



City of Auburndale

AUBURNDALE, FLORIDA 33823

Office of the City Manager

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CITY COMMISSION MEETING
April 15, 2024 - 7:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Pastor Michael Robinson, Lakes Church Auburndale

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 04/01/2024

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 MAP AMENDMENT – INTERSECT PROPERTIES
2. ORDINANCE #1747 AMENDING THE FUTURE LAND USE MAP – INTERSECT PROPERTIES
3. **PUBLIC HEARING** – FUTURE LAND USE MAP AMENDMENT – LINCOLN GROUP PROPERTY
4. ORDINANCE #1761 AMENDING THE FUTURE LAND USE MAP – LINCOLN GROUP PROPERTY
5. ORDINANCE #1769 ESTABLISHING COMMUNITY DEVELOPMENT DISTRICT – AUBURN LAKES
6. INTERLOCAL AGREEMENT WITH POLK COUNTY – LIBRARY COOPERATIVE
7. CONSIDER RENEWAL OF AGREEMENT FOR AUDITING SERVICES
8. RESOLUTION #2024-04 TPO MEMBERSHIP APPORTIONMENT PLAN

Community Redevelopment Agency (CRA) Meeting following City Commission Meeting

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 accommodations 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
April 15, 2024**

AGENDA ITEM 1: PUBLIC HEARING – FUTURE LAND USE MAP AMENDMENT – INTERSECT PROPERTIES

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

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider and take public comment on a Future Land Use Map Amendment.

ATTACHMENTS:

- . Notice of Public Hearing – 04/05/2024
- . Ordinance #1747 Amending the Future Land Use Map – Intersect Properties

ANALYSIS: The City has received a request to amend the Future Land Use Map for the following property:

Intersect Properties

Owner/Petitioner:	Bart Allen, Peterson & Myers, P.A., on behalf of Intersect Development Group
Location:	Pace Road and Bryan Lane
Current County Future Land Use:	Business Park Center-1X (BPC-1X)
Proposed City Future Land Use:	Regional Activity Center (RAC)
Current use:	Vacant (+/- 66.3 acres)

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.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use Map Amendment (5-0, 03/18/2024).

STAFF RECOMMENDATION: Approval of Ordinance #1747 amending the Future Land Use Map – Intersect Properties.

**City Commission Meeting
April 15, 2024**

AGENDA ITEM 3: PUBLIC HEARING – FUTURE LAND USE MAP AMENDMENT – LINCOLN GROUP PROPERTIES

AGENDA ITEM 4: ORDINANCE #1761 AMENDING THE FUTURE LAND USE MAP – LINCOLN GROUP PROPERTY

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider and take public comment on a Future Land Use Map Amendment.

ATTACHMENTS:

- . Notice of Public Hearing – 04/05/2024
- . Ordinance #1761 Amending the Future Land Use Map – Lincoln Group Property

ANALYSIS: The City has received a request for a Future Land Use Map amendment for the following property:

North Pace Road Property

<u>Owner/Petitioner:</u>	Knights PC Holdings, LLC
<u>Location:</u>	Pace Road and Polk County Parkway
<u>Current Use:</u>	Vacant (75.70 +/- acres)
<u>Current County Future Land Use:</u>	Interchange Activity Center-X (IAC-X)
<u>Proposed City Future Land Use:</u>	Regional Activity Center (RAC)

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.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use Map Amendment (5-0, 03/18/2024).

STAFF RECOMMENDATION: Approval of Ordinance #1761 amending the Future Land Use Map – Lincoln Group Properties.

City Commission Meeting
April 15, 2024

AGENDA ITEM 5: **ORDINANCE #1769 ESTABLISHING COMMUNITY DEVELOPMENT DISTRICT – AUBURN LAKES**

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider an Ordinance establishing the Community Development District for Auburn Lakes.

ATTACHMENTS:

- . Proposed Ordinance #1769 Establishing Community Development District – Auburn Lakes
- . Petition To Establish Auburn Lakes Community Development District & Pre-Filed Testimonies

ANALYSIS: 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 CDD for the purpose of managing the provision of infrastructure improvements and public services including funding. The proposed CDD 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, Planned Development Commercial-1.

The petitioner has proposed to establish the CDD 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 CDD 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 CDD 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 CDD 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 CDD 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 REQUIREMENTS: 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.

FINANCIAL IMPACT: There is no direct financial impact to the City as a result of this request; however, upon development of the CDD, 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 RECOMMENDATION: Approval of Ordinance #1769 establishing the Community Development District for Auburn Lakes.

**City Commission Meeting
April 15, 2024**

AGENDA ITEM 6: INTERLOCAL AGREEMENT WITH POLK COUNTY – LIBRARY COOPERATIVE

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Commission will consider renewal of the Polk County Library Cooperative Agreement.

ATTACHMENTS:

Polk County Library Cooperative Interlocal Agreement 2024

ANALYSIS: 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 City is scheduled to receive an estimated \$229,286 in our current FY 2024 Budget. The proposed FY 2025 Budget also reflects the \$229,286 in Cooperative Revenue.

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 RECOMMENDATION: Approval of the Polk County Library Cooperative Interlocal Agreement 2024.

**City Commission Meeting
April 15, 2024**

AGENDA ITEM 7: CONSIDER RENEWAL OF AGREEMENT FOR AUDITING SERVICES

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Commission will consider renewal of the current Agreement for Auditing Services.

ATTACHMENTS:

Audit Services Agreement Renewal Proposal – March 27, 2024

ANALYSIS: 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 FY 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 FY 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 FY 2018 Audit.

Per communication with the Auditor, the total audit related fees have remained about the same over the past few years (\$58,720 FY2023). 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 CRA audit services in FY2025 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 RECOMMENDATION: Approval of the Audit Service Agreement with Brynjulfson CPA.

**City Commission Meeting
April 15, 2024**

AGENDA ITEM 8: RESOLUTION #2024-04 TPO MEMBERSHIP APPORTIONMENT PLAN

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Commission will consider a Resolution endorsing the TPO Membership Apportionment Plan and authorizing an amendment to the Interlocal Agreement creating the Polk Transportation Planning Organization.

ATTACHMENTS:

- . Letter of Request from Polk Transportation Planning Organization
- . Resolution #2024-04 Endorsing TPO Membership Apportionment Plan
- . TPO Membership Apportionment Plan and Amended Interlocal Agreement

ANALYSIS: 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 TPO including representation for Polk County's cities and towns.

The Governor has requested the TPO to submit a revised Membership Apportionment Plan based on the 2020 Census. The TPO 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 TPO has been increased from 19 to 23 members.

Commissioner Helms was appointed on January 8, 2024 to represent the City on the TPO Board.

The proposed Resolution was prepared by the Community Development Department from a sample resolution provided by the TPO and reviewed by the City Manager's Office.

STAFF RECOMMENDATION: Approval of the Resolution.