

Minutes of the Regular Meeting of the City Commission of the City of Auburndale held November 21, 2022, 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, Commissioners: Keith Cowie, Richard Hamann, Jack Myers, 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 Conner Hill, First United Methodist Church, and a salute to the flag.

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Minutes of the City Commission Meeting of November 7, 2022. Upon vote, all ayes.

City Manager Jeffrey Tillman announced that City offices will be closed for Thanksgiving on Thursday and Friday. Next Tuesday at 6 p.m. will be Lights of Remembrance at the Good Shepherd Hospice. Lights in the Park will take place on Thursday, December 1, at the Historic Depot Park in Downtown Auburndale – with the tree lighting at 7 p.m. The Havendale Christmas Parade is on Friday, December 2, with Havendale Boulevard shutting down at 6 p.m. with the parade starting at 7 p.m. Saturday, December 3 will be Breakfast with Santa at the Civic Center. The Lake Alfred Christmas Parade will be that evening. The following week will be the Ridge League of Cities Dinner.

Mayor Taylor Bogert reminded that the Ridge League of Cities Dinner will be our City Marketplace, in place of the Happy Hour time. All of our vendors will be showcasing.

Commissioner Hamann requested an additional agenda item, to consider a \$100 gift card for all City staff in appreciation for their work during the recent hurricanes.

Motion by Commissioner Hamann, seconded by Commissioner Myers, to approve the additional agenda item as requested. Upon vote, all ayes.

Mayor Taylor Bogert recognized Greater Auburndale Chamber of Commerce President Alex Cam, who was in attendance.

Mayor Taylor Bogert asked if there was public comment on any item not on the agenda. There was no public comment.

1. ORDINANCE #1722 ESTABLISHING COMMUNITY DEVELOPMENT DISTRICT – WHEELER FARMS

Community Development Director Julie Womble said Clayton Properties Group, Inc. has filed a Petition to establish the Waterside Shores Community Development District, formerly known as the Wheeler Farms Property, with the City of Auburndale pursuant to Section 190.005(2)(a), Florida Statutes, to adopt an Ordinance establishing the Waterside Shores Community Development District.

Chapter 190 of Florida Statutes allows a developer to petition to establish a CDD for the purpose of managing the provision of infrastructure improvements and public services including funding. The proposed CDD is comprised of approximately +/- 118.25 acres, generally located north of Lake Mattie Road and east of Lake Mattie Boat Landing Road. The subject site is located in the Lakes District Master Planned Community and has a Future Land Use of Lakes District Mixed Use (LDMU) and a Zoning of Residential Neighborhood (RN).

The petitioner has proposed to establish the CDD to finance, construct, and install improvements and facilities to benefit the lands within the District in two (2) phases over an estimated two (2) year period from 2023 through 2024. The petitioner has proposed a summary of infrastructure that will be constructed through the establishment of the CDD such as offsite improvements, stormwater facilities, water, sewer, lift stations, street lighting, conduit, roadways and parking areas, entry features, signs, and parks and recreational features. Costs not funded by bonds will be funded by the developer.

The Waterside Shores CDD will consist of a five (5) member Board of Supervisors having the authority to oversee the installation of infrastructure improvements, secure financing within its boundaries. All meetings are open to the public and are subject to all applicable Government in the Sunshine laws. In the event that the established CDD is terminated for any reason, the City shall in no way be required to accept ownership and/or maintenance responsibility for any proposed infrastructure that is necessary for the development in the District without the City's express written consent. In the event of termination, the CDD shall be responsible for ensuring the transfer of such ownership and maintenance responsibilities to an appropriate entity other than the City as authorized by law.

In accordance with Chapter 190 of Florida Statutes, the petitioner will publish public notice of this request in a local newspaper for four (4) consecutive weeks prior to the second reading on December 19, 2022 and public hearing of the Ordinance.

There is no direct financial impact to the City as a result of this request; however, upon development of the CDD, the City will receive a budget and schedule of meetings annually.

Staff recommends approval of Ordinance #1722 establishing the Community Development District for Waterside Shores.

Community Development Director Womble referred to a graphic depicting the proposal.

City Manager Tillman said the proposed Ordinance and Petition for the Community Development District were prepared by the attorney representing the development with extensive review by the Community Development Department, City Manager and the City Attorney. Staff recommends approval of Ordinance #1722 establishing the Community Development District for Waterside Shores.

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1722 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE FLORIDA, ESTABLISHING THE WATERSIDE SHORES COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING NOTICE OF REQUIREMENTS; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (General Location: The area covered by this request is generally located north of Lake Mattie Road and east of Lake Mattie Boat Landing Road in Auburndale, Florida. The area covered by this request is 118.25± acres.),** by title only.

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

Motion by Commissioner Hamann, seconded by Commissioner Sterling, to approve Ordinance #1722 establishing the Community Development District for Waterside Shores, as read on first reading by title only. Upon vote, all ayes.

2. ORDINANCE #1723 AMENDING FISCAL YEAR 2021-2022 ANNUAL BUDGET

City Manager Tillman said in accordance with Florida Statutes, adopted auditing practices, and on the recommendation of the City's Auditor, the City needs to amend by Ordinance the FY 2021-2022 Annual Budget to properly appropriate for revenue and expenditures that may exceed budgeted amounts. As provided by Ordinance No. 1026, the level of budgetary control for the City's Annual Budget is at the Fund Level. Events occur during each fiscal year, which were not anticipated at the time of budget approval. The proposed Ordinance amends the FY 2021-2022 Budget to reflect the collection of unanticipated revenue and appropriation for unanticipated expenditures.

City Manager Tillman presented the following table:

**CITY OF AUBURNDALE
SUMMARY BY FUND BUDGET AMENDMENT FY 2021 - 2022**

SUMMARY OF FUNDS	CURRENT BUDGET	CHANGE +/-	AMENDED BUDGET
General Fund (001)	\$27,991,774	\$6,113,000	\$34,104,774
General Fund Impact Fee (110)	\$560,300	\$728,000	\$1,288,300
Community Redevelopment Agency (151)	\$3,535,421	-\$649,401	\$2,886,020
Water & Sewer Fund (430)	\$21,362,255	\$2,788,000	\$24,150,255
Water & Sewer Impact Fee (440)	\$3,510,400	\$5,954,000	\$9,464,400
TOTAL BUDGET	\$56,960,150	\$14,933,599	\$71,893,748

The proposed Ordinance was prepared by the Finance Director and reviewed by the City Manager and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on December 5, 2022.

Staff recommends approval of Ordinance #1723 Amending the Budget..

City Attorney Frederick J. Murphy Jr. read Ordinance No. 1723 entitled: **AN ORDINANCE OF THE CITY OF AUBURNDALE AMENDING ORDINANCE NO. 1673 AMENDING APPROPRIATIONS OF FUNDS FOR THE FISCAL YEAR 2021 – 2022 BUDGET**, 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 Ordinance #1723 amending Fiscal Year 2021-2022 Annual Budget, as read on first reading by title only. Upon vote, all ayes.

3. RESOLUTION #2022-08 RATIFYING THE PURCHASE OF PROPERTY – 6 BOBBY GREEN PLAZA

City Manager Tillman said on October 17, 2022 the City Commission approved a purchase and sale agreement for \$1,850,000 to acquire the former SunTrust/Truist Bank building downtown located at 6 Bobby Green Plaza. The City has completed its 30-day due diligence period and found no major defects that would prevent the purchase of the property. The property owner and the City have entered into an Amendment to the Purchase and Sale Agreement and have agreed to reduce the purchase price to \$1,830,000, recognizing that upgrades are needed to the building's elevator and electric panel.

The Resolution acknowledges the City Commission's desire to proceed with the closing of the property, and authorizes the City Manager to execute all closing documents. If approved, closing will take place on November 22, 2022.

Staff recommends approval of Resolution 2022-08.

City Attorney Frederick J. Murphy Jr. read Resolution No. 2022-08 entitled: **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF AUBURNDALE, FLORIDA; MAKING FINDINGS; RATIFYING THE AUTHORIZATION TO PURCHASE PROPERTIES GENERALLY LOCATED AT 6 BOBBY GREEN PLAZA AND 116 HOWARD STREET, AUBURNDALE, FLORIDA FROM LEMONADE MM AUBURNDALE LLC IN ACCORDANCE WITH THAT PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF AUBURNDALE, FLORIDA, AND LEMONADE MM AUBURNDALE LLC WITH AN EFFECTIVE DATE OF OCTOBER 17, 2022 PREVIOUSLY APPROVED BY THE CITY COMMISSION AND THAT FIRST AMENDMENT TO PURCHASE AND SALE**

AGREEMENT DATED NOVEMBER 16, 2022; AND RATIFYING THE CITY MANAGER’S EXECUTION OF THE SAID PURCHASE AND SALE AGREEMENT AND THAT FIRST AMENDMENT TO PURCHASE AND SALE AGREEMENT DATED NOVEMBER 16, 2022 AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER ANY AND ALL CLOSING DOCUMENTS ASSOCIATED WITH THE SAID PURCHASE AND SALE AGREEMENT THAT ARE ACCEPTABLE AS TO FORM BY THE CITY ATTORNEY AND THE TAKING OF ALL FURTHER NECESSARY ACTIONS RELATED THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Motion by Commissioner Cowie, seconded by Commissioner Hamann, to approve Resolution No. 2022-08 Ratifying the Purchase of Property – 6 Bobby Green Plaza. Upon vote, all ayes.

4. GIFT CARDS FOR EMPLOYEES

Commissioner Hamann said that he believes City employees performed well and above the call of duty during the recent hurricanes in the last month and a half. We ought to do something to help them out on Thanksgiving. He said he hopes to see the Commission have a desire to approve a \$100 gift card for Thanksgiving.

Motion by Commissioner Hamann, to approve a \$100 gift card for employees.

Commissioner Myers asked what does that add up to?

City Manager Tillman answered it is about a \$17,250 adjustment.

Seconded by Commissioner Myers.

Commissioner Cowie said in the past we had eligibility requirements – such as length of service. What are they?

City Manager Tillman said that for the Christmas bonuses, the employee’s start date with the City determined the amount of the Christmas bonus. If the employee was hired before last Christmas, the employee got the full bonus. If the employee was hired after last Christmas, the employee got half of the bonus. If the employee was hired after July 1st, the employee would not get a bonus.

Commissioner Cowie said he wants to make sure everybody is eligible, regardless of their tenure.

City Manager Tillman said if that is the pleasure of the Commission

Commissioner Myers said especially if they are the ones that worked during the storm. Mayor Taylor Bogert and Commissioner Hamann concurred. Commissioner Myers said he knows they get paid, but they did a great job – faster than other counties and cities.

Commissioners Hamann said he knows people who just got their stuff picked up last week – outside of Auburndale.

Commissioner Myers said he saw piles still on the side of the road in other counties.

Commissioner Hamann said staff did a super job.

City Manager Tillman said as we compile that list, we will most certainly include all the staff that worked the storms.

Commissioner Sterling asked if it will be straight across \$100 for everybody?

City Manager Tillman said typically the full-time employees would get the full \$100. For our traditional Christmas bonus, they get the full \$200. Part-time employees, of which we have three permanent part-time employees –

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would get half of the benefit. If we wanted to make that consistent, would the part-time employees get half of the \$100?

The Commission indicated interest that all full-time and part-time employees receive the full \$100.

City Manager Tillman said that would amend the final total figure of \$17,250 he indicated earlier.

Upon vote, all ayes.

Mayor Taylor Bogert wished everybody a Happy Thanksgiving and a safe holiday.

The Meeting was adjourned at 7:18:45 p.m.

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



Brandon Henry, City Clerk