CITY COMMISSION
REGULAR MEETING
OFFICIAL AGENDA
October 18, 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

6. PRESENTATION/REPORT

6.I. EDC Quarterly Evaluation Report On The Progress Of Economic Development Programs & Activities - Presentation By Kevin Kieft, President/CEO Of The Lake Wales Area Chamber Of Commerce

7. ANNUAL REPORT

8. 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.

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

9.I. Approval Of Minutes: October 4, 2016, Regular Meeting

Documents:

2016-10-04REG.PDF

9.II. Special Event Application: House Of Prayer October Youth Festival - October 29, 2016

Documents:

MEMO TO COMMISSION HOUSE OF PRAYER EVENT OCT 2016.PDF
OCT YOUTH FESTIVAL PERMIT.PDF
HOUSE OF PRAYER LOCATION MAP 16.PDF

9.III. Special Event Application: Make It Magical December 9th, 2016
The approval of the special event permit application will allow the Lake Wales Art's Council to hold a holiday event "Make It Magical" on December 9, 2016 between the hours of 5:00 p.m. and 8:00 p.m. and allow for the temporary closing of the Marketplace, a portion of Stuart and Park Avenues and several city parking lots in the downtown area.

Documents:

MEMO TO COMMISSION MAKE IT MAGICAL 2016.PDF
MAKEITMAGICAL APP 2016.PDF

9.IV. Special Event Application: Lake Wales Art Show February 17-19, 2016

Approval of this Special Event Application will allow the 46th Annual Lake Wales Art Show to be held in Lake Wailes Park Friday, February 17, 2017 to Sunday, February 19, 2017.

Documents:

MEMO-LW ARTS SHOW.PDF
LW ARTS COUNCIL PERMIT 17 2.PDF

9.V. FRDAP Grant Application: Lake Wailes Park Gazebo

Documents:

AGENDA ITEM FRDAP 2016 PICNIC SHELTER.PDF
2017-2018_FRDAP_APPLICATION_UPDATED-9.15.16.PDF
2016 10 12 - LAKE WALES PICNIC GAZEBO.PDF

9.VI. FRDAP Grant Application: Soccer Lighting

Documents:

AGENDA ITEM FRDAP 2016 SOCCER LIGHTS SMALL.PDF
GRANT APPLICATION PACKAGE.PDF
FISCAL IMPACT SMALL SOCCER FIELD LIGHTING 16-17.PDF

9.VII. Contract: Law Enforcement Services At Lake Wales Housing Authority

The City Commission will consider approving a contract with the Lake Wales Housing Authority to continue providing supplemental law enforcement services at the Grove Manor public housing complex.

Documents:

MEMO-LW HOUSING AUTHORITY CONTRACT.PDF
CONTRACT - LAKE WALES HOUSING AUTHORITY.PDF

10. OLD BUSINESS

10.I. Ordinance 2016-19, Amendment To Chapter 23 Zoning, Land Use And Development Regulations, Article VI Resource Protection Standards, Division 1, Development In Flood Prone Areas – 2nd Reading & Public Hearing

The adoption of Ordinance 2016-19 repeals and replaces Chapter 23, Article VI, Division 1, Development in Flood Prone Areas.

Documents:

MEMO - ORD2016-19, LW FLOODPLAIN MANAGEMENT ORDINANCE.PDF
ORD2016-19 LW FLOODPLAIN MANAGEMENT ORDINANCE (2).PDF

11. NEW BUSINESS

12. CITY MANAGER

12.I. Tracking Report

Documents:

TRACKING REPORT.PDF

12.II. Social Media Tracking Report

Documents:

SOCIAL MEDIA TRACKING.PDF

12.III. City Commission Meeting Calendar

Documents:

COMMISSION MEETING SCHEDULE, 10-04-16.PDF

12.IV. Other Meetings & Events Calendar

Documents:

OTHER MEETINGS AND EVENTS CALENDAR.PDF

12.V. Information: Boards, Commissions, Committees

Documents:

BOARDS INFORMATION-10-18-16.PDF
BOARDS-MEETING SCHEDULE.PDF
BOARD VACANCIES.PDF
BOARD APPLICATION.PDF
CITY CODE, SEC. 2-26.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.

The meeting of the Lake Wales City Commission was held on October 4, 2016 in the Commission Chambers at the Municipal Administration Building. Mayor Eugene Fultz called the meeting to order at approximately 6:00 p.m. following the Invocation and the Pledge of Allegiance.

INVOCATION

Dr. James Moyer gave the invocation.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Pete Perez; Terrye Y. Howell; Robin Gibson; Jonathan Thornhill, Deputy Mayor; Eugene Fultz, Mayor

COMMISSIONERS ABSENT: None

CITY REPRESENTATIVES PRESENT: Kenneth Fields, City Manager; Clara VanBlargan, City Clerk; Thomas Drage, Acting City Attorney

5. MAYOR

Agenda Item 5.I. PROCLAMATION: Fire Prevention Week; October 9 - 13, 2016

The Mayor read a proclamation proclaiming October 9 - 13, 2016 as "Fire Prevention Week." Fire Marshall Brittany Simpson**,** Fire Chief Jenkins, and staff accepted the proclamation.

Agenda Item 5.II. PROCLAMATION: Alpha Delta Kappa Week; October 12 - 18, 2016

The Mayor read a proclamation proclaiming October 12 - 18, 2016 as "Alpha Delta Kappa Week." Brenda Wise with the local Chapter of Alpha Delta Kappa International accepted the proclamation.

Agenda Item 5.III. PROCLAMATION: Florida Government Week; October 16 - 22, 2016

The Mayor read a proclamation proclaiming October 16 – 22, 2016 as "Florida Government Week."

Agenda Item 5.IV. PROCLAMATION: Red Ribbon Week; October 23 - 31, 2016

The Mayor read a proclamation proclaiming October 23 - 31, 2016 as "Red Ribbon Week."

6. PRESENTATION/REPORT

7. COMMUNICATIONS AND PETITIONS

Greg Massey, non-resident, asked that the Commission revisit its ordinance regarding beer and wine establishments located in the C-1 district, which included the one on Lincoln Avenue that he owned. His establishment was there at the time the ordinance was adopted and he later closed it. During the time the bar was open the Commission made some changes to its ordinance, which included removing establishments from the Lincoln Avenue area. Mr. Massey urged the Commission to revisit the ordinance and make changes to allow a beer and wine establishment in the northwest section again.

A resident that did not state his name and address for the record said he still has not received a response to whether or not his baseball league team would be getting a field in Lake Wales to play on. Mr. Fields said Mr. Slaton has been in contact with him and he is still working on getting a meeting set up and something worked out. Perhaps after the meeting he can meet with Mr. Slaton since he is here tonight.

DRAFT

8. CONSENT AGENDA

Agenda Item 8.I. Approval of Minutes: September 20, 2016, Regular Meeting

Agenda Item 8.II. Lease Agreement – Christmas Decorations

[Begin Agenda Memo]

SYNOPSIS

The City Commission will consider entering into a lease agreement with Clark Sales Display, Inc. for Christmas decorations and a 17-foot panel tree with red and gold premier bows.

RECOMMENDATION

Staff recommends that the City Commission approve the following action:

1. Approve a lease agreement with Clark Sales Display, Inc. for Christmas decorations $12,180.00 for and a 17-foot panel tree with red and gold premier bows for $3,500.00.

2. Authorize the City Manager to execute the contract on behalf of the City.

BACKGROUND

The City has been utilizing a continued lease option for Christmas decorations with Clark Sales Display, Inc. since 1999. The current lease ended December 2015.

Clark Sales Display, Inc. and Display Sales are the only companies that responded to the request for a quote for Christmas decorations. Display sales informed us that they do not lease Christmas decorations they only sell them. The proposal from Clark Sales Display, Inc. includes installation, removal, maintenance and storage.

The agreement will be for the term beginning October 1, 2016 through September 30, 2019 with the option to re-new for two (2) additional one year terms upon mutual agreement by both parties.

OPTIONS

Do not approve the agreement

FISCAL IMPACT

Funded in fiscal year 16’17 budget

[End Agenda Memo]

Agenda Item 8.III. 3rd Annual Orange Blossom Revue; December 2 – 3, 2016

[Begin Agenda Memo]

DRAFT

SYNOPSIS

Approval of this request will allow the Noon Rotary Club to hold its third annual "Orange Blossom BBQ" event in Lake Wailes Park on Friday, December 2 and Saturday, December 3, 2016, allow a designated area for wine and craft beer sales, and allow the set up to begin on Thursday, December 1, 2016.

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

1. Approve the Special Event Permit Application from the Noon Rotary Club to hold an "Orange Blossom BBQ" in Lake Wailes Park December 2 and 3, 2016 with set up beginning on Thursday, December 1, 2016

2. Approve the hours as follows:

    - Thursday, December 1, 2016 - Begin set up at 8:00 a.m.
    - Friday, December 2, 2016 – The event will be open to the public at 4:00 p.m. and end at 10:30 p.m.
    - Saturday, December 3, 2016 - The hours will be 11:00 a.m.–9:00p.m.
    - Sunday December 4th and Monday December 5th - Clean up and removal of tents and booths will take place

3. Approve the request from the noon Rotary to have wine and craft beer sales and consumption in an enclosed designed area in the Park on both Friday and Saturday.

4. Approve the request for RV's and campers to set up in the areas approved and designated by City staff on Friday.

BACKGROUND

The Lake Wales Noon Rotary Club submitted a Special Event Permit Application to hold its third annual "Orange Blossom BBQ" in Lake Wailes Park. This event features the Florida BBQ Association's sanctioned barbeque competition, the Florida Tastemakers Marketplace with a gathering of artists and vendors from across the state, kid's tents, and live music. There will also be a designated area for wine and craft beer sales and consumption.

Last year additional water spigots were installed and additional electrical outlets are planned for this year.

The event has been approved by staff with the following stipulations:

- The RV's and/or campers will be parked in the designated area only.
- The designated parking area for the public must be clearly identified on site.
- No vehicles shall be parked within 15 feet of the trunk of any trees within the park. No vehicles shall drive or park on the bike path or cross the bike path
- The Rotary Club is responsible for ensuring that the vendors and artists bringing in RV's and campers adhere to the conditions for parking.
- Sanitary facilities and dumpsters are the responsibility of the sponsor. A separate dumpster will be required for disposal of ash by the vendors.
- Tent permits are required in advance by the sponsor and can be obtained from the City's Planning Department so that inspections can be completed by the Fire Marshall during set up times.
- The alcohol permit application must be completed by the sponsor and submitted to the Planning Department for review and approval before submitting to the Department of Alcohol Beverage & Tobacco. Once the final permit is obtained, a copy must be provided to the City no later than

DRAFT

November 28, 2016.

- The required Certificate of Liability Insurance with an alcohol insurance rider has been received by the City.
- In-Kind Services will be provided by the City's Field Operations Divisions for clean up services on Saturday and Sunday and costs associated with these services will be paid by the sponsor at 25%. Off-duty officers from the Lake Wales Police Department will be hired by the sponsor for security purposes.

OTHER OPTIONS

Do not approve the event

FISCAL IMPACT

This BBQ event is part of the FY16/17 special events budget. In-Kind services will cost the City approximately $1,414 with the sponsor paying 25% of the cost or $353. Off-duty officers from the Lake Wales Police Department will be hired for security and will be paid by the sponsor.

[End Agenda Memo]

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

By Voice Vote:

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

The motion carried 5-0.

9. OLD BUSINESS

10. NEW BUSINESS

Agenda Item 10.I. Ordinance 2016-14, Firefighters' Pension Plan Amendment – 1st Reading

Prior to the Commission meeting, Agenda Item 10.I was pulled from the agenda at the request of Human Resources Director Sandra Davis.

Agenda Item 10.II. Ordinance 2016-19, Amendment to Chapter 23 Zoning, Land Use and Development Regulations, Article VI Resource Protection Standards, Division 1, Development in Flood Prone Areas – 1st Reading

[Begin Agenda Memo]

SYNOPSIS

The adoption of Ordinance 2016-19 repeals and replaces Chapter 23, Article VI, Division 1, Development in Flood Prone Areas.

DRAFT

RECOMMENDATION

It is recommended that the City Commission approve after first reading.

BACKGROUND

In accordance with F.S., Chapter 166, the Legislature of the State of Florida authorized local governments to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. The City of Lake Wales accepted participation in the National Flood Insurance Program on March 16, 1988.

The Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of City of Lake Wales that may be subject to periodic inundation and could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. This could adversely affect the public health, safety, and general welfare of those living in the City of Lake Wales.

To better protect the public health, safety, and general welfare of the citizens of the City of Lake Wales, it necessary to repeal the current language in the Lake Wales Code of Ordinances regarding flood prone areas and replace it with language compatible to the Florida Building Code. This will establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas.

FISCAL IMPACT

The fiscal impact of implementing this ordinance is the cost of a public hearing advertisement.

OTHER OPTIONS

If the City Commission chooses not to adopt Ordinance 2016-19 the City is at risk of being removed from the National Flood Insurance Program. This means the citizens would not be able to purchase flood insurance and would not be eligible for post disaster relief.

[End Agenda Memo]

City Clerk Clara VanBlargan read **Ordinance 2016-19** by title only:

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AMENDING THE CITY OF LAKE WALES CODE OF ORDINANCES BY REPEALING CHAPTER 23 ZONING, LAND USE AND DEVELOPMENT REGULATIONS, ARTICLE VI RESOURCE PROTECTION STANDARDS, DIVISION 1 DEVELOPMENT IN FLOOD PRONE AREAS TO ADOPT A NEW DIVISION 1 DEVELOPMENT IN FLOOD PRONE AREAS; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, TO FORMAT AMENDMENTS TO THE FLORIDA BUILDING CODE, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Building Official Cliff Smith reviewed Agenda Item 10.II and said this is a model ordinance driven by FEMA. A few years ago, flood provisions were placed in the Florida Building Code. FEMA reviewed the 300 plus jurisdictions in the State of Florida and found that their ordinance was not compliant or compatible with the Florida Building Code so they created a model ordinance they are wanting all the jurisdictions to adopt. This has to be done by December 22, 2016, which is when our new maps go into effect and if we do not comply with FEMA regulations by then, we will be removed from the National Flood Insurance Program. This

DRAFT

means that the citizens cannot purchase flood insurance nor will they be eligible for post-disaster relief from FEMA. Every three years the Florida Building Code changes and by adopting this model ordinance it will be good for now on and will not have to come before the Commission again.

Commissioner Perez asked why we are doing the ordinance now since people already have flood insurance. Mr. Smith said since 1988 the City of Lake Wales has participated in the National Flood Insurance Program and if the City does not adopt this ordinance people will no longer be able to buy or build a home because they will not be able to purchase flood insurance if the home will be located in a flood prone area. This ordinance will allow people that have purchased flood insurance to continue purchasing the insurance.

OPENED PUBLIC COMMENT

There were no comments from the public.

CLOSED PUBLIC COMMENT

Deputy Mayor Thornhill made a motion to approve Ordinance 2016-19 after first reading. Commissioner Howell seconded the motion.

By Roll Call Vote:

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

The motion carried 5-0.

Agenda Item 10.III. Appointment – Recreation Commission

[Begin Agenda Memo]

SYNOPSIS

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

RECOMMENDATION

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

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

BACKGROUND

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

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)

DRAFT

- 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

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

Applying for Appointment: Kris T. Fitzgerald, citizen, term expiring 07/01/18

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 - 07/01/17, 2
	Robbie Shields, Lake Wales Soccer Club	09/19/11 - 07/01/17, 2
	Patty McKeeman, Lake Wales Pram Fleet	09/19/11 - 07/01/17, 2
	Deborah Rheiner/Linda Kimbrough, PAL	09/19/11 - 07/01/17, 2
	Helen Petersen, Green & Gold Foundation	09/19/11 - 07/01/17, 2
	Norm Rainey, Tennis Program	09/19/11 - 07/01/17, 2
	John Abel, YMCA/Softball	09/19/11 - 07/01/17, 2
	Clark Heter, YMCA	10/17/11 - 07/01/17, 2
	Mimi Hardman, Historic Lake Wales Society	09/19/11 - 07/01/17, 2
	Curt, Boys & Girls Club	09/19/11 - 07/01/17, 2

OPTIONS

None

FISCAL IMPACT

These are volunteer boards

[End Agenda Memo]

Commissioner Gibson said he presented to the Commission a list of people identified as admired and respected in the community. The intent of the Charter is that the Mayor would make the appointments subject to the approval of the Commission and that we would be in the position of soliciting people who have particular qualifications for a given entity. He would feel more comfortable if he knew something about this individual. It is not a reflection on the individual but us making sure that we get people that are qualified for these various commissions and boards. Some of them require expertise that hasn't necessarily been present in the past and just because somebody steps up and says they would like to serve does not mean they are really qualified to do that and contribute for the betterment of the City. He had proposed a procedure by which we would identify qualified people although it would take time to implement that procedure. Commissioner Gibson asked if this person is qualified to serve since he had not seen any information about them and when the Commission would be putting into a motion a procedure that is more consistent with the intent of the Charter.

The Mayor recalled the list of individuals and said that somehow the idea had gotten out that he would be responsible for tracking down the people on the list and asking them to apply for membership on one of the boards. His time is very valuable and everyone should be reaching out to the individuals on the list they know and asking them to apply, which is the first step in the process to see if they are qualified to serve on the board in which they would like to serve.

DRAFT

Commissioner Gibson said the City staff that is responsible for a particular board, commission, and committee should look at the list, which consists of over a hundred admired and respected people in the community and make recommendations to the Mayor as to who they would like to serve based on their qualifications. They Mayor would then make a selection from the list of recommendations from staff.

The City Manager said the membership requirement for the Recreation Commission is clearly stated, which consist of 13 members from community organizations providing a recreation program for the community and three 3 citizen members representing the citizens at large. This person applied for one of two citizen vacant positions. Her application is part of the agenda packet; she works at the Vanguard School as a licensed mental health counselor for the youth.

Commissioner Perez said these Committees are available to anyone in the community living in the City that would like to apply. This individual stepped up to the plate willing to volunteer. All the persons on the list might be duly qualified but do need to fill out an application if they would like to serve. The list is a great idea but Ms. Fitzgerald filled out an application and is willing to serve. She should be given the opportunity to serve because she has incredible qualifications that we should not question. Commissioner Gibson said he had no idea of what her qualifications are because he had not seen the application. Commissioner Perez said the application is included with the agenda item in the packet. The City Clerk showed Commissioner Gibson how to access the application in the agenda packet.

The Mayor said he knows Ms. Fitzgerald personally, because she is a member of the Lake Wales Breakfast Rotary that he is also a member of.

The Mayor appointed Kris T. Fitzgerald to serve as a citizen member to the Recreation Commission for a term expiring on 07/01/2018. Commissioner Howell made a motion consenting to the appointment made by the Mayor and Deputy Mayor Thornhill seconded the motion.

By Voice Vote:

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

The motion carried 5-0.

11. CITY MANAGER

The City Manager provided the following updates:

- We are tracking Hurricane Mathew, there is a statewide status update going on as we speak, so we will continue to monitor that and are preparing to respond as necessary.
- He was at the IMCA conference last week, the Lake Wales video shown there was very well received and people really liked it. It was a very good meeting and many good ideas were shared on how to redevelop an old downtown in some of the older suburbs etc. We are hoping to bring that conference to Florida in the near future.

Jennifer Nanek, Assistant to the City Manager, provided an update on the first food truck event that took place on Monday night. She said the event was very successful and very well attended. The Food Truck Invasions from out of South Florida put on the event. They submitted a permit application that was approved by the City to have the event on the first Monday night of every month for the next 18 months. Two people

DRAFT

visited the office today to tell her what a great event that was and what a great job the City had done although she did tell them that it was a private event.

Commissioner Howell said she heard great things about it, the Mayor said it was a great event, and Deputy Mayor Thornhill said he enjoyed the event.

Mr. Fields said that social media has become a great thing for the City. On Monday morning, there was an accident on SR 60 and a lot of people found out about that through social media, which is an area where we have to expand in the future because it is a major communication mechanism in the City.

Mr. Fields said the City Attorney is recovering very well and introduced Tom Draige, the attorney who sat in for him at the meeting.

Agenda Item 11.I. **City Commission Tracking Report**

Agenda Item 11.II. **Social Media Report**

Agenda Item 11.III. **City Commission Meeting Calendar**

Agenda Item 11.IV. **Other Meetings & Events Calendar**

Agenda Item 11.V. **Information: Boards, Commissions, and Committees**

12. CITY COMMISSION COMMENTS

Commissioner Thornhill asked everyone to prepare for the hurricane just in case we are impacted by it. He then told about the wonderful time he had on his trip in Hawaii.

13. MAYOR COMMENTS

The Mayor said he is involved with Leadership Polk and they will be coming to Lake Wales on Economic Development Day. Obviously, Lake Wales is doing something right or Polk Vision would not be coming here to talk about Economic Development so that lets him know people see the positive direction we are heading and he is looking forward to the City's continued growth. He will be going to Wisconsin on October 17 and a couple of the guys from the Police Department were invited to go and talk about Lake Wales and how well Lake Wales has rebounded through community relations and the Police Department. The event is a whole delegation of church pastors that they will be talking with. Wisconsin has their problems and they are seeking ways to resolved some of those issues. The Lake Wales Police Chief and his staff have done a wonderful job at moving through the community and building relationships in the community, which has helped us tremendously.

The meeting was adjourned at 6:42 p.m.

_____
Mayor/Deputy Mayor

ATTEST:

_____
City Clerk Clara VanBlargan, MMC

DRAFT

MEMORANDUM

October 10, 2016

TO: Honorable Mayor and City Commissioners

VIA: Kenneth Fields, City Manager

FROM: Jennifer Nanek, Assistant to the City Manager

SUBJECT: Special Event Permit Application from the House of Prayer Pentecostal Holiness Church for a October Youth Festival and Street closing

SYNOPSIS: Approval of the special event permit application will allow the House of Prayer Pentecostal Holiness Church to hold their annual October Youth Festival on October 29, 2016 and allow for the temporary closing of Seminole Avenue

RECOMMENDATION:

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

Approve the special event permit application from the House of Prayer Pentecostal Holiness Church for their Annual October Youth Festival event to be held Saturday October 29, 2016

Approve the temporary street closing of Seminole Avenue from First Street to Scenic Highway between the hours of 12:00 p.m. and 5:00 p.m.

BACKGROUND:

The House of Prayer Church submitted a special event permit application for their annual Church October Youth Festival event to be held October 29, 2016 at 506 North First Street. This application also includes a request for the temporary closing of Seminole Avenue from Scenic Highway (SR17) to First Street between the hours of 12:00 a.m. and 5:00 p.m.. The House of Prayer will be having a Bounce House, carnival booths, kids games, and food at their Activity Center located across the street on Seminole Avenue.

In the past the church has requested from the City Commission the temporary closing of Seminole Avenue for this event held each year. This prevented vehicular traffic from entering this area and presenting a serious safety issue for the children and parents crossing Seminole to reach the Activity Center. The closure of Seminole Avenue for this event will eliminate this possibility.

Staff has reviewed the application and has no issues with the street closing. The church is handling all site set ups, sanitary facilities, trash receptacles and trash clean up. Insurance is being provided as required.

OTHER OPTIONS:

Do not approve the event or street closing.

FISCAL IMPACT:

There is no cost to the City for this event.

ATTACHMENTS

Special Event Permit Application
Location map

SPECIAL EVENT APPLICATION

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

Applicant Information:

Organization Name: House of Prayer Pentecostal Holiness Church

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

Address: 506 north 1st Street Phone: 863-676-4849
Lake Wales FL
33853

Event Contact Information:

Name: (First & Last): Flora Peterson or Pastor Edward Pittman

Mailing Address: P.O. Box 1436

City, ST, ZIP: Lake Wales FL 33859

Phone#: 863-638-7303 Email: TheHouseofPrayer506@yahoo.com

Event Information:

Name of Event: Annual October youth Festival

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 Church event Octobe-Fest

Event Description: Free games, Food, bounce houses, For the Community

Event Start Date: 10-29-16 Time: 12:pm Event End Date: 10-29-16 Time: 5: pm

Set up Date: 10-29-16 Time: 12 pm Take Down Date: 10-29-16 Time: 5:pm

☐ 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 Church

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:

☐ Alcohol - (Special Permit Required)*
☐ Portolets
☐ Sales/Distribution/Display
☐ Food Distribution/Sales
☐ Use of electric outlets
☐ Use of water spigots
☐ Live animals
☐ Temporary Structures
☐ DJ

☐ Amplified Sound
☐ Stage
☐ Inflatables (bounce houses)
☐ Concerts/Live Music
☐ Installation of additional outlets
☐ Tents (permit required for tents larger than 30x30)
☐ Boat Racing
☐ On-Site Cooking
☐ Amusement rides

☐ Other _____

_____

_____

*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: The Beginning of 1st Street + Seminole Ave. right by the Church + The End of Seminole + Scenic Hwy

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? NO

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 Permitee 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.

Pastor Edward Pittman _____ 10-4-2016 _____

Signature of Sponsor or Authorized Representative of Sponsor — Date

Pastor Edward Pittman

Printed Name

State of Florida
County of Polk

The forgoing instrument was acknowledged before me this _____ day of _____, 20_____ by

_____.

_____
Signature of Notary Public-State of Florida

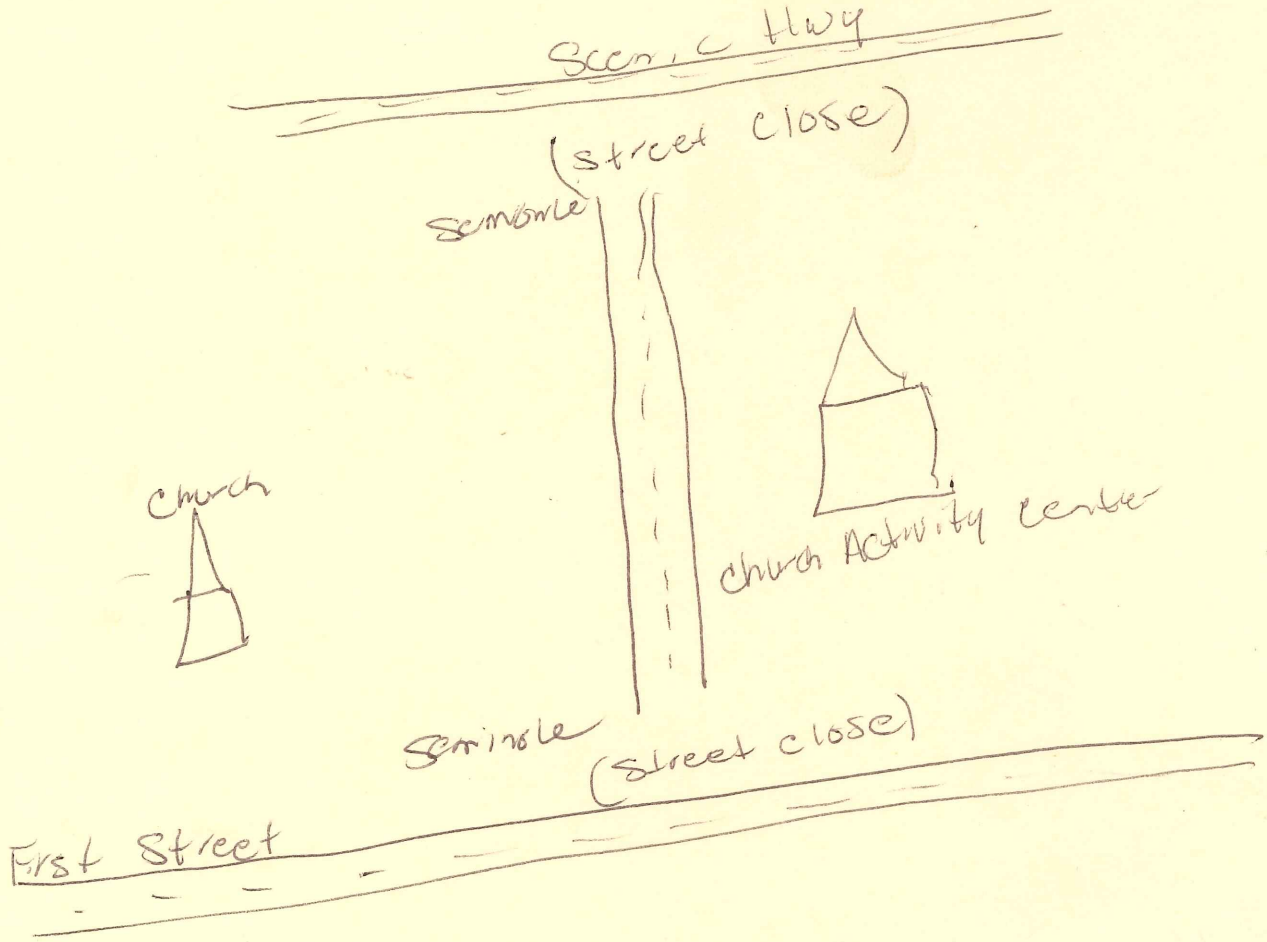
_____
Name of Notary Typed, Printed, or Stamped

(NOTARY SEAL)

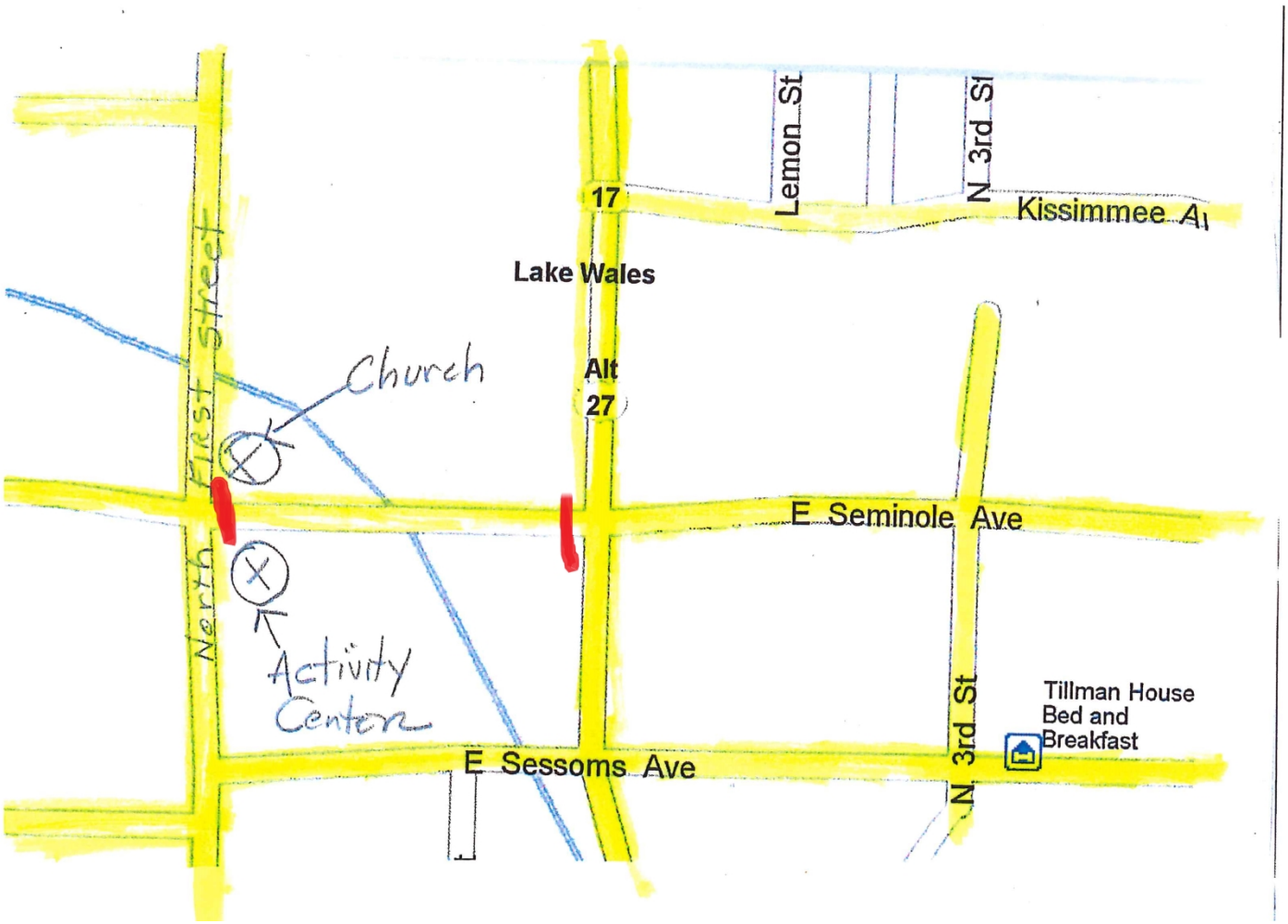
Personally Known_____ OR Produced Identification_____

Type of Identification Produced: _____

Event Plan


Scenic Hwy
(street close)
Seminole
church
church Activity center
Seminole
(street close)
First Street

October 29, 2016
House of Prayer Church - October Youth Festival
506 North First Street
Street Closing Location



The House of Prayer Church is requesting the closing of Seminole Avenue between First Street and Scenic Highway (SR17) on Saturday October 29, 2016 between the hours of 12:00 p.m. and 5:00 p.m. for their Church and Family Fun Day event.

MEMORANDUM

October 10, 2016

TO: Honorable Mayor and City Commissioners

VIA: Kenneth Fields, City Manager

FROM: Jennifer Nanek, Assistant to the City Manager

SUBJECT: Lake Wales Arts Council Special Event "Make It Magical" 2016

SYNOPSIS: The approval of the special event permit application will allow the Lake Wales Art's Council to hold a holiday event "Make It Magical" on December 9, 2016 between the hours of 5:00 p.m. and 8:00 p.m. and allow for the temporary closing of the Marketplace, a portion of Stuart and Park Avenues and several city parking lots in the downtown area.

RECOMMENDATION

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

1. Approve the special event permit application from the Lake Wales Art's Council to hold a holiday event "Make It Magical" on Friday, December 9, 2016 between the hours of 5:00 p.m. and 8:00 p.m. with set up beginning at 9:00 a.m.

2. Approve the temporary closing of the following:

    - Close a portion of Stuart and Park Avenues from First Street to Scenic Highway (SR17).

    - Close the Marketplace, the Marketplace parking lot, and both city lots on the east end of Stuart Avenue at Scenic Highway (SR17)

    - Close the alley between Stuart Avenue and Park Avenue from SR17 to First Street

    - Close Market Street at Park and Central Avenues for food vendors. (Wells Fargo has agreed to close their drive through at 5:00 p.m.)

BACKGROUND

Jean Donaldson, Executive Administrator of the Lake Wales Arts Council submitted a special event permit application to hold their fifth annual holiday event "Make It Magical" on Friday, December 9, 2016 between the hours of 5:00 p.m. and 8:00 p.m. in the downtown area. Set up time for the event will begin at 9:00 a.m. with clean up and take down until 9:00 p.m. This event will provide a holiday destination for the entire family and will feature musicians and vocalists, numerous craft and food vendors in the Marketplace and a horse and carriage ride along Stuart Avenue. Local downtown restaurants will remain open providing a variety of food and refreshments and local shops will stay open as well giving the public an opportunity to shop while attending a special holiday event.

The Lake Wales Arts Council is requesting the temporary closing of a portion of Stuart Avenue from South Market Street to Scenic Highway (SR17), the temporary closing of several parking spaces on the west side of South Market Street at Stuart Avenue, the temporary closing of the Marketplace and the Marketplace parking lot, the temporary closing of the alley between Stuart Avenue and Park Avenue, and the temporary closing of the two city lots on the east end of Stuart Avenue at Scenic Highway (SR17).

The City's special event review staff has reviewed the application and has no issues with the event. The Streets Department will close the streets and parking lots, provide additional trash containers and at the conclusion of the event they will empty the trash containers and transport them back to the storage location. The Arts Council may request the assistance of the Lake Wales Police Department with off-duty officers for security reasons only. Any trash clean up during the event will be the responsibility of the Arts Council. Insurance has been provided as required. The Arts Council will be responsible for sanitary facilities and a dumpster.

OTHER OPTION

Do not approve this special event permit application or the request for the temporary closing of a portion of Stuart Avenue, the Marketplace or three city parking lots

FISCAL IMPACT

The total cost for in- kind services from the City is in the proposed budget for FY16/17 in the amount of $165 of which the Arts Council would be responsible for 25%.

ATTACHMENTS

Special Event Permit Application
Notarized Agreements of Financial Responsibility
Event Location Drawing and Layout
Copy of Insurance

Approved 9/12

SPECIAL EVENT APPLICATION

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

Applicant Information:

Organization Name: Lake Wales Arts Council

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

Address: P.O. Box 608 Phone: 863-676-8426

Lake Wales, FL 33859

Event Contact Information:

Name: (First & Last): Jean Donaldson

Mailing Address: P.O. Box 608

City, ST, ZIP: Lake Wales, FL 33859

Phone#: 863-676-8426 Email: jdonaldson@lw-arts.org

Event Information:

Name of Event: Make it magical

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: Community holiday event

Event Start Date: 12/9/16 Time: 5:00 pm Event End Date: 12/9/16 Time: 8:00 pm

Set up Date: 12/9/16 Time: 9:00 am Take Down Date: 12/11/16 Time: 9:00 am

☐ 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:

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

☒ Other Police lights

*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: Park Ave from Scenic Hwy to First Str; Stuart from Scenic to ~~First St.~~ Pa First St., Market at Park + Market at Central (Wells Fargo Bank has agreed to close their drive throughout 5:00pm

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

Please describe: Parking lots: corner of Scenic + Stuart; Stuart next to Polka Dots, Park at Market Pl.

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? Police Security

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 Permitee 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.

Jean M. Donaldson
Signature of Sponsor or Authorized Representative of Sponsor

9/12/16
Date

Jean Donaldson
Printed Name

State of Florida
County of Polk

The forgoing instrument was acknowledged before me this 12th day of September, 20 16 by

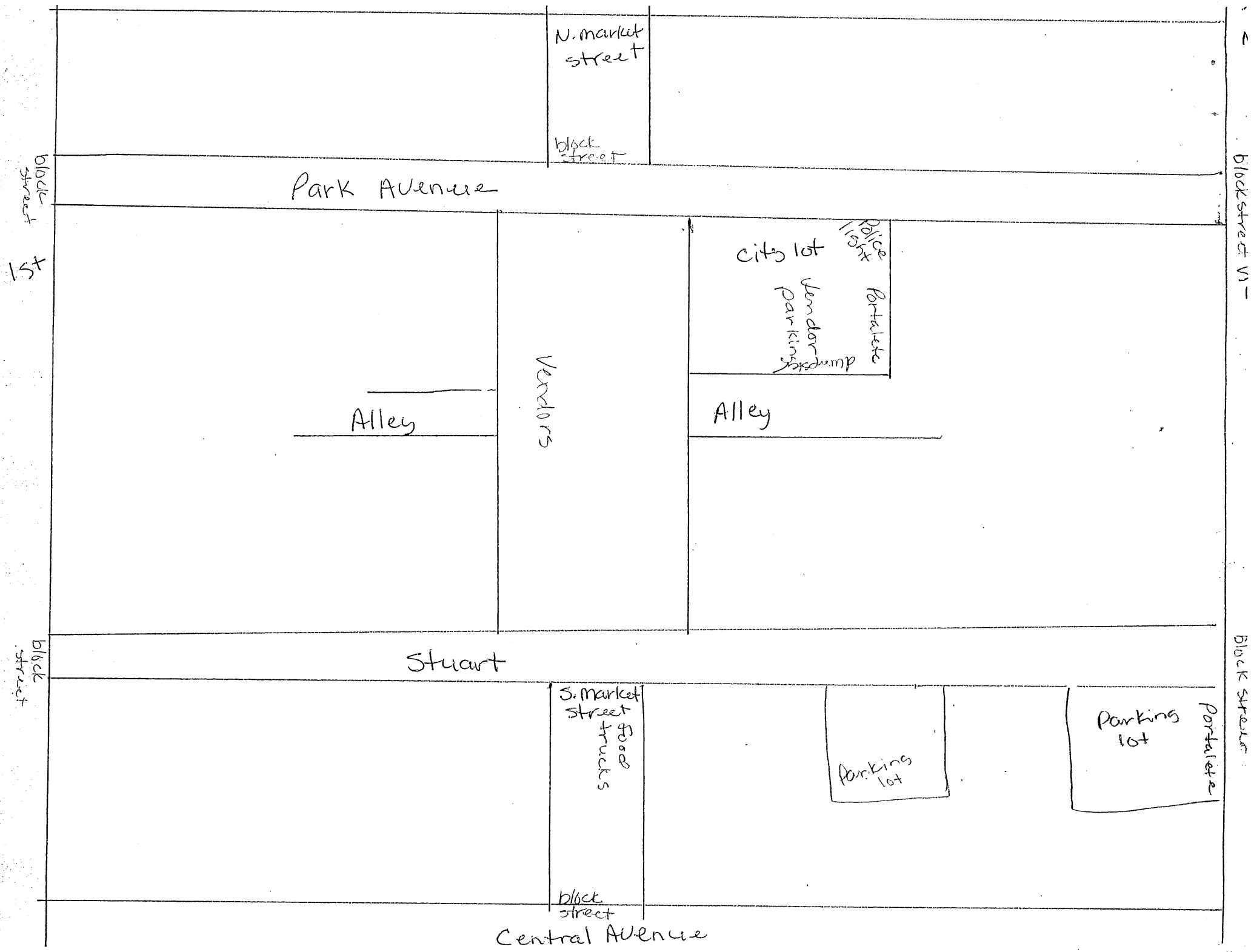
_____.

CLARA VANBLARGAN
Notary Public - State of Florida
My Comm. Expires Mar 24, 2017
Commission # FF 000173
Bonded Through National Notary Assn.

Clara VanBlargan
Signature of Notary Public-State of Florida

Clara VanBlargan
Name of Notary Typed, Printed, or Stamped

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


N. market street
block street
Park Avenue
block street
1st
City lot
Police lot
Portalete
Vendor parking
dumpster
Vendors
Alley
Alley
Stuart
block street
S. market street
food trucks
Parking lot
Parking lot
Portalete
block street
Central Avenue
Block street
Block street

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 09-09-2016

PRODUCER
Edward Lamb & Associates, Inc.
P.O. Drawer 1559
146 E. Stuart Ave.
Lake Wales FL 33859

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Lake Wales Arts Council, Inc.
PO Box 608

Lake Wales FL 33859

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Travelers Property Casualty Company Of Ar	
INSURER B: Great American Ins. Co.	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY A COMMERCIAL GENERAL LIABILITY CLAIMS MADE A OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	X - 6603B730460 - TIL - 16	03/01/2016	03/01/2017	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
		EXCESS/UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE AGGREGATE	$ $ $ $ $
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $
B		OTHER Directors & Officers	EPP8184239	10/09/2015	10/09/2016	$1,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER

City of Lake Wales
P O Box 1320

Lake Wales, FL 33859-1320

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE <JC>

© ACORD CORPORATION 1988

Make it Magical

AROUND the WORLD

local
PPING ★ FUN
D ★ TALENT

DECEMBER
9th

historic
DOWNTOW
LAKE WAL

SPONSORS

MEMORANDUM

October 10, 2016

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: Jennifer Nanek, Assistant to the City Manager

SUBJECT: 2017 Lake Wales Art Show at Lake Wailes Park
Special Event Permit Application

SYNOPSIS: Approval of this Special Event Application will allow the 46th Annual Lake Wales Art Show to be held in Lake Wailes Park Friday, February 17, 2017 to Sunday, February 19, 2017.

RECOMMENDATION

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

1. Approve the Special Event Permit Application for the 46th Annual Lake Wales Art Show to be held February 17 -February 19, 2017 in Lake Wailes Park.

2. Approve the request to allow for a designated area for alcohol consumption.

3. Approve the hours as follows: February 16 - set up at 7:00 a.m. and evening festivities beginning on February 17 at 6:00 p.m. and ending at 8:00 p.m., February 18 and February 19 – 10:00 a.m. to 5:00 p.m.

4. Approve the request for set up by the artists on Friday February 17, 2017 at approximately 10:00 a.m.

BACKGROUND

The Lake Wales Art Council, Inc. submitted a Special Event Permit Application for the 45th Annual Lake Wales Art Show to be held February 17 to February 19, 2017 in Lake Wailes Park. This event would begin on Friday evening, February 17, 2017 at 5:00 p.m. with a barbeque and musical entertainment for the entire family and it will conclude at 8:00 p.m. This event includes a designated area to sell and consume alcohol.

On Saturday and Sunday the day's activities will begin at 10:00 a.m. and end at 5:00 p.m. The Special Event Permit Application includes a request for the artists to set up on Friday, February 17 at approximately 10:00 a.m.

The Art Council will be using the services of off-duty officers from the Lake Wales Police Department each evening during the entire event. The Art Council will pay this at 100%. The Field Operations Division will be providing clean up services on Saturday and Sunday with the Art Council paying 25% of those costs. The Arts Council will also be responsible for site set

up, obtaining tent permits, providing licensing for food vendors, acquiring sanitary facilities and dumpsters and providing liability insurance for the event.

OTHER OPTIONS

Do not approve the event

FISCAL IMPACT

In-kind services provided by the City were budgeted for FY16-l7 in the amount of $882. The Arts Council will be responsible for 25% or $220. Private security will be provided by the Lake Wales Police Department and will be paid at 100% by the Arts Council.

ATTACHMENTS
Special Event Permit Application
Agreement to assume Financial Responsibility
Site Map
Copy of Insurance

SPECIAL EVENT APPLICATION

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

Applicant Information:

Organization Name: Lake Wales Arts Council

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

Address: PO Box 608, 1099 SR 60 E Phone: 863-676-8426
Lake Wales, FL 33859

Event Contact Information:

Name: (First & Last): Jean Donaldson

Mailing Address: P.O. Box 608

City, ST, ZIP: Lake Wales, FL 33859

Phone#: 863-676-8426 Email: jdonaldson@lw-arts.org

Event Information:

Name of Event: Citizens Bank + Trust Lake Wales Arts Festival

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: Two-day arts show + festival

Event Start Date: 2/17/16 Time: 6:00 pm Event End Date: 2/19/16 Time: 5:00 pm

Set up Date: 2/16+17 Time: ~~8:00~~ 7:00 am tents + portalettes Take Down Date: 2/20/16 Time: 5:00 pm

☐ 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:

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

☐ Other_____

_____

_____

*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: North Lakeshore Blvd. entries into the Park

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? Security from 6pm Friday to 6:00am Saturday + 6:00pm Saturday until 6:00 am Sunday; dumpster

6-9:00pm (2 officers for BBQ) 2 officers through out the night

Any additional information: Clean up through out 2 days starting at 9:00 am on Saturday to empty trash after Friday night BBQ

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 Permitee 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.

Jean Donaldson — 9/29/16

Signature of Sponsor or Authorized Representative of Sponsor — Date

Jean Donaldson

Printed Name

State of Florida
County of Polk

The forgoing instrument was acknowledged before me this 29th day of September, 2016 by Jean Donaldson.

JENNIFER NANEK
MY COMMISSION #FF069705
EXPIRES November 11, 2017
(407) 398-0153 FloridaNotaryService.com
(NOTARY SEAL)

Signature of Notary Public-State of Florida

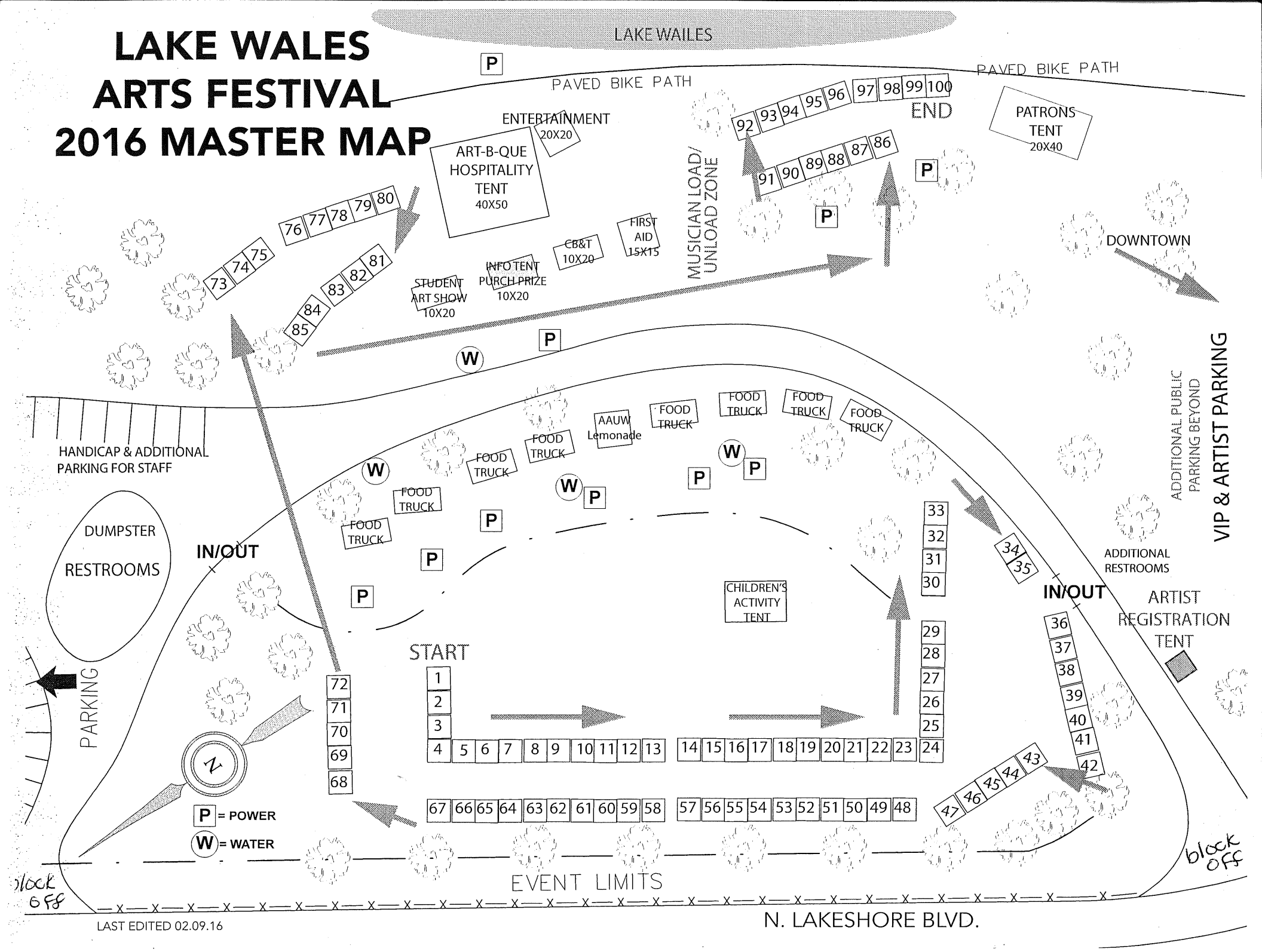
Jennifer Nanek

Name of Notary Typed, Printed, or Stamped

Personally Known ✓ OR Produced Identification_____

Type of Identification Produced: _____

LAKE WALES ARTS FESTIVAL 2016 MASTER MAP

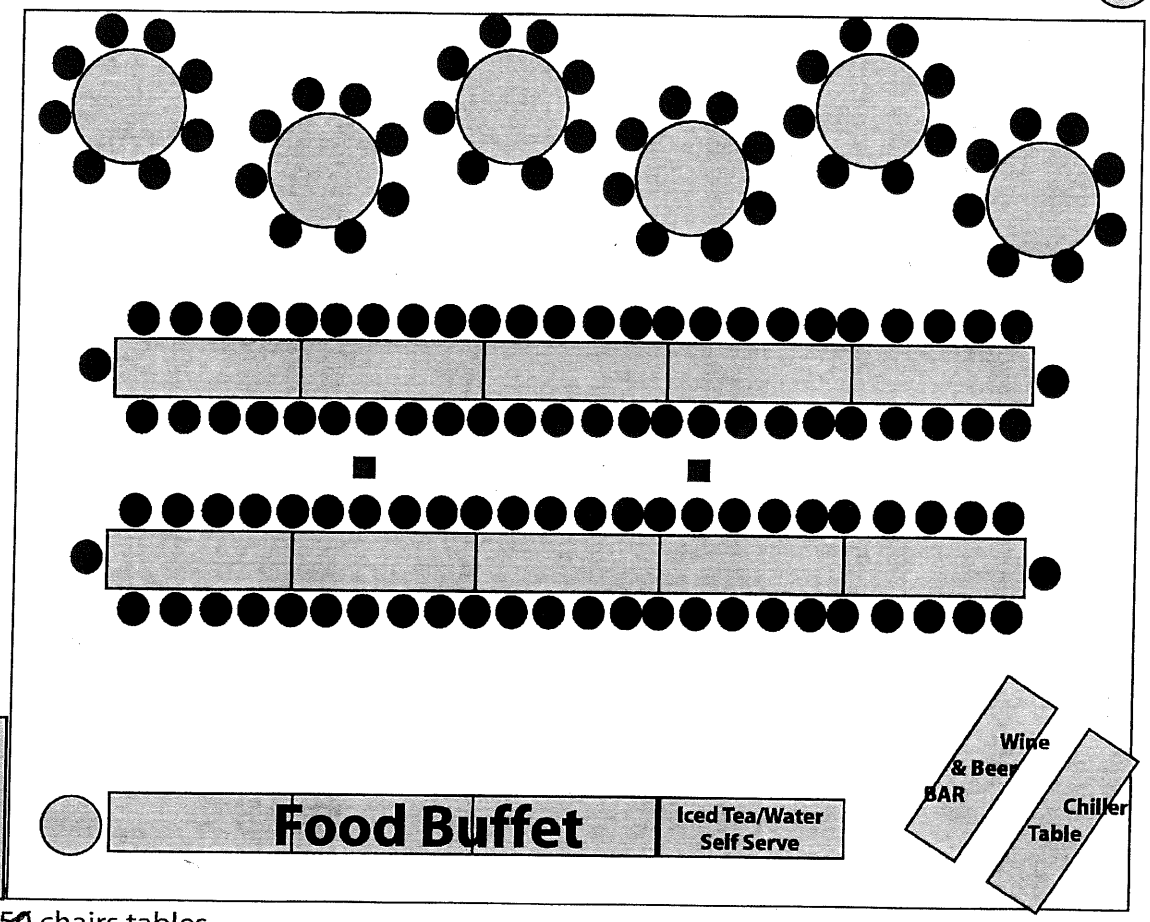


LAST EDITED 02.09.16

Lake Wailes

Band Tent

no alchol beyond this point signs



Hospitality Tent
Basketball court location
40x50
Need: *Market Lighting
Walls & Heaters TBD
*16- 8 foot banquet tables / ~~150~~ 200 chairs tables
*6- 60" round tables
*9- cocktail tables / 9 black spandex linens for cocktail tables
1 chiller table

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 09-09-2016

PRODUCER
Edward Lamb & Associates, Inc.
P.O. Drawer 1559
146 E. Stuart Ave.
Lake Wales FL 33859

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
Lake Wales Arts Council, Inc.
PO Box 608

Lake Wales FL 33859

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Travelers Property Casualty Company Of Ar	
INSURER B: Great American Ins. Co.	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY A COMMERCIAL GENERAL LIABILITY CLAIMS MADE A OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC	X - 6603B730460 - TIL - 16	03/01/2016	03/01/2017	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
		AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
		GARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY: EA ACC AGG	$ $ $
		EXCESS/UMBRELLA LIABILITY OCCUR CLAIMS MADE DEDUCTIBLE RETENTION $				EACH OCCURRENCE AGGREGATE	$ $ $ $ $
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $
B		OTHER Directors & Officers	EPP8184239	10/09/2015	10/09/2016	$1,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

CERTIFICATE HOLDER

City of Lake Wales
P O Box 1320

Lake Wales, FL 33859-1320

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE <JC>

© ACORD CORPORATION 1988

MEMORANDUM

October 12, 2016

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: Jennifer Nanek, Assistant to the City Manager

RE: Approval of Application for FRDAP Grant Funds to construct a picnic gazebo at Lake Wailes Park

SYNOPSIS: This is a grant application for $50,000 towards the construction of a picnic gazebo at Lake Wailes Park. Deadline for submittal is October 28. There is no match requirement.

RECOMMENDATION

Staff recommends that City Commission take the following action:

1. Approve the Florida Recreation Development Assistance (FRDAP) grant application to be submitted to the Department of Environmental Protection for a picnic gazebo at Lake Wailes Park.
2. Authorize the City Manager to execute the applications on the City's behalf.

BACKGROUND

The need for additional picnic areas and an entertainment venue has been frequently identified for Lake Wailes Park. The proposed 36'x36' gazebo will be constructed to the south of the Pram Shed. This gazebo will be rented out similar to the facilities at Crystal Lake Park and Kiwanis Park for private events but will also be available for special events.

OTHER OPTIONS

Do not submit the application.

FISCAL IMPACT

No match required.
Prepared by the Finance Department and attached.

ATTACHMENTS

Fiscal Impact Statement
Grant Application Draft

Florida Department of Environmental Protection

FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM

GRANT APPLICATION PACKAGE

Required Signatures: **Adobe Signature**

PART I — GENERAL INFORMATION

(DEP USE ONLY)

Received: _____

Postmarked: _____

Application Number: _____

1. APPLICANT INFORMATION

A. Name of Applicant: City of Lake Wales

B. Federal Employer Identification Number:** 59-6000357
****(This number must be registered at <u>My Florida Market Place</u> with the address the warrant will be forwarded)**

C. Population: 15362

D. Current Operating Budget: _____
(This is the operating budget for the city, county or special district, and not just the department budget)

E. Contact Person: Jennifer Nanek Title: Assistant to the City Manager
(The contact person is someone who will be in direct contact with DEP and be responsible for administering this grant if awarded)

F. Mailing Address: 200 Emerald Ave. Apt 30

City/State: Lake Wales Zip Code: 33853

Telephone :(863) 678-4182x270 E-mail: jnanek@cityoflakewales.com

FAX: 863-678-4180

I hereby certify that the information provided in this application is true and accurate. I further certify that I possess the authority to apply for this grant on behalf of the applicant.

_____ _____

Signature of City or County Manager/Title Date

2. PROJECT INFORMATION

A. Name of Project: Lake Wailes Park Picnic Gazebo

B. Project Type (Check One): Project cannot be a combination of acquisition and development

Acquisition: ☐

Development: ☑

☑ On land owned by applicant

☐ On land currently under site control by applicant

Date site control expires: _____

Trail Construction: ☐

☐ On land owned by applicant

☐ On land currently under site control by applicant

Date site control expires: _____

Development projects must be under site control (owned by deed, or leased or dedicated for minimum of 30 years from the date of application) by the close of the submission period (October 28, 2016).

- **School board property is ineligible** either by lease or ownership.
- Include a copy of the site control documents (e.g., deed, lease, etc.). **If providing a Quit Claim Deed, please attach a copy of a 30 year title search or title opinion.**

(Tab as Exhibit "N")

C. PROJECT LOCATION:

Street Address: N Lake Shore Blvd

City: Lake Wales County: Polk Zip Code: 33853-_____

GIS Coordinates: Latitude: _____ Longitude: _____

1. Submit a boundary map of the project area providing a description and sketch of the project area boundaries, display known easements and be legally sufficient to identify the project area. **Aerial photographs are accepted as boundary maps, as long as the boundaries are identified (Visit website for example).**

   (Tab as Exhibit "K")

2. Submit color, on-site photographs for **all three copies** of your application, sufficient to depict the physical characteristics of the project area.

   (Tab as Exhibit "L")

3. Location map and directions: Submit a detailed road map precisely locating the project site along with clear written driving instructions from the nearest federal or state highway. **NOTE:** Confirm that street names listed are the same as those posted on street signs in the area. Please do not use Map Quest or any other computer mapping program for this.

   (Tab as Exhibit "M")

D. LEGISLATIVE DISTRICTS IN WHICH THE PROJECT SITE IS LOCATED:
This should be the Florida Senate and Florida House district in which the **proposed project site is located**. If you are not sure of the district, contact your local office of the Supervisor of Elections. **(There is only one each.)**

State Senator: Denise Grimsley Senate District Number: 21

State Representative: Mike LaRosa House District Number: 42

E. TOTAL NUMBER OF ACRES BEING ACQUIRED OR TOTAL NUMBER OF ACRES BEING DEVELOPED: _____

F. DESCRIBE THE PHYSICAL CHARACTERISTICS OF THE PROJECT.

1) For Development Projects:

(a) Provide a description of the proposed project which includes existing and future uses, existing and proposed physical improvements, natural and historical resources, any proposed resource protection/conservation and any existing buildings on site.

Lake Wailes Park has 1 large lake, 3 picnic tables, 1 covered area with 2 picnic tables, 1 basketball court, 1 fishing pier with a small gazebo, 1 paved walking trail and festival area with various electric outlets and water spigots

(b) Indicate if a natural spring is located on project site: ☐ Yes ☑ No

(c) Indicate if there is public access to the park either through an existing street or easement: ☑ Yes ☐ No

Describe Public Access:

The public has access via Lake Shore Blvd & Park Avenue by car, and a walking trail by foot.

(If additional room needed - Tab as Exhibit "P")

2) For Acquisition Projects: (in addition to the above information)

(a) If the proposed project consists of acquiring multiple parcels or from multiple owners, identify specific order in which the parcels will be acquired to ensure that in the event that all parcels cannot be acquired, the purposes of the project can be achieved. Also address the ability to have public access to the park either through an existing street or easement.

n/a

(If additional room needed - Tab as Exhibit "P")

3. FINANCIAL INFORMATION

GRANT MATCH RATIOS: (Based on the grant cap of $200,000)

Project Cost	State Share	Grantee Share
$50,000 or less	100%	0%
$50,001 to $150,000	75%	25%
$150,001 up to $400,000	50%	50%

Project Cost = State Share + Grantee Share

Refer to Chapter 62D-5.055(4), F.A.C. for complete information on match requirements and match types. **The Total Project Cost (Line F) must equal the grant request (Line A) plus the total local match (Line E). This figure (Line F) should not total more than $400,000 for the purpose of this application.**

A. FRDAP Funds Requested (State Share) Line A $50,000.00

B. Local Funds Available: (Grantee Share)

1. Cash: Line B $0.00
2. In-Kind: Line C $0.00
3. Land Value: Line D $0.00

If property is developed, land value CANNOT be used as a match.

Total Local Match: Line E $0.00
Sum of lines B, C and D

C. Total Cost of Proposed Project: Line F $50,000.00

Sum of Lines A and E
(Should not total more than $400,000)

(If approved for REDI Match Waiver, fill out REDI Waiver Form located under FRDAP Administrative Forms at http://dep.state.fl.us/lands/Land_and_Recreation/Land_Recreation.htm).
(Tab as Exhibit "O")

D. PROJECT WORK PLAN (COMPLETE FOR ALL PROJECTS, DEVELOPMENT AND ACQUISITION):

On page 7 & 8 as attachment 1, list the project Work Plan for the elements for this application. The Project elements are listed with the related tasks and deliverables. Primary elements and support elements should be listed separately. Use as many project elements and tasks needed to complete the project.

Remember to include each element in your conceptual site plan. Submit a conceptual site plan displaying the areas and facilities to be developed as proposed on page 7 &8 of this application. The site plan must correlate with the project boundary map and work plan elements. The site plan must CLEARLY DELINEATE using color codes between facilities/opportunities currently existing, facilities proposed for funding (page 7 & 8) in this application and facilities planned for future development. If project is an acquisition project, be sure to submit on the site plan the proposed elements to be developed as listed on page 17 of this application. Also identify different FRDAP phases on the site plan and any LWCF phases.

DEVELOPMENT PROJECTS:

PRIMARY RECREATION AREAS AND FACILITIES: Primary facilities include all recreation facilities and opportunities. **Primary cost must be equal to or greater than fifty percent (50%) of the total cost.** Primary examples are: beach access, picnic facilities, fishing piers, ball fields, tennis courts, trails, trailheads, shade structures for recreational facilities, etc. Enclosed structures are not eligible costs. Costs of planning and site preparation should be included within the cost of each element. If land value is used as match, it should be included under primary cost. If this is a trail project, list the uses or types of trails. If developing one trail for multi-purposes state multi-purpose trail, but if doing several different trails list separately with each use (example: walking trail or bike trail).

SUPPORT FACILITIES AND IMPROVEMENTS: Support facilities are facilities which cannot stand alone, or which would have little or no public outdoor recreational value without the primary facility. No enclosed structures are eligible except restrooms, bathhouses or restroom/concession stands. Other support examples are: parking, landscaping, and security lighting. Amenities such as benches, or bike racks will receive no points when being scored. The enclosed structures listed above cannot be phased and must be completed with one grant.

ACQUISITION PROJECTS:

If acquisition project, on page 7 & 8, list the project work plan for the acquisition phase of the project.

(Tab as Exhibit "H")

FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP)
DEVELOPMENT
PROJECT BUDGET DETAIL

Project Name: Lake Wailes Park Picnic Gazebo

Grantee Name: City of Lake Wales

The project reimbursement is limited to one (1) invoice upon completion of all Project Elements listed below and submittal of all Deliverables and required documentation identified in the table below. Completion Documentation required prior to Reimbursement Request.

Project Tasks, Deliverables and Required Documentation

Task #1: Development of: Lake Wales Park Gazebo	**Amount of Costs to be Paid with Grant Funds**	**Amount of Costs to be Paid with Grantee Match**	**Deliverables and Documentation To Be Submitted Upon Completion And Before Reimbursement Can Be Approved**
(List each **Primary** project element)	Provide Budget Detail	Provide Budget Detail	Project Completion Certification Final as-built site plan Florida Recreation and Parks Inventory Form Color Photographs of Project Notice of Limitation of Use Boundary Survey

(List each **Support** project element) 1 36x36 octagon gazebo with 6 picnic tables *All work will be completed in accordance with the approved plans.	$50,000.00		
TOTALS:	**$** 50,000.00	**$**	

Performance Standard: Approval of deliverables is based upon review for compliance with the requirements for funding under the Florida Recreation Development Assistance Program (FRDAP); approved plans and application approved for funding.

INSTRUCTIONS FOR COMPLETING PROJECT WORK PLAN:

DELIVERABLES/ELEMENTS/WORK TO BE COMPLETED: Identify **ALL** elements that will be completed under this Agreement.

DELIVERABLE/ELEMENT BUDGET AMOUNT FOR REIMBURSEMENT: Must provide a budget for each element and identify the expense category and budget detail. Provide description of the costs as follows: **Salaries**: identify the position title/hourly rate/# of hours to complete the deliverable; **Fringe benefits:** identify the % used to calculate the fringe benefits; **Contractual Services:** identify what service will be paid for under the contract for services; **Equipment:** the purchase of equipment is not allowed under this Agreement, the rental of equipment is the only costs allowed that are associated with equipment; **Supplies and Materials:** identify what supplies/materials will be purchased; **Other** costs: identify what other costs are being requested (such as printing costs, other costs that do not fit into the other established cost categories (salaries, fringe benefits, equipment, supplies, indirect, contractual services); Indirect Costs: identify the percentage that is used for the indirect being claimed for reimbursement (cannot exceed 15% unless prior approval has been obtained by the Department)..

MATCH AMOUNT TO BE CLAIMED: The same level of detail must be provided for match as for reimbursement.

DOCUMENTATION/DELIVERABLES TO BE SUBMITTED UPON COMPLETION: All of these deliverables must be submitted before final reimbursement can be processed.

Completion Documentation required prior to Reimbursement

PART II — EVALUATION CRITERIA

GENERAL CRITERIA

1. CAPITAL IMPROVEMENT PLAN

A. Is the proposed project identified, in whole or in part, in the applicant's capital improvement plan or schedule during the current or next three (3) fiscal years?

Provide:
1) A letter from the agency's city or county manager certifying the five year capital improvement schedule is **officially adopted and date adopted. Project will not receive points if letter is not submitted and does not state the date CIP was adopted.**

- AND -

2) A copy of the five-year capital improvement schedule included in the applicant's adopted Local Comprehensive Plan, stating project by name, amount and year (County or City budgets are not the same as capital improvement schedules) **Please highlight project name, amount and year**.

(20 points)

☑ Yes ☐ No

--- OR ---

B. Is the proposed project identified as part of the plan through an adopted resolution committing the applicant to amend their capital improvement plan or schedule and complete the project should it receive program funds?

Provide: a copy of a fully executed resolution amending the existing schedule to include the proposed project. The resolution must **clearly indicate the proposed project by name, amount and year and <u>cannot be older than 3 years</u>.**

(10 points)

☐ Yes ☐ No

(Tab as Exhibit "A")

2. STATE COMPREHENSIVE OUTDOOR RECREATION PLAN

A. Explain how the proposed project would address one or more of the issues or goals identified in the State Comprehensive Outdoor Recreation Plan. Use the **OUTDOOR RECREATION IN FLORIDA-2008 (Chapter 6 & 7). Provide quotations or other appropriate references with explanations to justify the correlation**. <u>To receive points, must give a detailed explanation as to how the project meets the goals, cannot only list the goals.</u>

(Tab as Exhibit "B") (4 points)

B. 2008 Relative Need Index by Region

The proposed project provides for a priority resource or facility need in the applicant's planning region identified in the Statewide Comprehensive Outdoor Recreation Plan. Locate the applicant's region and circle each priority resource/facility need as **proposed in the project** cost on page 7 & 8 of this application:

(7 points)

_____I Saltwater Beach Activities* Baseball or Softball * Picnicking *Football Outdoor Swimming Pool Use * Saltwater Non-Boat Fishing * Golf RV / Trailer Camping * Freshwater Boat Ramp Use * Soccer or Rugby

_____II Saltwater Beach Activities * Nature Study * Historical or Archeological Sites Baseball or Softball * Picnicking * Freshwater Boat Ramp Use * Football Hunting * Horseback Riding * Outdoor Swimming Pool Use

_____III Football * Picnicking * Nature Study * Soccer or Rugby * Baseball or Softball Horseback Riding * Outdoor Basketball * RV / Trailer Camping Freshwater Boat Ramp Use * Bicycle Riding – Unpaved Trails

_____IV Historical or Archeological Sites * Baseball or Softball * Football Saltwater Beach Activities * Picnicking * Outdoor Swimming Pool Use * Outdoor Basketball * Nature Study * Golf * Soccer or Rugby

_____V Picnicking * Football * RV / Trailer Camping * Nature Study * Baseball or Softball Bicycle Riding - Unpaved Trails * Outdoor Basketball * Soccer or Rugby Horseback Riding * Outdoor Swimming Pool Use

_____VI Picnicking * RV / Trailer Camping * Football * Baseball or Softball Outdoor Swimming Pool Use * Nature Study * Historical or Archeological Sites Outdoor Basketball * Saltwater Beach Activities * Soccer or Rugby

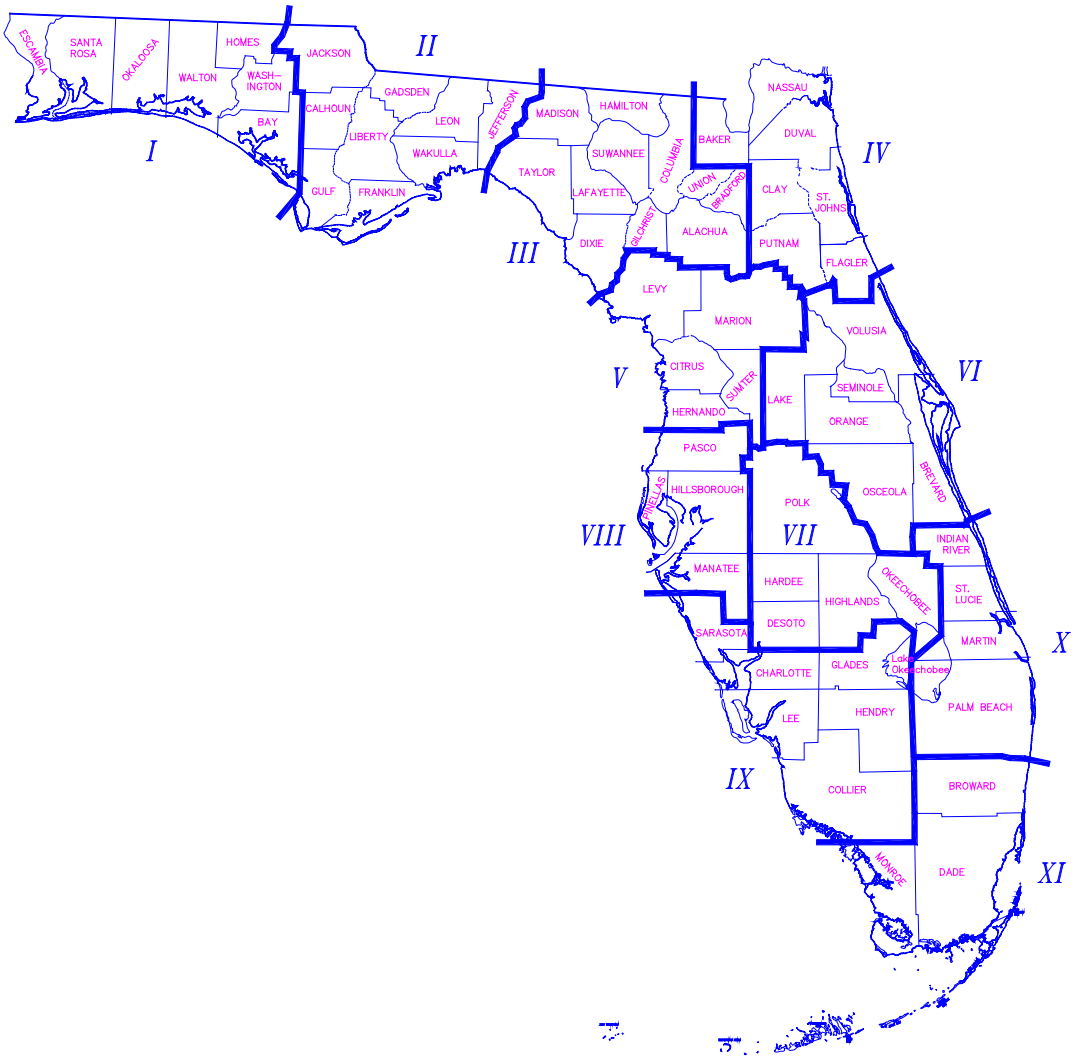
_____VII RV / Trailer Camping * Picnicking * Baseball or Softball * Outdoor Swimming Pool Use Nature Study * Freshwater Boat Ramp Use * Football * Golf * Horseback Riding Outdoor Basketball

_____VIII Picnicking * RV / Trailer Camping * Baseball or Softball * Football * Outdoor Swimming Pool Use Saltwater Beach Activities * Golf * Outdoor Basketball * Outdoor Tennis * Soccer or Rugby

_____IX Picnicking * RV / Trailer Camping * Saltwater Beach Activities * Outdoor Swimming Pool Use Golf * Football * Nature Study * Baseball or Softball * Outdoor Tennis * Historical or Archaeological Sites

_____X Football * Golf * Baseball or Softball * Outdoor Swimming Pool Use * Picnicking * Outdoor Tennis Saltwater Beach Activities * Outdoor Basketball * RV / Trailer Camping * Soccer or Rugby

_____XI Outdoor Swimming Pool Use * Picnicking * Football * Baseball or Softball * Saltwater Beach Activities * Outdoor Tennis * Golf * Outdoor Basketball * Saltwater Non-Boat Fishing * RV / Trailer Camping



3. PUBLIC PARTICIPATION

Indicate which of the following apply **(Check ALL that apply**):
(To receive points for this section any meetings, presentations, or surveys must be held in the current year or within the **previous 3 years** of application and each of **the three meetings must be held separately** to receive each set of points. **Meetings also must be held prior to the application submittal.**)

_____A. A pre-advertised public meeting was held **solely** for the purpose of discussing the proposed project. Attach a copy of ad and proof of publication for the advertisement. Advertisement needs to state where and when advertised. **If submitting 2 applications, must hold separate meeting for each project (unless they are phased projects of the same park). If not advertised in a newspaper, need a written explanation as to how, when and where advertised, along with a copy of notice/advertisement.**

(Tab as Exhibit "C-1") (10 points)

_✔_B. The project was discussed at a **regularly** scheduled meeting of the applicant's advisory board responsible for park, recreation or leisure service activities. Provide **a copy of the minutes** of the advisory board meeting(s) where **this project** was discussed. The board must be an appointed group of citizens, such as a parks and recreation advisory board, who would normally review projects similar to the proposed grant application. Planning and zoning or similar boards may be used if a parks and recreation advisory board does not exist. **CITY OR COUNTY COMMISSIONS ARE NOT CONSIDERED ADVISORY BOARDS.**

(**Tab as Exhibit "C-2") (7 points)**

_____C. Public input on the proposed project was obtained through presentations to community organizations, neighborhood associations and/or a written opinion survey. Provide documentation (**minutes from the meeting which the project was discussed** with date or thank-you letter from an organization, association, etc.) showing that presentations **regarding this project** were made to community organizations or groups **OR** provide a **copy of the survey, who surveyed** and **summary of the results**. **Letters of support are not acceptable to receive points.**

(Tab as Exhibit "C-3") (4 points)

4. OPERATION AND MAINTENANCE

Capability to develop, operate and maintain the project site: **(Check ONLY one)**:

Provide **a brief description** of how development, programming and maintenance will be provided and **a copy of an agency organizational chart. Must provide both to receive points.**

_✔_The applicant has a full-time recreation or park department staffed to provide facility development, programming and maintenance.

(Tab as Exhibit "D") (6 points)

_____The applicant has demonstrated the existence of a full-time ability to provide facility development, programming and maintenance.

(Tab as Exhibit "D") (4 points)

_____The applicant has other means of providing facility development, programming and maintenance.

(**Tab as Exhibit "D") (2 points)**

5. PARK PARTNERSHIP

The proposed project is supported through a fully executed written cooperative agreement between the applicant and a private or public entity **(within the current or past 3 years)** in which said entity agrees to furnish 10% or more of the total project costs in cash, land, or labor services for the **development/construction** of this project with the applicant holding the leading management responsibility. **The written agreement must be executed by the end of the submission period and quantify the donation in monetary units. This can be a cooperative agreement between either parties or a letter from the entity agreeing to furnish 10% of the total project costs in cash, materials, land, or labor services.**

(A management or maintenance agreement is not acceptable.)

_____Yes _____No

(**Tab as Exhibit "E") (3 points)**

6. TRAIL CONNECTIVITY

The project provides for increased trail access by connecting an existing, publicly owned and designated recreational trail which is **outside the project boundary. Indicate on the site plan the project trail/connection and name and location of existing trail(s) outside the boundaries.**

_____Yes _____No

(**Tab as Exhibit "G") (5 points)**

DEVELOPMENT CRITERIA (COMPLETE ONLY FOR DEVELOPMENT PROJECTS)

1. NEW DEVELOPMENT

List the existing facilities/improvements on the project site. Include improvements such as baseball fields, basketball courts, trails, boat ramps, etc. (Bullet lists are encouraged) (**If undeveloped, state None**). The site plan must clearly delineate between facilities/opportunities currently existing, facilities proposed for funding in this application and facilities planned for future development. **Identify and color code different funding phases from the existing facilities.**

(Tab as Exhibit "G") **(5 points, if undeveloped)**

Current:- 1 lake
3 picnic tables
1 shelter with 2 picnic tables
1 basketball court
1 walking trail
3 benches

2. INFRASTRUCTURE ASSESSMENT OF LOCAL GOVERNMENT RECREATION AND PARK DEPARTMENT FACILITY NEEDS IN THE STATE OF FLORIDA

A) List the facilities which are addressed on page 7 & 8 of this application which are identified in the priority ranked index clusters of outdoor facilities needs for renovation and/or new construction identified within the applicant's population density as set forth in the Department's study entitled "Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida" effective December 1995. (See attached pages 22-26 for Priority Ranked Index Clusters. A project facility not listed in the priority ranked indexes will receive a score of a similar facility included in the indexes, as determined by the Department staff.) **(If developing trails, must have separate trails to receive separate points.**

(Maximum 30 points)

1 36x36 gazebo with picnic tables to allow for more picnicking at Lake Wailes Park

B) Does the proposed project, in whole or in part, address the highest priority of infrastructure funding needs for the applicant's population density as set forth in the study titled "**1995 INFRASTRUCTURE ASSESSMENT OF LOCAL GOVERNMENT RECREATION AND PARK DEPARTMENT FACILITY NEEDS IN THE STATE OF FLORIDA"**. Use the table below to determine in which priority funding need ranking the project falls**. (Check ONLY one):**

_____☐_____ Highest Priority Funding Need **(13 points)**

_____☑_____ Second Highest Priority Funding Need **(8 points)**

Population Density 1 – Population Under 10,000	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 2 – Population 10,000 to 24,999	**Rank 1** **Rank 2**	**Renovation** **Construction**
Population Density 3 – Population 25,000 to 49,999	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 4 – Population 50,000 to 99,999	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 5 – Population 100,000 and Over	**Rank 1** **Rank 2**	**Renovation** **Construction**

Source: The 1995 Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida

ACQUISITION CRITERIA (COMPLETE ONLY FOR ACQUISITION PROJECTS)

1. INFRASTRUCTURE ASSESSMENT OF LOCAL GOVERNMENT RECREATION AND PARK DEPARTMENT FACILITY NEEDS IN THE STATE OF FLORIDA

List all the facilities that will be developed for this project. Only facilities identified in the top three priority ranked index clusters of outdoor facilities needs for new construction identified within the applicant's population density as set forth in the Department's study entitled "Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida", effective December 1995, will receive these points. (Priority ranked index clusters are attached as pages 22-26.)

(15 points)

2. NEEDED RECREATIONAL ACREAGE

Describe how the project provides for identified need(s) for additional park acreage pursuant to the applicant's adopted local comprehensive plan. **Provide the following:**

A. ____**Needed acres/Person and** ____**Total Acreage Under Local Control**

B. Provide excerpts of the applicant's local comprehensive plan as supporting back-up documentation and highlight the information that pertains to this section.

(Tab as Exhibit "F") **(15 points)**

3. CAPITAL IMPROVEMENT PLAN

A) Is the proposed **development** of the property identified in the applicant's capital improvement plan (CIP) or schedule during the current or next three (3) fiscal years?

1). **Provide:** a letter from the agency's city or county manager certifying the five year capital improvement schedule is officially adopted and date adopted. **Project will not receive points if letter is not submitted and does not state the date CIP was adopted**.

- AND-

2). **Provide:** a copy of the five-year capital improvement schedule included in the applicant's adopted Local Comprehensive Plan, stating project by name, amount and year (County or City budgets are not the same as capital improvement schedules). **Highlight project name, amount and year.**

(6 points)

_____Yes _____No

----OR----

B) Is the proposed **development** of the property included as part of the plan through an adopted resolution committing the applicant to amend their CIP and develop the property should it receive program funds?

Provide: a copy of a fully executed resolution amending the existing schedule to include the development of the proposed project. The resolution must **clearly indicate** the **development of the proposed project by name, year and amount and cannot be older than 3 years.**

(3 points)

_____Yes _____No

(Tab as Exhibit "A")

TRAIL CONSTRUCTION CRITERIA
(COMPLETE ONLY FOR CONSTRUCTION OF TRAIL PROJECTS)

1. NEW DEVELOPMENT

List the existing facilities/improvements on the project site. Include improvements such as trails, trailheads, ball fields, basketball courts, etc. (Bullet lists are encouraged. **If undeveloped, state None**.) The site plan must clearly delineate between facilities/opportunities currently existing, facilities proposed for funding in this application and facilities planned for future development. Identify and color code different funding phases from the existing facilities.

(Tab as Exhibit "G") (5 points, if undeveloped)

2. STATE GREENWAYS AND TRAILS PLAN

Explain how the proposed project would address one or more issues or goals as identified in the Florida Greenways and Trails System Plan. Use **"Florida Greenways and Trails System Plan– 2013-2017"**. **Provide quotations or other appropriate references to justify the correlation. Use a separate sheet if necessary**.

(Tab as Exhibit "H") (6 points)

3. STATE OF FLORIDA DESIGNATED RECREATIONAL GREENWAY OR TRAIL

The project is located on or connects with a State of Florida designated greenway or trail.
Provide a map and documentation (letter from Office of Greenways and Trails) indicating connectivity.
Designation Agreements must be fully executed by the end of submission period.

_☐__Yes _☑__No

(Tab as Exhibit "I") (3 points)

4. REGIONAL OR LOCAL GREENWAYS AND TRAILS PLAN

Explain how the proposed project would implement a Greenway and Trail Plan adopted by either a regional or local governmental entity. Provide quotations or appropriate references with **explanations** to justify correlation. **Enclose a copy of the regional or local governmental adopted Greenway Plan.**

(Tab as Exhibit "J") (4 points)

5. MIXED USE OR SINGLE USE TRAILS

Does the specific trail design demonstrate that the project will support:
Mixed use recreational trail opportunities, either motorized or non-motorized, or both?

_____Yes _____No **(8 points)**

-------OR-------

Single use recreational trail opportunities?

_____Yes _____No **(6 points)**

6. INFRASTRUCTURE ASSESMENT OF LOCAL GOVERNMENT RECREATION AND PARK DEPARTMENT FACILITY NEEDS IN THE STATE OF FLORIDA

Does the proposed project, in whole or in part, address the highest priority of infrastructure funding needs for the applicant's population density as set forth in the study titled "**1995 INFRASTRUCTURE ASSESSMENT OF LOCAL GOVERNMENT RECREATION AND PARK DEPARTMENT FACILITY NEEDS IN THE STATE OF FLORIDA"**. Use the table below to determine in which priority funding need ranking the project falls. **(Check ONLY one)**:

_____ Highest Priority Funding Need **(13 points)**

_____ Second Highest Priority Funding Need **(8 points)**

Population Density 1 – Population Under 10,000	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 2 – Population 10,000 to 24,999	**Rank 1** **Rank 2**	**Renovation** **Construction**
Population Density 3 – Population 25,000 to 49,999	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 4 – Population 50,000 to 99,999	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 5 – Population 100,000 and Over	**Rank 1** **Rank 2**	**Renovation** **Construction**

Source: The 1995 Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida

Part III – Supporting Documents

POPULATION DENSITIES

Outdoor Facility Needs Ranked by Priority Index: Population Density 1

Rank	Renovation		Construction		
	Facility	Points	Facility	Points	
1	Playgrounds	6	Baseball Fields	6	**Cluster I**
2	Support Facilities	5	Softball Fields	5	
3	Tennis Courts	5	Playgrounds	5	**Cluster II**
4	Rest Rooms	5	Rest Rooms	5	
5	Picnic Facilities	4	Support Facilities	4	
6	Baseball Fields	4	Soccer Fields	4	
7	Basketball Courts	4	Basketball Courts	4	**Cluster III**
8	Softball Fields	4	Bike Trails	4	
9	Swimming Pools	4	Swimming Pools	4	
10	Boating Facilities	4	Tennis Courts	4	
11	Fishing Piers	3	Picnic Facilities	3	
12	Camping	3	Handball Courts	3	
13	Handball Courts	3	Fishing Piers	3	**Cluster IV**
14	Football Fields	3	Football Fields	3	
15	Soccer Fields	3	Boating Facilities	3	
16	Beach Access	2	Exercise Trails	2	
17	Historical Facilities	2	Camping	2	
18	Shuffleboard Courts	2	Beach Access	2	**Cluster V**
19	Nature Trails	2	Historical Facilities	2	
20	Other	2	Shuffleboard Courts	2	
21	Golf Courses	2	Nature Trails	2	
22	Bike Trails	1	Golf Courses	1	
23	Exercise Trails	1	Hiking Trails	1	**Cluster VI**
24	Hiking Trails	1	Horse Trails	1	
25	Horse Trails	1	Other	1	

Population Density 1 - Population Under 10,000

Outdoor Facility Needs Ranked by Priority Index: Population Density 2

Rank	Renovation		Construction		
	Facility	Points	Facility	Points	
1	Rest Rooms	6	Support Facilities	6	**Cluster I**
2	Support Facilities	6	Rest Rooms	6	
3	Playgrounds	6	Playgrounds	6	
4	Baseball Fields	5	Softball Fields	5	
5	Tennis Courts	5	Soccer Fields	5	**Cluster II**
6	Softball Fields	5	Baseball Fields	5	
7	Basketball Courts	4	Basketball Courts	4	
8	Boating Facilities	4	Picnic Facilities	4	**Cluster III**
9	Swimming Pools	4	Swimming Pools	4	
10	Picnic Facilities	4	Football Fields	4	
11	Soccer Fields	4	Tennis Courts	4	
12	Exercise Trails	3	Handball Courts	3	
13	Football Fields	3	Nature Trails	3	**Cluster IV**
14	Shuffleboard Courts	3	Bike Trails	3	
15	Handball Courts	2	Boating Facilities	2	
16	Beach Access	2	Other	2	
17	Fishing Piers	2	Exercise Trails	2	
18	Camping	2	Golf Courses	2	**Cluster V**
19	Bike Trails	2	Hiking Trails	2	
20	Nature Trails	2	Fishing Piers	2	
21	Other	2	Camping	2	
22	Golf Courses	1	Beach Access	1	
23	Hiking Trails	1	Historical Facilities	1	
24	Historical Facilities	1	Horse Trails	1	**Cluster VI**
25	Horse Trails	1	Shuffleboard Courts	1	

Population Density 2 - Population From 10,000 to 24,999

Outdoor Facility Needs Ranked by Priority Index: Population Density 3

Rank	Renovation		Construction		
	Facility	Points	Facility	Points	
1	Rest Rooms	6	Baseball Fields	6	**Cluster I**
2	Playgrounds	6	Soccer Fields	6	
3	Support Facilities	5	Support Facilities	5	
4	Tennis Courts	5	Softball Fields	5	**Cluster II**
5	Baseball Fields	5	Playgrounds	5	
6	Basketball Courts	5	Boating Facilities	5	
7	Beach Access	4	Football Fields	4	
8	Swimming Pools	4	Tennis Courts	4	**Cluster III**
9	Soccer Fields	4	Rest Rooms	4	
10	Picnic Facilities	4	Picnic Facilities	4	
11	Football Fields	3	Basketball Courts	3	
12	Softball Fields	3	Other	3	**Cluster IV**
13	Boating Facilities	3	Exercise Trails	3	
14	Exercise Trails	2	Bike Trails	2	
15	Handball Courts	2	Nature Trails	2	
16	Other	2	Camping	2	
17	Golf Courses	2	Handball Courts	2	
18	Shuffleboard Courts	2	Historical Facilities	2	**Cluster V**
19	Fishing Piers	2	Swimming Pools	2	
20	Bike Trails	2	Hiking Trails	2	
21	Hiking Trails	2	Golf Courses	2	
22	Nature Trails	2	Beach Access	2	
23	Camping	2	Fishing Piers	2	
24	Historical Facilities	1	Horse Trails	1	**Cluster VI**
25	Horse Trails	1	Shuffleboard Courts	1	

Population Density 3 - Population From 25,000 to 49,999

Outdoor Facility Needs Ranked by Priority Index: Population Density 4

Rank	Renovation		Construction		
	Facility	Points	Facility	Points	
1	Playgrounds	6	Soccer Fields	6	**Cluster I**
2	Rest Rooms	5	Playgrounds	5	
3	Support Facilities	5	Picnic Facilities	5	**Cluster II**
4	Tennis Courts	5	Baseball Fields	5	
5	Soccer Fields	5	Support Facilities	5	
6	Baseball Fields	5	Swimming Pools	5	
7	Swimming Pools	4	Softball Fields	4	
8	Exercise Trails	4	Basketball Courts	4	**Cluster III**
9	Softball Fields	4	Rest Rooms	4	
10	Basketball Courts	4	Other	4	
11	Handball Courts	3	Exercise Trails	3	**Cluster IV**
12	Picnic Facilities	3	Golf Courses	3	
13	Boating Facilities	2	Tennis Courts	2	
14	Beach Access	2	Boating Facilities	2	
15	Fishing Piers	2	Fishing Piers	2	
16	Shuffleboard Courts	2	Football Fields	2	
17	Football Fields	2	Handball Courts	2	
18	Golf Courses	2	Bike Trails	2	**Cluster V**
19	Nature Trails	2	Nature Trails	2	
20	Other	2	Hiking Trails	2	
21	Bike Trails	2	Horse Trails	2	
22	Camping	2	Beach Access	2	
23	Hiking Trails	2	Camping	2	
24	Historical Facilities	1	Historical Facilities	1	**Cluster VI**
25	Horse Trails	1	Shuffleboard Courts	1	

Population Density 4 - Population From 50,000 to 99,999

Outdoor Facility Needs Ranked by Priority Index: Population Density 5

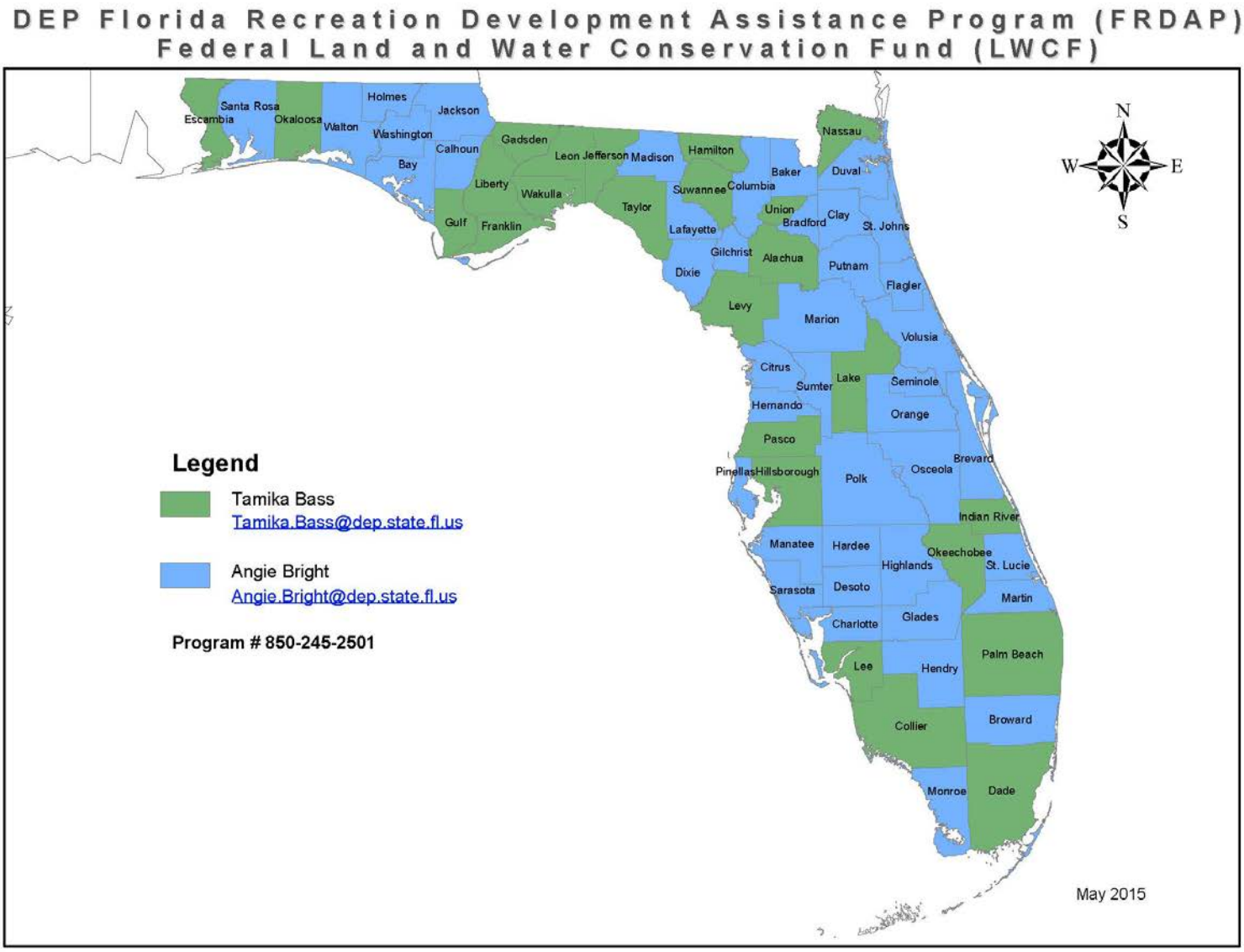
Rank	Renovation		Construction		
	Facility	Points	Facility	Points	
1	Support Facilities	6	Support Facilities	6	**Cluster I**
2	Rest Rooms	5	Baseball Fields	5	**Cluster II**
3	Playgrounds	5	Playgrounds	5	
4	Tennis Courts	4	Softball Fields	4	
5	Swimming Pools	4	Rest Rooms	4	**Cluster III**
6	Boating Facilities	4	Soccer Fields	4	
7	Basketball Courts	4	Picnic Facilities	4	
8	Golf Courses	3	Bike Trails	3	
9	Softball Fields	3	Swimming Pools	3	
10	Picnic Facilities	3	Exercise Trails	3	
11	Historical Facilities	3	Hiking Trails	3	**Cluster IV**
12	Baseball Fields	3	Other	3	
13	Fishing Piers	3	Golf Courses	3	
14	Exercise Trails	3	Camping	3	
15	Soccer Fields	3	Beach Access	3	
16	Handball Courts	2	Historical Facilities	2	
17	Camping	2	Tennis Courts	2	
18	Football Fields	2	Basketball Courts	2	**Cluster V**
19	Nature Trails	2	Boating Facilities	2	
20	Beach Access	2	Fishing Piers	2	
21	Bike Trails	2	Football Fields	2	
22	Other	2	Nature Trails	2	
23	Hiking Trails	2	Handball Courts	2	
24	Horse Trails	1	Horse Trails	1	**Cluster VI**
25	Shuffleboard Courts	1	Shuffleboard Courts	1	

Population Density 5 - Population From 100,000 & Over

CONTACT FOR ADDITIONAL INFORMATION:

Contact	Phone
A. FRDAP Application Information & Help	850/245-2501
B. FRDAP Administrative Rule http://dep.state.fl.us/lands/Land_and_Recreation/Land_Recreation.htm	850/245-2501
C. Statewide Comprehensive Outdoor Recreation Plan (SCORP) www.dep.state.fl.us/parks/planning	850/245-3051
D. State Lands, Bureau of Appraisal	850/245-2555
E. Recreation Accessibility and Safety Program Manager, Florida Park Service	850/245-3031
F. Office of Greenways & Trails and the Florida Statewide Greenways & Trails Plan	850/245-2052

ATTACHMENT 2
FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP)
GRANT APPLICATION PACKET



STATEMENT OF FISCAL IMPACT
FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP)
Construction of Picnic Gazebo at Lake Wailes Park
(STATE GRANT)

PREPARED BY

CITY OF LAKE WALES
FINANCE DEPARTMENT

Nature of Statement and Information Disclosed

This is a statement of fiscal impact has been 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:

- **Memorandum from Jennifer Nanek, Special Projects Manager**
- **FRDAP FY 2016'17 Grant Application Package**

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
Grant funding in the amount of $50,000. There is no match requirement.

Impacts on Expenditures
Estimated project cost of $50,000 for construction of a picnic gazebo at Lake Wailes Park. Any cost overruns must be borne by the General Fund.

Future Fiscal Impacts

Impacts on Revenue
N/A

Impacts on Expenditures
N/A

Other Future Commitments

Maintenance costs of the equipment will be the responsibility of the City. Any maintenance relating to these items will be funded by the General Fund.

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:

Vanessa Revelo

Vanessa Revelo
Accountant III
City of Lake Wales

MEMORANDUM

October 12, 2016

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: Jennifer Nanek, Assistant to the City Manager

RE: Approval of Application for FRDAP Grant Funds to install additional lighting at the Soccer Complex on Hunt Brothers Rd.

SYNOPSIS: This is a grant application for $50,000 towards improvements to the Soccer Complex on Hunt Brothers Road. These funds will be for additional lighting on two fields. Deadline for submittal is October 28. There is no match requirement but the total cost of 2 light poles is $74,000 so a match is listed at $25,000.

RECOMMENDATION

Staff recommends that City Commission take the following action:

1. Approve the Florida Recreation Development Assistance (FRDAP) grant application to be submitted to the Department of Environmental Protection for lighting improvements to the Soccer Complex.
2. Authorize the City Manager to execute the applications on the City's behalf.

BACKGROUND

When the Soccer Complex was completed in 2008 only 25% (approximately) of the necessary field lighting was installed. As a result, the majority of the complex is not usable after daylight hours. The fields that are currently lit require much more maintenance as they are overused due to the unavailability of the lights on the remaining fields. This next phase of lighting will be strategically installed in the center of the complex in an effort to light as many of the fields as possible, maximizing the dollars spent. This complex facilitates recreation for approximately 600 children annually.

This application is for the last phase of an effort to light all of the fields. If awarded, the City will receive the grant agreement in July 2017. A match is not required but the cost of 2 light poles is $74,000 so if this grant is awarded the $50,000 will need a match of $25,000 to install the last two needed poles on the fields.

OTHER OPTIONS

Do not submit the application.

FISCAL IMPACT

A match of $25,000
Prepared by the Finance Department and attached.

ATTACHMENTS
Fiscal Impact Statement
Grant Application Draft

Florida Department of Environmental Protection

FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM

GRANT APPLICATION PACKAGE

Required Signatures: **Adobe Signature**

PART I — GENERAL INFORMATION

(DEP USE ONLY)

Received: _____

Postmarked: _____

Application Number: _____

1. APPLICANT INFORMATION

A. Name of Applicant: City of Lake Wales

B. Federal Employer Identification Number:** 59-6000357
****(This number must be registered at <u>My Florida Market Place</u> with the address the warrant will be forwarded)**

C. Population: 15362

D. Current Operating Budget: _____
(This is the operating budget for the city, county or special district, and not just the department budget)

E. Contact Person: Jennifer Nanek Title: Assistant to the City Manager
(The contact person is someone who will be in direct contact with DEP and be responsible for administering this grant if awarded)

F. Mailing Address: 200 Emerald Ave. Apt 30

City/State: Lake Wales Zip Code: 33853

Telephone :(863) 678-4182x270 E-mail: jnanek@cityoflakewales.com

FAX: 863-678-4180

I hereby certify that the information provided in this application is true and accurate. I further certify that I possess the authority to apply for this grant on behalf of the applicant.

_____ _____

Signature of City or County Manager/Title Date

2. PROJECT INFORMATION

A. Name of Project: Soccer Field Lighting Phase II

B. Project Type (Check One): Project cannot be a combination of acquisition and development

Acquisition: ☐

Development: ☑

☑ On land owned by applicant

☐ On land currently under site control by applicant

Date site control expires: _____

Trail Construction: ☐

☐ On land owned by applicant

☐ On land currently under site control by applicant

Date site control expires: _____

Development projects must be under site control (owned by deed, or leased or dedicated for minimum of 30 years from the date of application) by the close of the submission period (October 28, 2016).

- **School board property is ineligible** either by lease or ownership.
- Include a copy of the site control documents (e.g., deed, lease, etc.). **If providing a Quit Claim Deed, please attach a copy of a 30 year title search or title opinion.**

(Tab as Exhibit "N")

C. PROJECT LOCATION:

Street Address: 151 Hunt Brothers Rd

City: Lake Wales County: Polk Zip Code: 33853-_____

GIS Coordinates: Latitude: 27 52'21.80"N Longitude: 81 35'19.80W

1. Submit a boundary map of the project area providing a description and sketch of the project area boundaries, display known easements and be legally sufficient to identify the project area. **Aerial photographs are accepted as boundary maps, as long as the boundaries are identified (Visit website for example).**

(Tab as Exhibit "K")

2. Submit color, on-site photographs for **all three copies** of your application, sufficient to depict the physical characteristics of the project area.

(Tab as Exhibit "L")

3. Location map and directions: Submit a detailed road map precisely locating the project site along with clear written driving instructions from the nearest federal or state highway. **NOTE:** Confirm that street names listed are the same as those posted on street signs in the area. Please do not use Map Quest or any other computer mapping program for this.

(Tab as Exhibit "M")

D. LEGISLATIVE DISTRICTS IN WHICH THE PROJECT SITE IS LOCATED:
This should be the Florida Senate and Florida House district in which the **proposed project site is located**. If you are not sure of the district, contact your local office of the Supervisor of Elections. **(There is only one each.)**

State Senator: Denise Grimsley Senate District Number: 21

State Representative: Mike LaRosa House District Number: 42

E. TOTAL NUMBER OF ACRES BEING ACQUIRED OR TOTAL NUMBER OF ACRES BEING DEVELOPED: 14.33

F. DESCRIBE THE PHYSICAL CHARACTERISTICS OF THE PROJECT.

1) For Development Projects:

(a) Provide a description of the proposed project which includes existing and future uses, existing and proposed physical improvements, natural and historical resources, any proposed resource protection/conservation and any existing buildings on site.

The Soccer complex includes 4 full size soccer fields, a concession stand, playground and recreation areas, a gravel parking lot and trail. This facility is primarily used for soccer but also other recreational activities. Not all of the fields currently have lighting. This grant would fund some additional lights for some of the fields. The Complex is located just off a designated Scenic HWY, The Ridge Scenic Highway.

(b) Indicate if a natural spring is located on project site: ☐ Yes ☑ No

(c) Indicate if there is public access to the park either through an existing street or easement: ☑ Yes ☐ No

Describe Public Access:

The public has access via Hunt Brothers Road which runs between two major highways, Scenic HWY (SR 17) and US HWY 27.

(If additional room needed - Tab as Exhibit "P")

2) For Acquisition Projects: (in addition to the above information)

(a) If the proposed project consists of acquiring multiple parcels or from multiple owners, identify specific order in which the parcels will be acquired to ensure that in the event that all parcels cannot be acquired, the purposes of the project can be achieved. Also address the ability to have public access to the park either through an existing street or easement.

n/a

(If additional room needed - Tab as Exhibit "P")

3. FINANCIAL INFORMATION

GRANT MATCH RATIOS: (Based on the grant cap of $200,000)

Project Cost	State Share	Grantee Share
$50,000 or less	100%	0%
$50,001 to $150,000	75%	25%
$150,001 up to $400,000	50%	50%

Project Cost = State Share + Grantee Share

Refer to Chapter 62D-5.055(4), F.A.C. for complete information on match requirements and match types. **The Total Project Cost (Line F) must equal the grant request (Line A) plus the total local match (Line E). This figure (Line F) should not total more than $400,000 for the purpose of this application.**

A. FRDAP Funds Requested (State Share) Line A $50,000.00

B. Local Funds Available: (Grantee Share)

1. Cash: Line B $25,000.00
2. In-Kind: Line C $0.00
3. Land Value: Line D $0.00

If property is developed, land value CANNOT be used as a match.

Total Local Match: Line E $25,000.00
Sum of lines B, C and D

C. Total Cost of Proposed Project: Line F $75,000.00

Sum of Lines A and E
(Should not total more than $400,000)

(If approved for REDI Match Waiver, fill out REDI Waiver Form located under FRDAP Administrative Forms at http://dep.state.fl.us/lands/Land_and_Recreation/Land_Recreation.htm).
(Tab as Exhibit "O")

D. PROJECT WORK PLAN (COMPLETE FOR ALL PROJECTS, DEVELOPMENT AND ACQUISITION):

On page 7 & 8 as attachment 1, list the project Work Plan for the elements for this application. The Project elements are listed with the related tasks and deliverables. Primary elements and support elements should be listed separately. Use as many project elements and tasks needed to complete the project.

Remember to include each element in your conceptual site plan. Submit a conceptual site plan displaying the areas and facilities to be developed as proposed on page 7 &8 of this application. The site plan must correlate with the project boundary map and work plan elements. The site plan must CLEARLY DELINEATE using color codes between facilities/opportunities currently existing, facilities proposed for funding (page 7 & 8) in this application and facilities planned for future development. If project is an acquisition project, be sure to submit on the site plan the proposed elements to be developed as listed on page 17 of this application. Also identify different FRDAP phases on the site plan and any LWCF phases.

DEVELOPMENT PROJECTS:

PRIMARY RECREATION AREAS AND FACILITIES: Primary facilities include all recreation facilities and opportunities. **Primary cost must be equal to or greater than fifty percent (50%) of the total cost.** Primary examples are: beach access, picnic facilities, fishing piers, ball fields, tennis courts, trails, trailheads, shade structures for recreational facilities, etc. Enclosed structures are not eligible costs. Costs of planning and site preparation should be included within the cost of each element. If land value is used as match, it should be included under primary cost. If this is a trail project, list the uses or types of trails. If developing one trail for multi-purposes state multi-purpose trail, but if doing several different trails list separately with each use (example: walking trail or bike trail).

SUPPORT FACILITIES AND IMPROVEMENTS: Support facilities are facilities which cannot stand alone, or which would have little or no public outdoor recreational value without the primary facility. No enclosed structures are eligible except restrooms, bathhouses or restroom/concession stands. Other support examples are: parking, landscaping, and security lighting. Amenities such as benches, or bike racks will receive no points when being scored. The enclosed structures listed above cannot be phased and must be completed with one grant.

ACQUISITION PROJECTS:

If acquisition project, on page 7 & 8, list the project work plan for the acquisition phase of the project.

(Tab as Exhibit "H")

FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP)
DEVELOPMENT
PROJECT BUDGET DETAIL

Project Name: Soccer Park Lighting - Phase II

Grantee Name: City of Lake Wales

The project reimbursement is limited to one (1) invoice upon completion of all Project Elements listed below and submittal of all Deliverables and required documentation identified in the table below. Completion Documentation required prior to Reimbursement Request.

Project Tasks, Deliverables and Required Documentation

Task #1: Development of: Soccer Park Lighting - Phase I	**Amount of Costs to be Paid with Grant Funds**	**Amount of Costs to be Paid with Grantee Match**	**Deliverables and Documentation To Be Submitted Upon Completion And Before Reimbursement Can Be Approved**
(List each **Primary** project element)	Provide Budget Detail	Provide Budget Detail	Project Completion Certification Final as-built site plan Florida Recreation and Parks Inventory Form Color Photographs of Project Notice of Limitation of Use Boundary Survey

(List each **Support** project element) Additional lighting equipment to light two of the fields *All work will be completed in accordance with the approved plans.	$50,000.00	$25,000.00	
TOTALS:	**$** 50,000.00	**$** 25,000.00	

Performance Standard: Approval of deliverables is based upon review for compliance with the requirements for funding under the Florida Recreation Development Assistance Program (FRDAP); approved plans and application approved for funding.

INSTRUCTIONS FOR COMPLETING PROJECT WORK PLAN:

DELIVERABLES/ELEMENTS/WORK TO BE COMPLETED: Identify **ALL** elements that will be completed under this Agreement.

DELIVERABLE/ELEMENT BUDGET AMOUNT FOR REIMBURSEMENT: Must provide a budget for each element and identify the expense category and budget detail. Provide description of the costs as follows: **Salaries**: identify the position title/hourly rate/# of hours to complete the deliverable; **Fringe benefits:** identify the % used to calculate the fringe benefits; **Contractual Services:** identify what service will be paid for under the contract for services; **Equipment:** the purchase of equipment is not allowed under this Agreement, the rental of equipment is the only costs allowed that are associated with equipment; **Supplies and Materials:** identify what supplies/materials will be purchased; **Other** costs: identify what other costs are being requested (such as printing costs, other costs that do not fit into the other established cost categories (salaries, fringe benefits, equipment, supplies, indirect, contractual services); Indirect Costs: identify the percentage that is used for the indirect being claimed for reimbursement (cannot exceed 15% unless prior approval has been obtained by the Department)..

MATCH AMOUNT TO BE CLAIMED: The same level of detail must be provided for match as for reimbursement.

DOCUMENTATION/DELIVERABLES TO BE SUBMITTED UPON COMPLETION: All of these deliverables must be submitted before final reimbursement can be processed.

Completion Documentation required prior to Reimbursement

PART II — EVALUATION CRITERIA

GENERAL CRITERIA

1. CAPITAL IMPROVEMENT PLAN

A. Is the proposed project identified, in whole or in part, in the applicant's capital improvement plan or schedule during the current or next three (3) fiscal years?

Provide:
1) A letter from the agency's city or county manager certifying the five year capital improvement schedule is **officially adopted and date adopted. Project will not receive points if letter is not submitted and does not state the date CIP was adopted.**

- AND -

2) A copy of the five-year capital improvement schedule included in the applicant's adopted Local Comprehensive Plan, stating project by name, amount and year (County or City budgets are not the same as capital improvement schedules) **Please highlight project name, amount and year**.

(20 points)

☑ Yes ☐ No

--- OR ---

B. Is the proposed project identified as part of the plan through an adopted resolution committing the applicant to amend their capital improvement plan or schedule and complete the project should it receive program funds?

Provide: a copy of a fully executed resolution amending the existing schedule to include the proposed project. The resolution must **clearly indicate the proposed project by name, amount and year and <u>cannot be older than 3 years</u>.**

(10 points)

☐ Yes ☐ No

(Tab as Exhibit "A")

2. STATE COMPREHENSIVE OUTDOOR RECREATION PLAN

A. Explain how the proposed project would address one or more of the issues or goals identified in the State Comprehensive Outdoor Recreation Plan. Use the **OUTDOOR RECREATION IN FLORIDA-2008 (Chapter 6 & 7). Provide quotations or other appropriate references with explanations to justify the correlation**. <u>To receive points, must give a detailed explanation as to how the project meets the goals, cannot only list the goals.</u>

(Tab as Exhibit "B") (4 points)

B. 2008 Relative Need Index by Region

The proposed project provides for a priority resource or facility need in the applicant's planning region identified in the Statewide Comprehensive Outdoor Recreation Plan. Locate the applicant's region and circle each priority resource/facility need as **proposed in the project** cost on page 7 & 8 of this application:

(7 points)

_____I Saltwater Beach Activities* Baseball or Softball * Picnicking *Football Outdoor Swimming Pool Use * Saltwater Non-Boat Fishing * Golf RV / Trailer Camping * Freshwater Boat Ramp Use * Soccer or Rugby

_____II Saltwater Beach Activities * Nature Study * Historical or Archeological Sites Baseball or Softball * Picnicking * Freshwater Boat Ramp Use * Football Hunting * Horseback Riding * Outdoor Swimming Pool Use

_____III Football * Picnicking * Nature Study * Soccer or Rugby * Baseball or Softball Horseback Riding * Outdoor Basketball * RV / Trailer Camping Freshwater Boat Ramp Use * Bicycle Riding – Unpaved Trails

_____IV Historical or Archeological Sites * Baseball or Softball * Football Saltwater Beach Activities * Picnicking * Outdoor Swimming Pool Use * Outdoor Basketball * Nature Study * Golf * Soccer or Rugby

_____V Picnicking * Football * RV / Trailer Camping * Nature Study * Baseball or Softball Bicycle Riding - Unpaved Trails * Outdoor Basketball * Soccer or Rugby Horseback Riding * Outdoor Swimming Pool Use

_____VI Picnicking * RV / Trailer Camping * Football * Baseball or Softball Outdoor Swimming Pool Use * Nature Study * Historical or Archeological Sites Outdoor Basketball * Saltwater Beach Activities * Soccer or Rugby

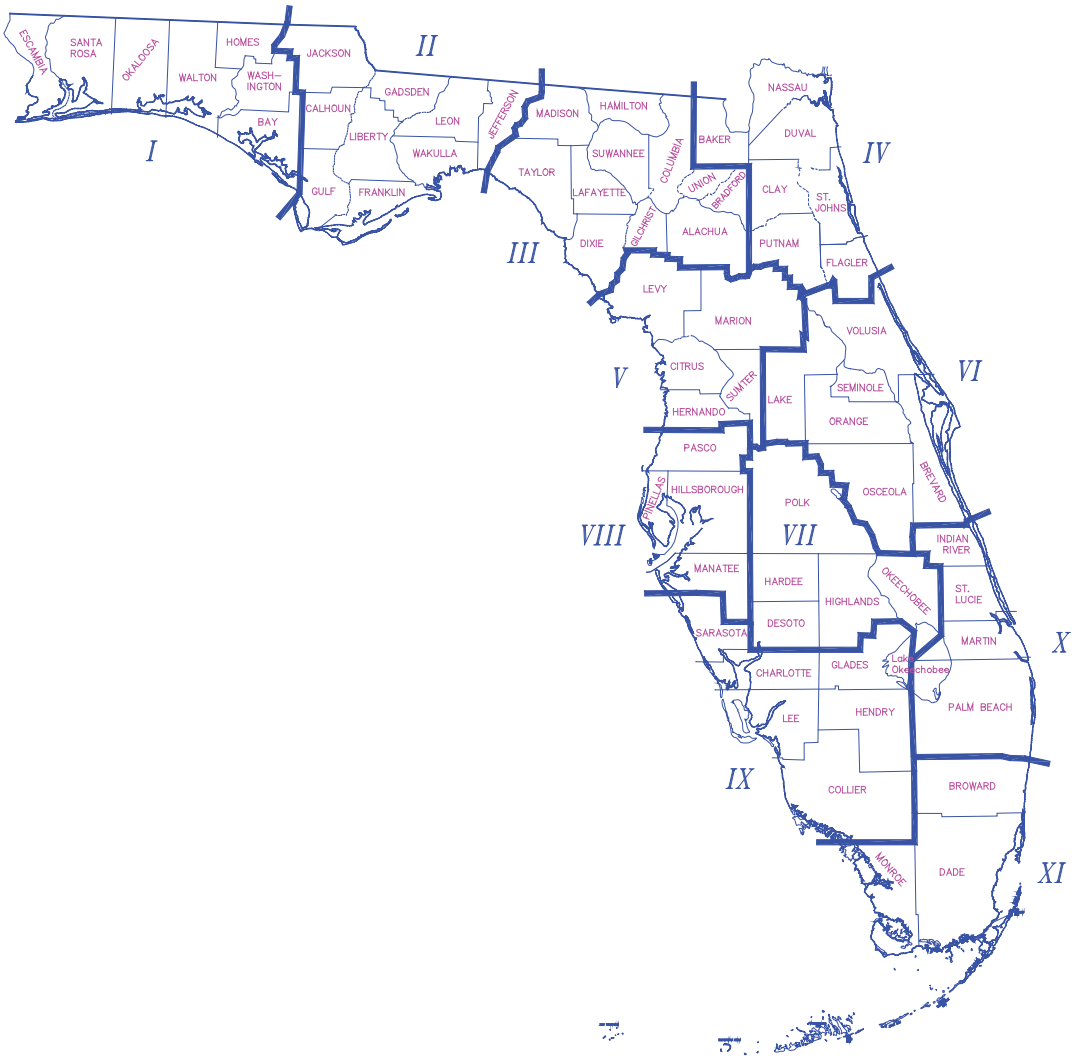
_____✓VII RV / Trailer Camping * Picnicking * Baseball or Softball * Outdoor Swimming Pool Use Nature Study * Freshwater Boat Ramp Use * Football * Golf * Horseback Riding Outdoor Basketball

_____VIII Picnicking * RV / Trailer Camping * Baseball or Softball * Football * Outdoor Swimming Pool Use Saltwater Beach Activities * Golf * Outdoor Basketball * Outdoor Tennis * Soccer or Rugby

_____IX Picnicking * RV / Trailer Camping * Saltwater Beach Activities * Outdoor Swimming Pool Use Golf * Football * Nature Study * Baseball or Softball * Outdoor Tennis * Historical or Archaeological Sites

_____X Football * Golf * Baseball or Softball * Outdoor Swimming Pool Use * Picnicking * Outdoor Tennis Saltwater Beach Activities * Outdoor Basketball * RV / Trailer Camping * Soccer or Rugby

_____XI Outdoor Swimming Pool Use * Picnicking * Football * Baseball or Softball * Saltwater Beach Activities * Outdoor Tennis * Golf * Outdoor Basketball * Saltwater Non-Boat Fishing * RV / Trailer Camping



3. PUBLIC PARTICIPATION

Indicate which of the following apply **(Check ALL that apply**):
(To receive points for this section any meetings, presentations, or surveys must be held in the current year or within the **previous 3 years** of application and each of **the three meetings must be held separately** to receive each set of points. **Meetings also must be held prior to the application submittal.**)

_____A. A pre-advertised public meeting was held **solely** for the purpose of discussing the proposed project. Attach a copy of ad and proof of publication for the advertisement. Advertisement needs to state where and when advertised. **If submitting 2 applications, must hold separate meeting for each project (unless they are phased projects of the same park). If not advertised in a newspaper, need a written explanation as to how, when and where advertised, along with a copy of notice/advertisement.**

(Tab as Exhibit "C-1") (10 points)

_✓_B. The project was discussed at a **regularly** scheduled meeting of the applicant's advisory board responsible for park, recreation or leisure service activities. Provide **a copy of the minutes** of the advisory board meeting(s) where **this project** was discussed. The board must be an appointed group of citizens, such as a parks and recreation advisory board, who would normally review projects similar to the proposed grant application. Planning and zoning or similar boards may be used if a parks and recreation advisory board does not exist. **CITY OR COUNTY COMMISSIONS ARE NOT CONSIDERED ADVISORY BOARDS.**

(**Tab as Exhibit "C-2") (7 points)**

_____C. Public input on the proposed project was obtained through presentations to community organizations, neighborhood associations and/or a written opinion survey. Provide documentation (**minutes from the meeting which the project was discussed** with date or thank-you letter from an organization, association, etc.) showing that presentations **regarding this project** were made to community organizations or groups **OR** provide a **copy of the survey, who surveyed** and **summary of the results**. **Letters of support are not acceptable to receive points.**

(Tab as Exhibit "C-3") (4 points)

4. OPERATION AND MAINTENANCE

Capability to develop, operate and maintain the project site: **(Check ONLY one)**:

Provide **a brief description** of how development, programming and maintenance will be provided and **a copy of an agency organizational chart. Must provide both to receive points.**

_✓_The applicant has a full-time recreation or park department staffed to provide facility development, programming and maintenance.

(Tab as Exhibit "D") (6 points)

_____The applicant has demonstrated the existence of a full-time ability to provide facility development, programming and maintenance.

(Tab as Exhibit "D") (4 points)

_____The applicant has other means of providing facility development, programming and maintenance.

(**Tab as Exhibit "D") (2 points)**

5. PARK PARTNERSHIP

The proposed project is supported through a fully executed written cooperative agreement between the applicant and a private or public entity **(within the current or past 3 years)** in which said entity agrees to furnish 10% or more of the total project costs in cash, land, or labor services for the **development/construction** of this project with the applicant holding the leading management responsibility. **The written agreement must be executed by the end of the submission period and quantify the donation in monetary units. This can be a cooperative agreement between either parties or a letter from the entity agreeing to furnish 10% of the total project costs in cash, materials, land, or labor services.**

(A management or maintenance agreement is not acceptable.)

_____Yes _____No

(**Tab as Exhibit "E") (3 points)**

6. TRAIL CONNECTIVITY

The project provides for increased trail access by connecting an existing, publicly owned and designated recreational trail which is **outside the project boundary. Indicate on the site plan the project trail/connection and name and location of existing trail(s) outside the boundaries.**

_____Yes _____No

(**Tab as Exhibit "G") (5 points)**

DEVELOPMENT CRITERIA (COMPLETE ONLY FOR DEVELOPMENT PROJECTS)

1. NEW DEVELOPMENT

List the existing facilities/improvements on the project site. Include improvements such as baseball fields, basketball courts, trails, boat ramps, etc. (Bullet lists are encouraged) (**If undeveloped, state None**). The site plan must clearly delineate between facilities/opportunities currently existing, facilities proposed for funding in this application and facilities planned for future development. **Identify and color code different funding phases from the existing facilities.**

(Tab as Exhibit "G") **(5 points, if undeveloped)**

Current:- 4 full size soccer fields (can be subdivided for younger age groups)
-1 playground
- walking trail
-2 recreation areas
- parking area-concession stand
-4 light poles for 2 fields

2. INFRASTRUCTURE ASSESSMENT OF LOCAL GOVERNMENT RECREATION AND PARK DEPARTMENT FACILITY NEEDS IN THE STATE OF FLORIDA

A) List the facilities which are addressed on page 7 & 8 of this application which are identified in the priority ranked index clusters of outdoor facilities needs for renovation and/or new construction identified within the applicant's population density as set forth in the Department's study entitled "Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida" effective December 1995. (See attached pages 22-26 for Priority Ranked Index Clusters. A project facility not listed in the priority ranked indexes will receive a score of a similar facility included in the indexes, as determined by the Department staff.) **(If developing trails, must have separate trails to receive separate points.**

(Maximum 30 points)

B) Does the proposed project, in whole or in part, address the highest priority of infrastructure funding needs for the applicant's population density as set forth in the study titled "**1995 INFRASTRUCTURE ASSESSMENT OF LOCAL GOVERNMENT RECREATION AND PARK DEPARTMENT FACILITY NEEDS IN THE STATE OF FLORIDA"**. Use the table below to determine in which priority funding need ranking the project falls**. (Check ONLY one):**

_____☐_____ Highest Priority Funding Need **(13 points)**

_____☑_____ Second Highest Priority Funding Need **(8 points)**

Population Density 1 – Population Under 10,000	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 2 – Population 10,000 to 24,999	**Rank 1** **Rank 2**	**Renovation** **Construction**
Population Density 3 – Population 25,000 to 49,999	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 4 – Population 50,000 to 99,999	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 5 – Population 100,000 and Over	**Rank 1** **Rank 2**	**Renovation** **Construction**

Source: The 1995 Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida

ACQUISITION CRITERIA (COMPLETE ONLY FOR ACQUISITION PROJECTS)

1. INFRASTRUCTURE ASSESSMENT OF LOCAL GOVERNMENT RECREATION AND PARK DEPARTMENT FACILITY NEEDS IN THE STATE OF FLORIDA

List all the facilities that will be developed for this project. Only facilities identified in the top three priority ranked index clusters of outdoor facilities needs for new construction identified within the applicant's population density as set forth in the Department's study entitled "Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida", effective December 1995, will receive these points. (Priority ranked index clusters are attached as pages 22-26.)

(15 points)

2. NEEDED RECREATIONAL ACREAGE

Describe how the project provides for identified need(s) for additional park acreage pursuant to the applicant's adopted local comprehensive plan. **Provide the following:**

A. ____**Needed acres/Person and** ____**Total Acreage Under Local Control**

B. Provide excerpts of the applicant's local comprehensive plan as supporting back-up documentation and highlight the information that pertains to this section.

(Tab as Exhibit "F") **(15 points)**

3. CAPITAL IMPROVEMENT PLAN

A) Is the proposed **development** of the property identified in the applicant's capital improvement plan (CIP) or schedule during the current or next three (3) fiscal years?

1). **Provide:** a letter from the agency's city or county manager certifying the five year capital improvement schedule is officially adopted and date adopted. **Project will not receive points if letter is not submitted and does not state the date CIP was adopted**.

- AND-

2). **Provide:** a copy of the five-year capital improvement schedule included in the applicant's adopted Local Comprehensive Plan, stating project by name, amount and year (County or City budgets are not the same as capital improvement schedules). **Highlight project name, amount and year.**

(6 points)

_____Yes _____No

----OR----

B) Is the proposed **development** of the property included as part of the plan through an adopted resolution committing the applicant to amend their CIP and develop the property should it receive program funds?

Provide: a copy of a fully executed resolution amending the existing schedule to include the development of the proposed project. The resolution must **clearly indicate** the **development of the proposed project by name, year and amount and cannot be older than 3 years.**

(3 points)

_____Yes _____No

(Tab as Exhibit "A")

TRAIL CONSTRUCTION CRITERIA
(COMPLETE ONLY FOR CONSTRUCTION OF TRAIL PROJECTS)

1. NEW DEVELOPMENT

List the existing facilities/improvements on the project site. Include improvements such as trails, trailheads, ball fields, basketball courts, etc. (Bullet lists are encouraged. **If undeveloped, state None**.) The site plan must clearly delineate between facilities/opportunities currently existing, facilities proposed for funding in this application and facilities planned for future development. Identify and color code different funding phases from the existing facilities.

(Tab as Exhibit "G") (5 points, if undeveloped)

2. STATE GREENWAYS AND TRAILS PLAN

Explain how the proposed project would address one or more issues or goals as identified in the Florida Greenways and Trails System Plan. Use **"Florida Greenways and Trails System Plan– 2013-2017"**. **Provide quotations or other appropriate references to justify the correlation. Use a separate sheet if necessary**.

(Tab as Exhibit "H") (6 points)

3. STATE OF FLORIDA DESIGNATED RECREATIONAL GREENWAY OR TRAIL

The project is located on or connects with a State of Florida designated greenway or trail.
Provide a map and documentation (letter from Office of Greenways and Trails) indicating connectivity.
Designation Agreements must be fully executed by the end of submission period.

☐ Yes ☑ No

(Tab as Exhibit "I") (3 points)

4. REGIONAL OR LOCAL GREENWAYS AND TRAILS PLAN

Explain how the proposed project would implement a Greenway and Trail Plan adopted by either a regional or local governmental entity. Provide quotations or appropriate references with **explanations** to justify correlation. **Enclose a copy of the regional or local governmental adopted Greenway Plan.**

(Tab as Exhibit "J") (4 points)

5. MIXED USE OR SINGLE USE TRAILS

Does the specific trail design demonstrate that the project will support:
Mixed use recreational trail opportunities, either motorized or non-motorized, or both?

_____Yes _____No **(8 points)**

-------OR-------

Single use recreational trail opportunities?

_____Yes _____No **(6 points)**

6. INFRASTRUCTURE ASSESMENT OF LOCAL GOVERNMENT RECREATION AND PARK DEPARTMENT FACILITY NEEDS IN THE STATE OF FLORIDA

Does the proposed project, in whole or in part, address the highest priority of infrastructure funding needs for the applicant's population density as set forth in the study titled "**1995 INFRASTRUCTURE ASSESSMENT OF LOCAL GOVERNMENT RECREATION AND PARK DEPARTMENT FACILITY NEEDS IN THE STATE OF FLORIDA"**. Use the table below to determine in which priority funding need ranking the project falls. **(Check ONLY one)**:

_____ Highest Priority Funding Need **(13 points)**

_____ Second Highest Priority Funding Need **(8 points)**

Population Density 1 – Population Under 10,000	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 2 – Population 10,000 to 24,999	**Rank 1** **Rank 2**	**Renovation** **Construction**
Population Density 3 – Population 25,000 to 49,999	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 4 – Population 50,000 to 99,999	**Rank 1** **Rank 2**	**Construction** **Renovation**
Population Density 5 – Population 100,000 and Over	**Rank 1** **Rank 2**	**Renovation** **Construction**

Source: The 1995 Infrastructure Assessment of Local Government Recreation and Park Department Facility Needs in the State of Florida

Part III – Supporting Documents

POPULATION DENSITIES

Outdoor Facility Needs Ranked by Priority Index: Population Density 1

Rank	Renovation		Construction		
	Facility	Points	Facility	Points	
1	Playgrounds	6	Baseball Fields	6	**Cluster I**
2	Support Facilities	5	Softball Fields	5	
3	Tennis Courts	5	Playgrounds	5	**Cluster II**
4	Rest Rooms	5	Rest Rooms	5	
5	Picnic Facilities	4	Support Facilities	4	
6	Baseball Fields	4	Soccer Fields	4	
7	Basketball Courts	4	Basketball Courts	4	**Cluster III**
8	Softball Fields	4	Bike Trails	4	
9	Swimming Pools	4	Swimming Pools	4	
10	Boating Facilities	4	Tennis Courts	4	
11	Fishing Piers	3	Picnic Facilities	3	
12	Camping	3	Handball Courts	3	
13	Handball Courts	3	Fishing Piers	3	**Cluster IV**
14	Football Fields	3	Football Fields	3	
15	Soccer Fields	3	Boating Facilities	3	
16	Beach Access	2	Exercise Trails	2	
17	Historical Facilities	2	Camping	2	
18	Shuffleboard Courts	2	Beach Access	2	**Cluster V**
19	Nature Trails	2	Historical Facilities	2	
20	Other	2	Shuffleboard Courts	2	
21	Golf Courses	2	Nature Trails	2	
22	Bike Trails	1	Golf Courses	1	
23	Exercise Trails	1	Hiking Trails	1	**Cluster VI**
24	Hiking Trails	1	Horse Trails	1	
25	Horse Trails	1	Other	1	

Population Density 1 - Population Under 10,000

Outdoor Facility Needs Ranked by Priority Index: Population Density 2

Rank	Renovation		Construction		
	Facility	Points	Facility	Points	
1	Rest Rooms	6	Support Facilities	6	**Cluster I**
2	Support Facilities	6	Rest Rooms	6	
3	Playgrounds	6	Playgrounds	6	
4	Baseball Fields	5	Softball Fields	5	
5	Tennis Courts	5	Soccer Fields	5	**Cluster II**
6	Softball Fields	5	Baseball Fields	5	
7	Basketball Courts	4	Basketball Courts	4	
8	Boating Facilities	4	Picnic Facilities	4	**Cluster III**
9	Swimming Pools	4	Swimming Pools	4	
10	Picnic Facilities	4	Football Fields	4	
11	Soccer Fields	4	Tennis Courts	4	
12	Exercise Trails	3	Handball Courts	3	
13	Football Fields	3	Nature Trails	3	**Cluster IV**
14	Shuffleboard Courts	3	Bike Trails	3	
15	Handball Courts	2	Boating Facilities	2	
16	Beach Access	2	Other	2	
17	Fishing Piers	2	Exercise Trails	2	
18	Camping	2	Golf Courses	2	**Cluster V**
19	Bike Trails	2	Hiking Trails	2	
20	Nature Trails	2	Fishing Piers	2	
21	Other	2	Camping	2	
22	Golf Courses	1	Beach Access	1	
23	Hiking Trails	1	Historical Facilities	1	
24	Historical Facilities	1	Horse Trails	1	**Cluster VI**
25	Horse Trails	1	Shuffleboard Courts	1	

Population Density 2 - Population From 10,000 to 24,999

Outdoor Facility Needs Ranked by Priority Index: Population Density 3

Rank	Renovation		Construction		
	Facility	Points	Facility	Points	
1	Rest Rooms	6	Baseball Fields	6	**Cluster I**
2	Playgrounds	6	Soccer Fields	6	
3	Support Facilities	5	Support Facilities	5	
4	Tennis Courts	5	Softball Fields	5	**Cluster II**
5	Baseball Fields	5	Playgrounds	5	
6	Basketball Courts	5	Boating Facilities	5	
7	Beach Access	4	Football Fields	4	
8	Swimming Pools	4	Tennis Courts	4	**Cluster III**
9	Soccer Fields	4	Rest Rooms	4	
10	Picnic Facilities	4	Picnic Facilities	4	
11	Football Fields	3	Basketball Courts	3	
12	Softball Fields	3	Other	3	**Cluster IV**
13	Boating Facilities	3	Exercise Trails	3	
14	Exercise Trails	2	Bike Trails	2	
15	Handball Courts	2	Nature Trails	2	
16	Other	2	Camping	2	
17	Golf Courses	2	Handball Courts	2	
18	Shuffleboard Courts	2	Historical Facilities	2	**Cluster V**
19	Fishing Piers	2	Swimming Pools	2	
20	Bike Trails	2	Hiking Trails	2	
21	Hiking Trails	2	Golf Courses	2	
22	Nature Trails	2	Beach Access	2	
23	Camping	2	Fishing Piers	2	
24	Historical Facilities	1	Horse Trails	1	**Cluster VI**
25	Horse Trails	1	Shuffleboard Courts	1	

Population Density 3 - Population From 25,000 to 49,999

Outdoor Facility Needs Ranked by Priority Index: Population Density 4

Rank	Renovation		Construction		
	Facility	Points	Facility	Points	
1	Playgrounds	6	Soccer Fields	6	**Cluster I**
2	Rest Rooms	5	Playgrounds	5	
3	Support Facilities	5	Picnic Facilities	5	**Cluster II**
4	Tennis Courts	5	Baseball Fields	5	
5	Soccer Fields	5	Support Facilities	5	
6	Baseball Fields	5	Swimming Pools	5	
7	Swimming Pools	4	Softball Fields	4	
8	Exercise Trails	4	Basketball Courts	4	**Cluster III**
9	Softball Fields	4	Rest Rooms	4	
10	Basketball Courts	4	Other	4	
11	Handball Courts	3	Exercise Trails	3	**Cluster IV**
12	Picnic Facilities	3	Golf Courses	3	
13	Boating Facilities	2	Tennis Courts	2	
14	Beach Access	2	Boating Facilities	2	
15	Fishing Piers	2	Fishing Piers	2	
16	Shuffleboard Courts	2	Football Fields	2	
17	Football Fields	2	Handball Courts	2	
18	Golf Courses	2	Bike Trails	2	**Cluster V**
19	Nature Trails	2	Nature Trails	2	
20	Other	2	Hiking Trails	2	
21	Bike Trails	2	Horse Trails	2	
22	Camping	2	Beach Access	2	
23	Hiking Trails	2	Camping	2	
24	Historical Facilities	1	Historical Facilities	1	**Cluster VI**
25	Horse Trails	1	Shuffleboard Courts	1	

Population Density 4 - Population From 50,000 to 99,999

Outdoor Facility Needs Ranked by Priority Index: Population Density 5

Rank	Renovation		Construction		
	Facility	Points	Facility	Points	
1	Support Facilities	6	Support Facilities	6	**Cluster I**
2	Rest Rooms	5	Baseball Fields	5	**Cluster II**
3	Playgrounds	5	Playgrounds	5	
4	Tennis Courts	4	Softball Fields	4	
5	Swimming Pools	4	Rest Rooms	4	**Cluster III**
6	Boating Facilities	4	Soccer Fields	4	
7	Basketball Courts	4	Picnic Facilities	4	
8	Golf Courses	3	Bike Trails	3	
9	Softball Fields	3	Swimming Pools	3	
10	Picnic Facilities	3	Exercise Trails	3	
11	Historical Facilities	3	Hiking Trails	3	**Cluster IV**
12	Baseball Fields	3	Other	3	
13	Fishing Piers	3	Golf Courses	3	
14	Exercise Trails	3	Camping	3	
15	Soccer Fields	3	Beach Access	3	
16	Handball Courts	2	Historical Facilities	2	
17	Camping	2	Tennis Courts	2	
18	Football Fields	2	Basketball Courts	2	**Cluster V**
19	Nature Trails	2	Boating Facilities	2	
20	Beach Access	2	Fishing Piers	2	
21	Bike Trails	2	Football Fields	2	
22	Other	2	Nature Trails	2	
23	Hiking Trails	2	Handball Courts	2	
24	Horse Trails	1	Horse Trails	1	**Cluster VI**
25	Shuffleboard Courts	1	Shuffleboard Courts	1	

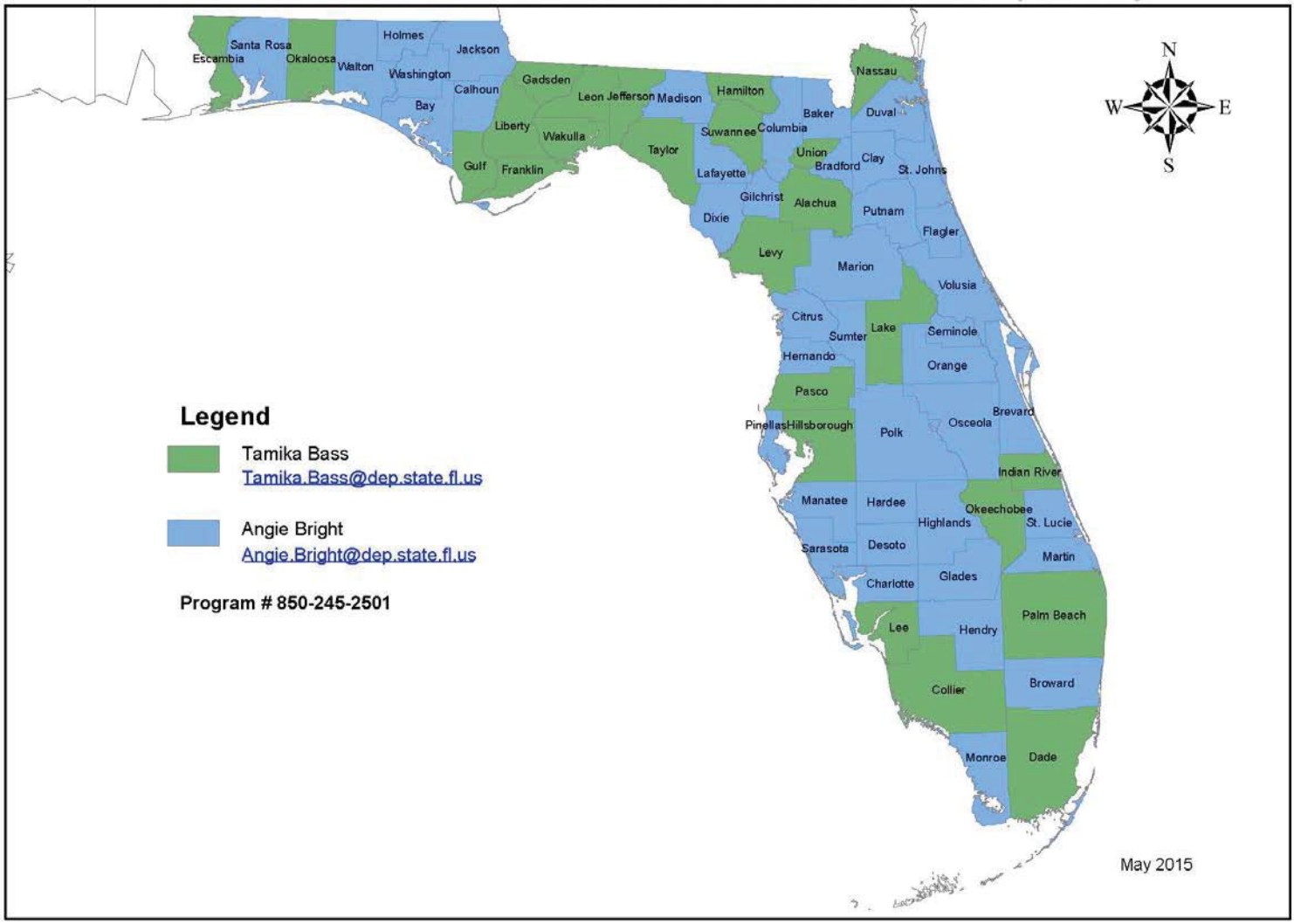
Population Density 5 - Population From 100,000 & Over

CONTACT FOR ADDITIONAL INFORMATION:

Contact	Phone
A. FRDAP Application Information & Help	850/245-2501
B. FRDAP Administrative Rule http://dep.state.fl.us/lands/ Land_and_Recreation/Land_Recreation.htm	850/245-2501
C. Statewide Comprehensive Outdoor Recreation Plan (SCORP) www.dep.state.fl.us/parks/planning	850/245-3051
D. State Lands, Bureau of Appraisal	850/245-2555
E. Recreation Accessibility and Safety Program Manager, Florida Park Service	850/245-3031
F. Office of Greenways & Trails and the Florida Statewide Greenways & Trails Plan	850/245-2052

ATTACHMENT 2
FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP)
GRANT APPLICATION PACKET

DEP Florida Recreation Development Assistance Program (FRDAP)
Federal Land and Water Conservation Fund (LWCF)



STATEMENT OF FISCAL IMPACT
FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP)
ADDITIONAL LIGHTING AT THE SOCCER FIELDS
(STATE GRANT)

PREPARED BY

CITY OF LAKE WALES
FINANCE DEPARTMENT

Nature of Statement and Information Disclosed

This is a statement of fiscal impact has been 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:

- **Memorandum from Jennifer Nanek, Assistant to the City Manager**
- **FRDAP FY 2016'17 Grant Application Package**

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
Grant funding in the amount of $50,000 plus City matching funding of $25,000 (impact fees) for total funding equaling $75,000 towards project costs.

Impacts on Expenditures
Estimated project cost of $75,000 for additional lighting at the soccer fields. Any cost overruns must be borne by the General Fund.

Future Fiscal Impacts

Impacts on Revenue
N/A

Impacts on Expenditures
N/A

Other Future Commitments

Maintenance costs of the equipment will be the responsibility of the City. Any maintenance relating to these items will be funded by the General Fund.

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:

Vanessa Revelo

Vanessa Revelo
Accountant III
City of Lake Wales

Lake Wales Police Department

133 East Tillman Avenue – Lake Wales, Florida 33853
(863) 678-4223 Office (863) 678-4298 Fax

Memorandum

To: Honorable Mayor and City Commission

From: Christopher Velasquez, Chief of Police

VIA: Kenneth Fields, City Manager

Date: October 1, 2016

Ref: Approval of Contract for Law Enforcement Services: Lake Wales Housing Authority

Synopsis: Commissioners will consider approving a contract with the Lake Wales Housing Authority to continue providing supplemental law enforcement services at the Grove Manor public housing complex.

RECOMMENDATION

It is recommended that the City Commission:

1. Authorize the Mayor to execute a Contract for Services with the Lake Wales Housing Authority for Fiscal Year 2016-2017.

BACKGROUND

Since 2011/2012 the CRA Board of Commissioners have approved funding a law enforcement officer position to provide supplemental law enforcement services toward designated CRA areas and the Lake Wales Housing Authority, Grove Manor Complex.

In an effort to continue providing these supplemental law enforcement services to the Lake Wales Housing Authority, Grove Manor Complex residents, the Lake Wales Police Department seeks approval to enter into a new contract for FY2016/2017. This contract for supplemental law enforcement services provides for a monthly payment due the City in the amount of $2,580.00 from the Housing Authority.

ATTACHMENT
Contract for Law Enforcement Services

CONTRACT FOR SERVICES

This Contract for Services (hereinafter referred to as the “Contract”) is made effective October 1, 2016, by the City of Lake Wales, of 201 West Central Avenue, Lake Wales, Polk County, Florida and the Lake Wales Housing Authority of 10 West Sessoms Avenue, Lake Wales, Polk County, Florida.

The City of lake Wales (hereinafter referred to as the “City”) is a municipal government authorized by Florida Statute to provide law enforcement services within its corporate limits.

The Lake Wales Housing Authority (hereinafter referred to as the “Authority”) is a government public housing development.

The Authority desires to safeguard the health, safety and welfare of Grove Manor public housing complex residents and is willing to enter into this contract with the City for supplemental law enforcement services.

The City is willing to enter into this contract with the Authority to provide supplemental law enforcement services.

Therefore, the parties agree as follows:

AGREEMENT

The Authority and the City hereby contract for the City to provide 80 hours per calendar month of supplemental law enforcement services to the Authority related to the Grove Manor public housing complex during the term of the Contract.

SERVICES PROVIDED

The City agrees to provide the following supplemental law enforcement services to the Authority and the residents of the Grove Manor public housing complex through sworn law enforcement officers. All supplemental law enforcement services provided under this Contract shall be in accordance with applicable federal, state and local laws and in a manner consistent with the City’s applicable standards and standard operating procedures.

1. Criminal background checks;
2. City code and ordinance enforcement;
3. Criminal street gang abatement;
4. Florida statute enforcement;
5. High-intensity preventative patrol;
6. Loitering abatement; and
7. Parking enforcement.

COMPENSATION

As compensation for the supplemental law enforcement services provided by the City under this contract, the Authority will pay to the City $2,580.00 each month. Payment shall be made within 30 days from the

delivery of an invoice. Personnel costs for this contract are based on the hourly benefits and wages cost of an average sworn law enforcement officer employed by the City.

TERM

This Contract shall remain in effect beginning on October 1, 2016 and shall terminate on September 30, 2017.

ADMINISTRATION

Of the 80 hours each month the City agrees to provide supplemental law enforcement services to the Authority, five percent (5%) may be allocated for the proper administration of this agreement. Administration includes, but is not limited to, compiling an annual and semi-annual activity report for the Authority and payroll management.

REPORTS

The City agrees to provide the Housing Authority with the following reports:

1. The City shall transmit reports of incidents and offenses occurring at the Grove Manor public housing complex to the Authority monthly.

2. The City shall transmit reports of incidents and offenses involving a resident or residents of the Grove Manor public housing complex monthly.

3. A semi-annual activity report of incidents and offenses occurring at the Grove Manor public housing complex shall be delivered to the Authority no later than April 30, 2017.

4. An annual activity report of incidents and offenses occurring at the Grove Manor public housing complex shall be delivered to the Authority no later than September 30, 2017.

5. The City and Authority shall allow public access to all documents which have been made or received in conjunction with this contract in accordance with Chapter 119, Florida Statutes and Article 1, Section 24 of the Constitution of the State of Florida.

INDEPENDENT CONTRACTOR

The City shall provide services as an independent contractor and no provisions hereunder shall be construed otherwise. The law enforcement personnel and others performing services hereunder shall not be deemed personnel or employees of the Authority.

AGREED TO AND ACCEPTED.

City of Lake Wales:

By:_____ Date:_____

Eugene Fultz, Mayor

Lake Wales Housing Authority

By:_____ Date:_____

Albert Kirkland, Executive Director

MEMORANDUM

October 5, 2016

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: Cliff Smith, Building Official

RE: Ordinance 2016-19, Amendment to Chapter 23 Zoning, Land Use and Development Regulations, Article VI Resource Protection Standards, Division 1, Development in Flood Prone Areas – 2nd Reading & Public Hearing

SYNOPSIS: The adoption of Ordinance 2016-19 repeals and replaces Chapter 23, Article VI, Division 1, Development in Flood Prone Areas.

RECOMMENDATION

It is recommended that the City Commission approve Ordinance 2016-19 after second reading and public hearing.

The City Commission approved first reading of Ordinance 2016-19 on October 4, 2016. The advertisement requirement for a second reading and public hearing has been met.

BACKGROUND

In accordance with F.S., Chapter 166, the Legislature of the State of Florida authorized local governments to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. The City of Lake Wales accepted participation in the National Flood Insurance Program on March 16, 1988.

The Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of City of Lake Wales that may be subject to periodic inundation and could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. This could adversely affect the public health, safety, and general welfare of those living in the City of Lake Wales.

To better protect the public health, safety, and general welfare of the citizens of the City of Lake Wales, it necessary to repeal the current language in the Lake Wales Code of Ordinances regarding flood prone areas and replace it with language compatible to the Florida Building Code. This will establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas.

FISCAL IMPACT

The fiscal impact of implementing this ordinance is the cost of a public hearing advertisement.

OTHER OPTIONS

If the City Commission chooses not to adopt Ordinance 2016-19 the City is at risk of being removed from the National Flood Insurance Program. This means the citizens would not be able to purchase flood insurance and would not be eligible for post disaster relief.

ATTACHMENTS
Ordinance 2016-19

ORDINANCE 2016-19

AN ORDINANCE OF THE CITY OF LAKE WALES, POLK COUNTY, FLORIDA AMENDING THE CITY OF LAKE WALES CODE OF ORDINANCES BY REPEALING CHAPTER 23 ZONING, LAND USE AND DEVELOPMENT REGULATIONS, ARTICLE VI RESOURCE PROTECTION STANDARDS, DIVISION 1 DEVELOPMENT IN FLOOD PRONE AREAS TO ADOPT A NEW DIVISION 1 DEVELOPMENT IN FLOOD PRONE AREAS; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, TO FORMAT AMENDMENTS TO THE FLORIDA BUILDING CODE, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ARTICLE VI. RESOURCE PROTECTION STANDARDS

Division 1. Development in Flood Prone Areas

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of City of Lake Wales and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the City of Lake Wales was accepted for participation in the National Flood Insurance Program on March 16, 1988 and the City Commission desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the *Florida Building Code*; and

WHEREAS, the City Commission previously adopted requirements to increase the minimum elevation of buildings and to limit partitioning of enclosed areas below elevated dwellings and to limit access to enclosed areas for buildings and structures in flood hazard areas prior to July 1, 2010 and, pursuant to section 553.73(5), F.S., is formatting that requirement to coordinate with the *Florida Building Code*; and

WHEREAS, the City Commission has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the *Florida Building Code.*

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Lake Wales that the following floodplain management regulations are hereby adopted.

SECTION 1. RECITALS.

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. This ordinance specifically repeals and replaces Chapter 23, Article VI, Division 1 Development in Flood Prone Areas with the following:

§ 23-601. GENERAL

a. Title. These regulations shall be known as the *Floodplain Management Ordinance* of City of Lake Wales, hereinafter referred to as "this Division."

b. Scope. The provisions of this Division shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the *Florida Building Code*; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

c. Intent. The purposes of this Division and the flood load and flood resistant construction requirements of the *Florida Building Code* are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

(1) Minimize unnecessary disruption of commerce, access and public service during times of flooding;

(2) Require the use of appropriate construction practices in order to prevent or minimize future flood damage;

(3) Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;

(4) Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;

(5) Minimize damage to public and private facilities and utilities;

(6) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;

(7) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and

(8) Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

d. Coordination with the *Florida Building Code*. This ordinance is intended to be administered and enforced in conjunction with the *Florida Building Code*. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the *Florida Building Code.*

e. Warning. The degree of flood protection required by this ordinance and the *Florida Building Code*, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

f. Disclaimer of Liability. This ordinance shall not create liability on the part of the City of Lake Wales or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

§ 23-602. APPLICABILITY

a. General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

b. Areas to which this ordinance applies. This ordinance shall apply to all flood hazard areas within the City of Lake Wales, as established in section 23-602(c).

c. Basis for establishing flood hazard areas. The Flood Insurance Study for Polk County, Florida and Incorporated Areas**,** and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Building Department, Municipal Administration Building.

d. Submission of additional data to establish flood hazard areas. To establish flood hazard areas and base flood elevations, pursuant to section 23-605 the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

(1) Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this Division and, as applicable, the requirements of the *Florida Building Code*.
(2) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

e. Other laws. The provisions of this Division shall not be deemed to nullify any provisions of local, state or federal law.

f. Abrogation and greater restrictions. This Division supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the *Florida Building Code*. In the event of a conflict between this Division and any other ordinance, the more restrictive shall govern. This Division shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this Division.

g. Interpretation. In the interpretation and application of this Division, all provisions shall be:

(1) Considered as minimum requirements;

(2) Liberally construed in favor of the governing body; and

(3) Deemed neither to limit nor repeal any other powers granted under state statutes.

§ 23-603. DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

a. Designation. The Building Official is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

b. General. The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this Division. The Floodplain Administrator shall have the authority to render interpretations of this Division consistent with the intent and purpose of this Division and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this Division without the granting of a variance pursuant to section 23-607.

c. Applications and permits. The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

(1) Review applications and plans to determine whether proposed new development will be located in flood hazard areas;

(2) Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this Division;

(3) Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;

(4) Provide available flood elevation and flood hazard information;

(5) Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;

(6) Review applications to determine whether proposed development will be reasonably safe from flooding;

(7) Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*, when compliance with this Division is demonstrated, or disapprove the same in the event of noncompliance; and

(8) Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this Division.

d. Substantial improvement and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

(1) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;

(2) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;

(3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and

(4) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the *Florida Building Code* and this Division is required.

e. Modifications of the strict application of the requirements of the *Florida Building Code*. The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to section 23-607.

f. Notices and orders. The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this Division.

g. Inspections. The Floodplain Administrator shall make the required inspections as specified in section 23-606 for development that is not subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

h. Other duties of the Floodplain Administrator. The Floodplain Administrator shall have other duties, including but not limited to:

(1) Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to section 23-603(d);

(2) Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);

(3) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;

(4) Review required design certifications and documentation of elevations specified by this Division and the *Florida Building Code* to determine that such certifications and documentations are complete; and

(5) Notify the Federal Emergency Management Agency when the corporate boundaries of the City of Lake Wales are modified.

i. Floodplain management records. Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this Division and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the *Florida Building Code* and this Division; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this Division and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at the Building Department, Municipal Administration Building.

§ 23-604. PERMITS

a. Permits required. Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this Division, including buildings, structures and facilities exempt from the *Florida Building Code*, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this Division and all other applicable codes and regulations has been satisfied.

b. Floodplain development permits or approvals. Floodplain development permits or approvals shall be issued pursuant to this Division for any development activities not subject to the requirements of the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

c. Buildings, structures and facilities exempt from the *Florida Building Code*. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the *Florida Building Code* and any further exemptions provided by law, which are subject to the requirements of this Division:

(1) Railroads and ancillary facilities associated with the railroad.

(2) Nonresidential farm buildings on farms, as provided in section 604.50, F.S.

(3) Temporary buildings or sheds used exclusively for construction purposes.

(4) Mobile or modular structures used as temporary offices.

(5) Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.

(6) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.

(7) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

(8) Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

(9) Structures identified in section 553.73(10)(k), F.S., are not exempt from the *Florida Building Code* if such structures are located in flood hazard areas established on Flood Insurance Rate Maps

d. Application for a permit or approval. To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

(1) Identify and describe the development to be covered by the permit or approval.

(2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.

(3) Indicate the use and occupancy for which the proposed development is intended.

(4) Be accompanied by a site plan or construction documents as specified in section 23-605.

(5) State the valuation of the proposed work.

(6) Be signed by the applicant or the applicant's authorized agent.

(7) Give such other data and information as required by the Floodplain Administrator.

e. Validity of permit or approval. The issuance of a floodplain development permit or approval pursuant to this Division shall not be construed to be a permit for, or approval of, any violation of this Division, the *Florida Building Codes*, or any other Division of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

f. Expiration. A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

g. Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this Division or any other ordinance, regulation or requirement of this community.

h. Other permits required. Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

(1) The Southwest Florida Water Management District; section 373.036, F.S.

(2) Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.

(3) Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.

(4) Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.

(5) Federal permits and approvals.

§ 23-605. SITE PLANS AND CONSTRUCTION DOCUMENTS

a. Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of this Division shall be drawn to scale and shall include, as applicable to the proposed development:

(1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.

(2) Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with section 23-605(b)2 or (b)3.

(3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with section 23-605(b)1.

(4) Location of the proposed activity and proposed structures, and locations of existing buildings and structures.

(5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.

(6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.

(7) Existing and proposed alignment of any proposed alteration of a watercourse.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this Division but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this Division.

b. Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

(1) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.

(2) Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain

and use base flood elevation and floodway data available from a federal or state agency or other source.

(3) Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:

(a) Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or

(b) Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.

(4) Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

c. Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:

(1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in section 23-605(d) and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.

(2) For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, no encroachment, including fill material and structures, shall be located within a distance of the stream bank equal to two (2) times the width of the stream (measured at top of bank) or twenty (20) feet each side from the top of bank, whichever is greater, unless hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

(3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in

section 23-605(d).

d. Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

§ 23-606. INSPECTIONS

a. General. Development for which a floodplain development permit or approval is required shall be subject to inspection.

b. Development other than buildings and structures. The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this Division and the conditions of issued floodplain development permits or approvals.

c. Buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the *Florida Building Code* to determine compliance with the requirements of this Division and the conditions of issued floodplain development permits or approvals.

d. Buildings, structures and facilities exempt from the *Florida Building Code*, lowest floor inspection. Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the *Florida Building Code*, or the owner's authorized agent, shall submit to the Floodplain Administrator**:**

(1) If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or

(2) If the elevation used to determine the required elevation of the lowest floor was determined in accordance with section 23-605(b)3.b, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

e. Buildings, structures and facilities exempt from the *Florida Building Code*, final inspection. As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in section 23-606(d).

f. Manufactured homes. The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this Division and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted to the Floodplain

Administrator.

§ 23-607. VARIANCES AND APPEALS

a. General. The board of appeals, pursuant to section 23-244, shall hear and decide on requests for appeals and requests for variances from the strict application of this Division. Pursuant to section 553.73(5), F.S., the board of appeals shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the *Florida Building Code*.

b. Appeals. The board of appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this Division. Any person aggrieved by the decision may appeal such decision to the Circuit Court, as provided by Florida Statutes.

c. Limitations on authority to grant variances. The board of appeals shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in section 23-607(g), the conditions of issuance set forth in section 23-607(h), and the comments and recommendations of the Floodplain Administrator and the Building Official. The board of appeals has the right to attach such conditions as it deems necessary to further the purposes and objectives of this Division.

d. Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in section 23-605(c).

e. Historic buildings. A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the *Florida Building Code, Existing Building*, Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the *Florida Building Code*.

f. Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this Division, provided the variance meets the requirements of section 23-607(d), is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

g. Considerations for issuance of variances. In reviewing requests for variances, the board of appeals shall consider all technical evaluations, all relevant factors, all other applicable provisions of the *Florida Building Code*, this Division, and the following:

(1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;

(2) The danger to life and property due to flooding or erosion damage;

(3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;

(4) The importance of the services provided by the proposed development to the community;

(5) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;

(6) The compatibility of the proposed development with existing and anticipated development;

(7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;

(8) The safety of access to the property in times of flooding for ordinary and emergency vehicles;

(9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and

(10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

h. Conditions for issuance of variances. Variances shall be issued only upon:

(1) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this Division or the required elevation standards;

(2) Determination by the board of appeals that:

(a) Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;

(b) The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and

(c) The variance is the minimum necessary, considering the flood hazard, to afford relief;

(3) Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and

(4) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the

variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as $25 for $100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

§ 23-608. VIOLATIONS

a. Violations. Any development that is not within the scope of the *Florida Building Code* but that is regulated by this Division that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this Division, shall be deemed a violation of this Division. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this Division or the *Florida Building Code* is presumed to be a violation until such time as that documentation is provided.

b. Authority. For development that is not within the scope of the *Florida Building Code* but that is regulated by this Division and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

c. Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

§ 23-609. DEFINITIONS

a. Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this Division, have the meanings shown in this section.

b. Terms defined in the *Florida Building Code*. Where terms are not defined in this Division and are defined in the *Florida Building Code*, such terms shall have the meanings ascribed to them in that code.

c. Terms not defined. Where terms are not defined in this Division or the *Florida Building Code*, such terms shall have ordinarily accepted meanings such as the context implies.

d. Definitions.

Alteration of a watercourse. A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Appeal. A request for a review of the Floodplain Administrator's interpretation of any provision

of this Division.

ASCE 24. A standard titled *Flood Resistant Design and Construction* that is referenced by the *Florida Building Code*. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood. A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 202.] The base flood is commonly referred to as the "100-year flood" or the “1-percent-annual chance flood.”

Base flood elevation. The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 202.]

Basement. The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 202; see “Basement (for flood loads)”.]

Design flood. The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 202.]

(1) Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or

(2) Area designated as a flood hazard area on the community’s flood hazard map, or otherwise legally designated.

Design flood elevation. The elevation of the “design flood,” including wave height, relative to the datum specified on the community’s legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building’s perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to 2 feet. [Also defined in FBC, B, Section 202.]

Development. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment. The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and **existing structure.** Any buildings and structures for which the “start of construction” commenced before March 16, 1988. [Also defined in FBC, B, Section 202.]

Existing manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets,

and either final site grading or the pouring of concrete pads) is completed before March 16, 1988.

Expansion to an existing manufactured home park or subdivision. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Federal Emergency Management Agency (FEMA). The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance Program.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 202.]

(1) The overflow of inland or tidal waters.

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 202.]

Flood hazard area. The greater of the following two areas: [Also defined in FBC, B, Section 202.]

(1) The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.

(2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM). The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 202.]

Flood Insurance Study (FIS). The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 202.]

Floodplain Administrator. The office or position designated and charged with the administration and enforcement of this Division (may be referred to as the Floodplain Manager).

Floodplain development permit or approval. An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this Division.

Floodway. The channel of a river or other riverine watercourse and the adjacent land areas that

must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot. [Also defined in FBC, B, Section 202.]

Floodway encroachment analysis. An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

***Florida Building Code*.** The family of codes adopted by the Florida Building Commission, including: *Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas*.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure. Any structure that is determined eligible for the exception to the flood hazard area requirements of the *Florida Building Code, Existing Building*, Chapter 12 Historic Buildings.

Letter of Map Change (LOMC). An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood

Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Light-duty truck. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

(1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
(2) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
(3) Available with special features enabling off-street or off-highway operation and use.

Lowest floor. The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the *Florida Building Code* or ASCE 24. [Also defined in FBC, B, Section 202.]

Manufactured home. A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or “park trailer.” [Also defined in 15C-1.0101, F.A.C.]

Manufactured home park or subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Market value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this Division, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, Actual Cash Value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

New construction. For the purposes of administration of this Division and the flood resistant construction requirements of the *Florida Building Code*, structures for which the “start of construction” commenced on or after March 16, 1988 and includes any subsequent improvements to such structures.

New manufactured home park or subdivision. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after March 16, 1988.

Park trailer. A transportable unit which has a body width not exceeding fourteen (14) feet and

which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. [Defined in section 320.01, F.S.]

Recreational vehicle. A vehicle, including a park trailer, which is: [see in section 320.01, F.S.)

(1) Built on a single chassis;

(2) Four hundred (400) square feet or less when measured at the largest horizontal projection;

(3) Designed to be self-propelled or permanently towable by a light-duty truck; and

(4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Special flood hazard area. An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 202.]

Start of construction. The date of issuance of permits for new construction and substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 202.]

Substantial damage. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 202.]

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 202.]

(1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

(2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

Variance. A grant of relief from the requirements of this Division, or the flood resistant construction requirements of the *Florida Building Code*, which permits construction in a manner that would not otherwise be permitted by this Division or the *Florida Building Code*.

Watercourse. A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

§ 23-610. BUILDINGS AND STRUCTURES

a. Design and construction of buildings, structures and facilities exempt from the *Florida Building Code*. Pursuant to section 23-604(c), buildings, structures, and facilities that are exempt from the *Florida Building Code*, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the *Florida Building Code* that are not walled and roofed buildings shall comply with the requirements of section 23-616.

b. Limitation on lots created after October 1, 2008. One- and two-family dwellings shall not be permitted on lots that lie entirely with a special flood hazard area unless the lot was created prior to October 1, 2008.

§ 23-611. SUBDIVISIONS

a. Minimum requirements. Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

(1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;

(2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and

(3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

b. Subdivision plats. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

(1) Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats;

(2) Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with section 23-602(b)1; and

(3) Compliance with the site improvement and utilities requirements of section 23-612.

§ 23-612. SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

a. Minimum requirements. All proposed new development shall be reviewed to determine that:

(1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;

(2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and

(3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

b. Sanitary sewage facilities. All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

c. Water supply facilities. All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

d. Limitations on sites in regulatory floodways. No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in section 23-605(c)1 demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

e. Limitations on placement of fill. Subject to the limitations of this Division, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the *Florida Building Code*.

§ 23-613. MANUFACTURED HOMES

a. General. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this Division. Installation of manufactured homes shall not be permitted in floodways.

b. Foundations. All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of the *Florida Building Code Residential* Section R322.2 and this Division. Foundations for manufactured homes subject to section 23-612(f) are

permitted to be reinforced piers or other foundation elements of at least equivalent strength.

c. Anchoring. All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

d. Elevation. Manufactured homes that are placed, replaced, or substantially improved shall comply with section 23-613(e) or (f), as applicable.

e. General elevation requirement. Unless subject to the requirements of section 23-612(f), all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A).

f. Elevation requirement for certain existing manufactured home parks and subdivisions. Manufactured homes that are not subject to section 23-612(e), including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:

(1) Bottom of the frame of the manufactured home is at or above the elevation required in the *Florida Building Code, Residential* Section R322.2 (Zone A); or

(2) Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.

g. Enclosures. Enclosed areas below elevated manufactured homes shall comply with the requirements of the *Florida Building Code, Residential* Section R322.2 for such enclosed areas.

h. Utility equipment. Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the *Florida Building Code, Residential* Section R322.

§ 23-614. RECREATIONAL VEHICLES AND PARK TRAILERS

a Temporary placement. Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

(1) Be on the site for fewer than 180 consecutive days; or

(2) Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-

disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches.

b. Permanent placement. Recreational vehicles and park trailers that do not meet the limitations in section 23-614(a) for temporary placement shall meet the requirements of section 23-613 for manufactured homes.

§ 23-615. TANKS

a. Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

b. Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of section 23-615(c) shall be permitted in flood hazard areas provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

c. Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

d. Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:

(1) At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and

(2) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

§ 23-616. OTHER DEVELOPMENT

a. General requirements for other development. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this Division or the *Florida Building Code*, shall:

(1) Be located and constructed to minimize flood damage;

(2) Meet the limitations of section 23-612(d) if located in a regulated floodway;

(3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;

(4) Be constructed of flood damage-resistant materials; and

(5) Have mechanical, plumbing, and electrical systems above the design flood elevation or

meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

b. Fences in regulated floodways. Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of section 23-612(d).

c. Retaining walls, sidewalks and driveways in regulated floodways. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of section 23-612(d).

d. Roads and watercourse crossings in regulated floodways. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of section 23-612(d). Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of section 23-605(c)3.

SECTION 3. Chapter 7 Buildings and Building Regulations, Article II Building Standards, is amended to include the following *Florida Building Code, Residential* technical amendments.

§ 7-31. Residential code – Technical amendments.

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.
2. Buildings and structures in flood hazard areas designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 1 foot (305 mm), or to the design flood elevation, whichever is higher.
3. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM plus 1 foot, or at least 3 feet ~~2 feet (610 mm)~~ if a depth number is not specified.
4. Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus 1 foot or the design flood elevation, whichever is higher.

Exception: Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R322.2.2.

R322.2.2 Enclosed areas below design flood elevation. Enclosed areas, including crawl spaces, that are below the design flood elevation shall:

1. Be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code. The limitation on partitions does not apply to load bearing walls interior to perimeter wall (crawlspace) foundations. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).

   Remainder unchanged

SECTION 4. FISCAL IMPACT STATEMENT.
In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

SECTION 5. APPLICABILITY.
For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Lake Wales. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance**.**

SECTION 6. INCLUSION INTO THE CODE OF ORDINANCES.
It is the intent of the City Commission that the provisions of this ordinance shall become and be made a part of the City of Lake Wales Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. SEVERABILITY.
If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 8. EFFECTIVE DATE.
This ordinance shall take effect on December 22, 2016 upon its passage and adoption.

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

CITY OF LAKE WALES, FLORIDA

_____

Mayor, City of Lake Wales, Polk County, FL

ATTEST:

_____

City Clerk Clara VanBlargan, MMC

Approved as to form and legality:

_____

Albert C. Galloway, Jr., City Attorney

CITY OF LAKE WALES PROJECT TRACKING LIST 2016-2017

PROJECT NAME	BUDGET	COMMISSION APPROVAL	SCHEDULED COMPLETION	CURRENT STATUS	STATUS UPDATED
AIRPORT					
Runway Extension	$5,300,000 - $4,300,000	Yes - Construction Contract 8/2/16		Contract for Professional Engineering Services awarded to Hoyle Tanner and construction contract awarded to Dickerson Florida on August 2nd. Awaiting word on FAA funding. Construction will begin in March. The city commission accepted grant funding from FAA for their funding share of the project on Tuesday, September 13, 2016.	10/12/2016
RECREATION					
SEWER SYSTEM					
C Street Project	$6,695,751	yes -11/3/2015 phase 2 Grant Application on Feb 16, 2016		Grant application approved by commission on 2/16 and submitted April 25. DEO Site visit was on June 23rd. Will be notified if awarded grant. Construction of current phase is ongoing.	10/12/2016
Relocation of Water/Sewer Lines on HWY 27 near Vanguard	$300,000	10/20/2015	9/30/2017	Permit has been approved. Starting construction in a few weeks	10/12/2016
Other items approved or discussed at Commission Meetings					
Live Streaming of Commission meetings	$7,000		10/31/2016	The contract has been executed and the hardware components have been ordered. The project should be completed by 10/31.	10/12/2016

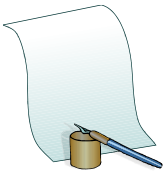
Library Statistics (September - year end)				Total Circulation Books-by-Mail: 72,381 Total Circulation BookMobile: 8,783 Total In-house circulation: 284,563 Total new borrowers: 1757 Total attendance at programs: 14,461 Computer users: 55,299 People Counter: 159,581	10/12/2016
Lake Wales Museum and Cultural Central				In the month of August the Museum had: • 212 visitors • Of the 59 people who signed the guest register - 35% were from Lake Wales - 66% were from outside Lake Wales - The farthest visitor was from the UK The Museum will host the following upcoming events: - Pets and Friends Day (in collaboration with the SPCA) Saturday, September 24 from 11am -2pm -Walking Tour Launch, Saturday, October 29th, 9am to 5pm -39 Mile Yard Sale, Saturday, November 5, 8am to 2pm	10/12/2016
COMPLETED PROJECTS					
New park signage in all City parks	$13,000		9/30/2016	Kiwanis Sign installed. This project complete.	10/12/2016

SOCIAL MEDIA TRACKING REPORT			SINCE October 4, 2016 (Social media is now being archived)		
Name	**Likes/Followers**	**Change**	**Top Posts**	**Comments**	
Facebook	3,700	+40	October 6 - Shared Ledger Article on Hurricane Matthew prep remembering 2004 Hurricanes, 66 reactions, 39 Shares, **5354** people reached	Remembering how fast the track changed, right at us	
			October 6 - Shared Ledger Article on open shelters during Hurricane Matthew, 15 Likes, **1,114** people reached		
			October 6 - Shared the Local State of Emergency declared by the Mayor, 6 reactions, 13 shares, 1 tag, **2765** people reached		
			October 5 - Posted photo of Downtown concert Series at Polk State College, 6 likes, **3,510** reached		
Twitter	912	+31	Top Media Tweet - Public Services meeting as City prepares for #HurricaneMatthew w/ photo **366** Impressions		
(Commission meetings are Live tweeted)					
			Top Tweet - The State of Emergency for Lake Wales has been lifted. 5 retweets, 3 like **1,073** Impressions		

SOCIAL MEDIA TRACKING REPORT			SINCE October 4, 2016 (Social media is now being archived)		
Name	**Likes/Followers**	**Change**	**Top Posts**	**Comments**	
			Top Mention - For outage reporting and restoration tracking, please view our mobile site from any smartphone: m.duke-energy.com **15** engagements		
	266	+9	Photo of City staff meeting earlier today to prepare for #HurricaneMatthew The EOC (Emergency Operation Center) is open. 9 likes		
	9	1	none		

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 – October 2016

Tues, October 4, 2016	Regular	6:00 p.m.	Commission Chambers
Tues, October 18, 2016	Regular	6:00 p.m.	Commission Chambers

City Commission Meetings – November 2016

Tues, November 1, 2016	Regular	6:00 p.m.	Commission Chambers
Tues, November 15, 2016	Regular	6:00 p.m.	Commission Chambers

City Commission Meetings – December 2016

Tues, December 6, 2016	Regular	6:00 p.m.	Commission Chambers
Tues, December 20, 2016	Regular	6:00 p.m.	Commission Chambers

City Commission Meetings – January 2017

Tues, January 3, 2017	Regular	6:00 p.m.	Commission Chambers
Tues, January 17, 2017	Regular	6:00 p.m.	Commission Chambers

City Commission Meetings – February 2017

Tues, February 7, 2017	Regular	6:00 p.m.	Commission Chambers
Tues, February 21, 2017	Regular	6:00 p.m.	Commission Chambers

City Commission Meetings – March 2017

Tues, March 7, 2017	Regular	6:00 p.m.	Commission Chambers
Tues, March 21, 2017	Regular	6:00 p.m.	Commission Chambers

For City Commission meeting information please contact the City Clerk, 863-678-4182, ext. 228 or cvanblargan@cityoflakewales.com.

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; 1st & 3rd 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
Thursday October 13th	5:00pm	Homecoming Parade		Central Avenue	
Saturday October 15th	7:30am	Flight for the Cure	Breast Cancer Awareness 5K walk/Run	LW Airport	
Wed, October 19th	2pm	Polk Regional Water Coop Board Meeting		Lake Myrtle Complex, 905 Lake Myrtle Park Rd, Auburndale 33823	
Saturday October 22nd	9am - 11am	Jogging for Jackie 5K	5K run/walk	Starts at Kiwanis Park	
Monday, October 24th	3:30pm	LW Charter Schools Board of Trustees Meeting		Dale R. Fair Babson Park Elementary	
October 28-30, 2016	Sat. 9-5, Sun 11-4	Pioneer Days	Vendors, Car Parade, Carriage Tour	Lake Wailes Park	
November 5th	8am - 2pm	Scenic HWY yard Sale	Yard Sale at LW Museum	Lake Wales Museum	
November 4-5, 2016	Friday 6pm Saturday 7am & 5:30pm	Quivering Quads Races Sponsored by the Rotary Club of Lake Wales	4 races over 24 hours	Kiwanis Park & Lake Wailes Park. Includes Rails to Trails & Lake Wailes Trail	
November 5, 2016	Saturday 9:30 am - 1:00 pm	Warner Homecoming Football Game Event	Includes tailgating and games	Lake Wailes Park	
November 11, 2016	1:00pm - 2:00pm	Veterans Day parade		Central Ave to Lake Wailes Park	
November 24th, 2016	8:00am - 9:00am	Turkey Trot 5K	5K fundraiser for YMCA	Downtown, Lake Wailes Park, and various city streets	

December 2nd - 3rd, 2016	6pm -10pm Friday; 10am - 10pm Saturday	Orange Blossom Revue	BBQ Competition Sponsored by the Rotary Club of Lake Wales	Lake Wailes Park
December 6, 2016	5:30pm	Christmas Tree Lighting Ceremony		Municipal Administration Building
December 9th, 2016	4-8:30pm	Make it Magical	Downtown Holiday Event	Downtown Lake Wales Stuart, Park, Marketplace
December 10th, 2016	6:00pm - 8:00pm	Christmas Parade		Central Avenue
Wed, December 21st	2pm	Polk Regional Water Coop Board Meeting		Lake Myrtle Complex, 905 Lake Myrtle Park Rd, Auburndale 33823

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: None

Current Members:	Charles Keniston, resident	03/06/12 - 07/01/18, 2
	Katherine Rogers, resident, chairman	09/18/12 - 07/01/18, 2
	Ryan Michalkiewicz, resident	06/21/16 - 07/01/19, 1
	Charles N. Clegg, resident	07/19/16 - 07/01/19, 1
	Eric Farewell, resident	08/18/15 - 07/01/18, 1
	Dale Marks, resident	06/17/08 - 07/01/17, 3
	Travis Burns, resident	07/19/16 - 07/01/17, P
	Commissioner Perez, non-voting member	05/19/15 - 05/02/17, 1

Airport Manager (City Code Sec. 2-41(f)(5)) – Alexander Vacha, employee, City Manager appointed

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 serves 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: 5 regular vacancies, 3 alternate vacancies

Current Members:	Lorraine McIntosh, resident	06/15/10 – 07/01/19, 3
	Roberto Maldonado, resident	07/17/12 – 07/01/17, 2
	Vacant,	– 07/01/19
	Vacant,	- 07/01/19
	Vacant,	- 07/01/17
	Vacant,	- 07/01/18
	Vacant,	- 07/01/18
	Vacant, Alternate	– 07/01/17
	Vacant, Alternate	– 07/01/18
	Vacant, Alternate	– 07/01/18

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 [Inactive Board]

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: 1 Vacancy

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
	Ralph W. Eberhard, resident	08/02/16 - 07/01/19, 1
	Vacant, resident	- 07/01/19

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:	***Vacant***, resident	– 07/01/19
	Curtis Gibson, resident	05/03/16 – 07/01/18, 1
	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, resident

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 – 07/01/19, 2
	Vacant, resident	– 07/01/19
	Jean Kincaid Scott, resident	06/17/08 – 07/01/17, 3
	Curtis Gibson, resident	05/03/16 - 07/01/18, 1
	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. Sec. 2-73 (c), Nomination and Appointment: Each commissioner shall nominate a person who resides, owns property or operates 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, **except that the two citizen members appointed in accordance with Ordinance 2009-17 shall be afforded the opportunity to serve as appointees from their respective districts.** The nomination shall be confirmed by majority vote of the city commission. (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 vacancies (Seat 4, District 27)

Current Members:	Mark Bennett, chair (Seat 2 – District 19)	04/21/15 – 07/01/19, 2
	Narvell Peterson, vice-chair (Seat 3–District 122)	12/07/10 – 07/01/17, P+3-Final
	Christopher Lutton (Seat 5 – District 28)	05/03/16 - 07/01/18, 1
	Jean Kincaid Scott (Seat 1 – At Large)	05/03/16 - 07/01/19
	Vacant (Seat 4 – District 27)	– 07/01/18

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 CRA Citizen Advisory Committee shall provide advice and recommendations as needed to implement the CRA plan adopted by the City Commission. 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: None

Current Members:	Lawrence (Larry) Bossarte, business owner	11/01/11 – 07/01/17, 2
	Diane Armington, owns property in the City	03/15/11 – 07/01/19, 3
	Leah Bartholomay, resident	05/06/14 – 07/01/18, P+1
	Erika B. Schindler, business owner	10/06/15 - 07/01/18, 1
	Christopher Lutton	06/21/16 - 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
	Eddye Rivers, resident	07/01/08 – 07/01/20, 3-F
	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:	Jolene K. Lake, outside	08/06/96 – 07/01/21, 1
	Donna Geils, resident	12/02/14 – 07/01/17, 1
	Michalkiewicz, Brystal, resident	08/04/15 - 07/01/21, P+1
	Jacquie Hawkins, resident	06/21/16 - 07/01/18, 1
	Margaret Swanson, resident	06/21/16 – 07/01/19, 1

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: 6 vacancies

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

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

Current Members:	Jean Kincaid Scott, resident	09/16/08 – 07/01/17, 3-Final
	Vacant	– 07/01/16
	Vacant	– 07/01/16
	Vacant	– 07/01/17
	Vacant	– 07/01/18
	Vacant	– 07/01/18
	Vacant	– 07/01/19

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 four (4) members must reside in the City and three (3) members 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: none

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 – 07/01/19, 3
	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 – 07/01/19, 2
	Mathew Cain, own real property in city	03/15/16 – 07/01/19, P+1

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

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

Rules of procedure (City Code Sec. 23-205.3):
The planning board shall elect from its **membership** one (1) member to serve as chairman and one (1) to serve as vice-chairman.

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

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

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

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

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

- Current Vacancies: 1 citizen vacancy

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
	Kris T. Fitzgerald, citizen	10//04/16 - 07/01/18, 1
	Vacant	– 07/01/18
	Eileen Farchmin, Webber Internt'l University	09/19/11 - 07/01/17, 2
	Robbie Shields, Lake Wales Soccer Club	09/19/11 - 07/01/17, 2
	Patty McKeeman, Lake Wales Pram Fleet	09/19/11 - 07/01/17, 2
	Deborah Rheiner/Linda Kimbrough, PAL	09/19/11 - 07/01/17, 2
	Helen Petersen, Green & Gold Foundation	09/19/11 - 07/01/17, 2
	Norm Rainey, Tennis Program	09/19/11 - 07/01/17, 2
	John Abel, YMCA/Softball	09/19/11 - 07/01/17, 2
	Clark Heter, YMCA	10/17/11 - 07/01/17, 2
	Mimi Hardman, Historic Lake Wales Society	09/19/11 - 07/01/17, 2
	Curt, Boys & Girls Club	09/19/11 - 07/01/17, 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 Trustee

Current Members:	***Vacant***, 5th Seat	- 09/30/19,
	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 - 04/01/20, 5
	Sarah Kirkland, general employee	01//05/10 - 04/01/19, 3
	James Slaton, general employee	04/26/12 - 04/01/20, 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: None

Current Members:	Joe Elrod, 5th Trustee	02/03/15 - 09/30/19
	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.

BOARDS, COMMISSIONS, & COMMITTEES
Meeting Schedule

Airport Authority
1st Monday @ 5:30 p.m.; Commission Chamber

Board of Zoning Adjustment and Appeals (BOA)
3rd Thursday @ 9:00 a.m.; Commission Chamber

Citizens & Police Community Relations Advisory Committee
3rd Thursday @ 6:00 p.m.; City Hall Lunch Room

Code Enforcement Board
2nd Monday @ 5:00 p.m.; Commission Chamber

Community Redevelopment Agency (CRA) Board
Meetings are held as needed

CRA Citizen Advisory Committee
3rd Thursday @ 5:00 p.m.; Commission Chamber
(Meeting time will be 5:30 p.m. if the Historic District Regulatory Board is meeting the same night in the Chamber at 5:00 p.m.)

Historic District Regulatory Board
3rd Thursday @ 5:00 p.m.; Commission Chamber (board does not meeting regularly)

Housing Authority
3rd Wednesday @ 6:00 p.m.; Housing Authority

Library Board
2nd Wednesday @ 11:00 a.m.; Lake Wales Library

Planning & Zoning Board
4th Tuesday @ 5:30 p.m.; Commission Chamber

Recreation Commission
3rd Monday; 12:00 p.m., City Manager's Conference Room

Firefighters' Retirement Board
Quarterly @ 4:00 p.m.; Fire Department meeting room

General Employees' Retirement Board
Quarterly @ 8:30 a.m.; City Manager's conference room

Police Officers' Retirement Board
Quarterly @ 4:00 p.m.; Fire Department meeting room

TITLE	MEMBERS	VACANCIES	QUORUM
Airport Authority Board	7	0	4
Board of Zoning Adjustment & Appeals	5	1	3
Citizens & Police Community Relations Advisory Committee	3	1	2
Code Enforcement Board	7	2	4
CRA Citizen Advisory Committee	5	1	3
Historic District Regulatory Board	5	0	3
Housing Authority Board	5	0	3
Library Board	5	0	3
Planning & Zoning Board	7	0	4
Recreation Commission	13	1	6
Firefighters' Retirement Board	5	1	3
General Employees' Retirement Board	5	0	3
Police Officers' Retirement Board	5	0	3
TOTAL	**77**	**7**	

INACTIVE BOARDS:

Bicycle/Pedestrian Advisory Commission
Investment Committee
Drug & Prostitution-Related Nuisance Abatement Board
Enterprise Zone Development Agency
Fire & Building Code Administration Board
Historic Preservation Board
Lakes Advisory Commission
Parks & Community Appearance Advisory Board

APPLICATION FOR APPOINTMENT TO CITY BOARD, COMMISSION OR COMMITTEE

City of Lake Wales, City Clerk's Office, P.O. Box 1320, Lake Wales, FL 33859-1320

Board/Commission/Committee _____

Applying for:

☐ reappointment

☐ new appointment

	Yes Full-time	Yes Part-time	No
City Resident?	☐	☐	☐
Registered Voter?	☐ Yes, Florida	☐ Yes, Other	☐ No

	Yes	No
City Business Tax?	☐	☐
Own Property in City?	☐	☐

Name	
Home Address	Home Phone
Business Address	Business Phone
Employer	Occupation/Type of Business

If applicant is not a city resident or does not pay business tax to city, please provide physical address of property owned within the city limits.

Special knowledge or experience applicable to function of board/commission/committee

Other community involvement

Fla. Statute 760.80 requires the City of Lake Wales to maintain and report the following information:

Race/Ethnicity

African-American ☐

Asian-American ☐

Hispanic-American ☐

Native-American ☐

Caucasian ☐

Gender

Male ☐ Female ☐

Physically Disabled?

Yes ☐ No ☐

I understand that I may be required to complete a Financial Disclosure Form in accordance with the requirements of Florida Law for every year during which I serve as an appointee. I further understand that refusal to file a required Financial Disclosure will result in my removal from the board/commission/committee to which I have been appointed.

_____ applicant initials

Have you ever been convicted of a felony? ☐ Yes ☐ No

If yes, please explain on separate paper and attach to application.

applicant signature

date

List 3 references who reside in the city:

name	phone
name	phone
name	phone

Contact City Clerk's Office to schedule appointment with board chairman and board support staff.

If the applicant is not appointed at the next City Commission meeting scheduled for the purpose of making appointments, this application will be retained on file for 6 months.

e-mail _____

Division 1. Generally

§ 2-26. Boards, commissions and committees organized under the code.

Several boards, commissions and committees have been organized pursuant to various provisions of the Code. The following general regulations apply to all of these boards, commissions or committees:

(1) *Residency.*

(a) Unless the ordinance creating a board, commission or committee provides otherwise or as provided in the following paragraph (b), membership on these boards, commissions and committees shall be limited to persons 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.

(b) The Lake Wales Library Board consists of five (5) members appointed by the city commission. Four (4) members shall be appointed as provided in paragraph (a) above. One (1) member may be a resident of the unincorporated Greater Lake Wales area or a resident of the City of Lake Wales provided that the Lake Wales Public Library is a member of the Polk County Library Cooperative and receives operating funds from the Polk County Board of County Commissioners. For the purposes of this paragraph, the term "resident of the unincorporated Greater Lake Wales area" shall mean "any resident outside of the City of Lake Wales having a Lake Wales mailing address."

(2) *Voter registration.* Membership on boards, commissions and committees shall be limited to persons who are legally registered to vote.

(3) *Limit on consecutive terms.*

(a) Except as provided in paragraph (b) below, no person shall serve more than three (3) consecutive terms on a single board, commission or committee except that a person appointed to a partial term that is less than one-half (½) of the normal term for that particular board, commission or committee shall be permitted to serve three (3) consecutive terms in addition to the partial term. Members appointed before July 1, 1989, may be permitted to serve three (3) additional consecutive terms. This limit on consecutive terms may be waived for members of regulatory boards (i.e., planning and zoning board, board of appeals, code enforcement, etc.) with the recommendation of the city manager where, in the sole discretion of the city manager, special circumstances exist which warrant the appointment of a particular member to an additional term.

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

(4) *Limit on concurrent appointments.* No person shall serve on more than two (2) boards, commissions or committees at the same time with the following exceptions:

A. No person shall serve on more than one (1) pension board.

B. No person shall serve on more than one (1) regulatory board.

(5) *Appointment to regulatory boards.* All applicants seeking appointment to a regulatory board such as planning and zoning board, zoning board of appeals, code enforcement board, nuisance abatement board, and the like, shall be interviewed by the board chairman and the head of the department providing staff support to the particular board to ensure that the applicants understand the duties and responsibilities of the board, are capable of performing such duties and responsibilities and are willing to fulfill the requirements of serving on the board. Said interviews shall be open to the public. Following the interviews, the board chairman and department head shall provide the city commission with their recommendations for appointment.

(6) *Applications for appointment.* The city manager may, in his/her sole discretion, delay the forwarding of applications to the city commission until there are a sufficient number of applicants to fill all vacant positions on a particular board, committee or commission.

(7) *Nepotism.* Members of the immediate family of elected officials shall not be appointed to serve on a board, commission or committee. Members of the immediate family of a municipal officer shall not be appointed to serve on a board, commission or committee which relates to the area of responsibility of that municipal officer. Board, commission or committee members shall be required to resign if a member of the immediate family becomes an elected official or municipal officer with duties relating to business conducted by that board, commission or committee. Such members appointed before July 1, 1989, shall be permitted to serve until the expiration of their current term.

(8) *Attendance.* Absence from three (3) consecutive meetings of a board, commission or committee shall operate automatically to vacate the seat of that member, unless such absence is excused by that board, commission or committee by motion duly passed and recorded in the official minutes.

(9) *Sunset provision.* Inactive boards, commissions and committees may be discontinued by the city commission provided there is no statutory requirement that such board, commission or committee exists. Boards, commissions and committees shall be declared inactive if no meeting is called or no official business is conducted at least once in a twelve (12) month period.

(Code 1962, § 1-10; Ord. No. 89-14, § 1, 6-20-89; Ord. No. 2002-27, § 1, 10-15-02; Ord. No. 2004-20, § 1, 8-3-04; Ord. No. 2005-16, § 1, 5-3-05; Ord. No. 2006-19, § 1, 5-16-06; Ord. No. 2006-47, § 3, 12-5-06; Ord. No. 2008-07, § 1, 2-19-08; Ord. No. 2008-09, § 1, 3-18-08; Ord. No. 2008-27, § 1, 9-2-08; Ord. No. 2009-11, § 1, 5-5-09)