

**CITY COMMISSION
REGULAR MEETING
OFFICIAL AGENDA
February 16, 2016
6:00 p.m.**

**Municipal 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: Children's Day

Documents: [PROCLAMATION.PDF](#)
6. PRESENTATION/REPORT
7. COMMUNICATIONS AND PETITIONS

Public participation is encouraged. If you are addressing the Commission, step to the podium and state your name and whether your address resides inside or outside City limits. Please limit your discussions to five (5) minutes.
8. 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.

 - 8.I. Approval Of Minutes: February 2, 2016, Regular Meeting

Documents: [2016-02-02REG.PDF](#)
 - 8.II. Special Event Application: 4th Of July Celebration

The approval will allow the 4th of July Festival to take place on the shores of Lake Wailes.

Documents: [AGENDA ITEM ID4 PERMIT16.PDF](#), [ID4 CELEBRATION 2016.PDF](#), [4TH OF JULY SITE MAP.PDF](#)
 - 8.III. Resolution 2016-04, Railroad Reimbursement Agreement For Park Avenue Rail Crossing

The City Commission will consider approving Resolution 2016-04 with the Florida Department of Transportation hereinafter Florida Midland Railroad Company, Inc. for grade crossing traffic control devices on Park Avenue.

Documents: [MEMO](#), [RES2016-04.PDF](#), [RES2016-04.PDF](#), [FDOT AGREEMENT.PDF](#)
 - 8.IV. Resolution 2016-06, Highway Maintenance Agreement With The Florida Department Of Transportation

The City Commission will consider approving Resolution 2016-06, to continue the

highway maintenance for certain State Road Rights of Ways with the Florida Department of Transportation for an additional three (3) year period for an annual compensation of \$26,210.51.

Documents: [MEMO-RES2016-06 HIGHWAY 60 MAINTENANCE AGREEMENT.PDF](#), [RES2016-06 HW 60 MAINTENANCE AGREEMENT.PDF](#), [FDOT-HWY 60 MAINTENANCE AGREEMENT.PDF](#)

8.V. Preliminary Financial Statements For January 31, 2016
Commission Financials for January 1/31/2016

Documents: [001 - AGENDA -COMMISSION FINANCIALS - JAN 2016.PDF](#), [002 - COMMISSION FINANCIALS JAN 2016.PDF](#)

9. OLD BUSINESS

9.I. Ordinance 2016-03, FY15'16 Budget Amendment #1, 2nd Reading & Public Hearing
The City Commission will consider approval of the first Amendment of FY 2015'16 Budget. The fiscal impact is shown in Exhibit A & B.

Documents: [001.5 - MEMO - BUDGET AMENDMENT FY 15-16 - NO 1 - SECOND READING.PDF](#), [002 - BUDGET AMENDMENT - ORDINANCE 2016-03.PDF](#), [003 - EXHIBIT A.PDF](#), [004 - EXHIBIT B.PDF](#), [005 - EXHIBIT C.PDF](#)

10. NEW BUSINESS

10.I. Fair Housing Public Hearing

As part of the CDBG requirements the City must hold a public meeting to provide information about fair housing regulations and practices to the general public and elected officials.

Documents: [AGENDA ITEM FAIR HOUSING MTG 2016.PDF](#), [--2-16-15 FAIR HOUSING TRAINING MATERIALS.PDF](#)

10.II. CDBG Grant Approval And 2nd Public Hearing; Resolution 2016-02 & Resolution 2016-03

Community Development Block Grant (CDBG) 2nd Public Hearing and Resolution 2016-02 to authorize the grant application and Resolution 2016-03 authorizing the SRF funds to be used as match.

Documents: [2-16-16 AGENDA ITEM 2ND PUB HEARING CDBG PH2.PDF](#), [2015-16 CDBG FISCAL IMPACT.PDF](#), [LAKE WALES CDBG GRANT APPLICATION DRAFT.PDF](#), [2-16-16 LW CDBG ENABLING RESOLUTION.PDF](#), [2-16-16 LOCAL MATCH RES.PDF](#)

10.III. City Of Lake Wales Charter Amendment Fire Assessment Fees

A petition was circulated to place a charter amendment on the 2016 Commission Election ballot.

Documents: [MEMO - FIRE ASSESSMENT FEE -021016.PDF](#), [ATTACHMENTS-CHARTER AMENDMENT.PDF](#)

11. CITY CLERK

11.I. 2016 Municipal Election & Canvassing Board Information

The City Commission will have a special meeting on February 19 at 4:00 p.m. in the Commission Chambers to approve the ballot language for the April 5, 2016 Commission Election.

Documents: [MEMO - 2015 MUNICIPAL ELECTION ACTIVITIES.PDF](#),

12. CITY MANAGER

12.I. TRACKING REPORT

Documents: [TRACKING.PDF](#)

12.II. City Commission Meeting Calendar

Documents: [MEETING CALENDAR, 2-16-2016.PDF](#)

12.III. Other Meetings & Events Calendar

Documents: [OTHER MEETINGS AND EVENTS CALENDAR.PDF](#)

12.IV. Information: Boards, Commissions, Committees

Documents: [BOARD INFORMATION.PDF](#)

13. CITY COMMISSION COMMENTS

14. MAYOR COMMENTS

(The staff memos are 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, the 21st Annual Children's Week celebrating Parents' and Children will take place in Tallahassee from January 24, 2016, to January 29, 2016, bringing thousands of parents, children, professionals, policy makers, community leaders, and concerned citizens together to share valuable knowledge and information about children's issues across the state and in our capitol city; and

WHEREAS, the purpose of Children's Week is to create a shared vision of the State of Florida's commitment to its children and families and to engage a long-term process to develop and implement strategies for moving the shared vision forward; and

WHEREAS, Children's Week has teamed up with more than 100 leading statewide business and non-profit organizations and hundreds of local organizations to expand the network of community involvement and education on a wide array of children and family issues at the local level and to conduct events and activities in March and April in all 67 counties focused on improving the health, safety, and well-being of Florida's children and families; and

WHEREAS, hundreds of local municipalities have officially proclaimed "Children's Day" and hosted hundreds of public events and activities for parents and children in their community,

NOW, THEREFORE, I, Eugene Fultz, as Mayor of the City of Lake Wales, Florida, do hereby proclaim Sunday, January 24, 2016, as

CHILDREN'S DAY

in the City of Lake Wales and encourage all citizens of Lake Wales to remember that, "Our Children are Our Future".

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Lake Wales to be affixed this 16th day of February 2016.

Mayor Eugene Fultz
Lake Wales, Florida

The meeting of the Lake Wales City Commission was held on February 2, 2016 in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor Eugene Fultz at approximately 6:00p.m. following the Invocation and the Pledge of Allegiance.

INVOCATION

The invocation was given by Dr. Jim Moyer.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Terrye Y. Howell; Pete Perez; Christopher Lutton; Eugene Fultz, Mayor

COMMISSIONERS ABSENT: Jonathan Thornhill

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

5. MAYOR

Agenda Item 5.I. PROCLAMATION: Restaurant Appreciation Day

Mayor Fultz read a proclamation proclaiming February 2, 2016 as "Restaurant Appreciation Day." He read individual proclamations to the restaurants that were present to receive a proclamation: Anita's Restaurant, Bill's Café Restaurant, Brocks Restaurant, Family Restaurant, Fire Restaurant, Lincontros Restaurant, and Sizzling Grill.

6. PRESENTATION/REPORT

Agenda item 6.I. Status Report on the Lake Wales Depot Museum

Robert Connors, secretary to the Lake Wales Museum Association, Inc., gave a status report on the Lake Wales Depot Museum. The report provided an overview of the Lake Wales Museum Site and Facilities Master Use Plan prepared by the Association that he distributed before the meeting. He said thanks to Mimi Hardman the museum has been an asset to the City and it is their goal to include that asset in a major magnificent way and establish it as a future resource for the City. Mr. Connors said that at the request of the City they have remained involved over the course of the year to keep it as a public-private partnership. During that time they incorporated a new organization, The Lake Wales Museum Association, Inc., and have applied for a 501(c)(3) status. They stayed very busy and active over the year and have had numerous meetings, which Monica Pierce played a major role in by facilitating the entire process. They developed a membership program and a schedule of membership contributions in different tiers. Although they have a temporary brochure and are already recruiting members, Webber University is going to participate in developing a professional brochure. The Association also developed a special events schedule, which they perceive employing at the museum through the course of the year. They perceive this as an educational resource that will keep the museum very active. Mr. Connors asked the Commission to take the time to read through the Plan and understand the potential and opportunity that is presented in that facility and how the space there can be employed to fully serve the community to the highest and best purposes such educational classroom facilities, meeting facilities, a small video theatre, etc. They also want to use the exterior space as well for educational purposes. Achieving the goals set forth in this plan will result in increased visitation and recognition of the Museum as tourist and educational destination, and align with and enhance efforts to re-invigorate the economic climate of Lake Wales. The primary focus which is the very critical is to understand the Plan.

Commissioner Perez asked if a timeline and a budget had been established. Mr. Connors said in back of the Plan are some improvement phase timelines they want to do to the museum properties which include making it fully handicap accessible and some budgets they put together for that. They envision utilizing the larger southern parking lot and eventually having a caterer's kitchen installed in hopes of hosting large groups with meal service in the old freight room. He said this is long-range planning that will not happen overnight. We currently do not have a civic center so we are very limited in terms of public meeting spaces. To have

additional facility for dedicated educational purposes will be a tremendous asset to the City, which is one of biggest things they would like to accomplish. He said it is up to the Commission to help develop a budget to give what support it can because it deserves to have a major role in the City's activities here. They too intend to arrange for funding to be available to make that happen, which will not happen overnight.

Commissioner Lutton said he understands that the Pullman car will cost a lot of money to repair but it is kind of a nice unique square footage. Mr. Connors said the car is pretty rough with broken windows, it suffered a lot of water damage over the years, and it would be very expensive to restore. He said he would rather spend the time and money restoring the caboose instead because it is in far better shape although it needs quite a bit of work too. The caboose could be restored relatively affordably, it is sort of a logo in essence to the museum, and the kids would love it. He said unfortunately the locomotive has no direct historic connection to Lake Wales but the scrap value of it is significant. As time passes, that value continues to decrease. Mr. Fields said the locomotive is currently being auctioned.

Mr. Fields asked the initial target date for the opening of the Depot Museum. Ms. Monica Pierce, Depot Museum Director, said they are hoping to open by the end of May. Mr. Connors said they plan to provide the Commission with a more in-depth report sometime in April that includes an audio visual presentation.

7. COMMUNICATIONS AND PETITIONS

Peggy Hawkins, representing the VFW, provided an update on upcoming events that the VFW has planned.

Jill Wiltshire Howell, non-resident and member of the Dr. Wiltshire Foundation, said it was brought to her attention today that the organization constantly does not follow certain guidelines when it comes to planning their events. She said they were not aware of that, but did make the correction. Ms. Howell invited everyone to attend their first Friday activity at the James P. Austin Community Center.

Mr. Fields explained that the Dr. Wiltshire Foundation reserved the James P. Austin Community Center for the first Friday of each month. The organization was not aware that they could not charge admission fees but they are allowed to accept donations. That has been clarified.

Mayor Fultz said the Dr. Wiltshire Foundation does great work in this City helping young people and they have an annual health fair event at the Austin Center.

Jolene Lake, resident, said she learned that the Lake Wales Villas and the Lake Wales Gardens do not have handicap accessible sidewalks. Some of the sidewalks are as high as 4-1/2 inches to 7 inches high, which make it hard for the residents that have motorized wheel chairs, non-motorized wheelchairs, canes, and walkers to get up onto the sidewalks. They have to use the streets instead of the sidewalks, which create a safety problem for them and vehicles. There are four curbs that need to be corrected: two in front of the Lake Wales Villas on Third Street and the other two in front of Lake Wales Gardens on Third Street. Two of the curbs have a storm drain which might make it difficult to be corrected. She asked the Commission if they could evaluate the feasibility of making the sidewalks in front of Lake Wales Villas and Lake Wales Gardens handicap accessible so that the residents can visit the surrounding businesses safely and without getting onto the road.

Mr. Fields said he will have Public Works and Code Enforcement go and evaluate the sidewalks to see what can be done in that area. There are usually grants available for ADA accessibility.

Commissioner Lutton asked if a letter could be sent to the two housing complexes asking how many people they have living in the complexes that are wheelchair bound. Because of the limited funds we can prioritize and do the one that has more residents first. Ms. Lake explained the problem with that. Mr. Fields said he will have the various departments look at that and prioritize them based on the number of people. Commissioner Lutton said we could evaluate all of them in the City to see which ones could be done first. Sidewalks provide access to their stores.

Mr. Fields said we went through an ADA audit and Planning and Development Director Kathy Bangle said she thought that the audit was only for buildings and not necessary sidewalks. Mr. Fields said he thought FDOT conducted an audit on the sidewalks, but he would look at those specific locations and see if there are grant monies available to address that.

Jackie Jackson, resident, complained about the poor lighting on East Polk Avenue between First and Third Streets and said that she had complained about it before. James Slaton, Public/Support Services Director, said Duke Energy already approved putting up the lighting there and they will be installing them.

Mimi Hardman, resident, suggested that the City send a letter thanking the people that gave the train cars and the Depot Museum buildings to the City. She thanked the City for the opportunity of allowing her to get them from CSX and helping to make the City a better place to live.

8. CONSENT AGENDA

Agenda Item 8.1. APPROVAL OF MINUTES: January 19, 2016 Regular Meeting

Agenda Item 8.II. Special Event Application: Mardi Gras Carnival

[Begin Agenda Memo]

SYNOPSIS

This approval of the Special Event Permit Application will allow the American Legion to host a Kid's Carnival during the Mardi Gras activities, allow for the temporary closing of the City lot located at the intersection of First Street and Tillman Avenue.

• RECOMMENDATION

- The American Legion Post 71 requested that the City Commission take the following action:
- Approve the Special Event Permit application for the American Legion Post 71 to host a Kids' Carnival beginning Thursday, February 4, from 10:00 a.m. -11:00 p.m. and ending Sunday, February 7, at 11:00 p.m.
- Approve the temporary closing of the City lot located at the intersection of First Street and Tillman Avenue for the carnival to be set up beginning on Wednesday, February 3, 2016. The carnival will tear down on Monday February 8, 2016.
- Approve the waiver of the business tax of \$750.00 for the carnival as the American Legion is non-profit and the tax can be waived by the commission.

BACKGROUND

Ira Anderson, Commander for the American Legion Post 71 submitted a Special Event Permit Application to host the Florida Carnival and More Inc.'s Carnival during the Lake Wales Mardi Gras event. They are requesting the temporary closing of the City lot near SunTrust bank at the intersection of First Street and Tillman Avenue beginning on February 3, 2016 for the setup of the carnival and continuing until February 8, 2016 when the rides and games will be taken down and removed.

The carnival, if approved, will be from 10:00 a.m. to 11:00 p.m. on Thursday, February 4 to Sunday, February 7, 2016.

The American Legion is also requesting a waiver from the City Commission for the business tax for the carnival (per Chapter 14, Sec. 14-114) for \$750.00 (per Chapter 19, Sec. 19-130). Chapter 14, Sec. 14-114 provides for an exception when the event is sponsored by a local nonprofit civic, professional, educational, or religious organization. The local business tax may be waived with prior approval of the city commission.

City staff has reviewed the application and has found no issues with its approval as long as certain conditions are met as follows:

- The American Legion will be responsible in providing a dumpster and sanitary facilities at the site.
- The American Legion will be responsible in making sure that Florida Carnival and More Inc. has the required permit from the State of Florida Division of Hotels and Restaurants and an annual permit from the State of Florida Department of Agriculture Division of Consumer Services.
- A Certificate of Liability insurance is required naming the city as additionally insured.
- The American Legion is responsible in making sure that Florida Carnival and More Inc. cleans up the trash during and at the end of the day, and that the city lot is cleaned of all trash when the carnival is concluded. The Streets Division will place trash containers at this location, however, the City will not be providing clean up services.

OTHER OPTIONS

Do not approve the carnival, the temporary closing of the city lot or the waiver of the business tax.

FISCAL IMPACT

This event was not budgeted in FY15/16 for in-kind services. The American Legion Post 71 will pay in-kind services that might be provided by the City at 100%.

[End Agenda Memo]

Commissioner Lutton made a motion to approve the Consent Agenda. Commissioner Howell seconded the motion.

By Voice Vote:

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

The motion carried 4-0.

9. OLD BUSINESS

10. NEW BUSINESS

Agenda Item 9.1 Ordinance 2016-03, FY15'16 Budget Amendment #1 – 1ST Reading

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider approval of the first Amendment of FY 15'16 Budget that was adopted on September 15, 2016.

RECOMMENDATION

It is recommended that the City Commission approve Ordinance 2016-03 after first reading.

BACKGROUND

Ordinance 2015-09 estimating revenues and appropriating funds for Fiscal Year 2015-16 was adopted by the City Commission September 15, 2015.

We are presenting Ordinance 2016-03 to modify the estimates of revenues and appropriations budgeted in various funds. This is primarily a housekeeping ordinance to conform the adopted budget to realized or expected changes within the current fiscal year. Explanation of change, for significant items, has been provided on both Exhibit A and B. Detail budgetary changes have been provided in Exhibit C.

OTHER OPTIONS

This is a required budgetary amendment for compliance purposes relating to the City's Charter and Florida State Statute.

Per the Lake Wales City Charter, Section 6.07, upon written request by the City Manager, the City Commission may by ordinance transfer part or all of any unencumber appropriation balance from one department, office or agency to another. Per Florida State Statute, Section 166.241, the budget must regulate expenditures of the municipality. If a budget amendment is required the amendment must be adopted in the same manner as the original budget.

FISCAL IMPACT

See Exhibit A and Exhibit B attached to Ordinance 2016-03 in the Commission agenda file.

[End Agenda Memo]

City Clerk Clara VanBlargan read Ordinance 2016-03 by title only:

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING ORDINANCE 2015-09 TO MODIFY THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY FOR THE 2015-2016 FISCAL YEAR AND TO MODIFY THE APPROPRIATION OF FUNDS RAISED AND COLLECTED FROM ALL SOURCES SET FORTH IN THE ESTIMATE OF REVENUES FOR SAID FISCAL YEAR; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

Finance Director Dorothy Ecklund reviewed Agenda Item 9.I, explained the changes made to the budget, and said she put notations by the significant items that were changed.

Mr. Fields said we tend to be very conservative in our budgeting estimation at the beginning of the year because if any minor glitches occur during the year we can ride over them.

Commissioner Perez asked who determines what additional revenue the City needs to acquire. Mr. Fields said staff is responsible and as city manager he always challenges them to look at ways in obtaining more money such as through grants, surplus equipment that we can get rid of, etc., and encourages them to come up with new ways of doing things, to be entrepreneurial. Staff does free up money in their budget that allow us to do other things we wanted to do but had put it off a year or two in the future.

Commissioner Lutton recommended touting the horn when finding another source to complete a project and highlight that to the Commission each time when bringing forward a purchase request because that shows the citizens they are getting their money's worth and that staff is really looking to find ways in saving money and still do the same job.

OPENED PUBLIC COMMENT

There were no comments made by the public.

CLOSED PUBLIC COMMENT

Commissioner Lutton made a motion to approve Ordinance 2016-03 after first reading. Commissioner Howell seconded the motion.

By Roll Call Vote:

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

The motion carried 4-0.

Agenda Item 9.II. Appointment – Board of Zoning Adjustment and Appeals

[Begin Agenda Memo]

SYNOPSIS

Appointments fill vacancies due to resignations, expiration of terms, newly established boards, etc. These are volunteer citizen boards.

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 appointment 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 ($\frac{1}{2}$) of the normal term for that particular board, commission or committee shall be permitted to serve three (3) consecutive terms in addition to the partial term. Members appointed before July 1, 1989, may be permitted to serve three (3) additional consecutive terms. This limit on consecutive terms may be waived for members of regulatory boards (i.e., planning and zoning board, board of appeals, code enforcement, etc.) with the recommendation of the city

manager where, in the sole discretion of the city manager, special circumstances exist which warrant the appointment of a particular member to an additional term.

- (b) There shall be no limit to consecutive terms served by an elected or appointed trustee on a board established for the purpose of administering an employee retirement plan.

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: 3 vacancies

Applying for Appointment: Sue Marino, resident, for a partial term expiring on 07/01/16.

Current Members: James Boterf, resident	10/04/11 – 07/01/17, 2
Harold Weigand, resident	06/20/06 – 07/01/17, 4-Final
Vacant, resident	– 07/01/16,
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
[The meeting time can be changed to accommodate members who work during the day.]

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.

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.

[End Agenda Memo]

Mayor Fultz appointed Sue Marino to serve as a member to the Board of Zoning Adjustment and Appeals for a partial term expiring on 7/1/2016 and a regular term expiring on 7/1/2019. Commissioner Lutton made a motion consenting to the Mayor's appointment and Commissioner Howell seconded the motion.

By Voice Vote:

Commissioner Lutton "YES"

Commissioner Howell "YES"

Commissioner Perez "YES"

Mayor Fultz "YES"

The motion carried 4-0.

10. NEW BUSINESS

11. CITY CLERK

Agenda Item 11.I. 2016 Municipal Election & Canvassing Board Information

[Begin Agenda Memo]

2016 MUNICIPAL ELECTION INFORMATION

The regular Municipal Election of the City of Lake Wales is Tuesday, April 5, 2016 to elect a Commissioner for Seat 3 (District 122) and a Commissioner for Seat 5 (District 28) to serve a term of two (2) years. Members of the City Commission must be registered voters and residents of the City of Lake Wales for at least one year preceding their date of election.

The Commissioner elected to Seat 3 must reside in District 122, and the Commissioner elected to Seat 5 must reside in District 28.

The qualifying period for a person to qualify as a candidate is from 12:00 p.m., noon, Monday, February 15 through 12:00 p.m., noon, Friday, February 19. Candidate packets are available in the City Clerk's office beginning Friday, February 5. This packet contains qualifying papers, nominating petitions, and other necessary information and instructions to qualify as a candidate.

The deadline for submitting the ballot containing all names of the persons that qualify as candidates to the Supervisor of Elections is 5pm, Friday, February 19, the day qualifying ends. The City Clerk will prepare the ballot language for City Commission approval at a special meeting to be held at 4:00 p.m. that day. A quorum must be present. The scheduled special meeting date is also listed on the City Commission Calendar under the City Manager portion of the Agenda.

The Municipal Election will be held at the Municipal Administration Building, 201 W. Central Avenue, Lake Wales on Tuesday, April 5, 2016, 7 a.m. to 7 p.m.

Contact the Supervisor of Elections at 863-534-5888 to request an absentee ballot. Voter registration deadline is March 7, 2016.

Oath of Office Ceremony

Commissioner Seat 3 & Seat 5

Tuesday, May 3, 2016, regular City Commission meeting

CANVASSING BOARD INFORMATION

While the Supervisor of Elections and the City Clerk may perform many of the tasks necessary to conduct the election, the City Commission serves as the Municipal Canvassing Board and has legal responsibilities related to the conduct of the Municipal Election. It is necessary to review the responsibilities well in advance to prevent calendar conflicts because a quorum must be present.

The following rules apply to all members of the Canvassing Board:

No member can serve if he or she is a candidate with opposition in the election being canvassed or is *actively participating* in the campaign or the candidacy of any candidate who has opposition in the election being canvassed. Actively participating means undertaking an intentional effort to demonstrate or generate public support for a candidate beyond merely making a campaign contribution. Refer to DE 8-10; 09-07.

Per Florida Statute, Canvassing Board members are required to attend the following meetings.

Pre-election Logic and Accuracy Testing of Tabulating Equipment

Election Headquarters, SOE, Bartow – 4:00 p.m., Tuesday, March 29, 2016
(*The Canvassing Board may designate the City Clerk to represent them, who is a required attendee*). At its March 1, 2016 meeting, the City Commission may choose to designate the City Clerk to represent them at the L&A Testing.

Election Night Canvassing of Ballots

Election Headquarters, SOE, Bartow - Tuesday, April 5, 2016, time to be scheduled by SOE
(A quorum must be present and must remain until all ballots are tabulated.)

Certification of Election

City of Lake Wales Municipal Administration Building – 5:00 pm, Thursday, April 7, 2016
(A Quorum must be present)

Post-Election Manual Audit

Election Headquarters, SOE – Date and Time to be scheduled by SOE
(A Quorum must be present)

Run-off Election – Same requirement as above

Election Headquarters, SOE - To be held in case of tie vote

If a lack of a quorum is created on the Canvassing Board due to this rule or any other unavoidable cause, the City Commission may appoint the city manager, city attorney, or resident/s to serve in the absence of that commission member/s (Sec. 8-26, Lake Wales Code of Ordinances). At its first meeting in March, the City Commission may choose to appoint an additional member to serve on the Canvassing Board to avoid a possible lack of quorum.

[End Agenda Memo]

City Clerk Clara VanBlargan reviewed Agenda Item 11.I. She pointed out a special meeting scheduled for Friday, February 19, 2016 at 4:00 p.m. to approve the ballot language to be sent to the Supervisor of Elections by 5:00 p.m. that day.

Mayor Fultz explained that he received a letter from the Circle of Friends Foundation requesting that the City donate another police car to the organization and thanking the City for what it had done for them in the past. Mr. Fields said the City Code allows for the donation and asked for a motion to approve it. Commissioner Howell made a motion approving that and Commissioner Lutton seconded the motion.

By Voice Vote:

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

The motion carried 4-0.

12. CITY MANAGER

Agenda Item 12.I City Commission Tracking Report

Mr. Fields reported that the current travel procedure updated or written in 1993 does not currently conform to state law. It is state law that controls what we pay for travel and reimbursement, etc. He asked for a motion for the Commission to say that we should be following state statute and to modify our procedures in that regard to match that. Commissioner Perez a motion approving that and Commissioner Howell seconded the motion.

By Voice Vote:

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

The motion carried 4-0.

Mr. Fields reported the following:

- We are continuing our negotiations at the airport and negotiations are going very positively. We are in the final stages and an agreement might be brought to the Commission sometime in March for approval. This should be a win-win for everybody.
- The Commission has the forms to do his evaluation and those are due next Monday, and that he plans to sit down with each of the Commissioners individually after that.
- He will be in Lakeland attending a professional meeting between this Thursday and Friday morning and will be back in the office that day.

Agenda Item 11.III. Other Meetings & Events Calendar

Agenda Item 11.IV. Information: Boards, Commissions, and Committees

12. CITY COMMISSION COMMENTS

Commissioner Perez asked the status of the clothing donation box issue. Planning & Development Director Kathy Bangle said they have not made a presentation yet to the Commission but have done some research. It will probably be recommended to consider them accessory structures and handle them under the code as the way it is already written and then provide that notification to all the box owners. That should be brought to the Commission either at the second meeting in February or the first meeting in March.

13. MAYOR COMMENTS

The Mayor said the Ridge Advocacy Committee that he is a member of has been lobbying the Legislators in Tallahassee over unfunded mandates that they are pushing down on our municipalities over things that will not be very good for us financially. He also gave an update on the Polk Regional Water Cooperative meetings that he and the city manager are involved in.

The meeting was adjourned at 7:20 p.m.

Mayor/Deputy Mayor

ATTEST:

City Clerk Clara VanBlargan, MMC

DRAFT

MEMORANDUM

February 8, 2016

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: Jennifer Nanek, Assistant to the City Manager

RE: Special Event Permit – 4th of July Festival

SYNOPSIS: The approval will allow the 4th of July Festival to take place on the shores of Lake Wailes.

RECOMMENDATION

Staff recommends approval of permit for the 4th of July Festival. The event will be held on Monday, July 4th from 2pm to 9pm with Fireworks at 9pm.

BACKGROUND

The 4th of July Festival will include music and games from Parties by Robert and food and craft vendors. Staff is in the process of arranging additional attractions and events such as bounce houses, the bloodmobile, pony rides and others. The festival will end at 9pm with the fireworks.

OTHER OPTIONS

Do not approve the event permit.

FISCAL IMPACT

Fireworks - \$12,000

Other expenses (Parties by Robert, Portolets) - approximately \$1,000

In-kind allocation costs for staff, police and field operations - \$2,643

ATTACHMENTS

Special Event Application

Map of Lake Wailes Park



SPECIAL EVENT APPLICATION

City of Lake Wales
201 W. Central Ave.
Lake Wales, FL 33853
863-678-4182x270

Applicant Information:

Organization Name: City of Lake Wales

Is this organization classified a 501c3 status by the IRS? yes no
(if so, please provide a copy of the determination letter)

Address: 201 W. Central Ave. Phone: 863-678-4182
Lake Wales, FL 33853

Event Contact Information:

Name: (First & Last): Jennifer Nanek

Mailing Address: 201 W. Central Ave.

City, ST, ZIP: Lake Wales, FL 33853

Phone#: 863-678-4182x270 Email: jnanek@cityoflakewales.com

Event Information:

Name of Event: Independence Day Celebration - July 4th

Please note: All events requesting a street closure must have approval from the City Commission.

- Festival - an organized public gathering in a park or downtown e.g. Art Show
- Organized Competitive Event - a planned race, walk, tournament or other contest
- Parade/Walk - a public or private march, run, walk or parade of any kind.
- Circus or Carnival
- Other _____

Event Description: 4th of July festival w/ music, food, crafts, games and fire works

Event Start Date: Mon. 7/4/16 Time: 2pm Event End Date: 7/4/16 Time: 9:30pm

Set up Date: 7/4/16 Time: 12pm noon Take Down Date: 7/4/16 Time: 10pm

Gated/Ticketed Open to the Public Private Other: _____

Location of Event:

Lake Wailes Park Downtown Market Place Kiwanis Park
 Stuart Park Crystal Lake Park Other _____

Site Plan Requirements:

Please attach a clear and legible site plan/map with the following indicated:

1. Depiction of the area (streets, park, etc) where the event will be held.
2. The overall event area such as parking and requested street closures.
3. The location and dimensions of all physical equipment being placed; such as stages, vendors, booths, tents, barricades, restrooms, dumpsters, etc.
4. Disabled parking and handicapped access clearly defined.
5. Location of temporary alcohol sales where both sales & consumption will occur.
(Sale or consumption of alcohol requires additional permitting from the state and hiring of at least 2 off-duty police officers)

Event Components:

<input type="checkbox"/>	Alcohol - (Special Permit Required)*	<input checked="" type="checkbox"/>	Amplified Sound
<input checked="" type="checkbox"/>	Portolets	<input type="checkbox"/>	Stage
<input checked="" type="checkbox"/>	Sales/Distribution/Display	<input checked="" type="checkbox"/>	Inflatables (bounce houses)
<input checked="" type="checkbox"/>	Food Distribution/Sales	<input type="checkbox"/>	Concerts/Live Music
<input checked="" type="checkbox"/>	Use of electric outlets	<input type="checkbox"/>	Installation of additional outlets
<input checked="" type="checkbox"/>	Use of water spigots	<input checked="" type="checkbox"/>	Tents (permit required for tents larger than 30x30)
<input checked="" type="checkbox"/>	Live animals	<input type="checkbox"/>	Boat Racing
<input type="checkbox"/>	Temporary Structures	<input checked="" type="checkbox"/>	On-Site Cooking
<input checked="" type="checkbox"/>	DJ	<input type="checkbox"/>	Amusement rides

Other Fireworks

*Events involving the sale and consumption of alcohol must have a designated area where the sale and consumption of alcohol will take place. Sponsor must get an additional permit from the State Division of Alcoholic Beverages and Tobacco and requires the presence of a police detail.

Other Information:

Will City Streets be closed? yes no Requires Commission Approval

Please list all affected streets: _____

Will any alleys, parking lots or other public places be closed? yes no

Please describe: _____

Will State Roads be closed? (SR 17) yes no Requires FDOT Permit

Please describe State Roads to be closed: _____

Will you need additional trash receptacles from the City? yes no

Will you need clean-up assistance from the City throughout the event? yes no

Note: For unbudgeted events the organization must reimburse the City 100% of costs for use of Public Services and Police Department.

Any other requested assistance from the City? Need barricades at the park.

Need area where fireworks will be shot off from roped off

Any additional information: _____

Insurance Requirements:

Liability Insurance is required for all special events involving City property and must name the City of Lake Wales as an additional insured. For events requesting the sale or consumption of alcohol, liability insurance in the amount of \$1,000,000.00 is required. All proof of insurance must be submitted to the City of Lake Wales a week before the event. Failure to provide acceptable insurance will result in the cancellation of the event.

Agreement to Assume Financial Responsibility for Injury or Damage

The Sponsor (hereinafter referred to as "the permittee"), shall indemnify, defend, and hold harmless the City of Lake Wales (hereinafter referred to as "the City"), and all of its elected or appointed officials, officers, agents, and employees from any claim, loss, damage, cost, change, or expense arising out of any acts, actions, neglect, or omission by the Permittee, its agent, employees, or subcontractors during the performance of the permitted event, whether direct or indirect, and whether to any person or property to which the City or said parties may be subject, except that neither the Permittee nor any of its agents, employees, or subcontractors will be liable under the agreement for damages arising out of the injury or damage to persons directly caused or resulting SOLELY from the negligence of the City or any of its elected or appointed officials, officers, agents, or employees.

Permittee's obligation to indemnify, defend and pay for the defense or at the City's option, to participate and associate with the City in the defense and trial of any damage claim or suit and any related settlement negotiations, shall be initiated by the City's notice of claim for indemnification to Permittee. Permittee's inability to evaluate liability or its evaluation of liability shall not excuse Permittee's duty to defend and indemnify within seven days after such notice by the City is provided by Certified Mail. Only an adjudication or judgment after highest appeal is exhausted specifically finding the City SOLELY negligent shall excuse performance of this provision by Permittee. Permittee shall pay all costs and fees related to this obligation and its enforcement by the City. City's failure to notify Permittee of a claim shall not release the Permittee of the above duty to defend.

It is understood and agreed that the rights and privileges herein set out are granted only to the extent of the City's right, title and interest in land to be entered upon and used by the Permittee, and the Permittee will, at all times, assume all risk of and indemnify, defend, and save harmless the City from and against any and all loss, damage, cost, and expense arising in any manner on account of the exercise or attempted exercise by said Permittee of the aforesaid rights and privileges.

During the event, the Permittee shall observe all safety regulations of the City, and the Permittee shall take measures to ensure the safety of the public.

By signing this application, it represents the information provided to be true and correct and signifies a binding agreement to comply with the rules and regulations of the City of Lake Wales. Should the City grant approval and a permit be issued, it is further agreed the Permittee will comply with any other requirements provided by Federal, State, and Local Law.

By execution hereof, the undersigned affirms that he or she is vested with full right and authority to bind the Permittee to the terms of this Agreement.

In case of non-compliance with the City's requirements in effect as of the approved date of the permit resulting from this Agreement, said permit is void.

Signature of Sponsor or Authorized Representative of Sponsor

FEB 08 2016

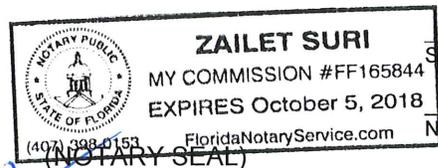
Date

Kenneth Fields
Printed Name

State of Florida
County of Polk

The forgoing instrument was acknowledged before me this 8th day of Feb, 2016 by

Kenneth Fields

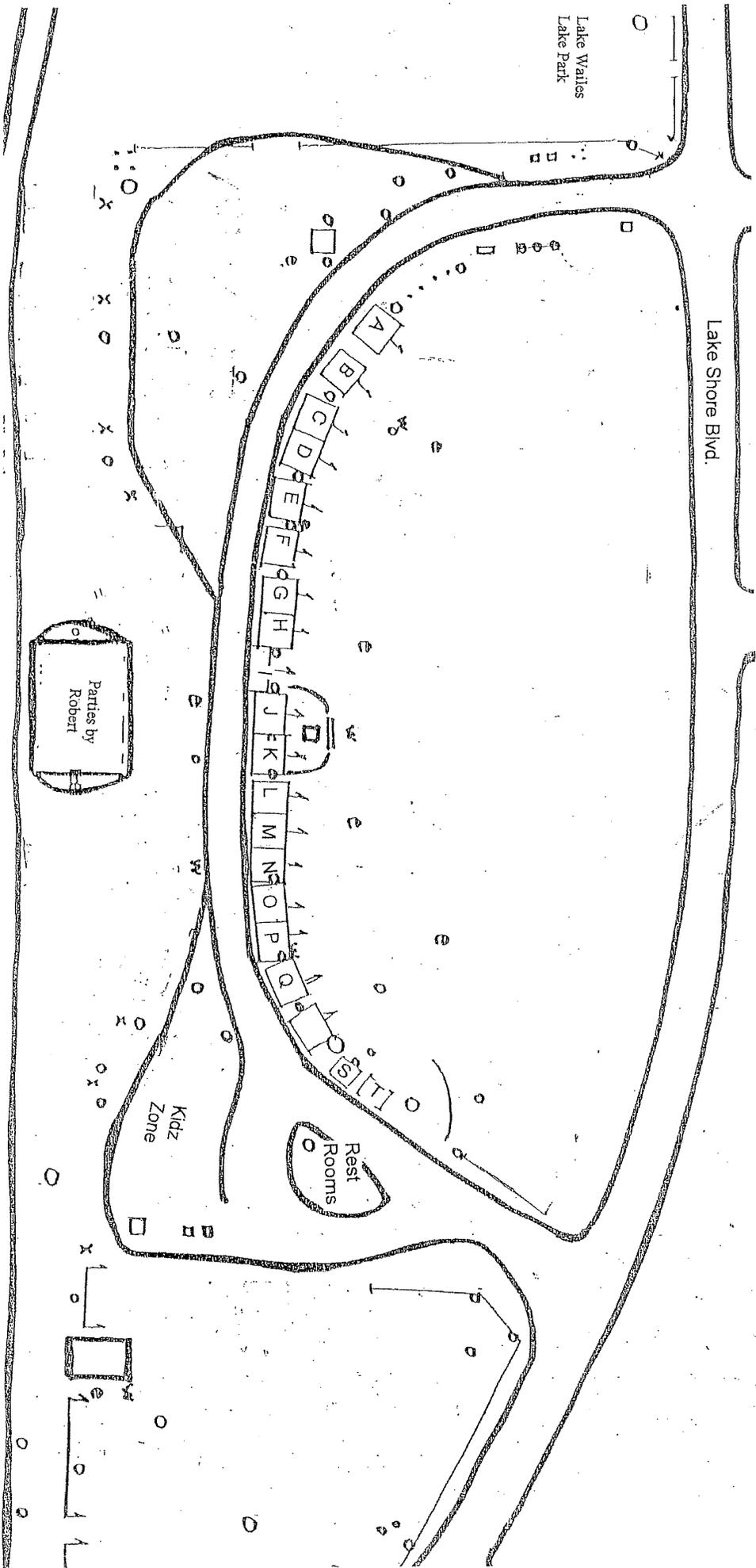


Signature of Notary Public - State of Florida

Name of Notary Typed, Printed, or Stamped

Personally Known OR Produced Identification _____
Type of Identification Produced: _____

4th of July Festival



EAST COAST PYROTECHNICS, INC.
AGREEMENT

This contract entered in this 4th day of February A.D. 2016 by and between EAST COAST PYROTECHNICS, INC. of Catawba, S.C. and City of Lake Wales (customer) of City Lake Whales State FL.

WITNESSETH: EAST COAST PYROTECHNICS, INC. for and in consideration of the terms hereinafter mentioned, agrees to furnish to the CUSTOMER one(1) Fireworks Display(s) as per agreement made and accepted and made a part hereof, including the services of our Operator to take charge of and fire display under the supervision and direction of the Customer, said display to be given on the evening of July 4, 2016 Customer Initial _____, weather permitting, it being understood that should inclement weather prevent the giving of this display on the date mentioned herein the parties shall agree to a mutually convenient alternate date, within six (6) months of the original display date. Customer shall remit to the first party an additional 15% of the total contract price or additional expenses in presenting the display on an alternate date. The determination to cancel the show because of inclement or unsafe weather conditions shall rest within the sole discretion of EAST COAST PYROTECHNICS, INC. In the event the customer does not choose to reschedule another date or cannot agree to a mutually convenient date, EAST COAST PYROTECHNICS, INC. shall be entitled to 40% of the contract price for costs, damages and expenses. If the fireworks exhibition is cancelled by CUSTOMER prior to the display, CUSTOMER shall be responsible for and shall pay EAST COAST PYROTECHNICS, INC. on demand, all EAST COAST PYROTECHNICS, INC.'s out of pocket expenses incurred in preparation for the show including but not limited to, material purchases, preparation and design costs, deposits, licenses, and employee charges.

EAST COAST PYROTECHNICS, INC. agrees to furnish all necessary fireworks display materials and personnel for fireworks display in accordance with the program approved by the parties. Quantities and varieties of products in the program are approximate. After final design, exact specifications will be supplied upon request. EAST COAST PYROTECHNICS, INC. enters this agreement contingent upon its ability to secure delivery of product for the display.

It is further agreed and understood that the CUSTOMER is to pay EAST COAST PYROTECHNICS, INC. the sum of \$12,000.00 (50% deposit due by April 1, 2016). A service fee of 1 ½% per month shall be added if account is not paid in full within 30 days of the show date.

EAST COAST PYROTECHNICS, INC. will obtain Commercial Liability and Property Damage and Workers Compensation insurance. Certificate of Insurance will be provided prior to the event. All the entities listed on the Certificate of Insurance will be deemed as an additional insured per this contract.

Customer will provide the following items:

- (a) Sufficient area for the display, including a minimum spectator set back of 350 feet at all points from the discharge area.
- (b) Protection of the display area by roping-off or similar facility.
- (c) Adequate police protection to prevent spectators from entering display area.
- (d) Search of the fallout area at first light following a nighttime display.

It is further agreed and mutually understood that nothing in this contract shall be constructed or interpreted to mean a partnership, both parties being hereto responsible for their separate and individual debts and obligations, and neither party shall be responsible for any agreements not stipulated in this contract. Customer agrees to pay any and all collection costs, including reasonable attorney's fees and court costs incurred by EAST COAST PYROTECHNICS, INC. in the collection or attempted collections of any amount due under this agreement and invoice. Signor of this contract personally guarantees full payment of this agreement.

The parties hereto do mutually and severally guarantee terms, conditions, and payments of this contract, these articles to be binding upon the parties, themselves, their heirs, executors, administrators, successors and assigns.

EAST COAST PYROTECHNICS, INC.

By _____

Date Signed: February 4, 2016

Rick Lambright
PO Box 209
Catawba, SC 29704
C770-560-6887
P803-789-5733
F803-789-6440
rick@eastcoastpyro.com

CUSTOMER

By _____
It is duly authorized agent, who represents he/she has full authority to bind the Customer

Date Signed: _____
(Please Type or Print)

Name: _____

Address: _____

Phone: _____

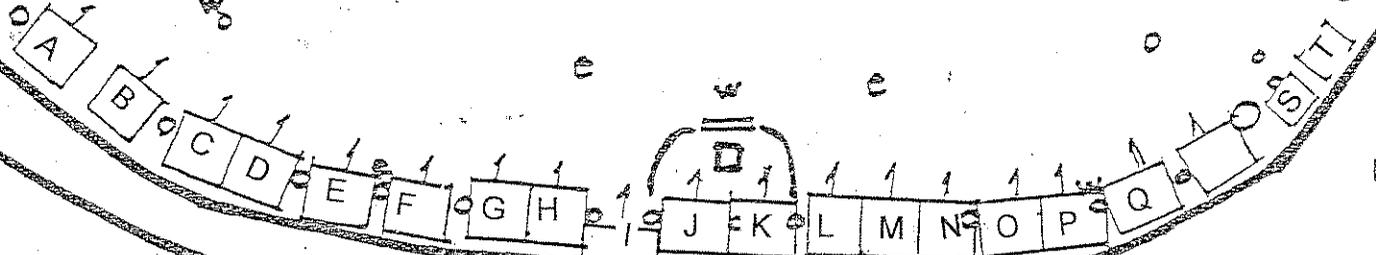
Email: _____

Billing Email: _____

4th of July Festival

Lake Shore Blvd.

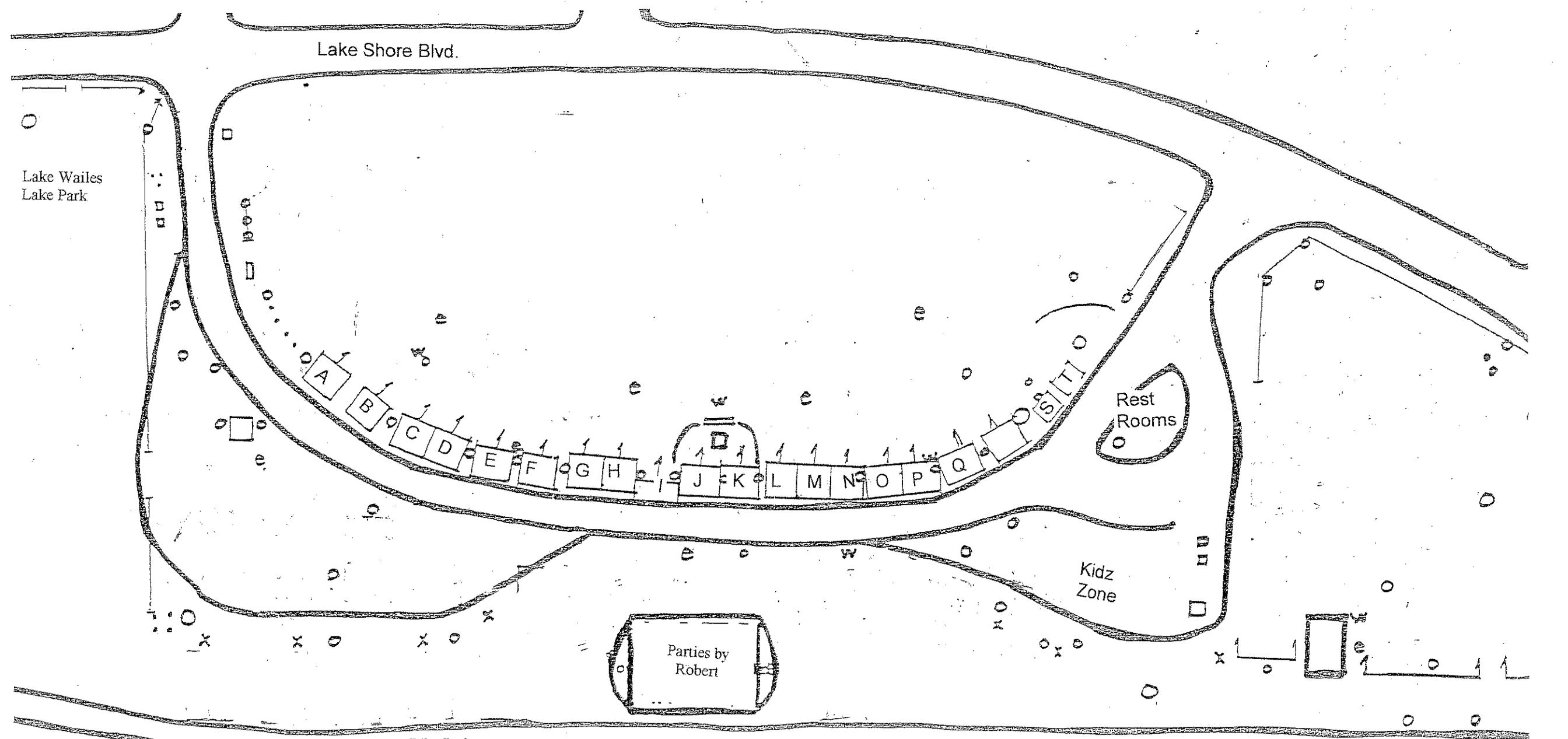
Lake Wailes
Lake Park



Rest
Rooms

Kidz
Zone

Parties by
Robert



MEMORANDUM

February 8, 2016

TO: Honorable Mayor and City Commissioners

VIA: Kenneth Fields, City Manager

FROM: Teresa Allen, Assistant Public/Support Services Director

SUBJECT: Resolution 2016-04, Railroad Reimbursement Agreement for Park Avenue rail crossing

SYNOPSIS: The City Commission will consider approving Resolution 2016-04 with the Florida Department of Transportation hereinafter Florida Midland Railroad Company, Inc. for grade crossing traffic control devices on Park Avenue.

RECOMMENDATION

The recommendation is for the City Commission to approve Resolution 2016-04, railroad reimbursement agreement for Park Avenue.

BACKGROUND

In January 1976, the City of Lake Wales and the Florida Department of Transportation, hereinafter Seaboard Coast Line Railroad Company entered into an agreement to maintain and keep the railroad crossing devices located at Park Avenue in a good and safe condition.

Resolution 2016-04 changes the agreement name from Florida Department of Transportation, hereinafter, Seaboard Coast Line Railroad Company to Florida Department of Transportation, hereinafter Florida Midland Railroad Company, Inc. All other terms of the agreement remain the same.

FISCAL IMPACT

None

OTHER OPTIONS

The agreement is already in place the resolution only changes the name.

ATTACHMENT

Resolution 2016-04

RESOLUTION 2016-04

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY AN AGREEMENT BETWEEN THE CITY OF LAKE WALES AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, HEREINAFTER CALLED FLORIDA MIDLAND RAILROAD COMPANY, INC. FOR MAINTENANCE OF AUTOMATED GRADE CROSSING SIGNALS AND OR OTHER TRAFFIC CONTROL DEVICES AT CROSSING NUMBER 625479X (PARK AVENUE).

WHEREAS, the City of Lake Wales and the State of Florida Department of Transportation hereto mutually recognize the need for entering into an Agreement pursuant to Section 163.01, Florida Statutes, designating and setting forth the responsibilities of each party in regards to maintenance of automated grade crossing signals and or other traffic control devices at crossing number 625479X (Park Avenue) designated by Financial Project ID 43875715701.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Lake Wales, that:

1. The City Commission approves entering into a Maintenance Agreement with the State of Florida Department of Transportation, hereinafter called, Florida Midland Railroad Company, Inc. for the maintenance of automated grade crossing signals and or other traffic control devices at crossing number 625479X (Park Avenue) designated by Financial Product ID 43875715701 and,
2. The Mayor is hereby authorized to execute the above referenced Maintenance Agreement on behalf of the City of Lake Wales.

THIS RESOLUTION INTRODUCED AND PASSED by the City Commission of the City of Lake Wales, Polk County, Florida at its regular meeting on February 16, 2016.

Mayor/Commissioner, City of Lake Wales

ATTEST:

City Clerk Clara VanBlargan, MMC

**RAILROAD REIMBURSEMENT AGREEMENT
GRADE CROSSING TRAFFIC CONTROL DEVICES - MUNICIPAL**

FINANCIAL PROJECT NO.	ROAD NAME OR NUMBER	COUNTY NAME	PARCEL & R/W NUMBER	FAP NUMBER
43875715701	Park Ave.	POLK	2 16090-SIGB	

THIS AGREEMENT, made and entered into this _____ day of _____, _____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the DEPARTMENT, and Florida Midland Railroad Company, Inc., a corporation organized and existing under the laws of Florida, with its principal place of business in the City of Plymouth, County of Orange, State of Florida, hereinafter called the COMPANY; and the City of Lake Wales, a municipal corporation, hereinafter called the CITY.

WITNESSETH:

WHEREAS, the DEPARTMENT is constructing, reconstructing or otherwise changing a portion of the Public Road System, designated by the Financial Project ID 43875715701, on Park Ave., which crosses at grade the right of way and tracks of the COMPANY'S Milepost AVC 844.24, FDOT/AAR Crossing Number 625479X, at or near Lake Wales, as shown on DEPARTMENT'S Plan Sheet No. N/A, attached hereto as a part hereof; and

NOW, THEREFORE, in consideration of the mutual undertakings as herein set forth, the parties hereto agree as follows:

- The COMPANY shall furnish the necessary materials and install Automatic Grade Crossing Signals Type IV Class III and/or other traffic control devices at said location on an actual cost basis and in accordance with (1) the attached detailed statement of the work, plans, and specifications; and (2) the DEPARTMENT'S Plans and Standard Index Number 17882 attached hereto and made a part hereof.
- After installation of said signals is completed, fifty (50%) percent of the expense thereof in maintaining the same shall be borne by the CITY and fifty (50%) percent shall be borne by the COMPANY, as enumerated by the Schedule of Annual Cost of Automatic Highway Grade Crossing Devices attached hereto and by this reference made a part hereof and subject to future revision.
- After said signals have been installed and found to be in satisfactory working order by the parties hereto, the same shall be immediately put into service, operated and maintained by the COMPANY so long as said COMPANY or its successors or assigns shall operate the said signals at said grade crossing; or until it is agreed between the parties hereto that the signals are no longer necessary or until the said crossing is abandoned; or legal requirements occur which shall cease operation of signals thereat.

The COMPANY agrees that any future relocation or adjustment of said signals shall be performed by the COMPANY, but at the expense of the party initiating such relocation. Upon relocation the maintenance responsibilities shall be in accordance with the provisions of this agreement. It is further agreed that the cost of maintaining any additional or replacement signal equipment at the same location will be shared as provided under Paragraph 2. above.

4. Unless otherwise agreed upon herein, the CITY agrees to ensure that at the crossing the advance warning signs and railroad crossing pavement markings will conform to the U.S. Department of Transportation Manual on Uniform Traffic Control Devices within 30 days of notification that the railroad signal improvements have been completed and that such signs and pavement markings will be continually maintained at an acceptable level.

5. The COMPANY hereby agrees to install and/or adjust the necessary parts of its facilities along said road in accordance with the provisions set forth in the:

- (a) DEPARTMENT Procedure No. 725-080-002 Appendix D.4, and Rule 14.57.011 "Public Railroad-Highway Grade Crossing Costs", Florida Administrative Code.
- (b) Federal Highway Administration Federal-Aid Policy Guide, 23 C.F.R. Subchapter G, Part 646, Subpart B, and 23 C.F.R., Subchapter B, Part 140, Subpart I,

and any supplements thereto or revisions thereof, which, by reference hereto, are made a part hereof. The COMPANY further agrees to do all of such work, with its own forces or by a contractor paid under a contract let by the COMPANY, all under the supervision and approval of the DEPARTMENT and the Federal Highway Administration, when applicable.

6. The DEPARTMENT hereby agrees to reimburse the COMPANY for all costs incurred by it in the installation and/or adjustment of said facilities, in accordance with the provisions of Procedure No. 725-080-002 Appendix D-4 "Billing Requirements," and any supplements thereto or revisions thereof. It is understood and agreed by and between the parties hereto that preliminary engineering costs not incorporated within this agreement shall not be subject to payment by the DEPARTMENT.

7. Attached hereto, and by this reference made a part hereof, are plans and specifications of the work to be performed by the COMPANY pursuant to the terms hereof, and an itemized estimate of the cost thereof in the amount of \$ 0.00 . All work performed by the COMPANY pursuant hereto, shall be performed according to these plans and specifications as approved by the DEPARTMENT and the Federal Highway Administration if federal aid participating; and all subsequent plan changes shall likewise be approved by the DEPARTMENT and the Federal Highway Administration, when applicable.

8. All labor, services, materials, and equipment furnished by the COMPANY in carrying out the work to be performed hereunder shall be billed by the COMPANY direct to the DEPARTMENT. Separate records as to the costs of

contract bid items and force account items performed for the COMPANY shall also be furnished by the COMPANY to the DEPARTMENT.

9. The COMPANY has determined that the method to be used in developing the relocation or installation cost shall be as specified for the method checked and described hereafter:

- (a) Actual and related indirect costs accumulated in accordance with a work order accounting procedure prescribed by the applicable Federal or State regulatory body.
- (b) Actual and related indirect costs accumulated in accordance with an established accounting procedure developed by the COMPANY and approved by the DEPARTMENT.
- (c) An agreed lump sum \$ _____, as supported by a detail analysis of estimated cost attached hereto. (NOTE: This method is not applicable where the estimated cost of the proposed adjustment exceeds \$100,000.)

10. The installation and/or adjustment of the COMPANY'S facility as planned will will not involve additional work over and above the minimum reimbursable requirements of the DEPARTMENT. (If upgrading and/or nonreimbursable work is involved at the option of the COMPANY, then credit against the cost of the project is required and will be governed by the method checked and described hereafter):

- (a) _____ % will be applied to the final billing of work actually accomplished to determine required credit for (betterment) and/or (expired service life) and/or (nonreimbursable segments).
- (b) All work involving nonreimbursable segments will be performed by special COMPANY work or job order number apart and separate from the reimbursable portion of the work; such work or job order number to be _____. The COMPANY further agrees to clearly identify such additional work areas in the COMPANY'S plans and estimates for the total work covered by this Agreement.
- (c) \$ _____ credited for betterment expired service life
 nonreimbursable segments in accord with Article 9.(c) hereinabove.

11. It is specifically agreed by and between the DEPARTMENT and the COMPANY that the DEPARTMENT shall receive fair and adequate credit for any salvage which shall accrue to the COMPANY as a result of the above installation and/or adjustment work.

12. It is further agreed that the cost of all improvements made during this adjustment work shall be borne by the COMPANY, subject only to the DEPARTMENT bearing such portion of this cost as represents the cost of adjustment of previously existing facility, less salvage credit as set forth in the immediately preceding paragraph.

13. Upon completion of the work the COMPANY shall, within one hundred eighty (180) days, furnish the DEPARTMENT with two (2) copies of its final and complete billing of all costs incurred in connection with the work performed hereunder, such statement to follow as closely as possible the order of the items contained in the estimate attached hereto. The totals for labor, overhead, travel expense, transportation, equipment, material and supplies, handling costs and other services shall be shown in such a manner as will permit ready comparison with the approved plans and estimates. Materials shall be itemized where they represent major components of cost in the relocation following the pattern set out in the approved estimate as closely as is possible. Salvage credits from recovered and replaced permanent and recovered temporary materials shall be reported in said bills in relative position with the charge for the replacement or the original charge for temporary use.

The final billing shall show the description and site of the Project; the date on which the first work was performed, or, if preliminary engineering or right-of-way items are involved, the date on which the earliest item of billed expense was incurred; the date on which the last work was performed or the last item of billed expense was incurred; and the location where the records and accounts billed can be audited. Adequate reference shall be made in the billing to the COMPANY'S records, accounts and other relevant documents. All cost records and accounts shall be subject to audit by a representative of the DEPARTMENT. Upon receipt of invoices, prepared in accordance with the provisions of the above indicated Reimbursement Policy, the DEPARTMENT agrees to reimburse the COMPANY in the amount of such actual costs as approved by the DEPARTMENT'S auditor.

14. Payment shall be made only after receipt and approval of goods and services unless advance payments are authorized by the DEPARTMENT's Comptroller under Section 334.044(29), F.S., or by the Department of Financial Services under Section 215.422(14), Florida Statutes (F.S.).

15. In accordance with Section 287.058, Florida Statutes, the following provisions are in this Agreement: If this Contract involves units of deliverables, then such units must be received and accepted in writing by the Contract Manager prior to payments. Bills for fees or other compensation for services or expenses shall be submitted in detail sufficient for a proper preaudit and postaudit thereof.

16. Bills for travel expenses specifically authorized in this agreement shall be submitted and paid in accordance with DEPARTMENT Rule 14-57.011 "Public Railroad-Highway Grade Crossing Costs" and the Federal Highway Administration Federal-Aid Policy Guide, Subchapter B, Part 140, Subpart I "Reimbursement for Railroad Work."

17. In accordance with Section 215.422, Florida Statutes, the following provisions are in this Agreement: Contractors providing goods and services to the Department should be aware of the following time frames. Upon receipt, the Department has five (5) working days to inspect and approve the goods and services, unless the Agreement specifies otherwise. The Department has 20 days to deliver a request for payment (voucher) to the Department of Financial Services. The 20 days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved.

If a payment is not available within 40 days, a separate interest penalty at a rate as established pursuant to Section 215.422(3)(b), Florida Statutes, will be due and payable, in addition to the invoice amount, to the Contractor. Interest penalties of less than one (1) dollar will not be enforced unless the Contractor requests payment. Invoices which have to be returned to a Contractor because of Contractor preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department.

A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for contractors/vendors who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516 or by calling the Division of Consumer Services at 1-877-693-5236.

18. In the event this contract is for services in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) and a term for a period of more than one year, the provisions of Section 339.135(6)(a), Florida Statutes, are hereby incorporated:

The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the Comptroller of the Department that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) and which have a term for a period of more than one year.

19. In accordance with Section 287.133 (2)(a), Florida Statutes, the following provisions are included in this Agreement:

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in s.287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

20. In accordance with Section 287.134(2)(a), Florida Statutes, the following provisions are included in this Agreement:

An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity.

21. In accordance with Section 287.0582, Florida Statutes, the following provision is included in this Agreement:

The Department's obligation to pay under this section is contingent upon an annual appropriation by the Florida Legislature.

22. The COMPANY covenants and agrees that it will indemnify and hold harmless the DEPARTMENT and all of the DEPARTMENT'S officers, agents, and employees from any claim, loss, damage, cost charge, or expense arising out of any act, action, neglect, omission or delay by the COMPANY during the performance of the contract,

whether direct or indirect, and whether to any person or property to which the DEPARTMENT or said parties may be subject, except that neither the COMPANY nor any of its sub-contractors will be liable under this section for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of the DEPARTMENT or any of its officers, agents, or employees.

23. COMPANY shall:

1. utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the COMPANY during the term of the contract; and
2. expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

24. It is understood and agreed by the parties to this Agreement that if any part, term, or provision of this Agreement is held illegal by the courts or in conflict with any law of the State of Florida, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

25. Any questions or matters arising under this Agreement as to validity, construction, enforcement, performance, or otherwise, shall be determined in accordance with the laws of the State of Florida. Venue for any action arising out of or in any way related to this Agreement shall lie exclusively in a state court of appropriate jurisdiction in Leon County, Florida.

26. The parties agree to bear their own attorney's fees and costs with respect to this Agreement.

27. The parties agree that this Agreement is binding on the parties, their heirs-at-law, and their assigns and successors in interest as evidenced by their signatures and lawful executions below.

28. A modification or waiver of any of the provisions of this Agreement shall be effective only if made in writing and executed with the same formality as this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers, the day and year first above written.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: _____
(TITLE: Director of Transportation Development)

COMPANY: Florida Midland Railroad Company, Inc.

BY: James J. Plasse V.P. Finance

CITY OF Lake Wales , FLORIDA

BY: _____
(TITLE: _____)

Legal Review

BY: _____
Attorney - DOT Date

Approved as to Funds Available

BY: _____
Comptroller - DOT Date

Approved as to FAPG Requirements

BY: N/A
FHWA Date

CITY RESOLUTION
GRADE CROSSING TRAFFIC CONTROL DEVICES AND FUTURE RESPONSIBILITY

FINANCIAL PROJECT NO.	ROAD NAME OR NUMBER	COUNTY NAME	PARCEL & R/W NUMBER	FAP NUMBER
43875715701	Park Ave.	POLK	2 16090-SIGB	

A RESOLUTION AUTHORIZING EXECUTION OF A RAILROAD REIMBURSEMENT AGREEMENT FOR THE INSTALLATION OF GRADE CROSSING TRAFFIC CONTROL DEVICES, AND FUTURE MAINTENANCE AND ADJUSTMENT OF SAID DEVICES; PROVIDING FOR THE EXPENDITURE OF FUNDS; AND PROVIDING WHEN THIS RESOLUTION SHALL TAKE EFFECT.

RESOLUTION NO. _____

ON MOTION OF Commissioner (Councilman) _____,
seconded by Commissioner (Councilman) _____, the following
RESOLUTION was adopted:

WHEREAS, the State of Florida Department of Transportation is constructing, reconstructing or otherwise changing a portion of the Public Road System, on Park Ave.,
which shall call for the installation and maintenance of railroad grade crossing traffic control devices for railroad grade crossing over or near said highway; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF Lake Wales,
FLORIDA;

That the City of Lake Wales enter into a RAILROAD REIMBURSEMENT AGREEMENT with the State of Florida Department of Transportation and the Florida Midland Railroad Company, Inc. Company for the installation and maintenance of certain grade crossing traffic control devices designated as Financial Project Number 43875715701 on Park Ave. which crosses the right of way and tracks of the Company at FDOT/AAR Crossing No. 625479X located near Lake Wales, Florida; and

That the City assume it's share of the costs for future maintenance and adjustment of said grade crossing traffic control devices as designated in the RAILROAD REIMBURSEMENT AGREEMENT; and

That the Mayor and City Clerk be authorized to enter into such agreements with the State of Florida Department of Transportation; and the Florida Midland Railroad Company, Inc. Company as herein described; and

That this RESOLUTION shall take effect immediately upon adoption.

INTRODUCED AND PASSED by the City Commission of the City of Lake Wales,
Florida, in regular session this _____ day of _____, _____.

Mayor - Commissioner

ATTEST: _____
City Auditor and Clerk

(SEAL)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
RAILROAD GRADE CROSSING TRAFFIC CONTROL DEVICES
ANNUAL MAINTENANCE COSTS

725-090-41
RAIL
OGC - 03/12

FINANCIAL PROJECT NO.	ROAD NAME OR NUMBER	COUNTY NAME	PARCEL & R/W NUMBER	FAP NUMBER
43875715701	Park Ave.	POLK	2 16090-SIGB	

COMPANY NAME: Florida Midland Railroad Company, Inc.

A. FDOT/AAR XING NO.: 625479X RR MILE POST TIE: AVC 844.24

B. TYPE SIGNALS PROPOSED IV CLASS III DOT INDEX: 17882

**SCHEDULE OF ANNUAL COST OF AUTOMATIC
HIGHWAY GRADE CROSSING TRAFFIC CONTROL DEVICES**

Annual Maintenance Cost Exclusive of Installation

<u>CLASS</u>	<u>DESCRIPTION</u>	<u>COST*</u>
I	Flashing Signals - One Track	\$2,256.00
II	Flashing Signals - Multiple Tracks	\$2,985.00
III	Flashing Signals and Gates - One Track	\$3,402.00
IV	Flashing Signals and Gates - Multiple Tracks	\$4,272.00
V	3 or 4 Quadrant Flashing Signals and Gates - One Track	\$6,726.00
VI	3 or 4 Quadrant Flashing Signals and Gates - Multiple Tracks	\$8,442.00

AUTHORITY: FLORIDA ADMINISTRATIVE RULE 14-57.011
Public Railroad-Highway Grade Crossing Costs

EFFECTIVE DATE: July 22, 1982

GENERAL AUTHORITY: 334.044, F.S.

SPECIFIC LAW IMPLEMENTED: 335.141, F.S.

*This schedule will become effective July 1, 2011 and will be reviewed every 5 years and revised as appropriate based on the Consumer Price Index for all Urban Consumers published by the U.S. Department of Labor.

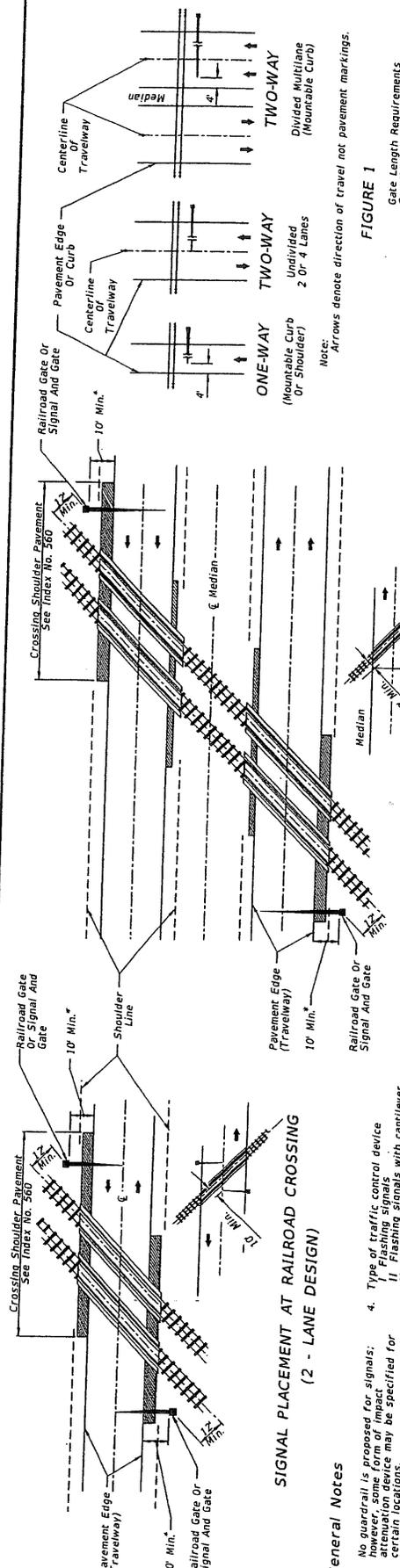


FIGURE 1
 SIGNAL PLACEMENT AT RAILROAD CROSSING
 (4 - LANE DESIGN)

Note: Arrows denote direction of travel not pavement markings.

Note: Two separate foundations may be required (one for signals, one for gate), depending on type of equipment used.

* When 10' is deemed impractical the control device can be located as close as 7' from the edge of a paved shoulder but not less than 6' from the edge of the near traffic lane.

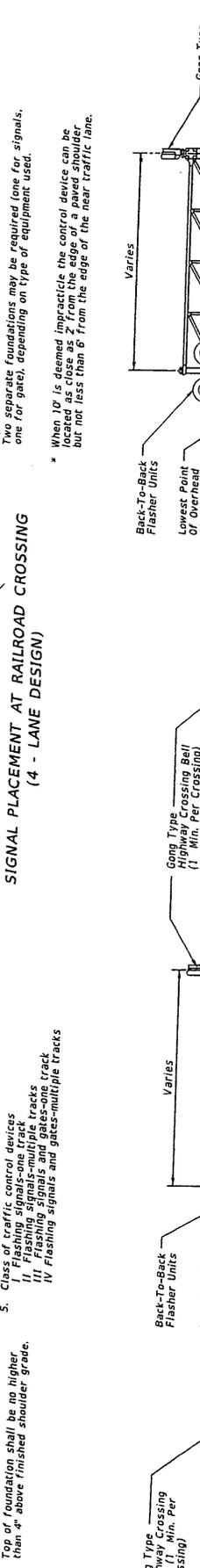


FIGURE 2
 SIGNAL PLACEMENT AT RAILROAD CROSSING
 (2 - LANE DESIGN)

Note: Arrows denote direction of travel not pavement markings.

Note: Two separate foundations may be required (one for signals, one for gate), depending on type of equipment used.

* When 10' is deemed impractical the control device can be located as close as 7' from the edge of a paved shoulder but not less than 6' from the edge of the near traffic lane.

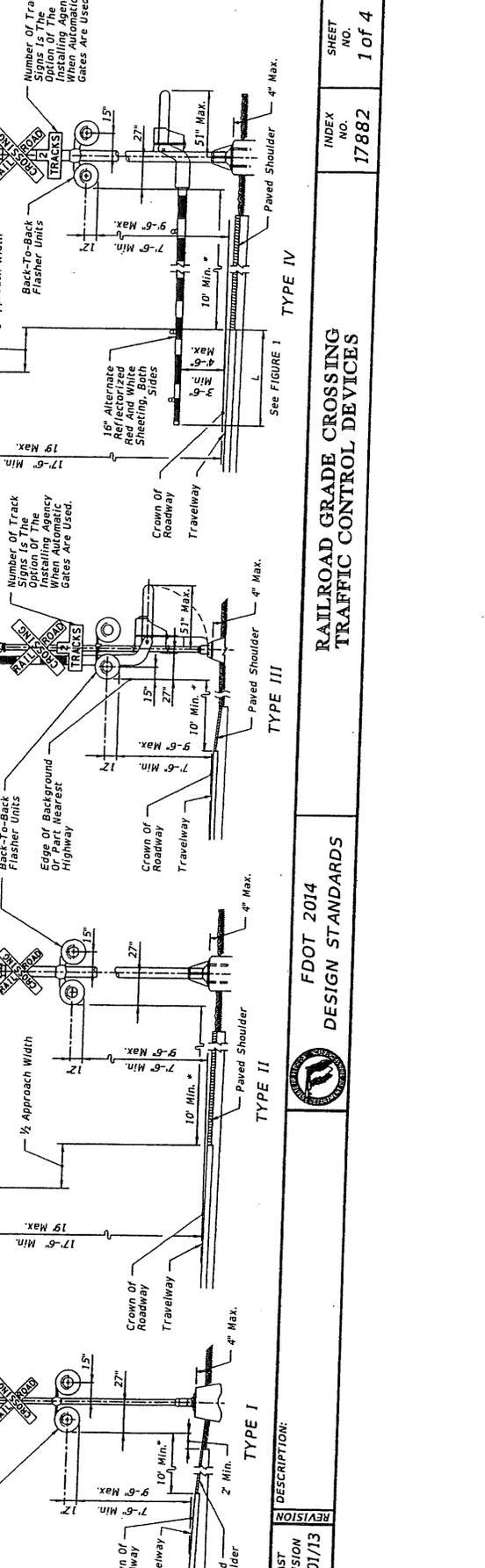


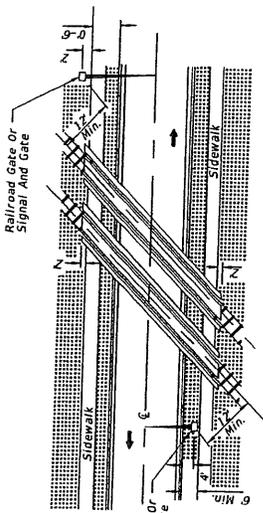
FIGURE 3
 TYPES I, II, III, AND IV
 RAILROAD GRADE CROSSING TRAFFIC CONTROL DEVICES

- General Notes**
- No guardrail is proposed for signals; however, a minimum of impact attenuation device may be specified for certain locations.
 - Advance flasher to be installed when and if called for in plans or specifications.
 - Top of foundation shall be no higher than 4" above finished shoulder grade.
 - Type of traffic control device
 - Flashing signals
 - Flashing signals with cantilever
 - Flashing signals with gate
 - Flashing signals with cantilever and gate
 - Gate
 - Class of traffic control devices
 - Flashing signals-one track
 - Flashing signals and gates-one track
 - Flashing signals and gates-multiple tracks

Gate Length Requirements
 See Note 5 Sheet 3

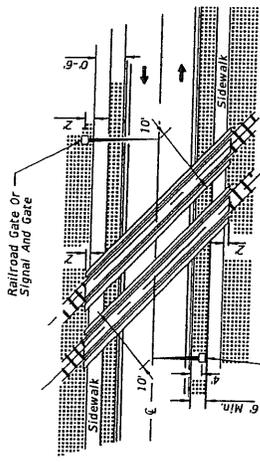
When 10' is deemed impractical the control device can be located as close as 7' from the edge of a paved shoulder but not less than 6' from the edge of the near traffic lane.

LAST REVISION	07/01/73
REVISION:	
DESCRIPTION:	



ACUTE ANGLE (AND RIGHT ANGLE)

SIGNAL PLACEMENT AT RAILROAD CROSSING
(2 LANES, CURB & GUTTER)



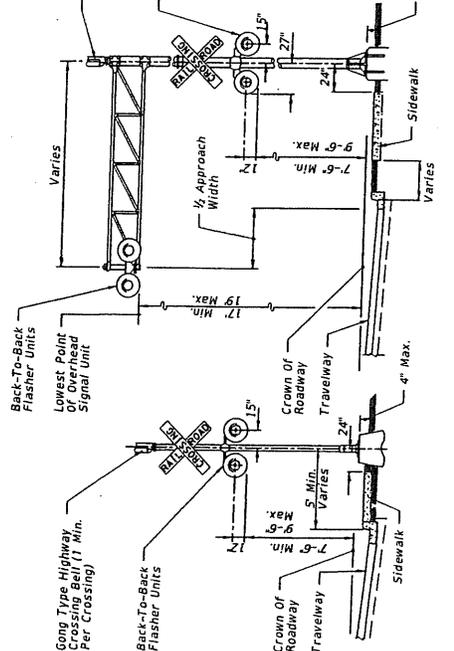
OBTUSE ANGLE

SIGNAL PLACEMENT AT RAILROAD CROSSING
(2 LANES, CURB & GUTTER)

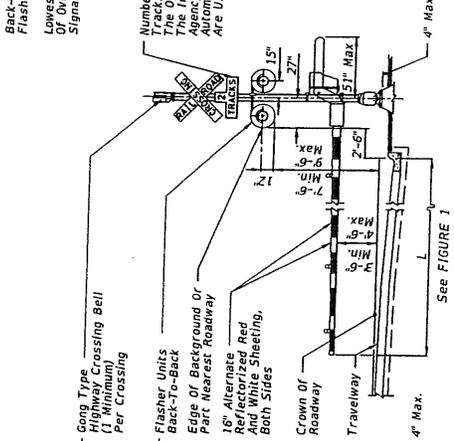
GENERAL NOTES

1. The location of flashing signals and stop lines shall be established based on future (or present) installation of gate with appropriate track clearances.
2. Where plans call for railroad traffic control devices to be installed in curbed medians, the minimum median width shall be 12'-6".
3. Location of railroad traffic control devices is based on the distance available between face of curb & sidewalk. Locate device outside sidewalk. Over 6' - Locate device between face of curb and sidewalk.
4. Stop line to be perpendicular to edge of roadway, approx. 15' from nearest rail; or 8' from and parallel to gate when present.
5. When a cantilevered-arm (flashing-light) signal is used, the minimum vertical clearance shall be 15' above the Crown of Roadway to the Lowest Point of the Overhead Signal Unit.

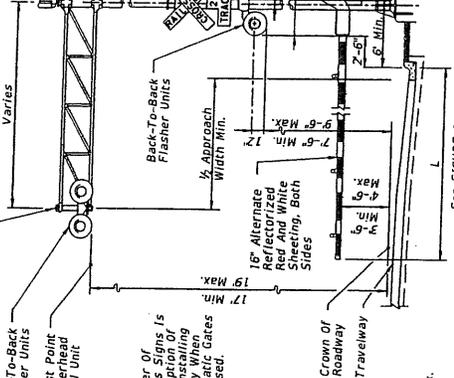
As A Minimum, Position Of Flashing Light Lane Separation Unit (More Than One Flasher Unit If There Are More Than 2 Approach Lanes).



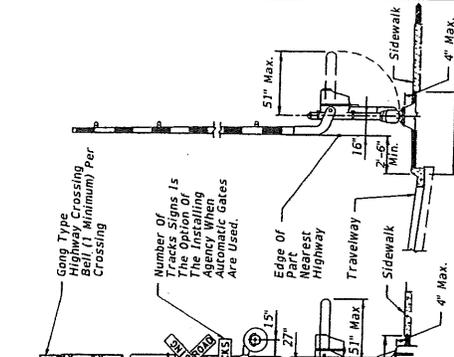
TYPE I



TYPE II



TYPE III



TYPE V

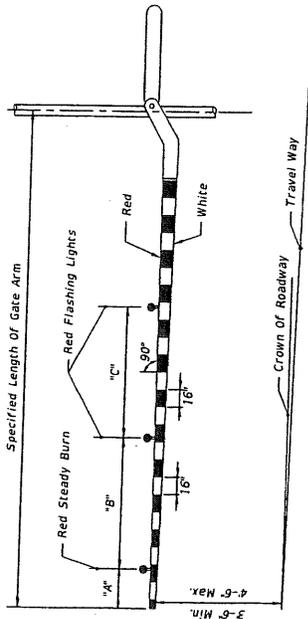
LAST REVISION	DESCRIPTION:
01/01/11	



FDOT 2014
DESIGN STANDARDS

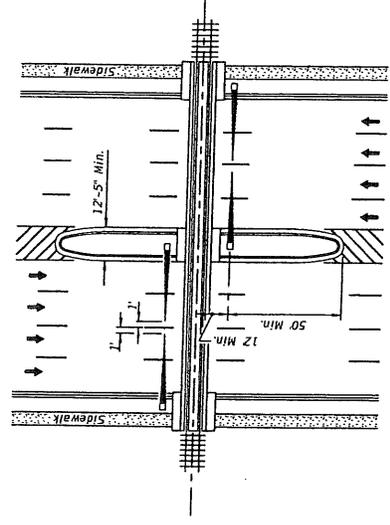
RAILROAD GRADE CROSSING
TRAFFIC CONTROL DEVICES

INDEX NO.	SHEET NO.
17882	2 of 4

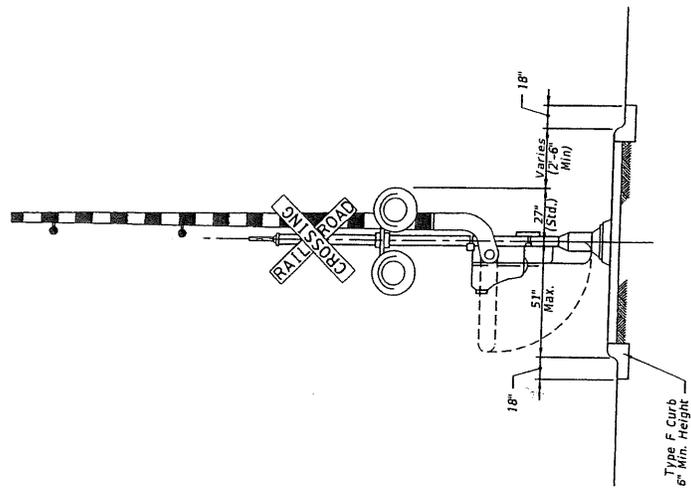


RAILROAD GATE ARM LIGHT SPACING

Specified Length Of Gate Arm	Dimension "A"	Dimension "B"	Dimension "C"
14 Ft.	6"	36"	5'
15 Ft.	18"	36"	5'
16-17 Ft.	24"	36"	5'
18-19 Ft.	28"	41"	5'
20-23 Ft.	28"	4'	5'
24-28 Ft.	28"	5'	5'
29-31 Ft.	36"	6'	6'
32-34 Ft.	36"	7'	7'
35-37 Ft.	36"	9'	9'
38' And Over	36"	10'	10'



PLAN



MEDIAN SECTION AT SIGNAL GATES

NOTE: For additional information see the "Manual On Uniform Traffic Control Devices", Part 8; "Traffic Control Handbook", Part VIII; and AASHTO "A Policy On Geometric Design Of Streets And Highways".

MEDIAN SIGNAL GATES FOR
MULTILANE UNDIVIDED URBAN SECTIONS
(THREE OR MORE DRIVING LANES IN ONE DIRECTION, 45 MPH OR LESS)

LAST REVISION 01/01/12	DESCRIPTION:	FDOT 2014 DESIGN STANDARDS	RAILROAD GRADE CROSSING TRAFFIC CONTROL DEVICES	INDEX NO. 17882	SHEET NO. 4 of 4
---------------------------	--------------	-------------------------------	--	--------------------	---------------------

MEMORANDUM

February 8, 2016

TO: Honorable Mayor and City Commissioners

VIA: Kenneth Fields, City Manager

FROM: Teresa Allen, Assistant Public/Support Services Director

SUBJECT: Resolution 2016-06, Highway Maintenance Agreement with the Florida Department of Transportation

SYNOPSIS: The City Commission will consider approving Resolution 2016-06, to continue the highway maintenance for certain State Road Rights of Ways with the Florida Department of Transportation for an additional three (3) year period for an annual compensation of \$26,210.51.

RECOMMENDATION

1. Approve Resolution 2016-06, authorizing an agreement between the City of Lake Wales and the Florida Department of Transportation for maintenance of certain State Road Rights-of-Way.
2. Authorize the Mayor to execute the agreement.

BACKGROUND

The City of Lake Wales and the State of Florida Department of Transportation have entered into agreements to maintain rights-of-way on portions of US27, SR60 and SR17 (Alt. 27) within the jurisdictional limits of the City since the early nineties.

Resolution 2016-06, authorizes the mayor to renew the agreement for an additional three (3) years with an annual compensation of \$26,210.51.

FISCAL IMPACT

If we do not renew the agreement, the maintenance budget will be funded by City funds and we will lose annual compensation of \$26,210.51.

OTHER OPTIONS

Do not enter into the agreement.

ATTACHMENTS

Resolution 2016-06
Highway Maintenance Agreement

RESOLUTION 2016-06

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY AN AGREEMENT BETWEEN THE CITY OF LAKE WALES AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF CERTAIN STATE ROAD RIGHTS OF WAY.

WHEREAS, the City of Lake Wales and the State of Florida Department of Transportation hereto mutually recognize the need for entering into an Agreement pursuant to Section 163.01, Florida Statutes, designating and setting forth the responsibilities of each party in regards to maintenance of certain state road rights-of-way within the boundaries of the city.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Lake Wales, that:

1. The City Commission approves entering into a Maintenance Agreement with the State of Florida Department of Transportation which Agreement is designated as Contract No. BE123, Financial Project No. 432727-1-78-17 for maintenance of certain state road rights-of-way within the boundaries of the City as described in Attachment "A" and
2. The Mayor is hereby authorized to execute the above referenced Maintenance Agreement on behalf of the City of Lake Wales.

THIS RESOLUTION INTRODUCED AND PASSED by the City Commission of the City of Lake Wales, Polk County, Florida at its regular meeting on February 16, 2016.

Mayor/Commissioner, City of Lake Wales

ATTEST:

City Clerk Clara VanBlargan, MMC

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
MAINTENANCE AGREEMENT**

This is an Agreement by and between the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, an Agency of the State of Florida, (hereinafter, "**DEPARTMENT**") and the **CITY OF LAKE WALES** (hereinafter, "**AGENCY**") for the **AGENCY** to provide maintenance services.

WITNESSETH

1. WHEREAS, the **AGENCY** has the authority to enter into said Agreement and to undertake the project hereinafter described, and the **DEPARTMENT** has been granted the authority to function adequately in all areas of appropriate jurisdiction and is authorized under Fla. Stat. §334.044 to enter into this Agreement; and
2. WHEREAS, the **AGENCY** by Resolution No. _____ dated the _____ day of _____, _____, a copy of which is attached hereto and made a part hereof, has authorized its officers to enter into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

I. SERVICES AND PERFORMANCE

1. The **AGENCY** shall furnish certain services as described in ATTACHMENTS A and B, attached hereto and made a part hereof.
2. Locations, activities, quantities, cycles, and unit costs to be performed are listed in ATTACHMENT A.
3. Descriptions of how the activities are to performed are included in ATTACHMENT B.
4. A Supplemental Agreement shall be executed by both parties for any additions or deletions to the work described in ATTACHMENTS A and/or ATTACHMENT B. No work may commence without an executed Supplemental Agreement involving any such changes or revisions required to be covered in a Supplemental Agreement. Performance of any such services prior to the execution of a Supplemental Agreement will result in nonpayment of those services.
5. The **DEPARTMENT** will be entitled at all times to be advised, at its request, as to the status of work being done by the **AGENCY** and of the details thereof. Coordination shall be maintained by the **AGENCY** with representatives of the **DEPARTMENT**.
6. All services shall be performed by the **AGENCY** to the satisfaction of the Director who shall decide all questions, difficulties and disputes of any nature whatsoever that may arise under or by reason of this Agreement. The Director's decision upon all claims, questions and disputes shall be final and binding upon all parties. Adjustments of compensation and contract time because of any major changes in the work that may become necessary or desirable shall be left to the absolute discretion of the Director.

7. The work specified in this Agreement is governed by ATTACHMENT A and ATTACHMENT B.
8. Reference herein to Director shall mean the **DEPARTMENT'S** District Secretary for District One, or authorized designee.
9. Upon execution of the Agreement, the NOTICE TO PROCEED signed by the District Secretary, or designee, will be sent to the **AGENCY**. The NOTICE TO PROCEED must be issued to the **AGENCY** within sixty (60) days after Agreement execution.

II. TERM

1. This Agreement shall take effect on the execution date listed on page 7. The term for providing service under this Agreement shall be a period of three (3) years ("INITIAL SERVICE TERM"). Calculation for the INITIAL SERVICE TERM shall begin on the fourteenth (14th) calendar day after issuance of the NOTICE TO PROCEED, or on the day the **AGENCY** begins work after receipt of the NOTICE TO PROCEED, whichever date is earlier.
2. Prior to expiration of the INITIAL SERVICE TERM, and subject to mutual agreement of the parties, this Agreement may be renewed ("RENEWAL TERM") for an additional three (3) years. Renewals shall be contingent upon satisfactory performance evaluations by the **DEPARTMENT**. The **DEPARTMENT'S** performance and obligation to pay under any such renewal is contingent upon an annual appropriation by the Legislature. Any renewal or extension shall be in writing and executed by both parties, and shall be subject to the same terms and conditions set forth in this Agreement.
3. The **AGENCY** shall provide services unless terminated in accordance with Section VI below of this Agreement.

III. COMPENSATION AND PAYMENT

1. The **DEPARTMENT** shall pay the **AGENCY** for services rendered in accordance with this Agreement annually, as follows:

Three (3) quarterly lump sum payments will be made in the amount of Six Thousand Five Hundred Fifty Two Dollars and Sixty Three Cents (\$6,552.63). One (1) quarterly lump sum payment will be made in the amount of Six Thousand Five Hundred Fifty Two Dollars and Sixty Two Cents (\$6,552.62). The total annual contract/expenditure amount is Twenty Six Thousand Two Hundred Ten Dollars and Fifty One Cents (\$26,210.51), unless the contract is amended.

The total contract amount, unless amended, for all three (3) years is Seventy Eight Thousand Six Hundred Thirty One Dollars and Fifty Three Cents (\$78,631.53).

2. The lump sum payment above is based on the unit price for services that are listed in ATTACHMENT A.
3. The **DEPARTMENT** shall have the right to retain out of any payment due the **AGENCY** under this Agreement an amount sufficient to satisfy any amount due and owing to the **DEPARTMENT** by the **AGENCY** on any other Agreement between the **AGENCY** and the **DEPARTMENT**.
4. Payment shall be made only after receipt and approval of goods and services unless advance payments are authorized by the State Comptroller under Fla. Stat. §215.422(14).
5. If this Agreement involves units of deliverables, then such units must be received and accepted in writing by the **DEPARTMENT'S** Project Manager prior to payments.
6. Bills for fees or other compensation for services or expenses shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof.
7. **AGENCY** providing goods and services to the **DEPARTMENT** should be aware of the following time frames. Upon receipt, the **DEPARTMENT** has five (5) working days to inspect and approve the goods and services, unless the Agreement specifies otherwise. The **DEPARTMENT** has twenty (20) days to deliver a request for payment (voucher) to the **DEPARTMENT** of Banking and Finance. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved.
8. If a payment is not available within forty (40) days, a separate interest penalty in accordance with Fla. Stat. §215.422(3)(b), will be due and payable, in addition to the invoice amount, to the **AGENCY**. Interest penalties of less than one (1) dollar will not be enforced unless the **AGENCY** requests payment. Invoices which have to be returned to an **AGENCY** because of **AGENCY** preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the **DEPARTMENT**.
9. A Vendor Ombudsman has been established within the **DEPARTMENT** of Banking and Finance. The duties of this individual include acting as an advocate for contractors/vendors who may be experiencing problems in obtaining timely payment(s) from a state **AGENCY**. The Vendor Ombudsman may be contacted at (850) 413-5516.
10. Records of costs incurred under terms of this Agreement shall be maintained and made available upon request to the **DEPARTMENT** at all times during the period of this Agreement and for three (3) years after final payment is made. Copies of these documents and records shall be furnished to the **DEPARTMENT** upon request. Records of costs incurred include the **AGENCY'S** general accounting records and the project records, together with supporting documents and records of the **AGENCY** and all subcontractors performing work on the project, and all other records of the **AGENCY** and subcontractors considered necessary by the **DEPARTMENT** for a proper audit of costs.
11. The **DEPARTMENT**, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no

money may be paid on such contract. The **DEPARTMENT** shall require a statement from the Comptroller of the **DEPARTMENT** that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years. Accordingly, the State of Florida's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature.

12. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity and may not transact business with any public entity in excess of the threshold amount provided in Fla. Stat. §287.017, for Category Two for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

IV. INDEMNITY AND INSURANCE

1. **LIABILITY INSURANCE.** The **AGENCY** shall carry and keep in force during the period of this Agreement a general liability insurance policy or policies with a company or companies authorized to do business in Florida, affording public liability insurance with combined bodily injury limits of at least \$250,000 per person and \$500,000 each occurrence, and property damage insurance of at least \$50,000 each occurrence, for the services to be rendered in accordance with this Agreement. In the alternative, the **AGENCY** may satisfy the requirements of this paragraph by providing to the **DEPARTMENT** written evidence of being self-insured.
2. **WORKER'S COMPENSATION.** The **AGENCY** shall also carry and keep in force Worker's Compensation insurance as required for the State of Florida under the Worker's Compensation Law. In the alternative, the **AGENCY** may satisfy the requirements of this paragraph by providing to the **DEPARTMENT** written evidence of being self-insured.

V. COMPLIANCE WITH LAWS

1. The **AGENCY** shall allow public access to all documents, papers, letters, or other material subject to the provisions of Fla. Stat. §119, and made or received by the **AGENCY** in conjunction with this Agreement. Failure by the **AGENCY** to grant such public access shall be grounds for immediate unilateral cancellation of this Agreement by the **DEPARTMENT**.
2. The **AGENCY** shall comply with all federal, state and local laws and ordinances applicable to the work or payment for work thereof, and shall not discriminate on the grounds of race, color, religion, sex or national origin in the performance of work under this Agreement.

3. E-Verify. The Agency shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Agency during the term of the Agreement and shall expressly require any subcontractors performing work or providing services pursuant to the Agreement to likewise utilize the U.S. Department of Homeland Security's E-Verify System to verify the employment eligibility of all new employees hired by the subcontractor during the Agreement term.

VI. TERMINATION AND DEFAULT

1. This Agreement may be canceled by the **DEPARTMENT** in whole or in part at any time the interest of the **DEPARTMENT** requires such termination. The **DEPARTMENT** also reserves the right to seek termination or cancellation of this Agreement in the event the **AGENCY** shall be placed in either voluntary or involuntary bankruptcy. The **DEPARTMENT** further reserves the right to terminate or cancel this Agreement in the event an assignment is made for the benefit of creditors. This Agreement may be canceled by the **AGENCY** upon sixty (60) days written notice to the **DEPARTMENT**.
2. If the **DEPARTMENT** determines that the performance of the **AGENCY** is not satisfactory, the **DEPARTMENT** shall have the option of (a) immediately terminating the Agreement, or (b) notifying the **AGENCY** of the deficiency with a requirement that the deficiency be corrected within a specified time, otherwise the Agreement will be terminated at the end of such time, or (c) take whatever action is deemed appropriate by the **DEPARTMENT**.
3. If the **DEPARTMENT** requires termination of the Agreement for reasons other than unsatisfactory performance of the **AGENCY**, the **DEPARTMENT** shall notify the **AGENCY** of such termination, with instructions to the effective date of termination or specify the stage of work at which the Agreement is to be terminated.

If the Agreement is terminated before performance is completed, the **AGENCY** shall be paid only for that work satisfactorily performed for which costs can be substantiated. Such payment, however, may not exceed an amount which is the same percentage of the contract price as the amount of work satisfactorily completed is a percentage of the total work called for by this Agreement. All work in progress will become the property of the **DEPARTMENT** and will be turned over promptly by the **AGENCY**.

VII. MISCELLANEOUS

1. The **AGENCY** and the **DEPARTMENT** agree that the **AGENCY**, its employees, and subcontractors are not agents of the **DEPARTMENT** as a result of this Agreement for purposes other than those set out in Fla. Stat. §337.274.
2. All words used herein in the singular form shall extend to and include the plural. All words used in the plural form shall extend to and include the singular. All words used in any gender shall extend to and include all genders.
3. This Agreement embodies the whole agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein, and this Agreement shall supersede all previous communications, representations, or agreements, either verbal

or written, between the parties hereto.

4. It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be illegal or in conflict with any law of the State of Florida, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.
5. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

VIII. ATTACHMENTS

1. All ATTACHMENTS referenced in this Agreement are incorporated and made a part of this Agreement.

ATTACHMENT A – Location and Cost Breakdown

ATTACHMENT B – Description of Maintenance Activities

IX. EXECUTION

In witness whereof, the CITY OF LAKE WALES has caused this Agreement to be executed in its behalf, by the _____ or its designee, as authorized by its Resolution, and the FLORIDA DEPARTMENT OF TRANSPORTATION has caused this agreement to be executed in its behalf through its District Secretary or authorized designee. The execution date of this Agreement shall be this _____ day of _____, _____, FDOT to enter effective date.

LAKE WALES, FLORIDA

ATTEST:

BY: _____
CLERK

BY: _____

(SEAL)

TITLE

DATE

PRINT NAME DATE

LEGAL REVIEW:

BY: _____
DATE

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

ATTEST:

BY: _____
EXECUTIVE SECRETARY (SEAL)

BY: _____
DISTRICT ONE SECRETARY OR DESIGNEE

PRINT NAME DATE

PRINT NAME DATE

LEGAL REVIEW: _____

AVAILABILITY OF FUNDS APPROVAL:

2/2/2016

DATE

DATE

[Signature]
DISTRICT MAINTENANCE ADMINISTRATOR
APPROVAL: SLA 2/8/16

DATE

ATTACHMENT "A"
LOCATIONS AND PRICES FOR THE CITY OF LAKE WALES

Location: 1

Section: 16090-000 **Mile Post:** 18.291 - 20.688

State Road: State Road 17, Begin North of Winston Avenue to North of Entrance to Findlay Ind.

Activity	Quantity	Units	Cycles	Unit Cost	Location Cost
Large Machine Mowing	12.534	Acres	11	\$14.38	\$1,982.63
Intermediate Machine Mowing	3.456	Acres	11	\$58.34	\$2,217.85
Manual Weed Control	0.16	Acres	4	\$317.38	\$203.12
Litter Removal	15.99	Acres	12	\$10.07	\$1,932.23
Edging and Sweeping	9.59	Curb Mi	6	\$72.89	\$4,194.09

Location: 2

Section: 16110-000 **Mile Post:** 29.578 - 30.632

State Road: State Road 60, Begin East of US 27 Overpass to State Road 17

Activity	Quantity	Units	Cycles	Unit Cost	Location Cost
Slope Mowing	0.63	Acres	6	\$75.63	\$285.88
Intermediate Machine Mowing	3.27	Acres	11	\$58.34	\$2,098.49
Litter Removal	3.9	Acres	12	\$10.07	\$471.28
Edging and Sweeping	7.9	Curb Mi	6	\$72.89	\$3,454.99

Location: 3

Section: 16130-000 **Mile Post:** 0.000 - 1.812

State Road: State Road 60, Begin East of State Road 17 to Tangelo Street

Activity	Quantity	Units	Cycles	Unit Cost	Location Cost
Slope Mowing	1.5	Acres	6	\$75.63	\$680.67
Intermediate Machine Mowing	4.9	Acres	11	\$58.34	\$3,144.53
Litter Removal	6.4	Acres	12	\$10.07	\$773.38
Edging and Sweeping	10.91	Curb Mi	6	\$72.89	\$4,771.38

SUMMARY			
Activity	Quantity	Units Cost	Cycles
Large Machine Mowing	12.534	\$14.38	11
Slope Mowing	2.13	\$75.63	6
Intermediate Machine Mowing	11.626	\$58.34	11
Manual Weed Control	0.16	\$317.38	4
Litter Removal	26.29	\$10.07	12
Edging and Sweeping	28.4	\$72.89	6

Total Annual Cost	\$26,210.51
Three Quarterly Payments	\$6,552.63
One Quarterly Payment	\$6,552.62

**ATTACHMENT "B"
SPECIFICATIONS**

**SECTION 102
MAINTENANCE OF TRAFFIC**

102-1 Description.

Maintain traffic within the limits of the project for the duration of the construction period, including any temporary suspensions of the work. Construct and maintain detours. Provide facilities for access to residences, businesses, etc., along the project. Furnish, install and maintain traffic control and safety devices during construction. Furnish and install work zone pavement markings for maintenance of traffic (MOT) in construction areas. Provide any other special requirements for safe and expeditious movement of traffic specified in the Plans. MOT includes all facilities, devices and operations as required for safety and convenience of the public within the work zone.

Do not maintain traffic over those portions of the project where no work is to be accomplished or where construction operations will not affect existing roads. Do not obstruct or create a hazard to any traffic during the performance of the work, and repair any damage to existing pavement open to traffic.

Include the cost of any work that is necessary to meet the requirements of the Contract Documents under the MOT pay item, when there is not a pay item provided.

102-2 Materials.

Meet the following requirements:

- Bituminous AdhesiveSection 970
- Temporary Retroreflective Pavement Markers...Section 990
- PaintSection 971
- Removable TapeSection 990
- Glass SpheresSection 971
- Temporary Traffic Control Device MaterialsSection 990
- Retroreflective and Nonreflective Sheeting
for Temporary Traffic Control DevicesSection 994

102-2.1 Temporary Traffic Control Devices: Use only the materials meeting the requirements of Section 990, Section 994, Design Standards and the Manual on Uniform Traffic Control Devices (MUTCD).

102-2.2 Detour: Provide all materials for the construction and maintenance of all detours.

102-2.3 Commercial Materials for Driveway Maintenance: Provide materials of the type typically used for base, including recycled asphalt pavement material, and having stability and drainage properties that will provide a firm surface under wet conditions.

102-3 Specific Requirements.

102-3.1 Beginning Date of Contractor's Responsibility: Maintain traffic starting the day work begins on the project or on the first day Contract Time is charged, whichever is earlier.

102-3.2 Worksite Traffic Supervisor: Provide a Worksite Traffic Supervisor who is responsible for initiating, installing, and maintaining all temporary traffic control devices as described in this Section and the Contract Documents. Provide all equipment and materials

needed to set up, take down, maintain traffic control, and handle traffic-related situations. Use approved alternate Worksite Traffic Supervisors when necessary.

The Worksite Traffic Supervisor must meet the personnel qualifications specified in Section 105.

The Worksite Traffic Supervisor is to perform the following duties:

1. On site direction of all temporary traffic control on the project.
2. Is on site during all set up and take down, and performs a drive through inspection immediately after set up.
3. Is on site during all nighttime operations ensuring proper temporary traffic control.
4. Immediately corrects all safety deficiencies and corrects minor deficiencies that are not immediate safety hazards within 24 hours.
5. Is available on a 24 hour per day basis and present at the site within 45 minutes after notification of an emergency situation and is prepared to respond to maintain temporary traffic control or to provide alternate traffic arrangements.
6. Conducts daily daytime and weekly nighttime inspections of projects with predominately daytime work activities, and daily nighttime and weekly daytime inspections of projects with predominantly nighttime work activities of all traffic control devices, traffic flow, pedestrian, bicyclist, and business accommodations.

Advise the project personnel of the schedule of these inspections and give them the opportunity to join in the inspection as deemed necessary. Pedestrians are to be accommodated with a safe, accessible travel path around work sites separated from mainline traffic in compliance with the Americans with Disabilities Act (ADA) Standards for Transportation Facilities. Maintain existing or detour bicycle facilities satisfactorily throughout the project limits. Existing businesses in work areas are to be provided with adequate entrances for vehicular and pedestrian traffic during business hours.

The Department may disqualify and remove from the project a Worksite Traffic Supervisor who fails to comply with the provisions of this Section. The Department may temporarily suspend all activities, except traffic, erosion control and such other activities that are necessary for project maintenance and safety, for failure to comply with these provisions.

102-4 Alternative Traffic Control Plan.

The Contractor may propose an alternative traffic control plan (TCP) to the plan presented in the Contract Documents. Have the Contractor's Engineer of Record sign and seal the alternative plan. Prepare the TCP in conformance with and in the form outlined in the current version of the Department's Plans Preparation Manual. Indicate in the plan a TCP for each phase of activities. Take responsibility for identifying and assessing any potential impacts to a utility that may be caused by the alternate TCP proposed by the Contractor, and notify the Department in writing of any such potential impacts to utilities.

Engineer's approval of the alternate TCP does not relieve the Contractor of sole responsibility for all utility impacts, costs, delays or damages, whether direct or indirect, resulting from Contractor initiated changes in the design or construction activities from those in the original Contract Specifications, Design Plans (including TCPs) or other Contract Documents and which effect a change in utility work different from that shown in the Utility Plans, joint project agreements or utility relocation schedules.

The Department reserves the right to reject any alternative TCP. Obtain the Engineer's written approval before beginning work using an alternate TCP. The Engineer's written approval is required for all modifications to the TCP. The Engineer will only allow changes to the TCP in

an emergency without the proper documentation.

102-5 Traffic Control.

102-5.1 Standards: FDOT Design Standards are the minimum standards for the use in the development of all TCPs. The MUTCD, Part VI is the minimum national standard for traffic control for highway construction, maintenance, and utility operations. Follow the basic principles and minimum standards contained in these documents for the design, application, installation, maintenance, and removal of all traffic control devices, warning devices and barriers which are necessary to protect the public and workers from hazards within the project limits.

102-5.2 Maintenance of Roadway Surfaces: Maintain all lanes that are being used for the MOT, including those on detours and temporary facilities, under all weather conditions. Keep the lanes reasonably free of dust, potholes and rutting. Provide the lanes with the drainage facilities necessary to maintain a smooth riding surface under all weather conditions.

102-5.3 Number of Traffic Lanes: Maintain one lane of traffic in each direction. Maintain two lanes of traffic in each direction at existing four (or more) lane cross roads, where necessary to avoid undue traffic congestion. Construct each lane used for MOT at least as wide as the traffic lanes existing in the area before commencement of construction. Do not allow traffic control and warning devices to encroach on lanes used for MOT.

The Engineer may allow the Contractor to restrict traffic to one-way operation for short periods of time provided that the Contractor employs adequate means of traffic control and does not unreasonably delay traffic. When a construction activity requires restricting traffic to one-way operations, locate the flaggers within view of each other when possible. When visual contact between flaggers is not possible, equip them with 2-way radios, official, or pilot vehicles, or use traffic signals.

102-5.4 Crossings and Intersections: Provide and maintain adequate accommodations for intersecting and crossing traffic. Do not block or unduly restrict any road or street crossing the project unless approved by the Engineer. Before beginning any construction, provide the Engineer the names and phone numbers of persons that can be contacted when signal operation malfunctions.

102-5.5 Access for Residences and Businesses: Provide continuous access to all residences and all places of business.

102-5.6 Protection of the Work from Injury by Traffic: Where traffic would be injurious to a base, surface course, or structure constructed as a part of the work, maintain all traffic outside the limits of such areas until the potential for injury no longer exists.

102-5.7 Flagger: Provide flaggers to control traffic when traffic in both directions must use a single lane and in other situations as required. All flaggers must meet the personnel qualifications specified in Section 105.

102-5.8 Conflicting Pavement Markings: Where the lane use or where normal vehicle or pedestrian paths are altered during construction, remove all pavement markings (paint, tape, thermoplastic, raised pavement markers, etc.) that will conflict with the adjusted vehicle or pedestrian paths. Use of paint to cover conflicting pavement markings is prohibited. Remove conflicting pavement markings using a method that will not damage the surface texture of the pavement and which will eliminate the previous marking pattern regardless of weather and light conditions.

Remove all pavement markings that will be in conflict with "next phase of operation" vehicle pedestrian paths as described above, before opening to vehicle traffic or use by pedestrians.

Cost for removing conflicting pavement markings (paint, tape, thermoplastic,

raised pavement markers, etc.) to be included in Maintenance of Traffic, Lump Sum.

102-5.9 Vehicle and Equipment Visibility: Equip all pickups and automobiles used on the project with a minimum of one Class 2 warning light that meets the Society of Automotive Engineers Recommended Practice SAE J595, dated November 1, 2008, or SAE J845, dated December 1, 2007, and incorporated herein by reference. Existing lights that meet SAE J845, dated March, 1992, or SAE J1318, dated April, 1986, may be used to their end of service life. The warning lights shall be a high intensity amber or white rotating, flashing, oscillating or strobe light. Lights shall be unobstructed by ancillary vehicle equipment such as ladders, racks or booms. If the light is obstructed, additional lights will be required. The lights shall be operating when a vehicle is in a work area where a potential hazard exists, when operating the vehicle at less than the average speed for the facility while performing work activities, making frequent stops or called for in the Plans or Design Standards.

Equip all other vehicles and equipment with a minimum of 4 square feet of retroreflective sheeting or warning lights.

102-5.10 No Waiver of Liability: Conduct operations in such a manner that no undue hazard results due to the requirements of this Article. The procedures and policies described herein in no way acts as a waiver of any terms of the liability of the Contractor or his surety.

102-6 Detours.

102-6.1 General: Construct and maintain detour facilities wherever it becomes necessary to divert traffic from any existing roadway or bridge, or wherever construction operations block the flow of traffic.

102-6.2 Construction: Plan, construct, and maintain detours for the safe passage of traffic in all conditions of weather. Provide the detour with all facilities necessary to meet this requirement. Where pedestrian facilities are detoured, blocked or closed during the work, provide safe alternate accessible routes through or around the work zone meeting the requirements of the ADA Standards for Transportation Facilities.

When the Plans call for the Department to furnish detour bridge components, construct the pile bents in accordance with the Plans, unless otherwise authorized by the Engineer.

Provide two Contractor representatives, who will be directly involved in the erection of Department-owned temporary bridging, to attend a mandatory one-day training session to be conducted at the Department's storage facility. No bridging will be released to the Contractor prior to the completion of this training.

Submit a letter with the following: company name, phone number, office address, project contact person, names of the representatives who will attend the training described above, project number, detour bridge type, bridge length, span length, location and usage time frames, to the Engineer at least 30 calendar days before the intended pick-up date, to obtain the storage facility location and list of components for the project. Upon receipt of letter, the Engineer will, within 10 calendar days provide an approved material list to the Contractor and the appropriate Department storage yard.

Provide a letter with an original company seal, identifying the representative with authority to pick up components, to the Engineer at least 10 calendar days before the proposed pick-up date. The Department is not obligated to load the bridge components without this notice. Take responsibility and sign for each item loaded at the time of issuance.

Provide timber dunnage, and transport the bridge components from the designated storage facility to the job site. Unload, erect, and maintain the bridge, then dismantle the bridge and load and return the components to the designated storage facility.

Notify the Engineer in writing at least 10 calendar days before returning the components. Include in this notice the name of the Contractor's representative authorized to sign for return of the bridge components. The yard supervisor is not obligated to unload the bridge components without this notice.

The Department will provide equipment and an operator at the Department's storage facility to assist in loading and unloading the bridge components. Furnish all other labor and equipment required for loading and unloading the components.

The Department's representative will record all bridge components issued or returned on the Detour Bridge Issue and Credit Ticket. The tickets must be signed by a Department and a Contractor representative, after loading or unloading each truck to document the quantity and type of bridging issued or returned.

Bind together all bridge components to be returned in accordance with the instructions given by the storage facility. The yard supervisor will repack components that are not packed in compliance with these instructions. Upon request, written packing instructions will be made available to the Contractor, before dismantling of the bridge for return to the Department's storage facility.

Assume responsibility for any shortage or damage to the bridge components. Monies due the Contractor will be reduced at the rate of \$35.00 per hour plus materials for repacking, repairs or replacement of bridge components.

The skid resistance of open steel grid decking on the detour bridge may decrease gradually after opening the bridge to traffic. The Department will furnish a pneumatic floor scabber machine for roughening the roadway surface of the detour bridge decking. Provide an air compressor at the job site with 200 cubic feet per minute capacity, 90 psi air pressure for the power supply of the machine, and an operator. Transport the scabber machine to and from the Department's structures shop. Repair any damage to the scabber machine caused by operations at no expense to the Department. Perform scabbling when determined necessary by the Engineer. The Department will pay for the cost of scabbling as Unforeseeable Work in accordance with 4-4.

Return the bridge components to the designated storage facility beginning no later than 10 calendar days after the date the detour bridge is no longer needed, the date the new bridge is placed in service, or the date Contract Time expires, whichever is earliest. Return the detour bridging at an average of not less than 200 feet per week. Upon failure to return the bridge components to the Department within the time specified, compensate the Department for the bridge components not returned at the rate of \$5.00 per 10 feet, per day, per bridge, for single lane; and \$10.00 per 10 feet, per day, per bridge, for dual lane until the bridge components are returned to the Department.

102-6.3 Construction Methods: Select and use construction methods and materials that provide a stable and safe detour facility. Construct the detour facility to have sufficient durability to remain in good condition, supplemented by maintenance, for the entire period that the detour is required.

102-6.4 Removal of Detours: Remove detours when they are no longer needed and before the Contract is completed. Take ownership of all materials from the detour and dispose of them, except for the materials on loan from the Department with the stipulation that they are returned.

102-6.5 Detours Over Existing Roads and Streets: When the Department specifies that traffic be detoured over roads or streets outside the project area, do not maintain such roads or streets. However, maintain all signs and other devices placed for the purpose of the detour.

102-6.6 Operation of Existing Movable Bridges: The Department will maintain and

operate existing moveable bridges that are to be removed by the Contractor until such time as they are closed to traffic. During this period, make immediate repairs of any damage to such structures caused by use or operations related to the work at no expense to the Department, but do not provide routine repairs or maintenance. In the event that use or operations result in damage to a bridge requiring repairs, give such repairs top priority to any equipment, material, or labor available.

102-7 Traffic Control Officer.

Provide uniformed law enforcement officers, including marked law enforcement vehicles, to assist in controlling and directing traffic in the work zone when the following types of work is necessary on projects:

1. Directing traffic/overriding the signal in a signalized intersection.
2. When Design Standards, Index No. 619 is used on freeway facilities (interstates, toll roads, and expressways) at nighttime for work within the travel lane.
3. When Design Standards, Index No. 655 Traffic Pacing for overhead work is called for in the Plans or approved by the Engineer.
4. When pulling conductor/cable above an open traffic lane on limited access facilities, when called for in the Plans or approved by the Engineer.
5. When Design Standards, Index No. 625 Temporary Road Closure 5 Minutes or Less is used.

102-8 Driveway Maintenance.

102-8.1 General: Ensure that each residence and business has safe, stable, and reasonable access.

102-8.2 Construction Methods: Place, level, manipulate, compact, and maintain the material, to the extent appropriate for the intended use.

As permanent driveway construction is accomplished at a particular location, the Contractor may salvage and reuse previously placed materials that are suitable for reuse on other driveways.

102-9 Temporary Traffic Control Devices.

102-9.1 Installation and Maintenance: Install and maintain temporary traffic control devices as detailed in the Plans, Index 600 of the Design Standards and when applicable, in accordance with the approved vendor drawings, as provided on the Department's Approved Product List (APL). Erect the required temporary traffic control devices to prevent any hazardous conditions and in conjunction with any necessary traffic re-routing to protect the traveling public, workers, and to safeguard the work area. Use only those devices that are on the APL or meeting the requirements of the Design Standards. Immediately remove or cover any devices that do not apply to existing conditions.

All temporary traffic control devices must meet the requirements of National Cooperative Highway Research Program Report 350 (NCHRP 350) or the Manual for Assessing Safety Hardware 2009 (MASH) and current FHWA directives. Manufacturers seeking evaluation must furnish certified test reports showing that their product meets all test requirements set forth by NCHRP 350 or the MASH. Manufacturers seeking evaluation of Category I devices for inclusion on the APL shall include the manufacturer's self-certification letter. Manufacturer's seeking evaluation of Category II and Category III devices for inclusion on the APL shall include the FHWA WZ numbered acceptance letter with attachments and vendor drawings of the device in sufficient detail to enable the Engineer to distinguish between this and similar devices.

For devices requiring field assembly or special site preparation, vendor drawings shall include all field assembly details and technical information necessary for proper application and installation. Vendor drawings for Category III devices must be signed and sealed by a Professional Engineer registered in the State of Florida. Manufacturers seeking evaluation of Category IV devices for inclusion on the APL must comply with the requirements of Section 990 and include detailed vendor drawings of the device along with technical information necessary for proper application, field assembly and installation.

The APL number is to be permanently marked on the device at a readily visible location. Sheeting used on devices is exempt from this marking requirement.

Notify the Engineer of any scheduled operation that will affect traffic patterns or safety sufficiently in advance of commencing such operation to permit review of the plan for the proposed installation of temporary traffic control devices.

Assign an employee the responsibility of maintaining the position and condition of all temporary traffic control devices throughout the duration of the Contract. Keep the Engineer advised at all times of the identification and means of contacting this employee on a 24 hour basis.

Maintain temporary traffic control devices in the correct position, properly oriented, clearly visible and clean, at all times. All traffic control devices must meet the classification level of Acceptable as defined in the American Traffic Safety Services Association (ATSSA) Quality Guidelines for Temporary Traffic Control Devices and Features (2008-09 Edition). Immediately repair, replace or clean damaged, defaced or dirty devices. Traffic control devices shall not be cleaned while installed/used. Use of warning lights on any temporary traffic control device shall be prohibited.

Employ an approved independent Channelizing Device Supplier (CDS) to provide and maintain the condition of the following non-fixed channelizing devices: drums, cones, vertical panels, barricades, tubular markers, and longitudinal channeling devices. Cones may be provided and maintained by the Contractor.

The CDS shall not be affiliated with the Contractor and shall be approved by the Engineer in accordance with 102-9.1.1. The CDS shall submit a monthly certification on letterhead that the channelizing devices mentioned above installed/used within the work zone meet acceptable standards as outlined in ATSSA Quality Guidelines for Temporary Traffic Control Devices and Features. The certification shall include the following statement, "I certify that I have provided and maintained the following devices <list devices covered under the certification> in accordance with the ATSSA Quality Guidelines for Temporary Traffic Control Devices and Features." If the Contractor chooses to provide and maintain cones, the Contractor shall submit a monthly certification on a Department approved form that all cones installed/used within the work zone meet acceptable standards as outlined in ATSSA Quality Guidelines for Temporary Traffic Control Devices and Features, and the CDS shall submit the monthly certification for any other channelizing devices installed/used within the work zone.

102-9.1.1 Approved Independent Channelizing Device Supplier (CDS)

Requirements: Submit the following documents to the Engineer for independent CDS approval at the preconstruction conference. CDSs may elect to provide a one-time submittal of this information for approval and have the information posted on the State Construction Office website for use by Department personnel. Inform the Engineer at the preconstruction conference of this approval.

1. A letter on company letterhead signed and dated by the owner of the company or company officer with the following information and statements:
 - a. The company's owners, stockholders, and officers.

b. A statement declaring that the company will not perform as a CDS on any project where there is common ownership, directly or indirectly, between the company and the Contractor.

c. A statement declaring that the company will furnish and maintain the condition of all channelizing devices with the exception of cones as required in 102-9.1 with its own forces.

d. A statement declaring at least five years of experience in providing channelizing device supplier services, with its own inventory of channelizing devices.

e. On a separate sheet, list a sample project history of the company's experience as a channeling device supplier for the five years declared in item 1(d) above including the following information:

1. Project name and number and a brief description of CDS work performed,
2. Beginning and ending date of CDS project activities,
3. Location of project (city, state),
4. Monetary amount of CDS work on project,
5. Owner of project, contact person and phone number with area code,
6. Name of Contractor (client) that the work was performed for and phone number with area code.

2. A maintenance plan for approval by the Department that outlines the frequency and methods for maintaining the condition of all channelizing devices, except cones owned and maintained by the Contractor, installed/used in the work zone.

102-9.2 Work Zone Signs: Furnish, install, maintain, remove and relocate signs in accordance with the Plans and Design Standards, Index No. 600. Use signs that meet the material and process requirements of Section 994. Use Type IV sheeting for fluorescent orange work zone signs. Roll-up signs must meet the requirements of Type VI sheeting. Use Type IV or Type XI sheeting for all other work zone signs. Attach the sign to the sign support using hardware meeting the manufacturer's recommendations on the APL vendor drawings or as specified in the Design Standards.

102-9.2.1 Post Mounted Signs: Meet the requirements of 990-8.

102-9.2.2 Portable Signs: Use only approved systems, which includes sign stands and attachment hardware (nuts, bolts, clamps, brackets, braces, etc.), meeting the vendor requirements specified on the APL drawings. Provide Federal Highway Administration's (FHWA) accepted sign substrate for use with accepted sign stands on the National Highway System (NHS) under the provisions of the NCHRP Report 350 "Recommended Procedures for the Safety Performance Evaluation of Highway Features."

102-9.2.3 Barrier Mounted Signs: If post mounting criteria cannot be achieved in accordance with Design Standards, Index No. 600 and a barrier or traffic railing exists, use temporary sign criteria provided in Design Standards, Index No. 11871.

102-9.3 Business Signs: Provide and place signs in accordance with the Plans and Design Standards, Index No. 600 series. Furnish signs having retroreflective sheeting meeting the requirements of Section 990.

102-9.4 Project Information Signs: Provide and place signs in accordance with the Plans and Design Standards, Index No. 600 series. Furnish signs having retroreflective sheeting meeting the requirements of Section 990.

102-9.5 Channelizing Devices: Furnish and install channelizing devices in accordance with the Plans and Design Standards.

102-9.5.1 Retroreflective Collars for Traffic Cones: Use collars for traffic cones listed on the APL that meet the requirements of Section 990. Use cone collars at night designed to properly fit the taper of the cone when installed. Place the upper 6 inch collar a uniform 3-1/2 inches distance from the top of the cone and the lower 4 inch collar a uniform 2 inches distance below the bottom of the upper 6 inch collar. Collars are to be capable of being removed for temporary use or attached permanently to the cone in accordance with the manufacturer's recommendations. Provide a white sheeting having a smooth outer surface and that has the property of a retroreflector over its entire surface.

102-9.5.2 Barrier Wall (Temporary): Furnish, install, maintain, remove and relocate temporary barrier wall in accordance with the Plans. Obtain and use precast temporary barrier wall from a manufacturing plant that is on the Department's list of Producers of Incidental Precast/Prestressed Concrete Products with an Accepted Quality Control Program at the time of production. Producers seeking inclusion on the list shall meet the requirements of 105-3. Temporary barrier wall must meet the material and construction requirements of Section 521 unless noted otherwise in the Design Standards.

The maximum allowable height increase between consecutive temporary barrier wall units in the direction of traffic is 1 inch.

Temporary concrete barrier wall used on roadway sections must comply with Design Standards, Index Nos. 412, 415 or 414. Temporary concrete barrier wall used on bridge and wall sections, shall comply with Design Standards, Index No 414.

Temporary water filled barrier wall used on roadway sections shall meet the NCHRP Report 350 or MASH criteria and be listed on the APL.

Barriers meeting the requirements of Design Standards, Index Nos. 412, 415 or temporary water filled barriers on the APL will not be accepted as an alternate to barriers meeting the requirements of Design Standards, Index No. 414.

Trailer mounted barriers listed on the APL may be used at the option of the Contractor. Trailer mounted barriers listed on the APL must have an FHWA eligibility letter and be successfully crash tested in accordance with MASH TL-3 criteria. All trailer mounted barriers must be equipped with an APL listed truck mounted attenuator, an APL listed vehicle mounted arrow board and vehicle warning lights in accordance with this Section.

102-9.5.2.1 Temporary Barrier Wall Meeting the Requirements of Design Standards, Index Nos. 412 and 414: Ensure the marking requirements of the respective Index are met.

102-9.5.2.2: Proprietary Precast Temporary Barrier Wall Fabricated prior to 2005: The Contractor must submit a certification stating that all unmarked barrier wall units meet the requirements of the Specifications and the Design Standards. Certifications will be project specific and non-transferable

102-9.5.2.3 Proprietary Precast Temporary Barrier Wall Fabricated in 2005 or later: Ensure each wall unit has permanent clear markings, showing the manufacture date, serial number, manufacturer's name or symbol, and the APL number. Label the markings on a plate, plaque, or cast in the unit. Proprietary barrier wall fabricated prior to 2016 and marked with the "INDX 521" in lieu of the APL number will be permitted.

102-9.5.3 Glare Screen (Temporary): Use temporary glare screens listed on the APL that meet the requirements of Section 990. Furnish, install, maintain, remove and relocate glare screen systems in conjunction with temporary barrier wall at locations identified in the Plans.

The anchorage of the glare screen to the barrier must be capable of safely resisting an equivalent tensile load of 600 pounds per foot of glare screen, with a requirement to

use a minimum of three fasteners per barrier section.

When glare screen is utilized on temporary barrier wall, barrier delineators will not be required.

102-9.5.4 Longitudinal Channelizing Devices (LCDs): Furnish LCDs in accordance with the Plans and Design Standards. LCDs are categorized as vehicular or pedestrian and shall be interlocked. For LCDs requiring internal ballasting, an indicator that clearly identifies the proper ballast level will be required.

Use alternating orange and white pattern for solid color vehicular LCDs. Vehicular LCDs may be substituted for drums, vertical panels, or barricades.

102-9.6 Temporary Crash Cushion (Redirective/Gating): Furnish, install, maintain and subsequently remove temporary crash cushions in accordance with the details and notes shown in the Plans, the Design Standards, and requirements of the pre-approved alternatives listed on the APL. Maintain the crash cushions until their authorized removal. Repair all attachment scars to permanent structures and pavements after crash cushion removal. Make necessary repairs due to defective material, work, or Contractor operations at no cost to the Department. Restore crash cushions damaged by the traveling public within 24 hours after notification as authorized by the Engineer.

102-9.7 Guardrail (Temporary): Furnish guardrail (temporary) in accordance with the Plans and Design Standards. Meet the requirements of Section 536.

102-9.8 Arrow Board: Furnish arrow boards that meet the requirements of Section 990 as required by the Plans and Design Standards to advise approaching traffic of lane closures or shoulder work. Type B arrow boards may be used on low to intermediate speed (0 mph to 50 mph) facilities or for maintenance or moving operations on any speed facility. Type C arrow boards shall be used for all other operations on high-speed (50 mph and greater) facilities and may be substituted for Type B arrow boards on any speed facility.

102-9.9 Portable Changeable Message Sign (PCMS): Furnish PCMSs or truck mounted changeable message signs that meet the requirements of Section 990 as required by the Plans and Design Standards to supplement other temporary traffic control devices used in work zones.

102-9.10 Portable Regulatory Signs (PRS): Furnish PRSs that meet the requirements of 990 as required by the Plans and Design Standards.

Activate portable regulatory signs only during active work activities and deactivate when no work is being performed.

102-9.11 Radar Speed Display Unit (RSDU): Furnish RSDUs that meet the requirements of Section 990 as required by the Plans and Design Standards to inform motorists of the posted speed and their actual speed.

Activate the radar speed display unit only during active work activities and deactivate when no work is being performed.

102-9.12 Temporary Signalization and Maintenance: Provide temporary signalization and maintenance at existing, temporary, and new intersections including but not limited to the following:

1. Installation of temporary poles and span wire assemblies as shown in the Plans,
2. Temporary portable traffic signals as shown in the Plans,
3. Adding or shifting signal heads,
4. Trouble calls,
5. Maintaining intersection and coordination timing and preemption devices. Coordination timing will require maintaining functionality of system communications.

Restore any loss of operation within 12 hours after notification.

Provide traffic signal equipment that meets the requirements of the Design Standards and 603-2. The Engineer may approve used signal equipment if it is in acceptable condition. Replacement components for traffic signal cabinet assemblies will be provided by the maintaining agency.

102-9.13 Temporary Traffic Detection and Maintenance: Provide temporary traffic detection and maintenance at existing, temporary, and new signalized intersections. Provide temporary traffic detection equipment listed on the APL. Restore any loss of detection within 12 hours. Ensure 90% accuracy per signal phase, measured at the initial installation and after any lane shifts, by comparing sample data collected from the detection system with ground truth data collected by human observation. Collect the sample and ground truth data for a minimum of five minutes during a peak and five minutes during an off-peak period with a minimum three detections for each signal phase. Perform the test in the presence of the Engineer.

102-9.14 Truck Mounted Attenuators and Trailer Mounted Attenuators: Furnish, install and maintain only those attenuators that meet the requirements of NCHRP 350 or the MASH.

Use truck mounted attenuators or trailer mounted attenuators, when called for in the Design Standards. Use attenuators listed on the APL.

When attenuators are called for, use either a truck mounted attenuator or a trailer mounted attenuator system designed and installed in accordance with the manufacturers recommendations.

Equip the attenuator cartridge with lights and reflectors in compliance with applicable Florida motor vehicle laws, including turn signals, dual tail lights, and brake lights. Ensure that lights are visible in both the raised and lowered positions if the unit is capable of being raised.

Install either alternating black with yellow or white with orange sheeting on the rear of trailer mounted attenuators and on truck mounted attenuators, in both the operating and raised position. Use Type III (work zone) or Type IV sheeting consisting of 4 or 6 inch wide stripes installed to form chevrons that point upward. All sheeting except black shall be retroreflective.

Attenuators will not be paid for separately. Include the cost of the truck with either a truck mounted attenuator or a trailer mounted attenuator in MOT Lump Sum. Payment includes all costs, including furnishing, maintaining and removal when no longer required, and all materials, labor, tools, equipment and incidentals required for attenuator maintenance.

102-9.15 Temporary Raised Rumble Strip Set: Furnish, install, maintain, remove, and reinstall temporary raised rumble strips per the manufacturer's recommendations and in accordance with Design Standards, Index No. 603.

The temporary raised rumble strip may be either a removable polymer striping tape or a molded engineered polymer material.

102-9.16 Automated Flagger Assistance Devices (AFAD): Furnish, install, maintain, remove and relocate AFADs in accordance with the Plans and Design Standards. Position AFADs where they are clearly visible to oncoming traffic and out of the lane of traffic. The devices may be operated either by a single flagger at one end of the traffic control zone, from a central location, or by a separate flagger near each device's location.

AFADs may be either a remotely controlled Stop/Slow AFAD mounted on either a trailer or a movable cart system, or a remotely controlled Red/Yellow Lens AFAD.

AFADs will not be paid for separately. AFADs may be used as a supplement or an alternate to flaggers in accordance with Index 603. Include the cost for AFADs in

Maintenance of Traffic Lump Sum.

102-9.17 Temporary Lane Separator: Furnish, install, maintain, remove and relocate temporary lane separator in accordance with the Plans and Design Standards, Index No 600. Anchor the portable temporary lane separator with a removable anchor bolt. Use epoxy on bridge decks where anchoring is not allowed. Remove the epoxy from the bridge deck by hydroblasting or other method approved by the Engineer.

102-10 Work Zone Pavement Marking.

102-10.1 Description: Furnish and install work zone pavement markings for MOT in construction areas and in close conformity with the lines and details shown in the Plans and Design Standards.

Centerlines, lane lines, edge lines, stop bars and turn arrows will be required in work zones prior to opening the road to traffic.

The most common types of work zone pavement markings are painted pavement markings and removable tape. Other types of work zone pavement markings may be identified in the Plans.

102.10.2 Painted Pavement Markings:

102-10.2.1 General: Use painted pavement markings meeting the requirements of Section 710. Use standard waterborne paint unless otherwise identified in the Plans or approved by the Engineer.

102-10.3 Removable Tape:

102-10.3.1 General: Use removable tape listed on the APL and meeting the requirements of 990-4.

102-10.3.2 Application: Apply removable tape with a mechanical applicator to provide pavement lines that are neat, accurate and uniform. Equip the mechanical applicator with a film cut-off device and with measuring devices that automatically and accumulatively measure the length of each line placed within an accuracy tolerance of plus or minus 2%. Ensure removable tape adheres to the road surface. Removable tape may be placed by hand on short sections, 500 feet or less, if it is done in a neat accurate manner.

102-10.3.3 Retroreflectivity: Apply white and yellow pavement markings that will attain an initial retroreflectivity of not less than 300 mcd/lx·m² for white and contrast markings and not less than 250 mcd/lx·m² for yellow markings. Black portions of contrast tapes and black masking tapes must be non-reflective and have a reflectance of less than 5 mcd/lx m². At the end of the six month service life, the retroreflectance of white and yellow removable tape shall not be less than 150 mcd/lx·m².

102-10.3.4 Removability: Provide removable tape capable of being removed from bituminous concrete and portland cement concrete pavement intact or in substantially large strips, either manually or by a mechanical roll-up device, at temperatures above 40°F, without the use of heat, solvents, grinding or blasting.

102-10.4 Temporary Retroreflective Pavement Markers (RPM's): Use markers listed on the APL. Install all markers in accordance with the manufacturer's recommendations and in accordance with Design Standards, Index Nos. 600 and 17352, prior to opening the road to traffic. After initial installation, replace markers any time more than three consecutive markers fail or are missing at no expense to the Department.

102-11 Method of Measurement.

102-11.1 General: Devices installed/used on the project on any calendar day or portion thereof, within the Contract Time, including time extensions which may be granted, will be paid

for at the Contract unit price for the applicable pay item, except those paid for as Lump Sum.

102-11.2 Traffic Control Officers: The quantity to be paid for will be at the Contract unit price per hour (4 hour minimum) for the actual number of officers certified to be on the project site, including any law enforcement vehicles and all other direct and indirect costs. Payment will be made only for those traffic control officers specified in the Plans and authorized by the Engineer.

102-11.3 Special Detours: When a diversion or lane shift that requires temporary pavement is shown in the Plans, the work of constructing, maintaining, and subsequently removing such detour facilities will be paid for as a special detour. However, traffic control devices, warning devices, barriers, signing, pavement markings, and restoration to final configuration will be paid for under their respective pay items.

When the Plans show more than one special detour, each special detour will be paid for separately, at the Contract lump sum price for each.

102-11.4 Commercial Material for Driveway Maintenance: The quantity to be paid for will be the certified volume, in cubic yards, of all materials authorized by the Engineer, acceptably placed and maintained for driveway maintenance. The volume, which is authorized to be reused, and which is acceptably salvaged, placed, and maintained in other designated driveways will be included again for payment.

102-11.5 Work Zone Signs: The number of temporary post-mounted signs (temporary regulatory, warning and guide) certified as installed/used on the project will be paid for at the Contract unit price for work zone signs. When multiple signs are located on single or multiple posts, each sign panel will be paid individually. Signs greater than 20 square feet and detailed in the Plans will be paid for under Lump Sum MOT.

Temporary portable signs (excluding mesh signs) and vehicular mounted signs will be included for payment under work zone signs, only if used in accordance with the Design Standards.

The number of temporary barrier mounted signs (temporary regulatory, warning and guide) certified as installed/used on the project will be paid for at the Contract unit price for barrier mounted work zone signs.

102-11.6. Business Signs: The number of business signs certified as installed/used on the project will be paid for at the Contract unit price for business signs.

102-11.7 Project Information Signs: No separate payment will be made for project information signs. Payment will be included under Lump Sum MOT.

102-11.8 Channelizing Devices: The number of drums, vertical panels, pedestrian LCDs, and Type I, Type II, Type III, or direction indicator barricades, certified as installed/used on the project meeting the requirements of Design Standards, Index No. 600 and have been properly maintained will be paid for at the Contract unit prices for channelizing device. Payment for vehicular LCDs will be paid as the length in feet installed divided by the device spacing for barricades, vertical panels, and drums and certified as installed/used on the project meeting the requirements of Design Standards, Index No. 600 and have been properly maintained will be paid for at the Contract unit price for channelizing device. Payment will not be made for channelizing devices unsatisfactorily maintained, as determined by the Engineer. Payment will be made for each channelizing device that is used to delineate trailer mounted devices. Payment will be made for channelizing devices delineating portable changeable message signs during the period beginning 14 working days before Contract Time begins as authorized by the Engineer.

102-11.9 Barrier Wall (Temporary): The Contract unit price for barrier wall (temporary) will be full compensation for furnishing, installing, maintaining, and removing the barrier wall. When called for, the Contract unit price for barrier wall (temporary/relocate) will be

full compensation for relocating the barrier. The certified quantity to be paid for will be determined by the number of sections times the nominal length of each section.

102-11.10 Barrier Delineators: The number of barrier delineators, installed on top of barrier wall, used on the project, meeting the requirements of the Design Standards and Section 705.

102-11.11 Glare Screen (Temporary): The certified quantity to be paid for will be determined by the number of sections times the nominal length of each section.

102-11.12 Temporary Crash Cushions:

102-11.12.1 Redirective: The quantity to be paid for will be the number of temporary crash cushions (redirective) certified as installed/used and maintained on the project, including object marker.

102-11.12.2 Gating: The quantity to be paid for will be the number of temporary crash cushions (gating) certified as installed/used and maintained on the project, including object marker.

102-11.13 Temporary Guardrail: The quantity to be paid for will be the length, in feet, of temporary guardrail constructed and certified as installed/used on the project. The length of a run of guardrail will be determined as a multiple of the nominal panel lengths.

102-11.14 Arrow Board: The quantity to be paid at the contract unit price will be for the number of arrow boards certified as installed/used on the project on any calendar day or portion thereof within the Contract Time.

102-11.15 Portable Changeable Message Sign: The quantity to be paid at the Contract unit price will be for the number of PCMSs or truck mounted changeable message signs certified as installed/used on the project on any calendar day or portion thereof within the Contract Time. Payment will be made for each portable changeable message sign that is used during the period beginning fourteen working days before Contract Time begins as authorized by the Engineer.

102-11.16 Portable Regulatory Signs: The quantity to be paid for will be the number of portable regulatory signs certified as installed/used on the project on any calendar day or portion thereof within the Contract Time, will be paid for the Contract unit price for portable regulatory sign.

102-11.17 Radar Speed Display Unit: The quantity to be paid for will be the number of radar speed display units certified as installed/used on the project on any calendar day or portion thereof within the Contract Time, will be paid for the Contract unit price for radar speed display unit.

102-11.18 Temporary Signalization and Maintenance: For existing intersections, the quantity to be paid for will be the number of signalized intersections per day for the full duration of the Contract. For temporary intersections, the quantity to be paid for will be the number of signalized intersections per day for the duration of the temporary intersection. No separate payment will be made for temporary signalization and maintenance at new intersections.

102-11.19 Temporary Traffic Detection and Maintenance: For existing intersections, the quantity to be paid for will be the number of signalized intersections per day beginning the day Contract Time begins and ending the day the permanent detection is operational and the final lane configuration is in place. For temporary and new intersections, the quantity to be paid for will be the number of signalized intersections per day beginning the day the temporary detection is functional and ending the day the permanent detection is operational and the final lane configuration is in place for a new intersection; or, when the detection is removed for a temporary intersection.

102-11.20 Work Zone Pavement Markings: The quantities, furnished and installed, to be paid for will be the length of skip and solid pavement markings, and the area of pavement

markings placed as follows:

1. The total transverse distance, in feet, of skip pavement marking authorized and acceptably applied. The length of actual applied line will depend on the skip ratio of the material used. Measurement will be the distance from the beginning of the first stripe to the end of the last stripe with proper deductions made for unpainted intervals as determined by plan dimensions or stations, subject to 9-1.3.

2. The net length, in feet, of solid pavement marking authorized and acceptably applied.

3. The number of directional arrows or pavement messages authorized and acceptably applied.

4. The number of temporary RPM's authorized and acceptably applied.

102-11.21 Temporary Raised Rumble Strips: The quantity to be paid for will be the number of calendar days, or portions thereof, that temporary raised rumble strips are certified as installed/used on the project within the Contract Time. The number of strips used must meet the requirements of the Design Standards, Index No. 603. No adjustment will be made to the per day measurement for the number of strips or sets used, or for the number of times the sets are relocated.

102-11.22 Temporary Lane Separator: The quantity of temporary lane separator to be paid for will be field measure, in feet, including drainage gaps, completed and accepted.

102-12 Submittals.

102-12.1 Submittal Instructions: Prepare a certification of quantities, using the Department's current approved form, for certified MOT payment items for each project in the Contract. Submit the certification of quantities to the Engineer. The Department will not pay for any disputed items until the Engineer approves the certification of quantities.

102-12.2 Contractor's Certification of Quantities: Request payment by submitting a certification of quantities no later than Twelve O'clock noon Monday after the estimate cut-off date or as directed by the Engineer, based on the amount of work done or completed. Ensure the certification consists of the following:

1. Contract Number, FPID Number, Certification Number, Certification Date and the period that the certification represents.

2. The basis for arriving at the amount of the progress certification, less payments previously made and less an amount previously retained or withheld. The basis will include a detail breakdown provided on the certification of items of payment in accordance with 102-13. After the initial setup of the MOT items and counts, the interval for recording the counts will be made weekly on the certification sheet unless there is a change. This change will be documented on the day of occurrence. Some items may necessitate a daily interval of recording the counts.

102-13 Basis of Payment.

102-13.1 Maintenance of Traffic (General Work): When an item of work is included in the proposal, price and payment will be full compensation for all work and costs specified under this Section except as may be specifically covered for payment under other items.

102-13.2 Traffic Control Officers: Price and payment will be full compensation for the services of the traffic control officers.

102-13.3 Special Detours: Price and payment will be full compensation for providing all detour facilities shown in the Plans and all costs incurred in carrying out all requirements of this Section for general MOT within the limits of the detour, as shown in the Plans.

102-13.4 Commercial Materials for Driveway Maintenance: Price and payment will

be full compensation for all work and materials specified for this item, including specifically all required shaping and maintaining of driveways.

102-13.5 Work Zone Signs: Price and payment will be full compensation for all work and materials for furnishing signs, supports and necessary hardware, installation, relocating, maintaining and removing signs.

102-13.6. Business Signs: Price and payment will be full compensation for all materials and labor required for furnishing, installing, relocating, maintaining, and removing the signs as well as the cost of installing any logos provided by business owners.

102-13.7 Project Information Signs: Price and payment will be full compensation for all materials and labor for furnishing, installing, relocating, maintaining and removing signs.

102-13.8 Channelizing Devices: Prices and payment will be full compensation for furnishing, installing, relocating, maintaining and removing the channelizing devices.

102-13.9 Barrier Wall (Temporary): Price and payment will be full compensation for furnishing, installing, maintaining, and removing the barrier. When called for, barrier wall (temporary) (relocate) will be full compensation for relocating the barrier.

102-13.10 Barrier Delineators: No separate payment will be made for barrier delineators installed on top of temporary barrier wall. The cost of furnishing, installing and maintaining the barrier delineators will be included in the cost of the temporary barrier wall.

102-13.11 Glare Screen (Temporary): Price and payment will be full compensation for furnishing, installing, maintaining, and removing the glare screen certified as installed/used on the project. When called for, glare screen (relocate) will be full compensation for relocating the glare screen.

102-13.12 Temporary Crash Cushion (Redirective/Gating): Price and payment will be full compensation for furnishing, installing, maintaining and subsequently removing such crash cushions.

102-13.13 Temporary Guardrail: Price and payment will be full compensation for furnishing all materials required for a complete installation, including end anchorage assemblies and any end connections to other structures and for installing, maintaining and removing guardrail.

102-13.14 Arrow Board: Price and payment will be full compensation for furnishing, installing, operating, relocating, maintaining and removing arrow boards.

102-13.15 Portable Changeable Message Sign: Price and payment will be full compensation for furnishing, installing, operating, relocating, maintaining and removing portable changeable message signs.

102-13.16 Portable Regulatory Signs: Price and payment will be full compensation for furnishing, installing, relocating, maintaining and removing a completely functioning system as described in these Specifications portable regulatory signs. Price and payment will be full compensation for furnishing, installing, operating, relocating, maintaining and removing portable regulatory signs.

Payment will include all labor, materials, incidentals, repairs and any actions necessary to operate and maintain the unit at all times that work is being performed or traffic is being affected by construction and/or MOT operations.

102-13.17 Radar Speed Display Unit: Price and payment will be made only for a completely functioning system as described in these specifications. Payment will include all labor, hardware, accessories, signs, and incidental items necessary for a complete system. Payment will include any measurements needed to insure that the unit conforms to all specification requirements.

Payment will include all labor, materials, incidentals, repairs and any actions

necessary to operate and maintain the unit at all times that work is being performed or traffic is being affected by construction and/or MOT operations. Price and payment will be full compensation for furnishing, installing, operating, relocating, maintaining and removing radar speed display unit.

102-13.18 Temporary Signalization and Maintenance: Price and payment will constitute full compensation for furnishing, installing, operating, maintaining and removing temporary traffic control signals including all equipment and components necessary to provide an operable traffic signal. Payment will be withheld for each day at each intersection where the temporary signalization is not operational within 12 hours after notification.

102-13.19 Temporary Traffic Detection and Maintenance: Price and payment will constitute full compensation for furnishing, installing, operating, maintaining and removing temporary traffic detection including all equipment and components necessary to provide an acceptable signalized intersection. Take ownership of all equipment and components. Payment will be withheld for each day at each intersection where the temporary detection is not operational within 12 hours after notification.

102-13.20 Temporary Raised Rumble Strips: Price and payment will be full compensation for all work and materials described in this Section, including all cleaning and preparing of surfaces, disposal of all debris, furnishing of all materials, application, curing, removal, reinstalling and protection of all items, protection of traffic, furnishing of all tools, machines and equipment, and all incidentals necessary to complete the work.

102-13.21 Work Zone Pavement Markings: Price and payment will be full compensation for all work specified including, all cleaning and preparing of surfaces, furnishing of all materials, application, curing and protection of all items, protection of traffic, furnishing of all tools, machines and equipment, and all incidentals necessary to complete the work. Final payment will be withheld until all deficiencies are corrected.

Removable tape may be substituted for work zone paint at no additional cost to the Department.

Payment for temporary RPMs used to supplement line markings will be paid for under temporary retroreflective pavement markers. Install these markers as detailed in the Design Standards.

102-13.22 Temporary Lane Separator: Price and payment will be full compensation for all work specified in this Section.

102-13.23 Payment Items: Payment will be made under:

Item No. 102- 1-	Maintenance of Traffic - lump sum.
Item No. 102- 2-	Special Detour - lump sum.
Item No. 102- 3-	Commercial Material for Driveway Maintenance - per cubic yard.
Item No. 102- 14-	Traffic Control Officer - per hour.
Item No. 102- 60-	Work Zone Sign - per each per day.
Item No. 102- 61-	Business Sign - each.
Item No. 102- 62-	Barrier Mounted Work Zone Sign – per each per day
Item No. 102- 71-	Barrier Wall - per foot.
Item No. 102- 75-	Temporary Lane Separator - per foot
Item No. 102- 94-	Glare Screen - per foot.
Item No. 102- 73-	Guardrail (Temporary) - per foot.
Item No. 102- 74-	Channelizing Devices - per each per day.
Item No. 102- 76-	Arrow Board - per each per day.
Item No. 102- 78-	Temporary Retroreflective Pavement Markers - each.

Item No. 102- 81-	Crash Cushion (Gating) (Temporary) - per location.
Item No. 102- 89-	Crash Cushion (Redirective) (Temporary) - per location.
Item No. 102- 99-	Portable Changeable Message Sign (Temporary) - per each per day.
Item No. 102-104-	Temporary Signalization and Maintenance - per intersection per day.
Item No. 102-107-	Temporary Traffic Detection and Maintenance - per intersection per day.
Item No. 102-150-	Portable Regulatory Sign - per each per day.
Item No. 102-150-	Radar Speed Display Unit - per each per day.
Item No. 102-909-	Temporary Raised Rumble Strips - per day.
Item No. 102-911-	Removable Tape (White/Black) - per foot.
Item No. 102-912-	Removable Tape (Yellow) - per foot.
Item No. 710-	Painted Pavement Markings.
Item No. 711-	Thermoplastic Pavement Markings.

MAINTENANCE OF TRAFFIC.

(REV 9-22-15) (1-16)

ARTICLE 102-3 is deleted and the following substituted:

102-3 Specific Requirements.

102-3.1 Beginning Date of Contractor’s Responsibility: Maintain traffic starting the day work begins on the project or on the first day Contract Time is charged, or on the day work begins on the work order, whichever is earlier.

102-3.2 Worksite Traffic Supervisor: Provide a Worksite Traffic Supervisor who is responsible for initiating, installing, and maintaining all temporary traffic control devices as described in this Section and the Contract Documents. Provide all equipment and materials needed to set up, take down, maintain traffic control, and handle traffic-related situations. Use approved alternate Worksite Traffic Supervisors when necessary.

The Worksite Traffic Supervisor must meet the personnel qualifications specified in Section 105.

The Worksite Traffic Supervisor is to perform the following duties:

1. On site direction of all temporary traffic control on the project.
2. Is on site during all set up and take down, and performs a drive through inspection immediately after set up.
3. Is on site during all nighttime operations ensuring proper temporary traffic control.
4. Immediately corrects all safety deficiencies and corrects minor deficiencies that are not immediate safety hazards within 24 hours.
5. Is available on a 24 hour per day basis and present at the site within 45 minutes after notification of an emergency situation and is prepared to respond to maintain temporary traffic control or to provide alternate traffic arrangements.

6. Conducts daily daytime and weekly nighttime inspections of projects with predominately daytime work activities, and daily nighttime and weekly daytime inspections of projects with predominantly nighttime work activities of all traffic control devices, traffic flow, pedestrian, bicyclist, and business accommodations.

Advise the project personnel of the schedule of these inspections and give them the opportunity to join in the inspection as deemed necessary. Pedestrians are to be accommodated with a safe, accessible travel path around work sites separated from mainline traffic in compliance with the Americans with Disabilities Act (ADA) Standards for Transportation Facilities. Maintain existing or detour bicycle facilities satisfactorily throughout the project limits. Existing businesses in work areas are to be provided with adequate entrances for vehicular and pedestrian traffic during business hours.

The Department may disqualify and remove from the project a Worksite Traffic Supervisor who fails to comply with the provisions of this Section. The Department may temporarily suspend all activities, except traffic, erosion control and such other activities that are necessary for project maintenance and safety, for failure to comply with these provisions.

102-3.3 Necessary Maintenance Services (Straight Time): Provide personnel to perform MOT duties Monday through Thursday. Time begins when the Engineer is notified that MOT set-up is complete and flagging operations and maintenance of devices is ready to begin. Travel time to and from the work site is not included. Provide only one person for the maintenance of devices unless otherwise directed by the Engineer. Notify the Engineer when straight time ends and set-up or take-down begins.

102-3.4 Necessary Maintenance Services (Over-Time): Provide personnel to perform MOT duties Friday through Sunday and Holidays. Time begins when the Engineer is notified that set-up is complete and flagging and maintenance of devices is ready to begin. Travel time to and from the work site is not included. Provide only one person for the maintenance of devices unless otherwise directed by the Engineer. Notify the Engineer when over-time ends and set-up or take-down begins.

102-3.5 Emergency Maintenance of Traffic: Provide MOT set-up, maintenance and take-down when a work document is issued with a start date of less than 72 hours. Mobilization and all costs incurred will be considered incidental to the work.

SUBARTICLE 102-5.4 is deleted and the following substituted:

102-5.4 Crossings and Intersections: Provide and maintain adequate accommodations for intersecting and crossing traffic. Do not block or unduly restrict any road or street crossing the project unless approved by the Engineer. Maintain all existing actuated or traffic responsive mode signal operations for main and side street movements for the duration of the work. Restore any loss of detection within 12 hours. Use only detection technology listed on the Department's Approved Products List (APL) and approved by the Engineer to restore detection capabilities. Before beginning any construction, provide the Engineer the names and phone numbers of persons that can be contacted when signal operation malfunctions.

ARTICLE 102-7 is expanded by the following:

Provide off-duty law enforcement officer when required by the work document or as directed by the Engineer.

SUBARTICLE 102-9.14 is deleted and the following substituted:

102-9.14 Truck Mounted Attenuators and Trailer Mounted Attenuators: Furnish, install and maintain only those attenuators that meet the requirements of NCHRP 350 or the MASH.

Use truck mounted attenuators or trailer mounted attenuators, when called for in the Design Standards. Use attenuators listed on the APL.

When attenuators are called for, use either a truck mounted attenuator or a trailer mounted attenuator system designed and installed in accordance with the manufacturers recommendations.

Equip the attenuator cartridge with lights and reflectors in compliance with applicable Florida motor vehicle laws, including turn signals, dual tail lights, and brake lights. Ensure that lights are visible in both the raised and lowered positions if the unit is capable of being raised.

Install either alternating black with yellow or white with orange sheeting on the rear of trailer mounted attenuators and on truck mounted attenuators, in both the operating and raised position. Use Type III (work zone) or Type IV sheeting consisting of 4 or 6 inch wide stripes installed to form chevrons that point upward. All sheeting except black shall be retroreflective.

Payment will be made per day when included in the work document or as directed by the Engineer. Payment includes all costs, including furnishing, maintaining and removal when no longer required, and all materials, labor, tools, equipment and incidentals required for attenuator maintenance.

SUBARTICLE 102-11.2 is expanded by the following:

The quantity to be paid for off-duty law enforcement officers will be at the Contract unit price per hour for the actual number of officers certified to be on the project site, including any law enforcement vehicles and all other direct and indirect costs. Payment will be made only for those traffic control officers authorized by the Engineer.

ARTICLE 102-11 is expanded by the following new Subarticles:

102-11.23 Necessary Maintenance Services (Straight-Time): The quantity to be paid will be the number of calendar days, per day, that MOT duties are performed (Monday through Thursday).

102-11.24 Necessary Maintenance Services (Over-Time): The quantity to be paid will be the number of calendar days, per day, that MOT duties are performed (Friday through Sunday).

102-11.25 Truck Mounted Attenuator: The quantity to be paid will be the number of days, per day, regardless of the number of locations work is performed at each site.

ARTICLE 102-12 is deleted.

ARTICLE 102-13 is deleted and the following substituted:

102-12 Basis of Payment.

102-12.1 Maintenance of Traffic (General Work): When an item of work is included in the proposal, price and payment will be full compensation for all work and costs specified under this Section except as may be specifically covered for payment under other items.

102-12.2 Traffic Control Officers: Price and payment will be full compensation for the services of the traffic control officers.

102-12.3 Special Detours: Price and payment will be full compensation for providing all detour facilities shown in the Plans and all costs incurred in carrying out all requirements of this Section for general MOT within the limits of the detour, as shown in the Plans.

102-12.4 Commercial Materials for Driveway Maintenance: Price and payment will be full compensation for all work and materials specified for this item, including specifically all required shaping and maintaining of driveways.

102-12.5 Work Zone Signs: Price and payment will be full compensation for all work and materials for furnishing signs, supports and necessary hardware, installation, relocating, maintaining and removing signs.

102-12.6. Business Signs: Price and payment will be full compensation for all materials and labor required for furnishing, installing, relocating, maintaining, and removing the signs as well as the cost of installing any logos provided by business owners.

102-12.7 Project Information Signs: Price and payment will be full compensation for all materials and labor for furnishing, installing, relocating, maintaining and removing signs.

102-12.8 Channelizing Devices: Prices and payment will be full compensation for furnishing, installing, relocating, maintaining and removing the channelizing devices.

102-12.9 Barrier Wall (Temporary): Price and payment will be full compensation for furnishing, installing, maintaining, and removing the barrier. When called for, barrier wall (temporary) (relocate) will be full compensation for relocating the barrier.

102-12.10 Barrier Delineators: No separate payment will be made for barrier delineators installed on top of temporary barrier wall. The cost of furnishing, installing and maintaining the barrier delineators will be included in the cost of the temporary barrier wall.

102-12.11 Glare Screen (Temporary): Price and payment will be full compensation for furnishing, installing, maintaining, and removing the glare screen certified as installed/used on the project. When called for, glare screen (relocate) will be full compensation for relocating the glare screen.

102-12.12 Temporary Crash Cushion (Redirective/Gating): Price and payment will be full compensation for furnishing, installing, maintaining and subsequently removing such crash cushions.

102-12.13 Temporary Guardrail: Price and payment will be full compensation for furnishing all materials required for a complete installation, including end anchorage assemblies and any end connections to other structures and for installing, maintaining and removing guardrail.

102-12.14 Arrow Board: Price and payment will be full compensation for furnishing, installing, operating, relocating, maintaining and removing arrow boards.

102-12.15 Portable Changeable Message Sign: Price and payment will be full compensation for furnishing, installing, operating, relocating, maintaining and removing portable changeable message signs.

102-12.16 Portable Regulatory Signs: Price and payment will be full compensation for furnishing, installing, relocating, maintaining and removing a completely functioning system as described in these Specifications portable regulatory signs. Price and payment will be full compensation for furnishing, installing, operating, relocating, maintaining and removing portable regulatory signs.

Payment will include all labor, materials, incidentals, repairs and any actions necessary to operate and maintain the unit at all times that work is being performed or traffic is being affected by construction and/or MOT operations.

102-12.17 Radar Speed Display Unit: Price and payment will be made only for a completely functioning system as described in these specifications. Payment will include all labor, hardware, accessories, signs, and incidental items necessary for a complete system. Payment will include any measurements needed to insure that the unit conforms to all specification requirements.

Payment will include all labor, materials, incidentals, repairs and any actions necessary to operate and maintain the unit at all times that work is being performed or traffic is being affected by construction and/or MOT operations. Price and payment will be full compensation for furnishing, installing, operating, relocating, maintaining and removing radar speed display unit.

102-12.18 Temporary Signalization and Maintenance: Price and payment will constitute full compensation for furnishing, installing, operating, maintaining and removing temporary traffic control signals including all equipment and components necessary to provide an operable traffic signal. Payment will be withheld for each day at each intersection where the temporary signalization is not operational within 12 hours after notification.

102-12.19 Temporary Traffic Detection and Maintenance: Price and payment will constitute full compensation for furnishing, installing, operating, maintaining and removing temporary traffic detection including all equipment and components necessary to provide an acceptable signalized intersection. Take ownership of all equipment and components. Payment will be withheld for each day at each intersection where the temporary detection is not operational within 12 hours after notification.

102-12.20 Temporary Raised Rumble Strips: Price and payment will be full compensation for all work and materials described in this Section, including all cleaning and preparing of surfaces, disposal of all debris, furnishing of all materials, application, curing, removal, reinstalling and protection of all items, protection of traffic, furnishing of all tools, machines and equipment, and all incidentals necessary to complete the work.

102-12.21 Work Zone Pavement Markings: Price and payment will be full compensation for all work specified including, all cleaning and preparing of surfaces, furnishing of all materials, application, curing and protection of all items, protection of traffic, furnishing of all tools, machines and equipment, and all incidentals necessary to complete the work. Final payment will be withheld until all deficiencies are corrected.

Removable tape may be substituted for work zone paint at no additional cost to the Department.

Payment for temporary RPMs used to supplement line markings will be paid for under temporary retroreflective pavement markers. Install these markers as detailed in the Design Standards.

102-12.22 Temporary Lane Separator: Price and payment will be full compensation for all work specified in this Section.

102-12.23 Necessary Maintenance Services (Straight-Time): Price and payment will be full compensation for MOT duties performed (Monday through Thursday).

102-12.24 Necessary Maintenance Services (Over-Time): Price and payment will be the full compensation MOT duties performed (Friday through Sunday).

102-12.25 Truck Mounted Attenuator: Price and payment will be full compensation for providing truck mounted attenuators each day regardless of the number of locations work is performed at each site.

102-12.26 Payment Items: Payment will be made under the items shown in the Bid Price Proposal.

104-40 ROADSIDE MOWING.

(REV 9-24-14) (1-16)

The following new Section is added after Section 104:

SECTION 104-40 ROADSIDE MOWING

104-40.1 Description.

Mow grass or vegetation in roadside areas with conventional mowing equipment. Use specialized equipment or hand labor when required to perform specified work in certain areas or during certain times. Vegetation consists of planted and/or natural grasses, weeds, and other vegetation within the area to be mowed. Comply with the current edition of the Department's "A Guide to Roadside Vegetation Management".

104-40.2 Types of Mowing Areas.

104-40.2.1 General: The Engineer will determine the areas to be cut and type of mowing to be accomplished in each.

All hand labor required to perform the specified work around appurtenances will be incidental to the type of mowing being performed. Appurtenances include, but are not limited to, sign post and bases, delineator post, fences, guardrail, barrier walls, end walls, pipes, drainage structures, poles, guys, mail boxes, landscaped areas, and trees.

104-40.2.2 Large Machine Mowing: Large machine mowing encompasses the routinely mowed areas of shoulders, front and back slopes that are 3 horizontal to 1 vertical or less, roadside ditch bottoms, large median islands and similar areas conducive to the use of large machine mowing equipment.

104-40.2.3 Slope Mowing: Slope mowing is generally limited to slopes greater or steeper than 3 horizontal to 1 vertical and are relatively inaccessible to the use of conventional style equipment, e.g., steep slopes, wet roadside ditch bottoms, canal banks, intersections, overpasses, etc. These type areas will require the use of specialized equipment designed for slope mowing.

104-40.2.4 Intermediate Machine Mowing: Intermediate machine mowing consists of mowing areas not accessible by large machine mowing equipment but not conducive to the use of small machine mowing equipment. These areas consist of shoulders, roadside ditch bottoms, raised median islands, various width utility strips, and similar areas.

104-40.2.5 Small Machine Mowing: Small machine mowing consists of mowing areas not accessible by large and intermediate machine mowing equipment. These areas consist of narrow shoulders, landscaped shoulders, narrow roadside ditch bottoms, raised landscaped median islands, narrow width utility strips, and similar areas.

104-40.3 Frequency of Mowing.

The area and limits of mowing have been previously established and are distinguishable in the field. Where landscaping has been established or natural landscaping has been preserved, mow conforming to the established mowing contours. Mow up to the limits maintained by the Department and around existing appurtenances located within the roadway right-of-way as directed by the Engineer.

The Engineer will determine the type of mowing, the estimated number of acres to be accomplished within a specified number of calendar days (cycle), when to begin each mowing cycle, and the total number of cycles. Complete each mowing cycle within N/A calendar days of beginning the cycle, weather permitting. The approximate number of cycles for each type of mowing will be as follows:

Large Machine Mowing	<u>11</u> cycles (<u>N/A</u> minimum cycles)
Slope Mowing	<u>6</u> cycles (<u>N/A</u> minimum cycles)
Intermediate Machine Mowing	<u>11</u> cycles (<u>N/A</u> minimum cycles)
Small Machine Mowing	<u>N/A</u> cycles (<u>N/A</u> minimum cycles)
Mow Wildflower plots approximately	<u>N/A</u> times per year.

Wildflower plots or naturally occurring wildflowers are to be avoided when in bloom and when re-seeding. A deduction will not be made from the pay quantities for any wildflower area not mowed, unless it exceeds one acre.

Quantities will be agreed upon prior to beginning work in any area in question.

104-40.4 Equipment.

Equip all mowing equipment with a slow moving vehicle sign located on the rear of the tractor, amber flashing light or white strobe light mounted on the tractor, 18 inch X 18 inch fluorescent orange warning flags mounted on each side of the rear of the mower, protective devices on the mower to prevent objects from being thrown into traffic, and safety devices installed by the manufacturer. Properly install and maintain safety devices at all times when the equipment is in use.

If the Engineer determines that any equipment is deficient in safety devices, remove the equipment from service immediately. Keep the equipment out of service until the deficiency is corrected to the satisfaction of the Engineer. Inspection of the equipment by the Engineer will not relieve the Contractor of responsibility or liability for injury to persons or damage to property caused by the operation of the equipment, nor will it relieve the Contractor of the responsibility to meet the established time for the completion of the mowing cycle.

Maintain the mowing equipment so as to produce a clean, sharp cut and uniform distribution of the cuttings at all times. The mowing equipment used will have the capability of cutting a height from 4 inches to 12 inches.

Furnish equipment of a type and quantity to perform the work satisfactorily within the time specified herein.

104-40.5 Method of Operation.

Begin any mowing cycle when authorized by the Engineer in writing.

Notify the Engineer when a cycle is started and when work is interrupted for any reason.

Prior to beginning work on the first cycle, provide a pattern or plan for mowing to the Engineer for approval. Subsequent cycles will follow the pattern adopted for the first cycle.

Mow shoulders and medians concurrently within the limits of the area mowed so that not more than one mile will be left partially mowed at the conclusion of the working day. Mow grass and vegetation on slopes or around appurtenances concurrent with the mowing operation.

Complete each mowing cycle in its entirety prior to beginning another cycle.

When work by other's, or weather conditions of a temporary nature, prevent the mowing of any areas, and such conditions are eliminated during the period designated for that mowing cycle, the Engineer may require mowing of these areas as part of the cycle without penalty for exceeding the time allowed or additional compensation.

Do not mow-grassed areas saturated with standing water to the point standard mowing equipment may not be used without excessive damage to the turf. At the Engineer's discretion, mow the areas during a subsequent cycle, or cut to the surface of the water using hand labor or other specialized equipment. Additional compensation may be requested for alternate methods used to mow wet areas (as specified in 104-40-9). Quantities will be agreed upon prior to beginning work in any area in question. No deduction will be made from the pay quantities for any one area authorized by the Engineer to remain un-mowed during a cycle unless it exceeds one acre in extent.

Prior to mowing, pickup, remove and dispose from the right-of-way, any large items such as wood, tires, cans, bags of trash, newspapers, magazines, large boxes, etc., that would be torn, ripped, or scattered by the mower and result in an objectionable appearance.

Exercise the necessary care to preclude any source of litter.

104-40.6 Limitation of Operation.

Maintenance of traffic will be in accordance with Section 102. When mowing within four feet of the travel-way (travel lane), operate the equipment in the same direction of the traffic, unless the adjacent lane is closed to traffic. All lane closures will have the prior approval of the Engineer. Mowers may operate in either direction when mowing four feet or more from the travel-way.

Perform all work during daylight hours.

The foregoing requirements are to be considered as minimum and compliance will in no way relieve the Contractor of final responsibility for providing adequate traffic control devices for the protection of the public and employees throughout the work areas.

104-40.7 Quality.

Completed areas will be reviewed for quality and acceptance by the Engineer. Re-mow areas determined to be unsatisfactory, by the Engineer, at no additional cost to the Department. Complete areas requiring re-mowing within the mowing cycle time specified in Subarticle 104-40-3.

Mow all grass and vegetation to a height of 6 inches plus or minus 1/2 inch. When determined by the Engineer, certain areas, due to location, may be cut to a height of 4 inches plus or minus 1/2 inch.

No streaking or scalping will be allowed in the areas mowed. Mowing areas of different widths will be connected with smooth flowing transitions. No accumulation or piling of cuttings will be allowed as a result of cleaning of the equipment.

Mow all grass and vegetation on slopes or around appurtenances to the same height and quality as the surrounding mowed area when using hand tools.

Negligence that results in damage to turf, curbs, sidewalks, pavement, signs or structures, mail boxes, appurtenances, etc. will be repaired or replaced to the satisfaction of the Engineer at no additional cost to the Department. Complete repairs prior to submission of the invoice for work accomplished during the cycle.

It is not required to remove grass or other vegetation cuttings from the right-of-way, or required to rake or pick up the cuttings in rural areas. In Urban Areas, with Small, Intermediate, or Large Machine Mowing the cuttings will need to be removed from sidewalks, curb & gutter, gutter, and inlets by the Contractor. The use of blowers (away from traffic) will be allowed to remove the cuttings.

104-40.8 Method of Measurement.

The quantities to be paid for will be the area, in acres, of mowing completed and accepted.

104-40.9 Basis of Payment.

Additional compensation for hand labor or the use of specialized equipment in cutting wet areas will be included under Item No. E104-4-2 Slope Mowing.

Prices and payment will be full compensation for furnishing all equipment, materials, labor, and incidentals necessary to complete all mowing operations specified. Compensation will be the unit price per acre for mowing times the actual acres completed and accepted.

Payment will be made under the items specified in the Bid Price Proposal.

110-30 ROADSIDE LITTER REMOVAL.

(REV 8-1-13) (1-16)

The following new Section is added at the end of Section 110:

SECTION 110-30 ROADSIDE LITTER REMOVAL

110-30.1 Description.

Provide pickup, removal, disposal of litter, and otherwise undesirable or objectionable appearing debris within the maintained limits of the highway right-of-way.

Litter or debris may consist of varied sizes of bottles, cans, paper, tires, tire pieces, lumber, vehicle parts, metal junk, brush, and other items to be removed under this work.

110-30.2 Frequency of Removal.

The Engineer will determine when to begin each pickup. Areas or portions of areas may be increased or decreased, as determined by the Engineer. The total number and the timing of pickup will depend upon the litter conditions that exist. Areas specified as litter removal areas will be picked up approximately 12 times. The actual number of litter pickups may be increased or decreased, as determined by the Engineer, due to the intensity of litter or special events.

Complete each litter removal cycle within N/A calendar days of beginning the cycle, weather permitting, as determined by the Engineer.

110-30.3 Equipment.

Equipment that is utilized to transport litter will be constructed in a manner to preclude further distribution or loss of litter along the roadway. Cover and secure all open top carriers with tarpaulins.

Submit a written request for approval, to the Engineer, for the use of specialized equipment designed for mechanized removal of litter and debris. Demonstrate satisfactory results at no cost to the Department that the specialized equipment will produce quality litter removal, if deemed necessary by the Engineer. The Engineer may require additional safety devices or precautions unique to the equipment.

Equipment that damages curbs, pavement, or turf will not be allowed.

110-30.4 Limitation of Operation.

Any equipment left on the right-of-way overnight will be parked outside the clear zone, except in median areas where no equipment will be permitted to be parked overnight. All service and supply operations will be conducted between the travel-way and the right-of-way line and be outside the clear zone. No supply vehicles will enter the median for any purpose. No service vehicle will enter the median except when necessary to repair or remove inoperable equipment.

No work will be permitted during non-daylight hours.

Workmen will wear orange clothing of high visibility such as a vest, shirt, or jacket, when performing litter pickup operations.

110-30.5 Disposal of Litter and Debris.

Provide locations for disposal and remove all litter that has been placed in trash bags for pick up from the right-of-way at the end of each working day. Be responsible for disposal of litter and debris and any cost that may incur in accordance with applicable local and state laws. Storage or stockpiling of litter or debris on the right-of-way will not be permitted.

Provide the landfill receipts with each invoice submittal.

110-30.6 Quality.

Completed areas will be reviewed for quality and acceptance by the Engineer. Areas determined to be unsatisfactory, by the Engineer, will be re-cleaned at no additional cost. Areas will be cleaned in a manner that they are left reasonably free of all litter and debris. The Engineer will not penalize for litter and debris that may have been deposited between the time the work was completed and the time when the Engineer approves the work. However, the Engineer's judgment when evaluating completed work will be final.

110-30.7 Method of Measurement.

The quantities to be paid for under this Section will be the number of acres of roadside cleaned and accepted.

110-30.8 Basis of Payment.

Payment will be full compensation for furnishing all equipment, materials, labor, disposal, and incidentals necessary to complete designated areas of litter and debris removal, less any areas omitted.

Payment will be made under the items specified in the Bid Price Proposal.

110-32 EDGING AND SWEEPING.

(REV 9-16-09) (1-16)

The following new Section is added at the end of Section 110:**SECTION 110-32
EDGING AND SWEEPING****110-32.1 Description.**

Edge, sweep, remove and dispose of vegetation from curb and gutter and sidewalk areas including, but not limited to, median island curbs, roadside curbs, the front and/or backside of sidewalks and gutters, bike paths, curb inlets throats and other areas as designated by the Engineer.

110-32.2 Frequency of Edging and Sweeping.

The Engineer will determine the total number of edging and sweeping cycles and when to begin each cycle. All areas designated are to be edged and swept approximately 6 times per year. Complete each cycle within N/A calendar days from the beginning of the cycle, weather permitting, as determined by the Engineer.

Quantities will be agreed upon prior to beginning work in any area in question.

110-32.3 Equipment.

Provide positive means to control dust from edging and sweeping operations.

Use equipment for removal or transportation of debris or litter that precludes distribution or loss of debris or litter along the roadway.

Operate moving equipment in the same direction as the flow of traffic.

110-32.4 Method of Operation.

Do not begin work until authorized, in writing, by the Engineer. Develop a work pattern from the locations listed in the work document, unless the Engineer designates the priority of the work.

Edging – The blade of the edger must produce a clear sharp cut. The trench resulting from the actions of the cutting blade will not exceed one inch in width from the edge of the surface being edged. Do not push grass or weeds into the trench.

Vegetation - Vegetation consists of grass, weeds, or bushes up to one inch in diameter that extend beyond the normal grassed areas onto the curb, sidewalk, bike paths, or other designated areas. Uniformly cut and remove all vegetation, extending over the curb, sidewalk, bike paths, or other designated area to the back edge of the curb, sidewalk, bike path, or other designated area.

Sweeping - Sweep all debris (grass, weeds, soil, litter, etc.) from the curb and gutters, inlet throats and grates, sidewalks, and bike paths to produce a clean appearance. Do not use blowers in the edging, sweeping or debris removal operation. Remove and dispose of properly the soil and vegetation from the gutter or sidewalk, including joint areas.

Debris Disposal – Remove debris and/or litter produced by the edging or sweeping from the job site daily. Do not stockpile or store debris or litter on the right-of-way overnight. Dispose of all debris in accordance with local, state, and federal laws. Include the cost of disposal of the debris, litter, and vegetation trimmings in the contract unit price for edging and sweeping. Remove any debris that falls into curb and inlet structures.

Return at a later time and complete the edging and sweeping operations in areas where access is blocked by parked vehicles or other obstructions.

Conduct all edging, sweeping, and disposal activities during daylight hours only, unless otherwise specified in the contract documents or approved by the Engineer. The Engineer may approve nighttime operations upon request, at no additional compensation for nighttime traffic control. The Engineer may restrict the hours of operations based on peak traffic hours, local conditions, or special events. Complete all required edging, sweeping, and disposal of debris within the limits worked by the conclusion of each workday.

The quality and acceptance of work will be determined by the Engineer. Re-edge or re-sweep areas that are determined to be unacceptable at no additional cost to the Department.

Repair or replace damage to curbs, sidewalks, pavement, or turf due to negligence to the satisfaction of the Engineer at no additional compensation.

110-32.5 Method of Measurement.

The quantities to be paid will be the total miles of edges of curb and gutter, paved shoulders, sidewalks or other areas, edged and/or swept, completed and accepted. Areas that are maintained by businesses, groups, individuals, or areas where the grass and/or weeds fail to grow sufficiently to justify performing this work will be omitted as determined by the Engineer.

Areas requiring more than one edging/sweeping pass to sufficiently remove the debris will not be compensated twice.

110-32.6 Basis of Payment.

Price and payment will be full compensation for all the work specified in this Section and will include all equipment, labor, materials, and incidentals necessary to complete the work.

Payment will be made under the items specified in the Bid Price Proposal.

MEMORANDUM

February 16, 2016

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: Dorothy Ecklund, Finance Director

RE: Preliminary Financial Statements for January 31, 2016

SYNOPSIS: The preliminary financial statements report revenues received and expenditures made through the end of January 31, 2016.

The unaudited financial statements for the City of Lake Wales for the Period Ending January 31, 2016 are presented to the City Commission for review. At the end of January 31, 2016 the City was 34% into the fiscal year.

General Fund (001), page 2:

The General Fund appears to be materially on target with revenue and expenditure expectations.

Transportation Fund (102), page 7:

The Transportation Fund appears to be materially on target with revenue and expenditure expectations.

CRA Fund (105), page 12:

The CRA fund appears to be materially on target with revenue and expenditure expectations.

Library Fund (110), page 17:

The Library Fund appears to be materially on target with revenue and expenditure expectations.

Utility System Fund (403), page 27:

The Utility System Fund appears to be materially on target with revenue and expenditure expectations.

Airport Authority (404), page 29:

The Airport Authority appears to be materially on target with revenue and expenditure expectations.

ATTACHMENTS

Preliminary Financial Statements for January 31, 2016, Fiscal Year to Date

CITY OF LAKE WALES
PRELIMINARY - BALANCE SHEET
GENERAL FUND - 001
01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

GENERAL FUND - 001				
	Cash - Unrestricted	3,285,769	2,668,539	617,231
001-101-096-000-000	General Fund Emergency Fund 3706	400,532	100,238	300,294
001-102-001-000-000	Petty Cash (Finance Dept.)	500	400	100
001-102-002-000-000	Petty Cash-Depot Museum	200	0	200

	CASH	3,687,001	2,769,177	917,825
	ACCOUNTS RECEIVABLE	708,940	696,777	12,163
	DUE FROM OTHER FUNDS	232,787	235,664	(2,877)
	INVENTORY	66,406	56,769	9,637
	PREPAID	64,160	29,240	34,920

	TOTAL ASSETS	4,759,294	3,787,626	971,668
=====				
	ACCOUNTS PAYABLE	248,204	179,094	69,110
	DUE TO OTHER FUNDS	(30)	1	(31)
	DEPOSIT & TRUST ACCOUNTS	3,800	5,436	(1,636)
	ACCRUED PAYROLL & WITHHOLDING	270,050	296,764	(26,714)
	DEFERRED REVENUE	127,336	143,793	(16,457)

	TOTAL LIABILITIES	649,361	625,087	24,273
	EXCESS REV OVER/UNDER EXP	1,805,554	1,952,406	(146,852)
001-271-001-000-000	Fund Balance	2,304,379	1,210,133	1,094,246

	TOTAL FUND BALANCE	4,109,933	3,162,538	947,395

	TOTAL LIAB. AND FUND BALANCE	4,759,294	3,787,626	971,668
=====				

CITY OF LAKE WALES
PRELIMINARY SCH. OF REV & EXP
GENERAL FUND - 001
01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
REVENUES						
TAXES						
001-311-100-000-000	Ad Valorem Taxes	3,513,400	2,869,614	3,800,800	3,036,121	3,812,795
001-314-100-000-000	Utility Service Tax - Electric	825,000	251,719	1,063,000	371,179	1,057,081
001-314-300-000-000	Utility Service Tax - Water	255,000	91,067	246,000	85,409	246,369
001-314-800-000-000	Utility Service Tax - Propane	40,000	9,688	40,000	12,104	37,087
001-315-000-000-000	Communications Svc Tax	312,400	(1,073)	328,800	107,031	317,311
001-316-000-000-000	Business Tax Receipts	75,000	64,577	75,000	67,400	72,034
TOTAL: TAXES		5,020,800	3,285,591	5,553,600	3,679,245	5,542,677
LICENSES & PERMITS						
001-322-000-000-000	Building Permits	350,000	94,345	370,000	92,744	371,063
001-323-100-000-000	Franchise Fees - Electric	785,000	302,863	1,115,000	379,927	1,115,026
001-323-700-000-000	Franchise Fees-Solid Waste-Flr	118,000	39,333	153,000	39,333	153,016
001-325-100-000-000	Tree Removal Permit Fees	500	0	500	0	0
001-325-400-000-000	Site Develmt Permit & Inspect Fees	5,000	10,350	8,000	1,323	8,496
TOTAL: LICENSES & PERMITS		1,258,500	446,891	1,646,500	513,327	1,647,600
INTERGOVERNMENTAL REVENUE						
001-330-000-000-000	Spcl Assessment - Fire	1,020,000	418,128	0	0	0
001-331-200-000-000	C.O.P.S. Fast Grant	81,484	0	0	0	0
001-331-304-000-000	Bullet Proof Vest Grant	0	2,021	0	0	0
001-331-600-000-000	HIDTA Award	8,000	9,401	13,500	12,523	22,949
001-333-100-000-000	PILOT-Lake Wales Housing Authority	2,500	6,719	2,500	0	0
001-333-200-000-000	PILOT - Water's Edge	28,000	0	28,000	28,346	28,346
001-335-121-000-000	State Rev. Sharing - from S/Tx	356,898	116,573	344,800	103,587	349,328
001-335-140-000-000	Mobile Home Licenses	30,000	28,108	36,000	27,380	36,137
001-335-150-000-000	Alcoholic Beverage Licenses	10,600	1,939	10,600	350	10,970
001-335-180-000-000	Local Government 1/2 Sales Tax	870,942	277,884	828,500	260,678	837,416
001-335-230-000-000	Firemen'S Supplemental Comp	8,000	2,043	8,160	1,710	8,133
001-337-220-000-000	Polk Sch Board - Sro	116,352	38,784	116,352	38,784	116,352
001-337-225-000-000	LW Charter Schools-Sro	58,176	19,392	58,176	19,392	58,176
001-337-700-000-000	Grant - Polk County - Rec Dept	75,000	0	0	0	0
001-337-750-000-000	Grant - US Soccer	25,000	0	0	0	0
001-338-200-000-000	County Business License	7,500	3,220	7,500	3,095	8,166
TOTAL: INTERGOVERNMENTAL REV		2,698,452	924,212	1,454,088	495,844	1,475,972
CHARGES FOR SERVICES						
001-341-100-000-000	Recording, Copy & Certifying	500	152	500	182	252
001-341-101-000-000	Sale of Maps and Publications	500	85	500	29	546
001-341-102-000-000	Police Verification-Investigations	10,000	7,833	24,000	4,610	24,235
001-341-106-000-000	Administrative Charge - Street Lght	350	350	340	350	350
001-341-123-000-000	Election Qualifying Fees	100	0	100	0	125
001-341-403-000-000	Management Fees - Water/Sewer	457,918	152,639	437,998	145,999	437,998
001-341-510-000-000	Planning & Zoning Board Fees	15,000	5,908	24,000	9,985	25,503

CITY OF LAKE WALES
PRELIMINARY SCH. OF REV & EXP
GENERAL FUND - 001
01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
001-341-520-000-000	Comprehensive Planning Fees	2,000	2,745	4,500	1,340	4,687
001-341-524-000-000	Reimbursement-Building Fees	3,000	2,406	4,700	1,783	4,730
001-341-540-000-000	Bldg Official Svcs. - Frostproof	10,000	4,613	11,600	3,522	11,680
001-341-900-000-000	Reimbursement-Grove House Taxes	7,500	7,891	8,500	7,569	7,569
001-341-901-000-000	Polk Cnty Impact Fee-Coll Chrg	2,000	1,057	2,000	624	4,166
001-341-902-000-000	Polk Pub Svc Tx - Coll Fee	600	235	600	160	641
001-341-905-000-000	BCA/DCA Coll Fee for Education	600	631	1,136	580	1,137
001-342-199-000-000	Miscellaneous Police Services	500	0	500	0	0
001-342-200-000-000	Fire Service - Highland Park	15,000	16,510	9,823	9,823	9,823
001-342-201-000-000	Fire Service - Polk County	0	0	257,547	86,749	257,577
001-343-400-000-000	Garbage Fees	1,055,000	377,317	1,077,000	360,776	1,073,672
001-343-802-000-000	Cemetery - Grave Locating Fees	10,000	2,670	12,300	4,237	12,370
001-343-803-000-000	Cemetery - Lot Marking	350	28	350	45	141
001-343-804-000-000	Cemetery - Burial Space Lot	5,000	1,552	35,000	7,005	16,555
001-343-805-000-000	Cemetery - Burial Sp Mausoleum	0	5,550	0	0	19,307
001-343-806-000-000	Cemetery - Vault/Casket Id	400	121	400	124	381
001-343-809-000-000	Cemetery - Misc Chgs For Svc	500	50	500	50	270
001-343-810-000-000	Cemetery Installment Adm Fee	600	57	600	0	0
001-343-811-000-000	Cemetery Trust Revenue	600	0	600	0	0
001-343-900-000-000	Tree Replacement Fees	2,000	0	2,000	0	0
001-347-290-000-000	Miscellaneous Recreation Fees	1,000	0	0	1,200	1,200
	TOTAL: CHARGES FOR SERVICES	1,601,018	590,399	1,917,094	646,741	1,914,913
FINES & FORFEITURES						
001-351-100-000-000	Court Fines	20,000	11,005	30,000	5,027	31,984
001-351-300-000-000	Law Enforcement Education	1,500	1,116	2,900	571	2,962
001-351-600-000-000	Excess Alarm Fees	0	100	0	0	0
001-351-650-000-000	Damage Restitution	100	0	100	0	0
001-351-900-000-000	Miscellaneous Fines	150	0	150	0	24
001-354-100-000-000	Parking Fines	500	625	500	25	950
001-354-200-000-000	Code Enforcement Fines	20,000	453	34,300	3,910	34,380
	TOTAL: FINES & FORFEITURES	42,250	13,298	67,950	9,534	70,301
MISCELLANEOUS REVENUES						
	Interest Income	5,300	2,089	7,600	1,979	6,261
001-362-010-000-000	Orange Grove - Land Lease	30,000	0	30,000	22,500	22,500
001-362-701-000-000	Community Center - Austin Kitchen R	1,000	67	4,000	66	469
001-362-704-000-000	Ridge League Dinner-Receipts	0	0	8,000	748	6,316
001-362-706-000-000	JP Austin Center Rental	2,000	1,450	2,000	534	2,154
001-362-709-000-000	Tourist Club Rental	2,000	1,222	2,000	997	5,499
001-362-710-000-000	Field Rentals	0	0	0	0	67
001-362-790-000-000	User Fees - Other Rental	2,000	319	2,000	371	1,950
001-362-800-000-000	Rental-Mike LaRosa	3,600	1,200	3,600	1,200	3,600
001-364-002-000-000	Loss Recoveries - Insured	0	0	15,176	9,404	15,176
001-364-100-000-000	Sale of Surplus Equipment	0	0	0	2,117	0
001-364-175-000-000	Gain on Sale of Capital Asset	0	58,139	1,737	0	1,737
001-366-025-000-000	Donations Lincoln Park-Basketball	0	0	42,000	42,000	42,000
001-366-060-000-000	Donations-Cemetary Brick	0	0	0	35	140
001-366-512-000-000	Donations-League of Cities Dinner	0	0	0	550	550
001-366-521-000-000	Donations-Police Dept.	0	0	0	15,000	16,000

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 GENERAL FUND - 001
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
001-366-522-000-000	Donations-Fire Dept	1,000	150	1,000	500	650
001-366-539-000-000	Cemetery: Misc Donations	0	0	18,000	0	0
001-366-572-200-000	Donations - Special Events	0	0	0	581	581
001-366-702-000-000	Recycling Proceeds	0	0	0	0	462
001-366-900-000-000	Donations/Miscellaneous	1,000	0	1,000	0	1,920
001-369-000-000-000	Other Miscellaneous Revenues	5,000	1,748	5,000	68	124
001-369-006-000-000	Public Notice Reimbrsmts (Ads)	0	300	0	200	636
001-369-010-000-000	Vendor Fees	0	0	0	0	430
001-369-012-000-000	Reimbursement-Police Special Detail	200	0	200	0	0
001-369-014-000-000	Reimb-Special Events In-Kind	6,075	1,520	5,233	2,530	7,403
001-369-015-000-000	Reimbursement-Staffing Comm Center	100	1,125	2,500	250	2,477
001-369-016-000-000	Reimbursement - Ball Field Lights	100	0	100	0	0
001-369-017-000-000	Reimb. - Ball Field Lining/Prep.	100	0	100	0	0
001-369-200-000-000	Workers' Compensation Reimb	0	2,083	0	0	369
001-369-900-000-000	Other Miscellaneous Revenue	0	552	0	293	7,143
001-369-999-000-000	Other	500	309	500	7,302	8,895
001-369-999-999-999	Suspense - Cash Receipts	0	(11)	0	26	0
	TOTAL: MISCELLANEOUS REVENUES	59,975	72,262	151,746	109,250	155,509
	OTHER FINANCING SOURCES					
	INTER FUND TRANSFER					
001-381-330-000-000	Transfer from Capital Projects	17,500	0	0	0	0
	TOTAL: INTERFUND TRANSFER	17,500	0	0	0	0
	CONTRIBUTIONS FROM ENTERPRISE					
001-382-403-000-000	Contribution from Water/Sewer	1,140,000	380,000	1,020,000	340,000	1,020,000
	TOTAL: CONT FROM ENTERPRISE OP	1,140,000	380,000	1,020,000	340,000	1,020,000
	OTHER SOURCES					
001-385-000-000-000	Lease/Loan Proceeds	612,941	0	790,560	0	290,560
001-385-100-000-000	Loan Proceeds - Series 2015	0	0	0	0	500,000
	TOTAL: OTHER FINANCING SOURCES	612,941	0	790,560	0	790,560
	TOTAL REVENUES/OTHER FIN SRCS	12,451,436	5,712,653	12,601,538	5,793,941	12,617,532

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 GENERAL FUND - 001
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
	CITY COMMISSION	96,576	19,011	96,190	27,890	93,506
	CITY MANAGER	205,434	67,454	213,306	90,988	210,456
	CITY CLERK	113,288	35,347	107,855	32,028	104,875
	FINANCE	294,235	104,206	302,281	108,011	299,182
	PERSONNEL	143,740	47,881	147,018	49,861	145,499
	CITY ATTORNEY	66,375	27,449	67,037	12,617	66,400
	PLANNING & ZONING	209,569	68,304	230,074	77,693	226,684
	FLEET MAINTENANCE	0	0	0	192	0
	FACILITIES MAINTENANCE	104,420	20,691	55,400	11,101	38,341
	INFORMATION SERVICES	203,279	48,110	171,138	50,494	159,443
	INSURANCE/RISK MANAGEMENT	0	0	0	0	0
	SUPPORT SERVICES	85,896	30,926	85,650	40,545	85,288
	MUNICIPAL ADM BLDG	30,017	14,129	64,872	17,376	60,957
	NON-DEPARTMENTAL	183,200	11,112	158,200	10,863	32,326
	POLICE DEPARTMENT	4,660,166	1,462,828	4,484,644	1,507,164	4,394,432
	FIRE CONTROL	2,704,569	865,164	2,479,806	839,798	2,453,792
	BUILDING PERMITS & INSPEC	217,414	77,536	224,906	72,813	221,266
	CODE ENFORCEMENT	54,612	12,294	47,680	17,795	42,683
	WASTE DISPOSAL	872,405	292,079	918,296	289,137	909,293
	LAKES CONSERVATION	8,000	0	2,000	0	500
	CEMETERY OP	147,348	34,937	164,341	54,784	160,184
	FIELD OPERATIONS	6,736	0	0	0	0
	PUBLIC SVC ADMIN	467	0	0	64	0
	OTHER TRANSPORTATION	5,433	0	5,433	0	5,433
	ECONOMIC DEVELOPEMENT	130,800	62,500	125,700	62,500	125,210
	OTHER HUMAN SERVICES	13,500	12,500	1,000	0	0
	LIBRARY	0	0	0	0	0
	PARKS DIVISION	652,550	218,455	554,161	195,474	537,985
	RECREATION FACILITIES	734,115	167,520	573,020	141,958	558,612
	SPECIAL EVENTS	45,175	21,757	43,103	17,074	42,596
	DEPOT	136,242	42,712	32,978	4,497	29,600
	INTERFUND TRANSFERS	263,235	142,195	518,888	108,817	518,740
	TOTAL EXPENDITURES	12,388,796	3,907,100	11,874,977	3,841,535	11,523,285
	REVENUE EXCESS OVER(UNDER) EXP	62,640	1,805,554	726,561	1,952,406	1,094,246

CITY OF LAKE WALES
 PRELIMINARY - BALANCE SHEET
 TRANSPORTATION FUND - 102
 01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

	TRANSPORTATION FUND - 102			
	Cash - Unrestricted	193,758	73,182	120,576
	CASH	193,758	73,182	120,576
	ACCOUNTS RECEIVABLE	119,016	128,994	(9,978)
	DUE FROM OTHER FUNDS	0	0	0
	TOTAL ASSETS	312,774	202,176	110,598
		=====	=====	=====
	ACCOUNTS PAYABLE	2,124	0	2,124
	DUE TO OTHER FUNDS	0	0	0
	DEFERRED REVENUE	0	0	0
	TOTAL LIABILITIES	2,124	0	2,124
	EXCESS REV OVER/UNDER EXP	57,399	3,611	53,788
102-271-001-000-000	Fund Balance	253,252	198,565	54,686
	TOTAL FUND BALANCE	310,650	202,176	108,474
		-----	-----	-----
	TOTAL LIAB. AND FUND BALANCE	312,774	202,176	110,598
		=====	=====	=====

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 TRANSPORTATION FUND - 102
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
REVENUES						
TAXES						
102-312-300-000-000	Polk Ninth Cent Voted Gas Tax	57,000	12,604	77,000	24,249	74,771
102-312-400-000-000	Local Option Gas Tax	410,141	142,569	404,600	135,747	408,216
102-312-405-000-000	New Local Option Gas Tax - 5C	255,740	88,101	252,650	83,003	256,157
TOTAL: TAXES		722,881	243,274	734,250	242,999	739,144
INTERGOVERNMENTAL REVENUE						
102-335-120-000-000	8Th Cent Motor Fuel (26.62%)	118,142	36,230	113,300	34,290	113,750
102-335-490-000-000	Motor Fuel Tax Rebate	12,500	3,643	12,500	3,734	14,177
TOTAL: INTERGOVERNMENTAL REV		130,642	39,872	125,800	38,024	127,926
CHARGES FOR SERVICES						
102-344-901-000-000	F.D.O.T. Right of Way Contract	23,606	0	23,606	11,803	23,606
102-344-902-000-000	FDOT Signal Maint Contract	34,048	0	17,903	0	17,903
102-344-903-000-000	FDOT Light Maint Contract	75,018	0	72,833	0	72,833
TOTAL: CHARGES FOR SERVICES		132,672	0	114,342	11,803	114,342
MISCELLANEOUS REVENUES						
	Interest Income	300	0	300	0	0
102-369-000-000-000	Other Miscellaneous Revenues	500	0	500	0	0
TOTAL: MISCELLANEOUS REVENUES		800	0	800	0	0
OTHER FINANCING SOURCES						
INTER FUND TRANSFER						
102-381-001-000-000	Transfer from General Fund	82,501	0	0	0	0
102-381-330-000-000	Transfer from Cap. Proj Fund	0	0	5,075	0	5,075
TOTAL: INTERFUND TRANSFER		82,501	0	5,075	0	5,075
TOTAL: OTHER FINANCING SOURCES		0	0	0	0	0
TOTAL REVENUES/OTHER FIN SRCS		1,069,496	283,146	980,267	292,826	986,487
STREET OPERATION						
		791,904	205,369	807,218	202,935	790,155

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 TRANSPORTATION FUND - 102
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
	STORMWATER DIVISION	34,600	1,317	24,600	607	14,442
	STREET ADMIN.	57,185	19,062	85,673	85,673	85,673
	DISASTER RECOVERY	0	0	0	0	0
	TRANSPORTATION PROJECTS	187,307	0	75,000	0	41,530
	TOTAL EXPENDITURES	1,070,996	225,747	992,491	289,215	931,800
	REVENUE EXCESS OVER(UNDER) EXP	(1,500)	57,399	(12,224)	3,611	54,686

CITY OF LAKE WALES
 PRELIMINARY - BALANCE SHEET
 STREET LIGHTING FUND - 103
 01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

	STREET LIGHTING FUND - 103			
	CASH	17,681	15,884	1,798
	TOTAL ASSETS	17,681	15,884	1,798
		=====	=====	=====
	ACCOUNTS PAYABLE	1,081	0	1,081
	TOTAL LIABILITIES	1,081	0	1,081
	EXCESS REV OVER/UNDER EXP	819	1,304	(484)
103-271-001-000-000	Fund Balance	15,781	14,580	1,201
	TOTAL FUND BALANCE	16,600	15,884	717
		-----	-----	-----
	TOTAL LIAB. AND FUND BALANCE	17,681	15,884	1,798
		=====	=====	=====

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 STREET LIGHTING FUND - 103
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011

REVENUES						
SPECIAL ASSESSMENT						
103-325-200-000-000	Brookshire Street Lighting	14,500	5,530	14,500	6,031	14,830
TOTAL REVENUES/OTHER FIN SRCS		14,500	5,530	14,500	6,031	14,830
=====						
EXPENSES						
	STREET LIGHTING	14,602	4,711	14,602	4,727	13,629
TOTAL EXPENDITURES		14,602	4,711	14,602	4,727	13,629
REVENUE EXCESS OVER(UNDER) EXP		(102)	819	(102)	1,304	1,201
=====						

CITY OF LAKE WALES
 PRELIMINARY - BALANCE SHEET
 CRA FUND -105
 01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

	CRA FUND - 105			
	Cash - Unrestricted	397,523	248,458	149,064
105-102-010-000-000	Restricted - Escrow Business Park	100,000	100,000	0
	CASH	497,523	348,458	149,064
	ACCOUNTS RECEIVABLE	5,128	4,972	156
	DUE FROM OTHER FUNDS	0	0	0
	TOTAL ASSETS	502,651	353,430	149,220
		=====	=====	=====
	ACCOUNTS PAYABLE	716	0	716
	DEPOSIT & TRUST ACCOUNTS	100,000	100,000	0
	ACCRUED PAYROLL & WITHHOLDING	0	0	0
	DUE TO OTHER FUNDS	0	0	0
	TOTAL LIABILITIES	100,716	100,000	716
	EXCESS REV OVER/UNDER EXP	252,349	84,090	168,260
105-271-001-000-000	Fund Balance	149,586	169,341	(19,755)
	TOTAL FUND BALANCE	401,935	253,430	148,505
	TOTAL LIAB. AND FUND BALANCE	502,651	353,430	149,220
		=====	=====	=====

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 CRA FUND - 105
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
REVENUES						
TAXES						
105-311-200-000-000	City Tax Increment Area 1	55,142	55,142	70,792	70,792	63,093
105-311-400-000-000	City Tax Increment Area 3	15,718	15,718	19,908	19,908	16,029
105-311-600-000-000	City Tax Increment Area 2	508,064	508,064	443,846	458,846	442,651
TOTAL: TAXES		578,924	578,924	534,546	549,546	521,773
INTERGOVERNMENTAL REVENUE						
105-337-220-000-000	LWHA Officer Contribution	29,131	9,549	29,131	9,520	29,131
105-338-300-000-000	County Tax Increment Area 1	51,418	50,971	55,362	55,096	54,049
105-338-500-000-000	County Tax Increment Area 3	14,656	14,594	13,641	13,838	13,731
105-338-700-000-000	County Tax InCrement CRA Exp	473,753	461,889	380,300	379,504	378,445
TOTAL: INTERGOVERNMENTAL REV		568,958	537,003	478,434	457,958	475,356
MISCELLANEOUS REVENUES						
	Interest Income	1,000	0	1,000	0	0
105-364-200-000-000	Sale of Land	0	0	0	0	24,322
105-364-210-000-000	Gov. Wide - Gain/Loss	0	0	0	0	(17,778)
105-364-220-000-000	Gov. Wide (Contra) - Gain/(Loss)	0	0	0	0	17,778
105-369-999-000-000	Other	0	0	23,000	0	0
TOTAL: MISCELLANEOUS REVENUES		1,000	0	24,000	0	24,322
OTHER FINANCING SOURCES						
INTER FUND TRANSFER						
TOTAL: INTERFUND TRANSFER		0	0	0	0	0
OTHER SOURCES						
TOTAL: OTHER FINANCING SOURCES		0	0	0	0	0
TOTAL REVENUES/OTHER FIN SRCS		1,148,882	1,115,927	1,036,980	1,007,504	1,021,451
EXPENDITURES						
	CRA - ECONOMIC DEVELOPMENT	50,320	17,594	71,630	25,492	70,535
	CRA - COMMUNITY REDEVELOPMENT	150,742	50,141	111,562	37,984	110,733
	CRA - COMMUNITY POLICING	0	0	0	0	0
	CRA - CODE ENFORCEMENT	0	0	0	0	0
	CAPITAL OUTLAY	120,000	0	0	0	0

CITY OF LAKE WALES
PRELIMINARY SCH. OF REV & EXP
CRA FUND - 105
01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
	TRANSFERS	795,843	795,843	859,938	859,938	859,938
	TOTAL EXPENDITURES	1,116,905	863,578	1,043,130	923,414	1,041,206
	REVENUE EXCESS OVER(UNDER) EXP	31,977	252,349	(6,150)	84,090	(19,755)

CITY OF LAKE WALES
 PRELIMINARY - BALANCE SHEET
 POLICE FORFEITURES FUND - 106
 01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

	POLICE FORFEITURE FUND - 106			
	CASH	41,765	37,181	4,584
	ACCOUNTS RECEIVABLE	0	0	0
	DUE FROM OTHER FUNDS	0	0	0
	TOTAL ASSETS	41,765	37,181	4,584
		=====	=====	=====
	ACCOUNTS PAYABLE	0	0	0
	ACCRUED PAYROLL & WITHHOLDING	0	0	0
	DUE TO OTHER FUNDS	0	123	(123)
	TOTAL LIABILITIES	0	123	(123)
		-----	-----	-----
	EXCESS REV OVER/UNDER EXP	12,589	1,923	10,666
106-271-001-000-000	Fund Balance	29,176	35,135	(5,959)
	TOTAL FUND BALANCE	41,765	37,058	4,707
		-----	-----	-----
	TOTAL LIAB. AND FUND BALANCE	41,765	37,181	4,584
		=====	=====	=====

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 POLICE FORFEITURE FUND - 106
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
REVENUES						
FINES & FORFEITS						
106-351-900-000-000	Forfeitures - Police Dept	20,000	20,976	26,280	9,942	26,282
TOTAL: FINES & FORFEITURES		20,000	20,976	26,280	9,942	26,282
MISCELLANEOUS REVENUES						
	Interest Income	0	33	100	32	92
TOTAL: MISCELLANEOUS REVENUES		0	33	100	32	92
OTHER FINANCING SOURCES						
INTER FUND TRANSFER						
TOTAL: INTERFUND TRANSFER		0	0	0	0	0
OTHER SOURCES						
TOTAL: OTHER FINANCING SOURCES		0	0	0	0	0
TOTAL REVENUES/OTHER FIN SRCS		20,000	21,010	26,380	9,974	26,374
EXPENDITURES						
	OPERATING	25,359	8,421	38,400	8,051	32,333
	CAPITAL OUTLAY	0	0	0	0	0
	TRANSFERS	0	0	0	0	0
TOTAL EXPENDITURES		25,359	8,421	38,400	8,051	32,333
REVENUE EXCESS OVER(UNDER) EXP		(5,359)	12,589	(12,020)	1,923	(5,959)

CITY OF LAKE WALES
 PRELIMINARY - BALANCE SHEET
 LIBRARY FUND - 110
 01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

LIBRARY FUND - 110				
	Cash - Unrestricted	174,960	133,470	41,490
110-102-001-000-000	Petty Cash - Books By Mail	50	50	0
110-102-002-000-000	PETTY CASH - BOOK MOBILE	100	0	100
110-101-062-000-000	Library Impact Fees 3771	116,652	(4,336)	120,988
110-101-075-000-000	Cert of Deposit -Library Impact Fee	0	151,333	(151,333)

	CASH	291,762	280,518	11,244
	ACCOUNTS RECEIVABLE	0	0	0
	DUE FROM OTHER FUNDS	0	0	0
	PREPAID	7,977	7,077	900

	TOTAL ASSETS	299,739	287,595	12,144
=====				
	ACCOUNTS PAYABLE	5,365	0	5,365
	ACCRUED PAYROLL & WITHHOLDING	23,244	24,092	(848)

	TOTAL LIABILITIES	28,609	24,092	4,517
	EXCESS REV OVER/UNDER EXP	146,729	139,957	6,772
110-271-001-000-000	Fund Balance	124,401	123,547	854

	TOTAL FUND BALANCE	271,130	263,504	7,627

	TOTAL LIAB. AND FUND BALANCE	299,739	287,595	12,144
=====				

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 LIBRARY FUND - 110
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
REVENUES						
TAXES						
110-311-100-000-000	Ad Valorem Taxes	398,844	284,848	377,500	301,376	378,471
TOTAL: TAXES		398,844	284,848	377,500	301,376	378,471
INTERGOVERNMENTAL REVENUE						
110-338-001-000-000	Polk County - Intergov. Rev.	230,000	0	225,000	0	225,869
110-338-005-000-000	Polk County Books By Mail	230,000	125,000	225,000	112,500	225,000
110-338-006-000-000	Polk County Bookmobile Rev.	75,000	42,500	75,000	0	75,000
TOTAL: INTERGOVERNMENTAL REV		535,000	167,500	525,000	112,500	525,869
CHARGES FOR SERVICES						
110-341-000-000-000	Reimbursement of Expense	144	9	0	24	47
110-347-250-000-000	Special Interest Classes	8,000	3,373	8,000	3,736	7,334
TOTAL: CHARGES FOR SERVICES		8,144	3,382	8,000	3,760	7,380
IMPACT FEES						
110-363-221-000-000	Impact Fees - Library	25,000	5,050	29,500	8,319	29,573
TOTAL IMPACT FEES		(25,000)	(5,050)	(29,500)	(8,319)	(29,573)
MISCELLANEOUS REVENUES						
	Interest Income	4,500	96	4,500	94	348
110-362-790-000-000	User Fees -Library	50	0	100	0	0
110-366-001-000-000	Contribution - LW Library Assn	12,000	2,569	11,000	5,631	11,172
110-366-025-000-000	Donations-Books By Mail	50	3	25	19	261
110-369-000-000-000	Other Miscellaneous Revenues	0	478	0	0	711
110-369-999-000-000	Other	0	0	710	0	0
TOTAL: MISCELLANEOUS REVENUES		16,600	3,145	16,335	5,744	12,492
OTHER FINANCING SOURCES						
INTER FUND TRANSFER						
TOTAL: INTERFUND TRANSFER		0	0	0	0	0
TOTAL REVENUES/OTHER FIN SRCS		983,588	463,925	956,335	431,699	953,785

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 LIBRARY FUND - 110
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
	LIBRARY FUND	951,753	298,866	922,371	284,240	889,066
	CAPITAL OUTLAY	79,500	18,330	66,535	7,503	63,865
	TOTAL EXPENDITURES	1,031,253	317,196	988,906	291,742	952,931
	REVENUE EXCESS OVER(UNDER) EXP	(47,665)	146,729	(32,571)	139,957	854

CITY OF LAKE WALES
 PRELIMINARY - BALANCE SHEET
 LAW ENF BLOCK GRT FUND - 116
 01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

	LAW ENFORCEMENT BLOCK GRANT			
	CASH	0	0	0
	ACCOUNTS RECEIVABLE	9,170	0	9,170
	DUE FROM OTHER FUNDS	0	0	0
	TOTAL ASSETS	----- 9,170	----- 0	----- 9,170
		=====	=====	=====
	ACCOUNTS PAYABLE	0	0	0
	ACCRUED PAYROLL & WITHHOLDING	0	0	0
	DUE TO OTHER FUNDS	9,170	673	8,497
	TOTAL LIABILITIES	----- 9,170	----- 673	----- 8,497
	EXCESS REV OVER/UNDER EXP	0	(673)	673
	TOTAL FUND BALANCE	----- 0	----- (673)	----- 673
	TOTAL LIAB. AND FUND BALANCE	----- 9,170	----- 0	----- 9,170
		=====	=====	=====

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 LAW ENF BLOCK GRT FUND - 116
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011

REVENUES						
INTERGOVERNMENTAL						
116-331-300-000-000	Byrne Grant - JAG D (Direct)	4,000	0	4,353	0	4,346
116-331-305-000-000	Byrne Grant - JAG - C (Countywide)	10,000	9,170	10,000	0	10,007
TOTAL: INTERGOVERNMENTAL		14,000	9,170	14,353	0	14,353

MISCELLANEOUS REVENUES						
	Interest Income	0	0	0	0	0
TOTAL: MISCELLANEOUS REVENUES		0	0	0	0	0

OTHER FINANCING SOURCES						
INTER FUND TRANSFER						
TOTAL: INTERFUND TRANSFER		0	0	0	0	0

OTHER SOURCES						
TOTAL: OTHER FINANCING SOURCES		0	0	0	0	0

TOTAL REVENUES/OTHER FIN SRCS		14,000	9,170	14,353	0	14,353
=====						
EXPENDITURES						
116-521-000-352-050	Operating Supplies - Equipment	0	0	0	0	6,801
116-521-000-664-990	Other Equipment	14,000	9,170	14,353	673	7,552
TOTAL EXPENDITURES		14,000	9,170	14,353	673	14,353

REVENUE EXCESS OVER(UNDER) EXP		0	0	0	(673)	0
=====						

CITY OF LAKE WALES
 PRELIMINARY - BALANCE SHEET
 DEBT SERVICE FUND - 201
 01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

	DEBT SERVICE FUND - 201			
	CASH	1,102,721	1,046,405	56,316
	DUE FROM OTHER FUNDS	0	0	0
	TOTAL ASSETS	1,102,721	1,046,405	56,316
		=====	=====	=====
	DUE TO OTHER FUNDS	0	0	0
	TOTAL LIABILITIES	0	0	0
	EXCESS REV OVER/UNDER EXP	(149,955)	(902,019)	752,063
201-271-001-000-000	Fund Balance	1,252,676	1,948,424	(695,748)
	TOTAL FUND BALANCE	1,102,721	1,046,405	56,316
	TOTAL LIAB. AND FUND BALANCE	1,102,721	1,046,405	56,316
		=====	=====	=====

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 DEBT SERVICE FUND - 201
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
REVENUES						
TAXES						
201-314-100-000-000	Utl Taxes-Elect(Series 2003/Leases)	600,000	200,000	263,000	87,667	263,000
201-315-000-000-000	Communication Svc Tax(Series 2013)	156,400	156,400	150,000	50,000	150,000
	TOTAL: TAXES	756,400	356,400	413,000	137,667	413,000
LICENSES & PERMITS						
201-313-100-000-000	Franch Fees - Elect (Series 2015)	255,000	85,000	0	0	0
	TOTAL: LICENSES & PERMITS	255,000	85,000	0	0	0
IMPACT FEES						
201-363-222-000-000	Impact Fees - Fire South	10,000	3,741	94,041	5,168	94,039
	TOTAL: IMPACT FEES	10,000	3,741	94,041	5,168	94,039
MISCELLANEOUS REVENUES						
	Interest Income	0	65	0	13	85
	TOTAL: MISCELLANEOUS REVENUES	0	65	0	13	85
OTHER FINANCING SOURCES						
INTER FUND TRANSFER						
201-381-001-000-000	Transfer from General Fund	0	0	71,100	0	71,017
201-381-102-000-000	Transfer from Transp.(Series 2003)	57,185	61,950	85,673	85,673	85,673
201-381-105-000-000	Transfer from CRA(Series 2003/2007)	795,843	795,843	859,938	859,938	859,938
	TOTAL: INTERFUND TRANSFER	853,028	857,793	1,016,711	945,611	1,016,628
	TOTAL REVENUES/OTHER FIN SRCS	1,874,428	1,302,999	1,523,752	1,088,459	1,523,752
	DEBT SERVICE - PRINCIPAL	1,544,984	1,279,576	1,843,640	1,779,986	1,842,290
	DEBT SERVICE - INTEREST & FEES	325,720	173,379	392,538	210,491	377,209
	TOTAL EXPENDITURES	1,870,704	1,452,955	2,236,178	1,990,478	2,219,499
	REVENUE EXCESS OVER(UNDER) EXP	3,724	(149,955)	(712,426)	(902,019)	(695,748)

CITY OF LAKE WALES
 PRELIMINARY - BALANCE SHEET
 CAPITAL PROJECT FUND - 330
 01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

CAPITAL PROJECT FUND - 330				
	Cash - Unrestricted	0	(394,495)	394,495
330-101-062-000-000	Fire North Rescue Impact Fee 3755	6,866	6,817	49
330-101-063-000-000	Police Services Impact Fee 1438	226,378	189,570	36,808
330-101-064-000-000	Parks & Recreation Impact Fee 1420	246,675	248,095	(1,420)
330-101-200-000-000	Series 2013- Cemetery	0	384,042	(384,042)

	CASH	479,919	434,029	45,891
	ACCOUNTS RECEIVABLE	0	43,541	(43,541)
	DUE FROM OTHER FUNDS	0	0	0

	TOTAL ASSETS	479,919	477,570	2,350
=====				
	ACCOUNTS PAYABLE	8,000	47,472	(39,472)
	DEFERRED REVENUE	0	5,075	(5,075)
	DUE TO OTHER FUNDS	63,654	141,040	(77,385)

	TOTAL LIABILITIES	71,654	193,587	(121,933)
	EXCESS REV OVER/UNDER EXP	(15,710)	(412,493)	396,783
330-271-001-000-000	Fund Balance	423,975	696,476	(272,501)

	TOTAL FUND BALANCE	408,265	283,983	124,282

	TOTAL LIAB. AND FUND BALANCE	479,919	477,570	2,350
=====				

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 CAPITAL PROJECT FUND - 330
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
REVENUES						
INTERGOVERNMENTAL REVENUE						
330-334-721-000-000	RTP Grant-Lake Wales Trail	0	0	99,300	0	99,305
330-334-727-000-000	FRDAP Grant - Skate Park	0	0	50,000	0	50,000
330-334-729-000-000	Grant-Premier Streets LW Project	0	0	5,075	0	5,075
TOTAL: INTERGOVERNMENTAL REV		0	0	154,375	0	154,380
IMPACT FEES						
330-363-220-000-000	Impact Fees- Police	10,000	6,080	39,000	8,806	39,010
330-363-222-000-000	Impact Fees - Fire North	8,400	4,361	23,900	4,863	23,933
330-363-270-000-000	Impact Fees- Culture/Rec	6,000	10,956	56,000	9,717	55,824
TOTAL IMPACT FEES		(24,400)	(21,397)	(118,900)	(23,385)	(118,768)
MISCELLANEOUS REVENUES						
	Interest Income	2,500	421	2,678	724	1,614
TOTAL: MISCELLANEOUS REVENUES		2,500	421	2,678	724	1,614
OTHER FINANCING SOURCES						
INTER FUND TRANSFER						
330-381-001-000-000	Transfer from General Fund	0	0	275,000	0	274,936
TOTAL: INTERFUND TRANSFER		0	0	275,000	0	274,936
TOTAL REVENUES/OTHER FIN SRCS		26,900	21,818	550,953	24,109	549,697
EXPENDITURES						
330-522-622-003-000	Cemetery - New Addition	0	0	600,000	256,453	579,503
330-572-000-663-003	Skate Park - Equipment	0	16,433	70,000	0	53,185
330-572-000-663-020	Lake Wales Trails Extension	0	0	190,000	180,149	184,435
330-572-663-022-000	C/O - Park Signage	13,000	0	0	0	0
330-572-663-023-000	C/O - ADA Parking - Soccer Complex	30,000	0	0	0	0
330-572-663-024-000	C/O - Electric Upgrades - LW Park	20,000	21,095	0	0	0
330-572-663-210-000	C/O-Lake Wales Park - Exccercise Equ	10,000	0	0	0	0
330-581-000-991-001	Transfer to General Fund	17,500	0	0	0	0
330-581-000-991-102	Transfer to Transportation Fund	0	0	5,075	0	5,075
TOTAL EXPENDITURES		90,500	37,528	865,075	436,602	822,198
REVENUE EXCESS OVER(UNDER) EXP		(63,600)	(15,710)	(314,122)	(412,493)	(272,501)

CITY OF LAKE WALES
PRELIMINARY - BALANCE SHEET
UTILITY SYSTEM FUND - 403
01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

	UTILITY SYSTEM - FUND 403			
	CASH & INV. - UNRESTRICTED	1,400	(577,132)	578,532
	CASH & INV. - SEWER IMPACT FEE	1,288,794	1,189,482	99,312
	CASH & INV. - WATER IMPACT FEE	255,718	118,485	137,233
	CASH & INV. - DEBT SERVICE SIN	880,598	662,545	218,052
403-103-100-000-000	Loan Proceeds Series 2015	700,236	0	700,236
403-103-010-000-000	Utilities Emergency Sinking Fund 80	5,011	142,476	(137,466)
403-104-801-001-160	Uilty Cash-Customer Deposits	782,371	706,807	75,564
403-104-801-001-165	C Street Sewer Project - Escrow	2,846	2,846	0
403-104-801-001-167	C Street Sewer - Postage Escrow	34	34	0
	CASH & INV. - RESERVE ACCOUNTS	1,490,497	852,163	638,334
	TOTAL CASH & INVESTMENTS	3,917,006	2,245,544	1,671,463
	ACCOUNTS RECEIVABLE	1,087,149	1,126,653	(39,505)
	DUE FROM OTHER FUNDS	0	0	0
	INVENTORY	143,401	154,598	(11,197)
	PREPAID	6,572	3,572	3,000
	NET FIXED ASSETS	35,513,200	35,176,515	336,685
	UNAMORTIZED BOND ISSUE COSTS	0	(2,608)	2,608
	TOTAL ASSETS	40,667,328	38,704,274	1,963,054
	ACCOUNTS PAYABLE	26,489	176,984	(150,494)
	ACCRUED LIABILITIES	165,848	138,182	27,666
	ACCRUED INTEREST	74,164	77,607	(3,443)
	CUSTOMER DEPOSITS	784,277	728,237	56,040
	ACCRUED PAYROLL & WITHHOLDING	114,973	107,724	7,249
	DEFERRED REVENUE	235,337	239,434	(4,097)
	DEBT	10,075,601	9,835,239	240,361
	TOTAL LIABILITIES	11,476,689	11,303,408	173,281
403-272-000-000-000	EXCESS REV OVER/UNDER EXP	666,937	204,844	462,092
	Retained Earnings	28,523,702	27,196,022	1,327,680
	TOTAL FUND BALANCE	29,190,639	27,400,866	1,789,772
		=====	=====	=====

CITY OF LAKE WALES
PRELIMINARY - BALANCE SHEET
UTILITY SYSTEM FUND - 403
01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

	TOTAL LIAB. AND FUND BALANCE	40,667,328	38,704,274	1,963,054
		=====	=====	=====

CITY OF LAKE WALES
 PRELIMINARY SCH. OF REV & EXP
 UTILITY SYSTEM FUND - 403
 01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
REVENUES						
	CHARGES FOR SERVICES	7,673,000	2,583,300	6,996,000	2,289,639	6,999,866
	INTEREST INCOME	6,480	3,680	6,480	1,642	6,783
	GRANTS	650,000	0	0	0	0
	DEBT PROCEEDS	9,400,000	0	0	0	0
OTHER REVENUE & SOURCES:						
403-362-200-000-000	Lease - Telecommunication Site	185,000	57,339	200,000	66,923	200,744
403-363-230-000-000	Water Impact Fees	75,000	34,555	127,000	25,331	127,528
403-363-235-000-000	Sewer Impact Fees	100,000	53,382	180,000	31,949	180,273
403-364-175-000-000	Gain on Sale of Capital Asset	0	0	(6,625)	0	5,330
403-364-661-000-000	Gain On Sale of Land	0	0	0	0	(11,954)
403-369-902-000-000	Bad Debt Recovery - Water	1,000	0	1,000	0	12
403-369-999-000-000	Other	0	521	10,000	0	2,419
	TOTAL: OTHER REV. & SOURCES	361,000	145,797	511,375	124,203	504,352
	TOTAL REVENUES/OTHER FIN SRCS	18,090,480	2,732,778	7,513,855	2,415,484	7,511,000
=====						
	WATER PLANT OPERATION	845,071	202,808	868,149	224,307	711,330
	SEWER PLANT OPERATION	934,139	162,502	924,845	213,920	664,037
	REUSE WATER OPERATION	148,654	17,446	85,373	12,204	38,899
	UTILITY ADMINISTRATION	940,802	267,409	952,768	290,223	881,192
	UTILITY OPERATION PERSONNEL	1,200,392	405,509	1,233,149	408,041	1,226,111
	UTILITY BILLING	288,445	86,102	208,904	63,709	207,046
	UTILITY DEPRECIATION	70,000	0	70,000	17,128	1,212,176
	WATER CAPITAL	434,877	36,159	1,040,000	358,896	0
	SEWER CAPITAL	7,625,000	86,160	2,910,000	200,558	0
	CDBG CAPITAL OUTLAY	650,000	5,749	0	2,298	0
	REUSE CAPITAL	50,000	0	50,000	0	0
	INTERFUND TRANSFERS	1,140,000	380,000	1,020,000	340,000	1,020,000
	OTHER NONOPERATION	0	54	0	69	0
	DEBT SERVICE	2,327,327	415,943	1,669,544	79,287	222,530
	TOTAL EXPENDITURES	16,654,707	2,065,841	11,032,732	2,210,640	6,183,320
	REVENUE EXCESS OVER(UNDER) EXP	1,435,773	666,937	(3,518,877)	204,844	1,327,680
=====						

CITY OF LAKE WALES
 PRELIMINARY - BALANCE SHEET
 AIRPORT AUTHORITY FUND - 404
 01/31/2015

ACCOUNT #	DESCRIPTION	CURRENT FY	PRIOR FY	INCREASE (DECREASE)

	AIRPORT AUTHORITY - FUND 404			
	CASH	0	175	(175)
	ACCOUNTS RECEIVABLE	1	50	(49)
	DUE FROM OTHER FUNDS	0	0	0
	PREPAID	0	0	0
	NET FIXED ASSETS	10,518,850	7,781,986	2,736,864
	TOTAL ASSETS	10,518,851	7,782,211	2,736,640
		=====	=====	=====
	ACCOUNTS PAYABLE	452	79,218	(78,766)
	DUE TO OTHER FUNDS	128,939	93,828	35,111
	DEFERRED REVENUE	324	573	(249)
	PRIOR PERIOD ADJUSTMENT	0	0	0
	DEBT	123,961	135,795	(11,834)
	TOTAL LIABILITIES	253,677	309,414	(55,738)
	EXCESS REV OVER/UNDER EXP	(1,742)	(86,590)	84,848
404-272-000-000-000	Retained Earnings	10,266,916	7,559,387	2,707,530
	TOTAL FUND BALANCE	10,265,174	7,472,796	2,792,378
		-----	-----	-----
	TOTAL LIAB. AND FUND BALANCE	10,518,851	7,782,211	2,736,640
		=====	=====	=====

CITY OF LAKE WALES
PRELIMINARY SCH. OF REV & EXP
AIRPORT AUTHORITY FUND - 404
01/31/2015

ACCOUNT NO.	DESCRIPTION	CURRENT FY BUDGET	YEAR TO DATE ACTUAL	PRIOR FY BUDGET	PRIOR FY ACTUAL	PRIOR - FY 09/30/2011
REVENUES						
INTERGOVERNMENTAL REVENUE						
404-331-419-000-000	FAA - Airfield Improvements	0	0	2,587,810	660,605	2,587,832
404-331-420-000-000	FAA - Rehab Resurface/Envir Assess	1,087,232	0	0	0	0
404-334-419-000-000	FDOT - Airfield Improvements	0	0	290,812	0	290,784
404-334-420-000-000	FDOT - Rehab Resurface/Enir Assess	80,402	0	0	0	0
TOTAL: INTERGOVERNMENTAL REV		1,167,634	0	2,878,622	660,605	2,878,616
CHARGES FOR SERVICES						
404-341-900-000-000	Reimbursement-Airport Ad Val Taxes	3,000	80	2,300	0	2,211
404-341-900-000-100	Reimbursement - Electric-T Hangers	960	240	2,500	0	1,159
404-344-101-000-000	T-Hangar Rentals	47,720	12,345	43,550	10,210	43,882
404-344-102-000-000	Tie-Down Fees	1,000	0	300	128	1,092
404-344-103-000-000	Fuel Flow Charges	7,000	3,961	5,000	1,984	4,906
404-344-104-000-000	Campground Rentals	7,350	2,449	7,169	2,274	7,368
TOTAL: CHARGES FOR SERVICES		67,030	19,076	60,819	14,598	60,617
OTHER REVENUES & SOURCES						
	Interest Income	0	0	0	0	0
404-362-541-000-000	FBO Lease-Rental Mowing Credit	6,000	2,000	6,000	0	6,000
404-364-000-000-000	FBO Lease- Rental Imprv. Credit	11,834	3,945	11,834	0	23,668
TOTAL: OTHER REV. & SOURCES		17,834	5,945	17,834	0	29,668
OTHER FINANCING SOURCES						
INTER FUND TRANSFER						
404-381-001-000-000	Transfer from The General Fund	91,806	67,133	172,788	108,817	172,788
TOTAL: INTERFUND TRANSFER		91,806	67,133	172,788	108,817	172,788
TOTAL REVENUES/OTHER FIN SRCS		1,344,304	92,153	3,130,063	784,020	3,141,689
OPERATIONS						
	OPERATIONS	99,434	27,954	96,495	25,818	96,489
	CAPITAL OUTLAY	1,233,036	61,997	3,113,122	844,792	0
	DEPRECIATION	0	0	0	0	325,837
	DEBT SERVICE	11,834	3,945	28,558	0	11,834
TOTAL EXPENDITURES		1,344,304	93,895	3,238,175	870,610	434,160
REVENUE EXCESS OVER(UNDER) EXP		0	(1,742)	(108,112)	(86,590)	2,707,530

MEMORANDUM

February 16, 2016

TO: Honorable Mayor and City Commission
VIA: Kenneth Fields, City Manager
FROM: Dorothy Ecklund, Finance Director
RE: Ordinance 2016 - 03, FY15'16 Budget Amendment #1, 2nd Reading & Public Hearing

SYNOPSIS: *The City Commission will consider approval of the first Amendment of FY 15'16 Budget that was adopted on September 15, 2016.*

RECOMMENDATION

It is recommended that the City Commission approve Ordinance 2016-03 after second reading and public hearing.

The City Commission approved first reading of the ordinance on February 2, 2016. The advertisement requirement for second reading and public reading has been met.

BACKGROUND

Ordinance 2015-09 estimating revenues and appropriating funds for Fiscal Year 2015-16 was adopted by the City Commission September 15, 2015.

We are presenting Ordinance 2016-03 to modify the estimates of revenues and appropriations budgeted in various funds. This is primarily a housekeeping ordinance to conform the adopted budget to realized or expected changes within the current fiscal year. Explanation of change, for significant items, has been provided on both Exhibit A and B. Detail budgetary changes have been provided in Exhibit C.

OTHER OPTIONS

This is a required budgetary amendment for compliance purposes relating to the City's Charter and Florida State Statute.

Per the Lake Wales City Charter, Section 6.07, upon written request by the City Manager, the City Commission may by ordinance transfer part or all of any unencumber appropriation balance from one department, office or agency to another. Per Florida State Statute, Section 166.241, the budget must regulate expenditures of the municipality. If a budget amendment is required the amendment must be adopted in the same manner as the original budget.

FISCAL IMPACT

See Exhibit A and Exhibit B attached to Ordinance 2016-03

ATTACHMENTS

Ordinance 2016-03; Exhibit A, Exhibit B, and Exhibit C.

ORDINANCE 2016-03

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA, AMENDING ORDINANCE 2015-09 TO MODIFY THE ESTIMATES OF EXPENDITURES FOR THE OPERATION OF THE SEVERAL DEPARTMENTS OF SAID CITY FOR THE 2015-2016 FISCAL YEAR AND TO MODIFY THE APPROPRIATION OF FUNDS RAISED AND COLLECTED FROM ALL SOURCES SET FORTH IN THE ESTIMATE OF REVENUES FOR SAID FISCAL YEAR; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. Ordinance 2015-09 is hereby amended to modify the estimates of anticipated revenues for the Fiscal Year 2015-2016 which are hereunto attached as Exhibit "A" and made a part of this ordinance. Such anticipated revenue of said City is hereby appropriated for the several items set forth in the budget and is hereby appropriated proportionately in the amounts as shown in the schedule hereto attached, which said amounts are to be appropriated and allocated to the different funds as collected.

SECTION 2. Ordinance 2015-09 is hereby amended to modify the estimates of expenditures contemplated for the operation of the several departments of the City of Lake Wales, Polk County, Florida, for the Fiscal Year 2015-2016 which are hereunto attached as Exhibit "B" and made a part of this ordinance. Such amended expenditures shall be and the same are hereby ratified, approved, confirmed, accepted and adopted as the Budget for said Fiscal Year.

SECTION 3. All other parts of Ordinance 2015-09 remain unchanged and in full force and effect.

SECTION 4. This ordinance shall take effect immediately upon its passage and approval.

CERTIFIED AS TO PASSAGE this _____ day of _____, 2016.

Mayor/Commissioner

ATTEST:

City Clerk

EXHIBIT "A"
ORDINANCE 2016 -03
SCHEDULE OF ESTIMATED REVENUES & BALANCES

	Adopted Budget	Changes	Amended Budget	Explanation of Change
GENERAL FUND				
Balance Forward	275,000	-	275,000	
Ad Valorem Taxes	3,513,400	28,000	3,541,400	\$28,000 Water's Edge has a taxable status w/ property appraiser office.
Sales & Use Taxes	1,507,400	-	1,507,400	
Licenses & Permits	1,258,500	-	1,258,500	
Special Assessments	1,020,000	-	1,020,000	
Intergovernmental Revenue	1,678,452	(109,484)	1,568,968	(\$28,000) Water's Edge reclassified, (81,484) removal of COPs Grant.
Charges for Services	1,601,018	-	1,601,018	
Fines & Forfeitures	42,250	-	42,250	
Miscellaneous Revenues	59,975	69,257	129,232	\$58,000 sale of land (Central. Florida. Healthcare)
Other Financing Sources	612,941	-	612,941	\$40,500 sale of sweeper truck
Transfer from Other Funds	1,157,500	-	1,157,500	(\$30,000) removal of grove rental revenue
Total	12,726,436	(12,227)	12,714,209	
TRANSPORTATION FUND				
Balance Forward	1,500	-	1,500	
Ad Valorem Taxes	-	-	-	
Sales & Use Taxes	722,881	-	722,881	
Licenses & Permits	-	-	-	
Special Assessments	-	-	-	
Intergovernmental Revenue	130,642	-	130,642	
Charges for Services	132,672	-	132,672	
Fines & Forfeitures	-	-	-	
Miscellaneous Revenues	800	-	800	
Other Financing Sources	-	-	-	
Transfer from Other Funds	82,501	(6,257)	76,244	Reduction in transfer for funding needed for cost overruns.
Total	1,070,996	(6,257)	1,064,739	
STREET LIGHTING FUNDS				
Balance Forward	6,500	-	6,500	
Ad Valorem Taxes	-	-	-	
Sales & Use Taxes	-	-	-	
Licenses & Permits	-	-	-	
Special Assessments	14,500	-	14,500	
Intergovernmental Revenue	-	-	-	
Charges for Services	-	-	-	
Fines & Forfeitures	-	-	-	
Miscellaneous Revenues	-	-	-	
Other Financing Sources	-	-	-	
Transfer from Other Funds	-	-	-	
Total	21,000	-	21,000	

CRA FUND

Balance Forward	100,000	-	100,000
Ad Valorem Taxes	578,924	-	578,924
Sales & Use Taxes	-	-	-
Licenses & Permits	-	-	-
Special Assessments	-	-	-
Intergovernmental Revenue	568,958	-	568,958
Charges for Services	-	-	-
Fines & Forfeitures	-	-	-
Miscellaneous Revenues	1,000	-	1,000
Other Financing Sources	-	-	-
Transfer from Other Funds	-	-	-
Total	<u>1,248,882</u>	<u>-</u>	<u>1,248,882</u>

POLICE FOREFEITURE FUND

Balance Forward	36,000	-	36,000
Ad Valorem Taxes	-	-	-
Sales & Use Taxes	-	-	-
Licenses & Permits	-	-	-
Special Assessments	-	-	-
Intergovernmental Revenue	-	-	-
Charges for Services	-	-	-
Fines & Forfeitures	20,000	-	20,000
Miscellaneous Revenues	-	-	-
Other Financing Sources	-	-	-
Transfer from Other Funds	-	-	-
Total	<u>56,000</u>	<u>-</u>	<u>56,000</u>

LIBRARY FUND

Balance Forward	120,000	-	120,000
Ad Valorem Taxes	398,844	-	398,844
Sales & Use Taxes	-	-	-
Licenses & Permits	-	-	-
Special Assessments	-	-	-
Intergovernmental Revenue	535,000	30,000	565,000
Charges for Services	8,144	-	8,144
Fines & Forfeitures	-	-	-
Miscellaneous Revenues	41,600	-	41,600
Other Financing Sources	-	-	-
Transfer from Other Funds	-	-	-
Total	<u>1,103,588</u>	<u>30,000</u>	<u>1,133,588</u>

\$20,000 Books by Mail and \$10,000 Bookmobile revenue increases.

LAW ENFORCEMENT FUND

Balance Forward	-	-	-
Ad Valorem Taxes	-	-	-
Sales & Use Taxes	-	-	-
Licenses & Permits	-	-	-
Special Assessments	-	-	-
Intergovernmental Revenue	14,000	-	14,000
Charges for Services	-	-	-
Fines & Forfeitures	-	-	-
Miscellaneous Revenues	-	-	-
Other Financing Sources	-	-	-
Transfer from Other Funds	-	-	-
Total	<u>14,000</u>	<u>-</u>	<u>14,000</u>

DEBT SERVICE FUND

Balance Forward	1,076,100	-	1,076,100
Ad Valorem Taxes	-	-	-
Sales & Use Taxes	1,011,400	-	1,011,400
Licenses & Permits	-	-	-
Special Assessments	-	-	-
Intergovernmental Revenue	-	-	-
Charges for Services	-	-	-
Fines & Forfeitures	-	-	-
Miscellaneous Revenues	10,000	-	10,000
Other Financing Sources	-	-	-
Transfer from Other Funds	853,028	-	853,028
Total	<u>2,950,528</u>	<u>-</u>	<u>2,950,528</u>

CAPITAL PROJECTS FUND

Balance Forward	445,000	-	445,000
Ad Valorem Taxes	-	-	-
Sales & Use Taxes	-	-	-
Licenses & Permits	-	-	-
Special Assessments	-	-	-
Intergovernmental Revenue	-	-	-
Charges for Services	-	-	-
Fines & Forfeitures	-	-	-
Miscellaneous Revenues	26,900	-	26,900
Other Financing Sources	-	-	-
Transfer from Other Funds	-	-	-
Total	<u>471,900</u>	<u>-</u>	<u>471,900</u>

CEMETERY (LWMG) FUND

Balance Forward	-	-	-
Ad Valorem Taxes	-	-	-
Sales & Use Taxes	-	-	-
Licenses & Permits	-	-	-
Special Assessments	-	-	-
Intergovernmental Revenue	-	-	-
Charges for Services	40,250	-	40,250
Fines & Forfeitures	-	-	-
Miscellaneous Revenues	-	-	-
Other Financing Sources	88,928	-	88,928
Transfer from Other Funds	-	-	-
Total	<u>129,178</u>	<u>-</u>	<u>129,178</u>

UTILITY SYSTEM FUND

Balance Forward	1,683,000	-	1,683,000
Ad Valorem Taxes	-	-	-
Sales & Use Taxes	-	-	-
Licenses & Permits	-	-	-
Special Assessments	-	-	-
Intergovernmental Revenue	650,000	-	650,000
Charges for Services	7,673,000	-	7,673,000
Fines & Forfeitures	-	-	-
Miscellaneous Revenues	367,480	-	367,480
Other Financing Sources	12,750,000	-	12,750,000
Transfer from Other Funds	-	-	-
Total	<u>23,123,480</u>	<u>-</u>	<u>23,123,480</u>

AIRPORT FUND

Balance Forward	-	-	-
Ad Valorem Taxes	-	-	-
Sales & Use Taxes	-	-	-
Licenses & Permits	-	-	-
Special Assessments	-	-	-
Intergovernmental Revenue	1,167,634	-	1,167,634
Charges for Services	67,030	-	67,030
Fines & Forfeitures	-	-	-
Miscellaneous Revenues	17,834	-	17,834
Other Financing Sources	-	-	-
Transfer from Other Funds	91,806	42,677	134,483
Total	<u>1,344,304</u>	<u>42,677</u>	<u>1,386,981</u>

Increase in transfer for funding needed purchase of AWOS equipment.

TOTAL ESTIMATED

REVENUES & BALANCES	44,260,292	54,193	44,314,485
---------------------	------------	--------	------------

EXHIBIT "B"
ORDINANCE 2016 -03
SCHEDULE OF ESTIMATED APPROPRIATED EXPENDITURES & RESERVES

	Adopted Budget	Changes	Amended Budget	Explanation of Change
GENERAL FUND				
City Commission	96,576	-	96,576	
City Manager	205,434	-	205,434	
City Clerk	113,288	-	113,288	
Finance	294,235	-	294,235	
Human Resources	143,740	-	143,740	
City Attorney	66,375	-	66,375	
Planning	209,569	-	209,569	
Fleet Maintenance	-	-	-	
Facilities Maintenance	104,420	4,565	108,985	Cost overrun for facility software.
Information Technology	203,279	-	203,279	
Insurance/Risk Mgt	-	-	-	
Support Services	85,896	900	86,796	Cost of annual maintenance for cemetery
Municipal Admin Bldg	30,017	-	30,017	tracking software.
Non-Departmental	183,200	-	183,200	
Police	4,660,166	(83,177)	4,576,989	Removal of 2 officers proposed to be added if the City received the COP grant. Grant was not awarded.
Fire	2,704,569	600	2,705,169	(\$600) New dayroom chairs
Building Permits & Inspections	217,414	-	217,414	
Code Enforcement	54,612	650	55,262	(\$450) Printing, (\$200) Operating Supplies
Waste Disposal	872,405	-	872,405	
Lake Conservation	8,000	-	8,000	
Field Operations	6,736	-	6,736	
Cemetery	147,348	(1,900)	145,448	Cost reductions to fund costs overruns in other dept.
Public Service Admin	467	-	467	
Other Transportation	5,433	-	5,433	
Economic Environment	130,800	-	130,800	
Other Human Services	13,500	-	13,500	
Library	-	-	-	
Parks Division	652,550	(1,282)	651,268	Cost reductions to fund costs overruns in other dept.
Recreation Facilities	734,115	2,554	736,669	\$4,475 cost of EZ floor cleaning machine,
Special Events	45,175	-	45,175	(\$1,921) cost reductions to fund software overruns.
Depot Complex	136,242	-	136,242	
Interfund Transfers	263,235	36,420	299,655	
Summary - General Fund Expenditures	12,388,796	(40,670)	12,348,126	
Reserve & Contingencies	337,640	28,443	366,083	
Total General Fund	12,726,436	(12,227)	12,714,209	
TRANSPORTATION FUND				
Street Operations	791,904	(6,257)	785,647	Cost reductions to fund costs overruns in other dept.
Stormwater Division	34,600	-	34,600	
Transportation - Capital Outlay	187,307	-	187,307	
Interfund Transfer	57,185	-	57,185	
Summary - Transportation Fund Expenditures	1,070,996	(6,257)	1,064,739	
Reserve & Contingencies	-	0	0	
Total	1,070,996	(6,257)	1,064,739	
STREET LIGHTING FUNDS				
Expenditures	14,602	-	14,602	
Reserve & Contingencies	6,398	-	6,398	

Total	<u>21,000</u>	<u>-</u>	<u>21,000</u>
-------	---------------	----------	---------------

CRA FUND

CRA - Industry Development	50,320	-	50,320
CRA - Community Redevelopment	150,742	-	150,742
CRA - Capital Outlay	120,000	-	120,000
Interfund Transfers	<u>795,843</u>	<u>-</u>	<u>795,843</u>
Summary - CRA Fund Expenditures	1,116,905	-	1,116,905
Reserve & Contingencies	<u>131,977</u>	<u>-</u>	<u>131,977</u>
Total	<u>1,248,882</u>	<u>-</u>	<u>1,248,882</u>

POLICE FOREFEITURE FUND

Expenditures	25,359	-	25,359
Reserve & Contingencies	<u>30,641</u>	<u>-</u>	<u>30,641</u>
Total	<u>56,000</u>	<u>-</u>	<u>56,000</u>

LIBRARY FUND

Books by Mail	274,149	-	274,149
Library	583,296	-	583,296
Bookmobile	94,308	-	94,308
Library - Capital Outlay	<u>79,500</u>	<u>-</u>	<u>79,500</u>
Summary - Library Fund Expenditures	1,031,253	-	1,031,253
Reserve & Contingencies	<u>72,335</u>	<u>30,000</u>	<u>102,335</u>
Total	<u>1,103,588</u>	<u>30,000</u>	<u>1,133,588</u>

LAW ENFORCEMENT FUND

Expenditures	14,000	-	14,000
Reserve & Contingencies	<u>-</u>	<u>-</u>	<u>-</u>
Total	<u>14,000</u>	<u>-</u>	<u>14,000</u>

Summary Total - Special Revenue	<u>3,514,466</u>	<u>23,743</u>	<u>3,538,209</u>
---------------------------------	------------------	---------------	------------------

DEBT SERVICE FUND

Expenditures	1,870,704	-	1,870,704
Reserve & Contingencies	<u>1,079,824</u>	<u>-</u>	<u>1,079,824</u>
Total	<u>2,950,528</u>	<u>-</u>	<u>2,950,528</u>

CAPITAL PROJECTS FUND

Capital Outlay	73,000	-	73,000
Transfers To Other Funds	17,500	-	17,500
Reserve & Contingencies	<u>381,400</u>	<u>-</u>	<u>381,400</u>
Total	<u>471,900</u>	<u>-</u>	<u>471,900</u>

CEMETERY (LWMG) FUND

Expenditures	45,328	-	45,328
Transfers	-	-	-
Debt Service	43,600	-	43,600
Summary - Utility Fund Expenditures	88,928	-	88,928
Reserve & Contingencies	40,250	-	40,250
Total	129,178	-	129,178

UTILITY SYSTEM FUND

Expenditures	4,427,503	-	4,427,503
Capital Outlay	8,759,877	-	8,759,877
Transfers	1,140,000	-	1,140,000
Debt Service	2,327,327	-	2,327,327
Summary - Utility Fund Expenditures	16,654,707	-	16,654,707
Reserve & Contingencies	6,468,773	-	6,468,773
Total	23,123,480	-	23,123,480

AIRPORT FUND

Expenditures	99,434	-	99,434
Debt Service	11,834	-	11,834
Capital Outlay	1,233,036	42,677	1,275,713
Summary - Airport Fund Expenditures	1,344,304	42,677	1,386,981
Reserve & Contingencies	-	-	-
Total	1,344,304	42,677	1,386,981

Purchase of AWOS equipment.

TOTAL ESTIMATED

REVENUES & BALANCES	44,260,292	54,193	44,314,485
---------------------	------------	--------	------------

City of Lake Wales
Exhibit C - Budget Amendment - Detail
FY 2015'16

	Adopted Budget	Amendment No 1	Amended Budget	
001-364-175-000-000	Gain on Sale of Capital Asset	0	99,257	99,257 \$58k land sale, \$40.5k sweeper sale, \$757 golf cart.
110-338-005-000-000	Polk County Books By Mail	230,000	20,000	250,000 Books by Mail revenue
110-338-006-000-000	Bookmobile	75,000	10,000	85,000 Bookmobile revenue
001-362-010-000-000	Orange Grove - Land Lease	30,000	(30,000)	0 Remove orange grove land lease revenue
001-311-100-000-000	Ad Valorem Taxes	3,513,400	28,000	3,541,400 Move Water Edge revenue
001-333-200-000-000	PILOT - Water's Edge	28,000	(28,000)	0 Move Water Edge revenue
001-331-200-000-000	COPS Fast Grant	81,484	(81,484)	0 Remove the COPs Grant
001-521-000-112-200	Police Salaries	2,184,449	(54,374)	2,130,075 both revenue and the
001-521-000-121-000	F.I.C.A. Taxes	193,060	(4,160)	188,900 expenditures.
001-521-000-122-200	Retirement - Police Pension	432,566	(10,331)	422,235
001-521-000-123-100	Life Insurance	8,057	(188)	7,869
001-521-000-123-200	Health Insurance	374,286	(14,124)	360,162
404-542-600-663-004	C/O - Airport Weather Station - AWOS	0	42,677	42,677 Airport - AWOS equipment
001-522-000-352-050	Operating Supplies-Equipment	4,000	600	4,600 Dayroom Chairs
001-524-200-347-200	Printing-Forms	50	450	500 Code Enforcement - printing costs
001-524-200-452-196	Operating Supplies-Office	100	200	300 Code Enforcement - operating supplies
001-521-150-334-900	Contract Services-Other	250	5,000	5,250 Transcription
001-521-000-113-100	Other Salaries -Police	20,000	(5,000)	15,000
001-521-250-664-020	C/O Canine	0	8,500	8,500 Canine
001-521-250-663-001	C/O - Firing Range Upgrades	35,000	(8,500)	26,500
001-539-100-664-925	C/O - Mowers	10,000	1,479	11,479 Mower
001-539-100-334-900	Contract Services - Other	1,500	(1,479)	21
001-572-100-664-700	C/O - Mowers	17,500	1,600	19,100 Mower
001-572-100-352-900	Operating Supplies - Misc.	4,000	(1,600)	2,400
001-519-700-434-193	Contract Services - IT	1,000	900	1,900 Cemetery tracking software
001-539-100-352-050	Operating Supplies - Equipment	4,000	(900)	3,100
001-519-200-452-193	Operating Supplies - Software	6,000	4,565	10,565 Facility maintenance tracking software
001-539-100-446-193	M&R - Other IT	1,000	(1,000)	0
001-572-100-349-430	Landfill Fees	5,000	(1,282)	3,718
001-572-200-352-001	Opr Supp - Furniture	5,000	(1,141)	3,859
102-541-100-349-430	Landfill Fees	5,000	(1,141)	3,859
001-572-200-663-510	C/O - Soccer Boom Sprayer	5,000	3,695	8,695 Boom sprayer
102-541-100-334-900	Contract Services - Other	65,000	(3,421)	61,579 (2,000) Boom sprayer, (1,421) Airport AWOS
102-541-100-353-100	M&R - Road Repairs	35,000	(1,695)	33,305

City of Lake Wales
Exhibit C - Budget Amendment - Detail
FY 2015'16

	Adopted Budget	Amendment No 1	Amended Budget	
001-572-200-664-900	0	4,475	4,475	EZ cleaning machine
001-572-202-343-102	23,000	(1,500)	21,500	
001-572-203-343-200	4,000	(1,000)	3,000	
001-572-203-446-192	2,000	(775)	1,225	
001-572-204-343-102	8,000	(1,200)	6,800	
403-536-600-452-196	500	1,900	2,400	Cashier receipt writer machines
403-536-400-112-100	252,911	(1,900)	251,011	
001-581-000-991-102	82,501	(6,257)	76,244	Transfer decrease
102-381-001-000-000	82,501	(6,257)	76,244	
001-581-000-991-404	91,806	42,677	134,483	Transfer increase
404-381-001-000-000	91,806	42,677	134,483	

MEMORANDUM

FEBRUARY 1, 2016

TO: Honorable Mayor and City Commission
VIA: Kenneth Fields, City Manager
FROM: Jennifer Nanek, Assistant to the City Manager
RE: Fair Housing Public Hearing

SYNOPSIS

As part of the CDBG requirements the City must hold a public meeting to provide information about fair housing regulations and practices to the general public and elected officials.

RECOMMENDATION

Staff recommends that a brief presentation be given by Andy Easton, the City's grant consultant, about fair housing regulations and practices to the general public and elected officials.

BACKGROUND

The purpose of this meeting is to provide information about fair housing regulations and practices to the General Public and Elected Officials. Attendees are asked to sign an attendance sheet for this meeting. This meeting will provide an overview of the Fair Housing Act, provide examples of housing discrimination and will describe information sources to learn more about fair houses. Training materials will be available to the public.

OTHER OPTIONS

Do not hold public hearing

FISCAL IMPACT

None.

ATTACHMENTS

Fair Housing Workshop training materials.

Agenda and Training Materials

Fair Housing Training for the General Public and Elected Officials

I. Purpose of This Meeting

Educate local elected officials and general public concerning fair housing requirements

II. Laws That Protect Fair Housing

- Local Ordinance
- State Law (Statute 760.23(1), Florida Statutes)
- Federal Law (Civil Rights Act of 1968, amended 1988)

III. Recognizing Discrimination

Under the Fair Housing Act, It is Against the Law to:

- Refuse to rent to you or sell you housing
- Tell you housing is unavailable when in fact it is available
- Show you apartments or homes in certain neighborhoods only
- Advertise housing to preferred groups of people only
- Refuse to provide you with information regarding mortgage loans, deny you a mortgage loan, or impose different terms or conditions on a mortgage loan
- Deny you property insurance
- Conduct property appraisals in a discriminatory manner
- Refuse to make certain modifications or accommodations for persons with a mental or physical disability, including persons recovering from alcohol and substance abuse, and HIV/AIDS-related illnesses
- Fail to design and construct housing in an accessible manner
- Harass, coerce, intimidate, or interfere with anyone exercising or assisting someone else with their fair housing rights

Based on these factors...

- Race
- Color
- National origin
- Religion
- Gender
- Familial status (families with children under the age of 18, or who are expecting a child), or
- Disability (if you or someone close to you has a disability)

IV. Several ways to make a complaint

- 1) Fill out an online form at <http://www.hud.gov/hdiscrim.html>;
- 2) You can call toll-free 1-800-669-9777;
- 3) Complete the online form and mail it to:

Office of Fair Housing and Equal Opportunity
Department of Housing and Urban Development
Room 5204 451 Seventh St. SW
Washington, DC 20410-2000

- 4) You may contact the City of Lake Wales Fair Housing Coordinator, Sandra Davis at (863) 678-4182

- 4) You can write HUD a letter with:
 - Your name and address
 - The name and address of the person your complaint is about
 - The address of the house or apartment you were trying to rent or buy
 - The date when this incident occurred
 - A short description of what happened
 - Then mail it to the Fair Housing Hub closest to you (listed in handout)

MEMORANDUM

DATE: January 29, 2016

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: Jennifer Nanek, Assistant to the City Manager

RE: **Community Development Block Grant (CDBG) 2nd Public Hearing and Resolution 2016-02 to authorize the grant application and Resolution 2016-03 authorizing the SRF funds to be used as match.**

SYNOPSIS

This is the required second public hearing regarding the City's CDBG application for funding for the third phase of the C Street Sewer project.

RECOMMENDATION

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

1. Approve Resolution 2016-02 authorizing the Mayor to sign and submit an application in the Neighborhood Revitalization CDBG grant categories for \$650,000 towards the second phase of replacing sewer lines in the C Street area.
2. Approve Resolution 2016-03 authorizing SRF funds (local match) to be combined with CDBG funds in order to fund the full cost of phase 2 of the project.

BACKGROUND

On December 10, 2015, at 6:00 p.m., the first public hearing on the CDBG grant application was held and was conducted by Jennifer Nanek (with participation from the City's grant consultant, Andy Easton). The purpose of the first public hearing was to obtain comments from the public on the City's community development needs and to explain the four categories of the CDBG grant program which are Commercial Revitalization, Housing Rehabilitation, Economic Development, and Neighborhood Revitalization. It was mentioned during the first public hearing that the City had numerous sewer system improvement needs that could be funded with the CDBG grant program (Neighborhood Revitalization Category).

Also, on December 10, 2015, prior to the first public hearing, at 5:30 p.m., the Citizens Advisory Task Force met and voted unanimously to recommend to the City Commission that they apply for the CDBG Neighborhood Revitalization grant category to replace sewer lines in the C Street area. The City applied for the same grant last year, but the application was not funded because the score was not high enough.

The City of Lake Wales is eligible to receive up to \$750,000 in CDBG funds through the Small Cities Program, however, in order to make the application more competitive, only \$650,000 is being requested. These funds must be used for one of the following purposes:

1. To benefit low and moderate income persons;
2. To aid in the prevention or elimination of slums or blight; or
3. To meet other community development needs of recent origin having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and where other financial resources are not available to meet such needs.

The categories of activities for which these funds may be used are: housing, neighborhood revitalization, commercial revitalization, or economic development including such improvement activities as acquisition of real property, loans to private-for-profit business, purchase of machinery and equipment, construction of infrastructure, rehabilitation of houses and commercial buildings, and energy conservation.

OTHER OPTIONS

Do not apply for the FYY 2015 Small Cities Program grant. Since the City has missed the deadline for reentering the County's program, no CDBG funds could be expected in FY16'17.

FISCAL IMPACT

If the Commission decides to apply for the Neighborhood Revitalization funding category, and the CDBG grant is funded, the CDBG funds will be combined with loan funds from the State Revolving Loan fund that has already been approved for the project. The CDBG grant will help to lower the total amount of funds that need to be borrowed from the SRF program.

ATTACHMENTS

Fiscal Impact Statement
CDBG grant application
Resolution 2016-02
Resolution 2016-03

STATEMENT OF FISCAL IMPACT
Community Development Block Grant
(Federal Fund – Providing for the Phase II and III of the C Street Project)

PREPARED BY

CITY OF LAKE WALES
FINANCE DEPARTMENT

Nature of Statement and Information Disclosed

This is a statement of fiscal impact performed as required by and in accordance with Section 2-802, Article VIII of the City of Lake Wales Code of Ordinances. It is a statement solely for the purpose of analyzing and reporting the fiscal impact on the City of either applying or not applying for this grant, using certain assumptions as indicated herein. No attempt is made to evaluate the Grant Application for suitability to City objectives.

In order to provide an unqualified statement of fiscal impact that can be certified as reasonably full and complete by the Finance Department, certain information must be provided permitting Finance Department personnel to produce a full and complete determination as to all anticipated fiscal impacts. This impact statement was produced using:

- **Agenda Memo – 6/02/2015**
- **Letter from Envisor – 05/20/2015**
- **SRF Construction Loan Agreement WW530310 – 09/08/14**
- **Resolution 2014-09 – Agenda – 5/20/14**

This impact statement represents, in our unqualified opinion, a valid estimate of known present or future impacts anticipated to result from the acceptance of the aforementioned grant.

In some cases, the nature of a fiscal impact is described rather than stated using specific dollar amounts or figures. This is done in order to provide information on the nature of the expected fiscal impact where there simply is not enough information to quantify the impact, or whether the exact amount of the impact depends on the exact type of future events or conditions.

General Assumptions

A fiscal impact statement constitutes a forward-looking statement on the acceptance of grant funds and the proper execution of all requirements as set forth in any grant application, agreement, covenants attached to real or tangible property, or other duly enforceable stipulations. In order to produce such a statement, assumptions about future events and conditions must be made.

In any case where a reasonable expectation of a future condition or event has been disclosed or is already known to Finance Department personnel, that information has been used as an Assumption in the fiscal impact statement. Expectations not known or not considered reasonably expected to occur have been excluded from the fiscal impact statement. If an event or condition may occur which would have a material and *direct* fiscal impact, but is not reasonably expected to occur, it is disclosed in the fiscal impact statement.

General Assumptions are made in this fiscal impact statement that the City Staff executing the grant program already possess the required knowledge and expertise to expertly perform all of the requirements of the grant, and that the information provided to prepare this impact statement is true and correct. It is also assumed that no outside events will create a positive or negative influence on the grant program, and that there will be no changes in the legal, operational, or economic environment in which the grant program, and the City as whole, operates, except as disclosed herein.

Current Fiscal Impacts

Impacts on Revenue

The grant application amount is for \$650,000.

Impacts on Expenditures

Project construction cost estimates for Phase II and III total \$6,695,751, of which \$6,046,751 will be funded through SFR Loan 530310 and \$650,000 will be funded through this CDBG grant funding.

Any cost overruns would be borne entirely by the Utility Fund.

Future Fiscal Impacts

Impacts on Revenue

No net future revenue impact is expected from accepting the grant.

Impacts on Expenditures

There is no estimate for repairs and/or replacements costs. Any cost overruns or decisions to repair and/or replace items would be borne entirely by the Utility Fund.

Other Future Commitments

There is no estimate for repairs and/or replacements costs. Any cost overruns or decisions to repair and/or replace items would be borne entirely by the Utility Fund. There are no other material future commitments, encumbrances, stipulations, or covenants that represent a significant fiscal impact in connection with the grant.

Disclosures of Possible Material Future Events

N/A

Certification

We hereby certify that this fiscal impact statement is, to the best of our knowledge, a valid estimate of known present or future impacts anticipated to result from the application and acceptance of the aforementioned grant.

Approved By:



Dorothy Ecklund
Finance Director
City of Lake Wales



Florida Small Cities Community Development Block Grant (CDBG)

Application for Funding

Applicant: City of Lake Wales
(Name of Local Government)

- Commercial Revitalization Housing Rehabilitation
 Neighborhood Revitalization Economic Development

Federal Fiscal Year 2014

Application Due Date: June 22, 2015

Mailing Address: Department of Economic Opportunity
Bureau of Community Revitalization
107 East Madison Street – MSC 400
Tallahassee, Florida 32399-6508

Telephone: (850) 717-8405
Fax: (850) 922-5609
Web: <http://www.floridajobs.org/SmallCitiesCDBG>

Contents

Left click on the appropriate check boxes to indicate which parts of the application form are included in this application package.

- Part 1 – General Information**
- Part 2 – Application Profile and General Scoring Criteria (Required)**
- Part 3 – Sources and Uses of Non-CDBG Funds**
- Part 4 – Commercial Revitalization**
- Part 5 – Economic Development**
- Part 6 – Housing Rehabilitation**
- Part 7 – Neighborhood Revitalization**
- Part 8 – Certification and Score Summary (Required)**
- Part 9 – Supporting Documentation (Required)**
 - Appendix A: Maps (Required)**
 - Appendix B: Local Governing Body's Resolutions for Signature Delegation and Application Submission (Required)**
 - Appendix C: Comprehensive Plan Documents (Required)**
 - Appendix D: Public Hearing/CATF Meeting Documentation (Required)**
 - Appendix E: Leverage Documentation**
 - Appendix F: Grant Application Preparation Cost Documentation**
 - Appendix G: Readiness to Proceed Documentation**
 - Appendix H: VLI/LMI Worksheets and Survey Documentation or Census Data and Maps**
 - Appendix I: Documentation Related to Health and Safety Impact Score**
 - Appendix J: Joint Agreements/Contingency Funding Documentation/Interlocal Agreements**
 - Appendix K: Housing Assistance Plan (Required for all Housing Rehabilitation Applications)**
 - Appendix L: Historic Preservation Documents**
 - Appendix M: Special Designation Documentation**
 - Appendix N: Documentation for Economic Development Applications**
 - Appendix O: Documentation for Other Community Development Activities Score (Commercial Revitalization)**
 - Appendix P: Documentation for Demolition of Vacant Dilapidated Structures (Commercial Revitalization)**
 - Appendix Q: Local Government Minority Contracting and Fair Housing Score Documentation**
 - Appendix R: Engineer's Cost Estimate**

**Application Profile
 Table G-1**

Local Government Contact Information:

Local Government Name: City of Lake Wales		
Street Address: 201 West Central Ave.		
Mailing Address (if different): P.O. Box 1320		
City: Lake Wales	Zip Code: 33859	County: Polk
Main Telephone: 863-678-4182		Main Facsimile: 863-678-4180
DUNS Number: 073212201		Federal ID Number: 59-6000357

Chief Elected Official: Eugene Fultz	Title: Mayor
Telephone: 863-678-4182	Facsimile: 863-678-4180
E-mail Address: use: Jnanek@cityoflakewales.com	

Local Government Financial Officer: Dorothy Ecklund	Title: Finance Director
Telephone: 863-632-0424	Facsimile: 863-678-4180
E-mail Address: decklund@cityoflakewales.com	

Local Government Project Contact: Jennifer Nanek	Title: Deputy Clerk and Assistant to the City Manager
Street Address: 201 West Central Ave.	
City: Lake Wales	Zip Code: 33859
Direct Telephone: 863-678-4182	Facsimile: 863-678-4180
E-mail Address: Jnanek@cityoflakewales.com	

Application Profile – Table G-1 (Continued)

Application Preparer Information		
Preparer's Name: Andy Easton	Organization Preparing Application: <input type="checkbox"/> Local Government <input checked="" type="checkbox"/> Private Company <input type="checkbox"/> RPC	
Street Address: 203 Ridgeland Road		
City: Tallahassee	State: Florida	Zip Code: 32312
Telephone: 850-445-7829	Facsimile: 850-807-7324	
E-mail Address: andyeaston2@msn.com		

Consultant Information		
Consultant's Name:	<input type="checkbox"/> Private Company <input type="checkbox"/> RPC	
Street Address:		
City:	State:	Zip Code:
Telephone:	E-mail Address:	

Demographics		
U.S. Congressional District Number: 12	Florida Senate District Number: 17	Florida House District Number: 66
Service Area Census Tract(s): 143.01	Census Block Group(s): 2	

Application Type: Indicate the application category. A completed application must include the appropriate section as listed below.	
<input type="checkbox"/> Commercial Revitalization (Part 4)	<input type="checkbox"/> Economic Development (Part 5)
<input type="checkbox"/> Housing Rehabilitation (Part 6)	<input checked="" type="checkbox"/> Neighborhood Revitalization (Part 7)

Application Profile – Table G-1 (Continued)

<p>Funding for Planning and Design: You must check the Planning and Design Funding – Neighborhood Revitalization box if you want to be considered for funding. (The maximum funding for Planning and Design is \$70,000. In addition to the total funding needed for planning and design, the dollar amounts needed for basic engineering, additional engineering and administration must be shown below.)</p>		
<p><input type="checkbox"/> Planning and Design Funding – Neighborhood Revitalization</p>		
<p>If you will accept funding for Planning and Design, indicate the total amount being requested: \$</p>		
<p>Basic Engineering \$</p>	<p>Additional Engineering \$</p>	<p>Administration \$</p>

<p>Citizen Participation – Public Hearings Documentation of the citizen participation activities must be included in Appendix D of Part 9.</p>	
<p>List the date that the public notice for the first public hearing was published: 1-28-15</p>	<p>List the date when the first public hearing was held: 2-3-15</p>
<p>List the date that the public notice for the second public hearing was published: 5-18-15</p>	<p>List the date when the second public hearing was held: 6-2-15</p>

<p>Subgrant Funding Request: The maximum funding request for Neighborhood Revitalization, Commercial Revitalization and Housing Rehabilitation subgrants is based on the jurisdiction’s LMI population as determined by HUD. Please see the table below. The maximum subgrant funding request for Economic Development subgrants is \$1,500,000, and the cost per job created must be less than \$35,000. At the bottom of the left column, enter the actual LMI population. (Data available on CDBG website.) At the bottom of the right column, enter the actual subgrant amount being requested.</p>	
LMI Population	Maximum Subgrant Request
1 – 499	\$600,000.00
500 – 1,249	\$650,000.00
1,250 – 3,999	\$700,000.00
4,000 – and above	\$750,000.00
Local Government’s LMI Population: 6,275	Subgrant Funds Being Requested: \$ 650,000

**Application Profile
Table G-1 (Continued)**

Answer the following questions by clicking on the correct check box.		
<p>Historic Preservation Will the project impact a building, public improvement or planned open space that is 50 or more years old? If yes, documentation must be provided in Appendix L of Part 9. (See instructions.)</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>Interlocal Agreement Will project activities require an interlocal agreement? If yes, the interlocal agreement(s) must be provided in Appendix J of Part 9. (See instructions.)</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>State of Financial Emergency Is the local government currently identified as being in a State of Financial Emergency pursuant to Section 218.50 – 218.504, Florida Statutes? Check at http://www.leg.state.fl.us/cgi-bin/View_Page.pl?File=financial-emergencies.cfm&Directory=committees/joint/Jcla/&Tab=committees</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>Grant Preparation Costs The applicant may request subgrant funds for the cost of application preparation. See instructions if funds are requested. Does the applicant wish to request subgrant funds for the cost of application preparation? If yes, documentation must be included in Appendix F of Part 9. Amount: \$ _____</p>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>National Flood Insurance Program Is the applicant currently participating in the National Flood Insurance Program?</p>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

**Project Narrative
Form G-2**

The City of Lake Wales is applying for a \$650,000 CDBG grant in the Neighborhood Revitalization Category to fund sewer line replacement activities in a low to moderate income neighborhood. The CDBG funds will be combined with approximately \$936,664 in State Revolving Loan Funds (SRF) in order to complete the planned sewer line replacement activities. The sewer lines need to be replaced because they are in aging deteriorated condition. This CDBG project is part of a multi-phase sewer line replacement project that has the goal of replacing all sewer lines in the low income minority residential area of Lake Wales. The project phases and service areas have been arranged in the following manner:

Service Area Number	Comments
<p align="center">1 (Completed, not part of this CDBG application)</p>	<p>This was the first phase of the project. It was completed on January 29, 2015 and was funded by a \$750,000 CDBG grant and City funds. Project activities included the replacement of the sewer main along Wiltshire Avenue and a major upgrade to Sewer Lift Station #16 (which is located at the corner of Carver Drive and Wiltshire Avenue). The total project cost for this portion of the project was approximately \$2 million.</p>
<p align="center">2 (To be funded with SRF loan funds, not part of this CDBG application)</p>	<p>This is the second phase of the project. It will be bid in June/July of 2015 and will be funded entirely with SRF funds. It is not part of this CDBG grant project. The project activities will include sewer line replacement on all streets west of C Street, North of Dr. A.J. Wiltshire Ave., south of Florida Avenue and east of G street. The total cost of this phase is expected to be approximaty \$5 million.</p>
<p align="center">3 and 3A (This grant application, to be funded by SRF and CDBG)</p>	<p>This is the 3rd and final phase of the project. Sewer line replacement activities will occur north of Dr. J. A. Wiltshire Avenue in the vicinity of A Street, B Street and C Street and along the portions of Lincoln Avenue, Washington Ave and Harding Avenue that are located east of C Street. These streets comprise Service Area 3.</p> <p>CDBG funds will also be used for sewer line replacement activities along Carver Drive and Crescent Circle (Service Area 3A).</p> <p>The CDBG funds will be combined with \$936,664 in State Revolving Loan Funds in order to complete the planned sewer line replacement activities.</p>

Grant Administration and Engineering (CDBG Funds)

Grant administration activities will include complete management and reporting for each project with separate tracking for each funding source. The amount of funding for administration is shown in the table below. Engineering costs will include project inspection and construction contract administration. The budget for engineering is shown in the table below.

Budget Summary (CDBG and City Funds)

The following table shows the total project budget

City of Lake Wales Sewer Line Replacment Project Budget			
Item	CDBG	SRF Funds	Totals
Engineering	\$39,000	--	\$39,000
Administration	\$51,000	--	\$51,000
Sewer Lines and Related Components	\$560,000	\$936,664	\$1,496,664
TOTAL	\$650,000	\$936,664	\$1,586,664

Meeting the CDBG National Objective

Over 51% of the people that will benefit from CDBG funds are classified by HUD as low to moderate (LMI) income persons. Therefore, the national objective to be met by this project is “benefit to low and moderate income persons”. The percent VLI and LMI benefit by service area is shown below:

SA 3 (A,B and C Streets)			
total persons	111	total hh	49
vli persons	59	vli hh	24
lmi + vli per	102	vli +lmi hh	44
abv per	9	abv hh	5
vli%	53.15%		
lmi%	91.89%		
abv %	8.11%		
Total	100.00%		

Service Area 3 (Carver)				
total persons	130		total hh	52
vli persons	24		vli hh	10
lmi + vli per	82		vli +lmi hh	33
abv per	48		abv hh	19
vli%	18.46%			
lmi%	63.08%			
abv %	36.92%			
Total	100.00%			

Service Areas 3 and 3A Combined				
total persons	241		total hh	101
vli persons	83		vli hh	34
lmi + vli per	184		vli +lmi hh	77
abv per	57		abv hh	24
vli%	34.44%			
lmi%	76.35%			
abv %	23.65%			
Total	100.00%			

Additional Project Narrative Statements:

There are no plans by FDOT, Lake Wales or Polk County to undertake road construction activities in the service area.

The construction activities will not take in the 100 year flood plain.

The City is planning to begin construction during the 4th quarter of 2015

The project scope does not include providing handicap access to public buildings.

The project will not impact historic resources.

General Scoring Criteria — Table G-3

<p>1. Community-Wide Needs Score (CWNS) The CWNS for each non-entitlement local government is posted on the Department’s website at: http://www.floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/florida-small-cities-community-development-block-grant-program/downloads-and-information-for-applicants (Transfer this score to line 1. of the Application Scoring Summary page – Part 8, page 4.)</p>		<p>Score: <u>135.48</u></p>
<p>2. Special Designation Score Check all applicable designations below and enter a score of 20 points if all CDBG activities will be conducted within any of the boundaries of the special designation areas checked. Documentation must be included in Appendix M of Part 9. (See instructions.) (Transfer this score to line 3a. of the Application Scoring Summary page.)</p>		<p>Score: <u>0</u></p>
<p><input type="checkbox"/> Rural Area of Opportunity (RAO)</p>	<p><input type="checkbox"/> Rural Community as defined by §288.0656, F.S.</p>	
<p><input type="checkbox"/> Area of Critical State Concern pursuant to §380.05, F.S.</p>	<p><input type="checkbox"/> Florida Enterprise Zone pursuant to §290.0065, F.S.</p>	
<p>3. Grant History Score: If the applicant has not had an open CDBG contract in the NR, CR, or HR categories within five years of application deadline, claim 100 points. (Transfer this score to line 3b. of the Application Scoring Summary page.)</p>		<p>Score: <u>0</u></p>
<p>4. CATF Score: The applicant can score a maximum of 10 points if it has appointed a Citizen Advisory Task Force (CATF) to provide input on all phases of the Small Cities CDBG Program process and the CATF met to discuss community needs and make recommendations to the local governing body before the application was drafted. The task force must be comprised of residents of the applying jurisdiction, and at least 51% of the members must be from LMI households. None of the members can be an elected official of the jurisdiction, and only one member can be an employee of the applicant. The CATF shall have at least five members, and at least 51% members must participate in the meeting to claim CATF points. Documentation must be included in Appendix D of Part 9. (See instructions.)</p>		
<p>4a. If the CATF met before the first public hearing was conducted and before a draft application was developed to discuss community needs and make recommendations to the local governing body as to the program area and activities that should be considered when drafting a Small Cities CDBG application, score 10 points, or</p>		<p>Score: <u>10</u></p>
<p>4b. If the CATF met before the notice for the second public hearing was published and before a draft application was finalized to make recommendations to the local governing body as to the program area and activities that should be included in its Small Cities CDBG application, score 5 points. (Transfer this score to line 3c. of the Application Scoring Summary page.)</p>		
<p>If applicable, list the date that the public notice for the CATF meeting was published: 1-17-15</p>	<p>If applicable, list the date when the CATF meeting was held: 1-22-15</p>	

General Scoring Criteria — Table G-3 (Continued)

5. Outstanding Performance in Equal Employment Opportunity (EEO)						
M/WBE Contracting: The applicant may claim up to 20 points for achievement in Minority-/Women-Owned Business Enterprises (M/WBE) contracting in the most recent Small Cities CDBG subgrant that was administratively closed not more than four years before application deadline date. Review the M/WBE reports submitted to DCA/DEO for that subgrant and enter a score based on the achievement reported.						
Most Recent Administratively Closed Small Cities CDBG Contract Number:				<u>12DB-OH-07-63-02-N15</u>		
0 Amount Awarded to M/WBE firms	÷	750,000 Total Prime Contracts Amount	X 100 =	<u>0</u> M/WBE %		
M/WBE %		Points		5a. M/WBE Contracting Score: <u>0</u> (Maximum 20 points)		
0.0 – 4.99%		0				
5.0 – 14.99%		5				
15.0 – 19.99%		10				
20.0 – 24.99%		15				
25.00%+		20				
If the applicant has not administratively closed a Small Cities CDBG subgrant within four years of the application deadline date, score 5 points.						
Local Government Minority Employment: The applicant may claim up to 60 points for meeting minority employment goals. Complete the table below to calculate the applicant’s percentage of minority employees. See instructions for calculations.						
Number of Permanent Full-time Equivalent Minority Applicant Employees <u>23</u>	÷	Number of Permanent Full-time Equivalent Applicant Employees <u>144</u>	=	Applicant’s Percentage of Minority Employees <u>15.57%</u>		
Enter percentage of minorities in the applicant’s county: 20.1%						
If the “Prorated 60 Points Score” is claimed, complete the following equation:						
Applicant’s Percentage of Minority Employees <u>15.57</u>	÷	Percentage of Minorities in Applicant’s County <u>20.1</u>	=	Applicant’s Percentage of Minority Employees <u>0</u>	X 60 =	Points Claimed <u>46.48</u>

If the applicant has three or less employees, 40 points may be claimed.		
5b. Local Government Minority Employment Score (60 Points Maximum):		<u>46.48</u>
6. Outstanding Performance in Fair Housing		
The applicant may claim five points for adopting a Fair Housing Ordinance prior to the application deadline and five points for conducting a Fair Housing workshop in the 12 months prior to the application deadline. See instructions for guidelines and documentation requirements.		
	Date	Score
6a. Date Fair Housing Ordinance Adopted:	<u>11-19-2002</u>	<u>5</u>
6b. Date of Fair Housing Workshop:	<u>2-3-15</u>	<u>5</u>
6c. Total Fair Housing (6a+6b) Score (10 Points Maximum):		<u>10</u>

Outstanding Performance in EEO and Fair Housing (5a+5b+6c) Score: 56.48
(Transfer this score to line 2. on the Application Scoring Summary page – Part 8, page 4.)
(90 points maximum)

**Sources and Uses of Non-CDBG Funds
 Private, Participating Party, Public Leverage from Non-Local and Local Funding Sources
 Table L-1**

Activity #	Source	Amount Claimed for Scoring	Amount Not Claimed for Scoring	Type (Participating Party, Loan, Grant, Local Government Funds, Donated Land, or Other Leverage)
03J	SRF	\$50,000	\$866,664	Loan
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
Totals		\$ 50,000	\$ 866,664	
Total Funds Claimed for Leverage Scoring		\$50,000		

Use the preceding totals to compute the number of points you are claiming for leverage scoring on the next page.

Leverage Score Summary

Leverage Points Calculation for NR, CR, and HR

Communities with a LMI Population of 1,249 or Less

$$\frac{\text{\$na}}{\text{\$1,000}} = \text{Points}$$

(25 Points Maximum)

Leverage Points Calculation for NR, CR, and HR

Communities with a LMI Population of 1,250 or More

$$\frac{\text{\$50,000}}{\text{\$2,000}} = \text{25 Points}$$

(25 Points Maximum)

Leverage Points Calculation for ED

$$\frac{\text{\$na}}{\text{\$10,000}} = \text{Points}$$

(125 Points Maximum)

Leverage Score: 25

**(Transfer this score to line 3d. on the Application Scoring Summary page in Part 8.
25 Points Maximum for NR, HR, and CR. 125 Points Maximum for ED.)**

CDBG Funds and Activity Goals – Table N-1

A		B	C	D	E	F
1. Activity Number and Name (*Same points in the activity supported.)		Appropriate RUS Engineering Table	Enter CDBG Activity Funds	% Of CDBG Project Cost (Col. C ÷ Total of Col. C)	Goal Points	Activity Goal Score (D x E)
01	Acquisition (in support of)*	NA	\$		*	
03J	Fire Hydrants ¹⁶	Table II	\$		60	
03J	Fire Protection ¹	Table II	\$		60	
03I	Flood and Drainage ²	Table II	\$		65	
03I	Hazard Mitigation Activities ³	Table II	\$		50	
14A	Housing Rehabilitation – Plumbing ⁴	NA	\$		60	
03F	Parks, Playgrounds ⁵	Table II	\$		50	
03L	Pedestrian Malls/Sidewalks ⁶	Table II	\$		65	
03E	Recreation/Neighborhood Center	Table II	\$		50	
08	Relocation	NA	\$		35	
10	Removal of Architectural Barriers ⁷	Table II	\$		50	
03A	Senior Center	Table II	\$		55	
03C	Temporary Shelters ¹¹	Table II	\$		55	
03J	New Sewage Treatment Plant	Table I	\$		85	
03J	Sewage Treatment Plant Upgrades	Table I	\$		70	
03J	New Sewer Lines & Components ⁸	Table I	\$		85	
03J	Sewer Line Replacement ⁹	Table I	\$560,000	100	70	70
03J	Sewer Hookups ¹⁰	Table I	\$		85	
03J	Solid Waste Disposal	Table II	\$		25	
03K	Street Improvements – New Paving ¹²	Table II	\$		70	
03K	Street Improvements – Repaving ¹³	Table II	\$		55	

*Same points as the activity it supports.

CDBG Funds and Activity Goals – Table N-1 (Continued)

A		B	C	D	E	F
1. Activity Number and Name (*Same points in the activity supported.)		Appropriate RUS Engineering Table	Enter CDBG Activity Funds	% of CDBG Project Cost (Col. C ÷ Total CDBG Project Cost)	Goal Points	Activity Goal Score (D x E)
03J	Water Hookups ¹⁴	Table II	\$		85	
03J	Water Lines, New – Potable ¹⁵	Table II	\$		85	
03J	Water Line Replacement ⁹	Table II	\$		70	
03J	New Water Tank/Well/Treatment Plant ⁶	Table I	\$		85	
03J	Water Tank/Well/Treatment Plant Improvements ⁶	Table I	\$		70	
03M	Child Care Center	Table II	\$		55	
03P	Health Facility	Table II	\$		55	
			\$		25	
			\$		25	
2. Add Column C (from both pages) to get the Total CDBG Project Cost:			\$560,000			
3. Add the Activity Goal Scores in Column F (from both pages) to get the Total Activity Goal Score: <u>70</u>						(85 Point Maximum)
4. Indicate the Appropriate RUS Used and Enter Engineering Funds:			RUS Table Used: <input checked="" type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> Both Prorated			
4a. Basic Fee	\$10,000					
4b. Resident Inspection Fee	\$29,000					
4c. Preliminary Engineering Fee	\$0					
4d. Additional Engineering Services:	\$0					
5. Total the CDBG Engineering Fees (4a+4b+4c+4d_):		\$39,000				
6. Enter CDBG Administrative Cost:		\$51,000				
7. Total the CDBG Funds Requested (2+5+6):		\$650,000				

Addressed Needs – Activities and Beneficiaries Table N-2a

Census or survey data must be compiled to complete this and the remainder of the application forms.

A		B	C	D	E
Activity Number and Name		Enter # of Addressed CDBG Units	Enter # of VLI CDBG Beneficiaries	Enter # of LMI CDBG Beneficiaries	Enter # of Total CDBG Beneficiaries
01	Acquisition (in support of)				
03J	Fire Hydrants				
03J	Fire Protection				
03I	Flood and Drainage				
03I	Hazard Mitigation Activities				
14A	Housing Rehabilitation – Plumbing				
03F	Parks, Playgrounds				
03L	Pedestrian Malls/Sidewalks				
03E	Recreation/Neighborhood Center				
08	Relocation				
14E	Removal of Architectural Barriers				
03A	Senior Center				
03C	Temporary Shelters ¹¹				
03J	Sewage Treatment Plant				
03J	New Sewer Lines & Components				

(Use the following units of measure in Column B: Barriers, Buildings, Homes, Hydrants, Lift Stations (LS), Linear Feet (LF), Plants, Sites, Tanks, Wells, and Units.)

**Addressed Needs – Activities and Beneficiaries
 Table N-2a (Continued)**

A		B	C	D	E
Activity Number and Name		Enter # of Addressed CDBG Units	Enter # of VLI CDBG Beneficiaries	Enter # of LMI CDBG Beneficiaries	Enter # of Total CDBG Beneficiaries
03J	Sewer Line Replacement	5358 LF	83	184	241
03J	Sewer Hookups ¹⁰ (Beneficiaries calculated by Households)				
03J	Solid Waste Disposal				
03K	Street Improvements – New Paving ¹²				
03K	Street Improvements – Repaving ¹³				
03	Utility Hookups – Other (Beneficiaries calculated by Households)				
03J	Water Hookups ¹⁴ (Beneficiaries calculated by Households)				
03J	Water Lines, New – Potable ¹⁵				
03J	Water Line Replacement ⁹				
03J	New Water Tank/Well/Treatment Plant ⁶				
03J	Water Tank/Well/Treatment Plant Improvements ⁶				
03M	Child Care Center				
03P	Health Facility				

Unaddressed Needs – Activities and Beneficiaries
Table N-2b

Census or survey data must be compiled to complete this and the remainder of the application forms.

A		B	C	D	E
Activity Number and Name		Enter # of Unaddressed CDBG Units	Enter # of VLI CDBG Beneficiaries	Enter # of LMI CDBG Beneficiaries	Enter # of Total CDBG Beneficiaries
01	Acquisition (in support of)				
03J	Fire Hydrants				
03J	Fire Protection				
03I	Flood and Drainage				
03I	Hazard Mitigation Activities				
14A	Housing Rehabilitation – Plumbing				
03F	Parks, Playgrounds				
03L	Pedestrian Malls/Sidewalks				
03E	Recreation/Neighborhood Center				
08	Relocation				
14E	Removal of Architectural Barriers				
03A	Senior Center				
03C	Temporary Shelters ¹¹				
03J	Sewage Treatment Plant				
03J	Sewer Lines & Components				

(Use the following units of measure in Column B: Barriers, Buildings, Homes, Hydrants, Lift Stations (LS), Linear Feet (LF), Plants, Sites, Tanks, Wells, and Units.)

Unaddressed Needs – Activities and Beneficiaries

Table N-2b (Continued)

A		B	C	D	E
Activity Number and Name		Enter # of Unaddressed CDBG Units	Enter # of VLI CDBG Beneficiaries	Enter # of LMI CDBG Beneficiaries	Enter # of Total CDBG Beneficiaries
03J	Sewer Line Replacement	0	0	0	0
03J	Sewer Hookups ¹⁰ (Beneficiaries calculated by Households)				
03J	Solid Waste Disposal				
03K	Street Improvements ¹²				
03K	Street Improvements – Repaving ¹³				
03	Utility Hookups – Other (Beneficiaries calculated by Households)				
03J	Water Hookups ¹⁴ (Beneficiaries calculated by Households)				
03J	Water Lines, New – Potable ¹⁵				
03J	Water Line Replacement ⁹				
03J	New Water Tank/Well Treatment Plant ⁶				
03J	Water Tank/Well/Treatment Plant Improvements ⁶				
03M	Child Care Center				
03P	Health Facility				

**Beneficiary Verification Summary by Service Area
Table N-3**

A	B	C	D	E	F	G	H	I	J
Enter Service Area # / Benefit Survey Method*	Enter Activities to be Completed in Each Service Area (Use More than One Line for Multiple Activities)	Enter Total # of Households (HH in the Service Area (Universe-Col. H)	Enter Total # of Responses Required	Enter Total # of Households Responding to the Survey	Enter Total # of VLI Beneficiaries	Enter Total # of LMI Beneficiaries	Enter Total # of All Beneficiaries	Calculate Percent of VLI Benefit (F ÷ H)	Calculate Percent of LMI Benefit (G ÷ H)
3/B	Sewer Line Replacement	49	49	49	59	102	111	53.15%	91.89%
3A/B	Sewer Line Replacement	52	52	52	24	82	130	18.46%	63.08%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%
								%	%

* A= Random Sample, B=Small Service Area, C=Census, D= Survey from previous application, not more than five years old, where the service area is identical to the one in the previously submitted application. If a random survey was conducted, include as an appendix a description of the methodology which describes the basis of the universe, the confidence interval selected, and the procedures used to contact the initial sample before surveying an alternate. The sample and alternates must be selected from a random number generator website (such as random.org) and a print out of those numbers included in the appendix.

Beneficiaries Scores — Table N-4

1.(a) Enter the total funds requested (total CDBG request)	\$650,000	1.(b) Enter the total number of grant unduplicated VLI beneficiaries:	83
1.(c) Enter the total number of grant unduplicated LMI beneficiaries:	184	1.(d) Enter the total number of grant unduplicated beneficiaries:	241
1.(e) Enter the total number of unduplicated LMI households:	77		

<p>a. VLI Beneficiary Impact Score: Calculate the Unduplicated VLI Beneficiary Percentage:</p> <p>1.(b) divided by 1.(d) = <u>34.44%</u></p> <p>Based on the result, designate with an X the score that is appropriate.</p>	<p>Unduplicated VLI Beneficiary Percentage</p> <p>30.00% or More <input checked="" type="checkbox"/> 30</p> <p>20.00% to 29.99% <input type="checkbox"/> 20</p> <p>10.00% to 19.99% <input type="checkbox"/> 10</p> <p>Less than 10.00% <input type="checkbox"/> 0</p>
<p>b. LMI Beneficiary Impact Score: Calculate the Unduplicated LMI Beneficiary Percentage:</p> <p>1.(c) divided by 1.(d) = <u>76.35%</u></p> <p>Based on the result, designate with an X the score that is appropriate.</p>	<p>Unduplicated LMI Beneficiary Percentage</p> <p>70.00% and above <input checked="" type="checkbox"/> 125</p> <p>66.00% to 69.99% <input type="checkbox"/> 110</p> <p>61.00% to 65.99% <input type="checkbox"/> 90</p> <p>56.00% to 60.99% <input type="checkbox"/> 70</p> <p>51.01% to 55.99% <input type="checkbox"/> 50</p>
<p>c. Average Cost per Unduplicated LMI Beneficiary Score: Calculate the Average Cost per Unduplicated LMI Beneficiary:</p> <p>1.(a) divided by 1.(c) = <u>\$3,532.61</u></p> <p>Based on the result, designate with an X the score that is appropriate.</p>	<p>Cost per Unduplicated LMI Beneficiary</p> <p>\$11,000 or More <input type="checkbox"/> 0</p> <p>\$10,000 to \$10,999 <input type="checkbox"/> 10</p> <p>\$9,000 to \$9,999 <input type="checkbox"/> 20</p> <p>Less than \$9,000 <input checked="" type="checkbox"/> 30</p>
<p>d. Average Cost per Unduplicated LMI Household Score: Calculate the Average Cost per Unduplicated LMI Household:</p> <p>1.(a) divided by 1.(e) = <u>\$8,441.56</u></p> <p>Based on the result, designate with an X the score that is appropriate.</p>	<p>Cost per Unduplicated LMI Household</p> <p>\$20,000 or More <input type="checkbox"/> -100</p> <p>\$16,000 to \$19,999 <input type="checkbox"/> -50</p> <p>\$13,000 to \$15,999 <input type="checkbox"/> 20</p> <p>\$11,000 to \$12,999 <input type="checkbox"/> 40</p> <p>\$9,000 to \$10,999 <input type="checkbox"/> 60</p> <p>Less than \$9,000 <input checked="" type="checkbox"/> 85</p>

Readiness to Proceed Score

If biddable construction plans and specifications for all “addressed need” activities have been completed, and permit applications for all infrastructure activities have been submitted to the applicable permitting agencies no later than application deadline, the applicant can claim 100 points. Otherwise, score zero points. The documentation listed below must be submitted with the application to receive the 100 points.

To receive the points, the following documentation must be included in Appendix G of the application when it is submitted to the Department:

- 1) A letter from the engineer or architect who prepared the construction plans and specifications to the chief elected officer of the applicant certifying the following:
 - that the signed, sealed and dated plans and specifications are complete,
 - that the bid documentation, including the plans and specifications, provided with the application contains all of the information that a contractor would need to bid on the project, except for the Davis-Bacon wage decision(s) and the CDBG Supplemental Conditions, and
 - that applications have been submitted for all permits that are required to begin construction on the infrastructure activities included in the application. (If the only permitting agency is the applicant local government, the engineer shall certify that the applicant is the only agency from which a permit is required. If no permits are required for the project, the engineer shall certify to that effect.)
- 2) A signed and sealed copy of the plans and specifications, plus all necessary bid documents, except for the Davis-Bacon wage decision(s) and the CDBG Supplemental Conditions;
- 3) Documentation that all required infrastructure permit applications were submitted to the appropriate agency(ies). (Receipts from UPS or the U.S. Postal Service, email or letter from permitting agency(ies) saying that the permit applications had been received.)

Readiness to Proceed Score: 100 (100 Points Maximum)

Health and Safety Score — Table N-5

Enter the appropriate Health and Safety Impact score. Documentation for points claimed must be included in Part 9, Appendix I. Scoring options are as follows:

Option A: A total of 50 points can be claimed if the local government can document all of the following:

- The proposed activity will be in one or more of the service areas. Activities outside a service area may only count for scoring pursuant to Chapter 73C-23, F.A.C., and
- The activity to be paid for with CDBG funds will correct the deficiencies specified in an existing enforcement action (administrative order, consent order, judicial proceeding or order by a state or federal agency). Activities conducted in lieu of fines do not qualify.

All CDBG-funded construction activities must meet the requirements of this option to claim the full 50 points.

Health and Safety Score — Table N-5 (Continued)

Option B: A total of 40 points can be claimed if the activity will provide first-time sewer or drinking water service to a service area, that a state or local agency says could have health and safety issues associated with septic tanks or other contamination sources. All CDBG-funded construction activities must meet the requirements of this option to claim the full 40 points.

Option C: A total of 25 points can be claimed if the local government can document all of the following:

- An activity proposed to be addressed with CDBG funds has been the subject of a Federal Emergency Management Agency (FEMA) Damage Survey Report (DSR) or Project Worksheet prepared for and submitted to FEMA for review and approval and was prepared at least 30 days but no more than 30 months before the application deadline, and
- The FEMA Damage Survey Report, Data Sheet or Project Worksheet was prepared in response to a federally declared natural disaster, declared before the application deadline. An engineer's written statement that the proposed CDBG activity will prevent the recurrence of the damage specified in the FEMA Damage Survey Report, Data Sheet or Project Worksheet must be provided.

All CDBG-funded construction activities must meet the requirements of this option to claim the full 25 points

Option D: A total of 30 points can be claimed if the local government can document all of the following:

1. An activity to be addressed with CDBG funds was cited, in writing, by a State or Federal Regulatory Agency, before the application deadline;
2. The citation states a violation of state or federal statutes, rules, or regulations that affect the health and/or safety of the local government's citizenry; and
3. The citation was issued to the local government and includes the following:
 - the statutory or regulatory basis for the citation,
 - a description or reference to the corrective action that the regulatory agency requires, and
 - if a specific citation form, document, or process exists by State Rule or Federal Regulation, that form, document or process must be used.

All CDBG-funded construction activities must meet the requirements of this option to claim the full 30 points.

This option shall be used for work required by a regulatory agency's inspection report that meets 1-3 above, but has not risen to the level of enforcement action described in Option A.

Option E: A portion of the 50, 40, 25 or 30 points can be claimed if the local government documents that some activities meet the above criteria. If this option is selected, use the formula to calculate proportional points.

- e. If CDBG funds will be expended for activities that meet the criteria for more than one option, points shall be prorated for each option and then totaled together, but the total score claimed shall not exceed 50 points.

Please note that CDBG funds cannot be used to pay fines or civil penalties related to enforcement actions. Also, Health and Safety points cannot be claimed for a project that is being undertaken in lieu of fines and penalties related to enforcement actions. Health and Safety Points cannot be claimed to address the same deficiency/citation that was used to obtain funding in a previous CDBG subgrant.

If Option E was selected, complete the following equation:								
Enter the cost of activities subject to A, B, C, or D		Enter the CDBG Project Cost (not including Engineering or Admin. Costs)		Enter the result (%) as a four digit decimal		Enter the Appropriate Multiplier (50, 40, 25 or 30)		Option E Score
\$	÷	\$	=		x		=	
Check the Health and Safety Score being claimed.		<input type="checkbox"/> Option A. (50 Points)	<input type="checkbox"/> Option B. (40 Points)	<input type="checkbox"/> Option C. (25 Points)	<input type="checkbox"/> Option D. (30 Points)	<input type="checkbox"/> Option E. (Prorated)	<input type="checkbox"/> N/A	

Enter the Health and Safety Score: 0
 (50 Points Maximum)

Calculating the Category Summary Score	
Scores	Type of Score
70	Total Activity Goal Score (from page 3)
30	+ Unduplicated VLI Beneficiary Percentage Score (from page 9)
125	+ Unduplicated LMI Beneficiary Percentage Score (from page 9)
30	+ Cost per Unduplicated LMI Beneficiary Score (from page 9)
85	+ Cost per Unduplicated LMI Household Score (from page 9)
100	+ Readiness to Proceed Score (from page 10)
0	+ Health and Safety Score (from page 12)
440	= Category Summary Score (505 Points Maximum)

Category Summary Score: 440

(505 Points Maximum)

(Transfer this score to line 3e. in the NR column on the Application Scoring Summary page – Part 8, page 4.)

I, the undersigned chief elected official or authorized representative of the Applicant, certify that, to the best of my knowledge, this Florida Small Cities Community Development Block Grant Application for Funding was prepared in accordance with state and federal rules and regulations, contains information that is true and correct, and has been approved by the local governing body.

I also certify that the Applicant:

1. Has met all citizen participation requirements contained in Chapter 73C-23, Florida Administrative Code:
 - Following public notice, hearings were conducted by a member of the local governing body or a duly authorized employee;
 - The first public hearing was conducted to obtain citizen views about community development needs and potential uses of CDBG funding;
 - The notice for the second public hearing was published following the first public hearing. The notice included a summary of the activities that would be conducted with CDBG funds, the specific locations where those activities would take place, a line item budget, and the time and place where a copy of the draft application would be available for review; and
 - A second public hearing was conducted to obtain citizen comments on the CDBG application prior to submission.
2. Has properly conducted surveys of service areas to document LMI benefit, if applicable.
3. Will not attempt to recover, through special assessments, capital costs of public improvements funded in whole or in part with CDBG funds.
4. Will ensure that upon completion of housing structures addressed with CDBG funds, each housing structure will meet the local housing code.
5. Will administer the subgrant in conformity with the Civil Rights Act of 1964 and the Fair Housing Act.
6. Will affirmatively further fair housing and undertake one fair housing activity each quarter.
7. Has adopted or will adopt a Community Development Plan or has adopted the Local Comprehensive Plan as its Community Development Plan.
8. Will adopt an Anti-Displacement and Relocation Policy and will minimize the displacement of persons.
9. Has presented accurate information and has documentation on file and readily accessible to the Department of Economic Opportunity.
10. Has authorized the submission of this application by vote of the local governing body.
11. Will adopt a CDBG Procurement Policy that conforms to 24 CFR 85.36, Sections 255.0525 and 287.055, Florida Statutes, and Rule 73C-23.0051(3), Florida Administrative Code.
12. Has implemented a financial management system that complies with Section 218.33, Florida Statutes, and 24 CFR 85.20.

13. Will complete a self-evaluation of its facilities related to the Americans with Disabilities Act and adopt a Transition Plan, if applicable.
14. Will meet a National Objective for each funded activity other than administration and engineering prior to the administrative closeout of the subgrant.

Signature of Chief Elected Official or Designee
Signature: _____
Typed Name and Title: Eugene Fultz, Mayor
Date:
If signed by a person other than the chief elected official, a copy of the resolution authorizing the person to sign the application must be included in Appendix B.

Signature of Application Preparer if not an employee of the Local Government
Signature: _____
Typed Name and Title: Andy Easton, Grant Administrator
Name of Firm or Agency: Andy Easton & Associates

Failure of the Chief Elected Officer or designated person to properly sign the application by the deadline, or failure to include a copy of the ordinance or resolution of the governing body authorizing another individual to sign the application, will result in a 50-point penalty being assessed against the application that cannot be eliminated during the completeness process.

Application Scoring Summary

This form is the Applicant's evaluation of the application score. Use the "scores" identified in the application to complete this form when you have finished filling out the application. Enter the scores or other information in the appropriate columns. When all of the scores have been transferred to this form, add the scores and enter the total.

Applicant Name: City of Lake Wales				(For DEO Use Only) Application Number: _____		
Enter Type of Application: <input type="checkbox"/> Commercial Revitalization <input type="checkbox"/> Economic Development <input type="checkbox"/> Housing Rehabilitation <input checked="" type="checkbox"/> Neighborhood Revitalization						
Title/Score	Part	Page	CR	ED	HR	NR
1. Community-Wide Needs Score (250 Points Maximum)						135.48
2. Outstanding Performance in Equal Employment Opportunity and Fair Housing (90 points maximum)						56.48
3. Program Impact:						
3a. Special Designation Score (20 Points Maximum)						0
3b. Grant History Score (100 Points Maximum)						0
3c. CATF Score (10 Points Maximum)						10
3d. Leverage (25 Points Maximum for CR, NR and HR) (125 Points Maximum for ED)						25
3e. Category Summary Score						440
3f. Total Program Impact Score (3a+3b+3c+3d+3e) (660 Points Maximum)						666.96
4. Total Application Score (1+2+3f) (1000 Points Maximum)						
Less Penalties Assessed (For DEO Use Only)						
Final Score (For DEO Use Only)						

Part 9 –Supporting Documentation

Place all supporting documentation in this section. Separate the documents with a titled tab or titled colored paper. Include only those appendices that are required for the application.

Appendix	Title
A	Maps (Required)
B	Local Governing Body's Resolutions for Signature Delegation and Application Submission (Required)
C	Comprehensive Plan Documents (Required)
D	Public Hearing/CATF Documentation (Required)
E	Leverage Documentation
F	Grant Application Preparation Cost Documentation
G	Readiness to Proceed Documentation
H	VLI/LMI Worksheets and Survey Documentation or Census Data and Maps
I	Documentation Related to Health and Safety Impact Score
J	Joint Agreements, Contingency Funding Documentation and/or Interlocal Agreements
K	Housing Assistance Plan (Required for all Housing Rehabilitation Applications)
L	Historic Preservation Documents
M	Special Designation Documentation
N	Documentation for Economic Development Applications
O	Documentation for Other Community Development Activities Score (Commercial Revitalization)
P	Documentation for Demolition of Vacant Dilapidated Structures (Commercial Revitalization)
Q	Local Government Minority Contracting and Fair Housing Score Documentation
R	

RESOLUTION 2016-02

RESOLUTION OF THE CITY COMMISSION OF LAKE WALES, FLORIDA, AUTHORIZING THE MAYOR TO MAKE APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR APPROVAL OF A FEDERAL FISCAL YEAR 2015 COMMUNITY DEVELOPMENT BLOCK GRANT SPONSORED BY THE CITY OF LAKE WALES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Lake Wales, Florida is experiencing a need for physical improvements in one or more low-to-moderate income neighborhoods; and

WHEREAS, it is the desire of the City Commission that local residents be assisted in creating an improved living environment in these areas.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE WALES, FLORIDA;

SECTION 1. The Community Development Block Grant (CDBG) program is declared to be a workable program for providing needed physical improvements to City residents;

SECTION 2. The City Commission hereby directs the Mayor, City Manager or City Clerk, in his/her absence, to sign all necessary certifications of the Community Development Block Grant application, grant contract or other grant documents required by the CDBG program.

SECTION 3. The City Commission directs the Mayor, City Manager, or City Clerk, in his/her absence, to execute and submit the CDBG grant application to the Florida Department of Economic Opportunity for state approval.

SECTION 4. The Mayor, City Manager or City Clerk, in his/her absence, is authorized and directed to approve, sign and submit additional information in a timely manner as may be required by the Florida Department of Economic Opportunity during the application review process and after execution of a contract agreement with the Department.

SECTION 5. The proposed CDBG application is consistent with the local comprehensive plan.

SECTION 6. The City's comprehensive plan is hereby adopted as the City's community development plan.

SECTION 7. This Resolution shall take effect immediately upon its passage.

ADOPTED unanimously in open session of the City Commission of Lake Wales, Florida, on this 16th day of February 2016.

Attest:

Clara VanBlargan, City Clerk

Eugene Fultz, Mayor

RESOLUTION 2016-03

RESOLUTION OF THE CITY COMMISSION OF LAKE WALES, FLORIDA, AUTHORIZING FUNDS FOR THE PROPOSED SEWER LINE AND RELATED FACILITIES IMPROVEMENTS TO BE COMBINED WITH THE ANTICIPATED FEDERAL FISCAL YEAR 2015 CDBG NEIGHBORHOOD REVITALIZATION GRANT FUNDS

Whereas, the City of Lake Wales plans to provide improvements to the community to benefit low and moderate income persons; and

Whereas, the City of Lake Wales will apply for Federal Fiscal Year 2015 grant funds from the Neighborhood Revitalization Category of the Florida Small Cities Community Development Block Grant (CDBG) program to partially fund a sewer line and related facilities improvement project; and

Whereas, based on a phase 3 project cost of \$1,496,644, the City will need to provide \$936,664 in non-CDBG funds to be combined with the anticipated \$560,000 in construction funds from the CDBG grant to fund the full phase 3 cost; and

Whereas, the CDBG grant program rules require that the City document the absolute availability of the non-CDBG funds for the project; and

Whereas, the City has non-CDBG funds available from the State Revolving Fund (SRF) that may be used for the proposed improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF LAKE WALES, FLORIDA;

SECTION 1. That the City of Lake Wales commits non-CDBG funds in the amount of \$936,664 for the proposed sewer line and related facilities improvements to be combined with the anticipated construction funding of \$560,000 from the CDBG Neighborhood Revitalization grant.

SECTION 2. That the non-CDBG funds will be expended after the date of the grant agency's Site Visit and before administrative closeout of the CDBG grant.

SECTION 3. That \$50,000 of the non-CDBG funds will be used for grant scoring purposes in the CDBG grant application. The project budget is included as Attachment "A" to this resolution.

ADOPTED unanimously by the City Commission of Lake Wales, Florida, on this 16th day of February, 2016.

Attest:

Clara VanBlargan, City Clerk

Eugene Fultz, Mayor

Attachment A

City of Lake Wales CDBG Grant Program Budget

Activity	CDBG Budget	LMI Benefit
Sewer Line Replacement	\$560,000	+51%
Engineering	\$39,000	NA
Grant Administration	\$51,000	NA
Total	\$650,000	

Other Funds: \$936,664 from the SRF program

Amount of other funds (non-CDBG) claimed for CDBG grant scoring purposes: \$50,000

Total Construction Cost: \$936,664 + \$560,000 = \$1,496,664

MEMORANDUM

February 10, 2016

TO: Honorable Mayor and City Commissioners

VIA: Kenneth Fields, City Manager

FROM: Clara VanBlargan, City Clerk/Chief Elections Officer
Albert C. Galloway, Jr., City Attorney

SUBJECT: City of Lake Wales Charter Amendment Fire Assessment Fees

SYNOPSIS: A Petition was circulated to place a Charter amendment on the ballot for the 2016 Municipal Election.

Article VIII, §2(a) of the State Constitution provides that municipalities may be established and their charters amended pursuant to general or special law. Section 166.031, Florida Statutes, states the manner in which municipal charters may be amended as follows:

The governing body of a municipality may, by ordinance, or the electors of a municipality may, by petition signed by 10 percent of the registered electors as of the last preceding municipal general election, submit to the electors of said municipality a proposed amendment to its charter, which amendment may be to any part or to all of said charter except that part describing the boundaries of such municipality.

The statutory requirement for submitting the subject Petition to the electorate has been met.

The City Attorney has opined that the proposed Charter amendment violates Article VIII, §2(a) of the State Constitution and the Municipal Home Rule Powers Act set for in §166.021, Florida Statutes. The City Attorney requests that the City Commission authorize the filing of an action for declaratory relief in the Circuit Court to request the Court to determine that the proposed amendment is unconstitutional, violates applicable law, and is thus a nullity or otherwise unenforceable.

When placing a charter amendment on the ballot the language must consist of a title and the substance of the issue stated in the form of a question in clear and unambiguous language followed by the words “yes” and “no,” and styled in such a manner that a “yes” vote will indicate approval of the proposal and “no” vote will indicate a rejection. The ballot title and substance to appear on the 2016 ballot followed a “yes” and “no” question is as follows:

CHARTER AMENDMENT

AMENDMENT #1

ARTICLE XII

**BALLOT TITLE: VOTER APPROVAL FOR FEES, CHARGES AND ASSESSMENTS;
PROHIBITION OF FIRE PROTECTION ASSESSMENT FEES**

**BALLOT SUMMARY: SHALL THE CITY OF LAKE WALES CHARTER BE AMENDED
TO REQUIRE FEES, CHARGES AND ASSESSMENTS ISSUED UNDER HOME
RULE AUTHORITY BE APPROVED BY A MAJORITY VOTE OF THE QUALIFIED
ELECTORS; AND TO REVOKE AUTHORITY TO LEVY FIRE PROTECTION
ASSESSMENT FEES ISSUED UNDER HOME RULE AUTHORITY?**

Question: Shall the above described amendment be adopted?

- YES
- NO

ATTACHMENTS

- Signature verification and certification from the Supervisor of Elections
- Blank circulated petition
- The official book closing statistics showing the number of registered voters in the 2015 election.



February 5, 2016

County of Polk)
)
State of Florida)

I Lori Edwards, Supervisor of Elections, Polk County, Florida, do hereby certify there were 870 petitions submitted for the City of Lake Wales, City of Lake Wales Charter Amendment Fire Fee Article 12.

I also certify that of the 870 signatures submitted for the city of Lake Wales Charter Amendment Fire Assessment Petition, there were 838 valid signatures in the City of Lake Wales.

Barbara Oethoff, Asst SOE
LORI EDWARDS,
Supervisor of Elections
Polk County, Florida

(SEAL)

Report Enclosed

250 South Broadway • P.O. Box 1460 • Bartow, FL 33831-1460
PHONE: (863) 534-5888 • Fax: (863) 534-5899

www.polkelections.com

Para asistencia en Español, por favor de llamar al (863) 534-5888

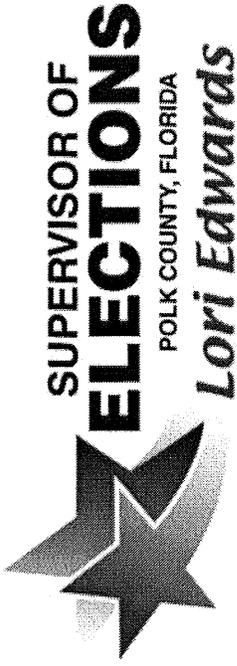
Petition Signature Summary

Petition_Number 779 779
All Batches LAKE WALES FIRE FEE ARTICLE 12

<u>Voter_ID</u>	<u>Reason_Desc.</u>	<u>Petition_Full Name</u>	<u>Petition Address</u>	<u>Date Signed*</u>	<u>Date Checked</u>
-----------------	---------------------	---------------------------	-------------------------	---------------------	---------------------

<u>Reason Code</u>		
A	Accepted	838
D	Already Signed	3
E	Removed or Deleted	2
I	Invalid District	4
S	Signature Differs	6
T	No Date	7
U	Unknown Voter	8
X	Incomplete Address	2
Grand Total:		870

* if available



Official Book Closing Statistics
Lake Wales Municipal Election - April 7, 2015

Registration Date: 01/01/1950 - 03/09/2015

Precinct	Totals	Party Affiliation			Race				Gender				
		Democrat	Republican	Other	Unknown	White	Black	Hispanic	Other	Unknown	Male	Female	Unknown
535	8,377	3,766	2,801	273	1,537	5,209	2,083	683	155	247	3,535	4,666	176

MEMORANDUM

January 27, 2016

TO: Honorable Mayor and City Commission
VIA: Kenneth Fields, City Manager
FROM: Clara VanBlargan, MMC, City Clerk & Chief Election Officer
RE: 2016 Municipal Election & Canvassing Board Information

2016 MUNICIPAL ELECTION INFORMATION

The regular Municipal Election of the City of Lake Wales is Tuesday, April 5, 2016 to elect a Commissioner for Seat 3 (District 122) and a Commissioner for Seat 5 (District 28) to serve a term of two (2) years. Members of the City Commission must be registered voters and residents of the City of Lake Wales for at least one year preceding their date of election.

The Commissioner elected to Seat 3 must reside in District 122, and the Commissioner elected to Seat 5 must reside in District 28.

The qualifying period for a person to qualify as a candidate is from 12:00 p.m., noon, Monday, February 15 through 12:00 p.m., noon, Friday, February 19. Candidate packets are available in the City Clerk's office beginning Friday, February 5. This packet contains qualifying papers, nominating petitions, and other necessary information and instructions to qualify as a candidate.

The deadline for submitting the ballot containing all names of the persons that qualify as candidates to the Supervisor of Elections is 5pm, Friday, February 19, the day qualifying ends. The City Clerk will prepare the ballot language for City Commission approval at a special meeting to be held at 4:00 p.m. that day. A quorum must be present. The scheduled special meeting date is also listed on the City Commission Calendar under the City Manager portion of the Agenda.

The Municipal Election will be held at the Municipal Administration Building, 201 W. Central Avenue, Lake Wales on Tuesday, April 5, 2016, 7 a.m. to 7 p.m.

Contact the Supervisor of Elections at 863-534-5888 to request an absentee ballot. Voter registration deadline is March 7, 2016.

Oath of Office Ceremony

Commissioner Seat 3 & Seat 5
Tuesday, May 3, 2016, regular City Commission meeting

CANVASSING BOARD INFORMATION

While the Supervisor of Elections and the City Clerk may perform many of the tasks necessary to conduct the election, the City Commission serves as the Municipal Canvassing Board and has legal responsibilities related to the conduct of the Municipal Election. It is necessary to review the responsibilities well in advance to prevent calendar conflicts because a quorum must be present.

The following rules apply to all members of the Canvassing Board:

No member can serve if he or she is a candidate with opposition in the election being canvassed or is *actively participating* in the campaign or the candidacy of any candidate who has opposition in the election being canvassed. Actively participating means

undertaking an intentional effort to demonstrate or generate public support for a candidate beyond merely making a campaign contribution. Refer to DE 8-10; 09-07.

Per Florida Statute, Canvassing Board members are required to attend the following meetings.

Pre-election Logic and Accuracy Testing of Tabulating Equipment

Election Headquarters, SOE, Bartow – 4:00 p.m., Tuesday, March 29, 2016

(The Canvassing Board may designate the City Clerk to represent them, who is a required attendee). At its March 1, 2016 meeting, the City Commission may choose to designate the City Clerk to represent them at the L&A Testing.

Election Night Canvassing of Ballots

Election Headquarters, SOE, Bartow - Tuesday, April 5, 2016, time to be scheduled by SOE (A quorum must be present and must remain until all ballots are tabulated.)

Certification of Election

City of Lake Wales Municipal Administration Building – 5:00 pm, Thursday, April 7, 2016 (A Quorum must be present)

Post-Election Manual Audit

Election Headquarters, SOE – Date and Time to be scheduled by SOE (A Quorum must be present)

Run-off Election – Same requirement as above

Election Headquarters, SOE - To be held in case of tie vote

If a lack of a quorum is created on the Canvassing Board due to this rule or any other unavoidable cause, the City Commission may appoint the city manager, city attorney, or resident/s to serve in the absence of that commission member/s (Sec. 8-26, Lake Wales Code of Ordinances). At its first meeting in March, the City Commission may choose to appoint an additional member to serve on the Canvassing Board to avoid a possible lack of quorum.

ATTACHMENTS

2016 Municipal Election Notice (English & Spanish)
District Boundaries
District Map

DISTRICT BOUNDARIES

District 19: Bounded on the east and north by the city limits and on the south and west as follows along the applicable centerlines: Beginning at the intersection of Grove Avenue and Hamlin Street, proceed north on Hamlin Street, crossing State Road 60 to Thirteenth Street, north on Thirteenth Street to city boundary, north along city boundary to Sunset Drive, west on Sunset Drive to North Lake Shore Blvd., north and west on North Lake Shore Blvd. to North Wales Drive, north on North Wales Drive to Fifth Street, north on Fifth Street to Burns Ave., east on Burns Ave. to Highlander Way, north on Highlander Way to city boundary line, continue along eastern, northern and southern city boundary lines to Eleventh Street and the railroad, north on Eleventh Street to Grove Avenue, and east on Grove Avenue to Hamlin Street, the point of beginning; less and except that area not included in city limits east of Thirteenth Street on Bryn Mawr Drive, Carlton Avenue and State Road 60.

District 27: Bounded on the west and north by the city limits and on the south and east as follows along the applicable centerlines: Beginning at the intersection of US HWY 27 and Mountain Lake Cut-off Road., go north on US HWY 27 to Sundown Drive, west on Sundown Drive to city boundary line, continue along northern and western city boundary lines to Mountain Lake Cut-Off Road, west on Mountain Lake Cut-off Road to US HWY 27, the point of beginning.

District 28: Bounded on the south and west by the city limits and on the east and north as follows along the applicable centerlines: Beginning at the intersection of Polk Avenue and South Lake Shore Blvd., proceed south and east to Marietta Street, south on Marietta Street to Sunset Dr, north and east on Sunset Drive to the city boundary at Lakeview Road, south along city boundary to Thirteenth Street, south on Thirteenth Street, crossing State Road 60 to Hamlin Street, south on Hamlin Street to Grove Avenue, west on Grove Avenue to Eleventh Street; south on Eleventh Street to city boundary line, continue along southern and western city boundary lines to the northern boundary of that part of the city lying south of State Road 60; continue east along that northern city boundary line lying south of State Road 60 to South Miami Street, north on South Miami Street to State Road 60, east on State Road 60 to Polk Avenue, and east on Polk Avenue to South Lake Shore Blvd., the point of beginning.

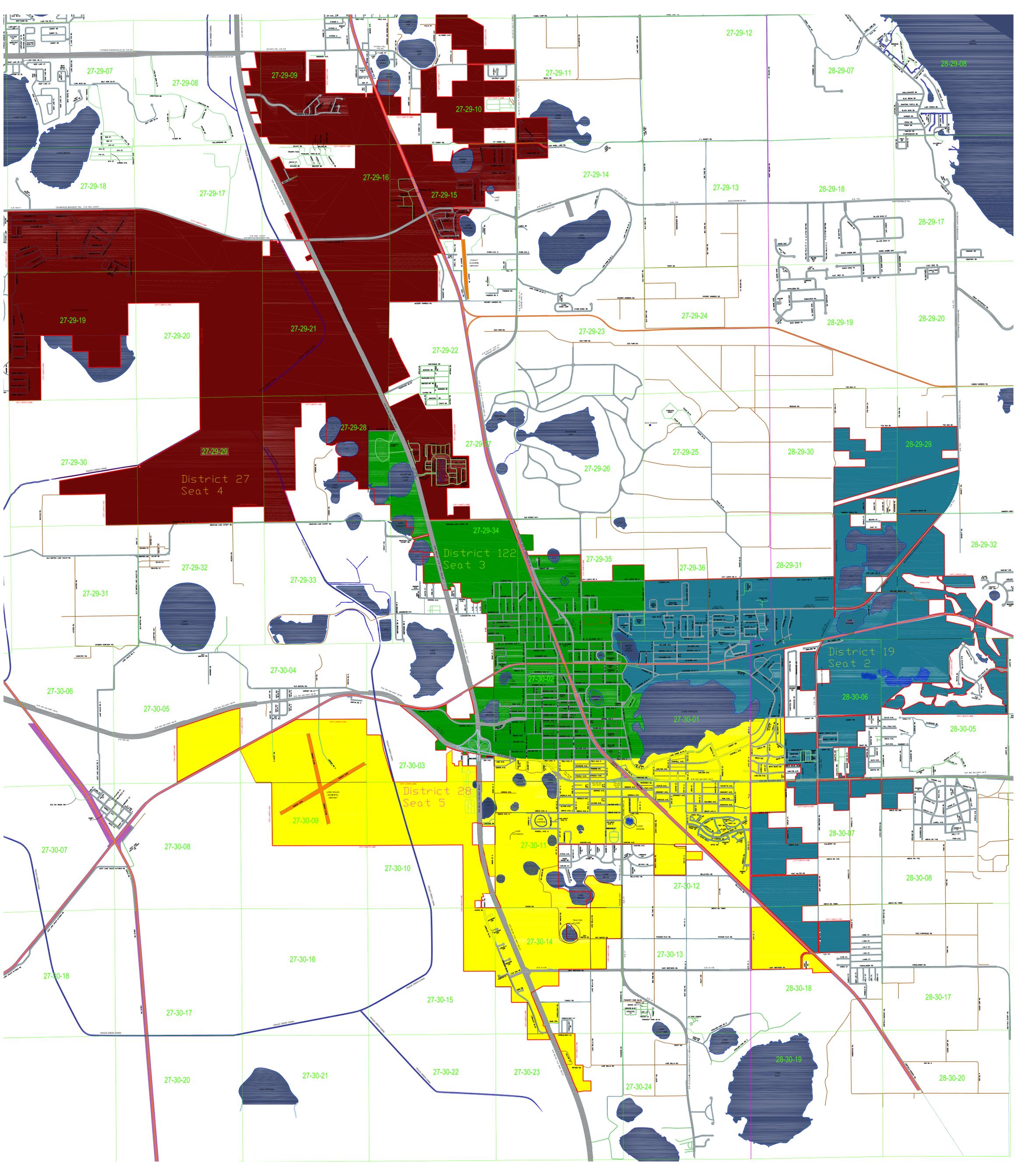
District 122: Bounded on the west by the city limits and on the north, south, and east as follows along the applicable centerlines: Beginning at the intersection of North Wales Drive and South Lake Shore Blvd., proceed north on North Wales Drive to Fifth Street, North on Fifth Street to Burns Avenue, east on Burns Avenue to Highlander Way, north on Highlander Way to city limits, continue west and north along city boundary lines to Mountain Lake Cut-off Road, west on Mountain Lake Cut-off Road to US HWY 27, north on US HWY 27 to Sundown Drive, west on Sundown Drive to city limits, south along west city boundary lines to intersection of State Road 60 and railroad right-of-way , east along State Road 60 following the city boundary to Polk Avenue, east on Polk Avenue to South Lake Shore Blvd., north on South Lake Shore Blvd. to North Wales Drive, the point of beginning.

Commission Seats

Seat 1 At-Large
 Seat 2 Commission District 19
 Seat 3 Commission District 122
 Seat 4 Commission District 27
 Seat 5 Commission District 28

Current Commission Members

Mayor Eugene Fultz
 Commissioner/Deputy Mayor Jonathan Thornhill
 Commissioner Terrye Y. Howell
 Commissioner Pete Perez
 Commissioner Christopher Lutton



District 27
Seat 4

District 122
Seat 3

District 25
Seat 5

District 19
Seat 2

CITY OF LAKE WALES PROJECT TRACKING LIST 2015-2016					
PROJECT	BUDGET	COMMISSION	SCHEDULED	CURRENT	STATUS
NAME		APPROVAL	COMPLETION	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.	2/9/2016
Airfield Improvements (Task Order #15)	\$161,000	yes - 7/2/13	9/30/2015	Project was completed Nov 12. Closeout in progress. Closeout documents submitted to FAA & FDOT at the end of November. Project has closed out with FDOT. Awaiting final reimbursement from FAA.	2/9/2016
RECREATION					
New park signage in all City parks	\$13,000			New Park signs have been ordered. They will be installed by March 1.	2/9/2016
ADA access and handicap parking installation at the soccer complex.	\$30,000		2/29/2016	Work began 1/4/16. Completion date is Feb 29.	2/9/2016
SEWER SYSTEM					
C Street Project	\$6,695,751	yes -11/3/2015 phase 2		Close out Documents have been submitted for Phase I. Bid opening was 10/7/2015. Grant application ranked too low for funding. Will submit again in March. Award of Bid to commission on 11/3/2015. Contracts sent to Contractor for signature. First Public Hearing has been held. The Second public hearing is slated for Feb 16.	2/9/2016

Relocation of Water/Sewer Lines on HWY 27 near Vanguard	\$300,000	10/20/2015		Preconstruction meeting held on 11/12/2015.	2/9/2016
Other items approved or discussed at Commission Meetings					
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.	2/9/2016
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.	2/9/2016
Library Statistics (Nov)				Total Circulation Books-by-Mail: 7,421 Total Circulation BookMobile: 1406 Total In-house circulation: 41,980 Total new borrowers: 256 Total attendance at programs: 2,177 Computer users: 8,195 People Counter: 29,128	2/9/2016
COMPLETED PROJECTS					
Skate Park Improvements	\$50,000	7/15/2014	9/30/2015	This project is complete.	2/9/2016
Road Improvements (N Market ST & W. Central Ave.)	\$91,253	7/7/2015	8/17/2015	Project is completed.	2/9/2016

Cemetery			4/30/2015	Project complete	2/9/2016
Resurfacing of the Scenic Highway from Mt. Lake Cutoff to Ray Martin Rd.			10/31/2015	This Project is complete.	2/9/2016
Gym Floor Replacement	\$68,212	6/2/2015	9/30/2015	Project is Complete. Gym is reopened.	2/9/2016
Electrical system upgrades to event area of Lake Wailes park	\$20,000			Project Complete	2/9/2016
Additional exercise stations in Lake Wailes park.	\$10,000			Project Complete	2/9/2016

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.	2/8/2016
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.	2/8/2016
Depot Museum	3/2/2015	Kenneth Fields	Thornhill	The first of 2 Strategy meetings was held on Saturday Feb 6th, the second one will be on Feb 13th	2/8/2016
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 has transitioned to electronic time sheets.	2/8/2016
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.	2/8/2016

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 – February 2016

Tues, February 2, 2016	Regular	6:00 p.m.	Commission Chambers
Tues, February 16, 2016	Regular	6:00 p.m.	Commission Chambers
Fri, February 19, 2016	Special	4:00 p.m.	Commission Chambers

Commission Election Qualifying Period: 12:00 p.m., noon, Monday, February 15 through 12:00 p.m., noon, Friday, February 19. Candidate packets are available from the City Clerk beginning Friday, February 5. A Special City Commission meeting is scheduled for Friday, February 19 at 4:00 p.m. after the closing of qualifying period to approve the ballot for forwarding to the Supervisor of Elections. A quorum must be present.

City Commission Meetings – March 2016

Tues, March 1, 2016	Regular	6:00 p.m.	Commission Chambers
Tues, March 15, 2016	Regular	6:00 p.m.	Commission Chambers

City Commission Meetings – April 2016

*Tues, April 5, 2016	Regular	6:00 p.m.	Commission Chambers
Tues, April 19, 2016	Regular	6:00 p.m.	Commission Chambers

(*Tuesday, April 5, 2016 regular meeting date will be changed due to the City election)

City Commission Meetings – May 2016

Tues, May 3, 2016	Regular	6:00 p.m.	Commission Chambers
Tues, May 17, 2016	Regular	6:00 p.m.	Commission Chambers

(*Tuesday, May 3, 2016 Oath of Office ceremony for Seat 3 and Seat 5 Commissioners)
(Budget workshops to be scheduled)

City Commission Meetings – June 2016

Tues, June 7, 2016	Regular	6:00 p.m.	Commission Chambers
Tues, June 21, 2016	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
February 13, 2016	10am – 8pm	Heritage Fest	Green & Gold Foundation & Black Leaders & Entrepreneurs Coalition	Downtown Lake Wales	
February 19, 2016	11:30am - 1pm	State of the City Address	Mayor Fultz will give a City update at the Chamber luncheon	Waters Edge 10 W. Grove Avenue	
February 27 th & 28 th	8am – 8pm	Lake Wales Arts Festival	45 th Anniversary	Lake Wailes Park	
March 2nd	8am-1pm	Polk Senior Games - Basketball Shooting Event	Seniors participate in a basketball competition event	Kirkland Gym	
March 29 th - 30th	7am - finish (all day)	FHSAA District Tennis Tournament	High School Girls Tennis tournament	Crystal lake Park Tennis Courts	
April 9 th - 10 th	Sat 1pm - 9pm Sun 10- 5:30pm	Jewel of the Ridge Jazz Festival	Music concert	Lake Wailes Park	
Monday July 4th	2pm-9pm, Fireworks 915pm	4 th of July Celebration	Vendors, music, games and fireworks	Lake Wailes Park	

**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: **1 vacancy**

Current Members: Charles Keniston, resident	03/06/12 - 07/01/18, 2
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
Vacant, resident	- 07/01/17,
Erick Farewell, resident	08/18/15 - 07/01/18, 1
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
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, resident	– 07/01/15
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 Wailes) 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 – 07/01/17, 2
Harold Weigand, resident	06/20/06 – 07/01/17, 4-Final
Sue Marino, resident	02/02/16 – 07/01/19, P+1
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
 [The meeting time can be changed to accommodate members who work during the day.]

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

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 – 07/01/17, 3

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: 2 vacancies

Current Members: Melissa Konkol, resident 01/19/10 – 07/01/18, 3
Wilena Vreeland, resident 10/04/11 – 07/01/18, P+2
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
Vacant, resident – 07/01/18
Vacant, resident – 07/01/18

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)

Current Members:

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

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**

Current Members: Lawrence (Larry) Bossarte, business owner	11/01/11 – 07/01/17, 2
Diane Armington, owns property in the City	03/15/11 – 07/01/16, 2
Leah Bartholomay, resident	05/06/14 – 07/01/18, P+1
Erika B. Schindler, business owner	10/06/15 - 07/01/18, 1
Vacant	– 07/01/18

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
Eddy 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: **None**

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
Michalkiewicz, Brystal, resident	08/04/15 - 07/01/16, P
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:

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

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: 1 vacancy

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
Sharon Allen, resident	07/01/04 – 07/01/17, P+4-Final
Warren Turner, resident	07/21/15 – 07/01/17, 1
John Gravel, property owner	05/06/14 – 07/01/16, 1
Vacant, resident	- 07/01/16, P

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: 2 citizen vacancies; 11 organizational vacancies

Organizational members have not been reappointed by the board since Seats expired in 2014.

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
Vacant	- 07/01/18
Vacant	- 07/01/18
Eileen Farchmin, Webber Internt'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, 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 act section 3(38)), 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 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.

Police Officers' Retirement Board (City Code Sec. 16-233) – 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 police officers' employed by the Lake Wales Police Department. Resident members are appointed by the Mayor with the advice and consent of the City Commission; police officer members are elected by a majority of the police officers who are members of the plan. The fifth trustee member is chosen by a majority of the previous four members and as a ministerial duty, such person is appointed by the City Commission. (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 expired term

Current Members: Joe Elrod, 5 th Trustee	02/03/15 - 09/30/15, partial term
Robert Plummer, resident	11/17/15 - 09/30/18
Anthony Elrod, resident	04/01/14 - 09/30/18
Joseph VanBlarcom, police officer	09/16/14 - 09/30/18
William Raebig, police officer	05/05/14 - 09/30/18

Meetings (City Code Sec. 16-233 (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 & Duties (City Code Sec. 16-233 (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.

FINANCE BOARDS

Finance Committee – The committee consists of the City Manager, Finance Director and Finance staff, and two City Commissioners. City Commissioners serve for the duration of their term as a Commission or until no longer desire to serve, whichever comes first.

- 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: **2 city commissioners**

Current Members: Kenneth Fields, City Manager

Dorothy Ecklund, Finance Director

Finance Staff

Vacant, city commissioner – 07/01/17

Vacant, city commissioner – 07/01/17

Vacant Commissioner Jonathan Thornhill (commission term ended 5/5/2015, will need to be reappointed)

Vacant (Betty Wojcik served until 5/5/2015, duration of term as city commissioner)

Establishment & Duties - In 2002, the Finance Committee was established to review the City's financial position on a monthly basis to closely monitor the progress in resolving the City's current financial problems. Close monitoring was to facilitate a more timely identification of new problems should they occur. The establishment of the Finance Committee was endorsed by the City's auditors.

Meetings - Right now, the Finance Committee has only been meeting annually to review the annual City Auditor's Report.

Investment Committee - The committee consists of the City manager, a City Commissioner, the Finance Director, and two (2) members of the public who are residents of the City of Lake Wales or owners of property located in the City of Lake Wales or persons having a business tax receipt issued from the City of Lake Wales. (Public members serve 4-yr terms)

- There is no interview process requirement for appointment to this board.
- Members are not required to file an annual Form 1, Statement of Financial Interests
- Current Vacancies: **2 residents, or property owners, or has business tax receipt ; 1 city commissioner**

Current Members: **Inactive Board**

Vacant, resident – 07/01/19

Vacant, resident – 07/01/17

Vacant, city commissioner – 07/01/17

Commissioner Jonathan Thornhill served for duration of his term as city commissioner. Term ended 5/5/2015. New appointment is necessary

Meetings – The board meets when necessary if there is a quorum. **[INACTIVE BOARD]**

Establishment & Duties – In 2009, the Investment Committee was established in accordance with City Code Section 2-502 for the purpose of formulating alternative investment strategies and short-range directions and for monitoring the performance and structure of the portfolio within established policies. The committee will formulate and recommend change, if necessary, to the investment policies.