

**City Commission Meeting Minutes**  
**October 15, 2019**  
**(DRAFT)**

10/15/2019 - Minutes

1. INVOCATION

Dr. Moyer gave the invocation.

2. PLEDGE OF ALLEGIANCE

3. CALL TO ORDER

Mayor Fultz called the meeting to order at approximately 6:00 p.m. after the invocation and the pledge of allegiance.

4. ROLL CALL

**Commission Members Present:** Eugene Fultz - Mayor, Curtis Gibson, Robin Gibson -Deputy Mayor, Terrye Howell, Al Goldstein

**Staff Present:** Kenneth Fields, City Manager; Albert C. Galloway, Jr., City Attorney; Zaillet Suri, Deputy City Clerk

5. PROCLAMATIONS AND AWARDS

5.I. PROCLAMATION - Alpha Delta Kappa Week

Mayor Fultz proclaimed October 20-26, 2019 as Alpha Delta Kappa Week. Brenda Wise accepted the Proclamation.

5.II. PROCLAMATION - City Government Week

Mayor Fultz Proclaimed October 21-27, 2019 as City Government Week. Kenneth Fields, City Manager, accepted the Proclamation.

5.III. PROCLAMATION - Kathryn "Kat" Gates-Skipper

Mayor Fultz presented a proclamation to Kathryn "Kat" Gates-Skipper establishing October 15, 2019 as Kathryn "Kat" Skipper-Gates Recognition Day.

5.IV. RECOGNITION - Bart Delcamp, Curator Of The Lake Wales History Museum

Mayor Fultz recognized Bart Delcamp, Curator of the Lake Wales History Museum, who was named 2019 Outstanding New Professional by the Florida Association of Museums

6. COMMUNICATIONS AND PETITIONS

Sam Jones asked if the Highlander Band mural could be updated. He said that it features his daughter. He said he has been working with several people to get this done. Zaillet Suri, Deputy City Clerk, said that mural is next to be done. The artist, Lisa Moore, has had health issues and hasn't been able to get to it. The murals were discussed.

7. CONSENT AGENDA

Deputy Mayor Robin Gibson asked that item 7.2, Agreement - City of Lake Wales Police Benevolent Association, be pulled.

Commissioner Howell made a motion to approve the rest of the consent agenda. Commissioner Curtis Gibson seconded the motion.

by voice vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

7.I. Minutes - September 10, And September 24, 2019

7.II. Agreement - City Of Lake Wales/Police Benevolent Association

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider ratifying the Collective Bargaining Agreement between the City and West Central Florida Police Benevolent Association, Inc.

#### **RECOMMENDATION**

It is recommended that the City Commission ratify the proposed amendments to the agreement between the City of Lake Wales and the West Central Florida Police Benevolent Association, Inc.

#### **BACKGROUND**

On October 16, 2018, the City Commission approved the collective bargaining agreement between the City of Lake Wales and the Police Benevolent Association, Inc. (PBA) for the period October 1, 2017 through September 30, 2019. The general purpose of the agreement is to provide wages, hours, and other conditions of employment for the employees in the police department bargaining unit of which all are sworn officers in the classification of police officer, corporal or sergeant.

Management staff and the Police Department union representatives have reached an agreement for the period October 1, 2019 through September 30, 2020.

NOTE: The amendments are presented to the City Commission for ratification at this time. The changes to the existing agreement are highlighted below:

#### **Proposed Contract Changes**

##### Article 16 Wages

16.1 Effective September 22, 2019 employees shall receive a 2% cost of living increase to base annual salary.

##### 38 Duration of Agreement

38.1 This Agreement shall become effective upon ratification by the bargaining unit members and approval and ratification by the Lake Wales City Commission and shall continue in full force and effect until midnight of September 30, 2020.

#### **FISCAL IMPACT**

The cost of living adjustment is budgeted in FY 19'20 budget.

**OTHER OPTIONS**

Don't ratify the contract

[End Agenda Memo]

Deputy Mayor Robin Gibson commended the relationship between the City and the Police Department and asked what the resolution was. Sandra Davis, Human Resources Director, reviewed the changes.

Deputy Mayor Robin Gibson made a motion to approve the amended agreement between the City of Lake Wales and the Police Benevolent Association. Commissioner Howell seconded the motion.

By voice vote:

Deputy Mayor Robin Gibson "YES"

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Mayor Fultz "YES"

Motion passed 5-0.

**7.III. Lease Agreement: Pitney Bowes Postage Machine For Books-By-Mail**

[Begin Agenda Memo]

**SYNOPSIS:**

Staff is seeking commission approval to enter into an equipment lease agreement in the amount of \$201.93 a quarter for 15 quarters.

**RECOMMENDATION**

It is recommended that the City Commission take the following action, approve the lease of equipment for the purpose of replacing a Pitney Bowes postage machine currently used by the Polk County Library Cooperative's Books by Mail service.

**BACKGROUND**

The City of Lake Wales Public Library operates and manages the Polk County Library Cooperative's Books by Mail service under an Interlocal Agreement with the Polk County Board of County Commissioners. Over 25,000 library items are mailed from the Lake Wales Public Library each month to Polk County residents via PCLC's Books by Mail service. The equipment we seek to replace is over 10 years old.

Funds for this lease are provided to the City of Lake Wales through the revenues the Lake Wales Public Library receives from the Polk County Library Cooperative. The FY'19'20 revenues for the Books by Mail service have been approved at \$275,000.

**Other Options:** None

**Fiscal Impact:** \$201.93/quarterly for 15 quarters. Total lease cost is \$3,028.95. All funding for the

Books by Mail service revenues received from the Polk County Library Cooperative. Fiscal impact on the City of Lake Wales is none.

[End Agenda Memo]

#### 7.IV. Lease Purchase Of A 2020 F150

[Begin Agenda Memo]

##### **SYNOPSIS:**

Staff is requesting Commission approval to lease purchase one utility vehicle to be added to the city's Master Lease Agreement.

##### **RECOMMENDATION**

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

1. Approve the sixty month lease of one 2020 Ford F150 4X4 pickup truck.
2. Authorize the City Manager to execute the necessary documents on behalf of the city.

##### **BACKGROUND**

Within the FY 2019/20 budget, the City Commission approved \$51,000 for the lease purchase of this vehicle. This vehicle will be used to pull the department's rescue boat to emergencies as well as a backup vehicle in case the department's medical rescue vehicle is taken out of service for repairs or maintenance. The vehicle will be equipped with all necessary emergency lighting and communication devices.

##### **OTHER OPTIONS**

Purchase the vehicle out right at a cost of \$50,648.

##### **FISCAL IMPACT**

The lease purchase would consist of sixty monthly payments of \$940.69.

[End Agenda Memo]

#### 7.V. Agreement For Impact Fee Updates Consulting Services With Raftelis

[Begin Agenda Memo]

##### **SYNOPSIS**

The Planning Division is in need of consulting services for the update of the City's development impact fees.

##### **RECOMMENDATION**

Staff recommends the Approval of the Agreement for Services to Update Development Impact Fees. Authorization for the City Manager to execute the Services Agreement.

##### **BACKGROUND**

In response to RFP No. 19-465 Consulting Services to Update Development Impact Fees, the City received two responses. Raftelis Financial Consultants, Inc. was found to be the best choice for the services the City is seeking.

The FY 19-20 Budget includes \$80,000.00 for Contract Services of this nature. The agreement sets a do-not-exceed fee of \$46,905.

#### **FISCAL IMPACT**

This is a budgeted expenditure.

[End Agenda Memo]

#### 8. OLD BUSINESS

- 8.I. Ordinance 2019-13 Annexation – 2nd Reading – Public Hearing 9.04 Acres East Of US Highway 27 And Abutting Towerview Boulevard

[Begin Agenda Memo]

#### **Synopsis:**

Ordinance 2019-13 proposes the annexation of approximately 9.04 acres located east of US Highway 27 and abutting Towerview Boulevard and contiguous to the incorporated City limits.

#### **Recommendation:**

Staff recommends adoption on second reading and after public hearing of Ordinance 2019-13. Public Notice requirements have been met.

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

#### **Background:**

John G. Wood & Associates, owner, is requesting annexation into the corporate city limits of Lake Wales. "Attachment A" to the ordinance shows the property's location. It is contiguous to the City Limits on its north and east boundaries.

**Other options:** Decline to annex the property.

**Fiscal Impact:** The annexation will add to the City's tax roll.

[End Agenda Memo]

Zailet Suri, Deputy City Clerk, read **ORDINANCE 2019-13** by title only.

#### **ORDINANCE 2019-13**

**(Annexation – 9.04 acres east of US Highway 27 and abutting Towerview Blvd)**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 9.04 ACRES OF TERRITORY, CONTIGUOUS TO THE INCORPORATED TERRITORY OF THE CITY OF LAKE WALES SHOWN ON ATTACHMENT "A" AND SPECIFICALLY DESCRIBED HEREIN; GIVING THE CITY OF LAKE WALES JURISDICTION OVER THE LAND ANNEXED; AND PROVIDING FOR AN EFFECTIVE DATE.**

Autumn Cochella, Development Services Manager, reviewed this item.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE 2019-13** after second reading and public hearing. Commissioner Curtis Gibson seconded the motion.

By Roll Call vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

- 8.II. Ordinance 2019-14, Zoning Amendment: 2nd Reading – Public Hearing 8.68 Acres: City Limits Road, Old Scenic Highway, West Of Lake Wales High School (Property Appraiser's Property ID #27293500000023010)

[End Agenda Memo]

### **SYNOPSIS**

The request for re-zone is being made by the owner, Ag Investments of Polk County to rezone approximately 8.68 acres of property located on the south side of City Limits Road, north of Old Scenic Highway, and West of Lake Wales High School, from zoning designation R-1B Single Family Residential to R-1D Single-Family Residential.

### **RECOMMENDATION**

Staff recommends adoption of Ordinance 2019-14 at 2nd reading and public hearing.

Public notice requirements have been met.

The Planning and Zoning Board held a public hearing on September 17, 2019 and voted unanimously to recommend a change in zoning designation on the subject property from City of Lake Wales designation R-1B single family residential to R-1D single family residential.

### **BACKGROUND**

The Future Land Use Map (FLUM) of the Comprehensive Plan provides a general guide for designation of zoning districts. Generally, the zoning should be a classification compatible with the FLUM classification. In this case, the FLUM classification of MDR-Medium Density Residential does not correspond with the proposed R-1D zoning. (See Table 23-405 "Correspondence of Zoning Districts to Comprehensive Plan Land Uses.") However, development under the R-1D zoning designation would be in keeping with the neighborhood that is immediately adjacent to the property.

Surrounding zoning designations:

North: County – A/RR – Agriculture/Rural-Residential  
South: City – R-1D Residential  
East: City – R-1B Residential  
West: City – R-1D Residential

[End Agenda Memo]

Zaillet Suri, Deputy City Clerk, read **ORDINANCE 2019-14** by title only.

**ORDINANCE 2019-14**

**(Ag Investments of Polk County, owner – Rezone R-1B to R-1D)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE ZONING MAP ESTABLISHED UNDER THE LAKE WALES CODE OF ORDINANCES, CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS, TO CHANGE THE ZONING DESIGNATION OF 8.68 ACRES LOCATED ON THE SOUTH SIDE OF CITY LIMITS ROAD, NORTH OF SUMMIT AVENUE AND WEST OF LAKE WALES HIGH SCHOOL, FROM R-1B SINGLE-FAMILY RESIDENTIAL TO R-1D SINGLE-FAMILY RESIDENTIAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

Autumn Cochella, Development Services Manager, reviewed this item.

OPENED PUBLIC HEARING

John Snyder, Hunter Engineering, said he was here on behalf of the applicant to answer questions.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE 2019-14** after second reading and public hearing. Commissioner Curtis Gibson seconded the motion.

By Roll Call vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

Mr. Fields asked how many homes are proposed. Mr. Snyder said 55 but they still have to go through the engineering part.

8.III. Ordinance 2019-15 – 2nd Reading – Public Hearing Amendments To Zoning, Land Use And Development Regulations

[Begin Agenda Memo]

**SYNOPSIS**

Ordinance 2019-15 identifies necessary amendments to Section 23-523, Docks and Piers, to address new issues and provide better clarification and intent of the code.

Public notice requirements have been met.

## **RECOMMENDATION**

Staff recommends the adoption of Ordinance 2019-215 on second reading after public hearing.

## **BACKGROUND**

Staff has recognized an increasing number of requests from lake front property owners to build private docks which would extend into public waters. Through researching other local codes, staff found that our current code does not address many regulatory elements associated with both the construction of and use of docks and piers in our city.

The proposed updated regulations for Docks and Piers, Section 23-523, were discussed with the Development Review Committee on September 5, 2019. The Planning and Zoning Board voted at a regular meeting on September 17, 2019, to recommend the amendments to Commission as set forth in Ordinance 2019-15.

## **FISCAL IMPACT**

The amendments have no identifiable fiscal impact themselves.

## **OTHER OPTIONS**

None.

[End Agenda Memo]

Zaillet Suri, Deputy City Clerk, read **ORDINANCE 2019-15** by title only.

## **ORDINANCE 2019-15**

**(Zoning Amendment – Chapter 23 Zoning, Land Use and Development)**

**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, SECTION 23-523. DOCKS AND PIERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Autumn Cochella, Development Services Manager, reviewed this item.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE 2019-15** after second reading and public hearing. Commissioner Goldstein seconded the motion.

By Roll Call vote:

Commissioner Howell "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"



Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

- 8.IV. Ordinance D2019-01 – CPA/Zoning – 2nd Reading – Public Notice John G. Wood And Associates, Inc. Property – US Hwy 27 And Towerview Blvd

[Begin Agenda Memo]

### **SYNOPSIS**

This ordinance will amend land use designations on the Future Land Use Map (Comprehensive Plan) and the Zoning Map for the John G. Wood and Associates property, 9.04 acres East of US Highway 27 and abutting Towerview Boulevard. The first reading for the annexation of this property has taken place on this date, at the request of the property owner. The Planning & Zoning Board recommends High-Density Residential on 7.66 acres and General Commercial on the 1.38 acres which about US Highway 27.

### **RECOMMENDATION**

The Planning & Zoning Board held a public hearing on the proposed amendments to the Future Land Use and Zoning Maps for the John G. Wood and Associates Property on September 17, 2019 and recommended the following amendments as set forth in Ordinance D2019-01:

#### **7.66 Acres East of Highway 27 and Abutting Towerview Boulevard**

Polk County Future Land Use Map designation RS-Residential Suburban to City of Lake Wales Future Land Use Map designation MDR-Medium Density Residential and City of Lake Wales Zoning Map Designation R-3 Residential

#### **1.38 Acres East of Highway 27 and south of Towerview Boulevard**

Polk County Future Land Use Map designation CE-Commercial Enclave to City of Lake Wales Future Land Use Map designation GC-General Commercial and City of Lake Wales Zoning Map Designation C-4 Neighborhood Commercial  
Public Notice requirements have been met.

### **FISCAL IMPACT**

Assigning land use designations enables future development of the property and a potential increase in the tax base.

### **OTHER OPTIONS**

Lake Wales has no equivalent zoning district for Polk County RR and no Agricultural designation. Agricultural uses, limited to plant cultivation, are allowed in all zoning districts. The keeping of livestock is prohibited in the city.

[End Agenda Memo]

Zailet Suri, Deputy City Clerk, read **ORDINANCE D2019-01** by title only.

### **ORDINANCE D2019-01**

**(CPA/Zoning John G. Wood and Associates, Inc. – 9.04 acres – US Highway 27 and Towerview Blvd)**

**AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN AND THE ZONING MAP TO CHANGE LAND USE DESIGNATIONS ON 7.66 ACRES OF LAND LOCATED EAST OF HIGHWAY 27 AND ABUTTING TOWERVIEW BOULEVARD FROM POLK COUNTY DESIGNATION RS-RESIDENTIAL SUBURBAN TO CITY OF LAKE WALES FUTURE LAND USE DESIGNATION HDR – HIGH DENSITY RESIDENTIAL AND ZONING DESIGNATION TO R-3 RESIDENTIAL AND TO CHANGE THE LAND USE DESIGNATIONS ON 1.38 ACRES ON THE EAST SIDE OF HIGHWAY 27 AND SOUTH OF TOWERVIEW BOULEVARD FROM POLK COUNTY DESIGNATION CE-COMMERCIAL ENCLAVE TO CITY OF LAKE WALES FUTURE LAND USE DESIGNATION GC – GENERAL COMMERCIAL AND ZONING DESIGNATION C-4 – NEIGHBORHOOD COMMERCIAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

Autumn Cochella, Development Services Manager, reviewed this item.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to adopt **ORDINANCE 2019-15** after second reading and public hearing. Commissioner Goldstein seconded the motion.

By Roll Call vote:

Commissioner Howell "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

## 9. NEW BUSINESS

### 9.I. Resolution 2019-19 Lake Wales Youth Council

[Begin Agenda Memo]

#### **SYNOPSIS:**

Resolution 2019-19 will authorize the formation of a Youth Council for Lake Wales in partnership with the Lake Wales Branch of the NAACP.

#### **RECOMMENDATION**

Staff recommends approval of Resolution 2019-19.

#### **BACKGROUND**

The Lake Wales Branch of the NAACP has offered to work with City staff to establish a Youth Council in Lake Wales. This Council will advise the Mayor and City Commission on issues of concern to them

and their peers. This partnership will teach students about the value of participating in local government and about issues of local concern.

Participation on this council will be open to students from any school in the Lake Wales area under the age of 18. There are no residency requirements. Students must follow guidelines established by their school for other extracurricular activities as far as grades and discipline requirements.

#### **OTHER OPTIONS**

Do not approve Resolution 2019-19

#### **FISCAL IMPACT**

None

[End Agenda Memo]

Zailet Suri, Deputy City Clerk, read **RESOLUTION 2019-19** by title only.

#### **RESOLUTION 2019-19**

#### **A RESOLUTION AUTHORIZING THE FORMATION OF A LAKE WALES YOUTH COUNCIL IN PARTNERSHIP WITH THE LAKE WALES BRANCH OF THE NAACP**

Commissioner Howell made a motion to adopt **RESOLUTION 2019-19** after second reading and public hearing. Commissioner Goldstein seconded the motion.

By Roll Call vote:

Commissioner Howell "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

#### 9.II. Ordinance 2019-07 Amendments To Purchasing Ordinance

[Begin Agenda Memo]

**SYNOPSIS:** The City Commission will consider approving the proposed amendments to the current Purchasing Ordinance.

#### **RECOMMENDATION**

It is recommended that the City Commission approve Ordinance 2019-07 after first reading.

#### **BACKGROUND**

Ordinance 2019-07 amends our current Purchasing Ordinance, 2013-17. The proposed amendments

update language in the City's existing Code section to conform to the U.S. Office of Management and Budget's Uniform Guidance Procurement Standards. Compliance requires adoption of policies that align with UGPS regulations when using federal grant dollars. Specifically, the section of City Code pertaining to federal CDBG grants (§2-486) is being amended to apply to all federal grant programs.

#### **OTHER OPTIONS**

The City Commission may choose not to adopt Ordinance 2019-07. If this option is exercised, the City will be ineligible to receive future federal grants.

#### **FISCAL IMPACT**

No fiscal impact is associated with adoption of Ordinance 2019-07.

[End Agenda Memo]

Zailet Suri, Deputy City Clerk, read **ORDINANCE 2019-07** by title only.

#### **ORDINANCE 2019-07**

**AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE IV, DIVISION 9, LAKE WALES CODE OF ORDINANCES, TO INCORPORATE PROCUREMENT AND ACQUISITION PROCEDURES APPLICABLE TO CDBG AND ALL OTHER FEDERALLY FUNDED PROGRAMS; PROVIDING FOR AN EFFECTIVE DATE.**

James Slaton, Assistant City Manager, reviewed this item.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **ORDINANCE 2019-07** after first reading. Commissioner Curtis Gibson seconded the motion.

By Roll Call vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

#### 9.III. Resolution 2019-20 Reimbursement Of Debt

[Begin Agenda Memo]

#### **SYNOPSIS:**

The City Commission will consider adopting Resolution 2019-20 for the purpose of reimbursing itself from debt proceeds for any advance expenditures related to the acquisition of the Lake Wales Family

YMCA facility.

## **RECOMMENDATION**

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

1. Adopt Resolution 2019-20.

## **BACKGROUND**

Resolution 2019-20 will allow the City to reimburse itself from debt proceeds for advance expenditures related the acquisition of the Lake Wales Family YMCA facility. Resolutions of this nature are required for reimbursements from debt issued on a tax-exempt basis (Treasury Regulation Section 1.150-2). To date, \$6,800 has been expended for two state certified real estate appraisals in accordance with the City's Code of Ordinances (Chapter 2, Article IV, Division 6, §2-467 (d)). Remaining due diligence steps, include: (1) boundary survey, (2) phase one environment site assessment, and (3) title insurance commitment.

## **OTHER OPTIONS**

The City Commission could choose to wait until the debt proceeds are in-hand to move forward with the due diligence work related to the facility acquisition. This decision, however, will delay the acquisition by at least an additional 90 days.

## **FISCAL IMPACT**

If the City Commission does not adopt Resolution 2019-20, any expenditures advanced prior to receiving the debt proceeds will be absorbed by the City's general fund.

[End Agenda Memo]

Zaillet Suri, Deputy City Clerk, read **RESOLUTION 2019-20** by title only.

## **RESOLUTION NO. 2019-20**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LAKE WALES, FLORIDA, DECLARING THE OFFICIAL INTENT OF THE CITY TO REIMBURSE ITSELF FROM THE PROCEEDS OF DEBT FOR EXPENSES TO BE INCURRED WITH RESPECT TO A CERTAIN PROJECT; AUTHORIZING CERTAIN INCIDENTAL ACTIONS; AND PROVIDING AN EFFECTIVE DATE.**

James Slaton, Assistant City Manager, reviewed this item.

Deputy Mayor Robin Gibson asked if the city will advance funds from general revenue. Mr. Slaton said yes. Deputy Mayor Robin Gibson asked if this is like a bridge loan. Dorothy Abbott, Finance Director, said yes. She explained how this works and said a resolution is required if the city wants this to happen. This makes the project more doable. Mr. Fields asked if this can be retroactive. Mr. Slaton said for 60 days.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve **RESOLUTION 2019-20** after first reading. Commissioner Curtis Gibson seconded the motion.

By Roll Call vote:

Commissioner Howell "YES"

Commissioner Curtis Gibson "YES"

Commissioner Goldstein "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

#### 9.IV. Agreement With Public Financial Management, Inc. For Financial Advising

[Begin Agenda Memo]

##### **SYNOPSIS:**

The City Commission will consider entering into an agreement with Public Financial Management, Inc. for Professional Services Relating to the Preparation of a Valuation Study to assist the City in determining the fair market value of Park Water Company, Inc.

##### **RECOMMENDATION**

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

1. Approve the engagement letter for Public Financial Management, Inc. (PFM) for financial advisory services.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.
3. Approve a budget amendment in the amount of \$35,000.

##### **BACKGROUND**

The City is considering acquiring the water utilities of Park Water Company. Acquisition of Park Water Company could prove to be a strategic benefit to the City. Moving forward with this proposal allows staff to fully assess and complete the necessary due diligence before making a recommendation on potential acquisition. The City currently has an existing contract with PFM for financial advisory services. Staff recommends the Commission take the following action; approve engagement letter with PFM, authorize the City Manager to execute the appropriate documents, and approve a budget amendment not to exceed \$35,000.

##### **OTHER OPTIONS**

The City Commission may direct staff to go out for competitive sealed proposals for financial advisory services.

##### **FISCAL IMPACT**

PFM will be compensated a fixed fee of \$35,000, plus out of pocket costs.

[End Agenda Memo]

Sarah Kirkland, Utilities Director, reviewed this item.

Commissioner Howell asked about reimbursing meals. Ms. Kirkland said we will reimburse them if they travel here as well as other travel expenses.

Commissioner Howell made a motion to approve the agreement with Public Financial Management. Commissioner Goldstein seconded the motion.

By Roll Call vote:

Commissioner Howell "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

#### 9.V. Agreement With Bryant Miller Olive, P.A. For Special Counsel Services

[Begin Agenda Memo]

##### **SYNOPSIS:**

The City Commission will consider entering into an agreement with Bryant Miller Olive, P.A. (BMO) for Special Counsel Services Related to Acquisition of Water Utility Assets of Park Water Company, Inc.

##### **RECOMMENDATION**

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

1. Approve the engagement letter for Bryant Miller Olive, P.A. for Special Counsel Services.
2. Authorize the City Manager to execute the appropriate documents, on the City's behalf.
3. Approve a budget amendment not to exceed \$65,000.

##### **BACKGROUND**

The City is considering acquiring the water utilities of Park Water Company. Acquisition of Park Water Company could prove to be a strategic benefit to the City. Moving forward with this proposal allows staff to fully assess and complete the necessary due diligence before making a recommendation on potential acquisition. Staff recommends the Commission take the following action; approve engagement letter with BMO, authorize the City Manager to execute the appropriate documents, and approve a budget amendment not to exceed \$65,000.

##### **OTHER OPTIONS**

Direct staff to seek other Special Counsel Services.

##### **FISCAL IMPACT**

BMO will be compensated at a, minimum of \$30,000, not to exceed \$65,000, plus out of pocket expenses from the Utilities Enterprise Fund.

[End Agenda Memo]

Sarah Kirkland, Utilities Director, reviewed this item.

Commissioner Curtis Gibson asked if our attorney could do this. Albert Galloway Jr, said this is for Bond Counsel which he doesn't do. Mr. Fields said the cost is \$30,000 for initial work but it goes up if we go forward. Deputy Mayor Robin Gibson said this has to be done right.

Commissioner Howell made a motion to approve the agreement with Bryant Miller Olive PA. Commissioner Goldstein seconded the motion.

By Roll Call vote:

Commissioner Howell "YES"

Commissioner Goldstein "YES"

Commissioner Curtis Gibson "YES"

Deputy Mayor Robin Gibson "YES"

Mayor Fultz "YES"

Motion passed 5-0.

10. CITY ATTORNEY

Albert Galloway, Jr, City Attorney, reported that City Staff is still working through the ADA matter with the pickleball group.

11. CITY MANAGER

Kenneth Fields announced that James Slaton to Deputy City Manager and Kathy Bangley as Assistant City Manager of Planning and Economic Development. These changes are due to increased responsibilities.

Commissioner Howell asked how long Ms. Bangley was a Department Head. Mr. Fields said 5 years.

Commissioner Curtis Gibson asked if there will be a salary adjustment. Mr. Fields said yes and he will be reviewing employees salary and how to adjust them. He will bring forth a plan for next year's budget to accommodate a \$15 an hour minimum wage that may be coming in the future. He would like to have a multi-year plan to raise salaries to stay competitive. Commissioner Curtis Gibson asked if salaries at a certain amount in the budget can be changed. Mr. Fields explained that he has authority over personnel and salaries. This was discussed further.

11.I. Tracking Report

11.II. Social Media Tracking Report

11.III. Commission Meeting Calendar

11.IV. Other Meetings And Events

Kenneth Fields reminded everyone of Pioneer Days next weekend.

12. CITY COMMISSION COMMENTS

Commissioner Goldstein expressed support for restoring the band mural downtown.



Commissioner Curtis Gibson suggested as part of the Recreation Master Plan that we look at fees for facility usage. Mr. Fields said that the Recreation Commission will come before the Commission to discuss this and other issues.

Commissioner Howell asked about using other facilities to help our local organizations. We need more fields and courts. Mayor Fultz said that he would like us to continue to move forward on a multi-purpose complex.

Deputy Mayor Robin Gibson expressed support for implementing the Dover Kohl plan including planting more trees through the downtown.

Commissioner Curtis Gibson recommended the City sponsor the MLK Parade and help the MLK Committee. We have a great parade.

13. MAYOR COMMENTS

Mayor Fultz reported on advocacy efforts with the legislature and working with the Florida League of Cities. Advocacy efforts were discussed.

14. ADJOURNMENT

Meeting was adjourned at 7:27 p.m.

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Mayor

ATTEST

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City Clerk