPSIS: Ordinance 2022-52 Amends Chapter 23 Article VI to require Florida Water Star Certification for new construction or renovation of residential and commercial structures.

RECOMMENDATION

A recommendation to approve on first reading Ordinance 2022-52 - An Ordinance of The City of Lake Wales, Polk County, Florida, Amending Chapter 23, Article VI. By Creating A New Division Titled Division 3. Florida Water Star? Certification Required for New Construction; Providing for An Effective Date. The Planning and Zoning reviewed the Ordinance and recommended its adoption to the City Commission.

BACKGROUND

The Planning and Zoning Board reviewed this item at their November 29th meeting and recommended adoption of the Ordinance to the City Commission. Representatives from SWFWMD were in attendance to provide additional information on the Florida Water Star Certification process and criteria.

The Southwest Florida Water Management District (SWFWMD) is a regional agency directed by state law to protect and preserve water resources within its boundaries, which includes all of the PRWC entities and other areas outside of the boundaries. SWFWMD works cooperatively with the PRWC and its member governments to implement water conservation efforts. Florida Water Star (FWS) Program is one of those efforts.

Similar to LEED (Leadership in Energy and Environmental Design), FWS is a certification program that encourages water efficiency in appliances, plumbing fixtures, irrigation systems and landscapes, as well as

water quality benefits from best management practices in landscapes. An average FWS homeowner can save up to \$530 on annual utility bills and up to 48,000 gallons of water each year. FWS certification provides assurance that a house or building meets the criteria for a higher standard of water efficiency. The applicant (builder) is responsible for meeting the requirements of the applicable Florida Water Star certification. These requirements include the following:

- Providing information and documentation necessary for verification of criteria for certification
- Cooperation in the inspection process of structures submitted for certification
- Commitment to the applicable program criteria by adhering to your company's quality control procedures (in accordance with ISO 17020).

The City of Lake Wales wants future homes and commercial construction to meet these FWS standards. To accomplish this goal, builders must obtain the FWS certification prior to the Building Official issuing the Certificate of Occupancy. Implementing this ordinance will ensure that adequate water supplies are available for existing and future users.

FISCAL IMPACT None. However, at this time Polk County through SWFWMD offers the home builder a rebate for FWS certification.

[End Agenda Memo]

Sara Irvine, Special Projects Manager, reviewed this item.

Ms. Irvine introduced Cindy Rodriguez and Robin Grantham from SWFWMD to do a presentation.

James Slaton, City Manager, asked if there will be two options. Ms. Irvine said they are recommending that this be mandatory. Mr. Slaton asked if we will be the first in Polk County. Ms. Irvine said yes. Ms. Rodriguez said not the mandatory Water Star standards but the mandatory certification.

Mayor Hilligoss said this is mandatory on developers? Ms. Irvine said mandatory on builders yes. They will have to pay for inspectors and provide certificates before the City issues a CO.

Commissioner Howell if this will be eligible for variances. Ms. Irvine said no. This is specifically at the building permit process.

Mr. Slaton said we are asking builders to go the extra effort to be certified.

Mayor Hilligoss asked for the motivation for this.

Cindy Rodriguez, Senior Government Affairs Coordinator for Heartland region, said the benefit of being certified is that they are eligible for \$1000 rebates. Many builders don't pursue this as they pass the cost on to the buyers. The homeowners save on water and bills. Its a win-win for everyone. other entities have required this. Polk County and Lakeland are moving forward on this too. The District is pursuing this to conserve water right when a home comes out of the ground. The benefits last 10-15 years. This is an excellent way to manage growth with minimal impacts on those who are already here. The longer we can stretch that permit for the Upper Floridian Aquifer the better for the City and current residents. Conservation is the most economic tool we have when it comes to water.

Robin Grantham, Lead Communications Coordinator for SWFWMD, shared a presentation on Florida Water Star requirements for a new home. These requirements include irrigation and techniques to reduce water use. A slide showed the savings in gallons in water and costs in dollars annually. The cost to the builder is around \$700 - \$1400 a home. Ms. Grantham said they do trainings for professionals and sales support. Several cities have Ordinances but Lake Wales will be the first to require certification.

Ms. Rodriguez said Polk County is leading the rest of the state in this.

Deputy Mayor Gibson said he likes the tree canopy requirements.

9. Hunt Club Group Developer's Agreement

[Begin Agenda Memo]

SYNOPSIS: The proposed Hunt Club Grove North and South Developer's Road Construction Agreement will provide a mechanism for obtaining additional transportation improvements for these projects.

RECOMMENDATION Staff recommends approval of the Developer's Agreement. A recommendation from the Planning and Zoning Board is not required for the passage of a Developer's Agreement.

BACKGROUND The Groves and Hunt Club North and South projects are generally located south of SR 60, between 11th Street and Hunt Brothers Road (see Location Map). Project details are listed below:

Hunt Club North: Hunt Club South:

125.83 Acres 104.36 Acres

595 Total units 542 Total units

448 Single-family units 351 Single-family units

147 Townhome units 191 Townhome units

The projects have received Planned Development Project (PDP) approvals. Hunt Club North received an initial approval development approval on January 18, 2022, with a modification approved by the City Commission on May 17, 2022. Hunt Club South was also approved by the City Commission on May 17, 2022. As part of the approval for these projects, there is a requirement for a Developer's Agreement for Road Improvements. To comply with that requirement, this agreement is proposed.

Key points of this agreement include the following:

Extension of Hamlin Road – During the PDP review process, it was agreed that the Developer would extend Hamlin Road from its current end-point at Grove Avenue southward to Post Salter Road. This road extension will include sidewalks, curb and gutter, streetlights, and landscaping. Because the current Level of Service (LOS) standard for 11th Street is "E", and the current LOS is "C", the Developer could not be mandated to extend Hamlin Road. Extending Hamlin will improve traffic flow in the area by providing additional options to disperse both existing and new traffic.

Provision for Multi-Modal Transportation Impact Fee Credits – In exchange for constructing the Hamlin Road improvements, the proposed agreement allows for granting of multi-modal transportation impact fee credits. Included in the agreement is a \$1,597,793.45 limit of the amount of impact fee credit to be granted. Based on current figures, the project should generate a total of \$2,172,628.62 in Multi-Modal Transportation Impact Fees. After subtracting the maximum amount of credit to be granted, the City will still receive \$574,635.17 in multi-modal transportation impact fee credits from this project.

Improvements to Post Salter Road – Currently, Post Salter is a County-maintained dirt road. The County will require the developer to improve the road to County standards. However, this will mean using swales (ditches) for drainage, and may or may not include requirements for sidewalks and streetlights. To ensure that the road is designed to a standard that is more appropriate for cities/urban areas, this agreement includes a provision that requires the developer to a higher urban design standard. This includes items such as curbs and gutters (as opposed to drainage ditches), streetlights and sidewalks. No Multi-Modal Transportation Impact Fee Credits will be granted for improvements to Post Salter Road. By approving this

agreement, the City will be able to obtain additional, improved transportation facilities that will improve the road network, at no cost to the public.

OTHER OPTIONS Revise or do not approve the agreement.

FISCAL IMPACT None

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item. He shared a slideshow on where this project is.

Commissioner Williams said this looks great. He asked to clarify Victor Dover's statement to push back development 6 months. James Slaton, City Manager, said this was approved already. Mr. Dover suggested some projects down a bit.

Commissioner Howell said we can't hold off until the plan is done. Mr. Slaton said these projects were approved earlier this year.

10. Lake Wales Property Holdings MDP Modification PUBLIC HEARING – Notice Requirements Have Been Met.

[Begin Agenda Memo]

SYNOPSIS: Lake Wales Property Holdings, owner, requests a recommendation to City Commission for Modification of a Master Development Plan (MDP) for the above-mentioned parcels totaling 1,943.56 acres of land.

RECOMMENDATION A recommendation of approval to City Commission of the Master Development Plan Modification, with the original, attached conditions of approval.

BACKGROUND The original 1,841.5 acres, known as Winter Haven Corp, was approved as a Master Development Plan on August 17, 2021. The project is located generally on the southwest corner of the Thompson Nursery Road and US Highway 27 intersection. The Master Development Plan Modification requests the addition of four parcels totaling 102.06 acres to the mixed-use development. The additional parcels are located in the southeast corner of the project, north of Mountain Lake Cutoff Road and west of US Highway 27. The 1,841.5-acre site was annexed into the city in 1995. In 2020, the City adopted a new Future Land Use designation of Mixed Use, including an amendment to the City's Land Development Code that created a Planned Development Mixed Use zoning district as an implementation measure of the Comprehensive Plan. Later in 2020, the City's Future Land Use Map was amended to place the Mixed-Use future land use on the Winter Haven Corp property.

The additional 102.06 acres was annexed into the city limits on July 5, 2022. A Mixed Use land use designation and Planned Development Mixed Use zoning designation was recommended by Planning and Zoning Board on June 28, 2022, and approved at second and final reading at a regular City Commission meeting on September 20, 2022.

Entitlements, such as residential units or commercial square footage, will not be increased from the original approval. Sequential adjustments were made to the MDP Site Plan notes, attached as "Attachment A". The development would be required to meet all original conditions of approval, attached as "Attachment B". Utilizing a master planned development encourages the preservation of open space and protection of environmentally sensitive areas and prioritizes pedestrian and vehicular connectivity. Developing large tracts of land in a cohesive manner promotes the location of community uses, such as schools, libraries, public services, and places of worship. Communities are thoughtfully planned, so these community needs are located in a manner that highlights their importance and function in the community.

FISCAL IMPACT Approval of the Master Development Plan would enable the development of this property and the potential increase in property value. Specifically, estimating a conservative median taxable value of \$100,000 per unit, it could potentially result in over \$610 million in taxable value, and generate \$4 million in ad valorem taxes. This does not include potential revenue generated for non-residential uses.

*Adjusted values for potential homesteaded properties have not been factored into this estimate.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

11. Ordinance 2022-55 Comprehensive Plan Text Amendment – Public Hearing

[Begin Agenda Memo]

SYNOPSIS: Development Services Staff requests approval to amend the City of Lake Wales Comprehensive Plan to adopt the Lake Wales 10-year Water Supply Facilities Work Plan.

RECOMMENDATION At a regular meeting on November 29, 2022, the Planning and Zoning Board made a recommendation of approval to City Commission for the following: To amend the Comprehensive Plan of the City of Lake Wales to adopt the 10-Year Water Supply Facilities Work Plan.

BACKGROUND Section 373.709, F.S. requires the Water Management District (SWFWMD) to update their Regional Water Supply Plan every 5 years; Section 163.3177(6)(c), F.S. requires each local government to adopt their 10-Year Water Supply Facilities Work Plan (WSFWP) within 18 months of the Water Management Districts update of their Regional Water Supply Plan.

The City's Utilities Department worked with their consultant, Hoyle Tanner, and completed the adopted of the Work Plan on September 7, 2022. Subsequently, the City is required to revise the Potable Water Sub-Element of the Comprehensive Plan.

The City contracted Merle Bishop, FAICP with Pennoni to prepare the amendments found in the attached Ordinance 2022-55. The proposed amendments correspond directly with the adopted WSFWP Goals, Objectives, and Policies and have been approved by Planning Staff, as well as the Public Works Director.

FISCAL IMPACT None

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

12. Ordinance 2022-27 Annexation – 2nd Reading And Public Hearing 67.73 Acres Of Land South Of Lake Bella Road And East Of US Highway 27.

[Begin Agenda Memo]

SYNOPSIS: Ordinance 2022-27 proposes the voluntary annexation of approximately 67.73 acres of land south of Lake Bella Road and east of US Highway 27, and contiguous to the incorporated City limits.

RECOMMENDATION Staff recommends adoption after second reading of Ordinance 2022-27 following a public hearing. City Commission approved Ordinance 2022-27 at first reading on September 20, 2022. A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

BACKGROUND Owners, Rama Food Mart LLC, Mckenna Brothers Inc, Hunt Bros Inc, E N C Inc, and

Ronald McCall, petitioned annexation into the corporate city limits of Lake Wales in November and December of 2021. The applicant requested the second reading of the annexation to be read concurrently with the second reading of the land use and zoning amendments. "Attachment A" to the ordinance shows the property's location. It is contiguous to the City Limits along its northwestern boundary.

OTHER OPTIONS Decline to annex the property.

FISCAL IMPACT The annexation will add to the City's tax roll. The properties are valued at a total of over 1.1 million, which would bring in additional property taxes.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

13. Ordinance D2022-28 Large Scale Future Land Use Amendment For 67.73 Acres Of Land South Of Lake Bella Road And East Of US Highway 27 2nd Hearing And Public Hearing – Notice Requirements Have Been Met

[Begin Agenda Memo]

SYNOPSIS: Property owners request a recommendation to City Commission to amend the Future Land Use Map of the Comprehensive Plan on parcels of land totaling approximately 67.73 acres.

RECOMMENDATION Adoption at second reading, following a public hearing to re-assign the following zoning designation, as recommended by the Planning and Zoning Board at a regular meeting on August 23, 2022:

Current Land Use: Polk County Polk County Linear Commercial Corridor (LCC), & Agriculture/Rural Residential (A/RR)

Proposed Land Use: Limited Commercial Industrial (LCI) – 8.54 acres, Low Density Residential (LDR) – 59.19 acres

City Commission approved Ordinance D2022-28 at first reading on September 20, 2022.

BACKGROUND The subject property is located south of Lake Bella Road and east of US Highway 27, just north and west of Blue Lake. This parcel is adjacent to city limits on its western and northern boundaries and is located northwest of Blue Lake. The owners petitioned annexation into the corporate city limits of Lake Wales in November and December of 2021. It has been requested that the annexation be brought together with land use and zoning amendments.

There are no immediate development plans for these parcels. However, if development is contemplated for this property, the developer or owner would be required to engage in conversations with the city to discuss development processes.

The western portion of the site along US Highway 27, comprising of 8.54 acres owned by Rama Food Mart LLC, will have a land use designation and zoning designation of Limited Commercial Industrial (LCI). This designation is consistent with the northern adjacent properties with land use and zoning designations of Business Park Center/Business Park. The remaining 59.19 acres, more or less, will have a land use of Low Density Residential and zoning of R-1A. Designations for the 59.19 acres are consistent with the surrounding county lands designated as Agriculture/Residential Rural and keep compatibility with the existing homes along Blue Lake.

At a regular meeting on July 26, 2022, the Planning and Zoning Board continued this agenda item to the August Planning and Zoning Board meeting due to concerns of compatibility. The original request proposed a land use and zoning designation of Business Park Center and Business Park for 10 acres adjacent to

Lake Bella Road and the Heath Corporation. The Board's recommendations were considered by the applicant and the request now proposes a land use designation of Low Density Residential and zoning designation of R-1A, after taking their original request to the Planning and Zoning Board for a second time.

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

FISCAL IMPACT The properties are valued at a total of over 1.1 million dollars, bringing in additional property taxes. Assignment would enable the development of these properties that would potentially increase property value and generate potential revenue.

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

14. Ordinance D2022-29 Zoning Map Amendment For 67.73 Acres Of Land South Of Lake Bella Road And East Of US Highway 27 2nd Hearing And Public Hearing – Notice Requirements Have Been Met

[Begin Agenda Memo]

SYNOPSIS: Property owners request a recommendation to City Commission to amend the Zoning Map on parcels of land totaling approximately 67.73 acres.

RECOMMENDATION Adoption at second reading, following a public hearing to re-assign the following zoning designation, as recommended by the Planning and Zoning Board at a regular meeting on August 23, 2022:

Current Zoning: Polk County Linear Commercial Corridor (LCC), & Agriculture/Rural Residential (A/RR)

Proposed Zoning: Limited Commercial Industrial (LCI) – 8.54 acres, Residential R-1A – 59.19 acres

City Commission approved Ordinance D2022-29 at first reading on September 20, 2022.

BACKGROUND The subject property is located south of Lake Bella Road and east of US Highway 27, just north and west of Blue Lake. This parcel is adjacent to city limits on its western and northern boundaries and is located northwest of Blue Lake. The owners petitioned annexation into the corporate city limits of Lake Wales in November and December of 2021. It has been requested that the annexation be brought together with land use and zoning amendments.

There are no immediate development plans for these parcels. However, if development is contemplated for this property, the developer or owner would be required to engage in conversations with the city to discuss development processes.

The western portion of the site along US Highway 27, comprising of 8.54 acres owned by Rama Food Mart LLC, will have a land use designation and zoning designation of Limited Commercial Industrial (LCI). This designation is consistent with the northern adjacent properties with land use and zoning designations of Business Park Center/Business Park. The remaining 59.19 acres, more or less, will have a land use of Low Density Residential and zoning of R-1A. Designations for the 59.19 acres are consistent with the surrounding county lands designated as Agriculture/Residential Rural and keep compatibility with the existing homes along Blue Lake.

At a regular meeting on July 26, 2022, the Planning and Zoning Board continued this agenda item to the August Planning and Zoning Board meeting due to concerns of compatibility. The original request proposed a land use and zoning designation of Business Park Center and Business Park for 10 acres adjacent to

Lake Bella Road and the Heath Corporation. The Board's recommendations were considered by the applicant and the request now proposes a land use designation of Low Density Residential and zoning designation of R-1A, after taking their original request to the Planning and Zoning Board for a second time.

CODE REFERENCES AND REVIEW CRITERIA The City Commission assigns Zoning designations by ordinances upon a recommendation from the Planning & Zoning Board.

FISCAL IMPACT The properties are valued at a total of over 1.1 million dollars, bringing in additional property taxes. Assignment would enable the development of these properties that would potentially increase property value and generate potential revenue

[End Agenda Memo]

Mark Bennett, Development Services Director, reviewed this item.

15. KT's Sunshine Foundation Application To Sponsor Southern Sunshine BBQ & Music Festival January 13 – January 14, 2023 Special Event Permit Application

[Begin Agenda Memo]

SYNOPSIS: Approval of this request will allow the KT's Sunshine Foundation to hold the Southern Sunshine BBQ & Music Festival in Lake Wailes Park on Friday, January 13 and Saturday, January 14, 2023, allow a designated area for alcohol sales, and allow the set up to begin on Thursday, January 12, 2023.

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

1. Approve the Special Event Permit Application from KT's Sunshine Foundation to hold a Southern Sunshine and Music Festival which includes a BBQ Competition in Lake Wailes Park January 13 and 14, 2023 with set up beginning on Thursday, January 12, 2023

2. Approve the hours as follows:

- Thursday, January 12, 2023 - Begin set up at 8:00 a.m.

- Friday, January 13, 2023 – The event will be open to the public at 4:00 p.m. and end at 10:00 p.m.

- Saturday, January 14, 2023 - The hours will be 10:00 a.m.–10:00p.m.

- Sunday January 15th and Monday January 16th - Clean up and removal of tents and booths will take place

3. Approve the request from the KT's Sunshine Foundation to have alcohol sales and consumption in a designated area in the Park on both Friday and Saturday. 4. Approve the request for RV's to set up in the areas approved and designated by City staff beginning on Thursday night.

BACKGROUND The KT's Sunshine Foundation submitted a Special Event Permit Application to hold its "Southern Sunshine BBQ & Music Festival" a BBQ competition, music festival and winter festival in Lake Wailes Park. The event has been approved by staff with the following stipulations:

- The RV's will be parked in the designated area only.

- The designated parking area for the public must be clearly identified on site.

- No vehicles shall be parked within 15 feet of the trunk of any trees within the park. No vehicles shall drive or park on the bike path or cross the bike path

- The KT's Sunshine Foundation is responsible for ensuring that the vendors and artists bringing in RV's adhere to the conditions for parking.

- Sanitary facilities and dumpsters are the responsibility of the sponsor. A separate dumpster will be required for disposal of ash by the vendors.

- Tent permits are required in advance by the sponsor and can be obtained from the City's Planning Department so that inspections can be completed by the Fire Marshall during set up times.

- The alcohol permit application must be completed by the sponsor and submitted to the Planning Department for review and approval before submitting to the Department of Alcohol Beverage & Tobacco. Once the final permit is obtained, a copy must be provided to the City no later than January 9, 2023.

- The required Certificate of Liability Insurance with an alcohol insurance rider has been received by the City.

- In-Kind Services will be provided by the City's Field Operations Divisions for clean up services on Saturday and Sunday and costs associated with these services will be paid by the sponsor at 25%. Off-duty officers from the Lake Wales Police Department will be hired by the sponsor for security purposes.

OTHER OPTIONS Do not approve the event

FISCAL IMPACT This event was budgeted in the 2022-23 budget for \$1890. Costs will be reimbursed 25% by the sponsor or \$472. Off-duty officers from the Lake Wales Police Department will be hired for security and will be paid by the sponsor.

[End Agenda Memo]

Jennifer Nanek, City Clerk, reviewed this item.

16. Dr. Martin Luther King Jr. Celebration 2023 Special Event Permit Application And Temporary Road Closings

[Begin Agenda Memo]

SYNOPSIS:

Approval of the special event permit application will allow the Annual Dr. Martin Luther King Jr. Celebration to take place between Thursday, January 12, 2023 and Monday, January 16, 2023 and allow the temporary street closings for the parade on January 16, 2023.

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

- Approve the special event permit application for the Dr. Martin Luther King Jr. Celebration to be held between Thursday January 12, 2023 and Monday, January 16, 2023.

- Approve the temporary street closings for the Dr. Martin Luther King Jr. Celebration and Parade to be held Monday, January 16, 2023. The parade will begin at 3:30 p.m. The time frame requested for the street closings for the parade is from 2:30 p.m. to 5:00 p.m. and for after parade activities on Lincoln Avenue from approximately 4:30 p.m. to 8:00 p.m. The streets involved will be Dr. Martin Luther King Jr. Boulevard, Dr. J.A. Wiltshire Avenue, E Street, Lincoln Avenue, A Street, First Street and Park Avenue.

- Approve the temporary closing of the city parking lots on Lincoln Avenue for vendors and/or parking.

- Approve the request for the use of the James P. Austin Community Center at no cost on the following dates: Thursday, January 12, 2023 for the International Pot Luck Dinner, Friday, January 13, 2023 for the

Oratorical Contest and Talent Show, Monday, January 16, 2023 for the Legacy Breakfast and MLK Program prior to the parade.

BACKGROUND: Mr. Narvell Peterson, President of the Dr. Martin Luther King Jr. Scholarship Fund of Lake Wales Inc. submitted a Special Event Permit application for the Annual Dr. Martin Luther King Jr. Celebration and Parade to take place beginning on Thursday January 12, 2023 and ending on January 16, 2023.

The celebration will include the following activities:

Thursday, January 12, 2023 6pm – International Pot Luck Dinner at the Austin Center

Friday, January 13, 2023 6:30pm – Oratorical Contest at the Austin Center

Saturday, January 14, 2023 9am – Unity Walk from Kiwanis Park to Stuart Park

Monday, January 16, 2023 - Legacy Breakfast, MLK Program – Austin Center

Monday, January 16, 2023 – MLK Parade, Pre-parade & after parade activities on Lincoln Avenue

The special event permit application includes a request for the temporary closing of the following streets on Monday, January 16, 2023 for the Parade:

Parade will line up at the Austin Center by 2:30 p.m. and will begin at 3:30 p.m. on Dr. Martin Luther King Jr. Boulevard, travel north to Dr. J.A. Wiltshire Avenue, turning left and continuing to E Street, turning right on E Street and continuing to Lincoln Avenue, traveling on Lincoln Avenue to A Street, turning right on A Street and continuing to Dr. J.A. Wiltshire Avenue. The parade will then turn left and continue to First Street and continuing on First Street until Park Avenue, turning west on Park Avenue continuing until Dr. Martin Luther King Jr. Boulevard. At this point the parade will turn right on Dr. Martin Luther King Jr. Boulevard and continue to the Austin Center where the parade ends.

After the parade the celebration will continue with food and craft vendors, music and entertainment along Lincoln Avenue and in the city parking lots along Lincoln Avenue. The activities are to conclude at approximately 8:00 p.m. The Dr. Martin Luther King Jr. Committee will be responsible for requiring the vendors to close promptly at 8:00 p.m. The committee will also be responsible for site set up, sanitary facilities and assisting with clean up after the event concludes.

The Lake Wales Police Department and VOICE will be assisting with pedestrian traffic and vehicular traffic control for the parade, prior to the parade and for after parade activities. New this year is a request to help prohibit pets from entering the festival area. The Police Department has agreed to assist with this request.

The Streets Division will be assisting with the street closings, setting out trash containers, trash clean up during the parade and the normal trash clean up on Tuesday.

OTHER OPTIONS: Do not approve this event and road closings.

FISCAL IMPACT: In-kind services for the City were budgeted for FY22/23 in the amount of \$8,789. The MLK Scholarship Fund of Lake Wales Inc. is responsible for 25% or \$2,197. The fees for the James P. Austin Community Center would be waived providing that the City Commission approves this request.

[End Agenda Memo]

Jennifer Nanek, City Clerk, reviewed this item.

17. CITY COMMISSION AND MAYOR COMMENTS

Mayor Hilligoss asked if there are plans to celebrate our football team. James Slaton, City Manager, said not yet. We are waiting on the outcome. This was discussed.

18. ADJOURN

The meeting was adjourned at 3:23 p.m.



Mayor

ATTEST

City Clerk