

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

Mayor Tim Pospichal declared a quorum present and the Meeting was opened with prayer by Pastor John Gullett of St. Alban's Church and a salute to the flag.

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

Fire Chief Brian Bradway invited everyone to their annual End of Year Ceremony on December 4 at the Fire Station. They will have some recognitions for some people and will be socially distanced in the bay area. He presented Lieutenant Matt McCard with his 15-year longevity plaque. He said they have three Lieutenants at the Fire Department that run the shifts. He said Matt has probably responded to over a thousand calls during his career. He spoke about how important training was for the Fire Department and how Lieutenant McCard is a prime example of someone who has taken advantage of the many training opportunities in the Fire Service. He has obtained his AS degree in Fire Science and is pursuing his bachelor's degree. He listed the many certifications and State certifications he has obtained and said he was currently working on the Florida Urban Search & Rescue (FLUSAR) courses and has accomplished a few of these skills also. He said he is highly trained, a great Lieutenant for the Fire Department, and represents the City well.

City Manager Green asked Assistant City Manager Tillman to come forward along with Marsha Johnson. He said Marsha moved to Florida in the year 2000. When she got here something drew her down to our Public Works Department, where she worked for four years as the Administrative Secretary. She was named to the Employee of the year in her second year of employment. She moved to the City Manager's Office in 2005. She has done an amazing job as an ambassador for the City. If someone calls the City Manager's Office and spoke with Marsha, they got the help they needed. He said she represents the best of the City. She is married to Larry and has two adult sons – Chase and Drew. He presented her with her 20-year longevity plaque and thanked her for her dedicated service.

Finance Director City Clerk Shirley Lowrance asked Jennifer Kerr to join her at the podium. She recognized Jennifer for 25 years of service to the City. She said Jennifer is always eager to help and is such an amazing part of the Office. She started as a part-time employee on October 31, 1995 and her first task was to put candy in bags for trick or treat and pass out the candy. She is quite a hard worker, great with the public, and public records. We hired her to work on improving our cemetery records by moving the records from 3 X 5 cards to our software. We have advanced our process thanks to Jennifer and our staff picking the Pontem Software for cemetery records. She does a great job with our document imaging and is a great people person. She said her finance Chris is here tonight with her. She said we appreciate her service to the City and presented her with the longevity plaque.

Police Chief Andy Ray said he has the privilege of presenting Carin Ketcham with her 25-year longevity plaque. He said you can always count on Carin and it is great to have someone in the position who relates well to everyone and knows their strengths and weaknesses. She is a great leader and is trusted by the people who work for us. She is married to Phillip, who is a sergeant with Veterans Administration Police Department. She has two sons, P.J. and Shawn and four grandchildren, Adalynn, Bennett, Ryleigh, and Brycen. She began her career with the Auburndale Police Department on November 6, 1995. He outlined

the many assignments and promotions she had throughout her career. She was promoted to Lieutenant in 2016 assigned as the Law Enforcement Division and in 2017, she was assigned to the Operations Division. She was awarded her bachelor's degree cum laude in Criminal Justice with a minor in Public Administration in 2015, as well as a Master's Degree in Criminal Justice with a concentration in Public Administration in 2018 – both of those from Liberty University in Lynchburg, Virginia. She is a certified Public Manager and graduated from the program through Florida State University. She has been Officer of the Quarter, Officer of the Year twice, and received the Chief's Commendation. She was promoted to Deputy Police Chief on October 5, 2018 and oversees the daily operations of the Police Department. He said he relies on her every day to be as successful as we are. He congratulated her on her 25 years of service. He said also earlier this evening we had a Toys for Tots drive in front of the Finance Office from 4 p.m. to 7 p.m. The Toys for Tots group have already done most of their distribution of toys, but do get toys in late for distribution to those in need. He said there will be a collection box inside the Police Department.

City Manager Green asked each employee to stand who received a longevity plaque. He said this represents 85 years collectively between those employees. He said we appreciate the job they do for the City.

Mayor Tim Pospichal recognized Deputy School Superintended John Hill, Lisa Miller – District 7 School Board Member, Alex Cam, President of the Greater Auburndale Chamber.

City Manager Green asked that agenda Item #8 be added to the Agenda - Interlocal Agreement with Polk County – Resurfacing Various Streets.

**Motion** by Commissioner Jack Myers, seconded by Commissioner Dorothea Taylor Bogert, to add Agenda Item #8 to the Agenda. Upon vote, all ayes.

Mayor Tim Pospichal asked for public comment.

Melissa Braverman, 1918 Lake Ariana Blvd, said she spoke before the Commission a few months ago. She thanked the City and Public Works John Dickson for the signs around the lake regarding the semi- truck traffic. She said she sees less and less semi-trucks going through the side streets. She inquired about volunteer opportunities the City may have for new people who are moving into the community. She said she did see the Toys for Tots posting on the City's website. She suggested posting volunteer opportunities on the City's website for the new people. She requested additional trash cans on the Lake Myrtle trail near the Dog Park.

Suggestions for volunteer opportunities were suggested: Impact Ministries for Thanksgiving Dinners, the Greater Auburndale Chamber of Commerce posts information for various organizations, Rotary Club, Lions Club, Toys for Tots, and the Food Pantry at the St Alban's Episcopal Church.

City Manager Green said we will follow up on the suggestion of the trash can. He said the point was well taken as far as getting the information out for new residents on volunteer opportunities.

Vice Mayor Dorothea Taylor Bogert read the Commendation for Octavia May, Polk County Public School Principal of the Year.

Octavia May said she honors God first, as he is her savior. She recognized her husband Derek May, Deputy School Superintendent John Hill, and School Board Member Lisa Hill for supporting her here tonight. She said it would be robbery to not say family and supervisors is why she is here today. She said she is so blessed

to have such a wonderful husband and their six children, all of them adults. She said they are empty nesters and their last child graduated in May pre-med. She said she appreciates the support of the District Staff. She thanked the Commission for the Commendation.

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

## **1. ORDINANCE #1647 ANNEXING PROPERTIES INTO CITY LIMITS – BARFIELD AND STERLING PROPERTIES**

City Manager Green said the City has received petitions from Roger Barfield, 3650 Havendale Boulevard to annex an acre of property and from William Sterling, 3630 Havendale Boulevard to annex 0.48 acres into the City limits. The properties are located on Havendale Blvd, east of Lake Blue Drive NW and are contiguous with the Feliciano property, which was annexed into the City limits in May 2020. The properties are adjacent to each other and the annexation does not create an enclave. The Barfield property currently operates as an RV repair center and the Sterling property, former eye clinic, which is currently vacant. Establishing a Future Land Use and Zoning classification on the properties 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 properties into the City. The 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 November 2, 2020 and is being presented for second and final reading. Staff recommended approval of the Ordinance.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1647, which was presented and passed on first reading on November 2, 2020, by title only.

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

**Motion** by Commissioner Richard Hamann, seconded by Commissioner Dorothea Taylor Bogert, to approve Ordinance No. 1647, as read on second reading, by title only. Upon vote, all ayes.

## **2. PUBLIC HEARING – OFFICIAL ZONING MAP AMENDMENT – MFG US PROPERTY**

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

City Manager Green said the Public Hearing was to consider an ordinance amending Ordinance No. 764, the City's Land Development Regulations, which also contains our official zoning map.

Community Development Director Amy Palmer said the City has received a request for a Zoning Map amendment on property located on William Van Fleet Road and CR 559. The property is owned by MFG US LLC and is being represented by Econ South, LLC. The current Future Land Use is Neighborhood Activity Center and the current City zoning is Commercial Highway. The request is to rezone it from Commercial Highway to Planned Development Commercial. It is currently a vacant and about 1.5 acres. Econ South LLC on behalf of MFG US LLC, has requested a Zoning Map amendment on 1.5 acres from Commercial Highway (CH) to Planned Development-Commercial 2 (PD-C2) on property located at the corner of William Van Fleet Road and CR 559. This property is adjacent to a larger parcel previously approved by the City Commission for development of a shopping center. The owner desires to build a gas station/convenience store on the property. However, the City's Commercial Highway (CH) Zoning classification restricts gas stations/convenience stores to properties with frontage on Magnolia Avenue (Highway 92), Berkley Road

(SR 559), and Havendale Boulevard. The proposed Zoning classification of Planned Development-Commercial 2 would allow the gas station/convenience store as a permitted use, while also meeting the same Commercial Highway Zoning regulations, as well as regulations in the North Auburndale Overlay District. As required by the Land Development Regulations for Planned Developments, this request is accompanied by a binding site plan. The proposed zoning classification is consistent with the Future Land Use and Zoning on surrounding properties. The amendment is also consistent with the City's Comprehensive Plan, Land Development Regulations and Joint Planning Area with Polk County. She displayed the location map and zoning map for the property. She displayed the commercial plat that was previously approved by the City Commission and location of the gas station on the larger parcel.

Commissioner Jack Myers asked if the other out parcel would be in the same position. He asked if it was the same land owner.

Community Development Director Amy Palmer said no, it was not the same land owner. The Commercial Highway zoning district allows for gas stations but only, if there is frontage on Magnolia Avenue, Berkley Road, or Havendale Blvd. She said this was a site-specific request for the rezoning there. The entire property has Commercial Highway zoning. She went over the steps for the property to be rezoned. She displayed the binding site plan. The applicant has been in conversation with Polk County regarding the traffic signal. Access to the gas station will be from the internal driveways to the shopping center. There is four gas islands and a proposed car wash. The site plan does meet all the requirements of the Land Development Regulations and the new Overlay District. The Planning Commission recommended approval of the rezoning in a five to zero vote on November 3. Staff recommended approval. She said Sarah Case with Econ South was present, if she would like to make a presentation.

Sarah Case, 6700 S. Florida Ave, Lakeland, said she was here back before you with this wonderful project we are so excited about. We were here in January and February on the larger shopping center and then we discovered even though it has Commercial Highway zoning, the City does not allow gas stations in this area. So that is why we are here before you with the PD. We are now allowed to disclose that it is a Publix shopping center and we are well underway with engineering plans. We are proposing a national chain convenience store gas station to serve the neighborhood activity needs. She said we have the binding site plan. She said she would be happy to answer any questions and would appreciate a vote of approval to move forward with this request.

Mayor Tim Pospichal asked for public comment.

Joseph Rodriguez, 3210 Great Heron Loop, Polk City FL, said he has been a resident of Polk County for five years. He said he lived 38 years in Palm Beach County and worked as a real estate appraiser. He said he was a special master for the taxation board. He said his degree was in Economics from the University of Wisconsin dealing with Urban Land Economics. He said he looks at Polk City itself where there are three convenient stores, with one vacant. He said there was not enough demand for a third one. As you come down Van Fleet Road and Hwy 559, you have two Truck Stops, a Luvs Truck Stop and Shell Station Truck Stop. He said he did not see a need for another gas station and the increase in traffic and danger. He said it is going to be a dangerous intersection. He asked if there was a feasibility study to see if there was a need. He said he has not seen any sign that there was going to be a change in zoning and he drives past the property over the weekend. He said he is questioning all of that. He said we come down to need and with President Biden coming in there is no need for gas stations - the way the economy is going and everything else. He said his question is was a feasibility study done and was there information given out to residents of the community. He said he happened to find out, as on Friday night, he went onto the City's website to look at the

Commission Meeting agenda saw there was going to be a discussion on the changing of zoning. He said he would like to see it not passed. He said he does live in Auburndale even though mailing address is Polk City. He said he felt like an orphan living in Bay Lake, as the Police do not even know we exist. He said his garbage cans say Auburndale.

Bill Jones, 2794 Snow Egret Dr., out in the Bay Lake area, said his concern was 559. We have already had one fatality at C. Fred Jones and 559. He said he was trying to come up with words to be gracious. He said the last thing he wanted to see is another gas station that sells lotto tickets, beer, and cigarettes. He said he has those at the two truck stops near where he lives. He said if he goes down the road toward Walmart, he sees gas stations and the degradation of gas stations. He said the gas stations are all rather shambly. He said he moved here from Dallas about five or six years ago to improve his life style and thought he had. He said the people around here are great. He said he was concerned with the trash behind the truck stop and trucks parking on the street. He said he did not feel that he was being served by the City properly. He said he would like to see a doctor's offices and he knew there is a Publix coming in. He said the last thing we need is another place that sells beer, lotto tickets, cigarettes, or quick sandwiches. He said he wants Auburndale to grow not become a beer stop and that is what it seems to be. He said you can go to any four corners there are gas stations and they are all selling beer. He said this was his concern.

Sarah Case said thanked them for their comments and said she would like to have the opportunity to respond. She said as we know this not Polk City not going to be a truck stop. The reputation of the anchor store and the lease agreement with the out parcels are very strict. She said this will never be a run-down convenience store, as long as that anchor store is there. She said she represents Watkins and all their developments have very strict term leases. She said she was giving her word on their word that this is not the type of establishment they would have. They have a lot of control over their outparcels.

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 #1648 AMENDING THE OFFICIAL ZONING MAP – MFG US PROPERTY**

City Manager Green said as Community Development Director Amy Palmer explained, as growth happened and our City limits went up to the interstate there was a code in our Code of Ordinances that provided for gas stations and convenience stores and restricted them to the CH zoning along Magnolia Ave, Hwy. 92, and Havendale Blvd. It did not capture the CH zoning that was applied years later after the Code in the North Auburndale Area. If it had a CH zoning, it would have been allowed and not be coming before the Commission. We could go two routes a text amendment to allow gas stations in Auburndale along Magnolia Avenue, Hwy. 92, Havendale Blvd., and County Road 559 or the binding site plan. To advance the project and at the request of the petitioner, the binding site and applying the Planned Development zoning does basically the same thing, as if it was CH and allowed on County Road 559. This comes with a five to zero vote from the Planning Commission.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1648 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 ZONING MAP BY REZONING A PARCEL OF LAND TOTALING +/- 1.49 ACRES FROM COMMERCIAL HIGHWAY TO PLANNED DEVELOPMENT COMMERCIAL-2 (PD-C2); AND PROVIDING AN EFFECTIVE DATE** (General Location: William Van Fleet Road and CR 559), by title only.

**Motion** by Commissioner Richard Hamann, seconded by Commissioner Dorothea Taylor Bogert, to approve Ordinance No. 1648, as read on first reading by title only.

Commissioner Keith Cowie asked how the anchor store, Publix, had control over this out parcel. He asked if they were owners of that also. He asked how they control that.

Sarah Case said no they are not owners. They have control over any out parcel on any project they go into for a certain term. She said the owner of the out parcel is sign onto the restrictions.

Commissioner Dorothea Taylor Bogert asked if we do this as PD for that particular spot, it does not open up all of Hwy 559, as opposed to doing a text amendment. She asked if this was strictly for this one particular parcel.

City Manager Green said in discussion with the Community Development Director, that was their thought. Instead of opening the door on all of County Road 559, let us proceed as a PD and have them come before the Commission each time.

Commissioner Dorothea Taylor Bogert asked for clarification from the Planning Commission meeting regarding the Overlay. She said with that being a Gateway coming into the City, the landscaping requirements would probably be more than along Magnolia, Havendale, or Berkley.

Community Development Director Amy Palmer said correct, the Overlay District would provide for more landscaping, landscape buffer, as well as architectural standards. They buildings, the gas tank islands, and everything would have to comply with the Overlay District regulations.

Upon vote, all ayes.

#### **4. PUBLIC HEARING – OFFICIAL ZONING MAP AMENDMENT – OTTER POND PROPERTY**

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

City Manager Green said Public Hearing was to consider an Ordinance that amends Ordinance No. 764, the City's Land Development Regulations and Official Zoning Map.

Community Development Director Amy Palmer said the City has received a request for a zoning map amendment to rezone property known as the Otter Pond property. The Petitioner is JSK Consulting on behalf of Gapway Groves Corp. The location is with frontage on Bolender Rd. & Keystone Rd. The current Future Land Use is Low Density Residential and the current Zoning classification is Open Use Agricultural (OUA). The proposed zoning classification is Single Family Residential-2 (RS-2) on 11.2 acres. The property is currently vacant. In 2004, the City annexed 95.34 acres of property belonging to the Gapway Groves Corporation. The property was given a City Future Land Use of Low Density Residential and a zoning classification of Open Use Agricultural (OUA). The City has received a request from JSK Consulting, on behalf of Gapway Groves Corp, to rezone 11.2 acres of the larger parcel to Single Family Residential-2 to accommodate a future 28-lot residential subdivision. The Otter Pond property is located east of the recently developed Magnolia Estates subdivision and has frontage on Bolender Road and Keystone Road. The proposed Single Family Residential-2 zoning district is compatible with the existing underlying land use of Low Density Residential and the existing zoning classifications of surrounding properties, including the

adjacent Magnolia Estates subdivision. Single Family Residential-2 allows 70-foot wide lots with a minimum lot size of 9,500 square feet. The requested Zoning Map amendment is consistent with the City's Comprehensive Plan, Land Development Regulations, and adjacent County land uses. The Planning Commission recommended approval of the Zoning Map Amendment in a five to zero vote on November 3, 2020. Staff recommended approval. She displayed the location map for the property. The engineer has stated that if this were rezoned to RS-2, which Magnolia Estates is, it would be a mirror image of the new subdivision. She went over the steps for the Rezoning of the property. Staff recommended approval of the Zoning Map amendment.

City Manager Green said at this stage, we have not been presented site plan or preliminary plat so the question of the number of lots or the access is not known. The petition is only on the zoning of the property from the OUA to RS-2.

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.

## **5. ORDINANCE #1649 AMENDING THE OFFICIAL ZONING MAP – OTTER POND PROPERTY**

City Manager Green said staff recommended approval.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1649 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 ZONING MAP BY RECLASSIFYING AN AUBURNDALE ZONING MAP CLASSIFICATION ON ONE PARCEL OF LAND TOTALING +/- 11.2 ACRES FROM CITY OF AUBURNDALE ZONING CLASSIFICATION OPEN USE AGRICULTURAL (OUA) TO SINGLE FAMILY RESIDENTIAL-2 (RS-2); AND PROVIDING AN EFFECTIVE DATE** (General Location: Bolender and Keystone Road), by title only.

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Dorothea Taylor Bogert to approve Ordinance No. 1649, as read on first reading, by title only.

Commissioner Jack Myers asked the side setbacks for this this zoning.

Community Development Director Amy Palmer said side setbacks in RS-2 are 10 foot.

Commissioner Dorothea Taylor Bogert asked about access and if there would be an exception for park space, as provided for Magnolia Estates as they did not have space. She asked if it would come back to the Commission for the preliminary plat.

City Manager Green said we do not know about access yet.

Community Development Director Amy Palmer said yes it would come back to the Commission for the preliminary plat.

Upon vote, all ayes.

**6. ORDINANCE #1650 AMENDING FISCAL YEAR 2019-2020 ANNUAL BUDGET**

City Manager Green said In accordance with Florida Statutes, adopted auditing practices and on the recommendation of the City's Auditor, the City needs to amend by Ordinance the FY 2019-2020 Annual Budget to properly appropriate for revenue and expenditures that may exceed budgeted amounts. As provided by Ordinance No. 1026, the level of budgetary control for the City's Annual Budget is at the Fund Level. We have five funds we operate under. Events occur during each fiscal year, which were not anticipated at the time of budget approval. The proposed Ordinance amends the FY 2019-2020 Budget to reflect the collection of unanticipated revenue and appropriation for unanticipated expenditures.

Finance Director/City Clerk Shirley Lowrance went over the proposed budget amendment numbers for each fund. The initial budget was \$53,549,088 and we are amending the revenues and expenses based upon collections. She said the attachment for the Ordinance outlines the various line-items being amended. She said it has been a very good year for the City on some of the collections and different allocations.

**CITY OF AUBURNDALE  
SUMMARY BY FUND BUDGET AMENDMENT FY 2019-2020**

SUMMARY OF FUNDS	CURRENT BUDGET	CHANGE +/-	AMENDED BUDGET
General Fund (001)	\$31,488,988	\$2,024,700	\$33,513,688
Gen. Fund Impact Fee (110)	\$245,500	\$1,630,200	\$1,875,700
Comm. Redev. Agency (151)	\$1,391,600	\$114,200	\$1,505,800
Water & Sewer Fund (430)	\$19,012,600	\$2,775,106	\$21,787,706
W & S Impact Fee (440)	\$1,410,400	\$2,888,800	\$4,299,200
<b>TOTAL BUDGET</b>	<b>\$53,549,088</b>	<b>\$9,433,006</b>	<b>\$62,982,094</b>

City Manager Green said we close our fiscal year at the end of September and then review our revenue and expenses. In a perfect world, we would collect 100% of the revenue and spent 100% of the expenses. At the end of September, we will have collected 96.4% of our revenues and only expended 88.9% of the planned expenses. He said this provides for surplus in the fiscal year. Staff recommended approval of the Ordinance amending the Budget.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1650 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE AMENDING ORDINANCE NO. 1618 AMENDING APPROPRIATIONS OF FUNDS FOR THE FISCAL YEAR 2019-2020 BUDGET**, by title only.

Mayor Tim Poshical asked for citizen comment. There was no citizen comment.

**Motion** by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Keith Cowie to approve Ordinance No. 1650, as read on first reading, by title only. Upon vote, all ayes.

**7. RESOLUTION #2020-08 FL DEPARTMENT OF TRANSPORTATION MAINTENANCE AGREEMENT**

City Manager Green said the City and FDOT first entered into an Agreement in 1993 where the City is compensated for maintenance services performed on State roads within the City. These services include mowing, edging, sweeping, and litter removal on SR 544 (Havendale Blvd.) and US Highway 92. Previous

agreements did include SR 559 (Main St.), which has now been brought into the jurisdiction of the City. However, after the swap of SR 559 with the County for Berkley Road, the FDOT has requested the proposed replacement Agreement to not include SR 559 (Berkley Rd) at this time. The agreement has subsequently been renewed with the last revision in 2014. The current Agreement expired in September 2019. The proposed three-year Agreement provides annual compensation of \$24,986.62 in each of the next three years. This amount is reduced from \$40,809 due to the deletion of SR 559. This revenue amount was provided in the proposed FY 2021 and FY 2022 Budgets. The proposed Resolution authorizes the City Manager to execute the current Agreement and subsequent replacement agreements, as we have done in the past. Staff recommendation was to approve the Resolution.

City Attorney Frederick J. Murphy Jr. read Resolution No. 2020-08 entitled: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY AN AGREEMENT BETWEEN THE CITY OF AUBURNDALE AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF CERTAIN STATE ROADS**, by title only.

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

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Richard Hamann, to approve Resolution No. 2020-08, as read by title only. Upon vote, all ayes.

#### **8. INTERLOCAL AGREEMENT WITH POLK COUNTY – RESURFACING VARIOUS STREETS**

City Manager Green said on August 3, 2020, the City Commission approved a resurfacing estimate and invoicing the County for associated work. 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. As the City was recently completing the resurfacing of Seville Street, Illinois Avenue, Colonial Drive, and those portions of Deen Boulevard and Ariana Place within the City, the County 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. The amount paid to Hubbard Construction (City's Contractor) to perform the work for the County is \$221,028.44. The County agreed to reimburse the City for all associated costs. The proposed Interlocal Agreement formalizes the arraignment and allows the City to receive reimbursement for the project from the County. Staff recommended approval of the Interlocal Agreement.

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

**Motion** by Commissioner Dorothea Taylor Bogert, seconded by Commissioner Keith Cowie to approve the Interlocal Agreement with Polk County – Resurfacing Various Streets. Upon vote, all ayes.

Meeting adjourned at 8:13 p.m.

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

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Shirley A. Lowrance, Finance Director/City Clerk

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

**Motion** by Commissioner Keith Cowie, seconded by Commissioner Richard Hamann, to approve Resolution No. 2020-08, as read by title only. Upon vote, all ayes.

#### **8. INTERLOCAL AGREEMENT WITH POLK COUNTY – RESURFACING VARIOUS STREETS**

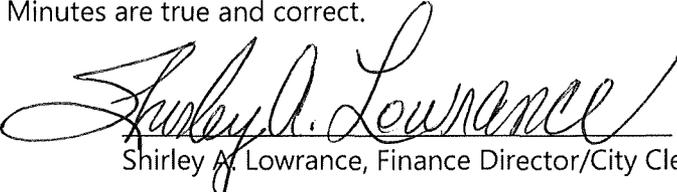
City Manager Green said on August 3, 2020, the City Commission approved a resurfacing estimate and invoicing the County for associated work. Over the years, the City and County have tried to coordinate resurfacing projects to allow a selected contractor by either party to capture an adjacent area while the work is being performed. As the City was recently completing the resurfacing of Seville Street, Illinois Avenue, Colonial Drive, and those portions of Deen Boulevard and Ariana Place within the City, the County 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. The amount paid to Hubbard Construction (City's Contractor) to perform the work for the County is \$221,028.44. The County agreed to reimburse the City for all associated costs. The proposed Interlocal Agreement formalizes the arraignment and allows the City to receive reimbursement for the project from the County. Staff recommended approval of the Interlocal Agreement.

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