



City of Auburndale
AUBURNDALE, FLORIDA 33823

Office of the City Manager

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COMMISSION MEETING
THURSDAY, SEPTEMBER 18, 2025 - 7:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Michael Robinson, Lakes Church Auburndale

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 09/18/2025

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

AGENDA

1. **PUBLIC HEARING** – FY 2026 TAX MILLAGE LEVY & ANNUAL BUDGET
2. ORDINANCE #1835 ADOPTING 2025 TAX MILLAGE LEVY
3. ORDINANCE #1836 ADOPTING FY 2026 & FY 2027 ANNUAL BUDGETS
4. ORDINANCE #1837 AMENDING CITY CODE SECTION 2-43(b) - PURCHASING GUIDELINES
5. RESOLUTION #2025-06 ESTABLISHING PURCHASING GUIDELINES
6. RESOLUTION #2025-07 ADOPTING INTERIM ADMINISTRATIVE PLAT POLICY
7. APPROVE SETTLEMENT AGREEMENTS FOR OPIOID LITIGATION
8. CONSIDER DEVELOPER'S AGREEMENT WITH CITICOMMUNITIES, LLC
9. CONSIDER DEVELOPER'S AGREEMENT WITH DOHERTY HOLDINGS FORTIETH, 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
September 18, 2025

AGENDA ITEM 1: PUBLIC HEARING – FY 2026 TAX MILLAGE LEVY & ANNUAL BUDGET

AGENDA ITEM 2: ORDINANCE #1835 ADOPTING 2025 TAX MILLAGE LEVY

AGENDA ITEM 3: ORDINANCE #1836 ADOPTING FY 2026 & FY 2027 ANNUAL BUDGETS

___ INFORMATION ONLY

__X__ ACTION REQUESTED

ISSUE: The City Commission will consider and take public comment on the proposed millage rate and tentative FY 2026 and FY 2027 Annual Budgets.

ATTACHMENTS:

- . Proposed Contingency Changes - FY 2025/2026 and FY 2026/2027
- . Adjusted Fund Totals - FY 2025/2026 and FY 2026/2027
- . Proposed Ordinance #1835 Adopting Tax Millage Rate
- . Proposed Ordinance #1836 Adopting FY 2026 & FY 2027 Budgets and Five-Year Capital Improvement Program (CIP)

ANALYSIS: The Public Hearing has been advertised in accordance with the Florida Statutes regarding the method of fixing tax millage. This Public Hearing is the first of two (2) required Public Hearings with the second scheduled for September 18, 2025.

The proposed Budget for FY 2026 is balanced with Total Revenue and Total Expenditures of \$94,549,131. Expenditures include general operating expenses of \$56,318,662, Capital Improvements of \$38,157,805, and Contingency Reserve of \$72,664. The Proposed FY 2026 and 2027 Budgets includes all changes made during the Regular City Commission meetings of May 5, 2025 (Payroll), May 19, 2025 (Capital Outlay), June 16, 2025 (Expenditures), and July 21, 2025 (Revenues). City Staff will present changes and adjusted Contingency figures.

Revenues from ad-valorem taxes for FY 2026 and FY 2027 are estimated at \$11,640,000 and based upon the operating millage rate of 4.2515.

The FY 2026 Budget also includes the proposed Five-Year Schedule of Capital Improvements (CIP) for the City's Public Safety, Parks and Recreation and Public Works Departments. This schedule, which is a requirement of the City's Comprehensive Plan, assists the City Commission in prioritizing future capital needs throughout the City and is updated annually during the budget process to include a "new fifth year".

A balanced FY 2027 Budget (2nd Year Budget) is also being presented for the Commission's conceptual approval. The FY 2027 Budget will be reviewed by City Staff and the City Commission during the next Budget update process in order to accommodate needs that have arisen since the planned budget was prepared.

Changes to the proposed Biennial Budget will be presented by staff during the Public Hearing and before Commission action.

The proposed Ordinances were prepared by the Finance Director and reviewed by the City Manager and City Attorney. The proposed Ordinances were approved on first reading September 4, 2025, and are being presented for second and final reading.

STAFF RECOMMENDATION: Approve the proposed Ordinance establishing the tax millage levy and the proposed Ordinance adopting the FY 2026 and FY 2027 Annual Budgets.

**Commission Meeting
September 18, 2025**

AGENDA ITEM 4: ORDINANCE #1837 AMENDING CITY CODE SECTION 2-43(b) - PURCHASING GUIDELINES

AGENDA ITEM 5: RESOLUTION #2025-06 ESTABLISHING PURCHASING GUIDELINES

____ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider a proposed Ordinance amending Section 2-43(b) of the City Code for purchasing guidelines and a proposed Resolution establishing Purchasing Guidelines.

ATTACHMENTS:

- . Proposed Ordinance #1837 Amending City Code Section 2-43(b) - Purchasing Guidelines
- . Proposed Resolution #2025-06 Establishing Purchasing Guidelines

ANALYSIS: In April 2022, the City Commission approved amending the purchasing guidelines to increase the threshold for competitive bids from \$10,000 to \$25,000 with City Commission approval.

Based on the City Auditor’s recommendation, Staff has researched several local jurisdictions to understand their sealed bid limit, City Commission approval limits, and other purchasing policies in which City Commission approval is required. Other local jurisdictions’ approval limits are as follows:

| | Sealed Bid | Commission Approval |
|----------------------|-------------------|----------------------------|
| Auburndale (current) | > \$25,000 | > \$25,000 |
| Bartow | > \$35,000 | > \$100,000 |
| Winter Haven | > \$30,000 | > \$50,000 |
| Davenport | > \$50,000 | > \$50,000 |
| Haines City | > \$50,000 | > \$50,000 |
| Lake Alfred | > \$25,000 | > \$25,000 |

Proposed Ordinance #1837 amends Section 2-43(b) of City Code by removing a purchasing threshold in the City Code and adding language for the Purchasing Guidelines of the City to be adopted the City Commission.

The proposed Ordinance was prepared by the Finance Director and reviewed by the City Manager and City Attorney. The proposed Ordinance was adopted on first reading on September 4, 2025, and is being presented for second and final reading.

Following adoption of the proposed Ordinance, the City Commission will consider proposed Resolution #2025-06 adopting Purchasing Guidelines. The proposed Resolution adopts Purchasing Guidelines the City has followed for several years and updates language for budgeted items approved by the City Commission, piggyback purchases, and emergency purchases consistent with other local jurisdictions. The proposed Resolution will also increase the sealed bid and City Commission approval thresholds to \$50,000.

STAFF RECOMMENDATION: Approval of Ordinance #1837 amending Section 2-43(b) of the Code of Ordinances (Purchasing Guidelines) and Resolution #2025-06 establishing Purchasing Guidelines.

**Commission Meeting
September 18, 2025**

AGENDA ITEM 6: RESOLUTION #2025-07 ADOPTING INTERIM ADMINISTRATIVE PLAT POLICY

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider a Resolution adopting City policy regarding the administrative approval for plats and replats of land.

ATTACHMENTS:

Proposed Resolution #2025-07 Adopting Interim Administrative Plat Policy

ANALYSIS: During the 2025 Legislative Session, the Florida Legislature amended State Statute (Chapter 2025-164, Laws of Florida, the "Act") to require that each plat and replat of land lying within the City of Auburndale's municipal limits, intended to be offered for recording in the public records of the county, be first submitted to the City for administrative approval. The Act supersedes conflicting municipal local final plat and replat regulations relating to final plat and replat approvals and removes all requirements to hold public hearings and obtain approvals from the City of Auburndale Planning Commission and the City of Auburndale City Commission.

The proposed Resolution formally adopts interim procedures known as the "Interim Administrative Final Plat Approval Policy" and designates an interim City Administrative authority to receive, review, and process plats and replats in compliance with the Act. The interim procedures and interim designation will apply only to plats and replats submitted on or after July 1, 2025 until the City Commission can amend the City's Land Development Regulations. City staff is currently developing an amendment to the Land Development Regulations to provide direction and procedures on final plats and replats incorporating the Interim Administrative Final Plat Approval Policy.

The proposed Resolution also declares a period of "zoning in progress" where conflicts exist with the City's Land Development Regulations and the Interim Administrative Final Plat Approval Policy and instructs the City Manager or designee to apply the interim procedures. The interim procedures still require a plat to conform with all preliminary development plans approved by the City Commission and be in full compliance with all of the City's Land Development Regulations and Florida Statutes.

The proposed Resolution was prepared by the City Attorney and reviewed by the Community Development Director and City Manager.

STAFF RECOMMENDATION: Approval of Resolution #2025-07 Adopting Interim Administrative Plat Policy.

**Commission Meeting
September 18, 2025**

AGENDA ITEM 7: APPROVE SETTLEMENT AGREEMENTS FOR OPIOID LITIGATION

INFORMATION ONLY

ACTION REQUESTED

ISSUE: The City Commission will consider approving settlement agreements regarding Opioid Litigation.

ATTACHMENTS:

. None

ANALYSIS: In November 2021, the City Commission approved an Interlocal Agreement with Polk County, Florida, and other Municipalities referenced therein for the County to use Opioid Settlement Funds to more fully implement the Polk County Florida Opioid Abatement Plan.

After years of negotiations, Florida's Attorney General has recently announced that nine additional Settlements have been reached that would resolve all opioid litigation brought by the State of Florida and local political subdivisions against the following pharmaceutical distributors, Purdue Pharma L.P. and the Sackler Family (Purdue); and Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus (Secondary Manufacturers).

The Settlement contemplates that the Sacklers will be paying an aggregate of \$6.5 billion in 16 payments over 15 years, including \$1.5 billion on the settlement's Effective Date (expected to be in 2026), though some amounts are subject to discounted prepayments. These amounts are in addition to amounts available from the Purdue estate including amounts available on the Effective Date (expected to be around \$900 million) and amounts that may be paid in the future.

The Settlements require the settling Secondary Manufacturers to pay hundreds of millions of dollars to abate the opioid epidemic. The Settlements are expected to provide a maximum of approximately \$720 million in cash to participating states and subdivisions to remediate and abate the impacts of the opioid crisis. Depending on participation by states and subdivisions, the Settlements require:

- . Alvogen to immediately pay up to approximately \$19 million;
- . Amneal to pay up to approximately \$74 million over 10 years, and to provide either approximately \$177 million of its generic version of the drug Narcan or up to an additional approximately \$44 million in cash;
- . Apotex to immediately pay up to approximately \$65 million;
- . Hikma to immediately pay up to approximately \$98 million, and to provide either approximately \$35 million of its naloxone product or up to an additional approximately \$7 million in cash;
- . Indivior to pay up to approximately \$75 million over five years, a portion of which, at the election of the state, could be paid in the form of Indivior's branded buprenorphine and/or nalmefene products with a value of up to \$140 million;
- . Mylan to pay up to approximately \$290 million over nine years;

- . Sun to immediately pay up to approximately \$32 million; and
- . Zydus to immediately pay up to approximately \$15 million.

Pursuant to the Florida Opioid Allocation and Statewide Response Agreement between the State of Florida Department of Legal Affairs, Office of the Attorney General and Certain Local Governments in the State of Florida dated November 15, 2021, the Regional percentage by County for Abatement Fund is 2.150483025298% for all of Polk County. Based on that percentage, Polk County as an individual governmental entity, is entitled to receive 1.558049828484% and the City of Auburndale is entitled to receive 0.028636162584% of Opioid Settlement Funds.

Approval and execution of the Settlement Agreements will also constitute a Release of Claims that the City may have related to the opioid crisis as to those entities.

There is no direct Financial Impact to the City as a result of these Settlements, however, they will generate funds on behalf of the City of Auburndale, which pursuant to the above mentioned Interlocal Agreement with Polk County will be remitted to Polk County.

STAFF RECOMMENDATION: Approval of the Opioid Litigation Settlement Agreements and authorize the City Attorney to execute same on behalf of the City of Auburndale and to take all other necessary actions related thereto.

**City Commission Meeting
September 18, 2025**

AGENDA ITEM 8: CONSIDER DEVELOPER’S AGREEMENT – CITICOMMUNITIES, LLC

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider a Developer’s Agreement between Citicommunities, LLC. and the City for sewer capacity.

ATTACHMENTS:

Developer’s Agreement – Citicommunities, LLC.

ANALYSIS: In 2022, the City initiated a comprehensive 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. Citicommunities, LLC plans to develop +/- 12 acres of property into 41 single-family residential units. The project site is Phase II of the Lakeside Park Estates Subdivision located on Lake Ariana Boulevard, formerly known as the Watson property, approved by the City Commission in August 2020. The Utility Study shows that development and construction on the Citicommunities property cannot discharge into the Regional Wastewater system until the Pace Road Utility Improvements, Southern Force Main Re-route, and the Gapway Force Main projects have been completed, permitted, and operational along with the planning and design phase of the Regional Wastewater Treatment Plant expansion, as identified in the Utility Study.

The proposed Developer’s Agreement is between Citicommunities, 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 agreement allows the City to complete the review of all development plans and construction plan documents.

The City and Citicommunities, LLC, desire to enter into the Agreement to establish the respective rights and obligations between Citicommunities, LLC. and the City, in accordance with the terms and conditions of the proposed Utility Infrastructure and Developer’s Agreement. The improvements listed in the Development Agreement plan for current and future development.

The proposed Developer’s Agreement was prepared by Citicommunities, LLC and reviewed by the Community Development Director, Public Utilities Director, City Manager’s Office, and the City Attorney.

STAFF RECOMMENDATION: Approval of the proposed Developer’s Agreement with Citicommunities, LLC.

**City Commission Meeting
September 18, 2025**

AGENDA ITEM 9: CONSIDER DEVELOPER’S AGREEMENT – DOHERTY HOLDINGS FORTIETH, LLC

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider a Developer’s Agreement between Doherty Holdings Fortieth, LLC. and the City for sewer capacity.

ATTACHMENTS:

 Developer’s Agreement – Doherty Holdings Fortieth, LLC.

ANALYSIS: In 2022, the City initiated a comprehensive 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. Doherty Holdings Fortieth, LLC plans to develop +/- 33 acres of property into multi-family residential units. The City Commission approved rezoning the subject property located on the south of Old Dixie Hwy and east of the Polk County Parkway to allow for multi-family residential in January 2023. The Utility Study shows that development and construction on the Doherty Holdings Fortieth property cannot discharge into the Regional Wastewater system until the Southern Force Main Re-route project has been completed, permitted, and operational along with the planning and design phase of the Regional Wastewater Treatment Plant expansion, as identified in the Utility Study.

The proposed Developer’s Agreement is between Doherty Holdings Fortieth, 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 agreement allows the City to complete the review of all development plans and construction plan documents.

The City and Doherty Holdings Fortieth, LLC, desire to enter into the Agreement to establish the respective rights and obligations between Doherty Holdings Fortieth, LLC. and the City, in accordance with the terms and conditions of the proposed Utility Infrastructure and Developer’s Agreement. The improvements listed in the Development Agreement plan for current and future development.

The proposed Developer’s Agreement was prepared by Doherty Holdings Fortieth, LLC and reviewed by the Community Development Director, Public Utilities Director, City Manager’s Office, and the City Attorney.

STAFF RECOMMENDATION: Approval of the proposed Developer’s Agreement with Doherty Holdings Fortieth, LLC.