

**CITY COMMISSION
REGULAR MEETING
OFFICIAL AGENDA
July 7, 2015
6:00 p.m.**

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

1. INVOCATION

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

4. ROLL CALL

5. MAYOR

5.I. PROCLAMATION: Lakes Appreciation Month; July 2015

Documents: [LAKES APPRECIATION MONTH.PDF](#)

6. ANNUAL REPORT

6.I. Lake Wales Code Enforcement Board - Annual Report By Chairman Melissa Konkol

Documents: [BOARD INFORMATION.PDF](#)

7. PRESENTATION

8. COMMUNICATIONS AND PETITIONS

Public participation is encouraged. If you are addressing the Commission, step to the podium and state your name and address for the record. Please limit your discussions to five (5) minutes.

9. CONSENT AGENDA

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

9.I. APPROVAL OF MINUTES: June 16, 2015 Regular Meeting

Documents: [2015-06-16REG.PDF](#)

9.II. Purchase Authorization For Street Maintenance Projects

The City Commission will consider authorizing staff to expend funds to Grove Construction for two street maintenance projects.

Documents: [MEMO_STREET_PROJECTS.PDF](#), [GROVE_CONST_QUOTES.PDF](#),

10. OLD BUSINESS

10.I. Ordinance 2015-04 (Zoning Amendments Chapter 23)

Several areas of the zoning regulations (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments to address scribes' errors and provide better clarification and intent of the code.

Documents: [MEMO 2ND READING - 07072015.PDF](#), [ORD 2015-04 ZONING AMENDMENTS.PDF](#)

11. NEW BUSINESS

11.I. Polk County Water Cooperative Interlocal Agreement

The City Commission will consider an Interlocal Agreement with Polk County for funding the development of the Polk County Water Cooperative in coordination with Polk County's funding agreements with the Southwest Florida Water Management District.

Documents: [MEMO - POLK COUNTY WATER COOPERATIVE INTERLOCAL.PDF](#), [LAKE WALESRWSE INTERLOCAL AGMT 062515 ALT 2 C.PDF](#), [15-0525_CITIES CFWRDP PHASE I-II COST EST.PDF](#)

12. CITY MANAGER

12.I. TRACKING REPORT

Documents: [TRACKING.PDF](#)

12.II. City Commission Meeting Calendar

Documents: [MEETING CALENDAR, 07-07-2015.PDF](#)

12.III. Other Meetings & Events Calendar

Documents: [OTHER MEETINGS CALENDAR,07-07-15.PDF](#)

12.IV. Boards, Commissions & Committees Information

Documents: [AGENDA ITEM - ANNUAL REPORTING SCHEDULE.PDF](#)

13. CITY COMMISSION COMMENTS

14. MAYOR COMMENTS

(Staff memos are not incorporated into the official record)

Minutes of the City Commission meeting can be obtained from the City Clerk's Office. The minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may make arrangements with the City Clerk to duplicate the recording, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be the expense of the requesting party.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 5:00 p.m. on the day prior to the meeting.

Appeals concerning decisions on issues requiring a public hearing:

Persons who wish to appeal any decision made by the City Commission with respect to any matter considered during a public hearing at this meeting will need a record of the proceedings, and for such purpose may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

PROCLAMATION

WHEREAS, Lake Wales is blessed with many lakes and ponds within its boundaries; and

WHEREAS, lakes are an important part of the Lake Wales way of life and its environment, providing sources of recreation, scenic beauty and habitat for wildlife; and

WHEREAS, Lake Wales has taken an active part in protecting and restoring water quality of its lakes; and

WHEREAS, Lake Wales' lakes are valuable community resources; and

WHEREAS, Lake Wales recognizes the need to protect these lakes for future generations;

NOW, THEREFORE, BE IT RESOLVED that I, Eugene Fultz, Mayor of the City of Lake Wales, Polk County, Florida do hereby proclaim July 2015 as,

"LAKES APPRECIATION MONTH"

in Lake Wales, and encourage all residents to visit and help protect our beautiful lakes.

IN WITNESS WHEREOF, I, have hereunto set my hand and caused the Official Seal of the City of Lake Wales, Florida, to be affixed this 7th day of July 2015.

Mayor Eugene Fultz

**CODE ENFORCEMENT BOARD
RESIDENT REQUIREMENTS, CURRENT MEMBERS & VACANCIES**

The Mayor makes appointments to various citizen advisory and regulatory boards, commissions, committees, and authorities with the advice and consent of the City Commission (City Charter, Sec. 3.06).

Code Enforcement Board (City Code Sec. 2-56) – The board consists of seven (7) members. Whenever possible, membership shall include an architect, a businessperson, an engineer, a general contractor, a subcontractor and a realtor. Members must be residents. (3-year term)

- An interview process is necessary for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 vacancy; 1 expiring term

Current Members: Melissa Konkol, resident	01/19/10 – 07/01/18, 3
Wilena Vreeland, resident	10/04/11 – 07/01/18, P+2
Angela Jones, resident	05/07/13 – 07/01/15, 1
Vacant, resident	– 07/01/18
Murray Zacharia, resident	06/18/13 – 07/01/16, 1
William Follett, resident	07/03/07 – 07/01/16, 3-Final
Jean Kincaid Scott, resident	06/17/08 – 07/01/17, 3

Current Meeting Schedule: 2nd Monday @ 5:00 PM; Commission Chamber

Powers (City Code Sec. 2-57) - The Code Enforcement Board imposes administrative fines and other noncriminal penalties to enforce city health and sanitation, local business tax receipt, fire, building, zoning and sign ordinances when it finds that a pending or repeated violation continues to exist.

In accordance with F.S. 162.08, The Code Enforcement Board has the power to:

1. Adopt rules for the conduct of its hearings.
2. Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by the sheriff of the county or police department of the municipality.
3. Subpoena evidence to its hearings.
4. Take testimony under oath.
5. Issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance.

The meeting of the Lake Wales City Commission was held on June 16, 2015 in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor Fultz at 6:15p.m. following the invocation and the Pledge of Allegiance.

INVOCATION

The invocation was given by Rev. Jim Reddick

PLEDGE OF ALLEGIANCE

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

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

ANNUAL REPORT

Agenda Item 5. Annual Report – Library Board

Glenda Morgan, Acting-Chair of Library Board, gave a report on the Library Board from the past year. She shared various statistics regarding the library including 23,000 borrowers and that over 200,000 visited our Library and there have been an amazing number of activities at the library. She then reported about the new PCLC Bookmobile service that has begun.

PRESENTATIONS

Agenda Item 6. Debut of New Website by James Slaton, Support/Public Services Director

James Slaton, Public Services Director, debuted the new city web site and reviewed its new features. The website will go live tomorrow on June 17. New website allows for visitors to sign up for specific notifications, to email staff, comment on the message board, find links to meeting agendas and to see Twitter & Facebook feeds.

COMMUNICATIONS AND PETITIONS

David Smith, Babson Park, President of the Lake Wales NAACP, reported on a crime conference he attended with Commissioner Perez and Police Chief Velasquez. He said compared to other places we are doing well in Lake Wales, we are not perfect and there's a long way to go, but we are in good shape.

Travis Walthen, 1426 Chamberlain Loop, reported on his new Stags basketball team and asked the community to come out and support the team at Kirkland Gym. He is trying to help kids to stay out of trouble. They play Monday and Wednesday.

Jackie Jackson, 237 East Polk Avenue, requested street lights in her neighborhood as its pitch dark. Kenneth Fields, City Manager, said that he will look into it.

CONSENT AGENDA

Agenda Item 7. APPROVAL OF MINUTES: June 2, 2015, Regular Meeting

Agenda Item 8. FY'2015-16 COPS Grant Application – Partial Funding of two Entry-level Police Officers for the next Four Years

[Begin Agenda Memo]

SYNOPSIS

The submittal of the Application requests partial funding for two full-time police officers from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office), to be effective October 1 2015 (FY 2015'16). The application deadline is June 19th.

RECOMMENDATION

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

1. Approval of a grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services for partial funding of an entry-level police officer for the next four years.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

BACKGROUND

COPS is a federal program under the US Department of Justice designed to help fund new police officer positions during the economic downturn. The goals of the program are to enhance local community policing programs, reduce crime and provide employment.

The City of Lake Wales is requesting funding of one new entry level police officer. This person would fill a position left vacant by recent budget cuts. The grant, if awarded, will fund 75% of the salary for three years after which the City would be required to pay 100% of the salary for the 4th year.

OTHER OPTIONS

Do not apply for the grant.

FISCAL IMPACT

	FY 2015'16	FY* 2016'17	FY** 2017'18	FY 2018'19	Total
COPS Grant	40,742	42,779	43,635	-	127,156
City Portion	13,580	14,260	14,545	58,180	100,565
Total	54,322	57,039	58,180	58,180	227,721

* Police officers are eligible for a 5% increase following first year of employment.

** Police officers are eligible for a 2% step increase beginning the third year of employment.

[End Agenda Memo]

Agenda Item 9. US Soccer Foundation Grant – Installation of additional lighting at the Soccer Complex on Hunt Brothers Road

[Begin Agenda Memo]

SYNOPSIS

The submittal of the Application requests \$37,000 for improvements to the Soccer Complex on Hunt Brothers Road. These funds will be for additional lighting on two fields. There is a 50% match requirement which can be spent next fiscal year.

RECOMMENDATION

Staff recommends that City Commission take the following action:

1. Approve the grant application to be submitted to the US Soccer Foundation for lighting improvements to the Soccer Complex.
2. Authorize the City Manager to execute the applications on the City's behalf.

BACKGROUND

When the Soccer Complex was completed in 2008 only 37.5% of the necessary field lighting was installed. As a result, the majority of the complex is not usable after daylight hours. The fields that are currently lit require much more maintenance as they are overused due to the unavailability of the lights on the remaining fields. This grant, if awarded will light an additional 12.5% of the fields by providing two additional light poles.

This application is for the first phase of an effort to light all of the fields. If awarded, the City will match the grant and the project will be completed the next fiscal year. Efforts to find additional funding for the rest of the lights are in progress.

OTHER OPTIONS

Do not approve the application.

FISCAL IMPACT

A match of \$37,000

[End Agenda Memo]

Agenda Item 10. Contract Award - Annual Street, Sidewalk and Curbing Maintenance

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider awarding Grove Construction the contract for annual street, sidewalk and curbing maintenance.

RECOMMENDATION

It is recommended that the City Commission take the following action(s):

1. Award the contract to Grove Construction.
2. Authorize the City Manager to execute the contract on behalf of the City.

BACKGROUND

City staffed advertised a request for sealed bids (ITB #15-396) for annual street, sidewalk and curbing maintenance and received one proposal.

Grove Construction was the only qualified bidder to submit a bid for this annual contract. Grove Construction has previously been contracted by the City for annual sidewalk and curbing maintenance and demonstrated quality workmanship in performance of the contract.

After the single bid was received, City Staff contacted the other vendors who registered for the bid in an attempt to ascertain why more bids were not received. The majority of the vendors were subcontractors who only performed single functions, such as milling, and could not perform the work outlined in the bid specifications without working through a prime contractor. Of the three prime contractors interested in the bid, one did not submit a proposal as their current workload is too high, one failed to read the bid addenda, and the third was Grove Construction.

Staff advertised this bid for 21 days via Demandstar, the city's website and the Ledger newspaper.

Given Grove Construction's proven quality of work and their competitive pricing, staff recommendation is to award the contract to Grove Construction.

Combining the asphalt, sidewalk and curbing maintenance into one contract should expedite equipment mobilization and reduce overall mobilization costs by coordinating street and sidewalk work together.

OTHER OPTIONS

The City Commission may direct staff to re-advertise the bid as an annual contract or direct staff to bid each individual project throughout the year.

FISCAL IMPACT

The combined current fiscal year budget for Street Resurfacing, Pavement Marking and Sidewalk Maintenance is \$125,000 (Resurfacing/75,000, Marking/35,000, and Sidewalks/15,000).

[End Agenda Memo]

Agenda Item 11. Legal Counsel – Series 2015

[Begin Agenda Memo]

SYNOPSIS

Approval authorizes Bryant Miller Olive P.A. to provide professional services relating to debt issuance, not to exceed two million dollars.

STAFF RECOMMENDATION

It is recommended the City Commission consider the following action:

1. Approve the engagement letter for Bryant Miller Olive P.A.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.

BACKGROUND

Due to several factors, 1) the draw down on reserves due to the economic downturn caused by the recession since 2007, 2) the settlement of the Lake Belle lawsuit, and the 3) numerous capital projects being completed/planned during 2014 through 2016 (C Street Project, Cemetery Project, Airport Project, extension of Hwy 60 utilities) staff has advised the Commission that short term debt issuance is necessary for these projects to stay on track for completion. Staff has recommended to the City Commission the issuances of debt, not to exceed two million dollars, for a twenty four month period.

On April 21, 2015, the City Commission selected the PFM Group to provide financial advisory services relating to this debt issuance. The Commission was advised that when the City issues debt, outside professional legal services are also necessary to insure compliance with IRS and state statutes. Staff recommended Bryant Miller Olive P.A. to provide these legal services.

FISCAL IMPACT

Bryant Miller Olive P.A. fee is not to exceed, \$14,000 for service, plus out of pocket costs \$1,500 (total possible costs \$15,500).

[End Agenda Memo]

Agenda Item 12. Extension of Time - Approval of Preliminary PDP Plan - Leoma's Landing, North Side of Chalet Suzanne Road

[Begin Agenda Memo]

SYNOPSIS

This project is not yet ready to move towards construction. Mr. Lawson is seeking an extension to his PDP approval as required by code.

RECOMMENDATION

Approval of a one-year extension of time on the preliminary planned development project (PDP) plan approval for Leoma's Landing, as shown on the plan entitled Leoma's Landing PDP Modification dated 7/15/2014.

REQUEST

Michael Lawson, developer, has requested a one-year extension on the referenced project, originally approved by the City Commission May 20, 2014. Preliminary plan approvals expire one year from the date of approval unless a site development permit or building permit application has been submitted. The request for extension was made prior to the expiration of the approval. Mr. Lawson stated that the real estate market conditions have not changed in the last year; therefore they were not able to proceed with the development of their project.

There have been no significant changes in the ordinances pertaining to the type of development proposed or in the conditions in the neighborhood. Mr. Lawson has stated his intention to move forward with the project when the economy is more favorable.

A reduced copy of the plan and the conditions of approval are attached for your information. Any change in the plan or conditions would require public hearings for an amendment of the preliminary PDP approval. No changes have been proposed or recommended.

OTHER OPTIONS

Decline to extend the approval. If Mr. Lawson wishes to proceed with the project, a new PDP plan approval would be required.

[End Agenda Memo]

Agenda Item 13. Sunset Phase 3 – Final Subdivision Plat, Residential Development, Sunset Drive

[Begin Agenda Memo]

RECOMMENDATION

Approval of plat as submitted

No recommendation from the Planning Board or public hearing is necessary for approval of a final plat. Provided the plat meets all of the requirements of state statutes and local ordinances, approval by the city commission is a formality.

BACKGROUND

Phase 3 of Sunset Point consists of the final thirty-six (36) lots in the Sunset Pointe subdivision. The development is zoned R-1B and was developed to standard code requirements.

The requirements for approval of the final subdivision plat are:

- Consistency with the approved preliminary plat (confirmed)
- Compliance with zoning district standards for lot dimensional requirements (confirmed)
- Completion of infrastructure to city standards (confirmed)
- Approval of the plat and survey by the city's consulting surveyor (completed)
- Approval of the homeowners' association documents and title opinion by the city attorney (completed)

[End Agenda Memo]

Agenda Item 14. Interlocal Agreement Amendment #6 – Winter Haven Area Transit System (WHAT)

[Begin Agenda Memo]

SYNOPSIS

The Interlocal Agreement allows a "fair-share" contribution to Winter Haven Area Transit System for transportation service it provides in Lake Wales for FY2015-2016.

RECOMMENDATION

It is recommended that the City Commission approve Amendment #6 to the Interlocal Agreement with the Polk County Board of County Commissioners for the management and operation of the Winter Haven Area Transit System and the "Fair Share" contribution up to \$5,433 for a term beginning October 1, 2015 and expiring on September 30, 2016.

BACKGROUND

The Winter Haven Area Transit System is currently providing transportation service to six municipalities, one of which is Lake Wales. Service level forecasts for the WHAT system for FY15'16 are based on each municipality's commitment and is critical to the continuation of service at near current service levels. The

assessed amount is based solely on the percentage of service being provided within each respective municipality and is considered a "fair-share" contribution.

In August of 2009, the Lake Wales City Commission approved the first Interlocal Agreement with the Polk County Board of County Commissioners for transit bus service. The "Fair Share" contribution of up to \$5,433 for Amendment #6 has not changed since the original agreement.

OTHER OPTIONS

The City Commission has an option of not approving Amendment #6 and the "Fair Share" contribution.

FISCAL IMPACT

The fiscal impact is up to \$5,433 which is included in the proposed FY15'16 budget.

[End Agenda Memo]

Commissioner Howell asked if we get two new police officers, do we need two more cars and other equipment. Chris Velasquez, Police Chief, said no that there are cars and equipment available for these additional officers if the grant is awarded.

Commissioner Howell made a motion to approve the Consent Agenda. Deputy Mayor Thornhill seconded the motion.

By	Roll	Call	Vote:
Commissioner Howell	"YES"		
Deputy Mayor Thornhill	"YES"		
Commissioner Perez	"YES"		
Commissioner Lutton	"YES"		
Mayor Fultz	"YES"		

The motion carried 5-0.

OLD BUSINESS

Agenda Item 15. RESOLUTION 2015-09, Final Assessment Resolution for Fire Protection Assessments – Public Hearing

[Begin Agenda Memo]

SYNOPSIS

The adoption of Resolution 2015-08 established the methodology used to calculate the fire assessment rate and set the maximum assessment fee. Adoption of Resolution 2015-09 will set the final assessment rate and is the final step implementing a fire assessment fee.

RECOMMENDATION

It is recommended that the City Commission set the final Fire Protection Assessment rate and adopt Final Assessment Resolution 2015-09 providing for Fire Protection Assessments for fiscal year beginning October 1, 2015.

BACKGROUND

On May 19, 2015, the City Commission adopted Resolution 2015-08 which set the initial Fire Protection Assessment rate. Resolution 2015-08 established the Fire Protection Assessment rate “cap” as follows:

Property Category	Assessment Rate
Residential	Per dwelling unit \$196
Property Category	Assessment Rate
Commercial	Per Sq Ft \$.10
Industrial/Warehouse	Per Sq Ft \$.01
Institutional	Per Sq Ft \$.15

Chapter 10.5 of the Lake Wales Code of Ordinances, Fire Protection Assessments, was established by Ordinance 2008-26. Chapter 10.5 allows the city to collect fire assessment fees after the adoption of an initial rate resolution and a final rate resolution. Adoption of Resolution 2015-08 was the first step in the process of implementing a rate for fire assessment fees.

If the City Commission adopts Resolution 2015-09, property owners in the incorporated boundaries of Lake Wales will receive Fire Protection Assessment bills in November 2015. The first year of the fire assessment fee will be directly billed from the city with all subsequent years' assessments appearing on the property tax bill through the Polk County Tax Collectors Office.

Individualized notices to each property owner stating the proposed assessment for the owner's specific parcel(s) and the date of the public hearing for receiving public comment on the proposed assessment were mailed out on May 26, 2015. In addition, a notice of public hearing was published in the Lakeland Ledger on May 26, 2015.

Following the public hearing on June 16, 2015, the Final Assessment Resolution will be considered. This resolution will establish the final fire assessment rates, approve the final assessment roll, and authorize certification of the final assessment roll.

OTHER OPTIONS

Reduce the fire assessment rates set in Resolution 2015-08
Rely solely on ad valorem taxes to fund fire protection services, equipment and programs.

FISCAL IMPACT

The Fire Protection Assessment will create a dedicated funding source for fire protection services. While the Fire Protection Assessment will not completely fund fire protection services, it will afford the City Commission the option of a millage rate reduction.

[End Agenda Memo]

The Mayor asked the Commission that if a fire assessment is passed this evening lets direct the City Manager to put a 1 mil decrease in the millage rate for next year whatever assessment is passed. Commissioner Howell made a motion to this effect. Commissioner Perez seconded the motion.

By	Roll	Call	Vote:
Commissioner Howell	“YES”		
Commissioner Perez	“YES”		
Commissioner Lutton	“YES”		

Deputy Mayor Thornhill "YES"
Mayor Fultz "YES"

The motion carried 5-0

City Clerk Clara VanBlargan read **RESOLUTION 2015-09** by title only.

**RESOLUTION 2015-09
FINAL ASSESSMENT RESOLUTION
(FY 2015-16)**

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF LAKE WALES; ESTABLISHING LEGISLATIVE FINDINGS; IMPOSING FIRE SERVICES ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Kenneth Fields, City Manager, reviewed this item with a slideshow detailing the reasons for the proposed fire assessment, the methodology for determining the rates, costs to property owners and benefits to the City. He explained that a lower millage rate would improve economic development as we are higher than neighboring cities. The estimated revenue at the recommended rate the first year would be \$1.3 million. This revenue would help with reserves, pay the short term loan, fund capital projects, and enhance our infrastructure and facilities. Mr. Fields said that there are 11 properties owned by disabled veterans which through a state homestead exemption are totally tax-exempt. Currently they will have to pay the assessment, it will be up to the commission whether to exempt them or not.

OPENED PUBLIC HEARING

Edward Kupka, Jr., 845 Brentwood Drive, said he is on a set income and taxes and insurance as always going up. He wanted to know if this goes directly to the fire department. He doesn't want to pay to the general fund. Paying \$196 is crazy for his size house. He asked what happens for areas outside the county that need fire service. He asked for an open mind from the commission on this decision. Fire Chief, Joe Jenkins, explained that they currently cover the out-of-county areas. After October 1, 2015 those will all be covered by the county. There are mutual aid agreements where the cities will help each other upon request. Commissioner Lutton said that county areas will have to wait for county fire service and the county residents already pays a fire assessment fee and many other cities in this area have this.

Tom Scali, 3084 Dunmoore Drive, identified this assessment as a fee and not part of ad valorem taxes. He said he was unsure if this could be deducted from their taxes as an expense. He encouraged requiring non-profits to pay as well. He is glad for the reduction in the millage rate. This money should not help the city's debt problem. This money should only go to the fire department. There is some gamesmanship going on.

Preston Troutman, 612 S. Lake Shore Blvd., said that he supports our fire department. He said that this is still a tax. This fee cannot be deducted from federal taxes. He is willing to pay his fair share, but this should be called a tax.

David Smith, 111 Britton St, said that he is a property owner in Lake Wales, and is concerned about people losing property for failure to pay. He asked about vacant lots, which has not been mentioned. He suggested that this needs a closer look. People in the Northwest area can't pay this and he has a hard time getting renters to pay now. We need to build bridges, not walls.

Bill Clark, 2210 Robin Ridge Place, he is in a mobile home community and is president of the Homeowner's Association. He said that this would be a significant increase for them. This fee is disproportionate for them as their homes are small. He does appreciate the fire service and what they do. He asked that they reconsider this, or reduce it.

Rev. Marshall Kirchik, 18721 US 27, Manager of the Blue Star Lodge. He said there are problems with some of the language. It should be changed to say where it is going, who will police it, and how it will be handled. No one begrudges the fire department and their financial needs. This needs to be specific to the fire department.

Commissioner Lutton explained that this money is going to the fire department replacing general fund money. He explained the methodology on how the assessment was determined. The assessment was based on the number of fire calls. Mr. Fields confirmed that this is additional revenue money. The money from the fire assessment will go to the fire department and can't be used elsewhere, but replaces general fund money. It is called a fire assessment and not a tax because of specific state language that is required.

Borden Deane, 4136 Muirfield Loop and President of the HOA, said he understands the need for the assessment. He suggested reducing the fee and is opposed to any exemptions for churches. Churches have kitchens and special events and more likely to have a fire. Commissioner Lutton explained that the sanctuaries are exempt but other areas such as thrift stores. Mr. Field explained that non-profits that are using a building for commercial purposes are assessed. Mr. Deane emphasized that he does not think any of the buildings should be exempt.

Mike Carter, 515 E. Sessoms Avenue, suggested redeveloping a partnership with the County and other cities to restore these funds. This is a highly regressive tax that many families can't pay. Lake Wales will have the highest millage rate and fire assessment fee in Polk County. Mr. Fields is driving city into bankruptcy, this is a leadership failure. We should pay as you go. He urged a no vote, or at least tabling it to research other options.

Darshan Patil, 207 Sessoms Avenue, has recently lost his job. Some of his rental units are vacant. He said the assessment of his property is incorrect. An increase should be part of the millage rate as it is proportional to the value of the house. He has \$1,000 extra bill.

Donna H. Madden, 436 Park Ave E, is manager of Court of Seven Chimneys and Grand Floridian Court. They have invested a lot of money in the properties and brought them up to standards. They do not want to have to raise rental rates and they oppose the assessment.

Rev. Jim Reddick, 718 Hibiscus Avenue, said that the citizens of Lake Wales defeated a previous effort to have a fire assessment. The Fire Department should not have two sources of revenue. If the Fire Department is funded by the fire fee, then the property taxes must be reduced in accordance with the Florida law in the same amount. The commission must choose one. He discussed benefits of fire

assessment and read a portion of Florida statutes explaining that the millage rate must go down in the same amount.

Robert Kelly, 1149 Cephia Street, expressed concern about the Circle of Friends and Lake Wales Senior Center that are serving the community. He recommended turning over fire services to the County which would save money for the city and be beneficial career wise for fire department employees.

Manuel Crespo, 850 Wildabon Avenue, distributed handouts to the Commission. He said taxes should be going to something useful, this was tried before. The City should not spend \$ on useless endeavors. He said he is against using tax money for Depot Museum, money for the Fire Department, and sidewalks are ok, this is a gravy train. The wasteful ways must be reined in.

Rebecca Campbell, 131 Alvina Avenue, said non-property owners should be charged as well as only property owners pick up the bills.

David Holmes, 455 Emerald Avenue, said this issue is causing a lot of ill-will and will cause dislike and distrust in the community. This should be tabled and another solution worked out.

Velma Henry, 507 Crescent Circle, said she is on a fixed income and lives by herself. She can't afford this. This will cost a lot of hardships, and is not right.

James Love, 828 Chamberlain Loop, said he appreciates Fire Department's service, they always respond quickly. He encouraged the Commission to reduce expenses like his household would do.

Carol Love, 399 W 6th St, Frostproof, said she has rental property in Lake Wales which is kept up. The middle income people have too much of a burden with all these increases. She suggested recruiting volunteers to help with trees and other projects. She suggested the city must live within its means.

Dr. Gerald Klaussen, 542 Osprey Place, lives in a retirement community, and worked in education and government. He is on a tight budget like many seniors. Please consider this and don't vote for this.

James Bryan, 6899 N Scenic Hwy., said that taxes should be kept down. He pledged to help put the current Commission out of office if this passes. He said the Commission should get input from the public and that we need people to monitor the funds.

Bill Ouellette, Central Avenue, said he has been hired to explore the possibility of appealing this decision. He asked what authority this was being done under Florida Statutes. Mr. Fields said that question will be addressed after public comment. Mr. Ouellette asked what the current millage rate is. Mr. Fields said it was 8.3638. Mr. Ouellette said because they can't go over 10, is this an end around special assessment. Mr. Fields said the Resolution has been reviewed and is legal under state statute and court decisions. Mr. Ouellette asked if a study was done and who did it. Mr. Fields confirmed that it was. Mr. Ouellette asked about the methodology and if it is available to the public. Mayor Fultz confirmed the study was done and displayed a copy. The study was done all above board. Mr. Ouellette asked if a copy of the decision will be available to the public so they can appeal. Mr. Fields said the Resolution will be available in a few days.

James Hill, 506 E. Johnson Avenue, said he left the big city for this reason all the pressures of taxes. He is concerned about the misuse of money; we should not go into debt. Many seniors came here to relax and not spend a lot of money. He asked the commission to really give this some thought.

Carl Fish, 4913 Avon Street, said this will be difficult for the senior citizens and renters. This is a tough decision, but the tough decisions also need to be made over the years. Serious mistakes were made in the past that have led to this. The Commission needs to find other revenue sources. The City spent a lot of money on the new fire station. Every decision they make is important. The Commission needs to consider all expenses.

CLOSED PUBLIC HEARING

Camille Tharpe, with Government Services Group in Tallahassee, explained the methodology of the assessment, the City has followed the procedures in Florida Statutes, and this has been upheld by the courts. In past appeal efforts with this methodology, the cities have prevailed.

Commissioner Perez Said he is in favor of the fire fee and recommended the lesser number of \$150 or 57.5%.

Deputy Mayor Thornhill said this could be done away with at another time. Mr. Fields said this would need to be reimposed every year.

Commissioner Howell said she is in favor of this in order to reduce the millage rate and encourage new business to come in. This will help Lake Wales get better jobs and industry. The \$196 is not in stone, we can go lower. She said she has not heard another way to get millage rate down.

Commissioner Lutton reviewed the methodology, how the study was done and explained why we need the fire assessment in order to keep same level of services at the fire department and elsewhere. We could also raise taxes. Commissioner Lutton encouraged more citizen participation in Government to help with decisions. The costs for the city increase each year too.

Mayor Fultz said that he is also a senior citizen on a fixed income. Many citizens in Lake Wales want a lot of things, but they don't want to pay for it. This is an opportunity for everyone to contribute to Lake Wales. Events such as the recession and Lake Belle litigation were not the fault of the City. He encouraged more volunteers to run for commission and to participate.

Commissioner Howell asked about the millage rate if they choose a lower rate. Mr. Fields explained that if they went with the \$150 rate and the 1 mil reduction it would essentially be awash with a net increase of \$13,000 for new projects. The \$168 rate would have an increase of \$140,000.

Commissioner Perez said he also is on a fixed income. He would like to minimize the amount collected because the \$265,000 needs to be replaced. He made a motion to approve an assessment rate at \$150 per household at a rate of 57.5% and the associated rates for commercial properties.

Commissioner Lutton asked if this includes the lower millage rate. Mayor Fultz reviewed the early vote that any fire assessment approved would include a 1 mil reduction. If we go with the 57.5% that would lead to an increase of \$13,000.

Commissioner Howell confirmed that with the 1 mil reduction we would have \$13,000 for additional capital projects. Mr. Fields confirmed that.

Commissioner Perez restated his motion to approve an assessment rate at \$150 per household at a rate of 57.5% and the associated rates for commercial properties. Commissioner Howell seconded the motion.

Mayor Fultz asked about reviewing the exemptions. Mr. Fields said if all exemptions were eliminated it would lead to an increase of \$60,000. However, another public hearing would be required to allow those entities to come and speak. Commissioner Lutton asked how the exemptions would be decided for the different properties. Ms. Tharpe said they will piggy-back off what the property appraiser has designated. Each property may have to be looked at and determine what the use is. The general rule is if they are institutional in use and totally tax-exempt they will receive the exemption. If they are commercial in use, even if tax-exempt, they will not. Some examples were discussed.

Roll Call Vote:

Commissioner Perez	"YES"
Commissioner Howell	"YES"
Commissioner Lutton	"YES"
Deputy Mayor Thornhill	"NO"
Mayor Fultz	"YES"

The motion carried 4-1.

Kenneth Fields, City Manager, said the rates are for commercial property it is \$.08 per square foot, for industrial warehouse it is \$.01 per square foot, and for institutional it is \$.12 per square foot.

Commissioner Lutton commented that we will work on getting that millage rate down every year. A lower millage rate will encourage more business to come into the city.

The meeting was recessed at 8:47pm and reconvened at 8:58pm.

NEW BUSINESS

Agenda Item 16. ORDINANCE 2015-04, Amendments to Zoning, Land Use and Development Regulations -1st Reading & Public Hearing

[Begin Agenda Memo]

SYNOPSIS

Several areas of the zoning regulations (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments to address scriveners' errors and provide better clarification and intent of the code.

RECOMMENDATION

It is recommended that the City Commission approve Ordinance 2015-04 on first reading following a public hearing.

The Planning and Zoning Board held a public hearing on May 26, 2015 and voted to recommend various amendments to the *Zoning, Land Use and Development Regulations* as set forth in the proposed ordinance.

Public notice requirements have been met for a public hearing, required on the first and second readings of an ordinance that changes the permitted uses within zoning districts.

BACKGROUND

Amendments and adjustments are proposed for a variety of reasons. Some amendments deal solely with misspellings and omitted words. The other amendments are proposed based on experience of staff and the Planning Board and with the changing market conditions in development.

Following are explanations of the proposed revisions. Numbering corresponds to the section numbers of the ordinance.

1. Planning Board membership – The word “members” was omitted from the subsection.

2. Land use approval process – The recommendation is to relocate Table 23-220 from its current location at the end of Article II, Division 2 and place it at the end of Sec. 23-211. Also recommended is the renumbering of the table to correspond with its new location.

3. Special exception use permit process – Add expiration regulations – When a special exception use permit is not established within a year of approval, an assessment should be made by the planning board on whether to grant an extension. There is already a provision that a discontinued special exception use permit expires after a year of disuse. The relocation of this provision is also recommended.

4. Vacation of public-rights-of-way or public easements – This amendment recommends changing from an ordinance to a resolution the action required to vacate a public easement. Easements are usually for public utilities and are not used by the general public for access to properties such is the case with rights-of-way. A resolution is sufficient. In cases where public notice is appropriate, an ordinance, which requires public advertising and two readings, can be enacted.

5. Dedications of public improvements – Amendments are proposed to sec. 23-223 (subdivision plat process) to clarify that a resolution by city commission is required to accept dedications of streets and other public facilities, though they are dedicated by the property owner on the subdivision plat. Such a resolution is already required under sec. 23-226, but it is not cross-referenced in the subdivision regulations.

This amendment is also recommended by the city attorney in order to be consistent with state and case law.

State law states that dedication of streets does not obligate a city to construct or maintain such streets. A resolution would state that the city accepts this responsibility and would be enacted only at such time as the city is willing to do so, probably after a percentage of houses are completed. Repairing damage to roadways occurring during house construction will then be largely the responsibility of the developer.

6. Street classification adjustments – The street classification section of the zoning regulations is amended to add roadways serving property annexed into the city in recent years, to promote consistency with the Comprehensive Plan and the Polk County classification system, and to update definitions and terminology.

7. Landscape standards – Minor changes are proposed prohibiting the use of invasive or otherwise unsuitable trees for meeting landscaping requirements and clarifying the definition of tree.

8. This section addresses an omitted asterisk in Table 23-405.

9. Permitted and special exception uses, zoning districts – A reassessment of uses allowed in C-3 Highway Commercial and C-2 Commercial was discussed with the Planning Board and recommended as follows:

Allow indoor amusement establishments by right (permitted use) in C-3 Highway Commercial zoning district. While some caution is needed in allowing the full array of indoor amusement establishments in and around the downtown and in neighborhood commercial centers, the C-3 district is the city's most intense commercial area where such uses are appropriate.

Allow multi-family developments with over 12 units through the PDP process in C-2 Commercial and C-3 Highway Commercial districts, provided the classification of the property on the FLUM (Future Land Use Map of the Comprehensive Plan) allows for residential uses.

A recommendation to amend the notes at the bottom of Table 23-421 to better address outdoor storage and outdoor display and sales is also recommended.

10. Residential accessory uses and structures – Proposed is the establishment of a minimum square footage requirement for accessory units and the elimination of the requirement for an additional 5,000 square feet above the required minimum set by the zoning district.

11. Dimensional requirements – Corrections to Table 23-422A of the minimum lot width for the R-2 district and clarification to the footnote regarding reduced street frontage are proposed. The minimum lot width should be 75 to be consistent with the rest of the districts. The footnote is amended to remove the requirement for additional lot area, but not to count the panhandle portion towards the minimum lot area required.

12. Fences and Hedges – In the residential section clarity is made that vinyl or plastic cannot be used for exterior development walls. In non-residential the minimum height allowance in the I-2 and BP districts is being raised from six (6) feet to eight (8) feet. The elimination of the requirement for a special permit by the planning board to allow barbed wire in an Industrial zone is proposed.

13. Flood Hazard reduction in new development – Proposed is an explicit requirement to construct all new roads above the base flood elevation where the roads are located in areas of special flood hazard as identified by FEMA. Other amendments are proposed to bring the requirements in line with Polk County requirements.

14. Definitions – An amendment to move health clubs from the *Amusement establishment, indoor* to the definition for *Service, personal*. A refinement to the definition for *Light, uses* is also proposed. This amendment is reflective of the changes in the market from the impact of the logistics center and interest in Lingle Business Park.

FISCAL IMPACT

Adoption of the amendments to the zoning code will have no direct fiscal impact.

OTHER OPTIONS

The Commission may decide to modify the amendments recommended by the Planning & Zoning Board or to decline to make further amendments.

[End Agenda Memo]

City Clerk, Clara VanBlargan, read **ORDINANCE 2015-04** by title only.

ORDINANCE 2015-04

(Amendments to zoning regulations, Chapter 23 – Code of Ordinances)

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS; AMENDING TABLE 23-220 LAND USE APPLICATIONS, REVIEW, APPROVAL AND PUBLIC HEARING; AMENDING SPECIAL EXCEPTION USE PERMIT; AMENDING VACATION OF PUBLIC RIGHTS-OF-WAY OR PUBLIC EASEMENT; AMENDING FINAL SUBDIVISION PLAT; AMENDING ACCEPTANCE OF DEVELOPER DONATIONS, DEDICATIONS, CONTRIBUTIONS, ETC; AMENDING STREET CLASSIFICATION SYSTEM; AMENDING STREET ACCESS REQUIREMENT; AMENDING TABLE 23-405; AMENDING CERTAIN PERMITTED AND SPECIAL PERMIT USES IN VARIOUS ZONING DISTRICTS; AMENDING AND ADDING DEFINITIONS; AMENDING LANDSCAPE STANDARDS; AMENDING FENCES AND HEDGES; AMENDING DIMENSIONAL STANDARDS – RESIDENTIAL; AMENDING ACCESSORY UNITS – RESIDENTIAL PROPERTIES; MAKING MISCELLANEOUS CORRECTIONS, CLARIFICATIONS, AND ADJUSTMENTS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Kathy Bangley, Director of Planning and Development, reviewed this item.

OPENED PUBLIC HEARING

There were no comments made by the public.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE 2015-04** after first reading and public hearing. Commissioner Lutton seconded the motion.

By Roll Call Vote:

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

The motion carried 5-0.

Agenda Item 17. Resolution 2015-14, Capital Improvement Revenue Note Series 2015

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider adopting Resolution 2015-14, authorizing the issuance of Capital Improvement Revenue Note, Series 2015 in an amount not to exceed \$2,000,000. Loan proceeds will be used to finance various City capital projects.

RECOMMENDATION

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

1. Adopt Resolution 2015-14, authorizing the issuance of the City of Lake Wales, Florida Subordinate Lien Capital Improvement Revenue Note Series 2015, not to exceed \$2,000,000.

2. Authorize the Mayor to execute the appropriate documents on the City's behalf.

BACKGROUND

On April 08, 2015, due to low unrestricted cash balances, low balances in the emergency sinking funds and various capital projects in fiscal year 2014'15 the Finance Department strongly recommended short term borrowing to the City Commission.

Low cash balances of the General Fund, additional cash requirements of the Cemetery Addition Project within the Capital Project Fund, cash flow needs of the Utility Fund created largely by the Lake Belle Settlement of \$828,124 and overrun costs relating to Phase I of the C Street Project, and the matching requirements of the Airport Improvements all contributed to the need for the short term borrowing.

On April 21st, the City Commission approved financial advisory services for Public Financial Management, Inc. (The PFM Group). The PFM Group received four bank loan responses for the RFP distributed for the financing of the Fire Substation and the Cemetery Project.

- 1) **Hancock Bank**
Interest rate 1.17%, bank council fee not to exceed \$3,500.
- 2) **CenterState Bank**
Interest rate 1.65%, bank council fee not to exceed \$5,000.
- 3) **Citizens Bank**
Interest rate 2.15%, bank council fee \$5,000, plus recording, legal and documented related costs.
- 4) **SunTrust Bank**
Interest rate 2.11% (fixed), bank council fee \$5,000, plus all other reasonable fees.
Interest rate 1.81% (floating rate), bank council fee \$5,000, plus all other reasonable fees.

Staff recommends accepting Hancock Bank offer as defined below:

<u>Maturity</u>	<u>Principal</u>	<u>Interest</u>	<u>Debt Service</u>
1/1/2016	\$ 440,000	\$ 11,700	\$ 451,700
7/1/2016	439,000	9,126	448,126
1/1/2017	560,000	6,558	566,558
7/1/2017	561,000	3,282	564,282
	<u>\$ 2,000,000</u>	<u>\$ 30,666</u>	<u>\$ 2,030,666</u>

- Cost of Issuance \$36,500

City of Lake Wales – Debt Policy Review:

On February 5, 2013, the City Commission adopted a debt policy for the City of Lake Wales. The City's debt policy requires the following evaluation:

Sec. 2-523. - Purpose for which debt can be issued - When it is an appropriate means to achieve a fair allocation of costs between current and future beneficiaries.

Staff's Response: Series 2015 debt issuance for the following capital projects:

New Cemetery	\$ 190,673
Website Redesign	25,000
Audio/Video - Austin Center	30,000
Security System for Admin. Building	20,000
Mausoleum Roof	3,215
Hardman Complex - Kirkland Gym	85,000
Airport Improvements	146,112
	<hr/>
	\$ 500,000

Pole Barn	\$ 26,500
C Street - Phase I	133,500
Fence - Market Street	25,000
Ground Storage Tank	35,000
Market Street Upgrade	600,000
Lift Station Rehab.	250,000
Lift Station Pump Replacement	100,000
Water/Sewer Line - Vanguard	330,000
	<hr/>
	\$ 1,500,000

Financing these projects would be a means to achieve a fair allocation of costs between current and future beneficiaries.

Sec. 2-525. - Categorization of debt - In the case of governmental debt, the debt must be secured by a revenue source which has been in effect for at least three years, and would have provided coverage of at least 115 percent of the average annual debt service on such obligations

Staff's Response: Series 2015, pledged revenue sources including certain franchise fees, public service tax revenues and communication service tax revenues. The pledged revenue sources combined provide sufficient coverage of the average annual debt service requirement.

Sec. 2-526. - Debt limitations - Non self-supporting debt. The city shall conduct an objective analysis as to the community's ability to assume and support additional debt service payments before the issuance of non self-supported debt. The city shall use an analytical approach for its determination. This process shall compare generally accepted standards of affordability to the current values for the city. These standards shall include debt per capita, debt as a percent of taxable value, debt service payments as a percent of current revenues and current expenditures, and the level of overlapping net debt of all local taxing jurisdictions. The process shall also examine the direct costs and benefits of the proposed expenditures. The decision on whether or not to assume new debt shall be based on the identified costs and benefits, the current conditions of the municipal bond market, and the city's ability to "afford" new debt as determined by the aforementioned standards. The city shall strive to achieve and/or maintain these standards at a low to moderate classification.

Staff's Response: For a review of the City's financial condition, the Finance Department has selected the "Financial Indicators", F1 through F6, provided by the State of Florida Auditor General Office for fiscal year ending 09/30/2014. To assist auditors and local governments in making financial condition assessments, the Auditor General is providing financial and other data, financial indicators, and benchmarks. Auditor General staff compiles the information from audit reports and other sources.
<http://www.myflorida.com/audgen/local%20govt/INSTRUCTIONS%20-%20EXCEL.htm>

Financial Indicator #2 - Consists of a five year review of Unassigned/Assigned Fund Balance + Unrestricted Net Assets. This would provide an indication of whether the municipality is building reserves or spending reserves. For the City of Lake Wales, the City had built reserves from 2008 through 2010. From 2011 through 2014, the City has needed to use reserves to support operating and capital costs.

Indicator F1 also compares the City to a benchmark, which consist of similar Cities based on population between 5,000 to 14,999, and taxable property values between \$500 million to \$699 million. Our benchmark for F1 indicates the City's reserved are lower than our comparable benchmark cities. Staff has brought this issue to the City Commission over the last several years. City staff shall incorporate this need to increase reserve balances with the budget process for fiscal year 2015'16.

Financial Indicator #3 – Consists of a five year review of Unassigned/Assigned Fund Balance / Total Expenditures. This indicator provides a measurement of a municipality's reserve compared to annual expenditures. For example – In FY 2013'14 the City's governmental funds had \$1,076,439 in unassigned/assigned fund balances, but the City had annual expenditures relating to governmental activities totaling \$16,821,369 or 6.4% (\$1 million/\$16.8 million). Over the last twenty years, the City has carried low reserve balances, however current reserve balances are unusually low. When compared to the benchmark of the City's reserve policy of 15% to 20%, the City's current balance of 6.4% is unfavorable. However, this does not indicate any inability to afford the new debt to be issued in Series 2015.

Financial Indicator #4GF & #4P – Consists of a five year review of Cash & Investments/Current Liabilities for both governmental funds (4GF) and the proprietary fund (4P). As expected, due to the low reserve balances maintained by the City, the cash/inv. to liability ratios is also low and unfavorable when compared to our benchmark group. As the City works to increase the City's cash & investment reserves, these indicators will improve.

Financial Indicator #5G & #5P – Consists of a five year review of Cash & Inv/(Total Operating Exp/12) for both governmental funds (5G) and the proprietary fund (5P). Within the governmental fund, the expenditures of CRA fund and the draw down on the reserve balances has caused this indicator to show an unfavorable decline. Compared to our benchmark, the City also has an unfavorable indicator. As the City works to build reserves, this indicator will improve.

The proprietary fund (utility system) for fiscal year 2010 and 2011 shows a favorable indicator due to additional cash and investment placed within the utility fund for future funding of construction work relating to the C Street sewer project, debt service funding relating to the wastewater treatment plan, increased sinking fund requirements and a reduction in pay-as-you-go capital projects.

Financial Indicator #6G & #6P – Consists of a five year review of Current Liabilities/Total Revenues. The governmental fund over the last five years has shown significant decreases in current liabilities, from \$1.1 million in FY09'10 to \$723,668 in FY11'12 however, current liabilities has risen to \$1.2 in FY 13'14; at the same time, the revenues within the governmental fund have also realized significant decreases, from \$15.6 million in FY 10'11 to \$13.3 FY12'13, and \$14.1 in FY 13'14. The decreases in revenues were mainly due to the recession and reduction in grant projects relating to growth and historical preservation.

With the reduction in debt service obligation (Series 2003, Series 2005 and Series 2009) and the increase in economic factors (property values, new business and residential housing, increased state revenue sharing), the City is expected to be in a more stabilized position in relation to annual operating funding requirements. The City Commission is aware of the debt reduction expected within FY2014'15 and also of the annual operating deficit which the City has experienced for the last several years in relation to the governmental fund.

Within the proprietary fund, current liabilities have risen over the last five years, from \$2.1 million in FY10'11 to \$3.5 million in FY13'14. At the same time, revenues have increased from \$6.3 million in FY 09'10 to \$6.8 million FY 13'14. The City Commission has directed staff to bring forward a rate increase

within the Utility Fund of 14.5% for FY 15'16 due to the various capital projects necessary within the Utility Fund for maintaining the system and preparing for economic growth within the community.

Financial Indicator #7 – Consists of a five year review of Long-term Debt Per Capita. The City's debt to population ratio has been decreasing since 2010.

A comparison of surrounding cities as of 09/30/2013 included the following data:

**City of Lake Wales
Comparison Data**

Comparative Cities Per Auditor General Office	Taxable Property Value (in millions)	Operating Milage	Governmental Long-term Debt	Populations	Price Index	9/30/2011 Debt per Capita*	Debt as % of Taxable Value
1 Bay Harbor Islands, Town Of	603.956	5.25	8,137,235	5,808	1.085	1,291	1.35%
5 Neptune Beach, City Of	640.437	3.3756	368,205	7,109	1.085	48	0.06%
6 New Port Richey, City Of	485.001	9.5799	19,763,764	14,868	1.085	1,225	4.07%
7 North Bay Village, City Of	669.219	5.474	8,949,067	7,667	1.085	1,076	1.34%
8 Palmetto, City Of	656.335	5.7171	6,517,427	12,775	1.085	470	0.99%
9 Pembroke Park, Town Of	548.802	8.5	253,056	6,201	1.085	38	0.05%
10 Sebring, City Of	539.895	4.99	5,121,950	10,561	1.085	447	0.95%
11 Tavares, City Of	602.559	6.4531	15,954,450	14,260	1.085	1,031	2.65%
12 Zephyrhills, City Of	587.457	6.1415	1,979,258	14,227	1.085	128	0.34%

Cities within Polk County	Taxable Property Value (in millions)	Operating Milage	Governmental Long-term Debt	Populations	Price Index	9/30/2013 Debt per Capita*	Debt as % of Taxable Value
1 Auburndale	880.074	4.2657	16,283,080	14,009	1.085	1,071	1.85%
2 Bartow	518.067	3.996	5,674,492	17,475	1.085	299	1.10%
3 Davenport	93.874	7.75	708,366	3,027	1.085	216	0.75%
4 Dundee	118.960	7.9495	2,311,273	3,808	1.085	559	1.94%
5 Eagle Lake	n/a	n/a	n/a	n/a	n/a	n/a	n/a
6 Fort Meade	n/a	n/a	n/a	n/a	n/a	n/a	n/a
7 Frostproof	n/a	n/a	n/a	n/a	n/a	n/a	n/a
8 Haines City	761.724	7.79	43,917,353	21,385	1.085	1,893	5.77%
9 Highland Park	11.018	9.9759	-	234	1.085	-	0.00%
11 Lake Alfred	129.426	5.068	144,228	5,068	1.085	26	0.11%
12 Lake of Hamilton	56.382	8.4276	17,409	1,262	1.085	13	0.03%
13 Lakeland	4,428.138	4.6644	46,091,257	98,773	1.085	430	1.04%
14 Lake Wales	563.083	8.5866	14,130,435	14,522	1.085	897	2.51%
15 Mulberry	154.843	8.4	331,200	3,775	1.085	81	0.21%
16 Polk City	56.556	8.6547	1,724,912	1,582	1.085	1,005	3.05%
17 Winter Haven	1,532.958	5.79	29,086,816	36,280	1.085	739	1.90%

* Note - Within the debt to population ratio is a price index of 1.041. (Example - Lake Wales (14,130,435/14,522)/1.085 = 897)

As of September 30, 2014

Taxing Authority	Debt Outstanding	Estimated Percentage Applicable	Estimated Share of Overlapping Debt
City of Lake Wales	\$ 11,610,579	100%	\$ 11,610,579
County of Polk (1)	200,054,799	2.37%	4,741,299
Polk County School Board (2)	385,131,000	2.37%	9,127,605
Total Direct and Overlapping Debt	\$ 596,796,378		\$ 25,479,483

Note: Overlapping governments are those that coincide, at least in part, with the geographic boundaries of the city. The schedule estimates the portion of the outstanding debt of those overlapping governments that is borne by the residents and businesses of the City of Lake Wales. This process recognizes that, when considering the government's ability to issue and repay long-term debt, the entire debt burden borne by the residents and businesses should be taken into account.

Source:

(1) Debt outstanding data provided from information with Polk County, Florida CAFR statistical section disclosure as of their most recent audited financial statements ending September 30, 2013.

(2) Debt outstanding data provided from information with The School Board of Polk County, Florida CAFR statistical section disclosure as of their most recent audited financial statements ending June 30, 2013

FISCAL IMPACT

Financing in the amount not to exceed \$2,000,000, a two year maturity at 1.17% creates an estimated fiscal impact of \$2,036,666 (principal available for funding projects \$1,963,500, cost of issuance \$36,500, and interest expense of \$36,666)

[End Agenda Memo]

City Clerk Clara VanBlargan read **RESOLUTION** 2015-14 by title only.

RESOLUTION 2015-14

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, AUTHORIZING THE ISSUANCE OF THE NOT TO EXCEED \$2,000,000 CITY OF LAKE WALES, FLORIDA SUBORDINATE LIEN CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2015, TO FINANCE IMPROVEMENTS TO THE CITY'S UTILITY SYSTEM AND TO PARKS AND RECREATION, ADMINISTRATIVE, AIRPORT AND TRANSPORTATION FACILITIES AND TO PAY ASSOCIATED COSTS OF ISSUANCE; PLEDGING CERTAIN FRANCHISE FEES, PUBLIC SERVICE TAX REVENUES AND COMMUNICATION SERVICE TAX REVENUES ON A SUBORDINATE BASIS TO SECURE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH NOTE; DESIGNATING THE NOTE AS BANK QUALIFIED FOR PURPOSES OF SECTION 265 OF THE INTERNAL REVENUE CODE OF 1986; AUTHORIZING THE NEGOTIATED

SALE OF THE NOTE TO WHITNEY BANK D/B/A HANCOCK BANK; PROVIDING FOR THE RIGHTS OF HOLDERS OF SUCH NOTE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Monique Spotts, Bryant, Miller, Olive, Bond Counsel for the City, reviewed this item.

Commissioner Perez said he thought that this \$2 million was something we would have in abeyance, not that it was earmarked for certain projects. Kenneth Fields, City Manager, explained that they originally discussed doing a letter of credit but it turns out that under the tax laws the best way to borrow funds at a tax-exempt rate was to designate capital projects to be covered by this loan that would free up money allocated to those projects that can be used for cash reserves situation. That's why back in April the reimbursement resolutions were done so we could spend the money and reimburse ourselves at a tax-exempt rate. This was the best way to get the lowest interest rate. It is still a 2 year loan. It is purely for tax reasons it is designated this way. It will free up \$2 million. Commissioner Perez asked for confirmation that this money can't be spent for anything else. Commissioner Lutton responded that it is already spent. Mr. Fields confirmed this, we are paying ourselves back. Commissioner Perez asked about cost over runs. Why do they happen and how often? Mr. Fields explained he has put in measures to prevent future overruns including using an independent contractor to review the plans for any oversights. This may cost more up front but can save us hundreds of thousands of dollars in the long run. They will also be rebidding all engineering contracts. Some will not be selected again. They are also looking into some landscaping engineering firms. Ms. Spotts said these funds on the 25th.

OPENED FOR PUBLIC COMMENT

There were no comments

CLOSED	FOR	PUBLIC	COMMENT
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Deputy Mayor Thornhill made a motion to adopt **RESOLUTION 2015-14**. Commissioner Howell seconded the motion.

By Roll Call Vote:

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

The motion carried 5-0.

Commissioner Lutton asked if there was a benefit to semi-annual payments. Mr. Fields that for debts of this kind it is typical. This is helpful as our revenue comes in chunks.

Agenda Item 18. Modification of the Official Traffic Map

[Begin Agenda Memo]

SYNOPSIS

Staff is requesting a modification of the Official Traffic Map for the purpose of designating a 25 Mph Speed Limit on Carlton Avenue.

RECOMMENDATION

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

1. Designate the Speed Limit on Carlton Avenue, between 7th Street and Marietta Street, to be 25 Mph.

BACKGROUND

There is no speed limit currently posted on Carlton Avenue and no record of the City Commission designating a speed limit on Carlton Avenue via the Official Traffic Map. Florida Statute 316.189(1) establishes a speed limit of 30 Mph on streets within municipal boundaries where speed limits are not designated. A traffic study conducted by the Lake Wales Police Department in early May, 2015 recommends that vehicle speeds should be limited to 25 Mph in the area. The volume of pedestrian and vehicular traffic on Carlton Avenue increases significantly in the mornings and afternoons during the school year and is a cause for concern when children are walking to and from Hillcrest Elementary School.

A speed limit of 25 Mph on Carlton Avenue is consistent with the speed limits of adjacent streets in the area.

The Lake Wales Police Department has reviewed the proposed modification of the Official Traffic Map and supports the request to establish a 25 Mph speed limit on Carlton Avenue.

The location outlined in this proposal is within the Corporate Limits of the City of Lake Wales. Section 316.006 (2) (a) Florida Statutes, provides that "Chartered municipalities shall have original jurisdiction over all streets and highways located within their boundaries, except state roads". The City Commission is empowered by Charter to make changes as necessary to the Official Traffic Map of the City.

OTHER OPTIONS

The Commission may choose not to make the requested changes to the Official Traffic Map

FISCAL IMPACT

The total cost of the eight required speed limit signs is \$546.80

[End Agenda Memo]

James Slaton, Public/Support Services Director, reviewed the item.

Commissioner Lutton asked about that Hillcrest Elementary area which has heavy traffic at pick-up and drop-off time. Should there be increased police presence there? Police Chief, Chris Velasquez, said we have increased police presence there. If new officers are hired that will help. It is a bad design but they are working with it.

Commissioner Howell made a motion to approve the modification of the traffic map. Commissioner Lutton seconded the motion.

By

Voice

Vote:

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

The motion carried 5-0.

Agenda Item 19. Appointments – Airport Authority Board; Code Enforcement Board; Planning & Zoning Board

SYNOPSIS

Appointments fill vacancies due to resignations, expiration of terms, newly established boards, etc.

RECOMMENDATION

The Mayor makes appointments to various citizen advisory and regulatory boards, commissions, committees, and authorities with the advice and consent of the City Commission (City Charter, Sec. 3.06).

The Mayor is asked to make the appointments as deemed appropriate.

BACKGROUND

Vacancies exist on various Boards, Commissions, and Committees due to resignations, expirations of terms, newly established boards, etc.

Lake Wales Code of Ordinances Sec. 2-26 (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 (½) 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.

Airport Authority (City Code Sec. 2-41) – The board consists of seven (7) voting members and one (1) non-voting member who is a City Commissioner. At least four (4) voting members must be qualified electors of the City (3-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 2 vacancies; 2 expiring terms

Applying for Re-appointment for Term Expiring 7/1/18: Katherine Rogers, resident
Charles Keniston, resident

Current Members:

Charles Keniston, resident	03/06/12	-	07/01/15,	1
Jack Neal, resident	09/19/06	-	07/01/15,	3-Final
Katherine Rogers, resident, chairman	09/18/12	-	07/01/15,	1
Charles Loomis, resident	11/03/10	-	07/01/16,	2
Robert Kelly, resident	07/03/07	-	07/01/16,	3-Final
Dale Marks, resident	06/17/08	-	07/01/17,	3
Robert Wood, resident	05/19/15	-	07/01/17,	1
Vacant	-			07/01/18
Commissioner Perez, non-voting member	05/19/15	-		05/02/17

Airport Manager (City Code Sec. 2-41(f)(5)) - City Manager

Meetings (City Code Sec. 2-41(r)) - The Lake Wales Airport Authority shall hold regular meetings at least once every month and at such other times as the authority shall determine to be reasonably necessary from time to time.

Current Meeting Schedule: - 1st Monday @ 5:30 PM; Commission Chamber

Duties/Powers (City Code Sec. 2-41(f)) - The Lake Wales Airport Authority exercises its powers and jurisdiction over the property known as the Lake Wales Airport and properties in addition to the Lake Wales Airport so long as they are exercised pursuant to contract with other governmental entities for the operation and supervision of other airports, airfields, and related facilities. The Lake Wales Airport Authority, subject to approval by the Lake Wales City Commission, is hereby authorized and empowered:

1. To adopt bylaws for the regulation of its affairs and the conduct of its business.
2. To adopt an official seal and alter the same at pleasure
3. To maintain an office at such place or places as may be designated by the City of Lake Wales.
4. To sue and be sued in its own name, plead, and be impleaded.
5. To provide oversight of airport operations for the purpose of input and advice to the city manager in his capacity as Airport Manager.
6. To acquire, lease as lessee or lessor, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate any airport which may be located on the property of the

authority. Nothing in Ordinance 2007-07 shall exempt the Lake Wales Airport Authority from the provisions of chapter 333, Florida Statutes.

7. To issue bonds of the authority, as hereinafter provided, to pay the cost of such acquisition, construction, reconstruction, improvement, extension, enlargement, or equipment.
8. To issue refunding bonds of the authority as hereinafter provided.
9. To fix and revise from time to time and to collect rates, fees, and other charges for the use of or for the services and facilities furnished by any airport facilities or tenant.
10. To acquire in the name of the authority by gift, purchase, or the exercise of the right of eminent domain, in accordance with the laws of the state which may be applicable to the exercise of such powers by municipalities, any lands or rights in land, and to acquire such personal property as it may deem necessary in connection with the acquisition, construction, reconstruction, improvement, extension, enlargement, or operation of any airport facilities, and to hold and dispose of all real and personal property under its control.
11. To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this Ordinance, including a trust agreement or trust agreements securing any bonds issued hereunder, and to employ such consulting and other engineers, superintendents, managers, construction and financial experts, accountants, and attorneys, and such employees and agents as may, in the judgment of the authority, be deemed necessary, and to fix their compensation; provided, however, that all such expenses shall be payable solely from funds made available under the provisions of this Ordinance.
12. To accept grants or money or materials or property of any kind for any airport or other facilities from any federal or state agency, political subdivision, or other public body or from any private agency or individual, upon such terms and conditions as may be imposed.
13. To issue revenue certificates of the authority as hereinafter provided.
14. To do all acts and things necessary or convenient to carry out the powers granted by this Ordinance.
15. To contract with other governmental entities to operate airports, airfields, and other related facilities and services, including providing all personnel, tools, equipment, supervision, and other materials and services required therefore.

Code Enforcement Board (City Code Sec. 2-56) – The board consists of seven (7) members. Whenever possible, membership shall include an architect, a business person, an engineer, a general contractor, a subcontractor and a realtor. Members must be residents. (3-year term)

- An interview process is necessary for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 4 expiring terms

Applying for Re-appointment for Term Expiring 7/1/18: Wilena Vreeland, resident
Melissa Konkol, resident

Current Members:

Melissa Konkol, resident	01/19/10	–	07/01/15,	2
Wilena Vreeland, resident	10/04/11	–	07/01/15,	P+1
Angela Jones, resident	05/07/13	–	07/01/15,	1
Warren Turner, resident	07/01/14	–	07/01/15,	P
Murray Zacharia, resident	06/18/13	–	07/01/16,	1
William Follett, resident	07/03/07	–	07/01/16,	3-Final
Jean Kincaid Scott, resident	06/17/08	–	07/01/17,	3

Current Meeting Schedule: 2nd Monday @ 5:00 PM; Commission Chamber

Powers (City Code Sec. 2-57) - The Code Enforcement Board imposes administrative fines and other noncriminal penalties to enforce city health and sanitation, local business tax receipt, fire, building, zoning and sign ordinances when it finds that a pending or repeated violation continues to exist.

In accordance with F.S. 162.08, The Code Enforcement Board has the power to:

1. Adopt rules for the conduct of its hearings.
2. Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by the sheriff of the county or police department of the municipality.
3. Subpoena evidence to its hearings.
4. Take testimony under oath.
5. Issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance.

Planning & Zoning Board (City Code Sec. 23-205.2) – The board consists of seven (7) members. At least six (6) members must reside in the City and one (1) member must either reside in or own real property in the city. (3 year term)

- An interview process is required for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 2 vacancies

Applying for Re-appointment for Term Expiring 7/1/18: Mark Bennett, resident
Joanne Fuller, resident

A fourth term for Ms. Joanne Fuller is recommended by the Planning & Zoning Board and the Planning & Development Director. The City Manager has the authority to recommend that the

City Commission grant the additional three year term.

Current Members:

Joanne Fuller, resident	09/19/06	–	07/01/15,	3
Mark Bennett, resident	05/07/13	–	07/01/15,	1
Charlene Bennett, resident	02/16/10	–	07/01/16,	2
Vacant, resident	–			07/01/16
Sharon Allen, resident	07/01/04	–	07/01/17,	P+4-Final
Vacant, resident	–			07/01/17,
John Gravel, property owner	05/06/14 – 07/01/16,	1		

Meetings (2-133) – The planning board shall hold regular meetings at the call of the chairman on the fourth Tuesday of each month and at such other times as the planning board may determine. Special meetings may be called by the chairman or vice-chairman with twelve (12) hours of notice.

Current Meeting Schedule: - 4th Tuesday @ 5:00 p.m.; Commission Chamber
Rules of procedure (City Code Sec. 23-205.3):

- a. The planning board shall elect from its membership one (1) member to serve as chairman and one (1) to serve as vice-chairman.
- b. The term of the chairman and vice-chairman named by the planning board shall be for a period of one (1) year with eligibility for re-election.
- c. The planning board shall hold regular meetings at the call of the chairman on the fourth Tuesday of each month and at such other times as the planning board may determine. Special meetings may be called by the chairman or vice-chairman with twelve (12) hours of notice.
- d. The planning board shall adopt rules for transaction of its business and shall keep a public record of its resolutions, transactions, findings and determinations which record shall be filed with the official records of the city. The planning board may set a limit on the number of applications which may be scheduled for review on an agenda.

Functions, powers and duties (City Code Sec. 23-205.4) - To act as Local Planning Agency pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, F.S., ch 163, part II, and perform all functions and duties prescribed therein:

1. To advise and make recommendations to the city commission regarding applications for amendments to the official zoning map and comprehensive plan, rezoning of property, preliminary planned development projects and subdivisions;
2. To consider the need for revision or addition of regulations in these land development regulations and recommend changes to the city commission;

3. To hear and decide applications for special exception use permits and site plans in compliance with these regulations;
4. To perform any other duties which are lawfully assigned to it by the city commission

OPTIONS

Do not appoint the applicants named above and seek other applicants; however, it may be difficult for the boards to obtain a quorum until vacancies are filled.

FISCAL

IMPACT

None. These are volunteer citizen boards.

The Mayor re-appointed Katherine Rogers to serve on the Airport Authority for a term expiring on July 1, 2018. Deputy Mayor Thornhill made a motion to approve the re-appointment made by the Mayor. Commissioner Howell seconded the motion.

By Voice Vote:

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

The motion carried 5-0.

The Mayor re-appointed Charles Keniston to serve on the Airport Authority Board for a term expiring on July 1, 2018. Deputy Mayor Thornhill made a motion to approve the re-appointment made by the Mayor. Commissioner Howell seconded the motion.

By Voice Vote:

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

The motion carried 5-0.

The Mayor re-appointed Wilena Vreeland to serve on the Code Enforcement Board for a term expiring on July 1, 2018. Deputy Mayor Thornhill made a motion to approve the re-appointment made by the Mayor. Commissioner Howell seconded the motion.

By Voice Vote:

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

Mayor Fultz "YES"

The motion carried 5-0.

The Mayor re-appointed Melissa Konkol to serve on the Code Enforcement Board for a term expiring on July 1, 2018. Deputy Mayor Thornhill made a motion to approve the re-appointment made by the Mayor.
Commissioner Howell seconded the motion.

By		Voice	Vote:
Deputy Mayor Thornhill	"YES"		
Commissioner Howell	"YES"		
Commissioner		Lutton	"YES"
Commissioner Perez	"YES"		
Mayor Fultz	"YES"		

The motion carried 5-0.

The Mayor re-appointed Mark Bennett to serve on the Planning and Zoning Board for a term expiring on July 1, 2018. Deputy Mayor Thornhill made a motion to approve the re-appointment made by the Mayor.
Commissioner Howell seconded the motion.

By		Voice	Vote:
Deputy Mayor Thornhill	"YES"		
Commissioner Howell	"YES"		
Commissioner		Lutton	"YES"
Commissioner Perez	"YES"		
Mayor Fultz	"YES"		

The motion carried 5-0.

The Mayor re-appointed Joanne Fuller to serve on the Planning and Zoning Board for a term expiring on July 1, 2018.

Kathy Bangle, Director of Planning and Development, said the City Manager needed to recommend the appointment for an additional 3-year term. Kenneth Fields, City Manager, recommended the appointment.

Deputy Mayor Thornhill made a motion to approve the re-appointment made by the Mayor. Commissioner Howell seconded the motion.

By		Voice	Vote:
Deputy Mayor Thornhill	"YES"		
Commissioner Howell	"YES"		
Commissioner		Lutton	"YES"
Commissioner Perez	"YES"		
Mayor Fultz	"YES"		

The motion carried 5-0.

CITY MANAGER

Agenda Item 15. City Commission Tracking Report:

Mr. Fields reported the following:

- FDOT has agreed to help with funding of the runway extension at the airport. FDOT will help with areas that FAA cannot cover. It will be 18 months until funding is in place. He commended Teresa Allen, Assistant Director of Public/Support Services for her efforts on this.
- The skate park improvements will start at the end of the month.
- Some utilities projects can move forward now that funding is in place, but Phase II of the C Street project is a ways off yet.
- The new website will go live tomorrow.
- We will have an ad in the Florida League of Cities Conference Guide for the Annual meeting this summer.
- They have completed interviews with possible candidates for Depot Museum Director. Representatives from the Museum Association participated. There will be a meeting to discuss the candidates and a selection will be made soon. The \$125,000 is all the costs for the operation of the museum, not just the salary. They are working on an agreement with the Historic Society to identify what is theirs.

Mr. Fields thanked the City Commission for their efforts during this difficult issue, he is proud to work with those that are willing to step up and do what's right for the city.

Agenda Item 16. City Commission Calendar

Mr. Fields reported that the first budget workshop is scheduled for Tuesday, July 14 and the second one is Tuesday, August 11. The estimates on state revenues will be delayed due to the state budget issues. They will work with their own estimates in the meantime. Commissioner Lutton suggested a larger cut than 1 mil in the property taxes. Mr. Fields said that they will look at it.

Agenda Item 17. Annual Reporting – Boards, Commissions, and Committees

CITY COMMISSION COMMENTS

Commissioner Howell thanked everyone for coming. She said many are supportive of efforts to help our City grow and get better.

MAYOR COMMENTS

Mayor Fultz asked Mr. Fields about talking to someone about MSTU funds for the library. The Bookmobile is wonderful. Mr. Fields said it's not just the Library, but recreation facilities that are used by the County residents. He is being vocal with the County about additional funding for Lake Wales. Commissioner Lutton pointed out that there are very few County parks facilities in the area.

Mayor Fultz said Lake Wales is on the upswing and things are moving in the right direction. We will continue to see progress.

The meeting was adjourned at 9:27 p.m.

Mayor/Deputy Mayor

ATTEST:

City Clerk Clara VanBlargan, MMC

MEMORANDUM

DATE: June 30, 2015

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: James Slaton, Public/Support Services Director

SUBJECT: Purchase Authorization for Street Maintenance Projects

SYNOPSIS: *The City Commission will consider authorizing staff to expend funds to Grove Construction for two street maintenance projects.*

RECOMMENDATION

It is recommended that the City Commission take the following action(s):

1. Authorize staff to expend appropriated funds to Grove Construction in the amount of \$91,253 for street maintenance projects on N. Market Street and W. Central Avenue.
2. Authorize a budget amendment to transfer \$33,470 from Capital Outlay street resurfacing to miscellaneous Road Repairs.

BACKGROUND

City staff advertised a request for sealed bids (ITB #15-396) for annual street, sidewalk and curbing maintenance and Grove Construction was awarded the contract by the City Commission on June 16, 2015.

A total of \$110,000 is approved in the FY14/15 adopted budget for street resurfacing and road repairs (pg.135/139). \$75,000 is appropriated for street resurfacing projects and \$35,000 is appropriated for miscellaneous road repairs.

In accordance with Sec. 2-417(d)(3) of the City's Purchasing Ordinance all purchases in excess of Category 1 (\$20,000) require City Commission approval before funds can be expended.

Two projects within the total appropriated budget amount have been identified:

1. Milling and resurfacing of North Market Street between East Park Avenue and East Orange Avenue. This project will also include the thermoplastic restriping of 19 parking spaces. The project cost is \$41,530; the budgeted amount is \$75,000 and the balance is \$33,470.

2. Restriping of West Central Avenue. This project includes the marking of all stripes, stop bars, directional arrows and reflective pavement markers on West Central Avenue between Hwy 27 and Hwy 60. The project cost is \$49,723; the budgeted amount is \$35,000 and the deficit is \$14,723.

In addition to the purchase authorization, staff is requesting that the balance of \$33,470 from the \$75,000 appropriated for street resurfacing ($75,000 - 41,530 = 33,470$) be transferred into the road repairs operating budget via a budget amendment. This will fully fund the West Central Avenue restriping with the \$14,173 overage, and will fund smaller miscellaneous road repairs for the remainder of the fiscal year, providing staff with \$18,747 in miscellaneous road repair funds after these two projects are completed.

OTHER OPTIONS

The City Commission may elect not complete either project or may elect to complete only one of them.

FISCAL IMPACT

\$91,253 is \$18,747 less than budget appropriations; however, staff is requesting to use the balance for other needed smaller projects.

ATTACHMENTS

Quotes from Grove Construction
Maps of Affected Areas

GROVE CONSTRUCTION

2340 Pleasant Hill Road
Kissimmee, FL 34746

ESTIMATE

Date	Estimate #
6/24/2015	1569

Name / Address
City of Lake Wales 201 W. Central Avenue Lake Wales, FL 33853

Ship To
North Market Street

Description	Qty	Cost	Amount	Markup	Total
Milling (over 2" and up to 3") - Asphalt Repaving	1,240	14.00	17,360.00	0.00%	17,360.00
S3 Recycled Asphalt - Asphalt Repaving	1,240	18.00	22,320.00	0.00%	22,320.00
Stripe 17 Parking spaces and 2 Handicap spaces	1	1,850.00	1,850.00		1,850.00
Total					\$41,530.00

GROVE CONSTRUCTION

2340 Pleasant Hill Road
Kissimmee, FL 34746

ESTIMATE

Date	Estimate #
6/24/2015	1571

Name / Address
City of Lake Wales 201 W. Central Avenue Lake Wales, FL 33853

Ship To
Striping at West Central Between 27 & 60

Description	Qty	Cost	Amount	Markup	Total
Mobilization - Pavement Marking	1	700.00	700.00	0.00%	700.00
Maintenance of Traffic - Pavement Marking	1	500.00	500.00	0.00%	500.00
24" Solid White Temp & Thermo - Pavement Marking	12	12.50	150.00	0.00%	150.00
6" Solid White Paint - Pavement Marking	7,674	2.50	19,185.00	0.00%	19,185.00
6" Solid Yellow Paint - Pavement Marking	6,676	2.50	16,690.00	0.00%	16,690.00
Directional Arrows Temp & Thermo - Pavement Marking	30	275.00	8,250.00	0.00%	8,250.00
Reflective Pavement Markers - Pavement Marking	354	12.00	4,248.00	0.00%	4,248.00
Total					\$49,723.00



N Market St

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MEMORANDUM

June 25, 2015

TO: Honorable Mayor and City Commissioners

VIA: Kenneth Fields, City Manager

FROM: Kathy Bangley, Director of Planning and Development

RE: Ordinance 2015-04 2nd Reading and Public Hearing
Amendments to *Zoning, Land Use and Development Regulations*

Synopsis: Several areas of the zoning regulations (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments to address scriveners' errors and provide better clarification and intent of the code.

Recommendation: Adoption of Ordinance 2015-04 on second reading, following a public hearing.

On June 16, 2015 Commission approved the ordinance after first reading and public hearing.

Public notice requirements have been met for a public hearing, required on the first and second readings of an ordinance that changes the permitted uses within zoning districts.

Background: Amendments and adjustments are proposed for a variety of reasons. Some amendments deal solely with misspellings and omitted words. The other amendments are proposed based on experience of staff and the Planning Board and with the changing market conditions in development.

Following are explanations of the proposed revisions. Numbering corresponds to the section numbers of the ordinance.

1. Planning Board membership – The word “members” was omitted from the subsection.

2. Land use approval process – The recommendation is to relocate Table 23-220 from its current location at the end of Article II, Division 2 and place it at the end of Sec.

23-211. Also recommended is the renumbering of the table to correspond with its new location.

3. Special exception use permit process – Add expiration regulations – When a special exception use permit is not established within a year of approval, an assessment should be made by the planning board on whether to grant an extension. There is already a provision that a discontinued special exception use permit expires after a year of disuse. The relocation of this provision is also recommended.

4. Vacation of public-rights-of-way or public easements – This amendment recommends changing from an ordinance to a resolution the action required to vacate a public easement. Easements are usually for public utilities and are not used by the general public for access to properties such is the case with rights-of-way. A resolution is sufficient. In cases where public notice is appropriate, an ordinance, which requires public advertising and two readings, can be enacted.

5. Dedications of public improvements – Amendments are proposed to sec. 23-223 (subdivision plat process) to clarify that a resolution by city commission is required to accept dedications of streets and other public facilities, though they are dedicated by the property owner on the subdivision plat. Such a resolution is already required under sec. 23-226, but it is not cross-referenced in the subdivision regulations.

This amendment is also recommended by the city attorney in order to be consistent with state and case law.

State law states that dedication of streets does not obligate a city to construct or maintain such streets. A resolution would state that the city accepts this responsibility and would be enacted only at such time as the city is willing to do so, probably after a percentage of houses are completed. Repairing damage to roadways occurring during house construction will then be largely the responsibility of the developer.

6. Street classification adjustments – The street classification section of the zoning regulations is amended to add roadways serving property annexed into the city in recent years, to promote consistency with the Comprehensive Plan and the Polk County classification system, and to update definitions and terminology.

7. Landscape standards – Minor changes are proposed prohibiting the use of invasive or otherwise unsuitable trees for meeting landscaping requirements and clarifying the definition of tree.

8. This section addresses an omitted asterisk in Table 23-405.

9. Permitted and special exception uses, zoning districts – A reassessment of uses allowed in C-3 Highway Commercial and C-2 Commercial was discussed with the Planning Board and recommended as follows:

Allow indoor amusement establishments by right (permitted use) in C-3 Highway Commercial zoning district. While some caution is needed in allowing the full array of indoor amusement establishments in and around the downtown and in neighborhood commercial centers, the C-3 district is the city's most intense commercial area where such uses are appropriate.

Allow multi-family developments with over 12 units through the PDP process in C-2 Commercial and C-3 Highway Commercial districts, provided the classification of the property on the FLUM (Future Land Use Map of the Comprehensive Plan) allows for residential uses.

A recommendation to amend the notes at the bottom of Table 23-421 to better address outdoor storage and outdoor display and sales is also recommended.

10. Residential accessory uses and structures – Proposed is the establishment of a minimum square footage requirement for accessory units and the elimination of the requirement for an additional 5,000 square feet above the required minimum set by the zoning district.

11. Dimensional requirements – Corrections to Table 23-422A of the minimum lot width for the R-2 district and clarification to the footnote regarding reduced street frontage are proposed. The minimum lot width should be 75 to be consistent with the rest of the districts. The footnote is amended to remove the requirement for additional lot area, but not to count the panhandle portion towards the minimum lot area required.

12. Fences and Hedges – In the residential section clarity is made that vinyl or plastic cannot be used for exterior development walls. In non-residential the minimum height allowance in the I-2 and BP districts is being raised from six (6) feet to eight (8) feet. The elimination of the requirement for a special permit by the planning board to allow barbed wire in an Industrial zone is proposed.

13. Flood Hazard reduction in new development – Proposed is an explicit requirement to construct all new roads above the base flood elevation where the roads are located in areas of special flood hazard as identified by FEMA. Other amendments are proposed to bring the requirements in line with Polk County requirements.

14. Definitions – An amendment to move health clubs from the *Amusement establishment, indoor* to the definition for *Service, personal*. A refinement to the definition for *Light, uses* is also proposed. This amendment is reflective of the changes in the market from the impact of the logistics center and interest in Longleaf Business Park.

FISCAL IMPACT

Adoption of the amendments to the zoning code will have no direct fiscal impact.

OTHER OPTIONS

The Commission may decide to modify the amendments recommended by the Planning & Zoning Board or to decline to make further amendments.

ATTACHMENTS

Proposed Ordinance 2015-04

ORDINANCE 2015-04

(Amendments to zoning regulations, Chapter 23 – Code of Ordinances)

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS; AMENDING TABLE 23-220 LAND USE APPLICATIONS, REVIEW, APPROVAL AND PUBLIC HEARING; AMENDING SPECIAL EXCEPTION USE PERMIT; AMENDING VACATION OF PUBLIC RIGHTS-OF-WAY OR PUBLIC EASEMENT; AMENDING FINAL SUBDIVISION PLAT; AMENDING ACCEPTANCE OF DEVELOPER DONATIONS, DEDICATIONS, CONTRIBUTIONS, ETC; AMENDING STREET CLASSIFICATION SYSTEM; AMENDING STREET ACCESS REQUIREMENT; AMENDING TABLE 23-405; AMENDING CERTAIN PERMITTED AND SPECIAL PERMIT USES IN VARIOUS ZONING DISTRICTS; AMENDING AND ADDING DEFINITIONS; AMENDING LANDSCAPE STANDARDS; AMENDING FENCES AND HEDGES; AMENDING DIMENSIONAL STANDARDS – RESIDENTIAL; AMENDING ACCESSORY UNITS – RESIDENTIAL PROPERTIES; MAKING MISCELLANEOUS CORRECTIONS, CLARIFICATIONS, AND ADJUSTMENTS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1: Planning Board Membership

Sec. 23-205.2 Composition of planning board and terms of members

The following subsection is amended to read as follows:

Sec. 23-205.2.a The planning board shall consist of seven (7) regular members who shall be appointed by the governing body. At least six (6) must be residents of the city, and one (1) member must either reside in or own property in the city.

SECTION 2: TABLE 23-220 – LAND USE APPROVAL PROCESS

Renumber table to Table 23-211 and move to follow sec. 23-211

Amend reference to table in sec. 23-211 as follows:

Sec. 23-211 – In general.

The permits and approvals specified in this division are required for development of any land within the city. Permits may be applied for at the office of the administrative official on forms supplied by that office. Deadlines and information required with applications shall be set forth in a procedures manual maintained by the administrative official. The administrative official may request additional information, including a survey, if such information is necessary for the processing of the application. Incomplete applications shall not be scheduled for review until all required information is submitted in a timely manner by the applicant. Table 23-211 below ~~23-220 following this division~~ summarizes approvals that are required for various types of applications. Application fees are set forth in section 23-242. All applications for development approval or changes

of use are subject to the concurrency requirements set forth in Article VII, Division 1 (section 23-701 et seq.).

Amend Table 23-220 to read as follows:

TABLE ~~23-220~~ 23-211
LAND USE APPLICATIONS—REVIEW, APPROVAL
& PUBLIC HEARING REQUIREMENTS

<u>CODE SECTION AND</u> TYPE OF APPLICATION	REVIEW & APPROVAL PROCESS			
	ADMINISTRATIVE	PLANNING BOARD	BOARD OF APPEALS	CITY COMMISSION
<u>23-212</u> Verification of Zoning Compliance	A			
<u>23-213</u> Certificate of Use	A			
<u>23-214</u> Tree Removal Permit	A			
<u>23-215</u> Land Alteration Permit	A			
<u>23-216</u> Special Exception Use Permit	R	A - PH		
<u>23-217</u> Site Development Permit	A			
<u>23-218</u> Zoning Map Amendment	R	R - PH		A - PH <u>ORD</u>
<u>23-219</u> Comprehensive Plan Amendment	R	R - PH		A - PH <u>ORD</u>
<u>23-220</u> Annexation	R			A - PH <u>ORD</u>
<u>23-221</u>	R			A - <u>RES</u>

Vacation of Easement				
<u>23-221</u> Vacation of Right-of-Way	R			A - PH <u>ORD</u>
<u>23-222</u> Site Plan—Minor	A			
<u>23-222</u> Site Plan—Major	R	A		
<u>23-223</u> Subdivision Plat—Preliminary	R	R		A
<u>23-223</u> Subdivision Plat—Final	R			A
<u>23-223</u> Vacation of Plat	R	R		A - PH
<u>23-224</u> Planned Dev Project— Preliminary	R	R - PH		A - PH
<u>23-224</u> Planned Dev Project—Final survey	A			
<u>23-225</u> Development of Regional Impact		R-PH		A - PH

A = ~~Approve~~ Approval Required

R = Review and Recommend

PH = Public Hearing Required

ORD = Ordinance Required

RES = Resolution Required

SECTION 3. SPECIAL EXCEPTION USE PROCESS

Sec. 23-216 Special exception use permit

The following subsection is added to read as follows:

Sec. 23-216.6 Expiration regulations

a. A special exception use permit shall expire one (1) year after approval if the approved use has not been established, unless an extension of time is granted by the planning board prior to the end of the one-year period.

b. Whenever an approved special exception use has been discontinued for a period of one (1) year, no such use may be reestablished on those premises unless a time extension is granted by the planning board prior to the end of the one-year period. Expiration of the one-year period without the granting of a time extension, shall require application, review and approval in accordance with section 23-216 to resume the special exception use.

Delete section 23-434. Discontinued use (moved to 23-216.6.b.)

~~**Sec. 23-434. Discontinued use.** Whenever an approved special exception use has been discontinued for a period of one (1) year, no such use may be reestablished on those premises unless a time extension is granted by the planning board prior to the end of the one-year period. Expiration of the one-year period without the granting of a time extension, shall require application, review and approval in accordance with section 23-216 to resume the special exception use.~~

SECTION 4. VACATION OF PUBLIC RIGHTS-OF-WAY OR PUBLIC EASEMENTS

Sec. 23-221 Vacation of public rights-of-way or public easements

The following subsection is amended to read as follows:

Sec. 23-221.2.c.1 *Easement.* The city commission may enact ~~an ordinance~~ a resolution vacating an easement. The city commission may approve the vacation of an easement only with a favorable recommendation from the director of public works. Such approval may be conditioned upon the relocation of the easement and the utilities therein at the applicant's expense.

SECTION 5. DEDICATIONS OF PUBLIC IMPROVEMENTS

Sec. 23-223 Land Subdivision and Sec. 23-226 Acceptance of developer donations, dedications, contributions, etc.

The following subsections are amended to read as follows:

Sec. 23-223.4.c.2. *Final subdivision plat.* The final subdivision plat shall constitute the totality of land the applicant plans to develop. When a subdivision is being developed in phases, the final subdivision plat shall constitute only that portion of the approved development plan which the applicant proposes to record and develop at the time, provided, however, that such portion conforms to the phasing schedule approved with the preliminary subdivision plan and all requirements of these regulations. The final subdivision plat shall be consistent with the preliminary plat approved by the city commission and shall conform with all requirements of these regulations. The number of reproducible plats and copies shall be as set forth in the procedures manual maintained by the administrative official.

A. The final subdivision plat shall conform to the requirements of F.S. ch. 177.

~~B. The title page shall provide a signature block for the director of public works to certify that the public improvements have been completed and are acceptable to the city.~~

~~C. B. An executed dedication of public improvements to the city shall be made on the title page.~~

~~D. C. The title page shall provide a signature block for the city's surveyor to certify that the plat has been reviewed for conformity with the requirements of F.S. ch. 177.~~

~~Sec. 23-223.4.c.3.D. Cost of dedicated facilities. Dedicated public facilities. Dedications executed by the owner on the plat shall be accepted by the city through the process outlined in sec. 23-226 at such time as the city commission determines appropriate. The city may undertake re-inspection of such facilities and if necessary require corrective action by the owner prior to accepting the dedication(s). An itemized list with costs of all improvements to be dedicated shall be provided by the applicant at the time of platting. After verification of accuracy by the city engineer, the list shall be forwarded by the administrative official to the finance director for the purpose of updating the city's fixed assets. All cost documents shall be signed and sealed where appropriate.~~

~~Sec. 23-226. *Acceptance of developer donations, dedications, contributions, etc.*~~

- ~~a. The city commission shall accept all donations or dedications of roads, sidewalks, water and sewer improvements, land or other developer contributions not included on a subdivision plat by enacting a resolution that includes the following:~~

SECTION 6. STREET CLASSIFICATION ADJUSTMENTS

~~Sec. 23-303 Streets.~~

~~The following subsections are amended to read as follows:~~

~~Sec. 23-303.2 *Street classification system.*~~

- ~~a. *Street classification system.* The street classification system is established consistent with the Transportation Element and map of the Comprehensive Plan to ensure the expansion of a roadway network adequate to serve the needs of future development. The roadway functional classifications group streets and highways according to the character of service they are intended to provide in relation to the total road network. The Federal Highway Administration defines the basic categories as follows: include arterial roads, major and minor collector roads, and local roads. subdivided into principal, major, or minor levels. The city's street classification system is established as follows in accordance with the comprehensive plan's Existing and Future Traffic Circulation Map and is summarized as follows:~~

<u>Functional System</u>	<u>Services Provided</u>
---------------------------------	---------------------------------

<u>Arterial</u>	<u>Provides the highest level of service at the greatest speed for the longest uninterrupted distance, with some degree of access control.</u>
<u>Collector</u>	<u>Provides a less highly developed level of service at a lower speed for shorter distances by collecting traffic from local roads and connecting them with arterials.</u>
<u>Local</u>	<u>Consists of all roads not defined as arterials or collectors; primarily provides access to land with little or no through movement.</u>

b. Classification of Lake Wales Streets

Streets providing service within the city are classified as arterials, major or minor collectors, and local roads as follows:

1. Arterial highways. ~~A highway or street which provides a direct, relatively high-speed route for large volumes of traffic for long, local trips and provides access to major regional highways. The Lake Wales Comprehensive Plan defines an arterial as "A route that is relatively continuous, of high traffic volume, of long average trip length, of high operating speed, and of high mobility importance A. Arterials are part of a rural network of continuous routes serving substantial statewide travel by connecting urbanized areas. of linking counties and towns providing intrastate and intracounty service."~~

The existing arterials within the city include:

~~State Road 17(Alt. 25)~~

State Road 60

U.S. Highway 27

2. Major collector roads. A major collector means a street which conducts moderate volumes of traffic between arterials and minor collectors or local streets and also provides access to abutting properties. ~~The Lake Wales Comprehensive Plan defines a major collector as "A route providing service that is of relatively moderate traffic volume, moderately average trip length, and moderately average operating speed. These routes serve primarily intracounty travel."~~ Major collectors shall connect to arterials or other major collectors at both ends.

Major collectors in and immediately outside of the city that are part of the county road system include:

Buck Moore Road between Burns Avenue and State Road 60 (CR 17-B)

Burns Avenue, eastward from S.R. 17 (CR 17-A)

Central Avenue between U.S. 27 and S.R. 60

Eleventh Street southward from S. R. 60 (CR 17-B)

Masterpiece Rd. from Buck Moore Rd. to city limit

Mountain Lake Cut-off Road

~~Sunset Drive between Lake Shore Blvd. And Buck Moore Road~~

~~Washington Avenue between U.S. 27 and E Street~~

Chalet Suzanne Road eastward from U.S. 27 (CR 17-A)

State Road 17(Alt. 25)

Thompson Nursery Road westward from U.S. 27

3. *Minor collector roads.* ~~Minor collectors are streets which provide connections between local streets and major collectors or arterials. The Lake Wales Comprehensive Plan defines a minor collector as "A route that collects traffic from local roads and brings all developed areas within a reasonable distance of a major collector road."~~ Any new minor collector shall connect to another minor collector, an arterials, or a major collector at each end. Minor collectors shall not be dead-ends and shall not terminate at a local street.

The city street system includes a gridwork of street classified as minor urban collectors, including:

Campbell Avenue between Marietta Street and Eleventh Street

Central Avenue between U.S. 27 and Lake Shore Blvd.

Dr. Martin Luther King Blvd. between Dr. J.A. Wiltshire Avenue and S.R. 60

Dr. J.A. Wiltshire Avenue between G Street and North Wales Dr.

E Street between Florida Avenue and Dr. J.A. Wiltshire Blvd.

Eleventh Street between Lakeshore Blvd. and S.R. 60

Euclid Avenue between Seventh Street and Eight Street

First Street between Dr. J.A. Wiltshire Blvd. and Winston Avenue

Grove Avenue between 9th Street and 11th Street South

Hunt Brothers Road between US Highway 27 and City limit

Lake Shore Blvd.

Marietta Street from Lake Shore Blvd. to Campbell Avenue

Mountain Lake Cut-off Road from U.S. 27 to S. R. 17

Ninth Street South south of Cohasset Avenue

North Wales Drive between Burns Avenue and Lake Shore Blvd.

Orange Avenue between Wetmore Street and S.R. 17

Palm Avenue

Park Avenue between Lake Shore Blvd. and Dr. Martin Luther King Blvd.

Polk Avenue between S.R. 60 and Lake Shore Blvd.

Sessoms Avenue between Dr. Martin Luther King Blvd. and North Wales Dr.

Stuart Avenue between Dr. Martin Luther King Blvd. and S.R. 17

Third Street between S.R. 17 and Winston Avenue

Tillman Avenue between S.R. 17 and Wetmore Street

Tower Blvd. between Burns Avenue and Lake Shore Blvd.

Wetmore Street between Sessoms Avenue and Briggs Avenue

4. *Local street.* Local streets provide connections between individual properties and collectors or arterials. A local street is a route that has the function of providing accessibility to individual parcels of property in residential areas. Local streets carry light volumes of traffic and should be designed to discourage through traffic and encourage low vehicular speeds. Local streets existing in the city are all of those street not listed in this subsection as arterials, major collectors or minor collectors.

Sec. 23-303.3 Street Access Requirements, subsec. c.

~~c. Residential development.~~ 2. Residential development

Sec. 23-303.3.b.2.C. No lots in new residential developments and no new or multi-family buildings shall be approved or permitted on a local street unless the distance via local streets from the site to a minor collector street or street of higher classification is one thousand two hundred (1,200) feet or less.

Sec. 303.4 Entrance roads, intersections and blocks.

TABLE – DWELLING UNITS AND REQUIRED LENGTH OF ACCESS ROAD

<i>Number of dwellings</i>	<i>Length of Primary Entrance Road (Meeting major collector design standards)</i>
Up to 100	150 feet
100-199	200 feet
200-299	350 <u>250</u> feet
300-399	400 <u>300</u> feet
400-499	450 <u>350</u> feet

Sec. 23-303.11.b . Streets shall be designed so as to make them flood-free in order that properties served by such streets will not be isolated by floods. In flood-prone areas, the director of public works may require profiles and elevations of streets in order to determine the adequacy of design. Fill may be permitted by the director of public works provided that it does not adversely affect flood conditions of the surrounding properties. Street construction shall comply with Art. IV, Div. 1. Development in Flood Prone Areas as applicable.

SECTION 7. LANDSCAPE STANDARDS

Sec. 23-307 Landscaping requirements

The following subsections are amended as follows:

Sec. 23-307.1.a. *Applicability*. The provisions of this subsection apply to all areas used for the display or parking of any and all types of vehicles, boats, or heavy construction equipment, whether such vehicles, boats or heavy construction equipment are self-propelled or not, and all land upon which vehicles traverse the property as a function of the primary use, hereinafter referred to as "other vehicular uses" which include but are not limited to activities of a drive-in nature such as, but not limited to, filling stations and grocery stores. All uses covered by this subsection shall conform to the minimum landscaping requirements hereinafter provided, save and except areas which are used for parking or other vehicular uses but which are located under or within buildings. ~~Parking areas serving single and two-family dwellings are exempt from the provisions of this section except that paragraph (e), Tree Density, shall apply to all residential and non-residential construction as specified herein.~~

Sec. 307.1.b.6. *Tree: Any*— A woody perennial plant with an elongated stem or trunk supporting branches and leaves excluding Queen Palm and Citrus of a species which normally grows to an overall height of at least fifteen (15) feet in this area.

Sec. 23-307.2.b.Plant Material 1 General quality:

D. ____ The use of invasive, poisonous, or commonly objectionable species is prohibited.

Sec. 23-207.2.b. Plant Material 2. Trees,

A. Trees shall be of a species which in this area will have a mature crown spread of greater than fifteen (15) feet and a trunk of five (5) feet of clear wood. Species excluded from the requirement for a tree removal permit (sec. 23-214) shall not be used in meeting landscaping requirements.

SECTION 8. CORRESPONDENCE OF ZONING DISTRICTS TO COMPREHENSIVE PLAN LAND USES

Amend Table 405 as follows:

Add asterisk to "Business Park (BP)"

SECTION 9. PERMITTED AND SPECIAL EXCEPTION USES – ZONING DISTRICTS

Table 23-421 "Permitted Uses and Special Exception Uses in Standard Zoning Districts is hereby amended as follows:

Under “Amusement establishment – Indoor”
Allow as a permitted use in C-3.

Under “Dwelling: Multi-family (more than 12 units/parcel)”
Allow by PDP process in C-2 and C-3

Amend Footnote * to read as follows:

*See special conditions for this use in article III, division 2, Conditional Use Regulations. For conditions for a dwelling unit accessory to a single-family dwelling, see Table 23-521, Accessory Uses - Residential Properties.

Amend footnote #2 to read as follows:

Mixed-use and multi-family development may be approved through the PDP process only ~~where mixed use is a designated use under~~ if consistent with the policies of the Comprehensive Plan for the Future Land Use classification of the property. Standards ~~for mixed-use planned developments in section 23-445~~ apply to all mixed-use planned developments and those in section 23-443 apply to all residential planned developments.

Amend Notes to read as follows:

•~~Outdoor storage or sales at an otherwise permitted business or enterprise requires a special exception use permit.~~ in BP, I-1, and I-2 is allowed with site plan approval.

•Outdoor display and sales at an otherwise permitted business or enterprise are subject to conditions in Sec. 23-343

SECTION 10. RESIDENTIAL ACCESSORY USES AND STRUCTURES

Table 23-521 Accessory Uses – Residential Properties

Accessory unit (apartment or guesthouse) at single-family residence is to be amended as follows:

Special exception use permit required for the addition of an accessory unit. ~~Let on which the accessory unit is located must be a minimum of 5,000 square feet in excess of the minimum lot area for a single-family dwelling in the zoning district.~~ Living floor area of accessory unit shall be a minimum of 450 square feet and shall not exceed 50% of the living floor area of the principal dwelling.

SECTION 11. DIMENSIONAL REQUIREMENTS

Table 23-422A Dimensional and Area Standards – Residential Districts

To be amended as follows:

Minimum Lot Width at the building line (feet) R-2 ~~60-75~~

Footnote 1

On any lot approved with reduced frontage, the lot width between the front lot line (street frontage) and the building line shall not be less than 25 feet at any

point. ~~Lots which front on turnarounds or culs-de-sac shall have a minimum street frontage of 30 ft. In new single-family subdivisions, up to 10% of the lots may be approved with reduced street frontage, provided that no frontage is less than 30 feet in width. One single-family house may be constructed on a panhandle lot with reduced street less than 50 feet of frontage, provided that, excluding any portion of the lot less than 50-feet in width, the lot meets the minimum required lot area and other dimensional requirements the lot has at least two times the area required for a single-family house in the zoning district, and provided the lot has a minimum of 25 feet of frontage.~~

SECTION 12. FENCES AND HEDGES

Sec. 23-524. Fences and hedges.

The following subsection is amended to read as follows:

Sec. 23-524.c.1 Fence materials must be generally compatible with surrounding properties. Traditional materials such as wood, masonry, wrought iron, or other metal are preferred materials for fences in front yards. Fences constructed of vinyl or other plastic materials are not permitted ~~in front yards~~ as the exterior perimeter wall of a development. Chain link and solid fences such as stockade fences may be located in front yards provided shrubs are planted and maintained along the side of the fence facing any public right-of-way. Such shrubs must be at least two and one-half (2½) feet in height at the time of planting and shall be planted as a continuous hedge or shall be spaced a maximum of fifteen (15) feet apart. Chain link and solid fences constructed behind the front building line and parallel to the right-of-way must also be landscaped per these requirements, unless the administrative official determines that screening is not necessary because of site topography, adequate existing landscaping in the front yard, short length of fence, sufficient setback behind the building line, or other condition specific to the property.

Sec. 23-543 Fences and Hedges.

The following subsections are amended as follows:

Sec. 23-543.c *Dimensional requirements*. No fences shall be installed, constructed or erected without complying with the following regulations:

1. *Maximum height*. The maximum height of a fence shall be four (4) feet in the front yard and six (6) feet in the rear and side yards except in the I-1, I-2 and BP zoning ~~Industrial~~ district, where the maximum height shall be eight (8) feet in any yard. The planning board may waive the height requirements for a valid purpose related to compatibility with the character of the neighborhood, addressing problems with slope or architecture, screening an adjacent land use, or security for industrial uses.

The following uses shall be exempt from maximum height requirements:

Utility and power substations;

Water and wastewater facilities;

Municipal facilities;

Public swimming facilities;

Storm water retention ponds (when fence is required by water management district).

3. *Materials.* Fences must be constructed of new materials designed for that purpose or aged for proper architectural effect. Fences having a side with exposed or irregular structural components, and a more finished, uniform and aesthetically attractive side, shall be constructed and installed so that the more finished side faces outward from the fenced property toward the adjoining property. Chain link and solid fences abutting or parallel to public right-of-way or abutting a residential property shall be screened on the exterior side of the fence by a hedge having a minimum height of two (2) feet and fifty (50) percent view blockage at the time of planting with the capability of attaining a minimum height of four (4) feet and one hundred (100) percent view blockage within two years. Such fences shall be set back from the property line a minimum of three (3) feet to accommodate the hedge. Walls shall be of masonry construction. No fence shall contain any substance designed or reasonably likely to inflict injury to any person or animal, including, but not limited to, razor wire, glass, or electrically charged wire. In Industrial zoning districts and on industrial properties upon the granting of a special permit by the planning board, three (3) strands of barbed wire may be used on top of a ~~six-foot~~ fence a minimum of six (6) feet in height. Barbed wire may also be used on agricultural lands.

SECTION 13. FLOOD HAZARD REDUCTION IN NEW DEVELOPMENTS

Sec. 23-604. Provisions for flood hazard reduction.

The following subsection is amended to read as follows:

Sec. 23-604.d. *Standards for ~~subdivision proposals~~ new development*

1. ~~All subdivision proposals shall be consistent with the need to~~ All new development shall be designed to minimize flood damage.
2. All new development ~~subdivision proposals~~ shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
3. All new development ~~subdivision proposals~~ shall have adequate drainage provided to reduce exposure to flood hazards.
4. Base flood elevation data shall be provided for subdivision proposals and other proposed development ~~(including manufactured home parks and subdivision) which is greater than the lesser of fifty (50) lots or five (5) acres.~~

SECTION 14. DEFINITIONS

The following definitions are amended to read as follows:

Amusement establishment, indoor. A building or premises used for the provision of entertainment, ~~exercise~~, or games, such as bowling alleys, ~~health clubs~~, and game rooms, but not including theaters or movie theaters. See also theater; theater, movie and cultural facilities.

Light uses. Those uses which are nonhazardous ~~and whose processing, fabricating, assembly or disassembly take place wholly within an enclosed building and~~ whose premises do not contain any outdoor storage, open storage or aboveground tank storage of merchandise, products, materials, equipment or other items utilized by establishments that are visible from any travel way. ~~in practicing their vocation or occupation except for automobiles, delivery trucks or service trucks.~~

Service, personal. An establishment which provides for the needs of customers, whether individuals or businesses, and their possessions. Personal service establishments include beauty and barber shops, dry cleaning pick-up services, printing shops, frame shops, photo shops, health clubs, spas, and appliance repair shops, but not laundromats.

SECTION 15. All ordinances or parts of ordinances in conflict herewith as hereby repealed.

SECTION 16. 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 17. This ordinance shall become effective immediately upon passage by the City.

CERTIFIED AS TO PASSAGE this _____ day of _____, 2015.

CITY OF LAKE WALES, FLORIDA

Mayor, City of Lake Wales, Polk County, FL

ATTEST:

City Clerk

MEMORANDUM

DATE: July 7, 2015

TO: Honorable Mayor and City Commission

FROM: Kenneth Fields, City Manager

RE: Polk County Water Cooperative Interlocal Agreement

SYNOPSIS: The City Commission will consider an Interlocal Agreement with Polk County for funding the development of the Polk County Water Cooperative in coordination with Polk County's funding agreements with the Southwest Florida Water Management District.

RECOMMENDATION

It is recommended that the City Commission approve an Interlocal Agreement with Polk County for funding the development of the Polk County Water Cooperative.

BACKGROUND

On May 16, 2006, the City Commission adopted Resolution 2006-18 encouraging the creation of a County-Wide Water Supply Plan and Countywide Local Water Cooperative. In May 2006, the County entered into an agreement and paid the engineering firm of Black & Veatch to develop the first phase of the Plan. This included an inventory of all of the existing and future water supply sources and facilities, projected population and water supply needs over a 10, 20 and 50 year horizon. An inventory of all wastewater and reuse systems and conservation programs was also included. The engineers met with each Polk County municipality to discuss and collect this information.

In August 2006, the Polk County cities and the County agreed to work together and fund the preparation of the Polk County Water Supply Planning Document. This document would utilize the information collected in Phase I as a basis for developing proposed regional solutions to help all cities and the County meet future water supply demands.

Findings of the Central Florida Water Initiative and other efforts show that the Upper Floridan aquifer is presently providing nearly ninety-six percent (96%) of water supply demands within Polk County. The Polk County City and County Managers Group (all Polk County city managers and the county manager) have identified the need to now develop an Interlocal agreement that will create and govern a regional entity (Polk County Water Cooperative) to develop future water supplies. In addition, there is the need for a comprehensive water supply assessment to be used in evaluating potential alternative water supply (AWS) projects.

The Polk County Board of County Commissioners and the Southwest Florida water Management District (SWFWMD) recently entered into two (2) Cooperative Funding Agreements:

N447 provides SWFWMD funding to the County up to \$100,000 of the anticipated \$250,000 technical costs to develop and prepare an interlocal agreement that will create and govern the Polk County Water Cooperative. Each municipality and the County will be provided opportunity to then approve the interlocal agreement and then have membership in the Cooperative. Also included in this funding arrangement is completing a comprehensive water supply assessment that will assist the entity in developing evaluation criteria for future water supply projects.

N448 provides SWFWMD funding to the County up to \$89,000 of the anticipated \$228,000 technical costs to evaluate alternative water supply projects that the Cooperative can select for development. Implementation agreements would be executed by only those Cooperative Members that participate in a particular project.

Essentially, these Agreements provide funding to take the next step in the planning process that began over a decade ago. Creation of a Polk County Water Cooperative will provide the organizational structure to identify, fund, build and manage future water supply projects on a regional basis to meet the needs of Polk County and its municipalities. Without such a regional approach, cooperative funding from SWFWMD and the State are unlikely.

All Polk County elected officials are invited to attend an informative "Water Summit" on Monday August 10, 2015 at 9:00 a.m. and held at the Lake Eva Banquet Hall in Haines City. Presentations will address the importance and need for creating the Polk County Water Cooperative.

OTHER OPTIONS

Take no action to help implement the Polk County Water Cooperative but the City would thereby lose any ability to have input into its structure and organization.

FISCAL IMPACT

Total initial costs allocated to Lake Wales are \$6,877.00

ATTACHMENTS

Proposed Interlocal Agreement with Polk County
Local Share Table

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT (the “Agreement”) is made and entered by and between the City of Lake Wales and **Polk County** (the “County”), 330 West Church Street, Bartow, Florida 33830 (also individually referred to as a “Party” and collectively as the “Parties”);

WITNESSETH:

WHEREAS, the Parties desire to coordinate their water supply planning and development to collaboratively meet existing and future public water supply demands by creating a Regional Water Supply Entity (the “Entity”) on or before April 30, 2016 with other municipalities located within Polk County; and

WHEREAS, the Parties have agreed upon the tasks and services (the “Project Work”) necessary to create and establish the Entity, assess available alternative water supplies, and to prioritize, select, and develop potential alternative water supply projects, all as stated in the Cooperative Funding Agreements described below; and

WHEREAS, the County and the Southwest Florida Water Management District (the “District”) have entered into Cooperative Funding Agreements No. 15C00000102 and No. 15C00000103 (the “Funding Agreements”) regarding the District’s agreement to pay a portion of the Project Work cost; and

WHEREAS, the Parties desire to evidence their intent to perform the Project Work and to pay their appropriate proportional share of the remaining cost of that work;

NOW THEREFORE, in consideration of the mutual promises stated herein and for other good and valuable consideration, the receipt of which is hereby acknowledged, the Parties hereby agree, as follows:

1. Interlocal Agreement; Term. This Agreement is an “interlocal agreement” as defined in the Florida Interlocal Cooperation Act of 1969, section 163.01, Florida Statutes (2014), which shall become effective as of the date filed with the Clerk of Court and unless sooner terminated continue through completion and payment of the Project Work.

2. Entity. The Parties shall form the Entity, obtain the District’s approval of the Entity’s governing documents, and cause the Entity to select one or more alternative water supply projects in accordance with the Project Work described in the Funding Agreements.

3. Project Work Coordination; Payment for Services. The County shall procure, engage and contract with the legal, professional, and other third parties (collectively, the “Project Contractors”) whose services are necessary to timely complete the Project Work. The County shall direct and manage the Project Contractors in the performance of the Project Work in accordance with the terms of each contract (a “Project Contract”) it enters for the performance of that work. The City of Lake Wales shall coordinate and communicate with Polk County regarding the performance of the Project Work and will not independently direct any of the Project Contractors. The County shall pay the Project Contractors for their performance of the Project Work pursuant to the terms of each Project Contract. The City of Lake Wales shall reimburse the County for a portion (a “Cost Share”) of the total Project Work cost based upon the percentages stated on the attached Exhibit “A.” City of Lake Wales acknowledges and agrees the County may separately agree with the City of Lakeland for that city to procure, engage and contract with Project Contractors to perform Phase II Project Work. If the County and the City of Lakeland do so, then the County will notify the City of Lake Wales and the City of Lake Wales will reimburse the City of Lakeland for the City of Lake Wales’s share of the Phase II Project Work cost as outlined in Exhibit “A.” The County shall submit all documents and other information the District requires for the County to obtain reimbursement of allowable Project Work costs pursuant to the Funding Agreements.

4. Termination. A Party (a “Terminating Party”) may terminate its participation in this Agreement at any time and for any reason whatsoever effective ninety (90) days after the date the Terminating Party has delivered written notice of its intent to terminate. The Terminating Party shall pay for its share of the Project Work that is performed through the date its termination is effective, whether or not such work is

complete. After its termination is effective, the Terminating Party shall have no further rights, obligations or benefits of this Agreement.

5. Other Agreements. City of Lake Wales acknowledges the County will enter into similar separate agreements with other municipalities within Polk County that are interested in creating the Entity and jointly developing alternative water supply projects. City of Lake Wales further acknowledges that the listing of municipalities and their respective Cost Shares on Exhibit "A" is not a representation any municipality intends to or will join to create the Entity or develop any project.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the effective date described in Section 1, above.

ATTEST:

CITY OF LAKE WALES _____,
a Municipal corporation of the
State of Florida

By: _____
City Clerk

By: _____
Mayor
City of Lake Wales

Approved as to form and legal sufficiency:

Date signed by Mayor: _____

City Attorney Date

ATTEST:

STACY M. BUTTERFIELD
CLERK OF THE BOARD

POLK COUNTY, a political
subdivision of the State of Florida

By: _____
Deputy Clerk

By: _____
George Lindsey III, Chairman
Board of County Commissioners

Reviewed as to form and legal sufficiency:

Date signed by Chairman _____

County Attorney's Office Date

FUNDING ESTIMATES FOR DRAFT SCOPE OF WORK PHASES I & II

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<http://www.bebr.ufl.edu/population>

CENTRAL FLORIDA WATER RESOURCE DEVELOPMENT PROJECT
FUNDING ESTIMATES FOR DRAFT SCOPE OF WORK PHASES I & II

	Entity	Annual Average Demand (MGD)	Population**	Percentage of Total Population	Phase I Estimated Cost	Phase II Estimated Cost	Total Estimated Costs
	SWFWMD				\$ 100,000	\$ 89,000	\$ 189,000
	COOPERATIVE				\$ 150,000	\$ 139,000	\$ 289,000
					\$ 250,000	\$ 228,000	\$ 478,000
Polk County		121	623,174				
1	Unincorporated	37	385,924	61.9%	\$ 92,893	\$ 86,081	\$ 178,974
2	Lakeland	29	100,728	16.2%	\$ 24,246	\$ 22,468	\$ 46,713
3	Winter Haven	22	37,016	5.9%	\$ 8,910	\$ 8,256	\$ 17,166
4	Haines City	7	21,956	3.5%	\$ 5,285	\$ 4,897	\$ 10,182
5	Bartow	4	17,812	2.9%	\$ 4,287	\$ 3,973	\$ 8,260
6	Lake Wales	5	14,830	2.4%	\$ 3,570	\$ 3,308	\$ 6,877
7	Auburndale	8	14,262	2.3%	\$ 3,433	\$ 3,181	\$ 6,614
8	Fort Meade	1	5,955	1.0%	\$ 1,433	\$ 1,328	\$ 2,762
9	Lake Alfred	2	5,127	0.8%	\$ 1,234	\$ 1,144	\$ 2,378
10	Dundee	1	3,876	0.6%	\$ 933	\$ 865	\$ 1,798
11	Mulberry	0.5	3,750	0.6%	\$ 903	\$ 836	\$ 1,739
12	Davenport	1	3,248	0.5%	\$ 782	\$ 724	\$ 1,506
13	Frostproof	1	2,961	0.5%	\$ 713	\$ 660	\$ 1,373
14	Eagle Lake	1	2,335	0.4%	\$ 562	\$ 521	\$ 1,083
15	Polk City	1	1,630	0.3%	\$ 392	\$ 364	\$ 756
16	Lake Hamilton	0.5	1,275	0.2%	\$ 307	\$ 284	\$ 591
17	Hillcrest Heights		252	0.0%	\$ 61	\$ 56	\$ 117
18	Highland Park	0.5	237	0.0%	\$ 57	\$ 53	\$ 110
	Total	121.5	623,174	100%	\$ 150,000	\$ 139,000	\$ 289,000

** population figures are 2014 Population Estimates from the Bureau of Economic and Business Research included on Table 01 of this spreadsheet.
<http://www.bebr.ufl.edu/population>

CITY OF LAKE WALES PROJECT TRACKING LIST 2014-2015

PROJECT NAME	BUDGET	COMMISSION APPROVAL	SCHEDULED COMPLETION	CURRENT STATUS	STATUS UPDATED
AIRPORT					
Runway Extension	\$5,300,000 - \$4,300,000	Yes		Plans at 98%. Project is being market priced. Mitigation bank property acquired. Review to follow. Funding from various sources under investigation, i.e. FAA and FDOT. All white papers complete. See Airport Master Plan. Both FAA and FDOT have indicated support for funding.	6/29/2015
Airfield Improvements (Task Order #15)	\$161,000	yes - 7/2/13	9/30/2015	Commission accepted FAA agreement at Sept. 3 meeting. Task Order #16 with Hoyle Tanner for construction engineering and Dickerson Florida, Inc. for construction services was approved by the City Commission October 7, 2014. Pre-construction meeting was held, Wednesday, October 8, 2014. Project began on Monday, November 10, 2014 and is on schedule. The borrow pits (ponds) have been drained and are being filled (80% complete). Next step is demolition of taxiway delta. Overall project is at 45% completion and is still on schedule.	6/29/2015
RECREATION					
Skate Park Improvements	\$50,000	7/15/2014	9/30/2015	Contract awarded to Misiano Skateparks on May 19. Construction has begun.	6/29/2015
Gym Floor Replacement	\$68,212	6/2/2015	9/30/2015	Contract awarded to Signature Sports Flooring. Work to begin August 17.	6/29/2015
Lake Wailes Trail	\$200,000	yes-1/15/13	3/31/2015	Close-out in process. Trail mile Markers added.	6/29/2015

SEWER SYSTEM					
C Street Project	\$6,695,751	yes - 6/2/15		Close out Documents have been submitted for Phase I. Phase II Application has been approved and was submitted June 22	6/29/2015
Relocation of Water/Sewer Lines on HWY 27 near Vanguard	\$300,000			On hold waiting for the go-ahead from finance.	6/29/2015
Other items approved or discussed at Commission Meetings					
Resurfacing of the Scenic Highway from Mt. Lake Cutoff to Ray Martin Rd.			to be determined	Construction is underway on the FDOT's 3.5-mile project. Construction of 1.5 miles of new sidewalks and improvements to the storm water system are progressing. Replacement of traffic lights and crosswalk improvements are included. Resurfacing will extend from Mt. Lake Cut-off to Ray Martin Road. Progress meeting are held weekly every Tuesday.	6/29/2015
Cemetery			4/30/2015	Project complete - need closeout	6/29/2015
Spook Hill Sign		12/18/12 - Sign		Delivered the bas relief to the Walesbilt. The draftsman is meeting with builder any day now, then engineer approves drawings for stamps-permits.	6/29/2015

Preservation of Spook Hill				Sunrise Apartments have planted oaks along the retention pond and roadway. In Phase 2, they will build the emergency entrance and fence, and put in additional landscaping with the rest of the buffer.	6/29/2015
Website redesign	\$25,000		6/1/2015	New Website has been launched. Project Complete.	6/29/2015
Library Statistics (April)				Total Circulation Books-by-Mail: 31,289 Total In-house circulation: 161,440 Total new borrowers: 854 Total attendance at programs: 9,416 Computer users: 26,125	6/29/2015
COMPLETED PROJECTS					
Website redesign	\$25,000		6/1/2015	New Website has been launched. Project Complete.	6/29/2015
Audiovisual Solution for the James P. Austin center	\$26,873	2/17/2015	4/17/2015	This project is complete.	6/29/2015

CITY COMMISSION ITEMS - STATUS REPORT

TASK	MEETING DATE	RESPONSIBLE PERSON	REQUEST MADE BY	COMMENTS	DATE OF STATUS
Building Official assessing city's recreation/community buildings	10/30/2012	Cliff Smith, Don Porter & James Slaton	Commission	Due to recent organizational restructuring, the scope of the remaining facility assessments will be re-evaluated. A new schedule of assessments will be presented later in the year.	6/29/2015
Renaming of Washington Avenue to Obama Avenue	12/2/2014	James Slaton	Howell	Commission voted to approve a street to be named after Obama but voted down the resolution to change Washington Avenue. Suggestions for alternative streets for renaming are being solicited.	6/29/2015
Depot Museum	3/2/2015	Kenneth Fields	Thornhill	Depot Museum was temporarily Closed on March 3, 2015. New Director hired. Will begin mid-July.	6/29/2015

COMPLETED ITEMS

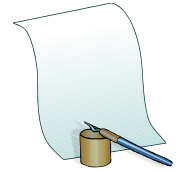
STRATEGIC PLAN ITEMS - STATUS REPORT

TASK	MEETING DATE	RESPONSIBLE PERSON	REQUEST MADE BY	COMMENTS	DATE OF STATUS
Green Initiatives	1/12/2013	Slaton		1. Police department arrest packets are now digitally transmitted. 2. Traffic crash reports are now digitally transmitted. 3. Traffic citations are in the testing phase of being digitally transmitted. (These will save paper & eliminate the need to drive to Bartow to deliver them) 4. Human Resources/Finance is transitioning to electronic time sheets.	6/29/2015
Capital Replacement Policy	1/12/2013	Ecklund		Deferred by City Manager so as to include capital financing approaches. Will be revisited during the budget process.	6/29/2015

Approximate Seating Capacity:

- Commission Chamber **110**
- Employee Break Room **30**
- CM Conference Room **10**

CITY COMMISSION MEETING CALENDAR



[Regular City Commission meetings are held at 6:00 p.m. on the first and third Tuesday of each month in the Commission Chambers. Workshops & Special meetings to be scheduled accordingly. Meeting dates & times are subject to Change.]

City Commission Meetings – July 2015

Tues, July 7, 2015	Regular	6:00 p.m.	Commission Chambers
Tues, July 14, 2015	Workshop	6:00 p.m.	Commission Chambers
Tues, July 21, 2015	Regular	6:00 p.m.	Commission Chambers

City Commission Meetings – August 2015

Tues, August 4, 2015	Regular	6:00 p.m.	Commission Chambers
Mon, August 10, 2015	Polk County Water Summit; 9am – 11am, City of Haines City - Lake Eva Banquet Hall (Meeting for Elected Officials)		
Tues, August 11, 2015	Workshop	6:00 p.m.	Commission Chambers
Tues, August 18, 2015	Regular	6:00 p.m.	Commission Chambers
Tues, August 25, 2015	(Tentative) Workshop	6:00 p.m.	Commission Chambers

City Commission Meetings – September 2015

Thurs, September 3, 2015	Regular	6:00 p.m.	Commission Chambers
Tues, September 15, 2015	Regular	6:00 p.m.	Commission Chambers

Tuesday, September 1, 2015 regular City Commission meeting rescheduled to Thursday, September 3, 2015 due to TRIM Requirements.

City Commission Meetings – October 2015

Tues, October 6, 2015	Regular	6:00 p.m.	Commission Chambers
Tues, October 20, 2015	Regular	6:00 p.m.	Commission Chambers

City Commission Meetings – November 2015

Tues, November 3, 2015	Regular	6:00 p.m.	Commission Chambers
Tues, November 17, 2015	Regular	6:00 p.m.	Commission Chambers

City Commission Meetings – December 2015

Tues, December 1, 2015	Regular	6:00 p.m.	Commission Chambers
Tues, December 15, 2015	Regular	6:00 p.m.	Commission Chambers

City Commission Agenda Packets for workshop and regular meetings are generally posted on the City's website by 12:00 p.m., the Wednesday before the scheduled meeting.

Minutes of City Commission meetings can be obtained from the City Clerk's Office. The minutes are recorded, but are not transcribed verbatim. Persons requiring a verbatim transcript may arrange with the City Clerk to duplicate the recording, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be the expense of the requesting party.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 5:00 p.m. on the day prior to the meeting.

Appeals concerning decisions on issues requiring a public hearing:

Persons who wish to appeal any decision made by the City Commission with respect to any matter considered during a public hearing at this meeting will need a record of the proceedings, and for such purpose may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

OTHER MEETINGS & EVENTS

DATE	TIME	TITLE	DESCRIPTION	LOCATION	Event/Location Map; Agendas
Regular BOCC Meetings & Hearings	9am reg. meetings & 1:30pm public hearings	Polk County Board of County Commissioners Meetings	Regular BOCC meetings & public hearings are usually held Monthly; 1 st & 3 rd Tuesdays	Neil Combee Administration Bldg., 330 West Church Street, Bartow	Public Hearing / Work Session List (Note: Check Website Daily for Updates) Information: 863-534-6090) http://www.polk-county.net
July 4 th	2pm – 9pm	4 th of July Event	Independence Day!	Lake Wailes Park	Location Map
August 10 th	9am – 11am	Polk County Water Summit	All Elected Officials are encouraged to attend!	City of Haines City - Lake Eva Banquet Hall	
September 25 th & 26 th	<u>Friday, 25th</u> 7pm <u>Saturday, 26th</u> 7am; 8am; 7pm	Quivering Quads – Series of Races	Lake Wales Noon Rotary	Lake Wailes Lake	Event Flyer
October 8 th	4:30pm – 6:30pm	2015 Elected Leadership Summit		Polk County History Center 100 E. Main Street, Bartow	Invitation
October 24 th	10am-6pm	Spook Hill Thunder	Fund Raising Event	Spook Hill	Location Map Purpose
October 29 th	4pm – 6pm	Lake Wales High School Homecoming Parade	To include street closings	Downtown	Special Event Application
February 13, 2016	10am – 8pm	Heritage Fest	Green & Gold Foundation & Black Leaders & Entrepreneurs Coalition	Downtown Lake Wales	Location Map

BOARDS, COMMITTEES & COMMISSIONS
2015 REPORTING SCHEDULE
[Reporting Dates are Subject to Change]

BOARD, COMMITTEE & COMMISSION	ANNUAL REPORTING DATE	REGULAR MEETING SCHEDULE
Airport Authority Board	Tuesday, February 17 th ✓	1 st Monday; 5:30pm, Chamber
Citizens & Police Community Relations		3 rd Thursday; 6pm; City Hall Lunch Room
Code Enforcement Board	Tuesday, July 7 th	2 nd Monday; 5pm; Chamber
CRA Citizen Advisory Committee		2 nd Thursday; 3:30pm, Chamber
Historic District Regulatory Board		3 rd Thursday; 5:30pm, Chamber
Housing Authority	Tuesday, July 21 st	3 rd Wednesday, 6pm, Housing Authority
Library Board	Tuesday, June 16 th ✓	2 nd Wednesday; 11am, Library
Recreation Commission	Tuesday, May 19 th ✓	3 rd Monday; 12pm, CM Conference Room

IN-ACTIVE BOARDS

Bicycle/Pedestrian Advisory Commission
Drug & Prostitution-Related Nuisance Abatement Board
Enterprise Zone Development Agency
Historic Preservation Board
Lakes Advisory Commission
Parks & Community Appearance Advisory Board

**RESIDENT REQUIREMENTS, CURRENT MEMBERS & VACANCIES
CITY BOARDS, COMMISSIONS, COMMITTEES**

The Mayor makes appointments to various citizen advisory and regulatory boards, commissions, committees, and authorities with the advice and consent of the City Commission (City Charter, Sec. 3.06).

Airport Authority (City Code Sec. 2-41) – The board consists of seven (7) voting members and one (1) non-voting member who is a City Commissioner. At least four (4) voting members must be qualified electors of the City (3-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: **2 vacancies**

Current Members: Charles Keniston, resident	03/06/12 - 07/01/18, 2
Vacant	- 07/01/18
Katherine Rogers, resident, chairman	09/18/12 - 07/01/18, 2
Charles Loomis, resident	11/03/10 - 07/01/16, 2
Robert Kelly, resident	07/03/07 - 07/01/16, 3-Final
Dale Marks, resident	06/17/08 - 07/01/17, 3
Robert Wood, resident	05/19/15 - 07/01/17, 1
Vacant	- 07/01/18
Commissioner Perez, non-voting member	05/19/15 - 05/02/17, 1

Airport Manager (City Code Sec. 2-41(f)(5)) - City Manager

Meetings (City Code Sec. 2-41(r)) - The Lake Wales Airport Authority shall hold regular meetings at least once every month and at such other times as the authority shall determine to be reasonably necessary from time to time.

Current Meeting Schedule: - 1st Monday @ 5:30 PM; Commission Chamber

Duties/Powers (City Code Sec. 2-41(f)) - The Lake Wales Airport Authority exercises its powers and jurisdiction over the property known as the Lake Wales Airport and properties in addition to the Lake Wales Airport so long as they are exercised pursuant to contract with other governmental entities for the operation and supervision of other airports, airfields, and related facilities. The Lake Wales Airport Authority, subject to approval by the Lake Wales City Commission, is hereby authorized and empowered:

1. To adopt bylaws for the regulation of its affairs and the conduct of its business.
2. To adopt an official seal and alter the same at pleasure
3. To maintain an office at such place or places as may be designated by the City of Lake Wales.
4. To sue and be sued in its own name, plead, and be impleaded.
5. To provide oversight of airport operations for the purpose of input and advice to the city manager in his capacity as Airport Manager.
6. To acquire, lease as lessee or lessor, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain, and operate any airport which may be located on the property of the authority. Nothing in Ordinance 2007-07 shall exempt the Lake Wales Airport Authority from the provisions of chapter 333, Florida Statutes.
7. To issue bonds of the authority, as hereinafter provided, to pay the cost of such acquisition, construction, reconstruction, improvement, extension, enlargement, or equipment.
8. To issue refunding bonds of the authority as hereinafter provided.
9. To fix and revise from time to time and to collect rates, fees, and other charges for the use of or for the services and facilities furnished by any airport facilities or tenant.

10. To acquire in the name of the authority by gift, purchase, or the exercise of the right of eminent domain, in accordance with the laws of the state which may be applicable to the exercise of such powers by municipalities, any lands or rights in land, and to acquire such personal property as it may deem necessary in connection with the acquisition, construction, reconstruction, improvement, extension, enlargement, or operation of any airport facilities, and to hold and dispose of all real and personal property under its control.
11. To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this Ordinance, including a trust agreement or trust agreements securing any bonds issued hereunder, and to employ such consulting and other engineers, superintendents, managers, construction and financial experts, accountants, and attorneys, and such employees and agents as may, in the judgment of the authority, be deemed necessary, and to fix their compensation; provided, however, that all such expenses shall be payable solely from funds made available under the provisions of this Ordinance.
12. To accept grants or money or materials or property of any kind for any airport or other facilities from any federal or state agency, political subdivision, or other public body or from any private agency or individual, upon such terms and conditions as may be imposed.
13. To issue revenue certificates of the authority as hereinafter provided.
14. To do all acts and things necessary or convenient to carry out the powers granted by this Ordinance.
15. To contract with other governmental entities to operate airports, airfields, and other related facilities and services, including providing all personnel, tools, equipment, supervision, and other materials and services required therefore.

Bicycle/Pedestrian Advisory Commission (City Code Sec. 2-199) – The commission consists of seven (7) regular members and three (3) alternate members. The city manager, planning and development director, and police chief or their respective designees shall serve as ex officio members. At least five (5) regular members and two (2) alternate members must reside within the City limits. Members who are not City residents must reside within the City's utilities service area in a residence served by the City's utilities system, receiving either water or sewer service. (3-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: **3 regular vacancies; 2 alternate vacancies; 1 expired term**

Current Members: Jacqueline Williams, resident	09/16/08 – 07/01/15, P+2
Vacant, resident	– 07/01/15
Evelyn Pabon, resident	08/21/12 – 07/01/16, P+1
Lorraine McIntosh, resident	06/15/10 – 07/01/16, 2
Roberto Maldonado, resident	07/17/12 – 07/01/17, 2
Jaime Rivera, resident	03/05/13 – 07/01/16, 1
Jose Fco Joglar-Gaya, resident (alt)	06/18/13 – 07/01/15, 1
Vacant, Regular	– 07/01/17
Vacant, Alternate	– 07/01/17
Vacant, Alternate	– 07/01/17

Meetings (City Code Sec. 2-199.2) - The commission shall meet at regular intervals, but in any event at least once each quarter. Meetings shall be called by the chairperson. The mayor and the city manager shall have the authority to call special meetings of the commission.

Current Meeting Schedule: 1st Thursday @ 5:30 PM; Commission Chamber

[The Bicycle/Pedestrian Advisory Commission is not currently meeting]

Duties (City Code Sec. 2-199.3) – The Commission shall:

1. Make recommendations regarding implementation of roadway and transportation improvements as it pertains to bicycle and pedestrian needs;

2. Promote safe and convenient enjoyment of the city's bicycle/pedestrian facilities through safety/educational programs and activities, community events and clinics, and other activities as necessary;
3. Promote communication and exchange of ideas and concerns among users of the city's bicycle/pedestrian facilities, city staff and the city commission;
4. Make reports and recommendations to the city commission and city staff with respect to the development and management of bicycle/pedestrian facilities;
5. Receive public input pertaining to bicycle and pedestrian transportation and infrastructure issues;
6. Make recommendations regarding the allocation of funds for capital expenditures relating to bicycle and pedestrian transportation;
7. Assist the planning & development department and the planning board in the preparation and adoption of an up-to-date bicycle/pedestrian facilities master plan;
8. Assist in the design of the Lake Wales Trailway and provide a public forum for citizens to participate in the planning effort for the trail;
9. Help ensure that the Lake Wales Trail (around Lake Wales) continues to serve the needs of the many citizens who use it;
10. Suggest changes in the land development regulations that ensure that we become a city that welcomes walking and bicycling;
11. Have such other duties and responsibilities granted by the mayor and city commission consistent with the bicycle and pedestrian needs of the city.

Board of Zoning Adjustment and Appeals (BOA) (City Code Sec. 23-206.1) – The board consists of five (5) members. Members must be residents. (3 year term)

- An interview process is necessary for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 2 vacancies

Current Members: James Boterf, resident	10/04/11 – 07/01/16, 2
Barbara Follett, resident	08/07/07 – 07/01/16, 3-Final
Harold Weigand, resident	06/20/06 – 07/01/17, 4-Final
Vacant, resident	- 07/01/16
Vacant, resident	- 07/01/16

Meetings (City Code Sec. 23-206.2(c)) - The board of appeals shall hold regular meetings at the call of the chairman and at such other times as the board may determine. Special meetings may be called by the chairman or vice-chairman with twelve (12) hours of notice.

Current Meeting Schedule: 3rd Thursday @ 9:00 AM; Commission Chamber

Duties (City Code Sec. 23-206.3) – The Board of Appeals shall:

1. Hear and decide appeals where it is alleged that there is an error in any order, decision or determination of the administrative official in the enforcement of these zoning regulations;
2. Authorize such variance from the terms of these zoning regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these zoning regulations would result in unnecessary and undue hardship. A variance from the terms of these zoning regulations shall not be granted until a public hearing is held before the board of appeals;
3. Hear and decide appeals where the planning board has denied an application for a special exception use permit or site plan approval;
4. Perform any other duties which are lawfully assigned to it by the city commission.

Citizens & Police Community Relations Advisory Committee (Resolution 2012-03) – The committee consists of three (3) members with a quorum requirement of two (2) members. One (1) member shall be an active Lake Wales police officer appointed by the Police Chief and two (2) members must be residents serving no more than two consecutive terms. (2-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 vacancy; 1 expired term

Current Members: Nathan Minton, resident 05/03/11 – 07/01/16, P+2
 Vacant, resident – 07/01/18
 Joseph VanBlarcom, police officer 05/03/11 – 07/01/15, 2

Meetings – Regular meetings shall be held monthly in the Municipal Administration Building or other locations as deemed appropriate by the committee.

Current Meeting Schedule: 3rd Thursday @ 6:00 PM; City Hall Lunch Room

Duties - The Committee shall:

1. Provide a forum for citizens to express their opinions about police procedures, and to receive informal information from the police department regarding police procedures;
2. Provide a forum for citizens and the police department to openly and respectfully discuss issues of concern with the hope that concerns can be positively resolved;
3. Provide a forum for citizens and the police department to engage in a dialogue that will be positive and productive and that will continue to foster a climate of trust and mutual respect.

Code Enforcement Board (City Code Sec. 2-56) – The board consists of seven (7) members. Whenever possible, membership shall include an architect, a businessperson, an engineer, a general contractor, a subcontractor and a realtor. Members must be residents. (3-year term)

- An interview process is necessary for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 vacancy; 1 expired term

Current Members: Melissa Konkol, resident 01/19/10 – 07/01/18, 3
 Wilena Vreeland, resident 10/04/11 – 07/01/18, P+2
 Angela Jones, resident 05/07/13 – 07/01/15, 1
 Vacant, resident – 07/01/18
 Murray Zacharia, resident 06/18/13 – 07/01/16, 1
 William Follett, resident 07/03/07 – 07/01/16, 3-Final
 Jean Kincaid Scott, resident 06/17/08 – 07/01/17, 3

Current Meeting Schedule: 2nd Monday @ 5:00 PM; Commission Chamber

Powers (City Code Sec. 2-57) - The Code Enforcement Board imposes administrative fines and other noncriminal penalties to enforce city health and sanitation, local business tax receipt, fire, building, zoning and sign ordinances when it finds that a pending or repeated violation continues to exist.

In accordance with F.S. 162.08, The Code Enforcement Board has the power to:

1. Adopt rules for the conduct of its hearings.
2. Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by the sheriff of the county or police department of the municipality.
3. Subpoena evidence to its hearings.
4. Take testimony under oath.
5. Issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance.

Community Redevelopment Agency (CRA) Board – The city commission serves as the CRA board. However, the CRA and City Commission are entirely two separate entities. The CRA Board is created in

accordance with F.S. ch. 163, part III for the purpose of implementing the community redevelopment plan for the expanded community redevelopment area approved by Resolution 99-6 of the city commission.

Governing body as CRA Board of Commissioners (City Code Sec. 2-72):

1. The city commission serves as the CRA Board and exercises all rights, powers, duties, privileges, and immunities vested in a community redevelopment agency by Chapter 163, Part III, Florida Statutes, as it may be amended from time to time;
2. In its capacity as CRA board, the commission constitutes the head of a legal entity that is separate, distinct and independent from the city commission as governing body of the City of Lake Wales.
3. The CRA board meets annually to designate a chairperson and vice-chairperson from among its members.
4. The CRA board meets as necessary to conduct the business and exercise the powers of the agency.
5. A majority of the members of the CRA Board shall constitute a quorum for the purpose of conducting business and exercising the powers of the agency and for all other purposes. Action may be taken by the CRA Board upon the vote of a majority of the members present.

Current Members: City Commission

CRA Citizen Advisory Committee (City Code Sec. 2-73) – The committee consists of five (5) members. One member is nominated by each city commissioner. Members must reside, own property or operate a business within the voting district represented by the commissioner provided that the property, residence or business of the nominee is within the boundaries of the CRA. (2 year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 2 vacancies (Seat 1; A-Large & Seat 4, District 27); 1 termed out

Current Members:	***Vacant*** (Seat 1 – At Large)	– 07/01/16
	Mark Bennett (Seat 2 – District 19)	04/21/15 – 07/01/16, 1
	Narvell Peterson, (Seat 3 – District 122)	12/07/10 – 07/01/15, P+2
	Vacant, (Seat 4 – District 27)	– 07/01/17
	Robin Gibson, (Seat 5 – District 28)	04/08/15 - 07/01/18, P+1

Meetings (City Code Sec. 2-73) - The CRA citizen advisory committee shall meet at the call of the chairman of the CRA board or upon the request of city staff but shall meet no less than once each year.

Current Meeting Schedule: 2nd Thursday @ 3:30 PM; Commission Chamber

Duties (City Code Sec. 2-73) – The Committee assist the CRA board in implementing redevelopment activities within the redevelopment area and to provide advice and recommendations to the CRA board on redevelopment matters as necessary.

Drug & Prostitution-Related Nuisance Abatement Board (City Code Sec. 15-10) – The board consists of seven (7) members. Members must be residents. (3-year term)

- An interview process is necessary for new applicants only.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 7 residents

Current Members: None / Inactive Board

Vacant, resident	– 12/01/15
Vacant, resident	– 12/01/15
Vacant, resident	– 12/01/15
Vacant, resident	– 12/01/15

Vacant, resident	– 12/01/15
Vacant, resident	– 12/01/16
Vacant, resident	– 12/01/16

Meetings (City Code Sec. 15-10(g)) – The members of the drug and prostitution-related nuisance abatement board shall meet annually and elect a chair, who shall be a voting member, from among the members of the board. The presence of four (4) shall constitute a quorum.

Current Meeting Schedule: Inactive Board

Powers (City Code Sec. 15-10) - Adopt rules for the conduct of its hearings and establish procedures; issue orders having the force of law consistent with authority contained herein; and take testimony under oath.

Enterprise Zone Development Agency (City Code Sec. 2-194; Sec. 2-191, F.S 290.001 – 290.016 (2001))

The Agency consists of eight (8) commissioners with a quorum requirement of five (5) members, and at minimum; six (6) commissioners must be residents of the City of Lake Wales. The commissioner seats shall be designated as seat #1 through #8 respectively. Each agency commissioner shall be appointed to a specific designated seat by majority vote of the city commission. A certificate of appointment or reappointment of any commissioner shall be filed immediately with the city clerk (3 year term)

The city commission shall appoint one (1) representative from each of the following groups: (One (1) individual may represent more than one (1) of the groups.) (3-year term)

- a. The local Chamber of Commerce;
 - b. A local financial or insurance entity;
 - c. The businesses operating within the area;
 - d. The residents residing within the area;
 - e. A non-profit community-based organization operating within the area;
 - f. The local private industry council;
 - g. The local police department;
 - h. The local code enforcement agency.
- An interview process is necessary for new applicants only.
 - Members are not required to file an annual Form 1, Statement of Financial Interests
 - Current Vacancies: 8 vacancies (Seats 1–8)

Current Members: None / Inactive Board

Vacant, (Seat 1)	– 12/01/15
Vacant, (Seat 2)	– 12/01/15
Vacant, (Seat 3)	– 12/01/18
Vacant, (Seat 4)	– 12/01/18
Vacant, (Seat 5)	– 12/01/17
Vacant, (Seat 6)	– 12/01/16
Vacant, (Seat 7)	– 12/01/16
Vacant, (Seat 8)	– 12/01/16

(City Code Sec. 2-194(3,4),

(3). The city commission may, by majority vote, remove a commissioner for inefficiency, neglect of duty, or misconduct in office, providing the commissioner has been given a copy of written charges at least ten (10) days prior to a hearing in which the commissioner is given an opportunity to be heard on said charges in person or by counsel.

(4) A seat on the agency shall be deemed vacant when a member has more than three (3) consecutive absences or five (5) absences within a calendar year, or because of death, resignation, removal, or completion of the term by any commissioner. A seat vacated prior to the expiration of its term shall be filled for its unexpired term by majority vote of the city commission.

Meetings (City Code Sec. 2-195(c):

- a. A majority of the appointed commissioners shall constitute a quorum for the purpose of conducting business and exercising the powers of the agency and for all other purposes. Action taken by the agency shall be upon a vote of a majority of the commissioners present.
- b. The city commission, by majority vote, shall designate a chairperson and vice chairperson of the agency, and the chair and vice chair shall serve in such capacity for one (1) year. The chair and vice chair may succeed themselves.
- c. In addition to the foregoing, the agency shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of the article. Meetings shall be held at the call of the chairperson and at such other times as a majority of the commissioners may determine. All meetings shall be open to the public. The agency shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be public record and be immediately filed with the city clerk for the agency.

Current Meeting Schedule: Inactive Board

Powers & Responsibilities (City Code Sec. 2-196):

The agency may only exercise those powers and responsibilities expressly granted to it by the city commission and/or state law. Absent from such an express grant, the city commission hereby reserves all other powers and duties including, but not limited to those powers delegated to the city commission under the Act. The agency shall have the following powers and responsibilities:

1. To assist in the development and implementation of the strategic plan for the area (*A Strategic plan shall mean the enterprise zone development plan adopted by the city commission in accordance with the Act*);
2. To oversee and monitor the implementation of the strategic plan. The agency shall make quarterly reports to the city commission evaluating the progress in implementing the strategic plan;
3. To identify and recommend to the city commission ways to remove regulatory barriers; and
4. To identify to the city commission the financial needs of, and local resources or assistance available to, eligible businesses in the area.

Expenditure of Funds (City Code Sec. 2-197):

The expenditure of funds by the agency shall comply with the following requirements:

1. The agency shall have no authority to obligate or expend any funds, including grant funds, without the authorization of the city commission.
2. The agency shall perform its functions and responsibilities within the resources made available by the city, and shall not exceed its budget approved by the city.
3. The agency shall not incur any expense, debt, or obligation to be paid by the city, unless such expense, debt, or obligation is previously authorized by the city commission.
4. The agency commissioners shall not receive any compensation for service, but are entitled to payment of necessary and reasonable expenses incurred in the discharge of their duties if said expenses comply with the agency's approved budget.

Historic District Regulatory Board (City Code Sec. 23-208.2) – The board consists of five (5) regular members (appointed in accordance with section 2-26). At least 50% of the members shall reside or own property within the City. Members shall be chosen to provide expertise in the following disciplines to the extent such professionals are available in the community: historic preservation, architecture, architectural history, curation, conservation, anthropology, building construction, landscape architecture, planning, urban design, and regulatory procedures. (3-year term)

- An interview process is necessary for new applicants only.

- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 vacancy, resident or own property in City; 2 expired terms

Current Members: Lawrence (Larry) Bossarte, business owner 11/01/11 – 07/01/17, 2
 Jean Donaldson, resident 10/02/12 – 07/01/15, 1
 Leah Bartholomay, resident 05/06/14 – 07/01/15, P
 Diane Armington, owns property in the City 03/15/11 – 07/01/16, 2
 Vacant – 07/01/15

Meetings (City Code Sec. 23-208.3(c)) – The historic board shall hold regular meetings at the call of the chairman and at such other times as the board may determine. Special meetings may be called by the chairman or vice-chairman with twelve (12) hours of notice. No less than four (4) meetings shall be held each year.

Current Meeting Schedule: 3rd Thursday @ 5:30 PM; Commission Chamber

Functions, powers, and duties (City Code Sec. 23-208.4)

1. To hear and decide upon applications for certificates of appropriateness as required under this chapter;
2. To adopt guidelines for the review and issuance of certificates of appropriateness consistent with the purposes of this chapter, the historic preservation element of the comprehensive plan, and the Secretary of the Interior's standards for historic properties;
3. To make recommendations to the city commission on matters relating to the establishment of historic districts and regulation of such districts;
4. To make recommendations to the planning board and the city commission for amendments to the code of ordinances and the comprehensive plan on matters relating to historic preservation;
5. To make recommendations to the planning board and city commission regarding special permits for properties within an historic district in cases in which the special permit involves work requiring a certificate of appropriateness;
6. To perform any other duties which are lawfully assigned to it by the city commission

Historic Preservation Board (City Code Sec. 2-182) – (inactive) The board consists of nine regular members. At least four (4) members must be residents of the City. Up to four (4) members may be non-residents but must own property within the City limits or hold an occupational license issued by the City as required by sec 2-26). One member shall be a member of the City Commission. Up to four ex-officio members who are not residents and do not meet the other requirements of section 2-26 may also serve on the Board provided they meet the professional qualifications requirement of paragraph (c) of sec. 2-182. Appointments shall be for three years or until their successors are qualified and appointed. The Commissioner member shall be appointed for the duration of his or her term on the City Commission. Ex-officio members shall be appointed for three years. (3 year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 9 vacancies

Current Members: None

Meetings (City Code Sec. 2-185(a)) – The board shall hold regular meetings, but no less than four (4) times per year.

Current Meeting Schedule: Inactive Board

Powers & duties (City Code Sec. 2-185) - Make recommendations on applications for nomination to National Register of Historic Places; conduct ongoing survey and inventory of historic buildings, areas and sites in the city; make recommendations to city commission on potential landmark sites in the city.

Reporting (City Code Sec. 2-185(b)) – The board shall, on a bi-annual basis, make a written report to the city commission on its activities.

Housing Authority (F.S. 421.04) – The board consists of five (5) members. Members must reside in the City, own property in the City, or hold a valid occupational license issued by the City. One (1) member must be a resident of the housing project who is current in rent payment or a person of low income who is receiving a rent subsidy through a program administered by the Authority. No member may be an officer or employee of the City. (4-year term)

- An interview process is necessary for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: **None**

Primary Duties: Manage and control the city's low-rent housing units.

Current Meeting Schedule: 3rd Wednesday @ 6:00 PM; Housing Authority

Current Members: Janice Snell, resident	04/17/12 – 07/01/18, 2
Eddye Rivers, resident	07/01/08 – 07/01/16, 2
Wanda Lawson, resident	06/18/13 – 07/01/17, 1
Mellissa Montgomery, resident of housing project	06/21/11 – 07/01/17, 2
Helen Walters, resident	11/04/14 – 07/01/18, 1
Albert Kirkland, Jr., Ex-officio	n/a
Commissioner Jonathan Thornhill, City Liaison	06/04/13 – 05/02/17

Lakes Advisory Commission (City Code Sec. 2-171; 2-172) - The commission consists of seven (7) members. City Manager or his designee serves as an ex officio member. At least six (6) members must reside in the City. (3-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: **6 residents; 1 non-resident with city utilities**

Meetings (City Code Sec. 2-173) - The Board shall meet at regular intervals, but in any event at least once each quarter. Meetings are called by the chairman. Special meetings are called by the Mayor.

Current Meeting Schedule: **Inactive Board**

Duties (Sec. 2-174) - Advise the City Commission on matters involving the restoration, preservation or maintenance of lakes and waterways found within the city; To seek and solicit and make applications for any grants or funds offered by any entity, public or private, if such funds could be used by the city in the preservation, restoration and maintenance of the lakes and waterways found in the city. Any decision to accept offered funds or grants shall remain within the city commission.

Library Board (City Code Sec. 2-26,(b)) – The board consists of five (5) members. Four members must reside in the City, own property in the City or hold a valid business tax receipt issued from by the City. One member shall be a resident of the unincorporated Greater Lake Wales area having a Lake Wales address or a resident of the City of Lake Wales if the Lake Wales Public Library is a member of the Polk County Cooperative and receives operating funds from Polk County Board of County Commissioners (Ordinance 2008-07; 02/19/08). (5-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: **1 vacancy, resident**

Current Meeting Schedule: 2nd Wednesday @ 11:00 a.m.; Lake Wales Library

Primary Duties: Operate the public library; control expenditures of all monies collected or donated to the Library Fund; appoint the library staff and establish rules and regulations for operation and use of the Library subject to the supervision and control of the City Commission.

Current Members: Glenda Morgan, outside	08/06/96 – 07/01/16, 4-Final
Donna Geils, resident	12/02/14 – 07/01/17, 1
Vacant, resident	– 07/01/16
Cheryl Garnett, resident	03/05/13 – 07/01/18, 1
Beverly Lamar, resident	07/01/04 – 07/01/19, 3-Final

Parks and Community Appearance Advisory Board (City Code Sec. 2-131) - The board consists of seven (7) members. A majority of the members shall reside or own property within the City limits. The Director of Planning or designee and Public Services Director or designee shall serve as ex-officio members. The board shall elect a chairman at its first meeting after the first day of July in each year. (3-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 5 vacancies

Meetings (2-133) – The Board shall meet at regular meetings at least six (6) times per year.

Current Meeting Schedule: - 4th Monday @ 5:00 PM; Commission Chamber
[INACTIVE BOARD – The Parks Board is not currently meeting]

Current Members: Jean Kincaid Scott, resident	09/16/08 – 07/01/17, 3-Final
Vacant	– 07/01/18
Heidi Gravel, outside, business owner	05/15/07 – 07/01/16, 3-Final
Vacant	– 07/01/18
Vacant	– 07/01/16
Vacant	– 07/01/16
Vacant	– 07/01/17

Duties (Sec. 2-134) - The parks and community appearance advisory board shall, in coordination with the planning board and other boards, committees and civic groups of the city, prepare plans and make recommendations to the city manager and city commission regarding the following matters:

1. *Lake Wailes Park System.* Maintaining and upgrading the park around Lake Wailes and nearby parks including adjacent athletic facilities, Crystal Lake Park, North Lake Wailes Park, and Lake Alta.
2. *Neighborhood park system.* Maintaining and expanding the neighborhood park system to provide neighborhood and mini parks to all existing neighborhoods within the city in compliance with the policies of the comprehensive plan; establishing guidelines for developers regarding neighborhood and mini parks required in new developments.
3. *Community parks.* Maintaining and upgrading existing community parks and facilities; developing new community parks and facilities to serve the expanding population of the city in compliance with the policies of the comprehensive plan; budgeting recreation impact fees in compliance with city ordinances and policies; securing grants and other funding to provide such facilities.
4. *Streets and city entrances.* Upgrading the appearance of city streets through landscaping, signage control and other measures; creating attractive entrances to the city through landscaping and signage; providing consistent and attractive signage to guide visitors to landmarks, parks, civic buildings, and other features throughout the city.

5. *Maintenance programs.* Systems for regular maintenance of parks, streetscapes, and entrances, including facilities, landscaping, and signage to ensure high quality appearance; regulations for use of parks.

Planning & Zoning Board (City Code Sec. 23-205.2) – The board consists of seven (7) members. At least six (6) members must reside in the City and one (1) member must either reside in or own real property in the city. (3 year term)

- An interview process is required for new applicants only.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: **2 vacancies**

Current Members: Joanne Fuller, resident	09/19/06 – 07/01/18, 4-Final
Mark Bennett, resident	05/07/13 – 07/01/18, 2
Charlene Bennett, resident	02/16/10 – 07/01/16, 2
Vacant, resident	– 07/01/16
Sharon Allen, resident	07/01/04 – 07/01/17, P+4-Final
Vacant, resident	– 07/01/17,
John Gravel, property owner	05/06/14 – 07/01/16, 1

Meetings (2-133) – The planning board shall hold regular meetings at the call of the chairman on the fourth Tuesday of each month and at such other times as the planning board may determine. Special meetings may be called by the chairman or vice-chairman with twelve (12) hours of notice.

Current Meeting Schedule: - 4th Tuesday @ 5:00 p.m.; Commission Chamber

Rules of procedure (City Code Sec. 23-205.3):

The planning board shall elect from its **membership** one (1) member to serve as chairman and one (1) to serve as vice-chairman.

- a. The term of the chairman and vice-chairman named by the planning board shall be for a period of one (1) year with eligibility for re-election.
- b. The planning board shall hold regular meetings at the call of the chairman on the fourth Tuesday of each month and at such other times as the planning board may determine. Special meetings may be called by the chairman or vice-chairman with twelve (12) hours of notice.
- c. The planning board shall adopt rules for transaction of its business and shall keep a public record of its resolutions, transactions, findings and determinations which record shall be filed with the official records of the city. The planning board may set a limit on the number of applications which may be scheduled for review on an agenda.

Functions, powers and duties (City Code Sec. 23-205.4) - To act as Local Planning Agency pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, F.S., ch 163, part II, and perform all functions and duties prescribed therein:

1. To advise and make recommendations to the city commission regarding applications for amendments to the official zoning map and comprehensive plan, rezoning of property, preliminary planned development projects and subdivisions;
2. To consider the need for revision or addition of regulations in these land development regulations and recommend changes to the city commission;
3. To hear and decide applications for special exception use permits and site plans in compliance with these regulations;
4. To perform any other duties which are lawfully assigned to it by the city commission

Recreation Commission (City Code Sec. 2-161) – The recreation commission consist of thirteen (13) members from community organizations providing a recreation program for the community and three (3) citizen members representing the citizens at large. A quorum shall consist of six (6) members. (3-year term)

- There is no interview process requirement for applicants applying for appointment to this board.

- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 citizen vacancy; 1 termed out citizen vacancy; 11 organizational vacancies

Organizational members are appointed by the board. No quorum has been met to re-appoint.

Current Meeting Schedule: - 3rd Monday; 12:00 p.m., City Manager's Conference Room
A quorum shall consist of six (7) members.

Current Members: Keri Hunt, citizen	11/01/11 - 07/01/17, 2
Jim Gouvellis	07/01/14 – 07/01/15, P
Vacant	– 07/01/15
Eileen Farchmin, Webber Intern'l University	09/19/11 - 07/01/14, 2
Robbie Shields, Lake Wales Soccer Club	09/19/11 - 07/01/14, 2
Patty McKeeman, Lake Wales Pram Fleet	09/19/11 - 07/01/14, 2
Deborah Rheiner/Linda Kimbrough, PAL	09/19/11 - 07/01/14, 2
Helen Petersen, Green & Gold Foundation	09/19/11 - 07/01/14, 2
Norm Rainey, Tennis Program	09/19/11 - 07/01/14, 2
John Abel, YMCA/Softball	09/19/11 - 07/01/14, 2
Clark Heter, YMCA	10/17/11 - 07/01/14, 2
Mimi Hardman, Historic Lake Wales Society	09/19/11 - 07/01/14, 2
Curt, Boys & Girls Club	09/19/11 - 07/01/14, 2

Membership (City Code Sec. 2-161):

Each community organization named in this paragraph shall be entitled to a seat on the recreation commission and shall appoint one (1) delegate who shall serve for a term of three (3) years. A citizen member shall serve no more than three (3) consecutive terms.

- (1) Green and Gold Foundation
- (2) Historic Lake Wales Society
- (3) Lake Wales Boys and Girls Club
- (4) Lake Wales Charter Schools
- (5) Lake Wales Little League
- (6) Lake Wales PAL
- (7) Lake Wales Pram Fleet
- (8) Lake Wales Public Library
- (9) Lake Wales Soccer Club
- (10) Lake Wales YMCA
- (11) Polk County School Board
- (12) Steelers Football and Cheerleading
- (13) Webber International University

A Community organization that is formed for the purpose of providing a recreation program for the youth of the community shall be entitled to one (1) delegate on the recreation commission provided that a majority of the existing members vote to expand the commission to include a delegate from said organization. (3-year term)

Powers (City Code Sec. 2-161) - The recreation commission shall have the power to adopt by-laws, set meeting times and dates, and decide other matters of procedure.

Duties (City Code Sec. 2-162):

- (a) During budget cycles **when the city funds a municipal recreation program** that includes a recreation director, the recreation commission shall:
 - (1) In coordination with public school officials, all local church organizations, all local service organizations and all local civic clubs, assist in any manner possible the recreation director in matters of public relations between all organizations and the general public.

- (2) Aid and assist the recreational director in the carrying out of all of the director's powers and duties.
- (b) During budget cycles when the city is unable to fund a municipal recreation program that includes a recreation director, the recreation commission shall:
 - (1) Serve as a steering committee to:
 - a. Coordinate publication of and participation in recreation programs currently run by various parent, church, or other community organizations;
 - b. Identify recreation needs that are not currently being met; and
 - c. Facilitate development of programs by various parent, church, or other community organizations to meet those unmet needs.
 - (2) Serve as liaison between the various parent, church, and other community organizations that provide recreation programs and city staff for the maintenance and improvement of the city's recreation facilities.
 - (3) Make recommendations to city staff for recreation improvements to be included in the city's capital improvement plan.
 - (4) Make recommendations to city staff for program funding assistance to be included in the city's operating budget.
- (c) The recreation commission shall also have the duty to review rules and regulations for use of recreation facilities and make recommendations to the city commission for approval or disapproval of said rules.

PENSION BOARDS

Firefighters' Retirement Board (City Code Sec. 16-163) – The board consists of five (5) trustees. Two (2) members must be legal residents of the City and two (2) members must be full-time firefighters employed by the Lake Wales Fire Department. Resident members are appointed by the Mayor with the advice and consent of the City Commission; firefighter members are selected by a majority of the firefighters who are members of the plan. The fifth member is chosen by a majority of the other four members and appointed by the Mayor. (4-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: 1 vacancy, 5th Seat

Current Members: ***Vacant***, 5th Seat

Glen Gest, resident	01/04/07 - 09/30/18, 3
James (Jerry) Brown, resident	03/18/14 - 09/30/18, 1
Joe Jenkins, Fire Chief	10/01/98 - 09/30/18, 4
Christopher Whidden, Firefighter	09/15/14 - 09/30/18, 1

Meetings (City Code Sec. 16-163,(O)) – The board shall hold meetings, at least quarterly, determining the notice, place and time of each. A majority of its members shall constitute a quorum.

Current Meetings – Quarterly @ 4p.m.; Fire Department meeting room

Powers and duties (City Code Sec. 16-163 (I)) – The powers, duties and responsibilities of the board shall include the power and duty to:

- (1) Construe the provisions of the system and determine all questions arising thereunder;
- (2) Determine all questions relating to eligibility and participation;
- (3) Determine and certify the amount of all retirement allowances or other benefits hereunder;
- (4) Establish uniform rules and procedures to be followed for administrative purposes, benefit applications and all matters required to administer the system;
- (5) Distribute to members at regular intervals information concerning the system;
- (6) Receive and process all applications for participation and benefits;
- (7) Authorize all payments whatsoever from the fund, and to notify the disbursing agent, in writing, of approved benefit payments and other expenditures arising through operation of the system and fund;

- (8) Have performed actuarial studies and annual actuarial valuations and make recommendations regarding any and all changes in the provisions of the system;
- (9) Select a secretary, who shall keep a complete minute book of the actions, proceedings, or hearings of the board and who shall keep a record of all persons receiving pension payments, noting the time of commencement and cessation thereof. Minutes prepared by the secretary shall be filed with the city clerk and made part of the official records of the city;
- (10) Enforce the terms of the plan and the rules and regulations it adopts;
- (11) Direct the crediting and distribution of the trust;
- (12) Review and render decisions respecting a claim for (or denial of a claim for) a benefit under the plan;
- (13) Furnish the city with information which the city may require for tax or other purposes;
- (14) Engage the services of an investment manager or managers (as defined in § 3(38)) of the act, each of whom shall have such power and authority to manage, acquire or dispose of any plan asset under its control as authorized by the board;
- (15) Establish and maintain a funding standard account and to make credits and charges to the account to the extent required by and in accordance with the provisions of the Code;
- (16) Perform such other duties as are specified in this document; and
- (17) Appoint an administrator of the system if deemed appropriate by the board.

General Employees' Retirement Board (City Code Sec. 16-43) – The board consists of five (5) trustees. Two (2) members must be employees of the plan elected by a majority of the actively employed members of the retirement system, two (2) members must be a resident of the City, own property in the City or have a business tax issued from the City of Lake Wales, and one member is a voting Mayor and/or City Commissioner. (4-year term)

- There is no interview process requirement for applicants applying for appointment to this board.
- Members are required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: **None**

Current Members: Linda Kimbrough, resident	06/17/08 - 04/01/19, 3
Violeta Salud, resident	04/01/04 - 04/01/16, 4
Sarah Kirkland, general employee	01/05/10 - 04/01/19, 3
James Slaton, general employee	04/26/12 - 04/01/16, 1
Commissioner Jonathan Thornhill, voting member	03/18/14 - 05/07/17, 1

Meetings (City Code Sec. 16-43(O)) – The board of trustees may hold meetings, determining the notice, place and time of each. A majority of its members shall constitute a quorum.

Current Meetings – Quarterly @ 8:30 a.m.; City Manager's conference room

Powers & Duties (City Code Sec. 16-43 (I)): The powers, duties and responsibilities of the board of trustees shall include the power and duty to:

- (1) Construe the provisions of the system and determine all questions arising thereunder;
- (2) Determine all questions relating to eligibility and participation;
- (3) Determine and certify the amount of all retirement allowances or other benefits hereunder;
- (4) Establish uniform rules and procedures to be followed for administrative purposes, benefit applications and all matters required to administer the system;
- (5) Distribute to members at regular intervals information concerning the system;
- (6) Receive and process all applications for participation and benefits;
- (7) Authorize all payments whatsoever from the fund, and to notify the disbursing agent, in writing, of approved benefit payments and other expenditures arising through operation of the system and fund;
- (8) Have performed actuarial studies and annual actuarial valuations and make recommendations regarding any and all changes in the provisions of the system;
- (9) Select a secretary, who shall keep a complete minute book of the actions, proceedings, or hearings of the board and who shall keep a record of all persons receiving pension payments,