



City of Auburndale

AUBURNDALE, FLORIDA 33823

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CITY COMMISSION MEETING
May 6, 2019 – 7:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Tim Pospichal

INVOCATION – Charles Harkala, Good Shephard Hospice

PLEDGE OF ALLEGIANCE – Mayor Tim Pospichal

ROLL CALL – City Clerk Shirley Lowrance

APPROVE COMMISSION MINUTES – Regular Meeting – 04/15/2019

ANNOUNCEMENTS – Assistant City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

PROCLAMATION – Municipal Clerks Week – May 5-11, 2019
Mental Illness Awareness Month – May, 2019

AGENDA

1. ORDINANCE #1606 ANNEXING PROPERTY INTO CITY LIMITS – GAPWAY/OLD BERKLEY
2. ORDINANCE #1607 AMENDING POLICE OFFICER'S PENSION PLAN
3. ORDINANCE #1608 AMENDING FIREFIGHTER'S PENSION PLAN
4. ORDINANCE #1609 AMENDING GENERAL EMPLOYEE'S PENSION PLAN
5. CONSIDER REQUEST FOR EXTENSION OF PLANNED DEVELOPMENT – SHARRETT PROPERTY
6. FIRST AMENDMENT TO COMBINED PROJECTS IMPLEMENTATION AGREEMENT – PRWC
7. FINAL PLAT APPROVAL – MAGNOLIA ESTATES SUBDIVISION

Next City Commission Meeting scheduled for Tuesday, May 21, 2019 at 7:00P.M.

Ref. 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 provision 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
May 6, 2019**

AGENDA ITEM 1: ORDINANCE #1606 ANNEXING PROPERTY – GAPWAY/OLD BERKLEY

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider an Ordinance annexing property into the City limits.

ATTACHMENTS:

Proposed Ordinance #1606 Annexing Gapway Grove Property into City Limits and Location Map

ANALYSIS: The City has received a petition for the Gapway Groves Corporation to annex +/- 18.21 of property into the City limits. The property is located on Old Berkley Road just north of Gapway Road. The property is contiguous with existing City limits to the north on property also owned by Gapway Groves. The property is currently vacant pasture land.

Not all of the adjacent property in this parcel is currently being annexed into the City limits. This is to avoid creating an enclave of properties in unincorporated Polk County.

The property currently has a Polk County Land Use designation of *Residential Low-1*. Establishing a City Future Land Use and Zoning classification on the property will be considered at Public Hearings before the Planning Commission and City Commission at later dates. The action currently before the City Commission is only on the annexation of the property into the City.

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 April 16, 2019 and is being presented for second and final reading.

STAFF RECOMMENDATION: Approval of the Ordinance annexing property into the City limits.

**City Commission Meeting
May 6, 2019**

AGENDA ITEM 2: ORDINANCE #1607 AMENDING POLICE OFFICERS PENSION TRUST PLAN

AGENDA ITEM 3: ORDINANCE #1608 AMENDING FIREFIGHTERS PENSION TRUST PLAN

AGENDA ITEM 4: ORDINANCE #1609 AMENDING GENERAL EMPLOYEES PENSION TRUST PLAN

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider an Ordinance amending the Police Officers' Pension Plan, the Firefighters' Pension Plan, and the General Employees' Pension Plan.

ATTACHMENTS:

- . Ordinance #1607 Amending **Police Officers'** Pension Trust Fund Plan
- . Letter from Patrick Donlan, Foster & Foster Actuaries – March 6, 2019
- . Letter of Request from Pension Plan Attorney, Scott Christiansen – April 2, 2019

- . Ordinance #1608 Amending **Firefighters'** Pension Trust Fund Plan
- . Letter from Patrick Donlan, Foster & Foster Actuaries – March 6, 2019
- . Letter of Request from Pension Plan Attorney, Scott Christiansen – April 2, 2019

- . Ordinance #1609 Amending **General Employees'** Pension Trust Fund Plan
- . Letter from Patrick Donlan, Foster & Foster Actuaries – March 6, 2019
- . Letter of Request from Pension Plan Attorney, H. Lee Dehner – January 28, 2019

ANALYSIS: The proposed Ordinances are housekeeping in nature and amends the Police Officers' Pension Trust Fund, the Firefighters' Pension Trust Fund, and the General Employees' Pension Trust Fund to be compliant with recent changes to the Internal Revenue Code (IRC) and its associated Regulations, as well as guidance from the Internal Revenue Service (IRS) and recent litigation.

The actuary of the three plans, Foster & Foster, issued letters indicating that there are no costs associated with the adoption of the proposed Ordinances. The proposed Ordinances were prepared by the Pension Plan Attorney for the three plans, Christiansen & Dehner, P.A., and reviewed by the City Clerk, City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on May 21, 2019.

POLICE PENSION BOARD RECOMMENDATION: Approval of the Ordinance – April 30, 2019

FIRE PENSION BOARD RECOMMENDATION: Approval of the Ordinance – April 30, 2019

GENERAL EMPLOYEES BOARD RECOMMENDATION: Approval of the Ordinance – April 30, 2019

STAFF RECOMMENDATION: Approval of the Ordinances amending the Police Officer's Pension Plan, Firefighters' Pension Plan, and the General Employees' Pension Plan.

**City Commission Meeting
May 6, 2019**

AGENDA ITEM 5: CONSIDER REQUEST FOR EXTENSION OF PLANNED DEVELOPMENT – SHARRETT PROPERTY

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider the extension of an Industrial Planned Unit Development on the Sharrett Property.

ATTACHMENTS:

. Request for Extension from Sharrett Land, LLC.

ANALYSIS: On May 21, 2018 the City Commission gave final approval to a rezoning request on the Sharrett Property located on C. Fred Jones Blvd. from Light Industrial (LI) to Industrial Planned Unit Development (IPUD). As required for all Planned Developments, a binding site plan was provided during the rezoning process. Language on the binding site plan states that if the IPUD expires, the zoning on the property automatically reverts back to a Light Industrial zoning. The IPUD Zoning designation is set to expire on May 21, 2019.

The City's Land Development Regulation 6.1.1.14.1 states that *"Unless otherwise specified **or extended by the City Commission**, development of a PD District shall begin and proceed in good faith within one (1) year of the date of approval."* The City has received a request from the Sharrett Property owner to extend the IPUD for an additional one-year period.

The extension would give the property owner additional time to begin development of the property and certainty to the City Commission and residents as to what the development would look like. Any change in the site plan as previously approved by the City Commission would have to be presented to the Planning Commission and City Commission at advertised Public Hearings.

The only action before the City Commission is on extending the time period of the IPUD.

STAFF RECOMMENDATION: Approve extension of the Industrial Planned Unit Development on the Sharrett Property for an additional one (1) year period.

**City Commission Meeting
May 6, 2019**

AGENDA ITEM 6: FIRST AMENDMENT TO COMBINED PROJECTS IMPLEMENTATION AGREEMENT – POLK REGIONAL WATER COOPERATIVE

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider an Amendment to the Agreement for participation in Phase I of a Polk Regional Water Cooperative project.

ATTACHMENTS:

First Amendment to the Combined Projects Implementation Agreement

ANALYSIS: On March 7, 2016, the City of Auburndale entered into an Interlocal Agreement with Polk County and the other municipalities to establish the Polk Regional Water Cooperative (PRWC) to address the future water supply needs for the County as a “regional entity”. On March 21, 2016, the City Commission appointed Mayor Pospichal as its primary member, and Commissioner Hamann as the alternate member to serve on the PRWC Board. Mayor Pospichal currently serves as the PRWC Chairman.

After a thorough vetting process, the PRWC Board voted to advance five projects as “Nominated Projects”, and further advanced three of the five as “Candidate Projects”. Those three projects include two that are Lower Floridan Aquifer deep well projects (West Polk Deep Wellfield in Lakeland, Southeast Wellfield near Frostproof) and the Peace Creek Integrated Water Supply Project in Winter Haven area. These three projects are estimated to yield 50 million gallons per day (mgd) toward meeting the long-term water supply needs of the region (Polk County). Combined costs for the three Candidate Projects, if all were constructed is estimated at over \$617 million and would take 5 years to complete.

On February 6, 2017, the City entered into a Combined Projects Implementation Agreement for the three projects. The scope of work included in Phase I includes field testing, test wells, site evaluations, yield verification, conceptual and preliminary design including water quality and pressure, total project cost refinement, rate analysis, and which member utility will participate in Phase II (actual construction of one of the projects).

The recent settlement of disputes about withdrawal of water from the Peace River provides the PRWC and its member governments an opportunity to add the Peace River/Land Use Transition Treatment Facility Project as an additional Candidate Project to be implemented in accordance with the Original Agreement. This project was one of the original five “Nominated Projects”.

The Peace River/Land Use Transition Treatment Facility Project would include constructing a surface water intake, treatment facility, storage facilities and transmission lines along the Peace River, and transitioning existing agricultural and mining water withdrawals in the project area to public water supply. It is estimated that approximately 30 mgd of surface water can be withdrawn from the Peace River and 6 mgd of groundwater will be made available as a result of the land use transitions occurring over a 50 year period.

The proposed First Amendment to the Combined Projects Implementation Agreement adds the Peace River/Land Use Transition Treatment Facility Project to the approved "Candidate Projects".

There is no additional funding required for this Amendment.

On April 23, 2019, the Southwest Florida Water Management District approved the addition of the fourth project and reallocated funds related to this specific project.

PRWC RECOMMENDATION: PRWC Board voted to approve the Amendment - January 16, 2019

STAFF RECOMMENDATION: Approval of the First Amendment to the Combined Projects Implementation Agreement.

**City Commission Meeting
May 6, 2019**

AGENDA ITEM 7: FINAL PLAT APPROVAL - MAGNOLIA ESTATES SUBDIVISION

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Commission will consider the Final Plat for the Magnolia Estates Subdivision.

ATTACHMENTS:

Final Plat – Magnolia Estates Subdivision

ANALYSIS: The City has received the final plat for the Magnolia Estates subdivision. The 27-lot subdivision is located on Bolender Road, east of Ariana Woods Circle. The property is zoned Residential Single Family- 2 (RS-2) with lot sizes varying between 10,500 and 11,200 sq. ft.

City staff has reviewed the final plat and inspected the subdivision plans to determine compliance with the City's Land Development Regulations including lot size, setbacks, open space, and sidewalks.

All sidewalks, roads, open spaces and retention areas are being dedicated to and will be maintained by the Homeowners Association. Access to the subdivision will be from Bolender Road, a county-maintained Road. Construction of all infrastructure in the subdivision has been inspected by City Staff and is complete. Final Plat approval allows the developer to sell lots and build homes.

The City Commission approved the Preliminary Plat on November 19, 2018.

STAFF RECOMMENDATION: Approval of the Final Plat.