



*City of Auburndale*  
AUBURNDALE, FLORIDA 33823

Office of the City Manager

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**CITY COMMISSION MEETING**  
**August 7, 2023 - 7:00 P.M.**  
**COMMISSION ROOM/CITY HALL**

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Pastor Gene Bassham, New Hope Fellowship Church

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 07/24/2023

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

**AGENDA**

1. **PUBLIC HEARING** – FUTURE LAND USE AND OFFICIAL ZONING MAP AMENDMENTS – INTERSECT
2. ORDINANCE #1747 AMENDING THE FUTURE LAND USE MAP – INTERSECT PROPERTIES
3. ORDINANCE #1748 AMENDING THE OFFICIAL ZONING MAP – INTERSECT PROPERTIES - IPUD
4. ORDINANCE #1749 AMENDING THE OFFICIAL ZONING MAP – INTERSECT PROPERTIES – PD-H2
5. ORDINANCE #1750 AMENDING POLICE OFFICERS PENSION TRUST PLAN
6. ORDINANCE #1751 AMENDING FIREFIGHTERS PENSION TRUST PLAN
7. ORDINANCE #1752 AMENDING GENERAL EMPLOYEES PENSION TRUST PLAN
8. ORDINANCE #1753 ANNEXING PROPERTY INTO CITY LIMITS – CLINGERMAN PROPERTY
9. PRELIMINARY PLAT – WATERSIDE SHORES
10. PRELIMINARY PLAT – AUBURN LAKES PRESERVE
11. PRESENTATION OF PROPOSAL FOR STREET RESURFACING PROJECT
12. LAKE MYRTLE MARKETING AGREEMENT FOR BASEBALL, CHAMPIONSHIP STADIUM, EVENT LAKE FACILITY, AND NON-ADVERTISING REVENUE
13. LAKE MYRTLE MARKETING AGREEMENT FOR SOCCER ADVERTISING REVENUE
14. PRESENTATION OF FISCAL YEAR 2024 AND FISCAL YEAR 2025 ANNUAL BUDGETS

F.S. 286: If an individual decides to appeal any decision made by the City Commission with respect to this meeting, a verbatim transcript may be requested. If so, the individual should make provisions for a transcript to be made at the meeting. Persons with disabilities needing special accommodation to participate in this proceeding should contact the City Clerk no later than five days prior to the proceeding at 968-5133.

**City Commission Meeting  
August 7, 2023**

**AGENDA ITEM 1: PUBLIC HEARING – FUTURE LAND USE AND OFFICIAL ZONING MAP  
AMENDMENTS – INTERSECT PROPERTIES**

**AGENDA ITEM 2: ORDINANCE #1747 AMENDING THE FUTURE LAND USE MAP – INTERSECT  
PROPERTIES**

**AGENDA ITEM 3: ORDINANCE #1748 AMENDING THE OFFICIAL ZONING MAP – INTERSECT  
PROPERTIES – IPUD**

**AGENDA ITEM 4: ORDINANCE #1749 AMENDING THE OFFICIAL ZONING MAP – INTERSECT  
PROPERTIES – PD-H2**

     INFORMATION ONLY

  X   ACTION REQUESTED

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**ISSUE:** The City Commission will take public comment and consider a proposed Future Land Use Map and Official Zoning Map amendments.

**ATTACHMENTS:**

- . Notice of Public Hearing – 7/21/2023
- . Proposed Ordinance #1747 Amending the Future Land Use Map – Intersect Properties
- . Proposed Ordinance #1748 Amending the Official Zoning Map – Intersect Properties
- . Proposed Ordinance #1749 Amending the Official Zoning Map – Intersect Properties
- . Excerpt from Planning Commission Meeting – 12/06/2022
- . Excerpt from Planning Commission Meeting – 08/02/2023

**ANALYSIS:** As a result of annexation, the City has received a request from Peterson and Myers, on behalf of Intersect Development Group, for a Future Land Use Map amendment and Official Zoning Map amendments on the following property:

**Intersect Property:**

<b><u>Owner/Petitioner:</u></b>	Peterson and Myers on behalf of Intersect Development Group
<b><u>Location:</u></b>	Pace Road and Bryan Lane
<b><u>Current Future Land Use:</u></b>	Business Park Center-1X (+/- 69.3 acres)
<b><u>Proposed Future Land Use:</u></b>	Regional Activity Center (RAC)
<b><u>Current City Zoning:</u></b>	None
<b><u>Proposed Zoning Classification:</u></b>	Planned Unit Development (IPUD) 45.3 +/- acres, Planned Development-H2 (PD-H2) 24 +/- acres
<b><u>Current use:</u></b>	Vacant

**ANALYSIS:** On November 1, 2021, the Intersect Development Group (Intersect) received a Future Land Use designation of **Regional Activity Center (RAC)** and Zoning classification of **Industrial Planned Unit Development (IPUD)** on +/-72.5 acres. The binding site plan accompanying the IPUD allowed Intersect Development Group to construct a 464,000 sq. ft. E-commerce and logistics building, two research and development buildings, and ten mixed-use commercial outparcels.

Peterson and Myers, on behalf of Intersect Development Group, has requested to establish a Future Land Use designation of **Regional Activity Center (RAC)** on an additional +/- 69.3 acres. In 2022, the additional property was annexed into the City and the City Commission held a Transmittal Public Hearing prior to sending the proposed Future Land Use Map amendment to the State. The State responded with no objections to the map amendment.

Intersect is requesting to modify and expand the established Zoning classification of **Industrial Planned Unit Development (IPUD)**. The modification request of the existing Industrial IPUD allows Intersect to remain consistent with the prior entitlements and provide subtle modifications to facilitate desired changes in the development. Conditions were previously placed on the binding site plan regarding the two research and development buildings being reserved solely for research and development. The applicant is requesting to modify the allowed uses to include light manufacturing, health technology, financial institutions and/or information sciences. The applicant is also requesting to modify the overall size of the two previously approved research and development buildings.

The request from Intersect would expand the Industrial Planned Unit Development (IPUD) onto +/-45.3 acres of the additional +/-69.3 acres of property for the project. Intersect is proposing four industrial mixed-use buildings on the southern portion of the subject site. These buildings would allow for research and development, light manufacturing, health technology, office space, vocational institutions, and distribution. The mixed use would provide an opportunity for different operators to have flex space and bring in uses that would complement the Central Florida Innovation District. Outdoor storage is prohibited.

Intersect is requesting **Planned Development-H2 (PD-H2)** for multi-family on the northeast portion of the development to allow for apartments and possible student housing for the nearby university. PD-H2 allows for a density of up to 15 units per acre, which would allow approximately 360 units on the remaining +/-24 acres of property. The binding site plan shows a clubhouse, additional amenities, and will be required to meet all active open space and landscaping requirements per the Land Development Regulations.

As required by the Land Development Regulations for Planned Developments, the requests are accompanied by binding site plans. The requested Zoning classification of IPUD and PD-H2 are compatible with the requested Future Land Use of Regional Activity Center (RAC) and is consistent with the City of Auburndale Comprehensive Plan, all Land Development Regulations, the Central Florida Innovation District, and the Joint Planning Agreement with Polk County.

The proposed Ordinances were prepared by the Community Development Department and review by the City Manager's Office and City Attorney. If approved on first reading, the proposed Ordinances would be considered for second and final reading on August 21, 2023.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the proposed Future Land Use Map amendment – (5-0, 12/06/2022). Approval of the proposed Zoning classification of Industrial Planned Unit Development (IPUD) and Planned Development-H2 (PD-H2) – (5-0, 08/02/2023).

**STAFF RECOMMENDATION:** Approval of the proposed Ordinances amending the Future Land Use Map and Official Zoning Map.

**City Commission Meeting  
August 7, 2023**

**AGENDA ITEM 5:    ORDINANCE #1750 AMENDING POLICE OFFICERS PENSION TRUST PLAN**

**AGENDA ITEM 6:    ORDINANCE #1751 AMENDING FIREFIGHTERS PENSION TRUST PLAN**

**AGENDA ITEM 7:    ORDINANCE #1752 AMENDING GENERAL EMPLOYEES PENSION TRUST PLAN**

\_\_\_\_ INFORMATION ONLY

  X   ACTION REQUESTED

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**ISSUE:** The City Commission will consider an Ordinance amending the Police Officers' Pension Plan, the Firefighters' Pension Plan, and the General Employees' Pension Plan.

**ATTACHMENTS:**

- .      Ordinance #1750 Amending **Police Officers'** Pension Trust Fund Plan
- .      Letter from Patrick Donlan, Foster & Foster Actuaries – June 9, 2023
- .      Letter of Request from Pension Plan Attorney, Scott Christiansen – July 27, 2023
  
- .      Ordinance #1751 Amending **Firefighters'** Pension Trust Fund Plan
- .      Letter from Patrick Donlan, Foster & Foster Actuaries – June 9, 2023
- .      Letter of Request from Pension Plan Attorney, Scott Christiansen – July 27, 2023
  
- .      Ordinance #1752 Amending **General Employees'** Pension Trust Fund Plan
- .      Letter from Patrick Donlan, Foster & Foster Actuaries – June 9, 2023
- .      Letter of Request from Pension Plan Attorney, Scott Christiansen – July 27, 2023

**ANALYSIS:**    The proposed Ordinances are housekeeping in nature and amends the Police Officers' Pension Trust Fund, the Firefighters' Pension Trust Fund, and the General Employees' Pension Trust Fund to be compliant with recent changes to the Internal Revenue Code (IRC) as permitted by recently adopted Secure Act 2.0, as well as clarifying and confirming Florida State Statutes.

In addition, the proposed Ordinances amend all three plans to provide for an option for members to pay for purchased credited service over a period of time not to exceed 5 years, by payroll deduction, rather than making one lump sum payment.

The actuary of the three plans, Foster & Foster, issued letters indicating that there are no costs associated with the adoption of the proposed Ordinances. The proposed Ordinances were prepared by the Pension Plan Attorney for the three plans, Christiansen & Dehner, P.A., and reviewed by the Finance Director, City Manager and City Attorney. If approved on first reading, the proposed Ordinances will be presented for second and final reading on August 21, 2023.

**POLICE PENSION BOARD RECOMMENDATION:**      Approval of the Ordinance – 07/25/2023

**FIRE PENSION BOARD RECOMMENDATION:**      Approval of the Ordinance – 07/25/2023

**GENERAL EMPLOYEES BOARD RECOMMENDATION:**      Approval of the Ordinance – 07/25/2023

**STAFF RECOMMENDATION:**    Approval of the proposed Ordinances amending the Police Officers' Pension Plan, Firefighters' Pension Plan, and the General Employees' Pension Plan.

**City Commission Meeting  
August 7, 2023**

**AGENDA ITEM 8:   ORDINANCE #1753 ANNEXING PROPERTY INTO CITY LIMITS – CLINGERMAN  
PROPERTY**

\_\_\_\_ INFORMATION ONLY

\_\_X\_\_ ACTION REQUESTED

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**ISSUE:** The City Commission will consider an Ordinance annexing property into the City limits.

**ATTACHMENTS:**

Proposed Ordinance #1753 Annexing Properties into City Limits

**ANALYSIS:** The City has received a petition from Kevin Clingerman to annex +/-4.28 acres of property into the City limits. The property consists of one vacant parcel located south of US Highway 92 and west of the Polk County Parkway. The property is adjacent to City limits to the north, south, and west. The annexation does not create an enclave. The proposed annexation is as a result of the owner's request for city utilities and proposed office redevelopment.

Establishing a Future Land Use and Zoning classification on the property will be considered at Public Hearings before the Planning Commission and City Commission at later dates. The action currently before the City Commission is only on the annexation of the property into the City.

The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on August 21, 2023.

**STAFF RECOMMENDATION:** Approve Ordinance #1753 annexing the Clingerman property into the City.

**Commission Meeting  
August 7, 2023**

**AGENDA ITEM 9: PRELIMINARY PLAT – WATERSIDE SHORES**

\_\_\_\_ INFORMATION ONLY

\_\_X\_\_ ACTION REQUESTED

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**ISSUE:** The City Commission will consider a preliminary plat for the Waterside Shores Subdivision.

**ATTACHMENTS:**

- Preliminary Plat
- Location Map
- Excerpt from Planning Commission Meeting – 08/02/2023

**ANALYSIS:** The City has received a **preliminary plat** from Bryan Hunter, P.E. from Hunter Engineering, Inc, on behalf of Clayton Property Group, for the Waterside Shores Subdivision. In July of 2022, the City Commission recommended approval of Lakes District Master Planned Community. The property is in the Lakes District Master Planned Community. The preliminary plat has been reviewed by all City Departments and meets all City Codes and Land Development Regulations.

The proposal is for 78 single-family single family lots with alley access, 269 single family standard lots with front access, 64 townhome units with rear access for a total of 411 total units on +/- 116.0 acres. The property is located east of County Road 559, north of Lake Mattie Road. The property has a Future Land Use of Lakes District Mixed Use (LDMU) and a Zoning classification of **Residential Neighborhood (RN)**, which allows for a mixture of various lot sizes with single-family and multi-family residential uses. Access will be on Lake Mattie Road and the subdivision will also have a solid masonry six (6) foot wall along Lake Mattie Road with fencing along the eastern and western property lines per the LDR's. All retention areas, roads, and open spaces will be dedicated to and maintained by the Homeowner's Association.

The proposed site has a signed Developer's Agreement that was approved by the City Commission on July 24, 2023 for wastewater usage and construction timing due to wastewater upgrades needed to support the development. Preliminary plat approval by the City Commission allows the developer to proceed with construction of infrastructure including roads and onsite utility improvements. Final plat approval will be considered by the City Commission at a later date.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the Preliminary Plat (5-0) – 08/02/2023.

**STAFF RECOMMENDATION:** Approval of the Preliminary Plat for the Waterside Shores Subdivision.

**City Commission Meeting**  
**August 7, 2023**

**AGENDA ITEM 10: PRELIMINARY PLAT – AUBURN LAKES PRESERVE**

\_\_\_\_ INFORMATION ONLY

  X   ACTION REQUESTED

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**ISSUE:** The City Commission will consider a preliminary plat for the Auburn Lakes Preserve Subdivision.

**ATTACHMENTS:**

- Preliminary Plat
- Location Map
- Excerpt from Planning Commission Meeting – 08/02/2023

**ANALYSIS:** The City has received a **preliminary plat** from Dan Lewis of Ridge Project Management, LLC, on behalf of Lee Saunders of Auburn Lakes, LLC, for a 250-lot single-family dwelling and 266-lot townhome dwelling development on +/- 255.05 acres located south of Old Dixie Hwy, north of US Hwy 92 W. and west of Polk Parkway. The preliminary plat has been reviewed by all City Departments and meets all City Codes and Land Development Regulations.

The property is zoned **General Residential-1 (RG-1)** and **General Residential-2 (RG-2)** and meets or exceeds all Land Development Regulations, including minimum lot size, minimum setbacks, and minimum unit size. The Zoning classifications both require 25' front yard setbacks, 10' side yard setbacks, and 10' rear setbacks. Access to the subdivision will be from Old Dixie Hwy., a County maintained road. Five-foot sidewalks will be provided on both sides of the street. The subdivision will also have a solid masonry six (6) foot wall along Old Dixie Hwy and fencing around the east side of the property per the LDR's. All retention areas, roads, sidewalks, and open spaces will be dedicated to and maintained by the Homeowner's Association.

The proposed site has a signed Developer's Agreement that was approved by the City Commission on July 24, 2023 for wastewater usage and construction timing due to wastewater upgrades needed to support the development. Preliminary plat approval by the City Commission allows the developer to proceed with construction of infrastructure including roads and onsite utility improvements. Final plat approval will be considered by the City Commission at a later date.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the Preliminary Plat (5-0) – 08/02/2023.

**STAFF RECOMMENDATION:** Approval of the Preliminary Plat for the Auburn Lakes Preserve Subdivision.

**City Commission Meeting**  
**August 7, 2023**

**AGENDA ITEM 11:    PRESENTATION OF PROPOSAL FOR STREET RESURFACING PROJECT**

\_\_\_\_INFORMATION ONLY

\_\_X\_\_ACTION REQUESTED

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**ISSUE:** The City Commission will consider a proposal for the FY 2023 and FY 2024 Street Resurfacing Project.

**ATTACHMENTS:**

- .        Proposals for Street Resurfacing – 06/30/2023, 08/03/2023
- .        Location Maps

**ANALYSIS:** For several years the City has budgeted \$500,000 in the City's 5-Year Capital Improvement Program (CIP) for street resurfacing. The current FY 2022-2023 Budget allocates \$500,000 toward the City's resurfacing project and an additional \$310,000 to resurfacing the Auburndale Memorial Park Cemetery. The proposed FY 2023-2024 Budget allocates an additional \$500,000 towards street resurfacing for a total of \$1,310,000 between the three (3) projects. To expedite, save the costs of additional mobilization, and take advantage of the timing of the City's street resurfacing project, City Staff is proposing the piggy-backing of a City of Winter Haven Street Resurfacing Bid awarded to Hubbard Construction Company of Tampa. Hubbard has provided a proposal per City specifications for milling and resurfacing the following streets, including painted stop bars, for a total of \$1,297,279.05:

Diamond Ridge Boulevard  
Mohawk Circle  
Cherokee Drive  
Eagle Point Boulevard  
Carla Ann Court  
Debbie Ann Court  
Bolender Court  
E. & W. Lawson Drive  
Macon Street  
Ariana Woods Circle  
Caroline Avenue  
Martha Street  
Margaret Street  
Main Street (South of Recker Hwy Bridge)  
Auburndale Memorial Park Cemetery  
Blake Avenue  
Public Works Recycling Pad

**STAFF RECOMMENDATION:** Accept the proposal for milling and resurfacing from Hubbard Construction Company of Tampa for the FY 2023 & FY 2024 Street Resurfacing Projects and resurfacing of the Auburndale Memorial Park Cemetery.



**City Commission Meeting  
August 7, 2023**

**AGENDA ITEM 12: LAKE MYRTLE SPORTS COMPLEX MARKETING AGREEMENT FOR BASEBALL,  
CHAMPIONSHIP STADIUM, EVENT LAKE FACILITY, AND NON-ADVERTISING REVENUE**

\_\_\_ INFORMATION ONLY

\_X\_ ACTION REQUESTED

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**ISSUE:** The City Commission will consider a Lake Myrtle Sports Complex Baseball, Soccer Stadium, Championship Event Lake Revenue Sharing Agreement.

**ATTACHMENTS:**

. Lake Myrtle Sports Complex Marketing Agreement for Baseball, Championship Stadium, Event Lake Facility, and Non-Advertising Revenue

**ANALYSIS:** The City of Auburndale and Polk County entered into the Lake Myrtle Sports Complex Baseball Revenue Sharing Agreement on July 8, 2009. The Agreement provided for the recruitment of corporate sponsorships on the baseball fields located within the Sports Complex. In February 2022, the City Commission exercised an available 5-year renewal of the Agreement extending the term through February 6, 2027.

In July 2023, construction was completed on the Championship Soccer Stadium and Event Lake facility at the Lake Myrtle Sports Complex. The proposed new Agreement recognizes and includes the Championship Stadium and Event Lake facility. The proposed Lake Myrtle Sport Complex Marketing Agreement for Baseball, Championship Stadium, Event Lake Facility, and Non-Advertising Revenue is a new agreement and has an initial term of ten (10) years, with the option to renew for up to two (2) additional five (5) year terms.

All other provisions and conditions of the proposed Agreement are consistent with the previous Baseball Revenue Sharing Agreement. However, the County will receive 100 percent of all Championship Soccer Stadium sponsorship revenues, not including funds related to sponsorship expenses, until the County has received \$311,000 per the amended Interlocal Agreement with Polk County, which provided the funding of additional locker rooms at the Soccer Stadium by the County. The City and County will divide the sponsorship revenues for the Soccer Stadium per the Agreement thereafter.

The proposed Agreement was prepared by the Parks and Recreation Director and reviewed by the City Manager, City Attorney, and County Attorney's Office.

**STAFF RECOMMENDATION:** Approval of the proposed Lake Myrtle Sports Complex Marketing Agreement for Baseball, Championship Stadium, Event Lake Facility, and Non-Advertising Revenue.

**City Commission Meeting**  
**August 7, 2023**

**AGENDA ITEM 13: LAKE MYRTLE SPORTS COMPLEX MARKETING AGREEMENT FOR SOCCER  
ADVERTISING REVENUE**

       INFORMATION ONLY

  X   ACTION REQUESTED

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**ISSUE:** The City Commission will consider a Lake Myrtle Sports Complex Soccer Revenue Sharing Agreement.

**ATTACHMENTS:**

. Lake Myrtle Sports Complex Soccer Advertising Revenue Sharing Agreement

**ANALYSIS:** The City of Auburndale, Polk County and the Florida Youth Soccer Association (FYSA), entered into the Lake Myrtle Sports Complex Marketing Agreement for Soccer Advertising Revenue on February 7, 2012. The Agreement provided for the recruitment of corporate sponsorships on the soccer fields located within the Sports Complex. In February 2022, the City Commission exercised an available 5-year renewal of the Agreement extending the term through February 6, 2027.

As a result of the need to amend the Baseball Revenue Sharing Agreement to include the Championship Soccer Stadium and Event Lake Facility and to keep the two agreements on the same timeframe, staff is recommending the proposed Lake Myrtle Sport Complex Marketing Agreement for Soccer Advertising Revenue. The proposed Agreement has an initial term of ten (10) years, with the option to renew for up to two (2) additional five (5) year terms.

The proposed Agreement was prepared by the Parks and Recreation Director and reviewed by the City Manager, City Attorney, and County Attorney's Office.

**STAFF RECOMMENDATION:** Approval of the proposed Lake Myrtle Sports Complex Marketing Agreement for Soccer Advertising Revenue.

**City Commission Meeting**  
**August 7, 2023**

**AGENDA ITEM 14:    PRESENTATION OF FY 2024 AND FY 2025 ANNUAL BUDGETS**

  X   INFORMATION ONLY

       ACTION REQUESTED

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**ISSUE:** The City Manager will present to the City Commission the proposed Annual Budgets for the Fiscal Year ending September 30, 2024, and for the Fiscal Year ending September 30, 2025.

**ATTACHMENTS:**

Proposed FY 2024 Budget and Planned FY 2025 Budget  
***(To be passed out at Commission Meeting)***

**Note:** If necessary, the City Commission will have the opportunity to further discuss the proposed budgets during "Commission Day" activities on Monday, August 14, 2023, and at the Regular City Commission Meeting on August 21, 2023.

Public Hearings on the proposed budget and millage rate are scheduled for Thursday, September 7, 2023, and Tuesday, September 19, 2023.

The proposed FY 2024 and FY 2025 Annual Budgets are also posted on the City's website at [www.auburndalefl.com](http://www.auburndalefl.com).