



**AGENDA**  
**CITY OF HAINES CITY, FLORIDA**  
**CITY COMMISSION MEETING**

**July 17, 2025, 7:00 p.m.**  
**City Hall Commission Chambers**  
**620 E. Main Street, Haines City, FL 33844**  
**Phone: 863-421-9921    Web: hainescity.com**

NOTICE – Pursuant to Section 286.0105 of the Florida Statutes, if any person decides to appeal any decision made by the City Commission with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.

Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office. In accordance with the Americans with Disabilities Act (ADA), persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting may contact the City Clerk's Office in writing, or may call 863-421-9921 for information regarding available aids and services.

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**Pages**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. CONSENT AGENDA**

**5**

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

<b>4.a</b>	<b><u>3-Mile Force Main Construction Services Agreement with Jones Edmunds</u></b>	<b>19</b>
	Approve the construction services agreement with Jones Edmunds for the 3-Mile Force Main project.	
	Staff Contact: James Keene, Deputy City Manager	
<b>4.b</b>	<b><u>Lift Station No. 22 Construction Services Agreement with Jones Edmunds</u></b>	<b>29</b>
	Approve the construction services agreement with Jones Edmunds for the Lift Station No. 22 project.	
	Staff Contact: James Keene, Deputy City Manager	
<b>4.c</b>	<b><u>Minutes to be approved</u></b>	<b>39</b>
	Staff Contact: City Clerk, Sharon Lauther, MMC	
<b>4.d</b>	<b><u>Cemetery Deeds</u></b>	<b>55</b>
	Staff Contact: City Clerk, Sharon Lauther, MMC	
<b>5.</b>	<b><u>PUBLIC COMMENTS - REGARDING ITEMS NOT ON THE AGENDA</u></b>	
<b>6.</b>	<b><u>OLD BUSINESS</u></b>	
<b>6.a</b>	<b><u>Ordinance No. 25-2098 – Large Scale Land Use Amendment for RWS Ranch Access Property – Adoption</u></b>	<b>65</b>
	Adopt Ordinance No. 25-2098 for a Large-Scale Land Use Amendment (LUPA) by adopting and reclassifying the Future Land Use Map of the Comprehensive Plan from County Residential Low 4 (RL-4) to City Medium Density Residential in the North Ridge (MDR-NR).	
	Staff contact: Richard Greenwood, Development Services Director	
<b>6.b</b>	<b><u>Ordinance No. 25-2114 – LDR Text Amendments Chapter 5- Second Reading</u></b>	<b>71</b>
	Adopt text amendments to the Land Development Regulations Chapter 5 – Zoning on second reading.	
	Staff Contact: Richard Greenwood, Development Services Director	
<b>7.</b>	<b><u>NEW BUSINESS</u></b>	
<b>7.a</b>	<b><u>Ordinance No. 25-2105 – Major Modification of the RPUD for Scenic Terrace North – First Reading</u></b>	<b>83</b>
	Approve Ordinance No. 25-2105, regarding a major modification to the RPUD for Scenic Terrace North on first reading.	
	Staff Contact: Richard Greenwood, Development Services Director	
<b>7.b</b>	<b><u>Ordinance No. 25-1882 – Mobile Food Dispensing Vehicles</u></b>	<b>97</b>
	Present the Mobile Food Dispensing Vehicles Ordinance.	
	Staff Contact: Fred Reilly, City Attorney	
<b>7.c</b>	<b><u>Approve Ordinance No. 25-2109 adjusting Mayor and City Commissioner Compensation on first reading</u></b>	<b>111</b>
	Staff Contact: Fred Reilly, City Attorney	

7.d	<b><u>Resolution No. 25-1873 - Non-Ad Valorem Assessments for Lot Clean-Up</u></b>	119
	Staff Contact: Steve Shifley, Code Compliance Supervisor	
7.e	<b><u>Tax Year 2025 Proposed Millage Rate and Budget Meeting Dates</u></b>	125
	Establish the millage rate for Fiscal Year 2025/26 (2025 Tax Billing Year) and set the public hearing dates for the tentative and final budget adoptions that will be advertised.	

Staff Contact: Omar DeJesus, CPA, Finance Director

- 8. **CITY MANAGER'S REPORT**
- 9. **CITY CLERK'S REPORT**
- 10. **CITY ATTORNEY'S REPORT**
- 11. **COMMISSION COMMENTS**
- 12. **ADJOURNMENT**





**CITY COMMISSION MEETING HAINES CITY, FLORIDA**  
**MINUTES**

**July 3, 2025, 7:00 p.m.**  
**City Hall Commission Chambers**  
**620 E. Main Street, Haines City, FL 33844**  
**Phone: 863-421-9921   Web: hainescity.com**

**Present:** Mayor Morris L. West  
Vice-Mayor/Commissioner Vernel Smith  
Commissioner Omar Arroyo  
Commissioner, Kim Downing  
Commissioner, Anne Huffman

**Staff in Attendance:** City Manager, James Elensky  
City Attorney, Fred Reilly  
City Clerk, Sharon Lauther

**1. CALL TO ORDER**

Mayor West called the City Commission Meeting to order at 7:12 PM on July 3, 2025 in the City Commission Chambers, located at 620 E Main Street, Haines City, FL.

**2. INVOCATION**

Pastor Henry Babers from Parkview Christian Life Center of Haines City provided the invocation.

**3. PLEDGE OF ALLEGIANCE**

The Mayor led the pledge of allegiance.

At this time Attorney Reilly stated that there is a lot that goes into setting policy. The City Manager, attorney and City Clerk have difficult jobs. The attorney stressed that everyone needs to stay in their respective lanes. If there is an issue please contact the attorney directly for any clarification.

**4. PRESENTATIONS**

**4.a Boys & Girls Club Week Proclamation**

City Clerk Sharon Lauther read the proclamation into the record. Curtis Reddick was unable to attend, however, he expressed thanks for honoring the Boys & Girls Club Week proclamation.

**4.b Juneteenth Freedom Day Proclamation**

City Clerk Sharon Lauther read the proclamations into the record.

Lekia Johnson accepted the proclamation on behalf of the Juneteenth committee and thanked the City for all the support

**5. Anderson v City of Haines City Settlement**

**Attorney Reilly** provided an overview of the shade meeting held at **4:00 PM**, regarding a proposed settlement in an ongoing legal case. Key points include:

The settlement is contingent upon City Commission approval.

The City's insurer will pay \$550,000 to the plaintiff.

The City will cover the insurance deductible, without admitting liability.

A release of claims will be signed by the plaintiff.

Final disposition is expected in approximately 2–3 weeks.

Commissioners have been advised to refrain from public comment until resolution; citizens may comment.

Resolution No. 25-881 was introduced by Commissioner Downing and read into the record by Attorney Reilly. A scrivener's error was noted: Anne Huffman's name should be removed from the short title. Commissioner Huffman clarified that while multiple counts were involved in the case, all counts related to her were removed. Before the trial began, Commissioner Anne Huffman's name was removed. At this time, Mayor West opened the public hearing.

Rebecca Rubio- 1012 Seery St., Haines City, FL, asked if it is illegal to re-post a social media post to bring awareness. No one else came forward and the public hearing was closed.

A roll call vote was taken:

Commissioner Downing- yea

Commissioner Arroyo- yea

Commissioner Huffman- nay

Vice-Mayor Smith- yea

Mayor West- yea

**Motion carried 4-1**

**Moved by** Kim Downing

**Seconded by** Vernel Smith

**Carried**

**6. PUBLIC COMMENTS - REGARDING ITEMS NOT ON THE AGENDA**

**7. CONSENT AGENDA**

Mayor West inquired if any members of the dais had questions regarding the consent agenda. No questions were raised.

Mayor West opened the public hearing for items listed on the consent agenda. No comments were received from the public, and the public hearing was subsequently closed.

Mayor West announced that **Item 7e** would be **removed from the consent agenda**.

A motion was requested by Mayor West to approve the remaining items on the consent agenda.

**Moved by** Vernel Smith

**Seconded by** Kim Downing

Approve consent as a whole.

**Carried Unanimously**

7.a Meeting minutes 06.05.25

7.b City Commission Workshops 06.24.2025

7.c Cemetery Deeds

7.d Modification to Interlocal Agreement with PCSO 2025-2029

Staff recommends approval of the Haines City Modification for the Interlocal Agreement for Police & Fire Dispatching and Telecommunication Services through the Polk County Sheriff's Office.

7.e Resolution No. 25-1877 Aldi Property Easement for City Gateway Sign Location

Staff recommends approval of the Resolution authorizing execution of the Easement with Aldi (Florida) LLC, a Florida limited liability company, ("Aldi") for an easement for a Gateway sign.

7.f Administrative Vehicle Purchase Utilizing Florida Sheriff's Association Contract Pricing

Staff recommends approval of the purchase of an administrative vehicle to accommodate growth and additional vehicle needs, utilizing the Florida Sheriff's Association contract pricing.

7.g Agreement to Piggyback a Contract Services Bid by Another Governmental Entity – Building Inspector and Plans Examiner

City staff recommends the approval to have Nova Engineering and Environmental, LLC provide two (2) temporary positions for Building Inspectors through the piggybacking of the City of Largo RFP 23-P-771 for contractual building services.

## 8. NEW BUSINESS

### 8.a Ordinance No. 25-2105 – Major Modification of the RPUD for Scenic Terrace North – First Reading

Richard Greenwood, Development Services Director, presented Ordinance No. 25-2105 for first reading. Discussion took place. Mayor West opened the public hearing. No one came forward, and the public hearing was closed. Commissioner XXX introduced Ordinance No. 25-2105. Attorney Reilly read Ordinance No. 25-2105 into the record for first reading.

This item will be continued on July 17, 2025

**Moved by** Omar Arroyo

**Seconded by** Vernel Smith

Staff recommends approval of Ordinance No. 25-2105, on first reading, regarding a major modification to the Scenic Terrace North RPUD, by including an increase of 27 units and recreation space reduction, with the following conditions:

1. The recreational amenities should be identified and detailed on site construction plans prior to approval.
2. All other requirements set forth in Ordinance No. 22-1785 shall be made part of this Ordinance No. 25-2105.

**Carried Unanimously**

### 8.b Ordinance No. 25-2114 –Land Development Regulation Text Amendments- Chapter 5-First Reading

Development Services Director Richard Greenwood presented Ordinance No. 25-2114. Following a period of discussion, Mayor West opened the public hearing. With no members of the public coming forward, the hearing was formally closed. Commissioner Arroyo subsequently introduced the ordinance for consideration. Attorney Reilly then read Ordinance No. 25-2114 into the official record during the second reading, marking this item as old business.

**Moved by** Anne Huffman

**Seconded by** Vernel Smith

Request approval of Ordinance No. 25-2114, on first reading, for text amendments to the Land Development

**Carried Unanimously**

- 8.c Resolution No. 25-1874 – Conditional Use to Permit the Sale and Serving of Beer and Wine at 950 Lily Avenue, Haines City, Florida.

Development Services Director Richard Greenwood presented Resolution No. 25-1874, outlining specific conditions for Commission consideration. Commissioner Huffman inquired about the allowance of alcohol consumption in the courtyard area and requested clarification on property ownership. Jonathan Rodriguez, located at 950 Lily Avenue, came forward and confirmed ownership of the property. Commissioner Huffman expressed concern regarding the proximity of alcohol service to a nearby school and Pre-K facility and questioned who would sign the conditional use agreement. It was noted that hours of operation would begin after daycare closing hours. Mayor West opened the public hearing; no public comments were received, and the hearing was closed. Vice-Mayor/Commissioner Smith introduced the resolution, and Attorney Reilly read it into the record. The motion to approve Resolution No. 25-1874 carried 4-1, with Commissioner Huffman voting nay.

**Moved by** Omar Arroyo

**Seconded by** Kim Downing

Staff recommends approval of Resolution No. 25-1874, to permit the sale and serving of beer and wine at 950 Lily Avenue, the Haines City Food Park. Said Conditional Use shall terminate within three (3) years of the date of Resolution No. 25-1874, and the property owner shall have the opportunity to reapply

**Carried**

- 8.d Resolution No. 25-1876 Legal Services Contract for PFAS Litigation Claim

Richard Greenwood, the Development Services Director, presented Resolution No. 25-1874 to the commission. The resolution included several conditions for consideration. Commissioner Huffman raised questions about whether alcohol would be allowed to be consumed outside in the courtyard and also inquired about the ownership of the property. At that time, Jonathan Rodriguez, who

resides at 950 Lily Avenue, came forward to clarify that he and his associates were the property owners. The discussion that followed highlighted Commissioner Huffman's concern about serving alcohol in close proximity to a school and Pre-K facility, which she stated was generally frowned upon. She also asked who would be responsible for signing the conditional use agreement. It was noted that the hours of operation for the proposed use would take place after the daycare had closed for the day.

Mayor West then opened the public hearing, but no members of the public came forward to speak, so the hearing was subsequently closed. Vice-Mayor and Commissioner Smith introduced the resolution, and Attorney Reilly read it into the official record. The resolution was approved in a 4-1 vote, with Commissioner Huffman opposing.

**Moved by** Kim Downing

**Seconded by** Omar Arroyo

Staff recommends the City Commission approve the legal services contract with Grossman and Kelly, LLP (“Grossman”) concerning the PFAS Litigation settlements in relation to DuPont, 3M, TYCO, BASF and other Defendants.

**Carried**

8.e Resolution No. 25-1878 Legal Services Contract for Insulin Price Fixing Litigation Claim

Attorney Reilly provided an overview of an ongoing legal claim and indicated that, should the claim be deemed valid, the City would be presented with Resolution No. 25-1878. Following his remarks, Mayor West opened the public hearing, during which no members of the public came forward to speak. The hearing was then closed. Subsequently, Commissioner Arroyo formally introduced the resolution, and Attorney Reilly read it into the record.

**Moved by** Omar Arroyo

**Seconded by** Vernel Smith

Staff recommends the City Commission’s approve the Legal Services Contract with Grossman and Kelly, LLP (“Grossman”) concerning the Insulin Price Fixing Litigation settlements in relation to 40+

Pharmaceutical Company Defendants and 3 Pharmacy Benefit Manager Defendants.

**Carried Unanimously**

8.f Resolution No. 25-1879 Fire Assessment Fee for Fire Protection Services

Finance Director Omar DeJesus presented Resolution No. 25-1879, noting an estimated annual revenue projection of approximately \$5.5 million. During the discussion, Commissioner Downing suggested the possibility of reducing the fire assessment fee and offering a tax break to residents. Attorney Mark Lawson weighed in with his opinion on agenda order, followed by Commissioner Huffman's remarks praising Mayor West's experience and leadership. Attorney Lawson apologized for his earlier oversight. Commissioner Huffman reiterated concerns over the fire assessment fee, emphasizing prior discussions about potentially reducing or eliminating it, though such changes would require alternate funding sources. Mayor West informed the commission that the State did not approve grant funding for the Emergency Operations Center for the upcoming year, prompting Commissioner Downing to review past grant awards and advocate for resident relief. Commissioner Arroyo recommended approving the current fee for fiscal year 2025–2026 and revisiting the possibility of reducing it for fiscal year 2026–2027. Finance Director DeJesus reminded the commission that the fire assessment fee doesn't cover the entire department budget, with the city subsidizing about \$1 million each year. Discussions also covered compliance with TRIM notice requirements, and Commissioner Huffman requested more proactive communication from the Finance Director regarding key budget deadlines. Attorney Lawson assured the commission of his support and outlined the implications of cutting fees. Mayor West then opened the public hearing, but no residents came forward, and it was subsequently closed. The mayor suggested initiating discussions in November to reassess the fee structure for the next fiscal year. Vice-Mayor/Commissioner Smith formally introduced the resolution, which Attorney Reilly read into the record. Commissioner Downing cast the lone "nay" vote, and a copy of the proceedings was submitted to the clerk for official recordkeeping.

**Moved by** Anne Huffman

**Seconded by** Vernel Smith

Staff recommends the City Commission approve the attached Resolution, adopting the Non-Ad Valorem Assessment roll for the Fire Service

Assessment, continue to look for new revenue, and/or certify a proposed increase in property taxes by August 4, 2025.

**Carried**

8.g Resolution No. 25-1880 – Stormwater Assessment Fee for Stormwater Management Services

Finance Director Omar DeJesus introduced Resolution 25-1880, which Attorney Lawson noted contained a scrivener's error requiring the date to be corrected to July 2, 2025. After a brief discussion, Mayor West opened the public hearing, but no one came forward, and it was subsequently closed. Commissioner Huffman officially introduced the resolution, and Attorney Reilly read it into the record.

**\*\*\*Following this, Mayor West announced that item 8i would be the next topic of discussion.**

**Moved by** Anne Huffman

**Seconded by** Vernel Smith

Staff recommends the City Commission approve the attached Resolution, adopting the Non-Ad Valorem Assessment roll for the Stormwater Assessment, continue to look for new revenue, and/or certify a proposed increase in property taxes by August 24, 2025.

**Carried Unanimously**

8.h State Grant Funded Fiber

Brian Ross, Technology Management Director, recommended approval with PCS to build a multi-agency redundant fiber optic network, partially funded by a state grant. The state is funding the entire project. came forward and the public hearing was closed.

**Moved by** Omar Arroyo

**Seconded by** Anne Huffman

Staff recommends approval of contracting with PCS to build a multi-agency redundant fiber optic network partially funded by a state grant.

**Carried Unanimously**

- 8.i Request to Enter into an Agreement with SEMCO Construction, Inc. for the Old Train Depot Building Repairs

The Parks and Recreation Director, Terrell Griffin, presented an agreement with SEMCO Construction, Inc. for repairs and upgrades to the Old Train Depot Building, which was identified as an unbudgeted request. Discussion ensued regarding the financial feasibility and appropriateness of the proposal. Vice-Mayor Smith raised concerns about the cost's value to the city, while Commissioner Arroyo, a certified building contractor, deemed the quote exorbitant. Griffin noted that a defined scope of work could be established and potentially put out for bid. Commissioner Downing referenced the previously discussed amount of \$138,000 and questioned the addition of further funds to the proposal. Stacey Stokes-9145 Lake Hashama Rd., Haines City, FL-provided background on the insurance payment previously approved. Further insight into the depot's needs was shared by Francis Vandyver. Commissioner Downing emphasized the importance of preserving the historical status of the building. It was concluded that an RFP process should be initiated for Commission review. No agreement was approved during this meeting.

**Moved by** Vernel Smith

**Seconded by** Omar Arroyo

Staff requests guidance from Commission to enter into an agreement with SEMCO Construction, Inc. to perform the repairs and upgrades at the Old Train Depot Building.

**Carried Unanimously**

- 8.j Cisco Equipment Enterprise Agreement 3-Year Term

Brian Ross, Technology Management Director, presented Cisco equipment enterprise agreement for consideration. Discussion took place. At this time, Mayor West opened the public hearing. No one came forward and the public hearing was closed.

**Moved by** Anne Huffman

**Seconded by** Vernel Smith

Staff recommends approval of a 3-year Enterprise Agreement with Cisco Systems, Inc. for streamlined and comprehensive support for the City's core network infrastructure.

**Carried Unanimously**

8.k Relocation of Fiber for Andrew R. Reilly City Hall Annex

Agenda Adjustment

**Resolved Item:** Relocation of fiber at the Andrew R. Reilly Complex

**Action:** Item removed from the agenda as it has already been resolved.

Staff recommends approval of contracting with PCS to relocate the City's fiber optic cable for the Andrew R. Reilly City Hall Annex.

8.l Extension of Fiber to Fire Station No. 3/EOC

Brian Ross, Technology Management Director presented the contract with Precision Contracting Services ("PCS") to relocate City fiber for the Andrew R. Reilly City Hall Annex. Discussion took place. Mayor West opened the public hearing. No one came forward and the public hearing was closed.

**Moved by** Omar Arroyo

**Seconded by** Anne Huffman

Staff recommends approval of contracting with PCS to extend the City's fiber optic cable to Fire Station No. 3/EOC for a cost not to exceed \$213,535.

**Carried Unanimously**

8.m General Employee Pension Board Applications

**Discussion:** Review of applications to fill a vacancy on the General Employee Pension Board.

**Reference:** Trustees serve four-year terms under Ordinance 11-1378.

**Outcome:** Lisandra Rivera was unanimously selected to fill the vacant trustee position.

**Moved by** Omar Arroyo  
**Seconded by** Vernel Smith

**Carried Unanimously**

8.n Police Pension Board Application

Discussion took place regarding the applications received for the vacancy on the Police Pension Board. In accordance with Ord. 11-1370, trustees serve a term for four years. Commissioner Huffman stated it would be nice if the applications had a section asking why they would want to serve on the Board. At this time, Mayor West asked the Chief to give a little background on the officers who were submitted.

Steven Evans has 8 years of experience.

Britney Tarr- has 2-3 years of experience

Richard Rodriguez has 2 years of experience, 2 years of Code Enforcement experience, as well as 25-27 previous Law Enforcement experience

Discussion took place. Mayor West opened the public hearing. No one came forward and the public hearing was closed.

Richard Rodriguez was presented for consideration.

**Moved by** Omar Arroyo  
**Seconded by** Kim Downing

**Carried Unanimously**

**Amendment:**

**Moved by** Anne Huffman

Ron Brown was presented for consideration. Failed for lack of a second

**Amendment:**

**Moved by** Omar Arroyo  
**Seconded by** Kim Downing

Steven Evans presented for consideration

**9. CITY MANAGER'S REPORT**

City Manager Elensky stated that two items presented to the Governor was cut from the state budget.

**10. CITY CLERK'S REPORT**

At the request of City Clerk Lauther, the Commission briefly discussed who would represent Haines City as the voting delegate at the upcoming annual conference. Mayor West expressed that another member should have the opportunity to gain experience in the role. By unanimous consensus, Vice-Mayor Smith was appointed to serve as the city's official voting delegate.

**11. CITY ATTORNEY'S REPORT**

No report

**12. COMMISSION COMMENTS**

**Commissioner Huffman** expressed satisfaction at being vindicated in the matter of *Erica Anderson vs. City of Haines City*.

**Commissioner Arroyo** emphasized the importance of following legal counsel's guidance.

**Commissioner Downing** stated she will reserve her comments for the next meeting.

**Vice-Mayor Smith** and **Mayor West** had no comments.

**13. ADJOURNMENT**

Without any further business the meeting was adjourned at 9:39 PM

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Morris L. West, Mayor

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Sharon Lauther, MMC, City Clerk





# HAINES CITY

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## **CITY MANAGER MEMORANDUM**

**To:** The Honorable Mayor and City Commissioners

**Through:** James R. Elensky, City Manager

**From:** James Keene, Deputy City Manager

**Date:** July 17, 2025

**Subject:** 3-Mile Force Main Construction Services Agreement with Jones Edmunds

### **Executive Summary**

Approve the construction services agreement with Jones Edmunds for the 3-Mile Force Main project.  
Staff Contact: James Keene, Deputy City Manager

### **Introduction**

The intent of this item is to request approval for the construction services agreement with Jones Edmunds for the 3-Mile Force Main project.

### **Background**

On November 16, 2023, the City Commission approved an agreement with Jones Edmunds for engineering services related to the 3-Mile Force Main project. The design work is complete and the project is now moving into the construction phase. This agreement will provide construction services funding for the 3-Mile Force Main project.

### **Organizational Goal(s)**

Infrastructure: Maintain, protect and design infrastructure that ensures a desired level of service and provides for future needs.

### **Budget Impact**

The budget impact for the additional engineering services is \$171,853 and is budgeted in Fiscal Year 2025 under ADG account #401-10-53-6-6-64-10. This is an amendment to PO #54573 which was initiated for \$201,298, which will bring the total engineering scope to \$373,151.

### **Recommendation**

Staff recommends the City Commission approve the 3-Mile Force Main construction services agreement with Jones Edmunds.



June 5, 2025

James Keene  
Infrastructure Director  
City of Haines City  
300 N. 5<sup>th</sup> Street  
Haines City, Florida 33844

RE: City of Haines City  
Proposal for Engineering Services During Construction of 3-Mile Force Main  
Jones Edmunds Opportunity No.: 95350-131-25

Dear Mr. Keene:

Jones Edmunds is pleased to provide Haines City with the attached Scope of Services for Engineering Services During Construction (ESDC) of 3-Mile Force Main.

We are submitting this scope for professional ESDC to assist the City with successfully completing this project. These services were not included in the original 3-Mile Force Main design project's scope of service because the extent of these services was not known at the time of original contracting. The professional services tasks during construction include the following:

- Pre-construction meeting with the selected contractor.
- Respond to Requests for Information.
- Review and process Change Orders.
- Review and process Submittals.
- Attend Construction Progress Meetings.
- Perform Limited Site Observation.
- Permitting support during construction.
- Review and process Contractor Pay Applications.
- Perform Contract Closeout Services.

The Scope of Services describes each item in more detail.

## **SCOPE OF SERVICES**

### **TASK 8.0 – CONSTRUCTION CONTRACT ADMINISTRATION SERVICES**

Jones Edmunds will deliver Construction Contract Administration Services during the construction phase, documenting that the project is complete in general conformance with the Drawings, Technical Specifications, and Permit Requirements. This work includes the following:

- Essential office support to review the Contractor's submittals, respond to inquiries, and manage the documentation for the Final Certification of Construction Completion.
- Project meetings and site visits by the Engineer of Record.

Our Construction Contract Administration Services are based on an on-site construction schedule of 500 calendar days to Substantial Completion. Jones Edmunds will provide the Construction Contract Administration services described below.

#### PRE-CONSTRUCTION MEETING WITH SELECTED CONTRACTOR

Jones Edmunds will attend a Pre-Construction Meeting and provide five sets of conformed Construction Drawings and Technical Specifications to the City for distribution to the Contractor.

#### REQUESTS FOR INFORMATION (RFIs)

Jones Edmunds will receive, log, review, and respond to up to eight RFIs submitted by the Contractor.

#### REVIEW AND PROCESS CHANGE ORDERS

Jones Edmunds will review up to four change order requests from the Contractor for changes in contract price or contract time and provide written comments to the City.

#### REVIEW AND PROCESS SUBMITTALS

Jones Edmunds will receive, log, review, and issue comments on project submittals. Project submittals will include administrative submittals (i.e., construction schedules and work plans), shop drawings and product data for the materials to be incorporated into the project, warranties, samples, and operations and maintenance manuals. This Scope of Services includes an initial review and one re-submittal review for each submittal. Submittals will be immediately returned to the Contractor if all deviations are not listed as requested on the project forms.

#### CONSTRUCTION PROGRESS MEETINGS

Jones Edmunds will attend up to 17 on-site Construction Progress Meetings (one per month). We assume that the agenda, sign-in sheets, and meeting minutes will be prepared and distributed by the Contractor.

#### LIMITED SITE OBSERVATION

Jones Edmunds' Engineer of Record, or a designated representative, will provide limited observation during construction activities to monitor that construction is being completed in general conformance with the Contract Documents. This Scope of Services assumes that up to 72 observation site visits will occur with 17 occurring on the same day as the Construction Progress Meetings. We assume that the City's Construction Inspector will witness and document testing, take photographs, provide a daily observation record, and verify that materials delivered to the site are consistent with submitted materials.

On the day of Jones Edmunds' observation site visit, we will observe construction and review the City's daily records/logs and other items with the City's Construction Inspector.

## CONTRACTOR PAY APPLICATIONS

Jones Edmunds will review up to 17 monthly Applications for Payment submitted by the Contractor, including updated progress schedules. The City's Construction Inspector will verify that the requested quantities are correct. Our recommendation of payment will constitute a representation by Jones Edmunds that:

1. The work has progressed to the point indicated.
2. The quality of the work is generally in accordance with the Contract Documents.
3. The conditions precedent to the Contractor being entitled to such payment appear to have been fulfilled based on our site observations.

## TASK 8.1 – CONSTRUCTION CONTRACT CLOSEOUT SERVICES

### CONTRACT CLOSEOUT SERVICES

The Substantial Completion review will be scheduled approximately 500 calendar days after the start of construction and on the day of the Construction Progress Meeting. The Jones Edmunds' Engineer of Record will review the completed work, prepare a punch list, and issue the Certificate of Substantial Completion.

- Substantial Completion Walkdown: Jones Edmunds will conduct two Substantial Completion walkdowns with the Contractor and the City. The walkdowns will be performed by project team members such as the Project Manager, the Engineers of Record, and the Contract Administrator to observe that the system is operating as designed. Jones Edmunds will prepare a punch list of items to complete during each Substantial Completion walkdown and verify that everything is complete at the Final Completion walkdown.
- The Final Completion review (one visit) will be scheduled on the last planned site visit on the day of the final Construction Progress Meeting. During the final site visit, Jones Edmunds will attend the Final Completion review to document that punch list items have been completed. Any additional visits to verify that outstanding punch list items are completed will be performed by the City.
- Final Completion Walkdown: Jones Edmunds will conduct one Final Completion walkdown once all project aspects have achieved Substantial Completion. The Final Completion walkdown will be performed by project team members such as the Project Manager, the Engineers of Record, and the Contract Administrator and accompanied by the City. This will be to observe that all punch list items are complete, and that the Contractor has completed demobilization.

Jones Edmunds will prepare the following FDEP completion forms:

- FDEP Certification: Jones Edmunds will prepare the FDEP *Request for Approval to Place a Domestic Wastewater Collection/Transmission System into Operation* (DEP Form 62-604.300(8)(b)) for the new sewer systems.

- Jones Edmunds will review the Contractor's AutoCAD-based as-built drawings. After the as-built drawings are completed by the Contractor, we will incorporate them into Record Drawings and provide the City with up to three full-size (22-x-34-inch) paper copies and one electronic copy (.pdf format and original file format) of the Record Drawings.
- The Contractor's as-built drawings will be used for the Certification of Completion submitted to FDEP. The final Record Drawings for the project will be prepared and compiled at the final certification of the entire project's completion.
- Record Drawings: Jones Edmunds will review the Contractor's CAD-based as-built drawings. After the as-built drawings are completed by the Contractor, we will incorporate them into Record Drawings and provide the City with electronic copies (.pdf format and original file format) of the Record Drawings. The final CAD as-built drawings will also be provided to the City.

## SCHEDULE

Jones Edmunds will complete this Scope of Services in accordance with the Contractor's scheduled times included in the Construction Contract. The timeframes included in the Construction Contract are 500 calendar days to Substantial Completion and an additional 30 calendar days for construction closeout services to Final Completion, for a total Construction Contract Time of 530 calendar days.

## COMPENSATION

Jones Edmunds proposes to provide the services detailed above on a lump-sum basis for Task 8.0 and Task 8.1. The total compensation will be **\$171,853.00**, invoiced monthly on a percent complete basis. The table below summarizes the labor effort and subconsultant cost by task.

TASK	Jones Edmunds Labor Effort	Miscellaneous Expenses	TOTAL
Task 8.0 – Construction Contract Administration Services	\$ 145,710	\$ 4,686	\$ 150,396
Task 8.1 – Construction Contract Closeout Services	\$ 20,863	\$ 594	\$ 21,457
<b>Total Not-to-Exceed Fee</b>	<b>\$166,573</b>	<b>\$5,280</b>	<b>\$ 171,853</b>

The Fee Schedule in Exhibit A includes the level of effort and corresponding cost breakdowns for this authorization.

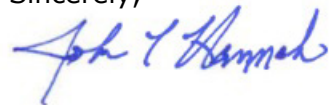
## PROPOSAL CLARIFICATIONS

The following proposal clarifications govern this Scope of Services. Excluded items may be provided by Jones Edmunds as an additional service on written agreement.

1. Total construction duration from Notice to Proceed to Substantial Completion is 500 calendar days and an additional 30 calendar days to Final Completion for a total construction Contract Time of 530 calendar days. If the construction period is extended, additional fees may be required.
2. Daily Construction resident observation (RO) tasks will be conducted by others with daily progress logs, including photographs completed and submitted to Jones Edmunds for review of construction progress.
3. Installed quantities included on the Pay Applications will be verified and approved by the Construction Inspector who is on site daily logging the installed materials before Jones Edmunds will certify the Pay Applications as the Engineer of Record.
4. As-built survey preparation (including topographic surveying of as-built site conditions) is excluded from this Scope of Services and is required to be performed by the Contractor under the Construction Contract.
5. Quantities, labor hours, and reimbursable expenses listed in this fee schedule are intended as documentation and justification for the total cost of the project. Deviations or changes in the quantities, labor hours, and reimbursable expenses within a task is not justification for nonpayment provided that the total project fee has not been exceeded.

As always, we appreciate this opportunity to serve Haines City and look forward to working with you on this important project. If you have any questions or comments, please contact me at (813) 258-0703 or [jhannah@jonesedmunds.com](mailto:jhannah@jonesedmunds.com).

Sincerely,



John T Hannah, PE  
Senior Manager  
324 S. Hyde Park Ave, Suite 250  
Tampa, Florida 33606

XC: Alan Foley, PE, Jones Edmunds

**Approved by City Commission:**

Date: \_\_\_\_\_

**Mayor of Haines City**

**City Clerk**

\_\_\_\_\_  
Morris L. West

\_\_\_\_\_  
Sharon Lauther

# **Exhibit A**

## **Fee Schedule**

Exhibit A - Fee Schedule  
Construction Phase Services  
3-MI Force Main - Haines City

		Senior Manager		EOR		Sr Construction Administrator		Engineer Intern		Construction Observation		Admin. Assistant		CADD Designer		Labor Costs	Subconsultant Fee	Miscellaneous Reimb Expenses	Task Fee	Labor Hours	Labor Rate
		\$265		\$215		\$215		\$145		\$145		\$115		\$145							
		Hours	Cost	Hours	Cost	Hours	Cost	Man Hrs	Cost	Man Hrs	Cost	Man Hrs	Cost	Man Hrs	Cost	\$	\$	\$	\$	Hrs.	\$/hr
	Tasks & Total Fee	19.0	\$5,035	79.5	\$17,093	64.0	\$13,760	60.0	\$8,700	608.0	\$88,160	250.0	\$28,750	35.0	\$5,075	\$166,573	\$0	\$ 5,280	<b>\$171,853</b>	1,115.5	\$149.33
Task 8.0	Construction Contract Services	17.0	\$ 4,505	66.0	\$ 14,190	48.0	\$ 10,320	56.0	\$ 8,120	568.0	\$ 82,360	204.0	\$ 23,460	19.0	\$ 2,755	\$145,710	\$0	\$ 4,686	\$150,396	978.0	\$148.99
Task 8.1	Construction Contract Closeout Services	2.0	\$ 530	13.5	\$ 2,903	16.0	\$ 3,440	4.0	\$ 580	40.0	\$ 5,800	46.0	\$ 5,290	16.0	\$ 2,320	\$20,863	\$0	\$ 594	\$21,457	137.5	\$151.73





# HAINES CITY

WWW.HAINESCITY.COM

## **CITY MANAGER MEMORANDUM**

**To:** The Honorable Mayor and City Commissioners

**Through:** James R. Elensky, City Manager

**From:** James Keene, Deputy City Manager

**Date:** July 17, 2025

**Subject:** Lift Station No. 22 Construction Services Agreement with Jones Edmunds

### **Executive Summary**

Approve the construction services agreement with Jones Edmunds for the Lift Station No. 22 project.  
Staff Contact: James Keene, Deputy City Manager

### **Introduction**

The intent of this item is to request approval of a construction services agreement with Jones Edmunds for the Lift Station No. 22 project.

### **Background**

On October 3, 2019, the City Commission approved an agreement with Jones Edmunds for design engineering services related to the Robinson Force Main project. On May 5, 2021, the Florida Department of Environmental Protection met with Jones Edmunds and added Lift Station No. 22 to the Robinson Force Main project. The design of Lift Station No. 22 is complete and the project is now moving into the construction phase. This agreement will provide construction services for the Lift Station No. 22 project.

### **Organizational Goal(s)**

Infrastructure: Maintain, protect and design infrastructure that ensures a desired level of service and provides for future needs.

### **Budget Impact**

The budget impact for this amendment is \$139,985 and is budgeted in Fiscal Year 2025 under ADG account #401-10-53-6-6-64-10. This will be an amendment to PO #54557 which was initiated for \$215,652, which brings the total engineering services to \$355,637.



**Recommendation**

Staff recommends the City Commission approve the Lift Station No. 22 construction services agreement with Jones Edmunds.

May 21, 2025

James Keene  
Infrastructure Director  
City of Haines City  
300 N. 5<sup>th</sup> Street  
Haines City, Florida 33844

RE: City of Haines City  
Proposal for Engineering Services During Construction  
Jones Edmunds Opportunity No.: 95350-130-25

Dear Mr. Keene:

Jones Edmunds is pleased to provide Haines City with the attached Scope of Services for Engineering Services During Construction for Lift Station No. 22 (LS 22).

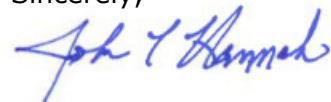
We are submitting this Scope for professional Engineering Services During Construction to assist the City with successfully completing the project. These services were not included in the original LS 22 Lift Station Design Project's Scope since the extent of these services were not known at the time of original contracting. The professional services tasks during construction include the following:

- Pre-construction meeting with selected contractor.
- Respond to Requests for Information.
- Review and process Change Orders.
- Review and process Submittals.
- Attend Construction Progress Meetings.
- Perform Limited Site Observation.
- Permitting Support during construction.
- Review and process Contractor Pay Applications.
- Perform Contract Closeout Services.
- Attend Startup and Testing of the Master Lift Station.

The Scope of Services describes each item in more detail.

As always, we appreciate this opportunity to serve Haines City and look forward to working with you on this important project. If you have any questions or comments, please contact me at (863) 307-5683 or [jhannah@jonesedmunds.com](mailto:jhannah@jonesedmunds.com).

Sincerely,



John T Hannah, PE  
Senior Manager  
324 S. Hyde Park Ave, Suite 250  
Tampa, Florida 33606

XC: Alan Foley, PE, Jones Edmunds

### **City of Haines City Lift Station 22 Project Engineering Services During Construction (ESDC)**

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## INTRODUCTION

The City of Haines City experienced rapid growth in recent years, placing significant strain on its aging water and wastewater infrastructure. One critical area requiring improvement is Lift Station (LS) No. 22, which needs replacing and upgrading to a Master Lift Station (MLS). These improvements will enable the City to support ongoing growth while improving wastewater system reliability and service levels.

This Scope of Services authorizes Jones Edmunds to provide Engineering Services During Construction (ESDC). These services include Construction Contract Administration, periodic Resident Observation (including site visits by the Engineers of Record), and project closeout with a Florida Department of Environmental Protection (FDEP)-required Certification of Completion. The duration of engineering services aligns with the construction contract Substantial completion dates outlined below.

## SCOPE OF SERVICES

### TASK 9.0 – CONSTRUCTION CONTRACT SERVICES

Jones Edmunds will deliver Construction Contract Services during the construction phase, verifying that the project is completed in general conformance with the Drawings, Technical Specifications, and Permit Requirements. This work includes the following:

- Essential office support to review the Contractor's submittals, respond to inquiries, and manage the documentation for the Final Certification of Construction Completion.
- Project meetings and site visits by the Engineer of Record.

Our Construction Contract Administration services are based on an on-site construction schedule of 9 months to Substantial Completion, a scheduled Contractor pause to allow for completion of the 3-Mile Force Main project work, and then a resumption of the Contractor's contract time for an additional 2 months for Final Completion and construction contract closeout. Jones Edmunds will provide the Construction Contract Administration services described below.

## PROJECT DOCUMENTATION

1. Submittals: Jones Edmunds will receive, log, review, and issue comments on project construction submittals. Project submittals include administrative submittals

(i.e., construction schedules and work plans), shop drawings and product data for the materials to be incorporated into the project, warranties, samples, and operations and maintenance manuals. Jones Edmunds estimates approximately 50 submittals for this project. This Scope of Services includes an initial review and one re-submittal review for each submittal. Submittals will be immediately returned to the Contractor if all deviations are not listed as requested on the project forms.

2. Requests for Information (RFIs): Jones Edmunds will review and respond to up to 15 RFIs submitted by the Contractor. RFIs are submitted by the Contractor when questions regarding the Construction Documents arise that require clarification from the Engineer.
3. Change Orders (COs): Jones Edmunds will immediately notify the City when an issue arises that may affect the cost or time of the project and will process up to three minor COs. COs will be submitted to the City for approval before being issued to the Contractor.
4. Construction Field Orders (CFOs): Jones Edmunds will prepare up to five CFOs. CFOs are used for minor adjustments to the Contract Documents that can be completed in the field and have no effect on the project cost or time.
5. Proposed Contract Modifications (PCMs): Jones Edmunds will review up to five PCMs for conformance with the Contract Documents and process the PCMs as requested by the City. PCMs may be submitted by the Contractor when deviations to the Contract Drawings or Specifications occur that they believe affect the cost of the project. PCMs will be submitted to the City for approval before being issued to the Contractor.
6. Notices of Non-Compliance: Jones Edmunds will assist with up to two Notices of Non-Compliance in coordination with the City. Jones Edmunds will prepare, log, and issue the Notices of Non-Compliance.
7. Pay Applications: Jones Edmunds will process up to 12 Pay Applications. We will receive the Pay Applications from the Contractor, log and review them with the City's Resident Observer (RO), and make payment recommendations to the City.

## MEETINGS AND SITE VISITS

1. Jones Edmunds will hold one Project Kick-Off Meeting and up to 12 progress meetings during the duration of the project. The progress meetings will be scheduled monthly for the 11-month construction schedule. The progress meetings are to review the construction progress up to that point, review the monthly pay applications, and discuss any issues that have occurred on the project. Jones Edmunds will prepare and distribute the meeting agenda and minutes.
2. Jones Edmunds will schedule with the Contractor and conduct a weekly site visit during construction for a total of up to 48. Site visits will monitor that construction is being completed in general conformance with the Contract Documents. Jones Edmunds will record the observations of each site visit in a field site visit report and submit it to Haines City for its records. We assume that the City's Construction Inspector will witness and document testing, take photographs, provide a daily observation record, and verify that materials delivered to the site are consistent with submitted materials reviewed during the submittal process.
3. Jones Edmunds will provide one Project Engineer to attend 1 day of start-up and testing services for the work under Jones Edmunds purview.

4. Davis-Bacon interviews of Contractor personnel, as required by State Revolving Fund funding, are not included but can be provided as an additional service upon request.

## TASK 9.1 – CONSTRUCTION CONTRACT CLOSEOUT SERVICES

Construction Contract Closeout Services include Substantial and Final Completion walkdowns, punch list preparation, and final certification of construction completion.

- Substantial Completion Walkdown: Jones Edmunds will conduct two Substantial Completion walkdowns with the Contractor and the City. The walkdowns will be performed by project team members such as the Project Manager, the Engineers of Record, and the Contract Administrator to observe that the system is operating as designed. Jones Edmunds will prepare a punch list of items to complete during each Substantial Completion walkdown and verify that everything is complete at the Final Completion walkdown.
- Final Completion Walkdown: Jones Edmunds will conduct one Final Completion walkdown once all project aspects have achieved Substantial Completion. The Final Completion walkdown will be performed by project team members such as the Project Manager, the Engineers of Record, and the Contract Administrator and accompanied by the City. This will be to observe that all punch list items are complete and that the Contractor has completed demobilization.
- FDEP Certification: Jones Edmunds will prepare the FDEP *Request for Approval to Place a Domestic Wastewater Collection/Transmission System into Operation* (DEP Form 62-604.300(8)(b)) for the new sewer systems.
- The Contractor's as-built drawings will be used for the Certification of Completion submitted to FDEP. The final Record Drawings for the project will be prepared and compiled at the final certification of the entire project's completion.
- Record Drawings: Jones Edmunds will review the Contractor's CADD-based as-built drawings. After the as-built drawings are completed by the Contractor, we will incorporate them into Record Drawings and provide the City with electronic copies (.pdf format and original file format) of the Record Drawings. The final CADD as-built drawings will also be provided to the City.

## SCHEDULE

Jones Edmunds will complete this Scope of Services in accordance with the Contractor's scheduled times included in the Construction Contract. The timeframes included in the Construction Contract are 270 calendar days to Substantial Completion, a pause to allow for completion of the 3-Mile Force Main project, and then a restart of the Contract Time and work for an additional 60 calendar days to Final Completion, for a total Construction Contract Time of 330 calendar days.

## COMPENSATION

Jones Edmunds proposes to provide the services detailed above on a lump-sum basis for Task 9.0 and Task 9.1. The total compensation will be **\$139,985.00**, invoiced monthly on a percent complete basis. The table below summarizes the labor effort and subconsultant cost by task.

TASK	Jones Edmunds Labor Effort	Miscellaneous Expenses	TOTAL
Task 9.0 – Construction Contract Services	\$ 117,680	\$ 2,880	\$ 120,560
Task 9.1 – Construction Contract Closeout Services	\$ 18,765	\$ 660	\$ 19,425
<b>Total Not-to-Exceed Fee</b>	<b>\$136,445</b>	<b>\$3,540</b>	<b>\$ 139,985</b>

The Fee Schedule in Exhibit A includes the level of effort and corresponding cost breakdowns for this authorization.

## PROPOSAL CLARIFICATIONS

The following proposal clarifications govern this Scope of Services. Excluded items may be provided by Jones Edmunds as an additional service on written agreement.

1. Total construction duration from Notice to Proceed to Substantial Completion is 270 calendar days, a restart on completion of the 3-Mile Force Main project work, and then an additional 60 calendar days to Final Completion for a total construction Contract Time of 330 calendar days. If the construction period is extended, additional fees may be required.
2. Daily Construction RO tasks will be conducted by others with daily progress logs, including photographs completed and submitted to Jones Edmunds for review of construction progress.
3. Installed quantities included on the Pay Applications will be verified and approved by the Construction RO who is on site daily logging the installed materials before Jones Edmunds will certify the Pay Applications as the Engineer of Record.
4. As-built survey preparation (including topographic surveying of as-built site conditions) is excluded from this Scope of Services and is required to be performed by the Contractor under the Construction Contract.
5. Obtaining a City building permit will be handled by the Contractor using signed-and-sealed drawings provided by Jones Edmunds.
6. The quantities, labor hours, and reimbursable expenses listed in this fee schedule are intended as documentation and justification for the total cost of the project. Deviations or changes in the quantities, labor hours, and reimbursable expenses within a task is not justification for nonpayment provided that the total project fee has not been exceeded.

### Approved by City Commission:

Date: \_\_\_\_\_

**Mayor of Haines City**

**City Clerk**

\_\_\_\_\_  
Morris L. West

\_\_\_\_\_  
Sharon Lauther

# **Exhibit A**

## **Fee Schedule**

EXHIBIT A - Fee Schedule																				
Engineering Services During Construction (ESDC) LS 22 - Haines City																				
		Senior Manager		EOR		Electrical Engineer		Engineer Intern		Construction Observation		Admin. Assistant		CADD Designer		Labor	Subconsultant	Miscellaneous	Task	Labor
		\$265		\$215		\$265		\$145		\$145		\$115		\$145		Costs	Fee	Reimb Expenses	Fee	Hours
		Hours	Cost	Hours	Cost	Hours	Cost	Man Hrs	Cost	Man Hrs	Cost	Man Hrs	Cost	Man Hrs	Cost	\$	\$	\$	\$	Hrs.
Tasks & Total Fee		12.0	\$3,180	86.0	\$18,490	42.0	\$11,130	110.0	\$15,950	392.0	\$56,840	233.0	\$26,795	28.0	\$4,060	\$136,445	\$0	\$3,540	\$139,985	903
Task 9.0	Construction Contract Services	10.0	\$2,650	67.0	\$14,405	22.0	\$5,830	110.0	\$15,950	368.0	\$53,360	209.0	\$24,035	10.0	\$1,450	\$117,680	\$0	\$2,880	\$120,560	796
Task 9.1	Construction Contract Closeout Services	2.0	\$530	19.0	\$4,085	20.0	\$5,300	0.0	\$0	24.0	\$3,480	24.0	\$2,760	18.0	\$2,610	\$18,765	\$0	\$660	\$19,425	107





M

**CITY COMMISSION MEETING HAINES CITY, FLORIDA**  
**MINUTES**

**July 3, 2025, 4:00 p.m.**

**City Hall Commission Chambers**

**620 E. Main Street, Haines City, FL 33844**

**Phone: 863-421-9921 Web: [hainescity.com](http://hainescity.com)**

Absent: Commissioner, Anne Huffman  
M Mayor Morris West  
Vice-Mayor, Vernel Smith  
Commissioner, Omar Arroyo  
Commissioner, Kim Downing

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**1. CALL TO ORDER**

Mayor West called the meeting at 4:02 PM.

**2. Notice of Attorney-Client Meeting for July 3, 2025 at 4:00 PM**

Attorney Reilly read the memo Pursuant to the Statute. This is for settlement negotiations for Erica Anderson vs. The City of Haines City.

Mayor Morris L. West

Vice-Mayor Vernel Smith

Commissioner Omar Arroyo

Commissioner Kim Downing

Commissioner Anne Huffman

City Manager James Elensky

City Attorney Fred Reilly

Attorney Derek Dzwonkowski- (Rumberger/Kirk)

Chase Hattaway- via zoom conference

Court reporter- Jessica

City Attorney Reilly stated that at the City Commission scheduled for 7:00 pm, the City Commission will vote on a resolution to approve and the public will be able to speak at that time.

At this time, Mayor West recessed the meeting at approximately 4:06 PM

The meeting reconvened at 4:55 PM

Attorney Reilly stated the shade meeting has been completed. At the regular City Commission meeting discussion to take place.

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Morris L. West, Mayor

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Sharon Lauther, MMC, City Clerk



**CITY COMMISSION MEETING HAINES CITY, FLORIDA**

**MINUTES**

**July 3, 2025, 7:00 p.m.**

**City Hall Commission Chambers**

**620 E. Main Street, Haines City, FL 33844**

**Phone: 863-421-9921 Web: hainescity.com**

Present: Mayor Morris L. West  
Vice-Mayor/Commissioner Vernel Smith  
Commissioner Omar Arroyo  
Commissioner, Kim Downing  
Commissioner, Anne Huffman

Staff in Attendance: City Manager, James Elensky  
City Attorney, Fred Reilly  
City Clerk, Sharon Lauther

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**1. CALL TO ORDER**

Mayor West called the City Commission Meeting to order at 7:12 PM on July 3, 2025 in the City Commission Chambers, located at 620 E Main Street, Haines City, FL.

**2. INVOCATION**

Pastor Henry Babers from Parkview Christian Life Center of Haines City provided the invocation.

**3. PLEDGE OF ALLEGIANCE**

The Mayor led the pledge of allegiance.

At this time Attorney Reilly stated that there is a lot that goes into setting policy. The City Manager, attorney and City Clerk have difficult jobs. The attorney stressed that everyone needs to stay in their respective lanes. If there is an issue please contact the attorney directly for any clarification.

**4. PRESENTATIONS**

**4.a Boys & Girls Club Week Proclamation**

City Clerk Sharon Lauther read the proclamation into the record. Curtis Reddick was unable to attend, however, he expressed thanks for honoring the Boys & Girls Club Week proclamation.

**4.b Juneteenth Freedom Day Proclamation**

City Clerk Sharon Lauther read the proclamations into the record.

Lekia Johnson accepted the proclamation on behalf of the Juneteenth committee and thanked the City for all the support

**5. Anderson v City of Haines City Settlement**

**Attorney Reilly** provided an overview of the shade meeting held at **4:00 PM**, regarding a proposed settlement in an ongoing legal case. Key points include:

The settlement is contingent upon City Commission approval.

The City's insurer will pay \$550,000 to the plaintiff.

The City will cover the insurance deductible, without admitting liability.

A release of claims will be signed by the plaintiff.

Final disposition is expected in approximately 2–3 weeks.

Commissioners have been advised to refrain from public comment until resolution; citizens may comment.

Resolution No. 25-881 was introduced by Commissioner Downing and read into the record by Attorney Reilly. A scrivener's error was noted: Anne Huffman's name should be removed from the short title. Commissioner Huffman clarified that while multiple counts were involved in the case, all counts related to her were removed. Before the trial began, Commissioner Anne Huffman's name was removed. At this time, Mayor West opened the public hearing.

Rebecca Rubio- 1012 Seery St., Haines City, FL, asked if it is illegal to re-post a social media post to bring awareness. No one else came forward and the public hearing was closed.

A roll call vote was taken:

Commissioner Downing- yea

Commissioner Arroyo- yea

Commissioner Huffman- nay

Vice-Mayor Smith- yea

Mayor West- yea

**Motion carried 4-1**

**Moved by** Kim Downing

**Seconded by** Vernel Smith

**Carried**

**6. PUBLIC COMMENTS - REGARDING ITEMS NOT ON THE AGENDA**

**7. CONSENT AGENDA**

Mayor West inquired if any members of the dais had questions regarding the consent agenda. No questions were raised.

Mayor West opened the public hearing for items listed on the consent agenda. No comments were received from the public, and the public hearing was subsequently closed.

Mayor West announced that **Item 7e** would be **removed from the consent agenda**.

A motion was requested by Mayor West to approve the remaining items on the consent agenda.

**Moved by** Vernel Smith

**Seconded by** Kim Downing

Approve consent as a whole.

**Carried Unanimously**

7.a Meeting minutes 06.05.25

7.b City Commission Workshops 06.24.2025

7.c Cemetery Deeds

7.d Modification to Interlocal Agreement with PCSO 2025-2029

Staff recommends approval of the Haines City Modification for the Interlocal Agreement for Police & Fire Dispatching and Telecommunication Services through the Polk County Sheriff's Office.

7.e Resolution No. 25-1877 Aldi Property Easement for City Gateway Sign Location

Staff recommends approval of the Resolution authorizing execution of the Easement with Aldi (Florida) LLC, a Florida limited liability company, ("Aldi") for an easement for a Gateway sign.

7.f Administrative Vehicle Purchase Utilizing Florida Sheriff's Association Contract Pricing

Staff recommends approval of the purchase of an administrative vehicle to accommodate growth and additional vehicle needs, utilizing the Florida Sheriff's Association contract pricing.

7.g Agreement to Piggyback a Contract Services Bid by Another Governmental Entity – Building Inspector and Plans Examiner

City staff recommends the approval to have Nova Engineering and Environmental, LLC provide two (2) temporary positions for Building Inspectors through the piggybacking of the City of Largo RFP 23-P-771 for contractual building services.

## **8. NEW BUSINESS**

### **8.a Ordinance No. 25-2105 – Major Modification of the RPUD for Scenic Terrace North – First Reading**

Richard Greenwood, Development Services Director, presented Ordinance No. 25-2105 for first reading. Discussion took place. Mayor West opened the public hearing. No one came forward, and the public hearing was closed. Commissioner XXX introduced Ordinance No. 25-2105. Attorney Reilly read Ordinance No. 25-2105 into the record for first reading.

This item will be continued on July 17, 2025

**Moved by** Omar Arroyo

**Seconded by** Vernel Smith

Staff recommends approval of Ordinance No. 25-2105, on first reading, regarding a major modification to the Scenic Terrace North RPUD, by including an increase of 27 units and recreation space reduction, with the following conditions:

1. The recreational amenities should be identified and detailed on site construction plans prior to approval.
2. All other requirements set forth in Ordinance No. 22-1785 shall be made part of this Ordinance No. 25-2105.

**Carried Unanimously**

### **8.b Ordinance No. 25-2114 –Land Development Regulation Text Amendments- Chapter 5-First Reading**

Development Services Director Richard Greenwood presented Ordinance No. 25-2114. Following a period of discussion, Mayor West opened the public hearing. With no members of the public coming forward, the hearing was formally closed. Commissioner Arroyo subsequently introduced the ordinance for consideration. Attorney Reilly then read Ordinance No. 25-2114 into the official record during the second reading, marking this item as old business.

**Moved by** Anne Huffman

**Seconded by** Vernel Smith

Request approval of Ordinance No. 25-2114, on first reading, for text amendments to the Land Development

**Carried Unanimously**

- 8.c Resolution No. 25-1874 – Conditional Use to Permit the Sale and Serving of Beer and Wine at 950 Lily Avenue, Haines City, Florida.

Development Services Director Richard Greenwood presented Resolution No. 25-1874, outlining specific conditions for Commission consideration. Commissioner Huffman inquired about the allowance of alcohol consumption in the courtyard area and requested clarification on property ownership. Jonathan Rodriguez, located at 950 Lily Avenue, came forward and confirmed ownership of the property. Commissioner Huffman expressed concern regarding the proximity of alcohol service to a nearby school and Pre-K facility and questioned who would sign the conditional use agreement. It was noted that hours of operation would begin after daycare closing hours. Mayor West opened the public hearing; no public comments were received, and the hearing was closed. Vice-Mayor/Commissioner Smith introduced the resolution, and Attorney Reilly read it into the record. The motion to approve Resolution No. 25-1874 carried 4-1, with Commissioner Huffman voting nay.

**Moved by** Omar Arroyo

**Seconded by** Kim Downing

Staff recommends approval of Resolution No. 25-1874, to permit the sale and serving of beer and wine at 950 Lily Avenue, the Haines City Food Park. Said Conditional Use shall terminate within three (3) years of the date of Resolution No. 25-1874, and the property owner shall have the opportunity to reapply

**Carried**

- 8.d Resolution No. 25-1876 Legal Services Contract for PFAS Litigation Claim

Richard Greenwood, the Development Services Director, presented Resolution No. 25-1874 to the commission. The resolution included several conditions for consideration. Commissioner Huffman raised questions about whether alcohol would be allowed to be consumed outside in the courtyard and also inquired about the ownership of the property. At that time, Jonathan Rodriguez, who

resides at 950 Lily Avenue, came forward to clarify that he and his associates were the property owners. The discussion that followed highlighted Commissioner Huffman's concern about serving alcohol in close proximity to a school and Pre-K facility, which she stated was generally frowned upon. She also asked who would be responsible for signing the conditional use agreement. It was noted that the hours of operation for the proposed use would take place after the daycare had closed for the day.

Mayor West then opened the public hearing, but no members of the public came forward to speak, so the hearing was subsequently closed. Vice-Mayor and Commissioner Smith introduced the resolution, and Attorney Reilly read it into the official record. The resolution was approved in a 4-1 vote, with Commissioner Huffman opposing.

**Moved by** Kim Downing

**Seconded by** Omar Arroyo

Staff recommends the City Commission approve the legal services contract with Grossman and Kelly, LLP ("Grossman") concerning the PFAS Litigation settlements in relation to DuPont, 3M, TYCO, BASF and other Defendants.

**Carried**

8.e Resolution No. 25-1878 Legal Services Contract for Insulin Price Fixing Litigation Claim

Attorney Reilly provided an overview of an ongoing legal claim and indicated that, should the claim be deemed valid, the City would be presented with Resolution No. 25-1878. Following his remarks, Mayor West opened the public hearing, during which no members of the public came forward to speak. The hearing was then closed. Subsequently, Commissioner Arroyo formally introduced the resolution, and Attorney Reilly read it into the record.

**Moved by** Omar Arroyo

**Seconded by** Vernel Smith

Staff recommends the City Commission's approve the Legal Services Contract with Grossman and Kelly, LLP ("Grossman") concerning the Insulin Price Fixing Litigation settlements in relation to 40+

Pharmaceutical Company Defendants and 3 Pharmacy Benefit Manager Defendants.

**Carried Unanimously**

8.f Resolution No. 25-1879 Fire Assessment Fee for Fire Protection Services

Finance Director Omar DeJesus presented Resolution No. 25-1879, noting an estimated annual revenue projection of approximately \$5.5 million. During the discussion, Commissioner Downing suggested the possibility of reducing the fire assessment fee and offering a tax break to residents. Attorney Mark Lawson weighed in with his opinion on agenda order, followed by Commissioner Huffman's remarks praising Mayor West's experience and leadership. Attorney Lawson apologized for his earlier oversight. Commissioner Huffman reiterated concerns over the fire assessment fee, emphasizing prior discussions about potentially reducing or eliminating it, though such changes would require alternate funding sources. Mayor West informed the commission that the State did not approve grant funding for the Emergency Operations Center for the upcoming year, prompting Commissioner Downing to review past grant awards and advocate for resident relief. Commissioner Arroyo recommended approving the current fee for fiscal year 2025–2026 and revisiting the possibility of reducing it for fiscal year 2026–2027. Finance Director DeJesus reminded the commission that the fire assessment fee doesn't cover the entire department budget, with the city subsidizing about \$1 million each year. Discussions also covered compliance with TRIM notice requirements, and Commissioner Huffman requested more proactive communication from the Finance Director regarding key budget deadlines. Attorney Lawson assured the commission of his support and outlined the implications of cutting fees. Mayor West then opened the public hearing, but no residents came forward, and it was subsequently closed. The mayor suggested initiating discussions in November to reassess the fee structure for the next fiscal year. Vice-Mayor/Commissioner Smith formally introduced the resolution, which Attorney Reilly read into the record. Commissioner Downing cast the lone "nay" vote, and a copy of the proceedings was submitted to the clerk for official recordkeeping.

**Moved by** Anne Huffman

**Seconded by** Vernel Smith

Staff recommends the City Commission approve the attached Resolution, adopting the Non-Ad Valorem Assessment roll for the Fire Service

Assessment, continue to look for new revenue, and/or certify a proposed increase in property taxes by August 4, 2025.

**Carried**

8.g Resolution No. 25-1880 – Stormwater Assessment Fee for Stormwater Management Services

Finance Director Omar DeJesus introduced Resolution 25-1880, which Attorney Lawson noted contained a scrivener's error requiring the date to be corrected to July 2, 2025. After a brief discussion, Mayor West opened the public hearing, but no one came forward, and it was subsequently closed. Commissioner Huffman officially introduced the resolution, and Attorney Reilly read it into the record.

**\*\*\*Following this, Mayor West announced that item 8i would be the next topic of discussion.**

**Moved by** Anne Huffman

**Seconded by** Vernel Smith

Staff recommends the City Commission approve the attached Resolution, adopting the Non-Ad Valorem Assessment roll for the Stormwater Assessment, continue to look for new revenue, and/or certify a proposed increase in property taxes by August 24, 2025.

**Carried Unanimously**

8.h State Grant Funded Fiber

Brian Ross, Technology Management Director, recommended approval with PCS to build a multi-agency redundant fiber optic network, partially funded by a state grant. The state is funding the entire project. came forward and the public hearing was closed.

**Moved by** Omar Arroyo

**Seconded by** Anne Huffman

Staff recommends approval of contracting with PCS to build a multi-agency redundant fiber optic network partially funded by a state grant.

**Carried Unanimously**

- 8.i Request to Enter into an Agreement with SEMCO Construction, Inc. for the Old Train Depot Building Repairs

The Parks and Recreation Director, Terrell Griffin, presented an agreement with SEMCO Construction, Inc. for repairs and upgrades to the Old Train Depot Building, which was identified as an unbudgeted request. Discussion ensued regarding the financial feasibility and appropriateness of the proposal. Vice-Mayor Smith raised concerns about the cost's value to the city, while Commissioner Arroyo, a certified building contractor, deemed the quote exorbitant. Griffin noted that a defined scope of work could be established and potentially put out for bid. Commissioner Downing referenced the previously discussed amount of \$138,000 and questioned the addition of further funds to the proposal. Stacey Stokes-9145 Lake Hashama Rd., Haines City, FL-provided background on the insurance payment previously approved. Further insight into the depot's needs was shared by Francis Vandyver. Commissioner Downing emphasized the importance of preserving the historical status of the building. It was concluded that an RFP process should be initiated for Commission review. No agreement was approved during this meeting.

**Moved by** Vernel Smith

**Seconded by** Omar Arroyo

Staff requests guidance from Commission to enter into an agreement with SEMCO Construction, Inc. to perform the repairs and upgrades at the Old Train Depot Building.

**Carried Unanimously**

- 8.j Cisco Equipment Enterprise Agreement 3-Year Term

Brian Ross, Technology Management Director, presented Cisco equipment enterprise agreement for consideration. Discussion took place. At this time, Mayor West opened the public hearing. No one came forward and the public hearing was closed.

**Moved by** Anne Huffman

**Seconded by** Vernel Smith

Staff recommends approval of a 3-year Enterprise Agreement with Cisco Systems, Inc. for streamlined and comprehensive support for the City's core network infrastructure.

**Carried Unanimously**

8.k Relocation of Fiber for Andrew R. Reilly City Hall Annex

Agenda Adjustment

**Resolved Item:** Relocation of fiber at the Andrew R. Reilly Complex

**Action:** Item removed from the agenda as it has already been resolved.

Staff recommends approval of contracting with PCS to relocate the City's fiber optic cable for the Andrew R. Reilly City Hall Annex.

8.l Extension of Fiber to Fire Station No. 3/EOC

Brian Ross, Technology Management Director presented the contract with Precision Contracting Services ("PCS") to relocate City fiber for the Andrew R. Reilly City Hall Annex. Discussion took place. Mayor West opened the public hearing. No one came forward and the public hearing was closed.

**Moved by** Omar Arroyo

**Seconded by** Anne Huffman

Staff recommends approval of contracting with PCS to extend the City's fiber optic cable to Fire Station No. 3/EOC for a cost not to exceed \$213,535.

**Carried Unanimously**

8.m General Employee Pension Board Applications

**Discussion:** Review of applications to fill a vacancy on the General Employee Pension Board.

**Reference:** Trustees serve four-year terms under Ordinance 11-1378.

**Outcome:** Lisandra Rivera was unanimously selected to fill the vacant trustee position.

**Moved by** Omar Arroyo  
**Seconded by** Vernel Smith

**Carried Unanimously**

8.n Police Pension Board Application

Discussion took place regarding the applications received for the vacancy on the Police Pension Board. In accordance with Ord. 11-1370, trustees serve a term for four years. Commissioner Huffman stated it would be nice if the applications had a section asking why they would want to serve on the Board. At this time, Mayor West asked the Chief to give a little background on the officers who were submitted.

Steven Evans has 8 years of experience.

Britney Tarr- has 2-3 years of experience

Richard Rodriguez has 2 years of experience, 2 years of Code Enforcement experience, as well as 25-27 previous Law Enforcement experience

Discussion took place. Mayor West opened the public hearing. No one came forward and the public hearing was closed.

Richard Rodriguez was presented for consideration.

**Moved by** Omar Arroyo  
**Seconded by** Kim Downing

**Carried Unanimously**

**Amendment:**

**Moved by** Anne Huffman

Ron Brown was presented for consideration. Failed for lack of a second

**Amendment:**

**Moved by** Omar Arroyo  
**Seconded by** Kim Downing

Steven Evans presented for consideration

**9. CITY MANAGER'S REPORT**

City Manager Elensky stated that two items presented to the Governor was cut from the state budget.

**10. CITY CLERK'S REPORT**

At the request of City Clerk Lauther, the Commission briefly discussed who would represent Haines City as the voting delegate at the upcoming annual conference. Mayor West expressed that another member should have the opportunity to gain experience in the role. By unanimous consensus, Vice-Mayor Smith was appointed to serve as the city's official voting delegate.

**11. CITY ATTORNEY'S REPORT**

No report

**12. COMMISSION COMMENTS**

**Commissioner Huffman** expressed satisfaction at being vindicated in the matter of *Erica Anderson vs. City of Haines City*.

**Commissioner Arroyo** emphasized the importance of following legal counsel's guidance.

**Commissioner Downing** stated she will reserve her comments for the next meeting.

**Vice-Mayor Smith** and **Mayor West** had no comments.

**13. ADJOURNMENT**

Without any further business the meeting was adjourned at 9:39 PM

---

Morris L. West, Mayor

---

Sharon Lauther, MMC, City Clerk



THIS INSTRUMENT PREPARED BY  
Sharon Lauther, MMC  
City Clerk  
HAINES CITY  
620 East Main Street  
HAINES CITY, FLORIDA 33844  
PLEASE RECORD & RETURN TO PREPARER

***THIS INDENTURE***, Made this 17<sup>th</sup> day of July, 2025, between the **CITY OF HAINES CITY**, a municipal corporation, created and existing under the constitution and laws of the State of Florida, being located in Polk County, Florida, party of the first part, and **Carmen Falcon**, whose permanent address is **3601 Baker Dairy Road Lot 76 Haines City, FL 33844** of the second part.

***WITNESSETH***, That the said party of the first part for and in consideration of the sum of **\$600.00** to it in hand paid, receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the said Carmen Falcon of the second part, his or her or its heirs and assigns forever, all that certain parcel of land lying and being in the **Forest Hill Cemetery** in the County of Polk and State of Florida, more particularly described as follows:

**CEM: ADD 1 Block: E Lot : 11 Space: 8**  
**CEM: ADD 1 Block: E Lot : 12 Space: 5**

together with every privilege, right, title, interest and estate, reversion, remainder and easement thereunto belonging or anywise appertaining.

***TO HAVE and TO HOLD*** the same in fee simple forever.

The said grant and all of the right, title, estate, interest and claim arising under and by virtue of this deed is subject to Ordinance No. 20-1676 of the City of Haines City, dated February 6, 2020 and subsequent amendments thereto regulating burials within the corporate limits and establishing rules and regulations for the operation of the City's Cemeteries; the conduct of persons therein; the construction of vaults and memorials therein; and providing for a penalty for violation thereof.

Particular attention is called to the following provisions of Chapter 8 Cemeteries of said Ordinance concerning lot sales, to wit:

(a) The sale of burial rights within cemeteries owned and/or operated by the City shall be the function of the Cemetery Administrator. The Cemetery Administrator may refuse to sell any such burial space to any person if such sale would be detrimental to the cemeteries or its permanent records and if such sale would violate any state law prohibiting speculation in and/or on cemetery property.

(b) Transfer of ownership by deed. No owner of a cemetery spaces(s) shall transfer the space or any rights therein to a person other than the City without first allowing the Cemetery Administrator or designee to review the instrument for such transfer and provide reliable evidence of the owner's right to make such transfer.

***IN WITNESS WHEREOF***, said party of the first part has caused these presents to be signed in its name by its Mayor-Commissioner, its corporate seal to be affixed, attested by its City Clerk the day and year first herein above written.

Signed, Sealed and Delivered  
in the presence of:

**CITY OF HAINES CITY**  
620 East Main Street  
Haines City, Florida 33844  
Telephone (863)-421-3600

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print 620 E Main St. Haines City FL 33844

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print 620 E Main St. Haines City FL 33844

By: \_\_\_\_\_

Morris West, Mayor-Commissioner

Attest

By: \_\_\_\_\_

Sharon Lauther, MMC, City Clerk

**STATE OF FLORIDA  
COUNTY OF POLK**

**ACKNOWLEDGEMENT**

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_  
\_\_\_\_ who is personally known to me: \_\_\_\_\_ or has produced \_\_\_\_\_  
\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature of Notary Public - State of  
Florida)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name  
of Notary Public)

THIS INSTRUMENT PREPARED BY  
Sharon Lauther, MMC  
City Clerk  
HAINES CITY  
620 East Main Street  
HAINES CITY, FLORIDA 33844  
PLEASE RECORD & RETURN TO PREPARER

**THIS INDENTURE**, Made this 17<sup>th</sup> day of July, 2025, between the **CITY OF HAINES CITY**, a municipal corporation, created and existing under the constitution and laws of the State of Florida, being located in Polk County, Florida, party of the first part, and **Griselda Najera**, whose permanent address is **2009 Palm Avenue Haines City, FL 33844** of the second part.

**WITNESSETH**, That the said party of the first part for and in consideration of the sum of **\$600.00** to it in hand paid, receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the said Griselda Najera of the second part, his or her or its heirs and assigns forever, all that certain parcel of land lying and being in the **Forest Hill Cemetery** in the County of Polk and State of Florida, more particularly described as follows:

**CEM: ADD 2 Block: Z Lot : 5 Space: 3**

together with every privilege, right, title, interest and estate, reversion, remainder and easement thereunto belonging or anywise appertaining.

**TO HAVE and TO HOLD** the same in fee simple forever.

The said grant and all of the right, title, estate, interest and claim arising under and by virtue of this deed is subject to Ordinance No. 20-1676 of the City of Haines City, dated February 6, 2020 and subsequent amendments thereto regulating burials within the corporate limits and establishing rules and regulations for the operation of the City's Cemeteries; the conduct of persons therein; the construction of vaults and memorials therein; and providing for a penalty for violation thereof.

Particular attention is called to the following provisions of Chapter 8 Cemeteries of said Ordinance concerning lot sales, to wit:

(a) The sale of burial rights within cemeteries owned and/or operated by the City shall be the function of the Cemetery Administrator. The Cemetery Administrator may refuse to sell any such burial space to any person if such sale would be detrimental to the cemeteries or its permanent records and if such sale would violate any state law prohibiting speculation in and/or on cemetery property.

(b) Transfer of ownership by deed. No owner of a cemetery spaces(s) shall transfer the space or any rights therein to a person other than the City without first allowing the Cemetery Administrator or designee to review the instrument for such transfer and provide reliable evidence of the owner's right to make such transfer.

**IN WITNESS WHEREOF**, said party of the first part has caused these presents to be signed in its name by its Mayor-Commissioner, its corporate seal to be affixed, attested by its City Clerk the day and year first herein above written.

Signed, Sealed and Delivered  
in the presence of:

**CITY OF HAINES CITY**  
620 East Main Street  
Haines City, Florida 33844  
Telephone (863)-421-3600

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print 620 E Main St. Haines City FL 33844

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print 620 E Main St. Haines City FL 33844

By: \_\_\_\_\_  
Morris West, Mayor-Commissioner

Attest

By: \_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

**STATE OF FLORIDA  
COUNTY OF POLK**

**ACKNOWLEDGEMENT**

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_  
\_\_\_\_ who is personally known to me: \_\_\_\_\_ or has produced \_\_\_\_\_  
\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature of Notary Public - State of  
Florida)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name  
of Notary Public)

THIS INSTRUMENT PREPARED BY  
Sharon Lauther, MMC  
City Clerk  
HAINES CITY  
620 East Main Street  
HAINES CITY, FLORIDA 33844  
PLEASE RECORD & RETURN TO PREPARER

***THIS INDENTURE***, Made this 17<sup>th</sup> day of July, 2025, between the **CITY OF HAINES CITY**, a municipal corporation, created and existing under the constitution and laws of the State of Florida, being located in Polk County, Florida, party of the first part, and **Santa Otero** , whose permanent address is **2615 Reynolds Rd Lakeland, FL 33801** of the second part.

***WITNESSETH***, That the said party of the first part for and in consideration of the sum of **\$600.00** to it in hand paid, receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the said Santa Otero of the second part, his or her or its heirs and assigns forever, all that certain parcel of land lying and being in the **Forest Hill Cemetery** in the County of Polk and State of Florida, more particularly described as follows:

**CEM: ADD 2 Block: Z Lot : 20 Space: 6**

together with every privilege, right, title, interest and estate, reversion, remainder and easement thereunto belonging or anywise appertaining.

***TO HAVE and TO HOLD*** the same in fee simple forever.

The said grant and all of the right, title, estate, interest and claim arising under and by virtue of this deed is subject to Ordinance No. 20-1676 of the City of Haines City, dated February 6, 2020 and subsequent amendments thereto regulating burials within the corporate limits and establishing rules and regulations for the operation of the City's Cemeteries; the conduct of persons therein; the construction of vaults and memorials therein; and providing for a penalty for violation thereof.

Particular attention is called to the following provisions of Chapter 8 Cemeteries of said Ordinance concerning lot sales, to wit:

(a) The sale of burial rights within cemeteries owned and/or operated by the City shall be the function of the Cemetery Administrator. The Cemetery Administrator may refuse to sell any such burial space to any person if such sale would be detrimental to the cemeteries or its permanent records and if such sale would violate any state law prohibiting speculation in and/or on cemetery property.

(b) Transfer of ownership by deed. No owner of a cemetery spaces(s) shall transfer the space or any rights therein to a person other than the City without first allowing the Cemetery Administrator or designee to review the instrument for such transfer and provide reliable evidence of the owner's right to make such transfer.

***IN WITNESS WHEREOF***, said party of the first part has caused these presents to be signed in its name by its Mayor-Commissioner, its corporate seal to be affixed, attested by its City Clerk the day and year first herein above written.

Signed, Sealed and Delivered  
in the presence of:

**CITY OF HAINES CITY**  
620 East Main Street  
Haines City, Florida 33844  
Telephone (863)-421-3600

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print 620 E Main St. Haines City FL 33844

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print 620 E Main St. Haines City FL 33844

By: \_\_\_\_\_

Morris West, Mayor-Commissioner

Attest

By: \_\_\_\_\_

Sharon Lauther, MMC, City Clerk

**STATE OF FLORIDA  
COUNTY OF POLK**

**ACKNOWLEDGEMENT**

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_  
\_\_\_\_ who is personally known to me: \_\_\_\_\_ or has produced \_\_\_\_\_  
\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature of Notary Public - State of  
Florida)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name  
of Notary Public)

THIS INSTRUMENT PREPARED BY  
Sharon Lauther, MMC  
City Clerk  
HAINES CITY  
620 East Main Street  
HAINES CITY, FLORIDA 33844  
PLEASE RECORD & RETURN TO PREPARER

**THIS INDENTURE**, Made this 17<sup>th</sup> day of July, 2025, between the **CITY OF HAINES CITY**, a municipal corporation, created and existing under the constitution and laws of the State of Florida, being located in Polk County, Florida, party of the first part, and **Moises Agron Perez**, whose permanent address is **527 Boardwalk Ave Haines City, FL 33844** of the second part.

**WITNESSETH**, That the said party of the first part for and in consideration of the sum of **\$600.00** to it in hand paid, receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the said Moises Agron Perez of the second part, his or her or its heirs and assigns forever, all that certain parcel of land lying and being in the **Forest Hill Cemetery** in the County of Polk and State of Florida, more particularly described as follows:

**CEM: ADD 2 Block: Z Lot : 15 Space: 2**

together with every privilege, right, title, interest and estate, reversion, remainder and easement thereunto belonging or anywise appertaining.

**TO HAVE and TO HOLD** the same in fee simple forever.

The said grant and all of the right, title, estate, interest and claim arising under and by virtue of this deed is subject to Ordinance No. 20-1676 of the City of Haines City, dated February 6, 2020 and subsequent amendments thereto regulating burials within the corporate limits and establishing rules and regulations for the operation of the City's Cemeteries; the conduct of persons therein; the construction of vaults and memorials therein; and providing for a penalty for violation thereof.

Particular attention is called to the following provisions of Chapter 8 Cemeteries of said Ordinance concerning lot sales, to wit:

(a) The sale of burial rights within cemeteries owned and/or operated by the City shall be the function of the Cemetery Administrator. The Cemetery Administrator may refuse to sell any such burial space to any person if such sale would be detrimental to the cemeteries or its permanent records and if such sale would violate any state law prohibiting speculation in and/or on cemetery property.

(b) Transfer of ownership by deed. No owner of a cemetery spaces(s) shall transfer the space or any rights therein to a person other than the City without first allowing the Cemetery Administrator or designee to review the instrument for such transfer and provide reliable evidence of the owner's right to make such transfer.

**IN WITNESS WHEREOF**, said party of the first part has caused these presents to be signed in its name by its Mayor-Commissioner, its corporate seal to be affixed, attested by its City Clerk the day and year first herein above written.

Signed, Sealed and Delivered  
in the presence of:

**CITY OF HAINES CITY**  
620 East Main Street  
Haines City, Florida 33844  
Telephone (863)-421-3600

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print 620 E Main St. Haines City FL 33844

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print 620 E Main St. Haines City FL 33844

By: \_\_\_\_\_  
Morris West, Mayor-Commissioner

Attest

By: \_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

**STATE OF FLORIDA  
COUNTY OF POLK**

**ACKNOWLEDGEMENT**

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_  
\_\_\_\_ who is personally known to me: \_\_\_\_\_ or has produced \_\_\_\_\_  
\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature of Notary Public - State of  
Florida)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name  
of Notary Public)

THIS INSTRUMENT PREPARED BY  
Sharon Lauther, MMC  
City Clerk  
HAINES CITY  
620 East Main Street  
HAINES CITY, FLORIDA 33844  
PLEASE RECORD & RETURN TO PREPARER

**THIS INDENTURE**, Made this 17<sup>th</sup> day of July, 2025, between the **CITY OF HAINES CITY**, a municipal corporation, created and existing under the constitution and laws of the State of Florida, being located in Polk County, Florida, party of the first part, and **Ashli James Scott**, whose permanent address is **3301 Kokomo Road Haines City, FL 33844** of the second part.

**WITNESSETH**, That the said party of the first part for and in consideration of the sum of **\$600.00** to it in hand paid, receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the said Ashli James Scott of the second part, his or her or its heirs and assigns forever, all that certain parcel of land lying and being in the **Oakland Cemetery** in the County of Polk and State of Florida, more particularly described as follows:

**CEM: OAKLAND Block: G Lot : 46 Space: 8**

together with every privilege, right, title, interest and estate, reversion, remainder and easement thereunto belonging or anywise appertaining.

**TO HAVE and TO HOLD** the same in fee simple forever.

The said grant and all of the right, title, estate, interest and claim arising under and by virtue of this deed is subject to Ordinance No. 20-1676 of the City of Haines City, dated February 6, 2020 and subsequent amendments thereto regulating burials within the corporate limits and establishing rules and regulations for the operation of the City's Cemeteries; the conduct of persons therein; the construction of vaults and memorials therein; and providing for a penalty for violation thereof.

Particular attention is called to the following provisions of Chapter 8 Cemeteries of said Ordinance concerning lot sales, to wit:

(a) The sale of burial rights within cemeteries owned and/or operated by the City shall be the function of the Cemetery Administrator. The Cemetery Administrator may refuse to sell any such burial space to any person if such sale would be detrimental to the cemeteries or its permanent records and if such sale would violate any state law prohibiting speculation in and/or on cemetery property.

(b) Transfer of ownership by deed. No owner of a cemetery spaces(s) shall transfer the space or any rights therein to a person other than the City without first allowing the Cemetery Administrator or designee to review the instrument for such transfer and provide reliable evidence of the owner's right to make such transfer.

**IN WITNESS WHEREOF**, said party of the first part has caused these presents to be signed in its name by its Mayor-Commissioner, its corporate seal to be affixed, attested by its City Clerk the day and year first herein above written.

Signed, Sealed and Delivered  
in the presence of:

**CITY OF HAINES CITY**

620 East Main Street  
Haines City, Florida 33844  
Telephone (863)-421-3600

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print 620 E Main St. Haines City FL 33844

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Print 620 E Main St. Haines City FL 33844

By: \_\_\_\_\_  
Morris West, Mayor-Commissioner

Attest

By: \_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

**STATE OF FLORIDA  
COUNTY OF POLK**

**ACKNOWLEDGEMENT**

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_  
\_\_\_\_ who is personally known to me: \_\_\_\_\_ or has produced \_\_\_\_\_  
\_\_\_\_ as identification.

\_\_\_\_\_  
(Signature of Notary Public - State of  
Florida)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name  
of Notary Public)



# HAINES CITY

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WWW.HAINESCITY.COM

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## **CITY COMMISSION** **MEMORANDUM**

**To:** The Honorable Mayor and City Commissioners

**Through:** James R. Elensky, City Manager

**From:** Richard Greenwood, Development Services Director

**Date:** July 17, 2025

**Subject:** Ordinance No. 25-2098 – Large Scale Land Use Amendment for RWS Ranch Access Property – Adoption

### **Executive Summary**

Adopt Ordinance No. 25-2098 for a Large-Scale Land Use Amendment (LUPA) by adopting and reclassifying the Future Land Use Map of the Comprehensive Plan from County Residential Low 4 (RL-4) to City Medium Density Residential in the North Ridge (MDR-NR).

Staff contact: Richard Greenwood, Development Services Director

### **Introduction**

The purpose of this agenda item is to consider a Large-Scale Land Use Amendment (LUPA) by adopting and reclassifying the Future Land Use Map of the Comprehensive Plan from County Residential Low 4 (RL-4) to City Medium Density Residential in the North Ridge (MDR-NR).

### **Background**

The property owner(s), RWS 27, LLC, applied for a Land Use Map Amendment on August 15, 2024. The current land use for this property is County Residential Low 4 (RL-4). This property was recently annexed into the city on February 6, 2025.

The property consists of 1.1+/- acres more or less and identified by parcel identification number 27-27-07-727000-010043.

As this property is located in the Green Swamp Area of Critical State Concern, the land use amendment request has been considered a Large-Scale amendment even though it is below 50 acres, and has been

transmitted to the state for a state-coordinated review. The following recommendation has been provided by the Florida Department of Transportation:

1. The Department recommends improving network connectivity around or at the site.

At present, the site is currently vacant and the property owner(s) are interested in developing this parcel as the entrance for a multi-family residential development.

The land use classification for Medium Density Residential in the North Ridge (MDR-NR) in the Haines City Comprehensive Plan is described as follows:

Medium Density Residential in the North Ridge (MDR-NR) – 5.00 to 14.99 units per acre. Medium density residential areas have been utilized where mixtures of dwelling types exist on smaller lots and generally have access to minor arterial and urban collector streets. The primary intent of this classification is to encourage the continuation of mixtures of housing types. These dwelling units should include one and two-story apartments, townhouses, duplexes, and single-family dwellings. Development activities within the intent of this classification can be achieved where such requirements as minimum land areas are met, open space is provided, public facilities and services are available and access to principal streets is safe and convenient.

The City Commission unanimously voted to forward a review to the state in regards to this agenda item on April 3<sup>rd</sup>, 2025.

**Organizational Goal(s)**

Economic: Foster an environment that attracts economic opportunity and sustains economic viability.

**Budget Impact**

There is no budget impact for the 2024-2025 fiscal year.

**Recommendation**

Staff requests the City Commission to adopt the proposed land use amendment for Ordinance No. 25-2098 regarding a Large-Scale Land Use Amendment for RWS Ranch Property from County Residential Low 4 (RL-4) to City Medium Density Residential (MDR-NR).

**ORDINANCE NO. 25-2098**

**AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA; AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF HAINES CITY, FLORIDA, BY A LARGE SCALE LAND USE AMENDMENT TO THE LAND USE MAP BY RECLASSIFYING LAND FROM COUNTY RESIDENTIAL LOW 4 (RL-4) TO CITY MEDIUM DENSITY RESIDENTIAL IN THE NORTH RIDGE (MDR-NR) FOR PROPERTIES LOCATED ON SANDERS ROAD, IN HAINES CITY, FLORIDA; THE PROPOSED LARGE-SCALE LAND USE MAP AMENDMENT IS TO RE-DEFINE THE LAND USE OF THE PROPERTIES DESCRIBED THEREIN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR APPROVAL OF A LARGE SCALE LAND USE AMENDMENT; PROVIDING FOR A COPY TO BE KEPT ON FILE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 163, Florida Statutes, empowers the City Commission to prepare and enforce Land Development Regulations for the implementation of the adopted Haines City Comprehensive Plan; and

**WHEREAS**, the City Commission adopted Ordinance No 13-1457 Land Development Regulations, to implement the adopted Haines City Comprehensive Plan; and

**WHEREAS**, the adopted Haines City Comprehensive Plan includes a future land use map; and

**WHEREAS**, the Haines City Planning Commission, at an advertised public hearing on March 10, 2025 as required by Chapter 21 of the land development regulations, has reviewed, heard public input and recommended that the City Commission change the Future Land Use Classification of the subject property from County Residential Low 4 (RL-4) to City Medium Density Residential in the North Ridge (MDR-NR); and

**WHEREAS**, the property consists of one parcel totaling 1.1± acres, and is located on Sanders Road, in Haines City, Florida; and

**WHEREAS**, the property consists of the real property described as:

FLA DEVELOPMENT CO SUB PB 3 PGS 60 TO 63 TRACT 4 IN NE1/4 THAT PT  
DESC AS: BEG NW COR OF TRACT 4 RUN S87-59-22E 100 FT S01-27-40W 115 FT  
S46-44-14W 35.19 FT S01-27-40W 520.43 FT TO S LINE OF TRACT 4 N87-58-20W  
75 FT TO W LINE OF TRACT 4 N01-27-40E 660.41 FT TO POB LESS RD R/W

Parcel ID No: 27-27-07-727000-010043

CONTAINING 1.1+/- ACRES, MORE OR LESS.

**WHEREAS**, in the exercise of its authority, the City Commission of the City of Haines City, Florida has determined it necessary and desirable to amend the future land use map contained in the Haines City Comprehensive Plan and this change is consistent with the public interest within Haines City, Florida.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA:**

**Section 1. Incorporation of Recitals.** The above recitals are true and correct and are incorporated herein by reference.

**Section 2. Approving Land Use Designation to MDR-NR.** The City Commission of Haines City (the "City Commission") hereby approves the Future Land Use Map Amendment to Medium Density Residential in the North Ridge (MDR-NR) for the real property described as follows:

FLA DEVELOPMENT CO SUB PB 3 PGS 60 TO 63 TRACT 4 IN NE1/4 THAT PT  
DESC AS: BEG NW COR OF TRACT 4 RUN S87-59-22E 100 FT S01-27-40W 115 FT  
S46-44-14W 35.19 FT S01-27-40W 520.43 FT TO S LINE OF TRACT 4 N87-58-20W  
75 FT TO W LINE OF TRACT 4 N01-27-40E 660.41 FT TO POB LESS RD R/W

Parcel ID No: 27-27-07-727000-010043

CONTAINING 1.1+/- ACRES, MORE OR LESS.

**Section 3. Copy of Ordinance to be kept on file.** The City Clerk shall keep and retain a copy of this Ordinance on file.

**Section 4. Severability.** The provisions of this Ordinance are severable; and, if any section, sentence, clause, or phrase is for one reason held to be unconstitutional, invalid or ineffective, this holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Commission's intent that it would have passed the valid portions of this Ordinance without inclusion of any invalid portion or portions.

**Section 5. Repeal of Ordinance in Conflict.** All other ordinances of the City of Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

**Section 6. Effective Date.** This Ordinance shall take effect immediately upon it being read in two meetings of the City Commission of the City of Haines City, its approval and adoption by said Commission.

**INTRODUCED AND PASSED** on first reading in regular session of the City Commission of the City of Haines City, this 3rd day of April, 2025.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

\_\_\_\_\_  
Omar Arroyo, Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
Fred Reilly, City Attorney

**PASSED AND ENACTED** on second reading in regular session of the City Commission of the City of Haines City, this 3<sup>rd</sup> day of July, 2025

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

\_\_\_\_\_  
Morris West, Mayor-Commissioner

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
Fred Reilly, City Attorney





# HAINES CITY

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## **CITY MANAGER MEMORANDUM**

**To:** The Honorable Mayor and City Commissioners

**Through:** James R. Elensky, City Manager

**From:** Richard Greenwood, Development Services Director

**Date:** July 17, 2025

**Subject:** Ordinance No. 25-2114 –Text Amendments to the Land Development Regulations – Chapter 5 – Zoning – Second Reading

### **Executive Summary**

Adopt text amendments to the Land Development Regulations Chapter 5 – Zoning on second reading.  
Staff Contact: Richard Greenwood, Development Services Director

### **Introduction**

The intent of the item is to request adoption of text amendments to the Land Development Regulations Chapter 5 – Zoning, as follows:

Chapter 5 – Sec. 5.6.11. – Central Business District (CBD)	Revised language regarding an Administrative Conditional Use for townhomes.
Chapter 5 – Zoning, Section 5.6.12 – Central Business District Extra (CBDX)	Revised language regarding an Administrative Conditional Use for townhomes.

This matter was heard on June 9, 2025, by the Planning Commission who voted unanimously to forward this matter to the City Commission for approval and on July 3, 2025, the City Commission voted unanimously to approve this Ordinance for text amendments to the Land Development Regulations – Chapter 5.

### **Organizational Goal(s)**

Economic: Foster an environment that attracts economic opportunity and sustains economic viability.

### **Budget Impact**

There is no budget impact for the 2024-2025 Fiscal Year.

**Recommendation**

Request adoption of Ordinance No. 25-2114, on second reading, for text amendments to the Land Development Regulations, Chapter 5 – Zoning, regarding Administrative Conditional Uses being required for townhomes in the Central Business District, (CBD) and Central Business District Extra (CBDX).

**ORDINANCE NO. 25-2114**

**AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA;  
AMENDING THE LAND DEVELOPMENT REGULATIONS OF  
THE CITY OF HAINES CITY, FLORIDA, ADOPTING TEXT  
AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS  
OF THE CITY BY ADOPTING REVISIONS TO CHAPTER 5 –  
ZONING; PROVIDING FOR SEVERABILITY; PROVIDING FOR  
CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT  
HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 163, Florida Statutes, empowers the City Commission of the City of Haines City, Florida to prepare and enforce Land Development Regulations for the implementation of the adopted Haines City Comprehensive Plan; and

**WHEREAS**, the City Commission adopted Ordinance No. 796, Land Development Regulations to implement the adopted Haines City Comprehensive Plan; and

**WHEREAS**, the Haines City Planning Commission, at an advertised public hearing as required by Chapter 21 of the Land Development Regulations, has reviewed, heard public input and recommended that the City Commission adopt specific changes in the Land Development Regulations; and

**WHEREAS**, the City Commission of the City of Haines City, Florida considered all oral and written comments received during advertised public hearings, and the recommendations of the Haines City Planning Commission; and

**WHEREAS**, in exercise of its authority, the City Commission of the City of Haines City, Florida has determined it necessary and desirable to adopt specific changes in the Land Development Regulations consistent with the public interest within Haines City, Florida.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA, AS FOLLOWS:**

**Section 1. Amendment to the Land Development Regulations of Haines City, Florida.** The City Commission hereby amends portions of Chapter 5 – Zoning, of Haines City, Florida, as follows by strike through for removal and underline for additions format and shall be effective as set forth below:

**SEE ATTACHED AS EXHIBIT A**

**Section 2. Severability.** The provisions of this Ordinance are severable; and, if any section, sentence, clause, or phrase is for one reason held to be unconstitutional, invalid or ineffective, this holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Commission's intent that it would have passed the valid portions of this Ordinance without inclusion of any invalid portion or portions.

**Section 3. Codification.** The Ordinance shall be codified and made a part of the official Code of Ordinances, Land Development Regulations, or Charter of the City of Haines City.

**Section 4. Repeal of Ordinance in Conflict.** All other ordinances of the City of Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

**Section 5. Effective Date.** This Ordinance shall take effect immediately upon it being read in two meetings of the City Commission of the City of Haines City, its approval, and adoption.

**INTRODUCED AND PASSED** on first reading in regular session of the City Commission of the City of Haines City, this 3<sup>rd</sup> day of July, 2025.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

\_\_\_\_\_  
Morris West, Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
Fred Reilly, City Attorney

**PASSED** on second and final reading by the City Commission of the City of Haines City, Florida, at regular session this 17<sup>th</sup> day of July, 2025.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

\_\_\_\_\_  
Morris West, Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
Fred Reilly, City Attorney

**EXHIBIT A**

**PROPOSED LAND DEVELOPMENT REGULATIONS**  
**TEXT AMENDMENTS**

## CHAPTER 5. ZONING.

### ARTICLE 6. SCHEDULE OF DISTRICT REGULATIONS.

#### Sec. 5.6.11. CBD, CENTRAL BUSINESS DISTRICT.

##### D. PROHIBITED USES AND STRUCTURES.

1. One and two family dwellings, except as provided under 5.6.11.C. Permitted Accessory Uses and Structures or as provided under 5.6.11.P administrative conditional use.

##### P. ADMINISTRATIVE CONDITIONAL USE.

These uses are permitted by a waiver granted by the administrative official, with denials of an administrative waiver appealable to the city commission.

1. Sign, electronic community bulletin board. Permitted subject to the following conditions:
  - a. Located on arterial or collector roadways.
  - b. Maximum height eight feet, maximum width 12 feet and designed as a monument sign.
  - c. Maximum size for electronic bulletin board is 20 square feet.
  - d. All signs will need to be brought into conformity.
  - e. Bulletins shall be incidental in the principal use.
  - f. No off premise signs will be permitted.
  - g. The applicant must own the property on which the sign is to be located.
  - h. Color and intensity of illumination shall be appropriate for the specific site and sign location.
  - i. Illumination shall be limited to a maximum of 11 watt incandescent bulbs and limited to the hours between 6:00 a.m. to 11:00 p.m.
  - j. The base of the monument sign shall be landscaped with appropriate shrubbery and ground material as approved by the technical review board.

- k. Subject to any other condition deemed appropriate by the administrative official or the city commission including but not limited to hours of operation and level of illumination.
- 2. Adult Education Facilities (Small).
- 3. Private School (Small).
- 4. Multi-family providing the location of the required parking is designated either in an off-street or on-street location.

5. Single-Family Attached, three (3) or more townhome units.

- ~~5.~~ 6. Outdoor display and storage. Outdoor display or storage of merchandise for sale or rent may be permitted by conditional use permit subject to the following conditions:
  - a. The location and extent of outdoor storage and display areas are identified on a site plan and are approved as part of the conditional use.
  - b. Display and storage areas are subordinate in area and incidental to permitted principal
  - c. Outdoor storage areas shall be effectively screened by a solid fence or commercial grade. 70 percent opaque, mesh material applied to a fence.
  - d. Display and storage areas shall be paved according to the standards of the Land Development Regulations.
  - e. Outdoor display areas shall be indicated on the site plan as permanent or temporary and approved as part of the conditions of approval.
  - f. Additional landscaping and/or site enhancements may be required as part of the site plan to insure site compatibility or improve visual screening.
  - g. A minimum of five-foot-wide clearance on the sidewalk and/or walkway shall be required.
  - h. All propane tanks and other related-type vending stations shall be properly enclosed or secured to avoid any potential hazards.

**Sec. 5.6.12. CBDX, CENTRAL BUSINESS DISTRICT EXTRA.**

**D. PROHIBITED USES AND STRUCTURES.**

1. One and two family dwellings, except as provided under 5.6.11~~12~~.C. Permitted Accessory Uses and Structures or as provided under 5.6.12.N administrative conditional use.

**N. ADMINISTRATIVE CONDITIONAL USE.**

These uses are permitted by a waiver granted by the administrative official, with denials of an administrative waiver appealable to the city commission.

1. Private child care centers may be permitted in accordance with Florida Statutes, subject to the following conditions.
  - a. Must have a minimum of 20 square feet of usable indoor floor space for each child.
  - b. Must have a minimum of 45 square feet of usable outdoor play area for each child. Outdoor play area shall be calculated at the rate of 45 feet per child in any group using the play area at one time. A minimum play area shall be provided for one half of the licensed capacity. This standard applies as long as the child care facility remains licensed at the site occupied on October 1, 1992, and shall not be affected by any change in the ownership of the site.
  - c. A child care facility that does not hold a valid license on October 1, 1992, and seeks regulatory approval to operate as a child care facility must have a minimum of 35 square feet of usable floor space for each child and a minimum of 45 square feet of usable outdoor play area for each child.
  - d. The minimum standard for outdoor play area does not apply in calculating square footage for children under one year of age. However, appropriate outdoor infant equipment shall be substituted for outdoor play space. The center shall provide facilities and equipment conducive to the physical activities appropriate for the age and physical development of the child.

- e. No portion of the fenced play area shall be closer than five feet to any residential lot line not closer than 40 feet to any public street.
  - f. A five-foot high solid masonry wall, or vegetative screening which furnishes equal protection against noise, shall be provided between fenced play areas and residential lot lines in such locations as may be directed by the planning commission.
  - g. All outdoor play activities shall be conducted within the fenced play area, and no outdoor play activities shall be conducted before 8:00 a.m. or after 8:00 p.m.
  - h. All facilities, operation and maintenance shall meet city, county and state requirements of the operation of child care centers.
2. Sign, electronic community bulletin board. Permitted subject to the following conditions:
- a. Located on arterial or collector roadways.
  - b. Maximum height eight feet, maximum width 12 feet and designed as a monument sign.
  - c. Maximum size for electronic bulletin board is 20 square feet.
  - d. All signs will need to be brought into conformity.
  - e. Bulletins shall be incidental in the principal use.
  - f. No off premise signs will be permitted.
  - g. The applicant must own the property on which the sign is to be located.
  - h. Color and intensity of illumination shall be appropriate for the specific site and sign location.
  - i. Illumination shall be limited to a maximum of 11 watt incandescent bulbs and limited to the hours between 6:00 a.m. to 11:00 p.m.
  - j. The base of the monument sign shall be landscaped with appropriate shrubbery and ground material as approved by the technical review board.

- k. Subject to any other condition deemed appropriate by the administrative official or the city commission including but not limited to hours of operation and level of illumination.
- 3. Adult Education Facilities (Small).
- 4. Private School (Small).
- 5. Single-Family Attached, three (3) or more townhome units.





# HAINES CITY

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## CITY COMMISSION

**To:** The Honorable Mayor and City Commissioners

**Through:** James R. Elensky, City Manager

**From:** Richard Greenwood, Development Services Director

**Date:** July 3, 2025

**Subject:** Ordinance No. 25-2105 – Major Modification of the RPUD for Scenic Terrace North – First Reading

### Executive Summary

Approve Ordinance No. 25-2105, regarding a major modification to the RPUD for Scenic Terrace North on first reading.

Staff Contact: Richard Greenwood, Development Services Director

### Introduction

The intent of this item is to consider approval of Ordinance No. 25-2105, regarding a major modification to the Scenic Terrace North RPUD, by including 27 additional lots of which only 12 lots meet current RPUD standards.

### Background

Absolute Engineering, Inc., on behalf of the property owner, Albert B. Cassidy, applied for a Major Modification to the Scenic Terrace North RPUD plan (Ordinance 22-1785). The Polk County Property Appraiser Parcel number for the proposed land, including additional lots are: 272809-822005-022140; 272809-822005-022150; 272809-822005-022160. Said Major Modification affecting certain parcels contains approximately 8.4781+/- acres and is located north of Hughes Road, south of Floyd, and west of Scenic Highway (SR 17), Haines City Florida 33844.

This proposed major modification for the planned unit development will include 27 additional lots alongside the retention and recreation area. Of the proposed additional lots, all lots will meet current residential planned unit development standards of width which is 60%, 52-foot lots, 20%, 60-foot lots, and 20%, 70-foot lots. There will be 15 lots of 52' in width, 6 lots of 60' in width, and 6 lots of 70' in width. Likewise, only 12 lots of the proposed lots will meet current lot depth standards of 115' and rear

setback of 15. Of the proposed 27 lots, 15 lots will have a depth of 110' due to physical restraints and a rear setback of 11.25'. The rear setback adjustment is undergoing an administrative waiver process. An adjustment to the recreation area of 4.25 acres has been reduced to 4.19 acres, which still complies with the minimum standards of neighborhood recreation space in our Land Development Regulation (Sec. 13.3.7).

On June 9, 2025, the Planning Commission heard this request and voted unanimously to forward this matter to the City Commission for approval.

#### **Relevant Project Data & Proposed Standards**

- Number of Units - Maximum of 357 total (27 lots this modification)
- Roadways - 22 feet wide with 2' Miami curb and gutter
- Utilities - Cable TV, telephone, gas, and electric to be located underground and within a 14-foot utility easement on both sides of the street. Utilities to be provided by Polk County.
- Sidewalks - 5' sidewalks installed on each side of the 22-foot-wide interior streets.
- Landscaping - All City codes for landscaping will be met or exceeded.
- Neighborhood Park/Open Space – 4.19 +/- acres
- Setbacks:
  - Front- 15 feet
  - Garage - 20 feet
  - Rear - 15 feet & 11.25 feet
  - Interior Side – 6 feet
  - Front Side (Corner)- 15 feet
- Accessory - 5 feet
- Minimum Unit Width – 52 feet
- Minimum Lot Depth – 110 feet & 115 feet
- Maximum Impervious Surface Ratio – not to exceed 50%
- Minimum Living Space – A maximum of 10% of the units having a minimum living space area of 1,250 sf, 90% will have a minimum of 1,400 SF living space area.
- Minimum Garage Size – 400 square feet

#### **Development Summary**

- Modification Area of Project Size – 8.47+/-
- Estimated Taxable Value - \$2,700,000 (assuming 27 units @ \$100,000)
- Estimated City Tax Receipts - \$20,491.65 (based on Estimated Taxable Value x 0.0075895 net taxable value per unit)

#### **Organizational Goal(s)**

Economic: Foster an environment that attracts economic opportunity and sustains economic viability.

#### **Budget Impact**

There is no budget impact for the 2024-2025 fiscal year.

#### **Recommendation**

Staff recommends approval of Ordinance No. 25-2105, on first reading, regarding a major modification to the Scenic Terrace North RPUD, by including an increase of 27 units and recreation space reduction, with the following conditions:

1. The recreational amenities should be identified and detailed on site construction plans prior to approval.
2. All other requirements set forth in Ordinance No. 22-1785 shall be made part of this Ordinance No. 25-2105.



**ORDINANCE NO. 25-2105**

**AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA, AMENDING ORDINANCE NO. 03-1060, BY AMENDING THE ZONING MAP OF THE CITY FOR A MAJOR MODIFICATION TO THE SCENIC TERRACE NORTH DEVELOPMENT RESIDENTIAL PLANNED UNIT DEVELOPMENT(RPUD); PROPERTY PARCELS ARE LOCATED NORTH OF HUGHES ROAD, SOUTH OF FLOYD ROAD, AND WEST OF SCENIC HIGHWAY (SR 17), HAINES CITY, FL; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR ZONING DESIGNATION AND CONDITIONS; PROVIDING FOR A COPY TO BE KEPT ON FILE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 163, Florida Statutes, empowers the City Commission to prepare and enforce Land Development Regulations for the implementation of the adopted Haines City Comprehensive Plan; and

**WHEREAS**, the City Commission adopted Ordinance No. 13-1457 Land Development Regulations, to implement the adopted Haines City Comprehensive Plan; and

**WHEREAS**, the adopted Haines City Land Development Regulations contain Chapter 5 Zoning, including a zoning map; and

**WHEREAS**, the applicant has requested a Major Modification to the RPUD for Scenic Terrace North subdivision, (Ordinance No. 22-1785), to include 27 lots at the current RPUD standards and affects 8.47+/- acres of the project; and

**WHEREAS**, the Haines City Planning Commission, at an advertised public hearing

on April 14, 2025, as required by Chapter 21 of the Land Development Regulations, has reviewed, heard public input, and recommended that the City Commission amend the Zoning Map for the requested Major Modification to the Residential Planned Unit Development (RPUD); and

**WHEREAS**, the Haines City Planning Commission, at an advertised public hearing on June 9, 2025 as required by Chapter 21 of the Land Development Regulations, has reviewed, heard public input, and recommended that the City Commission amend the Zoning Map for the requested Major Modification to the Residential Planned Unit Development (RPUD); and

**WHEREAS**, the overall property consists of a gross land mass of 109.68 +/- acres, which shall consist of a maximum of 357 lots, and is located north of Hughes Road, south of Floyd, and east and west of Scenic Highway (SR 17), in Haines City, Florida; and

**WHEREAS**, this major modification consists of a gross land mass of 8.47 +/- acres, which is contained within the overall land mass of 109.68 +/- acres and shall consist of a maximum of 27 lots, and is located north of Hughes Road, south of Floyd, and east and west of Scenic Highway (SR 17), in Haines City, Florida; and

**WHEREAS**, the property consists of the following parcels and legal descriptions as described in Exhibit “A”; and

**WHEREAS**, in the exercise of its authority, the City Commission of the City of Haines City, Florida has determined it necessary and desirable to amend the zoning map contained in Chapter 5 and Chapter 6 of the Land Development Regulations adopted originally by Ordinance 796, and subsequently amended by Ordinance 13-1457 consistent

with the public interest within Haines City, Florida.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA:**

**Section 1. Incorporation of Recitals.** The above recitals are true and correct and are incorporated herein by reference.

**Section 2. Approval of the Major Modification to the RPUD and Conditions.**

The City Commission of Haines City (the "City Commission") hereby approves the Zoning Map for the property described below as a Major Modification to the Residential Planned Unit Development (RPUD) of Scenic Terrace North RPUD as further described in Exhibit "A" (Legal Description) and Exhibit "B" (Approved RPUD Plan).

**Section 3. Modifications to the Conditions for Scenic Terrace North RPUD.** The City Commission hereby approves the following additional and modified conditions for the Scenic Terrace North RPUD as modifications to the conditions set forth in Ordinance No. 22-1785:

1. Approval of this Major Modification does not release the applicant from meeting the requirements of all applicable sections of Haines City's Land Development Regulations, Code of Ordinances, and Growth Management Plan.
2. The Major Modification creates twenty-seven (27) additional lots at the current RPUD width standards for fifteen (15) lots at 52' (60%), six (6) lots at 60' (20%), and six (6) lots at 70' (70%) and reduces the recreation area to 4.19+/- acres, which still complies with the minimum standards. This modification will also create 15 of the 27 lots with a depth of 110 feet and a rear setback of 11.25 feet.

The remaining 12 lots will meet the current RPUD depth standard of 115 feet, with a rear setback of 15 feet. The adjustment of the rear setback for the 15 lots at 110' in depth will be requested through the Administrative Waiver process.

3. The maximum number of single-family detached residential homes will be 357 units.
4. The recreational amenities should be identified and detailed on site construction plans prior to approval.
5. All other conditions set forth in Ordinance No. 22-1785, remain in force and effect.

**Section 4. Severability.** The provisions of this Ordinance are severable; and, if any section, sentence, clause, or phrase is for one reason held to be unconstitutional, invalid or ineffective, this holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Commission's intent that it would have passed the valid portions of this Ordinance without inclusion of any invalid portion or portions.

**Section 5. Copy of Ordinance to be kept on file.** The City Clerk shall keep and retain a copy of this Ordinance on file.

**Section 6. Repeal or modification of RPUD if construction not commenced.** Failure to commence construction within two (2) years of the effective date of the adoption of RPUD zoning set forth in this Ordinance shall be grounds for the City, at its discretion, to initiate a rezoning of the subject property. In such event, the Planning Commission may recommend to the City Commission (i) that the subject property be returned to its previous zoning classification, (ii) that the RPUD be modified, or (iii) that the RPUD be retained in its current form.

**Section 7. Repeal of Ordinance in Conflict.** All other ordinances of the City of

Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

**Section 8. Effective Date.** This Ordinance shall take effect immediately upon it being read in two meetings of the City Commission of the City of Haines City, its approval and adoption by said Commission, and when certified as to passage.

**INTRODUCED AND PASSED** on first reading in regular session of the City Commission of the City of Haines City, this 3rd day of July.

ATTEST:

APPROVED:

\_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

\_\_\_\_\_  
Morris L. West, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

\_\_\_\_\_  
Fred Reilly, City Attorney

**PASSED** on second and final reading by the City Commission of the City of Haines, Florida, at regular session this 17th day of July, 2025.

ATTEST:

APPROVED:

\_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

\_\_\_\_\_  
Morris L. West, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

\_\_\_\_\_  
Fred Reilly, City Attorney

**Exhibit "A"**

**LEGAL DESCRIPTION**

**Parcel Number: 272809-000000-031060, 272809-000000-033010, 272809-000000-033030, 272809-000000-033040 (Per Book 1178S, Page 1771-1774):**

Parcel 1:

A portion of the following described property lying West of State Road No. 17: A strip of former Haines City Branch Right-of-Way at or near Dundee, Polk County, Florida, more particularly described as follows: For a point of reference, Commence at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of Section 4, Township 28 South, Range 27 East, Polk County, Florida; thence run Easterly along the South line of said Section 4, a distance of 490 feet, more or less, to a point in the center line of the former main track Right-of Way (a 130-foot Right-of-Way); thence Southwesterly along said Right-of-Way center line, a distance of 290 feet, more or less, to the Point of Beginning; thence continue Southwesterly along said Right-of Way center line, the width of 65 feet on the South side thereof and 35 feet on the North side thereof, a distance of 750 feet, more or less, being in Section 9, Township 28 South, Range 27 East, Polk County Florida, and LESS AND EXCEPT any portion that. may lie within the property conveyed to Florida Power Corporation in deed recorded in O.R. Book 2209, Page 597, Public Records of Polk County, Florida.

Parcel 2:

The NE 1/4 of the NW 1/4 of the NW 1/4, Lying South of Maintained Right of Way for Floyd Road, in Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS County maintained road rights-of-way for Floyd Road and Palmeroy Road.

Parcel 3:

The E 3/4 of the S 1/2 of the NW 1/4 of NW 1/4 in Section 9, Township 28 South, Range 27 East, Polk County, Florida, and LESS County maintained road rights-of-way for Palmeroy Road.

Parcel 4: The NE 1/4 of the NW 1/4 of the NW 1/4 lying North of Maintained Right of Way for Floyd Road, in Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS County maintained road rights of way for Floyd Road.

**Parcel Number: 272809-000000-031010, 272809-000000-031040 (Per Book 1178S, Pages 1287 - 1290):**

Parcel 1:

The Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS AND EXCEPT and subject to Right-of-Ways, AND LESS AND EXCEPT and subject to maintained Right-of-Ways.

Parcel 2:

The Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4, lying West of the former railroad, being in Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS Highway 27 Right-of-Way, AND LESS maintained Right-of-Way, AND LESS AND EXCEPT any portion that may lie within the property conveyed to Florida Power Corporation in deed recorded in O.R. Book 2209 Page 597, Public Records of Polk County, Florida.

**Parcel Number: 272809-000000-031030, 272809-000000-031050, 272809-000000-031020 (Per Book 11785, Pages 1854 - 1857):**

Parcel 1:

The Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4, South and East of the former railroad, and the Southeast 1/4 of the Northeast 1/4 of the Northwest 1/4, East of the former railroad, and the East 1/2 of the Southeast 1/4 of the Northwest 1/4, East of the former railroad, all in Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS AND EXCEPT right of way and maintained right of way and LESS Highway 27.

Parcel 2:

The South 1/2 of the Northeast 1/4 of the Northwest 1/4 lying West of the former railroad, AND the West 1/2 of the Southeast 1/4 of the Northwest 1/4, LESS right of way and LESS maintained right of way, AND LESS maintained right of way on West and South side, Section 9, Township 38 South, Range 27 East, Polk County, Florida, and LESS AND EXCEPT any portion that may lie within the former railroad, and LESS AND EXCEPT any portion that may lie within property conveyed to Florida Power Corporation in deed recorded in O.R. Book 2209 Page 597, Public Records of Polk County, Florida.

Parcel 3:

That part of the former Seaboard Coastline Railroad right of way lying in the West 1/2 of Section 9, Township 28 South, Range 27 East, Polk County, Florida, Described as: Commence at the North 1/4 corner of said Section 9, said corner also being the Southwest corner of the Southeast 1/4 of Section 4, Township 28 South, Range 27 East and run N 88°26'30" E along the North boundary of said Section 9, 494.76 feet to the centerline of right of way said former railroad right of way; thence S 47°11'38" W along said centerline 674.37 feet to the beginning of a curve concaved Southeasterly, having a radius of 1910.08 feet, a chord distance of 365.07 feet and a chord bearing of S 41°42'37" W; thence Southwesterly along the arc of said curve, 365.63 feet to the Point of Beginning; thence S 53°46'25" E, 65.00 feet to a point on the Southeasterly right of way of said former railroad right of way, said point being on a curve concaved Southeasterly, having a radius of 1845.08 feet, a chord distance of 1287.08 feet and a chord bearing of S 15°48'48" W; thence Southwesterly along the arc of said curve, an arc distance of 1314.72 feet to the end of said curve; thence S 04°36'00" E, 1344.26 feet to the South boundary of the North 1/2 of the Northeast 1/4 of the Southwest 1/4 of said Section 9; thence S 88°43'39" W, 100.17 feet; thence N 04°36'00" W, 1338.45 feet to the beginning of curve concaved Southeasterly having a radius of 1945.08 feet; a chord distance

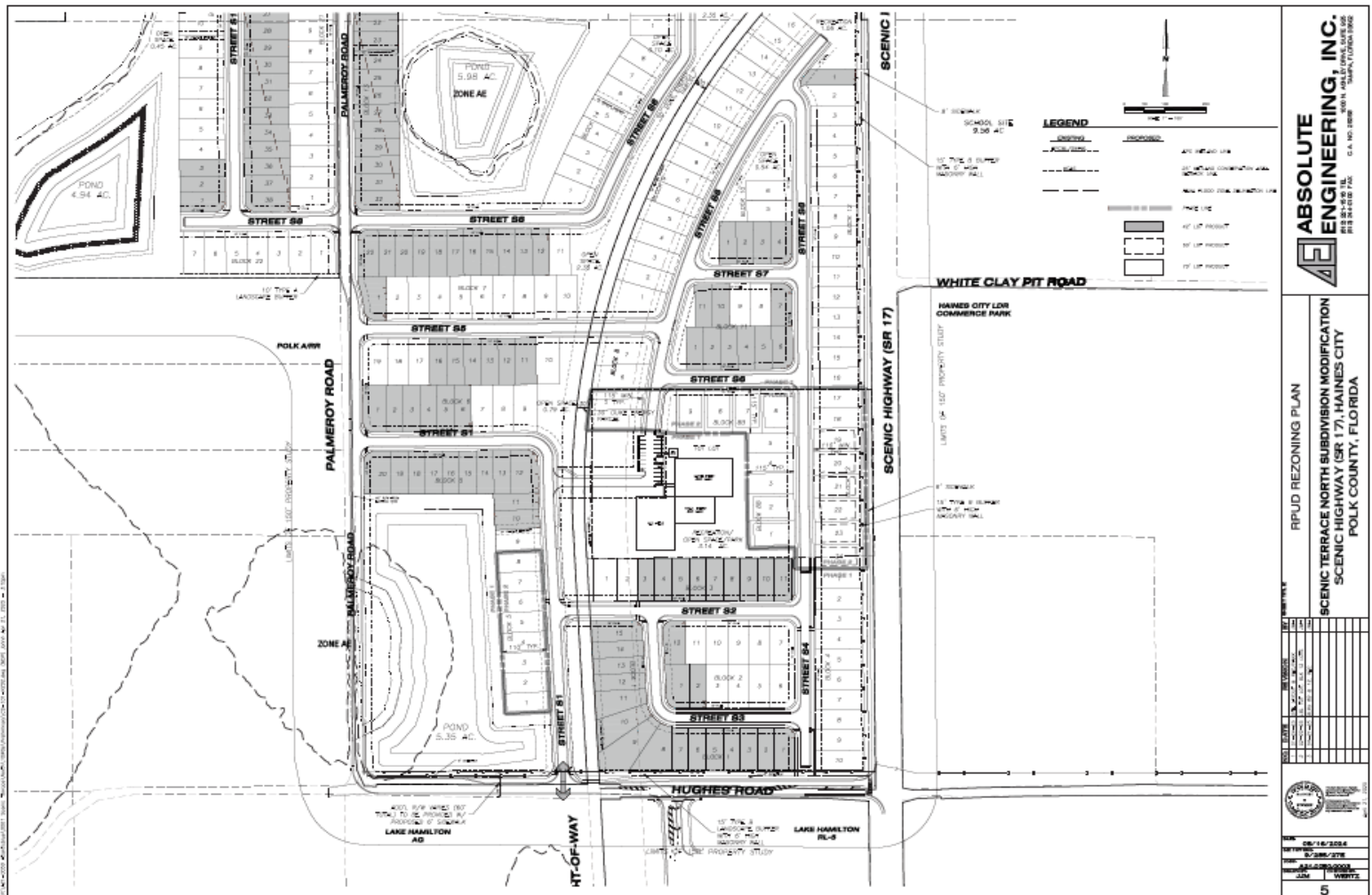
of 1356.84 feet and a chord bearing of 15°48'48" E; thence Northeasterly along the arc of said curve, an arc distance of 1385.98 feet; thence S 53°46'25" E 35.00 feet to the Point of Beginning, LESS AND EXCEPT Hughes Road and that portion lying South of Hughes Road, and LESS AND EXCEPT any portion that may lie within the property conveyed to Florida Power Corporation in deed recorded in O.R. Book 2209, Page 597, Public Records of Polk County, Florida.

**Parcel Number: 272809-000000-013090(Per Book 11545, Page 1745 - 1746):**

The SW 1/4 of the NW 1/4 of the NE 1/4 of Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS AND EXCEPT State Road right of way.

CONTAINING 109.68 +/- ACRES, MORE OR LESS

## Exhibit “B”







# HAINES CITY

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## **CITY MANAGER MEMORANDUM**

**To:** The Honorable Mayor and City Commissioners  
**Through:** James R. Elensky, City Manager  
**From:** Fred Reilly, City Attorney  
**Date:** July 17, 2025  
**Subject:** Ordinance No. 25-1882 – Mobile Food Dispensing Vehicles

### **Executive Summary**

Present the Mobile Food Dispensing Vehicles Ordinance.  
Staff Contact: Fred Reilly, City Attorney

### **Introduction**

The intent of this item is to present the Mobile Dispensing Vehicles Ordinance to the City Commission for review and approval.

### **Background**

The City Commission held a Workshop on June 24, 2025 to discuss the draft Mobile Food Dispensing Vehicles Ordinance.

Pursuant to the feedback received from City Commissioners at the Workshop, City Attorney Reilly revised the Ordinance. The following revisions are in the current version of the Ordinance:

- A. Adding the Highway Commercial (CH) zoning classification to Section 15-62(d).
- B. Adding language (in RED font below) to Section 15-63(c) as follows:

“Subsequent to the time of passage of the ordinance from which this section derives and except as provided in subsection (n) below, no more than one (1) mobile food dispensing vehicle or temporary commercial kitchen shall be located on a private property parcel.”

- C. Revising Section 15-63(f) to include the correct reference to subsection (l) as follows:



“A mobile food dispensing vehicles and temporary commercial kitchens may not be located in or on city property, city park, city right-of-way or public street, except as provided in subsection (l) below.”

During the Workshop, the City Commission discussed whether or not to include the “no more than one (1) mobile food dispensing vehicle or temporary commercial kitchen” language in Section 15-63(c), but did not make a final decision and indicated that this language would be addressed when the Ordinance was presented for First Reading.

**Organizational Goal(s)**

Quality of Life: Create an environment that enhances the quality of life and benefits the community culturally, recreationally and economically.

**Budget Impact**

There is no budget impact related to this agenda item.

**Recommendation**

Staff respectfully recommends the City Commission review and approve the Mobile Dispensing Vehicles Ordinance.

**ORDINANCE NO. 25-1882**

**AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA AMENDING CHAPTER 15, ARTICLE IV OF THE CODE OF ORDINANCES BY REPEALING SECTIONS 15-60, 15-61, 15-62, 15-63, 15-64 and 15-65 CONCERNING REGULATIONS FOR MOBILE FOOD VENDORS; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR THE ADDITION OF SECTIONS 15-60, 15-61, 15-62 AND 15-63 RELATED TO MOBILE FOOD DISPENSING VEHICLES AND TEMPORARY COMMERCIAL KITCHENS TO CHAPTER 15, ARTICLE IV OF THE CODE OF ORDINANCES; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND INCLUSION IN THE CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, in 2018, the City Commission of the City of Haines City, Florida (the “City Commission”) enacted Ordinance No. 18-1616 to regulate Mobile Food Trucks; and

**WHEREAS**, Section 509.102, Florida Statutes (Mobile food dispensing vehicles; temporary commercial kitchens; preemption) was enacted in 2020 and amended in 2022; and

**WHEREAS**, Section 509.032(7)(a), Florida Statutes, addresses preemption authority concerning the regulation of public food establishments, and states:

(7) PREEMPTION AUTHORITY —

(a) The regulation of public lodging establishments and public food service establishments, including, but not limited to, sanitation standards, inspections, training and testing of personnel, and matters related to the nutritional content and marketing of foods offered in such establishments, is preempted to the state. This paragraph does not preempt the authority of a local government or local

enforcement district to conduct inspections of public lodging and public food service establishments for compliance with the Florida Building Code and the Florida Fire Prevention Code, pursuant to ss. 553.80 and 633.206.

**WHEREAS**, Section 509.102(2)(a), Florida Statutes, addresses preemption authority concerning the regulation of mobile food dispensing vehicles and temporary commercial kitchens, and states:

(2)(a) Regulation of mobile food dispensing vehicles, and temporary commercial kitchens, involving licenses, registrations, permits, and fees is preempted to the state. A municipality, county, or other local governmental entity may not require a separate license, registration, or permit other than the license required under s. 509.241, or require the payment of any license, registration, or permit fee other than the fee required under s. 509.251, as a condition for the operation of a mobile food dispensing vehicle or temporary commercial kitchen within the entity's jurisdiction. A municipality, county, or other local governmental entity may not prohibit mobile food dispensing vehicles or temporary commercial kitchens from operating within the entirety of the entity's jurisdiction.

(b) Any mobile food dispensing vehicle or temporary commercial kitchen that is operated on the same premises as and by a separately licensed public food service establishment may operate during the same hours of operation as the separately licensed public food service establishment that operates such mobile food dispensing vehicle or temporary commercial kitchen.

**WHEREAS**, **Rule** 61C-4.0161, Florida Administrative Code, provide additional requirements for Mobile Food Dispensing Vehicles and Temporary Commercial Kitchens; and

**WHEREAS**, the City Commission finds that the use and operation of mobile food dispensing vehicles on real property directly affects the use of land within the City, and therefore, such uses are subject to the City's legitimate land use and zoning powers under the Florida Municipal Home Rule Powers Act, Community

Planning Act and other applicable law. *See also, Village of Euclid, Ohio v. Ambler Realty Co.*, 272 U.S. 365 (1926) (The concept of planning and zoning is a legitimate exercise of the police power of municipalities.); and

**WHEREAS**, unless the operation of mobile food dispensing vehicles within the City is limited to certain commercial and industrial zoning districts or temporary special events, and subject to some level of site plan review by the City to ensure that the real property on which they operate is suitable to accommodate such use, the operation of such vehicles may negatively impact the use of real property and surrounding properties and create public nuisances; and

**WHEREAS**, the City Commission desires to avoid such negative impacts and public nuisances; and

**WHEREAS**, the City Commission also finds that the use and operation of mobile food dispensing vehicles should be governed by other traditional land use and zoning requirements as more specifically stated herein in order to avoid adverse negative effects which may be caused by the operation of such vehicles on real property and safeguard the community; and

**WHEREAS**, the City Commission of the City of Haines City, Florida has determined that it is in the best interests of the public health, safety, and welfare of the citizens of Haines City to amend Chapter 15, Article IV of the Code of Ordinances related to mobile food dispensing vehicles and temporary commercial kitchens.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA:**

**Section 1. Incorporation of Recitals.** The Recitals set forth above are a material part of this Ordinance and are incorporated herein by this reference.

**Section 2. Repeal of Sections 15-60, 15-61, 15-62, 15-63, 15-64 and 15-65.** That sections 15-60, 15-61, 15-62, 15-63, 15-64 and 15-65 of the Code of Ordinances of the City of Haines City, Florida, are hereby repealed.

**Section 3. Addition on new Section 15-60, 15-61, 15-62 and 15-63.** That Chapter 15, Article IV of the Code of Ordinances of the City of Haines City, Florida, is hereby amended by adding four sections, to be numbered sections 15-60, 15-61, 15-62 and 15-63, which said sections read as follows:

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***Article IV. Mobile Food Dispensing Vehicles and Temporary Commercial Kitchens***

### **Sec. 15-60. Purpose.**

Mobile food vending units have existed in various forms over several centuries, distinguished as much by their physical characteristics as their operational requirements. The purpose of this article is to:

- (1) Recognize this specialized market segment;
- (2) Establish appropriate standards for the purpose of safeguarding the public health, safety, and welfare; and
- (3) Establish appropriate standards allowing for the typical range of activities while mitigating any associated, undesirable impacts.

This section is neither intended to prohibit mobile food dispensing vehicles from operating within the entirety of the City nor regulate the licensing, registration, permitting and fees of mobile food dispensing vehicles preempted by the state under section 509.102, Florida Statutes.

### **Sec. 15-61. Definitions.**

For the purposes of this article, the following definitions apply:

*City issued permit* in this section is limited to mean a permit issued by the city for special events, city co-sponsored events or other events, such as a food truck rally, or for parking a mobile food dispensing vehicle.

*Mobile food dispensing vehicle* means any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.

*Temporary commercial kitchen* means any kitchen that is a public food service establishment used for the preparation of takeout or delivery-only meals housed in portable structures that are movable from place to place by a tow or are self-propelled or otherwise axle-mounted, that include self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal. The term does not include a tent.

*Roadside vending market* means a roadside marketplace where food is vended to the general public such as a farmers' market, community farmers' market, flea market, or other open-air market.

*Vend* means to sell or offer to sell products from a mobile food dispensing vehicle or temporary commercial kitchen.

### **Sec. 15-62. Generally.**

- (a) This article shall not apply to pushcart vending or roadside vending markets.
- (b) It is a violation to vend any product from a mobile food dispensing vehicle or temporary commercial kitchen at any location except in compliance with the requirements of this section.
- (c) This article excludes a contractual or other private arrangement between the operator of a mobile food dispensing vehicle and an individual or group that wishes to have food catered to a specific location and which is not open to the public.

(d) Effective (**insert Ordinance effective date**), all vending from a mobile food dispensing vehicle or temporary commercial kitchen shall occur from properties with a Commercial General (CG), Industrial Light Warehousing (ILW), Industrial Medium (IM), Industrial Heavy (IH) or Highway Commercial (CH) zoning classification as a permitted principal use.

#### **Sec. 15-63. Mobile food dispensing vehicles.**

The following standards shall apply to all mobile food dispensing vehicles and temporary commercial kitchens, as defined by section 15-61:

- (a) Signage shall comply with the applicable requirements of Chapter 7, Article 4 (Signs Classified by Zoning District Regulations) of the Code of Ordinances.
- (b) A mobile food dispensing vehicle or temporary commercial kitchen shall not be placed in any required parking space, loading zone, landscape/buffer area or drainage area. A mobile food dispensing vehicle or temporary commercial kitchen shall be located on either an asphalt or concrete base. In addition to the asphalt or concrete base upon which the mobile food dispensing vehicle or temporary commercial kitchen is located, each mobile food dispensing vehicle or temporary commercial kitchen shall comply with Section 11.1.8 (Off-street parking space requirements) of the Land Development Regulations.
- (c) Subsequent to the time of passage of the ordinance from which this section derives and except as provided in subsection (n) below, no more than one (1) mobile food dispensing vehicle or temporary commercial kitchen shall be located on a private property parcel.
- (d) Mobile food dispensing vehicles and temporary commercial kitchens shall comply with the requirements of section 12.4.1 (related to visibility at intersections) of the Code of Ordinances.
- (e) Health and safety regulations: display of state license. A mobile food truck or temporary commercial kitchen operating within the City's municipal boundaries shall at all times comply with all federal, state, and local health and safety regulations and requirements and shall obtain and maintain any and all licenses required by any other health organization or governmental organization having jurisdiction over the same. The license under which the mobile food dispensing vehicles or temporary commercial kitchen is operating shall be firmly attached and visible on the mobile food dispensing vehicle or temporary commercial kitchen at all times and shall be produced to a law enforcement officer, or City code enforcement officer upon demand. A copy of the liability insurance shall be provided to the City and displayed at all times on the mobile food dispensing vehicles or temporary commercial kitchen.
- (f) A mobile food dispensing vehicles and temporary commercial kitchens may not be located in or on city property, city park, city right-of-way or public street, except as provided in subsection (l) below.
- (g) A temporary commercial kitchen shall comply with the requirements of Section 509.102(3)(a), Florida Statutes.

- (h) Waste containers with lids shall be provided for the deposit of food scraps, food wrappings, cups, napkins and discarded single-service articles. Trash may not be placed within public street side trash receptacles.
- (i) The operators of mobile food dispensing vehicles and temporary commercial kitchens are responsible for picking up all litter and waste within 25 feet of their unit.
- (j) *Alcohol sales.* Mobile food dispensing vehicles and temporary commercial kitchens may sell alcoholic beverages (i) in compliance with the State alcohol license requirements, and (ii) in compliance with Section 4-3 (Location of places where alcoholic beverages may be sold) of the City Code of Ordinances.
- (k) Mobile food dispensing vehicles selling or dispensing of food to customers in a moving vehicle or otherwise engaging in drive-through sales is prohibited.
- (l) Mobile food dispensing vehicles may participate in City sponsored special events or City approved special events held on City-owned real property, subject to the requirements and conditions of a city issued permit.
- (m) When the mobile food dispensing vehicle will be operating on private property a notarized affidavit signed by the property owner indicating that the vehicle has permission to operate and vend on the property. The City shall provide a form of the affidavit. The affidavit must also indicate that the property owner acknowledges the following requirements:
  - (i) The property owner shall comply with all ordinances regarding solid waste disposal and must provide the vehicle access to solid waste collection on the subject property;
  - (ii) The property owner shall require that the vehicle meet all applicable federal, state and local statutes, regulations, laws, ordinances, rules and codes including, but not limited to, applicable land use and zoning requirements regarding the subject property including set back requirements;
  - (iii) The property owner shall acknowledge that the property owner understands the regulations governing mobile food dispensing vehicles and will be held responsible, along with the vehicle owner, for any code violations; and
  - (iv) The property owner shall ensure that the property will be continuously maintained in a neat clean, and orderly manner, and that the mobile food dispensing vehicle shall be limited to operating as a temporary accessory use on the subject property.
- (n) *Grandfather provision.* Mobile food dispensing vehicles and temporary commercial kitchens existing at the time of passage of the ordinance from which section derives shall be grandfathered and allowed to remain.
- (o) *Enforcement.* Any violation of this section is punishable by a fine of \$250.00 for a first offense and \$500.00 for each offense thereafter under the provisions of Section 1-8 of the City Code, and any other remedies as provided by law, jointly and severally, including, but not limited to, suspension or revocation of a permit, or any other legal remedy as deemed appropriate by the city. The use of one remedy shall not preclude

the use of another. The City's law enforcement and code enforcement officers shall be authorized to enforce violations of this section.

**Section 4. Findings.** In adopting this Ordinance, the City Commission hereby makes and expresses the following findings, purposes, and intent:

- (1) Article VIII, Section 2(b) of the Florida Constitution provides, in part, as follows:

POWERS. Municipalities shall have governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by law....

- (2) In *State v. City of Sunrise*, 354 So. 2d 1206, 1209 (Fla. 1978), the Florida Supreme Court stated:

Article VIII, Section 2, Florida Constitution, expressly grants to every municipality in this state authority to conduct municipal government, perform municipal functions, and render municipal services. The only limitation on that power is that it must be exercised for a valid "municipal purpose." It would follow that municipalities are not dependent upon the Legislature for further authorization. Legislative statutes are relevant only to determine limitations of authority.

- (3) Section 166.021, Florida Statutes, provides for municipal powers, and states, in part, as follows:

- (1) As provided in s. 2(b), Art. VIII of the State Constitution, municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law.

- (2) "Municipal purpose" means any activity or power which may be exercised by the state or its political subdivisions.

(3) The Legislature recognizes that pursuant to the grant of power set forth in s. 2(b), Art. VIII of the State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state Legislature may act, except:

(a) The subjects of annexation, merger, and exercise of extraterritorial power, which require general or special law pursuant to s. 2(c), Art. VIII of the State Constitution;

(b) Any subject expressly prohibited by the constitution;

(c) Any subject expressly preempted to state or county government by the constitution or by general law; and

(d) Any subject preempted to a county pursuant to a county charter adopted under the authority of ss. 1(g), 3, and 6(e), Art. VIII of the State Constitution.

(4) The provisions of this section shall be so construed as to secure for municipalities the broad exercise of home rule powers granted by the constitution. It is the further intent of the Legislature to extend to municipalities the exercise of powers for municipal governmental, corporate, or proprietary purposes not expressly prohibited by the constitution, general or special law, or county charter and to remove any limitations, judicially imposed or otherwise, on the exercise of home rule powers other than those so expressly prohibited. However, nothing in this act shall be construed to permit any changes in a special law or municipal charter which affect the exercise of extraterritorial powers or which affect an area which includes lands within and without a municipality or any changes in a special law or municipal charter which affect the creation or existence of a municipality, the terms of elected officers and the manner of their election except for the selection of election dates and qualifying periods for candidates and for changes in terms of office necessitated by such changes in election dates, the distribution of powers among elected officers, matters prescribed by the charter relating to appointive boards, any change in the form of government, or any rights of municipal employees, without approval by referendum of the electors as provided in s. 166.031. Any other limitation of power upon any municipality contained in any municipal charter enacted or adopted prior to July 1, 1973, is hereby nullified and repealed.

(4) Section 1.01 (Existence and powers) of the City's Charter, states, in part, as follows:

The City of Haines City, Florida, shall have all governmental, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except as otherwise provided by the laws of the State of Florida and this Charter.

- (5) Chapter 15, Article IV of the Haines City Code of Ordinances provides regulations for mobile food vendors.
- (6) The purpose of this Ordinance is to repeal portions of Ordinance No. 18-1616, and amend the regulations for this specialized market segment, and establish appropriate standards allowing for the range of activities while mitigating any associated, undesirable impacts.
- (7) It has been found that mobile food dispensing vehicles and temporary, either nonconforming or conforming, are incompatible with permitted uses in all zoning districts, except the Commercial General (CG), Industrial Light Warehousing (ILW), Industrial Medium (IM), Industrial Heavy (IH) or Highway Commercial (CH) zoning classifications.
- (8) The City Commission hereby determines that it is in the best interest of the City to prohibit mobile food dispensing vehicles and temporary commercial kitchens in all zoning classification except the Commercial General (CG), Industrial Light Warehousing (ILW), Industrial Medium (IM), Industrial Heavy (IH) or Highway Commercial (CH) zoning classifications, or as provided in subsection 15-62(e).
- (9) The City Commission hereby determines that it is in the best interest of the City to allow an existing mobile food dispensing vehicles and temporary kitchens which have (i) received a site-specific zoning official determination issued before the effective date of this ordinance, and (ii) which remains in

compliance with all applicable licensing requirements of Section 509.102, Florida Statutes, to be made conforming and lawful under this ordinance, and that this exception shall sunset on October 1, 2025 unless extended by the City Commission by ordinance.

- (10) In an exercise of its home rule authority, the City Commission hereby determines it necessary and desirable to amend Chapter 15, Article IV of the Code of Ordinances of the City of Haines City, Florida to (i) harmonize the City's Code provisions with the preemption authority stated in Section 509.032(7)(a), Florida Statutes, and Section 509.102(2)(a), Florida Statutes, and (ii) safeguard the public health, safety and welfare.

**Section 5. Severability.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

**Section 6. Codification.** It is the intention of the City Commission and it is hereby provided that the provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Haines City; and that the sections of this Ordinance may be numbered, renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article", or other appropriate designation, all as may be necessary or useful to ensure proper codification.

**Section 7. Repeal of Ordinances in Conflict.** All other ordinances of Haines City or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

**Section 8. Effective Date.** This Ordinance shall become effective immediately upon its passage and approval as a non-emergency ordinance at two regular meetings of the City Commission.

**INTRODUCED AND PASSED** on first reading in regular session of the City Commission of the City of Haines City, this \_\_\_\_ day of \_\_\_\_\_, 2025.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

\_\_\_\_\_  
Morris L. West, Mayor

**PASSED** on second and final reading by the City Commission of the City of Haines City, Florida, at regular session this \_\_\_\_ day of \_\_\_\_\_, 2025.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sharon Lauther, MMC, City Clerk

\_\_\_\_\_  
Morris L. West, Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

\_\_\_\_\_  
Fred Reilly, City Attorney



# HAINES CITY

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## **CITY MANAGER MEMORANDUM**

**To:** The Honorable Mayor and City Commissioners

**Through:** James R. Elensky, City Manager

**From:** Fred Reilly, City Attorney

**Date:** April 24, 2025

**Subject:** Ordinance No. 25-2109 Adjusting Mayor and City Commissioner Compensation

### **Executive Summary**

Approve Ordinance No. 25-2109 adjusting Mayor and City Commissioner compensation on first reading.  
Staff Contact: Fred Reilly, City Attorney

### **Introduction**

The intent of this item is for the City of Haines City, Florida (the “City”) to consider approval of Ordinance No. 25-2109 adjusting Mayor and City Commissioner compensation.

### **Background**

Section 4.04 Compensation: of the City of Haines City Charter states: Sec. 4.04. Compensation.

The commission may determine the annual salary of commissioners by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of commissioners elected at the next regular city election, provided that such election follows the adoption of such ordinance by at least six (6) months. Provided, however, that each commissioner shall be entitled to reimbursement for allowable expenses in accordance with the general law of the State of Florida.

Ordinance No. 22-2026 established the annual base salary for the Mayor to be set at \$26,000 and the annual base salary for a City Commissioner and the Vice Mayor to be set at \$22,000.

Ordinance No. 22-2026 provided that the City Commission shall have the option to pay for employee benefits; health, dental, vision, life insurance, and any other benefits offered to full-time City personnel.

According to State of Florida Office of Economic and Demographic Research Population Estimates dated April 1, 2022, the population of the City of Haines City was estimated to be 31,979.

According to the State of Florida Office of Economic and Demographic Research Population Estimates dated April 1, 2024, the new estimated population for the City of Haines is 39,514 permanent residents.



The City of Haines City has experienced unprecedented growth since 2017. The City of Haines City issued permits for new single-family residences as follows:

<u>Year</u>	<u>Number of Permits Issued</u>
2017	137
2018	526
2019	810
2020	1,162
2021	1,508
2022	1,060
2023	1,885
2024	1,745

Based on unprecedented growth of the municipality, record inflation and cost of living increases, it is reasonable and prudent to reassess current compensation and set base salary for the Mayor at \$33,980 and the base salary for a City Commissioner and Vice Mayor shall be set at \$31,980.

The City Commission has the authority to establish the base salary increase for the Mayor and City Commission, which shall be in accordance with Section 4.04 of the City Charter. To comply with Section 4.04, the effective date of the Ordinance must follow the adoption of such ordinance by at least six (6) months after the current regular election (which concludes on May 5, 2026). For simplicity of future payroll calculations, I recommend that the effective date of the Ordinance be May 7, 2026.

The City Commission has made the decision to repeal Ordinance No. 22-2026 in its entirety and replace it with a new ordinance which addresses City Commission compensation.

#### **Organizational Goal(s)**

Quality of Life: Create an environment that enhances the quality of life and benefits the community culturally, recreationally and economically.

#### **Budget Impact**

There is no budget impact for fiscal year 2024-2025. The budget impact would be based on the budget for fiscal year 2025-2026.

#### **Recommendation**

Staff recommends the City Commission consider approval of Ordinance No. 25-2109 adjusting Mayor and City Commissioner compensation on first reading.

**ORDINANCE NUMBER 25-2109**

**AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA AMENDING ORDINANCE, NO. 22-2026; RELATING TO ARTICLE IV. LEGISLATIVE BRANCH, SECTION 4.04 (COMPENSATION) OF THE CITY CHARTER; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR THE REESTABLISHMENT OF AN ANNUAL COMPENSATION SCHEDULE FOR THE MAYOR AND CITY COMMISSIONERS; PROVIDING FOR ANNUAL COST-OF-LIVING ADJUSTMENT PROVIDING FOR INSURANCE BENEFITS; PROVIDING FOR ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 4.04 Compensation: of the City of Haines City Charter states: Sec. 4.04. Compensation.

*The commission may determine the annual salary of commissioners by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of commissioners elected at the next regular city election, provided that such election follows the adoption of such ordinance by at least six (6) months. Provided, however, that each commissioner shall be entitled to reimbursement for allowable expenses in accordance with the general law of the State of Florida.*

**WHEREAS**, Ordinance No. 22-2026 established the annual base salary for the Mayor to be set at \$26,000 and the annual base salary for a City Commissioner and the Vice Mayor to be set at \$22,000; and

**WHEREAS**, Ordinance No. 22-2026 provided that the City Commission shall have the option to pay for employee benefits; health, dental, vision, life insurance, and any other benefits offered to full time City personnel; and

**WHEREAS**, the City Commission desires to provide fair and equitable compensation to the positions of the Mayor and City Commission; and

**WHEREAS**, according to State of Florida Office of Economic and Demographic Research Population Estimates dated April 1, 2022, the population of the City of Haines City was estimated to be 31,979; and

**WHEREAS**, according to the State of Florida Office of Economic and Demographic Research Population Estimates dated April 1, 2024, the new estimated population for the City of Haines is 39,514 permanent residents; and

**WHEREAS**, the City of Haines City has experienced unprecedented growth since 2017. The City of Haines City issued permits for new single-family residences as follows:

<u>Year</u>	<u>Number of permits issued</u>
2017	137
2018	526
2019	810
2020	1,162
2021	1,508
2022	1,060
2023	1,885
2024	1,745

**WHEREAS**, based on unprecedented growth of the municipality, record inflation and cost of living increases, it is reasonable and prudent to reassess current compensation and set base salary for the Mayor at \$33,980 and the base salary for a City Commissioner and Vice Mayor shall be set at \$31,980; and

**WHEREAS**, the City Commission has the authority to establish the base salary increase for the Mayor and City Commission, which shall be in accordance with Section 4.04 of the City Charter; and

**WHEREAS**, the City Commission has made the decision to repeal Ordinance No. 22-2026 in its entirety and replace it with a new ordinance which addresses City Commission compensation.

**NOW, THEREFORE,** be it enacted by the City of Haines City, Florida, as follows:

**Section 1. Incorporation of Recitals.** The City Commission finds that the above Recitals are true and correct and such Recitals are incorporated herein by reference.

**Section 2. Annual Compensation Schedule:** The annual compensation schedule for the Mayor and City Commissioners shall be as follows:

Each member of the city commission shall receive an annual base salary in the amount indicated below:

Commissioner Base Salary	Mayor Base Salary
\$31,980	\$33,980

**Section 3. Annual Cost-of-Living Adjustment.** The Commissioner Base Salary and Mayor Base Salary shall be automatically adjusted on an annual basis for cost-of-living adjustments (COLA) which are approved by the City Commission for all City Personnel.

**Section 4. Insurance Benefits.** Each City Commissioner shall have the option to receive insurance benefits such as health, dental, vision, life and have available supplemental insurance in accordance with the benefits received by full time general non-represented employees.

**Section 5. Administrative Correction of Scrivener's Errors.** The correction of typographical and/or scrivener's errors which do not affect the legislative intent may be authorized by the City Manager or his/her designee, without the need of a public hearing, by filing corrected or re-codified copy of the same with the City Clerk.

**Section 6. Repeal of Ordinance in Conflict.** All other ordinances of the City of Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance, including Ordinance No. 22-2026, are hereby repealed.

**Section 7. Severability.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all

remaining provisions and portions of this Ordinance shall remain in full effect.

**Section 8. Effective Date.** This Ordinance shall take effect on May 7, 2026 upon it being read and approved in two meetings of the City Commission of the City of Haines City.

**INTRODUCED AND PASSED** on first reading of the City Commission of the City of Haines City, this 15th day of May, 2025.

**ATTEST:**

**APPROVED:**

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Sharon Lauther, MMC, City Clerk

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Morris L. West, Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

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Fred Reilly, City Attorney

**ADOPTED AND ENACTED** on second reading of the City Commission of the City of Haines City, this 5th day of June, 2025.

**ATTEST:**

**APPROVED:**

---

Sharon Lauther, MMC, City Clerk

---

Morris L. West, Mayor

**APPROVED AS TO FORM AND CORRECTNESS:**

---

Fred Reilly, City Attorney

<b>CITY</b>	<b>POPULATION</b>	<b>SALARY</b>
<b>DAVENPORT</b>	<b>21,370</b>	<b>COMM.-\$6504.00 MAYOR-\$8520.00</b>
<b>BARTOW</b>	<b>21,000</b>	<b>\$13,570.00 MAYOR &amp; COMM.</b>
<b>AUBURNDALE</b>	<b>20,186</b>	<b>COMM.-\$6957.00 MAYOR-\$8119.00</b>
<b>LAKE WALES</b>	<b>17,000</b>	<b>COMM.-\$9072.00 MAYOR-\$13,608 (\$300 CAR ALLOWANCE)</b>
<b>LAKE ALFRED</b>	<b>7,000</b>	<b>COMM-\$7500.00 MAYOR-\$9,000.00</b>
<b>DUNDEE</b>	<b>6,000</b>	<b>COMM.-\$4800.00 MAYOR-\$6,000.00</b>
<b>FROSTPROOF</b>	<b>3,200</b>	<b>COMM- \$5400.00 MAYOR-\$6,000.00</b>
<b>LAKE HAMILTON</b>	<b>1,537</b>	<b>COMM-\$1200.00 MAYOR-\$1300.00</b>
	<b>LARGER SURROUNDING CITIES</b>	
<b>LAKELAND</b>	<b>127,000</b>	<b>COMM-\$33,454.55 MAYOR-\$50,181.82</b>
<b>KISSIMEE</b>	<b>85,141</b>	<b>MAYOR- \$35,256.00 VICE-MAYOR- 34, 236.00 COMM-\$34,056.00</b>





# HAINES CITY

WWW.HAINESCITY.COM

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## **CITY MANAGER MEMORANDUM**

**To:** The Honorable Mayor and City Commissioners

**Through:** James R. Elensky, City Manager

**From:** Omar DeJesus, CPA, Finance Director

**Date:** July 17, 2025

**Subject:** Non-Ad Valorem Assessments for Lot Clean-Up

### **Introduction**

The intent of this business item is to approve the non-ad valorem tax assessments for lot clean-up in the form of a resolution.

### **Background**

On November 19, 2009, the City Commission passed Ordinance No. 09-1354 which allowed the City to clean-up nuisances and imminent threats to public health and safety on lots, parcels, and property tracts within the City. The Ordinance allowed the City to place a non-ad valorem tax assessment on the property if payment was not received for rendered services.

With the adoption of this resolution, it will allow costs accrued under Ordinance 09-1354 to be assessed on the property tax rolls as listed in Attachment "A". In addition, it also allows for any property owner wishing to contest the amount levied against their property to come before the City Commission and object to the amount being assessed against their property.

### **Organizational Goal(s)**

Economic: Foster an environment that attracts economic opportunity and sustains economic viability.

### **Budget Impact**

There will be an increase revenue receivable in the amount of \$9,458.38 for the fiscal year 2025.

**Recommendation**

It is recommended that the City Commission approve the Resolution for the Non-Ad Valorem assessments.

#### APPENDIX “A”

27-27-21-753000-000470	\$1,000.60
27-27-21-756000-002260	\$770.22
27-27-21-753500-013150	\$593.91
27-27-21-753500-013110	\$613.62
27-27-21-753000-000320	\$2,290.36
27-27-20-749000-005060	\$1,495.44
27-27-32-803500-000010	\$595.86
27-27-20-747300-003040	\$1,432.01
27-27-21-752500-001040	\$666.36



## RESOLUTION NO. 25-1873

**A RESOLUTION OF THE CITY OF HAINES CITY, FLORIDA; RELATED TO THE NON-AD VALOREM ASSESSMENT ROLL FOR LOT CLEAN-UP, DEMOLITIONS, AND OTHER PRACTICES UTILIZED BY THE CITY; PROVIDING FOR THE RECOVERY OF ASSOCIATED FEES AND COSTS; INCORPORATING ALL RECITALS HEREWITH; APPROVING AND ADOPTING THE NON-AD VALOREM ASSESSMENT ROLL FOR LOT CLEAN-UP COSTS AND FEES; SPECIFYING THE AMOUNT OF THE ASSESSMENTS; PROVIDING FOR CERTIFICATION OF THE ASSESSMENT ROLL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

*Whereas*, the City Commission for the City of Haines City, Florida, adopted Ordinance No. 09-1354 on November 19, 2009, which provides that the City of Haines City may clean-up nuisances and imminent threats to public health and safety on lots, parcels and tracts within the City caused by the accumulation of trash, junk, or debris, living and nonliving plant material, stagnant water, and fill on property.

*Whereas*, Ordinance No. 09-1354 provides that if property owners do not pay the costs and expenses associated with the clean-up of their property, the City may use the uniform method of collecting non-ad valorem assessments to reimburse the City for costs and expenses incurred when the City cleans up nuisances on property.

*Whereas*, in order to impose non-ad valorem assessments, Ordinance No. 09-1354 and subsection 197.3632(4) of the Florida Statutes requires the City Commission to hold a public hearing to adopt a non-ad valorem assessment roll which establishes the amount of the assessments, with such amendments as the City Commission deems appropriate, after hearing comments, input and objections of all interested parties.

*Whereas*, the assessment roll for the lot clean-up costs and expenses has been made available for inspection by the public.

*Whereas*, notice of the public hearing has been published and mailed, as required by Ordinance No. 09-1354 and subsection 197.3632(4)(b) of the Florida Statutes, to provide notice to all interested persons of an opportunity to be heard.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA:**

**Section 1. Recitals.** The foregoing finding are incorporated herein by reference and made a part hereof.

**Section 2. Adoption of the Non-Ad Valorem Assessment Roll for Lot Clean-Up.** The City Commission of the City of Haines City hereby approves and adopts the non-ad valorem assessment roll for lot clean-up costs and expenses attached hereto as **Appendix A**.

**Section 3. Certification of the Assessment Roll.** The City Commission authorizes and directs the City Manager, or his designee, to certify, by September 12, 2025, the non-ad valorem assessment roll for the lot clean-up costs and expenses to the Polk County Property Appraiser and the Polk County Tax Collector. The assessment roll to be certified shall consist of all adjustments, if any, as authorized by the City Commission.

**Section 4 Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

**Section 5. Conflicts.** That all resolutions made in conflict with this resolution are hereby repealed.

**Section 6. Effective Date.** That this resolution shall become effective immediately upon its adoption.

**PASSED and APPROVED** at the regular session of the City Commission of the City of Haines City, Florida, this 17th day of July, 2025.

APPROVED:

\_\_\_\_\_  
Morris L. West, Mayor-Commissioner

ATTEST:

\_\_\_\_\_  
Sharon Luther, CMC, City Clerk

APPROVED AS TO FORM AND CORRECTNESS:

\_\_\_\_\_  
Fred Reilly, City Attorney



# HAINES CITY

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## **CITY MANAGER MEMORANDUM**

**To:** The Honorable Mayor and City Commissioners

**Through:** James R. Elensky, City Manager

**From:** Omar DeJesus, CPA, Finance Director

**Date:** July 17, 2025

**Subject:** Tax Year 2025 Proposed Millage Rate and Budget Meeting Dates

### **Executive Summary**

Establish the millage rate for Fiscal Year 2025/26 (2025 Tax Billing Year) and set the public hearing dates for the tentative and final budget adoptions that will be advertised.

Staff Contact: Omar DeJesus, CPA, Finance Director

### **Introduction**

The intent of this item is to set the proposed millage rate for Fiscal Year 2025/26 (2025 Tax Billing Year) and set the public hearing dates for the tentative and final budget adoption, per Florida Truth in Millage (TRIM) requirements

### **Background**

The current millage rate is 7.5895 and has remained the same since the 2016 Tax Billing Year. The City Commission must set the proposed millage on or before August 4, 2025 per TRIM requirements. Once established, the proposed millage will be reflected on notices mailed by the Polk County Property Appraiser on or before August 18, 2025 to all property owners in the City. This notice will include information on the date, time and location of the City's first public hearing for the budget, and what the old tax rate was, and what the new tax rate will be with the proposed millage.

Once the proposed millage is set, the City Commission can lower the millage rate at any time during the budget process, but it cannot raise the millage without mailing a second notice of the proposed increase to all property owners.

The calculated roll-back millage rate is mills which generates the same total revenue from the previous year. Setting the millage at the current rate of 7.5895 mills must be approved by a simple majority vote.



# HAINES CITY

## THE HEART OF FLORIDA

The City Commission needs to also establish the public hearing schedule. The Board of County Commissioners (BOCC) and School Board are given the opportunity by State law to set their respective hearing dates first, requiring cities to schedule around them. These dates are:

Tentative Hearing:	School Board	Tuesday, July 29, 2025
	BOCC	Tuesday, September 9, 2025
	Haines City	Thursday, September 4, 2025

Final Hearing:	School Board	Tuesday, September 9, 2025
	BOCC	Tuesday, September 15, 2025
	Haines City	Thursday, September 18, 2025

The first public hearing for the City can be scheduled on any date between September 4, 2025 and September 19, 2025. The advertisement for the second public hearing must be published no more than 15 days after the first budget hearing and must be held no less than two (2) days after the advertisement but no more than five (5) days after the advertisement.

### **Organizational Goal(s)**

Financial: Develop and maintain fiscal policies based on program and performance measures while engaging community involvement.

### **Budget Impact**

The budget impact for fiscal year 2025 is a positive \$4,453,112 in increased ad valorem revenues. Of this amount, the General Fund will retain \$3,567,329 and the CRA will receive an additional transfer amount of \$885,783 if approved at the current millage of 7.5895 mills.

### **Recommendation**

Make a motion to (i) set the proposed Millage rate for Fiscal Year 2025/26, and (ii) set the public hearing dates for the tentative and final budget adoption for Thursday, September 4, 2025 and Thursday, September 18, 2025.

**CITY OF HAINES CITY**  
**FY 2025/26 ANNUAL BUDGET**  
**MILLAGE RATE ANALYSIS**

	Taxable Value	% Increase	Millage Rate	Roll Back Rate	% Increase	Tax Levy	Collectable	\$ Increase
FY 26	\$ 3,996,563,651	17.94%	7.5895	7.3068	3.87%	\$ 30,331,920	\$ 29,270,303	\$ 4,453,112
FY 25	\$ 3,388,536,237	20.52%	7.5895	7.4605	1.73%	\$ 25,717,296	\$ 24,817,190	\$ 4,226,006
FY 24	\$ 2,811,517,880	27.30%	7.5895	6.7418	12.57%	\$ 21,338,015	\$ 20,591,184	\$ 4,416,165
FY 23	2,208,535,171	30.11%	7.5895	6.7090	13.12%	16,761,678	16,175,019	3,743,114
FY 22	1,697,450,785	17.48%	7.5895	7.3014	3.95%	12,882,803	12,431,905	1,849,353
FY 21	1,444,940,384	10.34%	7.5895	7.5740	0.20%	10,966,375	10,582,552	991,363
FY 20	1,309,579,759	13.01%	7.5895	7.2816	4.23%	9,939,056	9,591,189	1,104,246
FY 19	1,158,806,082	12.11%	7.5895	7.3356	3.46%	8,794,759	8,486,942	916,939
FY 18	1,033,607,297	9.48%	7.5895	7.3368	3.44%	7,844,563	7,570,003	655,515
FY 17	944,103,405	7.56%	7.5895	7.5895	0.00%	7,165,273	6,914,488	316,402
FY 16	877,714,382	8.75%	7.7900	7.4432	4.66%	6,837,395	6,598,086	530,975
FY 15	807,081,088		7.7900	7.7070	1.08%	6,287,162	6,067,111	-

ANNUAL CITY ADVALOREM BASED ON APPRAISED VALUES:	Homestead Count	TAX LEVY @ 6.5000	TAX LEVY @ 6.7500	TAX LEVY @ 6.8395	TAX LEVY @ 7.0895	TAX LEVY @ 7.3395	TAX LEVY @ 7.5895
Appraised Value 100,000	2,575	\$325	\$338	\$342	\$354	\$367	\$379
	41%						
Appraised Value 150,000	1,221	\$650	\$675	\$684	\$709	\$734	\$759
	19%						
Appraised Value 200,000	1,245	\$975	\$1,013	\$1,026	\$1,063	\$1,101	\$1,138
	20%						
Appraised Value 300,000	1,259	\$1,625	\$1,688	\$1,710	\$1,772	\$1,835	\$1,897
	20%						
Revenue Increase	6,353	\$251,255	\$1,215,426	\$1,560,599	\$2,524,770	\$3,488,941	\$4,453,112
		-\$4,201,857	-\$3,237,686	-\$2,892,513	-\$1,928,342	-\$964,171	



**CITY OF HAINES CITY**  
**CRA District 328 & 327**  
**Tax Increment Revenue Projections**

	FY26 2025 Tax Billings			FY25 2024 Tax Billings		
CRA II - DISTRICT 328 (Formerly 46)						
	CITY	COUNTY	TOTAL	CITY	COUNTY	TOTAL
GROSS TAXABLE VALUATION	1,022,310,548	1,017,964,862		958,867,011	955,101,640	
ADJUSTED BASE LINE VALUATION	170,233,292	170,233,292		170,233,292	170,233,292	
INCREASE IN VALUES	852,077,256	847,731,570		788,633,719	784,868,348	
TAX INCREMENT %	95%	95%		95%	95%	
ADJUSTED FY INCREMENT	809,473,393	805,344,992		749,202,033	745,624,931	
MILLAGE	0.0075895	0.0066348		0.0075895	0.0066348	
DISTRICT 328 TOTAL	\$ 6,143,498	\$ 5,343,303	\$ 11,486,801	\$ 5,686,069	\$ 4,947,072	\$ 10,633,141
CRA I - DISTRICT 327 (Formerly 47)						
	CITY	County	TOTAL	CITY	County	TOTAL
GROSS TAXABLE VALUATION	36,964,291	36,964,291		34,587,100	34,587,100	
ADJUSTED BASE LINE VALUATION	10,947,110	10,947,110		10,947,110	10,947,110	
INCREASE IN VALUES	26,017,181	26,017,181		23,639,990	23,639,990	
TAX INCREMENT %	95%	95%		95%	95%	
ADJUSTED FY INCREMENT	24,716,322	24,716,322		22,457,991	22,457,991	
MILLAGE	0.007590	0.006635		0.0075895	0.006635	
DISTRICT 327 TOTAL	\$ 187,585	\$ 163,988	\$ 351,572	\$ 170,445	\$ 149,004	\$ 319,449
TOTAL TAX INCREMENT	6,331,083	5,507,291	\$ 11,838,374	\$ 5,856,513.75	\$ 5,096,076.56	\$ 10,952,590
TOTAL TAX INCREMENT COMBINED	\$11,838,374			\$10,952,590		

	FY 2026	FY 2025	Increase
CITY SHARE - DISTRICT 46	6,143,498	5,686,069	457,429
CITY SHARE - DISTRICT 47	187,585	170,445	17,140
TOTAL CITY	6,331,083	5,856,514	474,569
POLK SHARE - DISTRICT 46:	5,343,303	4,947,072	396,231
POLK SHARE - DISTRICT 47:	163,988	149,004	14,984
TOTAL COUNTY	5,507,291	5,096,077	411,214
	<b>\$ 11,838,374</b>	<b>\$ 10,952,590</b>	<b>\$ 885,783</b>





# CERTIFICATION OF TAXABLE VALUE

DR-420  
R. 5/12  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12


Year : 2025	County : Polk
Principal Authority : City of Haines City	Taxing Authority : City of Haines City - Operating

## SECTION I : COMPLETED BY PROPERTY APPRAISER

1.	Current year taxable value of real property for operating purposes	\$	3,767,859,336	(1)	
2.	Current year taxable value of personal property for operating purposes	\$	222,772,650	(2)	
3.	Current year taxable value of centrally assessed property for operating purposes	\$	2,293,872	(3)	
4.	Current year gross taxable value for operating purposes <i>(Line 1 plus Line 2 plus Line 3)</i>	\$	3,992,925,858	(4)	
5.	Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	\$	476,203,843	(5)	
6.	Current year adjusted taxable value <i>(Line 4 minus Line 5)</i>	\$	3,516,722,015	(6)	
7.	Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	\$	3,383,379,592	(7)	
8.	Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Number 2	(8)
9.	Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, <i>Certification of Voted Debt Millage</i> forms attached. If none, enter 0	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Number 0	(9)
SIGN HERE	<b>Property Appraiser Certification</b>		I certify the taxable values above are correct to the best of my knowledge.		
	Signature of Property Appraiser: Electronically Certified by Property Appraiser		Date : 6/27/2025 1:14:51 PM		

## SECTION II : COMPLETED BY TAXING AUTHORITY

If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-.				
10.	Prior year operating millage levy <i>(If prior year millage was adjusted then use adjusted millage from Form DR-422)</i>		7.5895 per \$1,000	(10)
11.	Prior year ad valorem proceeds <i>(Line 7 multiplied by Line 10, divided by 1,000)</i>	\$	25,678,159	(11)
12.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value <i>(Sum of either Lines 6c or Line 7a for all DR-420TIF forms)</i>	\$	-0-	(12)
13.	Adjusted prior year ad valorem proceeds <i>(Line 11 minus Line 12)</i>	\$	25,678,159	(13)
14.	Dedicated increment value, if any <i>(Sum of either Line 6b or Line 7e for all DR-420TIF forms)</i>	\$	-0-	(14)
15.	Adjusted current year taxable value <i>(Line 6 minus Line 14)</i>	\$	3,516,722,015	(15)
16.	Current year rolled-back rate <i>(Line 13 divided by Line 15, multiplied by 1,000)</i>		7.3017 per \$1000	(16)
17.	Current year proposed operating millage rate		per \$1000	(17)
18.	Total taxes to be levied at proposed millage rate <i>(Line 17 multiplied by Line 4, divided by 1,000)</i>	\$		(18)

19.	TYPE of principal authority (check one)	<input type="checkbox"/> County	<input type="checkbox"/> Independent Special District	(19)
		<input checked="" type="checkbox"/> Municipality	<input type="checkbox"/> Water Management District	
20.	Applicable taxing authority (check one)	<input checked="" type="checkbox"/> Principal Authority	<input type="checkbox"/> Dependent Special District	(20)
		<input type="checkbox"/> MSTU	<input type="checkbox"/> Water Management District Basin	
21.	Is millage levied in more than one county? (check one)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(21)
<b>DEPENDENT SPECIAL DISTRICTS AND MSTUs</b>			<b>STOP HERE - SIGN AND SUBMIT</b>	
22.	Enter the total adjusted prior year ad valorem proceeds of the principal authority, all dependent special districts, and MSTUs levying a millage. <i>(The sum of Line 13 from all DR-420 forms)</i>	\$	25,678,159	(22)
23.	Current year aggregate rolled-back rate <i>(Line 22 divided by Line 15, multiplied by 1,000)</i>		7.3017 per \$1,000	(23)
24.	Current year aggregate rolled-back taxes <i>(Line 4 multiplied by Line 23, divided by 1,000)</i>	\$	29,155,147	(24)
25.	Enter total of all operating ad valorem taxes proposed to be levied by the principal taxing authority, all dependent districts, and MSTUs, if any. <i>(The sum of Line 18 from all DR-420 forms)</i>	\$	-0-	(25)
26.	Current year proposed aggregate millage rate <i>(Line 25 divided by Line 4, multiplied by 1,000)</i>		-0- per \$1,000	(26)
27.	Current year proposed rate as a percent change of rolled-back rate <i>(Line 26 divided by Line 23, <b>minus 1</b>, multiplied by 100)</i>		-100.00 %	(27)
<b>First public budget hearing</b>		Date :	Time :	Place :
SIGN HERE	<b>Taxing Authority Certification</b>		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.	
	Signature of Chief Administrative Officer :			Date :
	Title :		Contact Name and Contact Title :	
	Mailing Address :		Physical Address :	
	City, State, Zip :		Phone Number :	Fax Number :

# CERTIFICATION OF TAXABLE VALUE INSTRUCTIONS

“Principal Authority” is a county, municipality, or independent special district (including water management districts).

“Taxing Authority” is the entity levying the millage. This includes the principal authority, any special district dependent to the principal authority, any county municipal service taxing unit (MSTU), and water management district basins.

Each taxing authority must submit to their property appraiser a DR-420 and the following forms, as applicable:

- DR-420TIF, Tax Increment Adjustment Worksheet
- DR-420DEBT, Certification of Voted Debt Millage
- DR-420MM-P, Maximum Millage Levy Calculation - Preliminary Disclosure

## Section I: Property Appraiser

Use this DR-420 form for all taxing authorities except school districts. Complete Section I, Lines 1 through 9, for each county, municipality, independent special district, dependent special district, MSTU, and multicounty taxing authority. Enter only taxable values that apply to the taxing authority indicated. Use a separate form for the principal authority and each dependent district, MSTU and water management district basin.

### Line 8

Complete a DR-420TIF for each taxing authority making payments to a redevelopment trust fund under Section 163.387 (2)(a), Florida Statutes or by an ordinance, resolution or agreement to fund a project or to finance essential infrastructure.

Check “Yes” if the taxing authority makes payments to a redevelopment trust fund. Enter the number of DR-420TIF forms attached for the taxing authority on Line 8. Enter 0 if none.

### Line 9

Complete a DR-420DEBT for each taxing authority levying either a voted debt service millage (s.12, Article VII, State Constitution) or a levy voted for two years or less (s. 9(b), Article VII, State Constitution).

Check “Yes” if the taxing authority levies either a voted debt service millage or a levy voted for 2 years or less (s. 9(b), Article VII, State Constitution). These levies do not include levies approved by a voter referendum not required by the State Constitution. Complete and attach DR-420DEBT. Do not complete a separate DR-420 for these levies.

Send a copy to each taxing authority and keep a copy. When the taxing authority returns the DR-420 and the accompanying forms, immediately send the original to:

Florida Department of Revenue  
Property Tax Oversight - TRIM Section  
P. O. Box 3000  
Tallahassee, Florida 32315-3000

## Section II: Taxing Authority

Complete Section II. Keep one copy, return the original and one copy to your property appraiser with the applicable DR-420TIF, DR-420DEBT, and DR-420MM-P within 35 days of certification. Send one copy to the tax collector. “Dependent special district” (ss. 200.001(8)(d) and 189.403(2), F.S.) means a special district that meets at least one of the following criteria:

- The membership of its governing body is identical to that of the governing body of a single county or a single municipality.
- All members of its governing body are appointed by the governing body of a single county or a single municipality.
- During their unexpired terms, members of the special district's governing body are subject to removal at will by the governing body of a single county or a single municipality.
- The district has a budget that requires approval through an affirmative vote or can be vetoed by the governing body of a single county or a single municipality.

“Independent special district” (ss. 200.001(8)(e) and 189.403 (3), F.S.) means a special district that is not a dependent special district as defined above. A district that includes more than one county is an independent special district unless the district lies wholly within the boundaries of a single municipality.

“Non-voted millage” is any millage not defined as a “voted millage” in s. 200.001(8)(f), F.S.

### Lines 12 and 14

Adjust the calculation of the rolled-back rate for tax increment values and payment amounts. See the instructions for DR-420TIF. On Lines 12 and 14, carry forward values from the DR-420TIF forms.

### Line 24

Include only those levies derived from millage rates.