

**MINUTES
CITY COMMISSION
MONDAY, MARCH 21, 2022
7:30 PM
CITY HALL**

Call to Order: Mayor Nancy Z. Daley called the City Commission meeting to order at 7:30 p.m. in the City Commission Chambers located at 120 E. Pomelo Street, Lake Alfred, FL. 33850.

Police Chief Art Bodenheimer provided the invocation and **Mayor Daley** led the Pledge of Allegiance.

Roll Call: City Clerk Linda Bourgeois

City Commissioners in attendance: Mayor Nancy Daley, Vice Mayor Jack Dearmin, Commissioner Mac Fuller, Commissioner Brent Eden, and Commissioner Albertus Maultsby.

Staff in attendance: City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, City Clerk Linda Bourgeois, Fire Chief Wallace Nix, Police Chief Art Bodenheimer, Public Works Director John Deaton, Parks, and Recreation Director Richard Weed, and Finance Director Amber Deaton.

City Manager Leavengood announced the following:

1. There will be a ribbon-cutting ceremony held for the Lake Alfred Packinghouse and Storage (160 W. Haines Blvd) on Saturday, March 26, 2022, at 10:00 a.m.
2. Also on Saturday, March 26, 2022, from 1 PM- 2 PM the Lake Alfred library will be welcoming Charles B. Warren for an author talk and book signing. The book is titled "From Slavery to Community Builder: The Story of Lawrence B. Brown."
3. The Chamber of Commerce is hosting its Spring Fling Dance. The event will be held on Friday, April 8, 2022, at 6:00 p.m. in the Lions Clubhouse.
4. The next Ridge League of Cities Dinner will be held in Davenport on Thursday, April 14, 2022, at the Tom Fellows Event Center.
5. On Saturday, April 16, 2022, from 10 AM -2: PM on South Seminole Avenue there will be the "Spring-Fling" Cruise-in with beautiful cars, music, prizes, and raffles.

Assistant City Attorney Claytor said he remained grateful to represent the great City of Lake Alfred.

Recognition of Citizens:
There were none.

Mayor Daley presented the consent agenda for consideration of approval.

Consent Agenda:

- 1.) City Commission Meeting Minutes for March 7, 2022
- 2.) City Commission Announcements
- 3.) Lake Alfred Historical Society Lease Agreement

Vice Mayor Dearmin made a motion to approve the Consent Agenda. The motion was seconded by **Commissioner Fuller**. The motion was unanimously approved.

Mayor Daley presented the first business item for consideration and said this was a public hearing.

1.) Public Hearing: Resolution: 02-22 CDBG Grant Application

Assistant City Attorney Claytor read the title into the record.

City Manager Leavengood read the analysis into the record. He said in July of 2017, the City Commission approved an agreement with the county to become a sub-recipient of Polk County for Community Development Block Grant (CDBG) funding. Polk County has requested project proposals from its municipal partners based to be funded by a formula allocation. The City is estimated to receive approximately \$32,350 in CDBG funds in the upcoming FY 22/23 Budget.

Staff is proposing the addition of a new ADA accessible sidewalk along Lake Swoope Drive which will increase the City's level of accessibility and service for residents. The proposed project is approximately 1,330 feet and is consistent with the funding allocation and the parks and recreation master plan.

He said the staff was recommending approval of Resolution 02-22.

Mayor Daley opened the public hearing.

There were none.

Mayor Daley closed the public hearing.

The City Commission discussion encompassed the sidewalk would be continuous starting at the stop sign and installed down Lake Swoope Drive, the allocation of the grant was formula based, as the city grows in population the allocation is anticipated to increase, and there was companion funding budgeted in the general fund if the CDBG grant was not enough to cover the entire project.

Vice Mayor Dearmin made a motion to approve Resolution 02-22 CDBG grant application. The motion was seconded by **Commissioner Fuller**. The motion was unanimously approved.

Mayor Daley introduced the next business item for consideration.

2.) Resolution 03-22: Personnel Manual and Employee Handbook Update

Assistant City Attorney Claytor read the title into the record.

City Manager Leavengood read the analysis into the record. He said the employee handbook sets forth in detail the personnel policies, benefit programs, and rules that apply to City employees. The last formal review of the Personnel Manual was conducted in 2021 and adopted on November 15, 2021.

Following major revisions from previous years, staff has continuously reviewed the policies and how they have been implemented and applied.

Notable changes in the proposed amendment include:

- Addition of Police Signing Bonus & Cadet Sponsorship
- Addition of Employee Referral Bonus
- Addition of Section 18: Departmental Policy Index

City Manager Leavengood spoke about the cadet program, the sign-on bonus program, and the associated employment agreements.

He concluded by saying the staff was recommending approval of Resolution 03-22.

A discussion ensued regarding the provisions if a police officer went through the program and didn't work out with the city, the addition of language for percentage or circumstance-based settlements, and the purpose of the programs are to retain and incentivize prospective employees. The discussion continued and encompassed that other cities were looking at Lake Alfred as a program model and the actions the city has taken so far have netted some quality applicants.

Commissioner Eden asked about the existing employees and if they had the same timeframe as new hires and the City Manager replied yes.

City Manager Leavengood explained the goal was to retain the current employees and said they would have the same vesting schedule. He concluded by saying he appreciated the support from the City Commission.

Mayor Daley opened the floor to public comments.

There were none.

Mayor Daley closed the floor to public comments.

Commissioner Fuller made a motion to approve Resolution 03-22 Personnel Manual and Employee Handbook update. The motion was seconded by **Commissioner Maultsby**. The motion was unanimously approved.

Mayor Daley introduced the next business item for consideration.

3.) Tax Credit Agreement: Fallbrook Tax Credits, LLC

City Manager Leavengood read the analysis into the record. He said in 1998, the Florida Legislature created the Voluntary Cleanup Tax Credit (VCTC) to encourage participants to conduct voluntary cleanup of certain contaminated sites and brownfield sites in designated brownfield areas. Participants may be private or public entities. The City had met the eligibility criteria established under Sections 376.3078, 376.30781, and 376.82, F.S, and in 2019 entered into a Brownfield Site Rehabilitation Agreement (BSRA) with the Florida Department of Environmental Protection.

The BSRA allowed the City to receive Voluntary Cleanup Tax Credits of up to 75% percent of the cost of assessment and remediation in the form of State Corporate Income Tax Credits. Tax credit certificates are awarded by the Florida Department of Environmental Protection and are valid

against Florida Corporate Income Tax. These tax credits can be transferred and sold for up to 90 cents on the dollar.

The City received two Voluntary Cleanup Tax Credit Certificates as a result of our environmental cleanup of the downtown city-owned parcel in the total amount of \$106,442.34. As the City cannot directly benefit from tax credits (i.e. because the City is tax-exempt) we can sell them through the market.

The City has received a proposal from the Fallbrook Tax Credits, LLC to act as a placement agent for the City of Lake Alfred.

Fallbrook is an experienced placement agent of Voluntary Cleanup Tax Credits, Historic Tax Credits, Low Income Housing Tax Credits, Film Tax Credits, and Brownfield Tax Credits. Fallbrook has several contacts (each, a "Prospect") that are potential qualified purchasers of the Tax Credits.

The prospect will purchase the Tax Credits from the Seller at a price of no less than Eighty-Nine Cents (\$0.89) per Dollar (\$1.00) of Tax Credits (the "Purchase Price"). Seller will retain from the Purchase Price an amount equal to Eighty-Nine Cents (\$0.89) per Dollar (\$1.00) of Tax Credits sold and agrees to pay to Fallbrook a placement fee equal to the difference between the Purchase Price and the Seller Price.

He said the staff was recommending approval of the Agreement with Fallbrook Tax Credits, LLC.

Finance Director Deaton said the process was new to the city, provided an overview of the associated project loans, and said after the final sale of the tax credits the city would have only paid approximately \$11,500 to remediate the property.

A brief discussion ensued about the Growers Fertilizer Property, the necessity of the City conducting its own Phase II environmental study, working on a timeline of what we would need to do to prepare for an acquisition, and the end product of a gateway and rail stop being a great grant narrative on an application.

Assistant City Attorney Claytor said another purchase agreement would come before the City Commission for consideration of approval.

Mayor Daley opened the floor to public comments.

There were none.

Mayor Daley closed the floor to public comments.

Vice Mayor Dearmin made a motion to approve the Agreement with Fallbrook Tax Credits, LLC. The motion was seconded by **Commissioner Eden**. The motion was unanimously approved.

Mayor Daley introduced the next business items for consideration.

4.) Interlocal Agreement: Haines City Urban Services

City Manager Leavengood read the analysis into the record. He said the City of Lake Alfred maintains a utility service area around the City in accordance with Chapter 180 Florida Statutes

that gives the City a right to provide utility services within this area outside of the City limits. The City of Haines City also maintains a Chapter 180 Utility service area that abuts and is adjacent to Lake Alfred's utility area on our eastern boundary.

The City has received a request to provide utility services to a development that is contiguous to Lake Alfred but is within Haines City's utility service area. Haines City has the right to provide utility services to this development but the distance of their main lines is cost-prohibitive to provide services at this time. Lake Alfred had proposed annexing the property and providing utility services but Haines City was not receptive to that suggestion but is receptive to Lake Alfred providing utility services to the development.

The proposed interlocal agreement affirms each City's utility services area and affirms to not annex into each municipality's respective utility service area. The proposed agreement also provides provisions for each municipality to provide temporary utility in the respective municipality's service area.

The proposed agreement will allow us to provide utility services to the pending development under favorable terms while protecting the integrity of each City's utility service area and city limits. He explained the City had a similar agreement with Auburdale to shore up the west boundary and this agreement would do the same with Haines City. He continued and spoke about annexations that can happen in other's utility service areas.

He concluded by saying the staff was recommending approval of the Interlocal Agreement between the City of Lake Alfred and Haines City.

Commissioner Maultsby asked if Lake Alfred already had utilities in the area and City Manager Leavengood replied yes. City Manager Leavengood explained our lines were the closest to the project, the developer would be responsible for connecting to our lines, and the future opportunity of an interconnect with Haines City.

A brief discussion ensued about the city collecting and retaining the impact fees, if Haines City wanted the property back an appraisal would be conducted for them to purchase the customers, the property was recently annexed into the city of Haines City, and an ordinance will come forward at the end of this year amending the utility service area.

Mayor Daley opened the floor to public comments. There were none, and she closed the floor to public comments.

Vice Mayor Dearmin made a motion to approve the Interlocal Agreement between the City of Lake Alfred and the City of Haines City. The motion was seconded by **Commissioner Eden**. The motion was unanimously approved.

Mayor Daley introduced the next business items for consideration.

5.) Bids: Fire Department Vehicle Purchase

City Manager Leavengood read the analysis into the record. He said the City has budgeted funds for vehicle replacement in various City departments. The general replacement guideline is for vehicles that are in continuous use to be eligible for replacement after 10 years or more than 100,000 miles. Intermittent use vehicles may have significantly longer use periods (e.g. Fire Engines, Bucket Trucks, etc.).

This vehicle will be used by the Fire Marshal and is an addition to the fire department fleet. The vehicle will be paid for by restricted permit fee revenue as the primary purpose of the Fire Marshal will be to perform inspections related to the enforcement of the Florida Building Code. He explained there were ample funds in the building reserves, the Fire Marshal position would be forty hours per week, and the salary would be funded at 90% for the Fire Marshal with the other 10% going to the Fire Chief as his backup.

Fire Department

Budgeted: Building Permit Revenue

The vehicle being Replaced: Additional vehicle to the fleet

Proposed Purchase: 2022 White F-150 4x4 with an emergency lighting package.

Bids: Staff solicited the following bids:

- Bartow Ford: \$44,597.22
- Jarrett Ford Davenport: \$47,320
- Jarrett-Gordon Ford: \$48,205

He said the staff was recommending approval to purchase a 2022 White F-150 4x4 with an emergency lighting package for \$44,597.22.

Commissioner Fuller asked about why the City seemed to always purchase from Bartow Ford.

Fire Chief Wallace Nix explained the City had to obtain three written quotes and Bartow Ford always has the lowest bid.

Mayor Daley opened the floor to public comments. There were none, and she closed the floor to public comments.

Vice Mayor Dearmin made a motion to approve the purchase of a 2022 White F-150 4x4 with an emergency lighting package in the amount not to exceed \$44,597.22. The motion was seconded by **Commissioner Eden**. The motion was unanimously approved.

Mayor Daley introduced the next business items for consideration.

6.) Capital Budget Presentation

City Manager Leavengood presented and said the City's annual budget process includes the preparation and adoption of a five-year Capital Improvements Program (CIP). The CIP allows us to prepare for long-term and high expenditure projects and purchases. The inclusion of the CIP in the budget process allows for a better planning and forecasting tool. These are the projects that ultimately make their way into the balanced second-year budget, and then into the operating current year budget where the project is funded and completed.

Proposed additions to the currently adopted CIP are highlighted in yellow and projects that did not have a dedicated funding source or are proposed to be grant-funded were pushed back but remain in the CIP (and can effectively be advanced at any time once funding is available).

The proposed CIP is being presented to the City Commission for consideration and approval as submitted or with any amendments that the Commission may desire. The proposed CIP is

conceptual and will be included in the final budget for consideration with any changes that the Commission may determine or that may be necessary due to changes in budgeted revenues or expenditures.

He said the staff was recommending approval of the proposed Capital Improvement Program.

Overview of Additions and Movements

- Permit Software carried forward to FY 22/23
- Police Department two vehicles in FY 24/25
- Addition of turf sprayer in FY 25/26
- Addition of reel mower in FY 26/27
- Addition of Public Works Barn Renovations
- Addition of Garbage Truck in FY 25/26
- George Road Sewer Force Main carried forward to FY 22/23
- New Water Plant carried forward to FY 23/24
- Replacement vehicles increased to \$35,000
- Addition of Stormwater Master Plan FY 22/23
- Addition of Wastewater Plant Upgrade FY 26/27

City Manager Leavengood said he may be bringing back capital with the payroll presentation in August due to the recent inflation and shortage of materials.

A discussion ensued about the new water plant property, the city is looking at two potential sites, the hydrological components in the north property may not trigger an impact in the wetlands, and the capital improvement plan coming back for final approval within the budget.

Mayor Daley opened the floor to public comments. There were none, and she closed the floor to public comments.

Commissioner Eden made a motion to approve the Capital Improvement Plan. The motion was seconded by **Commissioner Maultsby**. The motion was unanimously approved.

Recognition of Citizens:

Margaret Wheaton of 330 Carolina Avenue said the Lake Alfred Historical Society and the Friends of the Library were sponsoring an author talk and book signing at the library on Saturday at 1 PM. She showed the book and said the book is titled "From Slavery to Community Builder: The Story of Lawrence B. Brown." She said there will be a talk about the LB Brown House and the restoration of the home. She continued and said there would be books available for purchase and signing. She said Bartow has provided him with a Key to the City and concluded by encouraging attendance.

City Commission Questions and Comments:

Commissioner Eden thanked the first responders and said he appreciated them. He addressed the department heads and employees saying he appreciated the planning, being fully staffed, and being prepared for the future as well. He concluded by saying he hoped everyone would have a great Spring Break.

Commissioner Maultsby asked to be excused from an upcoming meeting, and Mayor Daley said they would vote on the excusal at that time.

Vice Mayor Dearmin concurred with Commissioner Eden saying our staff here is second to none. He addressed Captain Turner and said he was glad his position was being elevated to the Fire Marshal and said he was glad staff was working together to make that happen. He provided an update on the water Cooperative saying it was moving on and cities that were not committed are coming on. Thank you.

Mayor Daley announced on March 31, 2022, the Ridge Art Reception would be held at the Mackay Gardens and Lakeside Preserve at 5:30 p.m. She mentioned a couple of field trips coming up for the Lake Alfred Elementary School second and fifth graders. She said April 14, 2022, from 8:00 a.m. to 1:00 p.m., the fifth-grade event was looking for seven volunteers to help with distributing papers, seeds, and any other help they may need. She encouraged them to get with the City Manager or the Parks and Recreation Director.

She continued and said the second graders had a fun program planned because they get to see a Gopher Tortoise burrow and will read a book about Char, a character in the Gopher Tortoise story before they come. She said they planned to present a tortoise to the students and the students will draw what they think the inside of the burrow looks like. She said it is cute because they draw pictures of the tortoise sitting in front of a television or having a meal at the table. She said the students walk from the school and have a good time. The second-grade program is on April 22, 2022. She shared about being out of town to help her brother and said she would be missing a couple of the events around the city. She said she will always be available by phone and email.

Commissioner Fuller wished the Mayor his best thoughts and prayers for her brother. He thanked the City staff and said he has, on several occasions, recognized the efforts from the phone calls and interactions with the Lake Alfred citizens. We have got things in a really good way here in Lake Alfred. He spoke about a citizen that had concerns about small watercraft such as a jet ski coming close to their property and making a lot of noise.

City Manager Leavengood said he would take a look at the code.

Mayor Daley suggested reporting them to the company if they were rentals by obtaining the number off the side of the watercraft. She said there was also the sheriff if they were doing something against the law.

Commissioner Fuller continued and announced the Easter Egg Hunt was on the same day as the car show in Lions Park at 10:00 a.m. He said he was looking forward to the grand opening at the Lake Alfred Packing House and Storage on Saturday and congratulated them. Thank you.

Without any further comments, at 9:17 p.m., the City Commission Meeting was adjourned.

Respectfully Submitted,

Linda Bourgeois, BAS, MMC,
City Clerk

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