



CITY OF

BOWLING GREEN

City of Bowling Green Minutes of Regular Meeting July 9, 2024

Present: Mayor Jones, Vice-Mayor Fite, Commissioner Durastanti, Commissioner Arreola, City Manager Durrance, Assistant City Manager/City Clerk Ganas, Chief Scheel, Attorney Buhr, Finance Manager Gordillo and members of the audience.

Absent: Commissioner Lunn

1. **Call to order** – The meeting was called to order by Mayor Jones.
2. **Prayer** – The prayer was given by Charlette Ganas
3. **Flag Salute**
4. **Consent Agenda**
 - A. **Approval of Minutes**
 - 1) **Regular Meeting Minutes 6/11/2024**
 - B. **Accounts Payable**
 - C. **Financials**
 - D. **Payroll**
 - E. **Police Department Statistics Report**
 - F. **Water/Wastewater Report**
 - G. **Public Works Reports**

Mayor Jones asked for a motion to approve commission meeting from 6-11-2024. Commissioner Durastanti made a motion and seconded by Vice Mayor Fite. No questions from the public. Question from Vice Mayor Fite regarding a housekeeping issue that was mentioned at last month's meeting it was pointed out that our flag is in wrong place. It should be to the right that needs to be addressed. Also going back to last month's financial report. There was an \$8,700 check written for asphalt on the icehouse. That was presented under the commission the CRA board only approved \$5,000 expenditure. City Manager Durrance mentioned that it was invoiced for the full amount instead of the \$5,000 and he did call her, and she stated that it was going to be discussed at the CRA meeting tonight. No other questions from the commission. Moved to roll call vote all in favor and motion was carried.

Motion for consent agenda by Vice Mayor Fite and seconded by Commissioner Arreola. Moved to roll call vote all in favor motion was carried.



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5. Old Business

A. CEMETERY

Discussion regarding the cemetery was tabled at the last meeting pending a photo of the new cemetery entrance.

Photo was provided. Vice Mayor Fite asked where the intended source of funding. City Manager Durrance explained that it was budgeted for. The budget was \$80,000 but came in for \$62,356.69 which is a difference of \$1,764.31 so we are saving a little over \$1,700. Discussion continued about fencing and possible tree removal that could add additional plots.

Jim Kelly 4649 Bryan Ave asked if the bids for cemetery fencing was advertised in the Herald Advocate. The advertisement was placed in The Ledger.

Mayor Jones made the motion that we move forward with what is being presented and seconded by Commissioner Durastanti. Moved and properly second no questions from commission or the public. Moved to roll call vote motion carried.

B. LAND SALE

Assistant City Manager/ City Clerk read the recommendation from the staff.

We recommend the approval of the sale of the 34 acres of city owned property for \$300,000. With emphasis on the financial community and strategic benefits. The current bid for \$300,000 provides a significant financial gain compared to the previous bid of \$115,000 selling the property avoids the \$100,000 cleanup cost associated with its previous use as a small landfill. The proposed development of homes provides affordable housing that will generate revenue through utilities and impact fees and property taxes which contribute to the economic growth in the City of Bowling Green. The sale supports the downtown new master plan and vision it was presented by the Lunz Group, and this aligns with the cities long term goals for development and revitalization of our city.

Attorney Buhr said this is not the final action there is going to be an agreement with regard of the sale. Where things must be past during the closing like title and insurance. City Manager stated he did take responsibility for those things with his bid and buying as is. Which we will talk about today and make sure he is aware of the landfill. Mayor Jones made the motion to sell the land and seconded by Commissioner Arreola. Moved and properly seconded. Questions from the commission. Vice Mayor Fite mentioned that we don't have any other land available. We are land locked predominantly by Mosaic. We don't know that we won't need this piece of property in the future. For another well site another water tank elevated storage. He continued to voice his concerns about having a well failing, collapsing or contamination. Mayor Jones asked why this was not an issue when you moved for it to be sold for \$115,000. Vice Mayor Fite responded was sitting back and rethinking the fact of the land locking. He is not against progress, not against housing as its zone today its R1 but is it in the overall best interest of the city to do that for the long term. Mayor Jones responded yes, we need the housing and it's going to help the city with taxes, utilities and impact fees. It will help the city with tiff.



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No other questions from the commission. Questions from the public. Susie Brady 3895 Creek Road mentioned that her property borders that on the south. Her concern is that there has always been a berm up from what she understands is supposed to be 50 feet of wooded area between her and the property. She wants to make sure she will still have her peace and quiet without her dogs going off all the time. Mayor Jones responded that he understands and respects that, but we cannot not move forward with something that's going to benefit the city.

Jim Kelly 4649 Bryan Avenue local governments are required by state law to run public notices in a local newspaper of general circulation with a certified post office mailing permit. The Herald Advocate meets that need and has since 1955 our roots go back to 1900's to the Florida Advocate and has been in the Kelly family since 1941 2 of the 3 owners have lived in Bowling Green and still do since 1979 and I have lived here since 1977. The 3rd owner who is sitting in the audience who is a reporter at this moment was raised here in Bowling Green. Every legal advertisement is uploaded into the statewide database to the Florida Press Association. This is required of us, and we have been a member and still are for over 60 years. He continued to explain how this is uploaded to the website and how this is required. He called the Florida Press attorney Sam Marley today and talk to him he said it was probably an oversite that this land sale legal advertisement was not placed in The Herald Advocate he said it's a no brainer for the City of Bowling, Wauchula or Hardee County to run their legal ads in the Herald Advocate so local people can see it. Local real estate people can see what lands for sale. Lakeland Ledger sells only a few papers in Hardee County. He spoke with Vicky and made a public records request how much money these ads to sell the land cost with the price \$2,854.62 The cost in The Herald Advocate for two weeks including the affidavit \$154.00. He mentioned that he asked Pam why she ran them in the Lakeland Ledger and her response was Gerald told her too. I even wonder if it's legal to sale the land or do a fence if it hasn't been properly advertised in the Herald Advocate. He says that he has known Gerald for over 20 years. Discussion continued regarding the advertisement of the land sale whether it was properly advertised continued. He mentioned that he doesn't believe that Attorney Buhr would tell City Manager Durrance to run the advertisements in the Lakeland Ledger instead of the Herald Advocate. Attorney Buhr explained that what was discussed was that they did not receive enough responses from the locals, so a suggestion was made to run it in a larger city area. He didn't mean to cut out the Herald Advocate. I don't think it's illegal to run ads in other areas regarding sale or purchasing things ordinances and stuff like that we have to run in the Herald Advocate because it is legally required to be published in a general circulation within that county. He did not mean to cut out Herald Advocate, he was misunderstood apologized. He does not want to cut them out and has known them for many years. The City Manager did say that CDBG was specific as to where it was to be advertised locally and regionally. Vice Mayor Fite said that when this was bid this time it was not advertised locally and when was it advertised locally. It was advertised with Adam Thompson. He responded that is not a frequent sampling in advertising with that said he wanted to make a motion to put this out again for bid and readvertise it. Mayor Jones responded that a motion was already on the floor we are in the questioning process. Commissioner Arreola asked Attorney Buhr if this bid was illegal then or its legal. Attorney Buhr replied I don't believe it is I am not aware of any statues that requires that you do that you do request for bids or invitation bids within your county, but it



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makes since if you start there and so on and if you don't get any responses then you go outside to get a wider view. Which is why CDBG requires it so you can get a broader impact. As I mentioned before and I think you know this and she is shaking her head and she knows this that if it's a required advertisement ordinances and annexations that has to be done within the newspaper in general circulation. Mayor Jones stated that we can move with this we can move to vote then do whatever needs to be done after that. City Clerk Ganas also stated that we also used Demand Star which goes out to several entities you can research that which is also something that the county uses. They also use that for bid processing everything that does not get published. It's because of the cost that is associated with it that it goes outside of that cause we don't have enough contractors within the county or withing in the city to bid so we try to get our reach out further so we can get them in it is very difficult to get contractors to come into the county and the city to perform the work that we need.

Jim Kelly commented that they had a couple of real estate people contact them that they didn't know the City of Bowling Green was offering this land for sale. He continued to express his concern regarding the advertisement. He feels they were deprived of the opportunity to contact their potential buyers to sell and thinks we could have made a lot more money advertising it here.

Mayor Jones moved to roll call vote motion fails because of a tie.

Sale of 9.13 acres city owned property. The land has two bids, with the highest bid being \$70,000. The property appraised at \$164,000. City Manager Durrance recommends that we rebid 9.13 acres. Vice Mayor Fite made the motion to reject all bids and rebid it and be sure to advertise it locally as well as elsewhere and seconded by Commissioner Durastanti. Moved and properly second. No questions from the commission. Verdistine Kemp 4828 Sally Boulevard made a comment from the public that fee the \$2,800 seemed excessive for advertisement. It was an advertisement for two weeks. Finance Manager Gordillo made a comment to clarify the amount was for several advertisements for several bids. Mayor Jones also explained on our procurement process we have to put things out for bids if they are over a certain amount of money. Instead of doing them individually we did several of them at one time. Discussion regarding zoning of the land for sale. Jacky Johnson 1045 West County Line Road she disagrees with what was said about advertising she owns the line that surrounds the 9 acres and is pretty upset not hearing about it. We do have enough contractors in this county, and we do have enough real estate agents in this county that would be very interested in this property. Just feels like the residents of Bowling Green need to know what's going on in this county and not have to read it in the Lakeland Ledger that I am not subscribed to. Now where her property is it circles around the city property would we not have to make some sort of agreement with us because you're right there. Our 2 acres are right in the middle. She also agrees with Jim Kelly that they need to advertise locally. The motion was to resend all bids and readvertise locally. Roll call vote all in favor motion was carried

C. REQUEST FROM THE GENERAL PUBLIC

Katelyn Baker 804 Bertha Fulse Street I own the land where the fence was complained about. I have all the correct documentation signed off on and everything was done correctly wants to ask for variance. Mayor Jones responded that we can't give variance on something that is an ordinance. Attorney Buhr explained if its



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contrary to the law then it has a code you only get variance under certain circumstances. There is a list of variance requirements that you must meet. Then there must be a hearing on that. If it meets those requirements. Mrs. Baker explained that the fence is still financed and in order for what Pam proposed to remove it then pay for a new fence you had to pay off my fence then you would have to remove the fence and pay for a new fence. For me personally and as for my attorney he proposed that we ask for a variance to cut the cost for you guys and make it safe for our neighborhood to put two more stop signs and make it a four-way stop. To me personally I feel like that's absolutely the easiest thing to do. Attorney Buhr asked that she have her attorney call him because we cannot give a variance to do something that is unlawful. If it is a violation of code, we can't just give it because we wanted it. Mrs. Baker stated that she had had her fence for a year and half and did everything correctly. Mayor Jones explained that it was in the midst of change city manager was new shortly after code enforcement person was new. Code enforcement brought the paperwork city manager signed off not being familiar thoroughly what was what. She put house setback on there. She put the wrong information on your paper she signed off being the city manager. Both parties were not really knowledgeable about what's going on, that's why she attempted to redo it so it can get in alignment. She wanted to make wrong right because she signed off on it not knowing that what was presented to her was not correct in the first place. Attorney Buhr mentioned that making wrong right is not giving you something that nobody else is allowed to have. Which is an illegal fence so that's the problem we can't do that. That's a violation to our code. Attorney Buhr asked if she was being represented by council if so, he would need permission from her attorney to speak with her. Mayor Jones mentioned that it is not the entire fence that is out, it is just portions of it. He suggested that she asks if those portions could be put into place and the difference between those portions be taken care of if they would allow that to happen. If she could ask them that and get with the city manager and code enforcement cause it's not the whole entire yard it is the portion on the side and in the front. If that part can be taken care of and you won't have to worry about dealing with attorney fee stuff. Trying to get them what they have and have them in compliance with the law. Vice Mayor Fite made the motion to allow Gerald and staff to work with her and her attorney if he gives the permission to try and negotiate this and rectify it seconded by Commissioner Arreola. Collette Green 4829 Epps Avenue mentioned that she knows that it doesn't meet the code but since that fence has been there that it has made everyone make a complete stop and ease up a little bit if that wasn't there they would be flying across. Moved to roll call vote all in favor motion carried.

6. New Business

A. ANNOUNCEMENTS- City Manager/ City Attorney

Grants update CDBG grant is ready and went out for bid this week. It was in the contract that it had to go out locally and they were very specific who they went out to and bunch that you must personally email it too as well. That is the only major update that we are actually up for bid for that it's been going on since 2020.



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Discussion about what this grant is for and about continued. Mayor Jones mentioned that the last step that is needed is to submit a resolution. City Manager responded that they have the resolution.

She also mentioned that the Highway 17 extension project we were awarded an additional \$500,000 so we need to make a decision if we are going to move forward with the water main portion or wait on the other funding to do both at the same time and tear the ground up only once. We asked for appropriations for that 3 million dollars we were turned down. We did get an extension with the first \$500,000 through EDA and were awarded another \$500,000 for it. The question is do we tear the ground up twice or do we try appropriations again and do it all together at one time.

B. RESOLUTION 24-02

State Revolving Fund Loan Program for City's Lead Service Line Inventory Planning and Design

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BOWLING GREEN, FLORIDA RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FACTUAL FINDINGS; AUTHORIZING THE FILING OF A STATE REVOLVING FUND LOAN APPLICATION FOR PROJECT NUMBER LS-25029; AUTHORIZING THE LOAN PLEDGE REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES TO PROVIDE ASSURANCES AND COMMITMENTS FOR THE LOAN APPLICATION; PROVIDING FOR CONFLICTS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Jones asked for a correction to be made of a comma instead of a period. He asked with that edit for a motion. Vice Mayor Fite made the motion to accept the resolution with the correction and seconded by Commissioner Durastanti. No questions from the public or the commission. Moved to roll call vote all in favor and motion carried. After further discussion Vice Mayor Fite rescinded his motion and restated the motion that we approve the resolution as its written with corrections and pinned execution we are meeting again on the 15th make that a special meeting. If they can guarantee us execution and mobilization to accomplish it in time and its free. Have them be here to present that then we got the resolution behind us as a backup. Seconded by Mayor Jones. No questions from the commission or the public. Moved to roll call vote all in favor motion carried.

C. RESOLUTION 24-03

Resolution to enter into agreement with the State of Florida Department of Transportation

THE CITY OF BOWLING GREEN BOARD OF CITY COMMISSIONERS AUTHORIZES THE EXECUTION OF A CERTAIN AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION. The proposed resolution was prepared by the City Manager's office to be reviewed by the City Attorney. The last step is to submit and execute Resolution to City Commission.

Vice Mayor Fite made the motion and seconded by Commissioner Durastanti. No questions from the commission. Question from the public Verdestine Kemp 4828 Sally Boulevard asked what part of Jones Street. Mayor Jones responded that it is showing from Chester up to highway 17. They are going to grind it up and redo it. Johnny Levy 2648 Maple Avenue is concerned about large potholes and people are going around it and they go up in people's yards. Mayor Jones let him know that we are not ignoring it, we just had a



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conversation at a workshop last night. We are trying to acquire our own equipment in the city so we can do a better job on our streets and roads. This particular grant and what they do they are about out of money in the whole state. After a while they won't be issuing any more money to do anymore roads, so we are trying to become self-sufficient so we can take care of stuff like that. It is slow progress, but we will get there. Moved to roll call vote all in favor motion carried.

D. WORKSHOP AND TRIM DATES

A list of proposed dates was provided for review. Vice Mayor Fite mentioned that August 20th would not work due to the election here. We just changed July 16th to a meeting not a workshop. Due to advertising need to change the 16th to the 23rd for a special meeting. August 20th will be combined with the meeting for August 6th. The special meeting will be at 5:30. No other questions regarding dates.

E. LOBBYIST

The city commission will consider hiring a state lobbying service for our small municipality. Vice Mayor Fite stated that if we can afford a lobbyist, we don't necessarily need some of their assistance. We just heard that we are in a financial situation we have a lot of bills to pay. Even moving forward, we would still have to put out for an RFP. Sounds like a good idea but my recommendation is to wait and see what the budget year brings at the end for the 25-26 year. The City Manager mentioned that the only benefit is that it would help us get some of these grants that we keep getting turned down and that's costing us money. Commissioner Arreola asked if the City of Wauchula has a lobbyist. Mayor Jones responded yes and so does Hardee County if we are going to be paying \$2,800 to be sending stuff out and we got somebody on site in their face doing paperwork and all this and going to charge \$2,700 where are we losing. Discussion and the benefits of hiring a Lobbyist continued. Mayor Jones made a motion to table this until our September 10th meeting, that way we will have done all our workshops to see where our budget is, seeing where everything is and before we even go into our first TRIM meeting. We can see where we are financially. Moved to postpone until our September 10th meeting and seconded by Vice Mayor Fite. No questions from the commission or the public. Moved to roll call vote all in favor motion carried.

F. STRATEGIC PLAN/CAPITAL IMPROVEMENT PLANS

City Clerk Ganas has been working on the budget along with City Manager Durrance and Finance Manager Gordillo. One of the comments that we've seen May 14, 2024, the Lunz Group presented and also presented with the Development Group on the downtown vision for Bowling Green Vice Mayor Fite made the comment that the sad thing that we do a lot of planning with no action. So, we were looking at the Strategic Plan that was presented on January 9th by the Central Florida Regional Planning Council. Ms. Marissa presented that there was a motion and it carried to adopt a resolution to introduce and pass our Strategic Plan. We have a meeting coming up next week with Central Florida Regional Planning to be able to take a new that serves as a blueprint aligns with the city's goals. We are also going to be meeting to discuss how our Strategic and Comprehensive Plan turn into a work plan. We will be looking at a 5-year and 10-year capital



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improvement plan, so all the work is adopted and put into an actual plan instead of it being something that is just sitting on the shelf. City Clerk Ganas continued discussion about the importance of a Strategic Plan. Mayor Jones made that comment that it works. I have been on the board of community action since 2018 and the new CEO came in 2019 and the annual budget was 18 million it's at 43 million right now. Cause everything is able to be identified and accounted for, put in place and your able to go after that big money because the people can look at what you have and what you say you're going to do and you're really doing what you say you're going to do with it. They don't mind giving when you do what you say you're going to do. They need to be able to see it on paper and in action. City Clerk Ganas also mentioned that it eliminates unanticipated poorly planned unnecessary capital expenditures.

G. RECOGNIZE JULY AS PARKS AND RECREATION MONTH

City Clerk Ganas stated that they are recognizing July as Park and Recreation month and following suit with the county. City Manager Durrance mentioned that Florida League of Mayors is doing a Mental Wellness Day on July 12th at 12:00 at the Community Center. Sandy Meeks will be doing a Yoga class. A reflection circle to have a moment of silence a flection on Mental Wellness. We will be participating in that on Friday. Mayor Jones also mentioned that he received a phone call today from Mr. Scott Dudley. Our city won the 2024 Florida League of Mayors Municipal Innovation Award for our park in the bench program. Thank you for your vision. They want to come down and do a presentation for it, but they also want to make a grand deal about at in August at The Florida League of Mayors meeting as well as the Florida League of Cities meeting down in Hollywood.

City Clerk Ganas wanted to mention that a Back-to-School backpack give away on August 3rd at Pyatt Park Pavilion from 9am to 12pm and it will be first come first serve and we have several sponsors, and we have flyers to be disbursed.

Mayor Jones thanked everyone for their progress. Commissioner Durastanti thanked the city employees for working so hard in the heat of the summer. Also, to the Police Department and John for all they do to keep us safe and prays that they stay safe at this time of year. Vice Mayor Fite mentioned that once again John has done a good job, and the town is looking fairly good. He made a request for an itemized list, and this is coming from citizens detailed expense on what been spent on this building this year. The painting all that as well as the time labor and expense of the garden out there. Mayor Jones asked wouldn't they have to come up here themselves. Vice Mayor Fite responded no I can ask for it and then its public record in our minutes that it's here. We advise early on when we went into the social media realm of not opening up the comments in the page to comments. The great look is me posted a couple of weeks ago about the building and stuff led to many negative comments being put on there. Negative comments about the color choice of the building painting over logos painting over the mural that we just expended money a couple of years ago. I'm not saying the building didn't need to be painted but those questions could not have been put out there reflecting a negative image of the city if the comments were not allowed. They can be taken down but they can't be deleted so going forward those things need to be addressed each and every one of those people to why it was



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done etc. and the other negative comments about why we aren't picking up trash so that needs to be addressed. City Manager Durrance asked if there is a rule that we have to turn off the comments because of times that how I find out from the public what they have. I have gone to several of their homes after they have commented and spoke with them to talk about their issues. I have addressed several of them that way. Vice Mayor Fite responded that it is opening the city to a lot of negative publicity and as a like situation it's kind of an apples to apples the Sheriff's department has now restricted no comment on their website because of a lot of negative publicity. We don't need the negative you refer them to contact via email come to the city office call. We've got some good thing going just like those benches were getting some good positive recognition for that but opening the door for those negative naysayers and some may have good negative comments. That doesn't need to be on the worldwide web for perpetuity were trying to improve our image something good got turned into a negative. Mayor Jones made the comment that you have to be careful all that falls under the First Amendment in the Constitution people can say what they want to say. There is more positive being said about this city than negative. You're going to have negative everywhere you go. The Vice Mayor said it is what it is. It's what's been recommended as a policy. It was suggested that we adopt it, but we never did. Commissioner Arreola thanked all city employees and mentioned that Pam is doing a great job and has a great group of people. That we have a lot of things going and headed in the right direction appreciate what we're doing for the city. Shared appreciation to the citizens thankful for them showing up and giving their input.

7. Code Enforcement

Code Enforcement Dawn Stark stated she would be giving a report every month. From June 11th at the last meeting issued 1 right of way permit. Reviewed and issued zoning and consistency determination signed off on 12 of those. Prepared 15 code violations for property owners there were 13 that were sent out. The Magistrate, hearing order from last time, didn't come this time due to being on vacation. We don't meet again till August the order for 15 days was up 1 complied 2 did not. The order to put the \$50 fine in place and lien on the property has been filed and recorded for the 2 that did not comply. Attended meetings on Pam's behalf and attended several other events.

8. Police Department

Police Chief John Scheel called Bartow Ford to see the progress of the cars to report to you. Maybe a week more. 3 cars are coming. He mentioned that we need them. If you are going to keep this PD it is a must. They are still fully staffed.

The City Manager just wanted to make clear about taking the comments down on Facebook. Attorney Buhr stated that you can remove them you just can't delete them. It is a public record. Mayor Jones said if it assists you in doing your job making camaraderie with the community overlook the bad and keep it moving.



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9. Public

Chiquita Robinson 4921 Epps Avenue I am turning in my resignation. I feel the heat in here tonight cause when I was coming in someone said I heard someone say oh they told me you quit. So, I am professionally resigning as Parks and Rec of the City of Bowling Green. I appreciate from 2016 to June 21, 2024, and this is my resignation. Thank y'all and I would like it to be on the record because I will not be coming back. This is professional thank you all.

Michelle Jones 4829 Sally Boulevard thank you to city employees. Change is hard and you're going to have a lot of kick back when change happens. This the first time I've lived in Bowling Green since 84 and this is the first time I'm seeing with my eyes things that are happening in this small town. Usually, its stuff in way that goes on behind the scenes. Residents like to see what's going on. I thank City Manager Pam for not giving up and pushing through. I am just grateful that our city is moving despite all the kickback and push and the negativity when something positive goes out. We are seeing it with our eyes as citizens we are seeing what's happening in our small town. Thank you, all the commissioner's city attorney, all you have had a hand in that. The good and the bad, if we didn't have any bad, we wouldn't know. I thank you all.

Mayor Jones adjourned the meeting.

N'Kosi Jones, Mayor

Charlette Ganas, City Clerk

City of Bowling Green

Special Meeting Minutes

July 23, 2024

Present: Mayor Jones, Vice-Mayor Fite, Commissioner Lunn, Commissioner Durastanti, Commissioner Arreola, City Manager Durrance, City Attorney Buhr, City Clerk Gordillo. Including members of the public were present.

Absent:

1. **Call to order** – Per Vice Mayor Fite skipping niceties and getting right to the old business. Vice Mayor Fite stated who was here, Commissioner Durastanti, Commissioner Arreola, Commissioner Lunn and Vice-Mayor Fite. Mayor Jones joined shortly after the meeting started. Gavel passed from Vice Mayor Fite to Mayor Jones.

2. **Old Business- Revisit Lead Service Line**

Katherine Van Zant, Florida Rural Water Association presented. Almost every building in the state has to have the service line water line going to the building checked and documented for what it is ensure that is not lead. DEP receive quite a bit of money from EPA to help systems meet this requirement, so they asked Florida Rural Water Association to step in and help administer some of the money that they got for smaller rural utilities. To help to be able to meet this requirement especially smaller buildings utilities that don't have enough to do the amount of work that's required for this. FRWA is administering this program is administering this grant program with the money from the Department of Environmental Protection SRF funding out of EPA upcoming deadline to meet this requirement of documenting with all the service lines in the water system are October 16th. Water system has to have this information from both the utility side and customer side of the service and submitting it EPA spreadsheet by that date.

Ms. Van Zant continued with her presentation she went over the required steps which included records search, visually verify all service lines without record documentation, complete and submit EPA spreadsheet for all service lines and notifications to customers.

Estimate with DEP that 80% of the systems are not doing this by the deadline. We have also been told directly by EPA they are going to be enforcing compliance on this. EPA compliance fines can be 10 times higher than DEP compliance fines are. We're here to congratulate you for taking it seriously and moving forward and looking into getting this done by the deadline. She opened for any questions.

Commissioner Arreola if a city employee can do the work. Her response was it cannot be a city employee. We designate who is going to do the work that has to do with DEP SFR requirement as far as who does the work, and it can't be city employees.

Vice Mayor Fite asked Attorney Buhr because the estimated cost is above \$25,000, we have to put it out for bid correct. Attorney Buhr responded yes. Ms. Van Zant said no because you are not paying Florida Rural is paying. Attorney Buhr says it's at zero cost, but it falls to \$25,000. Ms. Van Zant said you don't receive any money, you don't pay any money. Attorney Buhr then said once

the grant requires that you procure in a certain process that they delegate. Ms. Van Zant responded that it's not required with this grant we haven't had one city that's has to do a procurement because that there is no money that the city is receiving or paying out.

Vice Mayor Fite mentioned that it is kind of coming down to the wire. Ms. Van Zant said you are at the end of the wire, and she oversees this program with Florida Rural and engineer with Florida Rural I am talking to them now about as in the end of the month we are going to stop limiting one more who can even get into the program because I don't believe that they can even get it done. If you were coming into our program a few weeks from now you probably wouldn't be able to get in. I just don't feel like you would be able to get it done. Because the person that is coming in to do the work is going to need the information from you quickly. That is usually the biggest and takes the most time to get this done.

Mayor Jones asked if approval was needed to move forward. Katherine Van Zant responded that we have applied for it and have the utility agreement. The approval would be from DEP, and we submitted you to DEP for their approval and were expecting that approval any day from DEP and SRF. We don't need any other approval besides that unless you decide that you want to pull out from it.

Vice Mayor Fite had a question and he said that Roger is here from Pennoni. We as a commission entered into an agreement with Pennoni to do this for us and I am sure they have already incurred cost and done work. Are y'all going to reimburse that? Ms. Van Zant responded no we don't have an agreement with Pennoni. Mayor Jones said that we verbalized on the meeting the attorney said until there is a contractual agreement we were actually not in agreement. At this juncture. Attorney Buhr, if you have a written contract what the contract says as well if the contract says that you can terminate and pay for the work that's been done and what work we can pick up at that point and still do. I don't suggest that you do.

Mayor Jones stated that ultimately, it's a decision that we have to make and with what we have coming up with needing to do what we need to do for our Police Department. We are not going to be able to get into a bind financially trying to accrue costs with Pennoni. When we have someone who can do the same work for free and free us up to move forward with the business at hand that we need to do.

Ms. Van Zant said you can still go through us and designate Pennoni as the worker. As long as Pennoni is willing to make the agreement to do it for the price that the program pays and completed by October 16th.

Roger Homann with Pennoni. Just wanted to discuss some of the history and what they have done, and they brought this project to us. SFR contacted us and were close with them and they wanted us to talk to our clients. Bowling Green is a very important client, and we came to you and said there's funding available its 49% loan to do this work and we talked to the commission several times about that. We eventually submitted for the SFR funding and received that to approve this as of August 2023. We moved forward and the next thing that happened that's kind of important that happened. We knew about this Florida Rural Water Pam brought it to us and we talked about it. It's kind of just sat for a while because there wasn't a decision made. Eventually what happened was it was decided the city can't get this work done for the price that Florida Rural Water is going to pay and their grant. The decision was made to move forward with the SFR funding which is \$225,000 important thing to say about that is part of that is the design that Florida Rural Water program as far as we know doesn't have the design part. There may not be any service lead lines and there won't be a design at all so that wouldn't be spent out of our contract. Right now, where

we stand, we are under contract with the city to do this work. We are acting in good faith and to move forward and do this work to get finish by October and we have spent \$28,000 in invoicing so far. That is where we are at, we are trying our best to meet that deadline. Weve hired interns to do this program to be out in the field and do office work. Mayor Jones mentioned that you knew about it, you knew about what they offered and this it could done at a much cheaper price. Mr. Helman responded to be clear that he spoke with Pam we just can as an engineering firm just couldn't do it that price. I was straight forward with everybody and said we can't do it for that if you can find somebody else that can do it then by all means we get it. We want to be your partner on these things were your engineer and we look out for you. If there is a decision to be made to go forward with this, to get done with the work time and meet the October deadline.

Mayor Jones said that this is nothing personal this business. That if he verbally suggested that if we could find someone to do the work at a cheaper price by all means go for it. If that's what you offered and then someone has offered to do it. Where are we now. Discussion with Pennoni continued. Attorney Buhr don't know if it can be transferred but we can try and see if it can be transferred but it doesn't really matter need to find out to me the grant is more important are we obligated to this grant or can we go to this grant or can this grant be switched over there. What seems to me if you can save 50 to \$100,000 you really have to go with Florida Rural Water for the continuing work and pay them what there due according to the contract. Mayor Jones asked the transfer of the grant who would make that decision. Attorney Buhr replied that he didn't know, and someone would have to look into that. I am actually living the day after tomorrow for almost 3 weeks. Ms. Van Zant mentioned Jared Myers from DEP he makes that decision. Discussion continued about what needs to take place.

Attorney Buhr said I think we have a plan unless someone has another idea. We have to get that information and move as quickly as possible to get on a phone conference with the DEP and figure this out and set up another meeting for the commission to make a decision at that point once we know what we can decide. Ms. Vant Zan mentioned that we have got to do whatever you need will work together with Pennoni anything that the city wants to do. Whatever you all need this is just a service that we provide.

Vice Mayor Fite asked Attorney Buhr to sit in on the call on the legal side of it. Roger from Pennoni mentioned that Greg project manager from Pennoni is available as well and he is able to setup the meeting. Attorney Buhr asked just to let him the time and this is a priority.

Mayor Jones adjourned the meeting at 5:36 pm

N'Kosi Jones, Mayor

Charlette Ganas, City Clerk

City of Bowling Green

Workshop Budget Meeting

July 23, 2023

Present: Mayor Jones, Vice-Mayor Fite, Commissioner Durastanti, Commissioner Arreola, City Manager Durrance, City Clerk Ganas, Finance Manager Gordillo and members of the audience.

Absent:

Call to order – The meeting was called to order by Mayor Jones.

- Jeremey Langly Florida League of Cities Account Executive** – A presentation was given regarding a high-risk retirement plan. He opened his presentation by asking if anyone had any questions. He explained what a defined benefit program is. He also went over the way it works is money is put into a fund but as opposed to individual investments per officer. What you're doing is setting up a pension or a monthly benefit that they're going to be getting at retirement. You'll end up having a monthly benefit and that officer is going to get that monthly check for the rest of his life in retirement. Various options can be made as far as beneficiaries and other options. Instead of getting a pot of money and figuring out what to do with it, benefits check that comes every single month for as long as you live in retirement. It is a great benefit for people that have it. Most mid to larger size cities have a defined benefit plan for their Police Officers and Firefighters and if you don't offer one it can be extremely challenging to hire and keep quality officers. It can help you attract and keep talent. The main reason why any municipality might have one of these is to stay competitive, the vast majority around the state do have it. He continued to give a quick basic overview. He discussed FRS, the state-run system. And how he didn't recommend using FRS based upon the cost study that was done against the actuary study that was done. He certainly wouldn't recommend it in our case because we would pay a whole lot more money than if we just went on our own plan. He stated that we wouldn't get anything extra for it, we would just pay a lot more for it. He continued to add that a lot of municipalities around the state have their own individual plan. In this case the benefits are quite often you can keep it at a lower expense and secondarily, we are in control of the benefit structure. He stated that he always recommends if a municipality can keep control of it, that is the best way to go. With FRS they have all control, they tell what the cost is, they outline what the benefits are and like it or not, that's what you get. In Bowling Green's case, based on the study done by actuary Bowling Green's plan could be as low as 11.5% (eleven and half percent) in payroll, where FRS is upper 20-30 %, higher 30% of pay for a very similar benefit structure that is being presented here to you all. Police Chief Scheel mentioned that he really does not want to go with an FRS plan because they can dip into any agency that has an FRS plan. We are trying to get the officers here; we need to have our own plan.

Commissioner Arreola said this is like a pension plan not like a 401K. Vice Mayor Fite said this is something we have talked about for 12- 15 years finally coming to this point. Chief Scheel said that if we don't do this, this PD is going to vanish. I cannot continue to pull my hair out for 26 years trying to keep this place running and try to keep people here. I can't do it. I need some help after 26 years. Commissioner Arreola had a question and stated that most companies are getting rid of pensions and going 401K. You already have a 401. How would you feel about increasing your 401 that way you get your money now and make an investment. Chief Scheel responded that this plan is not going to help me, it's not going to help the long-term employee that's been here forever. This plan is going to help these new guys that I just hired try to keep them here and give them something to stay here. If you do not get a high risk plan these young guys are going to jump ship to wherever there is a high-risk plan. They don't want their 401K they want their

high-risk retirement plan. Where they can do the 25 to 30 and start getting that retirement plan. City Manager Durrance mentioned that's the other benefit of the high risk is that they can retire at 25 and be invested instead of 30 years. Where a lot of the retirements are 30 years to be vested.

There was some number given by the actuary about trying to go back to catch up. An explanation was given to the commission by Mr. Langly. Two different options on how you treat some officers that have been there for a while. One of the options is whether you want to credit them for all the service that they have given to the town. If they've been here for 20 years, then they've already earned 20 years of benefit. The other option is all the time you've spent counts towards being invested but it doesn't give you a higher benefit. Explanation of how these two options were given. To better understand the breakdown, it's years of service, times or multiplier, in this case what's being presented to you all is a 3% multiplier which is a very standard percent, the vast majority of plans around the state, 3% is where you will see most fall. Years of service times 3%, times average final compensation, usually going to be something along the lines of the best 3 years of your last 5 and average it out and that's your average final compensation. An example would be someone who is 25 years, and they have a 3% multiplier they will need 75% of their average final compensation, that's their annual benefit they can put in retirement, divided by 12 for the monthly benefit. That's how it's calculated. The one option is going back and giving everyone who has been there a while, giving them all that credit, so that when they go to retire those years of service number is however many years, they have already put into the plan that results in a higher contribution amount that's required. The other option that is presented is that you don't give them credit towards the benefit calculation, you just get credit towards vested. If someone has been here 20 years you don't want to say now your clock starts at zero towards vested, that would be terribly well received, so essentially time would be getting them qualified but let's say they retired two years after starting this plan, even if they got 25 years at that point, their benefit is only calculated off 2 years of service. And that's where the other calculation provided by the actuary. So, if Bowling Green was going to go all in and give the officers full credit for all time, all services that put in, it would be about 40% of pay. That's how these are done, it's percentage of pay is how contribution is typically determined. If you just give them credit towards vested but everyone is starting at day 1 as far as actually giving the benefit calculation, then it comes out to about 11.5 (eleven and a half) % of pay roll. Mr. Langly asked Chief Scheel what the current contributions, Chief Scheel stated 5%. Mr. Langly stated that the 11.5% is a total cost.

11.5% three sources of dollars that can be used to cover that 11.5%. Obviously, the city is going to pick up X amount of that cost, but they don't have to bear the full burden. There's two other places that you would get contributions, one is the officers themselves. That can vary from 1% to be whatever you agree upon. A normal is a 3 to 5 percent contribution rate from the participants in the plan. Let's say it's 3% that they put in, that 11.5% now is only 8.5 % that the city must pick up. So, whatever the participants put in that is deducted from that 11.5% contribution rate. There is also another source of dollars that can be helped to offset these contributions, unfortunately Mr. Langley stated he could not give us the amount today but there is a tax that is already being collected on insurance premiums for Firefighters, this information obviously doesn't impact this, however, for Firefighters, it is off property taxes for Police Officers it is off of auto taxes. These taxes are already collected by insurance companies and sent on to the state. If you set up a chapter following state guidelines, we would be happy to help you go through that process, we can take you through it and help you run the meetings, should you want to throughout the year, because there is a lot of boxes checking and format guidelines you must follow. If you do that then a prorated amount of what is collected by the state comes back to the city and Bowling Green can use those dollars to help off set the contribution. That would be another source of income to offset whatever that cost is of that plan. Again, that 11.5% is all in but you're going to have three sources to make up that total contribution amount.

City Manager Durrance asked if we could do all three options? If the commission chose to go that way? To meet that 11.5%. Mr. Langley stated that you would use all three. You wouldn't choose. It's normal practice. Stating what generally happens is that that officers/participants in the plan will have a set fixed contribution amount. He stated he would make up a number and call it 3.5%. That number does not fluctuate, it does not change. The other 2 amounts that were mentioned are going to fluctuate. The city dollars that come back fluctuate from year to year. Over the last few years those amounts have gone up a little. Part of that is

due to insurance costs going up. Which are extra taxes on those. Insurance premiums are going up as well. We are seeing growth around the state. He stated he couldn't speak to our area. But they are seeing more drivers on the roads, which means more taxes. With that said there is no guarantee, and it might go down in a few years. It's not a set dollar amount and after a period of a few years, you will start to see the general range and what to expect from year to year. Mr. Langley asked Chief Scheel if he got the list he sent from the other municipalities. Chief Scheel confirmed he did. Mr. Langley advised that the state put out information each year that shows the tax dollars that they sent back to all the defined benefit plan and have qualified for. So, Bowling Green can look at other municipalities that you think are very comparable in size and get an idea of what it looks like that you may get back from the state. No guarantees of course but that would give at least some sort of idea to look at. And obviously the third part, the part Bowling Green would be most interested in as the city, is contribution amount. That will fluctuate from year to year as well. That's not a fixed amount because when contributions come into a plan that get invested and there are certain things that happen throughout each year. But you'll have an actuarial cost study and an actuarial evaluation done each year that looks at what happened over the last year. And you adjust the contribution rate for the following year, accordingly, how did the investments perform vs what was expected, so on and so on. There are no guarantees in this world. Generally, if we see it's 11.5% this year, next year maybe it's 13%, and the year after that maybe it's 11% and maybe it drops to 10 and then comes back to 12, usually you will see a 1-2% swing from year to year. Sometimes it doesn't move at all. But it's not to say that you don't have big swings on weird things. But just to make sure you know ahead of time, that 11.5% wouldn't, if the world worked perfectly and everything went as planned, it would be 11.5% every single year, indefinitely but, there's an expectation that when good things happen the number goes down and when bad things happen, that number goes up. But it should stay steady in that general cost amount. Unless large changes are made to the plan or something along those lines, which of course you're going to know about ahead of time. With that said at 11.5%, we start at 3% from the officers, maybe get enough dollars from the state to make up, 2,3, maybe 5%, just don't know unfortunately, but with Bowling Greens contribution rate, you should easily see 5%, not to say it couldn't be higher, again, those are some unknowns. Mr. Langley stated that he would stop there. That is a lot of information, and he would open the floor for any questions.

Chief Scheel stated that he was sure someone was already thinking this and asked Mr. Langley if the 401k plan the city has now, that money cannot be pulled and put into this defined business plan? Mr. Langley advised no, if you got every single officer to sign off on their retirement, I might could say yea, the city can't just take it from you all. I can't say it's not possible for some agreement to be made. Usually what we have seen if there is a transition made from a 401 plan to a defined benefit plan what happens is it is usually cost prohibited to go back and provide full credit service for all of the service that is 10 years, 20 years, whatever it may be. Usually, it's the second option at 11.5% vs that 40 to 40.5% number. It's usually cost prohibited. So they just start out with we will give you the credit towards this and because you have been here working but were starting day 1 for earning that calculation service. Usually what happens if officers do have 401 or some other money, you give them the opportunity to use those dollars to buy prior service. In other words, let's say you say I've been here for 10 years; I'd like to buy 5 years of that service to go towards my actual calculation. The actuary in those cases does individual calculations for anybody who is interested in doing that and says, ok if you want to have an extra 5 years or 1 year or 3 years, whatever the case may be, here's what its going to cost, and typically the participant is going to be responsible for paying for that. They can use any dollars they have but the IRS won't allow you to dip into that 401 because your not of retirement age but because your moving it from one account tax qualifying plan to another they will typically allow it to buy prior credited service with the concept being that the actuary does those calculations so that there is no additional liability added to the city. So the participant is responsible for paying any extra cost to the plan like adding those extra years of service. Mr. Langley commented again, that's typically what we see happen, and that's not to say we can't work out other things.

Vice Mayor Fite asked question, if we were to choose to go somewhere between minimum and maximum, that's allowable as well, correct? Start up contributions? Mr. Langley was trying to understand the question

and Chief Scheel interjected, stating that he believes it was the question he was going to ask. Let's say they didn't want to go back the full 20 years, let's just say they wanted to start up at a 10-year mark, or 5 year mark for some of us that have been here. Are they able to do that? Mr. Langley responded that his non-legal opinion is probably. The only thing you have to be careful of and I would certainly have a pension attorney provide guidance on this, is where you look like you're favoring one individual over another individual. Just need to handle the process and how you go about it to ensure it is done correctly and certainly recommend consulting a pension attorney. Vice Mayor Fite said the next question, if we chose to move forward, I understand we have to develop a pension board, plus what kind of timeline to kick it off? Mr. Langley said he was going to be a little presumptuous in answering the question, let's say you hire us to start running your pension plan, on our end we could get it done fairly quickly. If you are so inclined, we have several different documents that will need to be handled. One is what we call a massive document, its generic and has all the legal ease, all the language that is needed to have a defined benefit plan, we have one and you could just adopt ours if that is what you choose. There is no cost for that, a lot of our plans use it. Pass that in an ordinance and that gets you off and running. You join our trust fund, that is a second document, we pull all our refined benefit plans across the state and pull them into one pension trust fund for you with all the details on it. Essentially, we use economies of scale to help run a pension plan at a much lower cost than you otherwise would, you would get access and have access to investors and investments that you couldn't and your going to pay a lot less in fees as a result. You join our pension trust fund and to do that. And the third document is the adoption agreement. That document is the one that spells out and is specific to Bowling Green, spells out the benefits specific to the Bowling Green police department. We have a document that you can fill in with your needs. We can help you with a lot of documents. It's just a matter of how quickly you want to pass and adopt this plan. I'm guessing possibly a 10/01/24 start, that wouldn't be an issue on our end. If we got started somewhat soon. I think we could have everything in place without any trouble. As far as your trustees or your pension board, yes, this is if you want to get those state dollars. You do have to have a pension board. They would have to meet four (4) times a year, it must be made up of two (2) police officers, who are participants in the plan, they would have to be elected by all of the officers, two (2) trustees, who are appointed by the city, and those four (4) trustees elect the fifth (5) trustee. That person could be a city employee, a city resident, a city police officer, it can really be anybody. One thing that is very important to know as well, sometimes this gets lost in the mis, a pension board doesn't have any authority over the benefits of the plan. They only have the authority to administer and oversee the plan as it is written. They would technically be the ones to hire us to run the plan, they would oversee us. Mr. Langley stated that he would recommend having a pension attorney. Their job is oversight of the plan being handled the way that it gets written. They have no authority to make benefit changes, positive or negative. Certain things that have to be done throughout the year. Certain boxes you have to check to make sure you comply with all the state statutes, such as annual reports and we would certainly take care of on the pension boards behalf.

Commissioner Arreola stated that he had a question, that he knows there are a lot of variables that come into play on what the city will pay. Because like you said, there are three (3) different things that we look at. The city works off a budget every year, and I know its hard but, say its going to cost 70k, and all the other variables can change, but we say we want to stay within this certain amount for our budget, and we say we can go so many years of service for the officers, we give you that information, could you tell us a percentage and where we need to be at to start the plan? Mr. Langley repeated the question to gain a better understanding of what Commissioner Arreola was asking. Commissioner Arreola stated, because your saying the 11.5 is the max and if it were 70k, can you tell us what that percentage would be? City Manager Durrance provided a copy of the breakdown that had been provided by Mr. Langley. Mr. Langley stated that 40.5% is if you go back and put all officers for all 30 years of service, at this point that would create a 40.5 % contribution rate. That's an annual rate. Each year all of the numbers are your normal contribution rates for a year. So there's not a start-up cost.

Chief Scheel asked if he could ask, Mr. Langley, the 40% at some point that number is going to come down, once the money is getting there. Correct? Mr. Langley said as much as he wants to say yes, theoretically no. Stating this is where there is a slight trick in this defined benefit in the sense that there is no guarantee or promise of anything. What the concept actually does is ok, all that money that's invested we think on average over the long run is going to make X percent each year on average. And then goes ok, I can think on average we are going to give 4% raises a year over the long run. Hypothetical speaking we expect one (1) disability case in ten (10) years, we expect certain people to retire when they hit this certain thing, there are assumptions that are made, and after the end of each year, they go back and say, ok what happened this past year vs what we assumed, and that's where you get the adjustments to the contribution rate. The biggest driver, generally speaking from year to year is the investments, so you get a good year, this year the pension fund through the last two months left in the year, those pension funds are probably only at 15%, generally what's proposed here is a 7% assumption on your investments as an average number. I can't tell you that the contribution rates are ever going to go up or down. I just can tell you that they are going to go up and down. But to say over the long run they are only going to do X or Y, there is just no way to know for sure. The hope is they go down. But I can't sit here and promise it.

Vice Mayor Fite stated that just so the rest of the commission knows, you spoke to lower cost of services, explain how that's done and who you actually support with other funds. Mr. Langley responded we work with 55 refined benefit plans around the state right now. Predominantly with police and fire for the reasons we have talked about. I think I recall that someone stated that pensions are going by the wayside in every day regular life. Which is true but one place they are holding strong is on higher risk, first responders and that's because that's where the work is needed to be more competitive to hire and retain and more often than not, municipalities have found they have to do this across the state to stay competitive. Out of the 55 plans the closest one to Bowling Green is Wauchula and Fort Meade, in Bowling Green area. But I am up in Pensacola right now and in the Florida Keys in a couple of weeks. We cover the whole state. As far as costs, the way we go about charging our fees, to run the plan, is as a percentage of assets. As your assets grow, your fees will grow, but at a lower rate because we tier them with capital as well. So our largest plan has been paying the same rate for 10, 15 plus years. It's a percentage of assets. Mr. Langley stated he would send them over so the board could see those numbers and breakdown if they want.

Vice Mayor Fite stated one more question, say we start this and I am just going to throw out there, 50k. 5 of the officers come in and buy it back, 5 years each, what will that do to our contribution? Mr. Langley stated good question, and he wanted to go back, any time an individual buys prior services themselves, the cost is determined in a way that makes the fund whole. So in other words its done at a no cost to the plan. Whatever extra cost that creates the plan, that's the cost it costs the officer to buy it. What you will find, and I don't know if any officers are listening, I will go ahead and rip the Band-Aid off now, what you will find is more often than not, they don't buy a service because its just so expensive. You can kinda see that in the cost actuary that was done. The massive gap from 11.5% to 40.5 plus percent. You will see that cost is a little too cumbersome for individuals to make those purchases. But again in this situation, start up a plan like this, those are the times that your more likely to see it because that's when you can dip into those 401A's where they maybe build up a nice amount of cash, where they can move that money over, and purchase those credit years of service. Typically, when you have to just come out of pocket, it seems to be complicated. But to reiterate, its done at no cost to the plan. No extra liability to the city. So if its 11.5% and an officer buys 5 years, the city should stay within the 11.5%.

Chief Scheel asked if there were any other questions.

Mr. Langley stated that he only wanted to go back to cost and fees. Our fees and actuary fees, because you have to do the actuary evaluations each year, if you happen to have legal fees, all of those are already built into the contribution rate. The actuary accounts for that upfront. So those are not additional checks that have to be written. That contribution rate that's provided to you all, that's a quote on quote all inclusive rate, on the city's side. That money goes into a fund, and the pension fund, pays the actuary cost itself, so

anytime there's a check that needs to be written from the pension fund, the city doesn't write any additional checks for anything. And those costs are already being considered in that contribution rate.

City Manager Durrance asked if the 5% that the city is already contributing, would that 5% just freeze and we move the 5% we were doing over towards the 11% and they remain the retirement they already have presently? That 5% just starts going towards that 11%? And when they retire they gather where we ended, what all they had put into the pot for at the 5% from our retirement that we have currently?

Mr. Langley stated correct. You would pause that retirement, as is. And those officers when ever they retire, they would have that lump sum, if they don't use it to buy prior service. They can no longer contribute to that plan. The 5% or whatever % that Bowling Green agree on would go towards the pension fund. You just don't fund that 401 anymore.

Mayor Jones said that it was mentioned that the board needing a pension attorney. Would the officers be responsible for that or the city? Mr. Langley stated that would fall under that safety category of the pension fund, so that 11.5% or whatever is being contributed to the plan, all of those dollars that come in, are used to not only fund the benefits, but fund the expenses of the plan. What he typically recommends with a smaller plan, that's a start up plan, Mr. Langley works with a couple of attorneys who are willing to work on it as a needed basis. No retainer, no anything because odds are you are not going to need a lot of legal help. You may need an opinion or two. And dependent upon Bowling Green's City attorney and their comfort level with the ordinance and how that will work. Or if you want an actual pension attorney to draw that up. As needed basis instead of spending money on one for no reason. Any cost would come out of the fund, there wouldn't be any additional fees. The only additional fees would be if the city hired the attorney to do some of the ordinance writing upfront before the plans before the plan was in place. But once the plan is running and once it's funded, all attorney costs, all fees would just come out of the plan.

Mayor Jones thanked Mr. Langley.

Chief Scheel thanked Mr. Langley and told him he really appreciated his assistance.

And he asked Mr. Langley to send the figures and Mr. Langley advised that he would.

At this time Mr. Langley was released from the call.

City Manager Durrance stated that 11.5% sounds like a lot but, we are already paying 5%, if we can collect the 3% taxes, and they contribute then we are looking at maybe 1.5-2%.

Vice-Mayor Fite asked what percentage is currently contributed?

Mayor Jones stated that on the paperwork it reflected 5%.

Chief Scheel stated that his 456 plan, he currently puts \$150.00 a week in it.

Financial Manager Gordillo interjected and stated that is an individual contribution of his own money.

Vice-Mayor Fite stated, yes but, the rest are contributing at 5%, correct?

Chief Scheel confirmed by stating yes.

Vice-Mayor Fite said, so if we do 5%, you already do 5%, then you are looking at only 1.5%, correct?

City Manager Durrance stated that could be the tax.

Vice-Mayor Fite stated the tax could be more. Stating it is a no brainer.

Chief Scheel stated that he wants this for the new people. Stating that he didn't know how much this was going to help him. So he would say that the old timers that are still here might still want to be on the new plan and continue with the 401K current plan and keep on building it and not just abolish it. He stated that he's not going to get his 20-25 years in the defined benefit plan. Stating that it's not fair to him unless the city is going to go back and pay that cost which he knows we can't afford. 40% of salary, at \$145,060.

City Clerk Ganas asked if Chief Scheel was saying he would rather stay where he was at?

Chief Scheel stated that was not what he was saying. He said he didn't want to stop his 401K.

Financial Manager Gordillo stated that she did not think the city could match the 5% and contribute to the high-risk plan as well. Stating that would be double dipping.

Vice-Mayor Fite stated that what he was thinking is if Chief Scheel wanted to continue with the other but the 5% the city is contributing is going towards the defined benefit. Chief Scheel said he wanted to keep his 457 and he would keep putting into it. Vice-Mayor Fite said, you keep putting into it on your own. Chief Scheel confirmed by saying yes. Vice Mayor-Fite said if your currently doing 5 and the city is doing 5, would you be willing to do that with the defined benefit, and put the additional to where you are at? Because you already said you were putting in additional, correct? Chief Scheel confirmed. Vice Mayor Fite said if we chose to do 5, y'all as a participant do 5. Chief Scheel started talking and said that's vesting these guys that have got time and service already for when this plan starts, they are vested. Vice Mayor Fite said right. Chief Scheel said, that's the way it should be. Vice Mayor Fite stated that he agreed, stating that this is long overdue.

Commissioner Arreola stated vested is one thing, yes you should be vested, but I think there should be some type of compensation for the years of service they have already put in. My thinking is what if we start at the minimal this year, and then give them years of service, because it will be some who have been here 10 years, 20 years, see what that amount is. That way it will be fair to the ones that have been here for a while. For just this year let's start at minimum amount for the percentage, but do the years vested, that way the ones that have been here for a while, this year give them compensation for the years of service.

Mayor Jones spoke and said, Chief I heard 5 years, 10 years, 20 years, and I know many of you have been here, so, not the new guys, but what's the less amount of years out of you seasoned guys? Chief Scheel stated 16 years. So it would be fair to you guys to say somewhere around 10-15? Mayor Jones said he knows that Mr. Langley said to not do that because of the new guy but, if you think about it no new guy even has 5 years. So its really not causing a rift because they haven't put in the time. The least seasoned guy is 15 or more so they really wouldn't be getting left out.

Chief Scheel stated that he would agree with Mayor Jones. Chief Scheel said he didn't know about any of the guys but he knows that he is going to try and do another 10 with the city. So 10 is a good number. Mayor Jones said that's why he was saying 10-15 because that would be fair. He stated that Mr. Langley thought there were more people in the middle and there is not. Stating Guthas is the lowest guy and the rest if y'all choose an even number that's fair with you guys then the newer guys will start where they are because they don't have a whole lot anyway. So then everybody will be good.

Vice Mayor Fite stated that's going to take you around 100k contribution each year, correct? Just guessing between the high and the low? Mayor Jones said he wanted the years of service so they can be vested. Chief Scheel said if your looking at the high number, then you've got 2 of us, 3 of us, with 20 years in that high number. Mayor Jones said so we are willing to go 10. Chief Scheel stated I believe your still going to be around 80k. Vice Mayor Fite stated, and that's not just your first year, that's from now on out. Chief Scheel confirmed by saying yes. Because he had figured that 40% number would drop, that eventually you would catch up and start dropping. Vice Mayor Fite stated but it doesn't. Commissioner Lunn asked if we can look into it, right? Conversation went back and forth among the commissioners regarding the math provided by Mr. Langley. Mayor Jones said it would still be stretched out by the 40%. It would apply to 4 of the officers. Vice Mayor Fite said, so half. So at a minimum you are looking at 55-70k a year. Mayor Jones said yes, so it should still work out and be fair for everyone. Vice Mayor Fite said because your having to accelerate to get the deposit in order to be able to do the payout. So its not going to be half again of what this is.

City Manager Durrance asked if after these guys retire, it drops back down? Vice Mayor Fite said no, because it will be paying them until they die. Stating that's how the state got in trouble with FRS. Especially whenever they got put into the drop program. And this is a much better plan than FRS.

Mayor Jones stated that it seems that if they are willing to meet us with coming down that far, because that's a long gap to come down too, back down to 10, to be fair with all of them being 20 plus.

Chief Scheel stated that whatever is decided, the plan needs to be started in order to keep this place. I can't keep racking my head and becoming this revolving door of employees and trying to keep this place running. Chief Scheel said, I just can't keep doing it.

City Manager Durrance mentioned that there is an impact fee that you could put on the bill. There is an impact fee for the Fire Department for the Police Department that we could add on their bill that can help offset some of this and most places that we have looked at is like \$13.00 on there. We already have a \$3.00 charge that I've asked to put towards pipes in there. That was white goods. If we added \$10.00 is \$10.00 that much a month to add onto the bill to have a police department that rides by multiple times a day. Or we lose them because we can't afford it any longer and your house gets broken into before Hardee County can get here. There are impact fees that we can put for the Police Department to help offset this to make it. Vice Mayor Fite said that is not an impact that is a tax user fee. An impact fee is a onetime cost. City Manager stated it could be listed as RNR as well. City Manager Durrance stated that is how City Attorney Buhr said to list them, like if we wanted to do one for pipe specifically, if we wanted to add that fee, that we could add it on there. Commissioner Lunn said then the community will start to complain.

Vice Mayor Fite stated, well we have to do something. This is long overdue. It's just determining what level we go at. I know you've been working diligently on getting this done for a little over a year now. Of getting us to this point.

Mayor Jones asked if by those calculations if we know about where it would put us at when we looked at the 10 years vested? Chief Scheel said not tonight. Siad we all know that starting it from ground zero, we are looking at 43-45k at minimum. City Manager Durrance stated an additional 21,345k than what were paying now. To start at the 40 and what were already paying for retirement. Vice Mayor Fite said, well not if they are putting their 5 in it. City Manager Durrance stated this is for the city's side and the additional we would be adding.

Mayor Jones said, but if you were to pause their side, the city wouldn't be matching their 5. Correct?

City Manager Durrance said, I am saying use that 5% towards this new plan.

Commissioner Arreola stated get rid of 401 and redirect the contribution.

Mayor Jones confirmed, yes, that's what I am asking. With that 5 going off and coming towards this new plan, where would that put us at?

City Manager Durrance stated, to meet that 41%? We're doing 19,786 is what were doing with putting it at 5%. And then they will match 5%. Which will double that.

Vice Mayor Fite stated, which basically puts you at the 41? So that's covered it.

City Manager Durrance stated that small tax that we can get, the auto tax.

Vice Mayor Fite stated again, it's a no brainer. It's just a shift of where it is going. With a long-range total benefit to the city and the security of the department.

City Manager Durrance stated that the adding is a no brainer, but we have to figure out how we are going to back pay them. And if we can come up with something we can invest that money every year.

Commissioner Arreola asked if we had come up with the numbers as far as how long it will take to be 100% vested? As far as if a new employee starts?

Chief Scheel stated that would be worked out in the details when the plan is being set up. Chief Scheel asked if we knew what FRS was? He thought it was 6 years.

Vice Mayor Fite stated he thought it was either 3 or 4 years.

Chief Scheel stated it was probably lowered to keep employees.

City Manager stated 10 years and Commissioner Arreola stated that is high. City Manager Durrance stated we had already talked about lowering it because of the years.

Vice Mayor Fite stated depending on tenure and how long they have worked determines what they draw out at the end. If they work 4 years then leave and they don't get back into a similar plan then all they get is based on the percentage they paid in. Correct?

City Manager Durrance and Chief Scheel stated, they would lose it. Chief Scheel stated if they vest here, they are only going to get what they put in.

Vice Mayor Fite stated, correct, our only liability is from the time they were here.

Commissioner Arreola said so say we choose 5 years for them to be fully vested, they leave at 4 years, they are only going to get what they put in. They don't get what the city put in, correct?

City Manager Durrance and Vice Mayor Fite both concurred.

City Manager Durrance stated that right now all employees are having to do 10 years.

Chief Scheel stated that he didn't think we could make any decision on this tonight.

Vice Mayor Fite and Commissioner Lunn stated we would need to get a little more factual information. Mayor Jones stated, yes this is the workshop to bring it forward but when we look at starting, we have half of the gentlemen starting on the bottom side, with the match piece, which brings it down to our portion, but then you have to take and look at the other 4 officers and use the calculations of years of service.

Chief Scheel stated so the next meeting is scheduled, I think August 2, for PD. City Manager Durrance stated, she thinks; however, did not have it in front of her. Chief asked if there were any numbers commission would want him to bring back? Vice Mayor Fite stated, you need to bring us the 5, 10, 15 years. Because all it is, is plugging into the computer for him.

Mayor Jones asked if it was cool with Chief Scheel and his guys?

Chief Scheel stated that he would need to have a meeting with them. Stating that he can't speak for them.

Vice Mayor Fite made a comment stating, Eddie (Coronado), you looked worried back there.

Officer Coronado stated I'm good with 10 years, I mean at least something. I'm hitting 24 years this year, Brett's got 25, Sean's got 16, I mean, something to compensate us for the years that we've been here.

Because I tell all these officers that are new that come in, yeah, you can go somewhere else and make more money, but I love what I do here, and I love the city that I work for. If I wanted more money, I could've gone a long time ago, but I didn't. Because it's not all about the money. Vice Mayor Fite stated, it's not all about the money. Officer Coronado said but here I've done a lot in the city. Sent a lot of people to jail, a lot of people to prison, done a lot of work. Closed a lot of cases. And it would just be nice to be compensated for some of the years of service put in.

Mayor Jones stated, I think we can all agree with that. That there is a whole lot of people that don't know what the PD does. They don't think there is a lot of crime in Bowling Green.

Chief Scheel stated he could tell you what it was like when he first came here. It was chaos. And if you lose your PD, it's going right back to that, I can assure you.

Vice Mayor Fite stated because you live the other end, you see it every day. And he thanked John for all the work and effort on this part and get us the tools to make a decision.

Chief Scheel stated I guess we have all the numbers, City Manager Durrance and Financial Manager Gordillo, confirmed they have them and it has the 3%. Stating if we did go back then we did put the 3% increase on the projected, however the commission wants to do that. Stating that we budgeted for a pay raise. Chief Scheel stated for a 3% raise across the board. Chief Scheel stated he would request another car for this year, stating it is a must. Commissioner Arreola asked if it was budgeted. City Manager Durrance confirmed, it is on the budget as well. Vice Mayor Fite stated because again, like they are going to go up the 5-6% projected, it's going to be anywhere from 4-6k. Mayor Jones asked, you're still waiting on 2 right? Vice Mayor Fite stated, 3. Chief Scheel stated that he had received an email today and they would be delivered tomorrow. Mayor Jones asked how many, Chief Scheel and Vice Mayor Fite stated, 3. Commissioner Lunn exclaimed, all right. Commissioner Arreola asked if they will come wrapped already? With the logo? Vice Mayor Fite stated, they are ready to go basically. Chief Scheel stated they just have to install radios, tag, put on insurance, and everyone puts their equipment in it.

Vice Mayor Fite stated that each vehicle should have a picture of it taken before they drive it for the first time because you remember the one that used to like to back into stuff that is not longer here.

Chief Scheel stated some of the other things we are trying to do, car radios that are probably 15-20 years out of date. Stating he just had one finally go out. They will not work on them and state you have to buy a new radio. It can be anywhere between 4-6k for a new car radio. So we need to start doing some capital outlay to make the purchase and try to replace these old things. City Manager Durrance stated that is budgeted under communications. Vice Mayor Fite stated, and not go into another lease. Commissioner Arreola asked if there were any grants that could be applied for the PD? For radios and things of that nature. City Clerk Ganas stated that we are actively looking for grants for all departments, for everything. City Manager Durrance stated that we have a concept paper one that is listed for speed signs (2), a car, and for salary, for training, and we won't find that out until the end of August, first of September, it is in review. Chief Scheel commented that the JAGC (The Edward Byrne Memorial Justice Assistant Grant)

that is close to 50k is in process. It was previously handled by the county and is broken into percentages based on population. Stating that the Police Department's percentage is about 4,300. In the past the county would manage the grant and take care of everything. The only thing Chief Scheel would do for them is to get them quotes, get the receipts, the paid checks, and now this year the county said no, you can manage your own grant. So we are going to apply for the money but we're going to have to do all the work. So we will see how that works out. There is also a FDLE block grant that the city gets. It used to be 8-9k which was well worth it. Now its down to about 1000k. Which costs more in time to sit behind the computer to do all the recordings and requirements. Vice Mayor Fite said, and hope that you get it. Mayor Jones asked if the calculations they are basing the numbers on, are they updated via the state? How are those numbers determined? Or do they go off the census? Chief Scheel stated that he didn't know. That they have the calculations broken down. Commissioner Arreola asked about the bill we were going to get from City of Wauchula for dispatcher? City Manager Durrance stated that it is still in the budget, and we budgeted for it again. Chief Scheel stated that there will be a cost this year because the Sheriff is updating the recording software. So its either you go with what I want or you go out and purchase your own. At this time we cannot go out on our own and purchase our own. So we will have a yearly fee that we will have to pay the sheriff from here on out. That Chief believes will be anywhere between 6-12k. Vice Mayor Fite asked what City of Wauchula PD was doing? Chief Scheel stated he believed they are going along with what the sheriff is proposing to do. Because he doesn't know how they would manage to purchase their own. You won't be able to get the computer out of dispatch if you're not on it. Commissioner Arreola stated he just thought that number was going to be higher. He stated he thought it was going to be 30-40k. City Manager Durrance stated we did 15k last year because we weren't sure what it was going to be. Chief Scheel stated you have to remember that these have a yearly maintenance because of the lease that they are on. So right now 7k for all 4 of us. City Manager Durrance stated that we put it in at 6k. For the lease, the EMCI and AT&T on there, it's for those fees. Commissioner Arreola asked if the mobile phone was shaded in for a reason. City Manager Durrance stated no, it just didn't get removed and will be corrected for the next meeting. Currently they are at 6131.50 that they have used and we still have 2 more months so, that one is shaded because we had 8k but I think we can play between 7-7750k. Chief Scheel stated he thinks he would put 8k because that's cell phones, packs for the internet in the cars. City Manager Durrance stated if you notice we took and broke it out and this is just the Police Department. We took animal control and code enforcement off so we can breakdown and know every charge and where the money is going. Instead of it looking like the Police Department has this major budget when in reality there was 2 other departments on there. We allocated the crossing guards off into their own line item. Before they we're in overtime. So it looked like we were using a lot of overtime. We tried to break it down so it was more realistic and provided with real numbers with percentages, instead of it all looking like its hitting only one department. Commissioner Arreola questioned the taser for 15k for animal control service? City Manager Durrance stated its not for a taser. It was something that her and John did. Chief Scheel stated it was for yearly operations. Stating he didn't know if they realized what goes into operating an animal pound. Stating you have to get the animals care timely and when necessary. It doesn't matter, you're going to pay that bill. Stating if you're in the business, you're in the business. There are a number of steps and necessities she has to do when an animal gets there. She has to worm it, de-flee it, there is so much that goes into it. City Manager Durrance stated the budget you have for animal services is just a beginner because there still going to be a meeting with the vet on a fee because they are willing to work with us. Chief Scheel stated that the vet is going to work with us on the catch and release because we don't want to really be dealing with the cats. The dogs are enough. We can trap the cats, fix the cats and release the cats. Vice Mayor Fite stated or unfortunately euthanize them. Chief Scheel stated the problem with euthanasian, anything under 50 pounds is \$25.00 a pop. He stated that he heard the county was trying to look at getting their staff trained to be able to euthanize animals and even they have deterred from that because the cost is too expensive. Opposed to the \$25.00 each. Vice Mayor Fite stated that there was some legislative issue to assist municipal pounds and such; however, he does not know if it ever got signed off on. It did pass but he didn't know if the governor signed it. Vice Mayor Fite inquired about the Sheriff's

department's new tower radio system, will we still be compatible? Or are they changing technology?

Stating that a lot of times technology changes when this like this go into place.

Chief Scheel confirmed we would be compatible and discussed the difficulty with the current and thought about if that would happen a lot sooner and trying to keep the old car radios that we might not be able to. But then he thinks about the aspect of when Sean chased arm burglars all the way over to Mulberry and stated that he didn't know if the current was going to work. Stating that it is a safety issue. Vice Mayor Fite stated cell phones should, but you have dead spots with that. Adding that we need to be looking and commented that we appreciate Chief Scheel and everyone of the police department. Including the newbie on the back row. He's still new and not a 20-year guy yet.

City Manager Durrance stated that to off-set some of the stuff, we were just made aware that animal services had just created theirs as a Foundation. So that they could raise money, because they have never raised money before to help with the expenses for animal control. That would help with the feed, the vet, and those expenses. They have events and they just did one where someone provides a meal and all funds raised is used towards the animal control. We already have someone who will support towards next years budget. Open up an account where the money goes into the foundation account and use it to pay for the feed, vet, whatever needs to be covered for the animal control. City Clerk Ganas stated that a foundation would allow us to receive specific donations, like feed and not just for monetary donations. Vice Mayor Fite stated that with that, it usually requires setting up a board to oversee the 501. Stating it is a good idea. Adding that there are boo coddles of animal food companies that donate food every year to a 501 but they won't donate directly to the city. City Clerk Ganas stated, like a Friends of the Park or Friends of the Library board. Vice Mayor Fite confirmed by saying yes. Mayor Jones stated that foundation is a 501 and specifically used for that.

Vice Mayor Fite asked about the delivery of the vehicles the next morning at 8 am and wanted to know if they would be discussing quicker turnaround time for the next vehicles. Chief Scheel stated that to paint it, stripe it and then they play a waiting game for the equipment to be installed. Mayor Jones asked if they were holding it to do the inside part? Chief Scheel stated that when they bought these vehicles they were ready to go and on the lot as left overs. They take care of each agency and the request they have before they move to the next. Vice Mayor Fite said they should break it up so that each agency gets a certain amount and it allows for distribution to all. Mayor Jones stated that everyone is not getting them every year or at the same time.

Commissioner Arreola stated that we have in the budget for a new car at 62k and we are getting 3 new cars this year, how many total cars are in the fleet? Chief Scheel stated 7 and he is keeping a spare this year. Confirming it will be 8 total. Commissioner Arreola said, question, just throwing it out there, your saying we need to replace a car, if we do the high risk retirement for them and the numbers come out pretty high. Could you sacrifice not buying a car for one year? City Manager Durrance stated then we would be back to buying three at one time. Chief Scheel stated then we end up in the same boat.

Commissioner Arreola stated that we could ourselves in a pickle with the expenses from both and to look at alternative options. Vice Mayor Fite stated that he knows Commissioner Arreola hasn't been here and know the history, but we have lost a brand new car and lost out due to covid and are technically 4 cars behind and we are getting 3. So we need to replace one a year or the maintenance and repair costs are killing us. Chief Scheel asked Jared, You're driving a 2019 and how many miles does it have on it? He replied with 64k. Chief Scheel stated that 64k for a 2019 that is the newest cars the PD has besides his. Commissioner Arreola stated, I am saying worse case scenario and our numbers come out way high with the high risk retirement and we need new cars. City Manager Durrance stated, we are going to cross our fingers that the grant will pay for this car. Commissioner Arreola stated, just saying worst case scenario so we don't get ourselves in a bind. City Manager Durrance stated, you also have to think about that we have some we have to sell. Vice Mayor Fite stated its not the mileage, it's the hours on the motor that has to be looked at. Discussions on the miles being put on the car and cost associated went on back and forth. Commissioner Arreola stated he understands, he is just trying to say worst case scenario. Chief Scheel stated he has had to put 3 fuel pumps on these vehicles this year, think about it and do the math. They are not cheap and we either need to replace them and go to gas cards. City Manager Durrance stated that

each time she had to put in a new one, the vehicle starts making noise. Discussion about where the gas is coming from being a contributing factor. City Manager Durrance stated that we are paying approximately 5k a month for the gas to be filled over there. If we gave them a gas card we could have discounts applied. Mayor Jones asked if it's a first responder, would they honor and give some type of deal? Vice Mayor Fite stated that most times you have to apply to get it back. Stating a lot of times its internal so they don't charge the tax upfront. So the cost might be comparable to what it costs of putting it in the tank here. Chief Scheel stated that he just knows that 3 fuel pumps, there is something wrong with that. Vice Mayor Fite agreed. Commissioner Arreola stated that the good thing with our own gas tanks is that we count on the stores if a hurricane comes, but if we go into a shortage, we are going to be in trouble if we don't have our own tanks. City Manager Durrance said we wouldn't lose them. We would keep using them for our Public Works. But we just wouldn't be filling the cars up. Chief Scheel stated that years ago the city would buy premium and he knows its much more expensive. But they ran a lot better when they had better fuel going into them. When it was premium fuel instead of the ethanol crap. Vice Mayor Fite said one of the tanks is from the 70's. Mayor Jones asked what time of day you fuel? Chief Scheel stated around 11 am. Mayor Jones stated because its hot and the water rose and now its been sucked up into the vehicle. Stating its better to fuel in the morning to get the best of the gas.

Vice Mayor Fite said it could be a vehicle for back up.

City Manager asked if there was anything else to be brought back besides the high-risk breakdowns?

Mayor Jones advised Chief Scheel to do the investigation to see how far the parameters are to ensure they don't break the signal. And see if there is an alternative. Mayor Jones confirmed the radio that you referred to when they went to Mulberry. Chief Scheel stated the issue is that Polk and surrounding counties may not be on the same system we are and that's what he is getting at. Right now, he doesn't feel like we can get away from the car radios. Officer Coronodo stated that the car radios allow him to talk all the way to Tampa. Mayor Jones stated that they need the radios. Officer Coronodo stated that switching from one car to the other is what keeps causing issues. And they are 10-15 years old.

Commissioner Arreola asked if they had body cams. Chief Scheel stated they do not. Mayor Jones asked if they can be bought in bulk. Chief Scheel stated that they can. Possible go in with another sistering police department. Chief Scheel stated that the public records request that would come from having a body cam is too much involved. He also stated that Polk County doesn'

Meeting adjourned.

N'Kosi Jones, Mayor

Charlette Ganas, City Clerk

City of Bowling Green

CRA and Code Enforcement Budget Meeting Minutes

July 25, 2024

Present: Mayor Jones, Vice-Mayor Fite, Commissioner Lunn, Commissioner Durastanti, City Manager Durrance, City Attorney Buhr, City Clerk Ganas. Including members of the public were present. Special Guest, Central Florida Regional Planning Council, Jennifer Codo-Salisbury. County Commissioners, Judith George and Sandy Meeks in the audience.

Absent: Mayor Jones, Commissioner Arreola

1. **Call to order** – Vice Mayor Fite called the meeting to order. He questioned an agenda and was advised by City Manager Durrance that agenda item for CFRPC and budgets for CRA and Code Enforcement were provided. Financial Manager and previous Clerk, Gordillo stated per, previous budget meetings. Vice Mayor Fite questioned if the meeting would be recorded and Financial Manager and previous Clerk, Gordillo advised it had not been in the past. Vice Mayor Fite stated that it is required for a public meeting per Florida statute. City Clerk, Charlette Ganas, advised minutes would be taken for recording purposes.
2. **Developing a Strategic Plan for the City**- Central Florida Regional Planning Council, Jennifer Codo-Salisbury, began with opening statement regarding Bowling Green City Commission developing a strategic plan for the city. Stating that City Administration has requested the Central Florida Regional Planning Council (CFRPC) facilitate discussion on the development of a Strategic Plan for the City. Ms. Codo-Salisbury stated that they would facilitate discussion on the development of a mission statement to guide the Strategic Plan process. Mission Statements explain an organization’s plan for the present based on what it wants to achieve. Vice Mayor Fite interjected Ms. Codo-Salisbury and advised that we would not be able to hear and vote on this and couldn’t continue with this process. City Manager Durrance advised it wasn’t a vote. Stating this had been discussed in the last City Commission meeting. City Clerk Ganas explained that it was to collaborate with efforts on how a strategic plan would align with the CRA goals and objectives, providing information on a strategic plan. Vice Mayor Fite stated that we could not do this without the full Commission present. Ms. Codo-Salisbury explained how the conversations began with the County on the development of a Strategic Plan and commented that Clerk Ganas had a copy and alluded to the process in creating a plan. Clerk Ganas stated yes and Vice Mayor Fite stated that if Clerk Ganas had a copy then it should’ve been shared with the commission. Ms. Codo-Salisbury apologized for not coming better prepared and for misunderstanding the purpose for the meeting. Vice Mayor Fite said it could be heard later when the whole commission was present. Ms. Codo-Salisbury proceeded to the questions that had been provided for the CRA portion of the budget meeting.
 1. **CRA**- Proposed Budget provided- Ms. Codo-Salisbury went through CRA questions provided. City has been advised in past that if the money isn’t spent that it would be required to give back. Ms. Codo-Salisbury stated that the expert was unfortunately out of the office and unable to attend; however, she could answer the questions to the best of her ability. She reviewed the reporting requirements under 163.371, each redevelopment agency shall publish on the website

CRA maps that reflect the geographic boundaries. If any change is made to the boundaries or total acreage, the city must post files on the website within 60 days after the effective date. **What and how can CRA money be spent?** Vice-Mayor Fite commented that it had taken us since 2015 to accrue the amount that we have. And up until now it had kinda set dead and nothing had been spent out of the money. Ms. Codo-Salisbury stated the dollars can be spent on programs and projects identified in the city's CRA plan. That we are limited by the statute which identifies items that cannot be financed by increment dollars. Construction or expansion of administrative buildings for public bodies or police and fire buildings, unless each taxing authority agrees to such method of financing for the construction or expansion, or unless the construction or expansion is contemplated as part of a community policing innovation. General government operating expenses unrelated to the planning and carrying out of a community redevelopment plan. Redevelopment money can be used for Administrative and overhead expenses directly or indirectly necessary to implement a community redevelopment plan adopted by the agency. Expenses of redevelopment planning, surveys, and financial analysis, including the reimbursement of the governing body or the community redevelopment agency for such expenses incurred before the redevelopment plan was approved and adopted. The acquisition of real property in the redevelopment area. **Where does the CRA money come from? What would warrant returning the money?** Tax increment financing (TIF) is used to leverage public funds to promote private investment. The dollar value of all real property in the Redevelopment Area is determined as of the base year (2015). The value is frozen. Taxing authorities continue to receive property tax revenues based on the frozen value (2015). Any increase in tax revenues beyond the base year (2015) referred to as "increment," are deposited into the Agency Trust Fund and dedicated to the redevelopment area. Any funds received from a tax increment financing area must be used for specific redevelopment purposes within the designated area, and not for general government purposes. Returning funds would mean that you have met all the goals identified your CRA plan and that it is ready to sunset. City Manager Durrance stated that we had spent most of the money and wouldn't have to return any money at this time. Ms. Codo-Salisbury asked what the city had left in the account, Financial Manager stated that we had about 49k after sewer lines that would roll over and that we started the year with 359k. **Where can the placement of two signs within the city be placed? Welcome entry signs into the city?** If the signs are purchased using CRA dollars the signs should be within the boundaries of the CRA. Vice Mayor Fite stated that we wouldn't want to place them outside the city limits by the stores at Citco and Fiesta, advising that we couldn't put them there. City Manager Durrance stated with approval from County it could be placed right outside city limits as it ties into the CRA plan. Ms. Codo-Salisbury stated we could place them at the city boundary between Bowling Green and Polk and it would be within the CRA plan. **What is defined as bricks and mortar type projects within the CRA? We have been advised that the signs may or may not qualify?** Ms. Codo-Salisbury said she had answered that from the previous question, yes, signs would be considered infrastructure projects that are allowed within the boundaries of the CRA as well as any other project identified in the CRA plan. **What is required to change the CRA boundary?** Ms. Codo-Salisbury advised a recommendation from the CRA, Public hearing, and notice to the taxing authorities. Vice Mayor Fite asked if it was easier to create a new plan opposed to making the change and Ms. Codo-Salisbury agreed that it is in most cases easier to create a second plan as she has seen done in other cities. **Does the Master Plan and Bowling Green Downtown Catalyst Vision meet the CRA boundaries?** Ms. Codo-Salisbury advised that some of the areas are in the

CRA plan. Ms. Codo-Salisbury stated she answered this question earlier in another response, if **the boundaries are modified, does it require recreating the CRA? And the necessary steps to be taken. Does the master plan suffice for the new changes?** Ms. Codo-Salisbury advised that no, the plan will have to be formally updated but the master plan document may be included with the CRA update. **Is the master plan more of a beautification plan? That is unable to be used in conjunction with the CRA plan?** Ms. Codo-Salisbury stated that The Master Plan compliments the goals of the CRA Plan. In executing programs and projects identified in the CRA Plan, you may also accomplish the goals identified in the Master Plan. **Does landscaping apply to CRA and if so, what is the definition of landscaping?** Ms. Codo-Salisbury stated that Any landscaping projects would fall under beautification which is identified in your CRA Plan. The upkeep of the landscaping after the beautification would not be considered under the plan. **Can the CRA board ever be changed? If yes, what would be the requirements to make the change?** Ms. Codo-Salisbury advised the city has the ability to add 2 additional persons to the board. This can be done by Resolution. Vice-Mayor Fite discussed how we attempted to recruit members from the community to participate; however, had been unsuccessful.

- 2. Code Enforcement-** Dawn Stark presented the budget and Vice Mayor Fite questioned payroll he asked about the 40 split. Stating that he wanted to know how we were going to pay the additional for salaries. He wanted to know about how the two positions were being paid when the city already has limited resources. City Manager Durrance advised that the budget had been split out to reflect where positions should be allocated and pulling from. Stating that in past Code Enforcement and Animal Control did come out of the same budget; however, now it is reflected under their own budget. Commissioner Lunn questioned where Vice Mayor Fite was getting the additional 40k as he didn't see that reflected in the increase and stated it reflected \$4720 increase. Review and clarification made by Ms. Stark. City Manager Durrance advised that Ms. Stark would now be handling tasks under Public Works as Public Works Supervisor and Hunter Brummett would be Field Supervisor for better functionality and efficiency. Vice Mayor Fite stated that we had to have a balanced budget and wanted to understand how the salary would work into the budget. Also advising that the budget should've been started in Feb/March for better opportunity to properly plan for budget. City Clerk Ganas spoke up and advised that it is suggested and not required. Vice Mayor Fite said it should be started before now and stated that the city leadership needed to plan better. City Clerk Ganas reiterated that starting early is suggested and not a requirement. Vice Mayor Fite stated again, it should be started earlier. City Clerk Ganas stated she would go get the FACC (Florida Association of City Clerks) guide which reflects the suggestion and Vice Mayor Fite stated he was not stating that it was a requirement to statue just a suggestion to be better prepared for a balanced budget. Finance Manager Gordillo advised that we are aware the budget must be balanced and advised that we had not received the municipal revenue estimates and until we do, we cannot complete the budget. Vice Mayor Fite stated that the county had already had theirs. City Manager Durrance advised that she had been checking the website and many had not received it yet. Vice Mayor Fite said that salaries would need to be looked at in detail as the city cannot afford to have unnecessary expenses with high paid administrative staff while those working in the heat and outside make less. Vice Mayor Fite asked if the staff in the field were still making only \$13.00 an hour, City Manager Durrance advised, no they are not and had been brought up last fiscal year. City Manager Durrance asked why nothing had been questioned when the PD and Animal Control had been presented by Chief Scheel for a 11.58 increase? City Clerk Ganas added that with all due respect, if we don't invest in human capital, we wouldn't have staff to run Bowling Green.

Advising that the workforce isn't beating down the door to get into Bowling Green and we needed to invest in all our workforce. Vice Mayor Fite stated that Bowling Green was comparable to Bartow and we needed to do a salary comparison. City Manager Durrance stated that we had been comparing to surrounding areas and had received information from Bartow and we are lowest paid. Ms. Stark advised that even though Vice Mayor Fite believes it's a part time position, it was a full-time position. She stated that she does code enforcement, zoning and 50% of the time reviewing plans and sign offs. She advised that the city is way behind but that we are making efforts through the magistrate with liens, and fees and the plan is to eventually be able to abate some of these properties to sell or refurbish the land for other purposes. Vice Mayor Fite stated that we could take them and sell them or rent the property for something else ourselves. Advising that we had a lot to take into consideration.

Vice Mayor Fite adjourned the meeting at 6:33 pm.

Sam Fite, Vice Mayor

Charlette Ganas, City Clerk