

City of Auburndale Commission Minutes April 1, 2024

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held April 1, 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 Police Chief Terry Storie.

Mayor Dorothea Taylor Bogert declared a quorum present, and the Meeting was opened with prayer by Pastor Clay Bennett, Auburndale Community Church, and a salute to the flag.

Motion by Commissioner Cowie, seconded by Commissioner Cam, to approve Minutes of the City Commission Meeting of March 18, 2024. Upon vote, all ayes.

City Manager Jeffrey Tillman announced an update that the Gapway Water Main Extension has been completed. Those residents that may have experienced low water pressure in the State Road 559 area should no longer experience low water pressure. He requested the City Commission pull Item 4 from the agenda regarding the Conservation Project Agreement for the Polk Regional Water Cooperative Conservation Program.

Motion by Commissioner Cowie, seconded by Commissioner Cam, to pull Agenda Item 4. Upon vote, all ayes.

Mayor Taylor Bogert introduced and acknowledged members of the audience including former Commissioners Tim Pospichal and Richard Hamann, Florida League of Cities Chief of Legislative Affairs and Florida City County Management Association Executive Director Casey Cook, and former City Manager and Ridge League of Cities Executive Director Bobby Green.

City Manager Jeffrey Tillman recognized Lakeland City Manager Shawn Sherrouse, who was in attendance.

Mayor Taylor Bogert asked if there was public comment on any item not on the agenda.

Casey Cook, 1358 Millstream Road, Tallahassee, is speaking before the City Commission as the Chief of Legislative Affairs for the Florida League of Cities, and to say thank you. The Florida League of Cities representing all the cities with the legislature had an incredible session thanks to the Commissioner's advocacy. He saw each of the Commissioners in Tallahassee, meeting with their legislators and educated them on the issues that were moving through the legislative process. The Commissioners were difference makers. He acknowledged Mayor Taylor Bogert for being a Home Rule Hero recipient, and a phenomenal advocate. The Florida League of Cities appreciates her. He congratulated the City on the renovation of City Hall.

Mayor Taylor Bogert recognized City Manager Tillman on being a Home Rule Hero recipient.

Bobby Green, 124 McNichols Avenue, reflected on his time as City Manager of Auburndale. He could not be more proud of City Manager Tillman and the entire City on the renovation of City Hall and other projects. It was great to see other colleagues earlier in the day. It is an exciting time in Auburndale. Former Commissioners must feel so proud of the City as well.

Mayor Taylor Bogert presented a Proclamation recognizing Water Conservation Month. City Attorney Frederick J. Murphy Jr. read the proclamation.

Mayor Taylor Bogert presented a Proclamation recognizing Distracted Driving Awareness Month. City Attorney Frederick J. Murphy Jr. read the proclamation.

City Manager Tillman recognized a Proclamation for National Library Week.

1. DESIGN-BUILD CONTRACT GUARANTEED MAXIMUM PRICE AMENDMENT – LAKE ARIANA PARK CONSTRUCTION

City Manager Tillman said similar to the City Manager's office upstairs, the Lake Ariana project goes back several years. He recalled discussions regarding the project during previous budget cycles.

He said in February 2022, the City Commission endorsed the Conceptual Master Plan for the redevelopment of Lake Ariana Park following an Open House public meeting at the Ariana Clubhouse. The scope of the project includes the construction of a new Civic Center building, new boat dock, picnic pavilions, outdoor event space, playground, and parking to accommodate all uses. On December 2, 2022, a Request for Qualifications was advertised for Design-Build firms to submit proposals for professional design and construction services and on June 5, 2023, the City Commission approved a Design-Build Contract with Springer Construction, now Springer Voss Construction.

The Design-Build Contract addressed a phased approach to the project – a "Design Phase" wherein the Design-Build team performed all engineering and architectural services to produce the design documents, and a "Construction Phase" wherein Springer Voss will perform all construction services to complete the Lake Ariana Park Project.

The Design-Build Contract contained a Guaranteed Maximum Price (GMP) of \$16,800,000, which included the Design Price of \$1,333,816. This initial Guaranteed Maximum Price had been obtained by utilizing the engineer's 2021 Opinion of Probable Construction Cost of the Conceptual Master Plan for Lake Ariana Park. The Contract stated that the Guaranteed Maximum Price would be amended following 90% completion of the Design Work. Because the Design Work is completed, the current Guaranteed Maximum Price Amendment addresses the Construction Work only in the amount of \$18,696,571.58.

Assistant City Manager Amy Palmer presented slides on the improvements to Lake Ariana Park and construction of the new Civic Center - including a brief history of the project, the conceptual site plan, the current site plan, and various renderings and floorplans. She presented a slide detailing the estimated timing for the project. She presented a slide summarizing the original Guaranteed Maximum Price and the current Guaranteed Maximum Price.

City Manager Tillman said the Lake Ariana Project is budgeted in the Fiscal Year 2023-2024 and Fiscal Year 2024-2025 Budgets utilizing bond financing. The proposed Amendment to the Design-Build Contract with Springer-Voss Construction was prepared by the City Manager's Office and reviewed by the City Attorney. Staff recommends approval of the Guaranteed Maximum Price Amendment to the Design Build Contract between the City of Auburndale and Springer Voss Construction, Inc.

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

Motion by Commissioner Cam, seconded by Commissioner Cowie, to approve the Guaranteed Maximum Price Amendment to the Design Build Contract between the City of Auburndale and Springer Voss Construction, Inc.

Commissioner Sterling noted the square footage of the proposed Civic Center. He expressed disappointment in the roundabout going away. He does not want to delay the project by putting the roundabout back and voting against it, but he wants to see if the City Manager will talk to the County regarding intersection improvements. He asked if the floor in Hamann Hall can double as a dance floor, as opposed to a portable dance floor – in order to save more money.

Assistant City Manager Palmer said we have not quite figured out the dance floor option yet. It is an option, it is not necessarily something that we are doing.

Mayor Taylor Bogert said when people rent a venue from the City, they want a designated dance floor. But it is still just an option.

Assistant City Manager Palmer concurred. It would be a la carte – if you are renting it, you are paying for it.

City Manager Tillman said in that explaining the square footage increase – with consolidating several facilities, such as the current Civic Center, the Senior Center, Rec Hall, Yacht Club and Clubhouse – we wanted to make sure we accommodated as many rental possibilities and not lose too much space during the consolidation into one building. There was a lot of discussion during the charettes with staff and the Design-Build team – of what we needed in this building to accommodate space from previous facilities. Regarding the roundabout – Ramsgate is a City road, but Old Dixie Highway and Lake Ariana Boulevard are County roads. We are having a dialogue with the County in regard to other intersection improvements throughout the City. It may be something we can discuss with them if there is a desire and City funding that would go towards improvements at this intersection. It can be part of a bigger conversation addressing County maintained intersections throughout the City.

Commissioner Sterling said considering the price difference from the previous Guaranteed Maximum Price and the current Guaranteed Maximum Price, the increased square footage, and inflation – it is not such a bad deal after all to accommodate what we need for the next 100 years.

Assistant City Manager Palmer concurred, it is a legacy project.

Commissioner Helms asked concerning demolition, do we have, or have we thought through a robust communication plan to the public?

Assistant City Manager Palmer answered yes, there are no more rentals in the building – and we will get word out once the park is no longer usable. We will also get word out beforehand.

Commissioner Helms said the public holds many events there, so he wanted to make sure.

Mayor Taylor Bogert said it is a pertinent question, so if someone is planning something two weeks out – we should start communicating the closure now.

Assistant City Manager said demolition will start in the middle to end of the month, so there is plenty of time to get the word out.

Upon vote, all ayes.

2. BOND RESOLUTION #2024-03 AUTHORIZING FINANCING FOR LAKE ARIANA PROJECT

City Manager Tillman said City Staff has been working with the Florida League of Cities through its Municipal Loan Council Financing Program to secure the necessary funding for the Lake Ariana Park Project.

In June 2023, the City Commission approved a Design-Build Contract with Springer Construction, now Springer-Voss Construction for the Design and Construction of Lake Ariana Park. The Design-Build Contract contains a guaranteed not-to-exceed price, or Guaranteed Maximum Price (GMP).

Staff from the Florida Municipal Loan Council presented slides summarizing their financing program, financing assumptions, preliminary estimates, and a financing timeline.

Finance Director Christopher Reeder said the Florida League of Cities has provided many services to the City for a long time. His predecessor, Shirley Lowrance, utilized this program in 2019. Ms. Lowrance highly recommended this program if the City ever needed bond financing – because it is not so burdensome on City staff, and you get a lot of the same assurances and qualifications through their teams. They will be handholding us through this process to make sure we get the best rating we can. Because we have a two-year budget process, this is one of those projects in that second-year budget that is starting to roll into the budget preparations for the next fiscal year. So we can put the total project through the next two budget years. We can forecast it out to ensure funding

availability. Being able to absorb this debt service is not going to put the City in a burdensome position or take away services that we are providing. It will give residents something better than they have today.

City Manager Tillman said the proposed Resolution is the official action of the City Commission securing the necessary funding for the projects from the proceeds of the 2024 Florida Municipal Loan Council Revenue Bonds. The proposed Resolution was prepared by the Florida Municipal Loan Council and reviewed by the City Manager's Office, Finance Director, and City Attorney. Staff recommends approval of Bond Resolution #2024-03 Authorizing Financing for the Lake Ariana Project.

City Attorney Frederick J. Murphy Jr. read Resolution No. 2024-03 entitled: **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AUBURNDALE, FLORIDA AUTHORIZING A LOAN IN AN AMOUNT NOT TO EXCEED \$20,000,000 FROM THE FLORIDA MUNICIPAL LOAN COUNCIL TO ACQUIRE, CONSTRUCT, RENOVATE, AND EQUIP CERTAIN CAPITAL PROJECTS, AS DESCRIBED HEREIN; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE FLORIDA MUNICIPAL LOAN COUNCIL; APPROVING THE FORM OF THE SUMMARY NOTICE OF SALE AND THE OFFICIAL NOTICE OF SALE; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A BOND PURCHASE CONTRACT; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; AUTHORIZING THE DISTRIBUTION OF THE PRELIMINARY OFFICIAL STATEMENT AND THE OFFICIAL STATEMENT IN CONNECTION WITH THE FLORIDA MUNICIPAL LOAN COUNCIL REVENUE BONDS, SERIES 2024B (CITY OF AUBURNDALE SERIES); PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH THE MAKING OF SUCH LOAN; AND PROVIDING AN EFFECTIVE DATE,** by title only.

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

Motion by Commissioner Helms, seconded by Commissioner Cowie, to approve Bond Resolution #2024-03 Authorizing Financing for the Lake Ariana Project.

Commissioner Sterling asked what is the denomination of the bonds?

Mickey Johnston, Florida Municipal Loan Council, answered \$5,000.

Commissioner Sterling said when these go to market, someone does not typically buy the entire \$20,000,000, do they?

Mr. Johnston answered that what will happen is that underwriters submit a bid, and they will simultaneously sell those to investors – including institutional or retail buyers.

City Attorney Murphy asked when do we actually get the money? Is it all delivered at once?

Mr. Johnston answered through the Council, you would be able to requisition. So you could get a very good chunk of it right at the beginning at closing.

City Attorney Murphy said he was not sure if it was like a line of credit.

Mr. Johnston said bond proceeds would be held by the trustee, and you can access it from there. Mr. Johnston indicated it was not like a line of credit. All of the bond proceeds would be available and disbursed at the time the loan closes.

Upon vote, all ayes.

3. INTERLOCAL AGREEMENT WITH POLK COUNTY FOR ROAD IMPROVEMENTS – CR-559

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City Manager Tillman said on December 20, 2021, the City Commission approved the CR-559 and Adams Road Intersection Improvements Agreement between the City, Polk County, and developers of the CG Land/Jeans Road Property and HB Development/H-Block properties.

Through the Agreement, the City agreed to coordinate construction activities of the intersection improvements with the costs of the project being funded by Polk County and the developers. Over the years, the City and County have tried to coordinate projects to allow a selected contractor by either party to capture street resurfacing in an adjacent area while the work is being performed. As the City was recently completing the CR-559 and Adams Road intersection improvements, the City requested and the County agreed to use the same contractor to resurface CR-559 from Joshua Court to the intersection of Lake Ariana Boulevard.

The amount paid to Ajax Paving Industries of Florida (City's Contractor) to perform the additional street resurfacing work for the County is \$328,376.00. The County agreed to reimburse the City for all associated costs.

The proposed Interlocal Agreement formalizes the arrangement and allows the City to receive reimbursement for the project from the County. Staff recommends approval of the Interlocal Agreement with Polk County for Road Improvements on CR-559.

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

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve the Interlocal Agreement with Polk County for Road Improvements on CR-559. Upon vote, all ayes.

City Manager Tillman said Agenda Item 4 was pulled.

The Meeting was adjourned at 8:10:42 p.m.

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



Brandon Henry, City Clerk