

# City Commission Workshop

## Meeting Minutes October 13, 2021

(DRAFT)

10/13/2021 - Minutes

### 1. CALL TO ORDER & ROLL CALL

**Commission Members Present:** Mayor Eugene Fultz, Robin Gibson, Terrye Howell, Daniel Williams, Jack Hilligoss

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

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

### 2. City Manager Comments

James Slaton, City Manager, announced that Lake Wales Live is this Friday at 6:00 p.m.

### 3. RESOLUTION 2021-22 Public Hearing - Resolution 2021-22, Amending The Lake Wales Community Redevelopment Plan (The "Redevelopment Plan") To Include Certain Capital Improvement Projects And To Extend The Time Certain For Completion Of Redevelopment Activities Funded By Tax Increment In Areas 1, 2 And 3, Respectively.

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider a resolution amending the Redevelopment Plan to include certain capital improvement projects to be undertaken by the Lake Wales Community Redevelopment Agency prior to September 30, 2051 and to extend the time certain for completion of all redevelopment activities to September 30, 2051.

**RECOMMENDATION** After public hearing, it is recommended that the City Commission take the following action: 1. Adopt Resolution 2021-22 amending the Redevelopment Plan to include certain capital improvement projects and to provide the time certain for completion of redevelopment activities funded by tax increment in Areas 1, 2 and 3, respectively.

**BACKGROUND** The Community Redevelopment Agency is considering the issuance of a Revenue Note, Series 2021 in an amount not to exceed \$18,500,000 to provide financing for redevelopment activities related to the implementation of the Lake Wales Connected Plan. The Series 2021 Note is expected to be issued later this year and have a term of at least twenty years, in which case it would mature in 2041. The attached Resolution would amend the City's Redevelopment Plan to describe the following capital improvement projects to be financed with proceeds of the Series 2021 Note.

Project Type Project LWCP Action Step Anticipated Cost Allocation

Streetscape Park Avenue Streetscape Construction 1, 4, 5, 12 \$ 7,500,000

Streetscape 1 st Street Streetscape Design 2, 12 \$ 515,000

Streetscape 1 st Street Streetscape Construction 45, 52, 56 \$ 5,000,000

Streetscape Lincoln Avenue Design 12, 46 \$ 325,000

Mobility Scenic Highway Roundabouts Design 12, 50, 51 \$ 500,000

Mobility Central Avenue Improvements Construction 47, 56 \$ 500,000

Mobility Northwest Neighborhood Sidewalks & Street Tree Improvements 11, 65 \$ 2,500,000

Trail Network Park Avenue Connector Trail Construction 3, 66 \$ 750,000

Trail Network Crystal Lake Park Trail Construction 3, 66 \$ 750,000

Trail Network Bok Tower Connector Trail Design 3, 66, 69 \$ 100,000

Other CRA Area Improvements & Streetscape Accessories 3, 12, 56, 57 \$ 60,000

\$ 18,500,000

The Redevelopment Plan currently provides that the time certain for completion of all redevelopment activities funded by tax increment is 2029. The attached Resolution would also extend the time certain for completion of all redevelopment activities funded by tax increment as follows:

- September 30, 2045 for all redevelopment activities financed by increment revenues in Area 1.
- September 30, 2049 for all redevelopment activities financed by increment revenues in Area 3.
- September 30, 2051 for all redevelopment activities financed by increment revenues in Area 2.

Tax increment contributions by all taxing authorities for Areas 1, 2 and 3 will terminate as outlined above. By adopting the times certain described above and in the Resolution, the City will ensure that tax increment contributions from affected taxing authorities for Areas 1, 2 and 3 continue as necessary to support redevelopment activities, including repayment of the Series 2021 Note, without exceeding the maximum collection term authorized by law for each area.

**OPTIONS** Decline to adopt the attached Resolution, which will maintain 2029 as the time certain for completion of redevelopment activities in Areas 1, 2 and 3, and direct staff to pursue alternative funding options for implementation of the Lake Wales Connected Plan.

**FISCAL IMPACT** By adopting the Resolution amending the Redevelopment Plan, the City will extend the time period during which tax increment is collected and thereby facilitate issuance of long-term debt for purposes of financing redevelopment activities related to implementation of the Lake Wales Connected Plan.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

#### 4. RESOLUTION 2021-24 - City Bond

[Begin Agenda Memo]

**SYNOPSIS:**

The CRA is considering issuance of the Note to provide financing for redevelopment activities related to implementation of the Lake Wales Connected Plan. Section 163.385, Florida Statutes, provides that the CRA has power to issue redevelopment revenue bonds or notes to finance the undertaking of community redevelopment, when authorized or approved by resolution of the City Commission. The attached Resolution authorizes the Agency to have the ability to issue a Note. The Resolution also approves execution of an interlocal agreement between the CRA and the City pursuant to which the City will agree, subject to certain requirements therein, to budget and appropriate non-ad valorem revenues in amounts sufficient to pay principal of and interest on the Note not being paid from tax increment revenues or from other amounts as the same shall become due.

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

1. Adopt Resolution 2021-24 recommending that the City Commission of the City of Lake Wales (the "City") adopt a resolution approving issuance of the CRA's Redevelopment Revenue Note, Series 2021, in a principal amount not to exceed \$18,500,000, and approving an interlocal agreement between the CRA and the City pertaining to the Note.

**BACKGROUND** The CRA is considering issuance of the Note to provide financing for redevelopment activities related to implementation of the Lake Wales Connected Plan, as further described below. The Note will have a term of at least twenty years and be secured by the tax increment revenues deposited to the redevelopment trust fund and available to the CRA to pay for redevelopment activities contemplated by the Lake Wales Community Redevelopment Plan adopted on June 1, 1999 by City Resolution 99-06 (as amended from time to time, the "Redevelopment Plan"), and by the City's covenant to budget and appropriate non-ad valorem revenues in amounts sufficient to pay principal of and interest on the Note not being paid from tax increment revenues or from other amounts as the same shall become due. It is anticipated that the following capital projects will be financed by the Note:

Project Type Project LWCP Action Step Anticipated Cost Allocation

Streetscape Park Avenue Streetscape Construction 1, 4, 5, 12 \$ 7,500,000

Streetscape 1 st Street Streetscape Design 2, 12 \$ 515,000

Streetscape 1 st Street Streetscape Construction 45, 52, 56 \$ 5,000,000

Streetscape Lincoln Avenue Design 12, 46 \$ 325,000

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Trail Network Park Avenue Connector Trail Construction 3, 66 \$ 750,000

Trail Network Crystal Lake Park Trail Construction 3, 66 \$ 750,000

Trail Network Bok Tower Connector Trail Design 3, 66, 69 \$ 100,000

Other CRA Area Improvements & Streetscape Accessories 3, 12, 56, 57 \$ 60,000

\$ 18,500,00

**OPTIONS** Decline to adopt the attached Resolution. In that case, staff will pursue alternative funding options for implementation of the Lake Wales Connected Plan.

**FISCAL IMPACT** If the City Commission adopts the CRA's recommendation to adopt a resolution approving issuance of the Note, the CRA and the City will proceed with the actions required to issue and close on the Note in which case proceeds of the Note are expected to be available to the CRA to pay for the projects outlined above in late 2021 or early 2022.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

Mr. Slaton explained some of the steps they are taking to guard against increased construction costs. Some contingency funds have been included in the budget and many items are designed so that changes in construction prices will not have much effect. Over the next few years they hope to apply for grants to help with some of the costs of these. We are also looking into a mobility fee to help with funding of these.

Deputy Mayor Gibson asked if it doesn't make a difference in loan cost they would like to have all the money so that we have more flexibility. George Smith, Bryan, Miller, & Olive, said that our Financial Management company, when ready, can go over the options. This resolution doesn't limit options.

Deputy Mayor Gibson asked about the timeline for getting this loan. Mr. Smith described the steps over the next 4 months. Loan proposals will come back to the Commission for review. He reviewed the different options that will be available. Deputy Mayor Gibson asked about how the loan is secured. Mr. Smith reviewed that the loan is secured by revenues not the faith and credit of the City.

Mr. Slaton said we have an RFP out to get a Financial Advisors. Hopefully that will be in place in November and can answer more of these questions. This process will not hinder us from getting started as it will include a 60 day look back so the CRA can be reimbursed of funds spent. Mr. Smith confirmed and explained further.

5. Ordinance 2021-24, 2nd Reading And Public Hearing Approving The Continued Existence Of The Lake Wales Community Redevelopment Agency

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider an ordinance to approve the continued existence of the Lake Wales Community Redevelopment Agency (CRA) through September 30, 2051.

**RECOMMENDATION** After second reading and separate public hearing, it is recommended that the City Commission take the following action:

1. Approve Ordinance 2021-24, approving the continued existence of the Lake Wales Community Redevelopment Agency through September 30, 2051.

**BACKGROUND** The Community Redevelopment Agency is considering the issuance of a Revenue Note, Series 2021 in an amount not to exceed \$18,500,000 to provide financing for redevelopment activities related to implementation of the Lake Wales Connected Plan. The Series 2021 Note is expected to be issued later this year and have a term of at least twenty years, in which case it would mature in 2041. In order to issue such long-term debt, the City will be required to extend the life of the CRA (set to expire September 30, 2029) since tax increment will be used to repay the debt.

The Florida Legislature recently amended the redevelopment statutes to provide that redevelopment agencies will generally terminate no later than September 30, 2039 unless the governing body of the city which created the agency approves its continued existence by a majority vote. The attached ordinance would constitute the City Commission's majority approval for continued existence of the CRA. The City Commission approved the ordinance on first reading on October 5, 2021.

**OPTIONS** Decline to adopt the ordinance and direct staff to pursue alternative funding options for implementation of the Lake Wales Connected Plan.

**FISCAL IMPACT** By extending the life of the CRA from September 30, 2029 to September 30, 2051, the CRA will be eligible to facilitate issuance of long-term debt for purposes of financing redevelopment activities related to implementation of the Lake Wales Connected Plan.

[End Agenda Memo]

James Slaton, City Manager, reviewed this item.

6. ORDINANCE 2021-25 - 1st Reading And Public Hearing-Proposes Amendments To The Following Sections Of The Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code Of Ordinances)

[Begin Agenda Memo]

**SYNOPSIS:** ORDINANCE 2021-25 1st reading and Public Hearing-Proposes

amendments to the following sections of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances):

- Table 23-421 Permitted and Special Exception Uses in Standard Zoning Districts
- Section 23-802 Definitions

#### **RECOMMENDATION**

At a regular meeting on September 28, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission for the proposed changes to the Land Development Regulations.

#### **BACKGROUND**

Areas of the Land Development Regulations (LDRs) (Chapter 23, Lake Wales Code of Ordinances) have been identified as needing amendments.

##### 1.) Permitted Use Chart

a) Currently under the Land Development Regulations, the City only lists the following residential dwelling types:

Single-Family

Two-family (duplex)

Multi-Family

Dwelling unit for caretaker employed on premises Accessory dwelling unit

Mixed-use residential and non-residential

Current code does not regulate the placement of mobile, manufactured, or modular homes in any zoning districts within the city. Historically, these dwelling types have been approved as single-family homes, so long as they meet the dimensional and area standards found in the Land Development Code, and so long as they meet the Florida Building Code requirements for a dwelling. Staff has received consistent

feedback from the community, as well as Planning and Zoning Board members, regarding the compatibility issues with allowing mobile home-type dwellings to be placed in any residential zoning district.

Part one of addressing these concerns entails defining or re-defining these dwelling types within the definitions section of the code, and then adding it to the Permitted Use Chart as a residential dwelling type not currently permitted in any existing zoning districts. The purpose of creating the category within the chart, but not permitting these dwelling types in any zoning districts, is to impose a short moratorium on new mobile home sets within the city until standards are in place.

Part two will be to develop standards and regulations for manufactured homes, and to denote within the Permitted Use Chart the zoning districts in which manufactured homes may be approved as single-family homes. Once Staff has developed these regulations, the Planning and Zoning Board will review the language for a separate recommendation to City Commission.

#### b) Lots of record

Code Definition: A lot which is duly recorded in the office of the clerk of the circuit court or a parcel described by metes and bounds, the description of which has been so recorded on or before the effective date of these zoning regulations or of prior zoning and subdivision regulations governing the creation of lots.

Staff proposes to add Note 12 to the Permitted Use Chart, which will allow lots of record within the CRA III to be subdivided to its originally-platted dimensions, considered buildable single-family lots, so to encourage new single-family development on infill lots and the creation of more affordable housing opportunities.

Because minimum lot widths in current code are in excess of what was originally platted, code prohibits the re-subdivision of lots which would create non-conforming, unbuildable lots under today's dimensional and area standards. Staff proposes the following language:

Within CRA3, Lots of Record shall be allowed to have one single-family residence, based on the R-1D zoning district standards. Approval of this use shall be granted by an Administrative Waiver, approved by the City Manager, using the criteria contained in Section 23-422.

#### 2.) Definitions

Section 23-802 Definitions, currently defines Manufactured Home as: a building, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes part trailers, travel trailers, and similar transportable structures placed on a site for one hundred eighty (180) consecutive days or longer and intended to be improved property.

Under the definitions code section for Mobile Home: See manufactured home.

Modular homes are not defined.

#### Proposed Definitions

Manufactured Home: (aka mobile home) shall mean a structure, transportable in one (1) or more sections, which, in the traveling mode, is twelve (12) body feet or more in width, and which is built on a metal frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. If fabricated after June 15, 1976, each section bears a U.S. Department of Housing and Urban Development label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards (§ 320.01, F.S. 1992 supplement)

Modular Home: shall not mean a manufactured home (aka mobile home) but refers to a unit partially constructed off-site (such as trusses and wall sections) and assembled at the site as a standard home or building unit, meeting all the Southern Building Standard Code requirements. Modular homes are indistinguishable from site-built homes.

#### CODE REFERENCES AND REVIEW CRITERIA

- Table 23-421 Permitted Uses and Special Exception Uses in Standard Zoning Districts
- Section 23-802 Definitions
- Section 23-422 Dimensional and Area Standards

#### FISCAL IMPACT

The lot of record provision would allow for new residential development on infill lots within the CRA III, resulting in an increase in property values.

[End Agenda memo]

Autumn Cochella, Development Services Manager, reviewed the first part of the item addressing modular homes. Mr. Slaton said this will not affect any current projects in process.

Commissioner Howell are these homes that can be driven away. Ms. Cochella said there are distinctions between the different types of mobile homes. They are not movable, these have to connect to water and sewer.

Autumn Cochella, Development Services Manager, reviewed the second part of this item related to the lots of record provision. The two sections are not related.

Mayor Fultz said this would prevent mobile homes popping up just anywhere.

Commissioner Williams asked if this would change the zoning on Lincoln Avenue. Ms. Cochella said it would not. This would make it easier for affordable homes in the Lincoln Avenue area. Commissioner Williams said he would like to keep businesses on Lincoln Avenue. Ms. Cochella said administrative waivers are possible with proposed language for certain projects to make sure what is on Lincoln is appropriate.

Ms. Cochella said that Lincoln can be excluded if the Commission wishes. Mr. Slaton explained that certain areas could allow housing but are zoned commercial. Ms. Cochella gave some examples of getting back to original lots.

There was a discussion about encouraging more businesses on Lincoln Avenue.

7. ORDINANCE 2021-26 Ordinance 2021-26 Annexation – 1st Reading And Public Hearing 62.8 Acres South Of State Road 60 E And East Of Hamlin Street

[Begin Agenda Memo]

**SYNOPSIS:** Ordinance 2021-26 proposes the voluntary annexation of approximately 62.8 acres of land located south of State Road 60, east of Hamlin Street, and contiguous to the incorporated City limits.

#### RECOMMENDATION

Staff recommends approval after first reading of Ordinance 2021-26, following a public hearing.

Public Hearing notice requirements have been met.

A recommendation from the Planning and Zoning Board is not required for an annexation ordinance.

## **BACKGROUND**

Hunt Bros, Inc, CBD Real Estate Investments, LLC, Richard McKinley, and Estate of Vivian Pennachio, owners, petitioned annexation into the corporate city limits of Lake Wales on September 17, 2021.

"Attachment A" to the ordinance shows the properties' locations. The parcels abut one another and are contiguous to the City Limits along multiple boundaries.

## **OTHER OPTIONS**

Decline to annex the property.

## **FISCAL IMPACT**

The annexation will add to the City's tax roll. The properties are valued at a total of \$474,299, which would bring in additional property taxes. Additionally, the approval of the annexation would allow the applicant to assemble a tract of land for potential residential development.

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item.

Mayor Fultz said this project is near where he lives. Ms. Cochella said they are working with the owner about extending the sidewalks and enhancing the roads. Ms. Cochella reviewed the map and explained where the parcels are.

Commissioner Williams asked if this would be executive homes. Ms. Cochella said that these will be high end areas.

8. Ordinance D2021-11- 2nd Reading And Public Hearing Future Land Use 61+/- Acres North Of Mammoth Grove Road And East Of Masterpiece Road

[Begin Agenda memo]

**SYNOPSIS:** Everything and All LLC, owner, requests to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on 61+/- acres of land.

## **RECOMMENDATION**

At a regular meeting on June 22, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission to re-assign the following zoning and land use designations:

Current Land Use: Polk County RS (6.4 acres) & A/RR (54+/- acres)

Current Zoning: N/A (County does not have zoning)

Proposed Land Use: NAC Neighborhood Activity Center (6.4 acres)/R-1A SFR (54+/- acres)

Proposed Zoning: C-4 Neighborhood Commercial (6.4 acres)/R-1A(54+/- acres)



## **BACKGROUND**

Everything and All LLC, owner, petitioned annexation into the corporate city limits of Lake Wales on May 13, 2021. First reading of the annexation took place on June 1, 2021, and was approved by City Commission. First reading of the Land Use and Zoning took place on June 20, 2021 and was approved. It was then transmitted to DEO which had no objections to the plan amendment.

The western 6.4 acres of the site is proposed as non-residential, Neighborhood Commercial. This zoning district is designed to permit the development of local

commercial areas to serve surrounding residential areas with small-scale convenience goods and personal services. Such uses, which are permitted by right, include a day care center, nursery with plant sales, an eat-in restaurant or outdoor café, medical or professional office, or a small grocery store. Mixed land uses are encouraged and it is considered a smart growth tool, as it promotes walkable neighborhoods and less dependency on vehicles.

The current maximum density under the County's Future Land Use of A/RR is 1 dwelling unit per 5 acres of land. The residential designations of Low Density and R-1A are the City's least intense residential land use and zoning categories; therefore, staff finds that they are most compatible with the surrounding area. Low Density residential provides for a maximum of 5 units per 1 acre, while R-1A zoning contains standards for the largest lots and homes within the city. Although the density supports a maximum of 5 per acre, the engineer has mentioned that a density of 1.79 single-family homes per 1 acre is conceptually planned.

The nearest residential subdivision to the subject site, Country Oaks, is to the south/southeast and is built out at a density of roughly 1.36 dwelling units per 1 acre, including duplexes, which is in excess of the County's current 1 per 5 acre standard. The County does have a provision called a "Suburban Planned Development", which allows a subdivision to be built out at a maximum of 3 dwelling units per acre. The City serves Country Oaks with municipal water; however, the subdivision remains in the County and on septic tanks. The City's R-1A zoning does not provide for the construction of duplexes.

The City Commission assigns Future Land Use and zoning designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

## **FISCAL IMPACT**

A recommendation of re-assignment would enable the future development of this property and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, and assuming 97 dwelling units based on the conceptual density, it could potentially result in over \$19 million in taxable value, and generate \$131,000 in ad valorem taxes.

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

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item.

Deputy Mayor Gibson asked if this development has access water and sewer. Ms. Cochella said water only. Mayor Fultz said if the county develops this there will still be septic tanks. Commissioner Howell asked about getting sewer out there. Mr. Slaton said its cost prohibitive to get sewer out there.

9. Ordinance D2021-12 Zoning Designation – 61+/- Acres North Of Mammoth Grove Road And East Of Masterpiece Road - 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** Everything and All LLC, owner, requests to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on 61+/- acres of land.

## **RECOMMENDATION**

At a regular meeting on June 22, 2021, the Planning and Zoning Board made a recommendation of approval to City Commission to re-assign the following zoning and land use designations:

Current Land Use: Polk County RS (6.4 acres) & A/RR (54+/- acres)

Current Zoning: N/A (County does not have zoning)

Proposed Land Use: NAC Neighborhood Activity Center (6.4 acres)/R-1A SFR (54+/- acres)

Proposed Zoning: C-4 Neighborhood Commercial (6.4 acres)/R-1A(54+/- acres)

## **BACKGROUND**

Everything and All LLC, owner, petitioned annexation into the corporate city limits of Lake Wales on May 13, 2021. First reading of the annexation took place on June 1, 2021, and was approved by City Commission. First reading of the Land Use and Zoning took place on June 20, 2021 and was approved. It was then transmitted to DEO which had no objections to the plan amendment.

The western 6.4 acres of the site is proposed as non-residential, Neighborhood Commercial. This zoning district is designed to permit the development of local commercial areas to serve surrounding residential areas with small-scale convenience goods and personal services. Such uses, which are permitted by right, include a day care center, nursery with plant sales, an eat-in restaurant or outdoor café, medical or professional office, or a small grocery store. Mixed land uses are encouraged and it is considered a smart growth tool, as it promotes walkable neighborhoods and less dependency on vehicles.

The current maximum density under the County's Future Land Use of A/RR is 1 dwelling unit per 5 acres of land. The residential designations of Low Density and R-1A are the City's least intense residential land use and zoning categories; therefore, staff finds that they are most compatible with the surrounding area. Low Density residential provides for a maximum of 5 units per 1 acre, while R-1A zoning contains standards for the largest lots and homes within the city. Although the density supports a maximum of 5 per acre, the engineer has mentioned that a density of 1.79 single-family homes per 1 acre is conceptually planned.

The nearest residential subdivision to the subject site, Country Oaks, is to the south/southeast and is built out at a density of roughly 1.36 dwelling units per 1 acre, including duplexes, which is in excess of the County's current 1 per 5 acre standard. The County does have a provision called a "Suburban Planned Development", which allows a subdivision to be built out at a maximum of 3 dwelling units per acre. The City serves Country Oaks with municipal water; however, the subdivision remains in the County and on septic tanks. The City's R-1A zoning does not provide for the construction of duplexes.

The City Commission assigns Future Land Use and zoning designations by ordinances upon a recommendation from the Planning & Zoning Board. The adopted ordinance is transmitted to the state's Department of Economic Opportunity (DEO) for review. The DEO reviews the designations as appropriate with reference to the City's Comprehensive Plan.

## **FISCAL IMPACT**

A recommendation of re-assignment would enable the future development of this property and the potential increase in property value. Specifically, estimating an average of \$200,000 in taxable value per unit, and assuming 97 dwelling units based on the conceptual density, it could potentially result in over \$19 million in taxable value, and generate \$131,000 in ad valorem taxes.

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

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item.

10. Ordinance D2021-16 Amendments To The Future Land Use Map Of The Comprehensive Plan, And To The Zoning Map – 2nd Reading And Public Hearing

[Begin Agenda Memo]

**SYNOPSIS:** MOW Groves LLC, Changcocco Family Trust, and Nancy D. Kahler Trust, owners, request approval of City Commission to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on three parcels of land totaling 28.13 acres.

### **RECOMMENDATION**

Staff recommends approval at second reading, following a public hearing, to re-assign the following land use and zoning designations:

Current Land Use: Polk County RSX

Current Zoning: N/A (County does not have zoning)

Proposed Land Use: MDR Proposed Zoning: R-1D

### **BACKGROUND**

MOW Groves LLC, and Changcocco Family Trust, owners, petitioned annexation into the corporate city limits of Lake Wales on July 21, 2021. Nancy D. Kahler Trust petitioned annexation on February 8, 2021. The properties are contiguous to the City Limits along the northern boundary of the Kahler property. The next step in the process is to assign Land Use and Zoning.

A Future Land Use Designation of MDR – Medium Density Residential, and a Zoning designation of R-1D is compatible with the surrounding area and will complement the built environment. At a special meeting on August 31, 2021, the Planning and Zoning Board recommended approval of the request.

On September 21, 2021, the City Commission approved Ordinances D2021-16 & D2021-17 on First Reading.

### **CODE REFERENCES AND REVIEW CRITERIA**

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

### **FISCAL IMPACT**

Re-assignment would enable the development of this property and the potential increase in property value.

Specifically, estimating an average of \$175,000 in taxable value per unit, and assuming 337 dwelling units based on maximum density, it could potentially result in over \$59 million in taxable value, and generate \$399,000 in ad valorem taxes.

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

[End Agenda Memo]

Autumn Cochella, Development Services Manager, reviewed this item.

Commissioner Williams said the church he pastors is adjacent to the property. There's a chance this church might financially benefit from this project so is it okay for him to vote on this? Albert Galloway, City Attorney, said yes as he personally would not financially benefit from any transactions.

Commissioner Williams commented that the City would do a better job of deciding what goes on a property than the county.

Commissioner Hillgoss asked if sewer can expand out to these areas. Mr. Slaton said yes but it will take a long time.

Ms. Cochella reviewed future steps for this project.

Deputy Mayor Gibson commented that this is a setters market and we are in a position to upgrade our developments.

Mayor Fultz predicted that more millennials will be moving into our area. Mr. Slaton said we want mixed developments to meet all needs.

Commissioner Williams asked to confirm said that there are 2 new developments that don't have access to water and sewer. Mr. Slaton said only the one on Mammoth Grove does not have access to sewer. Mayor Fultz noted that we are trying to get rid of septic tanks in the City. He asked Mr. Slaton if we will be expanding sewer. Mr. Slaton said we are in some places. We have funding for this.

11. Ordinance D2021-17 Amendments To The Future Land Use Map Of The Comprehensive Plan, And To The Zoning Map – 2nd Reading And Public Hearing

**SYNOPSIS:** MOW Groves LLC, Changcocco Family Trust, and Nancy D. Kahler Trust, owners, request approval of City Commission to amend the Zoning Map, and the Future Land Use Map of the Comprehensive Plan on three parcels of land totaling 28.13 acres.

**RECOMMENDATION**

Staff recommends approval at second reading, following a public hearing, to re-assign the following land use and zoning designations:

Current Land Use: Polk County RSX

Current Zoning: N/A (County does not have zoning)

Proposed Land Use: MDR Proposed Zoning: R-1D

**BACKGROUND**

MOW Groves LLC, and Changcocco Family Trust, owners, petitioned annexation into the corporate city limits of Lake Wales on July 21, 2021. Nancy D. Kahler Trust petitioned annexation on February 8, 2021.

The properties are contiguous to the City Limits along the northern boundary of the Kahler property. The next step in the process is to assign Land Use and Zoning.

A Future Land Use Designation of MDR – Medium Density Residential, and a Zoning designation of R-1D is compatible with the surrounding area and will complement the built environment. At a special meeting on August 31, 2021, the Planning and Zoning Board recommended approval of the request.

On September 21, 2021, the City Commission approved Ordinances D2021-16 & D2021-17 on First Reading.

#### **CODE REFERENCES AND REVIEW CRITERIA**

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

#### **FISCAL IMPACT**

Re-assignment would enable the development of this property and the potential increase in property value. Specifically, estimating an average of \$175,000 in taxable value per unit, and assuming 337 dwelling units based on maximum density, it could potentially result in over \$59 million in taxable value, and generate \$399,000 in ad valorem taxes.

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

[End Agenda Memo]

12. Approve Construction Administration Agreement With Hoyle, Tanner And Associates, Inc.

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider approving an agreement with Hoyle, Tanner and Associates, Inc. for professional engineering services pertaining to construction administration services for the East Apron Rehabilitation at the Lake Wales Municipal Airport.

#### **RECOMMENDATION**

1. Authorize the mayor to execute an agreement with Hoyle, Tanner and Associates, Inc. in the amount of \$161,600.00 for professional construction services for the East Apron Rehabilitation at the Lake Wales Municipal Airport.

#### **BACKGROUND**

In 2020, the commission approved Hoyle, Tanner and Associates, Inc. for the engineering design phase for the East Apron Rehabilitation at the Lake Wales Municipal Airport.

The design project was to investigate if the existing asphalt ramp that was placed over twenty (20) years ago requires rehabilitation or full reconstruction. It has been determined that the ramp requires full reconstruction.

The total construction administration cost for this project is \$161,600.00.

#### **OTHER OPTIONS**

The City Commission has already accepted funding from the Federal Aviation Administration (FAA) for the design phase of this project.

**FISCAL IMPACT**

This project is funded 100% by the Federal Aviation Administration (FAA).

[End Agenda Memo]

Teresa Allen, Public Services Director, reviewed this item.

James Slaton, City Manager, said they applied for a rural designation for Lake Wales and we got this designation. This allowed us to get more funding from FAA. They will pay 100%. Ms. Allen said this will help with replacing our fuel system that FDOT will help with.

Mayor Fultz said he is glad to see more interest in our Airport. Ms. Allen agreed and explained that with the new extended runway there is more activity there and so we hope in the future FDOT will see a need for another road to the airport.

- 13. Approve Construction Contract Agreement With Ajax Paving Industries Of Florida, LLC.

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider approving an agreement with Ajax Paving Industries of Florida, LLC for construction services for the East Apron Rehabilitation project at the Lake Wales Municipal Airport.

**RECOMMENDATION**

1. Authorize the mayor to execute an agreement with Ajax Paving Industries of Florida, LLC in the amount of \$831,283.20 for construction services for the East Apron Rehabilitation project at the Lake Wales Municipal Airport.

**BACKGROUND**

In 2020, the commission approved Hoyle, Tanner and Associates, Inc. for the engineering design phase for the East Apron Rehabilitation at the Lake Wales Municipal Airport. The design project was to investigate if the existing asphalt ramp that was placed over twenty (20) years ago requires rehabilitation or full reconstruction. It has been determined that the ramp requires full reconstruction.

In February 2021, notice was given that the City of Lake Wales was seeking a qualified contractor to construct the East Apron project at the Lake Wales Municipal Airport. On Tuesday, March 23, 2021, bids were opened and were as follows.

Ajax Paving Industries of Florida, LLC	\$ 831,283.20
CW Roberts Contracting, Inc.	\$ 938,327.70
Cobb Site Development, Inc.	\$1,002,197.03
Hubbard Construction Company	\$1,022,460.30
Ranger Construction Industries	\$1,070,785.96

**OTHER OPTIONS**

The City Commission has already accepted funding from the Federal Aviation Administration (FAA) for the design phase of this project.

### **FISCAL IMPACT**

This project is funded 100% by the Federal Aviation Administration (FAA).

[End Agenda Memo]

Teresa Allen, Public Services Director, reviewed this item.

Deputy Mayor Gibson asked if the rural designation helps with this. Ms. Allen confirmed it has. The project is being funded 100%.

Deputy Mayor Gibson said that urban sprawl may take away that designation.

#### 14. RESOLUTION 2021-23 Authorizing Submission Of A CDBG Coronavirus Relief Funding Application

[Begin Agenda Memo]

**SYNOPSIS:** **RESOLUTION 2021-23** will authorize the submission of an application for funding of a CDBG Coronavirus relief grant

### **RECOMMENDATION**

Staff recommends that the City Commission adopt **RESOLUTION 2021-23**.

### **BACKGROUND**

Coronavirus relief funding is available from the Florida Department of Economic Opportunity CDBG Program. City Staff has prepared a grant application for funding for the construction and rehabilitation of sidewalks to promote social distancing in the City's Northwest Neighborhood as a means to prevent, respond to, or assist in the recovery of the COVID-19 pandemic.

Resolution 2021-23 authorizes submittal of the grant application online.

### **OTHER OPTIONS**

Do not approve RESOLUTION 2021-23

### **FISCAL IMPACT**

See attached Fiscal impact Statement

[End Agenda Memo]

James Slaton, City Manager, reviewed this item. A draft application will be available for review soon. He is optimistic about getting this grant as it is in a low income area.

Deputy Mayor Gibson said we are in a good position to grow our tax base to help repay these loans.

Mayor Fultz said we are growing whether we like it or not so we need to be prepared.

#### 15. Board Appointments - Census Redistricting Committee

## **RECOMMENDATION**

Staff recommends that the Mayor and Commission make the following appointments and reappointments as deemed appropriate.

1. Appoint Dick Howell to the Census Redistricting Committee
2. Appoint Kajor Lawson to the Census Redistricting Committee

## **BACKGROUND**

On October 5th the City Commission established a Census Redistricting Committee.

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).

Census Redistricting Committee (Res 2020-25)

The committee shall consist of 3-5 members, each of whom will serve until the board expires within the year once their recommendation to the City Commission is complete. A quorum shall require the presence of 3 members. Appointments - Each Commissioner shall recommend one appointment to the Mayor. The Mayor's appointments will then be subject to approval by the City Commission.

- Appointees must be electors and residents of the City of Lake Wales
- 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

Applying for Appointment: Richard "Dick" Howell has applied and is recommended by Robin Gibson

Kajor Lawson has applied and is recommended by Terrye Howell

## **OPTIONS**

Do not appoint those that have applied.

## **FISCAL IMPACT**

None. This is volunteer boards.

[End Agenda Memo]

Jennifer Nanek, City Clerk, reviewed this item

## 16. CITY COMMISSION AND MAYOR COMMENTS

Commissioner Williams said the language in the resolution needs to encourage businesses on Lincoln Avenue.

Mayor Fultz said things are going well. We need to be careful of any missteps that would dissuade people from moving to Lake Wales.



Deputy Mayor Robin Gibson said he is preparing a 10 point checklist that he will share so everyone knows where he stands.

17. ADJOURN

The meeting was adjourned at 3:20 p.m.

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Chair

ATTEST:

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City Clerk