Minutes of the Regular Meeting of the City Commission of the City of Auburndale held March 16, 2020 at 7:00 p.m. in the Commission Room of City Hall, after having been properly advertised, with the following members present: Mayor Tim Pospichal, Commissioners: Dorothea Taylor Bogert, Keith Cowie, Richard Hamann, and Jack Myers. Also present were: City Manager Robert Green, Finance Director/City Clerk Shirley Lowrance, City Attorney V. Patton Kee via the telephone, and Deputy Police Chief Carin Ketcham.

Mayor Tim Pospichal declared a quorum present and the Meeting was opened with prayer by Will Davis of Legacy Community Church and a salute to the flag.

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Dorothea Taylor Bogert, to approve the Minutes of March 2, 2020, Regular Meeting. Upon vote, all ayes.

City Manager Green requested Agenda Item #6 be added to the Agenda – Resolution Postponing April 6, 2020 Commission Meeting.

**Motion** by Commissioner Jack Myers, seconded by Commissioner Dorothea Taylor Bogert, to add Agenda Item #6 Resolution Postponing the April 6, 2020 Commission Meeting. Upon vote, all ayes.

City Manager Green said Chandra Frederick, Assistant County Manager, was present to accept the proclamation.

Finance Director/City Clerk Shirley Lowrance read the proclamation for Supporting and Raising Awareness of the 2020 US Census.

City Manager Green said everyone should have received notice of the census information. He said he went online over the weekend and it is rather simple to complete. It is most important to get a good count as outlined in the Proclamation related to finances and grants for the municipalities and county.

Assistant County Manager Chandra Frederick thanked the City Commission for the opportunity to come before them as a representative of the County and the Complete Counts Committee. She said they have been traveling throughout the County to encourage people to complete their census information. She said they were available for questions and would be happy to assist in any manner.

City Manager Green said he wanted to announce City Attorney Kee was participating via the telephone. He asked Communication and Information Manager Seth Teston to speak on the City’s new webpage emphasizing updated information on the COVID-19 virus including closings. He said we had a Staff meeting today and listened to the Polk County Emergency Operation Center call, which included Dr. Jackson the Director of the Department of Health in Polk County.

Communication and Information Manager Seth Teston said the webpage could be accessed from the City’s home website. He went over the aspects of the website and said it could be used on a mobile device. He said he hoped it answers a lot of questions and provides people with a fast line for communication and information, as we go through this public crisis. The information was also placed on Facebook.

Fire Chief Brian Bradway recognized Bryn LeRue for five years of service to the City. His previous experience includes some time with Davenport and 12 years with the UK Fire Brigade. He has his Bachelor’s degree from the UK in sports and exercise. He has brought a lot to the table with large area search and rescue. He has some unique techniques he has brought from the UK. He is a pleasure to work with.
City Manager Green presented Parks and Recreation Director Cody McGhee with his five-year longevity plaque. In 2009, the City of Auburndale and Polk County Sports Marketing entered into a sponsor internship for Cody to work for the City. In 2010, he graduated with his Bachelors in Business Administration and a minor in Sports Management from Weber International. During his internship, we were in the process of developing and marketing the Lake Myrtle Sports Complex. He worked four years as a Program Specialist over events for Florida Youth Soccer Association, who moved their headquarters here. He was hired by the City in 2015. He follows in the Parks and Recreation Director footsteps of Marvin Wiley, Cindy Hummel, and Mickey Etherton. He congratulated him on his five years.

Parks and Recreation Director Cody McGhee introduced his wife Kristin and son Parker, age two.

Parks and Recreation Director Cody McGhee presented Mike Stringer with his five-year longevity plaque. Prior to his full-time employment, he worked for the City part-time in concessions at Lake Myrtle. He applied for the Facility Maintenance position and has done a great job there. He said he was a great asset to Parks and Recreation.

Deputy Chief Carin Ketcham presented Lieutenant Andy Moore with his 15 years longevity plaque. She said he has his Bachelor’s degree from the University of South Florida and is currently attending Florida State University for the Certified Public Manager course and will graduate in August. She said he was great trainer and leads our annual high liability training each year. He has been promoted numerous times throughout his career. He was promoted to Lieutenant in 2019 and oversees the Operation Division, which is the Criminal Investigation Unit, Records, Property and Evidence, and the Accreditation. He is married to Jaime and has three boys.

Fire Chief Brian Bradway presented Senior Firefighter Jeremiah Dunaway with his 15-year longevity plaque. He acts as the senior man on the shift and takes all the new hires under his wing. He said he was a pleasure to work with and was always bringing great ideas to the Department. All of our guys are constantly seeking higher education and certification. He listed all his certifications and said he was one who is in the Developing Fire Officer Program in house.

Public Utilities Director John Dickson presented Mike Harrison with his 15-year longevity plaque. He started as a part-time employee while in high school in the Customer Service Division. A couple of years later, there was a full-time opening in the Water Distribution. He worked to constantly pursue his education and transferred to the Regional Wastewater Plant as an Operator. Later he transferred to the Water Treatment Plant and is now the Lead Water Plant Operator. He oversees all the water production in the City.

Vice Mayor Dorothea Taylor Bogert read the Commendation for Utility Distribution Superintendent Norris Jay for his 41 Years of Service to the City. Everyone applauded Norris Jay. All City employees came forward for a picture with Norris Jay.

City Manager Green said there has never been a day or a time that the City asked anything that Norris Jay did not give 100%. He said it was special for us to surround for the picture as you go into retirement and for you to know we are all surrounding you still. We thank you for your 41 Years of Service.

Norris Jay thanked the Commission for the opportunity to serve, live, work, and play in one of God’s best cities. He thanked his family for coming out to support him. He thanked Finance Director/City Clerk Shirley Lowrance and said we have been on this road for a long time. He said we have the best City Manager in the
State; a man who has a love for Auburndale. He said he was proud to have been able to work and to roll along with him through all these years. He said he was going to miss this. He wanted to say a special thanks to Public Works Director John Dickson, who is more like a father, as he takes care of everybody in Utilities. He wears multiple hats and performs multiple tasks. He said he was going to miss him, as he has been there for me. He said he would miss his co-workers. They are the ones that make it happen, as they are the ones that take care of the broken lines, provide the service, and make Auburndale a special place to live, work, and play. He thanked everyone for their support and said he will miss all the people. He introduced his wife Mary, granddaughter Michia, son-in-law Wilbur, and daughter Pricilla.

City Manager Green said Norris retires as the second longest City employee in the City's history.

Norris Jay said he remembers Commissioner Dorothea Taylor Bogert as a small child, as her father "Big John" worked under City Manager Bruce Canova. He said John Taylor was the one that kept the City operating. He said she was carrying on his legacy.

City Manager Green said the Commission Meeting included the Audit presentation. He said the City employees were welcome to leave. He said he appreciated the recognitions of the City employees this evening.

1. ORDINANCE #1634 ANNEXING PROPERTY INTO CITY LIMITS – CONE RD

City Manager Green said the City has received a petition from the Gapway Groves Corporation to annex 76.28 acres of property into the City limits. The property is located east of Cone Rd. at CR-559 and is currently vacant land following the recent removal of the orange groves on the site. The property is contiguous with existing City limits and annexation does not create an enclave. Establishing a 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 March 2, 2020 and is being presented for second and final reading. Staff recommended approval of the Ordinance.

Finance Director/City Clerk Shirley Lowrance read Ordinance No. 1634, which was presented and passed on first reading on March 2, 2020, by title only.

Mayor Tim Pospichal asked for public comment. There was no public comment.

Motion by Commissioner Keith Cowie, seconded by Commissioner Dorothea Taylor Bogert, to approve Ordinance No. 1634, as read by title only on second and final reading. Upon vote, all ayes.

2. AGREEMENT FOR TRANSFER OF PUBLIC ROADS – BAY LAKE RESORT ROAD

City Manager Green said for several years, the City has worked with the Florida Department of Transportation and Polk County on issues related to State Road 559. These matters include the increased number of commercial trucks in our downtown area, safety concerns near the downtown park and increased traffic due to the growth in the North Auburndale area. In January 2020, after years of negotiations and additional road network improvements, the State swapped jurisdictional control of State Road 559 with Polk County. The State then assumed jurisdiction of Berkley Road and C. Fred Jones Boulevard. That portion of State Road
559 being transferred to the County will now be known as County Road 559. Berkley Road and C. Fred Jones Boulevard will keep their common names, but will also have the designation as State Road 559. The proposed Agreements with Polk County will transfer portions of the road network to the City. We went through this as information only at the previous meeting.

The first Agreement for Transfer of Public Roads transfers jurisdiction of Bay Lake Resort Road from the Love’s truck entrance to the Bay Lake Resort not including the ingress/egress portion of the road that intersects with SR-559. He displayed the location on the map.

The second Agreement for Transfers of Public Roads transfers jurisdiction of a portion of CR-559 beginning south of the intersection at Polk City Road and Lake Ariana Blvd. continuing through the downtown area to Recker Hwy. He displayed the location on the map.

The Agreements were prepared by Polk County and reviewed by the City Manager, City Attorney, and Public Works Director. The Polk County Board of County Commissioners will consider the Agreements at their meeting scheduled on Tuesday, March 17, 2020. Staff recommended approval of the Agreements for Transfer of Public Roads.

Mayor Tim Pospichal asked for public comment. There was no public comment.

**Motion** by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Keith Cowie, to approve the Agreement for transfer of public roads – Bay Lake Resort Road. Upon vote, all ayes.

3. AGREEMENT FOR TRANSFER OF PUBLIC ROADS – PORTION OF COUNTY ROAD 559

City Manager Green said this is the Agreement for Transfer of Public Roads that portion of County Road 559 lying south of Polk City Road to Recker Hwy. Staff recommended approval of the Agreement.

Mayor Tim Pospichal asked for public comment. There was no public comment.

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Dorothea Taylor Bogert, to approve the Agreement for transfer of public roads – Portions of CR-559. Upon vote, all ayes.

4. RESOLUTION #2020-01 – REGULATION TRUCK TRAFFIC ON FORMER STATE ROAD 559

City Manager Green said on March 17, 2020, the Polk County Board of County Commissioners is scheduled to adopt three Resolutions regulating truck traffic on the following County-maintained road network:

- No Thru Trucks from Lake Ariana Boulevard at Polk City Road, North to the semi turn-around south of C. Fred Jones Boulevard;
- No Thru Trucks on Gapway Road from State Road 559 (Berkley Road) to County Road 559;
- No Thru Trucks on Dixie Highway from State Road 559 (Berkley Road) to Lake Ariana Boulevard.

He displayed on the map the area where the County would restrict truck traffic. The proposed City Resolution #2020-01 regulates truck traffic on that portion of County Road 559 that was transferred to the City from Lake Ariana Boulevard at Polk City Road, South to US Highway 92. We will be assuming the responsibility all the way to Recker Hwy., but we only restrict the trucks from US Highway 92 north. Notice will also be given the local business community. He said we want to thank the Florida Department of Transportation and the County. The County Resolution and our City Resolution will be presented to FDOT for their assistance with signage on the State system. We will need a sign as the trucks come out of the truck stop and off Interstate 4. There will also need to be signage as you come off US Highway 92. We are pleased as to where things are headed. After the signage is worked out over the next couple of months, that will help eliminate some of the truck traffic that comes through town. Staff recommended approval of the Resolution. He stated there
Finance Director/City Clerk Shirley Lowrance read Resolution No. 2020-01 entitled: **A RESOLUTION OF THE CITY OF AUBURNDALE, FLORIDA REGULATING THE USE OF THAT PORTION OF COUNTY ROAD 559 BEING TRANSFERRED TO THE CITY OF AUBURNDALE TO REGULATE COMMERCIAL TRUCK TRAFFIC FOUND TO BE INCOMPATIBLE WITH THE NORMAL AND SAFE MOVEMENT OF TRAFFIC; SUPPORTING POLK COUNTY RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE**, by title only.

City Manager Green said staff recommended approval of the Resolution.

Mayor Tim Pospichal asked for public comment. There was no public comment.

**Motion** by Commissioner Jack Myers, seconded by Commissioner Richard Hamann, to approve Resolution #2020-01, as read by title only.

Commissioner Jack Myers asked how long the signage might take

Commissioner Dorothea Taylor Bogert asked when the businesses would be notified.

City Manager Green said in about a month or two for the signage. He said there would be personal contact with the businesses toward the end of the week. We did not want to put up some small insignificant signage, without getting DOT's help with the signage.

Commissioner Jack Myers thanked everybody for working on this, as he knew it had been tedious and a long time in coming. He said it was a good thing.

Upon vote, all ayes.

City Manager Green requested Agenda Item #6 be moved ahead of Agenda Item #5.

**6. RESOLUTION POSTPONING THE APRIL 6, 2020 COMMISSION MEETING**

City Manager Green said the safety and welfare of our employees and the public we serve are of top priority to the City of Auburndale. The City continues to take proactive measures and preventative actions to protect visitors and staff as COVID-19 continues to be monitored. The Centers for Disease Control in response to the COVID-19 virus has recommended that organizers cancel or postpone in-person events that consist of 50 people or more throughout the United States for the next eight weeks. The City Charter (Section 12) provides that the City Commission shall hold not less than two (2) regular meetings, unless otherwise fixed by resolution or ordinance. The proposed Resolution postpones the April 6, 2020 Commission Meeting and reschedules all Commission related business to the April 20, 2020 Commission Meeting. This action will allow City Staff to properly notice the change in the local media and City's social media platforms. If necessary, the City most certainly can call a Special Meeting, if the need arises. Staff recommended approval of Resolution #2020-02.

Finance Director/City Clerk Shirley Lowrance read Resolution No. 2020-02 entitled: **RESOLUTION POSTPONING THE FIRST REGULAR CITY COMMISSION MEETING IN APRIL 2020**, by title only.

Mayor Tim Pospichal asked for public comment. There was no public comment.
Motion by Commissioner Richard Hamann, seconded by Commissioner Keith Cowie, to approve Resolution No. 2020-02, as read by title only. Upon vote, all ayes.

5. PRESENTATION OF FISCAL YEAR 2018-2019 AUDIT – MIKE BRYNJULSON

City Manager Green said Mr. Mike Brynjulfson will present the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2019. The City’s Finance Director, Shirley Lowrance has prepared the Management’s Discussion and Analysis (MD&A) section located at the beginning of the Report. This section allows City Staff to provide an objective and easy to read analysis of the City’s financial activities. The Report is also made available on the City’s website at www.auburndalefl.com. The Auditor’s Management Letter located at the end of the Report is where the Auditor reports any findings or concerns. City Staff is very pleased that the Audit identified no significant deficiencies and complies with the requirements of laws, regulations and grants.

Mike Brynjulfson, President of Brynjulfson CPA’s, said he was here to go over the results of the audit for 2019. He said he enjoyed being present for the presentation of the longevity plaques, so he could put a face to the names he has audited. He said he has been auditing the City for 20 years and knew the employees from doing the pension plans. He said he was pleased to hear of the truck traffic being re-routed out of the City Downtown. He said you guys did a good job on the reroute. He said if you read the recent headlines on the School District audit, it reads almost a perfect audit. He said tonight you could write the headline “Got a Perfect Audit”, and you get one every year. He said it was not easy to do, as it is a difficult task. He said they spend about 350 hours on the audit. They look at a lot of information while doing the audit. We have auditor reports and letters: Report on Financial Statements, Report on Internal Control and Compliance, Compliance Report with Section 218.415 Florida Statutes (Investments), the Management Letter, and the Governance Letter is separate. The report provides an unmodified or clean audit opinion, which is the highest level of assurance we can give you on the audit. He said next year there will be another report with the CRA compliance. It will be an examination level audit. He said he was not able to be present when the City received the Award for the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association or GFOA. He said he wanted to provide his opinion on this – it was the top of the top. The GFOA is an organization that sets best practices for local government. He displayed a chart showing the extras steps necessary for the Comprehensive Annual Financial Report, which include the statistical section for 10 years and the introductory section. The City’s award is included in the CAFR on page iii. He went over the Table of Contents for the report. He said he found statistics to be most useful, due to showing trends. He went over the total Fund Balance for the General Fund $8,219,830 million and Unassigned Fund Balance $5,220,703. He said the Unassigned Fund Balance is 22% as a percent of annual expenditures, which is about three months of operating expenditures. He displayed the trend for the City’s Unassigned Fund Balance compared to comparable cities. The GFOA recommended minimum is 15% or essentially 2 months. He said he always recommended 25% was a good total, but the City is near there. The City has its own policy, where the City has to set aside 25% of the next year’s budget. Under the City’s calculation or Policy, the City is at 28% and the required City Policy is 25%. He said he would consider this a positive indicator and the City is in a much better financial position than it was in 2014 and a couple of years prior to that. He said in the past, Commissioner Myers asked about the millage rate compared to reserves. The chart showed the average millage rates of the cities with a higher reserve percentages statewide had a millage rates 30% greater than Auburndale and 40% for the local peers. He said the City has done all this with the third lowest millage rate in the County. He said we do not want to see this indicator increase. The cities are there to have a reserve and do things that governments do. He reviewed the Revenue and Expenses for the General Fund and CRA, which showed 21% need from other funding sources. The City
may go to the bank account or the Enterprise fund for the 21%. The transfer between the two funds does not count as a revenue item. The General Fund does not generate enough money to run itself; therefore the transfer provides the funds. He went over the trended numbers for General Fund Excess/Deficiency of Revenues over Expenditures as a Percent of Revenue chart. He went over the Enterprise Fund Statement of Net Position. The Unrestricted amount was $2,843,058 and increase of 3%. He went over the calculation for unrestricted net assets at 22% or 2.6 months of operating revenue. The chart compared Auburndale to the statewide peers at 75.8% and local peers at 50.4%. He said when the Bond Rating Agencies look at the City they look at these four slides to make their decisions. He went over the Enterprise Fund – Revenues and Expenses or profitability of the fund. In 2019, the Operating Revenue were $12,914,602. Operating Expenses $8,792,535, Operating Income $4,122,067, and Operating Profit Margin 31.9%. The prior year Operating Profit Margin was 32.1%. The local peers were at 28% and the state peers were at 16%. He said the City had a very strong Enterprise Fund. The Enterprise Fund has to do three very important things: run operations, pay principal and interest on debt, and provide for cash flows. He said to answer the question of whether the Enterprise Fund could sustain the transfer to the General Fund – yes it can. He said he misspoke earlier, as the City has the second lowest millage rate. He went over the Polk County Municipal Millage Rates 2014-2019, which showed Bartow as the lowest millage and then Auburndale. He went over the Unrestricted Cash chart, which showed the City was building reserves over the years. He said it showed a strong picture to go from $3.3 million in 2014 to $12.8 million in 2019. He referred to the final page of the CAFR and said there was a new law passed “the Impact Fee Act Amendment”. The new Act requires the Chief Financial Officer of the City to sign an affidavit that the City is in compliance with the Impact Fee Act of the State of Florida and to make it part of the CAFR. He said he wanted to thank the City, as they make it as easy as possible for the audit. He said it is 350 hours of work and they try to get out in the community and do site visits, try to meet with the Department Heads and ask them questions on their transactions. He said he gets good answers here and gets the answers back quickly. He said it was the tone at the top that provides this type of response. He said as we were wrapping up the audit this year, City Manager Green thought to bring the Department Heads in for the exit conference with the auditors. He said he thought this was great. He said he has probably done over 1,000 exit conferences and this is the first time that happened. He said he told City Manager Green he was going to steal that idea and share it with other cities. He asked for questions on the audit.

Commissioner Richard Hamann thanked him for the job he did for the City. He thanked Finance Director Shirley Lowrance and staff and everybody that helps make this a reality.

City Manager Green said staff recommended acceptance of the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2019.

Mayor Tim Pospichal asked for public comment. There was no public comment.

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Dorothea Taylor Bogert, to accept the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2019.

Commissioner Keith Cowie said he wanted to congratulate our Finance Director, City Manager, and all the Department Heads for another outstanding audit. He said it certainly does not happen by accident and a lot of hard work, time, and dedication goes into this and we appreciate it.

Commissioner Jack Myers said he will second that.

Mayor Tim Pospichal thanked Mike Brynjulfson for the concise explanation of the audit. He said it was good
to hear the results.

Upon vote, all ayes.

City Manager Green said to please go back to Agenda Item #4 – Resolution 2020-01 regulating the truck traffic. We thought there may have been an error in the title; however after reading it – it does read as it was prepared. He read the title: **A RESOLUTION OF THE CITY OF AUBURNDALE, FLORIDA REGULATING THE USE OF THAT PORTION OF COUNTY ROAD 559 BEING TRANSFERRED TO THE CITY OF COMMERCIAL TRUCK TRAFFIC FOUND TO BE INCOMPATIBLE WITH THE NORMAL AND SAFE MOVEMENT OF TRAFFIC; SUPPORTING POLK COUNTY RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.** He said the Resolution in the packet and voted on tonight is accurate. He thanked all the Department Directors, Utility Billing, Deputy Finance Director for their work for the City and in the audit.

Finance Director Shirley Lowrance introduced to the Commission again, Deputy Finance Director Jason Pitts. She said he wanted to acknowledge his work on the audit with us and for us this year. He did the statistical part of the audit and has been a great benefit to our Department. We are looking forward to working with him and having him onboard with us and our Department just improving as we go forward. She thanked him for the work.

City Manager Green said Jason comes to us from the Polk County School Board.

City Manager Green asked Jim Thompson to tell about his water issue.

Jim Thompson said he was in the hospital recently for heart surgery. When he got his water bill for that time period, it was outrageous and he called to Utility Billing. The guy named Jerry in the Utility Billing Office said he used the water. He said thanks to Utility Billing Superintendent Pam Card the water charge was taken care of.

City Manager Green said since Utility Billing Superintendent Pam Card was present to hear, we wanted her to know we certainly appreciate her customer service and that of our Utility Billing Department.

Meeting adjourned at 8:27 p.m.

I HEREBY CERTIFY that the foregoing Minutes are true and correct.

Shirley A. Lowrance, Finance Director/City Clerk