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Minutes of the Regular Meeting of the City Commission of the City of Auburndale held February 5, 2024, at 7:00 p.m. in the Commission Room of City Hall, after having been properly advertised, with the following members present: Mayor Dorothea Taylor Bogert, Commissioners: Keith Cowie, Alex Cam, Jordan Helms, and Bill Sterling. Also, present were: City Manager Jeffrey Tillman, City Attorney Frederick J. Murphy Jr., City Clerk Brandon Henry, and Deputy Police Chief Carin Ketcham.

Mayor Dorothea Taylor Bogert declared a quorum present, and the Meeting was opened with prayer by Pastor Curtis Johnson, New Life Praise & Worship Tabernacle, and a salute to the flag.

**Motion** by Commissioner Cowie, seconded by Commissioner Cam, to approve Minutes of the City Commission Meeting of January 22, 2024. Upon vote, all ayes.

City Manager Jeffrey Tillman announced that Auburndale Youth Baseball opens Saturday at 9 a.m; and Paul Green Day will be held at Earl Wright Park at 10 a.m. to 6 p.m – the mayor and himself went out last year, it is a great event.

Mayor Taylor Bogert asked if there was public comment on any item not on the agenda. There was no public comment.

## **1. FINAL PLAT – SUMMER LAKE ESTATES**

Community Development Director Julie Womble said the City has received a request to plat the Summer Lakes Subdivision, formerly known as the Summerwake and Enclave at Lake Arietta Subdivisions. The proposed development is Phase II of the Enclave at Lake Arietta Subdivision that was adopted March 4, 2019. The property is located on Berkley Road and Lake Myrtle Park Road and has a Zoning classification of Planned Development-Housing 1 (PD-H1).

On July 5, 2022, the City Commission modified the Binding Site Plan for Phase II of the subdivision on the +/- 28.93 acres tract of land. Summer Lake Estates consists of 54 single-family lots with an average lot size of 9,100-9,200 square feet and an average home of 2,000 square feet on each lot. The Binding Site Plan requires a concrete wall along the entire perimeter of Berkley Road and a typical lot requires 25-foot front yard setbacks, 10-foot side yard setbacks, and 10-foot rear setbacks. The development meets or exceeds all Land Development Regulations, including minimum lots size, minimum setbacks, and minimum house size. Access to the subdivision will be from Enclave Lake Boulevard.

The developer's engineer has certified that all necessary improvements to the subdivision have been constructed and installed according to the Land Development Regulations. All streets, sidewalks, retention areas, and open spaces will be dedicated and maintained by the Homeowner's Association.

Community Development Director Womble presented slides depicting graphics of the proposal. She elaborated on a stormwater pond owned by the Florida Department of Transportation.

Matthew Johnson, JSK Consulting, 5904 Hillside Heights, Lakeland, for the applicant, said his staff worked really hard with the City over the last year to engineer, permit, and construct all the infrastructure. We have received sign-offs from the Southwest Florida Water Management District and the Department of Environmental Protection. There is an existing stormwater pond at the northeast corner of the property. A lot of the pond is on property that is owned by the development group. The pond was built, designed, and maintained by the Florida Department of Transportation for stormwater runoff from Berkley Road. While the pond is technically owned by the developer, there is an existing maintenance easement agreement with the Florida Department of Transportation and the developer to leave that pond in place. The fence that is out there now is owned by the Florida Department of Transportation. We are going to work with the Department of Transportation to see what they will allow us to do as far as extending the current wall. Right now, the wall we recently constructed goes all

the way to the north part of our lots, but stops at the existing fence that is owned by the Department of Transportation. We are going to work with them to see if we can work out arrangements to possibly extend the wall.

Mayor Taylor Bogert asked if that will come back to the City Commission? She also asked about an access gate.

Mr. Johnson answered that there is a gate there now on the north corner. We are at the mercy of the Department of Transportation.

Community Development Director Womble said she recently learned about this in the last several minutes before tonight's meeting, so she wanted to come up and address it. The developer will be working with the Department of Transportation to see what they can work out. The solid wall that is required along Berkley will be at the end of their lots, she will let the Commission know if anything changes. No, it will not come back before the City Commission. Staff recommends approval of the Final Plat for the Summer Lakes Subdivision.

City Manager Tillman said approval of the Final Plat allows the developer to sell the lots and begin building houses, and staff recommends approval.

Mayor Taylor Bogert asked for public comment. There was no public comment.

**Motion** by Commissioner Sterling, seconded by Commissioner Cowie, to approve the Final Plat for the Summer Lakes Subdivision.

Commissioner Sterling asked Commissioner Cowie what he thinks of the lots.

Commissioner Cowie said it has taken 15 years to get to this point, to not have flag lots. He is fine with the larger lots.

Upon vote, all ayes.

## **2. INTERLOCAL AGREEMENT WITH POLK COUNTY FOR DONATION OF EQUIPMENT**

City Manager Tillman said in July 2023, the City of Auburndale in partnership with the Polk County Board of County Commissioners and Polk County Tourism and Sports Marketing completed construction of the Soccer Stadium at the Lake Myrtle Sports Complex.

In August 2023, the Florida High School Athletics Association announced it would be holding the Girls State Soccer Championships at the newly completed stadium at the Lake Myrtle Sports Complex. To complement the tournament and provide the required amenities, Polk County purchased and donated to the City seven (7) five (5) row 21-foot bleachers to the City of Auburndale to help host the Girls Soccer State Championships as well as help attract future events.

The proposed Interlocal Agreement with Polk County formally donates the equipment to the City of Auburndale with the acknowledgement that the City will accept all maintenance responsibilities and liability. The proposed Interlocal Agreement also indemnifies Polk County against any and all claims that may arise from the use of the donated equipment.

The proposed Interlocal Agreement and Release and Waiver of Liability and Indemnification for Receipt of Donated Equipment was prepared by Polk County and reviewed by the Parks & Recreation Director, City Manager and City Attorney.

Staff recommends approval of the proposed Interlocal Agreement with Polk County for donated Soccer Stadium bleachers.

Mayor Taylor Bogert asked for public comment. There was no public comment.

**Motion** by Commissioner Cam, seconded by Commissioner Helms, to approve the proposed Interlocal Agreement with Polk County for donated Soccer Stadium bleachers. Upon vote, all ayes.

Mayor Taylor Bogert said we are in the middle of legislative session, and there are several items that are significantly impacting municipalities, so she encourages the City Commission to sign up for legislative alerts – so that they know what is going on. She encourages those in attendance to sign up for Local Voices United at [www.localvoicesunited.com](http://www.localvoicesunited.com). It is a citizen-based initiative to promote local voices making local choices - such as when there is anything from the Legislature that can impact citizens from a City perspective – like items that can cause a raise in millage or water/sewer rates. Citizens voices need to be heard. She wished a happy anniversary to Commissioner Helms and his wife and thanked him for being here.

The Meeting was adjourned at 7:14:49 p.m.

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



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Brandon Henry, City Clerk