

**CITY OF LAKE WALES
CITY COMMISSION
WORK SESSION
Official Agenda
June 10, 2020
3:00 p.m.**

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

This will be a hybrid virtual tele-conference meeting.

Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron Desantis on March 20, 2020, and extended by Executive Order No. 20-112, and extended further by Executive Order No. 20-114, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes.

Some members of the Commission, Staff and public will be welcome to attend in the Commission Chambers.

Everyone is welcome to attend virtually.

Virtual public meetings will continue to be broadcast live, locally, on Comcast channel 6 and on the City's web site. A link to the live stream can be found in the left-most menu of the City's home page and is labeled "Live Meeting Stream".

The direct link is: http://lakewales.granicus.com/player/camera/3?publish_id=2

**Members of the public may register to attend at
<https://www.lakewalesfl.gov/Register>**

Public Comments will be accepted at

www.lakewalesfl.gov/comments

1. ROLL CALL
2. ORDINANCE 2020-07 - Amending Chapter 16, Pension & Retirement
The City Commission will consider adopting Ordinance 2020-07 to allow for the purchase of prior municipal service by the City Manager.

Documents:

[ORDINANCE 2020.07 RETIREMENT MODIFICATION.PDF](#)
[ORDINANCE PROVIDING FOR COORDINATION OF BENEFITS \(00144424XBC171\).PDF](#)

3. Resolution 2020-16 Brookshire Street Lighting Preliminary Rate Resolution
Preliminary Rate Resolution for the Brookshire Street Lighting District

Documents:

[MEMO - PRELIMINARY RATE RESOLUTION BROOKSHIRE.PDF](#)
[BROOKSHIRE STREET LIGHTING - PRELIMINARY RATE RESOLUTION.PDF](#)

4. RESOLUTION 2020-17 - Preliminary Rate Resolution For Fire Protection Services Assessment
Preliminary Rate Resolution for Fire Protection Services Assessment

Documents:

[001 - MEMO - PRELIMINARY RATE RESOLUTION - FIRE PROTECTION ASSESSMENT.PDF](#)
[PRELIMINARY ASSESSMENT RESOLUTION 2020-17-SANDI-CLEAN.PDF](#)

5. Preliminary Subdivision Plat Extension Of Approval – San Juan Citrus
One-year extension of time on approval for a preliminary subdivision plat of a 68-lot single family residential subdivision.

Documents:

[CC MEMO - SAN JUAN CITRUS EXT. PRELIM PLAT 6.16.2020.PDF](#)

6. Commission Member Salaries

Documents:

[COMMISSION SALARY DISCUSSION 6.2020.PDF](#)
[2020 COMMISION SAL SURVEY.PDF](#)

7. Interim City Manager
Salary discussion for Interim City Manager

Documents:

[DOCUMENT77 \[COMPATIBILITY MODE\].PDF](#)

8. Hiring Process For A New City Manager
9. CITY COMMISSION AND MAYOR COMMENTS
10. ADJOURN

(The full staff memo will be incorporated into the official record)

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

Persons who wish to appeal any decision made by the City Commission with respect to any

matter considered during this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

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

MEMORANDUM

June 5, 2020

TO: Honorable Mayor & City Commission

VIA: James Slaton, Interim City Manager

FROM: Sandra D. Davis, Human Resources Director

SUBJECT: Ordinance 2020-07 Amending Chapter 16, Pension & Retirement – General Employees’ Pension Plan – Second Reading & Public Hearing

SYNOPSIS: The City Commission will consider adopting Ordinance 2020-07 to allow for the purchase of prior municipal service by the City Manager.

RECOMMENDATION

It is recommended that the City Commission adopt Ordinance 2020-07 on Second Reading & Public Hearing.

BACKGROUND

The City sponsors multiple retirement systems, including a Defined Benefit Plan and a Defined Contribution plan. Ordinance 2020-07 is being presented to allow for purchase of prior City service by the City Manager.

The proposed change will allow a city manager who has full-time City of Lake Wales service or other full-time governmental service in Florida prior to membership in this Plan, to purchase up to five years of prior service. The full actuarial cost of this buyback must be paid by the member. The cost of the service buyback will be made by lump sum payment, including rollover from another qualified plan.

The City’s defined benefit plans currently allow members to purchase up to five (5) years of military service entirely at the employee’s cost and the Florida Retirement System which covers school district and County employees, including the Sheriff’s Office, allows members to purchase some type of prior government service as is provided for in this ordinance.

FISCAL IMPACT

Foster & Foster, Inc. the General Employees’ Pension Board’s Actuarial Consultants, have determined that the purchase of prior City service by the City Manager will have no impact on the assumptions used in determining the funding requirements of the plan, because the cost will be paid by the City Manager.

ORDINANCE 2020-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAKE WALES AMENDING THE CITY OF LAKE WALES GENERAL EMPLOYEES' PENSION PLAN AND TRUST; CREATING SECTION 16-66(a) TO PERMIT THE PURCHASE OF PRIOR SERVICE BY A CITY MANAGER; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Section 1. Section 16-66 of the Code of Ordinances of the City of Lake Wales is

hereby created to read as follows:

Sec. 16-66. Purchase of service.

(a) Purchase of prior City service. The City Manager who has full-time City or other full-time governmental service in Florida prior to active membership in this Plan may purchase up to five years of prior service, as permitted by Section 112.65, Fla. Stat. The full actuarial cost of this buyback must be paid by the City Manager. The cost of the service buyback shall be made by lump sum payment, including rollover from another qualified plan.

Section 2. Effective Date. This ordinance shall apply immediately upon adoption, unless otherwise provided.

Section 3. Inclusion in Code. It is the intention of the City Commission of the City of Lake Wales, Florida, 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," "division," or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be construed as eliminated and shall in no way affect the validity of the remaining portions of this Ordinance.

Section 5. All Ordinances or Resolutions or parts of Ordinances or Resolutions in

conflict herewith are hereby repealed to the extent of such conflict.

CERTIFIED AS TO PASSAGE this _____ day of _____, 2020.

CITY OF LAKE WALES, FLORIDA

ATTEST:

By: _____
MAYOR

CITY CLERK

MEMORANDUM

June 16, 2020

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: Dorothy Abbott, Finance Director
Iris Caro, Finance Department

RE: Resolution No. 2020-16, Preliminary Rate Resolution – Brookshire Street Lighting District.

SYNOPSIS: *Preliminary Rate Resolution for the Brookshire Street Lighting District*

RECOMMENDATION

It is recommended that City Commission adopt Resolution No. 2020-16 providing the Preliminary Rate Resolution for the Brookshire Street Lighting District.

BACKGROUND

In 2010, the City of Lake Wales received a petition requesting the creation of a Street Lighting District for the Brookshire subdivision. The District includes the thirty-one (31) decorative street lighting poles. Eighty-seven (87) platted lots are within the street lighting district and the estimated annual street lighting costs are \$13,485. The estimated annual charge per plated lot is \$155.

OTHER OPTIONS

Do not approve Brookshire Street Lighting District special assessment.

FISCAL IMPACT

Annual estimated assessment revenue of \$13,485 is expected to pay all street lighting costs relating to the services, facilities and programs within the Brookshire Street Lighting District.

ATTACHMENTS

Resolution 2020-16

RESOLUTION NO. 2020-16

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, RELATING TO THE FUNDING OF STREET LIGHTING SERVICES AND FACILITIES WITHIN THE BROOKSHIRE STREET LIGHTING DISTRICT IN THE CITY OF LAKE WALES, FLORIDA; DESCRIBING THE METHOD OF ASSESSING STREET LIGHTING SERVICES AND FACILITIES WITHIN THE BROOKSHIRE STREET LIGHTING DISTRICT IN THE CITY OF LAKE WALES; DIRECTING THE PREPARATION OF AN UPDATED ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Lake Wales, Florida, has enacted Ordinance 2010-10, which authorizes the annual imposition of Street Lighting Assessments for the cost of provision of street lighting services, facilities or programs, which provide a special benefit to assessed properties within the City;

WHEREAS, the residential property within the Brookshire subdivision has decorative street lighting infrastructure to enhance the aesthetics of the subdivision; and

WHEREAS, the style, number and placement of street lights relating to the Brookshire subdivision has been controlled by the Developer and the Brookshire Homeowners Association and in no way was mandated by the City of Lakes Wales; and

WHEREAS, the property owners representing a majority of the parcels located within the Brookshire Street Lighting Assessment Area petitioned the Lake Wales Commission, in 2010, to establish a Street Lighting District for the purpose of providing street lights in said area; and

WHEREAS, pursuant to the Special Assessment Ordinance (City Code Chapter 17.5), the reimposition of a street lighting assessment requires certain processes such as the preparation of the updated street lighting assessment roll;

WHEREAS, annually, a preliminary rate resolution describing the method of assessing street lighting service costs against assessed property located within the Brookshire Street Lighting District, directing the preparation of an updated assessment roll, authorizing a public hearing and directing the provision of notice thereof is required by Ordinance 2010-10 for reimposition of street lighting services assessments;

WHEREAS, the Commission has determined that the collection of the Brookshire Street Lighting Assessment be collected in accordance with the Uniform Method of Collection, for Fiscal Year beginning October 1, 2020, as authorized in Section 197.3632, Florida Statutes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MASCOTTE, FLORIDA, AS FOLLOWS:

Section 1. Authority. This Resolution is adopted pursuant to the provisions of the Special Assessment Ordinance (Ordinance 2010-10, Chapter 17.5-13 of the City of Lake Wales City Code), Article VIII, Section 2(b), Florida Constitution, §§ 166.021 and 197.3632, Florida Statutes, and other applicable provisions of law.

Section 2. Purpose and Definitions. This Resolution constitutes the Preliminary Rate Resolution as defined in the Special Assessment Ordinance, which initiates the annual process for updating the Brookshire Street Lighting District Assessment Roll and directs the reimposition of Brookshire Street Lighting District Assessments for the fiscal year beginning October 1, 2020. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Special Assessment Ordinance and the Initial Assessment Resolution for Brookshire Street Lighting Services and Facilities. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa.

Section 3. Provision and Funding of Brookshire Street Lighting District Services. The Brookshire Street Lighting District has been established for all land within the following described area all lying and being within the City of Lake Wales, Polk County, Florida:

The SW ¼ of the SW ¼ of Section 11, Township 29 South, Range 27 East, LESS highway right-of-way and EXCEPT the North 256 feet and the South 10 feet of the West 250 feet of the North 266 feet; and The North ½ of the NW ¼ of the NW ¼ of Section 14, Township 29 South, Range 27 East, LESS a small triangular-shaped piece of land on the South side described in Deed Book 419, Page 455, Public Records of Polk County, Florida, LESS highway right-of-way.

Section 4. Legislative Determinations of Special Benefit and Fair Apportionment. The legislative determinations, especially regarding special benefit and fair apportionment, embodied in the Special Assessment Ordinance 2010-10 and the Initial Assessment Resolution 2010-10, are re-affirmed and incorporated herein by reference.

Section 5. Determination of Brookshire Street Lighting District Services Cost; Establishment of Preliminary Street Lighting Assessment Rates.

(A) This Preliminary Rate Assessment Resolution determines the amount of the Brookshire Street Lighting Services Cost. The assessable Brookshire Street Lighting District cost which can be assessed and apportioned among benefited parcels for the Fiscal Year beginning October 1, 2020, is \$13,485.

(B) For the Fiscal Year beginning October 1, 2020, in which Brookshire Street Lighting District Services Assessments are imposed, the Brookshire Street Lighting Assessment will be equally apportioned between the total number of parcels within the Brookshire Street Lighting District. **Based on the assessable street lighting costs (\$13,485), divided by the total number of parcels (87), an annual rate of assessment is \$ 155.00 per parcel is hereby approved.**

(C) The rate of the Brookshire Street Lighting District Services Assessments established in this Preliminary Rate Assessment Resolution shall be the rates applied by the City Manager in the preparation of the updated Brookshire Street Lighting District Assessment Roll for the Fiscal Year commencing October 1, 2020 as provided for in Section 6 of this Preliminary Rate Assessment Resolution.

Section 6. Updated Assessment Roll.

(A) The City Manager is hereby directed to prepare, or cause to be prepared, an updated Brookshire Street Lighting District Assessment Roll for the Fiscal Year beginning October 1, 2020. Such updated Brookshire Street Lighting District Assessment Roll shall contain the following: (1) a summary description of all Property within the City conforming to the description contained on the Tax Roll, (2) the name and address of the owner of record of each parcel as shown on the Tax Roll, if available, and (3) the amount of the Brookshire Street Lighting District Services Assessment attributable to Assessed Property.

(B) A copy of this Preliminary Rate Resolution, the Special Assessment Ordinance, the Initial Assessment Resolution for Brookshire Street Lighting District Services and Facilities, and the updated Brookshire Street Lighting District Roll shall be open to public inspection.

Section 7. Obligation of City.

(A) Upon the imposition of Brookshire Street Lighting District Assessment against parcels located within the Brookshire Street Lighting District, the City shall provide street lighting services to such parcels. Brookshire street lighting costs shall be paid from proceeds of the Brookshire Street Lighting District Assessment.

(B) It is hereby ascertained, determined, and declared that each assessed parcel shall, and will be, benefited by the City's provision of street lighting services in an amount not less than the Brookshire Street Lighting District Assessment upon such parcel computed in the manner set forth in this Preliminary Rate Resolution.

Section 8. Authorization of Public Hearing. There is hereby established a public hearing to be held at **6:00 p.m. on Tuesday, September 9, 2020**, in the Commission Chambers, Municipal Administration Building, 201 W. Central Avenue, Lake Wales, Florida, at which time the City Commission will receive and consider any comments on the Brookshire Street Lighting District Assessment from the public and affected property owners and consider imposing the Brookshire Street Lighting District Assessments for the Fiscal Year commencing October 1, 2020, collecting such assessment imposed on parcels of Assessed Property within the City by utilizing the Uniform Assessment Collection Act.

Section 9. Notice by Publication. The City Manager or designee shall publish a notice of the public hearing authorized by Section 7 above, as required by Section 17.5-13(5) of the Special Assessment Ordinance. The notice shall be published no later than August 20, 2020. If the City determines that the truth-in-millage (“TRIM”) notice that is mailed by the Property Appraiser under Section 200.069, Florida Statutes, also fulfills the requirements of this section, then the notice by publication requirement will be deemed to be fulfilled by the TRIM notice.

Section 10. Notice by Mail. The City Manager or designee shall ensure that notice by first class mail is provided to the Owner of each Assessed Parcel, as required by Section 17.5-13(5)2.05 of the Special Assessment Ordinance. Such notices shall be mailed not later than August 20, 2020. If the City determines that the truth-in-millage (“TRIM”) notice that is mailed by the Property Appraiser under Section 200.069, Florida Statutes, also fulfills the requirements of this section, then the separate mailing requirement will be deemed to be fulfilled by the TRIM notice.

Section 11. Method of Collection. It is hereby declared that the Brookshire Street Lighting District Assessments imposed on parcels of assessed property in the City shall be collected pursuant to the Uniform Assessment Collection Act for the Fiscal Year commencing October 1, 2020.

Section 12. Severability. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

Section 13. Conflicts. All resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 14. Severability. If any section, sentence, clause or phrase of this Resolution or its attachments is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding in no way affect the remaining portion of this Resolution.

Section 15. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Lake Wales, Polk County, Florida, at a regular Council meeting, this 16th day of June 2020.

CITY OF LAKE WALES

BY: _____
Eugene Fultz, Mayor

ATTEST:

City Clerk
Approved as to form:

Albert C. Galloway, Jr., City Attorney
City of Lake Wales

MEMORANDUM

June 16, 2020

TO: Honorable Mayor and City Commission

VIA: Kenneth Fields, City Manager

FROM: Joe Jenkins, Fire Chief
Dorothy Abbott, Finance Director and Iris Caro, Finance Department

RE: Resolution No. 2020-17, Preliminary Rate Resolution for Fire Protection Services Assessment

SYNOPSIS: *Preliminary Rate Resolution for Fire Protection Services Assessment*

RECOMMENDATION

It is recommended that City Commission adopt Resolution No. 2020-17 providing the Preliminary Rate Resolution for Fire Protection Services Assessment.

BACKGROUND

It is recommended that the City Commission set the Preliminary Fire Protection Services Assessment rate and adopt Preliminary Fire Protection Service Assessment Resolution 2020-17 providing for Fire Protection Services Assessments for fiscal year beginning October 1, 2020. Staff is recommending the following rate scenario:

Property Category	Assessment Rate
Single-Family	Per dwelling unit \$162
Multi-Family	Per dwelling unit \$ 80
Mobile Home	Per dwelling unit \$144
Property Category	Assessment Rate
Commercial	Per Sq Ft \$.07
Industrial/Warehouse	Per Sq Ft \$.01
Institutional	Per Sq Ft \$.09

OTHER OPTIONS

Rely solely on the ad valorem taxes to fund fire protection services, equipment, and programs.

FISCAL IMPACT

The estimated net revenue is \$1,269,571. Initial fire protection assessment rates are 50.25% of assessable costs.

ATTACHMENTS

Resolution 2020-17

RESOLUTION 2020-17
(Preliminary Assessment Resolution)

A RESOLUTION OF THE CITY OF LAKE WALES, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS; PROVIDING AUTHORITY, PURPOSE, AND DEFINITIONS; PROVIDING LEGISLATIVE FINDINGS; DESCRIBING THE METHOD OF ASSESSING FIRE PROTECTION ASSESSMENT COSTS AGAINST PROPERTIES WITHIN THE CITY OF LAKE WALES; DETERMINING THE FIRE PROTECTION ASSESSED COST AND INITIAL FIRE PROTECTION ASSESSMENTS; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREFOR; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City of Lake Wales, Florida has enacted Ordinance 2008-26, which authorizes annual imposition of Fire Protection Assessments for fire protection services, facilities, and programs against Assessed Property within the City; and

WHEREAS, the City desires to impose Fire Protection Assessments for the funding of fire protection services, facilities, or programs providing special benefits to Assessed Property within the City; and

WHEREAS, Ordinance 2008-26 defines and describes the initial proceeding, or Resolution, for the identification of the fire protection assessed cost for which an assessment is to be made and for the imposition of a fire protection assessment; and

WHEREAS, the City has implemented a recurring annual fire protection special assessment program to provide a portion of the funding for the City's fire services and facilities, with the adoption of Ordinance 2008-26, Initial Assessment Resolution 2015-08, Final Assessment Resolution 2015-09, Amended and Restated Initial Assessment Resolution No. 2016-13, Amended and Restated Initial Assessment Resolution (corrective) 2016-13(A) Resolution 2016-22 Reimposing the Fire Protection Assessments, Preliminary Assessment Resolution 2017-11, Final Assessment Resolution 2017-16, Preliminary Assessment Resolution 2018-15, Final Assessment Resolution 2018-18, Preliminary Assessment Resolution 2019-07 and Final Assessment Resolution 2019-17; and

WHEREAS, the adoption of this Preliminary Assessment Resolution serves the health, safety and general welfare of the residents of the City of Lake Wales, now therefore:

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WALES, FLORIDA:

Section 1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. **Authority.** This Resolution is adopted pursuant to the provisions of Ordinance 2008-26 and Section 197.3632, Florida Statutes, and other applicable provisions of law.

Section 3. **Purpose and Definitions.**

This Resolution constitutes the Preliminary Assessment Resolution as defined in Ordinance 2008-26, which initiates the annual process for updating the Assessment Roll and directs the reimposition of Fire Protection Assessments for the Fiscal Year beginning October 1, 2020. All capitalized words and terms not otherwise defined herein shall have the meanings set forth in the Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, the Amended and Restated Initial Assessment Resolution, the Amended and Restated Initial Assessment Resolution (corrective), the Resolution Reimposing the Fire Protection Assessments, the Preliminary Assessment Resolution (2017), the Final Assessment Resolution (2017), the Preliminary Assessment Resolution (2018), the Final Assessment Resolution (2018), The Preliminary Assessment Resolution (2019) and the Final Assessment Resolution (2019) referred to above. Unless the context indicates otherwise, words imparting the singular number include the plural number, and vice versa.

Section 4. **Provision and Funding of Fire Protection Services.**

(A) Upon the imposition of a Fire Protection Assessment for fire protection services, facilities, or programs against Assessed Property located within the geographic area of the City, the City shall provide such fire protection services, facilities, or programs. A portion of the cost to provide such fire protection services, facilities, or programs shall be funded from proceeds of the Fire Protection Assessments. The remaining cost required to provide fire protection services, facilities, and programs shall be funded by legally available City revenues other than Fire Protection Assessment proceeds.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the geographic area of the City will be benefited by the City's provision of fire protection services, facilities, and programs in an amount not less than the Fire Protection Assessment imposed against such parcel, computed in the manner set forth in this Preliminary Assessment Resolution.

Section 5. **Imposition and Computation of Fire Protection Assessments.**

Fire Protection Assessments shall be imposed within the City until discontinued or changed. Fire Protection Assessments shall be computed in a manner set forth in this Preliminary Assessment Resolution unless discontinued or changed.

Section 6. **Legislative Determinations of Special Benefit and Fair Apportionment.**

The Legislative determinations of special benefit and fair apportionment embodied in the Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, the Amended and Restated Initial Assessment Resolution, the Amended and Restated Initial Assessment Resolution (corrective), the Resolution Reimposing the Fire Protection Assessments, the Preliminary Assessment Resolution (2017), the Final Assessment Resolution (2017), the Preliminary Assessment Resolution (2018), the Final Assessment Resolution (2018), the Preliminary Assessment Resolution (2019) and the Final Assessment Resolution (2019) referred to above are affirmed and incorporated herein by reference.

Section 7. Cost Apportionment Methodology.

The Cost Apportionment embodied in Section 7 of the Amended and Restated Initial Assessment Resolution is affirmed and incorporated herein by reference.

Section 8. Parcel Apportionment Methodology.

The Parcel Apportionment embodied in Section 8 of the Amended and Restated Initial Assessment Resolution is affirmed and incorporated herein by reference.

Section 9. Determination of Fire Protection Assessed Costs; Establishment of Initial Fire Protection Assessments.

(A) The Fire Protection Assessed Costs to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and the Parcel Apportionment for the Fiscal Year beginning October 1, 2020, is \$1,503,925.

(B) The estimated Fire Protection Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Fire Protection Assessed Cost for the Fiscal Year beginning October 1, 2020, are hereby established as follows for the purpose of this Preliminary Assessment Resolution:

Initial Fire Protection Assessment Rates (50.25% of Assessable Costs)

Residential Property Use Categories	Rate Per Dwelling Unit
Single-Family	\$162.00
Multi-Family	\$80.00
Mobile Home	\$144.00
Non-Residential Property Use Categories	Rate Per Square Foot
Commercial	\$0.07
Industrial/Warehouse	\$0.01
Institutional	\$0.09

The Estimated Gross Revenue for Fiscal Year 2020-21 is \$1,503,925; estimated exempt buy-down is \$234,355; Estimated Net Revenue therefore is \$1,269,571.

(C) No Fire Protection Assessment shall be imposed upon a parcel of Government Property or upon Buildings located upon parcels of Institutional Property whose Building Use is wholly exempt from ad valorem taxation under Florida law; however, Government Property that is owned by federal mortgage entities such as VA and HUD shall not be exempt from the Fire Protection Assessment.

(D) Any shortfall in the expected Fire Protection Assessment proceeds due to any reduction or exemption from payment of the Fire Protection Assessments required by law or authorized by the City Commission shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Protection Assessments. In the event a court of competent jurisdiction determines any exemption or reduction by the City Commission is improper or otherwise adversely affects the validity of the Fire Protection Assessment imposed, the sole remedy shall be the imposition of a Fire Protection Assessment upon each affected parcel of Assessed Property in the amount of the Fire Protection Assessment that would have been otherwise imposed save for such reduction or exemption afforded to such parcel of Assessed Property by the City Commission.

(E) The approval of the Estimated Fire Protection Assessment Rate Schedule by the adoption of this Preliminary Assessment Resolution determines the amount of the Fire Protection Assessed Costs. The remainder of such Fiscal Year budget for fire services, facilities, and programs shall be funded from available City revenue other than Fire Protection Assessment proceeds.

(F) The estimated Fire Protection Assessments specified in the Estimated Fire Protection Assessment Rate Schedule are hereby established to fund the specified Fire Protection Assessed Costs determined to be assessed for the Fiscal Year 2020-21. No portion of such Fire Protection Assessed Costs are attributable to impact fee revenue that funds capital improvements necessitated by new growth or development. Further, no portion of such Fire Protection Assessed Costs is attributable to the Emergency Medical Services Cost. The remaining costs required to provide fire protection services, facilities, and programs shall be funded by available City revenues other than Fire Protection Assessment proceeds.

(G) The estimated Fire Protection Assessments established in this Preliminary Assessment Resolution shall be the estimated assessment rates applied by the City Manager in the preparation of the preliminary Assessment Roll for the Fiscal Year commencing October 1, 2020, as provided in Section 10 of this Preliminary Assessment Resolution.

Section 10. Assessment Roll.

(A) The City Manager is hereby directed to prepare, or cause to be prepared, a preliminary Assessment Roll for the Fiscal Year commencing October 1, 2020, in the manner provided in Ordinance 2008-26. The Assessment Roll shall include all Assessed Property. The City Manager shall apportion the estimated Fire Protection Assessed Cost to be recovered through the Fire Protection Assessments in the manner set forth in this Preliminary Assessment Resolution.

(B) A copy of Ordinance 2008-26, the Initial Assessment Resolution, the Final Assessment Resolution, the Amended and Restated Initial Assessment Resolution, the Amended and Restated Initial Assessment Resolution (corrective), the Resolution Reimposing the Fire Protection Assessments, the Preliminary Assessment Resolution (2017), the Final Assessment Resolution (2017), the Preliminary Assessment Resolution (2018), the Final Assessment Resolution (2018), The Preliminary Assessment Resolution (2019), and the Final Assessment Resolution (2019), together with this Preliminary Assessment Resolution, documents related to the estimated amount of the Fire Protection Assessed Cost to be recovered through the imposition of Fire Protection Assessments, and the preliminary Assessment Roll shall be maintained on file in the Office of the City Manager and open to public inspection. The foregoing shall not be construed to require that the preliminary Assessment Roll be in printed form if the amount of the Fire Protection Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(C) It is hereby ascertained, determined, and declared that the method for determining the Fire Protection Assessments for fire protection services as set forth in this Preliminary Assessment Resolution is a fair and reasonable method of apportioning the Fire Protection Assessed Cost among parcels of Assessed Property within the City.

Section 11. Authorization of Public Hearing.

There is hereby established a public hearing to be held at 6:00 p.m., or as soon thereafter as the matter may be heard, on Wednesday, September 9, 2020, at the City Administration Building, 201 W. Central Avenue, Lake Wales, Florida, at which time the City Commission will receive and consider any comments on the Fire Protection Assessment from the public and affected property owners and consider imposing the Fire Protection Assessments for the Fiscal Year commencing October 1, 2020, collecting such assessments imposed on parcels of Assessed Property within the City by utilization of the Uniform Assessment Collection Act.

Section 12. Notice by Publication.

The City Manager shall publish notice of the public hearing authorized by Section 11 hereof in the manner and time provided in Section 10.5-8 of Ordinance 2008-26. The notice shall be published no later than August 18, 2020, in substantially the form attached hereto as Appendix A.

Section 13. Notice by Mail.

The City Manager shall also provide or direct notice be provided by first class mail to the owner of each parcel of Assessed Property, as required by Section 10.5-9 of Ordinance 2008-26, in substantially the form attached hereto as Appendix B. Such notices shall be mailed no later than August 18, 2020.

If the City determines that the truth-in-millage (“TRIM”) notice that is mailed by the Property Appraiser under section 200.069, Florida Statutes, also fulfills the requirements of this Section, then the separate mailing requirement described in this Section will be deemed fulfilled by the TRIM notice.

Section 14. Method of Collection.

It is hereby declared that the Fire Protection Assessments imposed on parcels of Assessed Property in the City shall be collected pursuant to the Uniform Assessment Collection Act for the Fiscal Year commencing October 1, 2020.

Section 15. Application of Assessment Proceeds.

Proceeds derived by the City from the Fire Protection Assessments will be utilized for the provision of fire protection services, facilities, and programs. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire protection services, facilities and programs.

Section 16. Severability.

It is the intent of the City Commission of the City of Lake Wales that if any section, sentence, clause, phrase or provision of this Resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Resolution.

Section 17. Conflicts.

In any case where a provision of this Resolution is found to be in conflict with a provision of any other resolution of this City, the provisions of this Resolution shall prevail.

Section 18. Effective Date.

This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this ____ day of June, 2020, by the City Commission of the City of Lake Wales, Polk County, Florida, at a regular Commission meeting.

Attest:

City Clerk

Eugene Fultz, Mayor

Approved as to form:

Albert C. Galloway, Jr., City Attorney

APPENDIX A

FORM OF NOTICE TO BE PUBLISHED

APPENDIX B

FORM OF NOTICE TO BE MAILED

MEMORANDUM

June 16, 2020

TO: Honorable Mayor and City Commissioners

VIA: James Slaton, Interim City Manager

FROM: Kathy Bangley, Assistant City Manager, Planning and Economic Development
Prepared by: Autumn Cochella, Development Services Manager

RE: Preliminary Subdivision Plat Extension of Approval – San Juan Citrus Single-Family Residential – PID: 27-30-12-000000-021030 / 022030 / 022020

Recommendation:

One-year extension of time on approval for a preliminary subdivision plat of a 68-lot single family residential subdivision.

Background:

The subject property was annexed into the City in 2012 and given a Low Density Residential land use designation. Eighteen-hundred citrus trees had been planted on site, irrigated with City reuse water, and no development was proposed in the near term at that time.

The proposed 68-lot subdivision is configured along Bellview Drive and 11th Street South. Over 39,000 square feet of recreation area is designed, along with an internal 5-foot sidewalk system. The proposed development is a standard subdivision meeting all requirements of the Land Development Regulations to date. The minimum lot size of 9,697 square feet exceeds the standard required for R-1B zoning.

At a regular meeting on April 24, 2018, the Planning and Zoning Board voted to recommend approval of San Juan Citrus Residential Subdivision to City Commission, as shown on Preliminary Plat for San Juan Citrus prepared by Knight, McGuire & Associates, Inc., signed March 14, 2018. The plan was unanimously approved by City Commission on May 15, 2018, with a two-year expiration date unless development commenced or an extension of time was requested.

No development has since moved forward.

On March 2, 2020, the owner sent a letter requesting an extension of time on the approval, stating that he has received some development interest and would like to be afforded additional time to pursue the prospect. The Planning and Zoning Board voted for a positive recommendation of approval to City Commission at a regular meeting on May 26, 2020.

Other options: Subdivision of property is a right, provided the plan meets City requirements.

Attachments:

Preliminary Plat for San Juan Citrus, signed March 14, 2018, prepared by Knight, McGuire, & Associates, Inc.

MEMORANDUM

June 8, 2020

TO: Honorable Mayor and City Commissioners
VIA: James Slaton, Interim City Manager
FROM: Sandra D. Davis, Human Resources Director
SUBJECT: Mayor and City Commission Salary Discussion

RECOMMENDATION

None.

BACKGROUND

Current City Charter states the following:

“The commission may determine the annual salary of commission members by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of the commission member(s) elected at the next regular election, provided that such election follows the adoption of such ordinance by at least six (6) months.”

Ordinance 2-261 Commission Compensation Established states the following:

“Effective April 7, 2015, to compensate for the mayor’s additional Effective October 1, 2013, the annual fiscal salary of commission members shall be Four Thousand Five Hundred Thirty-Eight Dollars and Seventy-Six Cents (\$4,538.76) for a commissioner who shall serve for a full twelve-month period during the fiscal year. Any commission member(s) who shall serve for less than a twelve-month period during a fiscal year shall be entitled to a pro-rated portion of the annual commission member salary amount. Commission compensation shall be adjusted annually at the same rate by which compensation for general employees is adjusted on an across duties and responsibilities, the mayor’s annual salary shall be fifty percent greater than the salary of the commissioners.”

For your convenience a survey is attached.

MEMORANDUM

June 5, 2020

TO: Honorable Mayor & City Commission
VIA: James Slaton, Interim City Manager
FROM: Sandra D. Davis, Human Resources Director
SUBJECT: Interim City Manager

RECOMMENDATION

None.

BACKGROUND

At its June 2, 2020 commission meeting, the City Commission appointed James Slaton, Deputy City Manager as the Interim City Manager due to the resignation of Kenneth Fields.

This item is placed on the Agenda to set the salary of the Interim City Manager. Below is the range and current salary of Kenneth Fields.

City Manager Salary Range

<u>Minimum</u>	<u>Maximum</u>
\$93,636.21	\$159,183.65

Kenneth Fields' current base salary

\$139,390.42

James Slaton's current salary

\$112,500.18