

City of Auburndale Commission Minutes September 18, 2025

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held September 18, 2025, 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, Vice Mayor Alex Cam, Commissioners: Keith Cowie, 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 Michael Robinson, Lakes Church, and a salute to the flag.

Motion by Vice Mayor Cam, seconded by Commissioner Cowie, to approve Minutes of the City Commission Meeting of September 4, 2025. Upon vote, all ayes.

Fire Chief Brian Bradway presented Firefighter Shoquan Brooks with his longevity plaque for five years of service.

Parks and Recreation Director Cody McGhee presented Service Worker II Wayne Hodge with his longevity plaque for 10 years of service.

Police Chief Terry Storie presented Public Safety Technician Pat O'Neal with his longevity plaque for 20 years of service.

Special Projects Director John Dickson presented Lead Operator Tony Erwin with his longevity plaque for 30 years of service.

City Manager Jeffrey Tillman recognized Public Works Department Service Worker II Jacob Obermiller and Parks and Recreation Department Service Worker III Freddie Davis for their years of service, whom were unable to attend tonight.

Mayor Taylor Bogert expressed her appreciation and gratitude.

City Manager Tillman presented a video from the Florida League of Cities which featured Mayor Taylor Bogert.

Vice Mayor Alex Cam and City Manager Tillman recognized Mayor Taylor Bogert for her years of service with the Florida League of Cities.

City Manager Tillman announced that the October Ridge League of Cities dinner will be in Winter Haven next month.

City Attorney Frederick J. Murphy Jr. recognized Mayor Taylor Bogert for her years of service with the Florida League of Cities. He recognized staff for their years of service with the City.

Mayor Taylor Bogert expressed her gratitude. She said it was an honor and privilege to represent the City of Auburndale at the state level. She recalled her service with the Florida League of Cities.

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

Maulissa Braverman, 1918 Lake Ariana Boulevard, extended an invitation to the Auburndale High School's Career Showcase Academy tomorrow at the Civic Center. This is an opportunity for the kids to show the skills they have been learning from real world experience, like video production and graphic design, that some of her customers are actually utilizing on their social media pages. This is a great way to see what the kids are doing. They are also catering some meals as well so you can see what they can do as far as catering for meetings. This is a really good opportunity to see what they are doing. She just wanted to extend an invitation to all the Commissioners and City staff and anybody in attendance as well.

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

1. PUBLIC HEARING – FISCAL YEAR 2026 TAX MILLAGE LEVY & ANNUAL BUDGET

City Manager Tillman said the Public Hearing has been advertised in accordance with the Florida Statutes regarding the method of fixing tax millage. This Public Hearing is the second of two (2) required Public Hearings.

The proposed Budget for Fiscal Year 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 Fiscal Year 2026 and 2027 Budgets include 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).

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

The Fiscal Year 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 Fiscal Year 2027 Budget (2nd Year Budget) is also being presented for the Commission's conceptual approval. The Fiscal Year 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.

City Manager Tillman presented changes to the proposed Biennial Budget and adjusted Contingency figures.

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. City Manager Tillman thanked staff and the Commission. Staff recommends approval of the proposed Ordinance establishing the tax millage levy and the proposed Ordinance adopting the Fiscal Year 2026 and Fiscal Year 2027 Annual Budgets.

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 #1835 ADOPTING 2025 TAX MILLAGE LEVY

City Manager Tillman introduced the ordinance.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1835 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, ESTABLISHING THE TAX LEVY FOR THE YEAR 2025 ON ALL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF AUBURNDALE AS SHOWN BY THE 2025 ASSESSMENT ROLL: ESTABLISHING THE MILLAGE RATE AT 4.2515, WHICH IS A 3.3% INCREASE OVER THE ROLLED BACK RATE OF 4.1142, AND PROVIDING FOR THE APPLICATION THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE,** by title only.

Motion by Commissioner Cowie, seconded by Commissioner Helms, to approve Ordinance #1835 adopting the 2025 tax millage levy at 4.2515, as read on second and final reading by title only.

Mayor Taylor Bogert thanked staff.

Upon vote, all ayes.

3. ORDINANCE #1836 ADOPTING FISCAL YEAR 2026 & FISCAL YEAR 2027 ANNUAL BUDGETS

City Manager Tillman introduced the ordinance. There will be two separate votes on this item, to separate the Chamber of Commerce line item.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1836 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, ADOPTING THE FISCAL YEAR 2025-2026 ANNUAL BUDGET; CONCEPTUALLY APPROVING THE FISCAL YEAR 2026-2027 ANNUAL BUDGET; ADOPTING THE FIVE (5) YEAR SCHEDULE OF CAPITAL IMPROVEMENTS (CIP); AND PROVIDING FOR AN EFFECTIVE DATE**, by title only.

Motion by Commissioner Helms, seconded by Vice Mayor Cam, to approve Ordinance #1836, Chamber of Commerce expenditure line item 001-6084-579-8100. Upon vote, all ayes, with Commissioner Cowie abstaining and completing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers, which is attached to the Minutes.

Motion by Vice Mayor Cam, seconded by Commissioner Helms, to approve Ordinance #1836 adopting the Fiscal Year 2026 and Fiscal Year 2027 Annual Budgets, (except the Chamber of Commerce expenditure line item 001-6084-579-8100) as read on second and final reading by title only. Upon vote, all ayes.

City Manager Tillman congratulated the Commission on adopting the budget.

Mayor Taylor Bogert thanked staff. We are proud that we have not raised our millage rate in eight years.

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

City Manager Tillman said 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. He presented other local jurisdictions' approval limits.

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 by 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 recommends approval of Ordinance #1837 amending Section 2-43(b) of the Code of Ordinances (Purchasing Guidelines) and Resolution #2025-06 establishing Purchasing Guidelines.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1837 entitled: **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING SECTION 2-43 OF THE CODE OF ORDINANCES OF THE CITY OF AUBURNDALE, FLORIDA RELATING TO THE CITY MANAGER'S DUTIES AND RESPONSIBILITIES REGARDING PURCHASING MATTERS AND AUTHORIZING THE ADOPTION OF NEW AND UPDATED CITY PURCHASING GUIDELINES AND THE MAKING OF SUBSEQUENT AMENDMENTS BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; A REPEALING CLAUSE; AND**

THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE, by title only.

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

Motion by Commissioner Cowie, seconded by Commissioner Helms, to approve Ordinance #1837 amending Section 2-43(b) of the Code of Ordinances (Purchasing Guidelines), as read on second reading by title only. Upon vote, all ayes.

5. RESOLUTION #2025-06 ESTABLISHING PURCHASING GUIDELINES

City Manager Tillman said staff recommends approval.

City Attorney Frederick J. Murphy Jr. read Resolution No. 2025-06 entitled: **A RESOLUTION OF THE CITY OF AUBURNDALE, FLORIDA, ESTABLISHING CITY PURCHASING GUIDELINES AS AUTHORIZED BY ORDINANCE 1837 BY AMONG OTHER THINGS ADDRESSING THE THRESHOLDS FOR REQUIRING QUOTES AND COMPETITIVE BIDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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 Sterling, to approve Resolution #2025-06 establishing Purchasing Guidelines. Upon vote, all ayes.

6. RESOLUTION #2025-07 ADOPTING INTERIM ADMINISTRATIVE PLAT POLICY

City Manager Tillman introduced the item.

Community Development Director Julie Womble said 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 regarding approval of plats and replats. She summarized the existing process.

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.

She thanked the City Attorney, and further summarized the applicability of this policy.

Staff recommends approval of Resolution #2025-07 Adopting Interim Administrative Plat Policy.

City Manager Tillman said the proposed Resolution was prepared by the City Attorney and reviewed by the Community Development Director and City Manager. Staff recommends approval.

City Attorney Frederick J. Murphy Jr. read Resolution No. 2025-07 entitled: **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AUBURNDALE, FLORIDA RELATING TO MUNICIPAL APPROVAL OF PLATS AND REPLATS OF LAND; MAKING FACTUAL FINDINGS; ADOPTING CITY POLICY REGARDING THE ADMINISTRATIVE APPROVAL OF APPLICATIONS FOR FINAL PLAT OR REPLAT APPROVAL; PROVIDING FOR CONFLICTS, SEVERABILITY, THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS AND AN EFFECTIVE DATE**, by title only.

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

Motion by Commissioner Sterling, seconded by Commissioner Cowie, to approve Resolution #2025-07 adopting Interim Administrative Plat Policy.

Commissioner Helms said he completely trusts staff to move plats through an administrative process, but he is frustrated by the State once again pulling things away from local voices making local choices. So while he understands this is a quasi-judicial process and we are looking at whether things met code, he loves having developers come in and tell us what they are doing so we can complain and tell them what our constituents are doing. He wanted his comments to be on the public record that he is annoyed but he understands.

Commissioner Cowie said he concurs with that. He understands Commissioner Helm's point that we still have an ability in the preliminary plat process to see those things, and like Commissioner Helms, he trusts staff, but sometimes the interpretation of some of those laws, rules and stipulations are pushed to the limits. He likes the City Commission to have an opportunity to look at plats. He is not sure what we can do from our standpoint to continue to protect that and getting us involved in the process earlier, if this process remains in statute – because to the City Attorney's point, he is sure the next step will be to remove the preliminary plat approval process.

Community Development Director Womble said we have plans to retrain staff in our Land Development Regulations. We are going to be in the process of soon amending our Land Development Regulations. The language that we are putting in, we can make it stronger when it comes to our process administratively. We will adopt procedures to retrain every single staff member that looks at the final plat, because it is not just the Community Development Department, it is also the Public Utilities Department, Public Works, and the Fire Marshal, and so forth. She believes it is a good time for staff to refresh and also to make sure that staff is making sure we are following the vision of the City.

Commissioner Cowie said he appreciates that. As Commissioner Helms said, he has full trust in City staff. He knows the developers do as well.

Mayor Taylor Bogert asked to clarify the effective date of this policy, and how many plats have been heard after July 1st for preliminary plat approval.

Community Development Director Womble answered one.

Mayor Taylor Bogert explained what she understands to be the legislative intent of the new law. It means our Land Development Regulations have to be super tight with very few variances. The Planning Commission has to be very tight and strong in what they do. And that the preliminary plat will now be the final time the City Commission sees a plat. All should be prepared for that —because the first step is the only step, and it is going to be a hard step. And the Commission needs to be very prudent about what they choose to allow and not allow. For example, flag shaped lots — we have addressed that in our Land Development Regulations, and it is very strong. So that is something staff can absolutely insist on. Knowing what those things are — what the Commission wants and does not want, what our citizens want and do not want — that needs to be in code now.

It needs to be written down. She is not a big fan of this either, because she believes that the citizens should have the opportunity to speak. Because on a preliminary plat, you could have 300 citizens in here, and if there is a problem, there is a high likelihood it's going to get tabled — and they will have to start the whole process over. So the process may not be as easy as developers think. As a City Commission, we have worked really well with our developers. And the developers have worked well with us. The process is being limited to get our input before doing something. A lot of it ends up being very minor changes. So she thinks this may not balance out as much as it was intended. And she thinks this first step in the plat process is now going to be harder, and developers need to be prepared for that. She summarized how the process will be changing. She said it is going to be a very different perspective. But we abide by the law. So we will see.

City Attorney Murphy said the Mayor's comments are spot on. He thinks the preliminary plat process that we have is by law now creating certain vested rights, which did not use to be the case. So the Mayor is correct in that the preliminary plat will be an important step. He asked Community Development Director Womble if developers have to go through the preliminary plat process?

Community Development Director Womble said that is not how we run things through the City. She believes if our language in our Land Development Regulations is not strong enough, it should be. It gives us assurance. She explained what staff is looking for in plats.

City Attorney Murphy said the concern he has legally is Senate Bill 180, that prevents us from adopting anything that could be construed to be more restrictive or burdensome.

Community Development Director Womble and City Attorney Murphy discussed the applicability of Senate Bill 180 to the plat process.

Mayor Taylor Bogert said we have done a good job over the past few years of fixing the Land Development Regulations.

City Manager Tillman said that one of the comments is that the City Commission should have the opportunity to review plats with time to give input. We need to focus on that. He will work with the City Commission if that is their desire – to get more time to review those plats, more than the four days between getting it on Thursday to be heard on Monday. He will discuss with staff.

Upon vote, all ayes.

7. APPROVE SETTLEMENT AGREEMENTS FOR OPIOID LITIGATION

City Attorney Murphy said the Commission may recall in November 2021 having approved an Interlocal Agreement with Polk County regarding opioid settlement proceeds. He summarized the process of how these funds were utilized in implementing the Polk County Opioid Abatement Plan. He has been advised by the Florida Attorney General's office that there are some additional settlements that have arisen.

City Attorney Murphy summarized the additional settlements and processes. He explained the percentage the City will receive of the settlement fund, but does not have an exact figure.

He said he is asking the Commission to approve 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.

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

Motion by Commissioner Cowie, seconded by Vice Mayor Cam, to approve 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.

Mayor Taylor Bogert clarified the roles of the City and the County in the settlement process.

Upon vote, all ayes.

8. CONSIDER DEVELOPER'S AGREEMENT – CITICOMMUNITIES, LLC

Community Development Director Womble said 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.

Staff recommends approval of the proposed Developer's Agreement with Citicommunities, LLC.

City Manager Tillman said 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 recommends approval.

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

Motion by Vice Mayor Cam, seconded by Commissioner Cowie, to approve the proposed Developer's Agreement with Citicommunities, LLC. Upon vote, all ayes.

9. CONSIDER DEVELOPER'S AGREEMENT – DOHERTY HOLDINGS FORTIETH, LLC

Community Development Director Womble said 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.

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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.

City Manager Tillman said 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 recommends approval of the proposed Developer's Agreement with Doherty Holdings Fortieth, LLC.

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

Motion by Commissioner Helms, seconded by Vice Mayor Cam, to approve the proposed Developer's Agreement with Doherty Holdings Fortieth, LLC. Upon vote, all ayes.

The Meeting was adjourned at 8:07:03 p.m.

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



Brandon Henry, City Clerk