Minutes of the Regular Meeting of the City Commission of the City of Auburndale held November 2, 2026, at 7:00 p.m. in the Commission Room of City Hall, after having been properly advertised, with the following members present: Mayor Alex Cam, Vice Mayor Jordan Helms, Commissioners: Travis Avery, Sean Levy, and Crystal Tijerina. Also, present were: City Manager Jeffrey Brown, City Attorney Frederick J. Murphy Jr., City Clerk Brandon Henry, and Deputy Police Chief Carin Ketcham.

Mayor Alex Cam declared a quorum present, and the Meeting was opened with prayer by Pastor Scott Hall, and the Pledge of Allegiance.

Motion by Commissioner Avery, seconded by Commissioner Levy, to approve Minutes of the City Commission Meeting of October 19, 2026. Upon vote, all ayes.

City Manager Jeffrey Brown announced that the Veterans Day celebration will occur at 11 a.m. on November 11th, at the Veterans Memorial. The City has received notice from the state that we will be receiving $750,000 for the Polk Regional Water Cooperative receiving station, of which was a grant the City applied for. The Central Florida Development Council Investor's Meeting will be November 4th at 4 p.m. in Winter Haven.

Motion by Vice Mayor Helms, seconded by Commissioner Tijerina, to add a Proclamation for Arts and Health Week. Upon vote, all ayes.

Commissioner Tijerina expressed gratitude to staff for the XGLO tennis event hosted at the Cindy Hummel Tennis Center.

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

Jason Kemker, 102 Colleen Court, said he would like to propose an amendment to the Land Development Regulations for livestock, that we would be able to keep small livestock at our house – as some of the schools are overpopulated. So many kids are wanting a spot, but they are overfilled and they cannot keep them there. Our kids want to do small livestock, but we have to keep them at our house. So if we can amend the Land Development Regulations so that students can have livestock at their house within school timeframes, as in January when there is Polk County Youth Fair. So that they raise them, take them down to the Youth Fair, show them, auction them off, and then that is it.

Vice Mayor Helms asked Mr. Kemker if he is talking about potentially having an exemption for FFA students at school?

Mr. Kemker clarified FFA or 4-H. He further clarified that 4-H is an organization outside of schools, like homeschool.

Vice Mayor Helms asked to clarify that this proposed exemption would be specifically for educational purposes?

Mr. Kemker answered yes. His son is involved heavily in 4-H and FFA.

Vice Mayor Helms thanked Mr. Kemker. He said he just wanted to make sure he understood it.

Commissioner Tijerina asked Mr. Kemker if he is unable to keep livestock at his house, and she understands the schools do not have space – is he having to buy or rent space to do this?

Mr. Kemker answered that is the problem we are coming into, the parents finding a spot. So if his son wants to do something, he has to find somebody outside the County. He has to go to Bartow every weekend or every other day to take care of animals. He has to go to Polk City to take care of a pig. He works in Winter Haven and plus his son does wrestling, so how does one manage all that?

Commissioner Tijerina said so at a minimum there is an extra cost to the parents of the children associated with these clubs and educational classes?

Mr. Kemker answered yes, because if somebody says they can keep your pig at my house for free, but I am not going to do it for free. I have to do something to give back.

Mayor Cam and Commissioner Tijerina thanked Mr. Kemker.

Mayor Cam presented a proclamation recognizing Arts and Health Week. City Attorney Frederick J. Murphy Jr. read the proclamation. Watson Clinic staff accepted the proclamation.

1. CONSIDER DEVELOPERS AGREEMENT AMENDMENT – PALMETTO AUBURNDALE BRADDOCK RD, LLC

Community Development Director Julie Preble said in 2022, the City initiated a comprehensive city-wide review of its existing sanitary sewer system by Chastain-Skillman, which identified certain improvements required to serve the development. The improvements were identified by the City's Utility Study as necessary to allow future development. The study showed that development and construction could not discharge into the City's wastewater system until the Southern Force Main Re-route Utility Improvements were completed, permitted, and operational, as identified in the Utility Study for this specific area.

She clarified the location. The proposed Developer's Agreement is between Palmetto Auburndale Braddock Rd, 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 plans. The developer intends to develop a gas station at the corner of Braddock Road and Berkley Road. This was approved by the County.

The City and Palmetto Auburndale Braddock Rd, LLC., desire to enter into the Agreement to establish the respective rights and obligations between Palmetto Auburndale Braddock Rd, 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 Palmetto Auburndale Braddock Rd, LLC., and reviewed by the Community Development Director, City Public Utilities Director and the City Attorney. She presented a graphic depicting the proposal.

Staff recommends approval of the proposed Developer's Agreement with Palmetto Auburndale Braddock Rd, LLC.

Mayor Cam asked for public comment. There was no public comment.

Motion by Commissioner Tijerina, seconded by Vice Mayor Helms, to approve the proposed Developer's Agreement with Palmetto Auburndale Braddock Rd, LLC.

Commissioner Avery said that the exhibit in the agreement only shows the proposed gas station, and not all the other future projects on that site. Did they provide us with what capacity we are going to need for that entire site?

Community Development Director Preble answered no they did not, because at this time this is the only site plan they provided to the County with site plan approval. She believes their intentions are to develop this site. The Southern Forcemain would be fixed at that point when they are ready to bring in the rest. If it is not done at that time, they would do a new developer's agreement on the rest of the site.

Commissioner Avery said this developer's agreement covers all of the projects the way he is reading it.

Community Development Director Preble said the way that they wrote the legal description, it covers primarily the development we are discussing here. She presented the exhibit that was provided by the applicant's engineer, which is attached to the agreement. It does not show other gallons per day or flows that we need for other future development on that site.

Commissioner Avery asked so it is not accurate in that it is for current and future development?

Community Development Director Preble answered that we look at the developer's agreement in general. And our utility study that was done in 2022 covers present and the future. So we understand the Southern Forcemain is responsible for allowing this to tie in, but also other projects. The phrasing of "plan for current and future development" we listed in the developer's agreement for them to understand. We do have detailed instructions of how it needs to be amended, and it does not reserve capacity. It is basically saying that we understand that these improvements have to be made. It is to hold them to a certain standard, so they do not tie flows into our system. It is a cautionary procedure.

Commissioner Avery said it is his understanding that with developer's agreements where they would tie in – it would automatically create an annexation agreement as well. Does this cover that as well?

Community Development Director Preble answered the developer's agreement is separate from the annexation petition. She does believe in order to provide utilities to the site, an annexation petition is usually provided to the City. She does not know what time they will do that, because they are not tying into our City at this time. That would be more of a formality she will have to look into for the Utilities Department. We do receive a voluntary annexation petition. Whether we act on it or not is dependent on the growth and what we want to do for that area.

Commissioner Avery asked if that annexation comes back to the Commission?

Community Development Director Preble answered the annexation petition is held until we decide to take action on it.

Commissioner Avery asked does the Commission then take action on it?

City Attorney Murphy answered yes. He explained the annexation process as prescribed by Florida Statute. Ultimately, the City Commission acts legislatively on that matter.

Community Development Director Preble added that we have lots of annexation petitions that we hold. However, we do not always act on those or bring them forward to the Commission until we have a contiguous movement or visionary growth for that area. In the last few years, we brought in several subdivisions. It was not until we saw that we really needed to. We were providing services nearby, it made sense. So we brought it before the Commission to take action.

Commissioner Tijerina asked Community Development Director Preble to revisit Commissioner Avery's initial question about future development. Can she confirm that the language does not approve future development on that property?

City Attorney Murphy answered the developer's agreement reflects the fact that when they do have development, they have to meet certain requirements to connect to utilities. The City Commission does not have any say presently over development, because it is in the County. The County is the jurisdiction under which they would obtain permits and their construction plan reviews. This is allowing them to move forward with utility plan reviews. It is more for our benefit than theirs, or both. Ultimately what we are saying is that we acknowledge that this development is happening but there is not a legal expectation for it to hook into our system until the utility improvements are completed.

Commissioner Avery said he wants to make sure we are not setting aside capacity for them. They chose to go to the County to get it approved through the County rather than adhere to the City's standards and regulations. They chose to do that, and he wants to make sure that if we are holding capacity for their whole development, that we are not leaving someone out who came to the City and worked with the City under our Land Development Regulations – and now they are being left out because we are holding capacity for this particular project as a whole.

City Attorney Murphy answered said that "holding capacity" has different connotations. He explained the differences between a concurrency management system and reservation of capacity in the City's utility system. As he understands it, Commissioner Avery does not want to have entities that have annexed into the City be pushed off to the side and have to wait for utilities because of projects that may be in the County. He is not sure that this is necessarily giving anyone a leg up on that in terms of reservation of capacity. He cannot speak to the concurrency management system that the City's Community Development/Planning Department would utilize.

Community Development Director Preble explained the concurrency management system. We do not hold capacity through the developer's agreement – it is a separate document. This is outlining the requirements that have to be fulfilled in order for the developer to tie into our system. Agreements including this one also include provision for a temporary private septic system at the developer's own risk. It is also to protect the City because we have our own permits from the state regarding what we can receive in terms of utility flows. Until those improvements are made, we cannot receive any more of those flows. This specific project being served by the City is not taking away from anyone else who may want to annex and go through our Land Development Regulations. We look at our utility boundary as a whole, but we do not compare projects. She explained the function of the developer's agreement. All our developer's agreements are in that same function. Some applicants do not want to act at this time, even though they can amend their agreement and go to construction. This one has the ability to go to construction.

Commissioner Avery said they are constructing.

Community Development Director Preble said correct. She cited several more examples. As far as concurrency, we are not holding something from someone else for this to develop.

Commissioner Avery stated that he just wants to make sure that when we are considering developments within County enclaves, that we are not taking away from ones within the City.

Mayor Cam thanked the Commission.

Upon vote, all ayes.

City Manager Brown said he wanted to follow up with Mr. Kemker's comments during public comment, to provide context. Mr. Kemker was cited by Code Enforcement staff due to keeping goats. The code strictly prohibits farm animals within City limits, which is why he was cited and why they are here tonight – to have that conversation. As far as he is aware, the City's code has never allowed farm animals.

Community Development Director Preble said in 2022, we considered allowances for livestock. The Commission at that time declined to move forward.

The Meeting was adjourned at 7:29 p.m.

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

Brandon Henry, City Clerk