

The meeting of the Lake Wales City Commission was held on October 7, 2014 in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor Fultz at 6:00 p.m. following the invocation and the Pledge of Allegiance.

INVOCATION

The invocation was given by Dr. Jim Moyer.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Terrye Howell; Jonathan Thornhill; Christopher Lutton, Deputy Mayor; Betty Wojcik, Eugene Fultz, Mayor

COMMISSIONERS ABSENT:

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

[Full staff memos are incorporated into the minutes. Meetings are recorded, but not transcribed verbatim.]

MAYOR

Agenda Item 5. PROCLAMATION: Alpha Delta Kappa Week; October 12-18, 2014

The Mayor issued a proclamation establishing October 12-18 as Alpha Delta Kappa Week. Rosemary Webb and Brenda Wise accepted the proclamation.

PROCLAMATION: Fire Prevention Week; October 5-11, 2014

The Mayor issued a proclamation establishing October 5-11 as Fire Prevention Week. Joe Jenkins, Fire Chief, accepted the proclamation.

PROCLAMATION: Florida City Government Week; October 19-25, 2014

The Mayor issued a proclamation establishing October 19-25 as Florida City Government Week. The proclamation was presented to City Manager Kenneth Fields.

PROCLAMATION: Hispanic Heritage Month; Sept 15 – October 15, 2014

The Mayor issued a proclamation establishing September 15 – October 15, 2014 as Hispanic Heritage Month. Victor Martinez accepted the proclamation.

ANNUAL REPORT

Agenda Item 6. Quarterly Evaluation Report by Lake Wales Area Chamber of Commerce Executive Director Kevin Kieft on the progress of Economic Development Programs & Activities

Mr. Kieft reported on how leads are followed up on and what companies are looking for. Most job growth here will be from existing businesses. Retail development will increase with new housing developments coming in. Reuse tends to be difficult but cited positive examples such as Rural King. Oakley Transport received a tax exemption on improvements to the current facility which will provide for new jobs.

Some marketing efforts have been improved and have developed a program to retain and possibly expand current businesses. A database of leads and available properties and they have developed plans to participate at various trade shows. Commissioner Lutton asked if Mr. Kieft has the funds to travel to these shows. Mr. Kieft explained that there are ways to participate without physically going.

Commissioner Wojcik asked if there are leads coming in due to the logistics center. Mr. Keift said that not yet but it will be a draw.

Deputy Mayor Lutton asked if Long Leaf Business Park has too many restrictions. Mr. Keift said besides retail there are no restrictions and Mr. Fields confirmed this. Mr. Keift said there was a lot of misinformation out there.

Kenneth Fields, City Manager, reported that he received some positive comments concerning the business friendly environment.

COMMUNICATIONS AND PETITIONS

Victor Martinez, 348 Summit Ave., with Bombers Baseball, reported that they have 95 kids in their organization. A Semi-Pro baseball league is coming in February and will play at Frasier Field through August. Regular season begins October 24th. They are working on additional improvements to the fields including the lighting. He introduced two participants who shared the positive aspects of participating in the league.

Commissioner Howell asked about the condition of the fields. Teresa Allen, Assistant Director of Public Services, reported that they are working on the lights which are in the CIP. City staff will be working with the Bombers on other things that are needed.

CONSENT AGENDA

**Agenda Item 7. APPROVAL OF MINUTES: August 19, 2014, Regular Meeting
September 16, 2014, Regular Meeting**

Agenda Item 9. Agreement with the Highlander Bombers Baseball Club, Inc.

[Begin Agenda Memo]

SYNOPSIS

The approval allows the Highlander Bombers Baseball Club, Inc. to mow and maintain the Northwest Complex from October 1, 2014 through September 30, 2015.

RECOMMENDATION

Staff recommends that the City Commission take the following action:

1. Approve the agreement with the Highlander Bombers Baseball Club, Inc. for the mowing and maintenance of the Northwest Complex for the period October 1, 2014 through September 30, 2015 for an annual compensation of \$ 12,000.00; and
2. Authorize the City Manager to execute the agreement.

BACKGROUND

In 2013, the City Commission approved an agreement with the Highlander Bombers Baseball Club, Inc. for the mowing and maintenance of the Norwest Complex for the period January 7, 2014 through September 30, 2014 for a compensation of ten dollars (\$10.00). This agreement established the Northwest Complex as the home base for the Bombers. This current agreement will be for the period October 1, 2014 through September 30, 2015. This agreement may be renewed for four (4) additional twelve (12) month periods upon the mutual agreement of both parties.

The league shall implement Section 18-137 of the Lake Wales Code of Ordinances governing league use of city-owned fields (attached).

OTHER OPTIONS

Do not approve the agreement request

FISCAL IMPACT

The \$12,000.00 funding is included in the FY14'15 budget.

[End Agenda Memo]

Agenda Item 10. Dr. Martin Luther King Jr. Celebration 2015

[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 January 10, 2015 and January 19, 2015 and allow the temporary street closings for the parade on January 19, 2015

RECOMMENDATION

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

1. Approve the special event permit application for the Dr. Martin Luther King Jr. Celebration to be held between January 10, 2015 and January 19, 2015.
2. Approve the temporary street closings for the Dr. Martin Luther King Jr. Celebration and Parade to be held Monday, January 19, 2015. 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.
3. Approve the temporary closing of the city parking lots on Lincoln Avenue for vendors and/or parking.
4. Approve the request for the use of the James P. Austin Community Center at no cost on the following dates:
Saturday, January 10, 2015 for the Debutant Ball, Thursday, January 15, 2015 for the International Pot Luck Dinner, Friday, January 16, 2015 for the Oratorical Contest, Saturday, January 17, 2015 for the MLK Health Fair, Monday, January 19, 2015 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 January 10, 2015 and ending on January 19, 2015.

The celebration will include the following activities:

- Saturday, January 10, 2015 – Debutant Ball at the Austin Center
- Thursday, January 15, 2015 – International Pot Luck Dinner at the Austin Center
- Friday, January 16, 2015 – Oratorical Contest at the Austin Center
- Saturday, January 17, 2015 – Unity Walk from Kiwanis Park to Stuart Park
- Saturday, January 17, 2015 – Health Fair, Austin Center
- Sunday, January 18, 2015 - Gospel Fest – Location TBA
- Monday, January 19, 2015 - Legacy Breakfast, MLK Program – Austin Center
- Monday, January 19, 2015 – 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 19, 2015 for the Parade:

Parade will line up at the Austin Center by 2:30 p.m. and will begin on Dr. Martin Luther King Jr. Boulevard, travel north to Dr. J.A. Wilshire Avenue, turning left and continuing to E Street, turning right on E Street and continuing to Lincoln Avenue, traveling west on Lincoln Avenue to A Street, turning right on A Street and continuing to Dr. J.A. Wilshire 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. 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 FY14/15 in the amount of \$5,927.00. The MLK Scholarship Fund of Lake Wales Inc. is responsible for 25% or \$1,482.00. The fees for the James P. Austin Community Center would be waived providing that the City Commission approves this request.

[End Agenda Memo]

Agenda Item 11. Duke Energy Distribution Easement

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider granting Duke Energy Florida, Inc. a 10-foot easement for the City property located at 1000 North Lakeshore Boulevard.

RECOMMENDATION

Staff recommends that the City Commission take the following actions:

1. Grant Duke Energy Florida, Inc. a 10-foot distribution easement for the City property located at 1000 North Lakeshore Boulevard (Kiwanis Park).

BACKGROUND

In July 2014, the City Commission approved the contract with Cobb Site Development, Inc. for improvements to Lake Wailes Park including the repair/resurfacing of 2.5 miles of the pedestrian bike path. As part of the project a light pole has to be re-located.

Duke Energy Florida, Inc. informed the City that in order to move forward with the re-location of the light pole, they are requiring a 10-foot distribution easement.

FISCAL IMPACT

None

OTHER OPTIONS

None

[End Agenda Memo]

Agenda Item 12. Extension of Time - Approval of Preliminary PDP Plan, Villa Ridge Townhomes – North Side of Burns Avenue

[Begin Agenda Memo]

SYNOPSIS

Florida Community Bank is requesting an extension of time on the approval of the plan for Villa Ridge Townhomes, a 45-unit development on the north side of Burns Ave. The bank took ownership of the property in 2013. The Planning & Zoning Board recommends approval.

RECOMMENDATION

At its meeting September 23, 2014, the Planning and Zoning Board voted unanimously to recommend approval of a one-year extension of time for the Villa Ridge Townhomes PDP (planned development project) approval, as shown on the plan entitled Villa Ridge Townhomes, dated 6/7/06.

BACKGROUND

Villa Ridge was approved by the City Commission on June 20, 2006 just prior to the downturn of the housing market. The approval has been extended annually since that time. The zoning regulations limit extensions to one year. The plan shows 45 townhouses on a terraced 7.6-acre property on the north side of Burns Ave. (See attached reduced plan.) The site is in the 500 block just west of High Point Church.

Mr. Larry Benton Director of REO at Florida Community Bank stated in his application that the "The bank wishes to target developers and local investors with the strength to complete the project as envisioned, and having these approvals extended will greatly enhance our ability to attract such a user." Realtor Larry Bossarte is representing the Florida Community Bank on this request. The Planning Board recommends approval of the extension, finding that the plan is well thought out and there have been no significant changes in the neighborhood conditions or the PDP regulations since the initial approval.

A reduced copy of the plan is attached for your information. Any significant change in the plan or conditions would require City Commission approval upon recommendation by Planning Board. No changes have been proposed or recommended.

OTHER OPTIONS

Decline to extend the approval.

[End Agenda Memo]

Agenda Item 13. Award of Bid for the Utilities Parking Facility

[Begin Agenda Memo]

SYNOPSIS

Staff requests commission approval to award the bid for the construction of the Utilities Parking Facility to Tucker Construction and Engineering.

STAFF RECOMMENDATION

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

1. Approve the award of bid for the Utilities Parking Facility to Tucker Construction and Engineering
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

BACKGROUND

In March of 2014, City staff entered into an agreement with AMEC Engineering utilizing the Master Consulting Agreement #12-348 for the amount of \$28,460 to prepare and design bid specifications for a parking facility at the waste water treatment plant to be utilized by both the Water and Wastewater departments.

The facility will house all equipment needing shelter to minimize damage being done by the outside elements. The project went out to bid and had a bid open date of September 18, 2014. There were three responsive bidders to which Tucker Construction and Engineering was the lowest responsive bidder. Staff, therefore recommends the commission give approval for the city manager to execute all appropriate documents and approve the award of bid to Tucker Construction and Engineering for the construction of the Utilities Parking Facility in the amount of \$187,171.00.

OTHER OPTIONS

Chose not to allow the parking facility to be built at this time and continue to have equipment at the mercy of the elements.

FISCAL IMPACT

This project was listed in the 2013-2014 CIP and was carried forward to the 2014-2015.

[End Agenda Memo]

Agenda Item 14. New Cingular Wireless PCS, LLC Site Lease Fourth Amendment

[Begin Agenda Memo]

SYNOPSIS

Staff requests commission approval of the signing of the Cingular Wireless PCS, LLC cell site lease fourth amendment.

STAFF RECOMMENDATION

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

3. Accept the Amendment to the Cingular Wireless PCS, LLC cell site lease fourth amendment.
4. Authorize the Mayor to execute the appropriate documents, on the City's behalf.

BACKGROUND

In June of 2000, the City of Lake Wales entered into a site lease agreement with the Cingular Wireless PCS, LLC provider allowing the corporation to construct and install cellular antennae and a control building on the market Street Water Plant tower and tank yard. Cingular Wireless PCS, LLC now wishes to amend the original agreement to allow for the upgrades of its network system. There will be no additional equipment added.

The Water Division staff and Utilities Director have pre-determined that the proposed replacement and upgrade of equipment will not interfere or hamper any of its daily operational activities.

OTHER OPTIONS

Chose not to allow the Cell provider the opportunity to upgrade its facilities.

FISCAL IMPACT

This provider currently pays an annual lease of \$30,880.

[End Agenda Memo]

Deputy Mayor Lutton asked to pull Agenda Item #8 for discussion.

Commissioner Lutton asked about the details of the structure for Agenda #13. Sarah Kirkland, Utilities Projects Administrator, said that she will get that information to him.

Commissioner Thornhill made a motion to approve the Consent Agenda except for #8. Commissioner Howell seconded the motion.

By Voice Vote:

Commissioner Thornhill "YES"
Commissioner Howell "YES"
Commissioner Wojcik "YES"
Commissioner Lutton "YES"
Mayor Fultz "YES"

The motion carried 5-0.

Agenda Item 8.

[Begin Agenda Memo]

SYNOPSIS

The approval allows the Lake Wales Little League, Inc. to mow and maintain the Little League fields (Barnes & Barranco) and Legion Field perimeter from October 1, 2014 through September 30, 2015.

RECOMMENDATION

Staff recommends that the City Commission take the following action:

1. Approve the agreement with Lake Wales Little League, Inc. for the mowing and maintenance of the Little League fields (Barnes & Barranco) and Legion Field perimeter for the period October 1, 2014 through September 30, 2015 for an annual compensation of \$60,000.00.
2. Authorize the City Manager to execute the agreement.

BACKGROUND

The City of Lake Wales renewed its agreement with Lake Wales Little League, Inc. to mow and maintain the Little League fields (Barnes & Barranco) and the area between the fence and the edge of the surrounding roadway (Legion Field perimeter) and the maintenance of softball fields 1 & 2 at the Northwest Complex (Frasier Field). This current agreement will be for the period October 1, 2014 through September 30, 2014. This agreement may be renewed for four (4) additional twelve (12) month periods upon the mutual agreement of both parties. This renewal will constitute renewal number four (4) and removes the maintenance of softball fields 1 & 2 at the Northwest Complex (Frasier Field). All other terms and conditions of the agreement remain unchanged.

The league shall implement Section 18-137 of the Lake Wales Code of Ordinances governing league use of city-owned fields (attached).

OTHER OPTIONS

Do not approve the agreement request.

FISCAL IMPACT

The \$60,000.00 funding is included in the FY14'15 budget.

[End Agenda Memo]

Deputy Mayor Lutton said that the Little League is doing about 20% less with the new agreement with the Bombers. He suggested reviewing the contract to make sure it is correct especially concerning electricity. He would like to know what the electric use was last year.

Teresa Allen, Assistant Director of Support/Public Services, reviewed the history of the contract that it is the same despite an increase request a few years ago, so thought the work for them is less the amount is staying the same. She also explained that Little League is responsible as far as the use of lighting. Ms. Allen said that she will get information on electric use to the Commission and that they are reviewing usage of all fields.

Commissioner Thornhill emphasized the need for our fields to look nice especially if outside groups are coming to use them. Kenneth Fields, City Manager, said that other funding resources may be available as more outside groups use our facilities.

Deputy Mayor Lutton made a motion to approve the Renewal Agreement with Little League. Commissioner Thornhill seconded the motion.

By Voice Vote:

Commissioner Lutton "YES"
Commissioner Thornhill "YES"
Commissioner Howell "YES"
Commissioner Wojcik "YES"
Mayor Fultz "YES"

The motion carried 5-0.

OLD BUSINESS

Agenda Item 15. ORDINANCE 2014-14, Increasing the Mayor's Annual Salary – 2nd Reading

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider an increase in the Mayor's salary to compensate for additional duties and responsibilities required by the Lake Wales City Charter.

RECOMMENDATION

The recommendation is for the City Commission to adopt Ordinance 2014-14, after second reading and public hearing.

The City Commission approved Ordinance 2014-14 after first reading on September 16, 2014. Public hearing notice requirement has been met.

BACKGROUND

In accordance with the City Charter, Section 3-04, the Commission may determine the annual salary of commission members by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of the commission member(s) elected at the next regular election, provided that such election follows the adoption of such ordinance by at least six (6) months.

The City's Charter, Section 3-06, imposes additional duties and responsibilities on the Mayor, and because the Mayor spends a great majority of his time complying, it is now necessary for the City Commission to consider increasing the annual salary of the Mayor to no less than fifty percent greater than the salary of the commissioners. If approved, the effective date of the salary increase is April 7, 2015.

The City Commission approved first reading of Ordinance 2014-14 on September 16, 2014 and set the rate of increase in the Mayor's salary to fifty percent greater than the salary of the commissioners. The adoption of the ordinance will allow for this increase.

OPTIONS

The Commission could choose not to consider approval of Ordinance 2014-14 after first reading.

FISCAL IMPACT

The fiscal impact of Ordinance 2014-14 is codification, which is provided for in the FY'2014-2015 budget.

[End Agenda Memo]

Commissioner Lutton asked if the Mayor needed to be excused for this vote. Mayor Fultz explained that as this does not go into effect until the next term, this increase may not apply to him.

City Clerk Clara VanBlargan read **ORDINANCE 2014-14** by title only.

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, ADJUSTING THE MAYOR'S ANNUAL SALARY; PROVIDING FOR AN EFFECTIVE DATE.

Kenneth Field, City Manager, reviewed this item.

OPENED PUBLIC HEARING

No comments from the public.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE 2014-14**, after second reading and public hearing. Commissioner Thornhill seconded the motion.

By Roll Call Vote:

Commissioner Howell	"YES"
Commissioner Thornhill	"YES"
Commissioner Wojcik	"YES"
Commissioner Lutton	"YES"
Mayor Fultz	"YES"

The motion carried 5-0.

NEW BUSINESS

Agenda Item 16. RESOLUTION 2014-13, For purposes of (1) approving the forms of amendatory documents regarding the reissuance of the Series 2008 Bonds and (2) holding a public hearing pursuant to Section 147(f) of the Internal Revenue Code regarding the issuance of Public Finance Authority Revenue Bonds - Public Hearing

[Begin Agenda Memo]

SYNOPSIS

The approval of the documents will be the final step for the reissuance of the Series 2008 Bonds and the public hearing for an issuance by the Public Finance Authority for purposes of Section 147(f) of the Internal Revenue Code for the future issuance of bonds will provide the project with the ability to finance additional improvements, as described below.

RECOMMENDATION

Water's Edge of Lake Wales, LLC is requesting that the City Commission:

1. Hold a public hearing regarding the issuance by the Public Finance Authority of its Revenue Bonds (Water's Edge of Lake Wales Project), Series 2014A (the "Public Finance Authority Bonds").
2. Adopt Resolution 2014-13 (the "Resolution") approving the substantially final forms of the First Amendment to Bond Indenture and First Amendment to Loan Agreement regarding the reissuance of the City of Lake Wales, Florida Retirement Facility Revenue Bonds (Water's Edge of Lake Wales, LLC Project), Series 2008A and Retirement Facility Revenue Bonds (Water's Edge of Lake Wales, LLC Project), Taxable Series 2008B originally issued in the principal amount of \$26,025,000 and \$860,000, respectively (collectively, the "Amendments"). The Amendments provide for the restructuring of certain terms for the Series 2008 Bonds, including a reduction in the interest rate. The adoption of the Resolution also approves, for purposes of Section 147(f) of the Internal Revenue Code, the future issuance of the Public Finance Authority Bonds.

BACKGROUND

The City previously issued the Series 2008 Bonds pursuant to an Indenture of Trust dated as of April 1, 2008 to generate funds to make a loan to Water's Edge of Lake Wales, LLC, a Florida limited liability company (the "Borrower"), for the purpose of financing and refinancing the senior living facilities (the "2008 Project") described in the Resolution. The 2008 Project was completed. The Borrower has now reached an agreement with the other parties to the 2008 Bond transaction to implement the Amendments and to have the National Church Residences, with management experience and liquidity support, assist the Borrower and become obligated to provide certain management activities and financial backing for the Series 2008 Bonds.

A hearing was held by the City Commission on March 18, 2014 regarding the reissuance of the Series 2008 Bonds. The City initially approved the reissuance pursuant to Resolution No. 2014-06 adopted March 18, 2014.

The Amendment documentation has now been finalized and is presented for consideration as attached to the Resolution.

Additional improvements to the 2008 Project, including the construction of villa units, is now desired to be undertaken by the Borrower, described below. In order to finance such additional improvements, the Borrower is working with the Public Finance Authority to issue bonds and has requested the City Commission consider approving the additional financing after holding a public hearing. On September 23, 2014, a Notice of Public Hearing was published in *The Lakeland Ledger* noticing a hearing to be held by the City Commission on the date hereof at 6:00 p.m. regarding the issuance of the Public Finance Authority Bonds.

PROJECT

The Public Finance Authority Bonds are expected to be used to finance the costs of the acquisition, construction, installation and equipping of senior care facilities located at 10 West Grove Avenue, Lake Wales, Florida 33853, including the construction of five single-story duplex villas and renovation of the dining room, reception area and common areas of the congregate care and assisted living building, along with improvements to the property's landscaping, site amenities, entry gateway and wayfinding and signage (the "2014 Project"). The 2014 Project is also to be owned by the Borrower. National Church Residences, a nonprofit Ohio corporation, is undertaking the sponsorship and management of the 2014 Project from the Public Finance Authority.

Adoption of the Resolution shall not be construed as an approval of any necessary rezoning applications or for any other regulatory permits relating to the 2014 Project.

The City's adoption of the Resolution shall not be construed to:

- a) Attest to the Borrower's ability to repay the indebtedness represented by the Public Finance Authority Bonds.
- b) Have waived any right of the City or stop the City from asserting any rights or responsibilities it may have in that regard.

The Resolution grants the final authority for the reissuance of the Series 2008 Bonds and approves the issuance by the Public Finance Authority.

OTHER OPTIONS

Not adopt the Resolution. The Borrower will have to pursue other refinancing alternatives and would not be approved to have the additional funding for the 2014 Project.

FISCAL IMPACT

The Borrower will pay the bond reissuance costs including the City's Attorney and Bond Counsel fees and expenses, and **advertising costs**. Neither the Series 2008 Bond issue nor the Public Finance Authority Bonds constitute an indebtedness or pledge of the general credit or taxing power of the City.

[End Agenda Memo]

City Clerk Clara VanBlargan read **RESOLUTION 2014-13** by title only.

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA APPROVING THE FORMS OF A FIRST AMENDMENT AND SUPPLEMENT TO INDENTURE OF TRUST AND FIRST AMENDMENT AND SUPPLEMENT TO LOAN AGREEMENT, RESPECTIVELY, IN EACH CASE TO AMEND CERTAIN PROVISIONS OF AN INDENTURE OF TRUST AND LOAN AGREEMENT AND AUTHORIZING THE REISSUANCE AND RESTRUCTURING OF THE CITY OF LAKE WALES, FLORIDA RETIREMENT FACILITY REVENUE BONDS (WATER'S EDGE OF LAKE WALES, LLC PROJECT), SERIES 2008A AND CITY OF LAKE WALES, FLORIDA RETIREMENT FACILITY REVENUE BONDS (WATER'S EDGE OF LAKE WALES, LLC PROJECT), TAXABLE SERIES 2008B; AUTHORIZING THE EXECUTION AND DELIVERY OF ALL OTHER RELATED INSTRUMENTS; APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF NOT TO EXCEED \$7,000,000 REVENUE BONDS (WATER'S EDGE OF LAKE WALES PROJECT), SERIES 2014A; PROVIDING CERTAIN MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Kenneth Fields, City Manager, reviewed this item.

OPENED PUBLIC HEARING

No comments from the public.

CLOSED PUBLIC HEARING

Commissioner Thornhill moved to adopt **RESOLUTION 2014-13**. Commissioner Howell seconded the motion.

By Roll Call Vote:

Commissioner Thornhill "YES"
Commissioner Howell "YES"
Commissioner Wojcik "YES"
Commissioner Lutton "YES"
Mayor Fultz "YES"

The motion carried 5-0.

Agenda Item 17. Task Order #16 - Airfield Improvements and Airport Road Project at the Lake Wales Municipal Airport

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider approving task order #16 with Hoyle, Tanner & Associates for professional services pertaining engineering construction in the amount of \$292,400.00 and award Dickerson Florida, Inc. the construction contract in the amount of \$2,823,919.90 for airfield improvements at the Lake Wales Municipal Airport.

RECOMMENDATION

Staff recommends that the City Commission approve the following action:

1. Approve Task Order #16 with Hoyle, Tanner & Associates for professional services pertaining to the engineering construction of airfield improvements and airport road rehabilitation at the Lake Wales Municipal Airport in the amount of \$292,400.00.
2. Award Dickerson Florida, Inc. the construction contract for the airfield improvements and airport road rehabilitation at the Lake Wales Municipal Airport in the amount of \$2,823,919.90 (\$2,647,833.65 for runway 6/24 safety area and taxiway alpha realignment and \$176,086.25 for the Airport Road rehabilitation).

BACKGROUND

In July 2013 the city approved task order #15 with Hoyle, Tanner and Associates for professional services pertaining to the engineering design of airfield improvements and the rehabilitation of Airport Road at the Lake Wales Municipal Airport.

After the airfield improvements are completed, the City would be prepared to ask for funding of the runway extension. The phased construction of the existing runway/taxiway project will better position the City to receive FAA funding over multiple years to accomplish the full construction of the runway extension.

On Monday, June 9, 2014 notice was given that the City of Lake Wales was accepting sealed bids for the Airfield Improvements project at the Lake Wales Municipal Airport. A mandatory pre-bid meeting was held on June 23, 2014 and bids were opened on Wednesday, July 9, 2014.

Bids were as follows:

Dickerson Florida, Inc.	\$2,823,919.90
O-A-K Florida, Inc.	\$2,972,133.79
Gibbs & Register, Inc.	\$3,094,392.00
Kamminga & Roodvoets, Inc	\$3,667,032.85

FISCAL IMPACT

Funding is as follows:

FAA	\$2,480,010.00 (FY14)
FAA	\$ 150,000.00 (FY15)
City	\$ 184,179.90 (funds will be available in the 14/15 City budget)

State \$ 218,189.00 (FY14)
State \$ 83,941.00 (have not received the amended participation notification from FDOT for the additional funding)

Project total: \$3,116,319.90

OTHER OPTIONS

The Commission has already approved the design phase of this project.

[End Agenda Memo]

Teresa Allen, Assistant Director of Support/Public Services, reviewed the project.

Doug Norman, Hoyle Tanner Associates, thanked the City for working with them.

OPENED FOR PUBLIC COMMENT

Jack Neal, 439 E. Central Avenue, said he is on the Airport Authority reported that they have been working on this for a long time and he is glad it is moving forward.

CLOSED FOR PUBLIC COMMENT

Commissioner Thornhill made a motion to approve Task Order #16 with Hoyle Tanner & Associates, and to award Dickerson Florida, Inc. the construction contract. Commissioner Howell seconded the motion.

By Voice Vote:

Commissioner Thornhill "YES"
Commissioner Howell "YES"
Commissioner Wojcik "YES"
Commissioner Lutton "YES"
Mayor Fultz "YES"

The motion carried 5-0.

Agenda Item 18. ORDINANCE 2014-13, Amendment to Emergency Management Procedures – 1st Reading

[Begin Agenda Memo]

SYNOPSIS

The adoption of Ordinance 2014-13 provides an amendment to the Lake Wales Code of Ordinances, Chapter 9, Emergency Management. The amendment is necessary to allow for a broader approach to Emergency Management functions in the city.

RECOMMENDATION

The recommendation of the City Commission is to approve Ordinance 2014-13 after first reading.

BACKGROUND

The current ordinance is primarily for civil disturbances. The proposed ordinance includes other events that might prompt activation of the city's Emergency Management System.

OTHER OPTIONS

None; this is a housekeeping ordinance which conforms the City Code to the requirements of Florida Statutes and actual practice.

FISCAL IMPACT

The only fiscal impact is codification of Ordinance 2014-13.

[End Agenda Memo]

City Clerk Clara VanBlargan read **ORDINANCE 2014-13** by title only.

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE LAKE WALES CODE OF ORDINANCES, CHAPTER 9, EMERGENCY MANAGEMENT, WHICH INCLUDES REPEALING ORDINANCE 2011-20, REGULATION OF FIREARMS, SECTIONS 9-2, 9-3, AND, 9-4; AND REPEALING ORDINANCE 2006-26, ESTABLISHING THE POSITION OF EMERGENCY MANAGEMENT DIRECTOR AND ESTABLISHING DUTIES AND RESPONSIBILITIES OF SAID DIRECTOR, SECTION 9-9; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Joe Jenkins, Fire Chief, reviewed the item.

Commissioner Thornhill made a motion to approve **ORDINANCE 2014-13** after first reading. Commissioner Howell seconded the motion.

By Roll Call Vote:

Commissioner Thornhill "YES"
Commissioner Howell "YES"
Commissioner Wojcik "YES"
Commissioner Lutton "YES"
Mayor Fultz "YES"

The motion carried 5-0.

Agenda Item 19. RESOLUTION 2014-12, FDOT Project Maintenance Agreement – Safe Routes to Schools Project

[Begin Agenda Memo]

SYNOPSIS

Resolution 2014-12 approves the FDOT Project Maintenance Agreement where the City will agree to maintain the new sidewalks that will be constructed by FDOT as part of a Safe Routes to School Grant Award.

RECOMMENDATION

The recommendation of the City Commission is to take the following action:

1. Adopt Resolution 2014-12, Florida Department of Transportation Maintenance Agreement of new sidewalks on 2nd and 3rd Streets between SR 60 and 1st Street.

2. Authorize the City Manager to sign the agreement.

BACKGROUND

In 2011, the City applied for and received a grant from the Florida Department of Transportation a Safe Routes to School grant to install sidewalks on 2nd and 3rd Streets from SR HWY 60 and 1st Street near Polk Avenue Elementary School. This allows students to walk to school more safely.

The maintenance agreement requires that the FDOT will construct the sidewalks and that the City maintain the new sidewalks once they are installed.

OTHER OPTIONS

Do not approve the agreement

FISCAL IMPACT

There is no additional fiscal impact as this area is currently maintained by the city.

[End Agenda Memo]

City Clerk Clara VanBlargan read **RESOLUTION 2014-12** by title only.

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY AN AGREEMENT BETWEEN THE CITY OF LAKE WALES AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION INCLUDING ANY AMENDMENT THERETO FOR THE MAINTENANCE OF NEWLY INSTALLED SIDEWALKS AND OTHER IMPROVEMENTS.

Commissioner Thornhill made a motion to adopt **RESOLUTION 2014-12** after first reading. Commissioner Howell seconded the motion.

By Roll Call Vote:

Commissioner Thornhill	"YES"
Commissioner Howell	"YES"
Commissioner Wojcik	"YES"
Commissioner Lutton	"YES"
Mayor Fultz	"YES"

The motion carried 5-0.

Kenneth Fields, City Manager, said that they are working with FDOT on other areas where sidewalks are needed.

CITY MANAGER

Agenda Item 20. City Commission Tracking Report:

Kenneth Fields, City Manager, said that this is a revised tracking report for the new fiscal year, with the completed items from last year taken off. The C Street and Lake Wailes Trail projects are ongoing.

The Scenic HWY resurfacing project will begin soon. There was an open house Thursday to provide information to the public. The work will mostly be done at night. Commissioner Thornhill noted that people are still using the trail even though it is closed.

Mr. Fields noted that Teresa Allen's title has changed to Public and Support Services Assistant Director.

Agenda Item 21. City Commission Calendar

Agenda Item 22. Annual Reporting – Boards, Commissions, and Committees

None.

CITY COMMISSION COMMENTS

Deputy Mayor Lutton said he saw that the new cemetery is underway. Commissioner Thornhill expressed concern about mowing at the new cemetery. Mr. Fields said the new one is designed to be more low maintenance.

CITY MANAGER COMMENTS

MAYOR COMMENTS

The meeting was adjourned at 7:13 p.m.

Mayor/Deputy Mayor

ATTEST:

City Clerk