

City of Lake Alfred
City Hall
120 E. Pomelo Street
Lake Alfred, FL 33850



Phone: (863) 291-5747
Fax: (863) 298-5403
www.mylakealfred.com

**AGENDA
CITY COMMISSION MEETING
MONDAY JUNE 4, 2018
7:30 PM
CITY HALL**

CALL TO ORDER: MAYOR CHARLES LAKE

INVOCATION AND PLEDGE OF ALLEGIANCE: REV. DENNIS KIRKLAND

ROLL CALL: CITY CLERK AMEÉ BAILEY

CITY MANAGER & CITY ATTORNEY ANNOUNCEMENTS

RECOGNITION OF CITIZENS: ITEMS THAT ARE NOT PUBLIC HEARINGS

**EMPLOYEE RECOGNITION: KENDON DANIELS – 5 YEARS
TRANSIT SERVICE DISCUSSION**

CONSENT AGENDA

- 1.) CITY COMMISSION MEETING MINUTES FOR MAY 21, 2018
- 2.) CITY COMMISSION ANNOUNCEMENTS

AGENDA

- 1.) RAFTELIS: TASK ORDER #2: IMPACT FEE STUDY

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

COMMISSIONER QUESTIONS AND COMMENTS:

**MAYOR LAKE
VICE MAYOR DEARMIN
COMMISSIONER DALEY**

**COMMISSIONER DUNCAN
COMMISSIONER MAULTSBY
ADJOURN**

**LAKE ALFRED CITY COMMISSION MEETING
JUNE 4, 2018**

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.

1.) MAY 21, 2018 CITY COMMISSION MEETING MINUTES

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, Ameen Bailey or Deputy City Clerk Mamie Drane 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 Planning Board Members may attend and discuss issues that may come before the City Commissioners.

Date	Meeting/ event	Location	Time
June 5	Planning Board Meeting	City Hall	6:00 pm
June 14	Ridge League of Cities Dinner	Lakeland	6:00 pm
June 19	Pension Board Meetings	City Hall	3:00 pm

DRAFT MINUTES
CITY OF LAKE ALFRED
CITY COMMISSION MEETING
MONDAY MAY 21, 2018
CITY HALL

Call to Order: Mayor Charles Lake

Invocation and Pledge of Allegiance: Rob Terry

Those in attendance were Mayor Charles Lake, Vice Mayor Jack Dearmin, Commissioner Nancy Daley, Commissioner John Duncan, and Commissioner Albertus Maultsby.

Staff attendance: City Manager Ryan Leavengood, Assistant City Attorney Seth Claytor, City Clerk Améé Bailey, Parks and Recreation Director Richard Weed, Police Chief Art Bodenheimer, Fire Chief Chris Costine, Public Works Director John Deaton, Finance Director Amber Deaton and other staff.

CITY MANAGER ANNOUNCEMENTS

City Manager Leavengood stated that the library is hosting a local author book signing for the debut novel by Bailey Duncan on Friday, May 25th from 6 pm till 8 pm. He congratulated Commissioner Duncan on his son's novel.

City Offices and the Lake Alfred Public Library will be closed on Monday May 28th in observance of Memorial Day.

City Manager Leavengood provided update on the restoration of the Iwo Jima monument at the Veterans Memorial in Franck C. Gardner Park.

The City will be participating in the Hurricane Expo on June 2nd from 11 am to 1 pm at the Auburndale Civic Center. This is a free event. Staff and local experts will be available to answer questions about flood protection, insurance, public safety, hurricane proofing, and how to prepare for an emergency.

Schools are out this week for summer break. The Summer of Safety transit program was developed to offer students a means of transportation during the summer months while school is out of session. Students 12-18, with a valid Polk County School I.D, can utilize this free service to get around. The service is available from the last day of school until August 18. To obtain a Summer of Safety Pass, please contact Dave Walters at 733-4203 or DWalters@ridecitrus.com.

The Lake Alfred Summer Recreation program starts on June 11th at Lake Alfred Elementary. The Library will be providing special events open to everyone that include dancers, storytelling, snakes and much more. Contact the Parks and Recreation Department for dates and times.

Donuts with DAD will be on Saturday, June 16th starting at 10 am in the Library Conference room. Please RSVP by Thursday June 14th by calling the Library.

Commissioner Duncan asked about a tree that fell at Gardner Park.

City Manager Leavengood stated the tree has been removed by park staff.

Police Chief Bodenheimer provided an update regarding school safety for the end of the school year stating there will be a City or County officer at every school in Lake Alfred. In addition, on Friday he was invited to Polytechnic, where he was presented with a plaque showing the schools appreciation during Police Week. The students made the plaque with the equipment available to them at the school.

Last month a fourth grader autistic child was lost from a Lake Alfred school bus. Seeing the child was lost, another student helped him find an adult that could help him get home. The Chief will be presenting the fourth grader with a special award at the elementary school.

CITY ATTORNEY ANNOUNCEMENTS

No Comments.

RECOGNITION OF CITIZENS:

Rodney Thompson 640 N Pennsylvania Ave, voiced his concerns over the details of the May 7th meeting minutes regarding his statements. He did not feel that enough detail was provided regarding his accusations. He also asked Assistant City Attorney Claytor about the procedure regarding the election of the Mayor and if it was handled properly, citing FL Statute 286.0114 (2). He stated that he was not given the opportunity to speak about the nomination for Mayor.

He asked about the speed limit on CR 557 and asked the Commission to consider reducing the speed limit on CR 557 to 35 MPH. He also asked about meeting with staff regarding term-limits for the Commission.

Assistant Attorney Claytor stated that the City Charter procedures for the election of Mayor were followed and that the election of the Mayor was legal. The meeting was open to the public and he pointed out that Mr. Thompson had made a recommendation, on the record, prior to the election for the Mayor.

Mayor Lake stated he has been working with FDOT for the past four years about the traffic problems in the City. CR 557 is a county road, the City does not set the speed limit on County roads.

City Manager Leavengood stated that staff can talk to County officials regarding the speed limit since it is a County road. On the question of term limits he stated that the term limits are a Charter provision and would be under the Attorney's purview. The Charter is like the Constitution of the City and that it requires a referendum to change. There is a Charter review every ten years that would offer a better venue for this change. Stating he would be willing to meet with Mr. Thompson to discuss term limits.

Commissioner Duncan asked if the Commission could decide to set term limits. Also what is the time frame on getting a referendum on the ballot.

Assistant Attorney Claytor stated if the Commission would like for him to put together a timeline for the election he will have it at the next Commission meeting.

Mike Sommerfield 725 W Pierce St. asked about Duke Energy's project affecting Lake Alfred.

Mayor Lake asked Mr. Sommerfield to please wait until the Duke Energy issue was presented as part of the agenda.

John Rissole from Cypress Greens and representing Cypress Green residents, said that they have contacted the Polk County Road Division in reference to the Rail Road tracks at Experiment Station Road and at CR 557. He stated that the tracks are in worse condition than before the last repair. The County informed him that the tracks are the responsibility of CSX. The residents of Cypress Greens are asking for the Commissions help in getting the railroad tracts repaired.

City Manager Leavengood replied that the City has been in constant communication with CSX about the repairs. The City can make CSX aware of the issue and ask that it is addressed now or during the widening of CR 557. The crossing off Experiment Station is due to the elevation.

Community Development Director Bailey stated that the County closed the bid for the design and engineering for the widening of CR 557 last week. The County has stated they will be working with CSX during the process of widening the road to four-lanes. The design process will take approximately eighteen months to finish the design process. Construction is potentially in 2-3 years' time.

Commissioner Duncan stated the City should ask CSX to repair the rail-road tracks again in the interim.

Public Works Director Deaton stated the last time CSX worked on the tracks they informed the Police Chief that they will have to come back. The current repair is temporary and they will be back to complete the repair. He will contact CSX to get a timeframe on their return.

Dave Sopal 720 N Buena Vista discussed his concern about the speed on CR 557. He also asked about airboats on Lake Alfred stating he has an airboat. Also while walking along the rail road tracks there were a lot of nails and screws on the road.

City Manager Leavengood asked Mr. Sopal to see Public Works Director Deaton so he is aware of the area of the debris.

PROCLAMATION – CIVILITY

Mayor Lake read the proclamation recognizing May as Civility Month and urged all citizens to exercise civility toward each other.

DISCUSSION: WATERWAY REGULATIONS

Susan Ramos-Martinez from Water Ridge Homeowners stated she bought her property in 2006 and they built their retirement home in 2012. The house is in a great location but their peace and quiet has been disturbed by airboats on Lake Alfred. The boats are more frequent, louder, and they are coming up on the shore. Mrs. Ramos-Martinez provided a video and a handout for the Commissioners. The hand out include information on real estate law, nuisance, airboaters code of ethics, decibels, and information of other city and Polk County regulations for airboats. The video showed airboats on property in Water Ridge and across Lake Alfred. The decibels were recorded at 88 in front of their home, and at 72 from the other side of the lake, approximately one mile away. She stated that the airboaters are trespassing and harassing the

residents. She stated that the lakefront is changing with the development of homes in Water Ridge and around the lake. Water Ridge will be generating tax revenue for Lake Alfred but the airboats are doing nothing to help the growth in Lake Alfred. She also mentioned that they have seen airboats along the Ades Estate property which is a developing wedding venue. The Homeowners have learned that the City of Lakeland has banned airboats from all their surrounding lakes and the City of Winter Haven has been discouraging the use of airboats in the Winter Haven Chain of Lakes by enacting codes which restrict noise levels and fines. Other municipalities and the County has banned airboats from their lakes due to excessive noise. Laws regarding airboats are outdated, she is encouraging the Commission to address this issue and immediately adopt a ban to prohibit airboat activity on Lake Alfred. She presented petitions from the residents of Water Ridge.

Commissioner Duncan asked if Water Ridge was actually in the City limits and if the petition signers were registered voters of Lake Alfred. He also asked when the binder was delivered.

Community Development Director Bailey stated that the petitions are from the residents of Water ridge Community which includes the portions in Auburndale and Lake Alfred.

The binder was earlier in the day.

City Manager Leavengood stated the Community Development Department completed a survey containing information on airboat usage in the various cities. Many cities don't have specific airboat regulations they rely on the nuisance ordinances. Lake Alfred includes noise regulations and hours of operation. Lakeland is the only city in the County that has a ban on airboats covering all of their lakes which was approved in 1960. The County has regulations banning the launch of airboats at certain County boat ramps, banning the use at environmental lands, and includes operation limitations for hours and distance. The state preempts the regulations on all waterways and the passage of vessels.

Currently in Lake Alfred airboats cannot be operated from 10:00 pm to 6:00 am and there is a 90 decibel limit at 50 feet from vessel. In Polk County airboats cannot operate from 10:00 pm to 7:00 am and from 12:00 am to 6:00 am on the weekend. Also airboats are not be operated above idle speed within 500 feet from a residence and there are specific launch sites. In Winter Haven boats cannot operate within 150' of a shoreline. There are policies and then there is enforcement, which can be difficult. Many jurisdictions have moved away from the decibel type regulations due to the variables in enforcement. There's no ordinance to vote on tonight, this is a discussion item to gain perspective. Options include time, launching locations, distance requirements, and banning. If the Commission is interested in banning, the City may need confirmation from the Attorney General (AGO) due to the complexity of the issue. He read a portion of an existing AGO determination on noise. There are already laws on the books to address trespassing.

Commissioner Duncan asked if the regulations was specific to airboats or boating vessels in general. If the City is looking at noise, what about the sea-planes that land on the lakes. He also asked about Fish and Wildlife using airboats if there was a ban. He also asked about the boat races.

Assistant City Attorney Claytor stated the City is looking at reasonable time, place and manner restrictions that will be applicable to all noises. The regulations have to be generally applicable and not selectively enforceable. He would like to research the County Code on airboats and their utilizing the County park facilities at Lake Rosalie and Lake Pierce. The

County had disallowed launching airboats at these facilities. Also he asked Chief Bodenheimer if the HOA property is considered community property or is it private, and if airboats are disallowed, what would the police need to enforce that restriction.

City Manager Leavengood stated there are exception in the County code for state agencies or permitted activities. The boat races are covered through the special event process. In addition, the City would contact Adams Estate regarding any potential conflicts with the boat races and the wedding venue.

Commissioner Daley asked if the current or proposed regulations would apply to any boat including airboats that access private property.

Mayor Lake asked if this was a recent complaint or has it been increasing as this is the first time he's heard of problems with airboats.

Police Chief Bodenheimer stated if airboats are on dry land there are statutes for trespass or criminal mischief. The state of Florida would be the victim, also the police would need a witness or property owner to sign a sworn written statement for the State Attorney's office to follow through. The Police Department needs proof and be able to identify the driver of the airboat. There are hundreds of people that run airboats that do not interfere with others. He said there has actually been a decline in airboat use in the City in recent years. He also stated that if the City can educate, provide signs and other proactive ideas there might be a consensus for both parties.

Vice Mayor Dearmin asked if the Commission could come to a consensus to have Staff look for a solution to benefit both parties.

Rodney Thompson 640 N Pennsylvania Ave, stated that this came up years ago and asked that the Commission please don't categorize all airboats together. He stated that he sign at the lake is different from the code.

Commissioner Daley stated she has never spoken out about just airboats, she has commented on the noise from all boats on the lakes.

Mike Sommerfield 725 W Pierce St. asked about making Lake Alfred a conservation area.

Mayor Lake stated that making the City a conservation area would be an issue for another meeting.

Brent Adams 408 Bonamia Ave, in Water Ridge, stated he has kayaked on Lake Alfred daily since 2006. He has seen many different types of boats on the lake, the most disruptive and intrusive are the airboats. The airboats affect the birds, wildlife and plant life as well as the home owners. The airboats travel along the shoreline while the sea planes land and take off in the middle of the lake, therefore the noise from the planes doesn't bother the home owners that much. The airboats fifty feet from his back door is the problem and thinks it is time for airboats to find a new location. He is now aware that the airboats should not run and night.

Tom Kershop 221 Star Grass Dr. Sales and Marketing in Water Ridge stated there have been 160 lots sold in the last twelve months. There have been buyers that have asked him if airboats are allowed in the lake. The new owners mentioned noise, speed limits, and stronger penalties or violations.

Assistant City Attorney Claytor stated that Mr. Kershop, as the agent or land owner, may want to contact the Police Department to inquire further about trespassing on their property.

John Strang 690 Lake Lotus Dr. Winter Haven, owner of the Wedding Venue on Lake Alfred, stated that this is one of the problems with growth, saying his venue could coordinate around the boat races, but he's not sure how to avoid the conflict with airboats during a wedding.

Commissioner Duncan asked about complaints at Lake Rochelle and stated the same situation with airboats could exist there. He also asked if Water Ridge could put up signs to notify the airboats of the private property. He asked about equipment to monitor noise.

Mayor Lake asked if there was a consensus to direct staff to review options and present them at a later meeting.

City Manager Leavengood stated the issues shown in the video are already against the law. As previously stated it may be more than just airboats that needs to be addressed. Staff will research the options and present the solutions that are best suited for the City. He also asked Police Chief Bodenheimer to speak with the property owners in Water Ridge. If the City commits to the noise regulations, staff would need equipment and training.

Mayor Lake closed the public hearing.

DISCUSSION: DUKE TRANSMISSION LINE ROUTE

City Manager Leavengood stated that the Duke Energy sent out a letter in April regarding the Polk County Resiliency Project to any property owner within 500 feet of the proposed transmission lines. The public comment is open and anyone can give feedback until June 15, 2018. The Osprey Power Plant, located in Auburndale, shut down several years ago and Duke Energy purchased the plant. Based on Federal Regulations they must have redundancy. Therefore they have to select a route and run the lines up to the Kathleen substation and the substation in Haines City. He reviewed the routes and type of transmission lines.

He attended an open house, and he expressed his concern about the lines coming through Lake Alfred (especially along Pierce Ave. and near Fruitland Park). He encourages Lake Alfred residents to visit the Duke Energy website and offer feedback. His request to Duke Energy were:

- Not select the Lake Alfred route, we already have transmission lines from our own energy provider.
- If they do go through Lake Alfred locate the poles adjacent to the TECO poles on Lake Alfred Rd.
- Stay along the rail bed, do not take the Pierce Street route.
- Stay along the rail bed at Mizkan or stay to the interior of the Mizkan site to preserve the tree buffer on Oak Street.

He reviewed the timeline and he encouraged citizens to provide comments to Duke Energy.

Mike Sommerfield 725 W Pierce St. asked what the transmission lines will do to property value when the lines surround the entire lot. He asked when the City was notified about the

transmission lines and if the City plans to file suit against Duke Energy. He asked if the letter could be mailed to residents. He mentioned the TECO lines previously installed and that they did not go in as expected. He would like a copy of the City letter.

City Manager Leavengood reiterated the proposal in by Duke Energy and not the City. This is a federal regulated project and the power companies have eminent domain authority to secure the property they need to run the transmission lines. He asked if there was consensus to send a letter to Duke Energy, signed by all Commissioners. He stated after the letter is signed it will be sent to the Ledger. Staff will also post information on the Website and on the digital sign.

Commissioner Dearmin asked if Mizkan had contacted the City Manager.

Commissioner Duncan asked if there was any issue in making an official statement as the City Commission or if they would incur liability in making statements regarding the Duke Energy project. He also asked if this issue be placed on the Utility Bill?

City Manager Leavengood replied to Commissioner Duncan's question stating the City has had limited success with placing notices on the utility bill.

Commissioner Daley stated the Duke Energy letter was sent was to everyone within a certain radius of the route. If the City Manager hadn't notified the Commissioners they may not have known about the project. She did attend the public meeting and she did speak to the officials on behalf of the City. The more we educate the people of Lake Alfred the more feedback Duke Energy will receive. She suggested a letter to the editor and posting on Facebook and the website because this affects the entire City.

Herb Nigg 700 Illakee stated he did not receive a letter regarding the Duke Energy project and the map presented was confusing. He asked if the utility bill could include Lake Alfred news. Mr. Nigg stated that Duke Energy has a very poor environmental record and that they are a powerful, ruthless company.

Trent Burns 235 S Illakee stated he would like to second what was just stated by Mr. Nigg and Mike Soommerfield.

Mayor Lake closed the public hearing on the Duke Energy Transmission line route.

CONSENT AGENDA

Vice Mayor Dearmin moved to approve the Consent Agenda; seconded by **Commissioner Maultsby**. The motion was approved by unanimous voice call vote.

MAYOR LAKE	AYE
VICE MAYOR DALEY	AYE
COMMISSIONER DEARMIN	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

AGENDA

1.) AGREEMENT: TERMINATION OF CHAPTER 380 AGREEMENT WITH THE DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO)

City Manager Leavengood stated in 1996, the City entered into an agreement with the Department of Community Affairs regarding Green Swamp Area of Critical State Concern (GSACSC). The agreement laid out specific tasks that had to be completed prior to any annexation within the Green Swamp including amending the Comprehensive Plan, completing a Selected Area Study, and developing Unified Land Development Code (ULDC) policies. Items to be included in the study were a 20-year plan for utilities, survey of habitat and endangered species, and wetland and flood plain area determinations. The agreement also established criteria for the area, type, and density of development that could occur including prohibitions in wetlands and flood plains, prohibitions on certain uses, open space requirements, and density limitations.

As part of the Evaluation and Appraisal (EAR) of the Comprehensive Plan in 1997, the City began the research and development of the Green Swamp Selected Area Plan (SAP). The EAR was approved in 1998 and the amendments were finalized throughout 1999-2000 with final development standards adopted in the ULDC in 2003.

Staff has received inquiries regarding the process to amend City land development regulations in the Green Swamp. Following discussion with the state, DEO determined that the City has met all the requirements of the agreement and is recommending termination of the agreement. The proposed action will not affect the current land development regulations of the City within the Green Swamp. Changes to existing development regulations would require amendments to the comprehensive plan and land development code. Any proposed changes would need to be approved by DEO but would no longer be subject to the specific standards included in the 1996 agreement.

He also mentioned the grant application to reviewed the Green Swamp policies within the Comprehensive Plan and Land Development Code.

Staff recommended termination of the Chapter 380 Agreement regarding the Green Swamp Area of Critical State Concern.

Community Development Director Bailey stated if the City wanted to change the density or any other requirements, in the Green Swamp, the changes would have to be accompanied with a data analysis. Staff is constantly being asked about regulations in the Green Swamp. She presented several examples regarding development including the 135 elevation requirements and that the County revisions have changes allowing greater opportunity than the City. The City is in a different position than it was in 1996, so this opens the door to opportunity to use the

grant funding to benefit the City. There is an opportunity to use the grant funding to determine what changes would be beneficial to the City.

City Manager Leavengood stated even if the City kept the 30% open space requirement and the same density, just having the ability to have property specific wetland boundary survey is a benefit to the City. There are opportunities to include the Scenic Highway and Water Star standards to drive development in the right direction. In addition staff is reviewing code and impact fees to prepare for the future development. Everything the City is doing, on the staff level and commission level, is to prepare the City for the wave of new development that's coming. He listed some of the property inquiries.

Mayor Lake asked if there were development inquiries in the Green Swamp area.

Community Development Director Bailey replied she has had inquiries regarding properties all the way to I-4.

Commissioner Daley stated she has concerns. This issue was started in 1996 but it wasn't complete till after she was on the Commission into 2003. It was an award winning document because of the protection it afforded in the Green Swamp area. The property within the City limits is a potentiometric high of the Floridian aquifer and has more need of protection than other places. She has talked to the City Manager if we are going to talk about changing the Comprehensive Plan to allow more density or more lot coverage there should be regulations in place to protect the City. If we will have 10,000 more houses, how will the City service those houses when they drop the property tax? Her recommendation is to look at the ordinance language that has been developed by conservation developers. She is encouraging the City Manager to look at the mechanisms to allow greater density while still protecting the City and Green Swamp. She also expressed her concern about the aesthetics and walls.

Vice Mayor Dearmin stated he agreed with what Commissioner Daley said, and asked if it would be possible to have some type of overlay for the Green Swamp district, much like the downtown overlay. He also likes the idea of a scenic highway with the tree canopy without walls.

Community Development Director Bailey replied the Green Swamp selected area plan is essentially an overlay already. There are provisions in place, staff is looking at those provisions and tweaking them to what will best benefit the City. For example if the wetland and floodplain protections were retained but the 135' elevation was eliminated or revised to allow retention, this would provide some more leeway for development.

City Manager Leavengood stated that the City has a real opportunity to prepare for future development now and that the City has the right people on team to realize this to fruition. If the provisions can be built into the code and the developer does not need to go through a public hearing, then it is a win-win situation. This also pairs up with the impact fee study. The

proposed homestead exemption does have an impact and it will affect the City. The City also needs to prepare for the water supply projects and all these thing tie together.

Mayor Lake stated that terminating the agreement affords the City more opportunity to do more for the City.

Vice Mayor Dearmin moved to terminate the Chapter 380 Agreement regarding the Green Swamp Area of Critical State Concern; seconded by **Commissioner Duncan**. The motion was approved by roll call vote.

Mayor Lake opened public hearing, with no public comment, he closed public hearing.

MAYOR LAKE	AYE
VICE MAYOR DEARMIN	AYE
COMMISSIONER DALEY	NAY
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

2.) EXPENDITURE OF POLICE FORFEITURE FUNDS

Police Chief Bodenheimer stated the Police Department would like to purchase a training system for in-house use. The system would provide the officers with more training.

City Manager Leavengood stated the City maintains a trust for funds obtained through the forfeiture and sale of property obtained through law enforcement activities by the City's police department. The funding may be used by the Police Department on specific law enforcement activities including crime prevention and equipment purchases, subject to approval by the City Commission.

The police department is requesting to utilize forfeiture funds to purchase a firearm simulation system from Digimation, Inc. for \$6,573. The system consists of a projector and associated software that simulates shooting range drills. An in-house system provides an easy, convenient, and cost effective opportunity for officers to train.

The City currently in police has \$32,316 forfeiture funds.

Staff recommended approval of the expenditure of police forfeiture funds in the amount of \$6,573. He reviewed some different simulation options.

Commissioner Daley asked if it was similar to a video game.

Commissioner Dearmin asked about adding City scenarios to the simulation and if any other agencies in the County have this technology.

Mayor Lake asked if this was contemplated before the renovations to the Police Department and if it could be used in the Police Department.

City Manager Leavengood asked how often the officers get to practice live fire.

Police Chief Bodenheimer stated it is kind of like a video game the difference is the department can build on the program. There are 3D upgrades that will be beneficial and areas from the City can be integrated into the system to aid in training. This system was found at the tradeshow and was the best in comparison to the other simulators there. The training can be customized to help with field work. The City co-trains with Auburndale quarterly on live fire drills and may also use this system with them. The program can be used on any wall and is mobile. Florida Polytechnic was the first department to purchase the system.

Mayor Lake opened public hearing, with no public comment, he closed public hearing.

Vice Mayor Dearmin moved to approve the expenditure of police forfeiture funds in the amount of \$6,573; seconded by **Commissioner Maultsby**. The motion was approved by unanimous voice call vote.

MAYOR LAKE	AYE
VICE MAYOR DEARMIN	AYE
COMMISSIONER DALEY	AYE
COMMISSIONER DUNCAN	AYE
COMMISSIONER MAULTSBY	AYE

RECOGNITION OF CITIZENS:

No citizen comments.

COMMISSIONER QUESTIONS AND COMMENTS:

Commissioner Maultsby no comments.

Commissioner Lake thanked First Baptist Church for their support of the First Responders and the upcoming event at Southern Gardens.

Vice Mayor Dearmin thanked the citizens for coming tonight, there are issues that are important to the City and reminded everyone that the Commission care about the residents and they are working together for a common solution.

Commissioner Daley no comment.

Commissioner Duncan asked about writing a letter regarding the water permits. He also thanked the Chief for getting officers into the schools and asked about increasing the pay for officers. He asked if the City or County monitors the schools for protection measures.

City Manager Leavengood stated the Water Coop and the cities of Lakeland and Winter Haven filed an appeal to the Manasota water permit that would have taken the future water allocation off the Peace River for the next 50 years. The purpose of the appeal was to review the allocations and impacts. The City will have to pay a portion of the Coop cost for the appeal. The cities of Lakeland and Winter Haven filed to ensure that at least one agency had standing.

The City is conducting a salary survey which will be presented to the Commission. There is a shortage for officers. The City is supporting the work environment by purchasing the training system and take-home vehicles.

Police Chief Bodenheimer stated that new state law include safe schools and requires studies throughout the district. Every school will be assessed and Lake Alfred will be part of that assessment.

Community Development Director Bailey stated she has been in contact with the new development at Lynchburg, promoting a partnership with Hartridge Elementary to coordinate things like a fence around the school meeting the schools requirements.

With there being no further business to discuss, Mayor Lake adjourned the meeting at 10:07 pm.

Respectfully submitted,

Reviewed by.

Mamie Drane
Deputy City Clerk

Ameé Bailey
Community Development Director

**LAKE ALFRED CITY COMMISSION MEETING
JUNE 4, 2018**

AGENDA

1.) RAFTELIS: TASK ORDER #2: IMPACT FEE STUDY

ISSUE: The City Commission will consider a task order with Raftelis Financial Consultants for the performance of an impact fee study.

ATTACHMENTS:

- Task Order #2: Impact Fee Study
- Fee & Draft Schedule
- Rate Comparison

ANALYSIS: The City collects various one-time fees from new construction to offset the 'impact' new development will have on the existing City services and infrastructure. The City of Lake Alfred currently collects impact fees for water, wastewater, general government, public safety, and parks and recreation.

Impact fees serve an important role in easing the impact of additional capital investment required by growth to existing residents and customers. With the growth we are currently experiencing in the City and the growth that is anticipated, it is important that our impact fees represent the cost that is required to make these additional capital improvements. This is important not only to provide services for future growth but also to maintain levels of service for existing residents.

With traditional water supplies nearly maxed out (e.g. 6% remaining in Upper Floridan), impact fees will need to reflect the increased capital costs associated with alternate water supply projects needed to accommodate new development. New growth will also need to pay for its fair share of the increased levels of service and projects identified in the Parks and Recreation Master Plan.

The City approved a continuing service agreement with Raftelis Financial Consultants in 2016 when they performed a utility rate study for the City. The proposed task order with Raftelis Financial Consultants is for \$47,020 to perform an impact fee study that will analyze all of the City's impact fee categories and levels of service. Funding is available in engineering line items and fund balance to perform the study. Based on the current allocation of impact fees, staff is proposing for the enterprise fund to incur seventy-five percent (75%) of the cost of the study.

Raftelis will present the results to the City Commission and generate a report that will serve as the basis for the adoption of changes to the impact fee rates and structure. The tentative timeline for the process is to have the study completed in the next 3 months. The report would

**LAKE ALFRED CITY COMMISSION MEETING
JUNE 4, 2018**

be presented to the City Commission in October and ordinance language would be presented for adoption by the end of the year.

STAFF RECOMMENDATION: Approve Task Order #2 with Raftelis Financial Consultants in the amount of \$47,020.

**CONTINUING CONTRACT TASK ORDER NO. 2
2018 IMPACT FEE STUDY**

Task Order No. 2 to Continuing Contract for Consulting Services dated January 4, 2016 between the CITY OF LAKE ALFRED, FLORIDA (CITY) and RAFTELIS FINANCIAL CONSULTANTS, INC. (CONSULTANT) for Financial/Management Consulting Services.

SECTION I -- DESCRIPTION OF SERVICES TO BE PROVIDED

It is the CONSULTANT'S understanding that the CITY desires a comprehensive review related to impact fee studies for the CITY's water, sewer, parks & recreation, public safety and general government services in anticipation of growth over the next several years.

SCOPE OF SERVICES

Impact Fee Study

We propose the following tasks will be necessary to complete the impact fee study.

Task 1: Project Management, Initiation and Kick-off Meeting

This task will involve working with CITY staff to establish the objectives, project schedule, and overall data needs and constraints. Responsibilities for data collection, project deliverables, and ongoing communication will be established and assigned as part of this task. This task will include a meeting onsite with CITY staff in order to initiate the project.

Raftelis will provide the CITY with a data request identifying relevant study information and data including but not limited to existing and projected: i) population and land use estimates; ii) level of service standards for each service; iii) police and fire call data by land use; iv) equipment and facility inventory; v) capital improvement plans and cost estimates for each service; vi) grant and other funding sources; and vii) loan agreements, interlocal agreements, developer agreements, or other similar obligations of the CITY for relevant services.

Meetings in this task: (1) kick-off meeting with staff.

Task 2: Review of Population and Level of Service

This task includes an evaluation of the current service area demographics as well as a forecast of the service area needs. A review of the population projections and other service area demographics as contained in such documents as any comprehensive plans; Polk County population forecasts, Florida Statistical Abstract; and other available data sources. The purpose of this task is to identify the future service area demands for each service and to estimate the capital requirements (level of service relationship) required for the fair share cost apportionment of such costs to future growth. Other sources will be review including the Institute of Transportation Engineers (ITE) trip generation manual to review functional population projections should a multi-land use approach be warranted, and any available recent and localized call data.

This task also includes a review and update to level of service criteria for each impact fee. Typical level of service analysis are identified in terms of service levels per population. Any existing deficiencies will be identified with appropriate adjustments to apportionment of capital improvement costs to

growth (identified in next task). This task also includes consideration of level of service dynamics and interaction with population growth.

Task 3: Water, Sewer, Parks/Rec, Public Safety and General Government Fee Analysis

The CITY's existing water impact fees will be reviewed and updated water impact fees developed recognizing the cost to provide water treatment and transmission to new customers. Consideration of consumptive user permit constraints and alternative water supply costs will be evaluated as well as any comprehensive plans and data and analysis provided to the Florida Department of Economic Opportunity. Raftelis will review the CITY's recreation standards, open space requirements, and associated facilities as set forth in any comprehensive plans and data and analysis provided to the Florida Department of Economic Opportunity. The public safety and general government impact fees will be developed recognizing the cost to equip new firefighters and equip new officers (if appropriate) and associated administrative support facilities and equating such costs on an equivalent residential unit (e.g., single-family residential) basis as the standard unit of measurement. In addition to this background information, this task will consider the following:

- Review of and recommended changes to the current water and sewer impact fee application methodology (ERU vs. meter size vs. fixture units);
- Identification of a single or multi-tier residential recreation impact fee methodology (recreation impact fees apply to residential properties only);
- Review of and recommended changes to the current public safety and general government impact fee application methodology (land use, residential/commercial/industrial, etc.);
- Analysis of water and sewer treatment and transmission fixed assets available for growth;
- Analysis of water capital improvements and allocation between existing customers and growth;
- Analysis of equipment/vehicle costs, existing facility costs, and incremental costs to provide service to future service area needs or build-out population;
- Design water, sewer, parks and recreation, public safety, and general government impact fee unit cost;
- Identification of appropriate impact fee credits;
- Develop water, sewer, parks and recreation, public safety and general government impact fee schedule;
- Impact fee comparisons; and
- Meeting with CITY staff to review preliminary results.

Meetings in this task: (1) meeting with staff to review findings.

Task 4: Capital Program Timing and Funding Analysis

Due to the inherent uncertainty and timing of development activities, one of the largest challenges for CITY's is timing and funding mechanisms for constructing facilities related to growth. Since impact fee funds are generally not available to fully fund the facilities at the time they needed, communities often have to rely on other funding sources such as existing reserves or debt. The CITY takes on a level of risk when building facilities in advance of growth and having to secure other funding sources to support these facilities. This funding analysis will assist the CITY in understanding and developing

a plan for the commitments of reserves and debt funding that will be required to provide the desired level of facilities.

Meetings in this task: (1) meeting with staff to review findings.

Task 5: Impact Fee Report and Presentation

A draft impact fee study report will be prepared for staff review. The draft report will include a description of the existing assets and planned future investment for each of the impact fee components. The assumptions utilized in the analysis will be documented in the report. The draft report will be provided to staff in electronic format for staff review and comment. After receiving comments, a final report will be prepared in electronic format and up to 8 bound copies will be delivered at the request of the CITY. In addition, this task includes a presentation to the Commission. A PowerPoint presentation will be prepared in order to facilitate the presentation to the CITY Commission. Subtasks as listed in our cost proposal are as follows:

- 5.1 Draft rate study report.
- 5.2 Final rate study report.
- 5.3 Preparation of presentation materials.
- 5.4 Presentation to CITY Commission.

Meetings in this task: (1) presentation to Commission.

Task 6: Ordinance Review

Raftelis will review the CITY's impact fee ordinance(s) and recommend adjustments based on the impact fee report and other CITY policy directives. This task assumes the CITY attorney will draft the impact fee ordinance for Raftelis' review.

ITEMS TO BE FURNISHED AT NO EXPENSE TO THE CONSULTANT: The CITY will assist the CONSULTANT by furnishing, at no cost to the CONSULTANT, all available pertinent information as set forth in Task 1 and any other data relative to performance of the above services for the project. It is agreed and understood that the accuracy and veracity of said information and data may be relied upon by the CONSULTANT without independent verification of the same.

SECTION II -- TIME OF PERFORMANCE

Tasks 1 through 4 of the Scope of Services will be completed within twelve (12) weeks from receipt of Notice to Proceed except for delays beyond the reasonable control of the CONSULTANT.

Tasks 5 through 6 of the Scope of Services will be completed as mutually agreed.

SECTION III -- COMPENSATION

- 1. The Cost for Tasks 1 through 6 of the Scope of Services is Forty-Seven Thousand and Twenty Dollars (\$47,020), which will be paid to Raftelis on a lump sum basis. This cost includes professional fees and direct expenses anticipated to perform the Scope of Services. Raftelis will submit invoices monthly, which will identify the percentage of work completed.

SECTION IV -- CITY REPRESENTATIVE

Mr. Ryan Leavengood, City Manager

SECTION V -- All terms of that Continuing Contract for Consulting Services entered into between CITY and CONSULTANT shall be applicable and to the extent of any inconsistencies with this Task Order the terms of the Continuing Contract for Consulting Services shall control.

SECTION VI – PUBLIC RECORDS. CONSULTANT and CITY agree that in the event that the CONSULTANT’s activities authorized under the Continuing Contract for Consulting Services and/or any Task Orders issued thereunder, constitute services, then the CONSULTANT shall comply with Florida’s public record laws to specifically include the following:

CONSULTANT agrees to:

1. Keep and maintain public records required by the CITY to perform the service.
2. Upon request from the CITY’s custodian of public records, provide the CITY with a copy of the requested records or allow the records to be inspected or copies within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Contract term and following completion of the Continuing Contract for Consulting Services and/or any Task Orders issued thereunder if the CONSULTANT does not transfer the records to the CITY.
4. Upon completion of the Continuing Contract for Consulting Services and/or any Task Orders issued thereunder, transfer, at no cost, to the CITY all public records in possession of the CONSULTANT or keep and maintain public records required by the CITY to perform the service. If the CONSULTANT transfers all public records to the CITY upon completion of the Continuing Contract for Consulting Services and/or any Task Orders issued thereunder, the CONSULTANT shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the CONSULTANT keeps and maintains public records upon completion of the Continuing Contract for Consulting Services and/or any Task Orders issued thereunder, the CONSULTANT shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the CITY, upon request from the CITY’s custodian of public records, in a format that is compatible with the information technology systems of the CITY.

IF THE CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONSULTANT’S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 863-291-5748, AMEE N. BAILEY, CMC, CITY CLERK, abailey@mylakealfred.com, (863) 291-5748, 120 E.

POMELO, LAKE ALFRED, FL 33850.

If the CONSULTANT does not comply with a public records request, CITY shall enforce this Agreement which may include immediate termination of this Agreement.

RAFTELIS FINANCIAL CONSULTANTS, INC.

CITY OF LAKE ALFRED, FLORIDA

By: _____

By: _____

Print: Tony Hairston

Print: _____

Title: Vice President

Title: _____

Date: _____

Date: _____

Lake Alfred 2018 Impact Fee Study

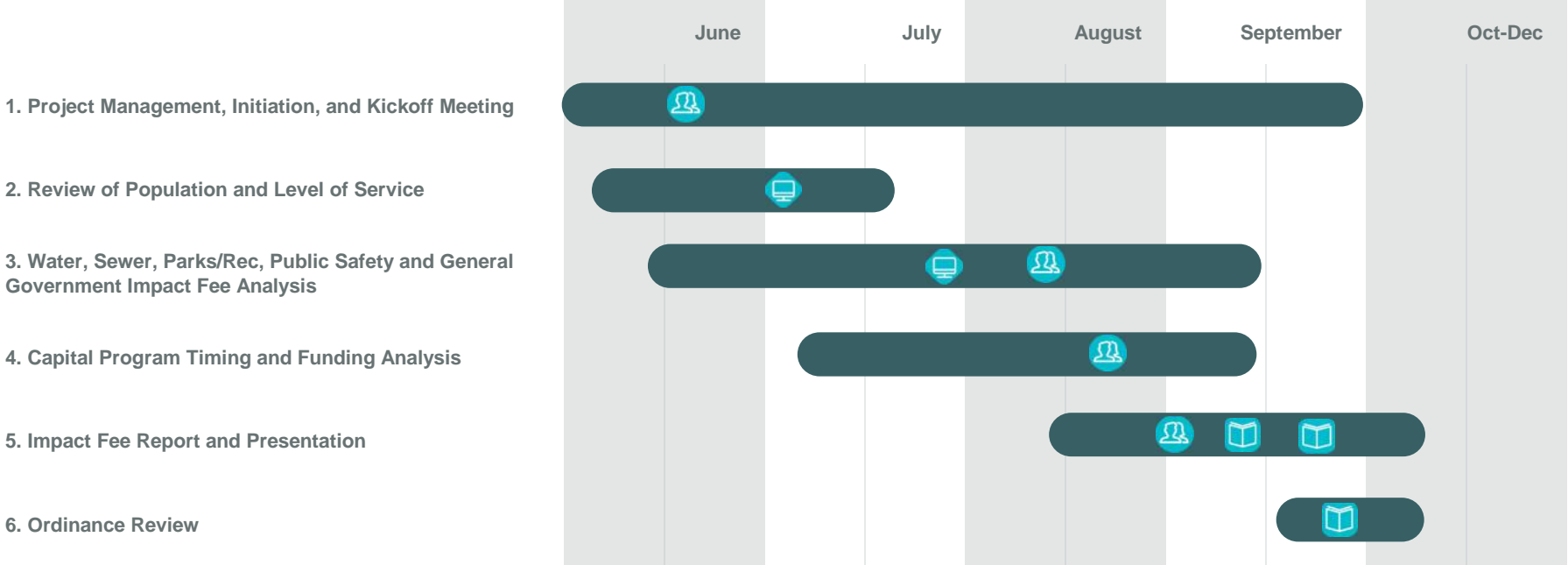
Tasks	On-Site Meetings	Total Hours	Total Fees & Expenses
1. Project Management, Initiation, and Kickoff Meeting	1	16	\$3,340
2. Review of Population and Level of Service	-	30	\$6,160
3. Water, Sewer, Parks/Rec, Public Safety and General Government Impact Fee Analysis	1	120	\$24,100
4. Capital Program Timing and Funding Analysis	1	26	\$5,540
5. Impact Fee Report and Presentation	1	34	\$7,220
6. Ordinance Review	-	3	\$660
Total Estimated Meetings / Hours	4	229	
Total Professional Fees		\$44,330	

Total Fees **\$44,330**




Total Expenses **\$2,690**

Total Fees & Expenses **\$47,020**

Lake Alfred 2018 Impact Fee Study



*Target public hearing in mid/late September for updated fees to be effective January 1, 2019. (90 day waiting period per FL Statutes)

-  In-Person Meetings / Workshops
-  Web Meetings
-  Deliverables

City	Water	Sewer	Fire	Police	Rec	Transpt.	Library
Lake Alfred	\$ 1,285.27	\$ 3,209.95	Public \$650.		\$ 220.00	General Gov \$300.	
Haines City	\$ 555.00	\$ 2,937.00	\$ 156.00	\$ 210.00	\$ 400.00	\$ 797.00	\$ 184.00
Auburndale	\$ 1,264.99	\$ 3,938.14	\$ 471.05	\$ 341.86	\$ 668.13		
Auburndale Outside City	\$ 1,581.24	\$ 4,922.68					
Dundee Water & WW	\$ 5,461.43		\$ 330.89	\$ 441.55		\$ 3,491.00	\$ 628.48
Dundee Outside City	\$ 6,825.73						
Lakeland	\$ 1,050.00		\$ 486.00	\$ 563.00	\$ 3,299.00	\$ 2,836.00	
Lakeland outside	\$ 1,313.00						
Davenport	\$ 2,122.62	\$ 3,500.00	\$ 358.00	\$ 230.00	\$ 817.00	\$ 462.00	\$ 303.00
Lake Wales	\$ 2,069.68	\$ 3,393.60	\$ 645.75	\$ 504.07	\$ 1,032.17		\$ 475.76
Winter Haven	\$ 1,070.49	\$ 3,472.78	\$ 515.93	\$ 320.89	\$ 1,045.13	\$ 297.17	\$ 96.43
Winter Haven Outside City	\$ 1,338.11	\$ 4,340.98					
Eagle Lake	\$ 500.00	\$ 1,556.74					
Eagle Lake Outside City	\$ 625.00	\$ 1,681.74					
Bartow	\$ 1,967.00	\$ 1,392.00		Park recoop	* 800-1600	*1050	
Mulberry	\$ 1,162.00	\$ 3,500.00			*\$535 and up	Public Buld \$1224	
Polk City	\$ 1,747.00	\$ 4,415.00	\$ 345.11	\$ 644.99	\$ 1,040.16	Public Buld \$1748.01	

* based on sq feet