



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
August 15, 2022 - 7:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Reverend William Fred Leonard, Mt Zion Missionary Baptist Church

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 08/01/2022

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 AND OFFICIAL ZONING MAP AMENDMENTS – AUBURN VILLAGE
2. ORDINANCE #1712 AMENDING THE FUTURE LAND USE MAP – AUBURN VILLAGE
3. ORDINANCE #1713 AMENDING THE OFFICIAL ZONING MAP – AUBURN VILLAGE
4. **PUBLIC HEARING** – LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT – LAKES DISTRICT
5. ORDINANCE #1714 AMENDING THE LAND DEVELOPMENT REGULATIONS – LAKES DISTRICT
6. **PUBLIC HEARING** – LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT – FOOD TRUCKS
7. ORDINANCE #1715 AMENDING THE LAND DEVELOPMENT REGULATIONS – FOOD TRUCKS
8. AGREEMENT WITH SADDLE CREEK PRESERVE CDD FOR FORCE MAIN EXTENSION AND L/S GENERATOR
9. FY 2021 EDWARD BYRNE JUSTICE ASSISTANCE GRANT
10. FIRST AMENDMENT TO INTERLOCAL AGREEMENT WITH POLK COUNTY – LAKE MYRTLE STADIUM
11. DISCUSS CHANGES TO PROPOSED FY 2022-2023 & FY 2022-2023 BIENNIAL BUDGET

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
August 15, 2022

AGENDA ITEM 1: **PUBLIC HEARING – FUTURE LAND USE AND ZONING MAP AMENDMENTS – AUBURN VILLAGE**

AGENDA ITEM 2: **ORDINANCE #1712 AMENDING THE FUTURE LAND USE MAP – AUBURN VILLAGE**

AGENDA ITEM 3: **ORDINANCE #1713 AMENDING THE OFFICIAL ZONING MAP – AUBURN VILLAGE**

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider and take public comment on a Future Land Use and Zoning Map on the Auburn Village 55+ Affordable Housing Community.

ATTACHMENTS:

- . Notice of Public Hearing – 07/22/22
- . Ordinance #1712 Amending the Future Land Use Map – Auburn Village
- . Ordinance #1713 Amending the Official Zoning Map – Auburn Village
- . Excerpt from Planning Commission Meeting – 08/02/2022

ANALYSIS: The City has received a request to establish land use and zoning on the following property:

Strickland-Auburn Village Property:

<i>Owner/Petitioner:</i>	Eugene Strickland
<i>Location:</i>	Jersey Road
<i>Current Future Land Use:</i>	Residential Low-3 (RL-3)
<i>Proposed Future Land Use:</i>	Medium Density Residential
<i>Proposed Zoning Classification:</i>	General Residential-2 (RG-2)
<i>Current use:</i>	Multi-Family (+/- 9.54 acres)

As a result of annexation, the City has received a request from Eugene Strickland for a Future Land Use and Zoning Amendment on a parcel totaling +/- 9.54 acres. The property currently has a Polk County Land Use designation of Residential Low-3 (RL-3).

The requested Future Land Use of **Medium Density Residential** and Zoning classification of **General Residential-2 (RG-2)** is consistent with adjacent County residential land uses to the north, south, east, and west. The request is also consistent with properties adjacent to the west and south. The property is currently developed as an affordable 55+ housing community. The requested Future Land Use and Zoning Map amendments are consistent with the City of Auburndale's Comprehensive Plan and Land Development Regulations.

The Ordinances were prepared by the Community Development Director 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 September 8, 2022.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Future Land Use of Medium Density Residential and Zoning classification of General Residential-2 (RG-2) (6-0, 08/02/2022)

STAFF RECOMMENDATION: Approval of Ordinance #1712 amending the Future Land Use Map – Auburn Village and Ordinance #1713 amending the Official Zoning Map – Auburn Village.

**City Commission Meeting
August 15, 2022**

**AGENDA ITEM 4: PUBLIC HEARING – LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT-
THE LAKES DISTRICT**

**AGENDA ITEM 5: ORDINANCE #1714 AMENDING THE LAND DEVELOPMENT REGULATIONS –
THE LAKES DISTRICT**

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will take public comment and consider a proposed amendment to the Land Development Regulations before making a recommendation to the City Commission.

ATTACHMENTS:

- . Notice of Public Hearing – 7/22/2022
- . Ordinance #1714 amending the Land Development Regulations – The Lakes District
- . Excerpt from Planning Commission Meeting – 08/02/2022

ANALYSIS: In 2019, the City Commission endorsed “The Lakes District” Vision and Strategies for the North Auburndale area, which has been experiencing rapid growth and development. At the end of 2021, the City Commission amended the Comprehensive Plan and the Land Development Regulations to include The Lakes District Master Planned Community Area, which is intended to implement the Vision and Strategies for The Lakes District. On July 5th, 2022 the City Commission adopted a revised version of the Lakes District Master Plan Land Development Regulations adding Architectural Standards.

City Commission has requested staff to research and propose an amendment to the Land Development Regulations, Chapter 15, Special Overlay Districts for changes to the Architectural Standards for larger residential lots. New language is proposed to allow residential lots, over one acre, with an **Estate Residential (ER)** Zoning classification in the Lakes District Master Planned Community Area, the ability to have any architectural style.

New universal architectural rules are proposed for lots over one acre within Estate Residential (ER) Zoning, as follows:

1. Neutral or Earth-toned Exteriors
2. Enhanced Front Door and/or entryway
3. Mix of Exterior Building materials on all sides of home.

The proposed amendment also clarifies Section 15.305 – Other Setbacks and defines the minimum separation between primary buildings to be 15 feet, unless the property has alley access which allows for a building separation of 12 feet.

Further clarification to Section 15.307 (a) *Starter Landscaping* proposes that a mixture of two to three varieties of shade trees shall be used in the minimum starter package for landscaping. A suggestion of shade trees such as live oak, maple or magnolia trees is shown as preferred.

The proposed Ordinance amending the Land Development Regulations is consistent with the City of Auburndale Comprehensive Plan and all other Land Development Regulations.

The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading the proposed Ordinance will be considered for second and final reading on September 8, 2022.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Land Development Regulation text amendment (4-1, 08/02/2022).

STAFF RECOMMENDATION: Approval of Ordinance #1714 amending the Land Development Regulations – The Lakes District.

**City Commission Meeting
August 15, 2022**

AGENDA ITEM 6: **PUBLIC HEARING** – LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT – FOOD TRUCKS

AGENDA ITEM 7: **ORDINANCE #1715 AMENDING THE LAND DEVELOPMENT REGULATIONS** – FOOD TRUCKS

____ INFORMATION ONLY

__X__ ACTION REQUESTED

ISSUE: The City Commission will take public comment and consider a proposed amendment to the Land Development Regulations regarding food trucks.

ATTACHMENTS:

- . Notice of Public Hearing – 07/22/2022
- . Ordinance #1715 amending the Land Development Regulations – Food Truck
- . Excerpt from Planning Commission Meeting – 08/02/2022

ANALYSIS: The City has received several requests to update Land Development Regulations to allow Food Trucks within City limits. Staff researched nearby jurisdiction practices along with State of Florida Food Truck regulations and propose an amendment to the Land Development Regulations Chapter 4 and Chapter 5 defining and allowing food trucks.

The proposed text defines a food truck as a mobile food unit, self-sufficient mobile food vendor, or any other food service/vending motorized vehicle licensed with the state of Florida Motor Vehicle Department. The proposed text amendment also states that it shall be unlawful for any person or business to engage in mobile food vending within the city limits unless the person or business has the necessary state licenses.

Food Trucks would be prohibited in Open Use Agricultural (OUA), all residential Zoning categories including Residential Planned Developments, Lake Front (LF), all Rights-of-Way, and City-owned property or parks without authorization from City Administration.

All Food Trucks shall have a notarized authorization form(s) from the legal property owner(s) of each proposed food truck site. A permit is required for each property where the food truck will be in operation and proof of insurance. Food Trucks shall only operate at an authorized permitted location for three (3) consecutive days and shall not be allowed back to the same location for five (5) days.

The proposed Ordinance amending the Land Development Regulations is consistent with the City of Auburndale Comprehensive Plan and all other Land Development Regulations.

The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. If approved on first reading the proposed Ordinance will be considered for second and final reading on September 8, 2022.

PLANNING COMMISSION RECOMMENDATION: Approval of the proposed Land Development Regulation text amendment (6-0, 08/02/2022).

STAFF RECOMMENDATION: Approval of Ordinance #1715 amending the Land Development Regulations – Food Trucks.

**City Commission Meeting
August 15, 2022**

**AGENDA ITEM 8: AGREEMENT WITH SADDLE CREEK PRESERVE CDD FOR SEWER FORCE MAIN
EXTENSION AND LIFT STATION GENERATOR**

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider an Agreement with the Saddle Creek Preserve Community Development District (CDD) for a sewer force main extension and lift station generator.

ATTACHMENTS:

Interlocal Agreement Regarding Oversizing of Utility Extensions

ANALYSIS: The Saddle Creek Preserve Subdivision is a 425-unit single-family housing development located on Saddle Creek Road, west of Tenoroc High School, in unincorporated Polk County within the City of Auburndale Utility Service Area.

The City's Land Development Regulations allows the City to require the over sizing or extension of utility lines, lift stations, and/or other utility facilities to benefit the overall utility system. The City requested the Saddle Creek Preserve Community Development District (District) to extend a sewer force main beyond its development and that a lift station generator be installed at the Tenoroc Lift Station as a part of the development.

The District has agreed to utilize their current utility contractor to complete the sewer force main extension. The City would reimburse the Saddle Creek Preserve CDD for all of the costs associated with the sewer force main extension. The District has also agreed to purchase and locate the required generator downstream and offsite of the development to the Tenoroc Lift Station including any necessary up-sizing and arrange for its delivery. The City would be responsible for the cost of installation.

The FY 2022 Budget has \$150,000 allocated for the Saddle Creek Force Main Extension project. The onsite contractor, Tucker Paving, Inc. of Winter Haven, has quoted the cost of the Force Main Extension at \$273,637.25. Due to inflation of material and labor costs since approval of the Budget, staff feels the pricing received from Tucker Paving is competitive and additional funds are available due to impact fees collected from development in the area.

The proposed agreement was prepared by the District's Attorney and reviewed by the Public Utilities Director, City Manager and City Attorney.

STAFF RECOMMENDATION: Approval of the Interlocal Agreement.

**City Commission Meeting
August 15, 2022**

AGENDA ITEM 9: FY 2021 EDWARD BYRNE JUSTICE ASSISTANCE GRANT

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider approval of grant funding for several law enforcement projects within Polk County, including Auburndale.

ATTACHMENTS:

Support Letter from City of Auburndale – August 2, 2022

ANALYSIS: Each year the Board of County Commissioners allocates federal Edward Byrne Memorial Justice Assistance Grant funds for various law enforcement projects within Polk County. These funds may be used by local units of government to support a broad range of activities to prevent and control crime and to improve the criminal justice system. The FY 2021 allocation for the County is \$174,722.00 with Auburndale approved for \$21,722.00.

The Auburndale Police Department plans to utilize this grant for the Citizen Safety Project, which includes the purchase of eight (8) automated external defibrillators (AED) and two (2) speed measuring devices. The AED's will be assigned to officers, so that all members assigned to patrol have an AED in their vehicle ready for use. The two speed measuring devices will be used by traffic officers in the enforcement of speed limits and in addressing citizens' concerns about reckless or careless drivers.

All Polk County municipalities are requested to approve the State allocation as shown below.

<u>Agency</u>	<u>Dollar Amount of Federal Funds</u>
Auburndale Police Department	\$21,722.00
Bartow Police Department	\$25,000.00
Davenport Police Department	\$ 6,750.00
Haines City Police Department	\$17,650.00
Lake Alfred Police Department	\$24,000.00
Lake Hamilton Police Department	\$18,000.00
Lake Wales Police Department	\$23,000.00
Lakeland Police Department	\$25,000.00
Winter Haven Police Department	\$13,600.00

STAFF RECOMMENDATION: Approve the distribution of the FY 2021 Edward Byrne Grant and authorize the Mayor to execute the support letter.

**City Commission Meeting
August 15, 2022**

**AGENDA ITEM 10: FIRST AMENDMENT TO INTERLOCAL AGREEMENT WITH POLK COUNTY –
LAKE MYRTLE MULTIPURPOSE STADIUM**

____INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider an Amendment to the Interlocal Agreement with Polk County for construction of a multipurpose stadium at the Lake Myrtle Sports Complex.

ATTACHMENTS:

First Amendment to Interlocal Agreement with Polk County – Lake Myrtle Multipurpose Stadium

ANALYSIS: In August 2021, the Polk County Board of County Commissioners approved spending four (4) million in tourist tax dollars for the construction of a Multipurpose Stadium at the Lake Myrtle Sports Complex (Stadium). The Stadium will allow the City and County to attract larger events that require the amenities of a stadium such as the Florida High School Athletic Association's Boys and Girls Soccer State Championships, the Boys and Girls Lacrosse State Championships, the Pan American Lacrosse Association's World Qualifying events, the Florida Tropics professional team and other large-scale events.

The City and the County entered into an Interlocal Agreement that provided for debt service to be assumed by the City with reimbursement from the County. Specifically, the County made a one-time lump-sum payment of \$500,000 to the City for construction and the City borrowed the remaining \$3,500,000 for the estimated \$4,000,000 project. As debt service becomes due on the borrowed \$3,500,000, the City will invoice and be reimbursed by the County.

The First Amendment to the Interlocal Agreement provides the City with an additional \$622,000 one-time lump-sum payment to assist with the increased cost to construct locker rooms as a part of the Stadium's construction. The City also agrees to allow Polk County Tourism and Sports Marketing to retain one hundred percent (100%) of any future Stadium sponsorship revenues until fifty percent (50%) of the second lump-sum payment is reached (\$311,000), or until the expiration of the Agreement. Thereafter, the City and the County will divide any sponsorship revenues, with sixty percent (60%) retained by the City and forty percent (40%) retained by the County, similar to the current agreement for baseball sponsorships at the Lake Myrtle Sports Complex.

Both City and County Staff are preparing a sponsorship agreement for the Stadium to be considered by the City Commission and County Commission at a later date. The Agreement will formalize the sponsorship agreement of the Stadium and will be similar to the other sponsorship agreements at the Lake Myrtle Sports Complex.

STAFF RECOMMENDATION: Approval of the First Amendment to the Interlocal Funding Agreement with Polk County for the Lake Myrtle Multipurpose Stadium.

**City Commission Meeting
August 15, 2022**

AGENDA ITEM 11: DISCUSS CHANGES TO PROPOSED FY 22-23 & FY 23-24 BIENNIAL BUDGET

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: City Staff will present changes to the proposed Fiscal Year 2022-2023 and Fiscal Year 2023-2024 Biennial Budget.

ATTACHMENTS:

- . Proposed Contingency Changes - FY 2022/2023 and FY 2023/2024
- . Adjusted Fund Totals - FY 2022/2023 and FY 2023/2024

ANALYSIS: The proposed Fiscal Year 2022-2023 and Fiscal Year 2023-2024 Biennial Budget was presented to the City Commission on August 1, 2022. The balanced Budget was presented with a Contingency Line-Item balance of \$175,857 in FY 2022-2023 and \$162,769 in FY 2023-2024. Subsequent changes in the Budget can be made with offsetting changes to the Contingency Line Item. This allows all other budgeted items to stay fully funded.

After the Budget is adopted and put into practice, a necessary and unexpected expense can be charged to the Contingency Line Item, also allowing all other budgeted items to stay fully funded.

The proposed changes being presented to the Contingency Line Item in each year suggests modest increases to other expense line items, resulting in a decrease to the proposed Contingency Line-Item amounts. The Adjusted FY 2022-2023 Contingency Line-Item balance is \$157,300 and \$75,725 in FY 2023-2024.

City Staff will present the proposed changes. Final adoption of the Biennial Budget will follow Public Hearings on Thursday, September 8, 2022 and on Tuesday, September 20, 2022.

STAFF RECOMMENDATION: Approval of the Proposed Adjusted Contingency Line Items.