

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held August 3, 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, and Police Chief Andy Ray.

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

Motion by Commissioner Keith Cowie, seconded by Richard Hamann, to approve the Minutes of the Regular Meeting July 20, 2020. Upon vote, all ayes.

Public Works Director John Dickson gave out two longevity plaques: Emanuel Silva (5 years) and Paul Mathews (25 years). He said Emanuel Silva is a very important part of our Distribution Team and was recently promoted to a Service Worker III. His new primary responsibility is marking and locating our utilities so if there is another contractor working our utilities do not get damaged. Paul Mathews started in Parks and Recreation under Marvin Wiley. After a few years, he transferred to Utilities. We have used him in numerous areas in Utilities. He said if it can happen in utilities Paul has seen it and been part of repairing it.

Fire Chief Brian Bradway presented Lieutenant Robert Barrington with his 15 year longevity plaque. He started with the City in 2003 part-time in the Public Works division, on a street sweeper. He became full-time in 2005 and worked with Public Works from 2005 to 2007. After his Fire/EMT School, he became full-time with the Fire Department. Some of his certifications are: Fire Officer I, Rope Tech, Vehicle Machinery Rescue Operations, Trench Operations, Building Collapse, Confined Space Tech, and Aerial Operator. He is one of the leads on our Honor Guard, is an avid bird watcher, and an okay football player. He is happily married to Casey and they have a 14 months old daughter, Romley. He thanked him for his years of service.

Mayor Tim Pospichal introduced Katelyn Swanbeck. He said she was a rising senior at Florida Southern College, a political science major and an Auburndale resident.

Mayor Tim Pospichal asked for public comment.

Melissa Braverman, 1918 Lake Ariana Blvd., said she was new here and wanted to know if there were any plans or are things already happening regarding the semi-trucks that come through Lake Ariana or 559. They go through residential side streets and she was sure they were not supposed to. She asked if there was anything set to happen for the semi-trucks.

City Manager Green said Public Works Director John Dickson would get her contact information to follow up with her on this. The City and County have been working together for over a year. State swapped ownership of the road and the responsibility for the road. The north side of Lake Ariana Blvd. to Polk City Road and all the way to I-4 is a county jurisdiction. Recently the City took the jurisdiction from just south of that intersection to Recker Hwy. All this was done with the anticipation of moving the trucks off the road, slowing down the speed, and the speed indicators along Lake Ariana Blvd. are on the City side. We are working in front of the Dollar General, on the City side, to put a cross walk there. We do not have to obtain State approval for this. There is a lot of cooperation there. He said Public Works Director Dickson can get her the information and as meetings happen make sure she was aware of it.

Commissioner Jack Myers said it was delayed somewhat because of the intersection improvements and improvements on 559. The reason we had to take it over from the State was because a State highway cannot disallow truck traffic on it. For it to have no trucks going through it, it had to get out of the State control and into the County and the City control. He said the whole process has taken several years.

Michael Wright, 1500 Lake Ariana Blvd., said they recently moved here too. He said he lives right at that

intersection and he was glad she came up, because that actually answered a lot of the concerns he had. He said he would like to get on the list too. He said he has two teenage daughters and understands the City has taken over part of the road and the State part of the road. They live where his daughters will have to walk, bike, or drive to school. He asked if there was any way we could put a cross walk there. He said that intersection is crazy. They sit out there every morning having coffee and people run stop signs. He said you could get run over trying to cross the street right there. They have seen a lot of accidents. He said he knew they live in a RS1 residential zone and did not know what the traffic restrictions are through those zones. He said he would have to do more research through FDOT to see if it is restricted to a certain amount of vehicles.

City Manager Green said it was a State road, so it is wide open. He said the County and City just took a little ownership there. He said Public Works Director John Dickson could get him the information. For a crosswalk to go there, we would have to work with the County. He said if Mr. Wright and the City went to the County there is a better chance of that happening versus going to Tallahassee.

Michael Wright said there was no way they could cross over from sidewalk to sidewalk. He said it would help if you could restrict truck traffic, but there is still going to be traffic.

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

1. ORDINANCE #1638 AMENDING OFFICIAL ZONING MAP – WATSON PROPERTY

Community Development Director Amy Palmer said the City has received a request from Mr. David Watson for a zoning map amendment on 12.17 acres having access off Denton Avenue. The proposed change is from Single Family Residential-2 or RS-2 to Planned Development-Housing 2 (PD-H2). As required by the Land Development Regulations or LDR's for Planned Developments, this request is accompanied by a binding site plan. The request will allow the applicant to construct Phase 2 of Lakeside Estates subdivision consisting of 41 single-family residential lots. The proposed amendment allows for minimum lot sizes of 8,775 sq. ft. and average lot widths of 65 feet. Proposed lot setbacks are 25' front, 7' side and 10' rear. These minimums are consistent with surrounding residential development, as well as within the neighboring subdivision Lakeside Estates Phase I. The proposed Planned Development Housing-2 zoning is consistent with the City's Comprehensive Plan and Land Development Regulations. The main access to the subdivision will be from Denton Avenue, with access also provided through Lakeside Estates Phase I off Lake Ariana Boulevard. At their meeting on July 7, the Planning Commission recommended that the development include a landscape buffer on the west border, which is adjacent to property zoned Neighborhood Commercial, where the Dollar General is located. The Planning Commission also made a recommendation that if the Denton Avenue access for the subdivision will be utilized by the adjacent Neighborhood Commercial zoning district sometime in the future, that the subdivision will contain a gate, which would separate residents accessing the subdivision from the commercial traffic. The Planning Commission recommended approval of the Map Amendment and binding site plan with the changes addressing compatibility with the adjacent commercial property on July 7, 2020, with a vote of 4-0. Staff recommended approval of the Zoning Map Amendment. She went over the Development Roadmap process for the property. The site plan would become similar to a contract with the developer for 41 lots, with the proposed setbacks. She said we are really at the beginning phase for this project where they are requesting zoning. She displayed the location of the property on the map. She displayed where the gate might be placed if there was a mix of traffic for residential and commercial. The binding site plan has changed since it came to the Commission last. They tried to accommodate a separate driveway into the commercial area. Coming off Denton Avenue, a car would have the option of coming south into the subdivision or turning to go into the commercial development. She said this would essentially separate the commercial traffic from the residential traffic and is included in the binding site plan. It would be up for discussion and for conditions just as the Planning Commission had recommended a condition of separating that traffic via a gate. In the last discussion, there was an actual physical separation between the two types of traffic. She said Mr. Gurr was present for presentation and discussion of the binding site plan.

Mike Gurr, 202 Howard Street, said he hoped he had addressed the Commission's issues. He said they worked with the County and they said they were okay with this being a joint driveway, as it was too close to the Dollar General entrance. They agreed to allow this to be a combined access. He showed where the gate would be located and said he set it back far enough that a truck could come in and turn to go to the commercial lot for deliveries.

Commissioner Jack Myers asked if it had enough stacking capacity for two or three cars.

Mike Gurr said yes, he had 86 feet. He said he backed it up far enough for several cars. He said they also put the 15 foot landscape buffer. He said there was enough room for a wall and a buffer.

Acting City Attorney John Murphy read Ordinance No. 1638, which was presented and passed on first reading on July 20, 2020, by title only.

Motion by Commissioner Dorothea Taylor Bogert, and seconded by Commissioner Richard Hamann, to approve Ordinance No. 1638, as read on second and final reading.

Commissioner Dorothea Taylor Bogert said it may be on here, but she was not seeing it. In our last Meeting, we had the discussion that it was to be designated as a service road. She asked if that needed to be on the site plan, as she thought we had approved it and added it based upon the minutes. She asked if that needed to be on the binding site plan, as it does not seem to be added after our discussion. She said we approved it based upon it being designated as a service road.

Community Development Director Amy Palmer said it is not indicated on the site plan, so if that is part of the motion today, it should be indicated on the site plan.

Commissioner Dorothea Taylor Bogert said it was part of the motion last time.

Community Development Director Amy Palmer said it should be indicated on the binding site plan.

City Manager Green said as the Commission approves it and it is part your motion, the binding site plan will be revised to reflect service road. He said we will make it as part of the final document.

Commissioner Keith Cowie said on the service road being designated like that, does that change the permitting for the commercial property. He asked how does that play into the County's decision on the use of that road for commercial traffic versus business traffic. We are designating it a service road, but it may be used for whatever they want.

Community Development Director Amy Palmer said it would have to be used as a service road. She said she did not know if the County had a service road designation that would allow only trucks. We would have to research this.

Mayor Tim Pospichal said we are talking about having a service road exit onto the main entrance of the subdivision. We are talking 65-foot trucks coming down this jog and going down Denton Road, the main entrance into Phase 2. The smallest truck with the 53-foot bed would be 65 feet long. He asked if 85 feet was enough room for that truck for those two jogs without coming into the entrance lane. He asked Mr. Gurr to reply.

Mike Gurr said yes, they have even less at Dollar General. They have a service road for their trucks.

Commissioner Jack Myers said as he recalls the purpose was to separate the commercial from the residential.

Commissioner Keith Cowie said correct and he also does not want it to turn into where the commercial uses that as an entrance and exit.

Mike Gurr said he understood from the discussion before that it was to be a service entrance. He said the trucks will come in the back to unload.

Mayor Tim Pospichal said he fears it might become congested like at Walmart. If you ever got behind a semi-truck at Walmart, it is a problem until enough traffic allows the semi-truck to go around the corner. He was so close to the end of the road and your semi-truck is 80 feet.

Mike Gurr said most deliveries to the Dollar General and places like that are not full semis, they are a lot smaller. He displayed the service entrance for Dollar General.

Commissioner Keith Cowie said they are not sharing the entrance with a residential neighborhood.

Mike Gurr asked if he needed to make the entrance deeper, as there is more room.

Mayor Tim Pospichal said he thought making it a commercial into a residential subdivision was the issue. There was discussion on lot development and road placement.

Commissioner Richard Hamann suggested we make that an entrance only service road and they exit to Berkley.

Commissioner Keith Cowie said his concern was we make this entrance very difficult for the resident coming in and out of there. He said signage is great, but as the Police Department will tell you, not everybody follows those signs.

Commissioner Jack Myers said for all we know, they could put office buildings there and we would not have an access problem. He said we were a long way from any fast food restaurant located there as they need 26,000 cars a day for the count.

Commissioner Keith Cowie said his preference was to not have any road at all, just to make it a residential. If we do not approve this, his understanding is that in the current state there are 38 lots approved. They could build on it today and take the dual driveway plan, as approved to the County.

Mike Gurr County said yes, the County told him they would approve it.

Commissioner Keith Cowie said the only thing we can gain out of approving it is we can designate it as a service road and ask for the gate.

Commissioner Dorothea Taylor Bogert said make it a service road and entrance only to access that back side for commercial.

Commissioner Keith Cowie said he felt if we deny it they would probably go to the County and build the two roads. He said he had a question on the gate. He said Mr. Watson mentioned two weeks ago at the meeting that the folks that are buying this do not want a gate or will not buy it with the gate.

Mike Gurr said he talked with Mr. Watson and showed him the plan and he said he was okay with it.

Commissioner Keith Cowie asked if it would be a coded gate. He said he did not want to just put a metal gate up there that does not have requirements.

Community Development Director Amy Palmer said we will work with the Fire Department to get the correct

gate.

Acting City Attorney John Murphy said he understands this is private road, it could be gated.

Mayor Tim Pospichal said the subdivision would have to maintain the roads and street lighting.

Upon vote, 4 yes and 1 no. Mayor Tim Pospichal voted no.

2. 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 an 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 regard 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 or 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%. Individual meetings have been scheduled with affected employees to explain any change. The proposed Ordinance and Restated Plan were prepared by the General Employee Pension Plan Attorney Scott Christiansen, with the firm of Christiansen and Dehner, and reviewed by the City Clerk, City Manager and Acting City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on August 17, 2020. The General Employees Pension Board recommended approval of the Restated Plan – July 28, 2020 (5-0 with 2 absent). Staff recommended 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 HERE WITH AND PROVIDING AN EFFECTIVE DATE**, by title only.

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

Motion by Commissioner Keith Cowie, and seconded by Commissioner Richard Hamann, to approve Ordinance No. 1640, as read by title only on first reading. Upon vote, all ayes.

3. RESOLUTION #2020-06 AMENDING CHARGES FOR BUILDING/CONSTRUCTION SERVICES

Community Development Director Amy Palmer said City Staff is proposing a Resolution amending Construction Related Fees found in Chapter 10 of the Administration and Procedures Manual. This fee schedule includes all building permitting fees and the building valuation rate, which is the cost per square foot figure used to assess a building permit fee. The City Commission adopted the current building valuation rate in February 2004 utilizing a combination of the International Code Council rate for single-family homes and the City's cost of living adjustment, in place since the previous permit fee increase. Staff is proposing to adopt the International Code Council's August 2020 Square Foot Construction Cost table, which is updated twice annually, in February and August. We are looking to adopt the August rate each year. This

table is utilized by several neighboring jurisdictions to calculate building permit fees and breaks down construction costs based on the type of use, such as a residential versus assembly building, and the type of construction per the Florida Building Code. Rather than using one valuation for all types of buildings, the table provides a more accurate depiction of construction costs. The Resolution shows several other changes that bring the City of Auburndale's building permit fees in line with neighboring jurisdictions, but still below their charges. The Building Permit Fee Multiplier is being reduced from \$5.55 per \$1,000 of building valuation to \$4.00 per \$1,000. The Minimum Permit Fee is being increased from \$30 to \$60. State Statute now allows a contractor to hire their own private inspector and requires the municipality to reduce the building permit fee. The City is proposing a 70% discount, if a contractor chooses to use a private provider for plan review and inspections. If adopted by the City Commission, the fees would go into effect on January 1, 2021, which will help builders in Auburndale budget for any increase they may experience. She displayed what the neighboring jurisdictions charge for permit fees. The Community Development staff helped prepare the comparison and they spent many meetings discussing how to move forward responsibly. The presentation was for a 2,040 square foot. In looking at the March and April building permits, 2,040 was very close to the average square feet. All permit fees are based upon the value of the job. She went over the calculation for the current building permit for Auburndale compared to Winter Haven, Lake Wales, and Polk County. For that size home in Auburndale, we would value the home at \$154,703 and the customer would be charged \$1,476. Values for the same home were: Winter Haven - \$2,498; Lake Wales - \$3,160; and Polk County - \$933. Polk County's building department experience a lot of volume and she thought the building permit fees are held low. The building permit fees fund the Building Department and per State Statutes these fees must be used to fund the Building Department. The new fee scheduled tries to promote more transparency related to the cost of the permit fee. The proposed building permit fees would use the Building Valuation Data, the square foot construction cost as published by International Code Council or ICC updated each August. For a single-family home, that number from the ICC is \$122.46 per square foot. In order to account for the increase over the current fee and not hit builders in the pocketbook and not to inflate our revenues we are reducing the multiplier to \$4 for every \$1,000 of building valuation. The same home with 2,040 square feet would be charged a permit fee of \$1,829 versus \$1,467. It is still below Winter Haven and Lake Wales and Polk County was below us to start with. She displayed the ICC Building data and said when the Building Official was reviewing a set of plans, he would determine the use of the building and then the rate from the ICC chart. We will not be utilizing the entire chart and one or two items on the chart will come up more frequently, such as the R3 Residential I and II Family at \$122.46 per square foot. Also part of the Resolution was changing the minimum permit fee as well as the commercial trade permit fees: mechanical, electrical, plumbing, and gas from \$30 to \$60. The proposal was to use the value of the job times the \$4 multiplier per \$1,000. We are in line with Winter Haven, Lake Wales and Polk County for that fee. The last two fees to be changed are the reinsertion fee from \$20 to \$35 and the discount for the private provider inspector at 70% discount. Other jurisdictions are charging \$35 for reinsertion. She said State Statutes require us to discount the permit fee for private provider inspectors. We would only charge 30% of the permit fee. Staff recommendation was approval of changes in Resolution #2020-06.

Acting Attorney John Murphy read Resolution No. 2020-06 entitled: **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AUBURNDALE PROVIDING FOR AN AMENDMENT TO RESOLUTION NO. 91-20, ADOPTING THE ADMINISTRATION AND PROCEDURES MANUAL TO ASSIST THE IMPLEMENTATION OF CERTAIN PROVISIONS OF ORDINANCE NO. 764, BEING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE 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 Keith Cowie, to approve Resolution No. 2020-06, as read by title only.

Commissioner Dorothea Taylor Bogert asked how we arrived at the 70% discount number.

Community Development Director Amy Palmer said we surveyed other jurisdictions and it was 70% across the board reductions. We also figured the 30% would cover whatever costs we had in staff time.

Upon vote, all ayes.

4. DRAINAGE EASEMENT WITH POLK COUNTY FOR STORMWATER PROJECT – KRISTINA COURT

City Manager Green said the City has received a request for a drainage easement on a parcel of property owned by the City of Auburndale. The property is located adjacent to the Auburndale Trail, and lies north of Braddock Road. The triangle parcel contains 5.88 acres, is undeveloped, and contains the City's Master Lift Station for the Regional Wastewater Treatment Facility. The County and the City have for several years been working on solutions to stormwater drainage issues, in the area of Berkley Road, north of the Lake Myrtle Sports Complex. To relieve flooding and drainage issues on Kristina Court, in unincorporated Polk County, the County has proposed a retention pond be constructed on the City's property just south of the lift station. The City's Public Utilities Department and Chastain Skillman, the City's consulting engineers, have reviewed the plans and see no negative impact on the City's property. The proposed Drainage Easement was prepared by the Polk County Real Estate Services Division and reviewed by the City Manager and Acting City Attorney. He displayed the location of the property and proposed easement for the service pond to help with the drainage, in that area. Staff recommended approval of the Drainage Easement with Polk County.

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

Motion by Commissioner Keith Cowie, and seconded by Commissioner Dorothea Taylor Bogert, to approve the Drainage Easement with Polk County for Stormwater Project – Kristina Court.

Commissioner Keith Cowie asked if the County would be responsible for all maintenance moving forward.

City Manager Green said yes, that was correct.

Upon vote, all ayes.

5. CONSIDER PURCHASE OF 108 PARK STREET LOCATED ADJACENT TO CITY HALL

City Manager Green said as part of the City Hall renovations project, the City has researched several properties to relocate the Building/Construction Services offices currently located downstairs at City Hall. This space would then accommodate a new and more accessible City Commission Room. The property at 108 Park Street E. has become available due to the passing of Attorney V. Patton Kee. City Staff, including the building official, have determined the building to be adequate for their needs and would allow future expansion to accommodate the Planning and Community Development Department. An appraisal was completed in July 2020 suggesting a fair market value of \$140,000 for the property. The appraisal researched five comparable sales during the past year, including three in downtown Auburndale and one that is adjacent to the property at 110 Park Street E. The sales comparison approach supports the suggested final value. The City prepared a Contract for Sale and Purchase to present to the owner, Mrs. Deborah Kee, with an offer of the appraised amount. After consultation with her family, Mrs. Kee signed the Contract. The City Manager also signed the Contract, subject to approval by the City Commission. Funding for the purchase is available from the 2019 Florida League of Cities Bond proceeds, with \$580,000, which was allocated for the City Hall renovation project.

Community Development Director Amy Palmer said the Community Development Department was very excited about this opportunity to move next to City Hall. She said Mr. Kee's office is a great size for the Department, which is a Staff of five. The building lends itself to taking out all the walls and remodeling it to suit our needs. She went over the schematic for the planned remodeling, which included a lobby, counter

space, plenty of work area for the Permit Tech and inspectors for a plan review table, conference room, and break room. She said she was envisioning a lot of glass to give it the feel of openness. We are thinking of an expansion behind the building as a future phase to allow Planning to also move into the Building. This expansion would allow for all of Community Development Department to be together, but that was later on in the future.

City Manager Green said the expansion would be out the back door of the building. Staff recommended approval of the purchase of the property at 108 Park Street E. in the amount of \$140,000.

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

Motion by Commissioner Jack Myers, seconded by Commissioner Dorothea Taylor Bogert, to approve the purchase of 108 Park Street E., in the amount of \$140,000.

Commissioners indicated this was a good move for the City.

Upon vote, all ayes.

6. REQUEST FOR PROPOSALS – CITY ATTORNEY POSITION

City Manager Green said the Commission will consider and approve the process for filling the vacant City Attorney position. He asked Assistant City Manager Jeff Tillman to present this item, as he also oversees all the HR Department and is quite familiar with the advertising and processes.

Assistant City Manager Jeff Tillman said the last time the City requested proposals for the services of a City Attorney was in 1996. Commissioner Richard Hamann and Commissioner Jack Myers were on the Commission at the time City Attorney Kee was selected in 1996. At that time, the City Commission decided to advertise in the local market due to the length of time necessary for a statewide search. He displayed a copy of the 1996 advertisement, which included a timeline for the process and selection of a City Attorney and requested written proposals that included qualifications, experience, and a fee schedule. The timeline for the process covered a one-month period from advertisement to approval of a contract. Using a very similar timeline, if it is the pleasure of the City Commission, Staff proposes the following dates for the process and selection of a City Attorney:

- August 6th – 12th – Advertisement of Request for Proposals in the News Chief/Ledger
- August 18th at 12:00 P.M. – Proposals Due in City Manager's Office
- August 24th at 11:00 A.M. – Special Meeting, if necessary, to Select Candidates for Interview
- August 31st at 6:30 P.M. – Special Meeting for Interviews and Possible Selection. Likely workshop at 6:30 P.M. and interviews at 7:00 P.M. May have the opportunity to select a candidate, if the Commission felt comfortable.
- September 3rd at 7:00 P.M. – Regular Meeting for Selection and Contract Approval

He displayed the August 6, 2020, advertisement and said they have added a request for proposal section. The number of candidates to interview will need to be decided in addition to the timeline. Staff recommends interviewing three, no more than four candidates, depending on the number of proposals received. He said depending on the number of candidates, there could be a Special Meeting on August 24 to narrow down the candidates. If approved, staff will proceed with advertisement and begin accepting proposals for the City Attorney position. Staff recommended approval of the suggested timeline and setting the limit of candidates to interview at three, no more than four candidates. He said the whole process is at the pleasure of the Commission.

Commissioner Keith Cowie said we are advertising in the newspaper. He asked if there were other avenues for advertising to get this out to a broader group of folks.

Assistant City Manager Jeff Tillman said we will put it on our website. Indeed and those type of companies

put job postings up.

Commissioner Dorothea Taylor Bogert asked about associations like the Florida League of Cities.

Assistant City Manager Jeff Tillman said the City Commission in 1996 decide to advertise locally due to the timeframe it would take to advertise at a Florida League of Cities and the like. It was decided to advertise locally rather than extending that timeframe.

Commissioner Jack Myers said with the Interim City Attorney we have now, he did not know if there was a rush. He said he felt maybe the Florida League of Cities and possibly the Florida Bar Association has a publication for advertisements. He said he would be more inclined to throw it out there and find out what those timeframes are for advertising in that.

City Manager Green said it would add a month to the process. It would just depend on how long you want to drag that out.

Commissioner Jack Myers said maybe we could start with the new attorney in new fiscal year.

Commissioner Keith Cowie said he was for getting it advertised as wide as possible to get as many possible candidates. He said he knows what we did in 1996 with the Ledger, but obviously times have changed in 24 years.

City Manager Green said there may be some social media sites through the bar and through the League that can get it out there faster.

Commissioner Jack Myers said he was okay if it takes another month. He said he was with Commissioner Cowie and thought we would be remiss if it did not get it out there.

Commissioner Richard Hamann said you could do it locally and see the responses. If you did not like the responses, you could throw them all out and open the field up wider.

Mayor Tim Pospichal said as you said, we have an Interim Attorney here in place. Why not go locally and if we do not find somebody we like then cast the net farther.

Commissioner Dorothea Taylor Bogert said she thought we could stay within the timeframe, with the immediacy of the internet and social media. We could still cast the net wide enough for those that are in the arena of municipal law would be able to see it. She said she did not know if was required by law to advertise in the Ledger, but how many people actually look at the Ledger.

City Manager Green said the word is out in our local market. We have had several calls, so the word is out in the local market. The advertisement in the Ledger was just the process we were going through.

Commissioner Dorothea Taylor Bogert said she thought we could advertise more than just in the Ledger. She suggested our Facebook and the Florida League of Cities. People are watching things on the computer while in quarantine. She said she felt we could open this up and keep this timeline. Possibly if we do not find someone, we could extend it. If we want to reopen it, we could. She said she thought we would get a great potential selection in this shorter timeframe and have someone in place by October 1. We could do both, broaden our reach for potential candidates and stay in this August timeline.

Commissioner Keith Cowie said he just wanted to cast it out there and get it as many folks who are out there looking to get us more viable candidates. We control the process and if we have to change the timeline, we can.

Motion by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Keith Cowie, to approve the suggested timeline and setting the limit of candidates to interview at three, no more than four candidates, with broadening the advertisement to any avenue we feel beneficial and specifically the Florida League of Cities and Florida Bar. Upon vote, all ayes.

7. CONSIDER COUNTY PROPOSAL TO PIGGYBACK PAVING PROJECT – CLAYTON ROAD AREA

City Manager Green said over the years, the City and County have tried to coordinate resurfacing projects to allow a selected contractor by either party to capture an adjacent area, while the work is being performed in that area. As an example, when the County contractor was resurfacing Keystone Road, the City requested the County to use the same contractor to resurface several of the side roads, under the City's responsibility. The City is currently in the Lena Vista area, and recently completed resurfacing Seville Street, Illinois Avenue, Colonial Drive, and those portions of Deen Boulevard and Ariana Place within the City. The County has requested to use the same contractor to resurface Clayton Road, Herrick Street, James Street, Elmer Street, Herbert Street, Mason Avenue, Bishop Street, and those portions of Deen Boulevard and Ariana Place within the County. We are getting ready to start on utility improvements on Lakedale Drive. We are still in that area with the contractor. The estimate from Hubbard Construction (City's Contractor) to perform the work for the County is \$221,028.44. We have a letter of request from the County agreeing to reimburse the City for all associated costs. Staff recommended approval of the resurfacing estimate and invoicing the County for the associated work.

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

Motion by Commissioner Jack Myers, seconded by Commissioner Dorothea Taylor Bogert, to approve the resurfacing estimate and invoicing the County for the associated work. Upon vote, all ayes.

8. AMENDMENT TO REVISED USA WATERSKI AND WAKE FOUNDATION LEASE AGREEMENT

City Manager Green said the City Commission on July 20, 2020 approved a Revised Agreement between the City and USA Water Ski & Wake Sports Foundation. One of the notable changes was that the term of the Lease was reduced from 50 years to 20 years. Following City Commission action, the City received a request from the Foundation to reinstate the 50 years as provided for in the Original Lease. The Foundation had forgotten an arrangement with the operator of the cable ski lake based upon the 50-year term of the original lease. For clarification, the Revised Lease will be restated to reflect a 50-year term from the effective date of the Original Agreement dated August 15, 2016, or through August 15, 2066. Staff recommended approval of restating the Lease Agreement with the USA Water Ski and Wake Foundation to include the 50-year term, as per the original agreement.

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 restating the Lease Agreement with the USA Water Ski and Wake Foundation to include the 50-year term. Upon vote, all ayes.

9. PRESENTATION OF FY 2021 AND FY 2022 ANNUAL BUDGETS

City Manager Green said we have had a very good productive meeting this evening. A lot of good business to come before the Commission from partnerships with the County, drainage agreements, and a lot of work this evening. He read the City Manager's Letter found within the FY 2020-2021 Budget. Section 23.5 of the Charter of the City of Auburndale authorizes the City Manager to prepare and submit to the City Commission the annual budget and budget message. The Proposed Biennial Budget recommends a total spending level of \$44,990,991 in FY 2020-2021 and \$42,124,427 in FY 2021-2022. He described the Budgetary Funds – General Fund, Community Redevelopment Agency, Public Utilities Fund, General Impact Fee Fund, and

Public Utilities Impact Fee Fund. The City Commission approved 4.2515 as the proposed operating millage rate for the third straight year. This millage rate represents one of the lowest municipal tax levies in Polk County and generates \$5,490,000, an increase of \$260,000 over the current year total ad valorem. The Community Redevelopment Fund proposed budget is balanced at \$3,293,966 with \$1,786,116 as carry over funds from the prior year. The proposed Biennial Budget provides \$1 million in FY 2020-2021 for continued street resurfacing within the CRA District and \$1.15 million in both budgets for development of the Park Street Commercial District. The Public Utilities Funds proposed budget in FY 2020-2021 is \$16,467,425 and does not include the inter-fund transfer to the City's General Fund in the amount of \$3,543,704. The General Fund Impact Fees for FY 2020-2021 are projected to generate \$150,000 in Fire Impact Fees, \$120,000 in Police Impact Fees, and \$100,000 in Recreation Impact Fees. The Public Utilities Impact Fees for FY 2020-2021 are proposed to generate \$400,000 in Water Impact Fees, \$1 million in Sewer Impact Fees, and \$10,000 in Fire Sprinkler Fees. He went over the Five Year Capital Improvement Plan. In the same Ordinance that the City Commission will adopt the Biennial Budget, the Commission will also be adopting a revised Five-Year Capital Improvement Plan. Many of the projects in the City's Five-Year CIP are multi-year programs that begin in one year and continue construction or completion into future fiscal years. All projects in the first two years of the CIP are incorporated into the proposed Biennial Budget. The personnel impacts for FY 2020-2021 recommend a net change of two new full-time Service Workers for the Parks and Recreation Department and one part-time secretary position in the Police Department. These positions bring the full time staffing level to 180 employees. The City Commission gave tentative approval to a 3% cost of living adjustment for all employees. The City Commission was also presented the conclusions of the 2020 Pay Study prepared by Creative Insights and USF Professor John Daly. The proposed budget reflects an increase in the starting salary of our Service Worker II positions from \$27,559 to \$29,458 and additional payroll increases for Pay Grades 4, 5, and 6. In all, 69 employees will benefit from these adjustments. These pre-emptive steps are necessary and were taken to help in the retention and recruitment of our outstanding employees. Total payroll including FICA and miscellaneous certificate and education pay for FY 2020-2021 equals \$9.8 million. Our Health Insurance increase was only 6.5% for the proposed budget for a total of \$1,537,220. This past year, the City added \$1.1 million to the Emergency Reserve Restricted Account. This action increases the fund balance to represent 25% of General Fund operations or three months emergency funding. These dollars can only be expended with City Commission approval. In these uncertain times, it is comforting to know that prudent steps have been taken to help hedge the impact of an unforeseen crisis. City Staff stands ready to respond. He said it was his pleasure to present to the Commission the City of Auburndale spending plan for the next two years. He thanked all the City employees for the outstanding job they do every day. Special thanks to the Department Directors and Division Heads for maintaining and improving the level of service they deliver year after year while holding total expenditures in check with projected revenues. The proposed annual Budget was posted on the City's website. He passed out the proposed budget to the Commission.

Meeting adjourned at 8:42 p.m.

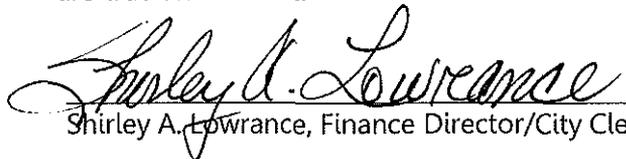
I HEREBY CERTIFY that the foregoing Minutes are true and correct.

Shirley A. Lowrance, Finance Director/City Clerk

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