



Office of the City Manager

City of Auburndale
AUBURNDALE, FLORIDA 33823

P.O. Box 186
(863) 965-5530
Email: cmo@auburndalefl.com

CITY COMMISSION MEETING
July 10, 2017 – 7:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Tim Pospichal

INVOCATION – Pastor Peg Roy, First Presbyterian Church

PLEDGE OF ALLEGIANCE – Mayor Tim Pospichal

ROLL CALL – Assistant City Manager Jeff Tillman

APPROVE COMMISSION MINUTES – Regular Meeting – 06/19/17

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

AGENDA

1. ORDINANCE #1538 AMENDING OFFICIAL ZONING MAP – VAYDA PROPERTY
2. ORDINANCE #1539 AMENDING THE LAND DEVELOPMENT REGULATIONS
3. ORDINANCE #1540 AMENDING THE GENERAL EMPLOYEES PENSION PLAN
4. ORDINANCE #1541 DISSOLVING POST-EMPLOYMENT BENEFIT TRUST ACCOUNT
5. ORDINANCE #1542 AMENDING CITY CODE CHAPTER 15 – BUSINESS TAX RECEIPT RATES
6. RESOLUTION #2017-03 AMENDING CITY INVESTMENT POLICY
7. INTERLOCAL AGREEMENT WITH POLK COUNTY SHERIFF – POLICE/FIRE DISPATCH SERVICES
8. AGREEMENT FOR TRANSFER OF POLK COUNTY ROAD G TO CITY OF AUBURNDALE
9. FIRST AMENDMENT EXTENDING COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT

F.S. 286: If an individual decides to appeal any decision made by the City Commission with respect to this meeting, a verbatim transcript may be requested. If so, the individual should make provisions for a transcript to be made at the meeting. Persons with disabilities needing special accommodations to participate in this proceeding should contact the City Clerk no later than five days prior to the proceeding at 968-5133.

**City Commission Meeting
July 10, 2017**

AGENDA ITEM 1: ORDINANCE #1538 AMENDING OFFICIAL ZONING MAP – VAYDA PROPERTY

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider a proposed Zoning Map Amendment.

ATTACHMENTS:

. Ordinance #1538 Amending Official Zoning Map – Vayda Property

ANALYSIS: The City has received a request for an Official Zoning Map amendment as follows:

Vayda Property

<i>Owners/Petitioner:</i>	Frank and Angela Vayda
<i>Location:</i>	15 Alabama Lane
<i>Current Use:</i>	Residential (+/-0.45 acres)
<i>Current City Future Land Use:</i>	Medium Density Residential
<i>Current Zoning Classification:</i>	Commercial Highway (CH)
<i>Proposed Zoning Classification:</i>	General Residential-2 (RG-2)

The City has received a petition from Frank and Angela Vayda for a Zoning Map Amendment requesting the current zoning of Commercial Highway (CH) on 0.45 +/- acres be amended to General Residential-2 (RG-2). 15 Alabama Lane is located south of US Hwy 92, north of 1ST Street. The existing zoning of Commercial Highway is incompatible with the existing underlying land use designation of Medium Density Residential. The applicant is seeking to amend the zoning to make it compatible with the existing single family residential use and established Land Use designation.

The requested Zoning Map amendment and its allowable uses are also consistent with the City of Auburndale's Comprehensive Plan, Land Development Regulations and surrounding County land uses.

The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinance was approved on first reading June 19, 2017 and is being presented for second and final reading.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Amendment – 06/06/17

STAFF RECOMMENDATION: Approval of the proposed Zoning Map Amendment

**City Commission Meeting
July 10, 2017**

AGENDA ITEM 2: ORDINANCE #1539 AMENDING THE LAND DEVELOPMENT REGULATIONS

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider a proposed Land Development Regulations (LDR's) text amendment.

ATTACHMENTS:

. Ordinance #1539 Amending the Land Development Regulations

ANALYSIS: On March 20, 2017, the City Commission passed a 90-day moratorium on the building of large distribution type buildings in the Light Industrial (LI) zoning district. On June 5, 2017, the moratorium was extended 22-days through July 10, 2017. The moratorium would allow staff to research the issues brought before the City Commission at the Public Hearing on zoning of the Sharrett Property on March 6, 2017.

City Staff presented their findings and proposed text amendments to the Land Development Regulations on Tuesday, June 6, 2017 before the City's Planning Commission. In summary, the proposed text amendments recommended by the Planning Commission and City Staff were as follows:

- Proposed changes would only apply to Business Park Center designated properties in the North Auburndale Planning Area, also known as the Joint Planning Area.
- Service areas, which include truck courts, loading and unloading areas would be prohibited along C. Fred Jones Blvd (CR559-A) and also from facing residential areas.
- Overhead service doors would be prohibited on the front façade of any building that has frontage of a collector or arterial road.
- Any building larger than 250,000 SF would be required to go through the Planned Development process.
- Policies in Ch. 15, Special Overlay Districts shall not limit the applicability of Ch. 6, Planned Developments.
- Note: Any development of large distribution type buildings in the Light Industrial zoning district would have to meet all other design criteria in the JPA/North Auburndale Planning Area that was adopted in April 2016.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Amendment – 06/06/17

Following the second and final Public Hearing on June 19, 2017 the City Commission approved the Planning Commission recommendation except for requiring buildings larger than 250,000 SF 500,000 SF to go through the Planned Development process. There were no other changes made to the recommendation of the Planning Commission.

The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinance is being presented for first reading. If approved, the proposed Ordinance will be presented for second and final reading on July 24, 2017.

STAFF RECOMMENDATION: Recommend approval of the proposed text amendments.

City Commission Meeting
July 10, 2017

AGENDA ITEM 3: ORDINANCE #1540 AMENDING THE GENERAL EMPLOYEES PENSION PLAN

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider an Ordinance amending the City's General Employee Pension Plan.

ATTACHMENTS:

- . Letter from Pension Board Attorney Christiansen & Dehner – June 6, 2017
- . Proposed Ordinance #1540 Amending the General Employee Pension Plan

ANALYSIS: The proposed Ordinance reflects changes to the Internal Revenue Code (IRC) and its associated regulations. Specifically, the amendments are related to the definition of "Credited Service", benefit limitations, and investment of contributions.

The various Amendments to the General Employee Pension Plan are as follows:

- . Section 1.02, Definitions. Amends the definition of "Credited Service" to clarify IRC regulations on leave conversions.
- . Section 3.02, Investment of Contributions. Amends the Plan to incorporate IRC regulations on investments in comingled funds.
- . Section 4.02, Benefit Limitations. Amends the Plan to comply with IRC changes on benefit limitations.

The proposed Ordinance was prepared by the Pension Board attorneys, Christiansen and Dehner and reviewed by the City Manager, City Attorney and City Clerk. If approved on first reading, the proposed Ordinance will be presented for second and final reading on July 24, 2017.

GENERAL EMPLOYEE PENSION BOARD RECOMMENDATION: Approval of Amendments (06/13/17)

STAFF RECOMMENDATION: Approval of the Ordinance amending the General Employee Pension Plan.

City Commission Meeting
July 10, 2017

AGENDA ITEM 4: ORDINANCE #1541 – OTHER POST-EMPLOYMENT BENEFIT TRUST ACCOUNT

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider an Ordinance dissolving the City's Post-Employment Benefit account.

ATTACHMENTS:

Proposed Ordinance #1541 Closing the Other Post-Employment Benefit Account

ANALYSIS: In 2007, the City established an account to provide funding for retiree benefits in addition to those provided by the City's Police, Fire, and General Employee Pension Plans (health insurance, dental insurance etc.). These benefits are known as other post-employment benefits (OPEB). The OPEB Account was set up to be administered and invested by the Florida League of Cities' Municipal Pension Trust Fund.

The City has not funded the OPEB account for several years, selecting to use the pay-as-you-go method for funding the employee/retiree benefits. The account balance is \$11,976. Due to the lack of activity, the City's Auditor has suggested the City close the existing account with the Florida League of Cities'.

The proposed Ordinance closes the account. The proposed Ordinance was prepared by the Finance Director and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on July, 24, 2017.

STAFF RECOMMENDATION: Approve the Ordinance authorizing the closure of the OPEB Account.

**City Commission Meeting
July 10, 2017**

AGENDA ITEM 5: ORDINANCE #1542 AMENDING CITY CODE – BUSINESS TAX RECEIPT RATES

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Commission will consider an Ordinance adjusting the Local Business Tax Receipt rates in accordance with State Statute.

ATTACHMENTS:

Proposed Ordinance #1542 Adjusting Business Tax Receipt Rates

ANALYSIS: The City Code Chapter 15 requires that all persons that engage or manage any business, profession or occupation, in the City obtain a Local Business Tax Receipt (formerly Occupational License). Florida Statutes Chapter 205 provides that a local government may adjust the Local Business Tax Receipt fee 5% every two years. The last adjustment of the Local Business Tax Receipt was done in 2007 with Ordinance #1282. The 5% increase will provide \$1,750 in additional revenue for the General Fund.

The proposed Ordinance was prepared by the Finance Director and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on July, 24, 2017.

STAFF RECOMMENDATION: Approval of the proposed Ordinance.

City Commission Meeting
July 10, 2017

AGENDA ITEM 6: RESOLUTION #2017-03 AMENDING CITY INVESTMENT POLICY

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider a Resolution providing amendments to the City's Investment Policy.

ATTACHMENTS:

- Proposed Resolution # 2017-03

ANALYSIS: In 1996, the City adopted an investment policy as a requirement of Florida Statutes. The policy allows investment of surplus public funds. The policy is reviewed from time to time by city staff and the City Auditor, and was last amended in 2007 as new investment opportunities were created.

In review of the City's current Investment Policy, the City Auditor has suggested its repeal and that the City abide by guidelines provided in Florida Statutes.

Florida Statutes Chapter 218.415(17): Authorized Investments; No Written Investment Policy provides a simple and conservative Investment Policy. A local government may elect not to adopt a written investment policy and invest, and reinvest any surplus public funds in their control or possession in:

- (a) The Local Government Surplus Funds Trust Fund or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperative Act of 1969, as provided in f.s. 163.01.
- (b) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency.
- (c) Interest-bearing time deposits or savings accounts in qualified public depositories, as defined in f.s. 280.02.
- (d) Direct obligations of the U.S. Treasury.

The proposed Resolution repeals the City's current investment policy, which would require the City to follow the guidelines of Florida Statute. The proposed Resolution was prepared by the Finance Director and reviewed by the City Manager and City Attorney.

STAFF RECOMMENDATION: Approve the proposed Resolution.

**City Commission Meeting
July 10, 2017**

**AGENDA ITEM 7: INTERLOCAL AGREEMENT WITH POLK COUNTY SHERIFF –
POLICE/FIRE DISPATCH SERVICES**

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider an Interlocal Agreement with the Polk County Sheriff's Office for law enforcement and fire/rescue dispatch services.

ATTACHMENTS:

- . Letter of Request from Polk County Sheriff's Office – May 30, 2017
- . Proposed Interlocal Agreement with the PSCO for Police and Fire/Rescue Dispatch Services

ANALYSIS: The City of Auburndale began outsourcing **Police** dispatch services to the Polk County Sheriff's Office in 2008 and **Fire/Rescue** dispatch services in 2010.

In 2013 the City Commission approved an Interlocal Agreement which consolidated two separate agreements into one. The current Interlocal Agreement for both departments dispatch services expires September 2017.

The proposed Interlocal Agreement would extend contract services for Police and Fire/Rescue dispatching services through September 30, 2021. All terms and conditions remain as set forth in the original Contract for Services.

Pricing in the contract has been adjusted to reflect a 2.0% increase in each of the years throughout the term of the Agreement for Police dispatching. The proposed FY 2018 Budget provides \$230,237 and the FY 2019 Budget provides \$234,850 for Police related dispatching. Subsequent Amendments to the Agreement will reflect annual adjustments to pricing for fire/rescue dispatching services based on the number of calls. The proposed FY 2018 Budget provides \$29,830 and the FY 2019 Budget provides \$31,320 for Fire/Rescue related dispatching.

The Interlocal Agreement was prepared by the Office of Legal Affairs for the Sheriff's Office and reviewed by the Police Chief, Fire Chief, City Manager, and City Attorney.

STAFF RECOMMENDATION: Approve the Interlocal Agreement for Police and Fire/Rescue dispatching services and authorize the City Manager to execute the contract on behalf of the City.

City Commission Meeting
July 10, 2017

AGENDA ITEM 8: **AGREEMENT FOR TRANSFER OF POLK COUNTY ROAD G TO CITY**

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Commission will consider accepting the transfer and maintenance of a County road that accesses the City property west of the Polk Parkway.

ATTACHMENTS:

- . Agreement for Transfer of Public Roads with Polk County and Location Maps
- . County Deed

ANALYSIS: In 2016 the City Commission swapped spray field property located east of the Polk Parkway for properties west of the Polk Parkway and belonging to J. Everett Allen & Son, Inc. Simultaneously, the City began discussion with Polk County regarding transfer of the frontage road located on the west side of the Polk Parkway that provides access to the City's Regional Wastewater Treatment Facility and the new spray field being developed on the former Allen property.

The frontage road, known as "Road G", will be realigned by the Florida Department of Transportation as part of the widening of the Polk Parkway and construction of a new interchange at Braddock Road. The County has agreed to transfer, by County Deed, Road G north of Braddock Road to the City.

The proposed Agreement for Transfer and County Deed were prepared by the Polk County Right-of-Way and Real Estate Division and reviewed by the City Manager and City Attorney.

STAFF RECOMMENDATION: Approve the Agreement for Transfer of Road G to the City and accept the County Deed.

**City Commission Meeting
July 10, 2017**

AGENDA ITEM 9: AMENDMENT EXTENDING COMMUNITY DEVELOPMENT BLOCK GRANTS

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Commission will consider an Agreement extending the Community Development Block Grant Agreement.

ATTACHMENTS:

- . First Amendment to Cooperation Agreement for Community Development Block Grant Program
- . Cooperation Agreement - Adopted August, 2014

ANALYSIS: For more than three decades, the City has participated with Polk County in the federally funded Community Development Block Grant (CDBG) Program. In 2014, the City Commission restated and entered a three-year Cooperative Agreement providing eligibility in the CDBG Program in the Federal Fiscal Years 2015, 2016, and 2017. The Agreement also provided automatic and successive renewals in three-year increments.

The proposed First Amendment to the Cooperative Agreement includes required changes by the Department of Housing and Urban Development (HUD) in order for the Agreement to be automatically renewed for Fiscal Years 2018, 2019, and 2020. All other terms and conditions of the original Agreement, as previously amended, will remain in full force and in effect.

STAFF RECOMMENDATION: Approve the First Amendment to Cooperation Agreement with Polk County for Community Development Block Grant funding.