

City of Lake Alfred
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Lake Alfred, Florida 33850



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**AGENDA
CITY COMMISSION MEETING
THURSDAY SEPTEMBER 24, 2020
7:30 PM
CITY HALL**

Call to Order: Mayor Nancy Z. Daley

Invocation and Pledge of Allegiance:

Roll Call: City Clerk Ameen Bailey

City Manager & City Attorney Announcements:

Recognition of Citizens: Items That Are Not On the Agenda

Consent Agenda:

- 1.) City Commission Meeting Minutes for September 10, 2020
- 2.) City Commission Announcements

Agenda:

- 1.) Public Hearing: Resolution 11-20: Final Millage Rate
- 2.) Public Hearing: Ordinance 1437-20: FY 2020/2021 Annual Budget
- 3.) Ordinance 1438-20: Comp Plan Amendment: Capital Improvement Program
- 4.) Ordinance 1439-20: Comp Plan Amendment: ULDC Rewrite
- 5.) Ordinance 1440-20: Unified Land Development Code Rewrite
- 6.) Ordinance 1441-20: Developers Agreement: Lake Gum Parcel
- 7.) Emergency Ordinance 1442-20: Mask Requirement

Recognition of Citizens: Please Limit Your Comments to 5 Minutes.

Commissioner Questions and Comments:

Mayor Daley	Commissioner Maultsby
Commissioner Eden	Vice Mayor Dearmin
Commissioner Lake	

Adjourn

**LAKE ALFRED CITY COMMISSION MEETING
SEPTEMBER 24, 2020**

Consent Agenda:

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

1.) City Commission Meeting Minutes for September 10, 2020

Attachments:

- Draft Minutes

Analysis: Please review the minutes at your earliest convenience, and if there are any questions, comments, or concerns, please contact the City Clerk Amée Bailey at (863) 291-5748

2.) City Commission Announcements

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.

DATE	MEETING/ EVENT	LOCATION	TIME
Oct. 6 or 8	Charter Review Committee	City Hall	6:00pm
Oct. 13	Planning Board	City Hall	6:00 pm
Oct. 15	Code Enforcement Special Magistrate	City Hall	3:00 pm

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
SEPTEMBER 24, 2020**

AGENDA

1.) Public Hearing: Resolution 11-20: Final Millage Rate

Issue: The City Commission will consider a resolution adopting the final millage rate for fiscal year 2020-2021.

Attachments:

- Resolution 20-21

Analysis: The City is required to advise the Property Appraiser's Office of its final millage rate and rolled-back rate. The current millage rate is 7.2390 which is 7.63% increase over the rolled-back rate of 6.7257 per \$1,000 of taxable value.

The proposed final millage rate is equal to the current millage rate of 7.2390 and the proposed FY 2020-2021 budget is balanced utilizing this rate.

Staff Recommendation: Approve Resolution 11-20.

**LAKE ALFRED CITY COMMISSION MEETING
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3.) Ordinance 1438-20: Comp Plan Amendment: Capital Improvement Program

Issue: The City Commission will consider an ordinance amending the City's comprehensive plan to include the updated Capital Improvements Program (CIP).

Attachments:

- Ordinance 1438-20
- Staff Report
- Planning Board Minutes

Analysis: The City maintains a five year Capital Improvement Program (CIP) which is updated and adopted through the annual budget process each year. A capital improvement program is also an element of the City's comprehensive plan. Periodically, the City updates the comprehensive plan to reflect the updates in the CIP which have taken place through the budget process.

The proposed ordinance updates the CIP element within the comprehensive plan to be identical to the CIP adopted as a part of the FY 20/21 Annual Budget. Having projects identified in the comp plan's CIP can be a positive factor when attempting to secure grant funding through state programs.

On Tuesday, September 8, 2020, the Planning Board held a public hearing on the proposed Comprehensive Plan Amendment and unanimously voted (5:0) to provide a recommendation of approval to the Lake Alfred City Commission. The CIP amendment will be transmitted to the Department of Economic Opportunity after the second reading as a courtesy notification.

Staff Recommendation: Approve Ordinance 1438-20 on first reading.

**LAKE ALFRED CITY COMMISSION MEETING
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4.) Ordinance 1439-20: Comp Plan Amendment: Comp Plan Amendment: ULDC Rewrite

5.) Ordinance 1440-20: Unified Land Development Code Rewrite

Issue: The City Commission will consider an amendment to the City's comprehensive plan to accommodate the proposed Unified Land Development Code rewrite and an ordinance to rewrite the City's ULDC.

Attachments:

- Ordinance 1439-20
- Ordinance 1440-20
- Staff Report
- Planning Board Minutes
- Supporting Documents/Reports

Analysis: In December of 2018, the City Commission awarded a task order to GAI consultants to assist with a rewrite of the City's land development code. In January of 2019, the City Commission approved a grant received from the Florida Department of Economic Opportunity to assist the City with updating the comprehensive plan and ULDC in relation to the Green Swamp Area of Critical State Concern. The Central Florida Regional Planning Council performed the tasks associated with the grant.

In February of 2019 a joint workshop was held between the City Commission and Planning Board. Key concepts and goals of the rewrite were presented in collaboration with GAI, the CFRPC, city staff, the water management district, and other stakeholders. The next year and a half have been spent undertaking the Herculean task of rewriting a 450 page document originally adopted in 1993 to not only bring it up to date with current concepts but to lay the foundation for future growth for the next twenty-five years.

The proposed ordinances represent a milestone achievement in the completion of the original goal of the rewrite. The substantive goals including: streamlining the development approval process; consolidating zoning districts into fewer categories with wider standards to allow better flexibility and responsiveness to the market now and in the future (i.e. future proofing the code and hopefully reducing the need for site specific custom zoning/PUDs); increasing design standards for roads and new residential development (i.e. water star, garage setbacks, design variation, traffic calming/design speed, streetscaping/aesthetics, vehicle/pedestrian connection hierarchies) have all been addressed. Modernizing the code to reflect changes since 1993 has also been accounted for including provisions for: using GIS data for wetland boundaries, food trucks, micro-breweries, and home occupations.

While the proposed ordinances represent a substantial completion of the original goals of the rewrite the job isn't entirely complete. City staff and the city attorney will continue working on other sections of the code that were largely untouched in this round including signage and concurrency. Future cleanups on these sections in addition to any fine-tuning of current proposed code will be presented in 2021.

On Tuesday, September 8, 2020, the Planning Board held a public hearing on the proposed Comprehensive Plan text Amendment and the Unified Land Development Code text amendment. Both received a unanimous vote (5:0) to provide a recommendation of approval to the Lake Alfred City Commission.

**LAKE ALFRED CITY COMMISSION MEETING
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If approved on first reading, the Comp Plan and ULDC text amendment will be transmitted to the Department of Economic Opportunity for review. Map amendments related to the text amendments will be presented at future meetings. The proposed text amendments considered tonight will likely be presented for second reading in January of 2021.

Staff Recommendation: Approve Ordinance 1439-20 on first reading.

Staff Recommendation: Approve Ordinance 1440-20 on first reading.

**LAKE ALFRED CITY COMMISSION MEETING
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6.) Ordinance 1441-20: Developers Agreement: Lake Gum Parcel

Issue: The City Commission will consider an ordinance entering into a developer's agreement for the conveyance of a City owned parcel in consideration for a public access boat ramp and to facilitate the development of the adjoining parcels.

Attachments:

- Ordinance 1441-20
- Appraisal

Analysis: Original concepts for the Lake Gum development date back to ~2006 prior to the 2008 housing collapse. The project went dormant during the recession but for the past several years the City has been working with representatives from Gum Lake Grove, LLC to prepare their parcels located to the south and east of Lake Gum for development.

The developer owns the land to the east and to the south of Gum Lake. The City of Lake Alfred owns a 40 acre parcel on the southeastern part of the Lake that effectively separates the proposed development area between its southern and eastern sections. The 40 acre parcel is adjacent to the City's spray field tied to our wastewater operations. The 40 acre parcel is approximately 20 acres of lake, 10 acres of wetland, and 10 acres of upland. The 40 acre parcel is surplus in nature and is not tied to our current wastewater permit or spray field operations.

The City had an appraisal performed in May of 2020 that determined the value of the parcel to be \$105,000. The proposed ordinance enters into a developer's agreement to convey the City owned 40 acre surplus to Gum Lake Grove, LLC in consideration for the construction and maintenance of a public access boat ramp and associated facilities similar in nature to other city boat ramps (e.g. parking, small pavilion, etc.). The agreement contains a reverter clause in the event that the boat ramp is not constructed within ten years of the effective date of the agreement. Additionally, construction of the ramp must be substantially complete by issuance of the 139th certificate of occupancy.

While the boat ramp itself is fair consideration for the value of the surplus parcel, the ancillary and true value of the conveyance is to unlock the development potential of the eastern side of the lake.

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Staff Recommendation: Approve Ordinance 1441-20 on first reading.

**LAKE ALFRED CITY COMMISSION MEETING
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7.) Emergency Ordinance 1442-20: Mask Requirement

Issue: The City Commission may consider an emergency ordinance to renew the previous mask requirement.

Attachments:

- Emergency Ordinance 1442-20

Analysis: On July 20, 2020 the City Commission adopted an emergency ordinance requiring masks to be worn based on CDC recommendations and a request from a local charter school that a municipal requirement would assist them as they reopened.

The ordinance was modeled after the City of Winter Haven's ordinance and required persons in businesses or other indoor locations except for residences to wear masks unless social distancing from individuals outside of their party. A number of exceptions to this requirement were granted ranging from children under the age of 8, people eating/drinking, ADA accommodations, health conditions, and several others.

The ordinance allowed for the issuance of a \$150 citation but emphasis was given within the ordinance to seek voluntary compliance. No citations have been issued under this ordinance to date and we have experienced no substantive incidents regarding the ordinance.

Other jurisdictions in the area have taken varying actions regarding mask requirements. The City of Auburndale did not have the super majority necessary to pass the emergency ordinance; The City of Winter Haven has renewed their mask requirements through October 15th, Lakeland has renewed their mask requirements through October 5th, Lake Wales has passed a regular ordinance requiring masks until the ordinance is repealed. Lakeland and Winter Haven's emergency ordinances are effective for thirty days requiring monthly renewals so the above dates may be further extended.

Lake Alfred's mask ordinance expires(ed) on September 21st. The presented ordinance would allow for the renewal of the previous requirements to be extended up to an additional sixty (60) days if the City Commission so desires.

From a functional standpoint, the mask ordinance and all of the previous outreach on a local, state, and national level have probably achieved the maximum effect in terms of modifying behavior. The Commission may see a residual benefit in renewing the ordinance or determine that the maximal benefit has been achieved and allow it to remain expired.

Staff Recommendation: Pleasure of the City Commission.