

City of Lake Alfred  
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Lake Alfred, FL 33850



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**AGENDA  
CITY COMMISSION MEETING  
MONDAY JULY 8, 2019  
7:30 PM  
CITY HALL**

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**CALL TO ORDER: MAYOR NANCY DALEY**

**INVOCATION AND PLEDGE OF ALLEGIANCE: TBD**

**ROLL CALL: DEPUTY CITY CLERK MAMIE DRANE**

**CITY MANAGER & CITY ATTORNEY ANNOUNCEMENTS**

**RECOGNITION OF CITIZENS: ITEMS THAT ARE NOT ON THE AGENDA**

**EMPLOYEE OF THE SECOND QUARTER: CELESTE STILLION**

**CONSENT AGENDA**

- 1.) CITY COMMISSION MEETING MINUTES FOR JUNE 17, 2019
- 2.) CITY COMMISSION ANNOUNCEMENTS
- 3.) WATER COOPERATIVE: COMBINED PROJECTS IMPLEMENTATION AGREEMENT
- 4.) BOARD APPOINTMENTS

**AGENDA**

- 1.) ORDINANCE 1416-19: ZONING: BERRY PROPERTY
- 2.) DEVELOPMENT AGREEMENT: BERRY PROPERTY
- 3.) CONTINUING ENGINEERING SERVICES

**RECOGNITION OF CITIZENS: (PLEASE LIMIT YOUR COMMENTS TO 5 MINUTES.)**

**COMMISSIONER QUESTIONS AND COMMENTS:**

**COMMISSIONER LAKE  
VICE MAYOR DEARMIN  
MAYOR DALEY**

**COMMISSIONER EDEN  
COMMISSIONER MAULTSBY**

**ADJOURN**

**LAKE ALFRED CITY COMMISSION MEETING  
JULY 8, 2019**

**CONSENT AGENDA**

*All matters listed under this item are considered to be routine and action will be taken by one motion without discussion. If discussion is requested by a Commissioner, that item(s) will be removed from the Consent Agenda and considered separately.*

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**1.) JUNE 17, 2019 CITY COMMISSION MEETING MINUTES**

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**ATTACHMENTS:**

- Draft Minutes

**ANALYSIS:** Please review the minutes at your earliest convenience and if there are any questions, comments or concerns please contact the Deputy City Clerk Mamie Drane at (863) 291-5748.

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**2.) CITY COMMISSION ANNOUNCEMENTS**

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**ANALYSIS:** Each of the meetings/ events scheduled below may constitute a public meeting at which two or more City Commissioners or Board Members may attend and discuss issues that may come before the City Commissioners.

<b>Date</b>	<b>Meeting/ event</b>	<b>Location</b>	<b>Time</b>
July 9	Board of Adjustments	City Hall	5:00 pm
July 18	Code Enforcement Special Magistrate	City Hall	3:00 pm
July 18	Parks and Recreation Board	City Hall	6:00 pm
July 23	Planning Board	City Hall	6:00 pm

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*Should any person decide to appeal any decision made at a meeting, or any meeting announced in this agenda, such person will need a record of the proceedings and may need to ensure that a verbatim record of the proceedings is made in accordance with the American with Disabilities Act, persons with disabilities needing special accommodations to participate in this proceeding should contact the City Clerk not later than four days prior to the proceeding at 863- 291-5748.*

**LAKE ALFRED CITY COMMISSION MEETING  
JULY 8, 2019**

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**3.) WATER COOPERATIVE: COMBINED PROJECTS IMPLEMENTATION AGREEMENT**

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**ISSUE:** The City Commission will consider approving the first amendment to the Combined Projects Implementation Agreement for the Polk Regional Water Cooperative.

**ATTACHMENTS:**

- First Amendment: Combined Projects Implementation Agreement

**ANALYSIS:** On February 6, 2017 the City Commission approved the Combined Projects Implementation Agreement which funded Phase 1 of three alternate water supply projects designed to meet the projected 2035 demand projections for public water supply in Polk County. The projects included the West Polk Deep Wellfield, the Southeast Wellfield, and the Peace Creek Integrated Water Supply Project to address an anticipated 46 million gallons per day public water supply deficit by 2035.

Polk County is the headwaters of the Peace River which creates a downstream water resource in the Lower Peace River of 258 million gallons per day (mgd) that is available for usage in the water supply while still maintaining the minimum flows and levels (MFLs) required by the water management district. The Peace River Manasota Regional Water Supply Authority as of 2015 had a water permit of 120mgd from the Lower Peace River leaving 138mgd remaining in the available resource.

On October 2, 2017 the Peace River Manasota Regional Water Supply Authority applied for a modification to their permit to increase their maximum withdrawal to 258mgd (the entire available amount of water) and to extend their permit to 50 years. This would have effectively prevented Polk County from ever developing a water supply resource from the Peace River as all of it would have been allocated downstream to Manasota. In response, the Polk Regional Water Cooperative (PRWC) as well as some of the other member cities challenged the permit application as well as filed for permits on the water resource to prevent the Manasota Water Authority from effectively taking all of the water. Instead of pursuing litigation, the Manasota Water Authority and the PRWC entered into a settlement agreement wherein up to 48mgd would be set aside for the PRWC. The PRWC has ten years to evaluate and begin to pursue a project in the Upper Peace River.

The proposed first amendment adds the Peace River/Land Use Transition Treatment Facility as the fourth project to be evaluated in Phase 1 of the combined projects implementation agreement. There is no proposed additional cost in doing this in the Phase 1 evaluation phase. The early estimated project yield is approximately 30mgd per day with an additional 6mgd as a result of land transitions over a 50 year period. An Upper Peace River project was not included in the original three projects because it was not necessary to meet the 2035 demand and had lower economies of scale than the other projects. However, long term and beyond 2035 we may eventually need that water; the approved settlement and the proposed amendment preserves that opportunity.

**LAKE ALFRED CITY COMMISSION MEETING  
JULY 8, 2019**

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**4.) BOARD APPOINTMENTS**

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**ISSUE:** The City Commission will consider appointments to the various City Boards.

**ATTACHMENTS:**

- None

**ANALYSIS:** The City maintains various boards that are both essential to and benefit of the City including: Planning, Adjustments, and Parks & Recreation. The members are appointed by the City Commission. The City also maintains two separate pension boards that serve as the board of trustees for the public safety and general employee pension funds. The following boards have pending actions that require City Commission approval:

**Planning Board**

The Board oversees development compliance with the City's Comprehensive Plan and the Unified Land Development Code. The Board consists of seven (7) regular board members and up to two (2) alternate board members which serve for three (3) year terms.

- Deborah Byrne, resigning current seat with term set to expire October 31, 2020.
- Herb Nigg, appointment as regular member to complete current term of seat set to expire October 31, 2020.

**Board of Adjustments**

This Board was established to authorize specific variances from certain provisions of the Code in cases where enforcement of the Code will result in unnecessary hardship for the applicant and to hear and decide upon administrative Code appeals. This Board consists of five (5) regular members and up to two (2) alternate board members which serve for three (3) year terms.

- Deborah Byrne, appointment as an alternate member to complete a term set to expire December 31, 2021.

**Parks and Recreation Board**

This Board was established oversee matters regarding recreational activities and use of lands designated as City parks. The Board consists of five (5) regular members and up to two (2) alternate board members.

- Rocco Pilieri, appointment as regular member (from alternate) to complete term set to expire December 31, 2021.

**STAFF RECOMMENDATION:** Approval of the Consent Agenda.

**LAKE ALFRED CITY COMMISSION MEETING  
JULY 8, 2019**

**AGENDA**

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- 1.) ORDINANCE 1416-19: ZONING: BERRY PROPERTY**
  - 2.) DEVELOPMENT AGREEMENT: BERRY PROPERTY**
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**ISSUE:** The City of Lake Alfred will consider three requests by Jack M. Berry Inc. to amend the Future Land Use Classification; Zoning; and Development Agreement on approximately 33.9 acres.

**ATTACHMENTS:**

- Ordinance 1416-19, Staff Report
- Development Agreement, Staff Report
- Planning Board Meeting Excerpt

**ANALYSIS:** The area of land in the northern portion of the City known as the Berry Property consists of 370 acres of property that is within the municipal boundaries of the City of Lake Alfred. The total property was assigned a Very Low Density Future Land Use (VLD-FLU) and R1-AAA zoning in 2004 and had an approved development agreement on the site set to expire in 2020.

The majority of the Berry Property (~336 acres) is located in the Green Swamp Area of Critical State Concern (ACSC). The southern portion of the property of approximately 34 acres is located outside of the Green Swamp but was lumped into the larger property when land use and zoning were first assigned. The VLD-FLU essentially functions as the City's "Green Swamp" FLU for residential uses as all other residential FLUs outside of the Green Swamp are Low Density (or mixed use).

Jack M. Berry Inc. has submitted three applications related to the development of the referenced property. The applications include a request to amend the future land use, change the zoning, and modify the existing development agreement. The future land use amendment was approved on final reading at the last regular City Commission meeting.

**Ordinance 1416-19: Zoning:** The applicant is requesting to change approximately 34 acres of land containing 28.4 acres of Single Family Dwelling District (R-1AAA-C) to Planned Unit Development - Residential (PUD-R) on approximately 27.9 acres and to Conservation (CN) on approximately 0.5 acres of land. In addition, the request includes a change from Conservation (CN) on approximately 5.5 acres to Planned Unit Development – Residential (PUD-R) on approximately 3.6 acres with approximately 1.9 acres of land remaining as Conservation (CN) for a total of approximately 31.5 acres of Planned Unit Development – Residential (PUD-R) and approximately 2.4 acres of Conservation (CN) on approximately 33.9 acres of land. On Tuesday, June 11, 2019, the Planning Board held a public hearing on the proposed zoning change and unanimously voted to provide a recommendation of approval to the Lake Alfred City Commission.

Staff has coordinated with the Applicant regarding the proposed development and conditions of approval. Thirteen conditions for approval have been attached to the requested PUD-R through the Development Review Committee and vetted by the City's Planning Board including: recreational amenities, open space and wetland protection; Florida Water Star, landscaping, lighting, and transportation improvements.

**STAFF RECOMMENDATION:** Approve Ordinance 1416-19 on second and final reading.

**LAKE ALFRED CITY COMMISSION MEETING  
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**Development Agreement:** The applicant is requesting to remove the parcel known as Tract 2 south of Cass Road from the current Development Agreement. A Development Agreement is required for properties within the Green Swamp. Although this parcel is not located within the Green Swamp it has always been included in the overall project and therefore the Development Agreement. The request is consistent with the FLU and Zoning actions to complete the separation of this property from the larger development north of Cass Road which is within the Green Swamp Area of Critical State Concern.

The current Development Agreement will remain in effect, will NOT be extended, or changed in another other fashion other than to remove this parcel. Staff anticipates working with the applicant to address other changes or to terminate the current Development Agreement prior to the expiration.

**STAFF RECOMMENDATION:** Approve the Second Amendment to the Belmont Ranch Estates Development Agreement and to transmit to the Florida Department of Economic Opportunity.

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**LAKE ALFRED CITY COMMISSION MEETING  
JULY 8, 2019**

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**5.) CONTINUING ENGINEERING SERVICES**

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**ISSUE:** The City Commission will consider approving the recommended Engineering Firms to negotiate continuing service agreements with for engineering services.

**ATTACHMENTS:**

- Scope, Advertisement, & Ranking

**ANALYSIS:** The City of Lake Alfred currently utilizes CPH and Chastain Skillman for engineering services through a continuing service agreement (we predominantly have used CPH in recent years). Selection of engineering services is governed under the Consultant's Competitive Negotiation Act (CCNA). The selection process requires that firms be evaluated and selected based on qualifications and selected in order of preference of no fewer than 3 firms deemed most qualified.

The City has solicited proposals for civil engineering and consultant processes under the CCNA process. The selection committee comprised of the City Manager, Public Utilities Director, and Community Development Director evaluated the submittals and provided the following ranking:

1. CPH
2. Chastain Skillman
3. Wright-Pierce
4. Pennoni
5. Wood Environmental
5. Civil Surv (tied with Wood)

City staff is recommending to negotiate continuing service agreements with the top three ranked firms. If the City Commission approves this ranking and the proposed number of firms the Master Consulting Agreements will be presented back to the City Commission at a future meeting for consideration. Expenses incurred with these firms will typically be for specific projects approved though task orders under their respective master agreement.

With the growth the City is experiencing and the anticipated projects we have in the Capital Improvement Program (CIP) having updated agreements with several engineering firms capable of handling the workload is advantageous to the City.

The last time the City went through a CCNA process for continuing engineering services was in 2008. The length of the proposed agreements is for five (5) years with the plan being to perform a new CCNA process every five (5) years.

**STAFF RECOMMENDATION:** Approve the proposed ranking and proceed with negotiating continuing service agreements with the top three ranked firms: CPH, Chastain Skillman, and Wright-Pierce.