



City of Auburndale
AUBURNDALE, FLORIDA 33823

Office of the City Manager

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CITY COMMISSION MEETING
November 6, 2023 - 7:00 P.M.
COMMISSION ROOM/CITY HALL

CALL TO ORDER – Mayor Dorothea Taylor Bogert

INVOCATION – Bonnie O'Malley, Spirit Life Church

PLEDGE OF ALLEGIANCE – Mayor Dorothea Taylor Bogert

ROLL CALL – City Clerk Brandon Henry

APPROVE COMMISSION MINUTES – Regular Meeting – 10/16/2023

ANNOUNCEMENTS – City Manager and City Attorney

REQUEST TO ADD ADDITIONAL ITEMS TO AGENDA –

REQUEST FROM THE GENERAL PUBLIC –

AGENDA

1. **PUBLIC HEARING** – AMENDING LAND DEVELOPMENT REGULATIONS TEXT – 2nd Floor Residential
2. ORDINANCE #1763 – AMENDING LAND DEVELOPMENT REGULATIONS TEXT – 2nd Floor Residential
3. ORDINANCE #1764 AMENDING UTILITY USER RATES / 2023 RATE UPDATE
4. ORDINANCE #1765 AMENDING UTILITY CONNECTION FEES / 2023 RATE UPDATE
5. ORDINANCE #1766 AMENDING UTILITY DEPOSIT AND TAP FEES
6. PRESENTATION BY CITRUS CONNECTION

Community Redevelopment Agency Meeting to follow 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 accommodation 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
November 6, 2023**

AGENDA ITEM 1: PUBLIC HEARING – AMENDING LAND DEVELOPMENT REGULATIONS TEXT – SECOND FLOOR RESIDENTIAL

AGENDA ITEM 2: ORDINANCE #1763 AMENDING LAND DEVELOPMENT REGULATIONS TEXT – SECOND FLOOR RESIDENTIAL

INFORMATION ONLY
 ACTION REQUESTED

ISSUE: The City Commission will take public comment and consider a proposed text amendment to the Land Development Regulations to allow for residential dwelling units above specified commercial Zoning categories.

ATTACHMENTS:

- Notice of Public Hearing – 10/20/2023
- Proposed Ordinance #1763 - Amending Land Development Regulations – 2nd Floor Residential

ANALYSIS: City Staff is proposing an amendment to the Land Development Regulations (LDRs) policies regulating second floor residential in selected commercial Zoning classifications for the downtown area only.

Currently, the commercial Zoning classifications of General Commercial (CG), General Commercial-1 (CG-1) and Commercial Highway (CH) allow residential dwelling units as an accessory use on the second floor or rear one-half of the ground floor, for owners and employees only. The amendment would allow for no restrictions on owner/employee occupancy for residential dwelling units within these zoning districts if the property is located on Main Street, between US Hwy 92 and East Park Street.

This could provide more economic development in the downtown area and rental opportunities. The suggested text amendment includes language intended to allow for greater mixed-use opportunities in a designated portion of downtown, but also preserve the residential character of adjacent neighborhoods. The Central Business District (CBD) Zoning in the downtown area already allows for residential on the second floor as a permitted use by right (not accessory use), and no restrictions on occupancy by either owner, or for lease or rent.

The proposed Ordinance was prepared by the Community Development Department and reviewed by the City Manager and City Attorney. The proposed Ordinance was approved on first reading October 16, 2023 and is being presented for second and final reading.

PLANNING COMMISSION RECOMMENDATION: Approval of amending the Land Development Regulations, Chapter 5, Zoning. (5-0 vote, 10/03/2023)

STAFF RECOMMENDATION: Approval of Ordinance #1763 amending Land Development Regulations text.

**City Commission Meeting
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AGENDA ITEM 3: ORDINANCE #1764 AMENDING UTILITY USER RATES / 2023 RATE UPDATE

AGENDA ITEM 4: ORDINANCE #1765 AMENDING UTILITY CONNECTION FEES / 2023 RATE UPDATE

___ INFORMATION ONLY

X ACTION REQUESTED

ISSUE: The City Commission will consider Ordinances amending user rates and connection fees for water service and sewer service.

ATTACHMENTS:

- . 5-Year Public Utilities Capital Improvements Plan (CIP)
- . 2023 Utility Rate and Connection Fee Update - Raftelis Financial Consultants, Inc.
- . Proposed Ordinance #1764 Amending Water and Wastewater Rates
- . Proposed Ordinance #1765 Amending Water and Wastewater Connection Fees

ANALYSIS: In May 2023, the City Commission authorized Raftelis Financial Consultants, Inc. to update the 2021 Water and Wastewater Rate Study to determine the adequacy of the user rates, fees and charges taking into consideration the significant growth and cost increases to provide the necessary wastewater treatment and collection facilities. Raftelis also conducted an update to the water and wastewater connection fees to ensure they are based on recent and local data, as well as put the City in a position to collect adequate fees from growth that reflect the current cost of providing utility service.

The 2023 Utility Rate and Connection Fee Study (Study) completed by Raftelis provides a thorough review of projected water and wastewater revenues compared to the City's Two-Year Budget, Five-Year Capital Improvement Plan, Polk Regional Water Cooperative projects and expenses, operational expenses, transfers, estimated inflation, and debt service requirements. The proposed Ordinances adjust utility rates and connection fees based on the findings and recommendations of the Study.

City Staff will present the 2023 Utility Rate and Connection Fee Update completed by Raftelis during Special City Commission Workshops on Monday, November 6, 2023 and Monday, November 20, 2023 at 6:30 P.M. in the Commission Room at City Hall prior to the Regular City Commission Meetings.

Ordinance #1764 implementing the proposed water and wastewater rate structure has an effective date of October 1, 2024 and Ordinance #1765 implementing the proposed water and wastewater connection fee structure has an effective date of March 1, 2023. This will allow any development currently in the works to take advantage of the current rates.

The proposed Ordinances were prepared by the Finance Director and reviewed by the City Manager, Public Utilities Director, and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on November 20, 2023.

STAFF RECOMMENDATION: Approval of the proposed Ordinances.

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AGENDA ITEM 5: ORDINANCE #1766 AMENDING CITY CODE – UTILITY DEPOSITS & TAP FEES

 INFORMATION ONLY

 X ACTION REQUESTED

ISSUE: The City Commission will consider an Ordinance making revisions to deposit and tap fees.

ATTACHMENTS:

- . Proposed Ordinance #1766 Amending City Code – Deposit & Tap Fee
- . Utility Deposit Fee Rate Comparison

ANALYSIS: Section 23-47 of the City Code provides for collection of utility deposits and tap fees based on the size of the water meter. The most recent adjustment to deposit fees was from \$100 to \$150 for residential customers in June 2012 (Ordinance 1382). Non-residential deposits were raised from \$130 x meter size to \$150 x meter size. The most recent adjustment to tap fees was in August 1990 (Ordinance 745).

The proposed Ordinance increases the residential deposit and the non-residential (commercial) base deposit to \$220. Commercial deposits are multiplied by the meter size. *Example: 2" meter would result in a \$450 deposit (currently \$300).* The proposed fee is consistent with a recent survey of the cities of Haines City, Lake Alfred, Lake Wales and Winter Haven. The proposed Ordinance also increases tap fees based on the type of connection and meter size as shown in the table of the proposed Ordinance and changes the term "connection" fee to "tap" fee.

The proposed Ordinance was prepared by the City Manager's Office and reviewed by the Public Utility Director, Utility Billing Superintendent, Finance Director and City Attorney. If approved on first reading, the proposed Ordinance will be presented for second and final reading on November 20, 2023.

The effective date of the new deposit rate and tap fee schedule will be January 1, 2024.

STAFF RECOMMENDATION: Approval of the Ordinance revising deposit fees and tap fees.

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AGENDA ITEM 6: PRESENTATION BY CITRUS CONNECTION

 X INFORMATION ONLY

 ACTION REQUESTED

ISSUE: The City Commission will hear an update on transit activities from the Citrus Connection.

ATTACHMENTS:

. Transit Briefing September 2023 – Citrus Connection

ANALYSIS: The City has received a request from the Citrus Connection to appear before the Commission to provide an update on transit, ridership data and improvements being made to the transit system.

Erin Killebrew, Citrus Connection Director of External Affairs is scheduled to appear before the Commission.