

1. Agenda

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City of Lake Alfred
120 E. Pomelo Street
Lake Alfred, Florida 33850



Phone: (863) 291-5270
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**AGENDA
CITY COMMISSION
MONDAY, MARCH 20, 2023
7:00 PM
CITY HALL**

Call to Order: Mayor Jack Dearmin

Invocation and Pledge of Allegiance

Roll Call: Linda Bourgeois, City Clerk

City Manager & City Attorney Announcements

Recognition of Citizens: Items that are not on the Agenda

Donate Life Month

Consent Agenda:

- 1.) City Commission Meeting Minutes for March 6, 2023
- 2.) City Commission Announcements
- 3.) Planning and Zoning Board Appointments

Agenda:

- 1.) Public Hearing: Ordinance 1514-23: LA Pines Right-of-Way Dedication
- 2.) Resolution 09-23: LA Pines Final Plat Acceptance (Maintenance)
- 3.) LA Pines Developer's Maintenance Agreement
- 4.) Public Hearing: Resolution 10-23: CDBG Grant Support
- 5.) Public Hearing: Resolution 11-23: USDA Grant Application
- 6.) Growers Fertilizer Acquisition

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

Commissioner Questions and Comments:

Mayor Dearmin
Commissioner Fuller
Vice Mayor Eden
Commissioner Maultsby
Commissioner Daley

Adjourn

**LAKE ALFRED CITY COMMISSION
MARCH 20, 2023**

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 March 6, 2023

Attachments:

- Draft Minutes

Analysis: Please review the minutes at your earliest convenience, and if there are any questions, comments, or concerns, please contact City Clerk Linda Bourgeois at (863) 291-5270.

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
3/23	Code Enforcement Special Magistrate	City Hall	3:00 PM
4/3	City Commission Meeting	City Hall	7:00 PM
4/13	Planning and Zoning Board	City Hall	6:00 PM

3.) Planning and Zoning Board Appointments

Attachments:

- Applications for Bancroft Fisher and Ron Pestone

On April 16, 2021, the Planning and Zoning Board was established by Ordinance No. 1440-20. The new Planning and Zoning Board was designated as the local planning agency per F.S. 163.3174 and reviews development applications and the Technical Review Committee recommendations at a public hearing.

The board is comprised of seven (7) regular members, and two (2) alternate members to serve for three (3) year terms. The duties of the board are to advise and make recommendations to the City Commission regarding applications or designations on property within the City, to interpret

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and determine the intent of provisions outlined in the code that are unclear or in conflict with other regulations, and to consider the need for revision or addition to regulations in this Code or the Comprehensive Plan and to recommend changes to the City Commission.

On February 2, 2023, Board Member Ganesh Nair submitted his resignation, and on February 14, 2023, Board Member Charles Lake submitted his resignation. The new applicants have agreed to serve the remainder of the following terms:

- Bancroft Fisher – replacing Full Member Ganesh Nair 12/31/2025
- Ron Pestone – replacing Full Member replacing Charles Lake 12/31/2024

Staff Recommendation: Approval of consent agenda.

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1.) Public Hearing: Ordinance 1514-23: LA Pines Right of Way Dedication

Issue: The City Commission will consider an ordinance dedicating a public right-of-way.

Attachments:

- Ordinance 1514-23

Analysis: On July 30, 2021, the City entered into a Developer's Agreement with Lake Alfred Pines, LLC, based on the City's request for the applicant to relocate their entrance to align with Old Lake Alfred Road. In order to accomplish this new alignment, the entrance of the subdivision needed to cross a city-owned parcel. The new alignment creates a full intersection at CR 557 and the future alignment of Old Like Alfred Road.

The Developers Agreement established the obligations of each party.

1. Developer: permitting, road construction, and maintenance warranty for the road improvements (same time period as subdivision infrastructure).
2. City: accept and maintain road improvements and convert the road improvements to a perpetual ROW.
3. Temporary Access and Construction easement

The Developer has completed their obligations. The proposed ordinance will convert a portion of the City property to a perpetual public right-of-way to meet our obligation.

Staff Recommendation: Approve Ordinance 1514-23 on second and final reading.

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2.) Resolution 09-23: LA Pines Final Plat Acceptance with Maintenance Bond
3.) LA Pines Developer's Maintenance Agreement

Issue: The City of Lake Alfred will consider the approval of the Lake Alfred Pines subdivision final plat and Developer's Agreement.

Attachments:

- Resolution 09-23 with attachments
 - Final Plat
 - Performance Bond with Engineers Estimate
- Developer's Agreement

Analysis: The applicant, Lake Alfred Pines LLC., has requested approval of a final plat for the Lake Alfred Pines subdivision. The approximately 30± acre subdivision is located on the east side of CR 557 north of the current intersection with Old Lake Alfred Road. The property is located within the Green Swamp Area of Critical State Concern.

On July 30, 2021, the City entered into a Developer's Agreement with Lake Alfred Pines, LLC, based on the staff requested for the applicant to relocate their entrance to align with Old Lake Alfred Road. In order to accomplish this new alignment, the entrance of the subdivision needed to cross a city-owned parcel. Ordinance 1514-23 addressed the agreement requirements.

The construction plans were approved by the City on October 6, 2021. Prior to construction, the City received all state permits. On August 8, 2022, the City Commission adopted Resolution 13-22 allowing the plat to be recorded without acceptance of the infrastructure. Instead, the applicant submitted as performance bond in the amount of 110% of the engineer's certified cost of all improvements, or 526,001.81 in order to address the total construction cost of the infrastructure.

The owner has now completed all construction included in the performance bond (water and wastewater service, road construction, landscaping, etc.). The City staff and consulting engineers have inspected and recommend acceptance of the infrastructure, release of the performance bond, and acceptance of the maintenance bond. The City has also received the 2-year maintenance bond as required by the ULDC in the amount of \$124,013.47.

In addition to the on-site infrastructure, this project included work within the right-of-way as outlined in the Developer's Agreement. As such, the developer has requested a maintenance agreement to maintain the improvements in the median such as the landscaping and signage.

Staff Recommendation:

2. Approval of Resolution 09-23.
3. Approval of the Developer's Maintenance Agreement

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4.) Public Hearing: Resolution 10-23: CDBG Grant Support

Issue: The City Commission will consider a Resolution approving the City's Community Development Block Grant application for the Fiscal Year 2023-2024.

Attachments

- Resolution 10-23
- Estimated Funding Letter
- Photos

Analysis: In July 2017, the City Commission approved an agreement with the county to become a sub-recipient of Polk County for Community Development Block Grant funding. The agreement was extended on February 9, 2023, for FY 2023-2025. Polk County has requested project proposals from its municipal partners to be funded by a formula allocation. The City anticipates receiving \$35,010.00 in CDBG funds in the upcoming FY 23/24 Budget.

This grant program provides communities with resources to address a wide range of unique community development needs. Each CDBG-funded project must meet one of the three national objectives:

- Benefit low and moderate-income persons
- Prevent or eliminate slums and blights
- Meet other community development needs having a particular urgency

Staff is proposing to construct two new ADA-accessible unisex restrooms at the Highlands Community Center which will increase the City's level of ADA accessibility for the city residents. The proposed project benefits low and moderate-income persons and meets other community development needs having a particular urgency. A conservative estimate of the project is \$60,000 and the project has been identified in the self-evaluation survey report as a high priority project which will be incorporated into the City's ADA transition plan. The additional funding needed to complete the project will be budgeted for in the next fiscal year.

Staff Recommendation: Approve Resolution 10-23.

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5.) Public Hearing: Resolution 11-23: USDA Grant Support

Issue: The City Commission will consider a resolution approving the City's USDA Community Facilities Program grant application for the Fiscal Year 2023-2024.

Attachments

- Resolution 11-23

Analysis: On April 18, 2022, the City Commission approved a resolution adopting the FY23 Community Project Funding Priority list for potential funding application under the Community Project and/or Federal Appropriation Subcommittee Programs. The resolution identified a Fire Engine Replacement Project to replace the existing fire engine that has provided service to the City of Lake Alfred for over twenty years.

On January 1, 2023, Congressman Soto (FL-09) voted to pass the Consolidation Appropriations Act with a funding package of \$27 billion. Within the Consolidation Appropriations Act, Congressman Soto championed funding for thirteen local projects and included was the appropriation of \$412,500 for a fire engine replacement in the City of Lake Alfred. The funding will be allocated through the Communities Facilities Grant Program administered by the United States Department of Agriculture.

The applicant must be eligible for grant assistance which is provided on a graduated scale with smaller communities with the lowest median household income being eligible for projects with a higher proportion of grant funds. Lake Alfred is in a rural community having a population of 12,000 or fewer and the median household income of the proposed service area is below the higher of the poverty line or 70% of the State nonmetropolitan median household income. The City Commission of Lake Alfred agrees to apply for financial assistance with the United States Department of Agriculture, Rural Development to finance the Fire Engine Replacement Project with a maximum of 55% funding and a 45% City match.

Staff Recommendation: Approve Resolution 11-23.

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6.) Growers Fertilizer Acquisition

Issue: The City Commission will consider the purchase of the Growers Fertilizer Property.

Attachments:

- Purchase and Sale Agreement: Growers Fertilizer
- Appraisal (3/23/22)

Analysis: Growers Fertilizer property is located in a critical area of Lake Alfred near the intersection of US 17/92 and CR 557 as well as being adjacent to the city-owned Lions Park.

Acquisition of the property by the City will allow for several opportunities including:

- Incorporating the property into Lions Park allowing for a primary entrance off of CR 557
- Allowing for more recreational options and configuration of Lions Park including the placement of the community center identified in the Parks Master Plan and 10-Year Facility Plan
- Improving the aesthetic of one of the primary gateways to Downtown Lake Alfred and allowing for a view of the lake from the gateway.
- The acquisition includes other parcels in the vicinity of the CR 557 and US 17 intersection which will be important when partnering with the County/State on improving that intersection.
- Allows for a more competitive bid for a rail stop and intermodal transportation opportunities due to its proximity to the intersection of major roads, the city park, and the railway (i.e., park and ride).

A 2022 appraisal estimated the value of the property to be \$1,495,000 of which \$910,000 was land value. The City also received a bid of approximately \$800,000 for the demolition of the building, the large cost was due to the presence of asbestos in portions of the building. The owners performed a Phase 2 environmental study and performed some soil remediation. Our environmental consultant has reviewed that report and determined the City will need to perform our own Phase 1 and Phase 2 Environmental Studies to be eligible for state and federal programs to help environmentally remediate the site.

In negotiating with the owners, city staff looked at the land value, the cost of demolition, remediation, the reduced cost of remediation to the City through state/federal programs, and the possible value to the owners of the right of way acquisition for the County 557 expansion project and agreed to a purchase price of \$500,000.

Funding is available in remaining ARPA funds and parks and recreation impact fees for the acquisition. If approved, the City would have a 180-day due diligence period to complete a Phase 1 and Phase 2 Environmental study and is coordinating with our consultant and the Central Florida Regional Planning Council for grant and program applications (similar to the downtown property remediation).

Recommendation: Approve the purchase of Growers Fertilizer in the amount of \$500,000.