

**MINUTES
CITY COMMISSION / CRA MEETING
MONDAY, OCTOBER 3, 2022
7:30 PM
CITY HALL**

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

Invocation and Pledge of Allegiance: Finance Director Amber Deaton provided the invocation and **Mayor Dearmin** led the Pledge of Allegiance.

Roll Call: City Clerk Linda Bourgeois

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

Staff in attendance: City Manager Ryan Leavengood, City Attorney Seth Claytor, Finance Director Amber Deaton, Public Works Director John Deaton, Community Development Director Ameer Bailey, Parks and Recreation Director Richard Weed, Police Chief Art Bodenheimer, and Fire Chief Robert Turner.

City Manager Leavengood announced the next Ridge League of Cities Dinner will be held on Thursday, October 13, 2022, in Winter Haven. He said registration is now open for the Florida League of Cities Legislative Conference. The 2022 event will be held Wednesday, November 30 through Friday, December 2 at the Embassy Suites Orlando - Lake Buena Vista South. He concluded by saying there was a request to pull item number five on the agenda.

Commissioner Daley moved to remove item number five from the agenda. **Mayor Dearmin** seconded the motion. The motion was unanimously approved.

City Attorney Claytor said he was glad everyone was safe after Hurricane Ian. He concluded by saying he remained grateful to represent the great City of Lake Alfred.

Recognition of Citizens

Felicia Mike Smith on behalf of her father Eugene at 660 E. Tangerine Avenue spoke about flooding concerns. She said the flooding has been an issue for well over fifty-five years and asked if something could be done. She said over the years she had spoken with the city staff and the issue still exists. She spoke about the drainage ditches from the distillery saying there was not adequate drainage. She said her father's home floods when it rains, and they live in fear of grey clouds. She concluded by asking for the city to look into solutions.

City Manager Leavengood spoke about the opportunity to look at the Highlands Park area with the Stormwater Master Plan, the home being built below the street level, and a flapper had been previously installed.

Mayor Dearmin read the Fire Prevention Week Proclamation into the record, and it was accepted by Fire Chief Turner. He thanked the City Commission. He continued and spoke about the children being the biggest opportunity to educate on fire safety, the children talking to their parents

about the importance of fire safety, and the appreciation he felt for the City Commission with the recognition of Fire Prevention Week.

Mayor Dearmin read the Florida City Government Week Proclamation into the record, and it was accepted by the City Commission.

City Manager Leavengood provided an update on the response to Hurricane Ian. He said the response was top tier with management teams in place. He was proud of the City staff and their hard work during and after the hurricane. He said the community came together and our hearts go out to south Florida. He said we were in better shape as the storm damage was lighter than Irma's. There is 99+% power restoration, the roadways are clear, and we have now transitioned into the debris removal phase. He spoke about the lift stations and emergency generators, and the water and wastewater plants being operationally sound during the hurricane and thanked everyone for a solid response.

Mayor Dearmin presented the Consent Agenda for consideration.

Consent Agenda:

- 1.) City Commission Meeting Minutes for September 22, 2022
- 2.) City Commission Announcements

Commissioner Daley made a motion to approve the consent agenda. The motion was seconded by **Vice Mayor Eden**. The motion was unanimously approved.

Mayor Dearmin presented the first business item.

- 1.) Ordinance 1498-22: Comp Plan Amendment: Capital Improvement Program and 10-Year Facility Plan

City Attorney Claytor read the title of Ordinance 1498-22 into the record.

City Manager Leavengood read the analysis into the record. He said 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.

Additionally, a 10-year Facility Plan is included in the proposed amendment. Due to the large-scale growth expected, there are significant implications for large-scale and long-term capital improvements and facility needs. The creation of a 10-year "Facility Plan" is designed to provide focus and clarity on the large-scale (\$250,000+), long-term (10 years) needs in addition to the regular CIP. The inclusion of the ten-year facilities plan provides another layer in the budget process and allows for a better planning and forecasting tool.

The proposed ordinance updates the CIP element within the comprehensive plan to be identical to the CIP and 10-year Facility Plan adopted as a part of the FY 22/23 Annual Budget. Having projects identified in the comp plan's CIP and 10-Year Facility Plan can be a positive factor when attempting to secure grant funding through state programs.

On Thursday, September 15, 2022, the Planning Board held a public hearing on the proposed Comprehensive Plan Amendment and unanimously voted (5:0) to provide a recommendation of

approval with modifications to the 10-Year Facility Plan to the Lake Alfred City Commission. The recommended modifications were to move up in priority the community center and the library expansion along with the addition of adding bicycle paths in the document.

The approved facility plan is just a plan, project execution will largely be dependent upon available funds, especially in recreation (since we do not utilize debt service in the general fund). The Library expansion and community center were placed on the plan relative to their required funding amounts. If additional funds become available on a faster timeline staff will look to advance more expensive projects (i.e. Library Expansion, Community Center). The primary importance of the plan is having a project identified so that it can be accounted for in impact fees and be eligible for grant funding rather than its respective timeline.

The CIP amendment will be transmitted to the Department of Economic Opportunity after the second reading as a courtesy notification.

He concluded by saying the staff recommendation was for approval of 1498-22 on the first reading.

Commissioner Daley said she was glad to see the Planning Board's recommendation for the inclusion of bicycle paths.

Mayor Dearmin agreed and said the multimodal trails are the wave of the future.

Mayor Dearmin opened the public hearing, and seeing no one, he closed the public hearing.

Commissioner Maultsby made a motion to approve Ordinance 1498-22 on the first reading. The motion was seconded by **Vice Mayor Eden**. The motion was unanimously approved.

Mayor Dearmin introduced Ordinance 1499-22 on the first reading.

City Attorney Claytor read the title of Ordinance 1499-22 into the record.

City Manager Leavengood read the analysis into the record. The city maintains two defined benefit retirement systems for its employees separated into the General Retirement and Police & Fire Retirement systems. Each system has its pension board that acts as a Board of Trustees that retains its attorneys and financial advisors to ensure the health of the systems. In addition, they are in place to ensure the pensions are compliant with IRS standards and other applicable laws.

The proposed ordinance closes the General Employee pension to new employees effective on January 1, 2023. General employees hired on or after January 1st, 2023, will be enrolled in a defined contribution plan through the Florida League of Cities. A detailed report is attached to this item that was transmitted to the City Commission in 2021 explaining the detailed rationale behind the proposed closure. Substantive elements include:

- Lack of employees benefiting from the system (less than 10% of employees in the last ten years have vested in the plan).
 - Not a substantive recruitment tool or we'd have a much higher retention rate (Current pay and benefits and the state of the overall job market has a much larger impact on recruitment and retention).
- Pensions not inflation adjusted.
- City responsible for administrative costs and unfunded liability which can grow exponentially based on market returns and increased tenure.
 - If 10% of employees vesting in the plan causes a 15% contribution of payroll requirement by the City what will happen if 20%, 30%, or 40% of employees vest? City contributions could grow to 30%, 45%, and 60% of payroll.

- Larger, more mature organizations have all experienced this and have had to make drastic cuts or closures to their pensions as a result.

In summary, we are providing a benefit at a significant cost, which presents an even larger liability and does not have a substantive impact on recruitment or retention that will turn into a massive and unsustainable liability if we do improve longer-term tenure.

The proposed defined contribution plan that will replace the general employee pension will be a 10% contribution to a 401(a) with a 5-year graduated vesting schedule and up to a 5% match to a 457(b) plan. This amount is equivalent to the City's current contribution to the defined benefit plan and will provide several long-term benefits to employees and the City including:

- Providing a generous defined contribution (15%) that a much larger percentage of employees will benefit from due to the shorter vesting period.
- Act as a recruitment tool and retention tool as the contribution rate is higher than most other public employers.
- Long-tenured employees will be able to fund a full retirement that is similar in value to the defined benefit system but that is inflation resistant due to continuing investment returns following separation and additionally have a lump sum value that can be passed on in their estate.
- Shorter tenured employees will be able to roll over investments to their next employer instead of having a frozen benefit that does not grow previous to retirement.
- Eventually will remove the administrative costs and liability to the City associated with market returns.
 - Remove the unsustainable
 - liability of retaining more employees to vesting in the defined benefit system.

The proposed ordinance has no financial impact on the plan. He said he would include the actuary impact letter in the next agenda packet.

He said the staff recommendation is the approval of Ordinance 1499-22 on the first reading.

Vice Mayor Eden asked about the rollover capability for the current employees.

City Manager Leavengood explained the process of obtaining the actuarially equivalent value for each employee and the six-month window to decide if the employee wants to stay in the pension plan or roll it over into the 401(a) system.

Mayor Dearmin asked if the cutoff date was January 1, 2023, and the City Manager said yes. He explained that all new hires after January 1, 2023, would not be offered the pension option and said at the next meeting we would consider approval of the vesting schedule and language.

Commissioner Daley asked if the employees contributed to the pension plan and City Manager Leavengood said the employee contribution rate was 5%. He went on to say the proposed defined contribution plan that will replace the general employee pension will be a 10% contribution to a 401(a) with a 5-year graduated vesting schedule and up to a 5% match to a 457(b) plan.

A brief discussion ensued regarding the matching contributions being a win for the employees, the closure being a windfall to the city in the future, and the nationwide problem of collapsed pension funds.

Mayor Dearmin opened the floor to public comments, and seeing no one, he closed the floor to public comments.

Commissioner Fuller made a motion to approve Ordinance 1499-22 to close the General Employee Pension Plan on the first reading. The motion was seconded by **Vice Mayor Eden**. The motion was unanimously approved.

Mayor Dearmin introduced the next item of business.

3.) Resolution 17-22: Property Acceptance from Polk County Board of County Commissioners.

City Attorney Claytor read the title of the resolution into the record.

City Manager Leavengood read the analysis into the record. He said on the 16th day of August 2022, a County Deed was conveyed by the Polk County Board of County Commissioners to the City of Lake Alfred. The donated property description is:

Commencing 660.00 feet South and 2,380.00 feet West of the Northeast Corner of Section 28, Township 27 South, Range 26 East for a Point of Beginning; run thence West 260.00 feet, thence North 45.0 feet, then East 260.0 feet, thence South 45.0 feet to the Point of Beginning.

Being the same property described in that certain Tax Deed recorded in Official Records Book 3044 on Page 1687, Public Records of Polk County, Florida.

The City of Lake Alfred's acceptance of this parcel will help with contiguity for future annexations.

He concluded and said the staff was recommending approval of Resolution 17-22.

Community Development Director Bailey said this was a wetland parcel that was surplus of Polk County. She said by acceptance of this parcel, it would make it cleaner for future annexations.

Mayor Dearmin opened the floor to public comments, and seeing no one, he closed the floor to public comments.

Vice Mayor Eden made a motion to approve Resolution 17-22 accepting the property from the Polk County Board of County Commissioners. The motion was seconded by **Commissioner Maulsby**. The motion was unanimously approved.

Mayor Dearmin introduced the next business item for consideration.

4.) Resolution 18-22: SouthState Back Purchase

City Attorney Claytor read the title of Resolution 18-22 into the record.

City Manager Leavengood read the analysis into the record. He said for the past several years the City's Capital Improvement Plan included funding for the expansion of City Hall to accommodate growth in permitting and building services. Upon the receipt closure of the Southstate Bank adjacent to City Administration, city staff has proposed acquiring the building and property in place of the proposed City Hall expansion. A bank location is a superior option because it provides more office space, greater capability (drive-through, space for additional

functions), and much-needed parking for additional staffing, customers, and law enforcement vehicles which can be integrated with the City Administration parking lot.

The current budget, CIP, and facility plan include \$1.6 million for the acquisition. The proposed breakdown of the acquisition is being split between permit fees (80%), general government impact fees (10%), and police impact fees (10%). The majority of the funding is available in these restricted funding accounts; near-term deficits of approximately \$450,000 will be funded with the remaining of the ARPA surplus funds (\$600,000) and will be repaid as those restricted revenue sources gain additional funding.

The acquisition will serve the mid-term growth needs of the community development department, police department, and city administration. Additionally, the property being contiguous to existing City properties will present high-value long-term redevelopment opportunities.

He said the staff was recommending approval of Resolution 18-22.

Commissioner Maultsby asked if the building had been inspected, if we had impact fees in hand, if it was ready to move in, and if the furniture was coming with the purchase.

City Manager Leavengood replied that the city had sixty days to inspect and there would also be a phase I environmental study conducted. He shared we had the bulk of the money through impact fees and building funds, and the new construction would help pay back the \$450,000 shortfall. He continued and said there will be some renovations needed to the parking lot and also on the interior. He concluded by saying some internal things were staying such as the vacuum system.

Commissioner Daley asked if the vault came with the purchase and the response was yes. She continued and said she wanted us to be cautious about the city buying too many properties, spoke about the removal of the building from the tax roll, and then said she was in favor of this purchase due to the proximity of the adjacent city buildings.

City Manager Leavengood said he valued her point and said that this was the last purchase other than Growers Fertilizer. He continued and spoke about the growth [rooftops] that drive other development opportunities.

Commissioner Fuller asked about the ability to move forward with the Growers Fertilizer purchase and City Manager Leavengood said the bank purchase would not have an impact on the Growers Fertilizer purchase because they were being funded with different pots of funding. He mentioned possible parks and recreation impact fees, general funds, and other revenue sources.

Mayor Dearmin opened the floor to public comments, and seeing no one, he closed the floor to public comments.

Commissioner Maultsby made a motion to approve Resolution 18-22 approving the purchase of SouthState Bank and authorizing the City Manager to execute all necessary documents. The motion was seconded by **Commissioner Fuller**. The motion was unanimously approved.

5.) Resolution 19-22: Interfund Transfer Loan was removed from the agenda.

Mayor Dearmin introduced the next business item for consideration.

6.) CPH Task Order No. 8: Water Use Permit

City Manager Leavengood read the analysis into the record. He said on July 18, 2019, the City Commission approved negotiations with CPH, Inc. for a continuing service agreement to deliver engineering and consultant services to the City of Lake Alfred. The city executed the Master Professional Engineering Services Agreement with CPH, Inc. on November 19, 2019.

On July 7, 2022, the City of Lake Alfred received a request for additional information from the Southwest Florida Water Management District (SWFWMD) associated with our Water Use Permit application. The City is requesting a gap permit in the amount of 1.9 mgd which is a 600,000 gpd increase over our current water use permit allocation of 1.3 mgd. The proposed permit modification is a temporary stop-gap measure until our alternate water supply allocation from the Southeast Wellfield comes online in 2026.

CPH, Inc. will coordinate with Connect Consulting, Inc. (CCI) to provide hydrogeological services related to groundwater modeling and impact analysis in support of the water use permitting (WUP) for the City of Lake Alfred, Florida. The proposal includes updating the Environmental Monitoring Plan, advising on source data for the five-year water usage of forecasted per capita future demands, and coordinating with the Southwest Florida Water Management District (SWFWMD) to provide a Water Conservation Plan with guidelines in the amount of \$85,245.

Funding is available in restricted water connection fees (Impact fees) to fund the task order.

He said the staff recommendation is for approval of CPH Task Order No. 8 at a cost not to exceed \$85,245.

Commissioner Daley asked what would happen if the Southeast Wellfield doesn't come online or becomes so cost-prohibitive that it is not a gap anymore.

City Manager Leavengood said we would go to the governor in Tallahassee with hat in hand to make them make up the difference. He said they pushed the project because they didn't want to permit in the area. He said the water management district is frowning heavily on any alternative water supply projects in the northeast due to the proximity of Toho Water Authority and Orlando where they have the deep well.

Commissioner Maultsby asked who controlled how much water would be pumped out of the ground.

City Manager Leavengood explained the traditional water source for Lake Alfred is 1.3mgd per day, and from there on out it will all be from alternative water supply projects.

Mayor Dearmin opened the floor to public comments, and seeing no one, he closed the floor to public comments.

Vice Mayor Eden made a motion to approve Task Order No. 8 with CPH, Inc. in an amount not to exceed \$85,245. The motion was seconded by **Commissioner Fuller**. The motion was unanimously approved.

Mayor Dearmin recessed the City Commission meeting at 8:40 PM.

Chair Dearmin called to order the Community Redevelopment Agency Meeting at 8:40 PM.

City Clerk Bourgeois conducted the roll call.

Community Redevelopment Board Members in attendance: Chair Jack Dearmin, Vice Chair Brent Eden, Board Member Mac Fuller, Board Member Nancy Daley, and Board Member Albertus Maultsby.

Staff in attendance: City Manager Ryan Leavengood, City Attorney Seth Claytor, Finance Director Amber Deaton, Public Works Director John Deaton, Community Development Director Ameer Bailey, and Police Chief Art Bodenheimer.

Chair Dearmin presented the consent agenda for consideration of approval.

- 1.) Community Redevelopment Meeting Minutes for September 8, 2022.

Board Member Maultsby made a motion to approve the minutes from September 8, 2022, Community Redevelopment Agency Board meeting. The motion was seconded by **Vice Chair Eden**. The motion was unanimously approved.

Chair Dearmin presented CRA Resolution 03-22 for consideration of approval.

City Attorney Claytor read the title of CRA Resolution 03-22 into the record.

City Manager Leavengood read the analysis into the record. He said on September 12, 2019, the Community Redevelopment Agency approved Resolution 02-19 establishing the Facade Improvement Grant Program.

The Lake Alfred Community Redevelopment Agency's Facade Improvement Grant Program partners with the business community to promote investment in the downtown area. The program incentivizes commercial building owners and tenants to renovate and update the exteriors of commercial properties located within the CRA, specifically in the downtown area, by providing financial assistance.

The program was designed to provide a matching reimbursement grant to make these exterior and facade improvements. By offsetting the cost of these projects, the CRA hoped to incentivize visible improvements that will improve building and site aesthetics thereby improving the marketability and value of existing businesses while also attracting new businesses, residents, and visitors to the area.

On June 21, 2021, the program was modified by the Community Redevelopment Agency with CRA Resolution 01-21 to allow the ADA improvements to be eligible, parking lot and roof improvements to be eligible, and the reimbursement timeline.

Based on feedback from operating the program for the past few years, the staff is proposing several changes to improve the program that is designed to make the program more flexible and accessible:

- Allow non-profit organizations, multi-unit residential, and churches to participate in the program.

- Expand the program to the entire CRA area instead of just downtown (Properties within the downtown area will be given priority in the rankings).
- Allow for 100% of ADA improvements to be funded by a grant of up to \$25,000 (instead of a 50% match).

\$100,000 has been set aside in the current FY 22/23 Budget for facade grants. The commercial facade grant program is currently accepting applications through the end of the calendar year. The residential program will begin accepting applications in January. This is a policy decision of the board.

Board Member Daley said spoke about the certain types of tax exempted organizations benefiting from the program and having to explain it to others that are paying taxes. She said she understands that we want to improve those blighted areas but is also worried about slighting the people who are paying the taxes. The taxes are a pool of money, but she thinks the priority ranking, if permissible, it would help.

City Attorney Claytor said he thinks the distinguishing factor would be payment of taxes versus non-payment of taxes. We don't want to be regulating based upon something that would be protected by First Amendment speech or some other type of constitutional prohibition regulation. We want to be content-neutral in whatever we do. He concluded by providing examples of scenarios.

City Manager Leavengood said the CRAs are to address blight, so you are purposely going to spend dollars and cents, by definition, in areas that don't produce revenue. If they didn't have the blighted condition, to begin with, you wouldn't have created the CRA. He said it could be weighed by that they are not tax-exempt. There was a time when we didn't have an application in one project cycle. The goal is to cast a wider net and not limit it to downtown and give the board more options. The program is for exterior projects so it will help the overall neighborhood and you may see an increase in taxes in the surrounding areas as you make improvements to the buildings.

Chair Dearmin opened the floor to public comments, and seeing no one, he closed the floor to public comments.

Vice Chair Eden made a motion to approve CRA Resolution 03-22 amending the Commercial Facade Grant Improvement Program as presented. The motion was seconded by **Board Member Fuller**. The motion was unanimously approved.

Chair Dearmin presented CRA Resolution 04-22 for consideration of approval.

City Attorney Claytor read the title into the record.

City Manager Leavengood read the analysis into the record. He said on October 18, 2021, the Community Redevelopment Agency Board adopted Resolution 03-21 which established a residential facade improvement grant program. Community Redevelopment Agencies are given tools above and beyond what is normally afforded to local governments to address blight within the community.

The residential facade improvement program was drafted in part based on provisions from the existing downtown commercial facade grant as well as from other CRA residential facade programs from various cities around the state.

Based on the intent of the program staff is proposing several changes to make the program more accessible that the Board may wish to consider:

- Allow flexibility and specialization within the Program Grant Cycle regarding the format, amounts, and operation and types of improvements being performed each year.

\$100,000 has been set aside in the current FY 22/23 Budget for facade grants. The commercial facade grant program is currently accepting applications through the end of the calendar year. The residential program will begin accepting applications in January.

He spoke about the flexibility of having a targeted grant cycle along with the traditional program and said depending upon the program cycle, it may be targeted such as with painting as the budget allows. He spoke about tree removal and the potential to target storm resilience or improvements with a CRA grant cycle where all we did for one year is for trees they wanted to take down. He spoke about the traditional program which we would look to grow into and will be budget-dependent. After a few years, we may be in a more comfortable position to award \$10,000 – \$15,000 grants than with the limitations of the program now.

He concluded by saying the staff would answer any questions.

Board Member Daley had a question about the way the policy was written. She provided an example of a resident who needed painting for \$5,000 and then a roof repair for \$10,000 during the targeted cycles, the policy says you can only get a grant once every seven years. Is that the cap of \$15,000? Do I have to wait seven years?

City Manager Leavengood read an excerpt and said the past recipients under this program may reapply in future years if the Grant Program Cycle is targeting a different category of improvement. He explained that once every seven years applied only to the specific grant award program by assigning a dollar value for them to do whatever they want up to the \$15,000. This does not interfere with the targeted cycles and was intentional for flexibility if it is a different category of improvement.

Board Member Daley asked if this went towards a \$15,000 cap and City Manager Leavengood replied no. That was not the way it is intended. **Board Member Daley** said that was how she understood it when she read it. There could be people who could get \$15,000 this year and also next year.

City Manager Leavengood said we can articulate that in the grant cycle, and we would track all of that so when we go through the grant cycle you will get the breakdown of what each property received. He provided examples. He said if we do target based you can always apply if it is a different category. He said if we did paint this year we probably won't go back and do the painting in two years or if we did you wouldn't need to apply for another paint job anyway. If we budget \$150,000 and the board awarded 15 applications, that is for the seven-year limitation.

City Attorney Claytor said it is relevant to the situation for consideration if the applicant has received prior funding and that will be at the board's discretion when considering applications. He provided examples of a property receiving funding for two of the three-year cycles versus a new applicant and said that would be germane to consider a funding award.

Board Member Daley said that the property may need a roof more than the new applicant and City Attorney Claytor said that is where the board would have the lateral discretion to receive additional information to help you make those decisions.

City Manager Leavengood said the staff review team researches and provides the information to the board to make it as easy as possible going into that process.

Chair Dearmin asked if an applicant can apply for one targeted cycle one year and then apply again next year if it is a different category of targeted improvements.

City Manager Leavengood said that is correct. We have tried to bifurcate or split the program into two. He said for the next few years he sees the program being targeted for improvements.

Board Member Maultsby asked who can apply for these grants or awards, can tenants apply for them?

City Manager Leavengood said the tenants can apply but they have to get written notarized authorization from the owner.

City Attorney Claytor said that is where he will work with the Community Development Director to make sure corporate resolution is provided and that the member/manager of the LLC provides authorization to the tenant to be able to request the grant funding from the city. We will ensure that whoever applies tenant/owner has the legal authority to ask for such grant funding.

Vice Chair Eden commented it is fantastic we are here in the first place, which means we have made it. He said 660 E. Tangerine is in the CRA area and asked if there has been a study for potential costs for a permanent fix of the flooding. He read an excerpt that said improvements associated with flood hazards such as elevation of utilities, floodproofing, or repair of water-damaged exteriors.

City Manager Leavengood said we worked specifically with them by putting in a flapper to prevent backflow, we have done the low-hanging fruit. He said there will be diminishing returns because the actual solution may be 1M. He spoke about the stormwater master plan that will look at stormwater citywide. He continued and said they have a systemic challenge due to the house being lower than the road. Are there other lower options we can do, such as curbing to reroute the water? We can look at that to see if there are any other low-cost options. The stormwater master plan task order will come before the City Commission before the end of the year.

Vice Chair Eden said thank you and he appreciated it.

Board Member Maultsby suggested pouring another one-foot higher floor inside the house to be above the crest.

City Attorney Claytor said the CRA circles back to blight which is defined by Florida Statutes. He read some excerpts of the statutes into the record.

City Manager Leavengood said another layer is that the CRA is another engine to do things that we would not normally be able to do. He said there are CRA dollars that could potentially go for a cost-share project in the CRA area to make certain improvements to make drainage better in the neighborhood.

Board Member Daley suggested looking into funding from FEMA and spoke about the response after Hurricane Sandy and how they came in and raised the homes. She mentioned Polk County was added to the individual disaster funding from Hurricane Ian.

Board Member Fuller asked if there was any attention paid to the houses with blue tarps from previous storms and if would they be eligible to apply with existing damage that was unrepaired.

City Manager Leavengood said they would not be unrestricted to apply.

A discussion ensued regarding the homeowner being paid for the roof damage and not spending the funds on repairs, the city addresses that contractually, and the policy behind the CRA is not to provide a windfall to the property owner in the event they do receive recovery funds.

Community Development Director Bailey spoke about the Property Maintenance Code and how it addresses how long blue tarps can stay on the roofs. She said we have worked with property owners through the Code Enforcement process to get those addressed. Some were cleared up this year. We do follow up and maintain contact with the property owner.

City Manager Leavengood said the stormwater master plan will give us the credibility and studies we need to go after those Federal Funds.

Chair Dearmin opened the floor to public comments, and seeing no one, he closed the floor to public comments.

Board Member Daley made a motion to approve CRA Resolution 04-22 amending the Residential Facade Grant Improvement Program. The motion was seconded by **Board Member Maultsby**. The motion was unanimously approved.

Without any further comments, at 9:14 PM Chair Dearmin adjourned the CRA Meeting.

Mayor Dearmin reconvened the City Commission meeting at 9:14 PM.

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

Recognition of Citizens

There were none.

Commissioner Questions and Comments:

Mayor Dearmin thanked the City Manager and the City staff that came together during this time. It meant a lot to our citizens, and he was pleased the cleanup went as smoothly as it did. He asked for prayers for the south Florida residents for recovery and he said he was looking forward to the new fiscal year. He concluded by saying he hoped everyone would stay healthy and continue to move forward.

Commissioner Fuller thanked the City Commission for allowing him to take a meeting off. He shared they spent a lot of time in Norway, Copenhagen, and Amsterdam and the one thing that stood out to him was some of the 200+ year-old homes were maintained well. He said some of them only lived in 7-8 months of the year. He spoke about taking pride and ownership in our community. He said we live in a great little community, and we work hard to make it the best it

can be. He said our pride rings out and he wanted to bring that back. He said it was a great trip. He said he was so proud of our directors and emergency staff during and after the hurricane. It's a great feeling we must be covered. He pointed out the claw truck picking up debris was taking some of the yards. He asked about a date for the Christmas employee luncheon and was told he would be provided with the information. He concluded by thanking the city staff.

Vice Mayor Eden thanked the first responders, both Chiefs, and the servicemen saying he appreciated them. He gave a special thank you to the City Manager for getting the agenda out during the Hurricane and its aftermath. He asked if we had a new date for Chief Nix's rescheduled retirement ceremony and City Manager Leavengood said he would let them know the date.

Commissioner Maultsby thanked the City Manager and his associates for doing a great job. He said it is a few months away, but he is looking forward to retirement. He has been serving for around twenty-five years and is looking forward to having a new person in the seat to take his place.

Commissioner Daley dittoed the comments about the City Manager, the city staff, and the first responders. It was very impressive to her to see the police driving around before the storm and she appreciated that. She said we dodged a bullet. She appreciates being excused from the last meeting and shared the mayor had stopped by the hospital to visit her. She asked about the billboard provision in our code that states if a billboard is destroyed, they cannot put it back up. She indicated it was the one by the pedestrian bridge. She said the last time LAMAR ignored our code and put it back up anyway.

Community Development Director Bailey said that the billboard by the pedestrian bridge was in the county and said there were some provisions for repair in the city.

A brief discussion ensued regarding the potential to annex that area, the outreach city staff has already done to annex the parcel, and upon annexation, it would still be considered a legal nonconforming use.

Commissioner Daley suggested that the city rent that billboard and put whatever we want on it.

Commissioner Maultsby asked if that property with the billboard was on the same property as the old gas station and he was told by the Community Development Director that it was two different parcels. He went on to share about a property in Auburndale and asked if we could do that as well.

Community Development Director Bailey said there is a process in which we could have an interlocal agreement with the County to involuntary annex enclaves. That would be the process we would have to follow. She said we have been working with Polk County to get that process started and unfortunately with their staffing it has been difficult however this is on our list for annexations.

Commissioner Daley spoke about the old gas station and said upon its sale, she would think it would have to bring it up to code even in the county.

Community Development Director Bailey said the county is a little easier to work with in the realm of inspections. They don't always have the strict procedures as cities do with redevelopment. Sometimes they will allow redevelopment to occur without improvements such as parking or improving access. They would address the building but not the site.

A discussion ensued regarding legal nonconforming use, it would be a fact-driven decision, and the Property Appraisers' notation of nonconforming use would be because they lost frontage when highway 17/92 was widened.

Community Development Director Bailey said it would be a research project, especially with a building that is that old.

Mayor Dearmin said it was a unique situation on the property and no one knows what is going on with it other than what we physically see.

Without further comments, at 9:29 PM, the City Commission meeting was adjourned.

Respectfully submitted,



Linda Bourgeois, BAS, MMC,
City Clerk