



**MULBERRY CITY COMMISSION MEETING**

**REGULAR MEETING**

**January 21, 2020 6:00 PM**

**Mulberry City Hall**

**AGENDA**

- 1. CALL TO ORDER**
- 2. INVOCATION FOLLOWED BY PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF MINUTES OF THE REGULAR MEETING ON JANUARY 7, 2020 AND SPECIAL MEETING ON JANUARY 13, 2020.**
- 5. FINANCE REPORT**
- 6. PW & UTILITIES REPORT**
- 7. NEW BUSINESS**
  - I. ORD-2020-01 - AN ORDINANCE RELATING TO MUNICIPAL FINANCE; CREATING CHAPTER 2, ARTICLE IV, DIVISION 5 OF THE CODE OF ORDINANCES OF THE CITY OF MULBERRY, FLORIDA TO BE ENTITLED "INVESTMENTS"; CREATING SECTION 2.73.51 OF THE CODE OF ORDINANCES OF THE CITY OF MULBERRY, FLORIDA; AUTHORIZING THE CITY COMMISSION TO INVEST SURPLUS MUNICIPAL MONIES AS PERMITTED BY GENERAL STATE LAW; REPEALING ANY AND ALL PRIOR WRITTEN INVESTMENT PLANS ADOPTED BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE, SECOND AND FINAL READING**
  - II. ORD-2020-02- AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF MULBERRY, FLORIDA, SO AS TO INCLUDE THEREIN ADDITIONAL TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE**



PRESENT BOUNDARIES OF THE CITY OF MULBERRY, FLORIDA;  
DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL  
ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE (GENERAL  
LOCATION: THE TERRITORY LIES EASTERLY OF THE CSX CORPORATION  
RAILROAD LINE, SOUTH OF LAKE POINT DRIVE AND NORTH OF 10TH  
DRIVE NW AND THE HAYNSWORTH HEIGHTS SUBDIVISION AND IS  
LOCATED IN THE VICINITY OF 1014 NORTH CHURCH AVENUE,  
MULBERRY, FLORIDA; THE AREA COVERED BY THIS REQUEST CONSISTS  
OF APPROXIMATELY 0.23 ± ACRES), FIRST READING.

- III. RESOLUTION NO. RES-2020-01 A RESOLUTION OF THE CITY  
COMMISSION OF THE CITY OF MULBERRY, FLORIDA RELATING TO  
MUNICIPAL FINANCE; AUTHORIZING THE CITY OF MULBERRY TO  
PARTICIPATE IN THE LOCAL GOVERNMENT SURPLUS FUNDS TRUST  
FUND ("FLORIDA PRIME"); DESIGNATING THE CITY MANAGER AND  
DIRECTOR OF FINANCE TO BE AUTHORIZED REPRESENTATIVES OF THE  
CITY OF MULBERRY; REPEALING CONFLICTING RESOLUTIONS;  
PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
- IV. COMMISSION TO APPOINT THE GEM THEATER SELECTION COMMITTEE  
AND RATIFY RESULTS

8. UNFINISHED BUSINESS

- i. Civic Center Rental Procedure

9. COMMUNICATIONS FROM CITIZENS:

Public comments/communications from citizens are limited to 5 (five) minutes. Anyone wishing to address the Commission should sign in upon entering at the beginning of the meeting. When you are called to speak, please go to the podium and state your name and address for the record prior to addressing the Commission.



**\*CITY COMMISSION COMMENTS:**

**\*CITY MANAGER COMMENTS:**

**\*CITY ATTORNEY COMMENTS:**

**\*CITY CLERK COMMENTS:**

**\* ADJOURNMENT:**

*Each of the meetings/events scheduled may constitute a public meeting at which two or more City Commissioners may attend*



## MULBERRY CITY COMMISSION MEETING

REGULAR MEETING  
January 7, 2020 6:00 PM  
Mulberry City Hall

### MINUTES

#### 1. CALL TO ORDER

Mayor Hatch called the meeting to order at 6:00 p.m.

#### 2. INVOCATION FOLLOWED BY PLEDGE OF ALLEGIANCE

Louis Holstein, City Programs Director, led the invocation followed by the Pledge of Allegiance.

#### 3. ROLL CALL

Present: Commissioners McAteer, McClintock and Smith, Mayor Hatch, Finance Director John Wasmund, City Attorney Crawford, City Manager Johnson and City Clerk Lauther  
Department Head present: John Wasmund, Finance Director, Louis Holstein, Programs Director, Ron Borchers, Planning Director, John Wright, Public Works Director, Cheri Schisler, Library Director, Chelsea Young, Cultural Center/Museum Director

#### 4. APPROVAL OF MINUTES OF THE REGULAR MEETING ON DECEMBER 17, 2019

Commissioner Smith made the motion to accept the minutes as distributed, seconded by Commissioner McClintock. Mayor Hatch asked all in favor of the motion say aye. All voted yes. Motion carried unanimously.

#### 5. MOSAIC CHECK PRESENTATION

Item moved – Mosaic Representatives were not present.

#### 6. DEPARTMENT DIRECTORS REPORT

Cheri Schisler, Library Director, gave a report on the attendance and various current and upcoming events for the Library.

Louis Holstein, Programs Director, gave a report on the City's Christmas events in December and the upcoming events for the City.

Chelsea Young, Cultural Center/Museum Director report was heard later.



**7. COMMUNITY REPORTS**

Diana Simmons, Mulberry Chamber of Commerce, gave an update on the upcoming Chamber events and announced the businesses that are up for Businesses of the Year.

Julie Taylor, Concerned Citizens of Mulberry & Surrounding Areas, Inc. thanked everyone for the City's Christmas events. Ms. Taylor reminded everyone about the Evelyn Bryant Festival.

At this time, Department Directors Reports was continued, Chelsea Young, Cultural Center/Museum reminded everyone of the exhibit opening this Thursday.

**8. NEW BUSINESS**

- i. **ORD-2020-01 - AN ORDINANCE RELATING TO MUNICIPAL FINANCE; CREATING CHAPTER 2, ARTICLE IV, DIVISION 5 OF THE CODE OF ORDINANCES OF THE CITY OF MULBERRY, FLORIDA TO BE ENTITLED "INVESTMENTS"; CREATING SECTION 2.73.51 OF THE CODE OF ORDINANCES OF THE CITY OF MULBERRY, FLORIDA; AUTHORIZING THE CITY COMMISSION TO INVEST SURPLUS MUNICIPAL MONIES AS PERMITTED BY GENERAL STATE LAW; REPEALING ANY AND ALL PRIOR WRITTEN INVESTMENT PLANS ADOPTED BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE, FIRST READING**

City Attorney Crawford read Ord-2020-01 in brief. City Attorney Crawford gave a brief explanation of this Ordinance. Commissioner McClintock made a motion to accept Ord-2020-01, seconded by Commissioner Smith. City Attorney Crawford gave a brief explanation of this Ordinance. A brief discussion followed. Mayor Hatch opened it up to the Public. No one came forward. Mayor Hatch asked all in favor of the motion say aye. All voted yes. Motion carried unanimously.

- ii. **SPECIAL MEETING DISCUSSION REGARDING GEM THEATER BID**

City Manager Johnson stated this meeting would be to open the bids for the Gem Theater RFQ's. City Manager Johnson stated the selection



committee will be made up of Ben Hylton with A-C-T Engineering, City Clerk Lauther, the City Manager and one elected official. Commissioner McClintock stated she would be available to be on this committee.

**9. UNFINISHED BUSINESS**

None

**10. COMMUNICATIONS FROM CITIZENS:**

Public comments/communications from citizens are limited to 5 (five) minutes. Anyone wishing to address the Commission should sign in upon entering at the beginning of the meeting. When you are called to speak, please go to the podium and state your name and address for the record prior to addressing the Commission.

Clyde Flowers, 421 Montego Bay Drive, stated he is here to talk about the trash along SR 37. City Manager Johnson stated he would check into hiring someone to clean up this roadway. Lieutenant Rhodes stated she will get with the Sheriff's Department Inmate Release Program to get them to come once a month to pick up the roadway.

William DelaSantos, Cigar Shop, 109 West Badcock Boulevard, stated he is here to follow up on a request to sell beer and wine in his establishment. Ron Borchers, Planning & Development Director, stated staff is meeting Thursday to discuss planning issues regarding this request.

**\*CITY COMMISSION COMMENTS:**

**Commissioner Smith** had several citizens ask him regarding the new liquor store at the Sunoco Station and the Church being located near the store. Ron Borchers, Planning & Development Director, stated that the City's ordinance pertains to consumption on site not the purchase of liquor. Commissioner Smith thanked the City for all the events in December.

**Commissioner McClintock** stated she had a calm Holiday season. Commissioner McClintock congratulated Ms. Taylor for being the Parade Marshall for the City.

**Commissioner McAteer** stated it was a great Holiday season.

**Mayor Hatch** stated he is excited about the new building at Mulberry High School, the upcoming Evelyn Bryant Festival and Founder's Day event. Mayor Hatch reminded everyone of the upcoming election for the three Commissioner's seats. Mayor Hatch stated he has had several people call him regarding the cost of the Civic Center rental. A brief discussion followed.



**\*CITY MANAGER COMMENTS:**

**City Manager Johnson** thanked Julie Taylor for the card. City Manager Johnson stated he is looking forward to the Evelyn Bryant Festival. City Manager Johnson gave an update on the Library Expansion, the new location of the Pigapalooza (formerly Fine Swine) and street paving on NW 2nd. City Manager Johnson announced that Cheri Schisler, the City's Library Director, has submitted her letter of resignation and will be leaving the City.

**\*CITY ATTORNEY COMMENTS:**

**City Attorney Crawford** hoped everyone has a Happy New Year.

**\*CITY CLERK COMMENTS:**

**City Clerk Lauther** stated she had attended an election meeting today and one of the items that has changed is where the Canvassing Board meets. Usually the Canvassing Board meets at the election office but now they are offering for the City to do it home based. The Commissioner's and Mayor stated they are interested in the home-based meeting for the Canvassing Board.

Mayor Hatch stated the whole Commission hates to see Cheri Schisler go, but wishes her well.

**\* ADJOURNMENT:** Meeting was adjourned at 7:14 PM

**Approved:** \_\_\_\_\_  
**Honorable Mayor George H. Hatch**

**Attest:** \_\_\_\_\_  
**Sharon Lauther, City Clerk CMC**

*Each of the meetings/events scheduled may constitute a public meeting at which two or more City Commissioners may attend*



**MULBERRY CITY COMMISSION MEETING**

**SPECIAL MEETING**

**January 13, 2020 3:30 PM**

**Mulberry City Hall**

**MINUTES**

**1. CALL TO ORDER**

Mayor Hatch called the meeting to order at 3:30 PM.

**2. INVOCATION FOLLOWED BY PLEDGE OF ALLEGIANCE**

Mayor Hatch led the invocation followed by the Pledge of Allegiance

**3. ROLL CALL**

Present: Commissioners McAteer, McClintock, Smith, Mayor Hatch, City Manager Johnson and City Clerk Lauther.

Attorney Crawford entered at 3:35 PM

**4. NEW BUSINESS**

**I. RFQ-2019-04-GEM – DESIGN BUILD SERVICES - GEM THEATRE RENOVATION**

Ben Hylton from A-C-T Environmental gave an overview of the timeline process.

Discussion took place.

City Clerk opened the RFQ's received.

Henkelman Construction

Specialized Construction Services

Rodda Construction, Inc.

All State Construction, Inc.

A Committee is formed to review the proposals received and a recommendation will be made to the Commission.

**\* ADJOURNMENT:** Meeting adjourned at 3:45 PM.

Approved: \_\_\_\_\_

Honorable Mayor George H. Hatch

Attest: \_\_\_\_\_

Sharon Lauther, City Clerk CMC



**ORDINANCE NO. ORD-2020-01**

**AN ORDINANCE RELATING TO MUNICIPAL FINANCE; CREATING CHAPTER 2, ARTICLE IV, DIVISION 5 OF THE CODE OF ORDINANCES OF THE CITY OF MULBERRY, FLORIDA TO BE ENTITLED "INVESTMENTS"; CREATING SECTION 2.73.51 OF THE CODE OF ORDINANCES OF THE CITY OF MULBERRY, FLORIDA; AUTHORIZING THE CITY COMMISSION TO INVEST SURPLUS MUNICIPAL MONIES AS PERMITTED BY GENERAL STATE LAW; REPEALING ANY AND ALL PRIOR WRITTEN INVESTMENT PLANS ADOPTED BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Florida law permits a Florida local government to invest surplus public funds either: (a) as provided for in and consistent with a written investment plan adopted by the local government's governing body in accordance with Sections 218.415(1) through 218.415(16), Florida Statutes (2019); or, alternatively, (b) in a set of securities and funds identified in Section 218.415(17), Florida Statutes (2019); and

**WHEREAS**, Florida law permits a Florida local government to invest surplus public funds in financial deposit instruments that meet the requirements of Section 215.415(23), Florida Statutes (2019); and

**WHEREAS**, certified public accounts conducting audits of units of local governments under Section 218.39, Florida Statutes (2019) must report, as part of the audit, whether the unit of local government has complied with Florida's general laws governing investment of surplus funds; and

**WHEREAS**, the City Commission of the City of Mulberry desires to adopt the alternative investment guidelines in Section 218.415(17), Florida Statutes (2019) as the same may be amended from time to time, as the local law framework for investment of surplus City funds in securities and funds; and

**WHEREAS**, the City Commission of the City of Mulberry desires to adopt the financial deposit instrument requirements in Section 218.415(23), Florida Statutes (2019), as the same may be amended from time to time, as an additional means for investment of surplus City funds in qualified public depositories; and

**WHEREAS**, the City Commission desires to repeal any prior written investment plan adopted by the City Commission of the City of Mulberry or enforced by any administrative officer of the City of Mulberry; **NOW, THEREFORE:**

Be it enacted by the city commission of the City of Mulberry, Florida:

**Section 1. Intent and Findings.**

It is the intent of this Ordinance to adopt the alternative investment guidelines for surplus public monies in F.S. § 218.415(17) (2019) as the general investment policy for the city. It is further the intent of this Ordinance to permit the Director of Finance, after consultation with the City Manager, to invest surplus public monies of the city in any security, fund or depository that is identified by the Florida Legislature for use by Florida local governments who do not adopt a special separate written investment policy. To this extent, the recitals to this Ordinance are found to be true by the City Commission, are incorporated herein by reference and are made a part hereof.

**Section 2. Creation of Chapter 2, Article IV, Division 5, Section 2-73.51 of the Code of Ordinances.**

Chapter 2, Article IV, Division 5, Section 2-73.51 of the *Code of Ordinances of the City of Mulberry, Florida* is created to read (additions are underlined and deletions are ~~stricken through~~):

**Chapter 2 - ADMINISTRATION**

...

**ARTICLE IV. - FINANCE**

...

**DIVISION 5. - INVESTMENTS**

**Sec. 2-73.51. - Investment of surplus city monies in securities or funds.**

(a) Public monies of the city in excess of the amounts needed to meet current expenses may, in the discretion of the Director of Finance after consultation with the City Manager, be invested or reinvested in:

- (1) the Local Government Surplus Funds Trust Fund, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act of 1969, as provided in F.S. §163.01;
- (2) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency;
- (3) interest-bearing time deposits or savings accounts in qualified public depositories, as defined in F.S. § 280.02;
- (4) direct obligations of the United States Treasury;

- (5) authorized financial deposit instruments insured by the Federal Deposit Insurance Corporation and held for the account of the city as permitted by F.S. § 218.415(23); or
- (6) any other securities or funds permitted under the statutory alternative investment guidelines for local governments without a written investment policy as amended from time to time by the Florida Legislature.
- (b) Securities purchased with surplus city monies shall provide sufficient liquidity to pay obligations as they come due. The highest investment priority for surplus city funds shall be the safety of principal and liquidity of funds. Optimization of investment returns shall be secondary to safety and liquidity.
- (c) Every security purchased shall be properly earmarked and:
  - (1) if registered with the issuer or its agents, must be immediately placed for safekeeping in a location that protects the city's interest in the security;
  - (2) if in book entry form, must be held for the credit of the city by a depository chartered by the Federal Government, by the State of Florida, or any other state or territory of the United States which has a branch or principal place of business in Florida as defined in F.S. § 658.12, or by a national association organized and existing under the laws of the United States which is authorized to accept and execute trusts and which is doing business in Florida , and must be kept by the depository in an account separate and apart from the assets of the financial institution; or
  - (3) if physically issued to the holder but not registered with the issuer or its agents, must be immediately placed for safekeeping in a secured vault.
- (d) The city may also receive bank trust receipts in return for investment of surplus monies in securities. Any trust receipts received must enumerate the various securities held, together with the specific number of each security held. The actual securities on which the trust receipts are issued may be held by any bank depository chartered by the Federal Government, by the State of Florida, or any other state or territory of the United States which has a branch or principal place of business in Florida as defined in F.S. § 658.12, or by a national association organized and existing under the laws of the United States which is authorized to accept and execute trusts and which is doing business in Florida.

**Section 3. Repeal of Prior Written Investment Plans.**

All written investment plans adopted by the City Commission of the City of Mulberry or enforced by the administrative staff of the City of Mulberry prior to the adoption of this ordinance, if any such investment plans exist, are repealed.

**Section 4. Conflicts.**

All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

**Section 5. Severability.**

If any section or portion of a section of this Ordinance proves to be invalid, unlawful or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Ordinance.

**Section 6. Codification; Administrative Correction of Scrivener’s Errors.**

It is the intent of the City Commission that the provisions of Section 2 of this Ordinance shall be codified and become and be made a part of the *Code of Ordinances of the City of Mulberry*. Section 2 of this Ordinance may be renumbered or relettered to accomplish such intention and the word “Ordinance”, or similar words, may be changed to “Section,” “Article”, or other appropriate word. The implementing sections of this Ordinance, Sections 1, 3, 4, 5, 6 and 7 shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance. Regardless of whether such inclusion in such codes is accomplished, sections of this ordinance may be renumbered or relettered and the correction of typographical or scrivener’s errors which do not affect the intent may be authorized by the City Manager or his or her designee, without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

**Section 7. Effective Date.**

This Ordinance shall become effective immediately upon its passage and adoption

**INTRODUCED** on First Reading this \_\_\_\_\_ day of January, 2020.

**PASSED AND ENACTED** on Second Reading, with a quorum present and voting, by the City Commission of the City of Mulberry, Florida this \_\_\_\_\_ day of January, 2020.

**CITY OF MULBERRY, FLORIDA**

Attest:

\_\_\_\_\_  
Mayor George H. Hatch

\_\_\_\_\_  
Sharon Lauther, City Clerk

Approved as to form:

\_\_\_\_\_  
Frederick J. Murphy, Jr. City Attorney

**ORDINANCE NO. ORD-2020-02**

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF MULBERRY, FLORIDA, SO AS TO INCLUDE THEREIN ADDITIONAL TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE PRESENT BOUNDARIES OF THE CITY OF MULBERRY, FLORIDA; DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE (GENERAL LOCATION: THE TERRITORY LIES EASTERLY OF THE CSX CORPORATION RAILROAD LINE, SOUTH OF LAKE POINT DRIVE AND NORTH OF 10TH DRIVE NW AND THE HAYNSWORTH HEIGHTS SUBDIVISION AND IS LOCATED IN THE VICINITY OF 1014 NORTH CHURCH AVENUE, MULBERRY, FLORIDA; THE AREA COVERED BY THIS REQUEST CONSISTS OF APPROXIMATELY 0.23 ± ACRES)**

**WHEREAS**, a voluntary petition to integrate territory into the City of Mulberry, Florida, has been filed by the Mayor of the City of Mulberry, Florida, a Florida municipal corporation, on behalf of the City and its citizens requesting the City of Mulberry extend its corporate limits to include certain property described herein; and

**WHEREAS**, the City of Mulberry deems it expedient and practical to incorporate said territory as the same is in conformity with overall plans for extending the boundaries of the City of Mulberry; and

**WHEREAS**, the property to be integrated is contiguous and adjacent to the corporate limits of the City of Mulberry, and the property will become a part of the unified corporate area with respect to municipal services and benefits; and

**WHEREAS**, pursuant to the voluntary annexation provision of the *Municipal Annexation or Contraction Act*, Part I, Chapter 171, Florida Statutes, the City Commission of the City of Mulberry, Florida finds that the petition bears the signatures of all owners of property in the area proposed to be annexed and further finds that all publication and notification requirements of §§ 171.044(2) and 171.044(6), Florida Statutes (2019) have been met; NOW THEREFORE,

Be it enacted by the city commission of the City of Mulberry, Florida:

*Ordinance No. ORD-2020-02*

**Section 1.** A petition has been filed to integrate territory into the City of Mulberry, Florida, as attached herein as Exhibit "A".

**Section 2.** The City Commission of the City of Mulberry does hereby annex into the corporate limits of the City of Mulberry, Florida, the following described property:

See Composite Exhibit "B" attached hereto and made a part hereof consisting of three (3) pages, the first being a legal description, the second being a title page and the third a description sketch.

**Section 3.** All ordinances in conflict herewith are hereby repealed.

**Section 4.** This ordinance shall take effect immediately after second reading.

**INTRODUCED** on First Reading this 21st day of January, 2020.

**PASSED AND ENACTED** on Second Reading, with a quorum present and voting, by the City Commission of the City of Mulberry, Florida this        day of February, 2020.

**CITY OF MULBERRY, FLORIDA**

\_\_\_\_\_  
Mayor George H. Hatch

Attest:

\_\_\_\_\_  
Sharon Lauther, City Clerk

Approved as to form:

\_\_\_\_\_  
Frederick J. Murphy, Jr. City Attorney

**EXHIBIT "A"**  
**ORDINANCE NO. ORD-2020-02**  
**PETITION FOR ANNEXATION**



# City of Mulberry

\*104 S. Church Ave \* PO Box 707 \* Mulberry, Florida 33860 \*(863) 425-1125

## Petition for Annexation

### Applicant

The following information is required for submission of an application to annex into the City limits of Mulberry, Florida. **Please print or type the required information below. Attach three copies of the current survey of subject property certified to the City of Mulberry along with an aerial photograph and location map**

Name of Property Owner: City of Mulberry

Mailing Address: P.O. Box 707 Phone: (863) 425-1125

Name of Representative, if applicable: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Reason for Request: Part of larger parcel within the City

### Property Identification

Property Address or General Location: 1014 Church Ave. N.

Present Use of the Property: Vacant

Existing Structures Located on the Site: Ø

Total Acreage: ± 0.25 acres Number of Residents on Site: Ø

Assessed Property Value: \_\_\_\_\_ Taxable Value: \_\_\_\_\_

Legal Description of the Property: See attached

Section: Ø2 Township: 30 Range: 23

Subdivision: \_\_\_\_\_

Parcel I.D.#: \_\_\_\_\_

### Planning and Zoning Information

Present County Future Land Use Designation: Industrial

Requested City Zoning Classification: Planned Development

Requested City Future Land Use Designation: \_\_\_\_\_

**Note:** Unless specific land use and zoning designations are requested, the City will assign designations which most closely conform with the actual use of the property or with designations of surrounding properties. An application fee will be assessed only on requests for land use and zoning changes which result in an increase in land use or zoning intensity over that allowed under the County designations. (You will need to fill out separate applications for land use/zoning requests.)

Date Received: \_\_\_\_\_

Received By: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

File Number: \_\_\_\_\_



**OWNER'S SIGNATURE PAGE**

(I) (We), \_\_\_\_\_ being duly sworn, depose and say that (I) (we) own one or more of the properties involved in this petition and that (I) (we) authorize the City of Mulberry to process this petition for annexation into the City, in accordance with all adopted City rules and regulations, and in conformance with State law.

Further (I) (we) or any agent or lessee of the subject property authorized by (me) (us) to file this petition, deposes and say that the statements and answers contained in the application for annexation, and any information attached thereto, present the arguments in behalf of this petition to the best of (my) (our) ability; and that the statements and information referred to above are in all respects true and correct to the best of (my) (our) knowledge and belief.

**OWNERS**

George H. Hatch  
Signature of Owner  
GEORGE H. HATCH  
Printed Name of Owner

\_\_\_\_\_  
Signature of Owner  
\_\_\_\_\_  
Printed Name of Owner

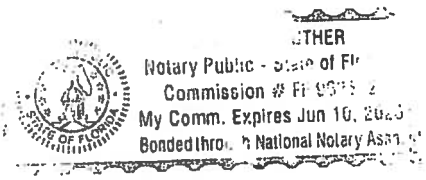
\_\_\_\_\_  
Signature of Owner  
\_\_\_\_\_  
Printed Name of Owner

\_\_\_\_\_  
Signature of Owner  
\_\_\_\_\_  
Printed Name of Owner

STATE OF FLORIDA  
COUNTY OF POLK

**OWNER'S NOTARIZATION**

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of January, 2020, by George H. Hatch, who is personally known to me or who has produced a driver's license as identification and who did not take an oath.





Sharon Lauther  
Notary Public  
Notarial Seal and Commission  
Expiration Date

LEGAL DESCRIPTION FOR ANNEXATION PURPOSES ONLY  
CREATED FROM INSTRUMENTS OF RECORD

THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 30 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, LYING EAST OF THE CSX CORPORATION RAILROAD RIGHT-OF-WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT RAILROAD MILEPOST Y-865 AS REFERENCED IN THAT CERTAIN AGREEMENT TO TERMINATE EASEMENT FOR RAILROAD SECTION HOUSES, AS RECORDED IN OFFICIAL RECORD BOOK 6962, PAGE 1600 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE PROCEED SOUTHEASTERLY ALONG THE CENTERLINE OF THE MAIN TRACK A DISTANCE OF 2,943 FEET; THENCE PROCEED AT A RIGHT ANGLE TO SAID CENTERLINE, NORTHEASTERLY, A DISTANCE OF 50 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE MAIN TRACK AND THE POINT OF BEGINNING. THENCE CONTINUE AT A RIGHT ANGLE TO SAID CENTERLINE, NORTHEASTERLY, A DISTANCE OF 50 FEET; THENCE PROCEED SOUTHEASTERLY AND PARALLEL TO SAID CENTERLINE, A DISTANCE OF 200 FEET; THENCE PROCEED AT A RIGHT ANGLE TO SAID CENTERLINE, SOUTHWESTERLY, A DISTANCE OF 50 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE MAIN TRACK; THENCE PROCEED NORTHWESTERLY ALONG AND COINCIDENT WITH SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING; SAID LANDS CONTAINING 0.23 ACRES, MORE OR LESS.

 <p>RAYL ENGINEERING &amp; SURVEYING, LLC 735 EAST MAIN STREET BARTOW, FL 33830 OFFICE: (813) 537-7901 CELL: (813) 857-6921 EMAIL: alan@rayleng.com</p> <p>FL EB REG# 28820    © 2020    FL LB REG# 7770</p>	PREPARED FOR: <b>CITY OF MULBERRY</b> 104 SOUTH CHURCH AVENUE MULBERRY, FL 33860	JOB NO. 20-103	 <p>NORTH</p>
	PROJECT NAME: <b>1014 NORTH CHURCH AVENUE</b>	DATE: JAN, 2020	
	SHEET TITLE: <b>LEGAL DESCRIPTION</b>	DRAWN BY: VR	

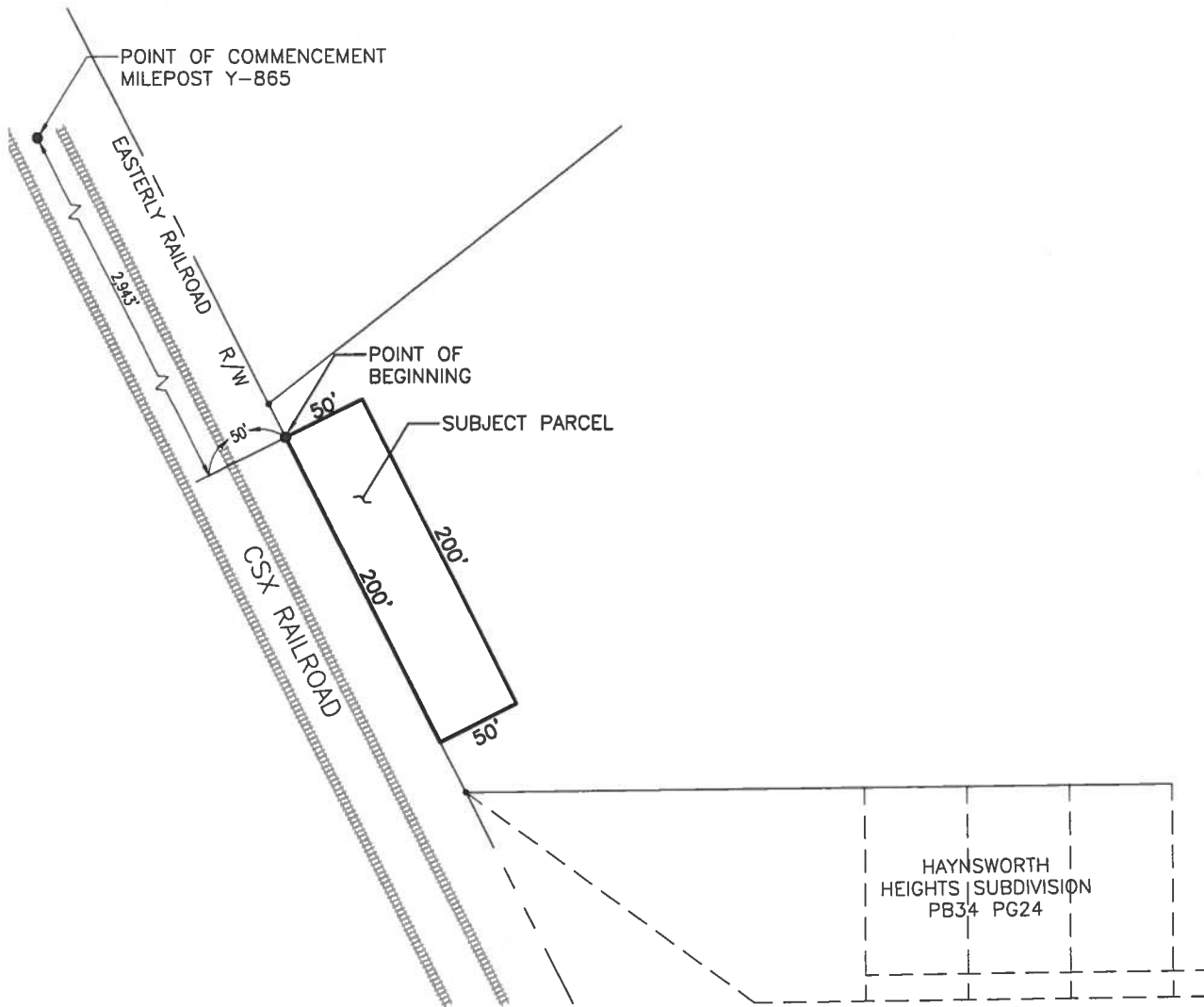
**EXHIBIT "B"**  
**ORDINANCE NO. ORD-2020-02**

**LEGAL DESCRIPTION:**

That part of the Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 2, Township 30 South, Range 23 East, Polk County, Florida, lying East of the CSX Corporation railroad right-of-way, being more particularly described as follows:

Commence at Railroad Mile Post Y-865 as referenced in that certain Agreement to Terminate Easement for Railroad Section Houses, as recorded in Official Records Book 6962, Page 1600 of the Public Records of Polk County, Florida; thence proceed Southeasterly along the centerline of the main track a distance of 2,943 feet; thence proceed at a right angle to said centerline, Northeasterly, a distance of 50 feet to a point on the Easterly right-of-way line of the main track and the Point of Beginning. Thence continue at a right angle to said centerline, Northeasterly, a distance of 50 feet; thence proceed Southeasterly and parallel to said centerline, a distance of 200 feet; thence proceed at a right angle to said centerline, Southwesterly, a distance of 50 feet to a point on the Easterly right-of-way line of the main track; thence proceed Northwesterly along and coincident with said Easterly right-of-way line, a distance of 200 feet to the Point of Beginning; said lands containing 0.23 acres, more or less.

**EXHIBIT "B"**  
**ORDINANCE NO. ORD-2019-3**  
**SKETCH OF DESCRIPTION**



DESCRIPTION SKETCH  
(NOT SURVEY)

GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.

**RAYL**  
ENGINEERING &  
SURVEYING, LLC  
735 EAST MAIN STREET  
BARTON, FL 33830  
OFFICE: (863) 537-7901  
CELL: (813) 857-6921  
EMAIL: alan@rayleng.com

FL EB REG# 28820

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FL LB REG# 7770

PREPARED FOR: **CITY OF MULBERRY**  
104 SOUTH CHURCH AVENUE  
MULBERRY, FL 33860

PROJECT NAME:  
**1014 NORTH CHURCH AVENUE**

SHEET TITLE:  
**SKETCH OF DESCRIPTION**

JOB NO.

20-103

DATE:

JAN. 2020

DRAWN BY:

VR



NORTH

2 OF 2

**RESOLUTION NO. RES-2020-01**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MULBERRY, FLORIDA RELATING TO MUNICIPAL FINANCE; AUTHORIZING THE CITY OF MULBERRY TO PARTICIPATE IN THE LOCAL GOVERNMENT SURPLUS FUNDS TRUST FUND (“FLORIDA PRIME”); DESIGNATING THE CITY MANAGER AND DIRECTOR OF FINANCE TO BE AUTHORIZED REPRESENTATIVES OF THE CITY OF MULBERRY; REPEALING CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Mulberry (“Participant”) is a municipal corporation organized and existing under the laws of the State of Florida; and is empowered to delegate to the State Board of Administration of Florida the authority to invest legally available funds in the Local Government Surplus Funds Trust Fund (“Florida PRIME”) and to act as custodian of investments purchased with such investment funds; and

**WHEREAS**, it is in the best interest of the Participant to invest its legally available funds in investments that provide for safety, liquidity, and competitive returns with minimization of risks consistent with Chapter 218.405, Florida Statutes; and

**WHEREAS**, Florida PRIME, a public funds investment pool, was created on behalf of entities whose investment objectives, in order of priority are safety, liquidity, and competitive returns, consistent with the Chapter 218.405, Florida Statutes; **NOW THEREFORE:**

Be it resolved by the city commission of the City of Mulberry, Florida:

**Section 1.** The City Commission of the City of Mulberry, Florida, as governing board of the Participant, approves this Authorizing Resolution and hereby requests the establishment of an account in the name of City of Mulberry in Florida PRIME, for the purpose of transmitting funds the Participant has determined to be legally available for investment in Florida PRIME pursuant to general and local law.

**Section 2.** The City Commission of the City of Mulberry, Florida designates Rick Johnson, City Manager and John Wasmund, Director of Finance, to be authorized representatives of the Participant and hereby authorizes such officers to transmit funds for investment in Florida PRIME and further authorizes to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of the Participant’s funds.

The authorized representatives identified above shall execute a Participant Account Maintenance Form (“PAMF”) containing a list of the authorized representatives to initiate transactions, bank account wiring instructions, and individuals authorized to make changes to account information. A revised PAMF may be submitted with changes to authorized individuals without the necessity to complete a new Authorizing Resolution.

*Resolution No. RES-2020-01*

**Section 3.** This Authorizing Resolution shall continue in full force and effect until amended, revoked or repealed by the Participant and until Florida PRIME receives an original document of any such amendment, revocation, or repeal.

**Section 4.** All Resolutions in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

**Section 5.** If any section or portion of a section of this Resolution proves to be invalid, unlawful or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of this Resolution.

**Section 6.** This Resolution shall be effective immediately upon passage by the City Commission of the City of Mulberry, Florida.

**PASSED and DULY ADOPTED** with a quorum present in voting by the City Commission of the City of Mulberry, Florida, this 21st day of January, 2020.

**CITY OF MULBERRY, FLORIDA**

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Mayor George H. Hatch

Attest:

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Sharon Lauther, City Clerk

Approved as to form:

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Frederick J. Murphy, Jr., City Attorney