



*City of Auburndale*  
AUBURNDALE, FLORIDA 33823

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**CITY COMMISSION MEETING**  
**July 2, 2018 – 7:00 P.M.**  
**COMMISSION ROOM/CITY HALL**

CALL TO ORDER – Mayor Tim Pospichal

INVOCATION – Pastor Jarvis Marshall, Spirit Life Ministries

PLEDGE OF ALLEGIANCE – Mayor Tim Pospichal

ROLL CALL – City Clerk Shirley Lowrance

APPROVE COMMISSION MINUTES – Regular Meeting – 06/18/2018

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

**AGENDA**

1. ORDINANCE #1564 AMENDING FUTURE LAND USE MAP – SADDLE CREEK
2. ORDINANCE #1565 AMENDING OFFICIAL ZONING MAP – SADDLE CREEK
3. **PUBLIC HEARING** – VACATING PUBLIC RIGHT-OF-WAY
4. RESOLUTION #2018-02 VACATING PUBLIC RIGHT-OF-WAY – RENSSALAER AVENUE
5. **PUBLIC HEARING** – VACATING PUBLIC RIGHT-OF-WAY
6. RESOLUTION #2018-03 VACATING PUBLIC RIGHT-OF-WAY – POLK COUNTY SCHOOL BOARD
7. **PUBLIC HEARING** – CLOSING PUBLIC RIGHT-OF-WAY
8. RESOLUTION #2018-04 CLOSING PUBLIC RIGHT-OF-WAY – UNION STREET
9. RESOLUTION #2018-05 HONORING FIFTY YEARS OF MUNICIPAL HOME RULE
10. REQUEST TO AMEND RECYCLING SERVICES AGREEMENT – ADVANCED DISPOSAL

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 2, 2018**

**AGENDA ITEM 1: ORDINANCE #1564 AMENDING FUTURE LAND USE MAP – SADDLE CREEK**

**AGENDA ITEM 2: ORDINANCE #1565 AMENDING OFFICIAL ZONING MAP – SADDLE CREEK**

       INFORMATION ONLY

  X   ACTION REQUESTED

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**ISSUE:** The City Commission will consider a proposed Small Scale Future Land Use Map Amendment and Zoning Map Amendment.

**ATTACHMENTS:**

- . Ordinance #1564 Amending the Future Land Use Map and Location Map
- . Ordinance #1565 Amending the Official Zoning Map

**ANALYSIS:** The City has received a request for a Small Scale Future Land Use Map Amendment and Zoning Map Amendment for the following properties.

**Saddle Creek Corp. Property**

<b><i>Owner/Petitioner:</i></b>	Robert T. Pericht, Senior Vice President of Saddle Creek Corp.
<b><i>Location:</i></b>	Moss Road W.
<b><i>Current Use:</i></b>	Residential (1.5 acres)
<b><i>Current Polk County Future Land Use:</i></b>	Residential Medium-X (RM-X)
<b><i>Proposed City Future Land Use:</i></b>	Regional Activity Center
<b><i>Proposed City Zoning Classification:</i></b>	Light Industrial (LI)

In 2013 the City approved land use and zoning designations on +/- 220 acres off Moss Road and Old Dixie Highway to accommodate the Saddle Creek Corp. Distribution Center that would be developed in two phases. Phase 1 of the development was completed in October 2015 with the opening of 400,000 sq. ft. of distribution space. Phase 2 is currently underway for the remaining 400,000 sq. ft.

Saddle Creek has recently acquired +/- 1.5 acres of property adjacent to the distribution center for use for additional storm water retention. The property was annexed into the City Limits on May 21, 2018. The requests before the City Commission is to establish the same Future Land Use and Zoning designations on +/- 1.5 acres of property and adjacent right-of-way as applied on the distribution site.

The proposed Ordinance #1564 establishes the Future Land Use designation of **Regional Activity Center** on the 1.5 acres and is consistent with the previously approved land use classification on the adjacent distribution center property.

The proposed Ordinance #1565 establishes the Official Zoning designation of **Light Industrial (LI)** on the 1.5 acres and is consistent with the previously approved zoning classification on the adjacent distribution center and would allow the development of the proposed use.

The proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinances were approved on first reading June 18, 2018 and are being presented for second and final reading.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the Amendments – 06/05/2018 (7-0)

**STAFF RECOMMENDATION:** Approval of the Ordinances.

**City Commission Meeting**  
**July 2, 2018**

**AGENDA ITEM 3:    PUBLIC HEARING – VACATING PUBLIC RIGHT-OF-WAY**

**AGENDA ITEM 4:    RESOLUTION #2018-02 VACATING PUBLIC RIGHT-OF-WAY – RENSSALAER**

       INFORMATION ONLY

  X   ACTION REQUESTED

**ISSUE:** The City Commission will take public comment and consider a request to close and vacate a portion of Renssalaer Avenue.

**ATTACHMENTS:**

- .        Notice of Public Hearing (Ledger and News Chief) - 06/15/2018
- .        Resolution #2018-02 Vacating Right-of-Way and Location Map
- .        Petition to Close Renssalaer Avenue

**ANALYSIS:** The City has received a petition initiated by Michael and Jamie Lang, 371 Renssalaer to close and vacate Renssalaer Avenue lying north of Medora Street. All residents that utilize Renssalaer have signed the petition to close and vacate the right of way.

Polk County transferred ownership of Renssalaer Avenue to the City in January 2005. The road right of way dead-ends at Lake Arietta, where a private easement continues to the north-east for access to residences along the southeast shore of Lake Arietta. The residents that utilize the right of way plan to install a gate just north of Medora Street to control access to the private easement.

The City will reserve an easement upon the right of way in the event of a future public need.

**STAFF RECOMMENDATION:** Staff has no objections to the request.

**City Commission Meeting  
July 2, 2018**

**AGENDA ITEM 5: PUBLIC HEARING – VACATING PUBLIC RIGHTS-OF-WAY**

**AGENDA ITEM 6: RESOLUTION #2018-03 VACATING PUBLIC RIGHTS-OF-WAY–SCHOOL BOARD**

     INFORMATION ONLY

  X   ACTION REQUESTED

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**ISSUE:** The City Commission will take public comment and consider a request to close and vacate several public rights of way.

**ATTACHMENTS:**

- . Notice of Public Hearing (Ledger and News Chief) - 06/15/2018
- . Resolution #2018-03 Vacating Right-of-Way and Location Map
- . Petition to close various Rights of Way

**ANALYSIS:** The City has received a petition signed by Angela Usher, Assistant Superintendent of the Polk County School Board to close various platted rights of way. The rights of way are former roads or alleys that now lie on the campus of Auburndale High School, a few of which lie underneath buildings on campus. The rights of way were created in several historic subdivisions – Patterson & Thomas, Miralago, and Lake View Addition to Auburndale. Over the years, several other rights of way in these subdivision have been vacated by the City. The Resolution vacating the platted rights of way is house-keeping in nature and an easement will be reserved in the event of a future public need.

**STAFF RECOMMENDATION:** Staff has no objections to the request.

**Commission Meeting  
July 2, 2018**

**AGENDA ITEM 7: PUBLIC HEARING – CLOSING PUBLIC RIGHT-OF-WAY**

**AGENDA ITEM 8: RESOLUTION #2018-04 CLOSING PUBLIC RIGHT-OF-WAY – UNION STREET**

     INFORMATION ONLY

  X   ACTION REQUESTED

**ISSUE:** The City Commission will take public comment and consider a request to close a portion of Union Street.

**ATTACHMENTS:**

- . Notice of Public Hearing (Ledger and News Chief) - 06/15/2018
- . Resolution #2018-04 Closing a portion of Union Street and Location Map

**ANALYSIS:** As a result of the road and stormwater improvements to PK Avenue, a stormwater retention pond was required at the intersection of Union Street and PK Avenue. The construction of the retention pond at this intersection requires the closure of the road to through traffic. The City will be maintaining the right of way on this section of Union in order to accommodate the continued public use of the property. The Resolution only closes the road to through traffic. Traffic in this area will be routed through Howard Street to gain access to PK Avenue and the downtown area.

**STAFF RECOMMENDATION:** Approval of Resolution 2018-04 closing a portion of Union Street.

**City Commission Meeting**  
**July 2, 2018**

**AGENDA ITEM 9: RESOLUTION #2018-05 HONORING FIFTY YEARS OF MUNICIPAL HOME RULE**

     INFORMATION ONLY

  X   ACTION REQUESTED

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**ISSUE:** The City Commission will consider a Resolution honoring fifty years of "Municipal Home Rule" in the Florida Constitution.

**ATTACHMENTS:**

Resolution #2018-05 Honoring 50 Years of Municipal Home Rule in the Florida Constitution

**ANALYSIS:** The Florida League of Cities and the Ridge League of Cities have requested their member cities to pass resolutions honoring the fifty-year anniversary of Municipal Home Rule powers being amended into the Florida Constitution.

In 1968, Florida voters placed municipal Home Rule powers into the Florida Constitution as an amendment to Article VIII. Prior to this amendment, municipalities and towns had to seek legislative permission from the state via "local bills" filed with the legislature to consider, adopt, and revise its own local laws. This "Home Rule" authority provides Auburndale, and the other local governments the ability to preserve and enhance characteristics that make each one uniquely special and that maintains its quality of life.

**STAFF RECOMMENDATION:** Staff has no objections to the Resolution.

**City Commission Meeting**  
**July 2, 2018**

**AGENDA ITEM 10:    **REQUEST TO AMEND RECYCLING SERVICES AGREEMENT –  
ADVANCED DISPOSAL****

\_\_\_\_ INFORMATION ONLY

\_\_X\_\_ ACTION REQUESTED

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**ISSUE:** The City Commission will consider a rate increase proposal from Advanced Disposal for recycling services.

**ATTACHMENTS:**

- .     Trash Taxi Recycling Service Agreement – 07/25/2016
- .     Assignment of Trash Taxi Service Agreement to Advanced Disposal – 04/19/2017
- .     Bloomberg Article – 06/20/2018
- .     ICMA Webinar Questions and Answers – 05/23/2018
- .     Issue Brief/National Waste & Recycling Assoc. – 04/2018
- .     Recycling is Broken – Republic Services PowerPoint - 2018

**ANALYSIS:** The City Commission in July 2016 entered into a three-year Service Agreement Contract with Trash Taxi for recycling services. Under the contract, the City would be provided curbside recycling services for a fixed rate of \$2.53 monthly through September 2019. In April 2017, Trash Taxi sold to Advance Disposal constituting an assignment of the contract, to which the City consented. All terms of the Original Contract remain in full force and effect in accordance with its terms following the assignment.

In February 2018, Advance Disposal noticed the City that the contract was operating on a deficit and that an increase of \$2.93 would be needed due to increased disposal and labor costs over the previous 18 months. Advance Disposal is requesting a \$1.47 increase effective October 1, 2018 and an additional \$1.46 effective October 1, 2019.

Ken Dillingham, District Manager and Gary Brown, General Manager from Advance Disposal are scheduled to appear before the City Commission.

Debbie Mullen, Municipal Services Manager and Chris Jones, General Manager from Republic Services are also scheduled to be in attendance.