

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held August 17, 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, Assistant City Manager Jeff Tillman, and Police Chief Andy Ray.

Mayor Tim Pospichal declared a quorum present and the Meeting was opened with prayer by Minister Forest Antemesaris of Orange Street Church of Christ and a salute to the flag.

Motion by Commissioner Jack Myers, seconded by Commissioner Dorothea Taylor Bogert, to approve the Minutes of the Regular Meeting August 3, 2020. Upon vote, all ayes.

City Manager Green said first announcement, if you would direct your attention to the screen. Our meeting tonight of August 17th. Your next meeting will be Public Hearings on our Budget and on setting the millage rate. Keeping the millage rate where it is at. It will be a special Thursday night meeting next month on the first meeting of the month. Then our second meeting will be on Tuesday, September 15th. We will call to remind you of those, but we have set our Public Hearing dates. He yielded to Community Development Director Amy Palmer for further announcements.

Community Development Director Amy Palmer said I have several announcements this evening. The first is, the City Commission approved the Planned Development for the Lakeside Estates Phase II at its last meeting. Commissioner Dorothea Taylor Bogert you noticed that the service road was missing from the site plan as had been made in the motion that was approved on first reading. Just wanted to bring to everybody's attention that that has been added to the Ordinance adopting the Planned Development for the Lakeside Estates Phase II. The next announcement, I know on my van during City Commission Day and I believe it came up in a couple of other vans, was what is going on next door to Amazon. If you will recall, when the Prologis site plan was approved, there was an 8.5 acre commercial tract. Unfortunately, there is no project there to announce, but they are doing mass grading there. That is all that is taking place. She described aerial photos of the site and the site plan of the outparcel. It is always good to see Prologis just getting that site ready for commercial development. The next announcement, a few months ago the City Commission approved a budget item for refreshing the Historic Building Survey for the City of Auburndale. We applied for that grant. The City Commission approved the match for that grant. Last week, Thursday, the Small Matching Grant panel reviewed all of the applications that come to the State's Division of Historical Resources. Happy to say that we are on the list that is recommended for funding. There were 2.25 million dollars' worth of projects and it seemed like all of the survey projects are at the bottom of that list. We will keep our fingers crossed that the legislature funds all of those projects. We will just have to see. Next announcement and last announcement, at Commission Day it was announced that we will be doing an online presentation and survey for the Lakes District to help move that project forward. That webinar is scheduled now for August 24th, which is next Monday. On our website is a Zoom link. Anybody from the public can click on that link to register for the webinar and receive a calendar invitation with a link for the webinar on the 24th. Just looking forward to getting this project back up and running with the webinar, which will kickoff the survey project and give a recap for the Lakes District and where we have come since last year. That completes my announcements

Acting City Attorney John Murphy said I hope everyone is continuing to stay well and healthy.

Mayor Tim Pospichal asked is there were any additional items to add to the Agenda this evening?

City Manager Green said staff has none.

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

Mayor Tim Pospichal introduced Cam Chancellor, President of the Greater Auburndale Chamber of Commerce.

1. **ORDINANCE #1640 RESTATING GENERAL EMPLOYEE PENSION PLAN**

City Manager Green said the proposed Ordinance #1640 restates the City's General Employee Pension Plan to reflect relevant changes required by the Internal Revenue Code. The adoption of the changes provided in the restatement do not have a financial or fiscal impact on the City's funding of the Plan. The benefits provided in the restatement are the same as in the current plan, including normal, early and late retirement, disability and pre-retirement benefits, vesting eligibility and the employee contribution rate. Other changes are intended to broaden the permissible investment restrictions, provide for a buy-back provision, and make the General Employee plan more similar to the Police and Fire pension plans. The proposed Ordinance would take effect October 1, 2020. Recent changes in the Internal Revenue Code require changes be made to the current plan in regards to allowing retirees to draw a benefit from the plan while continuing employment with the City. Currently, the City requires employees that attain normal retirement age and continue working with the City to defer that pension compensation into the City's ICMA 457 Plan until they terminate employment. Similar to the Police and Fire plans, these employees will now be required to enter into a Deferred Retirement Option Plan (DROP) to avoid an early distribution tax or penalty. While in the DROP, the employee can elect to receive a return on their account equal to the plan's net investment return or a flat 3.0% and the employees will make that choice. Individual meetings with our General Employees' Pension members have been meeting with affected employees to explain the changes. The proposed Ordinance and Restated Plan were prepared by the General Employee Pension Plan Attorney Scott Christiansen, and reviewed by the City Clerk, City Manager and Acting City Attorney. The proposed Ordinance was approved on first reading at your last meeting of August 3, 2020 and is being presented for second and final reading. The General Employees' Pension Board approved the Restated Plan and recommended approval 5-0 at their meeting of July 28, 2020. Staff would recommend approval of Ordinance #1640 and the Restated Pension Plan.

Acting City Attorney John Murphy read Ordinance No. 1640 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE AMENDING AND RESTATING THE RESTATED DEFINED BENEFIT RETIREMENT INCOME PLAN FOR EMPLOYEES OF CITY OF AUBURNDALE, FLORIDA; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE**, by title only.

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

Motion by Commissioner Richard Hamann, and seconded by Commissioner Dorothea Taylor Bogert, to approve Ordinance No. 1640, as read on second and final reading. Upon vote, all ayes.

2. **PUBLIC HEARING – LAND USE & ZONING MAP AMENDMENTS – CONE ROAD**

Mayor Tim Pospichal closed the Regular Commission Meeting and opened the Public Hearing.

City Manager Green said notice is hereby given that the City Commission of the City of Auburndale, Florida, will hold a Public Hearing on Monday, August 17, 2020 at 7:00 p.m., in the City Commission Room, City Hall, to hear and consider the first reading of proposed Ordinances amending Ordinance No. 752 the City Comprehensive Plan and our Future Land Use Map and Ordinance No. 764, the City's Land Development Regulations and our Official Zoning Map. He yielded to Community Development Director Amy Palmer for presentation.

Community Development Director Amy Palmer said as a result of annexation, the City has received a request for a Large-Scale Future Land Use Map Amendment and a Zoning Map Amendment on property owned by Gapway Grove Corporation. The Gapway Grove Corporation property consists of 76.28 acres located

between Cone Road, CR-559 and Lake Mattie. The applicant has requested a Future Land Use of Low Density Residential that would accommodate a single-family residential development. Because the property is located in the Green Swamp and is larger than 10 acres, the City Commission held a Transmittal Public Hearing on May 18, 2020 to send the proposed Future Land Use Map amendment to the State for a full compliance review. The State responded with no objections to the map amendment and two comments. The first comment was that the wetlands on the property be identified on the Future Land Use Map. The second comment was that any references to an outdated Florida Administrative Code 9J-5 be removed from any analysis the City sends to the State. Both comments have been addressed. The map amendment would be adopted with changes from when it was transmitted to the State and includes identification of the wetlands on the Future Land Use Map. The requested Future Land Use of Low Density Residential-GS, which stands for Green Swamp, and Conservation/Wetlands-GS, which is Green Swamp, are consistent with the City's Comprehensive Plan, Joint Planning Agreement with Polk County, and with surrounding development. The requested Zoning of Single Family Residential 1 (RS-1) and Open Use Agricultural (OUA) are also consistent with the requested Future Land Use categories, the City's Comprehensive Plan, Joint Planning Agreement with Polk County, and with surrounding development. The Planning Commission recommended approval of the Future Land Use and Zoning Map Amendments in a 5-0 vote on May 5, 2020. Staff would also recommend approval of the Ordinances. She explained the location and development process of the Cone Road property.

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

Mayor Tim Pospichal closed the Public Hearing and reopened the Regular Commission Meeting.

3. **ORDINANCE #1641 AMENDING FUTURE LAND USE MAP – CONE RD**

City Manager Green said Ordinance No. 1641, as explained by our Community Development Director, changes the Future Land Use from the County Future Land Use to the City Future Land Use and establishes 72.03 acres as Low Density Residential and 4.25 acres as Conservation/Wetlands.

Acting City Attorney John Murphy read Ordinance No. 1641 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING THE FUTURE LAND USE MAP BY RECLASSIFYING A PARCEL OF LAND TOTALING +/- 76.28 ACRES FROM POLK COUNTY FUTURE LAND USE MAP CLASSIFICATION AGRICULTURE/RURAL RESIDENTIAL-X (ARR/X) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION LOW DENSITY RESIDENTIAL-GS (+/- 72.03 ACRES) AND CONSERVATION/WETLANDS-GS (+/- 4.25 ACRES) (General Location: Hwy. 559 and Cone Road),** by title only.

Motion by Commissioner Keith Cowie, and seconded by Commissioner Richard Hamann, to approve Ordinance No. 1641 amending the Future Land Use Map, Cone Road.

Commissioner Dorothea Taylor Bogert said I have a question for Amy. I saw there was a number of things that came back with the transmittal about the traffic. Has that actually gone through the process yet? This basically set the classifications, so I didn't know where they were at in that phase. That would come when they present the Preliminary Plat?

Community Development Director Amy Palmer said yes. As they move forward with developing that property that would at that time be analyzed.

Upon vote, all ayes.

4. **ORDINANCE #1642 AMENDING OFFICIAL ZONING MAP – CONE RD**

City Manager Green said following the establishment of the Future Land Use on a property the City establishing the official Zoning on same property. Ordinance No. 1642 establishes the City's Zoning as Single Family Residential-1, or RS-1 on the 72.03 acres, and Open Use Agriculture on the 4.25 acres.

Acting City Attorney John Murphy read Ordinance No. 1642 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AN AMENDMENT TO THE OFFICIAL ZONING MAP ESTABLISHING A CITY OF AUBURNDALE ZONING MAP CLASSIFICATION OF SINGLE FAMILY RESIDENTIAL-1 (RS-1) (+/- 72.03 ACRES) AND OPEN USE AGRICULTURE (OUA) (+/- 4.25 ACRES) ON A PARCEL OF LAND TOTALING +/- 76.28 ACRES; AND PROVIDING AN EFFECTIVE DATE (General Location: Hwy. 559 and Cone Road),** by title only.

Motion by Commissioner Dorothea Taylor Bogert, and seconded by Commissioner Keith Cowie, to approve Ordinance No. 1642 amending the Official Zoning Map, Cone Road. Upon vote, all ayes.

5. **RESOLUTION #2020-07 APPROVING LOCAL MITIGATION STRATEGY**

City Manager Green said the City of Auburndale has been an active participant in the Polk County Local Mitigation Strategy Committee for several years. The Committee has established a comprehensive, coordinated planning process to eliminate or decrease the City's vulnerability to the human and economic costs of natural disasters such as floods, hurricanes, severe storms/tornadoes, wildfires, drought/heat waves. This process is known as the Local Mitigation Strategy. The Committee has identified and prioritized a number of proposed projects needed to reduce the impacts of future disasters in Polk County, including Auburndale. The City is represented on the Multi-Jurisdictional Committee by John Dickson, our Public Works Director; Steve Lawson, our Sanitation Superintendent, from our Public Works Department; and Scott Finley, our Fire Inspector, from the Fire Department. The proposed Resolution accepts and approves Auburndale's portion of the Updated Polk County Plan. The City also agrees to pursue funding to implement the proposals and to continue support of the Polk County Plan. The proposed Resolution was prepared by the City Manager's Office using a draft provided by Polk County Emergency Management Division. The last update was approved by the City Commission in 2015. Staff would recommend approval of the proposed Resolution.

Acting City Attorney John Murphy read Resolution No. 2020-07 entitled: **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AUBURNDALE, FLORIDA ADOPTING THE 2020 POLK COUNTY MULTI-JURISDICTIONAL LOCAL MITIGATION STRATEGY UPDATE,** 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 Resolution No. 2020-07, as read. Upon vote, all ayes.

6. **UPDATE ON CITY ATTORNEY RECRUITMENT PROCESS**

City Manager Green yielded to the Assistant City Manager Jeff Tillman for presentation.

Assistant City Manager Jeff Tillman said on August 3, 2020, the City Commission approved the timeline and process for filling the vacant City Attorney position. The City Attorney position was advertised in local media, the Florida League of Cities online job board, and with the Florida Bar Association and their online job board. You have been copied to the attached advertisements for the position. It was also posted on the City's website along with the advertisement as well as the Request for Proposals packet. Written proposals are due

on Tuesday, which would be tomorrow, August 18, 2020 at 12:00 p.m. in the City Manager's Office. After the closing of submittals for the position, all proposals will be forwarded to the City Commission for review and consideration. Staff will be putting those packets together immediately following noon tomorrow once that position closes and we will be getting you a copy of each packet. If necessary, and depending on the number of applications received, the City Commission will hold a Special Meeting at 11:00 a.m. on Monday, August 24, 2020 to select candidates for interview. The City Commission has limited the number of candidates to interview at three (3), no more than four (4), individuals, or their firms. On Monday, August 31, 2020 at 6:30 p.m., the City Commission will hold a Special Meeting to set the perimeters on how the Commission would like to conduct interviews. Interviews will begin at 7:00 p.m. Following the interviews, the City Commission may move forward in selecting a candidate for the City Attorney position. If the above timeline is met, the City Commission on Thursday, September 3, 2020 could formally accept the terms of engagement with the next City Attorney. This is information to you to keep you up to date as to where we are in the recruitment of the next City Attorney. Staff stands for any questions.

Mayor Tim Pospichal thanked Assistant City Manager Jeff Tillman for pinch-hitting tonight.

Assistant City Manager Jeff Tillman said yes sir. Thank you.

Meeting adjourned at 7:27 p.m.

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

Jeff Tillman, Assistant City Manager

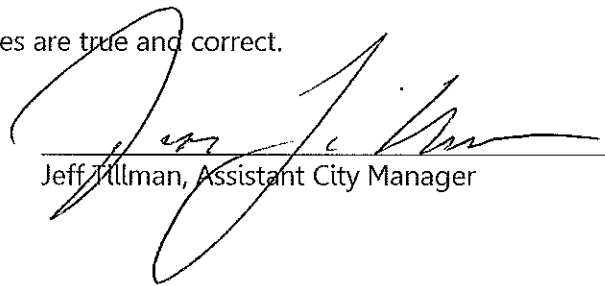
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Assistant City Manager Jeff Tillman said yes sir. Thank you.

Meeting adjourned at 7:27 p.m.

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Jeff Tillman, Assistant City Manager