

ORDINANCE 2009-11

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING SECTION 2-26 (3)(a) OF THE LAKE WALES CODE OF ORDINANCES BY CORRECTING A SCRIVENER'S ERROR IN ORDINANCE 2008-09 TO RESTORE THE WAIVER OF TERM LIMIT REQUIREMENTS FOR MEMBERS OF REGULATORY BOARDS WHEN SPECIAL CIRCUMSTANCES EXIST AS SET FORTH BY ORDINANCE 2005-16; AND PROVIDING FOR AN EFFECTIVE DATE.

LIMIT ON CONSECUTIVE TERMS; PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Chapter 2, ADMINISTRATION, Article II., BOARDS, COMMISSIONS AND COMMITTEES, Lake Wales Code of Ordinances, is hereby amended to read as follows:

DIVISION 1. GENERALLY

Sec. 2-26. Boards, commissions and committees organized under the code.

Several boards, commissions and committees have been organized pursuant to various provisions of the Code. The following general regulations apply to all of these boards, commissions or committees:

- (3) Limit on consecutive terms.
 - (a) Except as provided in paragraph (b) below, no person shall serve more than three (3) consecutive terms on a single board, commission or committee except that a person appointed to a partial term that is less than one-half (1/2) of the normal term for that particular board, commission or committee shall be permitted to serve three (3) consecutive terms in addition to the partial term. Members appointed before July 1, 1989, may be permitted to serve three (3) additional consecutive terms. This limit on consecutive terms may be waived for members of regulatory boards (i.e., planning and zoning board, board of appeals, code enforcement, etc.) with the recommendation of the city manager where, in the sole discretion of the city manager, special circumstances exist which warrant the appointment of a particular member to an additional term.
 - (b) There shall be no limit to consecutive terms served by an elected or appointed trustee on a board established for the purpose of administering an employee retirement plan.

SECTION 2. If any clause, section or provision of this ordinance or any fee imposed pursuant to this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance or remaining fees shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

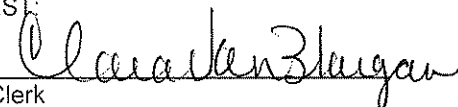
SECTION 3. This ordinance shall take effect immediately upon its passage by the City Commission.

CERTIFIED AS TO PASSAGE this 5th day of May, 2009.



Mayor/Commissioner

ATTEST:



City Clerk

ORDINANCE 2009-12

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, LAKE WALES CODE OF ORDINANCES, AMENDING RULES AND PROCEDURES FOR THE PROCUREMENT OF PROFESSIONAL SERVICES TO CONFORM TO THRESHOLD AMOUNTS ESTABLISHED BY FLORIDA STATUTES §287.055 FOR CONTINUING CONTRACTS FOR PROFESSIONAL SERVICES; TO CONFORM TO ADVERTISING REQUIREMENTS ESTABLISHED BY FLORIDA STATUTE §255.0525 FOR MUNICIPAL PUBLIC WORKS; PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Chapter 2, Administration, Lake Wales Code of Ordinances is hereby amended to read as follows:

Art. IV. Procurement of Property and Services.

DIVISION 3. PROCUREMENT OF PROFESSIONAL SERVICES

Sec. 2-424. Definitions.

Continuing Contract. A contract for professional services entered into in accordance with all the provisions of this division between the city and a firm whereby the firm provides professional services to the city for projects in which construction costs do not exceed ~~\$500,000~~ \$1,000,000, for study activity when the fee for such service does not exceed ~~\$25,000~~ \$50,000 or for work of a specified nature as outlined in the contract required by the city, with no time limitation except that the contract shall provide a termination clause.

DIVISION 5. PROCUREMENT OF CONSTRUCTION SERVICES

Sec. 2-457. Additional requirements for procurement of services for municipal public works projects.

In addition to all other requirements of this article pertaining to procurement of commodities and services and in accordance with section 180.24, F.S., the following requirements shall apply to the procurement of commodities and services for public works projects as defined in section 2-455:

(a) All contracts for the construction, extension or expansion of public works shall be in writing and the contractor shall be required to provide a bond executed by a surety company authorized to do business in the state; provided, however, that contracts in excess of CATEGORY TWO (\$25,000) shall be advertised by the publication of a notice in the legal section of a newspaper of general circulation in the county at least once each week for 2 consecutive weeks, or by posting three notices in three conspicuous places in the city, one of which shall be the public notices board in city hall; and that a minimum of 10 days shall elapse between the date of the first publication or posting of such notice and the date of receiving bids and the execution of contract documents.

(b) All contracts for the purchase, lease or renting of materials or equipment to be used in the accomplishment of any public works project shall be in writing; provided, however, that where said contract for the purchase, lease or renting of materials or equipment is in excess of ~~CATEGORY TWO (\$25,000)~~ \$10,000, notice or advertisement for bids on the same shall be published in accordance with the provisions of subsection (a) herein.

(c) The solicitation of competitive bids or proposals for any construction project that is projected to cost more than \$200,000 shall be publicly advertised at least once in a newspaper of general circulation in the county at least 21 days prior to the established bid opening and at least 5 days prior to any scheduled prebid conference. The solicitation of competitive bids or proposals for any construction project that is projected to cost more than \$500,000 shall be publicly advertised at least once in a newspaper of general circulation in the county at least 30 days prior to the established bid opening and at least 5 days prior to any scheduled prebid conference. Bids or proposals shall be received and opened at the location, date, and time established in the bid or proposal advertisement. In cases of emergency, the procedures required in this section may be altered by the city commission in any manner that is reasonable under the emergency circumstances.

(d) If the location, date, or time of the bid opening changes, written notice of the change must be given, as soon as practicable after the change is made, to all persons who are registered to receive any addenda to the plans and specifications.

(e) A construction project may not be divided into more than one project for the purpose of evading the requirements in this section.

(f) As used in this section, the term "emergency" means an unexpected turn of events that causes:

- 1) An immediate danger to the public health or safety;
- 2) An immediate danger of loss of public or private property; or
- 3) An interruption in the delivery of an essential governmental service.

SECTION 2. If any clause, section, or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.


SECTION 3. This ordinance shall take effect immediately upon adoption by the City Commission of the City of Lake Wales, Polk County, Florida.

CERTIFIED AS TO ADOPTION this 5th day of May, 2009.



Mayor/Commissioner

ATTEST



City Clerk

ORDINANCE 2009-13

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, LAKE WALES CODE OF ORDINANCES; REPEALING SECTION 2-223.03 OF ORDINANCE 2001-08 AND REINSTATING RETIREE MEDICAL INSURANCE IN COMPLIANCE WITH CHAPTER 112, FLORIDA STATUTES; PROVIDING FOR SEVERALBILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. Chapter 2, Administration, Lake Wales Code of Ordinances is hereby amended to read as follows:

ARTICLE III PERSONNEL ADMINISTRATION.

DIVISION 1. GENERAL POLICIES.

Sec. 2-223.03. Retirees medical insurance.

(a) Will be provided in accordance with Florida Statutes.

~~(a) Employees who are hired on or after July 1, 2001 will not be entitled to participate in any city insurance plan upon retirement.~~

~~(b) Employees hired prior to July 1, 2001 are entitled to participate in the group medical insurance plan up to age sixty five (65) and after age sixty five (65) in the city approved medicare supplement, if the city has approved one (1), at their own expense.~~

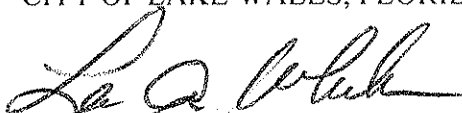
SECTION 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. If any clause, section or provision of this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 4. This ordinance shall become effective immediately upon its passage by the City Commission.

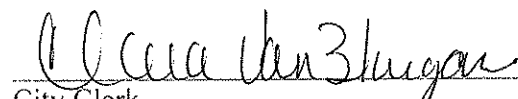
CERTIFIED AS TO PASSAGE, this 5th day of May, 2009.

CITY OF LAKE WALES, FLORIDA



Mayor/Commissioner

ATTEST:



City Clerk