

City of Auburndale Commission Minutes April 15, 2024

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held April 15, 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 Michael Robinson, Lakes Church Auburndale, and a salute to the flag.

Motion by Commissioner Cowie, seconded by Commissioner Cam, to approve Minutes of the City Commission Meeting of April 1, 2024. Upon vote, all ayes.

City Manager Jeffrey Tillman announced that over the past few weeks, we have had several different projects involving volunteers in the community, one being the Auburndale Rotary Club – in which they cleaned Earl Wright Park and raked 130 bags of leaves. The community took notice, and he has heard several comments of appreciation, including one resident who joined in on the cleanup. Another project included the Rotaract Club at Florida Polytechnic University, who cleaned the Baynard House in preparation for the Spring Tea this past weekend. It turned out to be a great event.

Deputy Police Chief Carin Ketcham announced an Autism Awareness Event that the Police Department will be hosting at Crave and Copper on Thursday, April 25th, from 6:00 to 9:00 p.m. They hope to see everybody there.

City Manager Tillman announced that City staff will be reaching out to receive RSVPs to several other events.

Mayor Taylor Bogert expressed her gratitude to Parks and Recreation Department staff and the Florida Polytechnic University Rotaract Club for their work on the Spring Tea event. It was a lovely event. She thanked the Police Department for their work in bringing awareness to autism.

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

Mayor Taylor Bogert closed the Regular Meeting and opened the Public Hearing.

1. PUBLIC HEARING – FUTURE LAND USE MAP AMENDMENT – INTERSECT PROPERTIES

City Manager Tillman said on October 16, 2023, the City Commission approved a Future Land Use Map Amendment requested by Peterson & Myers, P.A. on behalf of Intersect Development Group. The Amendment was as a result of annexation and amended the Future Land Use on +/- 66.3 acres from a Polk County Future Land Use of Business Park Center-1X (BPC-1X) to a City of Auburndale Future Land Use of Regional Activity Center (RAC).

The properties were originally annexed into the City in February and December of 2022. The Future Land Use request of Regional Activity Center (RAC) would accommodate a mixture of high density residential, commercial, and light industrial uses and is the second phase of the applicant's project. The first phase was approved by the City in November 2021. The request is consistent with the City of Auburndale Comprehensive Plan and the Joint Planning Agreement with Polk County and is located in the Central Florida Innovation District.

In January 2024, the Florida Department of Commerce (Department) requested the Future Land Use be readopted by the City Commission and offered an expedited review. The Department has reviewed the proposed amendments and has no objections.

The proposed 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 March 18, 2024, and is being considered for second and final reading.

The Planning Commission recommended approval of the proposed Future Land Use Map Amendment (5-0, 03/18/2024). Staff recommends approval of Ordinance #1747 amending the Future Land Use Map – Intersect Properties.

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

Mayor Taylor Bogert closed the Public Hearing and reopened the Regular Commission Meeting.

2. ORDINANCE #1747 AMENDING THE FUTURE LAND USE MAP – INTERSECT PROPERTIES

City Manager Tillman introduced Ordinance No. 1747.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1747 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING THE FUTURE LAND USE MAP BY RECLASSIFYING PARCELS OF LAND TOTALING +/- 66.3 ACRES FROM POLK COUNTY FUTURE LAND USE MAP CLASSIFICATION BUSINESS PARK CENTER-1X (BPC-1X) TO CITY OF AUBURNDALE REGIONAL ACTIVITY CENTER (RAC); AND PROVIDING AN EFFECTIVE DATE (General Location: Pace Road and Bryan Lane)**, by title only.

Motion by Commissioner Cam, seconded by Commissioner Helms, to approve Ordinance #1747 amending the Future Land Use Map – Intersect Properties, as read on second and final reading by title only. Upon vote, all ayes.

Mayor Taylor Bogert closed the Regular Meeting and opened the Public Hearing.

3. PUBLIC HEARING – FUTURE LAND USE MAP AMENDMENT – LINCOLN GROUP PROPERTIES

City Manager Tillman said on December 18, 2023, the City Commission approved a Future Land Use Map Amendment requested by Knights PC Holdings, LLC. The Amendment was as a result of annexation and amended the Future Land Use on +/- 75.70 acres from a Polk County Future Land Use of Interchange Activity Center-X (IAC-X) to a City of Auburndale Future Land Use of Regional Activity Center (RAC).

The property was originally annexed into the City in December of 2022. The Future Land Use request of Regional Activity Center (RAC) would accommodate a mixture of commercial and light industrial uses. The request is consistent with the City of Auburndale Comprehensive Plan and the Joint Planning Agreement with Polk County and is located in the Central Florida Innovation District.

In January 2024, the Florida Department of Commerce (Department) requested the Future Land Use be readopted by the City Commission and offered an expedited review. The Department has reviewed the proposed amendments and has no objections.

The proposed 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 March 18, 2024, and is being considered for second and final reading.

The Planning Commission recommended approval of the proposed Future Land Use Map Amendment (5-0, 03/18/2024). Staff recommends approval of Ordinance #1761 amending the Future Land Use Map – Lincoln Group Properties.

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

Mayor Taylor Bogert closed the Public Hearing and reopened the Regular Commission Meeting.

4. ORDINANCE #1761 AMENDING THE FUTURE LAND USE MAP – LINCOLN GROUP PROPERTY

City Manager Tillman introduced Ordinance No. 1761.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1761 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 752, THE COMPREHENSIVE PLAN OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING THE FUTURE LAND USE MAP BY RECLASSIFYING PARCELS OF LAND TOTALING +/- 75.89 ACRES FROM POLK COUNTY FUTURE LAND USE MAP CLASSIFICATION OF INTERCHANGE ACTIVITY CENTER-X (IAC-X) TO CITY OF AUBURNDALE FUTURE LAND USE CLASSIFICATION REGIONAL ACTIVITY CENTER (RAC); AND PROVIDING AN EFFECTIVE DATE (General Location: North Pace Road And Polk County Parkway),** by title only.

Motion by Commissioner Sterling, seconded by Commissioner Cam, to approve Ordinance #1761 amending the Future Land Use Map – Lincoln Group Properties, as read on second and final reading by title only. Upon vote, all ayes.

5. ORDINANCE #1769 ESTABLISHING COMMUNITY DEVELOPMENT DISTRICT – AUBURN LAKES

City Manager Tillman said Auburn Lakes, LLC has filed a petition with the City of Auburndale pursuant to Section 190.005(2)(a), Florida Statutes to establish the Auburn Lakes Community Development District (CDD) for the Auburn Lakes Preserve Subdivision.

Chapter 190 of Florida Statutes allows a developer to petition to establish a Community Development District for the purpose of managing the provision of infrastructure improvements and public services including funding. The proposed Community Development District is comprised of approximately +/- 255.05 acres, generally located south of Old Dixie Highway and west of the Polk Parkway. The subject site has Future Land Use designations of Low Density Residential, Medium Density Residential, and Neighborhood Activity Center with Zoning classifications of General Residential-1, General Residential-2, and Planned Development Commercial-1.

The petitioner has proposed to establish the Community Development District to finance, construct, and install improvements and facilities to benefit the lands within the District in multiple phases over an estimated two (2) year period commencing in 2024. The petitioner has proposed a summary of infrastructure that will be constructed through the establishment of the Community Development District such as stormwater facilities, roadway improvements, water, sewer, lift stations, conduit, landscaping, hardscaping, irrigation, amenities and park facilities, offsite improvements, conservation and mitigation, professional services, and offsite improvements. Costs not funded by bonds will be funded by the developer.

The Auburn Lakes Community Development District will consist of a five (5) member Board of Supervisors having the authority to oversee the installation of infrastructure improvements and secure financing within its boundaries. All meetings are open to the public and are subject to all applicable Government in the Sunshine laws. In the event that the established Community Development District is terminated for any reason, the City shall in no way be required to accept ownership and/or maintenance responsibility for any proposed infrastructure that is necessary for the development in the District without the City's express written consent. In the event of termination, the Community Development District shall be responsible for ensuring the transfer of such ownership and maintenance responsibilities to an appropriate entity other than the City as authorized by law.

Public notification is in accordance with Chapter 190 of Florida Statutes, the petitioner published public notice of this request in a local newspaper for four (4) consecutive weeks prior to the second reading on May 20, 2024 and public hearing of the Ordinance.

There is no direct financial impact to the City as a result of this request; however, upon development of the Community Development District, the City will receive a budget and schedule of meetings annually.

The proposed Ordinance and Petition for the Community Development District were prepared by the attorney representing the development with extensive review by the Community Development Department, City Manager and the City Attorney. The proposed Ordinance is being presented for first reading and will be considered for second and final reading on May 20, 2024.

Staff recommends approval of Ordinance #1769 establishing the Community Development District for Auburn Lakes.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1769 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE FLORIDA, ESTABLISHING THE AUBURN LAKES COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING NOTICE OF REQUIREMENTS; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (General Location: The area covered by this request is generally located south of Old Dixie Road, east of Cochran Lane, and west of SR-570 in Auburndale, Florida. The area covered by this request is 255.05± acres.)**, by title only.

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

Motion by Commissioner Helms, seconded by Commissioner Sterling, to approve Ordinance #1769 establishing the Community Development District for Auburn Lakes, as read on first reading by title only. Upon vote, all ayes.

6. INTERLOCAL AGREEMENT WITH POLK COUNTY – LIBRARY COOPERATIVE

City Manager Tillman said the City of Auburndale joined the Polk County Library Cooperative in 1997. The Cooperative provides funding to municipalities to offset the library services provided by the cities to residents living in the unincorporated area of the County.

The City has since renewed a 3-year Agreement in 2001, a 2-year Agreement in 2004, a 4-year Agreement in 2006, a 4-year Agreement in 2010, and a 10-year Agreement in 2014 through September of 2024.

Over the years, there has been very little change to the text. Subsequently, the Cooperative Governing Board has recommended adding automatic renewals for additional 10-year terms. The term of this Agreement shall begin on October 1, 2024. The Agreement provides for amendments when and if necessary.

The Agreement was considered and approved for recommendation by the Library Cooperative Governing Board on March 13, 2024. Auburndale Librarian Wayne McCarty is the City's representative on the Governing Board. The Interlocal Agreement was prepared by Polk County and reviewed by the Librarian, City Manager's Office and City Attorney. Staff recommends approval of the Polk County Library Cooperative Interlocal Agreement 2024.

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

Motion by Commissioner Cowie, seconded by Commissioner Helms, to approve the Polk County Library Cooperative Interlocal Agreement 2024. Upon vote, all ayes.

7. CONSIDER RENEWAL OF AGREEMENT FOR AUDITING SERVICES

City Manager Tillman said the City Commission in 2007 assigned the City's Auditing Services to Brynjulfson CPA for three years through Fiscal Year 2009. The Agreement was extended for an additional four years in July 2010,

five years in January 2014 and an additional five years in March 2019. The current engagement letter expired with the Fiscal Year 2023 Audit presented to the Commission in February 2024.

Mike Brynjulfson CPA has provided the City with a request to renew the Audit Services Agreement through Fiscal Year 2028. Thereafter, the Agreement provides for possible renewal by mutual agreement of both parties.

The proposed Agreement (engagement letter) provides for several changes from the prior agreement, including the required stand-alone audit of the Community Redevelopment Agency (CRA), the examination of compliance engagement related to the CRA and three (3) significant Government Auditing Standards Board (GASB) 84, 87, and 96. City Staff continued to plan for the filing of the Annual Comprehensive Financial Report (ACFR) introduced as part of the Fiscal Year 2018 Audit.

Per communication with the Auditor, the total audit related fees have remained about the same over the past few years (\$58,720 Fiscal Year 2023). It was noted the audit work has increased since the last renewal due to increased reporting and compliance work. The combined fee for the City and Community Redevelopment Agency audit services in Fiscal Year 2025 will be \$64,450 per the Agreement.

The proposed Engagement Letter was prepared by Brynjulfson CPA, and reviewed by the Finance Director, City Manager and City Attorney. Staff recommends approval of the Audit Service Agreement with Brynjulfson CPA.

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

Motion by Commissioner Cam, seconded by Commissioner Cowie, to approve the Audit Service Agreement with Brynjulfson CPA. Upon vote, all ayes.

8. RESOLUTION #2024-04 TRANSPORTATION PLANNING ORGANIZATION MEMBERSHIP APPORTIONMENT PLAN

City Manager Tillman said the City Commission in 2003 endorsed a Membership Reapportionment Plan for the Polk Transportation Planning Organization (TPO). The Plan provided the membership structure of the Transportation Planning Organization including representation for Polk County's cities and towns.

The Governor has requested the Transportation Planning Organization to submit a revised Membership Apportionment Plan based on the 2020 Census. The Transportation Planning Organization Board in 2023, with former City Commissioner Jack Myers representing the City of Auburndale, formally approved a revised Plan for submission to the Governor.

The revised Plan is based on the current membership structure and adds four (4) members to several jurisdictions in Northeast Polk County due to significant increases in population observed in these areas since 2010. As a result, the voting membership of the Transportation Planning Organization has been increased from 19 to 23 members.

Commissioner Helms was appointed on January 8, 2024 to represent the City on the Transportation Planning Organization Board.

The proposed Resolution was prepared by the Community Development Department from a sample resolution provided by the Transportation Planning Organization and reviewed by the City Manager's Office. Staff recommends approval of the Resolution.

City Attorney Frederick J. Murphy Jr. read Resolution No. 2024-04 entitled: **RESOLUTION ENDORSING THE MEMBERSHIP APPORTIONMENT PLAN FOR THE POLK TRANSPORTATION PLANNING ORGANIZATION AND AUTHORIZING THE CHAIRMAN/MAYOR TO EXECUTE AN AMENDED INTERLOCAL AGREEMENT**, by title only.

City of Auburndale Commission Minutes April 15, 2024

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

Motion by Commissioner Cowie, seconded by Commissioner Helms, to approve Resolution No. 2024-04. Upon vote, all ayes.

The Meeting was adjourned at 7:23:07 p.m.

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



Brandon Henry, City Clerk