



City of Auburndale
AUBURNDALE, FLORIDA 33823

Office of the City Manager

P.O. Box 186
(863) 965-5530
Email: cmo@auburndalefl.com

CITY COMMISSION MEETING
Monday, November 4, 2024- 7:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Pastor Curtis Johnson, New Life Praise & Worship Tabernacle

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 10/17/2024

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

PROCLAMATION –

AGENDA

1. **PUBLIC HEARING** – FUTURE LAND USE AND OFFICIAL ZONING MAP AMENDMENTS – EVEREST
2. ORDINANCE #1801 AMENDING THE FUTURE LAND USE MAP – EVEREST PROPERTY
3. ORDINANCE #1802 AMENDING THE OFFICIAL ZONING MAP – EVEREST PROPERTY
4. **PUBLIC HEARING** – NAMING RIGHTS AND MARKETING AGREEMENT WITH ORLANDO HEALTH & REISSUANCE OF SERIES 2021 NON-AD VALOREM REVENUE BOND AS QUALIFIED 501(C)(3) BOND
5. RESOLUTION #2024-08 NAMING RIGHTS AND MARKETING AGREEMENT WITH ORLANDO HEALTH & REISSUANCE OF SERIES 2021 NON-AD VALOREM REVENUE BOND AS QUALIFIED 501(C)(3) BOND
6. ORDINANCE #1803 AMENDING GENERAL EMPLOYEES PENSION TRUST PLAN
7. APPOINTMENTS TO THE POLICE AND FIRE PENSION BOARDS
8. APPOINTMENT TO THE PLANNING COMMISSION
9. CONSIDER DEVELOPER'S AGREEMENT WITH CORSA CF LAND LLC.

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
November 4, 2024**

AGENDA ITEM 1: PUBLIC HEARING – FUTURE LAND USE AND OFFICIAL ZONING MAP AMENDMENTS – EVEREST PROPERTY

AGENDA ITEM 2: ORDINANCE #1801 AMENDING THE FUTURE LAND USE MAP – EVEREST PROPERTY

AGENDA ITEM 3: ORDINANCE #1802 AMENDING THE OFFICIAL ZONING MAP – EVEREST PROPERTY

___ INFORMATION ONLY

X ACTION REQUESTED

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

ATTACHMENTS:

- . Notice of Public Hearing – 10/25/24
- . Ordinance #1801 Amending the Future Land Use Map – Everest Property
- . Ordinance #1802 Amending the Official Zoning Map – Everest Property
- . Excerpt from Planning Commission Meeting – 09/10/2024

ANALYSIS: The City has received a request for a Future Land Use Map Amendment and an Official Zoning Map Amendment on the following property:

Everest Property:

Owner/Petitioner:

Charles Booker, PE/Traditions Engineering on behalf of MF Partners, LLC
Hwy. 92 W. and the Polk County Pkwy.

Location:

Current Future Land Use:

Neighborhood Activity Center (NAC) (+/-18.87 acres) and Medium Density Residential (+/-13.52 acres)

Proposed Future Land Use:

NAC (+/-17.12 acres) and Medium Density Residential (+/-15.27 acres)

Current City Zoning:

PD-H1 (+/-13.52 acres) and PD-C1 (+/-18.87 acres)

Proposed Zoning Classification:

Planned Development-Housing 2 (PD-H2) (+/-15.27 acres) and Planned Development Commercial 1 (PD-C1) (+/-17.12 acres)

Current use:

Vacant (+/- 32.39 acres)

In 2005, the City approved various Zoning classifications for a development known as Ebersbach. The overall development was envisioned to have a mixed use on 917.35 +/- acres. The approved overall development stretched from Old Dixie Hwy to K-Ville Avenue. In the fall of 2008, the project was abandoned, and individual properties of the large development were sold off. No activity had occurred on this property since its initial approval.

In July of 2021, the City re-established the expired Planned Development-Commercial 1 (PD-C1) on a portion of the subject site, known as the Everest property. Since then, construction plans were approved for a rehabilitation hospital on the east side of the site. In 2021 the development was approved on +/-32.39 acres of property with Future Land Use designations of Neighborhood Activity Center (NAC) on +/-18.87 acres and Medium Density Residential on +/-13.52 acres.

Charles Booker, PE/Traditions Engineering, on behalf of MF Partners, LLC has requested to amend the underlying Future Land Use. The proposed Future Land Use amendment would reclassify +/-1.75 acres from ***Neighborhood Activity Center (NAC)*** to ***Medium Density Residential***. The requested proposal also reclassifies the existing Zoning designation of ***Planned Development-Housing 1 (PD-H1)*** to ***Planned Development-Housing 2 (PD-H2)*** due to the size of the property and amends a portion of the ***Planned Development-Commercial 1 (PD-C1)*** to ***Planned Development-Housing 2 (PD-H2)*** on a total of +/-15.27 acres. The proposed binding site plan requests the development of a 96-bed assisted living facility with a club house and 12 multifamily duplexes, containing 2 dwelling units each (24 units), for a total of 120 dwelling units.

The Medium Density Residential Future Land Use allows for 7 to 10 dwelling units per acre. Planned Development-Housing 2 Zoning allows for single family detached dwellings, single family semi-detached and attached, townhouses, two family and multiple family dwellings. The Zoning request is compatible with the requested Future Land Use of Medium Density Residential and is consistent with the City of Auburndale Comprehensive Plan and the Land Development Regulations.

The proposed Ordinances were prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinances will be considered for second and final reading on November 18, 2024.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use of Medium Density Residential and Zoning classification of Planned Development-Housing 2 (PD-H2) to the City Commission. (4-0, 09/10/2024)

STAFF RECOMMENDATION: Approval of proposed Ordinance #1801 amending the Future Land Use Map and Ordinance #1802 amending the Official Zoning Map and proposed binding site plan.

**City Commission Meeting
November 4, 2024**

AGENDA ITEM 4: PUBLIC HEARING – NAMING RIGHTS AND MARKETING AGREEMENT WITH ORLANDO HEALTH AND REISSUANCE OF SERIES 2021 NON-AD VALOREM REVENUE BOND AS QUALIFIED 501(C)(3) BOND

AGENDA ITEM 5: RESOLUTION #2024-08 NAMING RIGHTS AND MARKETING AGREEMENT WITH ORLANDO HEALTH AND REISSUANCE OF SERIES 2021 NON-AD VALOREM REVENUE BOND AS QUALIFIED 501(C)(3) BOND

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider a Naming Rights and Marketing Agreement with Orlando Health Inc.

ATTACHMENTS:

Proposed Resolution #2024-08 Naming Rights and Marketing Agreement with Orlando Health and Reissuance of Series 2021 Non-Ad Valorem Revenue Bond as Qualified 501(C)(3) Bond

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 August 2023, construction was completed of the Championship Soccer Stadium and Event Lake facilities and a new Agreement was approved by the City Commission and Polk County that recognized the additional facilities and had an initial term of ten (10) years and the option to renew for up to two (2) additional five (5) year terms.

The proposed Naming Rights and Marketing Agreement is a ten (10) year agreement for the naming rights of the Championship Soccer Stadium and other marketing opportunities with Orlando Health Inc. at the facility. The marketing activities include signage on the scoreboard naming the Soccer Stadium and partnership with Orlando Health, displaying of Orlando Health field logos to targeted special events, welcome signage on the locker rooms, branded medical equipment at the facility, QR codes displayed in strategic locations that will address health related advice from Orlando Health, usage of Soccer Stadium by Orlando Health for sponsored events, and other related Orlando Health marketing.

In exchange for the marketing at the Soccer Stadium, Orlando Health will pay the City a total of \$650,000 over the ten (10) year term of the agreement with an initial \$65,000 payment for 2024. Subsequent payments will be made on October 1st beginning in 2025 through 2033. The proposed Naming Rights and Marketing Agreement with Orlando Health would adhere to the sponsorship distribution defined in the August 2023 Revenue Sharing Agreement with Polk County for the Championship Soccer Stadium.

In October 2021, the City Commission authorized a Non-Ad Valorem Revenue Bond, Series 2021 with Truist Bank to fund construction of the Championship Soccer Stadium in the amount of \$3,500,000. As a result of the Naming Rights and Marketing Agreement with Orlando Health, bond counsel with Bryant Miller Olive P.A. have advised that it is in the best interest of the City to reissue the Series 2021 Bond as a "Qualified 501(C)(3) Bond" as defined in Section 145 of the Internal Revenue Code, subject to satisfaction of the requirements of Section 147(f) of the Code. Reissuance of the bond would allow the City to accept the sponsorship funding from Orlando Health as they are a 501(C)(3) organization.

Proposed Resolution #2024-08 authorizes execution of the agreement between Orlando Health and the City of Auburndale and reissuance of the Series 2021 Non-Ad Valorem Revenue Bond as a "Qualified 501(C)(3) Bond".

The proposed Naming Rights and Marketing Agreement with Orlando Health was prepared by the Parks and Recreation Director and reviewed by the City Manager and City Attorney. Proposed Resolution #2024-08 was prepared by Bryant Miller Olive P.A. and reviewed by the Parks and Recreation Director, City Manager and City Attorney.

STAFF RECOMMENDATION: Approval of proposed Resolution #2024-08 authorizing execution of the Naming Rights and Marketing Agreement between Orlando Health and the City of Auburndale and the reissuance of the Series 2021 Non-Ad Valorem Revenue Bond as a "Qualified 501(C)(3) Bond".

**City Commission Meeting
November 4, 2024**

AGENDA ITEM 6: ORDINANCE #1803 AMENDING GENERAL EMPLOYEES PENSION TRUST PLAN

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider an Ordinance amending the General Employees' Pension Trust Plan.

ATTACHMENTS:

- . Ordinance #1803 Amending **General Employees'** Pension Trust Fund Plan
- . Letter from Patrick Donlan, Foster & Foster Actuaries – October 15, 2024
- . Letter of Request from Sean Sendra, Klausner, Kaufman, Jensen & Levinson – October 28, 2024

ANALYSIS: The proposed Ordinance amends Section 27, Deferred Retirement Option Plan (DROP), of the General Employees' Pension Trust Fund and the Firefighters' Pension Trust Fund. The interest rate for the DROP in the Florida Retirement System increased to 4% on July 1, 2023. The Board of Trustees for the General Employees' Pension Plan recommends this change to help retain and attract employees.

The actuary of the plans, Foster & Foster, issued a letter indicating that there are no costs associated with the adoption of the proposed Ordinance. The proposed Ordinance was prepared by the Pension Plan Attorney for the plan, Klausner, Kaufman, Jensen & Levinson, and reviewed by the Finance Director, City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be considered for second and final reading on November 18, 2024.

GENERAL EMPLOYEES' PENSION BOARD RECOMMENDATION: Approval of the Ordinance – 07/23/2024

STAFF RECOMMENDATION: Approval of the proposed Ordinance amending the General Employees' Pension Plan.

**City Commission Meeting
November 4, 2024**

AGENDA ITEM 7: APPOINTMENTS TO THE POLICE AND FIRE PENSION BOARDS

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider appointments to the City's Police and Fire Pension Boards.

ATTACHMENTS:

None

ANALYSIS:

The Police Pension Board consist of five (5) members:

The Board consists of two City residents, appointed by the City Commission for a term of four years; two full-time police officers that are elected by a majority of the police officers that are members of the Plan for a term of four years; and the fifth member chose by a majority of the previous four members and approved by the City Commission, for a term of four years.

Richard Mauer	Police Officer		September 2025
Bracken Smith	Resident		September 2025
John Cruz	Police Officer		September 2028
Rick Brauckmuller	Resident	(Re-appointment)	September 2028
Andy Ray	5th Member	(Re-appointment)	September 2028

The Fire Pension Board consists of five (5) members:

The Board consists of two City residents, appointed by the City Commission for a term of four years; two full-time firefighters that are elected by a majority of the firefighters that are members of the Plan for a term of four years; and the fifth member chose by a majority of the previous four members and approved by the City Commission, for a term of four years.

Robert Barrington	Firefighter		September 2025
Burris Warner	Resident		September 2025
Matt McCard	Firefighter		September 2025
Brian Bradway	Resident	(Re-appointment)	September 2028
Jonathan Waters	5th Member	(Re-appointment)	September 2028

STAFF RECOMMENDATION: Approve the Appointments.

**City Commission Meeting
November 4, 2024**

AGENDA ITEM 8: APPOINTMENT TO THE PLANNING COMMISSION

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider appointments to the City's Planning Commission.

ATTACHMENTS:

None

ANALYSIS:

The Planning Commission consist of seven (7) members:

The Planning Commission consists of seven (7) City residents, each to be appointed by the City Commission for a term of three (3) years. All members must be City residents. (City Code, Sec. 25-90).

Steve Lawson	January 2025
Jody Miller	January 2025
Tom Dudash	January 2026
Crystal Tijerina (New Appointment)	January 2026
Perry Price	January 2027
Danny Chandler	January 2027
Dave Holt	January 2027

The City Commission in January of 2014 appointed Matt Maloney to serve as a member on the Planning Commission. Mr. Maloney has suggested he is no longer able to serve. Mrs. Crystal Tijerina is a City resident and has agreed to fill the unexpired term through January 2026.

STAFF RECOMMENDATION: Staff has no objections to the appointments.

**City Commission Meeting
November 4, 2024**

AGENDA ITEM 9: CONSIDER DEVELOPER'S AGREEMENT WITH CORSA CF LAND LLC

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider a Developer's Agreement between Corsa CF Land LLC and the City for sewer capacity.

ATTACHMENTS:

Developer's Agreement with Corsa CF Land LLC

ANALYSIS: In 2022, the City initiated a comprehensive city-wide review of the Regional Wastewater Treatment Facility Service Area, completed by Chastain-Skillman, which identified certain improvements required to serve and allow development in the area. Corsa CF Land LLC (Corsa) is under contract for +/- 24 acres on Berkley Road, south of I-4 and north of C. Fred Jones Boulevard. The Utility Study shows that development and construction on the Corsa property cannot discharge into the City's wastewater system until the Pace Road Master Lift Station Utility Improvements are completed, permitted, and operational, as identified in the Utility Study.

The proposed Developer's Agreement is between Corsa CF Land LLC and the City of Auburndale. The Agreement acknowledges that the City makes no representation or warranty as to when it will commence or complete the Utility Improvements. The proposed Developer's Agreement shall become effective upon Corsa's purchase of the property.

The proposed Developer's Agreement allows the City to complete the review of all development plans and construction plan documents. The Developer owns the Circuit Florida motorsports club to the east. The Developer intends to expand its use to consist of approximately 0.71 miles of new racetrack; 75 additional one or two-story townhome-style condominiums; a vehicular off-road course; a vehicular skid pad for testing and training purposes; and two Light Industrial (LI) zoned sites. The Developer has submitted a Zoning amendment that will come before the City at a later time.

The City and Corsa desire to enter into the Agreement to establish the respective rights and obligations between Corsa CF Land LLC and the City, in accordance with the terms and conditions of the proposed Developer's Agreement.

The proposed Developer's Agreement was prepared by Corsa CF Land LLC, and reviewed by the Community Development Director, City Manager's Office, City Public Works Director and the City Attorney.

STAFF RECOMMENDATION: Approval of the proposed Developers Agreement with Corsa CF Land LLC and the City of Auburndale.