# Town of Lake Hamilton

***Town Council Regular Meeting Agenda – January 7, 2025***

***Time: 6:00 P.M.***
***Location: Town Council***
***Chambers 100 Smith Avenue***

***MAYOR MARLENE WAGNAR – VICE MAYOR CORA ROBERSON***
***COUNCIL MEMBERS, PATRICK SLAVENS, ROBERT MATHIS***

## 1. CALL TO ORDER

## 2. INVOCATION

## 3. PLEDGE OF ALLEGIANCE

## 4. ROLL CALL

## 5. PRESENTATION

*A. Police Department Swearing in and presentation*
*B. 2022-2023 Statement of Financial Indicators, Mike Brynjulfson, CPA*
*C. 2022-2023 Audit presentation, Trisha Floyd, CPA*

## 6. PROCLAMTION

*MARTIN LUTHER KING JR. DAY PROCLMATION (page 3)*

## 7. CONSENT AGENDA

**Note:** Members of the Council may remove items from the Consent Agendas if they wish to discuss them. Requests for removal need to be made known to the Mayor under the Approval of the Order of Business at the beginning of the meeting.

***A.*** *December 3, 2024, Regular Council Meeting Minutes (pages 4-8)*
***B.*** *December 16, 2024, Special Meeting Minutes (pages 9- 10)*
***C.*** *December 27, 2024, Re-Bid 2024-04 SR27 PS & FM (page 11)*
***D.*** *October 1, 2024, Regular Council Meeting Amended Minutes (pages 12- 16)*
***E.*** *Planning Commission Application (page 17)*

## 8. PUBLIC COMMENT – NON-AGENDA ITEMS (Limited to 3 Minutes)

Your Town Council welcomes and invites citizens to comment on items (Non- Agenda Items) of community interest/concern or to bring forth areas of personal attention which may not have been fully addressed by Town Staff after prior contact to Town Hall, the Council may immediately act on any item or may request it be placed on a future agenda for further consideration.

## 9. OLD BUSINESS

***A.*** *Public Hearing and Second Reading Ordinance O-2024-14 Annexation on Hatchineha Road 20 Acres (pages 18-22)*

***B.*** *Public Hearing and Second Reading Ordinance O-2024-15 Eagle Trace CDD (pages 23-70)*

***C.*** *Public Hearing and Second Reading Ordinance O-2024-16 Hamilton Bluffs CDD Amendment (pages 71-105)*

***D.*** *Public Hearing and Second Reading Ordinance O-2024-17 Animals (106- 108)*

## 10. NEW BUSINESS

***A.*** *Request to liquidate Police Vehicles (109-110)*

***B.*** *Interagency Agreement between the Polk County Sheriff's Office and the Lake Hamilton Police Department for Criminal Justice Information Exchange and Computer Usage (pages 111-112)*

***C.*** *Request to vacate and/or convey Right-of-way to correct problem with lot (pages 113-115)*

## *11.* STAFF REPORTS

**TOWN ADMINISTRATORS REPORT**
**TOWN CLERK REPORT**
**TOWN ATTORNEY REPORT**
**TOWN COUNCIL COMMENTS**

## ADJOURNMENT

Any opening invocation that is offered before the official start of the Town Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Town Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Town Council or the town staff, and the Town is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the Town Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the Town Council Chambers or exit the Town Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

Any person desiring to appeal any decision made by the Town Council, with respect to any matter considered at such meeting or hearing, will need a record of the proceedings, and for such purposes, must ensure that a verbatim record and transcript of the proceeding is made in a form acceptable for official court proceedings, which record includes the testimony and evidence upon which the appeal is to be based. It shall be the responsibility of the person desiring to appeal any decision to prepare a verbatim record and transcript at his/her own expense, as the Town does not provide one. (F.S. 286.26.105)

**ATTN: PERSONS WITH DISABILITIES.** In accordance with the American with Disabilities Act and Section 286.26, Florida Statutes, persons needing special accommodations to participate in this proceeding, please contact the Town Clerks Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting, provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

# TOWN OF LAKE HAMILTON, FLORIDA

## PROCLAMATION

**WHEREAS,** the Civil Rights movement of the 1960's has profoundly impacted the course of American history and continues to shape the direction and debate of our society; and

**WHEREAS, one** of the great leaders of that 20th century movement is Dr. Martin Luther King, Jr., whose "dream" is no less inspirational and important today than when he first expressed it more than 50 years ago; and

**WHEREAS,** even with the gains of the Civil Rights movement over the years, there are many goals and needs that must be pursued to continue our commitment to achieve justice in our society, including a commitment to economic justice in the face of increasing disparity between rich and poor; and

**WHEREAS,** as we look forward to the future with optimism—inspired by Dr. King's legacy and informed by his wisdom and vision—let us rededicate ourselves to keeping his dream alive and be reminded that we are united together as one community;

**Now, THEREFORE I,** Marlene Wagner, Mayor of the Town of Lake Hamilton, on behalf of the Town Council, do hereby proclaim January 25, 2025, in Lake Hamilton as community celebration.

*Dr. Martin Luther King's Day*

To encourage all of us to recommit ourselves to achieving Dr. King's dream.

_____
Marlene Wagner, Mayor

ATTEST:

_____
Jacqueline Borja, Town Clerk

*Dated this 7th day of January 2025.*

**TOWN OF LAKE HAMILTON MINUTES**
**TOWN COUNCIL REGULAR MEETING**
**TUESDAY, DECEMBER 3, 2024**
**6:00 PM**

The Town Council of Lake Hamilton held a Regular Council Meeting on Tuesday, December 3, 2024, at 100 Smith Ave., Lake Hamilton, FL 33851.

## CALL TO ORDER

Mayor Wagner called the meeting to order at 6:00 p.m.

## INVOCATION

The invocation was given by Cora Roberson.

## PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by all.

## ROLL CALL

Roberson, Slavens, Mathis and Wagner were present.
**Staff:** Town Clerk Borja, Finance Director Peterson, Public Works Director Henry, Town Administrator Sandoval and Town Attorney Anthony Sabatini were present.

## PRESENTATIONS

Steve Gutierrez, Project Manager for Luxer Development presentation was cancelled.

## CONSENT AGENDA

**Motion made** by Cora and a second by Slavens to approve November 5, 2024, Regular Council Meeting Minutes; November 20, 2024, Special Meeting Minutes; Approval of Town Clerks Evaluation; Park & Recreation Advisory Board Application; Planning Commission Application and Board of Adjustment Application.
All in Consensus. **Motion passed 4-0.**

## RECOGNITION OF CITIZENS

Yolanda Lane commented.

## OLD BUSINESS

**Public Hearing and Second Reading Ordinance O-2024-11 Annexation Hamilton 8 & 9**
Town Attorney Sabatini read the title for the record.
Planner Doug Leonard presented.
**Ordinance O-2024-11:** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, EXTENDING THE CORPORATE LIMITS OF THE TOWN SO AS TO INCLUDE ADDITIONAL TERRITORY LYING ADJACENT TO THE PRESENT BOUNDARIES OF THE TOWN OF LAKE HAMILTON, FLORIDA; THE PROPERTY IS LOCATED NORTH OF KOKOMO ROAD, EAST OF CROCUS PLACE IN SCENIC TERRACE

SUBDIVISION AND SOUTH OF HUGHES ROAD; DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
Mayor Wagner opened the public hearing; no public comment was made. The public hearing was closed.
**Motion made** by Slavens and a second by Roberson to approve Ordinance O-2024-11 Annexation Hamilton 8 & 9. A roll call vote was taken. Slavens aye, Mathis Aye, Roberson aye and Wagner aye. **Motion passed 4-0.**

**Public Hearing and Second Reading Ordinance O-2024-12 Utilities Code Amendment**
Town Attorney Sabatini read the title for the record.
Town Administrator Sandoval presented.
**Ordinance O-2024-12:** AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, RELATING TO WATER AND SEWER UTILITIES; AMENDING SECTION 32-14 AND SECTION 32-15 OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE HAMILTON, FLORIDA (THE "CODE"); TO UPDATE EMERGENCY RESPONSE RATES AND UTILITY AUDIT FEE; TO UPDATE UTILITY ACCOUNT PAYMENT METHODS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.
Mayor Wagner opened the public hearing; no public comment was made. The public hearing was closed.
**Motion made** by Slavens and a second by Mathis to approve Ordinance O-2024-12 Utilities Code Amendment.
A roll call vote was taken. Slavens aye, Mathis Aye, Roberson aye and Wagner aye. **Motion passed 4-0.**

**Public Hearing and Second Reading Ordinance O-2024-13 Heavy Truck Ordinance**
Town Attorney Sabatini read the title for the record.
Town Administrator Sandoval presented.
**Ordinance O-2024-13:** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AMENDING CHAPTER 30, TRAFFIC AND VEHICLES, SECTION 30-1, TO RESTRICT THE OPERATION OF HEAVY VEHICLES ON CERTAIN TOWN STREETS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**.**
Mayor Wagner opened the public hearing; no public comment was made. The public hearing was closed.
**Motion made** by Mathis and a second by Slavens to approve Ordinance O-2024-13 Heavy Truck.
A roll call vote was taken. Slavens aye, Mathis Aye, Roberson aye and Wagner aye. **Motion passed 4-0.**

**NEW BUSINESS**

**Public Hearing and First Reading Ordinance O-2024-XX Annexation on Hatchineha Road 20 Acres**
Town Attorney Sabatini read the title for the record.

Planner Doug Leonard presented.
**Ordinance O-2024-XX:** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON EXTENDING THE CORPORATE LIMITS OF THE TOWN SO AS TO INCLUDE ADDITIONAL TERRITORY LYING ADJACENT TO THE PRESENT BOUNDARIES OF THE TOWN OF LAKE HAMILTION, FLORIDA; DESCRIBING SAID ADDITONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. THE PROPERTY LOCATION IS 660 FEET WEST OF ALFORD ROAD ON THE NORTH SIDE OF HATCHINEHA ROAD AND CONTAINING 19.8 ACRES
**Motion made** by Slavens and a second by Mathis to approve Ordinance O-2024-XX Annexation on Hatchineha Road 20 Acres. A roll call vote was taken. Slavens aye, Mathis Aye, Roberson aye and Wagner aye. **Motion passed 4-0.**

**Public Hearing and First Reading Ordinance O-2024-XX Eagle Trace CDD**
Town Attorney Sabatini read the title for the record.
Planner Doug Leonard submitted petitions and testimony for the record.
Planner Doug Leonard, Roy Van Wyk from Kilinski and Jill Burns from Governmental Management Services presented.
**Ordinance O-2024-XX:** AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
Keith Pence commented.
**Motion made** by Slavens and a second by Roberson to approve Ordinance O-2024-XX Eagle Trace CDD.
A roll call vote was taken. Slavens aye, Mathis nay, Roberson aye and Wagner aye. **Motion passed 3-1.**

**Public Hearing and First Reading Ordinance O-2024-XX Hamilton Bluffs CDD Amendment**
Town Attorney Sabatini read the title for the record.
Planner Doug Leonard, Roy Van Wyk from Kilinski and Jill Burns from Governmental Management Services presented.
Roy Van Wyk from Kilinski submitted petitions and testimony for the record.
**Ordinance O-2024-XX:** AN AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 5 OF ORDINANCE O-22-06 THAT ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BY ADDING APPROXIMATELY 398 ACRES OF LAND THERETO PURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF EXHIBIT A TO ORDINANCE O-22-06, TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**Motion made** by Roberson and a second by Slavens to approve Ordinance O-2024-XX Hamilton Bluffs CDD Amendment.
A roll call vote was taken. Slavens aye, Mathis nay, Roberson aye and Wagner aye. **Motion passed 3-1.**

**Public Hearing and First Reading Ordinance O-2024-XX Animal**
Town Attorney Sabatini read the title for the record.
Town Attorney Sabatini presented.
**Ordinance O-2024-XX:** AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 6-7 OF THE CODE OF ORDINANCES RELATING TO NUISANCE ANIMALS; AMENDING SECTION 6-11 OF THE CODE OF ORDINANCES RELATING TO LIMITS ON PET POPULATION; PROVIDING FINDINGS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
Keith Pence commented.
**Motion made** by Roberson and a second by Slavens to approve Ordinance O-2024-XX Animal with changes to 6 or more animals for citation.
All in Consensus. **Motion passed 4-0.**

**Consideration of Bid addendum for Building Addition Project**
Town Administrator Sandoval presented
Staff became aware that the civil engineering for the building addition was not included in the bid from WCM. Staff is open to discuss possible options to move forward.
**Motion made** by Mathis and a second by Slavens to approve the request to approve Bid addendum for Building Addition Project in the amount of $23,000.
All in Consensus. **Motion passed 4-0.**

**New Trucks for Public Works and Utilities**
Public Works Director Henry presented.
The Town has the need for additional vehicles to support the growing staff. In the budget of both Public Works and Utilities we have sufficient resources to support the purchase of (4) new trucks. The request of Council is to recommend staff to outright purchase or use financing with Bancorp Commercial Leasing?
**Motion made** by Mathis and a second by Slavens to approve request to purchase new trucks vehicles by buying 2 vehicles and leasing 1 vehicle.
All in Consensus. **Motion passed 4-0.**

**STAFF REPORTS:**
**Town Administrator-** Town Administrator Sandoval updated the Council of the new date for the tree lightening event to Friday, December 6, 2024. She also mentioned the Town double schedule between the Dundee Christmas Parade and the Davenport parade, but a solution has been scheduled. She asked the Council if they would approve to give gift cards to the Town Employees for Christmas.
The Council was all in consensus.

**Town Clerk**- Town Clerk Borja updated the Council of the upcoming events and meetings. The Florida League of Cities committee conference will be from December 4th to December 6th in Orlando. The Ridge League Dinner will be hosted by Auburndale, Thursday, December 12, 2024. The Chamber Luncheon will be Thursday, December 12, 2024, in Lake Eva Center Haines

City. She updated the Council of her upcoming FACC make up classes and IIMC conference from January 6th to the 10th in Orlando. She mentioned the Council of the Florida League of Cities Online Orientation for newly elected officials on December 9th, starting at 7pm and asked if they would be interested. She asked Council if they would like to continue and renew their bronze membership with the Northeast Chamber. She announced the date for the Staff Christmas Party on Monday December 23rd at 3pm.Town Clerk Borja requested December 26th and December 27th off.
The Council was all in consensus.

**Police Department-** Included in Packet.
**Community development**- Included in Packet
**Public Works**- Included in Packet.

**TOWN ATTORNEY COMMENTS:** The Town Attorney discussed with the Council the fallen fence in Scenic Terrance.

**COUNCIL COMMENTS:**

Roberson commented she would like the water project to be reviewed by the Town's Attorney.

Roberson commented on a citizen's concern

**ADJOURNMENT:**
**Motion made** by Mathis and a second by Roberson to adjourn the meeting at 8:046 PM. All in consensus. **Motion Passed 4-0.**

ATTEST:

_____
Marlene Wagner, Mayor

_____
Jacqueline Borja, Town Clerk

_____
Brittney Sandoval, Town Administrator

**TOWN OF LAKE HAMILTON**
**MINUTES**
**TOWN COUNCIL SPECIAL MEETING**
**MONDAY, DECEMBER 16, 2024**
**5:00 PM**

The Town Council of Lake Hamilton held a Special Meeting on Monday, December 16, 2024, at 100 Smith Ave., Lake Hamilton, FL 33851.

## CALL TO ORDER

Marlene Wagner called the meeting to order at 5:00 p.m.

## INVOCATION

The invocation was given by Cora Roberson.

## PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by all.

## ROLL CALL

Roberson, Mathis and Wagner were present. Slavens was absent.
**Staff:** Town Clerk Borja, Town Attorney Sabatini, Public Works Director Henry and Town Administrator Sabatini were present.

## SPECIAL MEETING BUSINESS

**Engineers award recommendation in the amount of $7,078,700 to Censtate.**

**Steven Elias from Pennoni presented.**
A Phase 2 Wastewater Treatment Plant Facility Bid award. Pennoni recommends Town Council's motion to approve award to Censtate in the amount of $7,078,700 to also allow staff to administer project change order approvals up to $7,896,020. This will allow staff to quickly approve change orders (as needed) to prevent any Construction delays and potential associated charges to the Town for delays while waiting to process change order approvals. It may be appropriate for staff to periodically update Council of change orders/approvals processed by Town staff during construction to keep Council appraised as applicable.
**Motion made** by Roberson and a second by Mathis to approve Engineers award recommendation in the amount of $7,078,700 to Censtate and to allow staff to administer project change order approvals up to $7,896,020. A roll call was taken, Mathis aye, Roberson aye and Wagner aye. **Motion Passed 3-0.**

**Pennoni Technical Services Addendum #1 (Phase 2 WWTF Project) in the amount of $155,000 for additional technical services.**
**Steven Elias from Pennoni presented.**
Staff recommends Addendum 1 to the Town to provide additional consulting engineering services for the referenced Project in the amount of $155,000. This Agreement describes our

scope of services to provide additional technical services during construction for the Phase 2 Wastewater Treatment Facility (WWTF) Project.
**Motion made** by Roberson and a second by Mathis to approve Pennoni Technical Services Addendum #1 (Phase 2 WWTF Project) in the amount of $155,000 for additional technical services. A roll call was taken, Mathis aye, Roberson aye and Wagner aye. **Motion Passed 3-0.**

**Pennoni Technical services addendum #1 (US 27 PS and FM Project) in the amount of $15,000 for additional bidding services (re-bidding)**
**Steven Elias from Pennoni presented.**
Addendum 1 to the Town to provide re-bid consulting engineering services for the referenced Project in the amount of $15,000. This Agreement describes our scope of services to provide additional technical services during construction of the US 27 Pump Station and Force Main Project.
**Motion made** by Roberson and a second by Mathis to approve Pennoni Technical services addendum #1 (US 27 PS and FM Project) in the amount of $15,000 for additional bidding services.
A roll call was taken, Mathis aye, Roberson aye and Wagner aye. **Motion Passed 3-0.**

**Invitation to Bid ITB-2024-6 for Water and Wastewater Lab Analysis Services**
**Public Works Director Henry presented.**
The staff is seeking Council approval to solicit an Invitation to Bid ITB-2024-6 for Lab Analysis Services for Water and Wastewater.
**Motion made** by Mathis and a second by Roberson to approve Invitation to Bid ITB-2024-6 for Water and Wastewater Lab Analysis Services.
A roll call was taken, Mathis aye, Roberson aye and Wagner aye. **Motion Passed 3-0**

**ADJOURNMENT:**
**Motion made** by Mathis and a second by Roberson to adjourn the special meeting at 5:17 PM.
**Motion passed 3-0.**

ATTEST:

_____
Marlene Wagner, Mayor

_____
Jacqueline Borja, Town Clerk

_____
Brittney Sandoval, Town Administrator

**TOWN OF LAKE HAMILTON**
**MINUTES**
**RE-BID OPENING FOR ITB BD**
**2024-04**
**FRIDAY, DECEMBER 27, 2024**
**2:00 PM**

The Re-Bid Opening for ITB BD 2024-04 SR-27 Pump Station and Force Main Improvements was conducted on Friday, December 27, 2024, at 2:00 PM, at 100 Smith Ave, Lake Hamilton, FL 33851.

## CALL TO ORDER

Town Administrator Sandoval opened the meeting at 2:00 P.M.

## ROLL CALL

The following members were present: Town Administrator Sandoval, Public Works Director Henry, Steve Elias from Penonni and Ethan Geiger from Pennoni.

## ITB BD 2024-04 RE-BID OPENING

Town Administrator Sandoval noted that there was 1 sealed bid received by the posted time. The bid was opened from MidSouth Inc in the amount of $1,933,661.80 and zero Baba Compliance Bid Deduct. The bid will be reviewed and considered.

## ADJOURNMENT:

The meeting was adjourned at 2:02 P.M.

ATTEST:

_____
Marlene Wagner, Mayor

_____
Jacqueline Borja, Town Clerk

_____
Brittney Sandoval, Town Administrator

**TOWN OF LAKE HAMILTON MINUTES**
**TOWN COUNCIL REGULAR MEETING**
**TUESDAY, OCTOBER 1ST, 2024**
**6:00 PM**

The Town Council of Lake Hamilton held a Regular Council Meeting on Tuesday, October 1, 2024, at 100 Smith Ave., Lake Hamilton, FL 33851.

## CALL TO ORDER

Mayor Wagner called the meeting to order at 6:00 p.m.

## INVOCATION

The invocation was given by Patrick Slavens.

## PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by all.

## ROLL CALL

Roberson, Slavens and Wagner were present. Mathis was absent.

**Staff:** Town Clerk Borja, Finance Director Peterson, Public Works Director Henry, Town Administrator Sandoval and Town Attorney Francesca Sabatini were present.

## MOBILITY WEEK PROCLAMTION

Presented by the Mayor.

## PRESENTATION

QUINTANA GROUP PRESENTATION
The Quintana group presented to the Town Council.
POLICE DEPARTMENT CEREMONY
The Lake Hamilton Police Department presented awards to officers and the Town Clerk Borja swore in two officers.

## CONSENT AGENDA

**Motion made** by Slavens and a second by Roberson to approve September 3, 2024, Regular Council Meeting Minutes; September 3, 2024, Budget Workshop Minutes; September 10, 2024, First Budget Hearing FY 2024-2025 Minutes; September 18, 2024, Bid Opening ITB #2024-04 Meeting Minutes; September 24, 2024, Bid Opening ITB #2024-03 Meeting Minutes; September 24, 2024, Second Budget Hearing FY 2024-2025 Minutes; Budget Amendment for Insurance and Charter Review Application Slavens.
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

## RECOGNITION OF CITIZENS

Marisol Ortega commented.

## NEW BUSINESS

**Public Hearing and First Reading Ordinance O-2024-10 Business Impact Fees**

Town Attorney Sabatini read the title for the record.
Town Administrator Sandoval presented.
**Ordinance O-2024-10:** AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING CHAPTER 1 OF THE LAKE HAMILTON CODE OF ORDINANCES, TO ADD SECTION 1-13, IMPLEMENTING THE STATE'S STATUTORY MANDATE TO PREPARE BUSINESS IMPACT ESTIMATES PRIOR TO THE ADOPTION OF PROPOSED ORDINANCES PURSUANT TO SECTION 166.041(4), FLORIDA STATUTES; PROVIDING FINDINGS; ADOPTING BUSINESS IMPACT ESTIMATE PROCEDURES, REQUIREMENTS AND EXEMPTIONS; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.
**Motion made** by Slavens and a second by Roberson to approve Ordinance O-2024-10 Business Impact Fees.
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

**Public Hearing and First Reading Ordinance O-2024-11 Annexation Hamilton 8 & 9**
Town Attorney Sabatini read the title for the record.
Town Planner Doug presented.
**Ordinance O-2024-11:** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, EXTENDING THE CORPORATE LIMITS OF THE TOWN SO AS TO INCLUDE ADDITIONAL TERRITORY LYING ADJACENT TO THE PRESENT BOUNDARIES OF THE TOWN OF LAKE HAMILTON, FLORIDA; THE PROPERTY IS LOCATED NORTH OF KOKOMO ROAD, EAST OF CROCUS PLACE IN SCENIC TERRANCE SUBDIVISION AND SOUTH OF HUGHES ROAD; DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**.**
**Motion made** by Slavens and a second by Roberson to approve Ordinance O-2024-11 Annexation Hamilton 8 & 9.
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

**Public Hearing for Resolution R-2024-18 Hamilton Bluffs Phase 1 & 2 Final Plat**
Town Attorney Sabatini read the title for the record.
Town Planner Doug presented.
**Resolution R-2024-18**: A RESOLUTION APPROVING THAT CERTAIN PLAT ENTITLED "HAMILTON BLUFF PHASES 1 AND 2" FOR FILING IN ACCORDANCE WITH CHAPTER 177, FLORIDA STATUTES; AND ESTABLISHING AN EFFECTIVE DATE.
Mayor Wagner opened the public hearing; no public comment was made. The public hearing was closed.
**Motion made** by Slavens and a second by Roberson to approve Resolution R-2024-18 Hamilton Bluffs Phase 1 & 2 Final Plat with conditionally substituting the map with exhibit "A".
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

**The Lift Station Upgrade**
In 2022 the Town approved the development of the Hamilton Bluffs Subdivision. Under the advice of Town planning and engineering it was recommended that the lift station the developer was building for their community should be upgraded to provide services to future development outside of the subdivision. The Town agreed in principle to pay for the upgrades. The Town staff has been provided the attached proposal for the upgrades for your approval. Staff recommended the approval of life station upgrades to facilitate the planned growth of the Town in the amount

$411,809.53 for lift station upgrades provide by Tucker paving with a passthrough payment from the Town to Cassidy Development. $77,068.80 Cost of rental pumps to provide working services as most of the upgraded equipment has lead times of more than one year. Rental equipment's real cost should be a lot less as provisions to provide operation without rental pumps are underway. The total cost of $488,878.33 should be paid for with collected sewer impact fees.
**Motion made** by Slavens and a second by Roberson to lift station upgrade.
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

**RFQ-2024-1 review & consideration of received bid (one bid received)**
Town Clerk Borja presented
There was a motion for the Town Clerk to draft and publish an RFQ Bid for the Town Attorney position and only one RFQ Bid was received from Sabatini Law Firm PA. The Council review and discussed the proposed bid from Sabatini Law Firm.
**Motion made** by Slavens and a second by Roberson to approve the acceptance of the proposed Town Attorney RFQ-2024-1 bid from Sabatini Law Firm without the monthly retainer fee and correction.
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

**ITB #2024-04 SR-27 Pump Station and Force Main Improvements Bid (no bids received)**
Pennoni presented.
Staff recommends the Re-bid of ITB #2024-04 SR-27 Pump Station and Force Main Improvements.
**Motion made** by Slavens and a second by Roberson to approve ITB #2024-04 SR-27 Pump Station and Force Main Improvements to Re-Bid.
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

**The Parks & Recreation Advisory board recommendations**
Town Administrator Sandoval presented
The Town Council reviewed and discussed the recommendations made by the Parks & Recreation Advisory Board. The Council agreed to close Scenic Hwy from Smith Ave to Kokomo Rd for the MLK parade route.
Frances Cruz commented.
**Motion made** by Slavens and a second by Roberson to approve the Town of Lake Hamilton to continue to work with JT Community Revitalization & Corporations for the Martin Luther King parade and to waive the Special Event Ordinance Application to allow the event annually on the last Saturday of January.
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

**The approval to purchase agenda software**
Town Clerk presented to Council.
Staff recommends the approval of the agenda software proposal from Granicus.
**Motion made** by Slavens and a second by Roberson to approve the agenda software proposal from Granicus with the updated version.
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

**The CGA Property Acquisitions**
Town Administrator Sandoval presented.
There were previous discussions with Dundee CGA regarding the Town possibly acquiring the

property located on 2nd Street east of Bruce Martin Park. Town staff had a meeting with the representative from Dundee CGA regarding said acquisition. Staff recommended looking into the possibility of negotiating with Dundee CGA to acquire said lot for future stormwater needs for the Town.
**The Town Council discussed the item.**

**The Consider request for exception of height limits for Port 27 located at 30928 U.S. Hwy 27 South**
Marissa from Central Florida Regional Planning Council presented
The approved Port 27 site plans include the construction of a lighthouse on the site. The plans did not include a height for the lighthouse. The C-1 zoning district has a height requirement of 35 feet. Section 16-137 permits the Town Council to approve a taller height limit for items such as "chimney, water, fire, radio and television tower, church spire, dome, cupola, cooling tower, elevator bulkhead, smokestack, flagpole, parapet wall and similar structures and their necessary mechanical appurtenances". Request for approval of the town council to be located above the established height limits for the construction of a 57-foot-tall lighthouse on the Port 27 property located at 30928 U.S. Hwy. 27 South.
**Motion made** by Slavens and a second by Roberson to approve the request for exception of height limits for Port 27 located at 30928 U.S. Hwy 27 South.
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

**Public Hearing for Resolution R-2024-19 SFR Loan Application**
Town Attorney Sabatini read the title for the record.
Public Works Director Henry presented.
**Resolution R-2024-19**: A RESOLUTION APPROVING THAT CERTAIN PLAT ENTITLED "HAMILTON BLUFF PHASES 1 AND 2" FOR FILING IN ACCORDANCE WITH CHAPTER 177, FLORIDA STATUTES; AND ESTABLISHING AN EFFECTIVE DATE.
Mayor Wagner opened the public hearing; no public comment was made. The public hearing was closed.
**Motion made** by Slavens and a second by Roberson to approve Resolution R-2024-19 SFR Loan Application Lead Service Line Inventory.
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

**STAFF REPORTS:**
**Town Administrator-** Town Administrator Sandoval reported to Council the job openings for the new fiscal year have been posted. She mentioned the staff is working hard to close the fiscal year. She mentioned starting December, the Council will start receiving quarterly reports. Also, on October 9, 2024, there will be a wastewater bid opening for the water facility project. She mentioned the date for the Employee's appreciation lunch will be on October 7th, 2024, at 1:00pm at the Winter Haven Olive Gardens for both staff and Council to join. For all the employees to attend, Town Hall will be closed at 1:00 pm. She asked Council if they could attend, they all said yes. She reiterated to Council for the Trunk or Treat event; the Police Department will be in charge of planning and receiving donations for the event. The Town will provide a notice for residents for the time the Town Hall will be closed for the Employee Lunch Appreciation. She also mentioned the 39 Mile Yard Event is usually handled by the building department, and if there are residents who want to participate to contact Shawna from the building department.

**Town Clerk**- Town Clerk Borja updated the Council of the upcoming events and meetings. Florida League of Cities committee will be on Friday Oct. 4th, 2024, in Orlando. The Polk State

College Groundbreaking in Davenport will be on Wednesday, October 9th, 2024, at 10 am. The Chamber Luncheon Chamber will be in Lake Eva Haines City on Thursday, October 10, 2024. Slavens, Wagner and Roberson said they will attend. The Ridge League Dinner will be in Winter Haven Thursday, Oct 10, 2024. Slavens, Roberson and Wagner said they will attend. She also updated the council that she would be out of the office for the Clerk Conference in Lake Mary from October 13- 17.

**Police Department-** Included in Packet.
**Community development**- Included in Packet
**Public Works**- Included in Packet.

**TOWN ATTORNEY COMMENTS:** The Town Attorney commented that the Town can legally impose fines for heavy trucks per the Ordinance.

**COUNCIL COMMENTS:**

Council Member Roberson asked the Attorney to investigate what actions the Town can take regarding loosed dogs in the Town.

**Motion made** by Roberson and a second by Slavens to approve to increase the Town Clerk's salary to $75,000 effective today October 1, 2024.
A roll call vote was taken. Slavens aye, Roberson aye and Wagner aye. **Motion passed 3-0.**

**ADJOURNMENT:**
**Motion made** by Slavens and a second by Roberson to adjourn the meeting at 8:26 PM. All in consensus. **Motion Passed 3-0.**

ATTEST:

_____
Marlene Wagner, Mayor

_____
Jacqueline Borja, Town Clerk

_____
Brittney Sandoval, Town Administrator

# TOWN OF LAKE HAMILTON
# ADVISORY BOARD
# APPLICATION

RECEIVED 12/12/24

*Select One Advisory Board:* ☑

☑ *Planning and Zoning Board* ☐ *Charter Review Committee*
☐ *Zoning Adjustments & Appeals Board* ☐ *Parks & Recreation Advisory Board*

***ONLY Lake Hamilton Residents shall be appointed to Town Advisory Boards.***

*Name:* Carmen R. Demanche *Email:* charyd1@gmail.com
*Physical Address:* 3150 Crump Road
*Mailing Address:* 3150 Crump Road, Winter Haven, 33881-9066
*Home Phone #:* _____ *Cell #:* 443-896-0666
*Employer:* _____

***Please answer the following Questions:***

*Are you a resident in the Town of Lake Hamilton?* *Yes* ☑ *No* ☐
*Are you currently a Homeowner* ☑ *or Renter* ☐ *in the Town of Lake Hamilton?*
*Are you a registered voter in the Town of Lake Hamilton?* *Yes* ☑ *No* ☐
*How long have you lived in Lake Hamilton? Years/Months:* _____
*Are you currently or have you ever served on any government Advisory Board?* *Yes* ☐ *No* ☑
*If yes, which government agency?* _____
*Are you currently employed by a government agency?* *Yes* ☐ *No* ☑
*If yes, which government agency?* _____
*Have you ever been convicted of a felony?* *Yes* ☐ *No* ☑
*If yes, please provide documentation of restoration of rights from the state clemency board.*

***Please note:*** *Per Florida Statutes 112.3145, any individual appointed to an advisory board within a municipality shall be required to submit a Disclosure of Financial Interest Statement, CE Form 1, annually to the Supervisor of Elections of Polk County on or before July 1st of each year.*

*Applicant's Signature:* Carmen R. Demanche *Date:* December 12/2024

*When completed and filed with the Town Clerk's Office, this document is a public record under Chapter 119, Florida Statutes, and therefore is open to public inspection.*

**Return form to: Town Clerk's Office**
**Town Hall**
**100 Smith Avenue - P.O. Box 126**
**Lake Hamilton Florida, 33851**

## *OFFICE USE ONLY*

*Mayor's recommendation for applicant to serve on selected advisory board?* *Yes* ☐ *No* ☐

*Adviory Board Appointment:* _____ ☐ *Appointment* ☐ *Reappointment*

*Date of Appointment:* _____ ☐ *Primary* ☐ *Alternate*

*Mayor's Signature* _____ *Date* 1/7/25

# Town of Lake Hamilton
## Town Council
## Agenda Summary Report

**TO:** Lake Hamilton Town Council

**THROUGH:** Brittney Sandoval, Town Administrator

**FROM:** Doug Leonard, Consultant Community Development Director

**AGENDA ITEM:** Ordinance O-2024-xx for Annexation on Hatchineha Road

**DATE:** November 21, 2024

**SUMMARY & RECOMMENDATION**: This property is located on the north side of Hatchineha Road approximately 660 feet west of Alford Road. It is adjacent to the Town's corporate boundary on the east and across Hatchineha Road to the south. Staff is requesting that Council approve

**CONSENT AGENDA** ☐ **OLD BUSINESS** ☐ **NEW BUSINESS** ☐

**ATTORNEY REVIEW:** YES: ☐ NO: ☐ N/A: ☐

**FINANCIAL IMPACT:** YES: ☐ NO: ☐ If Yes, Please Explain: Provide a brief description of costs or financial impacts to the Town. If this is requesting an item that is not budgeted for, please attach a budget amendment form.

**RECOMMENDATION:** Approval on First Reading

**ATTACHMENTS:** Ordinance containing location map

# ORDINANCE O-2024-14

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON EXTENDING THE CORPORATE LIMITS OF THE TOWN SO AS TO INCLUDE ADDITIONAL TERRITORY LYING ADJACENT TO THE PRESENT BOUNDARIES OF THE TOWN OF LAKE HAMILTION, FLORIDA; DESCRIBING SAID ADDITONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. THE PROPERTY LOCATION IS 660 FEET WEST OF ALFORD ROAD ON THE NORTH SIDE OF HATCHINEHA ROAD AND CONTAINING 19.8 ACRES.**

**WHEREAS,** a petition to integrate territory into the Town of Lake Hamilton has been filed requesting the Town extend its corporate limits to include certain property herein described; and

**WHEREAS** the Town of Lake Hamilton deems it expedient and practical to incorporate said territory as the same is in conformity with overall long range plans for extending the boundaries of the Town; and

**WHEREAS,** the property herein described is contiguous and adjacent to the corporate limits of the Town of Lake Hamilton, and the property will become a part of the unified corporate area with respect municipal services and benefits.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AS FOLLOWS:**

1. That the Town Council of the Town of Lake Hamilton does hereby annex into the corporate limits of the Town of Lake Hamilton, Florida, one parcel of land owned by Ash Chemical, LLC and consisting of a total of 19.8 acres, identified and described as follows:

   **Parcel Number: 272815-000000-022020** and described as the west one-half of the Southeast Quarter of the Southeast Quarter of Section 15, Township 28 South, Range 27 East, LESS AND EXCEPT (State Road E-542) road right-of-way, Polk County, Florida.

2. The town boundaries of the Town of Lake Hamilton are hereby redefined to include the parcel of land described above and in accordance with Exhibit "A" hereto attached

and made a part of the Ordinance.

**3.** All ordinances in conflict herewith are hereby repealed.

**4.** 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 provision and portions of this ordinance shall remain in full force and effect.

**5.** This ordinance shall take effect upon adoption.

INTRODUCED on first reading this ___day of _____, 2024.

PASSED on second reading this _____day of _____, 2024.

TOWN OF LAKE HAMILTON, FLORIDA

_____
MARLENE M. WAGNER, MAYOR

ATTEST:

_____
JACQUELINE BORJA, TOWN CLERK

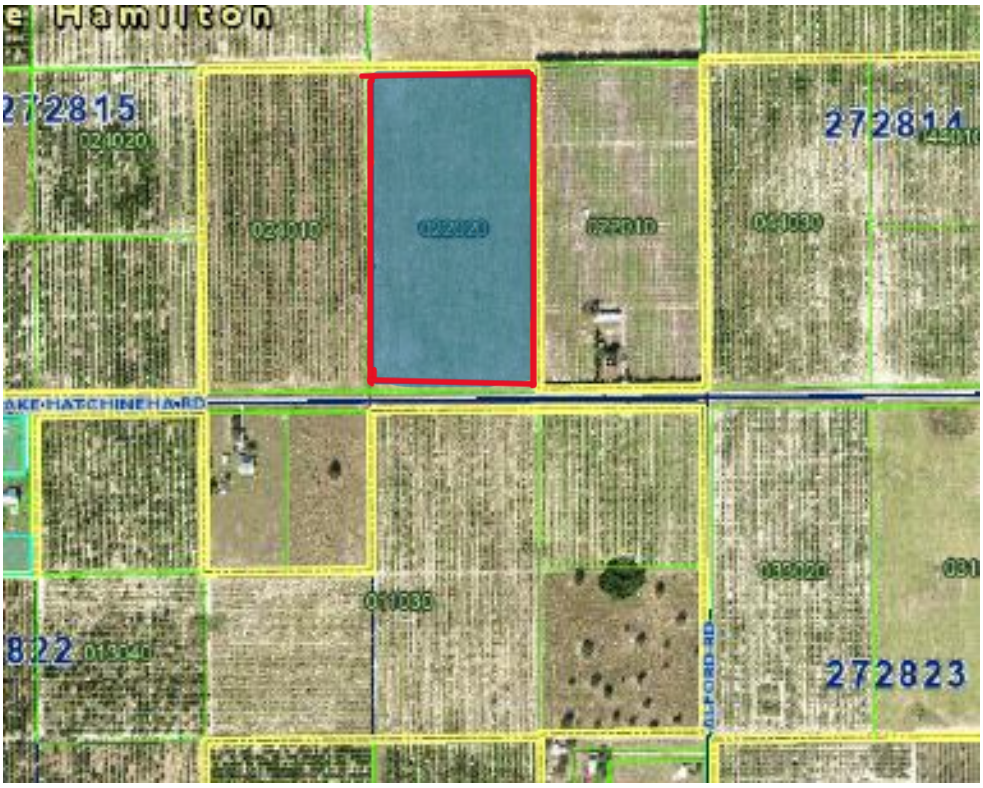
Approved as to form:

_____
ANTHONY SABATINI, TOWN ATTORNEY

| Record of Vote | Yes | No |
|---|---|---|
| Wagner | _____ | _____ |
| Roberson | _____ | _____ |
| Tomlinson | _____ | _____ |
| Slavin | _____ | _____ |
| Kehoe | _____ | _____ |

**MAP A**

**PROPERTY LOCATION**



# Town of Lake Hamilton
## Town Council
## Agenda Summary Report

**TO:** Lake Hamilton Town Council

**THROUGH:** Brittney Sandoval, Town Administrator

**FROM:** Doug Leonard/Interim Senior Planner

**AGENDA ITEM:** **Ordinance O-2024-XX** Eagle Trace CDD Establishment – 1st Read

**DATE:** December 3, 2024

**SUMMARY & RECOMMENDATION**: Staff is requesting that Council approve the Petition to establish Eagle Trace Community Development District. Please see Exhibit "A"

**CONSENT AGENDA** ☐ **OLD BUSINESS** ☐ **NEW BUSINESS** ☐

**ATTORNEY REVIEW:** YES: ☐ NO: ☐ N/A: ☐

**FINANCIAL IMPACT:** YES: ☐ NO: ☐

**RECOMMENDATION:** None

**ATTACHMENTS:** None

# ORDINANCE O-2024-15

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** Cassidy Land Development, LLC, a Florida limited liability company ("Petitioner"), has filed a Petition to Establish the Eagle Trace Community Development District (the "Petition") with the Town Council of the Town of Lake Hamilton (the "Town Council") pursuant to Section 190.005(2)(a), *Florida Statutes,* to adopt an ordinance establishing the Eagle Trace Community Development District (the "District") pursuant to Chapter 190, *Florida Statutes*; and

**WHEREAS,** Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida, whose address is 346 East Central Ave, Winter Haven, Florida 33880; and

**WHEREAS,** the owners of one hundred percent (100%) of the real property to be included in the District have consented to the establishment of the District; and

**WHEREAS,** all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the Town Council on January 7, 2025, pursuant to Section 190.005(2)(b), *Florida Statutes;* and

**WHEREAS,** upon consideration of the record established at that duly noticed hearing, the Town Council has considered the record of the public hearing and the statutory factors set forth in

section 190.005(2)(c), *Florida Statutes*, in making its determination to grant or deny the Petition; and

**WHEREAS,** the Town Council, pursuant to the information contained within the Petition and based on an investigation conducted by staff and otherwise being fully advised as to the facts and circumstances contained within the request of the District, finds as follows:

(1) The statements within the Petition are true and correct; and

(2) The Petition is complete in that it meets the requirements of Section 190.005(2)(a), *Florida Statutes*; and

(3) The appropriate Town of Lake Hamilton staff have reviewed the Petition for establishment of the District on the proposed land and have advised the Town Council that said Petition is complete and sufficient; and

(4) Establishment of the District by this Ordinance is subject to and not inconsistent with any applicable element or portion of the state comprehensive plan or the Town Comprehensive Plan; and

(5) The area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community; and

(6) The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and

(7) The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

(8) The area that will be served by the District is amenable to separate special-district

government.

**WHEREAS,** pursuant to the information stated above, the Town Council has decided to grant the Petition to establish the Eagle Trace Community Development District; and

**WHEREAS,** establishment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition; and

**WHEREAS,** the establishment of the District shall not act to amend any land development approvals governing the land area to be included within the District; and

**WHEREAS,** upon the effective date of this Ordinance, the Eagle Trace Community Development District, as created by general law, will be duly and legally authorized to exist on the proposed property and to exercise all of its general and special powers as limited by law.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA:**

**SECTION 1. TITLE.** This Ordinance shall be known and may be cited as the "Eagle Trace Community Development District Establishment Ordinance."

**SECTION 2. BOARD FINDINGS.** The Board findings set forth in the recitals to this Ordinance are hereby incorporated in this Ordinance.

**SECTION 3. AUTHORITY.** This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes.*

**SECTION 4. CREATION OF DISTRICT; DISTRICT NAME.** The Petition filed to create the Eagle Trace Community Development District is hereby granted and there is hereby created a community development district, which is situated within the Town of Lake Hamilton, Florida, which District shall be known as the "Eagle Trace Community Development District."

**SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT.** The external boundaries of the District are described in Exhibit A attached hereto and incorporated by reference, the overall boundaries encompassing 186.71 acres, more or less. There are no parcels within the external boundaries of the District that are to be excluded from the District.

**SECTION 6. FUNCTIONS AND POWERS.** The District is limited to the performance of those powers and functions as described in Chapter 190, *Florida Statutes.* The District is also authorized to exercise additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: parks and facilities for indoor and outdoor recreational, cultural, and educational uses as authorized and described in Section 190.012(2)(a), *Florida Statutes;* and security powers, including but not limited to guardhouses, fences and gates, and electronic intrusion detection, as authorized and described in Section 190.012(2)(d), *Florida Statutes.* In the exercise of its powers, the District shall comply with all applicable governmental laws, rules, regulations and policies including, but not limited to, all Town ordinances and policies governing land planning and permitting of the development to be served by the District. The District shall not have any zoning or permitting powers governing land development or the use of land. No debt or obligation of the District shall constitute aburden on any local general-purpose government.

**SECTION 7. BOARD OF SUPERVISORS.** The five persons designated to serve as initial members of the District's Board of Supervisors are as follows: Warren K. Heath, Jessica Spencer, Lindsey Roden, Bobbie Henley, and Lauren O. Schwenk. All of the above-listed persons are residents of the state of Florida and citizens of the United States of America.

**SECTION 8. SEVERABILITY.** If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be illegal, invalid, or unenforceable, such provision shall be deemed severable and the remaining provisions shall continue

remain in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

**SECTION 9. EFFECTIVE DATE.** This Ordinance shall be effective immediately upon adoption.

**INTRODUCED AND PASSED on first reading at the regular meeting of the Town Council of Lake Hamilton, Florida, held this 3rd day of December 2024.**

**PASSED AND ADOPTED on second reading at the regular meeting of the Town Council of Lake Hamilton, Florida, held this 7th day of January 2025.**

TOWN COUNCIL OF LAKE HAMILTON FLORIDA

BY: _____
Marlene Wagner, Mayor

ATTEST:

By: _____
Jacqueline Borja, Town Clerk

APPROVED AS TO FORM:
By: _____
Anthony Sabatini, Esq., Interim Town Attorney

| Record of Vote | Yes | No |
|---|---|---|
| Roberson | ___ | ___ |
| Slavens | ___ | ___ |
| Wagner | ___ | ___ |
| Mathis | ___ | ___ |

**EXHIBIT A**
**LEGAL DESCRIPTION**

A PORTION OF SECTION 22, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 22; THENCE N89°18'33"E, ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 22, A DISTANCE OF 662.35 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22; THENCE S00°21'01"E, ALONG SAID WEST LINE, A DISTANCE OF 666.06 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22; THENCE N89°20'54"E, ALONG SAID SOUTH LINE, A DISTANCE OF 662.15 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22 ; THENCE N00°20'00"W, ALONG SAID EAST LINE, A DISTANCE OF 666.52 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 22; THENCE N89°18'33"E, ALONG SAID NORTH LINE, A DISTANCE OF 1324.69 FEET TO THE NORTHEAST CORNER OF SAID SECTION 22; THENCE DEPARTING SAID NORTH LINE RUN S00°17'59"E ALONG THE EAST LINE OF SAID SECTION 22, A DISTANCE OF 667.42 FEET; THENCE DEPARTING SAID EAST LINE RUN S89°20'54"W, A DISTANCE OF 15.00 FEET; THENCE S00°17'59"E, A DISTANCE OF 652.41 FEET; THENCE S89°23'16"W, A DISTANCE OF 646.95 FEET; THENCE S00°18'59"E, A DISTANCE OF 15.00 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22; THENCE S89°23'16"W, ALONG SAID SOUTH LINE, A DISTANCE OF 661.95 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22; THENCE S89°23'16"W, ALONG SAID SOUTH LINE, A DISTANCE OF 661.95 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22;THENCE S00°21'01"E, ALONG SAID WEST LINE, A DISTANCE OF 666.06 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22; THENCE S89°25'37"W, ALONG SAID NORTH LINE, A DISTANCE OF 661.75 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 22; THENCE S89°23'43"W, ALONG SAID SOUTH LINE, A DISTANCE OF 1324.48 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE S00°21'23"E, ALONG SAID WEST LINE, A DISTANCE OF 458.58 FEET; THENCE DEPARTING SAID WEST LINE, RUN S89°38'46"W, A DISTANCE OF 401.70 FEET; THENCE S00°00'00"E, A DISTANCE OF 188.51 FEET; THENCE S89°24'17"W, A DISTANCE OF 259.42 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE N00°21'03"W, ALONG SAID WEST LINE A DISTANCE OF 295.28 FEET; THENCE DEPARTING SAID WEST LINE, RUN S89°22'51"W, A DISTANCE OF 125.00 FEET; THENCE N00°21'03"W, A DISTANCE OF 25.03 FEET; THENCE N89°23'43"E, A DISTANCE OF 125.00 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE N00°21'03"W, ALONG SAID WEST LINE, A DISTANCE OF 175.00 FEET; THENCE DEPARTING SAID WEST LINE, RUN S89°23'43"W, A DISTANCE OF 125.00 FEET; THENCE N00°21'03"W, A DISTANCE OF 149.97 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE S89°24'48"W, ALONG SAID NORTH LINE, A DISTANCE OF 98.00 FEET; THENCE DEPARTING SAID NORTH LINE, RUN S00°21'03"E, A DISTANCE OF 645.24 FEET; THENCE S89°24'17"W, A DISTANCE OF 439.30 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE N00°20'43"W, ALONG SAID WEST LINE, A DISTANCE OF 1310.34 FEET TO A POINT ON THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22 ; THENCE N89°23'09"E, ALONG SAID SOUTH LINE, A DISTANCE OF 662.18 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE N00°21'03"W, ALONG SAID WEST LINE, A DISTANCE OF 1330.56 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE N89°22'01"E, ALONG SAID NORTH LINE, A DISTANCE OF 1324.10 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAS T 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE S00°21'43"E, ALONG SAID WEST LINE, A DISTANCE OF 665.50 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE N89°22'35"E, ALONG SAID SOUTH LINE, A DISTANCE OF 662.11 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22; THENCE N00°22'02"W, ALONG SAID EAST LINE, A DISTANCE OF 665.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 8,132,926 SQUARE FEET OR 186.71 ACRES MORE OR LESS.

BEFORE THE TOWN COUNCIL OF THE
TOWN OF LAKE HAMILTON, FLORIDA

IN RE: PETITION TO ESTABLISH THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT )

**AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY**

STATE OF FLORIDA
COUNTY OF Polk

I, Warren K. (Rennie) Heath, II, of Cassidy Land Development, LLC, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.

2. My name is Warren K. (Rennie) Heath, II, and I am the authorized representative of Cassidy Land Development, LLC ("Petitioner").

3. The prepared written, pre-filed testimony consisting of six (6) pages, submitted under my name to the Town Council of the Town of Lake Hamilton, Florida relating to the Petition to Establish the Eagle Trace Community Development District, as supplemented ("Petition"), and attached hereto, is true and correct.

4. If I were asked the questions contained in the pre-filed testimony orally at the Eagle Trace Community Development District establishment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.

5. My credentials, experience and qualifications concerning the Petition, its exhibits and the reasons for establishing he District are accurately set forth in my pre-filed testimony.

6. My pre-filed testimony addresses the various statutory requirements and an overview of the proposed development within the boundaries of the District.

7. No corrections or amendments to my pre-filed testimony are required.

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 8th day of November 2024.

Warren K. Heath, II

STATE OF FLORIDA
COUNTY OF Polk

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 8th of November 2024, by Warren K. Heath, II, who is personally known to me or who has produced _____ as identification.

Notary Public State of Florida
Bobbie Henley
My Commission
HH 191373
Exp. 2/17/2026

Bobbie Henley
(Official Notary Signature & Seal)
Name: Bobbie Henley
Personally Known 1
OR Produced Identification _____
Type of Identification _____

# TESTIMONY OF WARREN K. (RENNIE) HEATH, II FOR ESTABLISHMENT OF THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT

**1. Please state your name and business address.**

My name is Warren K. "Rennie" Heath. My business address is 346 E. Central Ave., Winter Haven, Florida 33884.

**2. By whom are you employed and in what capacity?**

I am Senior Vice President of Development and Government Relations for Cassidy Land Development, LLC. I have over 40 years of experience in land development and land entitlements with various entities..

**3. Briefly summarize your duties and responsibilities.**

I am responsible for the overall management of permitting, design, land use and entitlements for all of the developments for the above entity.

**4. Briefly describe your educational background.**

I hold a Bachelor of Arts Degree in Business with a minor in Economics from the University of South Florida.

**5. Who is the Petitioner in this proceeding?**

The petitioner is Cassidy Land Development, LLC ("Petitioner").

**6. Are you familiar with the Petition filed by the Petitioner seeking the establishment of a community development district?**

Yes. I assisted in the preparation of the petition filed on October 4, 2024, with the Town of Lake Hamilton, Florida (the "Town") and accompanying exhibits (the "Petition") and worked with members of the consultant team we hired to prepare the filing. I reviewed the Petition and exhibits prior to its filing.

**7. What is the proposed name of the District**?

The proposed name is the Eagle Trace Community Development District ("District").

**8. Have you reviewed the contents of the Petition and approved its findings?**

Yes, I have.

**9. Are there any changes or corrections to the Petition at this time?**

No.

**10. Are there any changes or corrections to any of the exhibits submitted to the Town at this time?**

No.

**11. Please generally describe each of the exhibits attached to the Petition.**

Exhibit 1 is the map showing the general location of the proposed District.

Composite Exhibit 2 is the metes and bounds description of the external boundary of the proposed District and a sketch showing the proposed boundary.

Composite Exhibit 3 are the Consents of Landowners to CDD Establishment which together represent the consent of one hundred percent (100%) of the owners of the lands to be included within the District.

Exhibit 4 contains a map depicting the existing use for the lands contained in the proposed District and surrounding areas.

Exhibit 5 contains a map depicting the distribution, location, and extent of the public and private land uses proposed for the District by the future land use plan element of the Town's Future Land Use Plan.

Exhibit 6 contains a map identifying the location of existing major trunk water mains and proposed sewer interceptors within the currently undeveloped lands proposed to be included within the District.

Composite Exhibit 7 contains a list of the facilities and services the proposed District is expected finance, fund, construct, acquire and/or install, as well as the anticipated entity responsible for the ownership and maintenance thereof in addition to the estimated costs of construction the infrastructure serving the land within the proposed District.

Exhibit 8 is the Statement of Estimated Regulatory Costs ("SERC"), required by statute.

Exhibit 9 is the authorization of agent form, which authorizes Roy Van Wyk, Esq. to act as agent for the Petitioner.

**12. Were these Exhibits attached to the Petition prepared by you or under your supervision?**

Yes.

**13. Are the contents of the Petition and the Exhibits, attached to it and referenced above true and correct to the best of your knowledge?**

Yes.

**14. Are you familiar with the area that is proposed to be included within the District?**

Yes, I am familiar with the general area and the site specifically.

**15. Approximately how large is the proposed District in acres?**

The proposed District is located entirely within the Town of Lake Hamilton, Florida, which is situated within Polk County. The proposed District covers approximately 186.71 acres of land, more or less.

**16. What steps were taken with respect to filing the Petition with the Town?**

On or around October 4, 2024, the Petitioner filed the Petition with the Town.

**17. Has notice of the hearing been provided in accordance with Section 190.005, Florida Statutes?**

Yes. A notice of hearing is being published in The Business Observer, a newspaper of general circulation in Polk County and of general interest and readership in the community, on December 13th, 20th, and 27th of 2024 and January 3rd of 2025, for the four (4) consecutive weeks immediately preceding the hearing. Proof of publication has been requested and will be available by the time of the establishment hearing.

**18. Who are the five persons designated in the Petition to serve as the initial Board of Supervisors?**

The five persons include: myself, Lauren Schwenk, Jessica Spencer, Bobbie Henley, and Lindsey Roden.

**19. Do you know each of these individuals personally?**

Yes, I do.

**20. Are each of the persons designated to serve as the initial Board of Supervisors residents of the State of Florida and citizens of the United States?**

Yes, they are.

**21. Are there residential units planned for development within the proposed District?**

Yes. There are approximately 1221 residential units planned for development within the proposed District, which are anticipated to be constructed in one phase beginning in 2025 and ending in 2028.

**22. Are there residents currently living within the areas to be included within the District, and, if so, have they been notified about the creation of the District?**

No, there are no residents currently living within the areas to be included within the District.

**23. What steps will be taken to ensure that prospective purchasers of the District receive notice of the existence of the District and its assessments?**

There are certain state law disclosure requirements that all community development districts ("CDDs") must meet.

First, within thirty (30) days of the establishment of the District, a Notice of Establishment is required to be recorded in the property records. The notice contains a legal description of the boundaries of the District and discloses, as required by Section 190.0485, *Florida Statutes*, through inclusion of the bold-faced language set forth in the paragraph immediately below, that the District may levy assessments. The document also provides contact information for members of the public to obtain more information about the District. This document should appear on a title search typically prepared when someone intends to purchase a home after a District has been established.

Second, Section 190.048, *Florida Statutes*, requires certain contractual language to appear in bold-faced and conspicuous type immediately prior to the signature line on every initial purchase contract. The following language will be required: **The Eagle Trace Community Development District may impose and levy taxes or assessments, or both taxes and assessments, on this property. These taxes and assessments pay the construction, operation, and maintenance costs of certain public facilities and services of the District and are set annually by the governing board of the District. These taxes and assessments are in addition to county and other local governmental taxes and assessments and all other taxes and assessments provided for by law.**

Third, when assessments are levied for the first time or when previously levied assessments are increased, notice of a public hearing is required to be given by publication in a local newspaper and by mail to all property owners within the District. The assessments are then considered at a public hearing.

Fourth, the District will be required to adopt and record in the Polk County Public Records a Disclosure of Public Financing and Maintenance of Public Improvements. This Disclosure summarizes the financing plan the District has undertaken, the existence, if any, of capital and operation and maintenance assessments, and the facilities and services that the District provides and maintains. This Disclosure is then provided by the District to the developer to satisfy the requirements of Section 190.009, *Florida Statutes*, and is also available for inspection by residents and prospective residents.

**24. Would you please describe the proposed timetable for development of land within the proposed District?**

It is anticipated that the District improvements will be made, acquired, constructed and/or installed from 2025-2028.

**25. Has all of the developable land within the proposed District been planned as a single community?**

Yes, the developable land, along with the master infrastructure to be maintained by the proposed District that will service the developable land, although anticipated to be constructed in multiple phases, is planned as a single community.

**26. Would you generally describe the services and facilities you currently expect the proposed District to provide?**

The Petitioner presently intends for the District to be involved in providing the following services and facilities: stormwater management system, offsite improvements, water, sewer and street lighting improvements, entry features and signage, recreation features and amenities, and related improvements. The facilities are outlined in Composite Exhibit 7 of the Petition.

**27. Did you cause the cost estimates identified in Composite Exhibit 7 to be prepared?**

Yes, the cost estimates were prepared under my supervision and direction.

**28. What methods were used to estimate these costs?**

The estimates are based on research regarding historical costs of constructing similar infrastructure and current market conditions.

**29. In your opinion, are the cost estimates for the facilities for the proposed District reasonable?**

Yes, to the best of my knowledge and based on the information available.

**30. In general, what financing methods does the Petitioner propose the District may use to pay for the anticipated facilities and services?**

Petitioner presently expects that the District will finance facilities and services through the issuance of tax-exempt bonds, special assessments and through other available financing mechanisms. The debt issued by the proposed District is expected to be retired by non-ad valorem assessments (also known as “special assessments”) on benefitted property within the proposed District. Ongoing maintenance and operation of the District and its facilities and services are expected to be funded by non-ad valorem special assessments. Any

facilities not financed with a bond issue may be funded by the developer using conventional financing options.

**31. Who will be responsible for paying the proposed District's assessments?**

Only current property owners and those who choose to acquire property within the proposed District will be responsible for paying District assessments.

**32. Will these proposed District debts be an obligation of the Town, County, or the State of Florida?**

No. The debts will be solely the District's obligation and secured by non-ad valorem assessments levied against property owners. Florida law provides that CDD debt cannot become the obligation of a county, a city or town, or the state without the consent of that government.

**33. Why is the Petitioner seeking to have a CDD established for this area?**

There are hundreds of CDDs throughout the State of Florida. CDDs are an efficient, effective way to provide infrastructure and have become accepted in the marketplace to homebuyers. CDDs have the ability to assist in the streamlined and efficient maintenance and operation of infrastructure and services to developing communities.

From our perspective, the establishment of a CDD is logical for this project. It provides a long-term, stable, financially secure entity. The proposed District is a structured, formal entity with the legal ability to respond to future changes in the circumstances and desires of its residents. Under Florida law, the proposed District has access to Polk County's tax collection mechanisms, which helps ensure that the facilities will be maintained. In that sense, it is preferable over control by a property owners association.

Additionally, a CDD has the ability to enter into interlocal agreements with other government entities. These allow a CDD to work with other government entities to complete projects that benefit residents within the CDD boundaries while also assisting local governments in completing infrastructure necessary to serve growth.

A CDD has the financial capability to assist in the provision of necessary capital improvements sooner than may otherwise be the case. The Town, developers, builders and residents will all benefit from these improvements in terms of access, traffic flow, safety and general property enhancement. Additionally, a CDD is the entity preferred by many regulatory agencies, including many water management districts, to operate and maintain the stormwater management and other similar systems. This is because the CDD is a perpetual entity, operating in open meetings, with the financial ability to ensure that the maintenance of these important environmental facilities and amenities is accomplished. Given the nature of this project, in my opinion, a CDD is a logical, prudent, and desirable way to ensure this needed infrastructure is maintained.

**34. Does this conclude your testimony?**

Yes.

BEFORE THE TOWN COUNCIL OF THE
TOWN OF LAKE HAMILTON, FLORIDA

IN RE: PETITION TO ESTABLISH THE )
EAGLE TRACE COMMUNITY )
DEVELOPMENT DISTRICT )

**AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY**

STATE OF FLORIDA
COUNTY OF ORANGE

I, Reinardo (Rey) Malave, P.E., being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.

2. My name is Reinardo (Rey) Malave, P.E., and I am employed by Dewberry Engineers Inc. as an Associate Vice President and Department Manager, Municipal Engineering.

3. The prepared written pre-filed testimony consisting of ten (10) pages, submitted under my name to the Town Council of the Town of Lake Hamilton, Florida, relating to the Petition to Establish Eagle Trace Community Development District and attached hereto, is true and correct.

4. If I were asked the questions contained in the pre-filed testimony orally at the Eagle Trace Community Development District establishment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.

5. My credentials, experience, and qualifications concerning land development and the construction of public infrastructure as a professional engineer and related matters are accurately set forth in my pre-filed testimony.

6. My pre-filed testimony generally addresses the nature of the proposed development plan of public infrastructure of the Eagle Trace Community Development District.

7. No corrections or amendments to my pre-filed testimony or the Petition and its exhibits are required.

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 11 day of November 2024.

Reinardo Malave, P.E.

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 11th of November 2024, by Reinardo Malave, P.E., who is personally known to me or who has produced _____ as identification.

Laura S Kline
(Official Notary Signature & Seal)

Name: Reinardo Malave
Personally Known ✓
OR Produced Identification _____
Type of Identification _____

Notary Public State of Florida
Laura S Kline
My Commission
HH 195806
Exp. 3/1/2026

**TESTIMONY OF REINARDO "REY" MALAVE, P.E., FOR ESTABLISHMENT OF EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT**

**1. Please state your name and business address.**

My name is Reinardo "Rey" Malave, P.E., and my business address is 800 N. Magnolia Avenue, Orlando, Florida 32803.

**2. By whom are you employed and in what capacity?**

I am employed by Dewberry Engineers Inc. as Associate Vice President and Department Manager, Water Resources Group.

**3. How long have you been in the engineering field?**

45 years.

**4. Does your firm, Dewberry Engineers Inc., represent Petitioner, Cassidy Land Development, LLC?**

Yes. My firm serves as Consulting Engineer to the Petitioner.

**5. Please give your educational background, with degrees earned, major areas of study and institutions attended.**

BSCE – University of Puerto Rico 1978
MBA – Keller School of Management – DeVry University

**6. Do you have any professional licenses, registrations, or certifications?**

I hold a license as a Professional Engineer in the State of Florida.

**7. Are you a member of any professional associations?**

Yes - FES, ASCE, NSPE, FL AWWA.

**8. Please summarize your previous experience as it relates to public facility design and construction and land development and planning.**

I have over 40 years of Civil Engineering experience. I am a project manager for large master planned communities, large and small residential developments, commercial and office developments, municipal roadways and recreation projects. I have assisted in the development of more than ten communities with special district overlays as well as managing numerous projects throughout Florida.

**9. Are you familiar with the Petition ("Petition"), filed by Cassidy Land Development,**

**LLC ("Petitioner") on October 4, 2024, seeking the establishment of Eagle Trace Community Development District ("Proposed District")?**

Yes. I assisted the Petitioner with the preparation of the engineering and land related exhibits filed with the Petition and reviewed others.

**10. Have you been involved in any developments of the type and nature similar to those in the Proposed District?**

Yes. I have been involved in several developments that contain similar necessary public infrastructure facilities for planned community development.

**11. Are you familiar with those parcels of land proposed to be included in the Proposed District that are located within the Town of Lake Hamilton?**

Yes, I am.

**12. Are you generally familiar with the geographical area, type, and scope of development and the available services and facilities in the vicinity of the Proposed District?**

Yes, I am.

**13. What has been your role with respect to the Proposed District's establishment proceedings?**

I prepared, or had prepared under my supervision, the engineering exhibits included in the Petition, which includes the estimated costs of construction and future ownership and maintenance exhibits, among others, to the Petition.

**14. Have you reviewed the Petition and approved its contents?**

Yes, I have.

**15. Did you prepare, or have others under your supervision prepare, any of the exhibits attached to the Petition?**

Yes, Exhibits 1, 2, 4, 5, 6, and Composite Exhibit 7 were prepared by me or under my supervision.

**16. Do any of those exhibits require any change or correction?**

No changes or corrections are required.

**17. To the best of your knowledge, are Exhibits 1, 2, 4, 5, 6, and Composite Exhibit 7 to the Petition true and correct?**

Yes, to the best of my knowledge.

**18. In general, what do Exhibits 1, 2, 4, 5, 6, and Composite Exhibit 7 to the Petition demonstrate?**

These exhibits demonstrate the general location and nature of the proposed improvements, as well as legal descriptions of the proposed District boundaries. They also describe the types of facilities, drainage and utilities maps, land use map, future ownership, operation and maintenance, construction timelines, and the estimated costs of construction.

**19. Would you generally describe the services and facilities that the proposed District is expected to provide?**

The Petitioner presently intends for the proposed District to participate in the acquisition and/or construction of stormwater management system, offsite improvements, water, sewer and street lighting improvements, entry features and signage, recreation features and amenities, and related improvements, along with other public improvements and professional fees as authorized under Chapter 190, Florida Statutes.

**20. Are the construction cost estimates for the proposed facilities for the Proposed District, as identified in Exhibit 7, reasonable?**

Yes, I have reviewed the construction cost estimates and, to the best of my knowledge, information and belief and based on the information available, the construction cost estimates for the Proposed District improvements are reasonable based on my experience and knowledge of the local construction industry.

**21. Based upon your training and experience as a professional engineer, do you have an opinion as to whether the proposed District is of sufficient size, sufficient compactness, and sufficient contiguity to be developed as a functional interrelated community?**

Yes, I do have an opinion.

**22. What is your opinion?**

My opinion is that it meets the indicated requirements to be a functional interrelated community because it has sufficient size, sufficient compactness and sufficient contiguity.

**23. What is the basis for your opinion?**

For many reasons, the Proposed District facilities can be provided in an efficient, functional and integrated manner. First, the lands to be included within the Proposed District have sufficient significant infrastructure needs to be developable as a functionally interrelated community. Second, this necessary infrastructure can be provided by the Proposed District in a cost-effective manner based upon the specific design of the community. Furthermore,

the use of one development plan whose infrastructure is implemented by a community development district to provide the community services and facilities will ensure that the proposed improvements are provided and maintained in an efficient, functional and integrated manner.

**24. As a professional engineer, do you have an opinion as to whether the services and facilities to be provided by the Proposed District will be incompatible with the capacities and uses of existing local and regional community development facilities and services?**

My opinion is that the Proposed District will not be incompatible with the capacities and uses of existing local and regional community facilities and services.

**25. What is the basis for your opinion?**

There is no duplication or overlap of facilities or services because no other entity or unit of government is presently funding or providing the improvements proposed by the Proposed District. Therefore, the Proposed District will be an efficient entity to participate in the construction and maintenance of the necessary infrastructure improvements.

**26. As a professional engineer, do you have an opinion as to whether the area to be included within the Proposed District is amenable to being served by separate special district government?**

Yes. The Proposed District encompasses approximately 186.71 acres. First, a project of this size is large enough to support its own community with individual facility and service needs. Second, the Proposed District can be utilized as an efficient long-term mechanism to ensure that the residents of the Proposed District pay for and receive proper and required maintenance for all public improvements throughout the community. Therefore, my opinion is that the area within the Proposed District is amenable to separate special district government.

**27. As a professional engineer, do you have an opinion as to whether the Proposed District is the best alternative to provide the proposed community development services and facilities to the area that will be served?**

Yes.

**28. What is your opinion?**

It is my opinion that the Proposed District is the best alternative to provide the proposed services and facilities within the Proposed District.

**29. What is the basis of your opinion**?

The Proposed District is a long-term, stable, perpetual entity capable of funding, constructing and, in some cases, maintaining the facilities over the lifetime of the facilities

because the Proposed District has the advantage of being a unit of local government, which has access to the tax-exempt bond market. Neither a property owners' nor homeowners' association (POA/HOA) has the ability to finance infrastructure of the nature and scope contemplated here, or manage the construction, acquisition or maintenance of the public infrastructure, in the same high quality and efficient manner as the Proposed District. Neither is authorized to place a first lien on property if the owner does not pay its maintenance assessments. Overall, the Proposed District would be a more timely, reliable and cost-efficient mechanism to deliver and maintain the needed community improvements.

**30. Do you have an opinion, as someone experienced in land planning, as to whether the Proposed District is a viable alternative for delivering community services and facilities to the areas that will be served by the Proposed District?**

Yes. It is my opinion that the Proposed District is a viable alternative for providing the proposed services and facilities for the land to be included within the Proposed District.

**31. What are the alternatives contemplated in rendering this opinion?**

There would be two alternatives to the establishment of the Proposed District. First, to facilitate economic development, accommodate new growth, and provide new services, the Town of Lake Hamilton could perhaps provide the selected facilities. The second alternative would be for the developer or POA/HOA to provide the infrastructure using private financing.

**32. Can you provide an example of a service or facility and explain why a CDD is a preferred alternative for long-term operation and maintenance?**

Yes. An example would be a stormwater management system. By statute, CDDs and property owners' associations are permitted to operate and maintain these systems. However, homeowners' associations or POAs are generally required by typical water management district rules to provide significantly more information and documentation before they are authorized to operate and maintain a stormwater management system and HOA/POA's are not the preferable maintenance entity for water management districts. Such documentation generally must (i) indicate that the association has the required financial capabilities, (ii) mandate that the association will operate and maintain such systems and (iii) provide that the association cannot be dissolved until another entity is found to maintain the system.

A CDD, which is generally considered to be a more secure financial, legal and administrative entity, generally must simply provide a letter to the water management district committing that the CDD will accept operation and maintenance responsibility. All things being equal, a CDD is preferred over a homeowners' or property owners' association for operation and maintenance of a stormwater management system.

**33. How does the proposed District compare to these alternatives?**

By comparison of the alternatives referenced above, from a planning perspective, the Proposed District is the best alternative available to provide the necessary infrastructure improvements. As a special-purpose "local government," the Proposed District is a stable, long-term public entity capable of constructing, maintaining and managing the proposed elements of infrastructure of the necessary facilities and services. The limited purpose and scope of the Proposed District, combined with the statutory safeguards in place, such as notice of public hearings and access to district records, would ensure that the Proposed District is responsive to the infrastructure needs of the residents and landowners of the Proposed District. The Proposed District would be able to obtain low-cost financing to provide the necessary improvements and then impose special or non-ad valorem assessments upon the property owners within the Proposed District to fund the infrastructure.

Only a CDD allows for the independent financing, administration, operation and maintenance of the land within the CDD. Only a CDD allows property owners, and eventually residents, to completely control the CDD board and, therefore, the timing and extent of infrastructure improvement and maintenance and at a much earlier turnover than HOA's (6 years and 250 registered voters). Knowing when, where and how infrastructure will be needed to service the projected population of an area allows for the smooth delivery of those facilities. The Proposed District exceeds other available alternatives at focusing attention to when and where and how the next system of infrastructure will be required for this specific area. This results in a full utilization of existing facilities before new facilities are constructed. It reduces the delivered cost to the citizens being served. All other alternatives do not have these characteristics.

**34. In the course of your work in Florida, have you had an opportunity to work with the State Comprehensive Plan found in Chapter 187, *Florida Statutes*?**

Yes. In the course of producing planning documents for private development proposals, I have often referred to the State Comprehensive Plan.

**35. In the course of your work in Florida, have you had an opportunity to review local government comprehensive plans?**

Yes.

**36. At this point, I will ask you to address certain matters that are related to land use and comprehensive planning. Are you familiar with the development approvals that have been obtained or are being sought by the Petitioner to govern the lands within the proposed District?**

Yes, I am.

**37. Based upon your training and experience as a civil engineer specializing in land development, do you have an opinion as to whether the Proposed District is**

**inconsistent with any portion or element of the State Comprehensive Plan found in Chapter 187, *Florida Statutes*?**

Yes.

**38. What is that opinion?**

In my professional opinion, the Proposed District is not inconsistent with the applicable provisions of Chapter 187, *Florida Statutes*.

**39. What is the basis for your opinion?**

I have reviewed, from a planning perspective, applicable portions of the State Comprehensive Plan which relate to CDDs. The State Comprehensive Plan "provides long-range policy guidance for the orderly social, economic, and physical growth of the state." The State Comprehensive Plan provides twenty-five (25) subjects, and numerous goals and policies. Three subjects are particularly relevant, from a planning perspective to the establishment of CDDs: No. 15 - Land Use, No. 17 – Public Facilities, and No. 25 - Plan Implementation. Several of the policies and goals are particularly supportive of the establishment of the Proposed District.

**40. Why is subject No. 15 in the State Comprehensive Plan relevant to the establishment of the Proposed District?**

This goal recognizes the importance of enhancing the quality of life in the State of Florida and attempts to do so by ensuring that development is located in areas that have fiscal abilities and service capacity to accommodate growth. CDDs are designed to provide services and facilities in a fiscally responsible manner to areas which can accommodate development. The proposed District is consistent with this goal because it will continue to have the fiscal capability to provide a range of services and facilities to a population in a designated growth area.

**41. Are any of the policies under subject No. 15 relevant?**

Yes. Policy 1 of subject No. 15 promotes efficient development activities in areas which will have the capacity to service new populations and commerce. The Proposed District will be a vehicle to provide high quality services in an efficient and focused manner over the long term.

**42. What is Subject 17 and why is it relevant?**

Subject 17 addresses public facilities. The goal is to finance new facilities in a timely, orderly and efficient manner. In particular, Policy 3 states that the cost of new public facilities should be allocated to existing and future residents on the basis of the benefits received. Policy 6 also encourages the identification and implementation of innovative but

fiscally sound and cost-effective techniques for financing public facilities. Establishment of the Proposed District will further this goal and related policies.

**43. Why is subject No. 25, the other subject you mentioned, relevant to the establishment of the Proposed District?**

Subject No. 25 addresses Plan Implementation. This goal requires that systematic planning capabilities be integrated into all levels of government throughout the state, with particular emphasis on improving inter-governmental coordination and maximizing citizen involvement. The Proposed District will operate through a separate and distinct Board of Supervisors who will systematically plan the construction, operation and maintenance of public improvements and community facilities authorized under Chapter 190, *Florida Statutes*, subject to and not inconsistent with the local government comprehensive plan and land development regulations. Further, meetings held by the Board of Supervisors are publicly advertised and open to the public.

**44. Are there any relevant policies in this portion of the State Comprehensive Plan?**

Yes. Policy 6 of subject No. 25 encourages public citizen participation at all levels of policy development, planning and operations. Under Chapter 190, *Florida Statutes*, six (6) years after the establishment of a CDD, and after two hundred and fifty (250) electors reside in the CDD, the election of the Board of Supervisors begins to transition from a landowner-elected Board to a resident-elected Board. Regardless of whether the board is elected by the landowners or the residents, the District must convene its meetings in accordance with government in the sunshine provisions set forth in Chapter 286, *Florida Statutes*. This encourages citizen participation in the planning and operational activities of the CDD, including the Proposed District.

**45. Based upon your training and experience as a land development engineer, do you have an opinion as to whether establishment of the proposed District is inconsistent with any portion or element of the Town of Lake Hamilton or Polk County Comprehensive Plan?**

Yes, I do.

**46. What is that opinion?**

In my professional opinion, the establishment of the Proposed District is not inconsistent with any applicable provisions of either the Town of Lake Hamilton nor Polk County's Comprehensive Plans.

**47. What is the basis for that opinion?**

Since Chapter 190, *Florida Statutes*, prohibits any community development district from acting in a way inconsistent with the local government's comprehensive plan, the exercising of any power must be done with the comprehensive plan in mind. In addition, the following elements of the Town of Lake Hamilton's Comprehensive Plan generally relate to and are consistent with establishment of the Proposed District. The following policies and elements specifically support my opinion:

Development Policies

- Future Land Use Element-
  **GOAL 1**: ACHIEVE AN OPTIMUM PATTERN OF FUTURE LAND USES IN HARMONY WITH THE NATURAL RESOURCES OF THE LAND; THE EXISTING LAND USE PATTERNS OF BOTH THE TOWN AND ITS ENVIRONS; THE PHYSICAL, ECONOMIC, AND SOCIAL NEEDS OF THE TOWN AND ITS CITIZENS; AND THE ABILITY TO PROVIDE EFFECTIVE AND EFFICIENT PUBLIC
- Conservation Element-
  **GOAL 1**: PROTECT, CONSERVE, ALL NATURAL RESOURCES WITHIN THE TOWN SO AS TO MAINTAIN BOTH A HIGH LEVEL OF PHYSICAL AMENITIES AND A HIGH QUALITY OF LIFE FOR THE TOWN'S RESIDENTS.

Public Facilities Policies – The Proposed District will have both the funding source and the authority to provide needed infrastructure and services to this compact, urban growth including:

- Infrastructure Element-

**SANITARY SEWER:**

**GOAL 1:** PROVIDE COST-EFFECTIVE SEWAGE DISPOSAL FACILITIES CONSISTENT WITH PUBLIC HEALTH REQUIREMENTS, THE PRACTICAL PROTECTION OF WATER RESOURCES, AND THE FINANCIAL CAPABILITIES OF THE TOWN AND ITS CITIZENS.

**SOLID WASTE:**

**GOAL 2:** THE TOWN SHALL PROVIDE FOR THE COLLECTION AND ENVIRONMENTALLY SOUND DISPOSAL OF ALL NONHAZARDOUS SOLID WASTE GENERATED WITHIN ITS JURISDICTION.

**DRAINAGE:**

**GOAL 3:** ACHIEVE AND MAINTAIN AN EFFECTIVE DRAINAGE SYSTEM WITHIN THE TOWN TO ENSURE THE PROPER MANAGEMENT OF THE QUANTITY AND QUALITY OF STORMWATER RUNOFF.

POTABLE WATER:

**GOAL 5:** ACHIEVE AND MAINTAIN A COST-EFFECTIVE POTABLE WATER DISTRIBUTION SYSTEM WITHIN THE TOWN TO PROVIDE A RELIABLE AND AMPLE SUPPLY OF POTABLE WATER TO MEET THE EXISTING AND PROJECTED NEEDS

OF ALL RESIDENTS

- Recreation and Open Space Element-
  **GOAL:** ACHIEVE AND MAINTAIN A COMPREHENSIVE SYSTEM OF RECREATION FACILITIES AND OPEN SPACE AREAS WHICH IS CONSISTENT WITH THE LIFESTYLES AND NEEDS OF THE TOWN'S RESIDENTS AND IS WITHIN THE FINANCIAL CAPABILITIES OF THE TOWN.
  Implementation Policies
- Intergovernmental Coordination Element-
  **GOAL 1:** IMPROVE GOVERNMENTAL EFFICIENCY AND EFFECTIVENESS AND THE RESOLUTION OF POTENTIAL CONFLICTS AND INCOMPATIBILITIES THROUGH COOPERATION, COMMUNICATION, AND FLEXIBLE RELATIONSHIPS BETWEEN THE TOWN OF LAKE HAMILTON AND OTHER GOVERNMENTAL BODIES HAVING ISSUES THAT AFFECT THE TOWN.
- Capital Improvement Element-
  **GOAL:** IT SHALL BE THE GOAL OF THE TOWN OF LAKE HAMILTON TO PROVIDE NECESSARY PUBLIC FACILITIES AND SERVICES FOR ALL EXISTING AND FUTURE DEVELOPMENT, AT ADOPTED LEVEL OF SERVICE STANDARDS, THROUGH A PROCESS THAT PERMITS DEVELOPMENT CONCURRENT WITH THE ABILITY OF THE TOWN TO PROVIDE SUCH
  FACILITIES AND SERVICES.

It is my opinion, therefore, that with respect to the establishment of the Proposed District, the establishment will not be inconsistent with any applicable element or portion of the Town of Lake Hamilton's Comprehensive Plan. Further, the Proposed District and its low cost of financing and as a long-term high-quality maintenance entity will ensure consistency with the Town of Lake Hamilton's Comprehensive Plan goals.

**48. Does this conclude your testimony?**

Yes, it does.

BEFORE THE TOWN COUNCIL OF THE
TOWN OF LAKE HAMILTON, FLORIDA

| | | |
|---|---|---|
| IN RE: | PETITION TO ESTABLISH THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT | ) ) ) |

**AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY**

STATE OF FLORIDA
COUNTY OF ORANGE

I, Jillian Burns, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.

2. My name is Jillian Burns and I am a District Manager at Governmental Management Services-Central Florida, LLC.

3. The prepared written, pre-filed testimony consisting of twelve (12) pages, submitted under my name to the Town Council of the Town of Lake Hamilton, Florida relating to the Petition to Establish the Eagle Trace Community Development District and attached hereto, is true and correct.

4. If I were asked the questions contained in the pre-filed testimony orally at the Eagle Trace Community Development District establishment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.

5. My credentials, experience, and qualifications concerning my work as a special district manager and financial advisor are accurately set forth in my pre-filed testimony.

6. My pre-filed testimony addresses the various managerial and operational aspects related to the Petition to Establish the Eagle Trace Community Development District.

7. No corrections or amendments to my pre-filed testimony are required.

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 12th day of November 2024.

Jillian Burns

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12th of November 2024, by Jillian Burns, who is personally known to me or who has produced _____ as identification.

(Official Notary Signature & Seal)

SAMANTHA HAM
Notary Public - State of Florida
Commission # HH 576750
My Comm. Expires Jul 29, 2028
Bonded through National Notary Assn.

Name: Jill Burns
Personally Known X
OR Produced Identification _____
Type of Identification _____

# TESTIMONY OF JILLIAN BURNS FOR ESTABLISHMENT OF EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT

**1. Please state your name and business address.**

My name is Jillian Burns. My business address is 219 E. Livingston St. Orlando, Florida 32801.

**2. By whom are you employed and in what capacity?**

I am employed with Governmental Management Services-Central Florida, LLC ("GMS") and serve as District Manager and assessment administrator for community development districts.

**3. Please briefly summarize your duties and responsibilities.**

GMS provides management consulting services to community development districts and the real estate industry, including general management, accounting, recording, secretarial services, field services and assessment administration. GMS currently serves as the district manager for over one hundred and fifty (150) community development districts ("CDDs") in the State of Florida.

**4. Do you work with both public and private sector clients?**

GMS primarily works for public entities providing district management services. However, we are retained, from time to time, by private entities to consult on the creation of special districts as well as the viability of certain proposed developments.

**5. How long have you been managing special districts such as the one proposed and what are your responsibilities?**

I have more than fifteen (15) years of experience in providing management to special districts in the State of Florida. I have extensive knowledge of special district operations, governmental budgeting and finance issues, and the development process. In my role as District Manager, I oversee all the works of the special districts and all management responsibilities similar to a city manager.

**6. Please describe your educational background.**

I have a bachelor's degree from University of Central Florida.

**7. Please describe your work with community development districts in Florida.**

Through GMS, the clients I serve are both resident-elected and landowner-elected CDDs, depending on the stage in the life of the development. I assist the various Boards of

Supervisors and residents by managing the accounting, official recordkeeping, and operations and management of the assets acquired or constructed by the CDD. I have provided management services to over forty (40) active CDDs across Florida.

**8. Are any of these community development districts that you have worked with about the same size as the proposed District in the Town of Lake Hamilton (the "Town")?**

Yes.

**9. What has been your role with respect to the proposed District establishment proceeding?**

I serve as a financial, economic, and management consultant relating to the establishment of the proposed District. Specifically, my firm prepared Exhibit 8, the Statement of Estimated Regulatory Costs ("SERC"), of the Petition to Establish the Eagle Trace Community Development District ("Petition").

## DISTRICT MANAGEMENT

**10. At this point, I will ask you to address certain matters that are related to community development district management. Please describe the general manner in which a community development district actually operates.**

Community development districts are governed by a five-member board of supervisors. These board members are initially appointed by the establishment entity in its ordinance. Within 90 days of the establishment of the district, a new board is elected by the landowners in the district. The Board is the governing body of the district. The Board employs a district manager, who supervises the district's services, facilities, and administrative functions. The Board annually considers and, after public notice and hearing, adopts a budget. The district submits a copy of the proposed budget to the applicable local general-purpose government for review and for optional comment prior to its adoption each year.

**11. Are there requirements, such as the open meetings and public records laws, imposed upon community development districts in order to safeguard the public that are similar to those imposed upon other general-purpose local governments?**

Yes, there are.

**12. Please describe these requirements and safeguards.**

First, it is important to note that the establishment of a CDD does not change any requirements for local general-purpose governmental approval of construction within the district. Any land development requirements and all state and local development regulations still apply.

Second, members of a CDD Board of Supervisors must be residents of Florida and citizens

of the United States. After the Board shifts to being elected by the resident electors of the CDD, the Supervisors must also be residents of the CDD and registered to vote in the county where the District is located. Supervisors must annually file the same financial disclosure forms required of other local officials. All meetings of the CDD Board of Supervisors are open to the public and are subject to the government in the sunshine requirements of Chapter 286, Florida Statutes. Furthermore, a CDD's records must be open for public inspection in accordance with the Florida law governing public records.

Next, the District must provide financial reports to the state in the same form and manner as is required of all other political subdivisions. The District is annually audited by an independent certified public accountant. As I said before, the District budget is adopted annually by the board after a public hearing. All rates, fees, and charges imposed by the District must be adopted pursuant to Chapter 120, Florida Statutes.

Finally, to impose special or non-ad valorem assessments under Chapter 170, 190 and 197, Florida Statutes, a CDD must provide published and mailed notice to those who are assessed providing them opportunity to appear before the Board of Supervisors and have an opportunity to comment on the advisability of the assessments. That assessment process entails preparation of an assessment methodology that fairly and equitably allocates the cost of the CDD's projects.

**13. Please describe in general terms how a CDD operates financially, both on a day-to-day and a long-term basis.**

In the early stages, particularly when a CDD is first formed, the CDD's operating funds may be funded by a "Funding Agreement" between the CDD and the landowner/developer in lieu of assessments that the CDD might have imposed on property within the CDD. Alternatively, the CDD may levy "operations and maintenance" assessments to fund the ongoing operation of the District and maintenance of its facilities.

In order to provide long term financing of capital projects, CDDs often issue bonds. All bonds issued by CDDs must be secured by a trust agreement, and any bond maturing over a period of more than five years must be validated and confirmed by court decree pursuant to Chapter 75, Florida Statutes. A CDD may borrow funds on a long-term or short-term basis.

Debt may be retired by the District through non-ad valorem special assessments imposed on benefited properties, or rates, fees, and charges imposed on users of District facilities and services. By law, debt of the District cannot become debt of any other government (Town, county or state), without that government's consent.

**14. What alternatives, other than community development districts, are you familiar with that might be available to provide community infrastructure for the lands within the proposed District?**

In my opinion there are two alternatives that might provide community infrastructure such

as the roads, utilities, drainage, recreation and other improvements contemplated for the proposed district. First, the general-purpose local government could finance the improvements utilizing special assessments and/or general funds. Alternatively, the developer could provide infrastructure through private means, including private financing if available. As discussed later in my testimony, neither of these alternatives is preferable to use of the CDD concept.

**15. Do you have an opinion, as someone experienced in district management and operations, as to whether the proposed District is the best available alternative for delivering community services and facilities to the areas that will be served by the District?**

Yes. For this project, the proposed District is the best alternative available for delivering the proposed services and facilities to the area that will be served. These improvements include, but are not limited to, stormwater management system, onsite and offsite roadway improvements, lift station, water and sewer improvements, entry features and signage, recreation features and amenities, undergrounding for streetlights, and related improvements.

**16. What is the basis for your opinion?**

Looking at the alternatives, the Town could finance and manage the improvements utilizing special assessments or general funds, with or without the establishment of a dependent special district. The developer and/or a property owner's association ("POA") could provide these facilities as well through private financing.

In evaluating the alternatives, it is important to consider whether the alternative can provide the best focus, can effectively and efficiently manage and maintain the facilities, and whether the alternative can secure low-cost, long-term public financing. The Town clearly provides the long-term perspective and is a stable and relatively low-cost source of financing and provider of services at sustained levels. However, the Town has substantial demands over a broad geographical area that place a heavy management delivery load on its staff. In addition, if dependent district financing were used, the Town would be responsible for all administrative aspects of the dependent district. The Town would have to make time and meetings available for the monthly matters pertaining to the dependent district. By using a dependent district mechanism, the Town would be increasing its responsibility and hence liability for the variety of actions that will take place in the development. The Town, through a dependent district, would also be the contracting party for all construction contracts, would have to deal with bid issues, enforce performance bonds, and participate in construction arbitration or litigation if necessary. They would deal with delay claims and budget management and all the other challenges that come with being the owner in a public construction project. A CDD can be created to provide focused attention to a specific area in a cost-effective manner. It also allows the Town to focus staff time, finances, and other resources elsewhere and does not burden the general body of taxpayers in the Town with the debt associated with this growth.

The other alternative is the use of private means, either through a POA or through the developer, or both in combination. This combination can clearly satisfy the high demand for focused service and facilities and managed delivery. However, only a public entity can assure a long-term perspective, act as a stable provider of services and facilities, qualify as a lower cost source of financing, and pay for services at sustained levels. POAs lack the ability to effectively finance the improvements. Their ability to assure adequate funds for sustained high levels of maintenance is lower than with a CDD.

Furthermore, neither the developer nor a POA would be required to conduct all actions relating to the provision of these improvements in the "sunshine" as a CDD must or abide by other public access requirements that are incumbent upon a CDD and its Board of Supervisors. Also, provision and long-term operation and maintenance of these improvements, particularly the drainage activities, by a CDD ensures that residents have guaranteed access to the body or entity making decisions about these facilities, and in fact will one day sit as the five-member board making the decisions that impact their community directly.

A CDD is an independent special purpose unit of local government designed to focus its attention on providing the best long-term service to its specifically benefited properties and residents. It has limited power and a limited area of jurisdiction. The District will be governed by its own board and managed by those whose sole purpose is to provide the District long-term planning, management, and financing of these services and facilities. This long-term management capability extends to the operation and maintenance of the facilities owned by the District. Further, the sources for funding and manner of collection of funds will assure that the District facilities will be managed at the sustained levels of quality desired by residents well into the future.

**17. Do you have an opinion, as someone experienced in district management and operations, as to whether the area of land to be included within the proposed District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community?**

Yes.

**18. What is your opinion?**

The proposed District has sufficient land area, and is sufficiently compact and contiguous to be developed, with the roadway, drainage, water and sewer, and other infrastructure systems, facilities and services contemplated. The District will operate as one functionally interrelated community.

**19. What is the basis for your opinion?**

The size of the proposed District is approximately 186.71 acres. Based on my previous experience, the proposed District is of sufficient size, compactness, and contiguity to be developed as a functional interrelated community.

The qualities of compactness, contiguity, and size relate directly to whether an area can become one functional interrelated community. From the standpoint of the provision, management and operation of the community infrastructure expected to be provided by the District, the acres contemplated for inclusion within the District are sufficiently compact, contiguous and of sufficient size to maximize the successful delivery of these infrastructure improvements to these lands. The delivery of services and facilities to the lands within the District will not be hampered by insurmountable barriers or spatial problems. The area within the District is suitably configured to maximize the benefits available from the District services and facilities to be provided.

**20. Do you have an opinion, as someone experienced in district management and operations, as to whether the area that will be served by the proposed District is amenable to separate special district government?**

Yes.

**21. What is your opinion?**

The District is of sufficient size, compactness, and contiguity. Therefore, the area to be served by the proposed District is clearly amenable to separate special district governance. The configuration of the District is not unlike other CDDs with which I have worked over time.

**22. What is the basis for your opinion?**

Two criteria are needed to evaluate if a land area is amenable to separate special district government. One, does the land area have need for the facilities and services and will its owners and residents benefit from facilities that the special district could provide? Two, is the land area of sufficient size, sufficient compactness, and sufficient contiguity to be the basis for a functional interrelated community?

Under both criteria, the proposed District is a planned community of sufficient size with a need for the facilities and improvements that are presently expected to be provided by the proposed District. As described in the Petition, the proposed District will construct and maintain certain identified needed facilities and services. Other facilities and improvements will be constructed by the proposed District and ultimately owned and maintained by the Town. Based on my experience, CDDs of this size are large enough to effectively provide and manage services. From a management and operations perspective, the land area is well suited to the provision of the proposed services and facilities.

**23. Do you have an opinion, as someone experienced in district management and operations, as to whether the community development services and facilities of the proposed District will be incompatible with the capacity and use of existing local and regional community development services and facilities?**

Yes.

**24. What is your opinion?**

The proposed services and facilities of the proposed District are not incompatible with the capacity and uses of existing local or regional community development services and facilities.

**25. What is the basis for your opinion?**

Petitioner presently expects the proposed District to finance and construct certain sanitary sewer collection systems, water distribution systems, reuse water systems, stormwater management systems, and roadway improvements. None of the facilities expected to be provided by the District presently exist. Ultimately, the District may own and maintain certain of those improvements and the Town, or other governmental entities, may own and maintain others. There will be no overlap or incompatibility because the facilities and improvements expected to be provided by the proposed District do not exist today.

## ECONOMICS AND FINANCING

**26. You stated earlier that you are familiar with the Petition and its exhibits filed by the Petitioner to establish the proposed District. Are you particularly familiar with Exhibit 8 to the Petition?**

Yes, Exhibit 8 is the SERC, a requirement of Chapter 190, Florida Statutes.

**27. What exactly is a "SERC"?**

The Statement of Estimated Regulatory Costs is actually a requirement under Section 120.541(2), *Florida Statutes*, which has been incorporated into the law on establishment of community development districts.

**28. In general terms, please summarize the economic analyses presented in the SERC.**

An understanding of the SERC requires the recognition of the scope of review and evaluation for the establishment of a community development district as set out in Chapter 190. Section 190.002(2)(d), *Florida Statutes*, states "[t]hat the process of establishing such a district pursuant to uniform general law [must] be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant." Thus, the scope of the economic analysis included in the SERC addresses only the establishment of the proposed District, and not the planning or development of the property itself.

The economic analysis sets out the assumptions about the development within the proposed district and the anticipated infrastructure to be provided by it. The analysis addresses each

of the potentially affected parties defined in Chapter 120, *Florida Statutes*, and evaluates the impact of the proposed District on each such group.

The proposed District is a specialized unit of local government. It is a special purpose unit of local government with a single objective: the provision of infrastructure and services for a planned new community. Its economic benefits exceed its economic cost to the Petitioner, the Town, and to all subsequent purchasers and landowners of the community - in short, to all affected parties.

Once the proposed District is established, there are no direct costs to the Town. While the proposed District will provide certain reports and budgets to the Town for its discretionary review, there are no requirements that either incur any obligations or expense associated with its review. In addition, to the extent the proposed District utilizes the services of the Property Appraiser or Tax Collector under the provisions of Chapter 197, *Florida Statutes*, to collect its assessments, the proposed District must pay the costs associated with those services.

It is important to note that under Chapter 190, *Florida Statutes*, the debt of the proposed District cannot become the debt of the Town or the State of Florida. Since the proposed District will be an independent unit of government and issue its own bonds, the proposed District will not have any effect on the bonding capacity of the Town or the State of Florida.

**29. Please describe briefly the data and methodology used in preparing the SERC and related analyses.**

The data for the analysis came from the landowner, other experts working on the Petition, and from the Petition itself. The methodology utilized is the standard economic impact assessment.

**30. From an economic and financial perspective, do you have an opinion regarding the financial viability and feasibility of the proposed District?**

Yes, I do.

**31. What is that opinion?**

In my opinion, based on my experience with other districts, the proposed District is expected to be financially viable and feasible.

**32. Are you familiar with the State Comprehensive Plan found in Chapter 187, Florida Statutes?**

Yes.

**33. From an economic and financial perspective, do you have an opinion as to whether the proposed District is inconsistent with the State Comprehensive Plan from an economic perspective?**

Yes.

**34. What is that opinion?**

It is my opinion the proposed District is not inconsistent with any applicable element or portion of the State Comprehensive Plan.

**35. What is the basis for your opinion?**

I have reviewed, from an economic and financial perspective, the State Comprehensive Plan, particularly those portions that relate to community development districts. The State Comprehensive Plan (Chapter 187, *Florida Statute*s) "provides long-range policy guidance for the orderly social, economic, and physical growth of the state." From an economic and financial perspective, four subjects of the State Comprehensive Plan, subjects 15, 17, 20, and 25, are relevant to the establishment of a CDD.

Subject 15, titled Land Use, recognizes the importance of locating development in areas that have the fiscal abilities and service capacity to accommodate growth. It is relevant because CDDs are designed to provide infrastructure services and facilities in a fiscally responsible manner to the areas that can accommodate development. The establishment of the District will not be inconsistent with this goal because the District will have the fiscal capability to provide the specified services and facilities within its boundaries.

Subject 17, titled Public Facilities, relates to (i) protecting investments in existing public facilities; (ii) providing financing for new facilities, (iii) allocating the costs of new public facilities on the basis of the benefits received by future residents; (iv) implementing innovative but fiscally sound techniques for financing public facilities; and (v) identifying and using stable revenue sources for financing public facilities. The establishment of the District will further these State Comprehensive Plan goals and policies.

Subject 20, titled Governmental Efficiency, provides that governments shall economically and efficiently provide the amount and quality of services required by the public. The proposed District will be consistent with this element because the proposed District will continue to:

(i) cooperate with other levels of Florida government;

(ii) be established under uniform general law standards as specified in Chapter 190, *Florida Statutes*;

(iii) be professionally managed, financed, and governed by those whose property directly receives the benefits;

(iv) not burden the general taxpayer with costs for services or facilities inside the proposed District; and

(v) plan and implement cost efficient solutions for the required public infrastructure and assure delivery of selected services to residents.

Subject 25, titled Plan Implementation, calls for systematic planning capabilities to be integrated into all levels of government throughout the state, with particular emphasis on improving intergovernmental coordination and maximizing citizen involvement. The proposed District is consistent with this element of the State Comprehensive Plan.

**36. Based on your work with districts and from an economic and financial perspective, do you have an opinion as to whether the area of land that is proposed to be included within the proposed District is of sufficient size, sufficient compactness, and sufficient contiguity to be developable as one functional interrelated community?**

Yes.

**37. What is your opinion?**

Based on my previous experience, the proposed District is of sufficient size, compactness, and contiguity to be developed as a functional interrelated community.

**38. What is the basis for your opinion?**

The project is compact with land use typical of a planned community. The development of the land has been planned to be a functional interrelated community making the most efficient use of public funds available.

**39. From a financial perspective, do you have an opinion as to whether the proposed District is the best alternative available for providing the proposed community development services and facilities to the area to be served?**

Yes.

**40. What is your opinion?**

The proposed District is the best alternative to provide community development facilities to the area to be served. This is true for the landowners and the governmental entities for the following reasons.

From the perspective of current and future property owners within the District, the District is the best alternative for providing community facilities, infrastructure, and services. The land development envisioned for the area within the District's boundaries will require substantial provision of infrastructure, facilities and services. The CDD is an alternative method to provide these necessary services. The CDD can access the tax-exempt public

capital markets and thereby fund these facilities and services at a lower cost than the alternative of developer funding. Furthermore, unlike a POA, the CDD has the power to levy assessments that are collected along with other property taxes. Therefore, a CDD can fund large capital improvement programs that a POA cannot.

With regard to the operations and maintenance of community facilities and services, the CDD is also the best alternative. The CDD is preferable to a POA to future landowners for the following reasons. First, unlike a POA, the CDD collects funds for operations and maintenance directly from assessments collected along with all other property taxes, which is a more assured income stream. Unlike a POA, a CDD is a unit of local government, and it must hold its meetings in the sunshine and publicly bid out its contracts where required by law. A CDD provides control to the landowners much sooner in time than a POA. A CDD is focused on providing the community with services, facilities, and their maintenance in a way the general-purpose government, with its competing interests and broad responsibilities, is not. This level of local control serves the best interests of property owners in the CDD.

From the perspective of the State of Florida, the Town, and the water management districts, a CDD is the best alternative for providing community facilities and their operations and maintenance for a variety of reasons. First, as noted above, compared to a POA the CDD is a more powerful and more responsive organization for providing and maintaining infrastructure and services. Second, without a CDD the Town may have to assume greater responsibility for construction, operations, and maintenance of community facilities and services. Even if the Town formed a dependent district to provide community facilities and services to the area to be served by the CDD, and charged appropriately for these services, the Town would be enmeshed in the responsibilities and in the management of those facilities. Furthermore, without a CDD the Town cannot be assured that only residents of the area to be served by the CDD would bear the full costs of the needed facilities and services.

**41. From an economic and financial perspective, do you have an opinion as to whether the services and facilities to be provided by the proposed District will be incompatible with the uses and existing local and regional facilities and services?**

Yes.

**42. What is your opinion?**

The proposed District covers approximately 186.71 acres of land. The configuration of the land is sufficiently compact and contiguous. As such, it will not create any economic disincentives to the provision of the infrastructure facilities contemplated in this case.

Given the scope and expected cost of facilities to be provided, 186.71 acres for a residential development provides a sufficient economic base to absorb the debt costs and annual operating costs for district administration and to efficiently apportion the cost of improvements.

**43. From an economic and financial perspective, do you have an opinion as to whether the area that will be served by the proposed District is amenable to separate special district government?**

Yes.

**44. What is your opinion and its basis?**

It is my opinion that the area within the boundaries of the proposed District is amendable to a separate special district government. The lands within the proposed District's boundaries have the need for basic infrastructure.

The land is of sufficient size, compactness, and contiguity and meets those tests. Therefore, from an economic and financial perspective, the area to be served by the proposed District is clearly amendable to separate special district governance.

**45. Does this conclude your testimony?**

Yes, it does.

RESTAURANT INSPECTIONS

# 2 Polk eateries had double-digit violations

**Andy Kuppers**
Lakeland Ledger | USA TODAY NETWORK

Two Polk County restaurants had double-digit violations during inspections from Nov. 18 to Dec. 1, according to state reports.

Between them, they totaled 42 violations, including 11 high-priority violations. And of those 42 violations, only one was clerical in nature – problems like licensing or training problems.

They were among 10 Polk County food vendors that failed to meet inspection standards during the two-week period. Excluding the two restaurants with the highest number of violations, the other eight had 31 violations in total, 10 of which were licensing or training issues.

On a positive note, 16 food vendors in Polk had perfect initial inspections during the two weeks. An initial inspection is one that isn't a follow-up mandated by violations in a previous inspection.

### Restaurants with double-digit violations

● **Buffet City**, 810 Cypress Garden Blvd., Winter Haven: On Nov. 18, the restaurant had a follow-up inspection in which an inspector found 25 violations, including seven deemed high priority.

Among those, the inspector noted cooked pork was not reaching an internal temperature of at least 145 degrees; dented or rusted cans (for which a stop sale was issued); the dish machine sanitizer wasn't at the proper minimum strength; food that was contaminated by employees or consumers was still served; chicken was stored in a non-food-grade container; raw fish was stored over ready-to-eat mixed vegetables; and raw chicken was stored over raw beef in the walk-in cooler.

Intermediate violations included: clam, mussel or oyster tags were not maintained in chronological order; an original container of a toxic substance no longer had the manufactuer's label; a paper towel dispenser at the handwash sink was no longer dispensing towels; and cooked chicken and other items in the walk-in cooler prepared on site were not properly date marked.

And there were 14 basic violations: a mold-like substance on the interior of the ice machine at the server station; a bowl or cup with no handle was used to dispense sugar in dry storage; ceiling tiles damaged; ceiling tiles or vents were soiled in the kitchen and attic area; one dead roach was found; an employee beverage container was on a food prep table or near clean utensils; an employee was eating food by the hibachi station; employee personal items were stored near food in dry storage; raw chicken was stored in an industrial red container behind a dumpster outside; ice buildup in the walk-in freezer; in-use knives were stored in cracks between equipment; an in-use knife was stored in standing water less than 135 degrees; wontons were stored uncovered in the walk-in freezer; shrimp and fish were thawing without running water in a prep sink.

A warning was issued and a follow-up inspection required. In a follow-up inspection later that day, the restaurant met standards with six remaining basic violations.

It was a rough few months for the restaurant. On Sept. 17, it was temporarily closed by an inspector after receiving 32 violations. After two follow-up inspections on Sept. 18, it was allowed to reopen with 11 remaining violations, but a follow-up was ordered, which appears to have happened on Nov. 18.

Before the disastrous September inspection, the restaurant had met standards in two previous inspections in March and in November 2023.

● **Hibachi Buffet**, 901 Memorial Blvd., Lakeland: On Nov. 21, the restaurant had 17 violations.

Four of them were high priority: egg foo young was "hot held" on the buffet line at less than 135 degrees (in this case, 121); raw chicken was stored over cut vegetables in the walk-in cooler; raw chicken stored over octopus salad in the walk-in; and raw chicken stored over raw beef.

There were seven intermediate violations: a can opener was soiled with food debris; two handwash sinks were used for purposes other than handwashing (one was storing gloves, another silverware); no hand-drying device or towels at the handwash sink; no written procedures for time and temperature food controls; food prepared on site and held more than 24 hours not properly date marked; required employee training was expired; and a spray bottle with a toxic substance (oven cleaner) wasn't labeled.

Among the six basic violations, the inspector noted: a plastic quart container with no handle was used as a scoop in bulk sugar; a buildup of debris on the reach-in cooler doors; several cases of food were stored on the floor in the walk-in freezer; the bottom of the soda head in the dining room was soiled; unclean building components, including a soak sink in the dishroom and a dish machine table; and a bulk container of potato starch was labeled as rice.

A warning was issued and a follow-up inspection required, but no follow-up was listed in state reports as of Dec. 6.

### Other restaurants that failed to meet standards, and why

● **Hungry Crab Davenport**, 43554 U.S. 27, Davenport: On Nov. 18, the restaurant had nine violations. One was high priority: the dish machine not mixing sanitizer at all.

The other eight violations were basic: a cup with no handle used to dispense sugar; an employee wearing jewelry other than a plain ring (in this case a bracelet and ring) while preparing food; floor heavily soiled with grease and debris underneath fryers; a toaster oven with an accumulation of debris inside; an open dumpster lid; an open employee beverage container sitting next to food in a reach-in cooler; rusted shelves in a reach-in cooler; and bulk containers of sugar in dry storage without labels.

● **The Daily Huddle Cafe Courthouse**, 255 N. Broadway, Bartow: On Nov. 20, the restaurant had four violations, including one high priority. That was for raw chicken stored over a case of hot dogs. There also was one intermediate violation, for the person in charge lacking proof of food-manager certification. The other two were basic: a case of 12-ounce foam cups stored on the floor in dry storage, and standing water in the bottom of a reach-in cooler.

● **Silou Restaurant**, 409 Martin Luther King Blvd. N.E., Winter Haven: On Nov. 21, the restaurant had four violations. Three were intermediate: the person in charge lacking proof of certification; no proof of required employee training; and no soap at the handwash sink. The other was basic: single-service items stored on the floor in the kitchen.

● **Lisa Thao**, 1052 U.S. 92 W., Auburndale: On Nov. 22, the food truck had four violations. Two were intermediate: the person in charge lacked proof of certification; and no proof of required employee training. The other two were basic violations: a floor with an accumulation of debris; and the food truck was connected to utilities on a more than temporary basis.

● **Azteca D' Oro**, 1235 Parkway Frontage N., Lakeland: On Nov. 21, the restaurant had three violations, including one high priority. That was for chicken and shrimp "cold held" at greater than 41 degrees. (Chicken was 46, shrimp 45.) There were two basic violations: food stored on the floor (a case of lamb in the walk-in freezer, beer and a crate of oranges in the cooler); and water was leaking from a bar-area faucet.

● **Taqueria Sabor A Mano**, 1052 U.S. 92, Auburndale: On Nov. 22, the food truck had three violations: the manager lacked proof of certification (intermediate); no proof of required employee training (intermediate); and plastic bottles of water stored on the floor (basic).

● **Brusters Ice Cream**, 955 County Road 540A E., Lakeland: On Nov. 26, the restaurant had three violations: operating with an expired Division of Hotels and Restaurants license (high priority); buckets of ice cream stored on the floor of the walk-in freezer (basic); and ceiling tiles showing damage (basic).

● **Ramada Inn Davenport**, 43824 U.S. 27, Davenport: On Nov. 20, the restaurant had one violation: The person in charge lacked proof of food-manager certification. It was an intermediate violation, but still means a follow-up inspection was ordered.

### Perfection

These 16 Polk County food vendors received the elusive perfect inspection – with zero violations – from Nov. 18 to Dec. 1. Not listed are restaurants that had no violations in follow-up inspections mandated by previous problems.

● A Otro Nivel LLC, mobile vendor, 104 W. Central Ave., Winter Haven
● China Wok, 3800 U.S. 98 N., Lakeland
● Tacos Juniors, caterer, 1100 U.S. 17-92 N., Haines City
● Neapolitan Italian Eatery, 645 Ingraham Ave., Haines City
● Twistee Treat Posner, 1311 Posner Blvd., Davenport
● Sonny's Real Pit Barbecue, 347 Ave. O S.W., Winter Haven
● Planet Obstacle Davenport LLC, 1981 Ernie Caldwell Blvd. 600, Davenport
● Windsor Island Resort, vending machine, 115 Aloha Blvd., Davenport
● Eagle Caribbean Restaurant, 943 E. Memorial Blvd., Lakeland
● Rodriguez Grocery, mobile vendor, 3502 Mountain Lake Cutoff Road, Lake Wales
● The Bullard Room at 253, caterer, 253 Stuart Ave. E., Lake Wales
● Hampton Inn, 44117 U.S. 27, Davenport
● Stillwater Preserve Development, 5000 Glove Trail, Bowling Green
● My Catering Connection Inc., 11 S. Seminole Ave., Fort Meade
● Bahia Bowls Acai Café, 3800 U.S. 98 N., Unit 680, Lakeland
● Ripples, 312 4th St. S.W., Winter Haven

# Shootings

Continued from Page 1A

County and surrounding counties.

About 2 a.m., Voigt's vehicle was spotted in Orlando on International Drive. Orlando police conducted a felony traffic stop and took Voigt into custody. As of 10 a.m., he was in the Orange County Jail awaiting transport to the Polk County Jail.

PCSO deputies spoke to Voigt and he admitted to shooting both his father and mother, the Sheriff's Office said. He said his father was upset with him about spending the majority of his time playing video games and "riding" him about making something of himself and getting a job, according to the release.

"Thanks to the rapid response of the Bartow Police Department, this violent and dangerous suspect was quickly apprehended," Sheriff Grady Judd said in the release.

"They (Bartow Police) asked for our assistance and we were happy to oblige," Judd said. "My detectives will continue their thorough investigation into this crime to ensure Voigt will face the full consequences of his actions."

Bartow Police Chief Stephen Walker said, "We are deeply saddened by this tragic and senseless shooting. We sincerely appreciate the assistance provided by the Polk County Sheriff's Office and the Orlando Police Department in this case, which led to the quick arrest of the suspect, Joseph Voigt."

**NOTICE OF LOCAL PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider the Establishment of**
**Eagle Trace Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance granting a petition to establish Eagle Trace Community Development District (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The proposed District is comprised of approximately 186.71 acres, more or less, generally located north of Weiberg Road, south of Lake Hatchineha Road, east of Detour Road, and west of Alford Road, as further identified in the map depicted in this notice. The Petitioner has proposed establishing the District to plan, finance, acquire, construct, operate, and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including Chapter 190, *Florida Statutes*.

Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

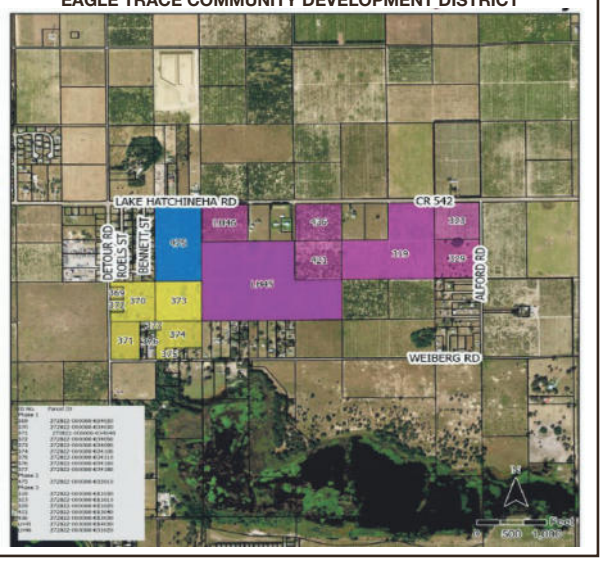
The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the establishment of the District. If adopted, the ordinance will establish the Eagle Trace Community Development District and designate the land to be serviced by the District.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Town Council with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

Run Dates: December 10th, December 17th, December 24th, and December 31st

**GENERAL LOCATION MAP OF THE PROPOSED**
**EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT**




LL-40781962

**NOTICE OF PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider a Petition to Expand the Boundaries of**
**Hamilton Bluff Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

**NOTICE OF PUBLIC HEARING**

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance to grant a petition to amend the boundaries of the Hamilton Bluff Community Development District (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 5 OF ORDINANCE O-22-06 THAT ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BY ADDING APPROXIMATELY 398 ACRES OF LAND THERETO PURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF EXHIBIT A TO ORDINANCE O-22-06, TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The District is comprised of approximately 266 acres of land, more or less, and located east of SR 17 at the crossroads of Water Tank Road and Detour Road. The District's northern border is along Kokoma Road (County Road 546 East) and the southern border is along Lake Hatchineha Road (County Road 542). The location of the current District and the expansion parcels are further identified in the map depicted in this notice. Petitioner has petitioned to amend the boundary of the District by expanding the existing boundary to include an additional 398 acres, more or less, and currently contiguous to the District boundary, for a total of approximately 664 acres, more or less, as authorized by Chapter 190, *Florida Statutes*.

The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the boundary amendment of the District. If adopted, the ordinance will amend the boundaries of the Hamilton Bluff Community Development District and designate the land to be serviced by the District.

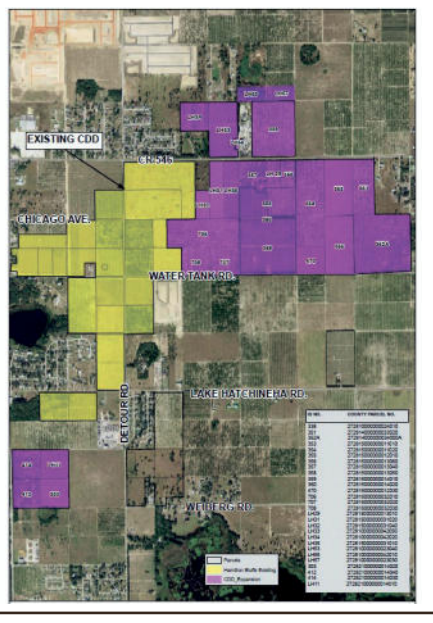
Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose, the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

PUBLICATION DATES: December 10th, December 17th, December 24th, and December 31st

HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT




LL-40776091

# NATION & WORLD BRIEFS

## Harris, Biden urge Democrats to fight on in rare joint appearance

WASHINGTON – U.S. President Joe Biden and Vice President Kamala Harris made a rare postelection joint appearance on Sunday to thank donors who raised more than $2 billion during the unsuccessful 2024 election cycle, and to urge Democrats to keep fighting for their values.

"Our spirit is not defeated. We are not defeated ... We are strong, we are clear about why we are in this," Harris told guests at a holiday party hosted by the Democratic National Committee. "We cannot let any circumstance or situation or individual ever take away our power ... we know what we stand for, and that's why we know what to fight for."

Biden added that it was critical to keep fighting. "My dad would say, when you get knocked down, you've just got to get up, get up. The measure of a person or a party is how fast they get up."

Harris' future is uncertain, even though some Democrats are urging her to run for governor of California, her home state.

Biden, who leaves office on Jan. 20, has said he intends to stay active in politics and work to heal deep divisions roiling the United States.

## US hits NKorea and Russia with new sanctions, Treasury says

WASHINGTON – The United States hit North Korea and Russia on Monday with new sanctions that the Treasury Department said targeted Pyongyang's financial activities and military support to Moscow.

The sanctions, which list North Korean banks, generals and other officials as well as Russian oil shipping companies, are the latest U.S. measure aimed at disrupting North Korea's support to Russia's war in Ukraine.

The North Korean banks targeted include Golden Triangle Bank and Korea Mandal Credit Bank, the Treasury Department said in a statement.

Pyongyang and Moscow have ramped up diplomatic and economic ties in recent years, culminating in Russian President Vladimir Putin's visit to North Korea in June when the countries' leaders agreed a mutual defense pact.

## Canadian finance minister quits after clash with Trudeau

OTTAWA, Canada – Canada's Finance Minister Chrystia Freeland quit on Monday after clashing with Prime Minister Justin Trudeau on issues including how to handle possible U.S. tariffs, dealing another blow to an already unpopular government.

In a stinging resignation letter, Freeland dismissed Trudeau's push for increased spending as a political gimmick that could hurt Ottawa's ability to deal with the 25% import tariffs U.S. President-elect Donald Trump says he will impose.

Freeland said she was quitting in the wake of a meeting last Friday with Trudeau, who asked her to take on a lesser post after the two had argued for weeks over spending.

Her resignation came just hours before she was due to present a fall economic update to parliament, a document widely expected to show the minority Liberal government had run up a much larger 2023/24 budget deficit than predicted.

The resignation by Freeland, 56, who also served as deputy prime minister, leaves Trudeau without a key ally when his government is already in trouble.

## Calif. DMV apologizes for license plate appearing to mock Oct. 7 attack

LOS ANGELES – The California Department of Motor Vehicles issued an apology on Thursday for printing a personalized license plate that appeared to mock the Oct. 7, 2023 attack on Israel by Hamas, though the family of the car owner has disputed that interpretation.

A photo of the license plate reading "LOLOCT7" was published by the X account StopAntisemitism which claimed the license plate, affixed to a Tesla Cybertruck, was photographed at a major intersection in Culver City near Los Angeles.

The account demanded the California DMV recall the plates saying it "celebrates the October 7th terrorist attack" and calling it a "vile mockery."

The son of the car's owner told ABC affiliate KABC Friday that the account was misinterpreting a Tagalog word on the license plate.

The son, who the station did not identify, said that the plate should be read as "LOLO-CT-7," referencing the Tagalog word for grandfather, the model of the car and the number of grandchildren the owner has. The son told the station that the explanation was given to the DMV when the application for the license plate was submitted.

## 2 teens killed in Houston shooting

A shooting at a "pop-up party" in Houston late Saturday left two teenagers dead and three injured, including a 13-year-old girl.

When police arrived, they found a "very hectic scene" of "mostly juveniles" running out of an empty business that had been turned into an unauthorized club, said Houston Police Assistant Chief Luis Menendez-Sierra.

Menendez-Sierra said no suspects had been identified so far.

Authorities said the party was part of a recent social media trend of impromptu events.

"These makeshift, unsanctioned pop-up parties can quickly lead to chaos and violence," Harris County Sheriff Ed Gonalez said on X. "Teens need to stay away for their own safety."

## Rescuers comb debris for survivors, count dead in cyclone-hit Mayotte

PARIS/MORONI – Emergency workers searched for survivors on Monday and battled to restore services in Mayotte, France's poorest overseas territory, where hundreds or even thousands, are feared dead from the worst cyclone to hit the Indian Ocean islands in nearly a century.

**Thousands may be dead in storm-hit Mayotte, France, shown Monday after it was hit by a cyclone.**
UIISC7/SECURITE CIVILE/HANDOUT VIA REUTERS

Cyclone Chido devastated large parts of the archipelago off east Africa over the weekend with winds of more than 124 mph, strewing homes over hillsides, and cutting phones, power and drinking water.

With areas still inaccessible, France's acting Interior Minister Bruno Retailleau said it would take days to ascertain the full extent of damage and deaths as he arrived in the disaster zone.

Residents lined up outside grocery stores in search of water and other basics.

"It really is a war landscape. I don't recognize anything any more. There's not even a tree left, the hills, there's not a blade of grass, it's extraordinary," Mayotte resident Camille Cozon Abdourazak told Reuters by video call after her power was restored.

## French parliament approves bill to roll over budget, avoiding shutdown

PARIS – France's National Assembly, the lower house of parliament, on Monday approved a special law designed to maintain core state functions and prevent any interruption of public services, three days after President Emmanuel Macron named Francois Bayrou as his fourth prime minister of 2024.

The French constitution allows for a special law to be passed in parliament that rolls over the tax-raising and spending provisions in the current budget to ensure there is no U.S.-style government shutdown in the absence of a proper budget bill.

The law is intended to act as a stopgap until France's deeply divided parliament passes next year's proper budget bill drafted by the new Bayrou government, most likely in early 2025.

The Senate, the upper house of the Parliament, will examine the law on Wednesday. It must be enacted before Dec 31 to ensure uninterrupted public services.

## Ohio woman gets prison term for killing, eating cat

A 27-year-old woman will spend a year in prison for killing and eating a cat in a case that drew international attention.

Allexis T. Ferrell of Canton, Ohio, pleaded guilty to cruelty to companion animals, a fifth-degree felony. She received the maximum penalty.

"This is repulsive to me," said Stark County Common Pleas Judge Frank G. Forchione. Animals "don't have a voice. But their only voice today is me and I'm going to exercise this voice very loudly."

Ferrell requested inpatient addiction treatment.

The case made news around the world during the presidential campaign after Donald Trump and running mate JD Vance falsely claimed immigrants were eating pets in Springfield, Ohio.

## Ukraine says it has laser weapon able to down some targets

Ukraine possesses a laser weapon capable of shooting down airborne targets at an altitude of more than 1.2 miles, the country's drone forces commander said on Monday.

The military official, Vadym Sukharevskyi, did not provide any more details in his first official remarks about the existence of the weapon. Reuters was unable to verify his statement.

"Today we can already shoot down aircraft at an altitude of over 2 km with this laser," he was quoted as saying by the Interfax-Ukraine news agency.

Sukharevskyi said the laser was named the Tryzub – the Ukrainian word for a "trident," which is a symbol used on the national coat of arms – suggesting it was domestically produced.

**NOTICE OF LOCAL PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider the Establishment of**
**Eagle Trace Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance granting a petition to establish Eagle Trace Community Development District (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The proposed District is comprised of approximately 186.71 acres, more or less, generally located north of Weiberg Road, south of Lake Hatchineha Road, east of Detour Road, and west of Alford Road, as further identified in the map depicted in this notice. The Petitioner has proposed establishing the District to plan, finance, acquire, construct, operate, and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including Chapter 190, *Florida Statutes*.

Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

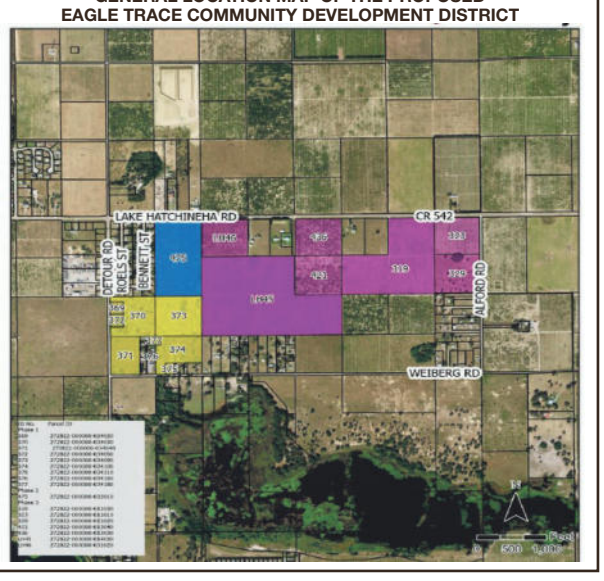
The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the establishment of the District. If adopted, the ordinance will establish the Eagle Trace Community Development District and designate the land to be serviced by the District.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Town Council with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

Run Dates: December 10th, December 17th, December 24th, and December 31st

**GENERAL LOCATION MAP OF THE PROPOSED**
**EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT**




LL-40781962

**NOTICE OF PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider a Petition to Expand the Boundaries of**
**Hamilton Bluff Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

**NOTICE OF PUBLIC HEARING**

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance to grant a petition to amend the boundaries of the Hamilton Bluff Community Development District (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 5 OF ORDINANCE O-22-06 THAT ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BY ADDING APPROXIMATELY 398 ACRES OF LAND THERETO PURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF EXHIBIT A TO ORDINANCE O-22-06, TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The District is comprised of approximately 266 acres of land, more or less, and located east of SR 17 at the crossroads of Water Tank Road and Detour Road. The District's northern border is along Kokoma Road (County Road 546 East) and the southern border is along Lake Hatchineha Road (County Road 542). The location of the current District and the expansion parcels are further identified in the map depicted in this notice. Petitioner has petitioned to amend the boundary of the District by expanding the existing boundary to include an additional 398 acres, more or less, and currently contiguous to the District boundary, for a total of approximately 664 acres, more or less, as authorized by Chapter 190, *Florida Statutes*.

The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the boundary amendment of the District. If adopted, the ordinance will amend the boundaries of the Hamilton Bluff Community Development District and designate the land to be serviced by the District.

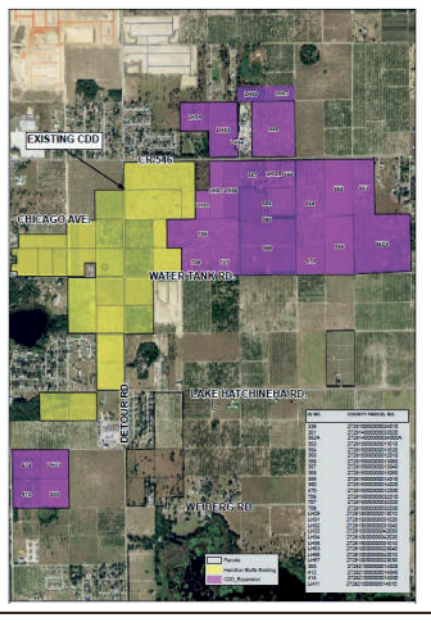
Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose, the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

PUBLICATION DATES: December 10th, December 17th, December 24th, and December 31st

HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT




LL-40776091

# Why does health care cost more in America?

## The blame goes well beyond insurance companies

**Ken Alltucker**
USA TODAY

**Health bills are the leading cause of personal bankruptcy. And medical bills accounted for more than half of all debt on consumers credit records in 2022, according to the Consumer Financial Protection Bureau.**
GETTY IMAGES

Americans spend far more on health care than anywhere else in the world, but we have the lowest life expectancy among large, wealthy countries.

A lot of that can be explained by the distinctive aspects of our health care system. Among other things, we reward doctors more for medical procedures than for keeping people healthy, keep costs hidden from customers and spend money on tasks that have nothing to do making patients feel better.

"We spend more on administrative costs than we do on caring for heart disease and caring for cancer," said Harvard University economist David Cutler. "It's just an absurd amount."

The nation's rising health bill affects just about everyone.

The amount working-age Americans spent on health insurance through the payroll deductions has jumped nearly three times faster than wages over the past two dozen years. Health bills are the leading cause of personal bankruptcy. And medical bills accounted for more than half of all debt on consumers credit records in 2022, according to the Consumer Financial Protection Bureau.

Public anger over high costs and poor results has been squarely focused on health insurance industry in the wake of Dec. 4 shooting of UnitedHealthcare CEO Brian Thompson.

Sen. Elizabeth Warren, D-Mass., said that while violence is never the answer, the public's frustration should serve as a warning for the health care industry, and in a Huffington Post interview Dec. 11 cited the "visceral response" from people who feel "cheated, ripped off and threatened by the vile practices of their insurance companies."

But health economists say the entire health care system, not just insurers, deserves scrutiny for runaway medical bills.

Health insurance companies took in $25 billion in profit last year, while hospitals collected an eye-popping $90 billion, Rice University economist Vivian Ho said.

"It's become quite clear how angry the public is with health care costs," said Ho. "I'm glad people are voicing their anger against insurers, but they should be directing equal anger against hospitals, particularly since so many are nonprofit."

Here are seven reasons why America's health care costs are so high, without showing better results:

### Lack of price limits

U.S. hospitals have more specialists than other nations. Having access to 24/7 specialty care, particularly for hospitals in major metro areas, drives up costs, said Michael Chernew, a health care policy professor at Harvard Medical School.

Patients have more elbow room and privacy here. U.S. hospitals typically have either one or two patients per room, unlike facilities abroad that tend to have open wards with rows of beds, Chernew said. He said differences in labor markets and regulatory requirements also can pack on costs.

Of the $4.5 trillion spent on U.S. health care in 2022, hospitals collected 30% of that total health spending, according to data from the Centers for Medicare & Medicaid Services. Doctors rank second at 20%. Prescription drugs accounted for 9% and health insurance – both private health insurance and government programs such as Medicare and Medicaid – collect 7% in administrative costs.

Most U.S. hospitals are nonprofit and get federal, state and local tax breaks. These nonprofits are expected to provide free or reduced-cost care to low-income patients as well as other community benefits. Federal law requires hospital to assess and stabilize every patient who seeks care in an emergency room, even if they can't pay their bills.

But research suggests many hospitals don't live up to their charity care and other community benefit obligations.

Johns Hopkins University and Texas Christian University researchers estimated the nation's nearly 3,000 nonprofit hospitals were spared $37.4 billion in federal, state and local taxes in 2021. That same year, Medicare filings show hospitals paid out $15.2 billion in charity care.

Chernew has proposed health care price caps to curb runaway health costs. Such caps might be used in markets where large hospitals control a significant share of a local health market, which allows them to demand higher prices from insurance companies who might not have other options.

### Hospitals and doctors get paid for services, not outcomes

Doctors, hospitals and other providers are paid based on the number of tests and procedures they order, not necessarily whether patients get better.

The insurer pays the doctor, hospital or lab based on negotiated, in-network rates between the two parties.

Critics of this fee-for-service payment method says it rewards quantity over quality. Health providers who order more tests or procedures get more lucrative payments whether the patients improve or not.

"This is not the way health care should be delivered in our country," Rep. Vern Buchanan, R-Fla., said during a hearing in June exploring an alternative health payment called value-based care.

After the Affordable Care Act passed in 2010, the Centers for Medicare and Medicaid Services funded small programs that encouraged hospitals and other health providers to emphasize value over volume.

But the U.S. health system has been slow to adopt value-based care programs. Of 50 such models launched by CMS over the past decade, only six delivered health savings and two demonstrated improvements in quality, according to June testimony from Rep. Lloyd Doggett, D-Texas.

### Specialists get paid much more – and want to keep it that way

Doctors who provide specialty care such as cardiologists or cancer doctors get much higher payments from Medicare and private insurers than primary care doctors.

Some see that as a system that rewards doctors who specialize in caring for patients with complex medical conditions while skimping on pay for primary care doctors who try to prevent or limit disease.

Under the current system, doctors chosen by the American Medical Association recommend how much Medicare should pay doctors for specific services. Some have compared the idea of doctors setting their own pay scale to the proverbial fox guarding the henhouse.

The health news publication STAT first reported that Robert F. Kennedy Jr., President-elect Donald Trump's nominee to become secretary of Health and Human Services, is seeking to limit the AMA's influence over these medical billing codes.

Medicare payment rates not only determine how much taxpayers shell out for older Americans' health care, they set the base for health care prices. Private insurers typically use Medicare rates to decide how much they pay doctors and hospitals.

If such an overhaul resulted in more lucrative payment for primary care doctors who emphasize preventive care, it could help make people healthier and reduce costly spending on specialists, Ho said.

### Administrative costs inflate health spending

One of the biggest sources of wasted medical spending is on administrative costs, several experts told USA TODAY.

Although Medicare's official health care spending report doesn't calculate how much the nation spends on administrative tasks, Harvard's Cutler estimates that up to 25% of medical spending is due to administrative costs.

Health insurers often require doctors and hospitals to get authorization before performing procedures or operations. Or they mandate "step therapy," which makes patients try comparable lower-cost prescription drugs before coverage for a doctor-recommended drug kicks in.

These mandates trigger a flurry of communication and tasks for both health insurers and doctors, Cutler said.

Although medical records are computerized, too often medical computer systems don't communicate with outside organizations such as health insurers, Cutler said. That results in extra administrative tasks, when doctors attempt to get authorization from an insurer on behalf of a patient.

Such communication could be more seamless – and result in less busywork – if insurers could track patients records electronically, Cutler said

Instead, they often turn to calls and throwback technology such as fax machines.

"The only use of fax machines now are in medical care," Cutler said.

Cutler said government-run Medicare is a much more efficient operation. Doctors who provide care for Medicare patients are allowed to bill and collect payment in relatively seamless transactions without the same level of oversight that private insurance companies apply.

One drawback: Unscrupulous providers can more easily fraudulently bill the federal health program, Cutler said.

### Health care pricing is a mystery

Patients often have no idea how much a test or a procedure will cost before they go to a clinic or a hospital. Health care prices are hidden from the public. And

**See COST, Page 7A**

**NOTICE OF PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider a Petition to Expand the Boundaries of**
**Hamilton Bluff Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

**NOTICE OF PUBLIC HEARING**

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance to grant a petition to amend the boundaries of the Hamilton Bluff Community Development District (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 5 OF ORDINANCE O-22-06 THAT ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BY ADDING APPROXIMATELY 398 ACRES OF LAND THERETO PURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF EXHIBIT A TO ORDINANCE O-22-06, TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The District is comprised of approximately 266 acres of land, more or less, and located east of SR 17 at the crossroads of Water Tank Road and Detour Road. The District's northern border is along Kokoma Road (County Road 546 East) and the southern border is along Lake Hatchineha Road (County Road 542). The location of the current District and the expansion parcels are further identified in the map depicted in this notice. Petitioner has petitioned to amend the boundary of the District by expanding the existing boundary to include an additional 398 acres, more or less, and currently contiguous to the District boundary, for a total of approximately 664 acres, more or less, as authorized by Chapter 190, *Florida Statutes*.

The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the boundary amendment of the District. If adopted, the ordinance will amend the boundaries of the Hamilton Bluff Community Development District and designate the land to be serviced by the District.

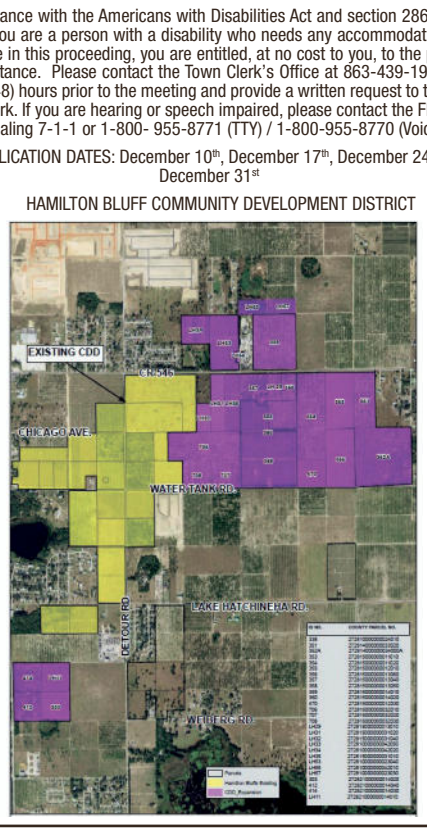
Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose, the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

PUBLICATION DATES: December 10th, December 17th, December 24th, and December 31st

HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT




LL-40776091

**NOTICE OF LOCAL PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider the Establishment of**
**Eagle Trace Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance granting a petition to establish Eagle Trace Community Development District (the "District"). The title of the proposed ordinance is as follows:

**ORDINANCE O-2024-15**

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The proposed District is comprised of approximately 186.71 acres, more or less, generally located north of Weiberg Road, south of Lake Hatchineha Road, east of Detour Road, and west of Alford Road, as further identified in the map depicted in this notice. The Petitioner has proposed establishing the District to plan, finance, acquire, construct, operate, and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including Chapter 190, *Florida Statutes*.

Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

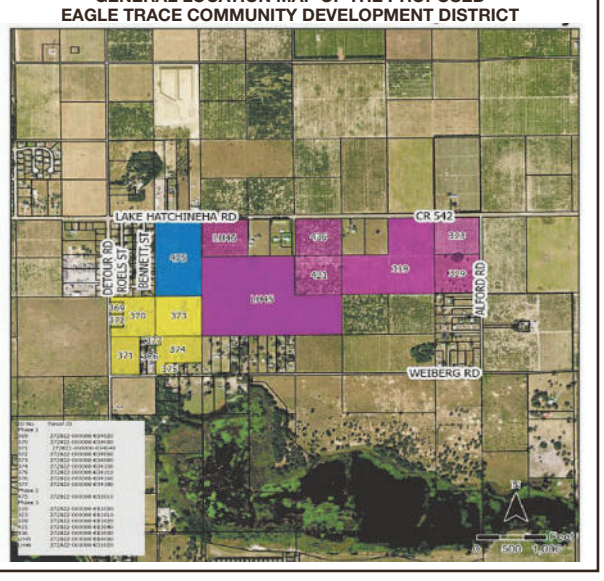
The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the establishment of the District. If adopted, the ordinance will establish the Eagle Trace Community Development District and designate the land to be serviced by the District.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Town Council with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

Run Dates: December 10th, December 17th, December 24th, and December 31st

GENERAL LOCATION MAP OF THE PROPOSED
EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT




LL-40781962

# Audit

Continued from Page 1A

report received for the Town (of Dundee) for the 2021-2022 fiscal year, was received on June 9, 2023," which was in a timely manner, he said.

"We do not yet have record of receiving a fiscal year 2022-23 financial audit report," Voss said.

Since the deadline was missed, that triggers contact between the Auditor General's Office and the Joint Legislative Auditing Committee when three years of audits have found issues with the annual review that were in need of corrective action.

"As required by Section 11.45(7)(a), Florida Statutes, the Town was listed on our notification to the Legislative Auditing Committee regarding 2022-23 fiscal year audit reporting," Voss said.

Voss confirmed that the Auditor General still had not received an audit from Dundee as of 4 p.m. Dec. 20.

### Town Manager says staff shortages caused delays

"The audit for 2022-2023 is currently in review by the (Town's) auditor," Davis said in a statement emailed to a reporter on Dec. 17. "We will have it completed and uploaded to the State by the January 2025 session.

"The town was without a Finance Director during that time and had contracted services from an outsourced CPA firm. That firm completed the audit late as mentioned," Davis said.

"However, all documents have been submitted to the auditing firm for review and reporting. The auditing firm is expected to present the audit findings to the commission at the January 14, 2025, meeting."

Pennant, who was elected to the town commission in 2010, said he is aware of Dundee being late with the audit at least once before and downplayed the urgency of warnings from residents and the town's auditor.

"We should meet our deadline," he said. "The deadline is April, so we should meet our deadline. Every once in a while, a municipality will be late.

"I've been the mayor now for 12 years, and I think this is the second time or the first time we were this late," Pennant added.

When asked if Dundee has secured a finance director, he said the finance department hired a person about six months ago. Regarding the audit findings the state pointed out for correcting, he said the new person in finance has only been aware of the letter from the Joint Auditing Legislative Committee for about four weeks.

### Rare public warnings made by Town auditor

In recent months, Davis, Pennant and the town commissioners have been warned in public that Dundee is in danger of losing state funding if the audit is not sent sooner rather than later.

In a recording of the commission's Oct. 22 meeting posted to Facebook , the town's outside auditor Mike Brynjulfson took the unusual step to publicly warn Dundee's management, mayor and commissioners of the approaching hard deadline for the overdue audit. Municipal auditors usually do not address town audits at a public meeting.

Attempts to reach Brynjulfson by phone were unsuccessful. In the recording on Facebook, he went over the statutory deadlines and process for late audit reports before offering a stern warning of the consequences.

Of 42 municipalities (more than 10% of Florida's local governments), the joint House and Senate Committee took action on all of them during the 2023-2024 legislative session, ordering the Department of Revenue to stop sending state funds to them – except municipal funds pledged for debt, he said.

In Dundee's case, that could be 25% of general fund revenues, Brynjulfson said.

"So that is what we are facing if this is not done by April," he said at the October meeting.

He added that most of the municipalities he audits in Polk County are now working on their 2023-2024 reports, so he would need about a month to complete Dundee's audit if he had all the needed information, which he had yet to receive by the October commission meeting.

"That's the best case scenario," Brynjulfson said of the timing.

In a phone call with a Ledger reporter, Garrison said he was unaware of any point in history when the Town of Dundee missed the June 30 deadline to file its audited financial report.

"I personally think the money is being grossly mismanaged," he said, among other allegations about the current overdue year and past fiscal years.

Garrison claimed a car wash and car detailing vendor was paid for with the town's credit card within the past few years as were food purchases and flowers during the 2020-2021 fiscal year as shown in public records he had obtained from Dundee after hiring an attorney.

A request for the credit card statements by The Ledger is pending.

Garrison said his public information request also included a balance sheet. But that request remains unfulfilled, so he said he is unable to see the whole picture of how taxpayer funds are being used.

Commissioner Mary Robinson said by phone Thursday that she asked in February 2023 for an expenditure report and the balance sheet from the town's administration.

"I am yet to get them," said Robinson, who is in her first year as a commissioner and is a critic of the town's management at commission meetings. Town meetings are not recorded, although private citizens have been posting videos on their Facebook pages, including some that show shouting matches during the meetings.

"I was told this is the first time in history that the Town of Dundee has been in this predicament, and that the auditor said he was very concerned because he has never seen this in the Town of Dundee," she said.

**In a recording of the commission's Oct. 22 meeting posted to Facebook , the town's outside auditor Mike Brynjulfson took the unusual step to publicly warn Dundee's management, mayor and commissioners of the approaching hard deadline for the overdue audit. Municipal auditors usually do not address town audits at a public meeting.**

Robinson said she wants to know why a $100,000 entertainment trailer was purchased by the town. She said those funds would have been better spent on an after-school program at the community center.

When asked if the town's credit card in past years had been used for car washes, flowers and dinners at Red Lobster, Pennant said, "If there is stuff like that, the audit will pick it up."

### Discrepancies to correct in past audits

In addition to the town's overdue audit, its auditor has found issues in past fiscal years. Those issues are identified and still need to be corrected as shown in state records requested by The Ledger from the Florida Auditor General's Office and the Joint Auditing Legislative Committee.

This was documented in an exchange of letters earlier this year between Pennant and the Joint Legislative Auditing Committee, state records show. The initial letter was sent by its chairman and vice chair, Rep. Michael Caruso, R-Delray Beach, and Sen. Jason Pizzo, D-Sunny Isles Beach.

"Florida Statutes requires the Auditor General to notify the Joint Legislative Auditing Committee when a municipality has failed to correct an audit finding that has been reported in three successive audit reports," said the letter to Pennant and Davis.

"The Committee may then require the municipality to provide a written explanation of the status of corrective action that has been taken," the letter said. "If the explanation is either not provided or determined to be not sufficient, the Committee may require the chair of the governing body of the municipality to appear before the Committee."

On Dec. 4, 2023, Dundee was told to provide written explanations detailing corrective actions on the prior year's audit report, the committee said in the more recent letter.

"For each audit finding (by the Committee) that was reported in the FY 2021-22 audit report and also in the two preceding audit reports, the Response should either explain why full corrective action has not been taken or, if the governing body intends to take full corrective action, describe the corrective action to be taken and when it will occur."

Among the audit findings in the latest letter from the committee, dated Jan. 24:

- The town's bank accounts are not being reconciled in a timely manner.
- Transactions being posted to the town's accounting information system contained many errors.
- The town's unspent building permit fees subject to the cap totaled $262,209 on September 30, 2022, which exceeded the average costs incurred to enforce the Florida Building Code over the prior four fiscal years by $71,256.

In March, Pennant signed a letter in response to the committee.

"Town Management agrees with the following Audit Findings," the response said. "Since this audit report was issued, Management has been working diligently to address these items and implement corrections as needed to minimize recurring findings going forward."

Pennant's responses to the audit findings were:

- Two Dundee staff members have undergone training with the town's CPA firm for bank statement reconciliation.
- Staff were trained to improve processing of bank reconciliations, payroll journal entries, accounts payable and other journal entries.
- The town purchased the Development Services Building on Nov. 10, 2021, with building permit fee carryover funds but still exceeded the average by $71,256. It spent that on renovations to the building.
- Dundee also offered rebates in a June 2023 resolution to automatically adjust the building permit fee based on the funds on-hand in excess of the statutory cap.

Davis, who has a master's degree in business administration and started as the town's finance director before being promoted to town manager, said she expects another letter from the state when the legislative session starts in January.

"They will submit letters to each municipality that is late — giving them a final deadline," she said. "That deadline is typically in March or April 2025. If the audit is unresolved by that date, then the town could jeopardize its state funding."

Should a small city or town not file an audit with the state, the state Legislature can cut off funds to a noncompliant municipality, including federal Community Development Block Grant funding, which states typically use to match up to 80% of infrastructure projects in small cities.

For towns such as Dundee with less than 50,000 in population, the Florida Commerce Department sets CDBG funding priorities for projects such as wastewater treatment plants, water projects, economic development and recreational facilities and community centers, among others.

**NOTICE OF LOCAL PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider the Establishment of**
**Eagle Trace Community Development District**

DATE: January 7, 2025

TIME: 6:00 p.m.

LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance granting a petition to establish Eagle Trace Community Development District (the "District"). The title of the proposed ordinance is as follows:

**ORDINANCE O-2024-15**

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The proposed District is comprised of approximately 186.71 acres, more or less, generally located north of Weiberg Road, south of Lake Hatchineha Road, east of Detour Road, and west of Alford Road, as further identified in the map depicted in this notice. The Petitioner has proposed establishing the District to plan, finance, acquire, construct, operate, and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including Chapter 190, *Florida Statutes*.

Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

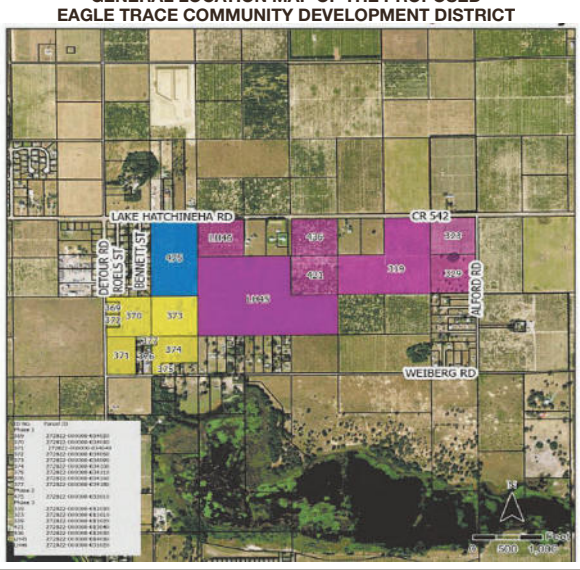
The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the establishment of the District. If adopted, the ordinance will establish the Eagle Trace Community Development District and designate the land to be serviced by the District.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Town Council with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

Run Dates: December 10th, December 17th, December 24th, and December 31st

**GENERAL LOCATION MAP OF THE PROPOSED**
**EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT**




**NOTICE OF PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider a Petition to Expand the Boundaries of**
**Hamilton Bluff Community Development District**

DATE: January 7, 2025

TIME: 6:00 p.m.

LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

**NOTICE OF PUBLIC HEARING**

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance to grant a petition to amend the boundaries of the Hamilton Bluff Community Development District (the "District"). The title of the proposed ordinance is as follows:

**ORDINANCE O-2024-16**

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 5 OF ORDINANCE O-22-06 THAT ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BY ADDING APPROXIMATELY 398 ACRES OF LAND THERETO PURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF EXHIBIT A TO ORDINANCE O-22-06, TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The District is comprised of approximately 266 acres of land, more or less, and located east of SR 17 at the crossroads of Water Tank Road and Detour Road. The District's northern border is along Kokoma Road (County Road 546 East) and the southern border is along Lake Hatchineha Road (County Road 542). The location of the current District and the expansion parcels are further identified in the map depicted in this notice. Petitioner has petitioned to amend the boundary of the District by expanding the existing boundary to include an additional 398 acres, more or less, and currently contiguous to the District boundary, for a total of approximately 664 acres, more or less, as authorized by Chapter 190, *Florida Statutes*.

The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the boundary amendment of the District. If adopted, the ordinance will amend the boundaries of the Hamilton Bluff Community Development District and designate the land to be serviced by the District.

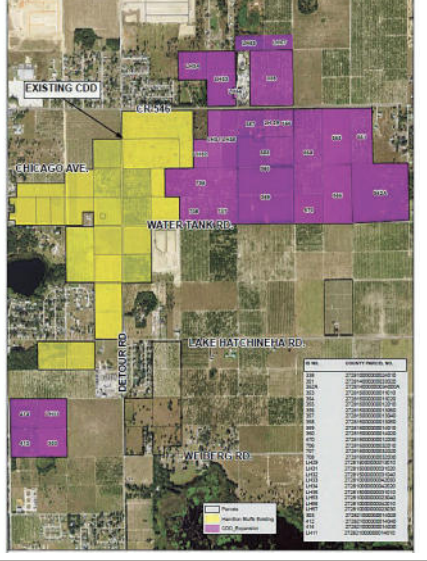
Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose, the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice).

PUBLICATION DATES: December 10th, December 17th, December 24th, and December 31st

HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT



LOCALiQ
The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

## AFFIDAVIT OF PUBLICATION

Amy Hembree
Amy D. Hembree
Kilinski Van Wyk
517 E College AVE
Tallahassee FL 32301-2528

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The Ledger-News Chief, published in Polk County, Florida; that the attached copy of advertisement, being a Main Legal CLEGL, was published on the publicly accessible website of Polk County, Florida, or in a newspaper by print in the issues of, on:

12/10/2024, 12/17/2024, 12/24/2024, 12/31/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 12/31/2024

Legal Clerk

Notary, State of WI, County of Brown

3.7.27

My commission expires

| | | | |
|---|---|---|---|
| Publication Cost: | $2647.00 | | |
| Tax Amount: | $0.00 | | |
| Payment Cost: | $2647.00 | | |
| Order No: | 10830301 | # of Copies: | |
| Customer No: | 1061987 | 1 | |
| PO #: | | | |

THIS IS NOT AN INVOICE!

*Please do not use this form for payment remittance.*

KAITLYN FELTY
Notary Public
State of Wisconsin

**NOTICE OF LOCAL PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider the Establishment of**
**Eagle Trace Community Development District**

DATE: January 7, 2025

TIME: 6:00 p.m.

LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance granting a petition to establish Eagle Trace Community Development District (the "District"). The title of the proposed ordinance is as follows:

**ORDINANCE O-2024-15**

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The proposed District is comprised of approximately 186.71 acres, more or less, generally located north of Weiberg Road, south of Lake Hatchineha Road, east of Detour Road, and west of Alford Road, as further identified in the map depicted in this notice. The Petitioner has proposed establishing the District to plan, finance, acquire, construct, operate, and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including Chapter 190, *Florida Statutes*.

Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

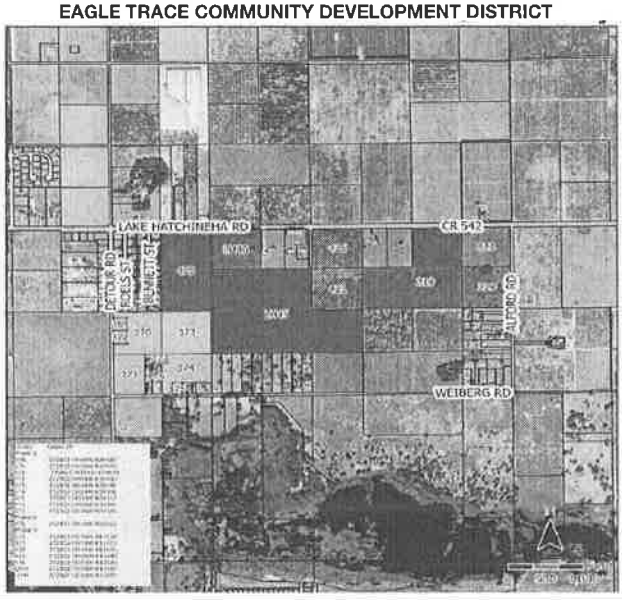
The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the establishment of the District. If adopted, the ordinance will establish the Eagle Trace Community Development District and designate the land to be serviced by the District.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Town Council with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

Run Dates: December 10th, December 17th, December 24th, and December 31st

**GENERAL LOCATION MAP OF THE PROPOSED**
**EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT**




LL-40781962

# Town of Lake Hamilton
## Town Council
## Agenda Summary Report

**TO:** Lake Hamilton Town Council

**THROUGH:** Brittney Sandoval, Town Administrator

**FROM:** Doug Leonard/Interim Senior Planner

**AGENDA ITEM:** **Ordinance O-2024-XX** Hamilton Bluffs CDD Amendment – 1st Read

**DATE:** December 3, 2024

**SUMMARY & RECOMMENDATION**: Staff is requesting that Council approve the Petition for the third amended and restated petition to expand the boundaries of the Hamilton Bluff Community Development District. Please see Exhibit "A"

**CONSENT AGENDA** ☐ **OLD BUSINESS** ☐ **NEW BUSINESS** ☒

**ATTORNEY REVIEW:** YES: ☒ NO: ☐ N/A: ☐

**FINANCIAL IMPACT:** YES: ☐ NO: ☒

**RECOMMENDATION:** None

**ATTACHMENTS:** None

**ORDINANCE O-2024-16**

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 5 OF ORDINANCE O-22-06 THAT ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BY ADDING APPROXIMATELY 398 ACRES OF LAND THERETOPURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF EXHIBIT A TO ORDINANCE O-22-06, TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on March 1, 2022, the Town Council of Lake Hamilton, Florida (the "**Town Council**") pursuant to Section 190.005(2)(a), *Florida Statutes*, adopted Ordinance O-22-06, which established the Hamilton Bluff Community Development District ("**District**"); and

**WHEREAS,** the Town has received from the District a "*Third Amended and Restated Petition to Expand the Boundary of the Hamilton Bluff Community Development District*," dated October 4, 2024 (the "**Petition**"), which Petition is in compliance with the provisions of Section 190.046, *Florida Statutes*; and

**WHEREAS**, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the Town Council on January 7, 2025, pursuant to Section 190.046(1)(b), *Florida Statutes*; and

**WHEREAS**, upon consideration of the record established at that duly noticed hearing, the Town Council has considered the record of the public hearing and the statutory factors set forth in Section 190.046(1)(b), *Florida Statutes*, in making its determination to grant or deny the Petition; and

**WHEREAS**, the Town Council, pursuant to the information contained within the Petition and based on an investigation conducted by the Town of Lake Hamilton staff and otherwise being

fully advised as to the facts and circumstances contained within the request of the District, finds as follows:

(1) The statements within the Petition are true and correct; and

(2) The Petition is complete in that it meets the requirements of Section 190.046(1)(a), *Florida Statutes* (2024); and

(3) The appropriate Town staff have reviewed the Petition of the District on the proposed lands to be included within the District and have advised the Town Council that said Petition is complete and sufficient; and

(4) Amendment of the District boundaries and all land uses and services planned within the District, as amended are not inconsistent with applicable elements or portions of the adopted State Comprehensive Plan or the applicable and effective local comprehensive plans; and

(5) The area of land to be included within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community; and

(6) The District, as amended, is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and

(7) The community development services and facilities of the District, as amended, will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and

(8) The area that will be served by the District, as amended, is amenable to separate special-district government.

**WHEREAS**, pursuant to the information stated above, the Town Council has decided to grant the District's *Third Amended and Restated Petition to Expand the Boundary of the Hamilton Bluff Community Development District*; and

**WHEREAS**, the District, as amended, will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition; and

**WHEREAS**, the District, as amended shall not act to amend any land development approvals governing the land area to be included within the District; and

**WHEREAS**, upon the effective date of this Ordinance, the Hamilton Bluff Community Development District, as created by general law, will be duly and legally authorized to exist on the proposed property and to exercise all of its general and special powers as limited by law.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF LAKE HAMILTON, FLORIDA:**

**SECTION 1. TITLE.** This Ordinance shall be known and may be cited as the "Hamilton Bluff Community Development District Boundary Amendment Ordinance No. 1."

**SECTION 2. BOARD FINDINGS.** The Board findings set forth in the recitals to this Ordinance are hereby incorporated in this Ordinance.

**SECTION 3. AUTHORITY.** This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development District Act of 1980, Chapter 190, *Florida Statutes*.

**SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT.** The Petition is hereby approved and Section 5, External Boundaries of the District of Ordinance O-22-06, is hereby amended and shall encompass approximately 664 acres, more or less.

**SECTION 5. LEGAL DESCRIPTION OF THE DISTRICT.** Exhibit "A" of Ordinance O-22-06, is hereby replaced in its entirety with a new Exhibit "A", which is attached hereto and incorporated herein, and which accurately depicts the external boundaries of the District, as amended,

**SECTION 6. ALL OTHER CONDITIONS TO REMAIN UNCHANGED.** All other terms and conditions of Ordinance O-22-06 shall remain unchanged and enforceable in accordance with the terms expressed herein.

**SECTION 7. SEVERABILITY.** If any provision of this Ordinance, or the application thereof, is determined by a court of competent jurisdiction to be illegal, invalid, or unenforceable,

such provision shall be deemed severable and the remaining provisions shall continue remain in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

**SECTION 8. EFFECTIVE DATE.** This Ordinance shall be effective immediately upon adoption.

**INTRODUCED AND PASSED ON FIRST READING** by the Town Council of the Town of Lake Hamilton, Florida, meeting in Regular Session this 3rd day of December 2024.

**INTRODUCED, PASSED AND DULY ADOPTED ON SECOND READING** by the Town Council of the Town of Lake Hamilton, Florida, meeting in Regular Session this 7th day of January 2025.

TOWN COUNCIL OF LAKE HAMILTON
FLORIDA

BY: _____
Marlene Wagner, Mayor

ATTEST:

By: _____
Jacqueline Borja, Town Clerk

APPROVED AS TO FORM:
By: _____
Anthony Sabatini, Esq., Interim Town Attorney

| Record of Vote | Yes | No |
|---|---|---|
| Roberson | ___ | ___ |
| Slavens | ___ | ___ |
| Wagner | ___ | ___ |
| Mathis | ___ | ___ |

**Exhibit "A"**

## Legal Description of the District

A PORTION OF SECTIONS 15, 16 AND 21, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE N89°12'47"E, ALONG THE NORTH LINE OF SAID SECTION 15, A DISTANCE OF 1653.53 FEET; THENCE DEPARTING SAID NORTH LINE, RUN S00°34'24"E, A DISTANCE OF 669.81 FEET TO A POINT ON THE SOUTH LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15 ; THENCE N89°09'48"E, ALONG SAID NORTH LINE, A DISTANCE OF 330.77 FEET TO A POINT ON THE WEST LINE OF THE OF THE W 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15; THENCE N00°34'42"W, ALONG SAID WEST LINE, A DISTANCE OF 669.52 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10; THENCE N00°29'23"W, ALONG SAID WEST LINE, A DISTANCE OF 659.91 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10; THENCE S89°12'59"W, ALONG SAID SOUTH LINE, A DISTANCE OF 661.63 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10; THENCE N00°30'31"W, ALONG SAID WEST LINE, A DISTANCE OF 659.95 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10; THENCE N89°13'10"E, ALONG SAID NORTH LINE, A DISTANCE OF 1323.69 FEET TO A POINT ON THE EAST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 10 ALSO BEING POINT OF REFERENCE “A"; THENCE S00°28'16"E, ALONG SAID EAST LINE, A DISTANCE OF 1319.75 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10; THENCE N89°12'40"E, ALONG SAID SOUTH LINE, A DISTANCE OF 330.69 FEET; THENCE DEPARTING SAID SOUTH LINE RUN, N00°27'05"W, A DISTANCE OF 1320.18 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10; THENCE N89°08'16"E, ALONG SAID SOUTH LINE, A DISTANCE OF 993.42 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10; THENCE S00°23'34"E, ALONG SAID WEST LINE, A DISTANCE OF 1321.46 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10; THENCE N89°12'40"E, ALONG SAID SOUTH LINE, A DISTANCE OF 1322.74 FEET TO THE NORTHWEST CORNER OF SAID SECTION 14; THENCE N89°35'29"E, ALONG THE NORTH LINE OF SAID SECTION 14, A DISTANCE OF 495.00 FEET; THENCE DEPARTING SAID NORTH LINE, RUN S00°38'17"E, A DISTANCE OF 1332.89 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 14; THENCE N89°31'38"E, ALONG SAID NORTH LINE, A DISTANCE OF 819.20 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 14; THENCE S00°32'38"E, ALONG SAID EAST LINE, A DISTANCE OF 1332.24 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 14; THENCE S89°28'31"W, ALONG SAID SOUTH LINE, A DISTANCE OF 1312.00 FEET TO THE WEST 1/4 CORNER OF SECTION 14; THENCE S89°01'06"W, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 15, A DISTANCE OF 2647.85 FEET TO THE EAST 1/4 CORNER OF SECTION 15; THENCE S89°00'52"W, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, A DISTANCE OF 1323.79 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 15; THENCE S89°00'52"W, ALONG SAID SOUTH LINE, A DISTANCE OF 661.90 FEET TO A POINT ON THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15 ; THENCE

S00°34'37"E, ALONG SAID EAST LINE, A DISTANCE OF 1321.75 FEET TO A SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15; THENCE S89°11'27"W, ALONG SAID SOUTH LINE, A DISTANCE OF 661.97 FEET TO A POINT ON THE EAST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 16; THENCE S00°34'24"E, ALONG SAID EAST LINE, A DISTANCE OF 1319.71 FEET TO A POINT ON THE SOUTH LINE OF SECTION 16; THENCE N89°58'17"W, ALONG SAID SOUTH LINE, A DISTANCE OF 657.88 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21 ; THENCE S00°16'55"E, ALONG SAID EAST LINE, A DISTANCE OF 666.11 FEET TO A POINT ON THE SOUTH LINE NORTH 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE S89°56'49"W, ALONG SAID SOUTH LINE, A DISTANCE OF 1317.23 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21; THENCE N00°09'21"W, ALONG SAID WEST LINE, A DISTANCE OF 667.98 FEET TO A POINT ON THE NORTH LINE OF SECTION 21; THENCE S89°58'17"E, ALONG THE NORTH LINE, A DISTANCE OF 1315.77 FEET TO A POINT ON THE WEST LINE OF EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 16 ; THENCE N00°37'16"W, ALONG SAID WEST LINE, A DISTANCE OF 1322.13 FEET TO A POINT ON THE SOUTH LINE OF THE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16; THENCE N89°45'44"W, ALONG SAID SOUTH LINE, A DISTANCE OF 659.02 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16 ; THENCE N00°40'08"W, ALONG SAID WEST LINE, A DISTANCE OF 1324.55 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16; THENCE N89°33'14"W, ALONG SAID SOUTH LINE, A DISTANCE OF 1157.70; THENCE N02°51'16"E, A DISTANCE OF 128.34 FEET; THENCE N90°00'00"W, A DISTANCE OF 151.65 FEET A POINT ON A NON-TANGENT CURVE AND A POINT ON THE EAST LINE OF SCENIC HIGHWAY NORTH PER FLORIDA DEPARTMENT OF TRANSPORTATION PER RIGHT OF WAY MAP PROJECT 5209 -RD(8) OF POLK COUNTY ; THENCE ALONG THE EAST LINE OF SCENIC HIGHWAY NORTH THE FOLLOWING FIVE (3) COURSES AND DISTANCES: SAID CURVE BEING CONCAVE WESTERLY HAVING A RADIUS OF 1687.12 FEET, A CENTRAL ANGLE OF 04°39'37", A CHORD BEARING OF N07°53'51"E AND A CHORD DISTANCE OF 137.19 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 137.22 FEET TO A POINT OF NON-TANGENCY; THENCE N84°25'58"W, A DISTANCE OF 17.00 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1670.12 FEET, A CENTRAL ANGLE OF 01°45'32", A CHORD BEARING OF N04°41'16"E AND A CHORD DISTANCE OF 51.27 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 51.27 FEET TO THE A POINT OF NON-TANGENCY; THENCE DEPARTING SAID RIGHT OF WAY, RUN N89°14'11"E, A DISTANCE OF 89.31 FEET; THENCE N00°45'49"W, A DISTANCE OF 180.00 FEET; THENCE S89°14'11"W, A DISTANCE OF 84.00 FEET TO A POINT ON THE AFORE MENTIONED EAST RIGHT OF WAY LINE; THENCE N00°45'49"W, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 174.32 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16 ; THENCE S89°34'39"E, ALONG SAID NORTH LINE, A DISTANCE OF 142.03 FEET; THENCE DEPARTING SAID NORTH LINE, N00°45'49"W, A DISTANCE OF 335.14 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16; THENCE S89°35'21"E, ALONG SAID SOUTH LINE, A DISTANCE OF 1147.16 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16; THENCE N00°39'21"W, ALONG SAID WEST LINE, A DISTANCE OF 335.36 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16; THENCE S89°36'03"E, ALONG SAID SOUTH LINE, A DISTANCE OF 661.41 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 SECTION 16; THENCE N00°36'07"W, ALONG SAID WEST LINE, A DISTANCE OF 670.98 FEET TOA POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 SECTION 16 ; THENCE S89°37'27"E, ALONG SAID NORTH LINE, A DISTANCE OF 662.04 FEET TO A POINT ON THE WEST LINE OF SECTION 15; THENCE

N00°32'54"W,ALONG SAID WEST LINE, A DISTANCE OF 671.24 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

PARCEL 1

A PORTION OF SECTION 21, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER CORNER OF SAID SECTION 21; THENCE N89°42'09"E, ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21, A DISTANCE OF 28.76 FEET TO THE POINT OF BEGINNING AND ALSO BEING THE EAST RIGHT OF WAY LINE OF SCENIC HIGHWAY NORTH PER FLORIDA DEPARTMENT OF TRANSPORTATION PER RIGHT OF WAY MAP PROJECT 5209-RD(8) OF POLK COUNTY; THENCE ALONG THE SAID EAST RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES; N00°20'43"W, A DISTANCE OF 713.49 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 5763.12 FEET, A CENTRAL ANGLE OF 05°09'30", A CHORD BEARING OF N02°55'28"W AND A CHORD DISTANCE OF 518.67 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 518.84 FEET TO A POINT OF NON-TANGENCY; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, RUN N00°05'35"W, A DISTANCE OF 106.22 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE N89°51'55"E, ALONG SAID NORTH LINE, A DISTANCE OF 1318.69 FEET TO A POINT ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S00°13'08"E, ALONG SAID EAST LINE, A DISTANCE OF 1334.09 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S89°42'09"W, ALONG THE SAID SOUTH LINE, A DISTANCE OF 1292.86 FEET TO THE POINT OF BEGINNING.

PARCEL 2

A PORTION OF SECTION 10, TOWNSHIP 28 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT POINT OF REFERENCE “A”; THENCE N00°28'16"W, ALONG THE WEST LINE OF THE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 10 A DISTANCE OF 329.94 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE N89°07'10"E, ALONG SAID NORTH LINE, A DISTANCE OF 662.51 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE S00°25'55"E, ALONG SAID WEST LINE, A DISTANCE OF 49.86 FEET; THENCE DEPARTING SAID WEST LINE, RUN N89°06'04"E, A DISTANCE OF 662.47 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10 ; THENCE S00°23'34"E, ALONG SAID EAST LINE, A DISTANCE OF 280.71 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 10; THENCE S89°08'16"W, ALONG THE SOUTH LINE, A DISTANCE OF 1324.56 FEET TO THE POINT OF BEGINNING.

TOTAL EXISTING CDD LIMITS = 664 ACRES MORE OR LESS

BEFORE THE TOWN COUNCIL OF THE
TOWN OF LAKE HAMILTON, FLORIDA

| | | |
|---|---|---|
| IN RE: | PETITION TO EXPAND THE BOUNDARY OF THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT | ) ) ) |

**AFFIDAVIT ADOPTING WRITTEN, PRE-FILED TESTIMONY**

STATE OF FLORIDA
COUNTY OF POLK

I, Warren K. (Rennie) Heath II, of the Hamilton Bluff Community Development District being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.

2. My name is Warren K. (Rennie) Heath, II, and I am the Chairman of the Board of Supervisors of the Hamilton Bluff Community Development District ("District" or "Petitioner").

3. The prepared written, pre-filed testimony consisting of five (5) pages, submitted under my name to the Town Council of the Town of Lake Hamilton, Florida relating to the *Third Amended and Restated Petition to Expand the Boundaries of the Hamilton Bluff Community Development District* (the "Petition"), and attached hereto, is true and correct.

4. If I were asked the questions contained in the pre-filed testimony orally at the Hamilton Bluff Community Development District boundary amendment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.

5. My credentials, experience and qualifications concerning the Petition, its exhibits and the reasons for amending the District are accurately set forth in my pre-filed testimony.

6. My pre-filed testimony addresses the various statutory requirements and an overview of the proposed development within the amended boundaries of the District.

7. No corrections or amendments to my pre-filed testimony are required.

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 14 day of November 2024.

Warren K. (Rennie) Heath II

STATE OF FLORIDA
COUNTY OF Polk

SWORN TO and SUBSCRIBED before me by the Affiant, by means of ☑ physical presence or ☐ online notarization, on this 14th day of November 2024, by Warren K. (Rennie) Heath II.

(Official Notary Signature)

Name: Bobbie Henley

Personally Known X

OR Produced Identification _____

Type of Identification _____

[notary seal]

Notary Public State of Florida
Bobbie Henley
My Commission
HH 191373
Exp. 2/17/2026

# TESTIMONY OF WARREN K. (RENNIE) HEATH, II FOR THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BOUNDARY AMENDMENT

**1. Please state your name and business address.**

My name is Warren K. "Rennie" Heath II. My business address is 346 E. Central Ave., Winter Haven, Florida 33884.

**2. By whom are you employed and in what capacity?**

I am Director of Development for Heath Construction and Management, LLC. I have been employed in my current position for over 30 years.

**3. Are you a member of the Board of Supervisors ("Board") of the Hamilton Bluff Community Development District ("District")?**

Yes, I am the current Chairman.

**4. How long have you been serving on the District's Board of Supervisors?**

A little over two (2) years, ever since its establishment.

**5. Briefly summarize your duties and responsibilities as a member of the District's Board of Supervisors.**

I am a voting member of the Board of Supervisors, and I am granted various authorities at times to take actions on behalf of the District.

**6. Have you been authorized by the District to present testimony at this hearing?**

District Resolution No. 2024-08, attached to the Petition, defined herein, as Exhibit 6, specifically authorizes me and other District staff to act on behalf of the District in the boundary amendment process.

**7. Are you familiar with the *Third Amended and Restated Petition to Expand the Boundaries of Hamilton Bluff Community Development District*, filed by the District with the Town of Lake Hamilton ("Town"), on or about October 4, 2024 (the "Petition"), seeking to amend its boundary?**

Yes.

**8. Have you reviewed the contents of the Petition and approved its findings?**

Yes, I have.

**9. Are there any changes or corrections to the Petition at this time?**

No.

**10. Are there any changes or corrections to any of the exhibits submitted to the Town at this time?**

No.

**11. Please generally describe each of the exhibits attached to the Petition.**

Exhibit 1 is a map depicting the general location of the District and Expansion Parcels, defined herein.

Comp. Exhibit 2 are the metes and bounds legal description and sketches of the existing District.

Comp. Exhibit 3 are the metes and bounds legal descriptions and sketches of the land proposed to be added to the District (the "**Expansion Parcels**").

Comp. Exhibit 4 are the metes and bounds legal descriptions and sketches of the District's boundaries after amendment (the "**Amended District**").

Comp. Exhibit 5 contains the *Consent and Joinder of Landowner to Inclusion in the Hamilton Bluff Community Development District*, executed by each of the landowners of the Expansion Parcels, which represents the consent of one hundred percent (100%) of the owners of the lands to be included within the District.

Exhibit 6 is a copy of the District's Board of Supervisors' Resolution No. 2024-08, authorizing the filing of a petition to amend the District's boundaries.

Comp. Exhibit 7 depicts the designation of future general distribution, location and extent of the public and private land uses and zoning designation for the Expansion Parcels by the existing and future land use plan elements of the Town Comprehensive Plan.

Exhibit 8 depicts the shows the major trunk water mains, sewer interceptors and outfalls within the Existing District, as well as the proposed drainage patterns within the Expansion Parcels.

Comp. Exhibit 9 describes the types of facilities the District presently expects to finance, construct, and install, as well as the entities anticipated for future ownership, operation, and maintenance. The estimated costs of construction are also identified in Composite Exhibit 9.

Exhibit 10 is the Statement of Estimated Regulatory Costs prepared by the District Manager, Governmental Management Services-Central Florida, LLC.

Exhibit 11 is the authorization of agent form, which authorizes Patrick Collins, Esq. and Roy Van Wyk, Esq. of Kilinski Van Wyk, PLLC, to act as agents for the District.

**12. To the best of your knowledge, are the contents of the Petition and exhibits attached to it true and correct?**

Yes.

**13. Are you familiar with the Expansion Parcels?**

Yes.

**14. In acres, approximately how large is the existing District?**

The existing District consists of 266[1] acres of land.

**15. How many acres are being added by the proposed boundary amendment?**

A total of 398 acres, more or less will be added resulting in a total of approximately 664 acres, more or less within the Amended District.

**16. Where are the Expansion Parcels located?**

The Expansion Parcels are located within the Town of Lake Hamilton, Florida.

**17. What steps were taken with respect to filing the Petition?**

On or about October 4, 2024, the District formally filed the *Third Amended and Restated Petition to Expand the Boundary of the Hamilton Bluff Community Development District* with the Town.

**18. Has notice of the Public Hearing been provided in accordance with Section 190.005, *Florida Statutes*?**

The Notice of Public Hearing will be published in the _____ on the following dates: _____.

**19. Is the _____ a newspaper of general circulation in the Town of Lake Hamilton, Florida?**

[1] The total acreage of the District was previously estimated to be 259.72 acres, more or less, per Polk County Property Appraiser. As a result of a survey and preparation of the metes and bounds legal description of the surveyed lands, the total acreage of the District before amendment is 266 acres, more or less.

Yes, it is.

**20. And do you have proof of publication of those notices?**

Not at this time, but as soon as we receive the proof of publication at the conclusion of the notice run, we will provide this documentation to the Town's staff and submit an affidavit of publication at the public hearing.

**21. Are there residential units planned for development within the Amended District?**

Yes.

**22. Are there residents currently living within the areas of the Expansion Parcels, and, if so, have they been notified about the boundary amendment of the District?**

No, there are no residents currently living within the areas being added to the District.

**23. Is there real property within the external boundaries of the Amended District which is to be excluded?**

Yes. Those parcels identified as: 27-28-10-000000-024050 and 27-28-10-000000-024040 ("Excluded Parcels"), are owned by Triple D Investment 1 LLC. There will be no impact on the Excluded Parcels as a result of the Amended District.

**24. Would you please describe the proposed timetable for development of land within the Amended District?**

The proposed timetable for the construction of infrastructure to develop the land began in 2023 and is expected to continue through 2027.

**25. Would you generally describe the services and facilities you currently expect the Amended District to provide?**

The Amended District expects to participate in the acquisition and/or construction of road improvements, entry features and signage, water and sewer facilities, stormwater facilities, and recreation amenities (the "**Improvements**"). Capital costs of these Improvements, including associated contingencies and professional fees, will be borne by the Amended District.

**26. Are these costs expected to include the cost of acquiring land from the developer?**

No.

**27. In general, what financing methods does the Amended District propose to use to pay for the anticipated facilities and services?**

The District will finance certain services and improvements through the issuance of tax-exempt bonds. The debt issued by the District will be retired by funds from landowners in the form of "non-ad valorem" or "special" assessments on benefitted property within the Amended District. Ongoing maintenance and operational activities will be funded by maintenance special assessments. Any facilities not financed with a bond issue, will be funded by the developer through conventional methods.

**28. Who will be responsible for paying the Amended District's assessments?**

Only those property owners, including the developer, within the Amended District will be responsible for paying special assessments.

**29. Will these debts of the Amended District be an obligation of the Town or the State of Florida?**

No. Florida law provides that community development district debt cannot become the obligation of a city, a town, a county, or the state without the consent of that government.

**30. Will this boundary amendment impair the District's ability to provide infrastructure to its existing lands or impair its ability to meet its maintenance and debt service obligations?**

No. This boundary amendment will have no impact on the District's abilities to fulfill its obligations to its existing landowners.

**31. Does this conclude your testimony?**

Yes.

BEFORE THE TOWN COUNCIL OF THE
TOWN OF LAKE HAMILTON, FLORIDA

| | | |
|---|---|---|
| IN RE: | PETITION TO EXPAND THE BOUNDARY OF THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT | ) ) ) |

**AFFIDAVIT ADOPTING WRITTEN PRE-FILED TESTIMONY**

STATE OF FLORIDA
COUNTY OF ORANGE

I, Reinardo (Rey) Malave, P.E., being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.

2. My name is Reinardo (Rey) Malave, P.E., and I am employed by Dewberry Engineers Inc., 800 N. Magnolia Avenue, Orlando, Florida 32803, as a Civil Engineer.

3. The prepared written pre-filed testimony consisting of five (5) pages, submitted under my name to the Town Council of the Town of Lake Hamilton, Florida, relating to the *Third Amended and Restated Petition to Expand the Boundaries of the Hamilton Bluff Community Development District* (the "Petition"), and attached hereto, is true and correct.

4. If I were asked the questions contained in the pre-filed testimony orally at the Hamilton Bluff Community Development District boundary amendment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.

5. My credentials, experience, and qualifications concerning land development and the construction of public infrastructure as a professional engineer and related matters are accurately set forth in my pre-filed testimony.

6. My pre-filed testimony generally addresses the nature of the proposed development plan of public infrastructure of the Hamilton Bluff Community Development District.

7. No corrections or amendments to my pre-filed testimony or the Petition and its exhibits are required.

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 19 day of November 2024.

Rey Malave, P.E.

STATE OF FLORIDA
COUNTY OF ORANGE

SWORN TO and SUBSCRIBED before me by the Affiant, by means of ☒ physical presence or ☐ online notarization, on this 19th day of November 2024, by Rey Malave, P.E.

DAWN R. QUEEN
Notary Public
State of Florida
Comm# HH294293
Expires 9/25/2026

[notary seal]

(Official Notary Signature)
Name: Dawn R. Queen
Personally Known ✓
OR Produced Identification _____
Type of Identification _____

# TESTIMONY OF REINARDO MALAVE, P.E., FOR THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BOUNDARY AMENDMENT

**1. Please state your name and business address.**

Reinardo (Rey) Malave, 800 N. Magnolia Avenue, Orlando, Florida 32803.

**2. By whom are you employed and in what capacity?**

I am Associate Vice President and Department Manager, Water Resources Engineering Group of Dewberry Engineers Inc.

**3. How long have you been in the engineering field?**

45 years.

**4. Does your firm, Dewberry Engineers Inc., represent the Hamilton Bluff Community Development District?**

Yes. My firm serves as District Engineer.

**5. Please give your educational background, with degrees earned, major areas of study and institutions attended.**

BSCE – University of Puerto Rico 1978
MBA – Keller School of Management – DeVry University

**6. Do you have any professional licenses, registrations, or certifications?**

Florida Professional Engineer.

**7. Have you been involved in any developments of the type and nature contemplated within the amended Hamilton Bluff Community Development District ("District")?**

Yes, I am the District Engineer for similar districts in the Town of Lake Hamilton, as well as the current engineer for this special District.

**8. Are you familiar with the *Third Amended and Restated Petition to Amend the Boundaries of Hamilton Bluff Community Development District*, filed by the District with the Town of Lake Hamilton ("Town"), on or about October 4, 2024 (the "Petition"), seeking to amend its boundary?**

Yes. I assisted the District with the preparation of some of the exhibits filed with the Petition.

**9. Are you generally familiar with the geographical area, type, and scope of development and the available services and facilities in the vicinity of the District?**

Yes, I am.

**10. Which documents did you prepare or have others prepare under your supervision?**

Composite Exhibits 1-4 and Composite Exhibits 7-9.

**11. Do any of those exhibits require any change or correction?**

No.

**12. Are Composite Exhibits 1-4 and Composite Exhibits 7-9 to the Petition true and correct?**

Yes, to the best of my knowledge.

**13. In general, what do Composite Exhibits 1-4, and Composite Exhibits 7-9 to the Petition demonstrate?**

These exhibits demonstrate the general location and nature of the proposed improvements, as well as the metes and bounds legal descriptions and sketches of the current District, lands to be added to the District (together, the "**Expansion Parcels**"), and the District, after amendment. They also indicate the future general distribution, location and the extent of the public and private land uses proposed for the area to be added to the District by the future land use plan element of the Town of Lake Hamilton Comprehensive Plan.

**14. What is the reason for the boundary amendment from an engineering and development standpoint?**

The amendment will conform the boundaries of the District to the expected project. The amendment will also function to provide an interrelated development plan for the lands.

**15. What capital facilities are presently planned or constructed by the District?**

At present, the District is expected to provide recreational facilities, landscaping and entry monumentation along with the required roadways, stormwater, potable water and wastewater infrastructure and recreational improvements. Presently, there are existing collector and local roadways, water and wastewater infrastructure including stormwater facilities, and landscaping, irrigation and entry monumentation.

**16. Based upon your training and experience as an engineer, do you have an opinion as to whether the District, as amended ("Amended District"), will continue to remain of sufficient compactness, and sufficient contiguity to be developed as a functional interrelated community?**

Yes. Based on my experience, the Amended District will remain of sufficient size, compactness, and contiguity to be developed as a one functional interrelated community.

**17. What is the basis for your opinion?**

For many reasons the District facilities can be provided in an efficient, functional, and integrated manner.

First, there are sufficient, significant infrastructure needs for the lands to allow development as a functionally interrelated community. The amendment will not affect the ability of the Amended District to function as an interrelated community.

Second, the specific design of the community allows infrastructure to be provided in a cost-effective manner to the Expansion Parcels. The Amended District, as proposed, will remain of sufficient size, compactness, and contiguity.

Third, the Expansion Parcels within the Amended District are more conducive for development within the District. The provision of services and facilities through the use of one development plan provides a contiguous and homogenous method of providing services to lands throughout the District.

**18. In your opinion, will the Amended District continue to remain sufficiently compact and contiguous to be developable as a functionally interrelated community. Would you please explain what you mean when stating that the Amended District is of sufficient compactness?**

The Amended District will encompass approximately 664 acres and will continue to provide a range of residential and residential-support land uses that require the necessary elements of infrastructure including roadways, potable water systems, wastewater systems, surface water management systems, landscape, and entry monumentation, recreational facilities and other improvements described in the Petition. After the boundary amendment, the Amended District will continue to have sufficient overall residential density to require all the above-mentioned necessary elements of infrastructure of a comprehensive community. These facilities and services require planning, design, financing, construction, and maintenance to provide the community with appropriate infrastructure. The preferred method of developing land, especially for higher density residential uses, is for the development to be spatially compact. This augments the Amended District's ability to construct and maintain improvements, and provide services, in a cost-efficient manner.

**19. Does the amendment of the District obviate the need for local land development regulations, ordinances or plans?**

No. Section 190.004 of the Florida Statutes explicitly provides that the establishment of a community development district ("CDD") does not in any way impact or change the applicability of any governmental planning, environmental and land development laws,

regulations, and ordinances. A CDD cannot take any action that is inconsistent with the comprehensive plan, code of ordinances or regulations of the city, town, or county within which it is located. Adding additional land to the District will not change this.

**20. Based on your experience, do you have an opinion as to whether the services and facilities to be provided by the Amended District, will be incompatible with the capacities and uses of existing local and regional community facilities and services?**

Yes. It is my opinion that the proposed services and facilities to the Amended District will not be incompatible with the capacity and uses of existing local or regional community development services and facilities and will complement the current services and facilities. The District has been providing services and facilities since its establishment and will continue to do so.

**21. Based on your experience, do you have an opinion as to whether the area to be included within the Amended District is amenable to being served by a separate special district government?**

Yes. In my opinion, and to the best of my knowledge, the area identified in the petition is amenable to being served by a separate special district government.

**22. What is the basis for your opinion?**

The District is limited in purpose and the infrastructure improvements to be provided by the District are limited in scope. This infrastructure is expected to directly benefit the development and may be adequately served by a special district government. In addition, special district governance provides a mechanism whereby long-term maintenance obligations can be satisfied by the persons primarily using the facilities and services.

**23. Do you have an opinion, as someone experienced in land planning, as to whether the Amended District is a viable alternative for delivering community services and facilities to the areas that will be served by the Amended District?**

Yes. It is my opinion that the Amended District remains the best alternative for providing the existing services and facilities as compared to the Town, the County or a property owners association.

From a planning perspective, the proposed Amended District is the best alternative available to provide the necessary infrastructure improvements. As a special-purpose local government, the District is a stable, long-term public entity capable of constructing, maintaining and managing the proposed elements of infrastructure of the necessary facilities and services. The limited purpose and scope of the District, combined with the statutory safeguards in place, such as notice of public hearings and access to district records, would ensure that the District is responsive to the infrastructure needs of the District. The District would be able to obtain low-cost financing to provide the necessary improvements and then impose special or non-ad valorem assessments upon the property

owners within the District to fund the infrastructure thus limiting costs to the general public.

Only a CDD allows for the independent financing, administration, operations and maintenance of the land within the District. Only a CDD allows district property owners, and eventually residents, to completely control the district board and, therefore, the timing and extent of infrastructure improvement and maintenance. Knowing when, where and how infrastructure will be needed to service the projected population of an area allows for the smooth delivery of those facilities. The District exceeds other available alternatives at focusing attention to when and where and how the next system of infrastructure will be required for this specific area. This results in the full utilization of existing facilities before new facilities are constructed. It reduces the delivery cost to the citizens being served. All other alternatives do not have these characteristics.

**24. In the course of your work in Florida, have you had an opportunity to work with the State Comprehensive Plan found in Chapter 187, *Florida Statutes*?**

Yes. In the course of producing planning documents for private development proposals, I have often referred to the State Comprehensive Plan.

**25. In the course of your work in Florida, have you had an opportunity to review local government comprehensive plans?**

Yes. In fact, I have reviewed the Town of Lake Hamilton Comprehensive Plan many times in the course of my work.

**26. Based upon your training and experience as a land development engineer, do you have an opinion as to whether the boundary amendment of the District is inconsistent with any portion or element of the Comprehensive Plan of the State or the Town?**

Yes, I do.

**27. What is that opinion?**

In my professional opinion, the proposed boundary amendment of the District is not inconsistent with any applicable provisions of the State or Town Comprehensive Plan.

**28. Does this conclude your testimony?**

Yes, it does.

BEFORE THE TOWN COUNCIL OF THE
TOWN OF LAKE HAMILTON, FLORIDA

| | | |
|---|---|---|
| IN RE: | PETITION TO EXPAND THE BOUNDARY OF THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT | ) ) ) |

---

**AFFIDAVIT ADOPTING WRITTEN PRE-FILED TESTIMONY**

STATE OF FLORIDA
COUNTY OF ORANGE

I, Jillian Burns of Governmental Management Services-Central Florida, LLC, being first duly sworn, do hereby state for my affidavit as follows:

1. I have personal knowledge of the matters set forth in this affidavit.

2. My name is Jillian Burns and I am District Manager at Governmental Management Services-Central Florida, LLC. My business address is 219 E. Livingston St., Orlando, Florida 32801.

3. The prepared written pre-filed testimony consisting of five (5) pages, submitted under my name to the Town Council of the Town of Lake Hamilton, Florida relating to the *Third Amended and Restated Petition to Expand the Boundaries of the Hamilton Bluff Community Development District (*the "Petition"*),* and attached hereto, is true and correct.

4. If I were asked the questions contained in the pre-filed testimony orally at the Hamilton Bluff Community Development District boundary amendment hearing, my oral answers would be the same as the written answers presented in my pre-filed testimony.

5. My credentials, experience and qualifications concerning the managerial and operational aspects of special districts are accurately set forth in my pre-filed testimony.

6. My pre-filed testimony addresses the various managerial, financial, and operational aspects related to the Petition.

7. No corrections or amendments to my pre-filed testimony are required.

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true and correct to the best of my knowledge and belief.

Executed this 15th day of November 2024.

Jillian Burns

STATE OF FLORIDA
COUNTY OF Orange

SWORN TO and SUBSCRIBED before me by the Affiant, by means of ☑ physical presence or ☐ online notarization, on this 15th day of November 2024, by Jillian Burns.

SYANNE HALL
Notary Public - State of Florida
Commission # HH 470073
My Comm. Expires Dec 4, 2027
Bonded through National Notary Assn.

[notary seal]

(Official Notary Signature)
Name: Jillian Burns
Personally Known ✓
OR Produced Identification _____
Type of Identification _____

# TESTIMONY OF JILLIAN BURNS FOR THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BOUNDARY AMENDMENT

**1. Please state your name and business address.**

My name is Jillian Burns. My business address is 219 E. Livingston St. Orlando, Florida 32801.

**2. By whom are you employed and in what capacity?**

I am employed with Governmental Management Services-Central Florida, LLC ("GMS") and serve as District Manager and assessment administrator for community development districts.

**3. Please briefly summarize your duties and responsibilities.**

GMS provides management consulting services to community development districts and the real estate industry, including general management, accounting, recording, secretarial services, field services and assessment administration. GMS currently serves as the district manager for over one hundred and fifty (150) community development districts ("CDDs") in the State of Florida.

**4. Do you work with both public and private sector clients?**

GMS primarily works for public entities providing district management services. However, we are retained, from time to time, by private entities to consult on the creation of special districts as well as the viability of certain proposed developments.

**5. Prior to your current employment, by whom were you employed and what were your responsibilities in those positions?**

I have more than fifteen (15) years of experience in providing management to special districts in the State of Florida. I have extensive knowledge of special district operations, governmental budgeting and finance issues, and the development process. In my role as District Manager, I oversee all the works of the special districts and all management responsibilities similar to a city manager.

**6. Does your firm, Governmental Management Services-Central Florida, LLC, represent the Hamilton Bluff Community Development District?**

Yes. Governmental Management Services-Central Florida, LLC, serves as District Manager, and Assessment Consultant.

**7. Please describe your educational background.**

I have a bachelor's degree from University of Central Florida.

**8. Please describe your work with community development districts in Florida.**

As a district manager through GMS, I serve both resident-elected and landowner-elected CDD boards. I assist the various Boards of Supervisors and residents by managing the accounting, official record keeping, operations and management of the assets acquired or constructed by the CDD. I have provided management services to over forty (40) active CDDs across Florida.

**9. Are any of those community development districts of about the same size as the Hamilton Bluff Community Development District (the "District")?**

Yes.

**10. Are you familiar with the petition filed by the District seeking the amendment of its boundaries?**

Yes, I am. I have prepared Exhibit 10 to the *Third Amended and Restated Petition to Expand the Boundaries of the Hamilton Bluff Community Development District* (the "Petition"), the Statement of Estimated Regulatory Costs ("SERC").

**11. Have you previously worked with other petitioners and prepared a Statement of Estimated Regulatory Costs?**

Yes.

**12. Are the contents of the SERC true and correct to the best of your knowledge?**

Yes.

**13. Are you generally familiar with the geographical area, type, and scope of development and the available services and facilities in the vicinity of the District?**

Yes, I am.

**14. Are you familiar with the parcels which the District seeks to add to its boundaries (together, the "Expansion Parcels")?**

Yes.

**15. Does an amendment of a community development district impact or change the need for local land development regulations, ordinances, or plans?**

No. Pursuant to Chapter 190, *Florida Statutes*, the establishment, amendment, or existence of a community development district does not change or impact the required

permits for land development with respect to comprehensive planning, environmental, and governmental planning. Likewise, the District, as amended (the "**Amended District**"), is required by law not to be inconsistent with the comprehensive plan of the state or of the local government. All land development and other regulatory criteria will remain in place within the Amended District.

16. **Do you have an opinion based on your experience in management of community development districts as to whether the Amended District will remain the best alternative for delivering community services and facilities to the areas that will be served by the Amended District? If so, what is your opinion?**

Yes, I believe the proposed amendment of the District is the best alternative for delivering community services and facilities to the area to be included within the District.

17. **What is the basis of your opinion?**

To date the District has been the mechanism used to plan, finance, construct and operate the infrastructure within the District. The District has also planned and structured itself to serve the area proposed to be included now. The District has already started construction of the infrastructure needed to serve the District and is providing or will provide associated maintenance and operations services for that infrastructure. Amending the proposed lands within the boundaries of the District will allow for the continued provision of facilities and services to the lands within the District. Accordingly, the Amended District is the best alternative to provide facilities and services to all of the lands within its boundaries.

18. **Do you have an opinion, as someone experienced in district management and operations, as to whether the Amended District is of sufficient size, is sufficiently compact, and sufficiently contiguous to continue to be developable as one functional, interrelated community?**

Yes.

19. **What is your opinion?**

The proposed amendment to the District will still be of sufficient land area and is sufficiently compact and contiguous to continue to be developed, with the existing roadway, drainage, water and sewer, and other infrastructure systems, facilities and services. The Amended District will continue to operate as one functionally interrelated community.

20. **What is the basis for your opinion?**

The qualities of compactness, contiguity, and size relate directly to whether an area can become one functional interrelated community. The amendment of the District's

boundaries will not have any impact on the District's ability to act as one functional, interrelated community. The acres within the Amended District are sufficiently compact, contiguous and of sufficient size to maximize the successful delivery of these infrastructure improvements to these lands. The delivery of services and facilities to the lands within the Amended District will not be hampered by insurmountable barriers or spatial problems. The area within the Amended District is suitably configured to maximize the benefits available from the services and facilities to be provided.

**21. Do you have an opinion, as someone experienced in district management and operations, as to whether the area that will be served by the Amended District, is amenable to separate special district government?**

Yes.

**22. What is your opinion?**

The Amended District will continue to be of sufficient size, compactness, and contiguity. Therefore, the area to be served by the Amended District is clearly amenable to separate special-district governance. The configuration of the Amended District is not unlike other districts with which I have represented. The Amended District will continue to be amenable to separate special district government.

**23. What is the basis for your opinion?**

Two criteria are needed to evaluate a land area as amenable to separate special district government: One, does the land area have need for the facilities and services and will its owners and residents benefit from facilities that the special district could provide? Two, is the land area of sufficient size, sufficient compactness, and sufficiently contiguous to be the basis for a functional interrelated community?

Under both criteria, the Amended District, is a planned community with a need for certain facilities and services that are being constructed and/or acquired by the Amended District, and that are currently or will be operated or maintained by the District. All facilities and services anticipated to be constructed, installed, acquired, operated and/or maintained by the District are located in the boundary of the District's proposed amended boundary. As a result, the Amended District is an efficient mechanism to oversee the operation and maintenance of the public facilities and services that are anticipated to serve the residents within its boundary.

Additionally, the District will remain of sufficient size, compactness and contiguity to constitute one functionally interrelated community. As a result, the Amended District will remain amenable to separate special district government.

**24. Do you have an opinion, as someone experienced in district management and operations, as to whether the community development services, and facilities of**

**the Amended District, will be incompatible with the capacity and use of existing local and regional community development services and facilities?**

Yes.

**25. What is your opinion?**

The proposed services and facilities of the Amended District will not be incompatible with the capacity and uses of existing local or regional community development services and facilities. In fact, the Amended District will continue to complement local and regional services.

**26. Does this conclude your testimony?**

Yes.

RESTAURANT INSPECTIONS

# 2 Polk eateries had double-digit violations

**Andy Kuppers**
Lakeland Ledger | USA TODAY NETWORK

Two Polk County restaurants had double-digit violations during inspections from Nov. 18 to Dec. 1, according to state reports.

Between them, they totaled 42 violations, including 11 high-priority violations. And of those 42 violations, only one was clerical in nature – problems like licensing or training problems.

They were among 10 Polk County food vendors that failed to meet inspection standards during the two-week period. Excluding the two restaurants with the highest number of violations, the other eight had 31 violations in total, 10 of which were licensing or training issues.

On a positive note, 16 food vendors in Polk had perfect initial inspections during the two weeks. An initial inspection is one that isn't a follow-up mandated by violations in a previous inspection.

### Restaurants with double-digit violations

● **Buffet City**, 810 Cypress Garden Blvd., Winter Haven: On Nov. 18, the restaurant had a follow-up inspection in which an inspector found 25 violations, including seven deemed high priority.

Among those, the inspector noted cooked pork was not reaching an internal temperature of at least 145 degrees; dented or rusted cans (for which a stop sale was issued); the dish machine sanitizer wasn't at the proper minimum strength; food that was contaminated by employees or consumers was still served; chicken was stored in a non-food-grade container; raw fish was stored over ready-to-eat mixed vegetables; and raw chicken was stored over raw beef in the walk-in cooler.

Intermediate violations included: clam, mussel or oyster tags were not maintained in chronological order; an original container of a toxic substance no longer had the manufactuer's label; a paper towel dispenser at the handwash sink was no longer dispensing towels; and cooked chicken and other items in the walk-in cooler prepared on site were not properly date marked.

And there were 14 basic violations: a mold-like substance on the interior of the ice machine at the server station; a bowl or cup with no handle was used to dispense sugar in dry storage; ceiling tiles damaged; ceiling tiles or vents were soiled in the kitchen and attic area; one dead roach was found; an employee beverage container was on a food prep table or near clean utensils; an employee was eating food by the hibachi station; employee personal items were stored near food in dry storage; raw chicken was stored in an industrial red container behind a dumpster outside; ice buildup in the walk-in freezer; in-use knives were stored in cracks between equipment; an in-use knife was stored in standing water less than 135 degrees; wontons were stored uncovered in the walk-in freezer; shrimp and fish were thawing without running water in a prep sink.

A warning was issued and a follow-up inspection required. In a follow-up inspection later that day, the restaurant met standards with six remaining basic violations.

It was a rough few months for the restaurant. On Sept. 17, it was temporarily closed by an inspector after receiving 32 violations. After two follow-up inspections on Sept. 18, it was allowed to reopen with 11 remaining violations, but a follow-up was ordered, which appears to have happened on Nov. 18.

Before the disastrous September inspection, the restaurant had met standards in two previous inspections in March and in November 2023.

● **Hibachi Buffet**, 901 Memorial Blvd., Lakeland: On Nov. 21, the restaurant had 17 violations.

Four of them were high priority: egg foo young was "hot held" on the buffet line at less than 135 degrees (in this case, 121); raw chicken was stored over cut vegetables in the walk-in cooler; raw chicken stored over octopus salad in the walk-in; and raw chicken stored over raw beef.

There were seven intermediate violations: a can opener was soiled with food debris; two handwash sinks were used for purposes other than handwashing (one was storing gloves, another silverware); no hand-drying device or towels at the handwash sink; no written procedures for time and temperature food controls; food prepared on site and held more than 24 hours not properly date marked; required employee training was expired; and a spray bottle with a toxic substance (oven cleaner) wasn't labeled.

Among the six basic violations, the inspector noted: a plastic quart container with no handle was used as a scoop in bulk sugar; a buildup of debris on the reach-in cooler doors; several cases of food were stored on the floor in the walk-in freezer; the bottom of the soda head in the dining room was soiled; unclean building components, including a soak sink in the dishroom and a dish machine table; and a bulk container of potato starch was labeled as rice.

A warning was issued and a follow-up inspection required, but no follow-up was listed in state reports as of Dec. 6.

### Other restaurants that failed to meet standards, and why

● **Hungry Crab Davenport**, 43554 U.S. 27, Davenport: On Nov. 18, the restaurant had nine violations. One was high priority: the dish machine not mixing sanitizer at all.

The other eight violations were basic: a cup with no handle used to dispense sugar; an employee wearing jewelry other than a plain ring (in this case a bracelet and ring) while preparing food; floor heavily soiled with grease and debris underneath fryers; a toaster oven with an accumulation of debris inside; an open dumpster lid; an open employee beverage container sitting next to food in a reach-in cooler; rusted shelves in a reach-in cooler; and bulk containers of sugar in dry storage without labels.

● **The Daily Huddle Cafe Courthouse**, 255 N. Broadway, Bartow: On Nov. 20, the restaurant had four violations, including one high priority. That was for raw chicken stored over a case of hot dogs. There also was one intermediate violation, for the person in charge lacking proof of food-manager certification. The other two were basic: a case of 12-ounce foam cups stored on the floor in dry storage, and standing water in the bottom of a reach-in cooler.

● **Silou Restaurant**, 409 Martin Luther King Blvd. N.E., Winter Haven: On Nov. 21, the restaurant had four violations. Three were intermediate: the person in charge lacking proof of certification; no proof of required employee training; and no soap at the handwash sink. The other was basic: single-service items stored on the floor in the kitchen.

● **Lisa Thao**, 1052 U.S. 92 W., Auburndale: On Nov. 22, the food truck had four violations. Two were intermediate: the person in charge lacked proof of certification; and no proof of required employee training. The other two were basic violations: a floor with an accumulation of debris; and the food truck was connected to utilities on a more than temporary basis.

● **Azteca D' Oro**, 1235 Parkway Frontage N., Lakeland: On Nov. 21, the restaurant had three violations, including one high priority. That was for chicken and shrimp "cold held" at greater than 41 degrees. (Chicken was 46, shrimp 45.) There were two basic violations: food stored on the floor (a case of lamb in the walk-in freezer, beer and a crate of oranges in the cooler); and water was leaking from a bar-area faucet.

● **Taqueria Sabor A Mano**, 1052 U.S. 92, Auburndale: On Nov. 22, the food truck had three violations: the manager lacked proof of certification (intermediate); no proof of required employee training (intermediate); and plastic bottles of water stored on the floor (basic).

● **Brusters Ice Cream**, 955 County Road 540A E., Lakeland: On Nov. 26, the restaurant had three violations: operating with an expired Division of Hotels and Restaurants license (high priority); buckets of ice cream stored on the floor of the walk-in freezer (basic); and ceiling tiles showing damage (basic).

● **Ramada Inn Davenport**, 43824 U.S. 27, Davenport: On Nov. 20, the restaurant had one violation: The person in charge lacked proof of food-manager certification. It was an intermediate violation, but still means a follow-up inspection was ordered.

### Perfection

These 16 Polk County food vendors received the elusive perfect inspection – with zero violations – from Nov. 18 to Dec. 1. Not listed are restaurants that had no violations in follow-up inspections mandated by previous problems.

● A Otro Nivel LLC, mobile vendor, 104 W. Central Ave., Winter Haven
● China Wok, 3800 U.S. 98 N., Lakeland
● Tacos Juniors, caterer, 1100 U.S. 17-92 N., Haines City
● Neapolitan Italian Eatery, 645 Ingraham Ave., Haines City
● Twistee Treat Posner, 1311 Posner Blvd., Davenport
● Sonny's Real Pit Barbecue, 347 Ave. O S.W., Winter Haven
● Planet Obstacle Davenport LLC, 1981 Ernie Caldwell Blvd. 600, Davenport
● Windsor Island Resort, vending machine, 115 Aloha Blvd., Davenport
● Eagle Caribbean Restaurant, 943 E. Memorial Blvd., Lakeland
● Rodriguez Grocery, mobile vendor, 3502 Mountain Lake Cutoff Road, Lake Wales
● The Bullard Room at 253, caterer, 253 Stuart Ave. E., Lake Wales
● Hampton Inn, 44117 U.S. 27, Davenport
● Stillwater Preserve Development, 5000 Glove Trail, Bowling Green
● My Catering Connection Inc., 11 S. Seminole Ave., Fort Meade
● Bahia Bowls Acai Café, 3800 U.S. 98 N., Unit 680, Lakeland
● Ripples, 312 4th St. S.W., Winter Haven

# Shootings

Continued from Page 1A

County and surrounding counties.

About 2 a.m., Voigt's vehicle was spotted in Orlando on International Drive. Orlando police conducted a felony traffic stop and took Voigt into custody. As of 10 a.m., he was in the Orange County Jail awaiting transport to the Polk County Jail.

PCSO deputies spoke to Voigt and he admitted to shooting both his father and mother, the Sheriff's Office said. He said his father was upset with him about spending the majority of his time playing video games and "riding" him about making something of himself and getting a job, according to the release.

"Thanks to the rapid response of the Bartow Police Department, this violent and dangerous suspect was quickly apprehended," Sheriff Grady Judd said in the release.

"They (Bartow Police) asked for our assistance and we were happy to oblige," Judd said. "My detectives will continue their thorough investigation into this crime to ensure Voigt will face the full consequences of his actions."

Bartow Police Chief Stephen Walker said, "We are deeply saddened by this tragic and senseless shooting. We sincerely appreciate the assistance provided by the Polk County Sheriff's Office and the Orlando Police Department in this case, which led to the quick arrest of the suspect, Joseph Voigt."

**NOTICE OF LOCAL PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider the Establishment of**
**Eagle Trace Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance granting a petition to establish Eagle Trace Community Development District (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The proposed District is comprised of approximately 186.71 acres, more or less, generally located north of Weiberg Road, south of Lake Hatchineha Road, east of Detour Road, and west of Alford Road, as further identified in the map depicted in this notice. The Petitioner has proposed establishing the District to plan, finance, acquire, construct, operate, and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including Chapter 190, *Florida Statutes*.

Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

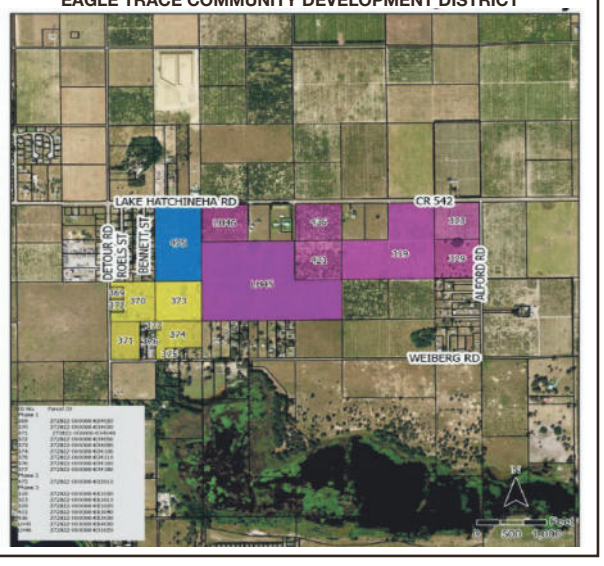
The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the establishment of the District. If adopted, the ordinance will establish the Eagle Trace Community Development District and designate the land to be serviced by the District.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Town Council with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

Run Dates: December 10th, December 17th, December 24th, and December 31st

**GENERAL LOCATION MAP OF THE PROPOSED**
**EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT**




LL-40781962

**NOTICE OF PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider a Petition to Expand the Boundaries of**
**Hamilton Bluff Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

**NOTICE OF PUBLIC HEARING**

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance to grant a petition to amend the boundaries of the Hamilton Bluff Community Development District (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 5 OF ORDINANCE O-22-06 THAT ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BY ADDING APPROXIMATELY 398 ACRES OF LAND THERETO PURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF EXHIBIT A TO ORDINANCE O-22-06, TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The District is comprised of approximately 266 acres of land, more or less, and located east of SR 17 at the crossroads of Water Tank Road and Detour Road. The District's northern border is along Kokoma Road (County Road 546 East) and the southern border is along Lake Hatchineha Road (County Road 542). The location of the current District and the expansion parcels are further identified in the map depicted in this notice. Petitioner has petitioned to amend the boundary of the District by expanding the existing boundary to include an additional 398 acres, more or less, and currently contiguous to the District boundary, for a total of approximately 664 acres, more or less, as authorized by Chapter 190, *Florida Statutes*.

The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the boundary amendment of the District. If adopted, the ordinance will amend the boundaries of the Hamilton Bluff Community Development District and designate the land to be serviced by the District.

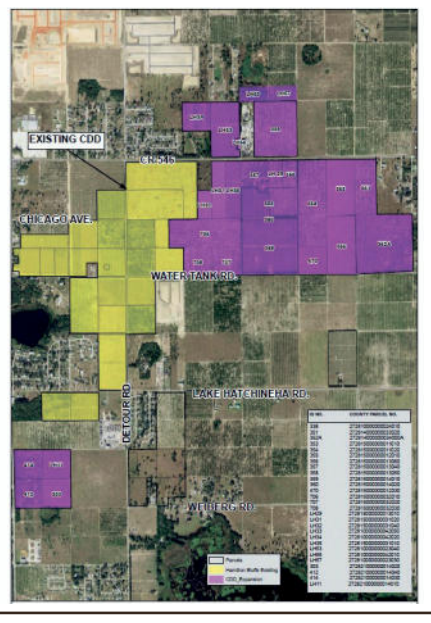
Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose, the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

PUBLICATION DATES: December 10th, December 17th, December 24th, and December 31st

HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT




LL-40776091

## NATION & WORLD BRIEFS

### Harris, Biden urge Democrats to fight on in rare joint appearance

WASHINGTON – U.S. President Joe Biden and Vice President Kamala Harris made a rare postelection joint appearance on Sunday to thank donors who raised more than $2 billion during the unsuccessful 2024 election cycle, and to urge Democrats to keep fighting for their values.

"Our spirit is not defeated. We are not defeated … We are strong, we are clear about why we are in this," Harris told guests at a holiday party hosted by the Democratic National Committee. "We cannot let any circumstance or situation or individual ever take away our power … we know what we stand for, and that's why we know what to fight for."

Biden added that it was critical to keep fighting. "My dad would say, when you get knocked down, you've just got to get up, get up. The measure of a person or a party is how fast they get up."

Harris' future is uncertain, even though some Democrats are urging her to run for governor of California, her home state.

Biden, who leaves office on Jan. 20, has said he intends to stay active in politics and work to heal deep divisions roiling the United States.

### US hits NKorea and Russia with new sanctions, Treasury says

WASHINGTON – The United States hit North Korea and Russia on Monday with new sanctions that the Treasury Department said targeted Pyongyang's financial activities and military support to Moscow.

The sanctions, which list North Korean banks, generals and other officials as well as Russian oil shipping companies, are the latest U.S. measure aimed at disrupting North Korea's support to Russia's war in Ukraine.

The North Korean banks targeted include Golden Triangle Bank and Korea Mandal Credit Bank, the Treasury Department said in a statement.

Pyongyang and Moscow have ramped up diplomatic and economic ties in recent years, culminating in Russian President Vladimir Putin's visit to North Korea in June when the countries' leaders agreed a mutual defense pact.

### Canadian finance minister quits after clash with Trudeau

OTTAWA, Canada – Canada's Finance Minister Chrystia Freeland quit on Monday after clashing with Prime Minister Justin Trudeau on issues including how to handle possible U.S. tariffs, dealing another blow to an already unpopular government.

In a stinging resignation letter, Freeland dismissed Trudeau's push for increased spending as a political gimmick that could hurt Ottawa's ability to deal with the 25% import tariffs U.S. President-elect Donald Trump says he will impose.

Freeland said she was quitting in the wake of a meeting last Friday with Trudeau, who asked her to take on a lesser post after the two had argued for weeks over spending.

Her resignation came just hours before she was due to present a fall economic update to parliament, a document widely expected to show the minority Liberal government had run up a much larger 2023/24 budget deficit than predicted.

The resignation by Freeland, 56, who also served as deputy prime minister, leaves Trudeau without a key ally when his government is already in trouble.

### Calif. DMV apologizes for license plate appearing to mock Oct. 7 attack

LOS ANGELES – The California Department of Motor Vehicles issued an apology on Thursday for printing a personalized license plate that appeared to mock the Oct. 7, 2023 attack on Israel by Hamas, though the family of the car owner has disputed that interpretation.

A photo of the license plate reading "LOLOCT7" was published by the X account StopAntisemitism which claimed the license plate, affixed to a Tesla Cybertruck, was photographed at a major intersection in Culver City near Los Angeles.

The account demanded the California DMV recall the plates saying it "celebrates the October 7th terrorist attack" and calling it a "vile mockery."

The son of the car's owner told ABC affiliate KABC Friday that the account was misinterpreting a Tagalog word on the license plate.

The son, who the station did not identify, said that the plate should be read as "LOLO-CT-7," referencing the Tagalog word for grandfather, the model of the car and the number of grandchildren the owner has. The son told the station that the explanation was given to the DMV when the application for the license plate was submitted.

### 2 teens killed in Houston shooting

A shooting at a "pop-up party" in Houston late Saturday left two teenagers dead and three injured, including a 13-year-old girl.

When police arrived, they found a "very hectic scene" of "mostly juveniles" running out of an empty business that had been turned into an unauthorized club, said Houston Police Assistant Chief Luis Menendez-Sierra.

Menendez-Sierra said no suspects had been identified so far.

Authorities said the party was part of a recent social media trend of impromptu events.

"These makeshift, unsanctioned pop-up parties can quickly lead to chaos and violence," Harris County Sheriff Ed Gonalez said on X. "Teens need to stay away for their own safety."

### Rescuers comb debris for survivors, count dead in cyclone-hit Mayotte

PARIS/MORONI – Emergency workers searched for survivors on Monday and battled to restore services in Mayotte, France's poorest overseas territory, where hundreds or even thousands, are feared dead from the worst cyclone to hit the Indian Ocean islands in nearly a century.

**Thousands may be dead in storm-hit Mayotte, France, shown Monday after it was hit by a cyclone.**
UIISC7/SECURITE CIVILE/HANDOUT VIA REUTERS

Cyclone Chido devastated large parts of the archipelago off east Africa over the weekend with winds of more than 124 mph, strewing homes over hillsides, and cutting phones, power and drinking water.

With areas still inaccessible, France's acting Interior Minister Bruno Retailleau said it would take days to ascertain the full extent of damage and deaths as he arrived in the disaster zone.

Residents lined up outside grocery stores in search of water and other basics.

"It really is a war landscape. I don't recognize anything any more. There's not even a tree left, the hills, there's not a blade of grass, it's extraordinary," Mayotte resident Camille Cozon Abdourazak told Reuters by video call after her power was restored.

### French parliament approves bill to roll over budget, avoiding shutdown

PARIS – France's National Assembly, the lower house of parliament, on Monday approved a special law designed to maintain core state functions and prevent any interruption of public services, three days after President Emmanuel Macron named Francois Bayrou as his fourth prime minister of 2024.

The French constitution allows for a special law to be passed in parliament that rolls over the tax-raising and spending provisions in the current budget to ensure there is no U.S.-style government shutdown in the absence of a proper budget bill.

The law is intended to act as a stopgap until France's deeply divided parliament passes next year's proper budget bill drafted by the new Bayrou government, most likely in early 2025.

The Senate, the upper house of the Parliament, will examine the law on Wednesday. It must be enacted before Dec 31 to ensure uninterrupted public services.

### Ohio woman gets prison term for killing, eating cat

A 27-year-old woman will spend a year in prison for killing and eating a cat in a case that drew international attention.

Allexis T. Ferrell of Canton, Ohio, pleaded guilty to cruelty to companion animals, a fifth-degree felony. She received the maximum penalty.

"This is repulsive to me," said Stark County Common Pleas Judge Frank G. Forchione. Animals "don't have a voice. But their only voice today is me and I'm going to exercise this voice very loudly."

Ferrell requested inpatient addiction treatment.

The case made news around the world during the presidential campaign after Donald Trump and running mate JD Vance falsely claimed immigrants were eating pets in Springfield, Ohio.

### Ukraine says it has laser weapon able to down some targets

Ukraine possesses a laser weapon capable of shooting down airborne targets at an altitude of more than 1.2 miles, the country's drone forces commander said on Monday.

The military official, Vadym Sukharevskyi, did not provide any more details in his first official remarks about the existence of the weapon. Reuters was unable to verify his statement.

"Today we can already shoot down aircraft at an altitude of over 2 km with this laser," he was quoted as saying by the Interfax-Ukraine news agency.

Sukharevskyi said the laser was named the Tryzub – the Ukrainian word for a "trident," which is a symbol used on the national coat of arms – suggesting it was domestically produced.

**NOTICE OF LOCAL PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider the Establishment of**
**Eagle Trace Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance granting a petition to establish Eagle Trace Community Development District (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The proposed District is comprised of approximately 186.71 acres, more or less, generally located north of Weiberg Road, south of Lake Hatchineha Road, east of Detour Road, and west of Alford Road, as further identified in the map depicted in this notice. The Petitioner has proposed establishing the District to plan, finance, acquire, construct, operate, and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including Chapter 190, *Florida Statutes*.

Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

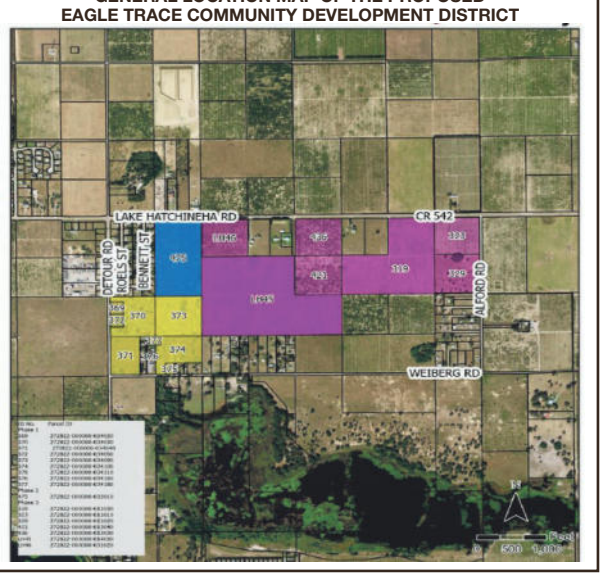
The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the establishment of the District. If adopted, the ordinance will establish the Eagle Trace Community Development District and designate the land to be serviced by the District.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Town Council with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

Run Dates: December 10th, December 17th, December 24th, and December 31st

**GENERAL LOCATION MAP OF THE PROPOSED**
**EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT**




LL-40781962

**NOTICE OF PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider a Petition to Expand the Boundaries of**
**Hamilton Bluff Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

**NOTICE OF PUBLIC HEARING**

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance to grant a petition to amend the boundaries of the Hamilton Bluff Community Development District (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 5 OF ORDINANCE O-22-06 THAT ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BY ADDING APPROXIMATELY 398 ACRES OF LAND THERETO PURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF EXHIBIT A TO ORDINANCE O-22-06, TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The District is comprised of approximately 266 acres of land, more or less, and located east of SR 17 at the crossroads of Water Tank Road and Detour Road. The District's northern border is along Kokoma Road (County Road 546 East) and the southern border is along Lake Hatchineha Road (County Road 542). The location of the current District and the expansion parcels are further identified in the map depicted in this notice. Petitioner has petitioned to amend the boundary of the District by expanding the existing boundary to include an additional 398 acres, more or less, and currently contiguous to the District boundary, for a total of approximately 664 acres, more or less, as authorized by Chapter 190, *Florida Statutes*.

The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the boundary amendment of the District. If adopted, the ordinance will amend the boundaries of the Hamilton Bluff Community Development District and designate the land to be serviced by the District.

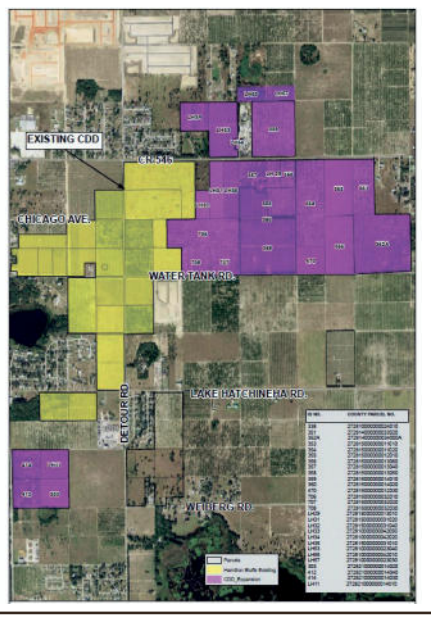
Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose, the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

PUBLICATION DATES: December 10th, December 17th, December 24th, and December 31st

HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT




LL-40776091

# Why does health care cost more in America?

## The blame goes well beyond insurance companies

**Ken Alltucker**
USA TODAY

**Health bills are the leading cause of personal bankruptcy. And medical bills accounted for more than half of all debt on consumers credit records in 2022, according to the Consumer Financial Protection Bureau.**
GETTY IMAGES

Americans spend far more on health care than anywhere else in the world, but we have the lowest life expectancy among large, wealthy countries.

A lot of that can be explained by the distinctive aspects of our health care system. Among other things, we reward doctors more for medical procedures than for keeping people healthy, keep costs hidden from customers and spend money on tasks that have nothing to do making patients feel better.

"We spend more on administrative costs than we do on caring for heart disease and caring for cancer," said Harvard University economist David Cutler. "It's just an absurd amount."

The nation's rising health bill affects just about everyone.

The amount working-age Americans spent on health insurance through the payroll deductions has jumped nearly three times faster than wages over the past two dozen years. Health bills are the leading cause of personal bankruptcy. And medical bills accounted for more than half of all debt on consumers credit records in 2022, according to the Consumer Financial Protection Bureau.

Public anger over high costs and poor results has been squarely focused on health insurance industry in the wake of Dec. 4 shooting of UnitedHealthcare CEO Brian Thompson.

Sen. Elizabeth Warren, D-Mass., said that while violence is never the answer, the public's frustration should serve as a warning for the health care industry, and in a Huffington Post interview Dec. 11 cited the "visceral response" from people who feel "cheated, ripped off and threatened by the vile practices of their insurance companies."

But health economists say the entire health care system, not just insurers, deserves scrutiny for runaway medical bills.

Health insurance companies took in $25 billion in profit last year, while hospitals collected an eye-popping $90 billion, Rice University economist Vivian Ho said.

"It's become quite clear how angry the public is with health care costs," said Ho. "I'm glad people are voicing their anger against insurers, but they should be directing equal anger against hospitals, particularly since so many are nonprofit."

Here are seven reasons why America's health care costs are so high, without showing better results:

### Lack of price limits

U.S. hospitals have more specialists than other nations. Having access to 24/7 specialty care, particularly for hospitals in major metro areas, drives up costs, said Michael Chernew, a health care policy professor at Harvard Medical School.

Patients have more elbow room and privacy here. U.S. hospitals typically have either one or two patients per room, unlike facilities abroad that tend to have open wards with rows of beds, Chernew said. He said differences in labor markets and regulatory requirements also can pack on costs.

Of the $4.5 trillion spent on U.S. health care in 2022, hospitals collected 30% of that total health spending, according to data from the Centers for Medicare & Medicaid Services. Doctors rank second at 20%. Prescription drugs accounted for 9% and health insurance – both private health insurance and government programs such as Medicare and Medicaid – collect 7% in administrative costs.

Most U.S. hospitals are nonprofit and get federal, state and local tax breaks. These nonprofits are expected to provide free or reduced-cost care to low-income patients as well as other community benefits. Federal law requires hospital to assess and stabilize every patient who seeks care in an emergency room, even if they can't pay their bills.

But research suggests many hospitals don't live up to their charity care and other community benefit obligations.

Johns Hopkins University and Texas Christian University researchers estimated the nation's nearly 3,000 nonprofit hospitals were spared $37.4 billion in federal, state and local taxes in 2021. That same year, Medicare filings show hospitals paid out $15.2 billion in charity care.

Chernew has proposed health care price caps to curb runaway health costs. Such caps might be used in markets where large hospitals control a significant share of a local health market, which allows them to demand higher prices from insurance companies who might not have other options.

### Hospitals and doctors get paid for services, not outcomes

Doctors, hospitals and other providers are paid based on the number of tests and procedures they order, not necessarily whether patients get better.

The insurer pays the doctor, hospital or lab based on negotiated, in-network rates between the two parties.

Critics of this fee-for-service payment method says it rewards quantity over quality. Health providers who order more tests or procedures get more lucrative payments whether the patients improve or not.

"This is not the way health care should be delivered in our country," Rep. Vern Buchanan, R-Fla., said during a hearing in June exploring an alternative health payment called value-based care.

After the Affordable Care Act passed in 2010, the Centers for Medicare and Medicaid Services funded small programs that encouraged hospitals and other health providers to emphasize value over volume.

But the U.S. health system has been slow to adopt value-based care programs. Of 50 such models launched by CMS over the past decade, only six delivered health savings and two demonstrated improvements in quality, according to June testimony from Rep. Lloyd Doggett, D-Texas.

### Specialists get paid much more – and want to keep it that way

Doctors who provide specialty care such as cardiologists or cancer doctors get much higher payments from Medicare and private insurers than primary care doctors.

Some see that as a system that rewards doctors who specialize in caring for patients with complex medical conditions while skimping on pay for primary care doctors who try to prevent or limit disease.

Under the current system, doctors chosen by the American Medical Association recommend how much Medicare should pay doctors for specific services. Some have compared the idea of doctors setting their own pay scale to the proverbial fox guarding the henhouse.

The health news publication STAT first reported that Robert F. Kennedy Jr., President-elect Donald Trump's nominee to become secretary of Health and Human Services, is seeking to limit the AMA's influence over these medical billing codes.

Medicare payment rates not only determine how much taxpayers shell out for older Americans' health care, they set the base for health care prices. Private insurers typically use Medicare rates to decide how much they pay doctors and hospitals.

If such an overhaul resulted in more lucrative payment for primary care doctors who emphasize preventive care, it could help make people healthier and reduce costly spending on specialists, Ho said.

### Administrative costs inflate health spending

One of the biggest sources of wasted medical spending is on administrative costs, several experts told USA TODAY.

Although Medicare's official health care spending report doesn't calculate how much the nation spends on administrative tasks, Harvard's Cutler estimates that up to 25% of medical spending is due to administrative costs.

Health insurers often require doctors and hospitals to get authorization before performing procedures or operations. Or they mandate "step therapy," which makes patients try comparable lower-cost prescription drugs before coverage for a doctor-recommended drug kicks in.

These mandates trigger a flurry of communication and tasks for both health insurers and doctors, Cutler said.

Although medical records are computerized, too often medical computer systems don't communicate with outside organizations such as health insurers, Cutler said. That results in extra administrative tasks, when doctors attempt to get authorization from an insurer on behalf of a patient.

Such communication could be more seamless – and result in less busywork – if insurers could track patients records electronically, Cutler said

Instead, they often turn to calls and throwback technology such as fax machines.

"The only use of fax machines now are in medical care," Cutler said.

Cutler said government-run Medicare is a much more efficient operation. Doctors who provide care for Medicare patients are allowed to bill and collect payment in relatively seamless transactions without the same level of oversight that private insurance companies apply.

One drawback: Unscrupulous providers can more easily fraudulently bill the federal health program, Cutler said.

### Health care pricing is a mystery

Patients often have no idea how much a test or a procedure will cost before they go to a clinic or a hospital. Health care prices are hidden from the public. And

**See COST, Page 7A**

**NOTICE OF PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider a Petition to Expand the Boundaries of**
**Hamilton Bluff Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

**NOTICE OF PUBLIC HEARING**

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance to grant a petition to amend the boundaries of the Hamilton Bluff Community Development District (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 5 OF ORDINANCE O-22-06 THAT ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BY ADDING APPROXIMATELY 398 ACRES OF LAND THERETO PURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF EXHIBIT A TO ORDINANCE O-22-06, TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The District is comprised of approximately 266 acres of land, more or less, and located east of SR 17 at the crossroads of Water Tank Road and Detour Road. The District's northern border is along Kokoma Road (County Road 546 East) and the southern border is along Lake Hatchineha Road (County Road 542). The location of the current District and the expansion parcels are further identified in the map depicted in this notice. Petitioner has petitioned to amend the boundary of the District by expanding the existing boundary to include an additional 398 acres, more or less, and currently contiguous to the District boundary, for a total of approximately 664 acres, more or less, as authorized by Chapter 190, *Florida Statutes*.

The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the boundary amendment of the District. If adopted, the ordinance will amend the boundaries of the Hamilton Bluff Community Development District and designate the land to be serviced by the District.

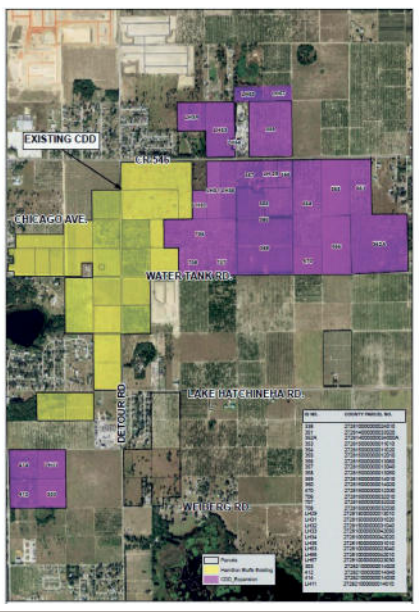
Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose, the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

PUBLICATION DATES: December 10th, December 17th, December 24th, and December 31st

HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT




LL-40776091

**NOTICE OF LOCAL PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider the Establishment of**
**Eagle Trace Community Development District**

DATE: January 7, 2025
TIME: 6:00 p.m.
LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance granting a petition to establish Eagle Trace Community Development District (the "District"). The title of the proposed ordinance is as follows:

**ORDINANCE O-2024-15**

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The proposed District is comprised of approximately 186.71 acres, more or less, generally located north of Weiberg Road, south of Lake Hatchineha Road, east of Detour Road, and west of Alford Road, as further identified in the map depicted in this notice. The Petitioner has proposed establishing the District to plan, finance, acquire, construct, operate, and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including Chapter 190, *Florida Statutes*.

Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

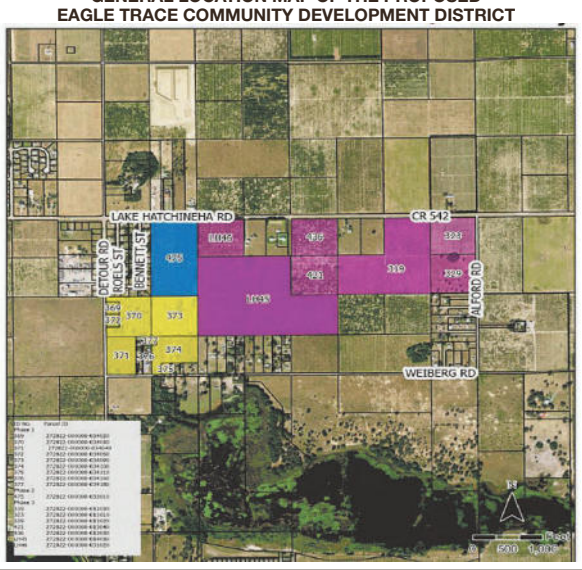
The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the establishment of the District. If adopted, the ordinance will establish the Eagle Trace Community Development District and designate the land to be serviced by the District.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Town Council with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

Run Dates: December 10th, December 17th, December 24th, and December 31st

GENERAL LOCATION MAP OF THE PROPOSED
EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT




LL-40781962

# Audit

Continued from Page 1A

report received for the Town (of Dundee) for the 2021-2022 fiscal year, was received on June 9, 2023," which was in a timely manner, he said.

"We do not yet have record of receiving a fiscal year 2022-23 financial audit report," Voss said.

Since the deadline was missed, that triggers contact between the Auditor General's Office and the Joint Legislative Auditing Committee when three years of audits have found issues with the annual review that were in need of corrective action.

"As required by Section 11.45(7)(a), Florida Statutes, the Town was listed on our notification to the Legislative Auditing Committee regarding 2022-23 fiscal year audit reporting," Voss said.

Voss confirmed that the Auditor General still had not received an audit from Dundee as of 4 p.m. Dec. 20.

### Town Manager says staff shortages caused delays

"The audit for 2022-2023 is currently in review by the (Town's) auditor," Davis said in a statement emailed to a reporter on Dec. 17. "We will have it completed and uploaded to the State by the January 2025 session.

"The town was without a Finance Director during that time and had contracted services from an outsourced CPA firm. That firm completed the audit late as mentioned," Davis said.

"However, all documents have been submitted to the auditing firm for review and reporting. The auditing firm is expected to present the audit findings to the commission at the January 14, 2025, meeting."

Pennant, who was elected to the town commission in 2010, said he is aware of Dundee being late with the audit at least once before and downplayed the urgency of warnings from residents and the town's auditor.

"We should meet our deadline," he said. "The deadline is April, so we should meet our deadline. Every once in a while, a municipality will be late.

"I've been the mayor now for 12 years, and I think this is the second time or the first time we were this late," Pennant added.

When asked if Dundee has secured a finance director, he said the finance department hired a person about six months ago. Regarding the audit findings the state pointed out for correcting, he said the new person in finance has only been aware of the letter from the Joint Auditing Legislative Committee for about four weeks.

### Rare public warnings made by Town auditor

In recent months, Davis, Pennant and the town commissioners have been warned in public that Dundee is in danger of losing state funding if the audit is not sent sooner rather than later.

In a recording of the commission's Oct. 22 meeting posted to Facebook , the town's outside auditor Mike Brynjulfson took the unusual step to publicly warn Dundee's management, mayor and commissioners of the approaching hard deadline for the overdue audit. Municipal auditors usually do not address town audits at a public meeting.

Attempts to reach Brynjulfson by phone were unsuccessful. In the recording on Facebook, he went over the statutory deadlines and process for late audit reports before offering a stern warning of the consequences.

Of 42 municipalities (more than 10% of Florida's local governments), the joint House and Senate Committee took action on all of them during the 2023-2024 legislative session, ordering the Department of Revenue to stop sending state funds to them – except municipal funds pledged for debt, he said.

In Dundee's case, that could be 25% of general fund revenues, Brynjulfson said.

"So that is what we are facing if this is not done by April," he said at the October meeting.

He added that most of the municipalities he audits in Polk County are now working on their 2023-2024 reports, so he would need about a month to complete Dundee's audit if he had all the needed information, which he had yet to receive by the October commission meeting.

"That's the best case scenario," Brynjulfson said of the timing.

In a phone call with a Ledger reporter, Garrison said he was unaware of any point in history when the Town of Dundee missed the June 30 deadline to file its audited financial report.

"I personally think the money is being grossly mismanaged," he said, among other allegations about the current overdue year and past fiscal years.

Garrison claimed a car wash and car detailing vendor was paid for with the town's credit card within the past few years as were food purchases and flowers during the 2020-2021 fiscal year as shown in public records he had obtained from Dundee after hiring an attorney.

A request for the credit card statements by The Ledger is pending.

Garrison said his public information request also included a balance sheet. But that request remains unfulfilled, so he said he is unable to see the whole picture of how taxpayer funds are being used.

Commissioner Mary Robinson said by phone Thursday that she asked in February 2023 for an expenditure report and the balance sheet from the town's administration.

"I am yet to get them," said Robinson, who is in her first year as a commissioner and is a critic of the town's management at commission meetings. Town meetings are not recorded, although private citizens have been posting videos on their Facebook pages, including some that show shouting matches during the meetings.

"I was told this is the first time in history that the Town of Dundee has been in this predicament, and that the auditor said he was very concerned because he has never seen this in the Town of Dundee," she said.

**In a recording of the commission's Oct. 22 meeting posted to Facebook , the town's outside auditor Mike Brynjulfson took the unusual step to publicly warn Dundee's management, mayor and commissioners of the approaching hard deadline for the overdue audit. Municipal auditors usually do not address town audits at a public meeting.**

Robinson said she wants to know why a $100,000 entertainment trailer was purchased by the town. She said those funds would have been better spent on an after-school program at the community center.

When asked if the town's credit card in past years had been used for car washes, flowers and dinners at Red Lobster, Pennant said, "If there is stuff like that, the audit will pick it up."

### Discrepancies to correct in past audits

In addition to the town's overdue audit, its auditor has found issues in past fiscal years. Those issues are identified and still need to be corrected as shown in state records requested by The Ledger from the Florida Auditor General's Office and the Joint Auditing Legislative Committee.

This was documented in an exchange of letters earlier this year between Pennant and the Joint Legislative Auditing Committee, state records show. The initial letter was sent by its chairman and vice chair, Rep. Michael Caruso, R-Delray Beach, and Sen. Jason Pizzo, D-Sunny Isles Beach.

"Florida Statutes requires the Auditor General to notify the Joint Legislative Auditing Committee when a municipality has failed to correct an audit finding that has been reported in three successive audit reports," said the letter to Pennant and Davis.

"The Committee may then require the municipality to provide a written explanation of the status of corrective action that has been taken," the letter said. "If the explanation is either not provided or determined to be not sufficient, the Committee may require the chair of the governing body of the municipality to appear before the Committee."

On Dec. 4, 2023, Dundee was told to provide written explanations detailing corrective actions on the prior year's audit report, the committee said in the more recent letter.

"For each audit finding (by the Committee) that was reported in the FY 2021-22 audit report and also in the two preceding audit reports, the Response should either explain why full corrective action has not been taken or, if the governing body intends to take full corrective action, describe the corrective action to be taken and when it will occur."

Among the audit findings in the latest letter from the committee, dated Jan. 24:

- The town's bank accounts are not being reconciled in a timely manner.
- Transactions being posted to the town's accounting information system contained many errors.
- The town's unspent building permit fees subject to the cap totaled $262,209 on September 30, 2022, which exceeded the average costs incurred to enforce the Florida Building Code over the prior four fiscal years by $71,256.

In March, Pennant signed a letter in response to the committee.

"Town Management agrees with the following Audit Findings," the response said. "Since this audit report was issued, Management has been working diligently to address these items and implement corrections as needed to minimize recurring findings going forward."

Pennant's responses to the audit findings were:

- Two Dundee staff members have undergone training with the town's CPA firm for bank statement reconciliation.
- Staff were trained to improve processing of bank reconciliations, payroll journal entries, accounts payable and other journal entries.
- The town purchased the Development Services Building on Nov. 10, 2021, with building permit fee carryover funds but still exceeded the average by $71,256. It spent that on renovations to the building.
- Dundee also offered rebates in a June 2023 resolution to automatically adjust the building permit fee based on the funds on-hand in excess of the statutory cap.

Davis, who has a master's degree in business administration and started as the town's finance director before being promoted to town manager, said she expects another letter from the state when the legislative session starts in January.

"They will submit letters to each municipality that is late — giving them a final deadline," she said. "That deadline is typically in March or April 2025. If the audit is unresolved by that date, then the town could jeopardize its state funding."

Should a small city or town not file an audit with the state, the state Legislature can cut off funds to a noncompliant municipality, including federal Community Development Block Grant funding, which states typically use to match up to 80% of infrastructure projects in small cities.

For towns such as Dundee with less than 50,000 in population, the Florida Commerce Department sets CDBG funding priorities for projects such as wastewater treatment plants, water projects, economic development and recreational facilities and community centers, among others.

**NOTICE OF LOCAL PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider the Establishment of**
**Eagle Trace Community Development District**

DATE: January 7, 2025

TIME: 6:00 p.m.

LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance granting a petition to establish Eagle Trace Community Development District (the "District"). The title of the proposed ordinance is as follows:

**ORDINANCE O-2024-15**

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2024); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The proposed District is comprised of approximately 186.71 acres, more or less, generally located north of Weiberg Road, south of Lake Hatchineha Road, east of Detour Road, and west of Alford Road, as further identified in the map depicted in this notice. The Petitioner has proposed establishing the District to plan, finance, acquire, construct, operate, and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including Chapter 190, *Florida Statutes*.

Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

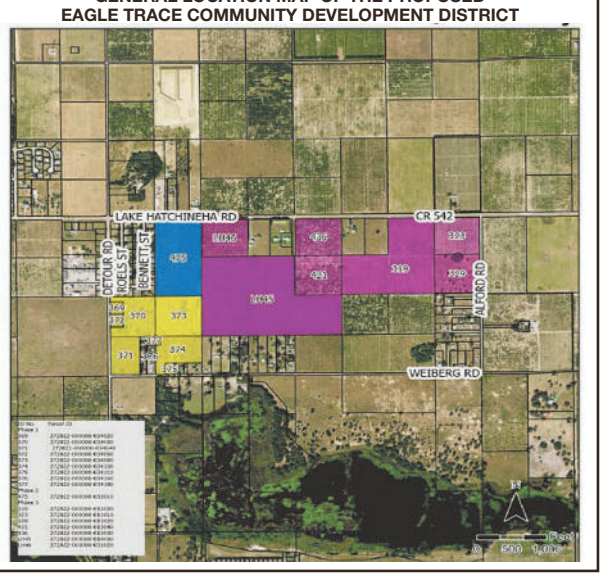
The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the establishment of the District. If adopted, the ordinance will establish the Eagle Trace Community Development District and designate the land to be serviced by the District.

All interested persons and affected units of general-purpose government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Town Council with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800- 955-8771 (TTY) / 1-800-955-8770 (Voice).

Run Dates: December 10th, December 17th, December 24th, and December 31st

**GENERAL LOCATION MAP OF THE PROPOSED**
**EAGLE TRACE COMMUNITY DEVELOPMENT DISTRICT**




**NOTICE OF PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider a Petition to Expand the Boundaries of**
**Hamilton Bluff Community Development District**

DATE: January 7, 2025

TIME: 6:00 p.m.

LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

**NOTICE OF PUBLIC HEARING**

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance to grant a petition to amend the boundaries of the Hamilton Bluff Community Development District (the "District"). The title of the proposed ordinance is as follows:

**ORDINANCE O-2024-16**

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 5 OF ORDINANCE O-22-06 THAT ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BY ADDING APPROXIMATELY 398 ACRES OF LAND THERETO PURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF EXHIBIT A TO ORDINANCE O-22-06, TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The District is comprised of approximately 266 acres of land, more or less, and located east of SR 17 at the crossroads of Water Tank Road and Detour Road. The District's northern border is along Kokoma Road (County Road 546 East) and the southern border is along Lake Hatchineha Road (County Road 542). The location of the current District and the expansion parcels are further identified in the map depicted in this notice. Petitioner has petitioned to amend the boundary of the District by expanding the existing boundary to include an additional 398 acres, more or less, and currently contiguous to the District boundary, for a total of approximately 664 acres, more or less, as authorized by Chapter 190, *Florida Statutes*.

The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the boundary amendment of the District. If adopted, the ordinance will amend the boundaries of the Hamilton Bluff Community Development District and designate the land to be serviced by the District.

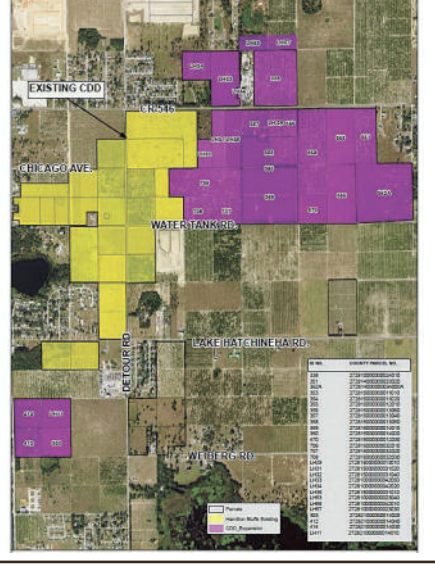
Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose, the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice).

PUBLICATION DATES: December 10th, December 17th, December 24th, and December 31st

HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT



LOCALiQ
The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

## AFFIDAVIT OF PUBLICATION

Amy Hembree
Amy D. Hembree
Kilinski Van Wyk
517 E College AVE
Tallahassee FL 32301-2528

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The Ledger-News Chief, published in Polk County, Florida; that the attached copy of advertisement, being a Main Legal CLEGL, was published on the publicly accessible website of Polk County, Florida, or in a newspaper by print in the issues of, on:

12/10/2024, 12/17/2024, 12/24/2024, 12/31/2024

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 12/31/2024

Keelyn Curran
Legal Clerk

Notary, State of WI, County of Brown

3.7.27
My commission expires

| | | | |
|---|---|---|---|
| Publication Cost: | $1985.75 | | |
| Tax Amount: | $0.00 | | |
| Payment Cost: | $1985.75 | | |
| Order No: | 10828063 | # of Copies: | |
| Customer No: | 1061987 | 1 | |
| PO #: | | | |

THIS IS NOT AN INVOICE!

*Please do not use this form for payment remittance.*

KAITLYN FELTY
Notary Public
State of Wisconsin

**NOTICE OF PUBLIC HEARING**
**Town Council of the Town of Lake Hamilton, Florida**
**to Consider a Petition to Expand the Boundaries of**
**Hamilton Bluff Community Development District**

DATE: January 7, 2025

TIME: 6:00 p.m.

LOCATION: Town Hall of Town of Lake Hamilton, Florida
100 Smith Avenue
Lake Hamilton, FL 33851

**NOTICE OF PUBLIC HEARING**

In accordance with the provisions of Chapter 190, Florida Statutes, a public hearing will be held by the Town Council of the Town of Lake Hamilton (the "Town Council") beginning at 6:00 p.m., on January 7, 2025, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance to grant a petition to amend the boundaries of the Hamilton Bluff Community Development District (the "District"). The title of the proposed ordinance is as follows:

**ORDINANCE O-2024-16**

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 5 OF ORDINANCE O-22-06 THAT ESTABLISHED THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT BY ADDING APPROXIMATELY 398 ACRES OF LAND THERETO PURSUANT TO SECTION 190.046, FLORIDA STATUTES; PROVIDING FOR THE AMENDMENT OF EXHIBIT A TO ORDINANCE O-22-06, TO PROVIDE FOR A NEW METES AND BOUNDS LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR ALL OTHER TERMS AND CONDITIONS TO REMAIN UNCHANGED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The District is comprised of approximately 266 acres of land, more or less, and located east of SR 17 at the crossroads of Water Tank Road and Detour Road. The District's northern border is along Kokoma Road (County Road 546 East) and the southern border is along Lake Hatchineha Road (County Road 542). The location of the current District and the expansion parcels are further identified in the map depicted in this notice. Petitioner has petitioned to amend the boundary of the District by expanding the existing boundary to include an additional 398 acres, more or less, and currently contiguous to the District boundary, for a total of approximately 664 acres, more or less, as authorized by Chapter 190, *Florida Statutes*.

The information presented at this hearing will be used to afford the petitioner, landowners, any affected units of local government, and the general public, a fair and adequate opportunity to appear and present oral and written comments regarding the boundary amendment of the District. If adopted, the ordinance will amend the boundaries of the Hamilton Bluff Community Development District and designate the land to be serviced by the District.

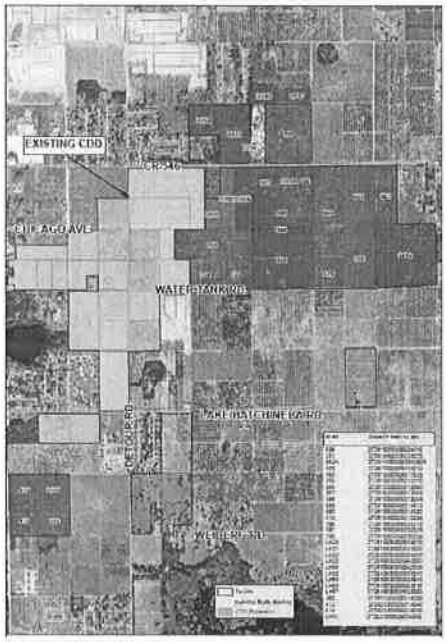
Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

All interested persons and affected units of general-purpose local government shall be given an opportunity to appear at the hearing and present oral or written comments on the petition. Any person or affected unit of general-purpose local government who wishes to appeal any decision made by the Board with respect to any matter considered at this public hearing will need a record of the proceedings. For that purpose, the person or unit of general-purpose local government may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and section 286.26, Florida Statutes, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Town Clerk's Office at 863-439-1910, at least forty-eight (48) hours prior to the meeting and provide a written request to the Office of the Town Clerk. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1 or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice).

PUBLICATION DATES: December 10th, December 17th, December 24th, and December 31st

HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT




LL-40776091

# ORDINANCE O-2024-17

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA AMENDING SECTION 6-7 OF THE CODE OF ORDINANCES RELATING TO NUISANCE ANIMALS; AMENDING SECTION 6-11 OF THE CODE OF ORDINANCES RELATING TO LIMITS ON PET POPULATION; PROVIDING FINDINGS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the Town Council of the Town of Lake Hamilton, Florida (Council) has determined that nuisance animals can disturb the peace and quiet expected in residential neighborhoods by making excessive and continuous noise, including barking and howling; and

**WHEREAS,** the Council has determined that it is in the best interest of the citizens of Lake Hamilton to amend its Animal Ordinance to regulate excessive and continuous noise made by nuisance animals which disturbs the peace and quiet of residential neighborhoods; and

**WHEREAS,** it is the intent of Council to assist in curtailing excessive noise from nuisance animals; and

**WHEREAS,** adoption of this Ordinance is in the best interest of the citizens of the Town of Lake Hamilton, Florida.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA:**

**SECTION 1. FINDINGS.** The findings set forth in the recitals to this Ordinance are hereby incorporated in this Ordinance.

**SECTION 2. AMENDMENTS.** Section 6-7 and Section 6-11 of the Code of Ordinances of the Town of Lake Hamilton are hereby amended to read as follows: (underlined words indicate additions to the original text, ~~strikethrough~~ indicates words that are being deleted or removed.)

**Sec. 6-7. Nuisance animals prohibited;**

As used in this section, an animal becomes a nuisance when it:

(1) Causes an unsanitary condition that is injurious to the health, safety and welfare of the public, or;

(2) Damages any lawn, plant or shrub other than the property of the owner, or;

(3) Damages private or public property other than the property of the owner, or;

(4) Emits an offensive odor that is an unreasonable annoyance to the public, or;

(5) ~~Frequently, habitually or regularly emits noise,~~ Frequent or continued barking, frequent or continued howling, or making frequent or continued sound or noise, between the hours of 11:00 p.m. and 6:00 a.m., or

(6) Frequent or continued barking, frequent or continued howling, or making frequent or continued sound or noise for periods of ten minutes or more, at any time, or

(~~6~~7) Has been found by a court of competent jurisdiction to be a public nuisance, or;

(~~7~~8) Is injurious to the health, safety, and welfare of the public because of the number of animals maintained, or;

(~~8~~9) Is injurious to the health, safety, and welfare of the public because of the type of animals maintained, or;

(~~9~~10) Runs at large or strays.

It shall be unlawful for a person to maintain or permit to exist upon the property they own or occupy a nuisance animal. Additionally, storing or harboring six (6) or more dogs within one household or residential property shall be deemed a nuisance punishable under this section.

Pursuant to Sec. 162.22, Florida Statutes, a person who violates any provision of this section may be sentenced to pay a fine, not to exceed $500, and may be sentenced to a definite term of imprisonment, not to exceed 60 days, in a municipal detention facility or other facility as authorized by law. ~~A code or law enforcement officer is authorized to issue a citation to a person when, based upon personal investigation, the officer has probable cause to believe that the person has committed a civil infraction in violation of this section. The person shall pay within 30 days from the date a citation was issued a civil penalty of $50.00 to the town clerk's office in full satisfaction of the violation. A person who violates this section two times in six months shall be issued a citation of $250.00.~~ If the person chooses to contest the citation, he or she must contact the clerk of the county court within 30 days and request a court hearing.

**Sec. 6-11. Limit of pet population.**

No person or household shall own or harbor more than five (5) t~~hree~~ dogs ~~of six months of age or older or more than one litter of pups,~~ or more than ~~three~~ five (5) cats ~~, of more than six months of age or more than one litter of kittens,~~ or engage in the commercial business of breeding, buying selling, trading, training, or boarding cats or dogs or both cats and dogs.

Pursuant to Sec. 162.22, Florida Statutes, a person who violates any provision of this section may be sentenced to pay a fine, not to exceed $500, and may be sentenced to a definite term of imprisonment, not to exceed 60 days, in a municipal detention facility or other facility as authorized by law. ~~A code or law enforcement officer is authorized to issue a citation to a person when, based upon personal investigation, the officer has probable cause to believe that the person has committed a civil infraction in violation of this section. The person shall pay within 30 days from the date a citation was issued a civil penalty of $50.00 to the town clerk's office in full satisfaction of the violation. A person who violates this section two times in six months shall be issued a citation of $250.00.~~ If the person chooses to contest the citation, he or she must contact the clerk of the county court within 30 days and request a court hearing.

**SECTION 8. SEVERABILITY.** If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be illegal, invalid, or unenforceable, such provision shall be deemed severable and the remaining provisions shall continue remain in full force and effect provided

that the invalid, illegal or unenforceable provisionis not material to the logical and intended interpretation of this Ordinance.

**SECTION 9. EFFECTIVE DATE.** This Ordinance shall be effective immediately upon adoption.

**INTRODUCED AND PASSED on first reading at the regular meeting of the Town Council of Lake Hamilton, Florida, held this 3rd day of December 2024.**

**PASSED AND ADOPTED on second reading at the regular meeting of the Town Council of Lake Hamilton, Florida, held this 7th day of January 2025.**

TOWN COUNCIL OF LAKE HAMILTON FLORIDA

BY: _____
Marlene Wagner, Mayor

ATTEST:

By: _____
Jacqueline Borja, Town Clerk

APPROVED AS TO FORM:
By: _____
Anthony Sabatini, Esq., Town Attorney

# Town of Lake Hamilton

***Town Council***

***Agenda Summary Report***

---

**TO:** Lake Hamilton Town Council

**FROM:** Chris Votour Chief of Police

**AGENDA ITEM:** Liquidate used vehicles.

**DATE:** December 20, 2024

---

**SUMMARY & RECOMMENDATION** : Requesting council to consider the auctioning of three police vehicles

**CONSENT AGENDA** ☐ **OLD BUSINESS** ☐ **NEW BUSINESS** ☒

**ATTORNEY REVIEW:** YES: ☐ NO: ☐ N/A: ☒

**FINANCIAL IMPACT:** YES: ☐ NO: ☒ If Yes, Please Explain: The vehicles are a 2017 Ford Explorer, 2017 Chevrolet Tahoe, and a 2017 Chevrolet Tahoe. These vehicles have a roughly estimated value of $5,000.00

**RECOMMENDATION:** Yes

**ATTACHMENTS:** Yes

# TOWN OF LAKE HAMILTON

Submitted By: Chief C. Votour

## Fixed Asset Disposal Authorization Form (D)

| PROPERTY DESCRIPTION | PROPERTY # | SERIAL NUMBER | LOCATION | CONDITION CODE | REASON FOR DIDPOSAL CODE | VALUE | METHOD OF DISPOSAL CODE |
|---|---|---|---|---|---|---|---|
| 2017 Ford Explorer | LH6 | 1FM5K8AR6HGD25701 | Police Department | P | B | ➢ $5,000 | S |
| 2017 Chevrolet Tahoe | LH9 | 1GNLCDEC3HR332513 | Police Department | P | B | ➢ $5,000 | S |
| 2017 Chevrolet Tahoe | LH11 | 1GNLCDEC3H3300252 | Police Department | P | B | ➢ $5,000 | S |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

Approved By Town Council (Date) _____

Marlene Wagner, Mayor Signature Date

Jacqueline Borja, Town Clerk Signature Date

| *CONDITION CODE* | | *REASON DOR DISPOSAL* | | *METHOD OF DISPOSAL* | |
|---|---|---|---|---|---|
| P – Poor | E- Excellent | B – Beyond economic repair | S - Surplus | C - Computer recycle | S - Sold |
| F – Fair | | O – Obsolete | T - Theft | T - Trash | TI - Trade-In |
| G- Good | | R – Replaced by upgrade | | D - Donated | |

**INTERAGENCY AGREEMENT BETWEEN THE POLK COUNTY SHERIFF'S OFFICE AND THE LAKE HAMILTON POLICE DEPARTMENT FOR CRIMINAL JUSTICE INFORMATION EXCHANGE AND COMPUTER USAGE**

**WITNESSETH**

**WHEREAS**, the **POLK COUNTY SHERIFF'S OFFICE**, hereafter referred to as PCSO, and the **LAKE HAMILTON POLICE DEPARTMENT**, hereafter referred to as LHPD, are criminal justice agencies, formally recognized by the Federal Bureau of Investigations (FBI) and the Florida Department of Law Enforcement (FDLE); and

**WHEREAS**, PCSO maintains a dispatching center for law enforcement 911 calls and services; and

**WHEREAS**, PCSO maintains electronic data bases and applications (System) for the creation and storage of offense reports, hereafter referred to as Criminal Justice Information (CJI); and

**WHEREAS**, LHPD wishes to utilize dispatching services provided by PCSO:

**WHEREAS**, PCSO and LHPD wishes to routinely share CJI for the administration of criminal justice;

**NOW THEREFORE**, the Parties agree as follows:

1. PCSO will assist the LHPD with the following dispatching functions: dispatching, entering entries, updates, and cancellations within FCIC/NCIC as required by the FDLE User Agreement and the Federal Bureau of Investigations.

2. PCSO will provide LHPD access to CAD, RMS, and JMS systems for query capabilities, information storage, and booking services. Access to these systems will be provided through a FIPS 140-2 certified encrypted path.

3. PCSO and LHPD may also exchange CJI, as needed, via voice and/or physical paper dissemination.

4. Both PCSO and LHPD will utilize the records for criminal justice purposes.

5. PCSO and LHPD agree to abide by all applicable local, state, and federal laws, rules and regulations, with regards to the use of said electronic systems.

6. Both parties agree to abide by all the terms and conditions of the Criminal Justice User Agreement executed between the FDLE and each party, to include but not limited to the FBI CJIS Security Policy.

7. Both PCSO and LHPD agree that they shall make use of the records for authorized criminal justice purposes only.

8. Both parties will disseminate CJI related information obtained from one another only for criminal justice purposes.

21. This agreement constitutes the entire agreement of the parties and may not be modified or amended except in writing executed by both parties. This agreement supersedes or amends all prior agreements or provisions of agreements between the parties solely related to the obligations or responsibilities to comply with applicable laws and rules regarding the sharing of CJI. This agreement does not supersede or amend any provision of any existing agreement between the parties that involve the provision of services for compensation, whether related to the sharing of CJI, or any other matter.

IN WITNESS HEREOF, the parties hereto have caused this agreement to be executed by the proper officers and officials.

POLK COUNTY SHERIFF'S OFFICE
ANDRIA MCDONALD, EXECUTIVE DIRECTOR

Andria McDonald

Date: 12/12/24

ATTEST

WITNESS TO ANDRIA MCDONALD

APPROVED AS TO FORM AND CONTENT

By: _____
SHERIFF'S COUNSEL

LAKE HAMILTON POLICE DEPARTMENT
_____, CHIEF OF POLICE

Date: 12-3-24

TOWN OF LAKE HAMILTON
BY MARLENE WAGNER, MAYOR

Date: 1/7/25

ATTEST
BY TOWN CLERK

APPROVED AS TO FORM AND CONTENT

By: _____
TOWN OF LAKE HAMILTON ATTORNEY

# Town of Lake Hamilton
## Town Council
## Agenda Summary Report

**TO:** Lake Hamilton Town Council

**THROUGH:** Brittney Sandoval, Town Administrator

**FROM:** Doug Leonard, Interim CD Director

**AGENDA ITEM:** Request of Kevin Kitto to vacate and/or convey Right-of-way to correct a problem with his lot

**DATE:** December 18, 2024

**SUMMARY & RECOMMENDATION**: The north right-of-way line of Nebraska Boulevard runs through the southern wing of the house on Mr. Kitto's lot (Block 11. Lot 2 of Map of Lake Hamilton). The problem came with the house when he purchased it recently. He would like the Town to convey the right-of-way to him to correct the problem. I spoke with Attorney Sabatini who can prepare a deed if the Administrator and the Council so direct.

which he purchased recently.

**CONSENT AGENDA** ☐ **OLD BUSINESS** ☐ **NEW BUSINESS** X

**ATTORNEY REVIEW:** YES: X NO: ☐ N/A: ☐

**FINANCIAL IMPACT:** YES: X NO: ☐ Mr. Kitto is willing to cover the cost of the land and service.

**RECOMMENDATION:** None

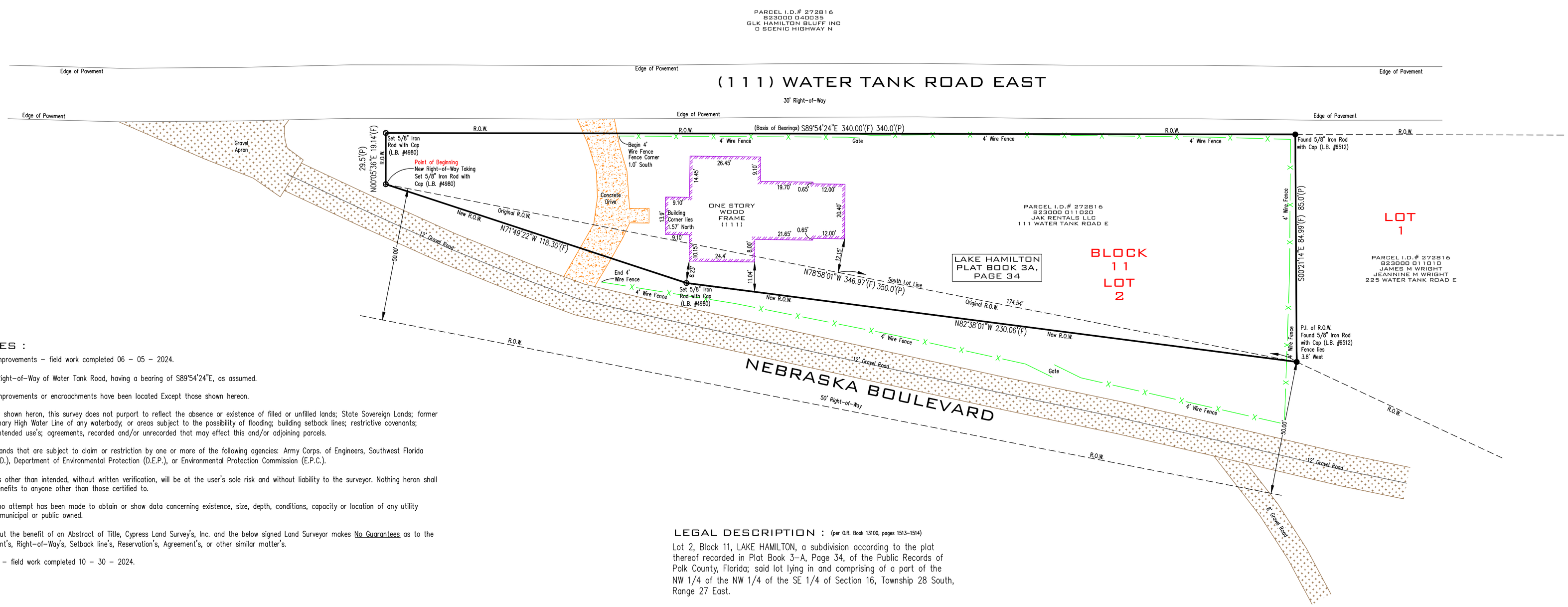
**ATTACHMENTS:** None

# BOUNDARY SURVEY

SECTION 16, TOWNSHIP 28 SOUTH, RANGE 27 EAST,
LAKE HAMILTON, POLK COUNTY, FLORIDA

N
W E
S

20 10 0 20
SCALE IN FEET
1 Inch = 20 Feet




## SURVEYOR'S NOTES :

1. Boundary Survey with limited improvements – field work completed 06 – 05 – 2024.
2. Bearings based on the South Right–of–Way of Water Tank Road, having a bearing of S89°54'24"E, as assumed.
3. No underground installations, improvements or encroachments have been located Except those shown hereon.
4. Except as specifically stated or shown heron, this survey does not purport to reflect the absence or existence of filled or unfilled lands; State Sovereign Lands; former submerged lands; riparian lands; Ordinary High Water Line of any waterbody; or areas subject to the possibility of flooding; building setback lines; restrictive covenants; zoning and other real property/land intended use's; agreements, recorded and/or unrecorded that may effect this and/or adjoining parcels.
5. Subject property may contain lands that are subject to claim or restriction by one or more of the following agencies: Army Corps. of Engineers, Southwest Florida Water Management District (S.W.F.W.M.D.), Department of Environmental Protection (D.E.P.), or Environmental Protection Commission (E.P.C.).
6. Use of this survey for purposes other than intended, without written verification, will be at the user's sole risk and without liability to the surveyor. Nothing heron shall be construed to give any rights or benefits to anyone other than those certified to.
7. Note: In providing this survey no attempt has been made to obtain or show data concerning existence, size, depth, conditions, capacity or location of any utility existing on the site, whether private, municipal or public owned.
8. This Survey was prepared without the benefit of an Abstract of Title, Cypress Land Survey's, Inc. and the below signed Land Surveyor makes No Guarantees as to the size, location, or existence of Easement's, Right–of–Way's, Setback line's, Reservation's, Agreement's, or other similar matter's.
9. Added New Right–of– Way line – field work completed 10 – 30 – 2024.

## LEGEND

| | | |
|---|---|---|
| (Plat) (P) | = | Bearing, Angle, Distance, or Name shown on Plat of Record |
| (Field) (F) | = | Bearing, Angle, Distance, or Name Found by Field Survey |
| (Legal) (L) | = | Bearing, Angle, Distance, or Name given by Legal Description |
| (Calc) (C) | = | Calculated position |
| I.D. | = | Identification |
| R.O.W. | = | Right of Way |
| P.I. | = | Point of Intersection |
| L.B. | = | Licensed Business |
| P.S.M. | = | Professional Surveyor and Mapper |
| P.L.S. | = | Professional and Licensed Surveyor |
| R.L.S. | = | Registered and Licensed Surveyor |
| L.S. | = | Licensed Surveyor |
| O.R. | = | Official Record |
| | = | Concrete |
| | = | Gravel |

## LEGAL DESCRIPTION : (per O.R. Book 13100, pages 1513–1514)

Lot 2, Block 11, LAKE HAMILTON, a subdivision according to the plat thereof recorded in Plat Book 3–A, Page 34, of the Public Records of Polk County, Florida; said lot lying in and comprising of a part of the NW 1/4 of the NW 1/4 of the SE 1/4 of Section 16, Township 28 South, Range 27 East.

## LEGAL DESCRIPTION : (New Right–of–Way Taking)

Beginning at the Southwest Corner of Lot 2, Block 11, LAKE HAMILTON, a subdivision according to the plat thereof recorded in Plat Book 3–A, Page 34, of the Public Records of Polk County, Florida and run S78°58'01"E along the South Lot line of said Lot 2 also being the North Right–of–Way line of Nebraska Boulevard for a distance of 346.97 feet to the Southeast Corner of said Lot 2; thence run N82°38'01"W along the New North Right–of–Way line of said Nebraska Boulevard for a distance of 230.06 feet; thence continue along said New North Right–of–Way line N71°49'22"W for a distance of 118.30 feet returning to the said Point of Beginning.

Containing 2552± Square feet or 0.06± Acres.

## SURVEYOR'S CERTIFICATE :

I, hereby certify that to the best of my knowledge, information, and belief, this plat is a True and correct representation of the hereon described land according to normal standards of Professional care for the Survey purpose hereon stated, and this Plat meets Standards of Practice as adopted by the Florida Board of Professional Land Surveyor's under authority of Section 472.027, Florida Statues, and set forth in Chapter 5J–17.

STATE OF FLORIDA
STEPHEN E. WHITAKER
L.S. 3053
REGISTERED LAND SURVEYOR

Cypress Land Surveys
STEPHEN E. WHITAKER
P.L.S. No. 3053
702 AVE. "A", N.W.

## THIS SURVEY IS CERTIFIED EXCLUSIVELY TO AND ONLY FOR THE USE OF:

1. Kevin Kitto
2. JAK Rentals, LLC
3. Town of Lake Hamilton

## ADDITIONAL SURVEYOR'S NOTES :

The word or words "certify" and "certified to" as used hereon, means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.

NOTE : Copyright © Cypress Land Surveys, Inc. All rights reserved. No part of this drawing may be reproduced by photocopying, recording or by any other means, or stored, processed or transmitted in or by any computer or other system without the prior written permission of the Copies of this plan without an original signature and impression seal are not valid.

Prepared by: CYPRESS LAND SURVEY'S, INC. * 702 Avenue "A", N.W.
Winter Haven, Florida 33881–3139 Phone (863) 299–8165
Stephen E. Whitaker, P.L.S. – Florida License & Reg. # L.S. 3053 & L.B. 4980
CYPRESSLAND@MSN.COM WWW.CYPRESSLAND–SURVEYS.COM

File : 111 Water Tank Rd–Nov2024.dwg
Print date : 11 – 04 – 2024

New Right-of-Way Taking

Beginning at the Southwest Corner of Lot 2, Block 11, LAKE HAMILTON, a subdivision according to the plat thereof recorded in Plat Book 3-A, Page 34, of the Public Records of Polk County, Florida and run S78°58'01"E along the South Lot line of said Lot 2 also being the North Right-of-Way line of Nebraska Boulevard for a distance of 346.97 feet to the Southeast Corner of said Lot 2; thence run N82°38'01"W along the New North Right-of-Way line of said Nebraska Boulevard for a distance of 230.06 feet; thence continue along said New North Right-of-Way line N71°49'22"W for a distance of 118.30 feet returning to the said Point of Beginning.

Containing 2552± Square feet or 0.06± Acres.