

## POLK CITY

### City Commission Workshop (6pm) City Commission Meeting (7pm)

October 18, 2022

Polk City Government Center  
123 Broadway Blvd., SE

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**CALL TO ORDER** – Mayor Joe LaCascia

**INVOCATION** – Pastor Walter Lawlor, New Life Community Church

**PLEDGE OF ALLEGIANCE** – Mayor Joe LaCascia

**ROLL CALL** – Assistant City Manager Sheandolen Dunn

**ESTABLISHMENT OF A QUORUM**

**APPROVE CONSENT AGENDA**

**PRESENTATIONS AND RECOGNITIONS**

**OPPORTUNITY FOR PUBLIC COMMENT – ITEMS NOT ON AGENDA** (limit comments to 3 minutes)

### AGENDA

- 1. PUBLIC HEARING - ORDINANCE 2022-06 - Small Scale Future Land Use Map Amendment** - An Ordinance amending the Future Land Use Map of the Comprehensive Plan of Polk City, Florida; changing the Future Land Use designation of approximately 0.27 acres located at 957 Lakeshore Drive, from “Commercial” to “Residential Medium”; transmitting said small scale Future Land Use Map Amendment to the Florida Department of Economic Opportunity for notification purposes only; providing for severability, conflicts and an effective date. **Second and Final Reading**
- 2. PUBLIC HEARING – ORDINANCE 2022-07 – Rezoning** - An Ordinance amending the official Zoning Map of Polk City, Florida; changing the zoning for approximately 0.27 acres located at 957 Lakeshore Drive from General Commercial (C-2) to Single Family and Duplex (R-3); providing for severability; providing an effective date. **Second and Final Reading**
- 3. PUBLIC HEARING - ORDINANCE 2022-08 - Text Amendment to the Land Development Code** - A City-initiated text amendments to the Polk City Land Development Code to address medical marijuana treatment center dispensing facilities. **Second and Final Reading**
- 4. PUBLIC HEARING - ORDINANCE 2022-09 – Easement Vacation** – An Ordinance of Polk City, Florida, vacating three platted easements described below; providing findings and conditions; providing for a certified copy to be filed with the Polk County Clerk of Court and duly recorded in the Public Records of Polk County; providing for severability; providing for conflict; and providing for an effective date. **Second and Final Reading**
- 5. PUBLIC HEARING - ORDINANCE 2022-10 –Replat** – An Ordinance of Polk City, Florida, approving a subdivision plat titled Sandy Pointe Sweet Gum Lane, a replat of a portion of Sandy Pointe Subdivision; providing findings, plat approval, recording, conflicts, severability, & an effective date. **Second and Final Reading**

6. **PUBLIC HEARING - ORDINANCE 2022-11 – Annexation** - An Ordinance of the City Commission of Polk City, Florida; voluntarily annexing property into the Corporate limits of Polk City, Florida, pursuant to section 171.044, Florida Statutes; amending the city boundary to include said property; providing findings; providing for notice by publication of the proposed annexation; filing a certified copy of the ordinance as provided by law; providing for conflicts, severability, and an effective date. **First Reading**
  
7. **PUBLIC HEARING - ORDINANCE 2022-12 – Future Land Use Amendment** – An Ordinance of Polk City, Florida, amending the Future Land Use Map of the City's Comprehensive Plan by changing the Future Land Use Designation of approximately 1.37 acres from Polk County Convenience Center-X (CC-X) to City Convenience Center-X (CCX) in the Green Swamp Area of Critical State Concern; transmitting said amendment to the Florida Department of Economic Opportunity for finding of Compliance; providing for findings, severability, conflicts and an effective date. **First Reading**
  
8. **PUBLIC HEARING - ORDINANCE 2022-13 – Zoning** – An Ordinance amending the official zoning map of Polk City, Florida, to change the zoning for approximately 1.37 acres located at 0 State Road 33 (Parcel Number 24-27-01-000000-012020) from Polk County Convenience Center-X (CCX) to City Convenience Center-X (CCX) in the Green Swamp Area of Critical State Concern; providing for severability, and providing an effective date. **First Reading**

#### **CITY MANAGER ITEM**

#### **CITY ATTORNEY ITEMS**

#### **COMMISSIONER ITEMS**

Commissioner Nichols  
Commissioner Blethen  
Commissioner Carroll  
Vice Mayor Harper  
Mayor LaCascia

#### **ANNOUNCEMENTS**

#### **ADJOURNMENT**

**CONSENT AGENDA**  
**October 18, 2022**

MAY ALL BE APPROVED BY ONE VOTE OF COMMISSION TO ACCEPT CONSENT AGENDA. Commission Members may remove a specific item below for discussion and add it to the Regular Agenda under New or Unfinished Business, whichever category best applies to the subject.

**A. CITY CLERK**

1. September 19, 2022 – City Commission Regular City Commission Meeting
2. September 19, 2022 – City Commission Workshop
3. September 22, 2022 - Budget Hearing – 2<sup>nd</sup>/Final Reading

**B. REPORTS**

1. Building Permits Report – September 2022
2. Code Enforcement Report – September 2022
3. Financial Report – September 2022
4. Library Report – September 2022
5. Polk Sheriff's Report – September 2022
6. Public Works Report – September 2022
7. Utilities Report – September 2022
8. Utility Billing Report – September 2022

**C. OTHER**

**City Commission Meeting  
October 19, 2022**

**CONSENT AGENDA ITEM:**      Accept minutes for:

- Accept minutes – September 19, 2022 - City Commission Workshop
- Accept minutes – September 19, 2022 – City Commission Regular Meeting
- Accept minutes – September 22, 2022 – Budget Hearing – 2<sup>nd</sup>/Final Reading

       INFORMATION ONLY  
  X   ACTION REQUESTED

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**ISSUE:** Minutes attached for review and approval

**ATTACHMENTS:**

- Accept minutes – September 19, 2022 - City Commission Workshop
- Accept minutes – September 19, 2022 – City Commission Regular Meeting
- Accept minutes – September 22, 2022 – Budget Hearing – 2<sup>nd</sup>/Final Reading

**ANALYSIS:** N/A

**STAFF RECOMMENDATION:**      Approval of Minutes



**CITY COMMISSION WORKSHOP MINUTES**  
September 19, 2022

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Mayor LaCascia called the Workshop to order at 6:00 pm.

**ROLL CALL** – Assistant City Manager Sheandolen Dunn

**Present:** Mayor Joe LaCascia, Vice Mayor Wayne Harper, Commissioner Randy Carroll, Commissioner Micheal T. Blethen (6:30pm), and City Manager Patricia Jackson

**Absent:** Commissioner Charles Nichols, City Attorney Thomas Cloud

**Agenda Review - City Commission Meeting – September 19, 2022**

Mayor LaCascia reiterated the purpose of the Workshop is to discuss items being presented on the Regular Meeting Agenda and address any questions or concerns and ultimately be able to proceed in a more efficient manner at the Regular Meeting.

**ORDER OF BUSINESS**

**ORDINANCE 2022-06**

Jennifer Codo-Salisbury (CFRPC) provided a thorough overview and discussion of Ordinance 2022-06 – An ordinance of Polk City, Florida; amending the Future Land Use map of the Comprehensive Plan of Polk City, Florida; changing the Future Land Use Designation of approximately 0.27 acres located at 957 Lakeshore Drive, from “Commercial” to “Residential Medium”; transmitting said small scale Future Land Use Map amendment to the Florida Department of Economic Opportunity for notification purposes only; providing for severability; conflicts, and an effective date. **First Reading**

**ORDINANCE 2022-07**

Jennifer Codo-Salisbury provided a thorough overview and discussion of Ordinance 2022-07 – An Ordinance amending the official zoning map of Polk City, Florida; changing the zoning for approximately 0.27 acres located at 957 Lakeshore Drive from General Commercial (C-2) to single family and Duplex (R-3); providing for severability; providing an effective date. **First Reading**

**ORDINANCE 2022-08**

Jennifer Codo-Salisbury provided a thorough overview and discussion of Ordinance 2022-08 – An Ordinance of Polk City, Florida; creating subsection 2.02.14, Polk City Land Development Code, prohibiting Medical Marijuana Treatment Center Dispensing Facilities within City boundaries; providing Legislative findings; providing moratorium contingency, conflicts, severability, and an effective date. **First Reading**

The discussion regarding the Medical Marijuana Dispensing Facility in Polk City focused on Polk City being a family-oriented place and not wanting to invite such activity to our community. This would bring about an increase in the crime rate. There are other facilities in Lakeland and Auburndale.

City Attorney Cloud stated that this is legal on the state level, but is still a Schedule 1 drug, which is still illegal. The USA Attorney General will not prosecute anyone with a Medical Marijuana card.

Commissioner Harper questioned if this kind of business would even be profitable in Polk City.

Commissioner Carroll stated that pretty much anyone can get a Medical Marijuana card and they share their card with others.

Jennifer Codo-Salisbury stated that her agency, CFRPC does not have a position on this item. They simply put together the information for Polk City to make an informed decision.

#### **ORDINANCE 2022-09**

Jennifer Codo-Salisbury provided a thorough overview and discussion of Ordinance 2022-09 – An ordinance of Polk City, Florida, vacating three platted easements described below; providing findings and conditions; providing for a certified copy to be filed with the Polk County Clerk of Court and duly recorded in the public records of Polk County; providing for severability; providing for conflict; and providing for an effective date. **First Reading**

#### **ORDINANCE 2022-10**

Jennifer Codo-Salisbury provided a thorough overview and lengthy discussion of Ordinance 2022-10 – An Ordinance of Polk City, Florida, approving a subdivision plat titled Sandy Pointe Sweet Gun Lane, a replat of a portion of Sandy Pointe Subdivision; providing findings, plat approval, recording, conflicts, severability & an effective date. **First Reading**

#### **Professional Engineering Services Proposal - Construction Inspections for The Landings at Mt. Olive Phase I**

Mayor LaCascia and City Manager Jackson discussed the CivilSurv proposal to Polk City for Professional Engineering Services associated with construction inspection at The Landings at Mt. Olive – Phase 1 (Project). This proposal provides an overview of the services to be provided by CivilSurv.

The Scope of Services will be performed on a time & materials basis in accordance with the previously approved fee schedule. The estimated budget for the project is **\$99,840**. Polk City will pay as the inspections are made and then get reimbursed from The Landings.

The Applicant for The Landings at Mt. Olive residential development has received conditional approval to proceed with construction. CivilSurv will act as the City's

Consulting Engineer during the construction of infrastructure, which will later be transferred to the City at the completion of construction. CivilSurv will perform limited construction inspection services throughout the anticipated construction duration of six (6) months from the date of the preconstruction meeting to the date of final inspection.

The task consists of overall management of the project, including contract administration, budget management, invoicing, monthly progress reporting, scheduling, and coordination with the City.

### **City Manager Evaluation 2022**

The 2022 City Manager Evaluation of Patricia Jackson was provided for review and discussion. Each Commissioner submitted their individual evaluation of City Manager Jackson. The following are comments stated during September 19, 2022 Regular City Commission Meeting.

**Vice Mayor Harper** – Would like to have a workshop scheduled in order to set goals for the City Manager. Suggested that the City Manager and one commissioner at a time begin going out and getting to know the businesses and their owners.

**Commissioner Nichols** –No comments

**Commissioner Carroll** – Looking forward to the growth of Polk City. Encouraged City Manager to be involved in more of the activities in and around Polk City.

**Commissioner Blethen** – No Comments

**Mayor LaCascia** – his scores of the City Manager speak for themselves. Quite a few of the residents don't know who the City Manager is, so I would like to see the City Manager and the Assistant City Manager get out and visit the local business at least once a month. Deals with her on a regular basis and anytime issues have been brought to her, they have been handled in a timely manner.

City Manager Jackson's overall score was a 4.27 out of 5.

### **Christmas Parade – Saturday, December 3, 2022**

Mayor LaCascia and City Manager Jackson briefly discussed the upcoming Christmas Parade on Saturday December 3, 2022. FDOT now requires municipalities to get approval from the City Commission during a Regular Meeting prior to completing the Road Closure application.

Mayor LaCascia also recommended Representative Josie Tomkow to serve as the 2022 Christmas Parade Grand Marshal.

At the Regular Meeting, the City Manager will ask for a consensus from the Commission for Representative Tomkow to serve as the Grand Marshal.

If consensus is given, City Manager Jackson will reach out to Representative Tomkow and get back to the Commission with her response.

### **Mowing Quotes**

City Manager Jackson stated at the Budget Workshop on August 20, 2022, discussion took place to have a professional company assist with some of the mowing of City-owned properties, which would take the place of hiring another employee in the Public Works Department. This will also allow additional time for the Public Works team to do other projects.

It was the consensus to move forward with this in the new budget year. Since that time, companies have been contacted to provide Polk City with a quote based on our specifications. The quotes that have been received will be available at the meeting (we are waiting to see if additional quotes are received prior to the meeting).

Polk City received one quote from Castro Customs in the amount of \$895.00.

During the Regular Meeting, Staff will recommend the Commission approve Castro Customs for lawn services on a per-cut basis for Polk City properties in the amount of \$895.00.

Staff will also recommend that City Attorney Cloud draft a contract for review.

### **Foreclosure Proceedings – 423 Marklen Loop**

City Manager Jackson discussed a lien that was placed in the amount of \$7,390.00 for the cost incurred by Polk City for the demolition of the structure at 423 Marklen Loop, Polk City, Florida, by Johnson's Excavation & Services, Inc.

Pursuant to State Statute 162.09(3), the Special Magistrate authorize Polk City to begin foreclosure procedures on the above captioned property.

Gene Gorski (7470 Berkeley Road) inquired about if the property is sold can a single-family residence be placed there. City Attorney Cloud will look into Mr. Gorski's inquiry.

During the Regular Meeting, staff will request the Commission approve the City Attorney moving forward with foreclosure proceedings on the property located at 423 Marklen Loop.

### **Planning Advisory Services Agreement with Central Florida Regional Planning Council**

Jennifer Codo-Salisbury (CFRPC) discussed staff would like to engage with Central Florida Regional Planning Council to provide professional planning services for Comprehensive Plan Amendments, Rezoning, large project review, subdivision review, minor revisions to the Land Development Regulations, Comprehensive mapping services, update to the Capital Improvements Element and Plan, Grant writing and Website updates.

This is a Fixed Fee Agreement amount of \$30,000 for FY 2022-23. The fees are to be paid in four (4) payments as listed below.

October 1, 2022 - \$7,500  
January 1, 2023 - \$7,500  
April 1, 2023 - \$7,500  
July 1, 2023 - \$7,500

There are no changes in the fees since last fiscal year. We have no other fees outside this fixed contract.

During the Regular Meeting, Staff will recommend approval of the Planning Advisory Services Agreement with Central Florida Regional Planning Council in the amount of \$30,000.

**CITY MANAGER ITEM**

**Emergency Lift Station Repair on Brooke Lane** – Cost was \$30,025. During the Regular Meeting, City Manager will be requesting authorization to have Odom Contracting to make these repairs.

**CITY ATTORNEY ITEMS** - None

**COMMISSIONER ITEMS**

**Vice Mayor Harper** - None

**Commissioner Blethen** – Arrived late and requested the City Attorney recap the discussion on the Medical Marijuana Ordinance. City Attorney provided brief discussion on the matter. Also requested clarification on the Sandy Pointe Ordinance. Jennifer Codo-Salisbury provided the clarification.

**Commissioner Carroll** - None

**Commissioner Nichols** - None

**Mayor LaCascia** – None

**ADJOURNMENT** – 6:37 pm

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Patricia Jackson, City Manager

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Joe LaCascia, Mayor

**CITY COMMISSION MINUTES**  
September 19, 2022

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Mayor LaCascia called the meeting to order at 7:00 pm.

Pastor Lawlor, New Life Community Church gave the invocation.

Those present recited the Pledge of Allegiance led by Mayor LaCascia

**ROLL CALL** –City Manager Patricia Jackson

**Present:** Mayor Joe LaCascia, Vice Mayor Wayne Harper, Commissioner Randy Carroll, Commissioner Micheal T. Blethen, Commissioner Charles Nichols, City Attorney Thomas Cloud and City Manager Patricia Jackson

**APPROVE CONSENT AGENDA**

**Motion by Vice Mayor Harper** to approve the August 15, 2022 (Regular Meeting), and the September 8, 2022 (Budget Hearing – 1<sup>st</sup> Reading) minutes; this motion was seconded by Commissioner Carroll. **Unanimously approved by Voice Vote.**

**PRESENTATIONS/RECOGNITIONS** - None

**ORDER OF BUSINESS**

**ORDINANCE 2022-06**

Jennifer Codo-Salisbury (CFRPC) provided a thorough overview and discussion of Ordinance 2022-06 - An Ordinance of Polk City, Florida; amending the Future Land Use map of the Comprehensive Plan of Polk City, Florida; changing the Future Land Use Designation of approximately 0.27 acres located at 957 Lakeshore Drive, from “Commercial” to “Residential Medium”; transmitting said small scale Future Land Use Map amendment to the Florida Department of Economic Opportunity for notification purposes only; providing for severability; conflicts, and an effective date. **First Reading**

City Attorney Cloud read this Ordinance by title only. Mayor LaCascia opened the Public Hearing; no one spoke for or against this Ordinance. Mayor LaCascia closed the Public Hearing.

**Motion by Commissioner Nichols** to approve Ordinance 2022-06 on First Reading; this motion was seconded by Vice Mayor Harper.

**Motion by Vice Mayor Harper** to approve Ordinance 2022-03 on Second and Final Reading; this motion was seconded by Commissioner Blethen.

**No Discussion by Commission or the Public.**

**Roll Call Vote:** Commissioner Nichols -aye, Mayor LaCascia–aye, Commissioner Carroll – aye, Commissioner Blethen – aye, Vice Mayor Harper - aye

**Motion carried unanimously.**

**ORDINANCE 2022-07**

Jennifer Codo-Salisbury provided a thorough overview and discussion of Ordinance 2022-07 – An Ordinance amending the official zoning map of Polk City, Florida; changing the zoning for approximately 0.27 acres located at 957 Lakeshore Drive from General Commercial (C-2) to single family and Duplex (R-3); providing for severability; providing an effective date.

City Attorney Cloud read this Ordinance by title only. Mayor LaCascia opened the Public Hearing; no one spoke for or against this Ordinance. Mayor LaCascia closed the Public Hearing.

**Motion by Commissioner Nichols** to approve Ordinance 2022-07 on First Reading; this motion was seconded by Commissioner Blethen.

**No Discussion by Commission or the Public.**

**Roll Call Vote:** Commissioner Nichols -aye, Mayor LaCascia–aye, Commissioner Carroll– aye, Commissioner Blethen – aye, Commissioner Carroll – aye, Vice Mayor Harper - aye

**Motion carried unanimously.**

**ORDINANCE 2022-08**

Jennifer Codo-Salisbury provided a thorough overview and discussion of Ordinance 2022-08 – An Ordinance of Polk City, Florida; creating subsection 2.02.14, Polk City Land Development Code, prohibiting Medical Marijuana Treatment Center Dispensing Facilities within City boundaries; providing Legislative findings; providing moratorium contingency, conflicts, severability, and an effective date.

City Attorney Cloud read this Ordinance by title only. Mayor LaCascia opened the Public Hearing; no one spoke for or against this Ordinance. Mayor LaCascia closed the Public Hearing.

**Motion by Vice Mayor Harper** to approve Ordinance 2022-08 with Option #2 to ban Medical Marijuana Treatment Center Dispensing Facilities on First Reading; this motion was seconded by Commissioner Blethen.

**No Discussion by Commission or the Public.**

**Roll Call Vote:** Mayor LaCascia–aye, Commissioner Nichols -nay, Vice Mayor Harper – aye, Commissioner Carroll– aye, Commissioner Blethen – aye

**Motion carried 4/1.**

**ORDINANCE 2022-09**

Jennifer Codo-Salisbury provided a thorough overview and discussion of Ordinance 2022-09 – An ordinance of Polk City, Florida, vacating three platted easements described below; providing findings and conditions; providing for a certified copy to be filed with the Polk County Clerk of Court and duly recorded in the public records of Polk County; providing for severability; providing for conflict; and providing for an effective date.

City Attorney Cloud read this Ordinance by title only. Mayor LaCascia opened the Public Hearing; no one spoke for or against this Ordinance. Mayor LaCascia closed the Public Hearing.

**Motion by Vice Mayor Harper** to approve Ordinance 2022-09 on First Reading; this motion was seconded by Commissioner Carroll.

**No Discussion by Commission or the Public.**

**Roll Call Vote:** Vice Mayor Harper – aye, Commissioner Blethen – aye, Commissioner Carroll – aye, Mayor LaCascia–aye, Commissioner Nichols -aye

**Motion carried unanimously.**

**ORDINANCE 2022-10**

Jennifer Codo-Salisbury provided a thorough overview and discussion of Ordinance 2022-10 – An Ordinance of Polk City, Florida, approving a subdivision plat titled Sandy Pointe Sweet Gun Lane, a replat of a portion of Sandy Pointe Subdivision; providing findings, plat approval, recording, conflicts, severability & an effective4 date.

City Attorney Cloud read this Ordinance by title only. Mayor LaCascia opened the Public Hearing; no one spoke for or against this Ordinance. Mayor LaCascia closed the Public Hearing.

**Motion by Commissioner Nichols** to approve Ordinance 2022-10 on First Reading; this motion was seconded by Vice Mayor Harper.

**No Discussion by Commission or the Public.**

**Roll Call Vote:** Commissioner Carroll– aye, Mayor LaCascia – aye, Commissioner Blethen – aye, Vice Mayor Harper – aye, Commissioner Nichols - aye

**Motion carried unanimously.**



**Professional Engineering Services Proposal - Construction Inspections for The Landings at Mt. Olive Phase I**

Mayor LaCascia and City Manager Jackson discussed the CivilSurv proposal to Polk City for Professional Engineering Services associated with construction inspection at The Landings at Mt. Olive – Phase 1 (Project). This proposal provides an overview of the services to be provided by CivilSurv.

The Scope of Services will be performed on a time & materials basis in accordance with the previously approved fee schedule. The estimated budget for the project is **\$99,840**, which will be a pass-through to the Developer.

The Applicant for The Landings at Mt. Olive residential development has received conditional approval to proceed with construction. CivilSurv will act as the City's Consulting Engineer during the construction of infrastructure, that will later be transferred to the City at the completion of construction. CivilSurv will perform limited construction inspection services throughout the anticipated construction duration of six (6) months from the date of the preconstruction meeting to the date of final inspection.

The task consists of overall management of the project, including contract administration, budget management, invoicing, monthly progress reporting, scheduling, and coordination with the City.

**No Discussion by Commission or the Public.**

**Motion by Commissioner Nichols** to approve the Professional Engineering Services Proposal for Construction Inspections in the amount of \$99,840; this motion was seconded by Commissioner Carroll.

**Motion carried unanimously by Voice Vote.**

**City Manager Evaluation 2022**

The 2022 City Manager Evaluation of Patricia Jackson was provided for review and discussion. Each Commissioner submitted their individual evaluation of City Manager Jackson. The following are comments stated during September 19, 2022 Regular City Commission Meeting.

**Vice Mayor Harper** – Would like to have a workshop scheduled in order to set goals for the City Manager.

**Commissioner Nichols** –No comments

**Commissioner Carroll** – No comments

**Commissioner Blethen** – No Comments

**Mayor LaCascia** – would like to see the City Manager and the Assistant City Manager to get out and visit with the local business at least once a month.

City Manager Jackson's overall score was a 4.27 out of 5.

**Christmas Parade – Saturday, December 3, 2022**

Mayor LaCascia and City Manager Jackson briefly discussed the upcoming Christmas Parade on Saturday December 3, 2022. FDOT now requires municipalities to get approval from the City Commission during a Regular Meeting prior to completing the Road Closure application.

Mayor LaCascia also recommended Representative Josie Tomkow to serve as the 2022 Christmas Parade Grand Marshal. City Manager Jackson will reach out to her.

**Motion by Commissioner Nichols** to approve the Christmas Parade on Saturday, December 3, 2022; this motion as seconded by Commissioner Blethen.

**Motion carried unanimously by Voice Vote.**

**Mowing Quotes**

City Manager Jackson stated at the Budget Workshop on August 20, 2022, discussion took place to have a professional company assist with some of the mowing of City-owned properties, which would take the place of hiring another employee in the Public Works Department. This will also allow additional time for the Public Works team to do other projects.

It was the consensus to move forward with this in the new budget year. Since that time, companies have been contacted to provide Polk City with a quote based on our specifications. The quotes will be available at the meeting that have been received (we are waiting to see if additional quotes are received prior to the meeting).

Polk City received one quote from Castro Customs in the amount of \$895.00.

Staff recommended the Commission approve Castro Customs for lawn services on a per-cut basis for Polk City properties in the amount of \$895.00.

City Attorney Cloud will draft a contract and will have that ready for City Manager Jackson to review over the next several days.

**Motion by Vice Mayor Harper** to approve Castro Customs for lawn services on a per-cut basis for Polk City properties in the amount of \$895.00; this motion was seconded by Commissioner Blethen.

City Attorney Cloud will draft a contract and will have that ready for City Manager Jackson to review over the next several days.

**Motion carried unanimously by Voice Vote.**

**Foreclosure Proceedings – 423 Marklen Loop**

City Manager Jackson discussed a lien was placed in the amount of \$7,390.00 for the cost incurred by Polk City for the demolition of the structure at 423 Marklen Loop, Polk City, Florida, by Johnson’s Excavation & Services, Inc.

Pursuant to State Statute 162.09(3), the Special Magistrate authorize Polk City to begin foreclosure procedures on the above captioned property.

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Gene Gorski (7470 Berkeley Road) inquired about if the property is sold can a single-family residence be placed there. City Attorney Cloud will look into Mr. Gorski’s inquiry.

**Motion by Commissioner Nichols** to approve the City Attorney to begin foreclosure proceedings on the property located at 423 Marklen Loop; this motion was seconded by Commissioner Blethen.

**Motion carried unanimously by Voice Vote.**

**Planning Advisory Services Agreement with Central Florida Regional Planning Council**

Mayor LaCascia and Jennifer Codo-Salisbury (CFRPC) discussed staff would like to engage with Central Florida Regional Planning Council to provide professional planning services for Comprehensive Plan Amendments, Rezoning, large project review, subdivision review, minor revisions to the Land Development Regulations, Comprehensive mapping services, update to the Capital Improvements Element and Plan, Grant writing and Website updates.

This is a Fixed Fee Agreement amount of \$30,000 for FY 2022-23. The fees are to be paid in four (4) payments as listed below.

October 1, 2022 - \$7,500

January 1, 2023 - \$7,500

April 1, 2023 - \$7,500

July 1, 2023 - \$7,500

Staff recommended approval of the Planning Advisory Services Agreement with Central Florida Regional Planning Council in the amount of \$30,000.

No discussion by the Commission or the Public.

**Motion by Vice Mayor Harper** to approve the Planning Advisory Services Agreement with Central Florida Regional Planning Council in the amount of \$30,000; this motion was seconded by Commissioner Blethen.

**Motion carried unanimously by Voice Vote.**

## **CITY MANAGER ITEM**

**Emergency at Lift Station #1 Brooke Lane** – The lift station was shut down to install a by-pass in order to not damage the other pump. City Manager authorized Odom Contracting to install new railing in the amount of \$30,025. We contacted three contractors for quotes, but only received one. Need City Commission to approve this emergency expenditure.

**Motion by Commissioner Nichols** to approve the emergency expenditure in the amount of \$30,025; this motion was seconded by Vice Mayor Harper. **Motion carried unanimously by Voice Vote.**

**Final Hearing for FY 23 Budget** – Thursday, September 22, 2022 – 7pm

**Commission Meeting Day Change** – City Manager Jackson briefly discussed the request to change the City Commission meeting day to the THIRD TUESDAY of each month at 7pm. **City Commission provided consensus for this change.**

**Ridge League of Cities Dinner** – Thursday, October 13, 2022 – Nora Mayo Hall – Winter Haven. Please confirm your attendance no later than October 3, 2022.

**ARPA Money** – Polk City has received the second half of the ARPA funds in the amount of \$682,000. Need to decide on a project. Do have some recommendations that we will discuss.

**Planning Session with CFRPC and Staff** – City Manager Jackson is looking at dates for this planning session. October 8<sup>th</sup> – 9 am, October 29<sup>th</sup> – 9 am, November 19 – 9 am. This will be to prioritize what the City Commission would like to achieve and will assist with future budget planning. This will be to prioritize what the Commission would like to achieve and also, this will assist with future budget planning. Commissioner Blethen will be out of state October 10-16, 2022.

**Meeting or Workshop to discuss the format of the City Manager Evaluation and goals setting for FY 23.** Ms. Dunn sent out an email to request any suggestions on changes to the evaluation. None received.

Commissioner Blethen stated we have to set goals for the City Manager.

## **CITY ATTORNEY**

**Anonymous Letter** - Discussed an anonymous letter sent to the City Commission. An investigation is ongoing and at this time, the information is not a Public Record.

**Golf Carts** – Pulled together the pros and cons regarding what other cities are doing regarding golf carts in their communities. Quite a few Sheriff's Offices are not in favor of Golf Cart ordinances in cities. Information will be reviewed. This item will be revisited at another meeting. Lengthy discussion ensued.

**COMMISSIONER ITEMS**

**Commissioner Nichols** - None

**Commissioner Carroll** – The Villages build bridges over the road.

**Commissioner Blethen** – None

**Vice Mayor Harper** – None

**Mayor LaCascia** – Attended the Mayor’s Roundtable last week. Our smaller cities really deal with a lot of items.

**ANNOUNCEMENTS** – None

**ADJOURNMENT** – 8:10 pm

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Patricia Jackson, City Manager

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Joe LaCascia, Mayor

## CITY COMMISSION MINUTES

### BUDGET HEARING

September 22, 2022

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Mayor LaCascia called the meeting to order at 7:00 p.m.

#### **ROLL CALL** – Assistant City Manager Sheandolen Dunn

**Present:** Mayor Joe LaCascia, Vice Mayor Wayne Harper, Commissioner Micheal T. Blethen, Commissioner Charles Nichols and City Manager Jackson

**Absent:** Commissioner Randy Carroll, City Attorney Thomas Cloud

#### **ORDER OF BUSINESS**

##### **PUBLIC HEARING**

**ORDINANCE 2022-04 - AN ORDINANCE OF POLK CITY OF POLK COUNTY, FLORIDA, ADOPTING THE (TENTATIVE/FINAL) LEVYING OF AD VALOREM TAXES FOR POLK CITY FOR FISCAL YEAR 2022-2023 AND PROVIDING AN EFFECTIVE DATE. **Second and Final Reading.****

City Manager Jackson read Ordinance 2022-04 by title only.

City Manager Jackson advised that Polk City's certified value is \$228,790,462. The FY 2022-2023 operating Millage Rate for Polk City is 5.5000 mills. The Rollback Rate computed for Polk City for FY 2022-2023 is 5.1504 mills; therefore, the percentage by which the above specified final Millage Rate to be levied by Polk City is 6.79 percent of the Rollback Rate.

Mayor LaCascia opened the Public Hearing. No one spoke for or against this Ordinance. Mayor LaCascia closed the Public Hearing.

**Motion by Commissioner Blethen** to approve the Ordinance 2022-04 on Second and Final Reading reflecting a 5.5000 millage rate; this motion was seconded by Vice Mayor Harper

No discussion from the Commission.

**Roll Call Vote:** Commissioner Nichols–aye, Mayor LaCascia–aye, Commissioner Blethen–aye, Vice Mayor Harper–aye

**Motion carried 4/0.**

**ORDINANCE 2022-05 - AN ORDINANCE OF POLK CITY OF POLK COUNTY, FLORIDA, ADOPTING THE BUDGET FOR FISCAL YEAR 2022-2023, PROVIDING FOR THE EXPENDITURE OF FUNDS IN ACCORDANCE WITH THIS BUDGET; PROVIDING FOR AN EFFECTIVE DATE. **Second and Final Reading****

City Manager Jackson read Ordinance 2022-05 by title only.

City Manager Jackson advised the total budget for FY 2022-2023 is \$7,555,722. Various revenues accruing to Polk City and set aside for the purpose of paying expenses and maintaining the Government of Polk City for FY 2022-2023.

Mayor LaCascia opened the Public Hearing. No one spoke for or against this Ordinance. Mayor LaCascia closed the Public Hearing.

**Motion by Commissioner Blethen** to approve Ordinance 2022-05 on Second and Final Reading; this motion was seconded by Vice Mayor Harper.

No Discussion by Commission.

**Roll Call Vote:** Commissioner Blethen – aye, Commissioner Nichols—aye, Vice Mayor Harper – aye, Mayor LaCascia - aye

**Motion carried 4/0.**

The meeting adjourned at 7:05 p.m.

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Patricia R Jackson, City Manager

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Joe LaCascia, Mayor

**City Commission Meeting  
October 18, 2022**

**CONSENT AGENDA ITEM:**      **Department Monthly Reports**

     INFORMATION ONLY  
  X   ACTION REQUESTED

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**ISSUE:** Department Reports attached for review and approval.

**ATTACHMENTS:**

Monthly Department Reports for:

1. Building Permits Report – September 2022
2. Code Enforcement Report – September 2022
3. Financial Report – September 2022
4. Library Report – September 2022
5. Polk Sheriff's Report – September 2022
6. Public Works Report – September 2022
7. Utilities Report – September 2022
8. Utility Billing Report – September 2022

**ANALYSIS:**

**STAFF RECOMMENDATION:**      Approval of Department Reports via Consent Agenda



## Polk City Permits Added

From: 09/01/22 To: 10/31/2022

### ELECTRICAL

<u>Permit Number</u>	<u>Address</u>	<u>Declared Value</u>	<u>Date Added</u>
BT-2022-16867	8866 HINSDALE HEIGHTS DR, POLK CITY, FL 33868	31,149.00	09/09/2022
BT-2022-17882	213 S BOUGAINVILLEA AVE, POLK CITY, FL 33868	800.00	09/23/2022
<b>Subtotal:</b>		<b>\$31,949.00</b>	

### MECHANICAL

<u>Permit Number</u>	<u>Address</u>	<u>Declared Value</u>	<u>Date Added</u>
BT-2022-17516	370 BAYBERRY DR, POLK CITY, FL 33868	6,800.00	09/19/2022
<b>Subtotal:</b>		<b>\$6,800.00</b>	

### POOL

<u>Permit Number</u>	<u>Address</u>	<u>Declared Value</u>	<u>Date Added</u>
BT-2022-17371	7462 BERKLEY RD, POLK CITY, FL 33868	60,000.00	09/16/2022
<b>Subtotal:</b>		<b>\$60,000.00</b>	

### RE-ROOF

<u>Permit Number</u>	<u>Address</u>	<u>Declared Value</u>	<u>Date Added</u>
BT-2022-17124	609 SAYGE DR, FL	17,000.00	09/13/2022
BT-2022-17461	660 MEANDERING WAY, POLK CITY, FL 33868	23,884.00	09/19/2022
BT-2022-17701	562 MARKLEN LOOP, POLK CITY, FL 33868	8,237.00	09/21/2022
<b>Subtotal:</b>		<b>\$49,121.00</b>	

### RESIDENTIAL

<u>Permit Number</u>	<u>Address</u>	<u>Declared Value</u>	<u>Date Added</u>
BR-2022-10043	182 LAYNEWADE RD, POLK CITY, FL 33868	512,000.00	09/07/2022
BR-2022-10169	504 1ST ST, FL	2,000.00	09/12/2022
BR-2022-10224	204 PINE AVE, POLK CITY, FL 33868	18,175.00	09/13/2022
BR-2022-10571	568 MARKLEN LOOP, POLK CITY, FL 33868	8,823.00	09/21/2022
BR-2022-10595	9615 VOYLES LOOP, POLK CITY, FL 33868	7,500.00	09/22/2022
BR-2022-10747	424 1ST ST, POLK CITY, FL 33868	0.00	10/02/2022
BR-2022-9949	218 CARTER BLVD, POLK CITY, FL 33868	7,000.00	09/01/2022
<b>Subtotal:</b>		<b>\$555,498.00</b>	

**Grand Total: \$703,368.00**

13 SFR to Date  
Kathy Selp

# Code Enforcement Report

## SEPTEMBER 2022

SNIPE SIGNS REMOVED	<b>38</b>
LIEN SEARCHES	<b>24</b>
INSPECTIONS	<b>31</b>
CLOSED OUT CASES	<b>17</b>
SPECIAL MAGISTRATE CASES	<b>5</b>
CLOSED OUT SPECIAL MAGISTRATE CASES	<b>1</b>
<b>CASE SUBJECTS</b>	
REFERRED TO COUNTY	<b>19</b>
DISABLE VEHICLES	<b>2</b>
BUILDING WITHOUT PERMIT	<b>2</b>
OVERGROWTH	<b>4</b>
HOUSE NUMBERS	<b>2</b>
FENCE/INSPECTIONS	<b>3</b>
JUNK AND DEBRIS	<b>2</b>
RV/TRAILER PARKING	<b>1</b>
OPEN STRUCTURE	<b>2</b>
MET WITH CITIZEN	<b>15</b>
NOISE	<b>0</b>
PLACE LIEN	<b>2</b>
CLOSE OUT LIEN	<b>1</b>
YARD SALE	<b>0</b>
ANIMAL	<b>0</b>
POSTINGS	<b>5</b>
EXTENDED CASES	<b>11</b>
ACCESSORY USE	<b>1</b>
DEMOLITION	<b>0</b>
BUSNESS LICENSE	<b>2</b>
MINIMUM STANDARD HOUSING	<b>0</b>

POLK CITY  
Simple Balance Sheet

For Fiscal Year: 2022 thru Month: Sep  
Fund: 01 OPERATING FUND

Account Number	Account Title	Ending Bal	Net Amount
01-101-100	Cash - Checking	505,248.97	
01-101-990	Library Van Fleet Cycling Challenge	859.09	
01-102-100	Cash on Hand	875.00	
01-115-100	Accounts Receivable - Utilities	35,667.63	
01-115-120	Accounts Receivable - Local Bus Licenses	3,540.00	
01-115-200	Accounts Receivable - Year End	88,213.11-	
01-117-100	Allowance for Bad Debt	131.83-	
01-133-100	Due From Other Governmental Units	48,415.26	
01-133-101	Due from Others (Franchise & Public Serv. Tax)	43,882.38	
01-151-100	Investments - FL SAFE GF	1,105,958.40	
01-151-902	Investments - FL SAFE GF Reserves	78,185.23	
01-153-302	Restricted Cash - New Local Opt Gas Tax	227,195.74	
01-160-902	Reserve Account	100,000.59	
01-160-903	Reserve Acct - Emergencies & Contingency	62,924.00	
	** TOTAL ASSET**		2,124,407.35
01-202-100	Accounts Payable	35,299.97	
01-202-200	Accounts Payable - Year End	11,792.92-	
01-202-900	Customer Deposits	4,535.00	
01-208-300	Due to County - Impact Fees	35,515.52	
01-208-310	Due to DCA - Bldg Permit Surcharge	357.32	
01-208-320	Due to Dept of Business - License Fees	212.32	
01-208-330	Due to PCSO - Police Education Revenue	102.00	
01-217-200	Accrued Sales Tax	435.91	
01-218-100	Payroll Taxes Payable	0.02-	
01-218-200	FRS Retirement Payable	38,030.15-	
01-218-300	Health Plan Payable	927.95	
01-218-320	Supplemental Insurance Payable	2,544.98	
01-218-400	Dental Plan Payable	21.69	
01-218-410	Vision Plan Payable	2,172.17	
	** TOTAL LIABILITY**		32,301.74
01-243-100	Encumbrances Placed	28,877.35	
01-245-100	Reserved for Encumbrances	28,877.35-	
	** TOTAL ENCUMBRANCE**		0.00
01-271-100	Fund Balance Unreserved	3,338,016.51	
	** TOTAL EQUITY**		3,338,016.51
	** TOTAL REVENUE**		2,802,570.23
	** TOTAL EXPENSE**		4,048,481.13
	TOTAL LIABILITY AND EQUITY		2,124,407.35

POLK CITY  
SEPTEMBER 2022 MONTHLY FINANCIALS

GENERAL FUND REVENUES  
100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 PRIOR YR REVENUE	2022 ANTICIPATED REVENUE	ADJ ANTICIPATED	2022 CURRENT REVENUE	2022 YTD REVENUE	(EXCESS)/DEFICIT	2022 PERCENTAGE REALIZED
01-311-100	Ad Valorem Taxes	1,054,782.19	1,055,018.00	1,055,018.00	16.16	1,081,361.04	(26,343.04)	102.50 %
01-312-300	9th Cent Gas Tax	15,697.12	13,968.00	13,968.00	1,469.60	14,210.20	(242.20)	101.73 %
01-312-400	Local Option Gas Tax	96,109.18	92,977.00	92,977.00	8,208.19	87,874.96	5,102.04	94.51 %
01-312-410	New Local Option Gas Tax	60,740.30	58,483.00	58,483.00	4,949.03	55,846.98	2,636.02	95.49 %
01-314-100	Electric - Utility Tax	134,864.00	120,630.00	120,630.00	12,653.24	126,651.06	(6,021.06)	104.99 %
01-314-300	Water - Utility Tax	64,798.46	70,443.00	70,443.00	0.00	64,394.92	6,048.08	91.41 %
01-314-301	Water - Utility Tax - Readiness to Se	7,072.81	0.00	0.00	6,459.62	6,459.62	(6,459.62)	0.00 %
01-314-400	Gas - Utility Tax	10,468.75	8,912.00	8,912.00	3,266.35	17,982.53	(9,070.53)	201.78 %
01-315-100	Communications Services Tax	204,466.88	189,274.00	189,274.00	13,096.12	185,335.50	3,938.50	97.92 %
01-316-100	Local Business Licenses	10,126.43	7,100.00	7,100.00	7,450.43	10,312.39	(3,212.39)	145.24 %
01-316-102	County Business Tax	1,935.91	433.00	433.00	485.94	2,157.88	(1,734.88)	500.67 %
01-322-100	Building Permits	38,166.84	55,000.00	55,000.00	3,491.00	33,224.30	21,775.70	60.41 %
01-322-101	Bldg Permit - Plan Checking	23,655.31	5,250.00	5,250.00	1,728.00	15,985.73	(10,735.73)	304.49 %
01-322-102	Bldg Permit - Admin Fee	4,850.00	1,000.00	1,000.00	280.00	3,760.00	(2,760.00)	376.00 %
01-322-103	Bldg Permit - Electrical	8,400.00	6,250.00	6,250.00	375.00	5,275.00	975.00	84.40 %
01-322-104	Bldg Permit - Plumbing	7,025.00	6,250.00	6,250.00	125.00	3,775.00	2,475.00	60.40 %
01-322-105	Bldg Permit - Mechanical	8,450.00	6,250.00	6,250.00	250.00	4,650.00	1,600.00	74.40 %
01-322-107	Bldg Permit - Cert of Occupancy	1,860.00	1,500.00	1,500.00	90.00	540.00	960.00	36.00 %
01-322-108	Bldg Permit - Inspections	78,177.00	100,900.00	100,900.00	5,030.00	44,715.00	56,185.00	44.32 %
01-322-109	Bldg Permit - Demolition	56.00	0.00	0.00	0.00	0.00	0.00	0.00 %
01-323-100	Electric	84,382.08	75,000.00	75,000.00	477.96	71,544.66	3,455.34	95.39 %
01-323-300	Solid Waste	43,195.01	42,641.00	42,641.00	0.00	42,684.62	(43.62)	100.10 %
01-329-100	Contractors Registration	20.21	0.00	0.00	0.00	0.00	0.00	0.00 %
01-329-200	Other Lic./Fees/Permits	0.00	0.00	0.00	0.00	30.00	(30.00)	0.00 %
01-329-220	Site Plan Reviews	2,700.00	1,350.00	1,350.00	3,050.00	13,950.00	(12,600.00)	1033.33 %
01-331-400	FEMA Federal Reimb. - Irma 2017	2,421.13	0.00	0.00	0.00	0.00	0.00	0.00 %
01-331-510	CDBG	0.00	650,000.00	650,000.00	0.00	0.00	650,000.00	0.00 %
01-334-400	FEMA State Reimb. - Irma 2017	134.51	0.00	0.00	0.00	0.00	0.00	0.00 %
01-335-120	MRS - State Sales Tax	63,209.53	67,296.00	67,296.00	7,100.03	88,539.92	(21,243.92)	131.57 %
01-335-122	SRS - 8th Cent. Motor Fuel Tax	18,071.08	19,652.00	19,652.00	1,909.26	22,749.96	(3,097.96)	115.76 %
01-335-123	MRS - Municipal Fuel Tax	8.12	8.00	8.00	0.90	13.08	(5.08)	163.50 %
01-335-140	Mobile Home License	6,349.09	5,184.00	5,184.00	193.25	7,515.18	(2,331.18)	144.97 %
01-335-150	Alcoholic Beverage License	1,223.61	1,027.00	1,027.00	0.00	97.89	929.11	9.53 %
01-335-180	Half-Cent Sales Tax	175,814.86	173,428.00	173,428.00	17,116.64	190,990.45	(17,562.45)	110.13 %
01-337-100	Library Coop Funding	61,258.21	31,990.00	31,990.00	0.00	50,566.95	(18,576.95)	158.07 %
01-340-400	Solid Waste	348,117.67	353,360.00	353,360.00	36,531.74	427,879.37	(74,519.37)	121.09 %
01-340-700	Stormwater Utility Fees	34,605.53	34,585.00	34,585.00	2,993.66	35,645.96	(1,060.96)	103.07 %
01-340-900	Notary Fees	275.00	0.00	0.00	0.00	20.00	(20.00)	0.00 %
01-344-900	FDOT Maintenance Agreement	17,872.64	16,304.00	16,304.00	0.00	17,872.64	(1,568.64)	109.62 %

POLK CITY  
SEPTEMBER 2022 MONTHLY FINANCIALS

GENERAL FUND REVENUES  
100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/I ACCOUNT	DESCRIPTION	2021 PRIOR YR REVENUE	2022 ANTICIPATED REVENUE	ADJ ANTICIPATED	2022 CURRENT REVENUE	2022 YTD REVENUE	(EXCESS)/DEFICIT	2022 PERCENTAGE REALIZED
01-347-100	Library Income	5,209.58	5,500.00	5,500.00	261.15	3,259.23	2,240.77	59.26 %
01-351-110	Police Fines	5,495.66	4,000.00	0.00	0.00	0.00	0.00	0.00 %
01-351-200	Police Fines, Penalties, and Forfeitu	17,630.67	5,000.00	9,000.00	2,191.76	11,471.04	(2,471.04)	229.42 %
01-351-300	Code Enforcement Fines	20,015.94	0.00	0.00	0.00	8,817.31	(8,817.31)	0.00 %
01-359-100	Other Fines and/or Forfeitures	115.90	0.00	0.00	0.00	66.00	(66.00)	0.00 %
01-359-300	Late Fees	65.50	100.00	100.00	0.00	48.00	52.00	48.00 %
01-361-100	Interest Income	72.10	0.00	0.00	0.00	0.00	0.00	0.00 %
01-361-200	Interest/Dividends - FL SAFE	205.17	523.00	523.00	0.00	6,174.46	(5,651.46)	1180.59 %
01-362-100	Activity Center Rentals	1,350.00	550.00	550.00	450.00	3,300.00	(2,750.00)	600.00 %
01-362-200	Donald Bronson Community Center Renta	4,199.00	2,500.00	2,500.00	1,100.00	9,200.00	(6,700.00)	368.00 %
01-365-100	Sales of Surplus Property	15.00	0.00	0.00	150.00	12,216.54	(12,216.54)	0.00 %
01-366-100	Private Donations	0.00	0.00	0.00	0.00	100.00	(100.00)	0.00 %
01-366-101	Private Donations - Christmas	2,000.00	1,800.00	1,800.00	1,125.00	1,125.00	675.00	62.50 %
01-366-102	Private Donations - Halloween	0.00	1,605.00	1,605.00	1,125.00	3,125.00	(1,520.00)	194.70 %
01-366-110	Private Donations - Library	47.50	0.00	0.00	0.00	53.50	(53.50)	0.00 %
01-369-100	Misc. Income	674.33	300.00	300.00	0.00	3,782.00	(3,482.00)	1260.67 %
01-369-101	Misc Income - Copies and Faxes	2.00	0.00	0.00	0.00	5.00	(5.00)	0.00 %
01-369-102	Misc Income - Collection Allowance	4,722.41	5,000.00	5,000.00	44.27	3,862.23	1,137.77	77.24 %
01-369-130	Misc Income - Halloween	0.00	0.00	0.00	0.00	40.00	(40.00)	0.00 %
01-369-400	Insurance Proceeds	1,451.00	1,400.00	1,400.00	0.00	0.00	1,400.00	0.00 %
01-369-500	Refund of State Gas Tax	1,749.21	700.00	700.00	0.00	1,302.13	(602.13)	186.02 %
01-381-400	Transfer From Enterprise Fund	155,000.00	130,000.00	130,000.00	0.00	0.00	130,000.00	0.00 %
DEPARTMENT TOTALS		2,911,381.43	3,430,441.00	3,430,441.00	145,244.30	2,802,570.23	627,870.77	81.70 %

General Fund Expenditures  
100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	2022 PERCENTAGE REALIZED
LEGISLATIVE								
01-511-120	Regular Salary - Wages - Legislative	10,800.00	10,800.00	10,800.00	900.00	10,800.00	0.00	100.00 %
01-511-160	Bonuses and Gift Certificates - Legis	2,707.10	2,725.00	2,725.00	0.00	2,707.10	17.90	99.34 %
01-511-210	Fica Taxes - Legislative	1,033.30	1,245.00	1,245.00	68.87	1,033.34	211.66	83.00 %
01-511-240	Worker's Compensation - Legislative	12.67	20.00	20.00	0.00	13.13	6.87	65.65 %
01-511-400	Travel and Training - Legislative	144.79	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %
01-511-405	TRAINING - LEGISLATIVE	0.00	3,000.00	3,000.00	0.00	0.00	3,000.00	0.00 %
01-511-408	Meeting Expense Allowance - Legislati	0.00	500.00	500.00	120.00	480.00	20.00	96.00 %
01-511-470	Printing and Reproduction - Legislati	0.00	500.00	500.00	0.00	0.00	500.00	0.00 %
01-511-480	Promo Activities & Legal Ads - Legislat	0.00	3,500.00	3,500.00	0.00	830.00	2,670.00	23.71 %
01-511-490	Other Current Charges - Legislative	0.00	3,000.00	3,000.00	0.00	54.95	2,945.05	1.83 %
01-511-510	Office Supplies - Legislative	0.00	500.00	500.00	0.00	52.37	447.63	10.47 %
01-511-520	Operating Supplies - Legislative	2,306.82	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %
01-511-540	Books, Pub., Sub., & Memberships - Le	3,484.00	4,000.00	4,000.00	0.00	4,030.96	(30.96)	100.77 %
DEPARTMENT TOTAL		20,488.68	33,790.00	33,790.00	1,088.87	20,001.85	13,788.15	59.19 %
=====								
EXECUTIVE								
01-512-120	Regular Salary - Wages - Executive	175,078.82	185,786.00	185,786.00	15,829.02	180,841.51	4,944.49	97.34 %
01-512-130	Other Salaries and Wages - Executive	4,800.12	4,800.00	4,800.00	369.24	4,800.12	(0.12)	100.00 %
01-512-160	Bonuses and Gift Certificates - Execu	28,695.18	36,000.00	36,000.00	0.00	30,914.99	5,085.01	85.87 %
01-512-210	Fica Taxes - Executive	15,643.40	19,900.00	19,900.00	1,221.65	16,796.26	3,103.74	84.40 %
01-512-220	Retirement Contribution - Executive	38,190.72	43,129.00	43,129.00	3,799.58	44,089.98	(960.98)	102.23 %
01-512-230	Life & Health Insurance - Executive	19,237.96	20,999.00	20,999.00	2,115.22	21,364.56	(365.56)	101.74 %
01-512-240	Worker's Compensation - Executive	204.60	335.00	335.00	0.00	225.92	109.08	67.44 %
01-512-400	Travel Expenses - Executive	5,464.11	3,000.00	3,000.00	32.61	1,400.24	1,599.76	46.67 %
01-512-405	Training - Executive	0.00	2,000.00	2,000.00	0.00	610.00	1,390.00	30.50 %
01-512-408	Meeting Expense Allowance - Executive	0.00	500.00	500.00	65.25	542.68	(42.68)	108.54 %
01-512-410	Communication Services - Executive	1,307.76	1,400.00	1,400.00	115.46	1,300.68	99.32	92.91 %
01-512-470	Printing and Reproduction - Executive	2,223.54	5,000.00	5,000.00	87.25	1,037.25	3,962.75	20.75 %
01-512-480	Promo Activities & Legal Ads - Execut	0.00	1,500.00	1,500.00	0.00	102.11	1,397.89	6.81 %
01-512-490	Other Current Charges - Executive	2,610.79	4,000.00	4,000.00	227.60	485.64	3,514.36	12.14 %
01-512-492	Recording & Other Fees - City Clerk	0.00	1,500.00	1,500.00	0.00	36.00	1,464.00	2.40 %
01-512-510	Office Supplies - Executive	584.45	2,000.00	2,000.00	52.65	825.07	1,174.93	41.25 %
01-512-520	Operating Supplies - Executive	924.32	2,000.00	2,000.00	0.00	2,532.61	(532.61)	126.63 %

POLK CITY  
SEPTEMBER 2022 MONTHLY FINANCIALS

General Fund Expenditures  
100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	2022 PERCENTAGE REALIZED
01-512-540	Books, Pub., Sub., & Memberships - Ex	1,414.69	3,200.00	3,200.00	29.98	1,403.60	1,796.40	43.86 %
01-512-630	Improvements Other than Building - Ex	2,799.98	0.00	0.00	0.00	0.00	0.00	0.00 %
DEPARTMENT TOTAL		299,180.44	337,049.00	337,049.00	23,945.51	309,309.22	27,739.78	91.77 %
CITY CLERK								
DEPARTMENT TOTAL		0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
LEGAL COUNSEL								
01-514-310	Professional Services - Legal Counsel	72,266.43	40,000.00	40,000.00	8,622.00	49,977.95	(9,977.95)	124.94 %
01-514-480	Promo Activities & Legal Ads - Legal	5,113.75	15,000.00	15,000.00	0.00	4,986.08	10,013.92	33.24 %
DEPARTMENT TOTAL		77,380.18	55,000.00	55,000.00	8,622.00	54,964.03	35.97	99.93 %
COMPREHENSIVE PLANNING								
01-515-310	Professional Services - Comp Planning	25,000.00	30,000.00	30,000.00	0.00	33,750.00	(3,750.00)	112.50 %
DEPARTMENT TOTAL		25,000.00	30,000.00	30,000.00	0.00	33,750.00	(3,750.00)	112.50 %
FINANCE AND ACCOUNTING								
01-516-120	Regular Salary - Wages - Fin & Acctng	93,315.36	98,145.00	98,145.00	7,839.50	81,456.01	16,688.99	83.00 %
01-516-140	Overtime - Fin & Acctng	0.00	562.00	562.00	0.00	21.06	540.94	3.75 %
01-516-210	Fica Taxes - Fin & Acctng	6,107.88	7,551.00	7,551.00	412.02	4,811.97	2,739.03	63.73 %
01-516-220	Retirement Contribution - Fin & Acctn	9,612.28	10,680.00	10,680.00	933.68	9,275.18	1,404.82	86.85 %
01-516-230	Life & Health Insurance - Fin & Acctn	18,942.15	20,724.00	20,724.00	2,094.71	16,827.64	3,896.36	81.20 %
01-516-240	Worker's Compensation - Fin & Acctng	112.62	178.00	178.00	0.00	119.34	58.66	67.04 %

POLK CITY  
SEPTEMBER 2022 MONTHLY FINANCIALS

General Fund Expenditures  
100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	2022 PERCENTAGE REALIZED
01-516-310	Professional Services - Fin & Acctng	2,250.00	2,000.00	2,000.00	0.00	1,500.00	500.00	75.00 %
01-516-400	Travel Expenses - Fin & Acctng	200.00	1,500.00	1,500.00	214.94	626.12	873.88	41.74 %
01-516-405	Training - Finance	0.00	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %
01-516-410	Communication Services - Fin & Acctng	791.88	800.00	800.00	65.73	761.58	38.42	95.20 %
01-516-470	Printing and Reproduction - Fin & Acc	0.00	750.00	750.00	87.26	157.73	592.27	21.03 %
01-516-510	Office Supplies - Fin & Acctng	987.04	1,400.00	1,400.00	147.98	823.34	576.66	58.81 %
01-516-520	Operating Supplies - Fin & Acctng	966.32	2,000.00	2,000.00	245.90	874.76	1,125.24	43.74 %
01-516-540	Books, Pub., Sub., & Memberships - Fi	363.99	450.00	450.00	0.00	259.86	190.14	57.75 %
DEPARTMENT TOTAL		133,649.52	148,740.00	148,740.00	12,041.72	117,514.59	31,225.41	79.01 %
DEBT SERVICE								
01-517-710	Principal - CB&T Debt Service Pmts	79,618.90	82,189.00	82,189.00	6,918.40	82,411.83	(222.83)	100.27 %
01-517-720	Interest - CB&T Debt Service Pmts	40,191.62	37,623.00	37,623.00	3,065.81	37,398.69	224.31	99.40 %
DEPARTMENT TOTAL		119,810.52	119,812.00	119,812.00	9,984.21	119,810.52	1.48	100.00 %
LAW ENFORCEMENT								
01-521-305	Contract Labor - Law Enf	103,323.00	105,389.00	105,389.00	0.00	79,041.75	26,347.25	75.00 %
01-521-310	Professional Services - Law Enf	28,200.00	112,112.00	112,112.00	6,174.00	101,831.80	10,280.20	90.83 %
01-521-460	Repairs and Maintenance - Law Enf	0.00	500.00	500.00	0.00	0.00	500.00	0.00 %
01-521-510	Office Supplies - Law Enf	0.00	100.00	100.00	0.00	0.00	100.00	0.00 %
01-521-520	Operating Supplies - Law Enf	0.00	100.00	100.00	0.00	0.00	100.00	0.00 %
DEPARTMENT TOTAL		131,523.00	218,201.00	218,201.00	6,174.00	180,873.55	37,327.45	82.89 %
BUILDING AND ZONING								
01-524-120	Regular Salary - Wages - Bldg & Zonin	98,378.53	100,393.00	100,393.00	7,996.25	90,845.78	9,547.22	90.49 %
01-524-140	Overtime - Bldg & Zoning	0.00	517.00	517.00	0.00	21.07	495.93	4.08 %
01-524-210	Fica Taxes - Bldg & Zoning	7,303.40	7,720.00	7,720.00	597.26	7,012.34	707.66	90.83 %



**SEPTEMBER 2022 MONTHLY FINANCIALS**  
**POLK CITY**

**General Fund Expenditures**  
**100.00 % Yr Complete For Fiscal Year: 2022 / 9**

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	PERCENTAGE REALIZED
01-524-220	Retirement Contribution - Bldg & Zoni	10,002.05	10,918.00	10,918.00	952.36	10,459.42	458.58	95.80 %
01-524-230	Life & Health Insurance - Bldg & Zoni	18,993.52	20,755.00	20,755.00	2,094.85	21,120.12	(365.12)	101.76 %
01-524-240	Worker's Compensation - Bldg & Zoning	1,728.45	1,641.00	1,641.00	0.00	1,832.60	(191.60)	111.68 %
01-524-310	Professional Services - Bldg & Zoning	104,707.42	100,900.00	100,900.00	4,400.00	34,231.81	66,668.19	33.93 %
01-524-311	Engineering Services - Bldg & Zoning	0.00	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00 %
01-524-400	Travel Expenses - Bldg & Zoning	50.00	250.00	250.00	0.00	0.00	250.00	0.00 %
01-524-405	Training - Building	0.00	250.00	250.00	0.00	0.00	250.00	0.00 %
01-524-510	Office Supplies - Bldg & Zoning	206.77	200.00	200.00	0.00	119.09	80.91	59.55 %
01-524-520	Operating Supplies - Bldg & Zoning	0.00	100.00	100.00	42.59	141.59	(41.59)	141.59 %
01-524-540	Books, Pub., Sub., & Memberships - B1	164.89	120.00	120.00	0.00	234.34	(114.34)	195.28 %
01-524-630	Improvements Other than Building - B1	0.00	13,000.00	13,000.00	0.00	0.00	13,000.00	0.00 %
DEPARTMENT TOTAL		241,535.03	257,764.00	257,764.00	16,083.31	166,018.16	91,745.84	64.41 %
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CODE ENFORCEMENT								
01-529-120	Regular Salary - Wages - Code Enf	26,190.39	26,863.00	26,863.00	2,035.10	25,479.39	1,383.61	94.85 %
01-529-210	Fica Taxes - Code Enf	1,936.30	2,055.00	2,055.00	152.43	1,970.78	84.22	95.90 %
01-529-220	Retirement Contribution - Code Enf	2,659.44	2,906.00	2,906.00	242.38	2,931.05	(25.05)	100.85 %
01-529-230	Life & Health Insurance - Code Enf	9,481.34	10,314.00	10,314.00	1,035.68	10,441.23	(127.23)	101.23 %
01-529-240	Worker's Compensation - Code Enf	471.98	655.00	655.00	0.00	506.69	148.31	77.36 %
01-529-310	Professional Services - Code Enf	6,000.00	6,900.00	11,900.00	750.00	14,240.00	(2,340.00)	206.38 %
01-529-400	Travel Expenses - Code Enf	325.00	250.00	250.00	0.00	283.38	(33.38)	113.35 %
01-529-405	Training - Codes	0.00	250.00	250.00	0.00	25.00	225.00	10.00 %
01-529-410	Communication Services - Code Enf	671.88	795.00	795.00	63.23	662.08	132.92	83.28 %
01-529-470	Printing and Reproduction - Code Enf	0.00	250.00	250.00	0.00	0.00	250.00	0.00 %
01-529-480	Promo Activities & Legal Ads - Code E	0.00	200.00	200.00	0.00	0.00	200.00	0.00 %
01-529-492	Recording & Other Fees	0.00	200.00	200.00	0.00	0.00	200.00	0.00 %
01-529-510	Office Supplies - Code Enf	89.45	200.00	200.00	0.00	151.93	48.07	75.97 %
01-529-520	Operating Supplies - Code Enf	0.00	100.00	100.00	96.44	125.17	(25.17)	125.17 %
01-529-540	Books, Pub., Sub., & Memberships - Co	85.00	100.00	100.00	35.00	120.00	(20.00)	120.00 %
01-529-630	Improvements Other than Building - Co	0.00	6,000.00	6,000.00	0.00	0.00	6,000.00	0.00 %
DEPARTMENT TOTAL		47,910.78	58,038.00	63,038.00	4,410.26	56,936.70	6,101.30	98.10 %
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POLK CITY  
SEPTEMBER 2022 MONTHLY FINANCIALS

General Fund Expenditures  
100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	2022 PERCENTAGE REALIZED
REFUSE/SANITATION								
01-534-341	Refuse Disposal - Residential - Refus	191,695.58	196,001.00	196,001.00	20,319.60	211,528.12	(15,527.12)	107.92 %
01-534-342	Refuse Disposal - Commercial - Refuse	96,398.59	86,687.00	86,687.00	9,767.71	113,967.73	(27,280.73)	131.47 %
DEPARTMENT TOTAL		288,094.17	282,688.00	282,688.00	30,087.31	325,495.85	(42,807.85)	115.14 %
STORMWATER								
01-538-311	Engineering Services - Stormwater	0.00	4,000.00	4,000.00	0.00	0.00	4,000.00	0.00 %
01-538-400	Travel Expenses - Stormwater	914.99	500.00	500.00	0.00	0.00	500.00	0.00 %
01-538-405	Training - Stormwater	0.00	500.00	500.00	0.00	169.00	331.00	33.80 %
01-538-460	Repairs and Maintenance - Stormwater	9,938.99	20,000.00	20,000.00	9,230.00	18,635.87	1,364.13	93.18 %
01-538-492	Recording & Other Fees - Stormwater	0.00	500.00	500.00	0.00	0.00	500.00	0.00 %
01-538-540	Books, Pub., Sub., & Memberships - St	600.00	100.00	100.00	0.00	600.00	(500.00)	600.00 %
DEPARTMENT TOTAL		11,453.98	25,600.00	25,600.00	9,230.00	19,404.87	6,195.13	75.80 %
GENERAL GOV'T BUILDINGS								
01-539-310	Professional Services - Gen Gov't Bl.	8,059.84	11,000.00	11,000.00	1,291.09	9,853.67	1,146.33	89.58 %
01-539-312	Professional Services - Other - Gen G	2,015.86	0.00	0.00	0.00	2,931.02	(2,931.02)	0.00 %
01-539-411	City Hall - Communication - Gen Gov't.	14,096.43	15,500.00	15,500.00	1,164.53	14,147.72	1,352.28	91.28 %
01-539-413	Public Works - Communication - Gen Go	2,578.95	3,500.00	3,500.00	226.32	2,895.92	604.08	82.74 %
01-539-414	Community Center-Communication-Gen Go	1,858.44	2,000.00	2,000.00	138.28	1,835.59	164.41	91.78 %
01-539-431	City Hall - Utilities - Gen Gov't Bl.	19,204.88	19,000.00	19,000.00	2,007.58	19,993.67	(993.67)	105.23 %
01-539-432	Activity Center - Utilities - Gen Gov	2,234.90	2,500.00	2,500.00	246.44	2,252.96	247.04	90.12 %
01-539-433	Public Works - Utilities - Gen Gov't.	2,695.82	2,500.00	2,500.00	376.38	2,926.67	(426.67)	117.07 %
01-539-434	Community Center-Utilities-Gen Gov't.	5,334.96	4,500.00	4,500.00	770.87	5,665.35	(1,165.35)	125.90 %
01-539-440	Rentals and Leases - Gen Gov't Bldgs	9,428.83	10,000.00	10,000.00	269.26	6,562.36	3,437.64	65.62 %
01-539-461	City Hall - Repairs & Maint - Gen Gov	22,231.42	24,000.00	24,000.00	307.21	7,394.62	16,605.38	30.81 %
01-539-462	Activity Center - Repairs & Maint - G	11,190.94	9,000.00	9,000.00	624.95	1,546.91	7,453.09	17.19 %
01-539-463	Public Works I - Repairs & Maint - Ge	1,059.69	10,000.00	10,000.00	124.46	3,945.30	6,054.70	39.45 %
01-539-464	Community Center-Repairs & Maint-Gen	4,881.35	8,000.00	8,000.00	1,710.00	2,997.67	5,002.33	37.47 %
01-539-466	Public Works/Utilities Oper - Repairs	5,913.56	5,000.00	5,000.00	0.00	95.97	4,904.03	1.92 %

POLK CITY  
SEPTEMBER 2022 MONTHLY FINANCIALS

General Fund Expenditures

100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	PERCENTAGE REALIZED
01-539-490	Other Current Charges - Gen Gov't Bl.	92.50	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %
01-539-521	City Hall - Operating Supplies - Gen	9,295.64	8,000.00	8,000.00	602.51	4,955.31	3,044.69	61.94 %
01-539-522	Activity Center - Operating Supplies	725.62	3,000.00	3,000.00	102.56	638.17	2,361.83	21.27 %
01-539-523	Public Works - Operating Supplies - G	875.38	1,500.00	1,500.00	662.04	3,173.70	(1,673.70)	211.58 %
01-539-524	Community Center-Operating Supplies-G	1,438.92	2,400.00	2,400.00	161.60	1,619.79	780.21	67.49 %
01-539-526	Public Works/Utilities Oper - Operati	29.24	1,500.00	1,500.00	0.00	515.53	984.47	34.37 %
01-539-531	Landscape Materials & Supplies - Buil	0.00	4,000.00	4,000.00	0.00	20.98	3,979.02	0.52 %
01-539-631	City Hall - Improv. O/T Bldgs - Gen G	15,285.00	0.00	0.00	0.00	0.00	0.00	0.00 %
01-539-633	Public Works - Improv. O/T Bldgs - Ge	0.00	0.00	0.00	0.00	2,175.00	(2,175.00)	0.00 %
01-539-641	City Hall - Mach. & Equipment - Gen G	1,985.00	0.00	0.00	0.00	0.00	0.00	0.00 %
01-539-643	Public Works - Mach. & Equipment - Ge	0.00	5,000.00	5,000.00	0.00	5,000.00	0.00	100.00 %
DEPARTMENT TOTAL		142,513.17	153,900.00	153,900.00	10,785.08	103,143.88	50,756.12	67.02 %
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ROADS AND STREETS								
01-541-120	Regular Salary - Wages - Roads & Stre	224,369.42	229,212.00	229,212.00	19,769.30	208,674.18	20,537.82	91.04 %
01-541-140	Overtime - Roads & Streets	911.78	2,952.00	2,952.00	282.00	4,220.12	(1,268.12)	142.96 %
01-541-210	Fica Taxes - Roads & Streets	17,033.88	17,761.00	17,761.00	1,509.30	16,495.06	1,265.94	92.87 %
01-541-220	Retirement Contribution - Roads & Str	23,190.70	24,138.00	24,138.00	2,388.10	24,118.89	19.11	99.92 %
01-541-230	Life & Health Insurance - Roads & Str	52,527.12	59,600.00	59,600.00	6,292.25	48,409.21	11,190.79	81.22 %
01-541-240	Worker's Compensation - Roads & Stre.	20,030.94	22,923.00	22,923.00	0.00	20,027.12	2,895.88	87.37 %
01-541-310	Professional Services - Roads & Stree	0.00	0.00	0.00	500.00	15,679.29	(15,679.29)	0.00 %
01-541-311	Engineering Services - Roads & Street	0.00	2,500.00	2,500.00	0.00	0.00	2,500.00	0.00 %
01-541-400	Travel Expenses - Roads & Streets	1,239.00	500.00	500.00	0.00	146.50	353.50	29.30 %
01-541-405	Training - Streets	0.00	1,500.00	1,500.00	0.00	1,605.45	(105.45)	107.03 %
01-541-410	Communication Services - Roads & Stre	4,273.91	3,500.00	3,500.00	260.47	3,723.48	(223.48)	106.39 %
01-541-430	Utilities - Roads & Streets	30,067.64	35,000.00	35,000.00	2,536.02	25,297.75	9,702.25	72.28 %
01-541-460	Repairs and Maintenance - Roads & Str	2,973.98	10,000.00	10,000.00	65.27	9,747.23	252.77	97.47 %
01-541-461	Repairs & Maintenance-Equipment - Roa	10,101.06	10,000.00	10,000.00	2,217.94	11,177.30	(1,177.30)	111.77 %
01-541-464	Vehicle Fuel - Roads & Streets	7,056.31	10,000.00	10,000.00	1,050.02	11,514.50	(1,514.50)	115.15 %
01-541-465	Vehicle Maintenance - Roads & Streets	8,517.95	10,000.00	10,000.00	1,245.79	6,580.61	3,419.39	65.81 %
01-541-466	Public Works/Utilities Facility - Rep	1,622.73	0.00	0.00	0.00	0.00	0.00	0.00 %
01-541-470	Printing and Reproduction - Streets	0.00	0.00	0.00	0.00	131.49	(131.49)	0.00 %
01-541-490	Other Current Charges - Roads & Stree	0.00	0.00	0.00	0.00	30.00	(30.00)	0.00 %
01-541-492	Recording & Other Fees - Roads & Stre	117.55	0.00	0.00	0.00	0.00	0.00	0.00 %
01-541-493	Equipment Rental - Roads & Streets	300.00	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %

General Fund Expenditures  
100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	PERCENTAGE REALIZED
01-541-510	Office Supplies - Roads & Streets	1,085.62	1,000.00	1,000.00	4.45	616.42	383.58	61.64 %
01-541-520	Operating Supplies - Roads & Streets	10,205.49	12,000.00	12,000.00	173.53	4,737.75	7,262.25	39.48 %
01-541-524	Chemicals - Roads & Streets	756.82	1,000.00	1,000.00	147.90	426.30	573.70	42.63 %
01-541-530	Road Materials & Supplies - Roads & S	5,481.47	9,000.00	9,000.00	28.11	6,802.05	2,197.95	75.58 %
01-541-531	Landscape Materials & Supplies - Road	3,892.83	5,000.00	5,000.00	480.00	2,861.37	2,138.63	57.23 %
01-541-540	Books, Pub., Sub., & Memberships - Ro	384.76	500.00	500.00	0.00	736.80	(236.80)	147.36 %
01-541-630	Improvements Other than Building - Ro	0.00	50,000.00	50,000.00	0.00	0.00	50,000.00	0.00 %
01-541-640	Machinery & Equipment - Roads & Stree	31,858.73	35,000.00	35,000.00	14.99	8,972.99	26,027.01	25.64 %
01-541-650	Construction in Progress - Roads & St	5,000.00	650,000.00	650,000.00	4,436.00	35,985.53	586,265.12	5.54 %
DEPARTMENT TOTAL		462,999.69	1,205,086.00	1,205,086.00	43,401.44	468,717.39	708,619.26	38.89 %
LIBRARY		68,748.67	93,719.00	88,719.00	6,043.80	73,139.32	15,579.68	78.04 %
01-571-120	Regular Salary - Wages - Library	0.00	484.00	484.00	0.00	0.00	484.00	0.00 %
01-571-140	Overtime - Library	5,104.26	7,206.00	7,206.00	455.83	5,690.26	1,515.74	78.97 %
01-571-210	Fica Taxes - Library	7,004.86	10,192.00	10,192.00	719.82	8,380.32	1,811.68	82.22 %
01-571-220	Retirement Contribution - Library	15,814.97	30,978.00	30,978.00	2,067.87	20,994.12	9,983.88	67.77 %
01-571-230	Life & Health Insurance - Library	113.22	170.00	170.00	0.00	113.61	56.39	66.83 %
01-571-240	Worker's Compensation - Library	1,002.38	2,500.00	2,500.00	177.50	535.24	1,964.76	21.41 %
01-571-310	Professional Services - Library	1,557.40	3,000.00	3,000.00	0.00	2,453.55	546.45	81.79 %
01-571-312	Professional Services - Other - Libra	0.00	500.00	500.00	0.00	46.54	453.46	9.31 %
01-571-400	Travel Expenses - Library	0.00	1,500.00	1,500.00	0.00	0.00	1,500.00	0.00 %
01-571-405	Training - Library	4,301.50	6,500.00	6,500.00	511.06	4,856.77	1,643.23	74.72 %
01-571-410	Communication Services - Library	3,927.64	5,100.00	5,100.00	368.59	3,026.01	2,073.99	59.33 %
01-571-430	Utilities - Library	8,236.37	4,200.00	4,200.00	6,213.99	10,669.03	(6,469.03)	254.02 %
01-571-460	Repairs and Maintenance - Library	164.42	2,500.00	2,500.00	5.48	260.48	2,239.52	10.42 %
01-571-480	Promo Activities & Legal Ads - Librar	183.59	1,500.00	1,500.00	0.00	243.89	1,256.11	16.26 %
01-571-510	Office Supplies - Library	7,352.99	10,000.00	4,700.00	93.99	2,034.57	2,665.43	20.35 %
01-571-520	Operating Supplies - Library	758.40	2,600.00	2,600.00	0.00	748.77	1,851.23	28.80 %
01-571-540	Books, Pub., Sub., & Memberships - Li	0.00	0.00	5,300.00	0.00	4,872.99	427.01	0.00 %
01-571-630	Improvements Other than Building - Li	3,868.00	0.00	0.00	0.00	0.00	0.00	0.00 %
01-571-640	Machinery & Equipment - Library	10,561.98	18,500.00	18,500.00	754.78	11,792.35	6,707.65	63.74 %
01-571-660	Books, Pub. & Library Materials - Libr	138,700.65	201,149.00	196,149.00	17,412.71	149,857.82	46,291.18	74.50 %
DEPARTMENT TOTAL		138,700.65	201,149.00	196,149.00	17,412.71	149,857.82	46,291.18	74.50 %

**POLK CITY  
SEPTEMBER 2022 MONTHLY FINANCIALS**

**General Fund Expenditures  
100.00 % Yr Complete For Fiscal Year: 2022 / 9**

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	PERCENTAGE REALIZED
<b>PARKS</b>								
01-572-310	Professional Services - Parks	647.50	0.00	0.00	522.50	710.00	(710.00)	0.00 %
01-572-430	Utilities - Parks	14,077.25	15,000.00	15,000.00	1,004.87	16,205.12	(1,205.12)	108.03 %
01-572-460	Repairs and Maintenance - Parks	27,310.17	30,000.00	30,000.00	0.00	10,522.90	19,477.10	35.08 %
01-572-493	Equipment Rental - Parks	240.21	2,000.00	2,000.00	0.00	343.85	1,656.15	17.19 %
01-572-520	Operating Supplies - Parks	3,440.80	2,000.00	2,000.00	102.12	1,042.39	957.61	52.12 %
01-572-640	Machinery & Equipment - Parks	0.00	5,500.00	5,500.00	0.00	5,866.00	(366.00)	106.65 %
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<b>DEPARTMENT TOTAL</b>		45,715.93	54,500.00	54,500.00	1,629.49	34,690.26	19,809.74	63.65 %
=====								
<b>SPECIAL EVENTS</b>								
01-574-310	Professional Services - Spec Events	0.00	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %
01-574-440	Rentals and Leases - Spec Events	0.00	23,000.00	23,000.00	0.00	9,514.99	13,485.01	41.37 %
01-574-470	Printing and Reproduction - Spec Even	0.00	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00 %
01-574-480	Promo Activities & Legal Ads - Spec E	0.00	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00 %
01-574-490	Other Current Charges - Spec Events	2,305.79	1,000.00	1,000.00	0.00	42.25	957.75	4.23 %
01-574-520	Operating Supplies - Spec Events	427.57	1,000.00	1,000.00	0.00	584.60	415.40	58.46 %
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<b>DEPARTMENT TOTAL</b>		2,733.36	29,000.00	29,000.00	0.00	10,141.84	18,858.16	34.97 %
=====								
<b>NON-DEPARTMENTAL</b>								
01-590-310	Professional Services - Non-Dept	13,597.67	25,000.00	25,000.00	4,690.00	13,631.25	11,368.75	54.53 %
01-590-311	Engineering Services - Non-Dept	0.00	5,000.00	5,000.00	0.00	0.00	5,000.00	0.00 %
01-590-312	Professional Services - Other - Non-D	0.00	8,000.00	8,000.00	0.00	657.50	7,342.50	8.22 %
01-590-315	Inmate Labor - GF Non - Dept	21,561.38	28,749.00	28,749.00	0.00	0.00	28,749.00	0.00 %
01-590-320	Accounting and Auditing - Non-Dept	17,103.87	17,000.00	17,000.00	1,051.88	16,364.04	635.96	96.25 %
01-590-450	Liability Insurance - Non-Dept	58,980.50	86,345.00	86,345.00	0.00	73,082.50	13,262.50	84.64 %
01-590-464	Vehicle Fuel - Non- Departmental	243.66	500.00	500.00	31.94	460.60	39.40	92.12 %
01-590-465	Vehicle Maintenance - Non-Departmenta	177.98	500.00	500.00	0.00	1,041.17	(541.17)	208.23 %
01-590-490	Other Current Charges - Non Dept	25.00	2,000.00	2,000.00	0.00	100.96	1,899.04	5.05 %

SEPTEMBER 2022 MONTHLY FINANCIALS

General Fund Expenditures  
100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	2022 PERCENTAGE REALIZED
01-590-510	Office Supplies - Non-Departmental	1,012.15	2,000.00	2,000.00	0.00	768.80	1,231.20	38.44 %
01-590-520	Operating Supplies - Non-Dept	2,675.67	3,000.00	3,000.00	230.00	1,259.34	1,740.66	41.98 %
01-590-521	Emergencies & Contingencies - Operati	5,809.45	6,843.00	4,103.00	3,321.97	3,425.54	(450.54)	50.06 %
01-590-525	Uniforms - Non Dept	3,608.58	3,000.00	3,000.00	452.77	4,382.82	(1,382.82)	146.09 %
01-590-528	Postage - Non-Dept	1,255.30	1,000.00	1,000.00	82.87	1,232.16	(232.16)	123.22 %
01-590-540	Books, Pub., Sub., & Memberships -NON	3,281.95	3,000.00	3,000.00	99.99	1,077.16	1,922.84	35.91 %
01-590-550	Pre-Employment Exam/Drug Test	0.00	500.00	500.00	0.00	1,108.00	(608.00)	221.60 %
01-590-551	Immunizations - Employees	0.00	500.00	500.00	0.00	2,093.50	(1,593.50)	418.70 %
01-590-552	DOT Testing	0.00	1,500.00	1,500.00	0.00	0.00	1,500.00	0.00 %
01-590-553	Employee Meeting/Awards	0.00	0.00	0.00	82.68	100.71	(100.71)	0.00 %
01-590-554	Employee Holiday Dinner	0.00	0.00	0.00	0.00	1,383.39	(1,383.39)	0.00 %
01-590-630	Improvements Other than Bldg - Non-De	0.00	0.00	2,740.00	0.00	1,500.00	1,240.00	0.00 %
01-590-931	Transfer to Fire Public Safety Impact	870.00	0.00	0.00	0.00	0.00	0.00	0.00 %
01-590-933	Transfer to Public Facility Impact Fe	(1,187.14)	0.00	0.00	0.00	0.00	0.00	0.00 %
01-590-991	Aids to Private Organizations - Non-D	1,155.95	1,000.00	1,000.00	100.00	1,300.00	(300.00)	130.00 %
01-590-992	Unemployment Claims - Non-Dept	0.00	2,500.00	2,500.00	0.00	0.00	2,500.00	0.00 %
01-590-994	Bank Fees - Non-Dept	32.27	0.00	0.00	0.00	0.00	0.00	0.00 %
01-590-996	Bad Debt - Non-Dept	1,308.28	10,000.00	10,000.00	0.00	138.49	9,861.51	1.38 %
01-590-999	Other - Non-Operating Charges - Non-D	(1,422.13)	12,190.00	12,190.00	461.69	1,752,742.67	(1,740,552.67)	9999.00 %
DEPARTMENT TOTAL		130,090.39	220,127.00	220,127.00	10,605.79	1,877,850.60	(1,658,851.60)	853.08 %
General Fund Revenues Total		2,911,381.43	3,430,441.00	3,430,441.00	145,244.30	2,802,570.23	627,870.77	19.30%
General Fund Expenditures Total		-2,512,120.73	-3,430,441.00	-3,430,441.00	-205,501.70	-3,923,373.20	492,529.20	-14.37%
Total Revenue vs. Expenditures		399,260.70	0.00	0.00	-60,257.40	-1,120,802.97	1,120,799.97	

POLK CITY  
Simple Balance Sheet

For Fiscal Year: 2022 thru Month: Sep  
Fund: 05 ENTERPRISE FUND

Account Number	Account Title	Ending Bal	Net Amount
05-101-100	Cash - Checking	755,067.70	
05-101-913	DEP Loan - Sinking Fund	87,104.04	
05-101-916	US Bank - Sink Fund	664,045.87	
05-101-917	US Bank - Renewal & Replacement Series	194,176.12	
05-101-918	DEP Loan WW531400 - Sink Fund	985.04	
05-101-919	DEP Loan WW531402 - Sink Fund	28,629.84	
05-101-920	Cash - Customer Deposits	350,051.20	
05-101-935	Fifth Third Bank - Renewal & Replacement	13.87-	
05-101-936	FDEP 531402 Sinking Fund	11,931.67	
05-115-100	Accounts Receivable - Utilities	248,522.11	
05-115-130	Accounts Receivable - Readiness to Serve	20,881.88	
05-117-100	Allowance for Bad Debt	1,158.53-	
05-117-200	Allowance for Uncollectible A/R	49,413.63-	
05-151-100	Investments - FL SAFE EF	603,250.04	
05-151-902	Investments - FL SAFE EF Reserves	126,071.20	
05-155-300	Prepaid Insurance - Deferred Bond Series 2017	31,706.89	
05-159-100	Deferred Outflows - Related to Pension	115,531.89	
05-159-200	Deferred Outflows - Loss on Refunding	687,501.65	
05-160-902	Reserve Account	100,000.00	
05-160-903	Reserve Acct - Emergencies & Contingency	48,044.00	
05-161-900	Fixed Assets - Land	2,762,913.00	
05-164-100	Utility Plant in Service	16,022,693.74	
05-165-900	Acc.Dep. - Improvements Other than Build	4,621,998.23-	
05-166-900	Equipment & Furniture	689,170.16	
05-167-900	Accumulated Depreciation - Equipment	374,942.39-	
05-169-900	CIP - Construction Costs	20,211.25	
	** TOTAL ASSET**		18,520,962.64
05-202-100	Accounts Payable	17,925.40-	
05-202-200	Accounts Payable - Year End	63,119.87-	
05-202-900	Customer Deposits	350,051.20	
05-203-100	Accumulated Interest Payable	50,654.17	
05-203-600	SRF Loan WW51201P	1,805,995.81	
05-203-610	SRF Loan WW53140/SG531401 Effluent Disposal	32,223.62	
05-203-615	SRF Loan WW531402/SG531403	805,004.96	
05-203-710	US Bank 2017 Bond Note	7,675,000.00	
05-203-910	Unamortized Bond Premiums - US Bank	511,625.21	
05-208-305	Taxes Payable	18,019.24	
05-223-100	Deferred Revenue	682,163.00	
05-225-100	Deferred Inflows - Related to Pension	151,792.70	
05-234-100	L-T-D - Current Portion	425,166.80	
05-234-901	Less: Current Portion of LTD	425,166.80-	
05-235-900	Net Pension Liability	120,416.83	
	** TOTAL LIABILITY**		12,121,901.47
05-243-100	Encumbrances Placed	44,403.86	
05-245-100	Reserved for Encumbrances	44,403.86-	
	** TOTAL ENCUMBRANCE**		0.00
05-250-100	Contributed Capital	598,715.40	
05-255-100	Change in Fund Balance	36,514.20	
05-271-100	Fund Balance Unreserved	5,952,874.45	
05-271-200	Net Asset Adjustment Account	10,071.23-	
05-272-100	Retained Earnings	734,552.82	
	** TOTAL EQUITY**		7,312,585.64

POLK CITY  
Simple Balance Sheet

For Fiscal Year: 2022 thru Month: Sep  
Fund: 05 ENTERPRISE FUND

Account Number	Account Title	Ending Bal	Net Amount
	** TOTAL REVENUE**		3,421,652.38
	** TOTAL EXPENSE**		4,335,176.85
	TOTAL LIABILITY AND EQUITY		18,520,962.64



ENTERPRISE FUND REVENUE  
100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/I ACCOUNT	DESCRIPTION	2021 PRIOR YR REVENUE	2022 ANTICIPATED REVENUE	ADJ	2022 CURRENT REVENUE	2022 YTD REVENUE	(EXCESS)/DEFICIT	2022 PERCENTAGE REALIZED
05-314-301	RTS - City 10% UTY T	1,668.11	258.00	258.00	18.80	1,386.10	(1,128.10)	537.25 %
05-325-111	Connection Fees - Water - Cash Basis	44,076.02	26,100.00	26,100.00	1,429.80	15,724.20	10,375.80	60.25 %
05-325-210	Readiness to Serve Charge - Sewer	29,621.84	18,522.00	18,522.00	381.71	16,485.74	2,036.26	89.01 %
05-325-211	Readiness to Serve Charge - Water	16,679.84	15,842.00	15,842.00	187.99	13,859.99	1,982.01	87.49 %
05-329-200	Other Lic./Fees/Permits	5,640.92	2,206.00	2,206.00	668.64	11,844.52	(9,638.52)	536.92 %
05-331-370	Small Community Wastewater Grant	1,316,160.00	0.00	0.00	0.00	0.00	0.00	0.00 %
05-331-500	American Rescue Plan Act - ARPA Imple	0.00	0.00	0.00	0.00	682,162.00	(682,162.00)	0.00 %
05-334-350	Sewer/Wastewater Grants - State	0.00	0.00	0.00	0.00	31,559.93	(31,559.93)	0.00 %
05-340-300	Water Utility Revenue	1,304,818.04	1,376,712.00	1,376,712.00	102,779.00	1,298,735.16	77,976.84	94.34 %
05-340-500	Sewer Utility Revenue	1,256,437.07	1,297,800.00	1,297,800.00	104,251.74	1,278,361.97	19,438.03	98.50 %
05-359-100	Other Fines and/or Forfeitures	12,540.00	15,620.00	15,620.00	3,035.00	35,710.00	(20,090.00)	228.62 %
05-359-200	Non Sufficient Funds	1,200.00	1,140.00	1,140.00	0.00	1,410.00	(270.00)	123.68 %
05-359-300	Late Fees	26,673.00	36,795.00	36,795.00	2,289.00	27,132.00	9,663.00	73.74 %
05-361-200	Interest/Dividends - FL SAFE	126.36	322.00	322.00	0.00	3,802.88	(3,480.88)	1181.02 %
05-369-100	Misc. Income	39.61	0.00	0.00	790.94	2,135.96	(2,135.96)	0.00 %
05-369-110	Refund of Overpayments	0.00	0.00	0.00	0.00	1,341.93	(1,341.93)	0.00 %
05-369-111	Cash Drawer Overage	(0.14)	0.00	0.00	0.00	0.00	0.00	0.00 %
05-369-112	Cash Drawer Overage - Bank Rec	2,751.95	0.00	0.00	0.00	0.00	0.00	0.00 %
05-381-900	Cash Carry Forward	0.00	170,590.00	170,590.00	0.00	0.00	170,590.00	0.00 %
DEPARTMENT TOTALS		4,018,432.62	2,961,907.00	2,961,907.00	215,832.62	3,421,652.38	(459,745.38)	115.52 %



POLK CITY  
 SEPTEMBER 2022 MONTHLY FINANCIALS

Enterprise Fund Expenditures  
 100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	PERCENTAGE REALIZED
05-533-605	Depreciation Expense - Water Oper	140,284.43	0.00	0.00	0.00	0.00	0.00	0.00 %
05-533-620	Buildings - Water Oper	0.00	4,000.00	4,000.00	0.00	3,982.00	18.00	99.55 %
05-533-630	Improvements Other than Building - Wa	850.00	10,000.00	10,000.00	0.00	4,247.50	5,752.50	42.48 %
05-533-634	SCADA System - Water Oper	0.00	5,000.00	5,000.00	0.00	0.00	5,000.00	0.00 %
05-533-640	Machinery & Equipment - Water Oper	529.85	63,381.00	63,381.00	0.00	51,773.00	11,608.00	81.69 %
05-533-650	Construction In Progress - Water Oper	136.00	0.00	0.00	0.00	1,619.20	(1,619.20)	0.00 %
05-533-710	Principal - Water Oper	0.00	60,473.00	60,473.00	0.00	60,473.00	0.00	100.00 %
05-533-720	Interest - Water Oper	71,773.05	69,356.00	69,356.00	0.00	69,355.68	0.32	100.00 %
05-533-994	Bank Fees - Water Oper	3.19	0.00	0.00	0.00	0.00	0.00	0.00 %
DEPARTMENT TOTAL		742,042.79	1,032,549.00	1,032,549.00	63,943.57	932,254.75	99,705.13	90.29 %
=====								
Sewer								
05-535-120	Regular Salary - Wages - Sewer Oper	114,313.66	144,639.00	144,639.00	6,257.38	136,388.15	8,250.85	94.30 %
05-535-140	Overtime - Sewer Oper	4,865.74	5,712.00	5,712.00	591.46	5,017.54	694.46	87.84 %
05-535-210	Fica Taxes - Sewer Oper	8,874.64	11,502.00	11,502.00	519.61	10,952.40	549.60	95.22 %
05-535-220	Retirement Contribution - Sewer Oper	17,285.54	13,083.00	13,083.00	815.69	16,624.10	(3,541.10)	127.07 %
05-535-230	Life & Health Insurance - Sewer Oper	24,158.05	35,905.00	35,905.00	3,145.35	32,466.42	3,438.58	90.42 %
05-535-240	Worker's Compensation - Sewer Oper	2,875.13	4,393.00	4,393.00	0.00	3,645.48	747.52	82.98 %
05-535-310	Professional Services - Sewer Oper	30,438.06	20,000.00	20,000.00	0.00	6,502.37	13,497.63	32.51 %
05-535-311	Engineering Services - Sewer Oper	20,978.80	25,000.00	25,000.00	0.00	5,421.62	19,578.38	21.69 %
05-535-312	Professional Services - Other - Sewer	758.32	20,000.00	20,000.00	1,958.83	73,586.71	(53,586.71)	367.93 %
05-535-400	Travel Expenses - Sewer Oper	571.58	1,000.00	1,000.00	118.00	273.03	726.97	27.30 %
05-535-405	Training - Sewer Oper	0.00	1,500.00	1,500.00	0.00	1,693.51	(193.51)	112.90 %
05-535-410	Communication Services - Sewer Oper	4,086.59	4,000.00	4,000.00	429.18	4,938.00	(938.00)	123.45 %
05-535-411	Cardinal Hill WWTP - Comm Svcs - Sew	125.10	1,550.00	1,550.00	171.15	296.07	1,253.93	19.10 %
05-535-412	Mt. Olive WWTP - Comm Svcs - Sewer O	2,396.60	2,800.00	2,800.00	0.00	2,196.60	603.40	78.45 %
05-535-430	Utilities - PW/Utilities Facility Sew	5,586.75	5,165.00	5,165.00	10,652.22	15,553.03	(10,388.03)	301.12 %
05-535-431	Cardinal Hill WWTP - Utilities - Sewe	25,790.23	2,100.00	2,100.00	2,917.16	27,328.21	(25,228.21)	1301.34 %
05-535-432	Mt. Olive WWTP - Utilities - Sewer Op	8,417.66	11,000.00	11,000.00	637.02	7,255.86	3,744.14	65.96 %
05-535-440	Rentals and Leases - Sewer Oper	0.00	0.00	0.00	0.00	3,076.50	(3,076.50)	0.00 %
05-535-460	Repairs and Maintenance - Sewer Oper	47,812.00	120,000.00	120,000.00	14,142.92	137,203.51	(17,203.51)	114.34 %
05-535-461	Cardinal Hill - Repairs and Maint - S	10,724.30	171,913.00	171,913.00	1,680.19	27,525.09	144,387.91	16.01 %
05-535-464	Vehicle Fuel - Sewer Oper	10,731.40	10,000.00	10,000.00	810.82	9,294.18	705.82	92.94 %
05-535-465	Vehicle Maintenance - Sewer Oper	11,258.43	8,000.00	8,000.00	795.07	8,057.12	(57.12)	100.71 %
05-535-466	Public Works/Utilities Facility - Rep	0.00	1,000.00	1,000.00	0.00	426.50	573.50	42.65 %

POLK CITY  
SEPTEMBER 2022 MONTHLY FINANCIALS

Enterprise Fund Expenditures  
100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	PERCENTAGE REALIZED
05-535-467	Repairs & Maintenance-Equipment - Sew	0.00	0.00	0.00	0.00	511.34	(511.34)	0.00 %
05-535-470	Printing and Reproduction - Sewer Ope	0.00	100.00	100.00	0.00	43.83	56.17	43.83 %
05-535-490	Other Current Charges - Sewer Oper	108.91	3,000.00	3,000.00	0.00	94.27	2,905.73	3.14 %
05-535-492	Recording & Other Fees - Sewer Oper	3,260.66	5,000.00	5,000.00	0.00	138.43	4,861.57	2.77 %
05-535-493	Equipment Rental - Sewer Oper	0.00	5,000.00	5,000.00	1,070.00	1,070.00	3,930.00	21.40 %
05-535-510	Office Supplies - Sewer Oper	852.39	700.00	700.00	0.00	650.60	49.40	92.94 %
05-535-520	Operating Supplies - Sewer Oper	6,258.10	8,000.00	8,000.00	839.06	19,244.23	(11,244.23)	240.55 %
05-535-521	Cardinal Hill WWTP - Operating Suppli	0.00	0.00	0.00	0.00	693.10	(693.10)	0.00 %
05-535-522	Cardinal Hill WWTP - Sludge Hauling	25,510.31	41,000.00	41,000.00	2,410.00	26,704.43	14,295.57	65.13 %
05-535-524	Chemicals - Sewer Oper	29,319.80	33,000.00	33,000.00	2,457.54	29,803.72	3,196.28	90.31 %
05-535-540	Books, Pub., Sub., & Memberships - Se	164.94	1,000.00	1,000.00	0.00	459.88	540.12	45.99 %
05-535-605	Depreciation Expense - Sewer Oper	303,045.17	0.00	0.00	0.00	0.00	0.00	0.00 %
05-535-620	Buildings - Sewer Oper	0.00	4,000.00	4,000.00	0.00	3,982.00	18.00	99.55 %
05-535-630	Improvements Other than Building - Se	0.00	10,000.00	10,000.00	0.00	1,087.50	8,912.50	10.88 %
05-535-640	Machinery & Equipment - Sewer Oper	529.84	191,489.00	191,489.00	0.00	189,889.74	(38,255.48)	99.16 %
05-535-641	Cardinal Hill - Mach & Equip - Sewer	0.00	0.00	0.00	0.00	3,836.00	(3,836.00)	0.00 %
05-535-650	Construction In Progress - Sewer Oper	0.00	0.00	0.00	20,769.44	30,188.01	(30,188.01)	0.00 %
05-535-710	Principal - Sewer Oper	(852.80)	337,726.00	337,726.00	66,994.98	337,726.34	(0.34)	100.00 %
05-535-712	Principal - DEP Effluent Disposal Loa	0.00	26,995.00	26,995.00	0.00	26,967.46	27.54	99.90 %
05-535-720	Interest - Sewer Oper	284,385.24	277,548.00	277,548.00	21,094.06	277,548.06	(0.06)	100.00 %
05-535-722	Interest - DEP Effluent Disposal Loan	19.75	1,635.00	1,635.00	0.00	824.38	810.62	50.42 %
05-535-730	Other Debt Service Costs - Sewer Oper	45,812.57	0.00	0.00	0.00	837.90	(837.90)	0.00 %
05-535-900	SEWER OPERATIONS - OTHER USES	(1,150.70)	0.00	0.00	0.00	0.00	0.00	0.00 %
DEPARTMENT TOTAL		1,049,312.76	1,566,455.00	1,566,455.00	161,277.13	1,488,023.22	38,577.04	94.99 %
EF Non-Departmental								
05-590-310	Professional Services - Non-Dept	33,102.27	25,000.00	25,000.00	8,067.70	31,428.12	(6,428.12)	125.71 %
05-590-312	Professional Services - Other - Non-D	3,550.00	10,000.00	10,000.00	0.00	2,500.00	7,500.00	25.00 %
05-590-315	Inmate Labor - EF Non - Dept	21,561.37	28,749.00	28,749.00	0.00	0.00	28,749.00	0.00 %
05-590-320	Accounting and Auditing - Non-Dept	28,536.88	25,000.00	25,000.00	2,135.92	30,808.10	(5,808.10)	123.23 %
05-590-440	Rentals and Leases - Non-Dept	4,298.99	4,500.00	4,500.00	88.73	2,802.17	1,697.83	62.27 %
05-590-450	Liability Insurance - Non-Dept	58,980.50	86,345.00	86,345.00	0.00	73,082.50	13,262.50	84.64 %
05-590-490	Other Current Charges - Non Dept	25.00	0.00	0.00	0.00	0.00	0.00	0.00 %
05-590-510	Office Supplies - Non-Departmental	862.20	1,000.00	1,000.00	0.00	768.70	231.30	76.87 %
05-590-520	Operating Supplies - Non-Dept	946.60	3,000.00	3,000.00	0.00	46.44	2,953.56	1.55 %

Enterprise Fund Expenditures  
 100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 ACTUALS	2022 ADOPTED BUDGET	2022 ADJ BUDGET	2022 MTD EXPENSES	2022 YTD EXPENSES	2022 AVAIL BUDGET	2022 PERCENTAGE REALIZED
05-590-521	Emergencies & Contingencies - Operati	4,741.67	11,300.00	8,560.00	1,983.54	2,112.09	2,487.91	18.69 %
05-590-525	Uniforms - Non Dept	3,373.76	4,500.00	4,500.00	489.67	4,961.40	(461.40)	110.25 %
05-590-528	Postage - Non-Dept	2,038.35	3,000.00	3,000.00	8.09	13.87	2,986.13	0.46 %
05-590-540	Books, Pub., Sub., & Memberships -NON	2,311.34	2,000.00	2,000.00	0.00	350.00	1,650.00	17.50 %
05-590-550	Pre-Employment Exam/Drug Test	0.00	0.00	0.00	0.00	114.00	(114.00)	0.00 %
05-590-551	Immunizations - Employees	0.00	0.00	0.00	135.00	742.50	(742.50)	0.00 %
05-590-554	Employee Holiday Dinner	0.00	0.00	0.00	0.00	420.00	(420.00)	0.00 %
05-590-630	Improvements Other than Bldg - Non-De	0.00	0.00	2,740.00	0.00	1,500.00	1,240.00	0.00 %
05-590-720	Interest - Bond 2017 Issue	(42,146.55)	0.00	0.00	0.00	0.00	0.00	0.00 %
05-590-730	Other Debt Service Costs	50,526.58	0.00	0.00	0.00	0.00	0.00	0.00 %
05-590-920	Transfer to General Fund - Non-Dept	155,000.00	130,000.00	130,000.00	0.00	0.00	130,000.00	0.00 %
05-590-940	Reserves - Unrestricted Reserves NON-	0.00	19,510.00	19,510.00	0.00	0.00	19,510.00	0.00 %
05-590-992	Unemployment Claims - Non-Dept	1,694.60	2,000.00	2,000.00	0.00	7,324.36	(5,324.36)	366.22 %
05-590-994	Bank Fees - Non-Dept	0.00	1,000.00	1,000.00	0.00	156.43	843.57	15.64 %
05-590-996	Bad Debt - Non-Dept	12,261.50	0.00	0.00	0.00	4,562.40	(4,562.40)	0.00 %
05-590-999	Other - Non-Operating Charges - Non-D	(8,967.66)	6,000.00	6,000.00	99.99	1,751,205.80	(1,745,205.80)	9999.00 %
DEPARTMENT TOTAL		342,697.40	362,904.00	362,904.00	13,008.64	1,914,898.88	(1,555,954.88)	527.66 %
=====								
Enterprise Fund Revenues Total		4,016,432,062.00	2,961,507.00	2,961,907.00	215,832.62	3,421,652.38	-459,745.38	115.52%
Enterprise Fund Expenditures Total		-2,054,822.04	-2,961,507.00	-2,961,507.00	-238,225.34	-4,335,176.85	-1,373,268.85	146.36%
Total Revenue vs. Expenditures		4,016,377,169.96	0.00	0.00	-22,396.72	-913,524.47	-1,833,014.23	

POLK CITY  
 Simple Balance Sheet

For Fiscal Year: 2022 thru Month: Sep  
 Fund: 08 SPECIAL REVENUE FUND - GF IMPACT FEES

Account Number	Account Title	Ending Bal	Net Amount
08-101-100	GF Police Public Safety Impact Fees	11,215.35	
08-101-101	GF Fire Public Safety Impact Fees	4,809.26	
08-101-102	GF Recreation Impact Fees	19,118.14	
08-101-103	GF Gen Gov't Facilities Impact Fees	32,274.03	
08-151-100	Investments - FL SAFE GF Police Public Safety	214,461.46	
08-151-101	Investments - FL SAFE GF Fire Public Saf...	135,547.27	
08-151-102	Investments - FL SAFE GF Recreation	405,333.76	
08-151-103	Investments - FL SAFE GF Facilities	450,179.39	
	** TOTAL ASSET**		1,272,938.66
08-271-100	Fund Balance Unreserved	1,209,978.60	
	** TOTAL EQUITY**		1,209,978.60
	** TOTAL REVENUE**		62,960.06
	** TOTAL EXPENSE**		0.00
	TOTAL LIABILITY AND EQUITY		1,272,938.66

POLK CITY  
SEPTEMBER 2022 MONTHLY FINANCIALS

GFIF Special Revenues  
Budget Revenues  
100.00 % Yr Complete For Fiscal Year: 2022 / 9

G/L ACCOUNT	DESCRIPTION	2021 PRIOR YR REVENUE	2022 ANTICIPATED REVENUE	ADJ ANTICIPATED	2022 CURRENT REVENUE	YTD REVENUE	2022 (EXCESS)/DEFICIT	2022 PERCENTAGE REALIZED
REVENUES								
08-324-100	Police - Public Safety Impact Fee	20,639.68	38,699.00	38,699.00	644.99	9,674.85	29,024.15	25.00 %
08-324-110	Fire/Rescue - Public Safety Impact Fe	11,568.41	20,706.00	20,706.00	345.11	5,176.65	15,529.35	25.00 %
08-324-610	Parks & Recreation Impact Fee	33,630.23	62,409.00	62,409.00	1,040.16	15,602.40	46,806.60	25.00 %
08-324-710	Public Facilities Impact Fee	54,749.15	104,882.00	104,882.00	1,748.01	26,220.15	78,661.85	25.00 %
08-361-200	Interest/Dividends - FL SAFE	208.87	534.00	534.00	0.00	6,286.01	(5,752.01)	1177.16 %
08-381-403	Transfer From GF Public Facility Impa	0.03	0.00	0.00	0.00	0.00	0.00	0.00 %
DEPARTMENT TOTALS		120,796.37	227,230.00	227,230.00	3,778.27	62,960.06	164,269.94	27.71 %
EXPENDITURES								
08-521-930	Reserves - Police Public Safety Impac	0.00	38,789.00	38,789.00	0.00	0.00	38,789.00	0.00 %
08-522-930	Reserves - Fire Public Safety Impact	0.00	20,754.00	20,754.00	0.00	0.00	20,754.00	0.00 %
08-539-930	Reserves - Public Facility Impact Fee	0.00	105,130.00	105,130.00	0.00	0.00	105,130.00	0.00 %
08-572-930	Reserves - Parks & Rec Impact Fees	0.00	62,557.00	62,557.00	0.00	0.00	62,557.00	0.00 %
DEPARTMENT TOTALS		0.00	227,230.00	227,230.00	0.00	0.00	227,230.00	0.00 %
GF Impact Fee Fund Revenues Total								
		120,796.37	227,230.00	227,230.00	3,778.27	62,960.03	164,269.97	27.71%
GF Impact Fee Fund Expenditures Total								
		0.00	-227,230.00	-227,230.00	0.00	0.00	227,230.00	0.00%
Total Revenue vs. Expenditures		120,796.37	0.00	0.00	3,778.27	62,960.03	391,499.97	

POLK CITY  
Simple Balance Sheet

For Fiscal Year: 2022 thru Month: Sep  
Fund: 09 SPECIAL REVENUE FUND - EF IMPACT FEES

Account Number	Account Title	Ending Bal	Net Amount
09-101-800	EF Sewer Impact Fee Account	361,810.04	
09-101-900	EF Water Impact Fee Account	176,766.64	
09-151-800	Investements - Sewer Impact	1,641,233.24	
09-151-900	Investements - Water Impact	266,863.75	
09-169-900	CIP - Construction Costs	28,872.10	
	** TOTAL ASSET**		2,475,545.77
	** TOTAL LIABILITY**		0.00
	** TOTAL ENCUMBRANCE**		0.00
09-271-100	Unreserved Fund Balance	2,464,631.83	
	** TOTAL EQUITY**		2,464,631.83
	** TOTAL REVENUE**		106,699.39
	** TOTAL EXPENSE**		95,785.45
	TOTAL LIABILITY AND EQUITY		2,475,545.77



**SEPTEMBER 2022 MONTHLY FINANCIALS**

**EFIF Special Revenues  
 100.00 % Yr Complete For Fiscal Year: 2022 / 9**

G/L ACCOUNT	DESCRIPTION	2021 PRIOR YR REVENUE	2022 ANTICIPATED REVENUE	ADJ ANTICIPATED	2022 CURRENT REVENUE	YTD REVENUE	2022 (EXCESS)/DEFICIT	2022 PERCENTAGE REALIZED
<b>REVENUES</b>								
	TOTAL AR	0.00	0.00	0.00	0.00	0.00	0.00	0.00 %
09-324-210	Water Impact Fees	71,627.00	104,820.00	104,820.00	1,747.00	34,940.00	69,880.00	33.33 %
09-324-220	Sewer Impact Fees	154,525.00	264,900.00	264,900.00	4,415.00	61,810.00	203,090.00	23.33 %
09-361-200	Interest/Dividends - FL SAFE	330.60	842.00	842.00	0.00	9,949.39	(9,107.39)	1181.64 %
<b>DEPARTMENT TOTALS</b>								
		226,482.60	370,562.00	370,562.00	6,162.00	106,699.39	263,862.61	28.79 %
<b>EXPENDITURES</b>								
09-533-310	Professional Services - Legal Fees	1,239.11	31,000.00	31,000.00	0.00	6,664.61	24,335.39	21.50 %
09-533-312	Professional Services - Other Profess	0.00	9,600.00	9,600.00	0.00	0.00	9,600.00	0.00 %
09-533-313	Professional Services - Polk Regional	0.00	4,000.00	4,000.00	0.00	0.00	4,000.00	0.00 %
09-533-492	Recording & Other Fees - Water Impact	140.00	0.00	0.00	0.00	0.00	0.00	0.00 %
09-533-529	Water Impact Fee - Refund Customer	1,747.00	0.00	0.00	0.00	0.00	0.00	0.00 %
09-533-650	Construction In Progress - Water IF S	0.00	60,220.00	60,220.00	0.00	89,120.84	(28,900.84)	147.99 %
09-533-930	Reserves - Water Impact Fees	0.00	238.00	238.00	0.00	0.00	238.00	0.00 %
09-535-529	Sewer Impact Fee - Refund Customer	4,415.00	0.00	0.00	0.00	0.00	0.00	0.00 %
09-535-930	Reserves - Sewer Impact Fees	0.00	265,504.00	265,504.00	0.00	0.00	265,504.00	0.00 %
<b>DEPARTMENT TOTALS</b>								
		7,541.11	370,562.00	370,562.00	0.00	95,785.45	274,776.55	25.85 %
<b>EF Impact Fee Fund Revenues Total</b>								
		226,782.60	370,562.00	370,562.00	6,162.00	106,699.39	263,862.61	28.79%
<b>EF Impact Fee Fund Expenditures Total</b>								
		-3,126.11	-370,562.00	-370,562.00	0.00	-95,785.45	-274,776.55	25.35%
<b>Total Revenue vs. Expenditures</b>								
		223,656.49	0.00	0.00	6,162.00	10,913.94	-10,913.94	

# Library Monthly Report

## SEPTEMBER 2022

### CIRCULATION

ADULT BOOKS	887
JUVENILE BOOKS	645
<b>TOTAL CIRCULATION</b>	<b>1532</b>

### NEW BORROWERS

IN CITY	6
IN COUNTY	9
<b>TOTAL NEW BORROWERS</b>	<b>15</b>

### NUMBER OF PROGRAMS

FAMILY  
ADULT  
JUVENILE  
YOUNG ADULT  
**TOTAL PROGRAMS**

### PROGRAM ATTENDANCE

ADULT  
JUVENILE  
YOUNG ADULT  
**TOTAL ATTENDANCE**

### REFERENCE QUESTIONS

PHONE CALLS **118**

### NUMBER OF COMPUTER USERS

**67**

### TOTAL PATRONS

**982**

Prepared by:

*Hannah Ulloha*

Library Director



In September 2022, there were two (2) PROCAP captured crimes as compared to Two (2) in September 2021. There were two Grand Thefts that occurred one involving an unsecured side by side on 09/01/22 and another incident involving an unsecure pick-up truck with attached dump trailer on 9/29/22. At this time both cases all the stolen items have been located and returned to the victim. At this time we are up 5 crimes total as compared to last year at this time. We are still up 5 crimes however we are slowly going back down month to month.

Sector	CaseNo	Inc From	Inc To	DOW	Location	Narrative	Det	PRINTS	VIDEO	CASE STATUS
<b>VEHICLE THEFT</b>										
13	PCSO-220037350	2022-09-01 / 1730hrs	2022-09-01 / 1730hrs	Thur	129 APPALOOSA HILLS RD	Known susp was observed taking the victs orange Kubota side by side 4 seater UTV which had an green/white air compressor on it / Subjs at 3032 Brenda Ln advised they did see susp just before dark on an orange side by side Arrest warrant obtained for Bobby Dorminy WM 082868				
13	PCSO-220041201	2022-09-29 / 0838hrs	2022-09-29 / 1000hrs	Thur	197 SUNSHINE BLVD	Unsecured veh w/keys inside; Unk susp removed a blue 2001 Dodge 2500 bearing Florida tag#GXQZ69 with a homemade trailer attached / on 9/29 at 1540Hrs Vict advised DS that he located his truck in the wooded area across from 116 Citrus Grove Polk City but the veh had a different tag (Y002GH) attached to it / then his dump trailer was parked on the side of Evans Rd not too far from state prison	Schei No	Yes	Arrest.	

	January		February		March		April		May		June		July		August		September		October		November		December		YTD Totals		Monthly Change	YTD		
	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022	2021	2022		
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Burg Business	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	3	0	0%	0.3	0.0
Burg Residence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0%	0.0	0.0
Burg Structure	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0.1	0.1
Burg Conveyance	0	0	1	0	1	3	0	0	1	1	0	0	0	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0%	0.4	0.7
Vehicle Theft	0	1	1	0	0	0	0	0	0	0	0	0	0	1	1	0	0	2	0	0	0	0	0	2	0	4	6	-100%	0.4	0.7
Grand Theft	1	0	0	1	0	1	0	1	1	0	0	1	0	0	2	1	0	0	0	0	0	0	0	2	0	2	4	200%	0.2	0.4
Petit Theft	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	-100%	0.4	0.6
Mail Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0.0	0.0
Retail Theft	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2	0%	0.0	0.2	
Criminal Mischief	0	1	0	1	0	0	0	0	0	0	1	0	1	0	0	0	0	0	1	0	0	0	1	0	2	2	0%	0.2	0.2	
<b>Totals</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>16</b>	<b>21</b>	<b>0%</b>	<b>1.8</b>	<b>2.3</b>
<b>% Change</b>	<b>-33%</b>	<b>100%</b>	<b>400%</b>	<b>200%</b>	<b>-50%</b>	<b>0%</b>	<b>0%</b>	<b>-33%</b>	<b>0%</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>31%</b>	<b>0%</b>	<b>1.8</b>	<b>2.3</b>	<b>0%</b>	<b>31%</b>	<b>0%</b>	<b>1.8</b>	<b>2.3</b>	<b>0%</b>	<b>31%</b>	<b>0%</b>	<b>1.8</b>	<b>2.3</b>	<b>0%</b>	<b>31%</b>	<b>0%</b>	<b>31%</b>

# Public Works Report

01-30 SEPTEMBER 2022

**Summary:** Below is a summary of Public Works actions for the week:

## 1. Public Works General Notes

- a. Public Works (PWD) Director personally inspected, cataloged, and entered Diamond Maps all 18 FDOT Stormwater Inlets along Commonwealth Ave as part of the MS4 SWMP Assessment. Contact Brent Setchel and received the As-Builts for the FDOT Stormwater along SR33/Commonwealth Ave running into Lake Agnes. As part of MS4 SWMP Assessment.
- b. PWD attended the Florida Stormwater Association (FSA) Fall Seminar on 16 SEP 22 @ Disney Spring Holiday Inn from 0830 to 1500
  - a) Briefs covered:
    1. Regulatory Overview: MS4 Permit Changes
    2. TMDL and Water Quality Monitoring
    3. SWMP Effectiveness Planning
    4. Structural pollution Control Planning
    5. Ow to Prepare for Your Audit
    6. Panel Discussion
- c. 5 Public Works employees attended the Florida Department of Environmental Protection Stormwater Erosion and Sedimentation Control Inspector Training (FSESCI Tier I & Tier II) on 22-23 SEP 22. All employees passing the final exam, receiving their FSESCI Tier I & Tier II Inspector Certificate and can now assist with Stormwater Inspections and maintenance.
- d. Bronson Community Center carpet, tile and 50 chairs were professionally cleaned by Stanley Steamer on 9 SEP 22.
- e. PWD met with Ryan Mahon at the Brook Lane Lift Station for site survey for insurance claim due to tree limb falling onto the L/S fence.
- f. PWD conducted site survey at Polk City Elementary for fiber optic installation along E. Arborvitae.
- g. Presented paving quotes for Carter Blvd as well as 4 streets in the Oakridge Heights residential area (Oak Ave, Pine Ave, Central Ave, and Pope Ave) to City Manager for her review and approval on 22 SEP 22.
- h. Completed initial stop sign installation requirements for intersection of Pine Ave & 3<sup>rd</sup> Street. Prepared Power Point Presentation for City Manager and will brief her to facilitate her direction if re-establishment of old stop signs is warranted.
- i. PWD worked with the PW Administrative Asst and the Utilities Billing Supervisor to update and add additional work order codes for Public Works to ensure we capture all work being completed by the team. New codes added were:
  - a) Organization Maintenance-Admin
  - b) Requisition Processing
  - c) Procurements
  - d) Vehicle/Equipment Maintenance
  - e) Events- Set up/Inspection
- j. The Public Works Team supported the city in all operations associated with Hurricane Ian preparations as well as post hurricane cleanup which carried over into the month of October.

## 2. Public Works

- a. Completed 255 work orders in ADG consisting of:
  - a) Building maintenance: 20
  - b) Custodial services: 33
  - c) Vehicle/Equipment maintenance: 25

- d) Event set up- inspection: 19
- e) Landscaping, mowing: 35
- f) Organization maintenance-admin: 1
- g) Parks and recreation: 8
- h) Procurements: 3
- i) Repairs: 2
- j) Requisition processing: 9
- k) Hurricane natural disaster: 68
- l) Streets and signs: 5
- m) Stormwater: 10
- n) Street repairs and maintenance: 1
- o) Tech support: 4
- p) Trash parks and facilities: 8
- q) Trash roads and streets: 4

**November Objectives**

1. Continue proactive/preventive maintenance of all city facilities and equipment.
2. Transition from cutting grass to trimming/pruning trees.
3. Develop plan to perform a city-wide street sign repair & replacement assessment/program.
4. Develop a plan to perform a city-wide Stormwater Inlet assessment and update Diamond Maps.
5. Continue cleanup of all Public Works area and prepare excess and unserviceable for surplus/disposal for NOV 2022.
6. Complete the Polk City Stormwater Assessment Program that was due in Year 2 of the MS4 Permit process and turn into the FLDEP MS4 Coordinator, Anna Lomasney.

**Submitted by: Keith J. McVeigh, Public Works Director.**

# Utilities Report

September 2022

## 1. Utilities

- a. Completed 271 work orders in ADG consisting of:
    - a) Turn on: 30
    - b) Temporary shut off: 24
    - c) Reread (free): 0
    - d) Final with read: 0
    - e) Leak check: 0
    - f) Meter maintenance: 42
    - g) Install Irrigation: 1
    - h) Install Water: 1
    - i) Turn-off: 28
    - j) Shut off for non-payment on account: 4
    - k) Laptop Test (free): 3
    - l) Turn back on from shut off list: 14
    - m) Customer Concern: 9
    - n) Hydrant Flushing:
    - o) Locates: 10
    - p) Meter data validation:
    - q) Lift station maintenance: 19
    - r) Lift station repair: 4
    - s) Miscellaneous Work Orders: 2
    - t) Water line repair:
    - u) Water valve maintenance:
    - v) Monthly meter reading: 3306
    - w) Monthly no-reads: 351
    - x) WTP repair and maintenance: 37
    - y) Water valve maintenance and repair: 1
    - z) WWTP repair and maintenance: 17
    - aa) Stormwater: 2
    - bb) Hurricane Natural Disaster: 25
    - cc) Replace Meter: 1
  - b. Continuing water valve locating and exercising adding to Diamond Maps
  - c. Install by-pass pump at L/S 1 for repair
  - d. Rehab L/S 1 Brook Lane – install new guide rails, base elbows and piping
  - e. Prepare all L/S for hurricane
  - f. Prepare utilities office for hurricane – board up windows – add/remove
  - g. Install generators on L/S 8, 11 and 12; install by-pass pumps at L/S 1 and 13 for hurricane
  - h. Returned generators to Pinnacle full of fuel
2. Chastain-Skillman continues their due diligence for the force main on Mount Olive Road
  3. Continue to work the Cardinal Hill WWTP repairs and maintenance as needed
  4. CivilSurv is currently working on the Water Support Services per their contract (Hydraulic Modeling)

# *Utility Billing Report*

## *September 2022*

New Accounts Established: 29  
Final/Terminated Service: 26  
Bills Processed: 2682  
Email/ Bill Customers: 1727  
Work Orders Processed: 150  
Lock off for Nonpayment: 24  
Nonpayment fees (\$50): 50  
Billed Consumption: 11,247,000  
Billed/Revenue: \$262,790.04  
Residential Billing: 2565  
Irrigation Billing: 563  
Commercial Billing: 98  
Building Rentals Activity/Bronson Center/Freedom Park: 18

### **On Going Projects**

-Process Deposit Refunds

-Working with the Utilities Department in Diamond Maps to verify that all meter information is correct.

-Process monthly Adjustment Reconciliations, Zero Charge Reports and Cycle D (Debt Consolidation).

-Meter Replacement Program

### **Staff Objectives**

Reroute meters into walking order, merge old locations, train in New Global Work Order System.

Respectfully Submitted by:

***Chasity Guinn***

Utility Billing Supervisor



**City Commission Meeting  
October 18, 2022**

**AGENDA ITEM #1:            PUBLIC HEARING - ORDINANCE 2022-06 – SMALL SCALE LAND USE AMENDMENT**

       INFORMATION ONLY  
  X   ACTION REQUESTED

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**ISSUE:**

Ordinance 2022-06 – Small Scale Land Use Amendment

**ATTACHMENTS:**

Overview Report – Small Scale Future Land Use Map Amendment and Rezoning Ordinance 2022-06

**ANALYSIS:**

Ordinance 2022-06 – A City-initiated Small Scale Future Land Use Amendment to Change the Future Land Use from Commercial to Residential Medium on approximately .027 Acres located at 957 Lakeshore Drive (parcel number 25-26-33-000000-023100). The amendment corrects a mapping error.

Please see complete staff report from Central Florida Regional Planning Council

The Planning Commission met on Monday, September 12, 2022, and voted 4/0 to forward the Small Scale Future Land Use Map Amendment to the City Commission for approval.

The City Commission met on Monday, September 19, 2022 and unanimously approved Ordinance 2022-06 on First Reading.

**STAFF RECOMMENDATION:**

Adopt Ordinance 2022-06 on **Second and Final Reading**

**ORDINANCE 2022-06**

**AN ORDINANCE OF POLK CITY, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF POLK CITY, FLORIDA; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 0.27 ACRES LOCATED AT 957 LAKESHORE DRIVE, FROM “COMMERCIAL” TO “RESIDENTIAL MEDIUM”; TRANSMITTING SAID SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR NOTIFICATION PURPOSES ONLY; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 163, Part II, *Florida Statutes*, establishes the Community Planning Act (“Act”), which empowers and mandates Polk City, Florida (“City”), to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

**WHEREAS**, pursuant to the Act, the City has adopted a comprehensive plan (“Comprehensive Plan”); and

**WHEREAS**, the Act authorizes a local government desiring to revise its comprehensive plan to prepare and adopt comprehensive plan amendments; and

**WHEREAS**, the City has prepared an amendment to the Small Scale Future Land Use Map of the Comprehensive Plan to designate certain property within the City with a Future Land Use classification of “Residential Medium;” and

**WHEREAS**, pursuant to Section 163.3187, Florida Statutes, the City Commission held a meeting and hearing on this Map Amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

**WHEREAS**, in exercise of its authority the City Commission has determined it necessary to adopt the proposed amendment to the Future Land Use Map contained herein and as shown as Exhibit “A” to encourage the most appropriate use of land, water and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City; and to ensure that the Comprehensive Plan is in full compliance with State law; and

**WHEREAS**, the City Commission finds that the proposed amendment to the Future Land Use Map contained herein furthers the purposes of, and is consistent with, the City’s Comprehensive Plan, and is consistent with and compliant with State law, including, but not limited to, Chapter 163, Part II, *Florida Statutes*.

**NOW, THEREFORE BE IT ORDAINED** that the City Commission Polk City,

Florida, as follows:

**Section 1.** The Future Land Use Map of the City's Comprehensive Plan is hereby amended to include the map amendment set forth in Exhibit "A," attached hereto and incorporated herein by reference, which applies the "Residential Medium" Future Land Use designation to the property as designated on such Exhibit.

**Section 2.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 3.** All existing ordinances or parts of existing ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4.** An official, true, and correct copy of this Ordinance and the City's Comprehensive Plan, as adopted and amended from time to time, shall be maintained by the City Clerk. The City Clerk shall make copies available to the public for a reasonable publication charge.

**Section 5.** A copy shall be provided to the Florida Department of Economic Opportunity (hereinafter the "DEO"), as required by Section 163.3187, Florida Statutes.

**Section 6.** This small scale amendment shall not become effective until thirty-one (31) days after adoption. If challenged within thirty (30) days after adoption, the amendment shall not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining the adopted amendment is in compliance.

**INTRODUCED AND PASSED** on First Reading the 19th day of September, 2022.

\_\_\_\_\_  
**Joe LaCascia, Mayor**

**ATTEST:**

**Approved as to form and correctness:**

\_\_\_\_\_  
**Patricia R. Jackson, City Manager/Clerk**

\_\_\_\_\_  
**Thomas A. Cloud, City Attorney**

**PASSED AND DULY ADOPTED ON SECOND READING**, with a quorum present and voting by the City Commission of Polk City, Florida meeting in Regular Session this 18th day of October, 2022.

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**Joe LaCascia, Mayor**

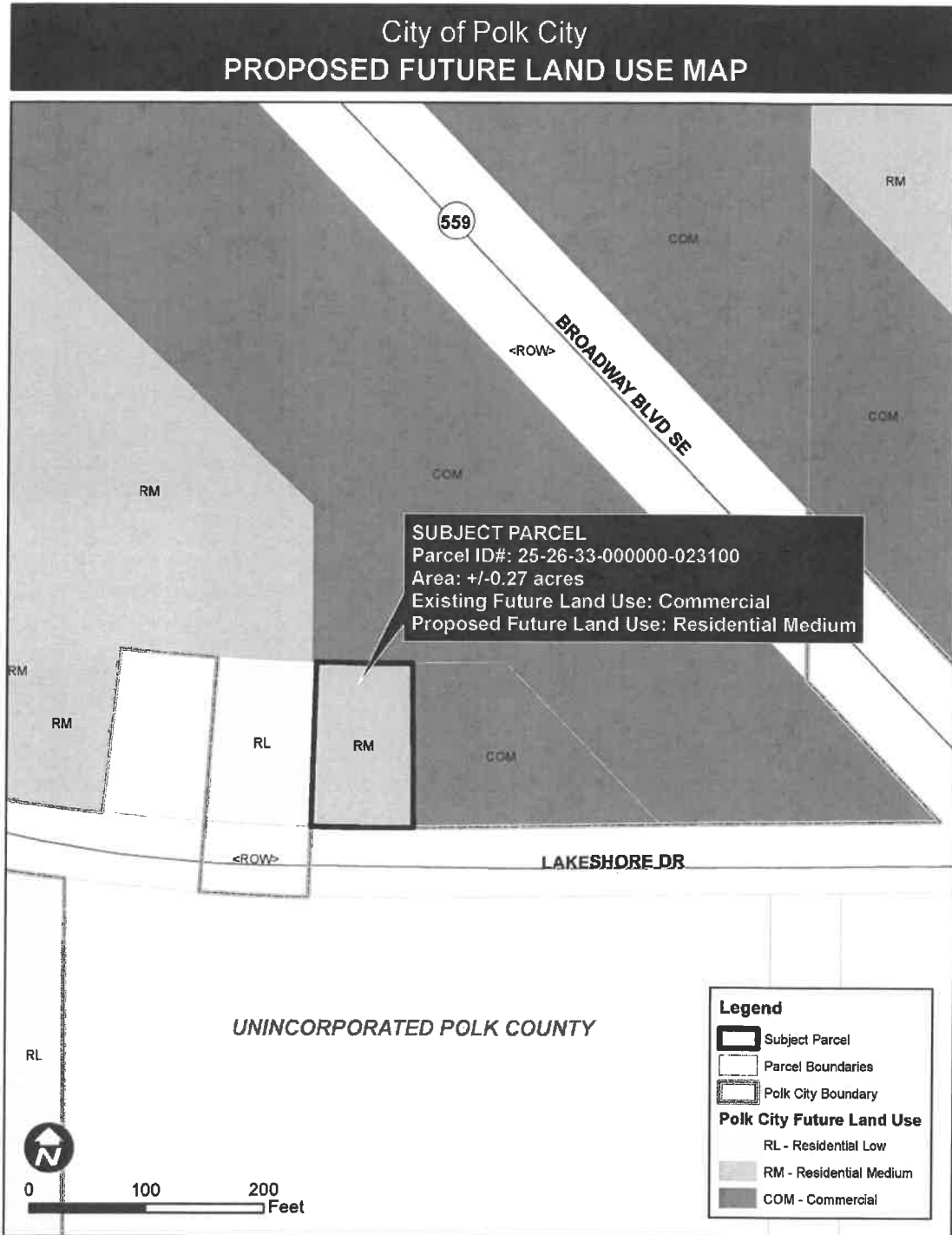
**ATTEST:**

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**Patricia R. Jackson, City Manager/Clerk**

ORDINANCE NO. 2022-06

EXHIBIT "A"





**POLK CITY OVERVIEW REPORT**  
**SMALL SCALE FUTURE LAND USE MAP AMENDMENT & REZONING**  
September 19, 2022

---

**TO:** Polk City Commission

**FROM:** Central Florida Regional Planning Council

**SUBJECT:** ✓ **Ordinance 2022-06: Small Scale Future Land Use Map Amendment:** A CITY-INITIATED SMALL SCALE FUTURE LAND USE AMENDMENT TO CHANGE THE FUTURE LAND USE FROM COMMERCIAL TO RESIDENTIAL MEDIUM ON APPROXIMATELY 0.27 ACRES LOCATED AT 957 LAKESHORE DRIVE (PARCEL NUMBER 25-26-33-000000-023100). The amendment corrects a mapping error.

**Ordinance 2022-07: Rezoning:** A CITY-INITIATED REZONING OF APPROXIMATELY 0.27 ACRES LOCATED AT 957 LAKESHORE DRIVE FROM GENERAL COMMERCIAL (C-2) TO R-3 SINGLE FAMILY AND DUPLEX (PARCEL NUMBER 25-26-33-000000-023100). The amendment corrects a mapping error.

**AGENDA AND HEARING DATES:**

September 12, 2022, 6:30 PM:	Planning and Zoning Board (Public Hearing)
September 19, 2022, 7:00 PM:	City Council (First Reading)
October 17, 2022, 7:00 PM:	City Council (Second Reading, Public Hearing)

**PLANNING COMMISSION ACTION:** On Monday, September 12, 2022, the Polk City Planning Commission voted 4 to 0 to forward the Small Scale Future Land Use Map Amendment and Rezoning to the City Commission with a recommendation of approval.

**ATTACHMENTS:**

- Aerial Photo Map | Existing Future Land Use Map | Proposed Future Land Use Map
- Existing Zoning Map | Proposed Zoning Map

**CITY COMMISSION MOTION OPTIONS:**

**Future Land Use Map Amendment Motion Options:**

1. Approve Ordinance 2022-06 on First Reading.
2. Approve Ordinance 2022-06 with changes on First Reading.
3. Deny Ordinance 2022-06 on First Reading.

**Rezoning Motion Options:**

1. Approve Ordinance 2022-07 on First Reading.
2. Approve Ordinance 2022-07 with changes on First Reading.
3. Deny Ordinance 2022-07 on First Reading.

**OVERVIEW:**

<b>Applicant/Owner</b>	Polk City / MDM Designs, Inc
<b>Parcel IDs</b>	25-26-33-000000-023100
<b>Subject Area</b>	+/- 0.27 acres
<b>Existing Future Land Use</b>	Commercial
<b>Proposed Future Land Use</b>	Medium Density Residential
<b>Existing Zoning</b>	C-2 Commercial
<b>Proposed Zoning</b>	R-3 Single Family and Duplex

Polk City is requesting a Future Land Use Map Amendment and rezoning to change the Future Land Use and zoning of +/- 0.27 acres from the Future Land Use of Commercial to Medium Density Residential (MDR) and the zoning of C-2 Commercial to R-3 Single Family and Duplex Residential to correct a mapping error. The subject parcel is located north of Lake Agnes, address being 957 Lakeshore Drive, Polk City. See attached Aerial Photo Map.

**BACKGROUND & REASON FOR REQUEST:**

The purpose of the request is to correct a mapping error on the Polk City Future Land Use and Zoning maps.

**STANDARDS FOR EVALUATING FUTURE LAND USE AND ZONING CHANGES:**

The Polk City Planning Commission will provide recommendations, and the City Commission will make a final motion to accept, reject, modify, return, or continue to seek additional information on all proposed Future Land Use and zoning changes. The review shall be considered and evaluated against the following standards:

- *Consistency with the Comprehensive Plan and Land Development Code.*
- *Land Use Compatibility.*
- *Public Facilities and Services Analysis.*

**Consistency with the Comprehensive Plan and Land Development Code:**

The request is to change the Future Land Use from Commercial to Medium Density Residential (MDR) and the zoning of C-2 Commercial to City R-3 Single Family and Duplex Residential. Descriptions for both the existing and proposed Future Land Use and zoning designations are provided as follows:

***Existing – Future Land Use***

**Polk City Comprehensive Plan, Future Land Use Element, Policy 4.3.d – Commercial:** The primary function of the Commercial classification is to accommodate the shopping needs of residents living in and near Polk City. The Commercial classification permits neighborhood service commercial uses; and accommodates traditional retail commercial needs of the market area both along the

highway and in the downtown core of the market area. This category permits schools and other public uses appropriate to commercial areas. Floor area ratio for commercial structures shall not exceed 0.35.

***Proposed – Future Land Use***

**Polk City Comprehensive Plan, Future Land Use Element, Policy 4.3.c – Medium Density Residential:** The primary function of the Residential Medium Density classification is to accommodate multi-family residential development. Permitted uses include duplexes, apartments, condominiums, manufactured (mobile) home parks or subdivisions, RV parks, and single-family homes. Intensity is one single family home per lot; or one duplex per lot; or two buildings of five units each per lot. Maximum density is 10.0 residential dwelling units per acre. This category permits schools and other public uses appropriate to residential neighborhoods.

***Existing – Zoning***

**Polk City Land Development Code, Section 2.04.02.10 – C-2 General Commercial District:** The Purpose of this zoning district is to designate areas within the City of Polk City which are deemed to be uniquely appropriate, by reason of central location and convenient access, for the development and operation of community shopping and business uses; to encourage the grouping and interrelationship of said uses so as to permit a high level of pedestrian movement within the district; to designate such uses as are appropriate for development within a central community commercial area; and to set forth such development standards and provisions as are appropriate to ensure the proper development and functioning of uses within the district.

***Proposed –Zoning***

**Polk City Land Development Code, Section 2.04.02.05 – R-3 Single Family and Duplex Residential:** The purpose of this zoning district is to allow for the development of single-family homes and duplexes on small lots.



**Land Use Compatibility**

The subject parcel is surrounded by a mix of Low and Medium Density Residential Future Land Use, and Commercial Future Land Uses. The adjacent parcels consist of single-family homes, Groves and Commercial. The *Land Use Matrix* below outlines the existing and proposed Future Land Use and zoning of the subject parcels, the existing Future Land Use and zoning of adjacent properties, and the existing land use of the subject parcels and adjacent properties. Proposed Future Land Use and Zoning Maps are also provided for reference.

**Land Use Matrix**

Northwest	North	Northeast
<b>Future Land Use:</b> Residential Medium  <b>Zoning:</b> R-3  <b>Existing Land Use:</b> Cropland	<b>Future Land Use:</b> Commercial  <b>Zoning:</b> C-2  <b>Existing Land Use:</b> Cropland	<b>Future Land Use:</b> Commercial  <b>Zoning:</b> C-2  <b>Existing Land Use:</b> Cropland
West	Subject Parcels	East
<b>Future Land Use:</b> R-1  <b>Zoning:</b> Residential Low  <b>Existing Land Use:</b> Single Family Residential	<b>Future Land Use:</b> <u>Existing:</u> Commercial <u>Proposed:</u> Medium Density  <b>Zoning:</b> <u>Existing:</u> C-2 General Commercial <u>Proposed:</u> R-3  <b>Existing Land Use:</b> Vacant	<b>Future Land Use:</b> Commercial  <b>Zoning:</b> C-2  <b>Existing Land Use:</b> Vacant
Southwest (Across Lakeshore Drive)	South (Across Lakeshore Drive)	Southeast (Across Lakeshore Drive)
<b>Future Land Use:</b> Agriculture  <b>Zoning:</b> OUA - Open Use Agriculture  <b>Existing Land Use:</b> Citrus with Undeveloped Land	<b>Future Land Use:</b> Agriculture  <b>Zoning:</b> OUA - Open Use Agriculture  <b>Existing Land Use:</b> Citrus with Undeveloped Land	<b>Future Land Use:</b> Agriculture  <b>Zoning:</b> OUA - Open Use Agriculture  <b>Existing Land Use:</b> Citrus with Undeveloped Land

The current Commercial Future Land Use does not permit residential development. The proposed Medium Density Residential Future Land Use permits up to ten (10) dwelling units per acre. At +/- 0.27 acres, under the proposed Medium Density Residential Future Land Use, the maximum density would be 2.7 dwelling units. This is an increase of 2.7 dwelling units. See table below.

	Future Land Use Designation	
	Commercial	Medium Density Residential
<b>Permitted Density</b>	0	10 DUs / acre
<b>Subject Parcel Acreage</b>	+/- 0.27 acres	+/- 0.27 acres
<b>Maximum Density</b>	0 dwelling units (0.27 x 0)	2.7 dwelling units (0.27 x 10)
<b>Density change</b>	+2.7 dwelling units*	

The proposed request corrects a mapping error and recognizes the subject property as residential. The request is found to be compatible with the character of the surrounding area.

**Public Facilities and Services Analysis:**

The following is a summary analysis of the potential impacts on existing public facilities and services.

**Potable Water**

Additional development resulting from this change can be adequately served by the Polk City potable water delivery system.

**Sanitary Sewer**

Additional development resulting from this change can be adequately served by the Polk City current wastewater system.

**Solid Waste:**

Polk County plans solid waste capacity for all municipalities in Polk County as well as unincorporated Polk County. It has been determined by Polk County that there is sufficient capacity for Polk City to meet LOS standards for approximately 65 years. Solid waste within Polk City is collected by private company.

**Transportation/Traffic:**

The proposed amendments will not have a substantial impact on traffic.

**School Concurrency:**

There is adequate school capacity.

**Recreation/Open Space:**

The City has adequate recreation and open space.

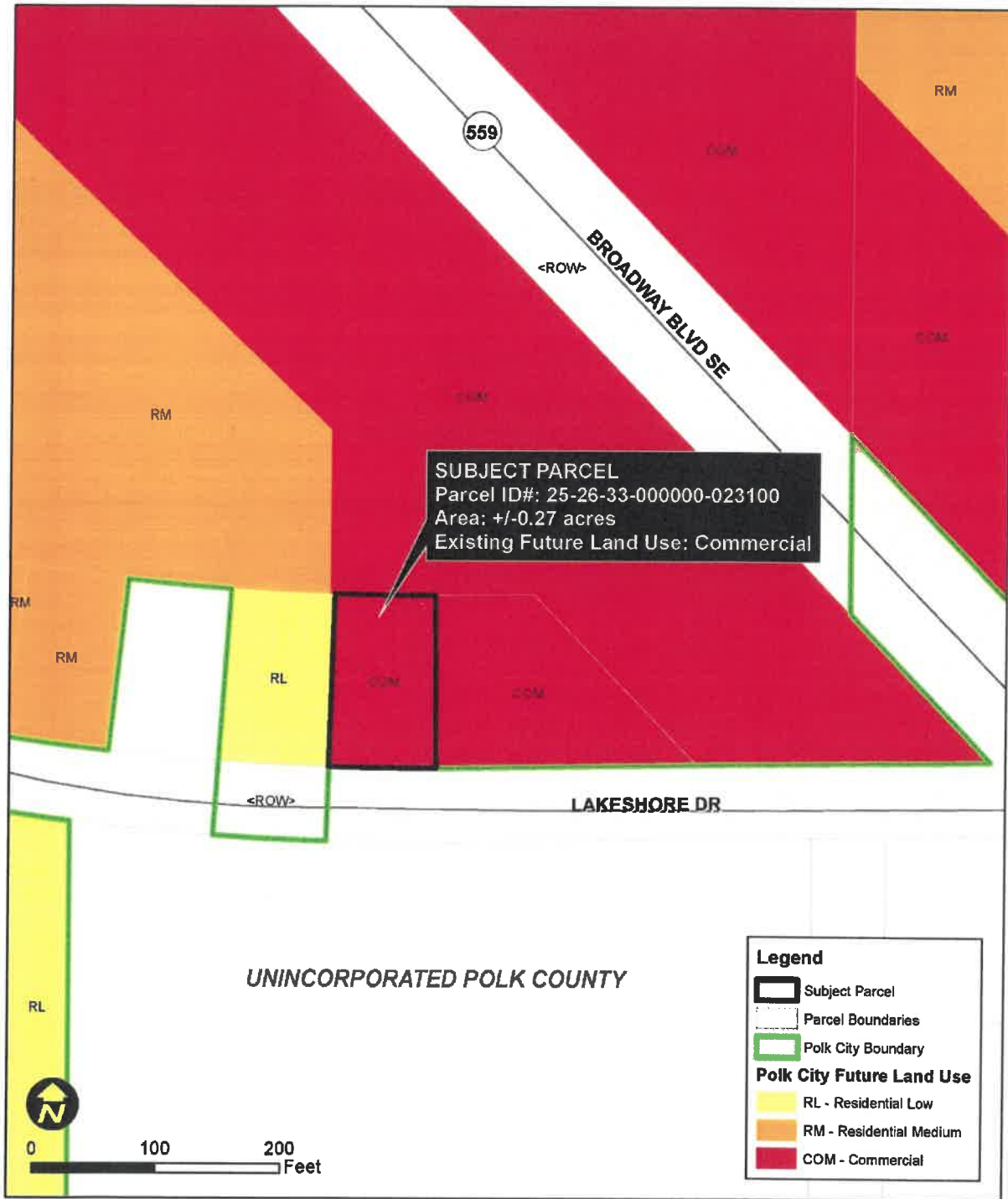
**Emergency Services:**

The County provides police protection, EMS, and fire protection.

City of Polk City  
AERIAL PHOTO MAP

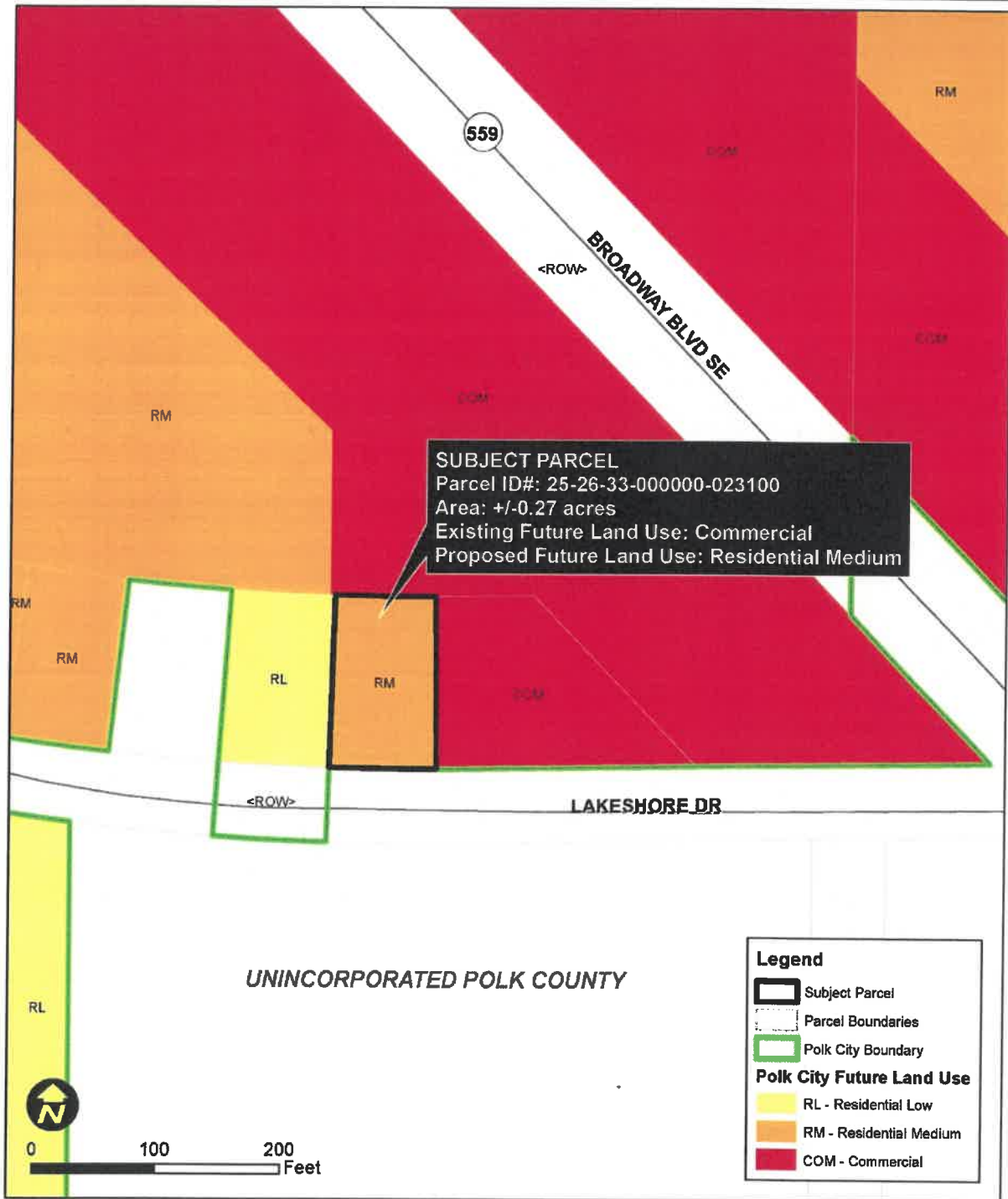


City of Polk City  
**EXISTING FUTURE LAND USE MAP**

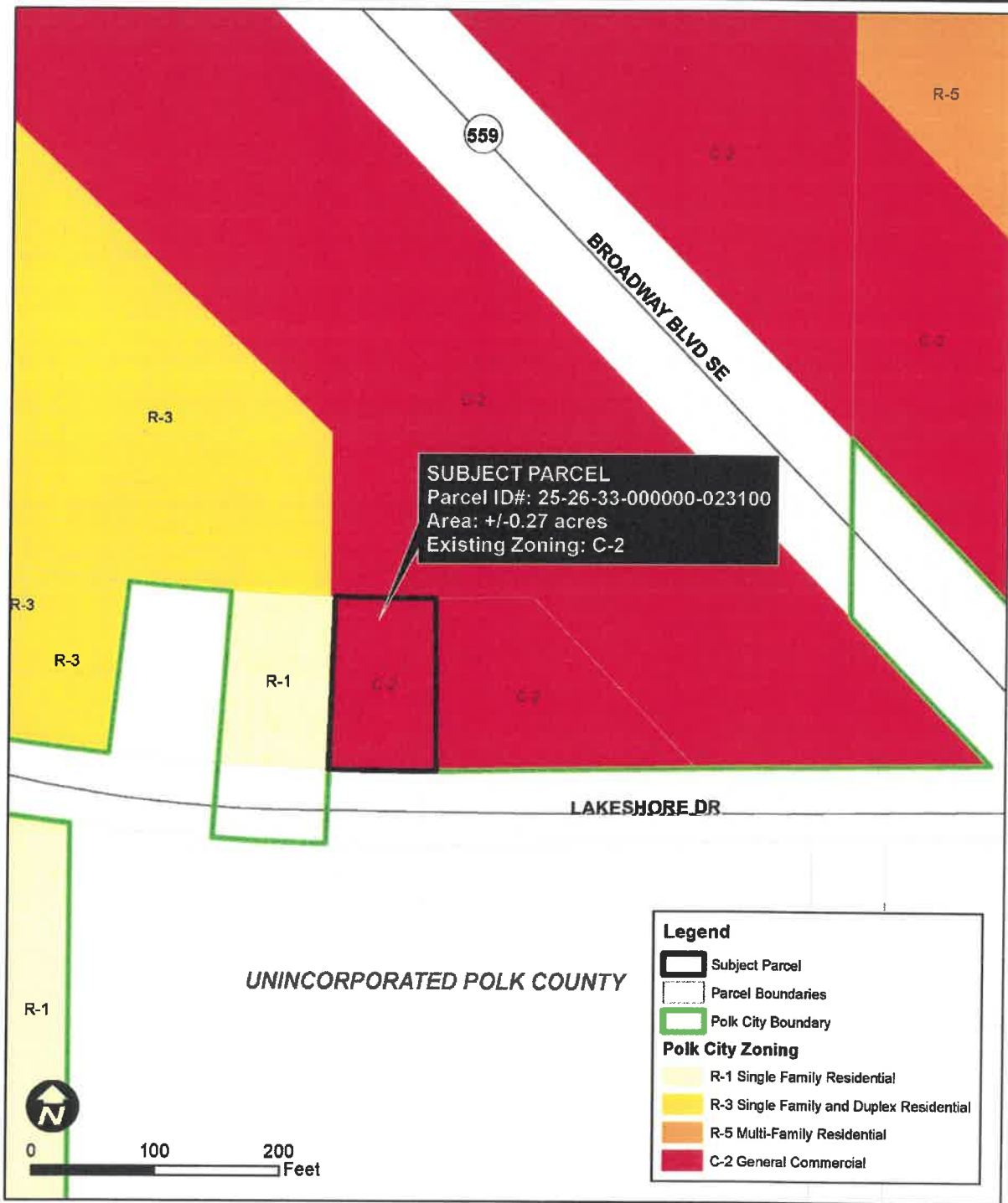




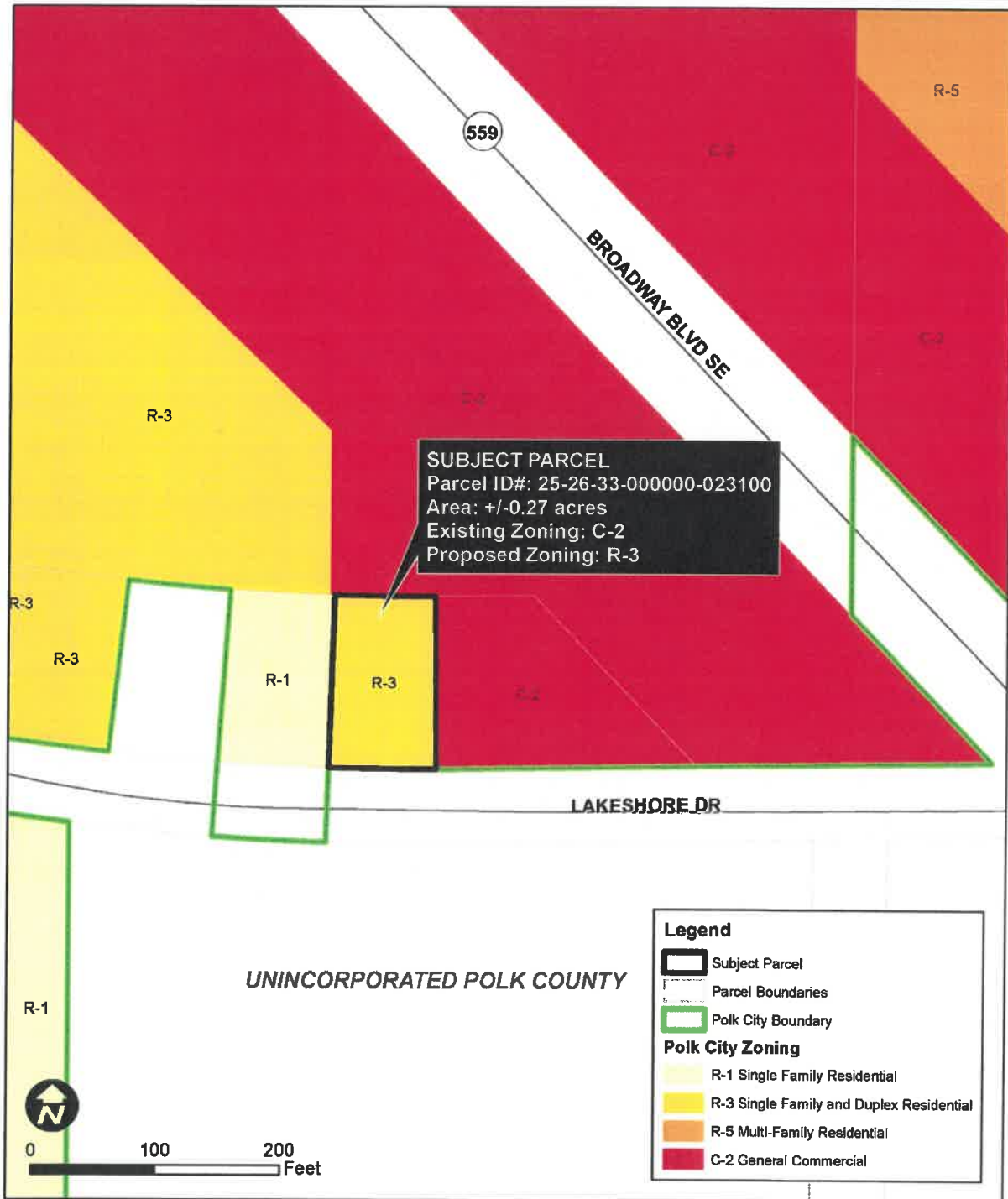
City of Polk City  
**PROPOSED FUTURE LAND USE MAP**



City of Polk City  
**EXISTING ZONING MAP**



City of Polk City  
**PROPOSED ZONING MAP**



**City Commission Meeting  
October 18, 2022**

**AGENDA ITEM #2:            PUBLIC HEARING - ORDINANCE 2022-07 – REZONING**

     INFORMATION ONLY  
  X   ACTION REQUESTED

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**ISSUE:**

Ordinance 2022-07 – Rezoning

**ATTACHMENTS:**

Overview Report – Small Scale Future Land Use Map Amendment and Rezoning  
Ordinance 2022-07

**ANALYSIS:**

Ordinance 2022-07 – A City-initiated Rezoning Amendment of approximately .027 Acres located at 957 Lakeshore Drive from General Commercial (C-2) to R-3 Single Family and Duplex (parcel number 25-26-33-000000-023100). The amendment corrects a mapping error.

Please see complete staff report from Central Florida Regional Planning Council

The Planning Commission met on Monday, September 12, 2022, and voted 4/0 to forward the Zoning Amendment to the City Commission for approval.

The City Commission met on Monday, September 19, 2022 and unanimously approved Ordinance 2022-07 on First Reading.

**STAFF RECOMMENDATION:**

Adopt Ordinance 2022-07 on **Second and Final Reading**



**ORDINANCE 2022-07**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF POLK CITY, FLORIDA; CHANGING THE ZONING FOR APPROXIMATELY 0.27 ACRES LOCATED AT 957 LAKESHORE DRIVE FROM GENERAL COMMERCIAL (C-2) TO SINGLE FAMILY AND DUPLEX (R-3); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of Polk City held meetings and hearings regarding the parcels show on Exhibit "A", with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including supporting documents; and

**WHEREAS**, in exercise of its authority, the City Commission has determined it necessary to amend the Official Zoning Map to change the City zoning classification assigned to this property.

**NOW, THEREFORE**, be it enacted by the City Commission of Polk City, Florida:

**Section 1. Zoning Amendment:** The official zoning map of Polk City is amended so as change the City Zoning Classification of C-2 (General Commercial) to R-3 (Single Family and Duplex) to approximately 0.27 acres of the property located at 957 Lakeshore Drive, as shown on Exhibit "A" attached hereto.

**Section 2. Severability:** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 3. Effective Date:** This ordinance shall not take effect unless and until Ordinance 2022-07 adopting the companion future land use map amendment (Ordinance 2022-06) to this rezoning becomes final and non-appealable.

This Ordinance shall be codified in the Code of Ordinances of Polk City, Florida. A certified copy of this enacting ordinance shall be located in the Office of the City Clerk of Polk City. The City Clerk shall also make copies available to the public for a reasonable publication charge.

**INTRODUCED AND PASSED** on First Reading the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
**Joe LaCascia, Mayor**

**ATTEST:**

**Approved as to form and correctness:**

\_\_\_\_\_  
**Patricia R. Jackson, City Manager/Clerk**

\_\_\_\_\_  
**Thomas A. Cloud, City Attorney**

**PASSED AND DULY ADOPTED ON SECOND READING**, with a quorum present and voting by the City Commission of Polk City, Florida meeting in Regular Session this day of \_\_\_\_\_, 2022.

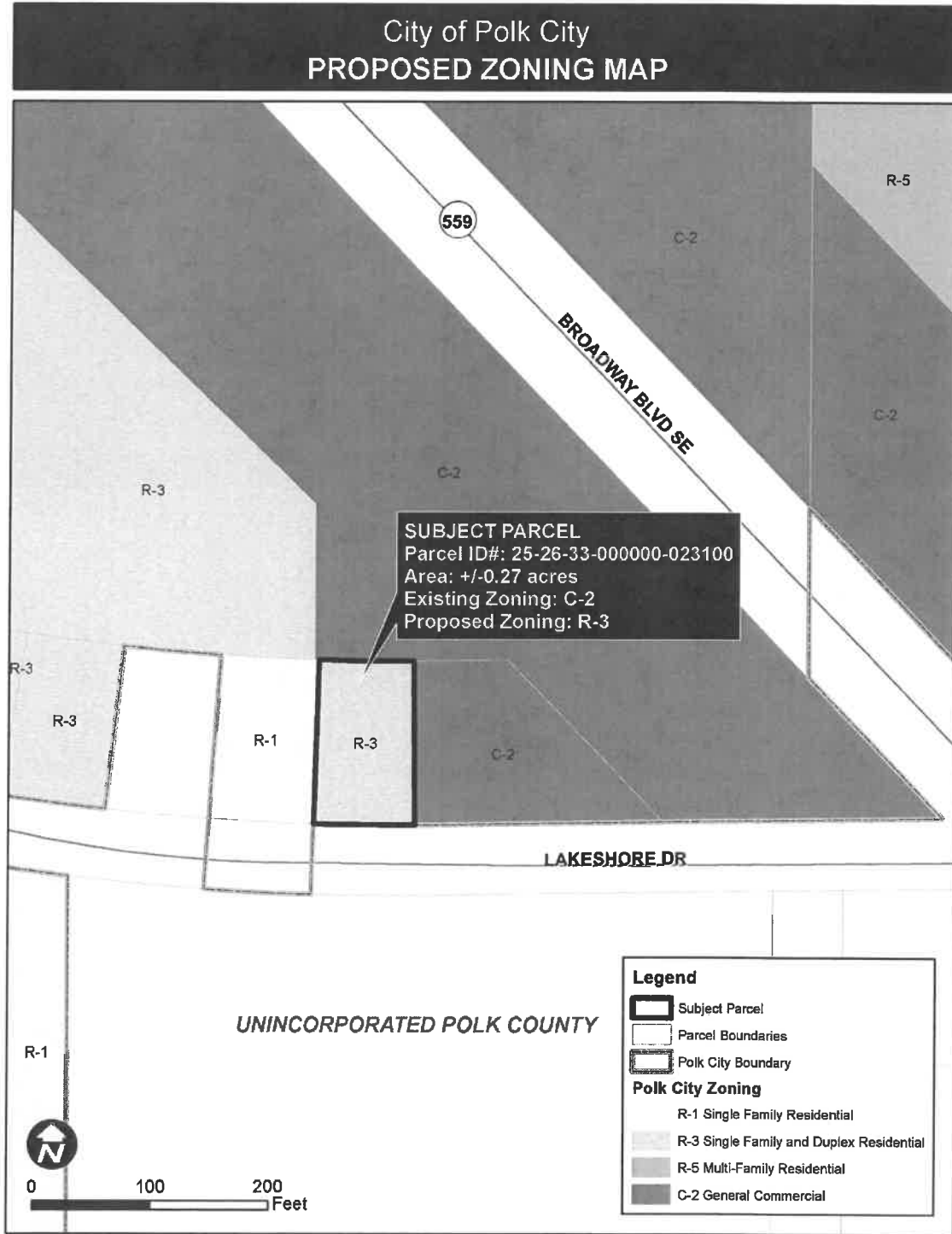
**ATTEST:**

\_\_\_\_\_  
**Joe LaCascia, Mayor**

\_\_\_\_\_  
**Patricia R. Jackson, City Manager/Clerk**

ORDINANCE NO. 2022-07

EXHIBIT "A"





**POLK CITY OVERVIEW REPORT**  
**SMALL SCALE FUTURE LAND USE MAP AMENDMENT & REZONING**  
September 19, 2022

---

**TO:** Polk City Commission

**FROM:** Central Florida Regional Planning Council

**SUBJECT:** **Ordinance 2022-06: Small Scale Future Land Use Map Amendment:** A CITY-INITIATED SMALL SCALE FUTURE LAND USE AMENDMENT TO CHANGE THE FUTURE LAND USE FROM COMMERCIAL TO RESIDENTIAL MEDIUM ON APPROXIMATELY 0.27 ACRES LOCATED AT 957 LAKESHORE DRIVE (PARCEL NUMBER 25-26-33-000000-023100). The amendment corrects a mapping error.

✓ **Ordinance 2022-07: Rezoning:** A CITY-INITIATED REZONING OF APPROXIMATELY 0.27 ACRES LOCATED AT 957 LAKESHORE DRIVE FROM GENERAL COMMERCIAL (C-2) TO R-3 SINGLE FAMILY AND DUPLEX (PARCEL NUMBER 25-26-33-000000-023100). The amendment corrects a mapping error.

**AGENDA AND HEARING DATES:**

September 12, 2022, 6:30 PM:	Planning and Zoning Board (Public Hearing)
September 19, 2022, 7:00 PM:	City Council (First Reading)
October 17, 2022, 7:00 PM:	City Council (Second Reading, Public Hearing)

**PLANNING COMMISSION ACTION:** On Monday, September 12, 2022, the Polk City Planning Commission voted 4 to 0 to forward the Small Scale Future Land Use Map Amendment and Rezoning to the City Commission with a recommendation of approval.

**ATTACHMENTS:**

- Aerial Photo Map | Existing Future Land Use Map | Proposed Future Land Use Map
- Existing Zoning Map | Proposed Zoning Map

**CITY COMMISSION MOTION OPTIONS:**

**Future Land Use Map Amendment Motion Options:**

1. Approve Ordinance 2022-06 on First Reading.
2. Approve Ordinance 2022-06 with changes on First Reading.
3. Deny Ordinance 2022-06 on First Reading.

**Rezoning Motion Options:**

1. Approve Ordinance 2022-07 on First Reading.
2. Approve Ordinance 2022-07 with changes on First Reading.
3. Deny Ordinance 2022-07 on First Reading.

**OVERVIEW:**

<b>Applicant/Owner</b>	Polk City / MDM Designs, Inc
<b>Parcel IDs</b>	25-26-33-000000-023100
<b>Subject Area</b>	+/- 0.27 acres
<b>Existing Future Land Use</b>	Commercial
<b>Proposed Future Land Use</b>	Medium Density Residential
<b>Existing Zoning</b>	C-2 Commercial
<b>Proposed Zoning</b>	R-3 Single Family and Duplex

Polk City is requesting a Future Land Use Map Amendment and rezoning to change the Future Land Use and zoning of +/- 0.27 acres from the Future Land Use of Commercial to Medium Density Residential (MDR) and the zoning of C-2 Commercial to R-3 Single Family and Duplex Residential to correct a mapping error. The subject parcel is located north of Lake Agnes, address being 957 Lakeshore Drive, Polk City. See attached Aerial Photo Map.

**BACKGROUND & REASON FOR REQUEST:**

The purpose of the request is to correct a mapping error on the Polk City Future Land Use and Zoning maps.

**STANDARDS FOR EVALUATING FUTURE LAND USE AND ZONING CHANGES:**

The Polk City Planning Commission will provide recommendations, and the City Commission will make a final motion to accept, reject, modify, return, or continue to seek additional information on all proposed Future Land Use and zoning changes. The review shall be considered and evaluated against the following standards:

- *Consistency with the Comprehensive Plan and Land Development Code.*
- *Land Use Compatibility.*
- *Public Facilities and Services Analysis.*

**Consistency with the Comprehensive Plan and Land Development Code:**

The request is to change the Future Land Use from Commercial to Medium Density Residential (MDR) and the zoning of C-2 Commercial to City R-3 Single Family and Duplex Residential. Descriptions for both the existing and proposed Future Land Use and zoning designations are provided as follows:

***Existing – Future Land Use***

**Polk City Comprehensive Plan, Future Land Use Element, Policy 4.3.d – Commercial:** The primary function of the Commercial classification is to accommodate the shopping needs of residents living in and near Polk City. The Commercial classification permits neighborhood service commercial uses; and accommodates traditional retail commercial needs of the market area both along the

highway and in the downtown core of the market area. This category permits schools and other public uses appropriate to commercial areas. Floor area ratio for commercial structures shall not exceed 0.35.

### ***Proposed – Future Land Use***

**Polk City Comprehensive Plan, Future Land Use Element, Policy 4.3.c – Medium Density Residential:** The primary function of the Residential Medium Density classification is to accommodate multi-family residential development. Permitted uses include duplexes, apartments, condominiums, manufactured (mobile) home parks or subdivisions, RV parks, and single-family homes. Intensity is one single family home per lot; or one duplex per lot; or two buildings of five units each per lot. Maximum density is 10.0 residential dwelling units per acre. This category permits schools and other public uses appropriate to residential neighborhoods.

### ***Existing – Zoning***

**Polk City Land Development Code, Section 2.04.02.10 – C-2 General Commercial District:** The Purpose of this zoning district is to designate areas within the City of Polk City which are deemed to be uniquely appropriate, by reason of central location and convenient access, for the development and operation of community shopping and business uses; to encourage the grouping and interrelationship of said uses so as to permit a high level of pedestrian movement within the district; to designate such uses as are appropriate for development within a central community commercial area; and to set forth such development standards and provisions as are appropriate to ensure the proper development and functioning of uses within the district.

### ***Proposed –Zoning***

**Polk City Land Development Code, Section 2.04.02.05 – R-3 Single Family and Duplex Residential:** The purpose of this zoning district is to allow for the development of single-family homes and duplexes on small lots.

**Land Use Compatibility**

The subject parcel is surrounded by a mix of Low and Medium Density Residential Future Land Use, and Commercial Future Land Uses. The adjacent parcels consist of single-family homes, Groves and Commercial. The *Land Use Matrix* below outlines the existing and proposed Future Land Use and zoning of the subject parcels, the existing Future Land Use and zoning of adjacent properties, and the existing land use of the subject parcels and adjacent properties. Proposed Future Land Use and Zoning Maps are also provided for reference.

**Land Use Matrix**

Northwest	North	Northeast
<b>Future Land Use:</b> Residential Medium  <b>Zoning:</b> R-3  <b>Existing Land Use:</b> Cropland	<b>Future Land Use:</b> Commercial  <b>Zoning:</b> C-2  <b>Existing Land Use:</b> Cropland	<b>Future Land Use:</b> Commercial  <b>Zoning:</b> C-2  <b>Existing Land Use:</b> Cropland
West	Subject Parcels	East
<b>Future Land Use:</b> R-1  <b>Zoning:</b> Residential Low  <b>Existing Land Use:</b> Single Family Residential	<b>Future Land Use:</b> <u>Existing:</u> Commercial <u>Proposed:</u> Medium Density  <b>Zoning:</b> <u>Existing:</u> C-2 General Commercial <u>Proposed:</u> R-3  <b>Existing Land Use:</b> Vacant	<b>Future Land Use:</b> Commercial  <b>Zoning:</b> C-2  <b>Existing Land Use:</b> Vacant
Southwest (Across Lakeshore Drive)	South (Across Lakeshore Drive)	Southeast (Across Lakeshore Drive)
<b>Future Land Use:</b> Agriculture  <b>Zoning:</b> OUA - Open Use Agriculture  <b>Existing Land Use:</b> Citrus with Undeveloped Land	<b>Future Land Use:</b> Agriculture  <b>Zoning:</b> OUA - Open Use Agriculture  <b>Existing Land Use:</b> Citrus with Undeveloped Land	<b>Future Land Use:</b> Agriculture  <b>Zoning:</b> OUA - Open Use Agriculture  <b>Existing Land Use:</b> Citrus with Undeveloped Land

The current Commercial Future Land Use does not permit residential development. The proposed Medium Density Residential Future Land Use permits up to ten (10) dwelling units per acre. At +/- 0.27 acres, under the proposed Medium Density Residential Future Land Use, the maximum density would be 2.7 dwelling units. This is an increase of 2.7 dwelling units. See table below.

	Future Land Use Designation	
	Commercial	Medium Density Residential
<b>Permitted Density</b>	0	10 DUs / acre
<b>Subject Parcel Acreage</b>	+/- 0.27 acres	+/- 0.27 acres
<b>Maximum Density</b>	0 dwelling units (0.27 x 0)	2.7 dwelling units (0.27 x 10)
<b>Density change</b>	+2.7 dwelling units*	

The proposed request corrects a mapping error and recognizes the subject property as residential. The request is found to be compatible with the character of the surrounding area.

**Public Facilities and Services Analysis:**

The following is a summary analysis of the potential impacts on existing public facilities and services.

**Potable Water**

Additional development resulting from this change can be adequately served by the Polk City potable water delivery system.

**Sanitary Sewer**

Additional development resulting from this change can be adequately served by the Polk City current wastewater system.

**Solid Waste:**

Polk County plans solid waste capacity for all municipalities in Polk County as well as unincorporated Polk County. It has been determined by Polk County that there is sufficient capacity for Polk City to meet LOS standards for approximately 65 years. Solid waste within Polk City is collected by private company.

**Transportation/Traffic:**

The proposed amendments will not have a substantial impact on traffic.

**School Concurrency:**

There is adequate school capacity.

**Recreation/Open Space:**

The City has adequate recreation and open space.

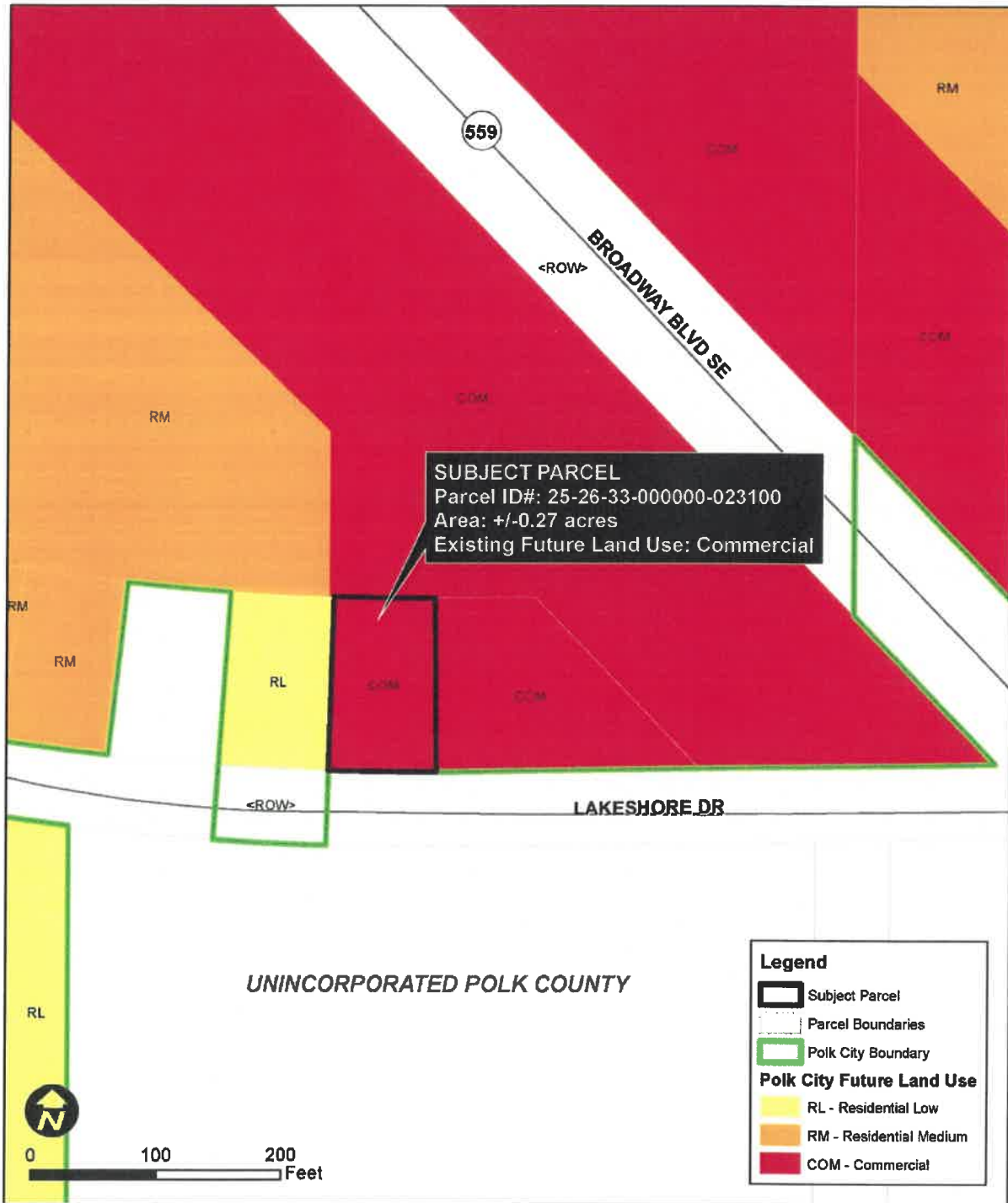
**Emergency Services:**

The County provides police protection, EMS, and fire protection.

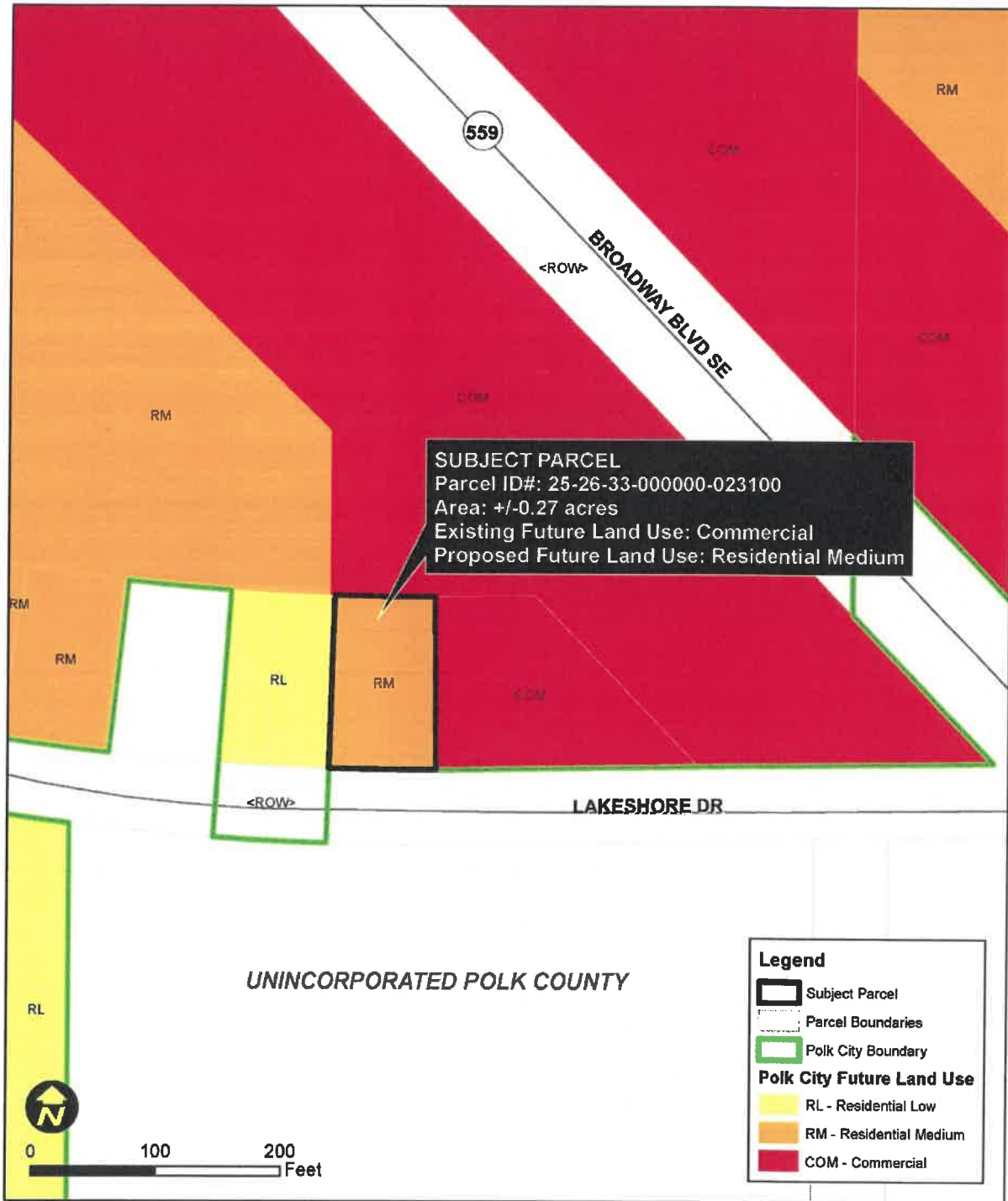




City of Polk City  
**EXISTING FUTURE LAND USE MAP**

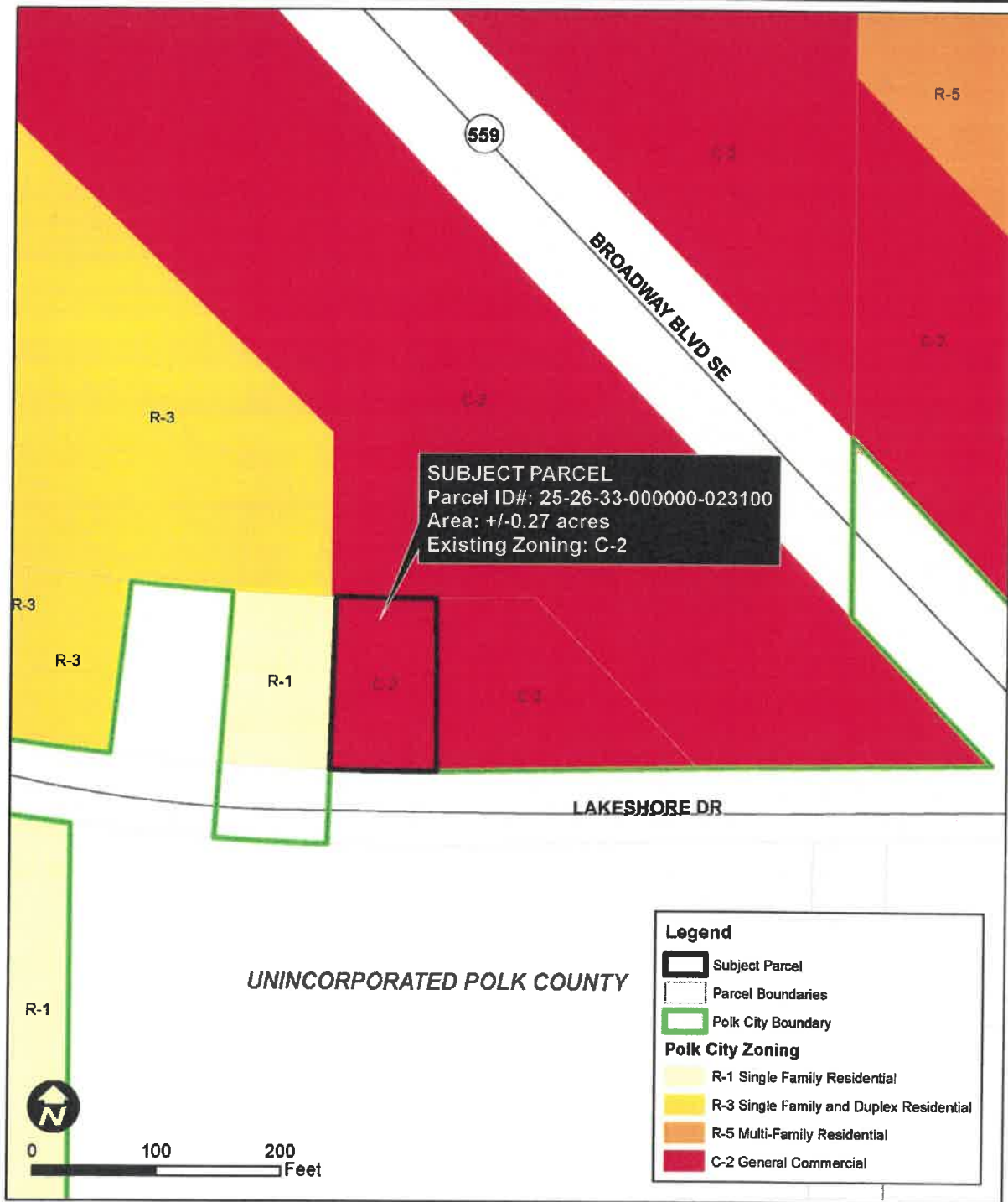


City of Polk City  
**PROPOSED FUTURE LAND USE MAP**

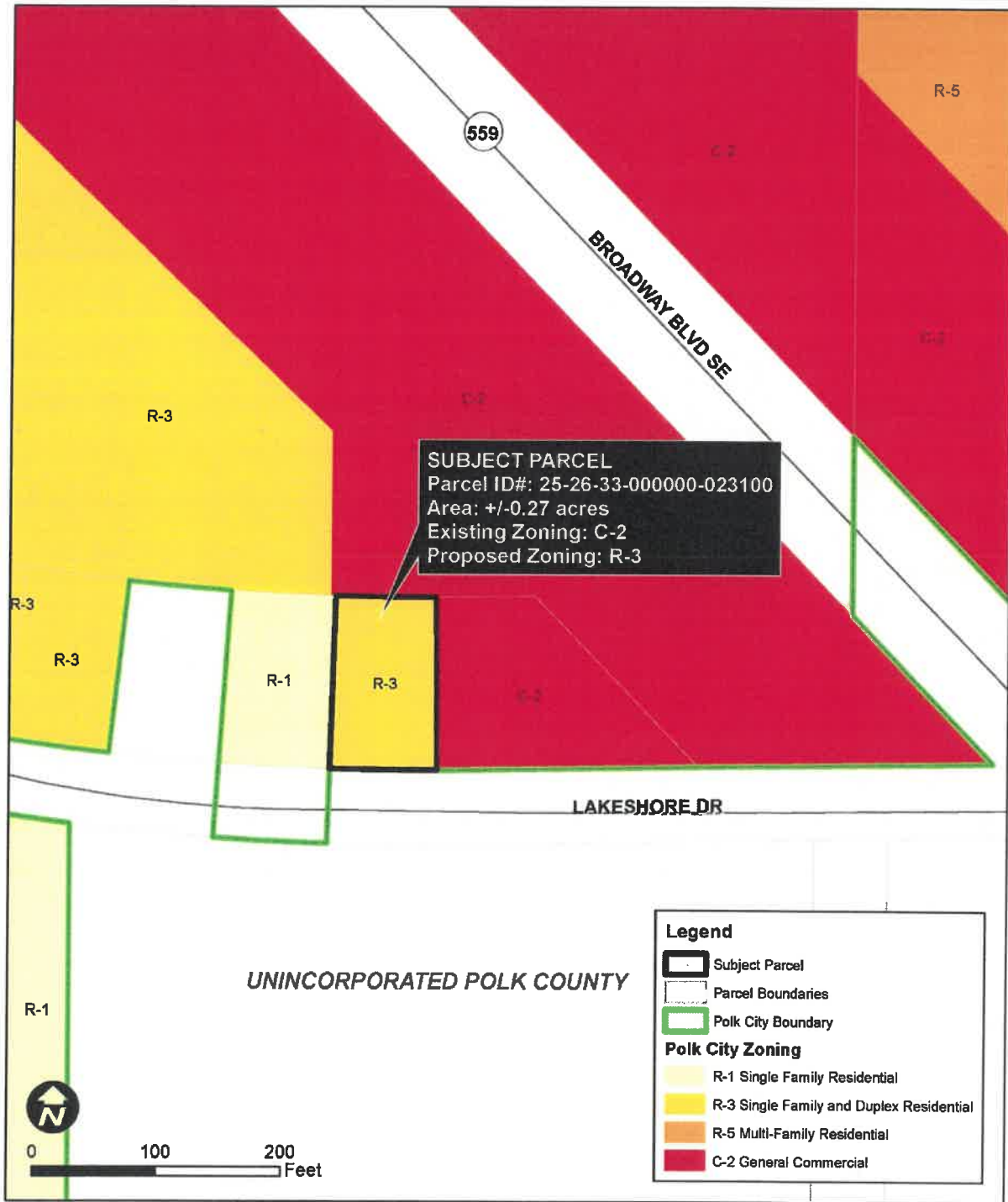




# City of Polk City EXISTING ZONING MAP



City of Polk City  
**PROPOSED ZONING MAP**



**City Commission Meeting  
October 18, 2022**

**AGENDA ITEM #3: PUBLIC HEARING - Ordinance 2022-08 - Text Amendment to the Land Development Code – Medical Marijuana Treatment Center Dispensing Facilities**

     INFORMATION ONLY  
  X   ACTION REQUESTED

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**ISSUE:**

Ordinance 2022-08 - Text Amendment to the Land Development Code – Medical Marijuana Treatment Center Dispensing Facilities

**ATTACHMENTS:**

- CFRPC Staff Overview
- Ordinance 2022-08

**ANALYSIS:**

City Initiated text amendments to the Polk City Land Development Code to address Medical Marijuana Treatment Center Dispensing Facilities.

On Monday, September 12, 2022, the Polk City Planning Commission voted 4/0 to forward the Option #2 – an Ordinance banning Medical Marijuana Treatment Center Dispensing Facilities with a recommendation of approval.

CFRPC Staff Member will be at the City Commission Meeting to address any questions or concerns regarding this Ordinance.

On Monday, September 19, 2022, the City Commission unanimously approved Option #2 on First Reading.

**STAFF RECOMMENDATION:**

Approve the Ordinance 2022-08 banning Medical Marijuana Treatment Center Dispensing Facilities on **Second and Final Reading**

**ORDINANCE 2022-08**

**AN ORDINANCE OF POLK CITY, FLORIDA; CREATING SUBSECTION 2.02.14 , POLK CITY LAND DEVELOPMENT CODE, PROHIBITING MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES WITHIN CITY BOUNDARIES; PROVIDING LEGISLATIVE FINDINGS; PROVIDING MORATORIUM CONTINGENCY, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

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

**SECTION 1. FINDINGS AND INTENT.** In adopting this Ordinance, the City Commission of Polk City, Florida hereby makes the following legislative findings and intent:

(1) Polk City has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida; Chapters 163 and 166, *Florida Statutes*; and Section 381.986, *Florida Statutes*.

(2) Potential adverse impacts on the health, safety, and welfare of residents and business from secondary effects associated with the sale and distribution of marijuana exist, potentially including: offensive odors, trespassing, theft, fire hazards, increased crime in and about the medical marijuana dispensing facility business, robberies, negative impacts on nearby businesses, nuisance problems.

(3) Certain of the above potential adverse impacts are accentuated by the current difficulties experienced by medical marijuana dispensing facility business in obtaining banking services necessitating such businesses to operate on a cash basis.

(4) There exists the potential for misappropriation and diversion of medical marijuana to non-medical uses.

(5) The Marijuana Policy Group has published a memorandum called "Municipal Dispensary Allocation: Florida," which evaluated the market need for medical marijuana dispensing facilities and the harmful consequences and secondary effects of over-saturation of medical marijuana dispensing facilities within the market place.

(6) The Marijuana Policy Group determined that Florida should have no more than one dispensing facility for each fifty-thousand residents and the optimal ratio is one dispensing facility per 67,222 residents, and Polk City has a population of approximately 2,902 residents, well below such ratios.

(7) Section 381.986(11), *Florida Statutes*, authorizes a county or municipality to "ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that county or municipality."

(8) Section 381.986(11) further provides that “[a] county or municipality that does not ban dispensing facilities under this subparagraph may not place specific limits, by ordinance, on the number of dispensing facilities that may locate within that county or municipality,” and that “[e]xcept as provided in paragraph (c), a county or municipality may not enact ordinances for permitting or for determining the location of dispensing facilities which are more restrictive than its ordinances permitting or determining the locations for pharmacies licensed under chapter 465.”

(9) Given the secondary effects of medical marijuana dispensing facilities, The Marijuana Policy Group’s analysis of optimal population ratios, and the statutory restrictions on local government authority to regulate the number and location of dispensing facilities if not banned, there is a rational basis for Polk City to exercise its authority under Section 381.986(11), Florida Statutes, to ban dispensing facilities within the boundaries of Polk City.

(10) Given the rapidly evolving landscape of medical marijuana in the State of Florida and that the legislature has allowed local jurisdictions only two options: 1) allow medical marijuana treatment center dispensaries within their jurisdictional boundaries and regulate same no more stringently than they regulate pharmacies; or 2) ban medical marijuana treatment center dispensaries within their jurisdictional boundaries altogether; the City Commission finds it to be in the best interest of the health, safety, and welfare of the residents, businesses, and visitors of Polk City to prohibit medical marijuana treatment center dispensaries within the jurisdictional boundaries of the City at this time.

(11) Given the rapidly evolving landscape of medical marijuana within the State of Florida and that the State legislative action was the result of an amendment to the State Constitution, the City Commission believes there is a high likelihood of future State legislation regarding medical marijuana and potential for legal challenges to the State legislation already adopted.

(12) The City Commission desires to ensure that, in the event of any change, whether legislative, judicial, or administrative, to the City’s authority to prohibit medical marijuana treatment center dispensaries within its jurisdictional boundaries, the City has sufficient time to consider and adopt any standards or regulations regarding medical marijuana and medical marijuana treatment center dispensaries that are consistent with Florida law at that time to protect the health, safety, and welfare of the citizens, businesses, and visitors of Polk City.

(13) Accordingly, the City Commission has found it necessary to include in this Ordinance a moratorium on the acceptance, processing and approval of medical marijuana treatment center dispensaries (including by way of acceptance, processing and approval of applications for development orders and permits) within the City limits that would last one year from the effective date of any legislative change or final court order striking or otherwise altering the Polk City’s ability to ban or prohibit medical marijuana treatment center dispensaries within the City limits.



(14) In accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City's Planning and Zoning Commission, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting, at which time interested parties and citizens had the opportunity to be heard and such regulations were recommended to the City Commission for adoption.

(15) The City Commission, after taking into consideration the recommendations of the Planning and Zoning Board and the City Staff, and the comments received during the public hearing process, finds that the proposed revisions and amendments are appropriate, desirable, and in the best interests of the City.

(16) The City Commission has determined that it is in the best interest of the public health, safety, environment and general welfare to adopt this Ordinance.

**SECTION 2. AMENDMENT OF CITY LAND DEVELOPMENT CODE.** Section 2.02.00 of the Polk City Land Development Code is hereby amended to add the following new provision:

**"Section 2.02.14 Medical Marijuana Treatment Center Dispensing Facilities.**

(a) Prohibition. Medical Marijuana Treatment Center Dispensing Facilities are prohibited and shall not be located within the boundaries of the City. The City shall not accept, process or approve any request or application for a development order, building permit or other approval associated with a proposed Medical Marijuana Treatment Center Dispensing Facility.

(b) Definition. For purposes of this section, the term "Medical Marijuana Treatment Center Dispensing Facility" means any facility where medical marijuana, or any product derived therefrom, is dispensed."

**SECTION 3. MORATORIUM CONTINGENCY.** In the event Section 381.986, *Florida Statutes*, is amended or interpreted by a court of competent jurisdiction in a way as to eliminate or prevent Polk City's ability to ban or prohibit Medical Marijuana Treatment Center Dispensing Facilities within the City limits (or such statute or this Ordinance is interpreted in a manner to prevent the enforcement of Section 2.02.00 of the Land Development Code adopted by this Ordinance), upon the effective date of such legislative or administrative amendment or applicable final court order, an automatic one-year moratorium shall go into place on the acceptance, processing and approval of Medical Marijuana Treatment Center Dispensing Facilities (including by way of acceptance, processing and approval of applications for development orders and permits) within the City limits in order to give the City time to evaluate changes in the applicable law and the City's ability to regulate such uses and activities and potentially enact local legislation regarding the same. Such one-year moratorium may be terminated prior to one year through resolution or ordinance of the City Commission.

**SECTION 4. CONFLICTS.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Land Development Code (LDC), unless such repeal is explicitly set forth herein.

**SECTION 5. SEVERABILITY.** If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall be effective immediately upon final passage by the City Commission.

**INTRODUCED AND PASSED on FIRST READING,** this \_\_\_ day of \_\_\_\_\_, 2022.

**POLK CITY, FLORIDA**

\_\_\_\_\_  
Joe LaCascia, Mayor

**ATTEST:**

**APPROVED AS TO FORM AND  
CORRECTNESS:**

\_\_\_\_\_  
Patricia Jackson, City Manager/Clerk

\_\_\_\_\_  
Thomas A. Cloud, City Attorney

**PASSED AND DULY ADOPTED ON SECOND READING,** with a quorum present and voting by the City Commission of Polk City, Florida meeting in Regular Session this \_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Joe LaCascia, Mayor

**ATTEST:**

\_\_\_\_\_  
Patricia Jackson, City Manager/Clerk



**POLK CITY PLANNING COMMISSION  
TEXT AMENDMENT TO POLK CITY LAND DEVELOPMENT CODE  
CONCERNING MEDICAL MARIJUANA DISPENSING FACILITIES**

**OVERVIEW**

September 19, 2022

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**TO:** Polk City Commission

**FROM:** Central Florida Regional Planning Council

**SUBJECT:** **Ordinance 2022-08: Text Amendment to the Land Development Code:**  
City-initiated text amendments to the Polk City Land Development Code to  
address medical marijuana treatment center dispensing facilities.

**AGENDA DATE:**

Planning Commission Meeting: September 12, 2022 at 6:30 PM

**City Commission Meeting (First Reading): September 19, 2022 at 7:00 PM**

City Commission Meeting (Second Reading): October 17, 2022 at 7:00 PM

**PLANNING COMMISSION ACTION:** On Monday, September 12, 2022, the Polk City Planning Commission voted 4 to 0 to forward the Option 2 –an ordinance banning Medical Marijuana Treatment Center Dispensing Facilities with a recommendation of approval.

**ATTACHMENTS:**

- Florida Statute 381.986 Medical Use of Marijuana
- Ordinance language for Option 1 - Approval of Medical Marijuana Treatment Center Dispensing Facilities
- Ordinance language for Option 2 - Ban Medical Marijuana Treatment Center Dispensing Facilities

**SUMMARY:**

Florida Statutes Section 381.986 provides local governments options for handling medical marijuana treatment center dispensing facilities, including the right to ban medical marijuana treatment center dispensing facilities. If a local government does not ban them, they must treat them in the same manner as pharmacies. Florida Statutes also provides specific requirements for medical marijuana treatment center dispensing facilities relating to distance requirements from schools, safety & security requirements such as alarm systems and video monitoring (find attached F.S. 381.986).

In the Green Swamp Area of Critical State Concern, drug stores are listed as a permitted use in the NAC-X District, which means medical marijuana treatment center dispensing facilities are allowed by default in the NAC-X District.

Neighborhood Activity Center (NAC): The purpose of the NAC district is to provide for the daily shopping needs of residents within neighborhoods surrounding the center. The NAC district non-residential uses such as offices, grocery stores, drug stores banks and community facilities.

Conversely, Polk City's existing Land Development Regulations do not address pharmacies (or drug stores) as a permitted use in the Green Swamp Exemption Area. However, drug stores are included in the definition of commercial uses in Article 9 of the LDRs as follows:

**Commercial Uses:** Activities within land areas which are predominantly connected with the sale, rental and distribution of products, or performance of services, such as but not limited to: antique shop; bakery (goods for sale only on premises at retail); barber shop and beauty shop; bicycle sales and repair; book, magazine, or stationary store; bus passenger terminal; candy or confectionery store; dairy products store; delicatessen; department store; drug store; dry cleaning and/or laundry pick-up station for work to be done elsewhere; florist shop; food store; furniture store; gift shop; gun shop; hobby and toy store; jewelry, watch store and repair; Laundromat (self-service); mini-warehouse; music or record store; paint, glass or wallpaper store (retail); photography supply and service store; reupholster and furniture repair service; shoe store and repair shop; sporting goods store; tailor or dressmaker; theater (indoor); variety or dry goods store; wearing apparel shop.

Additionally, Table 4 of Section 2.04.01 of the LDRs provides information regarding permitted uses for all zoning districts. Similar uses are permitted; and the zoning district in which they are permitted is to be determined by the Development Director. Below is an excerpt of Table 4 that demonstrates examples of uses that are also permitted in the C-1 and C-2 Districts within the Green Swamp Exemption Area.

The key to the table is as follows:

- P = Permitted Use
- D = Site Development Plan required, use is permitted upon approval of Site Development Plan
- S = Special Exception Use, Planning Commission action required
- C = Conditional Use, Planning Commission and City Commission action required

Table 4 - Table of Uses for Each Zoning District

Category/Use	AG1	AG2	R1	R2	R3	R4	R5	MH	C1	C2	M1	M2	PB	PR	CN
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**Retail Commercial, no outdoor storage or activities**

Antique shop									D	D					
Barbershop									D	D					
Beauty shop									D	D					
Building supply, indoor									D	D					
Convenience Store-no gas									D	D					
Copy Store (i.e. Kinko's)									D	D					
Flower Shop									D	D					
General retail shops									D	D					

**BACKGROUND OF MEDICAL MARIJUANA DISPENSARIES:**

Summary of the medical marijuana dispensary law, including local and state action:

- On June 16, 2014, the Governor signed the “Compassionate Medical Cannabis Act of 2014” into state law, which serves as an outline for its medical marijuana industry. It allows limited access to cannabidiol, or CBD, based medical marijuana for treatment of chronic epileptic seizures and some other severe illnesses. The requirements are included in Florida Statutes Section 381.986. Part of this law authorizes the establishment of five dispensing organizations, one in each of the following regions: northwest Florida, northeast Florida, central Florida, southeast Florida, and southwest Florida, to ensure reasonable statewide accessibility and availability as necessary for patients registered in the compassionate use registry and who are prescribed low-THC cannabis under the requirements of the law.

- On March 25, 2016, the Governor signed the “Compassionate Use of Low-THC and Medical Cannabis” into State law. It amended the statute and legalized the cultivation, production, and dispensing of "Medical Cannabis" as defined in the statute, and derivative products, by a licensed dispensing organization to "Eligible Patients," as defined in Section 499.0295, Florida Statutes
- On November 8, 2016, Florida voters approved a ballot initiative to amend the Florida Constitution creating Article X, section 29, Medical Marijuana Production, Possession, and Use, to allow broader sale and use of marijuana to treat debilitating medical conditions for eligible patients. It is also requires the Department of Health to register and regulate marijuana production and distribution centers.
- On January 16, 2017, Polk City placed a one-year moratorium (Ordinance 2016-10) on medical marijuana treatment centers to allow for a review from the Planning and Zoning Commission to determine if and where medical marijuana treatment centers should be located.
- On June 9, 2017, the Florida Legislature passed a medical marijuana bill (Senate Bill 8-A) to implement Article X, section 29 of the Florida Constitution, which allows the use of marijuana by patients with debilitating medical conditions.
- On June 23, 2017, the Florida Governor signed the medical marijuana bill into law. The law went into effect on July 1, 2017.
- At present, the City’s moratorium (as approved by Ordinance 2016-10) has expired.

**OPTIONS FOR CONSIDERATION:**

**Option 1: Approval of Medical Marijuana Treatment Center Dispensing Facilities**

Polk City’s Table of Uses does not specifically address pharmacies as a use. Pharmacies and Medical Marijuana Treatment Center Dispensing Facilities would be added to the Table of Uses as a permitted use (P) in the C-1 Residential, Business and Professional District, and C-2 General Commercial zoning districts. Subsection 2.02.14 would outline the specific requirements for Medical Marijuana Treatment Center Dispensing Facilities as required through Florida Statute 381.986.



**Option 2: Ban Medical Marijuana Treatment Center Dispensing Facilities**

Adopt an ordinance banning Medical Marijuana Treatment Center Dispensing Facilities.

Even if the City decides to adopt an ordinance banning Medical Marijuana Treatment Center Dispensing Facilities, it would be recommended that Pharmacies be added to the Table of Uses as a permitted use (P) in the C-1 Residential, Business and Professional District and C-2 General Commercial zoning districts to recognize this use. Subsection 2.02.14 would be added to clarify that Medical Marijuana Treatment Center Dispensing Facilities are prohibited within the City.

## **OPTION 2:**

**Ban Medical Marijuana Treatment Center Dispensing  
Facilities in Land Development Code**



**ORDINANCE NO. 2022-08**

**AN ORDINANCE OF POLK CITY, FLORIDA; CREATING SUBSECTION 2.02.14 , POLK CITY LAND DEVELOPMENT CODE, PROHIBITING MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES WITHIN CITY BOUNDARIES; PROVIDING LEGISLATIVE FINDINGS; PROVIDING MORATORIUM CONTINGENCY, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

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(1) Polk City has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida; Chapters 163 and 166, *Florida Statutes*; and Section 381.986, *Florida Statutes*.

(2) Potential adverse impacts on the health, safety, and welfare of residents and business from secondary effects associated with the sale and distribution of marijuana exist, potentially including: offensive odors, trespassing, theft, fire hazards, increased crime in and about the medical marijuana dispensing facility business, robberies, negative impacts on nearby businesses, nuisance problems.

(3) Certain of the above potential adverse impacts are accentuated by the current difficulties experienced by medical marijuana dispensing facility business in obtaining banking services necessitating such businesses to operate on a cash basis.

(4) There exists the potential for misappropriation and diversion of medical marijuana to non-medical uses.

(5) The Marijuana Policy Group has published a memorandum called "Municipal Dispensary Allocation: Florida," which evaluated the market need for medical marijuana dispensing facilities and the harmful consequences and secondary effects of over-saturation of medical marijuana dispensing facilities within the market place.

(6) The Marijuana Policy Group determined that Florida should have no more than one dispensing facility for each fifty-thousand residents and the optimal ratio is one dispensing facility per 67,222 residents, and Polk City has a population of approximately 2,902 residents, well below such ratios.

(7) Section 381.986(11), *Florida Statutes*, authorizes a county or municipality to "ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that county or municipality."

(8) Section 381.986(11) further provides that “[a] county or municipality that does not ban dispensing facilities under this subparagraph may not place specific limits, by ordinance, on the number of dispensing facilities that may locate within that county or municipality,” and that “[e]xcept as provided in paragraph (c), a county or municipality may not enact ordinances for permitting or for determining the location of dispensing facilities which are more restrictive than its ordinances permitting or determining the locations for pharmacies licensed under chapter 465.”

(9) Given the secondary effects of medical marijuana dispensing facilities, The Marijuana Policy Group’s analysis of optimal population ratios, and the statutory restrictions on local government authority to regulate the number and location of dispensing facilities if not banned, there is a rational basis for Polk City to exercise its authority under Section 381.986(11), Florida Statutes, to ban dispensing facilities within the boundaries of Polk City.

(10) Given the rapidly evolving landscape of medical marijuana in the State of Florida and that the legislature has allowed local jurisdictions only two options: 1) allow medical marijuana treatment center dispensaries within their jurisdictional boundaries and regulate same no more stringently than they regulate pharmacies; or 2) ban medical marijuana treatment center dispensaries within their jurisdictional boundaries altogether; the City Commission finds it to be in the best interest of the health, safety, and welfare of the residents, businesses, and visitors of Polk City to prohibit medical marijuana treatment center dispensaries within the jurisdictional boundaries of the City at this time.

(11) Given the rapidly evolving landscape of medical marijuana within the State of Florida and that the State legislative action was the result of an amendment to the State Constitution, the City Commission believes there is a high likelihood of future State legislation regarding medical marijuana and potential for legal challenges to the State legislation already adopted.

(12) The City Commission desires to ensure that, in the event of any change, whether legislative, judicial, or administrative, to the City’s authority to prohibit medical marijuana treatment center dispensaries within its jurisdictional boundaries, the City has sufficient time to consider and adopt any standards or regulations regarding medical marijuana and medical marijuana treatment center dispensaries that are consistent with Florida law at that time to protect the health, safety, and welfare of the citizens, businesses, and visitors of Polk City.

(13) Accordingly, the City Commission has found it necessary to include in this Ordinance a moratorium on the acceptance, processing and approval of medical marijuana treatment center dispensaries (including by way of acceptance, processing and approval of applications for development orders and permits) within the City limits that would last one year from the effective date of any legislative change or final court order striking or otherwise altering the Polk City’s ability to ban or prohibit medical marijuana treatment center dispensaries within the City limits.

(14) In accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City's Planning and Zoning Commission, sitting as the Local Planning Agency (LPA) as designated by the City, at a duly advertised public meeting, at which time interested parties and citizens had the opportunity to be heard and such regulations were recommended to the City Commission for adoption.

(15) The City Commission, after taking into consideration the recommendations of the Planning and Zoning Board and the City Staff, and the comments received during the public hearing process, finds that the proposed revisions and amendments are appropriate, desirable, and in the best interests of the City.

(16) The City Commission has determined that it is in the best interest of the public health, safety, environment and general welfare to adopt this Ordinance.

**SECTION 2. AMENDMENT OF CITY LAND DEVELOPMENT CODE.** Section 2.02.00 of the Polk City Land Development Code is hereby amended to add the following new provision:

**"Section 2.02.14 Medical Marijuana Treatment Center Dispensing Facilities.**

(a) Prohibition. Medical Marijuana Treatment Center Dispensing Facilities are prohibited and shall not be located within the boundaries of the City. The City shall not accept, process or approve any request or application for a development order, building permit or other approval associated with a proposed Medical Marijuana Treatment Center Dispensing Facility.

(b) Definition. For purposes of this section, the term "Medical Marijuana Treatment Center Dispensing Facility" means any facility where medical marijuana, or any product derived therefrom, is dispensed."

**SECTION 3. MORATORIUM CONTINGENCY.** In the event Section 381.986, *Florida Statutes*, is amended or interpreted by a court of competent jurisdiction in a way as to eliminate or prevent Polk City's ability to ban or prohibit Medical Marijuana Treatment Center Dispensing Facilities within the City limits (or such statute or this Ordinance is interpreted in a manner to prevent the enforcement of Section 2.02.00 of the Land Development Code adopted by this Ordinance), upon the effective date of such legislative or administrative amendment or applicable final court order, an automatic one-year moratorium shall go into place on the acceptance, processing and approval of Medical Marijuana Treatment Center Dispensing Facilities (including by way of acceptance, processing and approval of applications for development orders and permits) within the City limits in order to give the City time to evaluate changes in the applicable law and the City's ability to regulate such uses and activities and potentially enact local legislation regarding the same. Such one-year moratorium may be terminated prior to one year through resolution or ordinance of the City Commission.

**SECTION 4. CONFLICTS.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Land Development Code (LDC), unless such repeal is explicitly set forth herein.

**SECTION 5. SEVERABILITY.** If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall be effective immediately upon final passage by the City Commission.

**INTRODUCED AND PASSED ON FIRST READING,** this \_\_\_ day of \_\_\_\_\_, 2022.

**POLK CITY, FLORIDA**

\_\_\_\_\_  
Joe LaCascia, Mayor

**ATTEST:**

**APPROVED AS TO FORM AND  
CORRECTNESS:**

\_\_\_\_\_  
Patricia Jackson, City Manager/Clerk

\_\_\_\_\_  
Thomas A. Cloud, City Attorney

**PASSED AND DULY ADOPTED ON SECOND READING,** with a quorum present and voting by the City Commission of Polk City, Florida meeting in Regular Session this \_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Joe LaCascia, Mayor

**ATTEST:**

\_\_\_\_\_  
Patricia Jackson, City Manager/City Clerk

**City Commission Meeting  
October 18, 2022**

**AGENDA ITEM #4:**            **PUBLIC HEARING - ORDINANCE 2022-09 – Vacation of Drainage and Utility Easements at 133 Bayberry Drive in the Sandy Pointe Subdivision**

       INFORMATION ONLY  
  X   ACTION REQUESTED

---

**ISSUE:**

Ordinance 2022-09 – Vacation of Drainage and Utility Easements at 133 Bayberry Drive in the Sandy Pointe Subdivision

**ATTACHMENTS:**

Overview Report from Central Florida Regional Planning Council  
Ordinance 2022-09  
Easement Agreement

**ANALYSIS:**

This is an applicant-initiated (Susan Borsje') request to vacate two existing easements on either side of Sweet Gum Lane between Lots #28 and #29 as depicted on the Sandy Pointe Subdivision Plat. The easements will be combined into one and be relocated on the parcel.

The Planning Commission held a Public Hearing on September 12, 2022, and voted 4/0 to forward the vacation of easements to the City Commission with a recommendation of approval.

On the City Commission Meeting on Monday, September 19, 2022, the City Commission unanimously approved Ordinance 2022-09 on First Reading.

**STAFF RECOMMENDATION:**

Adopt Ordinance 2022-09 on **Second and Final Reading**

**ORDINANCE 2022-09**

**AN ORDINANCE OF POLK CITY, FLORIDA, VACATING THREE PLATTED EASEMENTS DESCRIBED BELOW; PROVIDING FINDINGS AND CONDITIONS; PROVIDING FOR A CERTIFIED COPY TO BE FILED WITH THE POLK COUNTY CLERK OF COURT AND DULY RECORDED IN THE PUBLIC RECORDS OF POLK COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**Section 1. Findings.** In adopting this Ordinance, the City Commission of Polk City hereby makes and expresses the following findings, purposes, and intent:

(1) Polk City has been conferred authority to vacate any street or alley by Sections 166.042 and 177.101, Florida Statutes.

(2) The Petitioner, Susan Borsje, requests the City, to forever vacate and abandon the easements located as described in Section 2 herein and as shown in Exhibit "A" which is attached and made a part hereof.

(3) Due public notice of the petition to seek the vacation of easement within the City was duly published in the Ledger for the purpose of hearing objections to the vacating of said easements at a public hearing held by the Polk City Planning Commission on September 12, 2022.

(4) On September 6, 2022, the City notified all property petitioner within the subdivision of the proposed closing of the easements, and the City Commission held a regularly scheduled City Commission meeting on Monday, September 19, 2022 at 7:00 p.m. for the purpose of hearing objections to vacating the underlying easements and notice thereof was duly published.

(5) Due public notice of the petition to seek the vacation of easements within the City was duly published in the Ledger for the purpose of hearing objections to the vacating of said easements at a public hearing held by the City Commission of Polk City on October 17, 2022.

(6) The City has determined there are no utilities located within the underlying easements, and City staff does not have any objections to the vacation of the easements.

(7) The City Commission, after having made a thorough study of the changing conditions in the neighborhood, being apprised of the existing facts, taking into

consideration the other easements whereby drainage and utilities may be routed, has determined that it is in the best interest of the Polk City and its residents that the said easements shall be forever vacated and abandoned.

**Section 2. Vacation of Platted Easements; Conditions to Vacating the Easements.** Based upon the findings set forth above, and the conditions set forth below, the City Commission hereby determines to conditionally vacate its easements as specified in Exhibit "A" hereof and articulated below:

(1) Platted Easements Located At 133 Bayberry Drive (Polk County Parcel Number 25-26-32-296016-000280) in the Sandy Pointe Subdivision; and described as Lot 29 Easement,

(2) A portion that certain drainage and utility easement as show as Lot 29 of Sandy Pointe, as recorded in Plat Book 90, Page 29, on the Public Records of Polk County, Florida; and described as Lot 28 Easement.

(3) A portion of that certain drainage and utility easement as shown on Lot 28 of Sandy Pointe, as recorded in Plat Book 90, Page 29, of the Public Records of Polk County, Florida; and a utilities easement being 10.00 feet in width and lying 5.00 feet each side of Lots 28 and 29 as recorded in Plat Book 90, Page 29, of the Public Records of Polk County, Florida.

The vacation of these easements is, however, subject to the following conditions:

(1) The Petitioner agree to indemnify and hold harmless the City from and against any and all claims, damages, liabilities, liens or expenses of any nature (including without limitations, costs, expenses, attorneys' and paralegals' fees) arising out of or resulting from the use of the vacated property, or the Petitioner' negligence or misconduct during its use of the vacated property, and,

(2) The Petitioner accept full responsibility and shall be obligated to prevent and maintain drainage in its current state from the property described in Exhibit "A" in this Ordinance. The Petitioner accept and acknowledge that Polk County has no responsibility for drainage from the property described in Exhibit "A" hereof; and,

(3) The Petitioner shall enter into that easement agreement attached to and incorporated in this Ordinance as Exhibit "B."

**Section 3. Filing and Recording of Certified Copy.** A certified copy of this Ordinance shall be filed with the Polk County Clerk of Court and duly recorded in the public records of Polk County in accordance with subsection 177.101(5) of the Florida Statutes.

**Section 4. Severability:** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 5. Conflict.** All existing ordinances or parts of existing ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6. Effective Date.** This Ordinance shall take effect upon receipt of a fully executed and binding written agreement signed by the Petitioner covenanting to the conditions of approval set forth in Section 2 of this ordinance in the form substantially the same as that attached to and incorporated in this ordinance as Exhibit "B."

**INTRODUCED AND PASSED** on First Reading the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**POLK CITY, FLORIDA**

\_\_\_\_\_  
**Joe LaCascia, Mayor**

**ATTEST:**

**Approved as to form and correctness:**

\_\_\_\_\_  
**Patricia R. Jackson, City Manager/Clerk**

\_\_\_\_\_  
**Thomas A. Cloud, City Attorney**

**PASSED AND DULY ADOPTED ON SECOND READING**, with a quorum present and voting by the City Commission of Polk City, Florida meeting in Regular Session this day of \_\_\_\_\_, 2022.

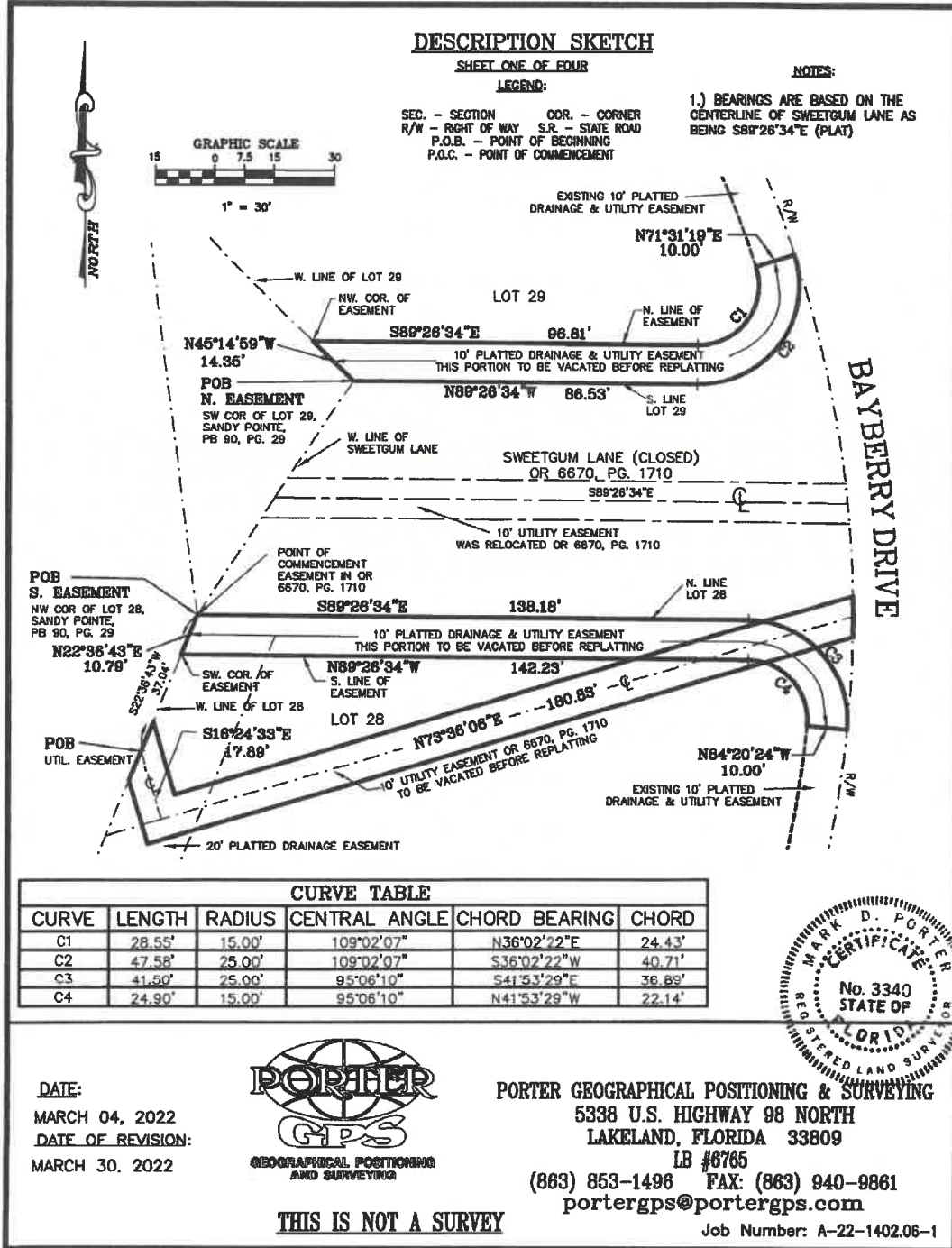
\_\_\_\_\_  
**Joe LaCascia, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Patricia R. Jackson, City Manager/Clerk**



**ORDINANCE NO. 2022-09  
EXHIBIT "A"**



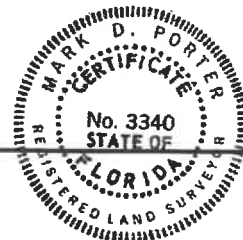
**DESCRIPTION SKETCH**

**SHEET TWO OF FOUR**

**DESCRIPTION: LOT 29 EASEMENT**

A portion of that certain Drainage and Utility Easement as shown on Lot 29 of SANDY POINT, as recorded in Plat Book 90, Page 29, of the Public Records of Polk County, Florida, being described as follows;

Begin at the Southwest corner of Lot 29 of said SANDY POINTE, thence North 45°14'59" West, along the West line of said Lot 29, a distance of 14.35 feet to the Northwest corner of said Easement, thence South 89°26'34" East, along the North line of said Easement, a distance of 96.81 feet to the Point of Curvature of a curve concaved to the Northwesterly having a Radius of 15.00 feet, a Central Angle of 109°02'07", a Chord Bearing of North 36°02'22" East and a Chord Distance of 24.43 feet, thence still along said North line and along the arc of said curve a distance of 28.55 feet, thence North 71°31'19" East a distance of 10.00 feet to the South line of said Lot 29, said point being on a non-tangent curve concaved to the Northwesterly having a Radius of 25.00 feet, a Central Angle of 109°02'07", a Chord Bearing of South 36°02'22" West and a Chord Distance of 40.71 feet, thence along said South line and the arc of said curve a distance of 47.58 feet, thence North 89°26'34" West, still along said South line, a distance of 86.53 feet to the POINT OF BEGINNING.



DATE:  
MARCH 04, 2022



PORTER GEOGRAPHICAL POSITIONING & SURVEYING  
5338 U.S. HIGHWAY 98 NORTH  
LAKELAND, FLORIDA 33809  
LB #6765  
(863) 853-1496 FAX: (863) 940-9861  
portergps@portergps.com

**THIS IS NOT A SURVEY**

Job Number: A-22-1402.06-2

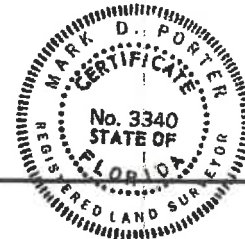
**DESCRIPTION SKETCH**

**SHEET THREE OF FOUR**

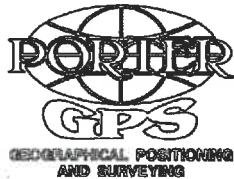
**DESCRIPTION: LOT 28 EASEMENT**

A portion of that certain Drainage and Utility Easement as shown on Lot 28 of SANDY POINT, as recorded in Plat Book 90, Page 29, of the Public Records of Polk County, Florida, being described as follows;

Begin at the Northwest Corner of said Lot 28, thence South 89°26'34" East, along the North line of said Lot 28, a distance of 138.18 feet to the Point of Curvature of a curve concaved to the Southwesterly having a Radius of 25.00 feet, a Central Angle of 95°06'10", a Chord Bearing of South 41°53'29" East and a Chord Distance of 36.89 feet, thence still along said North line, and along the arc of said curve a distance of 41.50 feet, thence North 84°20'24" West a distance of 10.00 feet to the South line of said Easement, said point being on a non-tangent curve concaved to the Southwesterly having a Radius of 15.00 feet, a Central Angle of 95°06'10", a Chord Bearing of North 41°53'29" West and a Chord Distance of 22.14 feet, thence along said South line and along the arc of said curve a distance of 24.90 feet to the Point of Tangency, thence North 89°26'34" West, still along said South line, a distance of 142.23 feet to the West line of said Lot 28, thence North 22°36'43" East, along said West line, a distance of 10.79 feet to the POINT OF BEGINNING.



DATE:  
MARCH 04, 2022  
DATE OF REVISION:  
MARCH 30, 2022



PORTER GEOGRAPHICAL POSITIONING & SURVEYING  
5338 U.S. HIGHWAY 98 NORTH  
LAKELAND, FLORIDA 33809  
LB #8765  
(863) 853-1496 FAX: (863) 940-9861  
portergps@portergps.com

**THIS IS NOT A SURVEY**

Job Number: A-22-1402.06-3

**DESCRIPTION SKETCH**

**SHEET FOUR OF FOUR**

**DESCRIPTION: UTILITY EASEMENT**

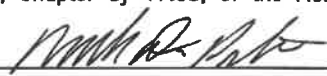
A Utilities Easement being 10.00 feet in width and lying 5.00 feet each side of the following described centerline;

Commence at the NW corner of Lot 28, SANDY POINTE SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 90, Page 29, of the Public Records of Polk County, Florida, thence S22°36'43"W along the West line of said Lot 28, a distance of 37.04 feet to the Point of Beginning, thence S16°24'33"E 17.89 feet, thence N73°36'06E 180.83 feet to the Westerly Right of Way line of Bayberry Drive and the end of this description.



**CERTIFICATION:**

I hereby certify that this drawing correctly reflects the description hereon and meets the Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5j-17.05, of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

  
Mark D. Porter Florida Registration #3340  
PORTER GEOGRAPHICAL POSITIONING & SURVEYING  
5338 U.S. HIGHWAY 98 NORTH  
LAKELAND, FLORIDA 33809  
LB #8765  
(863) 853-1496 FAX: (863) 940-9861  
portergps@portergps.com

DATE:  
MARCH 10, 2022  
DATE OF REVISION:  
MARCH 30, 2022



**THIS IS NOT A SURVEY**

Job Number: A-22-1402.06-4



**POLK CITY  
PETITION FOR VACATION OF DRAINAGE AND UTILITY EASEMENTS  
OVERVIEW REPORT**

**September 19, 2022**

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**TO:** Polk City Commission

**FROM:** Central Florida Regional Planning Council

**SUBJECT:** **Ordinance 2022-09 – Vacation of Drainage and Utility Easements at 133 Bayberry Drive in the Sandy Pointe Subdivision:** Applicant-initiated (Susan Borsje) request to vacate two existing easements on either side of Sweet Gum Lane between Lots #28 and #29 as depicted on the Sandy Pointe Subdivision Plat. *The easements will be combined into one and be relocated on the parcel.*

**AGENDA AND HEARING DATE:**

- September 12, 2022 at 5:30 PM: Planning Commission (Public Hearing)
- **September 19, 2022 at 7:00 PM: City Commission (First Reading)**
- October 17, 2022 at 7:00 PM: City Commission (Second Reading – Public Hearing)

**PLANNING COMMISSION ACTION:** On Monday, September 12, 2022, the Polk City Planning Commission voted 4 to 0 to forward the vacation of easements to the City Commission with a recommendation of approval.

**ATTACHMENTS:**

- Aerial Photo Map of Property
  
- Request for Vacation of Easement:
  - Map and legal description of easement to be vacated

**CITY COMMISSION MOTION OPTIONS:**

1. Approve Ordinance 2022-09 on First Reading.
  
2. Approve with changes Ordinance 2022-09 on First Reading.
  
3. Deny Ordinance 2022-09 on First Reading.

**FINDINGS OF FACT:**

The Petition for Easement Vacations is to be reviewed by City Staff including City Engineer, the City Attorney, and consistent with the City's Land Development Code, regarding the vacation of roads, alleys, streets, and easements.

Below are findings of fact determined during the review.

- The petitioner has provided a map and legal description of the right-of-way to be vacated.
- Property owners within 300' of the subject parcel have been notified by mail of public hearings.
- Polk City staff has reviewed the application and determined that no utilities are located in the existing easements.
- The City Attorney has reviewed the application for completeness and has found no objection to the petition.



POLK CITY  
AERIAL PHOTO MAP



## Applicant Request to Vacate Easement

210 Bayberry Drive  
Polk City, FL 33868-9342  
Cell Ph.#863-521-0528  
[SusanB210@hotmail.com](mailto:SusanB210@hotmail.com)

February 7, 2022

Patricia Jackson, City Manager  
123 Broadway SE  
Polk City, FL 33868

RE: 133 Bayberry Drive Re-platting survey

Request to vacate the two existing easements on either side of Sweet Gum Lane as depicted on the Sandy Pointe Subdivision Plat

Dear Ms. Jackson,

I am in the process of re-platting my property located at 133 Bayberry Dr., Polk City, FL 33868 in the Sandy Pointe Subdivision. I am, herewith, requesting the vacating of the 2 existing easements on either side of Sweet Gum Lane between Lots #28 and #29, as depicted on Sandy Pointe Subdivision plat.

The re-platting survey has been submitted to Robert A. Stevens & Associates, Surveying and Mapping.

A copy of the Deed to the property in question, the letter of approval from the Sandy Pointe POA Board of Directors, as well as Attachment C and Attachment D of Ordinance 1088, and the new re-platted survey were submitted on November 1, 2021, along with the request to vacate the existing easement on attachment D, Ordinance 1088, and to be relocated between lots #28 & #29.

Thank you for your assistance in this matter.

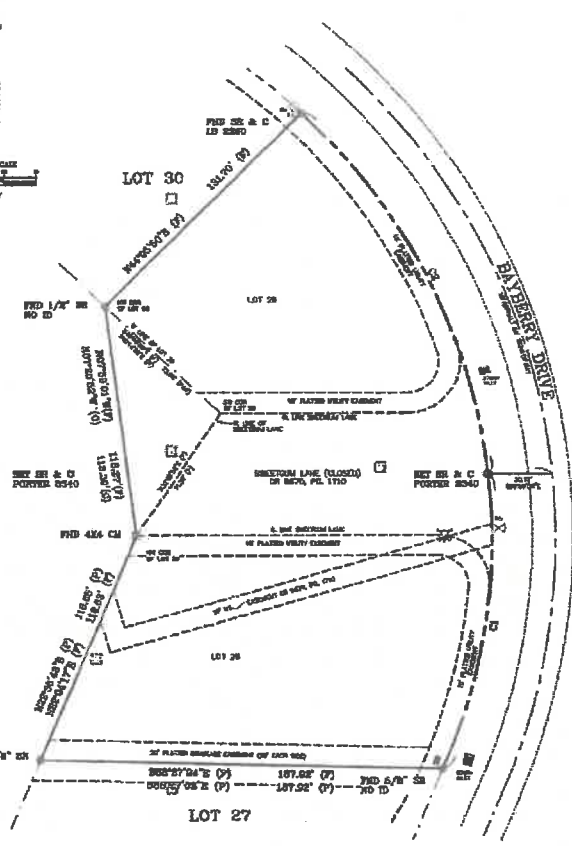
Sincerely,



Susan Borsje  
210 Bayberry Drive



**BOUNDARY SURVEY**



- NOTES:**
- 1.) UNDERGROUND IMPROVEMENTS, IF ANY, HAVE NOT BEEN LOCATED.
  - 2.) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OR A TITLE OPINION. THEREFORE, ENCUMBRANCES OR OTHER ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN HEREON.
  - 3.) BEARINGS BASED ON THE WEST LINE OF LOT 28 AS BEING N222°04'17"E (GRD.)

**REMARKS:**

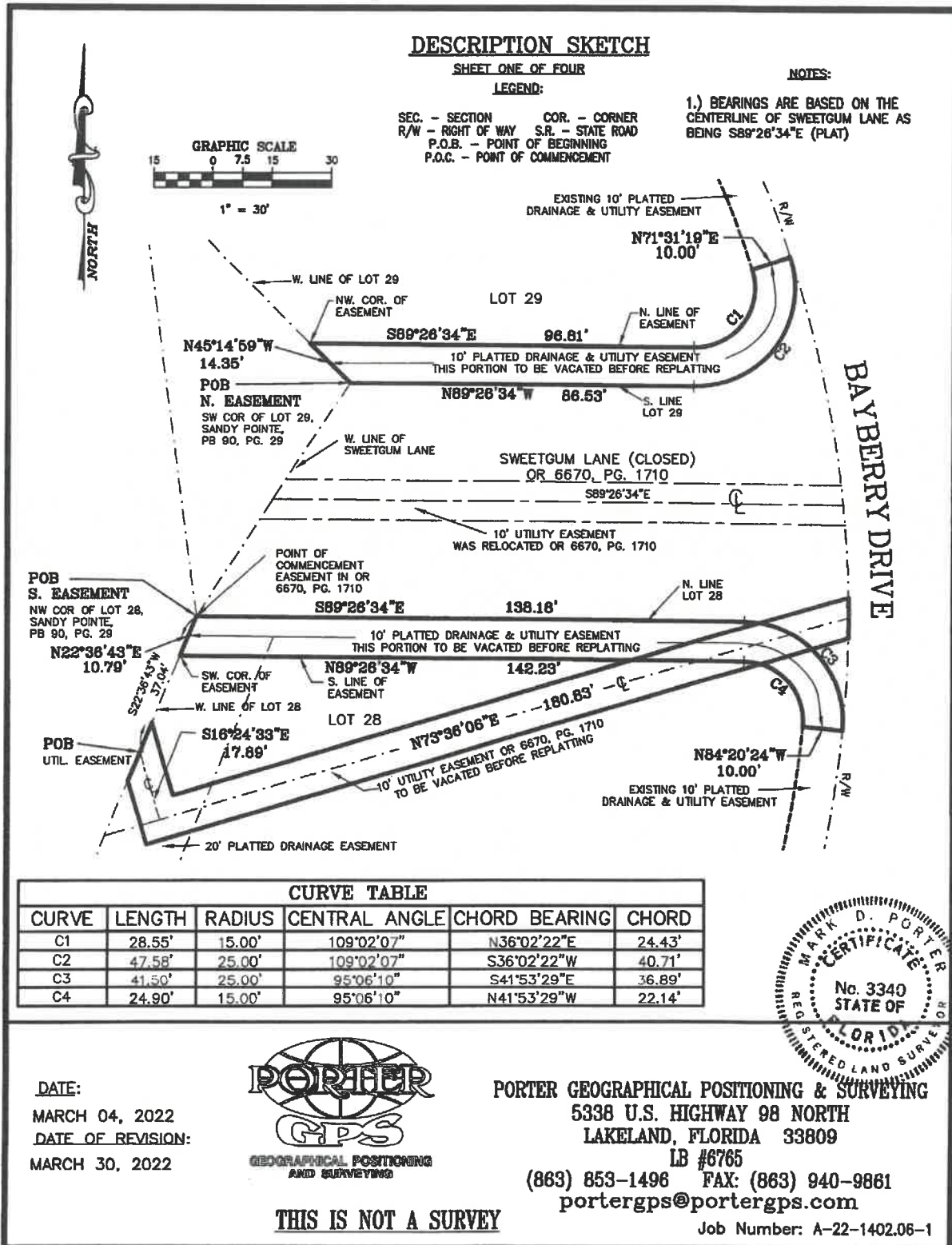
Lots 28 and 29, Sandy Pointe Subdivision, and that parcel of land being entirety of a the survey from the northern corner of said lot 28 to the northern corner of said lot 29, and that parcel of land situated on Sandy Pointe Lane, according to the map or plat shown, as recorded in Plat Book 23, of page 23, of the public records of Polk County, Florida.

CURVE	LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD
C1	183.00'	290.00'	29.26°11'	S89°27'04"E (7)	123.85'
C2	255.00'	400.00'	39.26°11'	S70°27'04"E (7)	167.82'

**LEGEND:**

- 1. - 1/4" Iron Nail
- 2. - 1/2" Iron Nail
- 3. - 3/4" Iron Nail
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# Description Sketch and Legal Description of Easements to be Vacated



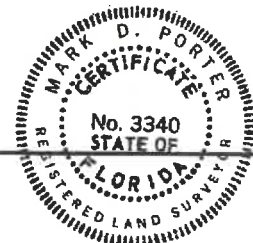
**DESCRIPTION SKETCH**

**SHEET TWO OF FOUR**

**DESCRIPTION: LOT 29 EASEMENT**

A portion of that certain Drainage and Utility Easement as shown on Lot 29 of SANDY POINT, as recorded in Plat Book 90, Page 29, of the Public Records of Polk County, Florida, being described as follows;

Begin at the Southwest corner of Lot 29 of said SANDY POINTE, thence North 45°14'59" West, along the West line of said Lot 29, a distance of 14.35 feet to the Northwest corner of said Easement, thence South 89°26'34" East, along the North line of said Easement, a distance of 96.81 feet to the Point of Curvature of a curve concaved to the Northwesterly having a Radius of 15.00 feet, a Central Angle of 109°02'07", a Chord Bearing of North 36°02'22" East and a Chord Distance of 24.43 feet, thence still along said North line and along the arc of said curve a distance of 28.55 feet, thence North 71°31'19" East a distance of 10.00 feet to the South line of said Lot 29, said point being on a non-tangent curve concaved to the Northwesterly having a Radius of 25.00 feet, a Central Angle of 109°02'07", a Chord Bearing of South 36°02'22" West and a Chord Distance of 40.71 feet, thence along said South line and the arc of said curve a distance of 47.58 feet, thence North 89°26'34" West, still along said South line, a distance of 86.53 feet to the POINT OF BEGINNING.



DATE:  
MARCH 04, 2022



PORTER GEOGRAPHICAL POSITIONING & SURVEYING  
5338 U.S. HIGHWAY 98 NORTH  
LAKELAND, FLORIDA 33809  
LB #6765  
(863) 853-1496 FAX: (863) 940-9861  
portergps@portergps.com

**THIS IS NOT A SURVEY**

Job Number: A-22-1402.06-2

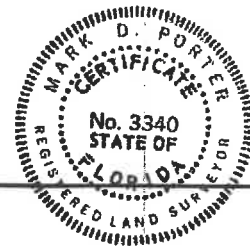
**DESCRIPTION SKETCH**

**SHEET THREE OF FOUR**

**DESCRIPTION: LOT 28 EASEMENT**

A portion of that certain Drainage and Utility Easement as shown on Lot 28 of SANDY POINT, as recorded in Plat Book 90, Page 29, of the Public Records of Polk County, Florida, being described as follows;

Begin at the Northwest Corner of said Lot 28, thence South 89°26'34" East, along the North line of said Lot 28, a distance of 138.18 feet to the Point of Curvature of a curve concaved to the Southwesterly having a Radius of 25.00 feet, a Central Angle of 95°06'10", a Chord Bearing of South 41°53'29" East and a Chord Distance of 36.89 feet, thence still along said North line, and along the arc of said curve a distance of 41.50 feet, thence North 84°20'24" West a distance of 10.00 feet to the South line of said Easement, said point being on a non-tangent curve concaved to the Southwesterly having a Radius of 15.00 feet, a Central Angle of 95°06'10", a Chord Bearing of North 41°53'29" West and a Chord Distance of 22.14 feet, thence along said South line and along the arc of said curve a distance of 24.90 feet to the Point of Tangency, thence North 89°26'34" West, still along said South line, a distance of 142.23 feet to the West line of said Lot 28, thence North 22°36'43" East, along said West line, a distance of 10.79 feet to the POINT OF BEGINNING.



DATE:  
MARCH 04, 2022

DATE OF REVISION:  
MARCH 30, 2022



PORTER GEOGRAPHICAL POSITIONING & SURVEYING  
5338 U.S. HIGHWAY 98 NORTH  
LAKELAND, FLORIDA 33809  
LB #6765  
(863) 853-1496 FAX: (863) 940-9861  
portergps@portergps.com

**THIS IS NOT A SURVEY**

Job Number: A-22-1402.06-3

**DESCRIPTION SKETCH**

**SHEET FOUR OF FOUR**

**DESCRIPTION: UTILITY EASEMENT**


A Utilities Easement being 10.00 feet in width and lying 5.00 feet each side of the following described centerline;

Commence at the NW corner of Lot 28, SANDY POINTE SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 90, Page 29, of the Public Records of Polk County, Florida, thence S22°36'43"W along the West line of said Lot 28, a distance of 37.04 feet to the Point of Beginning, thence S16°24'33"E 17.89 feet, thence N73°36'06E 180.83 feet to the Westerly Right of Way line of Bayberry Drive and the end of this description.

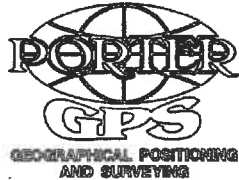


**CERTIFICATION:**

I hereby certify that this drawing correctly reflects the description hereon and meets the Standards of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5j-17.05, of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

  
Mark D. Porter Florida Registration #3340  
PORTER GEOGRAPHICAL POSITIONING & SURVEYING  
5338 U.S. HIGHWAY 98 NORTH  
LAKELAND, FLORIDA 33809  
LB #6765  
(863) 853-1496 FAX: (863) 940-9861  
portergps@portergps.com

**DATE:**  
MARCH 10, 2022  
**DATE OF REVISION:**  
MARCH 30, 2022



**THIS IS NOT A SURVEY**

Job Number: A-22-1402.06-4

Prepared By & Return to:  
Thomas A. Cloud, ion,  
Gray Robinson, PA  
301 East Pine Street, Suite 1400  
Orlando, FL 32801  
(407) 843-8880

## **EASEMENT AGREEMENT**

THIS EASEMENT AGREEMENT (the "Agreement") is executed as of this \_\_\_ day of \_\_\_\_\_, 2022 by POLK CITY, FLORIDA, a municipal corporation created under the laws of the State of Florida (the "City"), and SUSAN BORSJE, an individual (the "Owner").

### **RECITALS**

1. Susan Borsje is the owner of that certain property described on Exhibit "A" attached hereto (the "Property").
2. The Owner petitioned the City to vacate three utility easements and approve a replat of the Sandy Pointe Subdivision.
3. To accommodate the Owner's request and petition to vacate the three easements, the City is willing to accept an easement over, upon, and under the Property as described in Exhibit "B" attached to and incorporated in this easement agreement in favor of Polk City.
4. As a condition of approving the vacation of the three easements, the Owner voluntarily agrees to the conditions set forth in Ordinance No. 2022-09, which includes the grant of this utility easement.

**ACCORDINGLY**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned parties hereby agree as follows:

**SECTION 1. RECITALS.** The above Recitals are true and correct, and form a material part of this Agreement.

**SECTION 2. GRANT OF UTILITY EASEMENT; MAINTENANCE OF UTILITIES.** Owner hereby grants to the City, its successors, assigns, and grantees, a non-exclusive utility easement across, over, upon, and under the Property for the purposes of installing, constructing, operating, operation and inspection, relocating, replacing, maintaining and repairing, from time to time, above and underground water utility facilities and improvements. Owner likewise conveys the right to deliver utility services for use in connection therewith, together with the right of ingress and egress to and from the Property (together, the "Easement").

**SECTION 3. CONSENT TO CONDITIONS TO APPROVAL OF VACATION OF EASEMENTS.** The Owner hereby consents to the conditions contained in Section 2 of Polk City Ordinance No. 2022-09 as set forth therein as consideration for the approval of vacation of the easements identified therein.

**SECTION 4. RECORDATION OF AGREEMENT.** The Owner agrees that the City shall record and the Owner shall pay to the City the costs of recording this Easement Agreement in the Public Records of Polk County, Florida.

**SECTION 5. ENTIRE AGREEMENT.** In making this Agreement, no Party is relying upon any representations made by any other Party, except such representations contained in this Agreement and only to the extent that such representations are explicitly and affirmatively stated herein. All Parties acknowledge that all of their agreements, and every part of every agreement reached by them, is set forth and included within this Agreement. This Agreement terminates and supersedes all prior written or oral understandings or agreements between the Parties regarding the subject matter of this Agreement. The Parties may only alter or amend this Agreement in a writing that is signed by all Parties.

**SECTION 6. EFFECTIVE DATE.** This Agreement shall take effect upon the date by which both parties have executed this Agreement.

**IN WITNESS WHEREOF,** Grantor and Grantee have executed and delivered this Agreement as of the date first written above.

**FOR GRANTOR:**

**SUSAN BORSJE, an individual**

Name: \_\_\_\_\_

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

STATE OF FLORIDA  
COUNTY OF POLK

Before me, personally appeared \_\_\_\_\_, an individual \_\_\_\_\_, well known and known to be the person acknowledged to and before me that he executed said instrument for the purposes therein expressed.

Witness my hand and official seal in the County and State last aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
My commission expires:

**POLK CITY, FLORIDA**

\_\_\_\_\_  
**Joe LaCascia, Mayor**

**ATTEST:**

\_\_\_\_\_  
***Patricia R. Jackson, City Manager/Clerk***

STATE OF FLORIDA  
COUNTY OF POLK

Before me, personally appeared Joe LaCascia, Mayor of Polk City, Florida, well known and known to be the person acknowledged to and before me that he executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal in the County and State last aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

My commission expires:

\_\_\_\_\_  
Notary Public, State of Florida

Approved as to form and correctness:

\_\_\_\_\_  
Thomas A. Cloud, City Attorney



**EXHIBIT "A"**  
**THE PROPERTY**

**City Commission Meeting  
October 18, 2022**

**AGENDA ITEM #5:**            **PUBLIC HEARING - ORDINANCE 2022-10 - Replat of Lots #28 and #29 of the Sandy Pointe Subdivision Plat**

       INFORMATION ONLY  
  X   ACTION REQUESTED

---

**ISSUE:**

Ordinance 2022-10 – Replat of Lots #28 and #29 of the Sandy Pointe Subdivision Plat

**ATTACHMENTS:**

Overview Report from Central Florida Regional Planning Council  
Ordinance 2022-10

**ANALYSIS:**

This is an applicant-initiated (Susan Borsje’) request to replat of Lots #28 and #29 as depicted on the Sandy Pointe Subdivision Plat. There will be one 20’ easement, which is relocated between the two parcels. Please review the report submitted by Central Florida Regional Planning Council.

The Planning Commission held a Public Hearing on September 12, 2022 and voted 4/0 to forward the replat to the City Commission with a recommendation of approval.

At the City Commission Meeting on September 19, 2022, the City Commission unanimously approved Ordinance 2022-10 on First Reading

**STAFF RECOMMENDATION:**

Adopt Ordinance 2022-10 on **Second and Final Reading**

## ORDINANCE 2022-10

### AN ORDINANCE OF POLK CITY, FLORIDA, APPROVING A SUBDIVISION PLAT TITLED SANDY POINTE SWEET GUM LANE, A REPLAT OF A PORTION OF SANDY POINTE SUBDIVISION; PROVIDING FINDINGS, PLAT APPROVAL, RECORDING, CONFLICTS, SEVERABILITY, & AN EFFECTIVE DATE.

**WHEREAS**, Susan Borsje ('applicant'), has requested approval of a subdivision replat titled "Sandy Pointe Sweet Gum Lane, A Replat of a Portion of Sandy Pointe," contained within lands depicted in Exhibit "A", containing  $\pm 1.06$  acres of land, described as Lots 28 and 29 as recorded in Plat Book 90, Page 29, and as legally described in Exhibit "B"; and

**WHEREAS**, the subdivision plat has been reviewed and found to be in compliance with the requirements of Chapter 177, Florida Statutes and all applicable provisions for subdivision plat review per the Polk City Land Development Code; and

**WHEREAS**, due public notice of the meeting to take action on the subdivision plat by Polk City was advertised in the Ledger in accordance with the Polk City Land Development Code and Chapter 177, Florida Statutes;

**WHEREAS**, the City Commission of Polk City, in Regular Meeting on October 17, 2022, has reviewed the subdivision plat.

**NOW, THEREFORE BE IT ORDAINED** that the City Commission Polk City, Florida, as follows:

**Section 1. Findings.** The subdivision plat has been reviewed and found to be in compliance with the requirements of Chapter 177, Florida Statutes and all applicable provisions for preliminary subdivision plat review per the Polk City Land Development Code. The City Commission hereby incorporates all the findings contained in the Recitals set forth above as its findings.

**Section 2. Approval of Subdivision Plat.** The subdivision plat titled "Sandy Pointe Sweet Gum Lane, A Replat of a Portion of Sandy Pointe," contained within lands depicted in Exhibit "A", containing  $\pm 1.06$  acres of land, described as Lots 28 and 29 as recorded in Plat Book 90, Page 29, and as legally described in Exhibit "B"; is hereby approved.

**Section 3. Filing and Recording of Certified Copy.** A certified copy of this Ordinance shall be filed with the Polk County Clerk of Court and duly recorded in the public records of Polk County in accordance with Chapter 177, Florida Statutes.

**Section 4. Severability:** If any provision or portion of this Ordinance is declared

by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 5. Conflict.** All existing ordinances or parts of existing ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 6 Effective Date:** The effective date of this Ordinance shall be the date of its adoption.

**INTRODUCED AND PASSED** on First Reading the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**POLK CITY, FLORIDA**

\_\_\_\_\_  
**Joe LaCascia, Mayor**

**ATTEST:**

**Approved as to form and correctness:**

\_\_\_\_\_  
**Patricia R. Jackson, City Manager/Clerk**

\_\_\_\_\_  
**Thomas A. Cloud, City Attorney**

**PASSED AND DULY ADOPTED ON SECOND READING**, with a quorum present and voting by the City Commission of Polk City, Florida meeting in Regular Session this day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
**Joe LaCascia, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Patricia R. Jackson, City Manager/Clerk**

**ORDINANCE NO. 2022-10**

**EXHIBIT "A"**

# SANDY POINTE SWEETGUM LANE

A REPEAT OF A PORTION OF SANDY POINTE SUBDIVISION AS RECORDED IN PLAT BOOK 9, PAGE 28 AND  
SECTION 14, TOWNSHIP 46 NORTH, RANGE 28 EAST,  
POLK COUNTY, FLORIDA

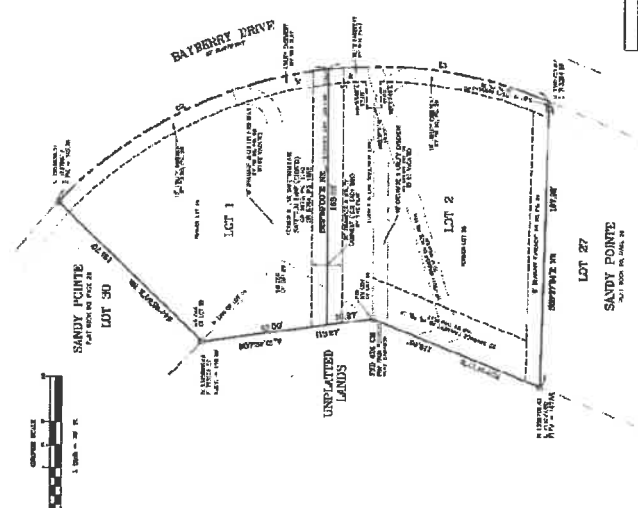
PB \_\_\_\_\_ PG \_\_\_\_\_

**NOTES:**

1. This plat is a repeat of a portion of a subdivision of land as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.
2. The plat is a repeat of a portion of a subdivision of land as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.
3. The plat is a repeat of a portion of a subdivision of land as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.
4. The plat is a repeat of a portion of a subdivision of land as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.
5. The plat is a repeat of a portion of a subdivision of land as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.
6. The plat is a repeat of a portion of a subdivision of land as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.
7. The plat is a repeat of a portion of a subdivision of land as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.
8. The plat is a repeat of a portion of a subdivision of land as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.
9. The plat is a repeat of a portion of a subdivision of land as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.
10. The plat is a repeat of a portion of a subdivision of land as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.

**THE FOLLOWING NOTES FOUND IN THE TITLE REPORT:**

1. A search of the public records of Polk County, Florida, has revealed that the following interests in the land described in this plat are of record:
  - a. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the State of Florida.
  - b. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Polk.
  - c. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - d. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.
  - e. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - f. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.
  - g. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - h. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.
  - i. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - j. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.
  - k. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - l. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.
  - m. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - n. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.
  - o. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - p. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.
  - q. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - r. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.
  - s. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - t. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.
  - u. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - v. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.
  - w. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - x. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.
  - y. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the County of Polk.
  - z. A fee simple interest in the land described in this plat, together with the right of eminent domain, is owned by the City of Sandy Pointe.



CLUSTER PLATS	CLUSTER PLAT NO.	DATE	PLAT NO.	PAGE
1	1	1/1/1998	1	1
2	2	2/1/1998	2	2
3	3	3/1/1998	3	3
4	4	4/1/1998	4	4
5	5	5/1/1998	5	5
6	6	6/1/1998	6	6
7	7	7/1/1998	7	7
8	8	8/1/1998	8	8
9	9	9/1/1998	9	9
10	10	10/1/1998	10	10
11	11	11/1/1998	11	11
12	12	12/1/1998	12	12
13	13	1/1/1999	13	13
14	14	2/1/1999	14	14
15	15	3/1/1999	15	15
16	16	4/1/1999	16	16
17	17	5/1/1999	17	17
18	18	6/1/1999	18	18
19	19	7/1/1999	19	19
20	20	8/1/1999	20	20
21	21	9/1/1999	21	21
22	22	10/1/1999	22	22
23	23	11/1/1999	23	23
24	24	12/1/1999	24	24
25	25	1/1/2000	25	25
26	26	2/1/2000	26	26
27	27	3/1/2000	27	27
28	28	4/1/2000	28	28
29	29	5/1/2000	29	29
30	30	6/1/2000	30	30
31	31	7/1/2000	31	31
32	32	8/1/2000	32	32
33	33	9/1/2000	33	33
34	34	10/1/2000	34	34
35	35	11/1/2000	35	35
36	36	12/1/2000	36	36
37	37	1/1/2001	37	37
38	38	2/1/2001	38	38
39	39	3/1/2001	39	39
40	40	4/1/2001	40	40
41	41	5/1/2001	41	41
42	42	6/1/2001	42	42
43	43	7/1/2001	43	43
44	44	8/1/2001	44	44
45	45	9/1/2001	45	45
46	46	10/1/2001	46	46
47	47	11/1/2001	47	47
48	48	12/1/2001	48	48
49	49	1/1/2002	49	49
50	50	2/1/2002	50	50
51	51	3/1/2002	51	51
52	52	4/1/2002	52	52
53	53	5/1/2002	53	53
54	54	6/1/2002	54	54
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57	57	9/1/2002	57	57
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59	59	11/1/2002	59	59
60	60	12/1/2002	60	60
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63	63	3/1/2003	63	63
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66	66	6/1/2003	66	66
67	67	7/1/2003	67	67
68	68	8/1/2003	68	68
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71	71	11/1/2003	71	71
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93	93	9/1/2005	93	93
94	94	10/1/2005	94	94
95	95	11/1/2005	95	95
96	96	12/1/2005	96	96
97	97	1/1/2006	97	97
98	98	2/1/2006	98	98
99	99	3/1/2006	99	99
100	100	4/1/2006	100	100

**DESCRIPTION:**  
 Lot 27, Sandy Pointe Subdivision, as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.

**DEDICATION:**  
 The undersigned, Clerk of Polk County, Florida, do hereby certify that the land described in this plat is dedicated to the use of the City of Sandy Pointe, Florida, as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.

**ACKNOWLEDGEMENT:**  
 I, the undersigned, Clerk of Polk County, Florida, do hereby certify that the land described in this plat is dedicated to the use of the City of Sandy Pointe, Florida, as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.

**CITY OF POLK COUNTY:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF SANDY POINTE:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF POLK CITY:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF SANDY POINTE:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF POLK COUNTY:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF SANDY POINTE:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**NOTES:**  
 1. This plat is a repeat of a portion of a subdivision of land as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.

**CITY CLERK APPROVAL:**  
 I, the undersigned, Clerk of Polk County, Florida, do hereby certify that the land described in this plat is dedicated to the use of the City of Sandy Pointe, Florida, as shown on the plat recorded in Plat Book 9, Page 28 and Section 14, Township 46 North, Range 28 East, Polk County, Florida.

**CITY OF POLK COUNTY:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF SANDY POINTE:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF POLK CITY:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF SANDY POINTE:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF POLK COUNTY:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF SANDY POINTE:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF POLK COUNTY:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**CITY OF SANDY POINTE:**  
 Mayor: \_\_\_\_\_  
 Clerk: \_\_\_\_\_

**ORDINANCE NO. 2022-10**

**EXHIBIT "B"**

**DESCRIPTION:**

Lots 28 and 29, Sandy Pointe Subdivision, and that parcel of land lying easterly of a line running from the Northwest corner of said lot 28 to the Northwest corner of said Lot 29, and that parcel of land depicted as Sweetgum Lane, according to the map or plat thereof, as recorded in Plat Book 90, at page 29, of the public records of Polk County, Florida.

**City Commission Meeting  
October 18, 2022**

**AGENDA ITEM #6: PUBLIC HEARING - ORDINANCE 2022-11 – VOLUNTARY ANNEXATION INTO THE CORPORATE CITY LIMITS OF POLK CITY, FLORIDA**

     INFORMATION ONLY  
  X   ACTION REQUESTED

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**ISSUE:**

Ordinance 2022-11 - an Ordinance of the City Commission of Polk City, Florida, voluntarily annexing property into the corporate limits of Polk City, Florida, Pursuant to Section 171.044, Florida Statutes; amending the City Boundary to include said property; providing findings; providing for Notice by Publication of the Proposed Annexation; filing a certified copy this Ordinance as provided by law; providing for conflicts, severability, and an effective date.

**ATTACHMENTS:**

Application for Voluntary Annexation

**ANALYSIS:**

Polk City has received an application for Voluntary Annexation into the city limits of Polk City. The address of the property is currently 0 SR 33 N; Parcel No. 24-27-01-000000-021020. The metes and bounds of the property has to be provided prior to second and final reading. You will be able to see where the property is located by reviewing Ordinances 2022-12 and 2022-13 (Land Use and Zoning).

**Staff Recommendation**

Adopt Ordinance 2022-11 on **First Reading**



## ORDINANCE 2022-11

**AN ORDINANCE OF THE CITY COMMISSION OF THE POLK CITY, FLORIDA; VOLUNTARILY ANNEXING PROPERTY INTO THE CORPORATE LIMITS OF POLK CITY, FLORIDA, PURSUANT TO SECTION 171.044, FLORIDA STATUTES; AMENDING THE CITY BOUNDARY TO INCLUDE SAID PROPERTY; PROVIDING FINDINGS; PROVIDING FOR NOTICE BY PUBLICATION OF THE PROPOSED ANNEXATION; FILING A CERTIFIED COPY OF THIS ORDINANCE AS PROVIDED BY LAW; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, Polk City, Florida (“City”), has received a Petition for Voluntary Annexation of certain lands (“Property”) into the incorporated boundaries of the City; and,

**WHEREAS**, Polk City staff has reviewed and subsequently recommended approval of the annexation of said property to the City Commission of Polk City, Florida, and have accomplished all actions required under the City Charter and the Code of Ordinances of Polk City; and,

**WHEREAS**, the Property is presently located in unincorporated Polk County, is contiguous to the City, and is reasonably compact and will not result in the creation of enclave as required by section 171.044, Florida Statutes; and,

**WHEREAS**, the map and legal description of the Property attached to and incorporated in this Ordinance as Exhibit “A” depicts the land and parcel proposed to be annexed by this Ordinance; and,

**WHEREAS**, the City Commission hereby determines that the Petition bears the signature of the owner of all the Property, which means all of the owners of the area proposed to be annexed in accordance with and pursuant to Section 171.044, Florida Statutes, and,

**WHEREAS**, Polk City has furnished the Board of County Commissioners of Polk County a copy of the published notice of annexation by certified mail no sooner than ten (10) days prior to said publication, and said action is hereby ratified and confirmed by the City Commission; and,

**WHEREAS**, all other procedural and notice requirements mandated by State law and the City’s Charter and Code of Ordinances have been followed and satisfied; and,

**WHEREAS**, the City Commission of the Polk City, Florida hereby determines that it is to the advantage of the Polk City and in the best interests of the citizens of Polk City to annex the property described below.

**WHEREAS**, the City Commission hereby determines that the owner of the property and the area proposed to be annexed has consented to the annexation, and pursuant to Section 171.044, Florida Statutes, no referendum is required.

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

**Section 1. Legislative Findings.** The above recitals are hereby adopted and incorporated into this Ordinance as legislative findings of the City Commission of the Polk City, Florida.

**Section 2. Annexation of Property.** The Property described in Exhibit "A" to this Ordinance (hereafter "Property" or "Annexed Property") shall be and is annexed into Polk City, Florida, and the boundary lines of the municipality shall be redefined to include the Property described and depicted in Exhibit "A", which is attached to and incorporated in this Ordinance. The City Commission directs and determines that the boundaries of Polk City as specified by the City's Charter shall be redefined to include the Annexed Property.

**Section 3. Effect of Annexation.** Upon this Ordinance becoming effective, the property owners of the said Annexed Property shall be entitled to all the rights and privileges and immunities as are from time-to-time granted to property owners of Polk City, as further provided in Chapter 171, *Florida Statutes*, and shall further be subject to the responsibilities of ownership as may from time-to-time be determined by the governing authority of Davenport, and the provisions of said Chapter 171, *Florida Statutes*.

**Section 4. Notice of Proposed Annexation.** Notice of the proposed annexation shall be published at least once each week for two consecutive weeks in a newspaper published in Polk City, Polk County, Florida, before final passage. Not fewer than 10 days prior to publishing or posting the ordinance notice required under section 171.044(2), the City Commission shall provide a copy of the notice, via certified mail, to the Board of County Commissioners of Polk County, Florida. A certified copy of this Ordinance shall, after adoption, be filed with the Clerk of the Circuit Court and the Chief Administrative Officer in and for Polk County, Florida, and with the Department of State, of the State of Florida, within seven (7) days after the adoption of this Ordinance.

**Section 5. Land Use and Zoning.** The said property shall, upon its annexation, remain subject to the County's land use plan and zoning or subdivision

regulations until the City adopts a comprehensive plan amendment that includes the Property annexed, as required by section 171.062, Florida Statutes.

**Section 6. Conflicts.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

**Section 7. Severability.** Upon a determination by a court of competent jurisdiction that a portion of this ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**Section 8. No Codification.** The provisions of this Ordinance shall not be codified, but the Annexed Property shall be incorporated and included in all appropriate maps of the City Limits of Polk City, Florida, by the City Manager, and the City Manager is hereby directed to take any and all appropriate actions relative to land use planning pertaining to the Annexed Property pursuant to this Ordinance.

**Section 9. Effective Date.** This ordinance shall take effect as provided by state law within ten (10) days of adoption.

**PASSED ON FIRST READING** this \_\_\_\_ day of \_\_\_\_\_, 2022.

**PASSED ON SECOND READING** this \_\_\_\_ day of \_\_\_\_\_, 2022.

**POLK CITY, FLORIDA**

\_\_\_\_\_  
Joseph LaCascia, Mayor

ATTEST:

\_\_\_\_\_  
Patricia Jackson, City Manager/Clerk

APPROVED AS TO FORM AND  
LEGALITY:

\_\_\_\_\_  
Thomas A. Cloud, Esquire  
City Attorney

## ANNEXED PROPERTY

## APPLICATION TO ANNEX PROPERTY

Polk City  
123 Broadway Blvd., SE  
Polk City FL 33868

This application provides an applicant with a list of required information for use in preparing a request to annex property into Polk City. The request must be submitted as an original form. Additional applications may be obtained by email or picked up at City Hall. Reproductions of this application will be accepted provided that it is clear and legible.

Please **PRINT** unless otherwise specified:

Applicant's Name: Chad Brooker, PE  
Address: 4371 Conroy Club Drive, Orlando, FL 32835  
Owner's Name: Nuruddin Musani  
Address of the Property to be annexed: 0 SR 33 N (Parcel No. 24-27-01-000000-021020)  
City, State & Zip Code: Polk City, FL 33868  
Telephone Number: 863-397-1626  
(indicate name of company, group, or organization represented.)

Applicant states that he/she has read and understands the instructions on this application. Any false information or misrepresentation made on this application may be grounds for revocation of any approvals issued by Polk City. Approval granted by said Commission in no way constitutes a waiver from any applicable Local, State, or Federal regulations.

Owner's Signature  Date 08-01-2022

Convenient Center (CCX)

PROPOSED FUTURE LAND USE: \_\_\_\_\_ PROPOSED ZONING: Convenient Center (CCX).

DESCRIPTION OF EXISTING LAND USES ON THE SUBJECT PROPERTY:

The subject property is currently vacant.

DESCRIPTION OF EXISTING LAND USES SURROUNDING THE SUBJECT PROPERTY:

North: Single Family Development

South: Gas Station

East: Single Family Development

West: SR 33 & Vacant

PROPOSED USE OF THE SUBJECT PROPERTY (DEVELOPMENT DESCRIPTION, SCHEDULE, AND PHASES):

The applicant is annexing this property into Polk City for a retail and convenience store development.

MAXIMUM ALLOWABLE DENSITY UNDER EXISTING FUTURE LAND USE MAP DESIGNATION:


N/A

MAXIMUM ALLOWABLE DENSITY UNDER PROPOSED FUTURE LAND USE MAP DESIGNATION:


N/A

The above application for an amendment to the City of Polk City's Comprehensive Plan is submitted for the City's review by the legal owner(s) of the property subject to the request, whose name(s) and signature(s) follows:

(Please type or print names)

Name: Nuruddin Musani  
Signature:   
Date: 8/10/2022

If Other Owners:

Name: Manjani Naushad  
Signature:   
Dated: 08/10/2022

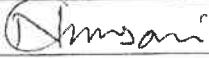
DATE: 08/10/2022

This is a letter of authorization for the agent named below to act for me in all matters relating to an application(s) for the following action(s), as submitted to the City of Polk City, Planning Services, in regard to my property described in the legal description attached to the application(s):

- Annexation
- Land Use Amendment
- Zoning / Rezoning Request

Agent: Chad Brooker (Traditions Engineering LLC)

Owner of Property: Nuruddin Musani & Manjani Naushad

Signature of Owner: 


Signature of Owner: 

**TO BE NOTARIZED BELOW:**

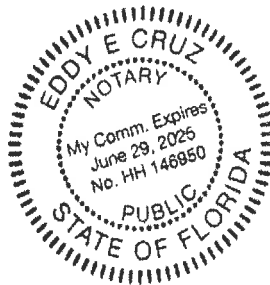
STATE OF FLORIDA

COUNTY OF Orange

The foregoing instrument was acknowledged before me this 10 day of August, 2022, by Naushad Manjani & Nuruddin Musani, who is/are personally known to me and who did (did not) take an oath.

  
Notary Public

Commission Expires:



**City Commission Meeting  
October 18, 2022**

**AGENDA ITEM #7: PUBLIC HEARING - ORDINANCE 2022-12 – FUTURE LAND USE MAP AMENDMENT**

     INFORMATION ONLY  
  X   ACTION REQUESTED

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**ISSUE:**

Ordinance 2022-12 – Future Land Use Map Amendment in the Green Swamp Area of Critical State Concern

**ATTACHMENTS:**

- Ordinance 2022-12
- Overview Report –Future Land Use Map Amendment and Zoning in the Green Swamp Area of Critical State Concern

**ANALYSIS:**

The applicant is requesting a Future Land Use Map Amendment and Rezoning to change the Future Land Use and zoning of a +/- 1.37 acre parcel in the Green Swamp Area of Critical State Concern "X" from the Future Land Use of Polk County Convenient Center (CCX) and the zoning of Polk County to CCX, Convenient Center. The subject parcel is located northeast of the SR 33 and Mt. Olive Road Intersection, address being 0 State Road 33 N, Polk City.

The Planning Commission held a Public Hearing on October 3, 2022 and approved 3/1 to forward to the City Commission for approval of Future Land Use Map Amendment in the Green Swamp Area of Critical State Concern.

**Should Ordinance 2022-12 be adopted on First Reading, it will be transmitted to DEO for 60-Day DEO Review period (Second Reading, Public Hearing)**

Should DEO approve, Second and Final Reading of Ordinance 2022-12 will be January 23, 2023.

City staff is recommending Option #1 below.

**CITY COMMISSION MOTION OPTIONS:**

**Future Land Use Map Amendment Motion Options:**

1. Transmit Ordinance 2022-12 to the Florida Department of Economic Opportunity for review.
2. Transmit Ordinance 2022-12 with changes to the Florida Department of Economic Opportunity for review.
3. Deny transmittal of Ordinance 2022-12 to the Florida Department of Economic Opportunity for review.



## ORDINANCE 2022-12

**AN ORDINANCE OF POLK CITY, FLORIDA; AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.37 ACRES FROM POLK COUNTY CONVENIENCE CENTER-X (CC-X) TO CITY CONVENIENCE CENTER-X (CCX) IN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN; TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR FINDING OF COMPLIANCE; PROVIDING FOR FINDINGS, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

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

**SECTION 1. FINDINGS AND INTENT.** In adopting this Ordinance, the City Commission of Polk City, Florida hereby makes the following legislative findings and intent:

(1) Chapter 163, Part II, *Florida Statutes*, establishes the Community Planning Act ("Act"), which empowers and mandates Polk City, Florida ("City"), to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City.

(2) Pursuant to the Act, the City has adopted a comprehensive plan ("Comprehensive Plan").

(3) The Act authorizes a local government desiring to revise its comprehensive plan to prepare and adopt comprehensive plan amendments.

(4) The City has prepared an amendment to the Future Land Use Map of the Comprehensive Plan to change the Future Land Use classification of approximately 1.37 acres of land within the City from Polk County Convenience Center-X (CCX) to City Convenience Center-X (CCX) in the Green Swamp Area of Critical State Concern.

(5) Pursuant to Section 163.3187, *Florida Statutes*, the City Commission held a meeting and hearing on this Map Amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents.

(6) In the exercise of its authority the City Commission has determined it necessary to adopt the proposed amendment to the Future Land Use Map contained herein and as shown as Exhibit "A" to encourage the most appropriate use of land,

water and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City; and to ensure that the Comprehensive Plan is in full compliance with State law.

(7) The City Commission finds that the proposed amendment to the Future Land Use Map contained herein furthers the purposes of, and is consistent with, the City's Comprehensive Plan, and is consistent with and compliant with State law, including, but not limited to, Chapter 163, Part II, *Florida Statutes*.

**SECTION 2. PLAN AMENDMENT.** The Future Land Use Map of the City's Comprehensive Plan is hereby amended to include the map amendment set forth in Exhibit "A," attached hereto and incorporated herein by reference, which applies the "Convenience Center -X" Future Land Use designation to approximately 1.37 acres of land shown on such Exhibit.

**SECTION 3. SEVERABILITY.** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**SECTION 4. CONFLICTS.** Existing ordinances or parts of existing ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION 5. CODIFICATION OF ORDINANCE IN PLAN.** An official, true, and correct copy of this Ordinance and the City's Comprehensive Plan, as adopted and amended from time to time, shall be maintained by the City Clerk. The City Clerk shall make copies available to the public for a reasonable publication charge.

**SECTION 6. TRANSMITTAL TO STATE.** Within ten (10) days of final passage and adoption of this Ordinance, Polk City shall forward a copy hereof, and all supporting data and analysis, to the Florida Department of Economic Opportunity and any other agencies or local governments that provided timely comments to the City, as required by Section 163.3184(3)(c)d, *Florida Statutes*.

**SECTION 7. EFFECTIVE DATE.** This effective date of the plan amendment adopted by this Ordinance shall be thirty-one (31) days after the Florida Department of Economic Opportunity notifies Polk City that the plan amendment package is complete, or, if the plan amendment is timely challenged, the date on which the Florida Department of Economic Opportunity or the Administration Commission, whichever is applicable, enters a final order finding the amendment to be compliance in accordance with Section 163.3184(3)(c)4, *Florida Statutes*.

[Remainder of Page intentionally left blank.]

**INTRODUCED AND PASSED on FIRST READING**, this \_\_\_ day of \_\_\_\_\_,  
2022.

**POLK CITY, FLORIDA**

\_\_\_\_\_  
Joe LaCascia, Mayor

**ATTEST:**

**APPROVED AS TO FORM AND  
CORRECTNESS:**

\_\_\_\_\_  
Patricia Jackson, City Manager/Clerk

\_\_\_\_\_  
Thomas A. Cloud, City Attorney

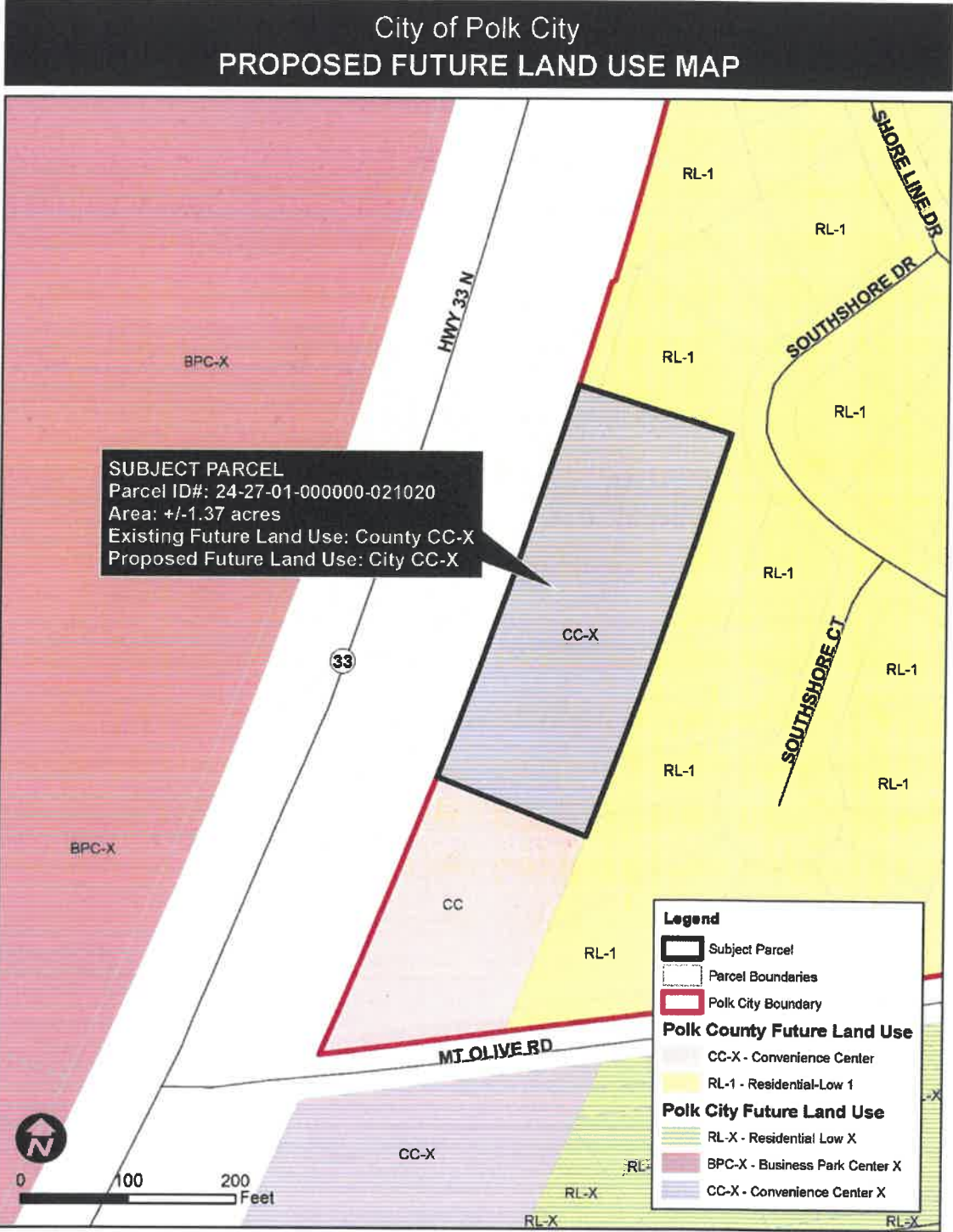
**PASSED AND DULY ADOPTED ON SECOND READING**, with a quorum present  
and voting by the City Commission of Polk City, Florida meeting in Regular Session this  
\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Joe LaCascia, Mayor

**ATTEST:**

\_\_\_\_\_  
Patricia Jackson, City Manager/Clerk

**ORDINANCE NO. 2022-12  
EXHIBIT "A"**





**POLK CITY  
FUTURE LAND USE MAP AMENDMENT & REZONING  
OVERVIEW REPORT**

October 18, 2022

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**TO:** Polk City Planning Commission

**FROM:** Central Florida Regional Planning Council

**SUBJECT:** **Ordinance 2022-12: Future Land Use Map Amendment in the Green Swamp Area of Critical State Concern:** A applicant-initiated Future Land Use Map Amendment in the Green Swamp Area of Critical State Concern "X" to change the Future Land Use from County Convenience Center -X to City Convenience Center-X on approximately 1.37 acres located at 0 State Road 33 North (parcel number 24-27-01-000000-021020).

**Ordinance 2022-13: Rezoning in the Green Swamp Area of Critical State Concern:** An applicant-initiated rezoning in the Green Swamp Area of Critical State Concern "X" to change the zoning from County Convenience Center-X to City Convenience Center-X of approximately 1.37 acres located at 0 State Road 33 North (parcel number 24-27-01-000000-021020).

**AGENDA AND HEARING DATES:**

October 3, 2022, 6:30 PM: Planning and Zoning Board (Public Hearing)  
October 18, 2022, 7:00 PM: **Transmittal to DEO for 60 Day DEO review Period (Second Reading, Public Hearing)**  
January 2023, 7:00 PM: Second Reading – Adoption Hearing

**ATTACHMENTS:**

- Aerial Photo Map
- Existing Future Land Use Map
- Proposed Future Land Use Map
- Existing Zoning Map
- Proposed Zoning Map
- Applications

**CITY COMMISSION MOTION OPTIONS:**

**Future Land Use Map Amendment Motion Options:**

1. Transmit Ordinance 2022-12 to the Florida Department of Economic Opportunity for review.
2. Transmit Ordinance 2022-12 with changes to the Florida Department of Economic Opportunity for review.
3. Deny transmittal of Ordinance 2022-12 to the Florida Department of Economic Opportunity for review.

**Rezoning Motion Options:**

1. Approve Ordinance 2022-13 on first reading.
2. Approve Ordinance 2022-13 with changes on first reading.
3. Deny Ordinance 2022-13 on first reading.

**OVERVIEW:**

<b>Applicant/Owner</b>	Deelip Wagh and Naushad Manjani
<b>Agent</b>	Chad Brooker
<b>Parcel IDs</b>	24-27-01-000000-021020
<b>Subject Area</b>	+/- 1.37 acres
<b>Existing Future Land Use</b>	Polk County
<b>Proposed Future Land Use</b>	Convenient Center (CCX) (Green Swamp)
<b>Existing Zoning</b>	Polk County
<b>Proposed Zoning</b>	Convenience Center (CCX) (Green Swamp)

The applicant is requesting a Future Land Use Map Amendment and rezoning to change the Future Land Use and zoning of a +/- 1.37 acre parcel in the Green Swamp Area of Critical State Concern "X" from the Future Land Use of Polk County Convenient Center (CCX) and the zoning of Polk County to CCX, Convenient Center. The subject parcel is located northeast of the SR 33 and Mt Olive Rd Intersection, address being 0 State Road 33 N, Polk City. See attached Aerial Photo Map.

**BACKGROUND & REASON FOR REQUEST:**

The purpose of the request is to Request a future land use amendment and a rezoning.

**STANDARDS FOR EVALUATING FUTURE LAND USE AND ZONING CHANGES:**

The Polk City Planning Commission will provide recommendations, and the City Commission will make a final motion to accept, reject, modify, return, or continue to seek additional information on all proposed Future Land Use and zoning changes. The review shall be considered and evaluated against the following standards:

- *Consistency with the Comprehensive Plan and Land Development Code.*
- *Land Use Compatibility.*

- *Public Facilities and Services Analysis.*

**Consistency with the Comprehensive Plan and Land Development Code:**

The request is to change the Future Land Use from Polk County Convenience Center (CCX) and the zoning of Polk County CCX to City Future Land Use of Convenience Center X and City Zoning of Convenience Center X. Descriptions for the existing and proposed Future Land Use and zoning designations are provided as follows:

***Existing – Future Land Use***

**Polk County Comprehensive Plan, Future Land Use Element, Policy 2.131-B.2.1. A8 – Convenience Center (CCX) :** The characteristics of the Convenience Center future land use district shall be in conformance with Policies 2.110-C1-4 of the Comprehensive Plan with the following exceptions:

- (a) The one-mile minimum separation requirement in Policy 2.110-C3 applies only to other Convenience Center districts and not to higher level activity center districts;
- (b) Residential Uses are permitted when combined with commercial or office and are developed at a minimum of five units per acre to a maximum of ten units per acre; and,
- (c) Off-street parking is to be minimized and placed to the rear of the front building lines whenever practicable.
- (d) Building facades shall include architectural interest and not constructed of entirely blank walls and/or metal siding;
- (e) Development shall include internal pedestrian pathways along roadways and drives, between buildings and to adjacent residential areas

***Proposed – Future Land Use***

**Polk City Comprehensive Plan, Future Land Use Element, Policy 4.4.B – Convenience Center:** Convenience Centers are intended to accommodate the convenience-shopping needs of residents living within the immediate surrounding area. The CCX district permits non-residential uses such as offices, convenience stores, gas stations, dry cleaners and community facilities. The maximum floor area ratio shall not exceed 0.25. Convenience Centers shall be located at the intersections of arterial and/or collector roads. There shall be a one (1) mile traveling distance within the Polk City SPA on public roads between the center of a Convenience Center and the center of any other Convenience Center, or other higher level Activity Center or Linear Commercial Corridor providing for the same convenience shopping needs. This required separation may be reduced if: a) The higher-level Activity Center or Linear Commercial Corridor within the required distance separation is over 80% developed; or, b) the proposed Convenience Center market-area radius, minimum population support is over 5,000 people.



Useable Area	1 to 5 acres
Gross Leasable Area	3,000 to 20,000 square feet
Minimum Population Support	2,500 to 5,000 people
Market-Area radius	1 mile
Typical Leading Tenant	Convenience Store
Other Typical Tenants	Laundry, Dry cleaning, Barber, Restaurant, Gas Station, Office

Development within a Convenience Center shall conform to the following criteria:

- i. Convenience Centers shall have frontage on, or direct access to, an arterial or collector roadway, or a frontage road or service drive that directly serves an arterial or collector roadway.
- ii. Different uses within a Convenience Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
- iii. Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
- iv. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities that may require special buffering provisions.
- v. Residential uses shall not be permitted in Convenience Centers.
- vi. Offices uses shall not exceed 40 percent of the total area within the convenience center. Commercial uses may constitute 100 percent of the convenience center.

### **Existing – Zoning**

**Polk County Comprehensive Plan, Future Land Use Element, Policy 2.131-B.2.1. A8 – Convenience Center (CCX) :** The characteristics of the Convenience Center future land use district shall be in conformance with Policies 2.110-C1-4 of the Comprehensive Plan with the following exceptions:

- (a) The one-mile minimum separation requirement in Policy 2.110-C3 applies only to other Convenience Center districts and not to higher level activity center districts;
- (b) Residential Uses are permitted when combined with commercial or office and are developed at a minimum of five units per acre to a maximum of ten units per acre; and,
- (c) Off-street parking is to be minimized and placed to the rear of the front building lines whenever practicable.
- (d) Building facades shall include architectural interest and not constructed of entirely blank walls and/or metal siding;



- (e) Development shall include internal pedestrian pathways along roadways and drives, between buildings and to adjacent residential areas

**Proposed –Zoning**

**Polk City Land Development Code, Section 2.04.02.05 – CCX Convenience Centers:** Convenience Centers X are intended to accommodate the convenience-shopping needs of residents living within the immediate surrounding area.

**Table 3.19 – Convenience Centers Usable Area**

Useable Area	1 to 5 acres
Gross Leasable Area (GLA)	3,000 to 20,000 square feet
Minimum Population Support	2,500 to 5,000 people
Market-Area radius	1 mile
Typical Leading Tenant	Convenience Store
Other Typical Tenants	Laundry, Dry cleaning, Barber, Restaurant, Gas Station, Office

Convenience Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distance, on public roads, between the center of a Convenience Center and the center of any other Convenience Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same convenience shopping needs: a. One (1) mile within the Polk City Special Protection Area. This required separation may be reduced if:

The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or,

The proposed Convenience Center market-area radius, minimum population support is over 5,000 people.

Development within a Convenience Center shall conform to the following criteria:

- a) Convenience Centers shall have frontage on, or direct access to, an arterial or collector roadway, or a frontage road or service drive that directly serves an arterial or collector roadway.
- b) Different uses within a Convenience Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
- c) Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
- d) Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities that may require special buffering provisions.

- e) Residential uses shall not be permitted in Convenience Centers.
- f) Offices uses shall not exceed 40 percent of the total area within the convenience center. Commercial uses may constitute 100 percent of the convenience center.
- g) The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Unit Development.
- h) Planned Unit Developments within the Convenience Center may be permitted a maximum floor area ratio up to 0.50. Intensity increases shall only be awarded to innovative, efficient, and compatible Planned Unit Development proposals that are consistent with the general district characteristics. Such Planned Unit Developments shall also be designed to be compact and require less land area than other alternatives.

**Land Use Compatibility**

The subject parcel is surrounded by a mix of Low and Medium Density Residential Future Land Use, and Commercial Future Land Uses. The adjacent parcels consist of single-family homes, Vacant Land and Commercial. The *Land Use Matrix* below outlines the existing and proposed Future Land Use and zoning of the subject parcels, the existing Future Land Use and zoning of adjacent properties, and the existing land use of the subject parcels and adjacent properties. Proposed Future Land Use and Zoning Maps are also provided for reference.

**Land Use Matrix**

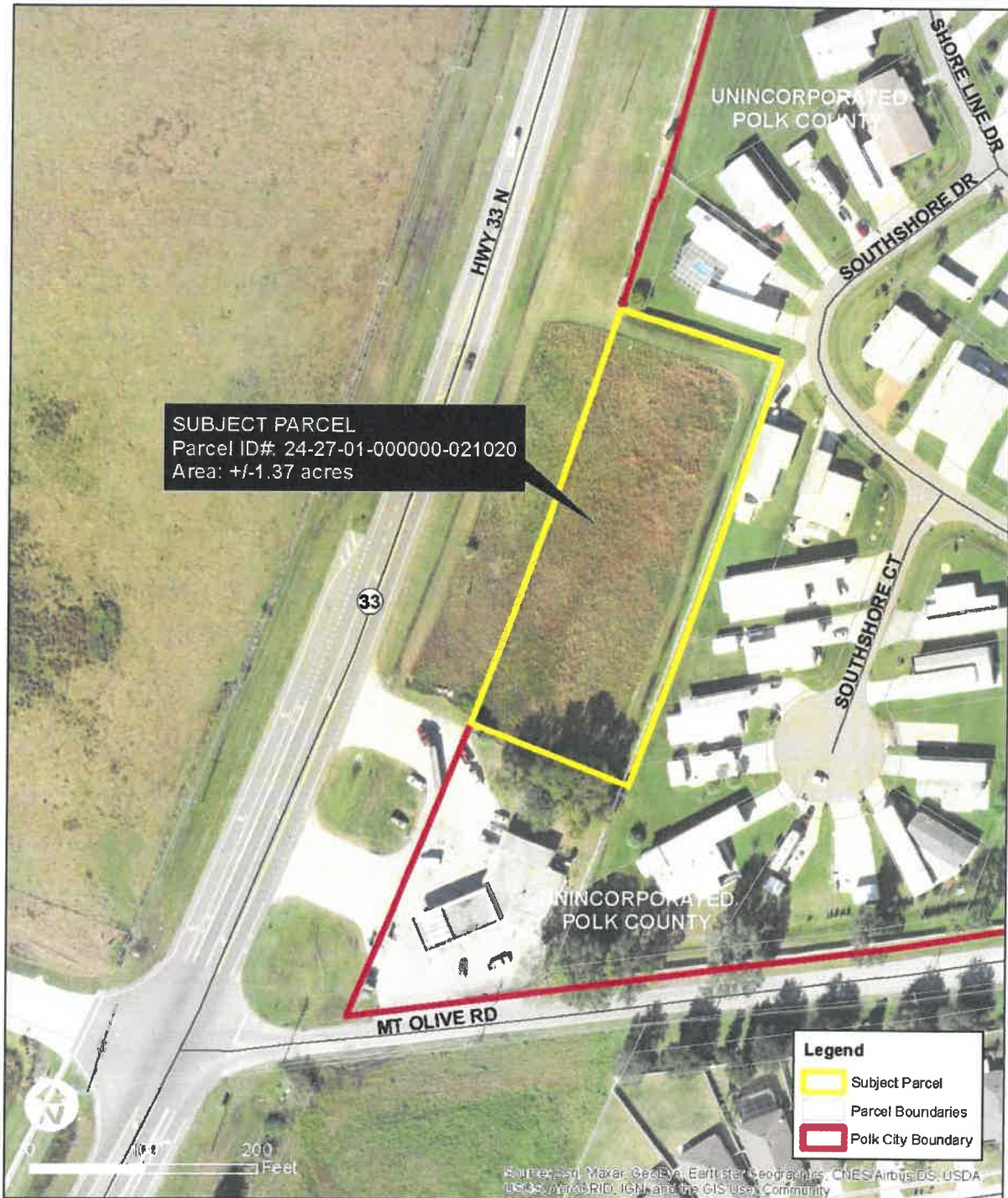
Northwest	North	Northeast
<b>Future Land Use:</b> Business Park Center-X  <b>Zoning:</b> Business Park Center-X  <b>Existing Land Use:</b> Warehouse/Distribution Center	<b>Future Land Use:</b> Residential Low-1 (County)  <b>Zoning:</b> MH  <b>Existing Land Use:</b> Single Family Development	<b>Future Land Use:</b> Residential Low-1 (County)  <b>Zoning:</b> MH  <b>Existing Land Use:</b> Single Family Development – Mobile Homes
West	Subject Parcels	East
<b>Future Land Use:</b> Business Park Center-X  <b>Zoning:</b> Business Park Center-X  <b>Existing Land Use:</b> Warehouse/Distribution Center	<b>Future Land Use:</b> <u>Existing:</u> Polk County <u>Proposed:</u> CCX  <b>Zoning:</b> <u>Existing:</u> Polk County <u>Proposed:</u> CCX  <b>Existing Land Use:</b> Vacant	<b>Future Land Use:</b> Residential Low-1 (County)  <b>Zoning:</b> Residential Low-1 (County)  <b>Existing Land Use:</b> Single Family Development – Mobile Homes
Southwest	South	Southeast
<b>Future Land Use:</b>	<b>Future Land Use:</b>	<b>Future Land Use:</b>

Business Park Center	Convenience Center-X	Residential Low (City)
<b>Zoning:</b> Business Park Center	<b>Zoning:</b> CCX	<b>Zoning:</b> Planned Unit Development X
<b>Existing Land Use:</b> Warehouse/Distribution Center	<b>Existing Land Use:</b> Gas Station	<b>Existing Land Use:</b> Single Family Development

**Public Facilities and Services Analysis:**

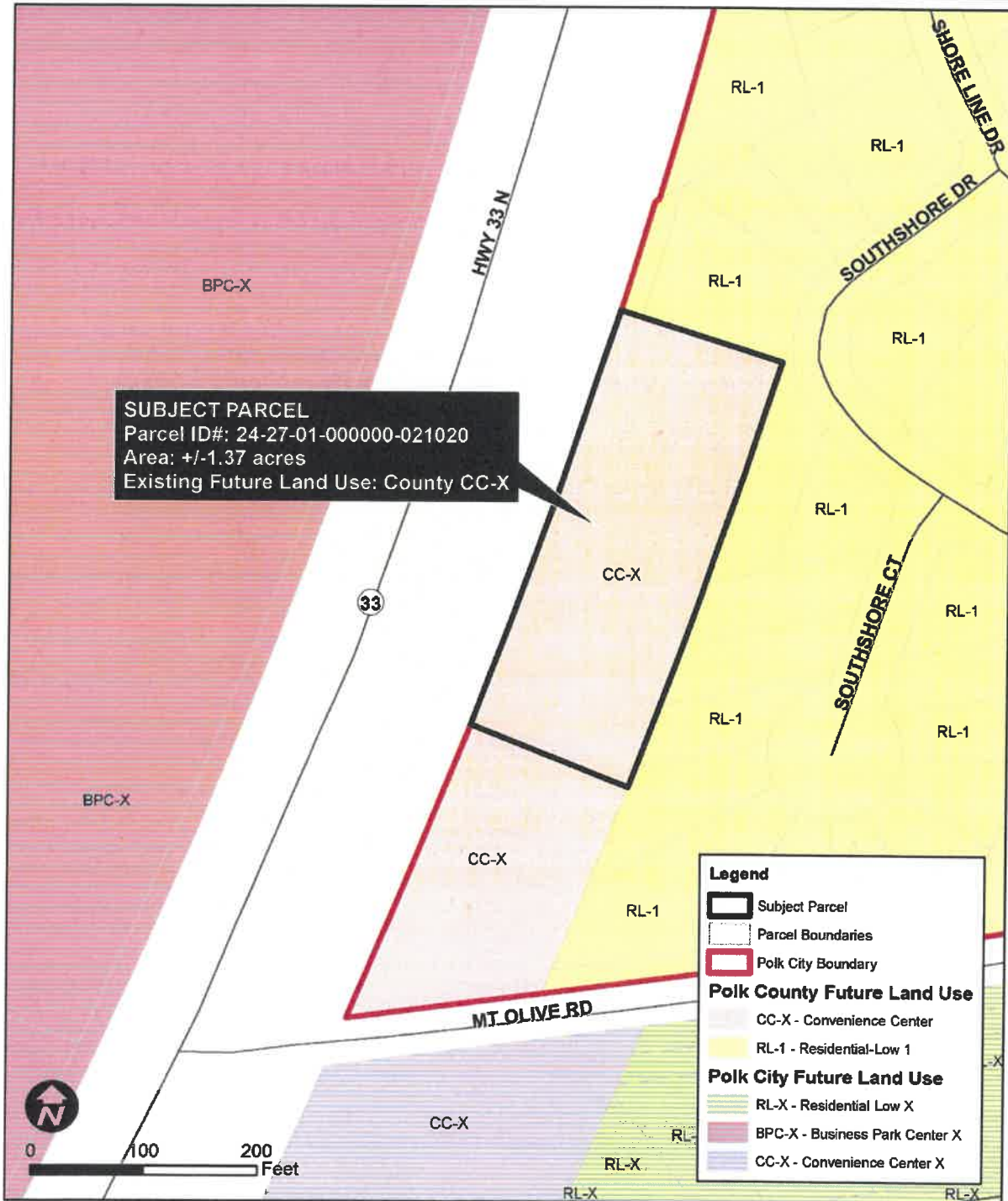
Potable water, wastewater, solid waste, transportation and emergency services will be reviewed prior to any development approval.

# City of Polk City AERIAL PHOTO MAP

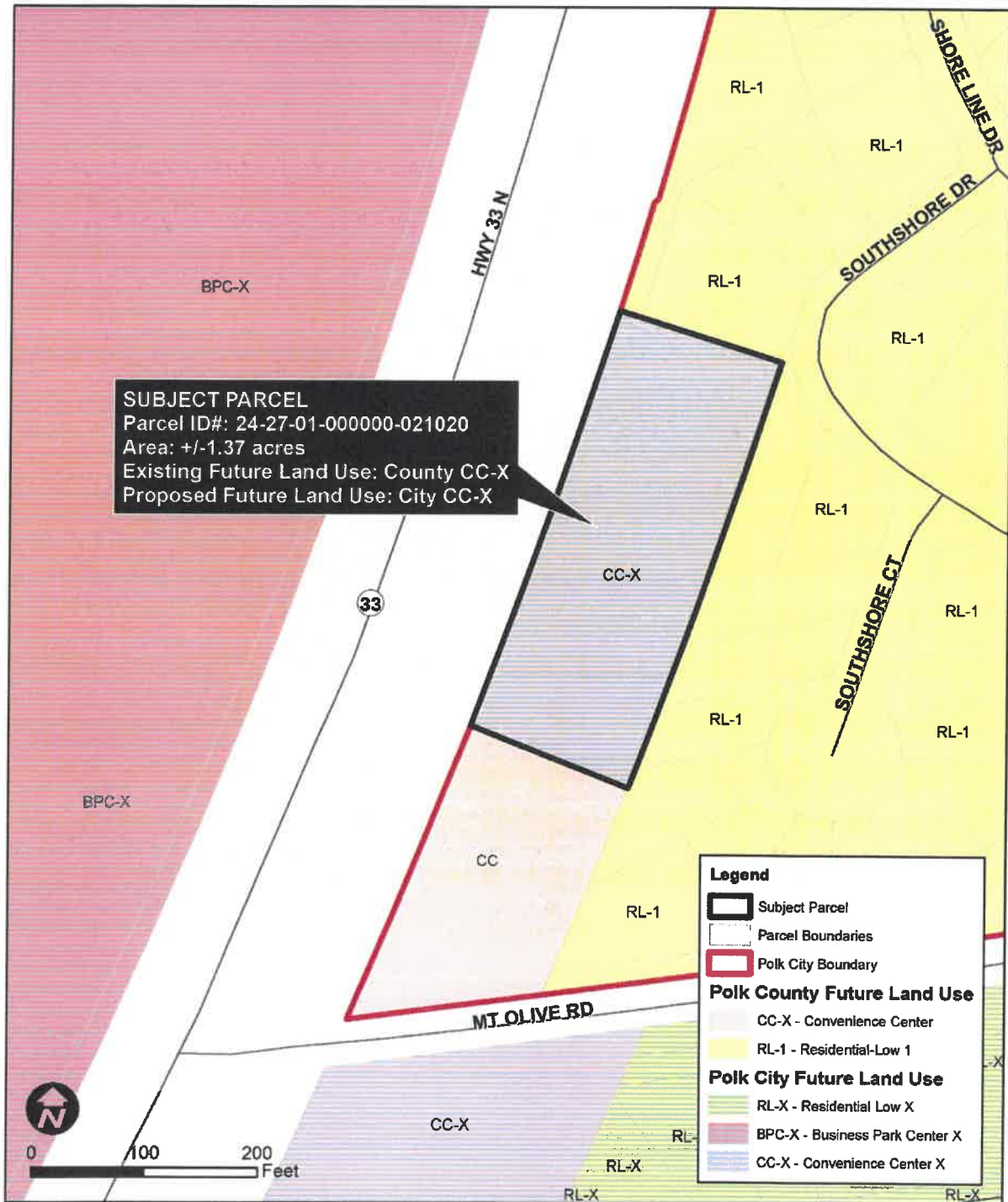




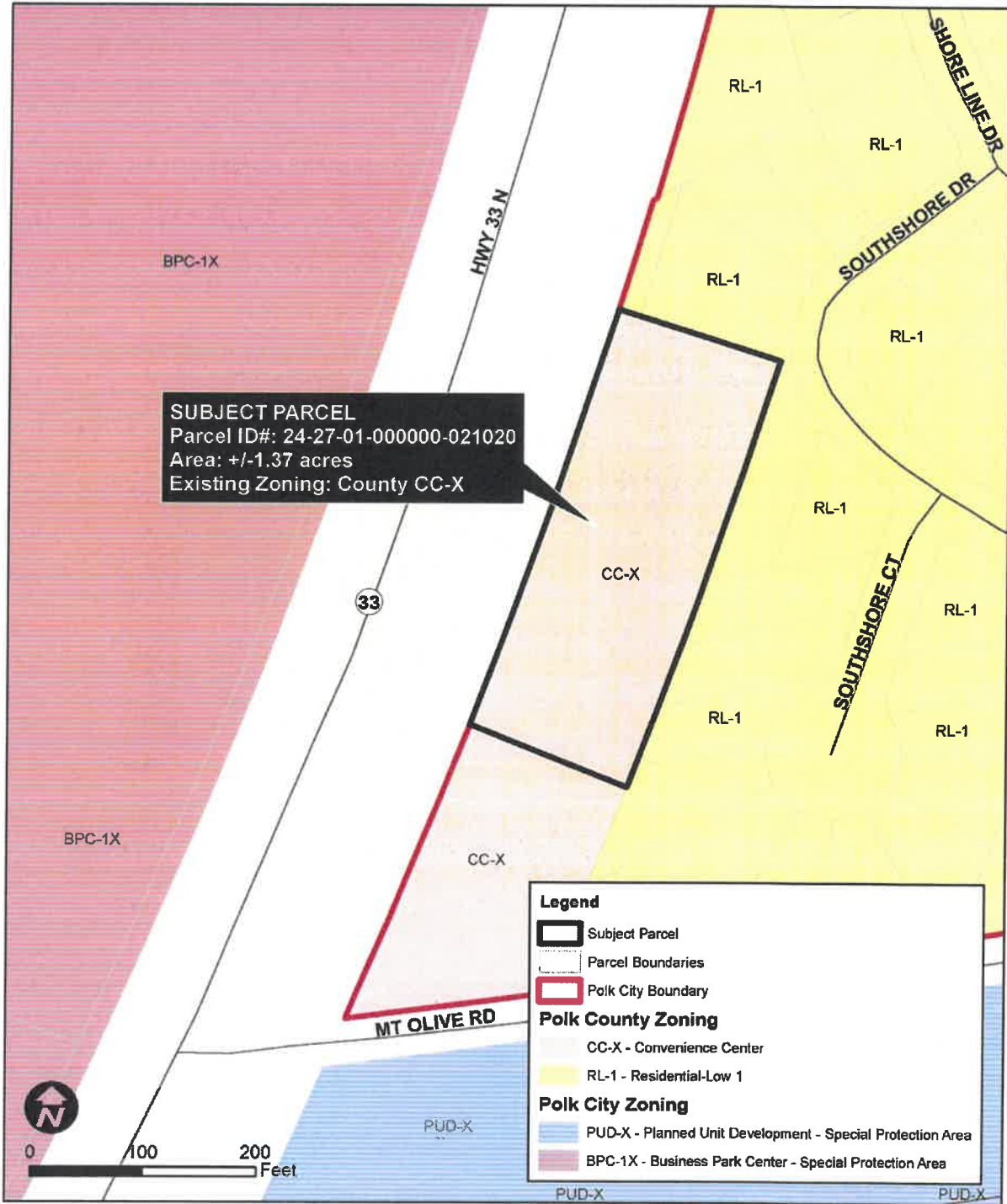
# City of Polk City EXISTING FUTURE LAND USE MAP



# City of Polk City PROPOSED FUTURE LAND USE MAP

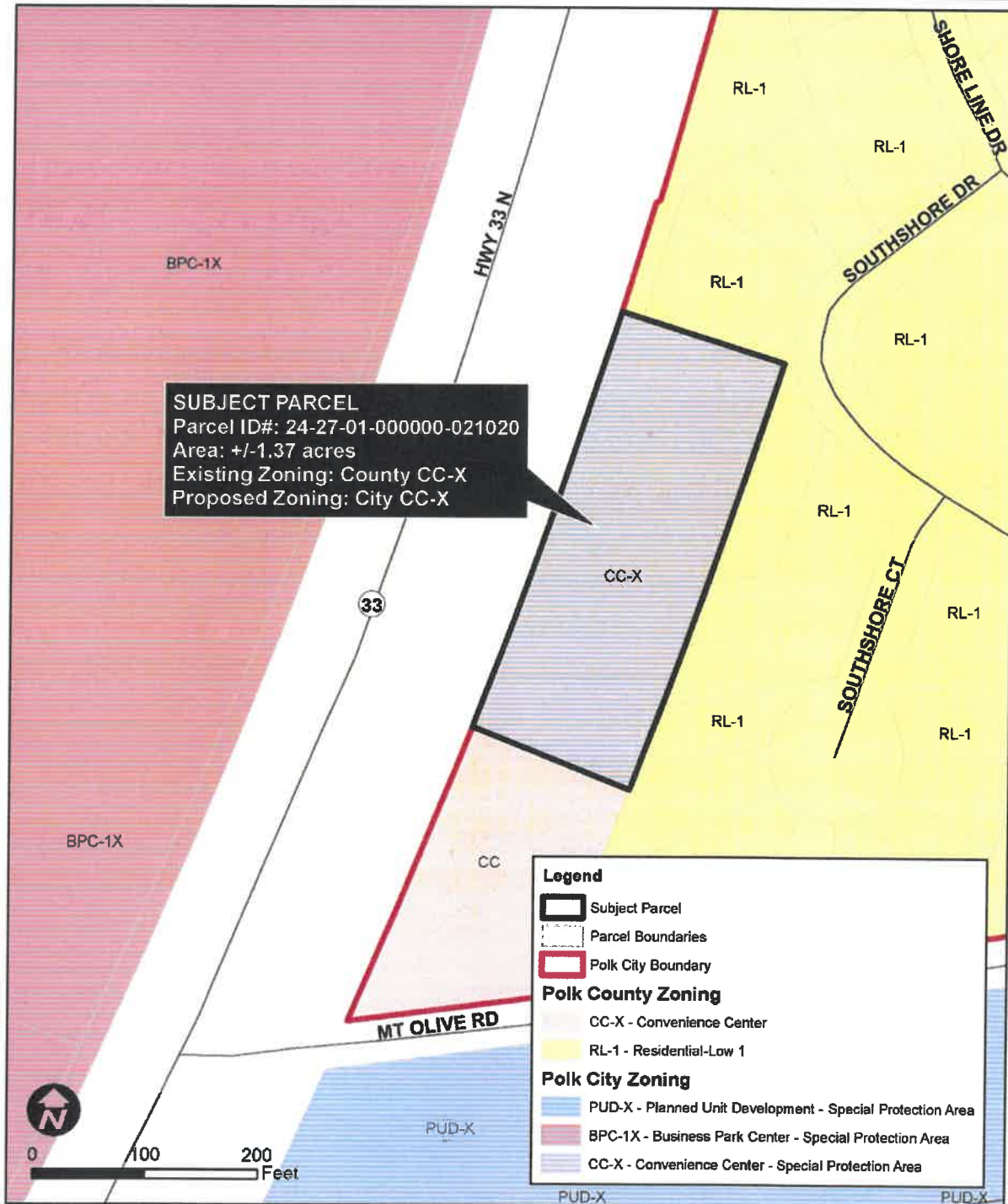


# City of Polk City EXISTING ZONING MAP





# City of Polk City PROPOSED ZONING MAP







Proposed Amendment: # \_\_\_\_\_  
Receipt: # \_\_\_\_\_ Fee: \$ \_\_\_\_\_  
Small Scale? (≤ 10 acres) YES ( ) NO ( )

**CITY OF POLK CITY  
APPLICATION FOR FUTURE LAND USE MAP AND/OR ZONING AMENDMENT**

City of Polk City  
Planning Services  
PO Box 1139  
Polk City, Florida 33868  
Phone: 863-984-1375

FOR OFFICE USE ONLY	
DATE RECEIVED:	_____
RECEIVED BY:	_____
P & Z HEARING:	_____
(LS) TRANSMITTAL HEARING:	_____
(SS) FIRST READING:	_____
ADOPTION HEARING:	_____

APPLICANT NAME: Nuruddin Musani PHONE: 404-786-1212

ADDRESS: 4371 Conroy Club Drive, Orlando, FL 32835

(Enclose Letter of Authorization from owner(s))

AGENT NAME: Chad Brooker PHONE: 863-397-1626

ADDRESS: 6039 Cypress Gardens Blvd, Winter Haven, FL 33884

OWNER NAME: \_\_\_\_\_ PHONE: 404-786-1212

(Enclose Proof of Ownership; i.e. photocopy of Deed, Tax Receipt)

ADDRESS: 4371 Conroy Club Drive, Orlando, FL 32835

REQUEST DCA REVIEW: ( ) YES ( ) NO ( ) N/A # of acres: \_\_\_\_\_ Legal description attached (X)

**SUMMARY AND LOCATION OF PROPOSED AMENDMENT:**

The subject property is located along SR 33 just northeast of the SR 33 & Mt Olive Rd intersection. The parcel number for the property is 24-27-01-000000-021020.

**JUSTIFICATION OF PROPOSED AMENDMENT:**

The applicant is annexing this property into Polk City for a retail and convenience store development. A Pre-Application meeting was held on 03/17/2022 with Polk City and CFRPC. It was then that we were advised that the appropriate zoning and FLU designations for the site are Convenient Center (CCX).

EXISTING FUTURE LAND USE: Polk County CURRENT ZONING: Polk County



**WHEREFORE**, the petitioner requests that the City Commission of Polk City to annex the real property described in Schedule "A" attached hereto into the city limits of Polk City, Florida, and petitioner requests the assignment of a land use designation of Convenient Center (CCX)

At such time as the City's Future Land Use Map can be amended upon annexation of the real property.

**SIGNED AND DATED** this 10th day of AUGUST, 2022

**Witnessed By:**

**Petitioner(s)**

N. Musani  
(Signature)

\_\_\_\_\_

NURUDDIN MUSANI  
(Print name)

\_\_\_\_\_



## City of Polk City

• 123 Broadway Blvd, SE • Polk City, Florida 33868 • (863) 984-31375 • Fax (863) 984-2334

### Application for Zoning or for Rezoning of Property

#### Applicant

The following information is required for submission of an application for assignment of a Zoning District in the City or the Rezoning of property in the City limits of Polk City, Florida. **Please print or type the required information below. Attach three copies of the current survey of subject property certified to the City of Polk City along with an aerial photograph and location map.**

Name of Property Owner: Nuruddin Musani

Mailing Address: 4371 Conroy Club Drive, Orlando, FL 32835 Phone: 404-786-1212

Name of Representative, if applicable: Chad Brooker (Traditions Engineering LLC)

Mailing Address: 6039 Cypress Gardens Blvd, Winter Have, FL 33884 Phone: 863-397-1626

Reason for Request: The applicant is annexing into Polk City and needs a zoning classification.

#### Property Identification

Property Address or General Location: Parcel: 24-27-01-000000-021020

Present Use of the Property: Vacant

Existing Structures Located on the Site: None

Total Acreage: 1.37 Number of Residents on Site: None

Parcel I.D.#: 24-27-01-000000-021020

Section: 01 Township: 27 Range: 24

Legal Description of the Property: See Survey

Subdivision

(if any): \_\_\_\_\_

#### Planning and Zoning Information

Current City Zoning Classification: Polk County

Current Future Land Use Classification: Polk County

Requested City Zoning Classification: Convenient Center (CCX)

**Note:** Unless specific zoning designations are requested, the City will assign designations, which most closely conform with the actual use of the property or with designations of surrounding properties. An application fee will be assessed only on requests for land use and zoning changes which result in an increase in land use or zoning intensity over that allowed under the County designations.

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

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

Fee Paid: \_\_\_\_\_


File Number: \_\_\_\_\_


**OWNER'S SIGNATURE PAGE**

(I) (We), Nuruddin Musani & Manjani Naushad being duly sworn, depose and say that (I) (we) own one or more of the properties involved in this petition and that (I) (we) authorize the City of Polk City to process this petition for Zoning or Re-zoning, in accordance with all adopted City rules and regulations, and in conformance with State law.

Further (I) (we) or any agent or lessee of the subject property authorized by (me) (us) to file this petition, deposes and say that the statements and answers contained in the application and any information attached thereto, present the arguments in behalf of this petition to the best of (my) (our) ability; and that the statements and information referred to above are in all respects true and correct to the best of (my) (our) knowledge and belief.

**OWNERS**

  
Signature of Owner  
Nuruddin Musani  
Printed Name of Owner

  
Signature of Owner  
Manjani Naushad  
Printed Name of Owner

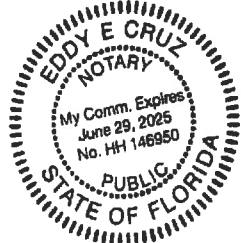
N/A  
Signature of Owner  
N/A  
Printed Name of Owner


N/A  
Signature of Owner  
N/A  
Printed Name of Owner

STATE OF FLORIDA  
COUNTY OF POLK

**OWNER'S NOTARIZATION**

The foregoing instrument was acknowledged before me this 10 day of August, 2022, by Naushad Mansani and Nuruddin Musani, who is personally known to me or who has produced a driver's license as identification and who did not take an oath.



  
Notary Public  
Notarial Seal and Commission  
Expiration Date

IFORAI 1204

**AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE**

(I) (We), NURUDDIN MUSANI & NAUSHAD MANTANI  
being duly sworn, depose and say that (I) (we) serve as \_\_\_\_\_ for the  
owner(s)

(agent or lessee)

in making this petition and that the owner(s) (has) (have) authorized (me) (us) to act in this  
capacity.

Further, (I) (we) depose and say that the statements and answers herein contained and other  
information attached hereto present the arguments in behalf of the petition herein requested to  
the best of (my) (our) ability and that the statements and information above referred to are in  
all respects true and correct to the best of (my) (our) knowledge and belief.

**AGENT, LESSEE, OR BUYER(S)**

Nuruddin  
Signature of Agent, Lessee, or Buyer(s)  
NURUDDIN MUSANI  
Printed Name of Agent, Lessee, or Buyer(s)

Naushad  
Signature of Agent, Lessee, or Buyer(s)  
NAUSHAD MANTANI  
Printed Name of Agent, Lessee, or Buyer(s)

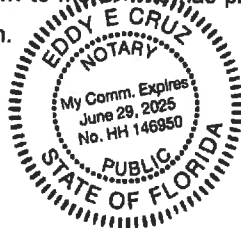
N/A  
Signature of Agent, Lessee, or Buyer(s)  
N/A  
Printed Name of Agent, Lessee, or Buyer(s)

N/A  
Signature of Agent, Lessee, or Buyer(s)  
N/A  
Printed Name of Agent, Lessee, or Buyer(s)

STATE OF FLORIDA  
COUNTY OF POLK

**AGENT, LESSEE, OR BUYER(S) NOTARIZATION**

The foregoing instrument was acknowledged before me this 10 day of  
August, 2022, by Naushad Mantani & Nuruddin Musani, who is  
personally known to me, ~~or who~~ has produced a driver's license as identification and who did  
not take an oath.



[Signature]  
Notary Public  
Notarial Seal and Commission  
Expiration Date

**City Commission Meeting  
October 18, 2022**

**AGENDA ITEM #8: PUBLIC HEARING - ORDINANCE 2022-13 – REZONING IN THE GREEN SWAMP AREA OF CRITICAL CONCERN**

       INFORMATION ONLY  
  X   ACTION REQUESTED

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**ISSUE:**

Ordinance 2022-13 – Rezoning in the Green Swamp Area of Critical State Concern

**ATTACHMENTS:**

- Ordinance 2022-13
- Overview Report –Future Land Use Map Amendment and Zoning in the Green Swamp Area of Critical State Concern

**ANALYSIS:**

The applicant is requesting a Future Land Use Map Amendment and rezoning to change the Future Land Use and Zoning of a +/- 1.37 acre parcel in the Green Swamp Area of Critical State Concern “X” from the Future Land Use of Polk County Convenient Center (CCX) and the zoning of Polk County to CCX, Convenient Center. The subject parcel is located northeast of the SR 33 and Mt Olive Rd Intersection, address being 0 State Road 33 N, Polk City.

The Planning Commission held a Public Hearing on October 3, 2022 and approved 3/1 to forward to the City Commission for approval of Rezoning in the Green Swamp Area of Critical State Concern.

City staff is recommending Option #1 below.

**CITY COMMISSION MOTION OPTIONS:**

**Rezoning Motion Options:**

1. Approve Ordinance 2022-13 on First Reading.
2. Approve Ordinance 2022-13 with changes on First Reading.
3. Deny Ordinance 2022-13 on First Reading.

**ORDINANCE 2022-13**

**AN ORDINANCE OF POLK CITY, FLORIDA; AMENDING THE OFFICIAL ZONING MAP OF POLK CITY, FLORIDA, TO CHANGE THE ZONING FOR APPROXIMATELY 1.37 ACRES FROM POLK COUNTY CONVENIENCE CENTER-X (CCX) TO CITY CONVENIENCE CENTER-X (CCX) IN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN; PROVIDING FINDINGS, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**SECTION 1. FINDINGS AND INTENT.** In adopting this Ordinance, the City Commission of Polk City, Florida hereby makes the following legislative findings and intent:

(1) The City Commission of Polk City held meetings and hearings regarding the parcels show on Exhibit "A", with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including supporting documents.

(2) In exercise of its authority, the City Commission has determined it necessary to amend the Official Zoning Map to change the City zoning classification assigned to this property.

**SECTION 2. ZONING AMENDMENT:** The official zoning map of Polk City is amended so as to assign the City Zoning Classification of CCX (Convenience Center-X) on approximately 1.37 acres of land in the Green Swamp Area of Critical State Concern on the property located at 0 State Road 33, as shown on Exhibit "A" attached hereto.

**SECTION 3. SEVERABILITY:** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**SECTION 4. CONFLICTS.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Land Development Code (LDC), unless such repeal is explicitly set forth herein.

**SECTION 5. CODIFICATION.** This Ordinance shall be codified in the Code of Ordinances of Polk City, Florida. A certified copy of this enacting ordinance shall be located in the Office of the City Clerk of Polk City. The City Clerk shall also make copies available to the public for a reasonable publication charge.

**SECTION 6. EFFECTIVE DATE:** This ordinance shall not take effect unless and until Ordinance 2022-12 adopting the companion future land use map amendment to this rezoning becomes final and non-appealable.

**INTRODUCED AND PASSED on FIRST READING,** this \_\_\_ day of \_\_\_\_\_, 2022.

**POLK CITY, FLORIDA**

\_\_\_\_\_  
Joe LaCascia, Mayor

**ATTEST:**

**APPROVED AS TO FORM AND  
CORRECTNESS:**

\_\_\_\_\_  
Patricia Jackson, City Manager/Clerk

\_\_\_\_\_  
Thomas A. Cloud, City Attorney

**PASSED AND DULY ADOPTED ON SECOND READING,** with a quorum present and voting by the City Commission of Polk City, Florida meeting in Regular Session this \_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Joe LaCascia, Mayor

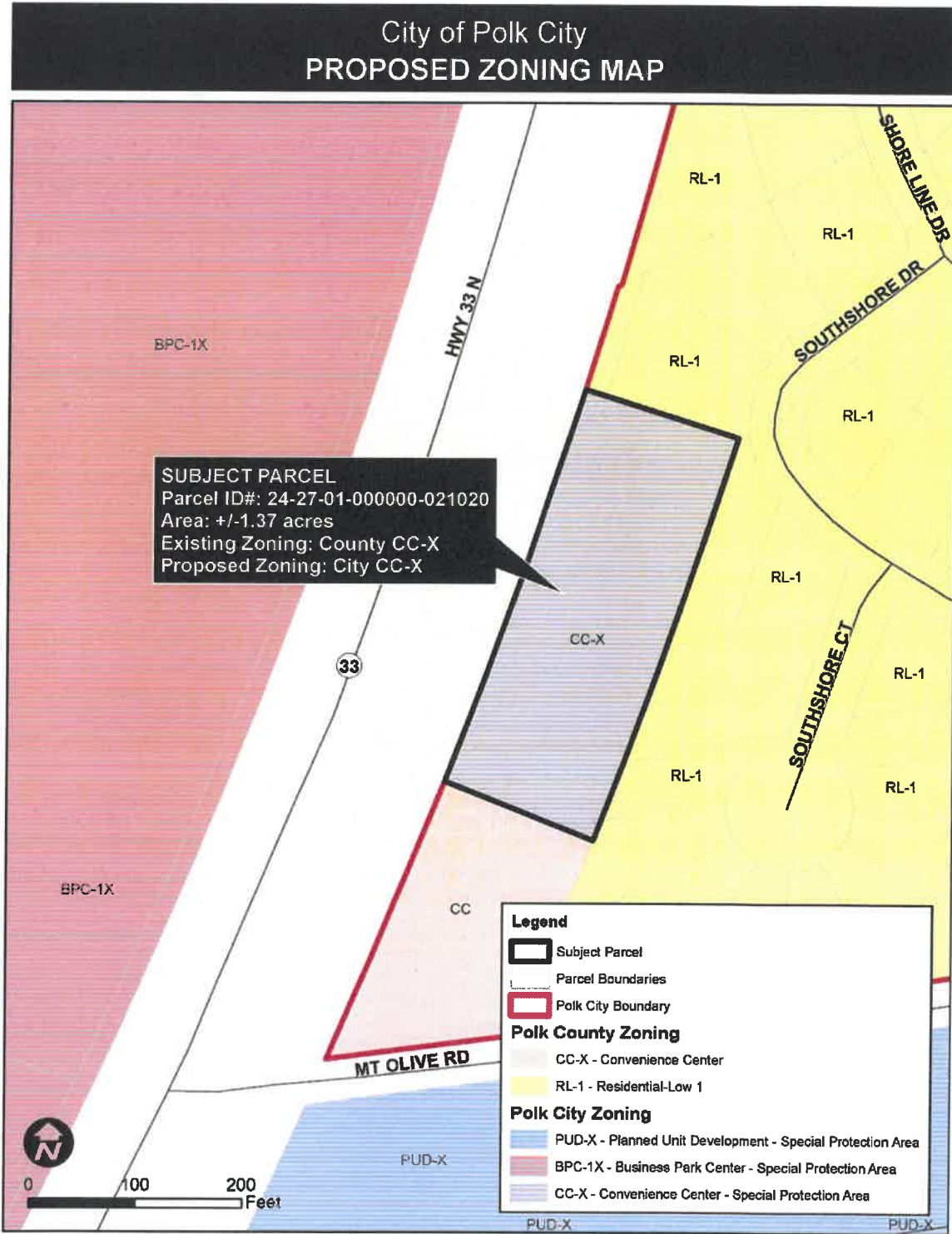
**ATTEST:**

\_\_\_\_\_  
Patricia Jackson, City Manager/Clerk



ORDINANCE NO. 2022-13

EXHIBIT "A"





**POLK CITY  
FUTURE LAND USE MAP AMENDMENT & REZONING  
OVERVIEW REPORT**

October 18, 2022

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**TO:** Polk City Planning Commission

**FROM:** Central Florida Regional Planning Council

**SUBJECT:** **Ordinance 2022-12: Future Land Use Map Amendment in the Green Swamp Area of Critical State Concern:** A applicant-initiated Future Land Use Map Amendment in the Green Swamp Area of Critical State Concern "X" to change the Future Land Use from County Convenience Center -X to City Convenience Center-X on approximately 1.37 acres located at 0 State Road 33 North (parcel number 24-27-01-000000-021020).

✓ **Ordinance 2022-13: Rezoning in the Green Swamp Area of Critical State Concern:** An applicant-initiated rezoning in the Green Swamp Area of Critical State Concern "X" to change the zoning from County Convenience Center-X to City Convenience Center-X of approximately 1.37 acres located at 0 State Road 33 North (parcel number 24-27-01-000000-021020).

**AGENDA AND HEARING DATES:**

October 3, 2022, 6:30 PM: Planning and Zoning Board (Public Hearing)  
**October 18, 2022, 7:00 PM: Transmittal to DEO for 60 Day DEO review Period (Second Reading, Public Hearing)**  
January 2023, 7:00 PM: Second Reading – Adoption Hearing

**ATTACHMENTS:**

- Aerial Photo Map
- Existing Future Land Use Map
- Proposed Future Land Use Map
- Existing Zoning Map
- Proposed Zoning Map
- Applications

**CITY COMMISSION MOTION OPTIONS:**

**Future Land Use Map Amendment Motion Options:**

1. Transmit Ordinance 2022-12 to the Florida Department of Economic Opportunity for review.
2. Transmit Ordinance 2022-12 with changes to the Florida Department of Economic Opportunity for review.
3. Deny transmittal of Ordinance 2022-12 to the Florida Department of Economic Opportunity for review.

**Rezoning Motion Options:**

1. Approve Ordinance 2022-13 on first reading.
2. Approve Ordinance 2022-13 with changes on first reading.
3. Deny Ordinance 2022-13 on first reading.

**OVERVIEW:**

<b>Applicant/Owner</b>	Deelip Wagh and Naushad Manjani
<b>Agent</b>	Chad Brooker
<b>Parcel IDs</b>	24-27-01-000000-021020
<b>Subject Area</b>	+/- 1.37 acres
<b>Existing Future Land Use</b>	Polk County
<b>Proposed Future Land Use</b>	Convenient Center (CCX) (Green Swamp)
<b>Existing Zoning</b>	Polk County
<b>Proposed Zoning</b>	Convenience Center (CCX) (Green Swamp)

The applicant is requesting a Future Land Use Map Amendment and rezoning to change the Future Land Use and zoning of a +/- 1.37 acre parcel in the Green Swamp Area of Critical State Concern "X" from the Future Land Use of Polk County Convenient Center (CCX) and the zoning of Polk County to CCX, Convenient Center. The subject parcel is located northeast of the SR 33 and Mt Olive Rd Intersection, address being 0 State Road 33 N, Polk City. See attached Aerial Photo Map.

**BACKGROUND & REASON FOR REQUEST:**

The purpose of the request is to Request a future land use amendment and a rezoning.

**STANDARDS FOR EVALUATING FUTURE LAND USE AND ZONING CHANGES:**

The Polk City Planning Commission will provide recommendations, and the City Commission will make a final motion to accept, reject, modify, return, or continue to seek additional information on all proposed Future Land Use and zoning changes. The review shall be considered and evaluated against the following standards:

- *Consistency with the Comprehensive Plan and Land Development Code.*
- *Land Use Compatibility.*

- *Public Facilities and Services Analysis.*

**Consistency with the Comprehensive Plan and Land Development Code:**

The request is to change the Future Land Use from Polk County Convenience Center (CCX) and the zoning of Polk County CCX to City Future Land Use of Convenience Center X and City Zoning of Convenience Center X. Descriptions for the existing and proposed Future Land Use and zoning designations are provided as follows:

***Existing – Future Land Use***

**Polk County Comprehensive Plan, Future Land Use Element, Policy 2.131-B.2.1. A8 – Convenience Center (CCX) :** The characteristics of the Convenience Center future land use district shall be in conformance with Policies 2.110-C1-4 of the Comprehensive Plan with the following exceptions:

- (a) The one-mile minimum separation requirement in Policy 2.110-C3 applies only to other Convenience Center districts and not to higher level activity center districts;
- (b) Residential Uses are permitted when combined with commercial or office and are developed at a minimum of five units per acre to a maximum of ten units per acre; and,
- (c) Off-street parking is to be minimized and placed to the rear of the front building lines whenever practicable.
- (d) Building facades shall include architectural interest and not constructed of entirely blank walls and/or metal siding;
- (e) Development shall include internal pedestrian pathways along roadways and drives, between buildings and to adjacent residential areas

***Proposed – Future Land Use***

**Polk City Comprehensive Plan, Future Land Use Element, Policy 4.4.B – Convenience Center:** Convenience Centers are intended to accommodate the convenience-shopping needs of residents living within the immediate surrounding area. The CCX district permits non-residential uses such as offices, convenience stores, gas stations, dry cleaners and community facilities. The maximum floor area ratio shall not exceed 0.25. Convenience Centers shall be located at the intersections of arterial and/or collector roads. There shall be a one (1) mile traveling distance within the Polk City SPA on public roads between the center of a Convenience Center and the center of any other Convenience Center, or other higher level Activity Center or Linear Commercial Corridor providing for the same convenience shopping needs. This required separation may be reduced if: a) The higher-level Activity Center or Linear Commercial Corridor within the required distance separation is over 80% developed; or, b) the proposed Convenience Center market-area radius, minimum population support is over 5,000 people.

Useable Area	1 to 5 acres
Gross Leasable Area	3,000 to 20,000 square feet
Minimum Population Support	2,500 to 5,000 people
Market-Area radius	1 mile
Typical Leading Tenant	Convenience Store
Other Typical Tenants	Laundry, Dry cleaning, Barber, Restaurant, Gas Station, Office

Development within a Convenience Center shall conform to the following criteria:

- i. Convenience Centers shall have frontage on, or direct access to, an arterial or collector roadway, or a frontage road or service drive that directly serves an arterial or collector roadway.
- ii. Different uses within a Convenience Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
- iii. Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
- iv. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities that may require special buffering provisions.
- v. Residential uses shall not be permitted in Convenience Centers.
- vi. Offices uses shall not exceed 40 percent of the total area within the convenience center. Commercial uses may constitute 100 percent of the convenience center.

### ***Existing – Zoning***

**Polk County Comprehensive Plan, Future Land Use Element, Policy 2.131-B.2.1. A8 – Convenience Center (CCX) :** The characteristics of the Convenience Center future land use district shall be in conformance with Policies 2.110-C1-4 of the Comprehensive Plan with the following exceptions:

- (a) The one-mile minimum separation requirement in Policy 2.110-C3 applies only to other Convenience Center districts and not to higher level activity center districts;
- (b) Residential Uses are permitted when combined with commercial or office and are developed at a minimum of five units per acre to a maximum of ten units per acre; and,
- (c) Off-street parking is to be minimized and placed to the rear of the front building lines whenever practicable.
- (d) Building facades shall include architectural interest and not constructed of entirely blank walls and/or metal siding;



- (e) Development shall include internal pedestrian pathways along roadways and drives, between buildings and to adjacent residential areas

**Proposed –Zoning**

**Polk City Land Development Code, Section 2.04.02.05 – CCX Convenience Centers:** Convenience Centers X are intended to accommodate the convenience-shopping needs of residents living within the immediate surrounding area.

**Table 3.19 – Convenience Centers Usable Area**

Useable Area	1 to 5 acres
Gross Leasable Area (GLA)	3,000 to 20,000 square feet
Minimum Population Support	2,500 to 5,000 people
Market-Area radius	1 mile
Typical Leading Tenant	Convenience Store
Other Typical Tenants	Laundry, Dry cleaning, Barber, Restaurant, Gas Station, Office

Convenience Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distance, on public roads, between the center of a Convenience Center and the center of any other Convenience Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same convenience shopping needs: a. One (1) mile within the Polk City Special Protection Area. This required separation may be reduced if:

The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or,

The proposed Convenience Center market-area radius, minimum population support is over 5,000 people.

Development within a Convenience Center shall conform to the following criteria:

- a) Convenience Centers shall have frontage on, or direct access to, an arterial or collector roadway, or a frontage road or service drive that directly serves an arterial or collector roadway.
- b) Different uses within a Convenience Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
- c) Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
- d) Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities that may require special buffering provisions.

- e) Residential uses shall not be permitted in Convenience Centers.
- f) Offices uses shall not exceed 40 percent of the total area within the convenience center. Commercial uses may constitute 100 percent of the convenience center.
- g) The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Unit Development.
- h) Planned Unit Developments within the Convenience Center may be permitted a maximum floor area ratio up to 0.50. Intensity increases shall only be awarded to innovative, efficient, and compatible Planned Unit Development proposals that are consistent with the general district characteristics. Such Planned Unit Developments shall also be designed to be compact and require less land area than other alternatives.

**Land Use Compatibility**

The subject parcel is surrounded by a mix of Low and Medium Density Residential Future Land Use, and Commercial Future Land Uses. The adjacent parcels consist of single-family homes, Vacant Land and Commercial. The *Land Use Matrix* below outlines the existing and proposed Future Land Use and zoning of the subject parcels, the existing Future Land Use and zoning of adjacent properties, and the existing land use of the subject parcels and adjacent properties. Proposed Future Land Use and Zoning Maps are also provided for reference.

**Land Use Matrix**

Northwest	North	Northeast
<b>Future Land Use:</b> Business Park Center-X  <b>Zoning:</b> Business Park Center-X  <b>Existing Land Use:</b> Warehouse/Distribution Center	<b>Future Land Use:</b> Residential Low-1 (County)  <b>Zoning:</b> MH  <b>Existing Land Use:</b> Single Family Development	<b>Future Land Use:</b> Residential Low-1 (County)  <b>Zoning:</b> MH  <b>Existing Land Use:</b> Single Family Development – Mobile Homes
West	Subject Parcels	East
<b>Future Land Use:</b> Business Park Center-X  <b>Zoning:</b> Business Park Center-X  <b>Existing Land Use:</b> Warehouse/Distribution Center	<b>Future Land Use:</b> <u>Existing:</u> Polk County <u>Proposed:</u> CCX  <b>Zoning:</b> <u>Existing:</u> Polk County <u>Proposed:</u> CCX  <b>Existing Land Use:</b> Vacant	<b>Future Land Use:</b> Residential Low-1 (County)  <b>Zoning:</b> Residential Low-1 (County)  <b>Existing Land Use:</b> Single Family Development – Mobile Homes
Southwest	South	Southeast
<b>Future Land Use:</b>	<b>Future Land Use:</b>	<b>Future Land Use:</b>

Business Park Center	Convenience Center-X	Residential Low (City)
<b>Zoning:</b> Business Park Center	<b>Zoning:</b> CCX	<b>Zoning:</b> Planned Unit Development X
<b>Existing Land Use:</b> Warehouse/Distribution Center	<b>Existing Land Use:</b> Gas Station	<b>Existing Land Use:</b> Single Family Development

**Public Facilities and Services Analysis:**

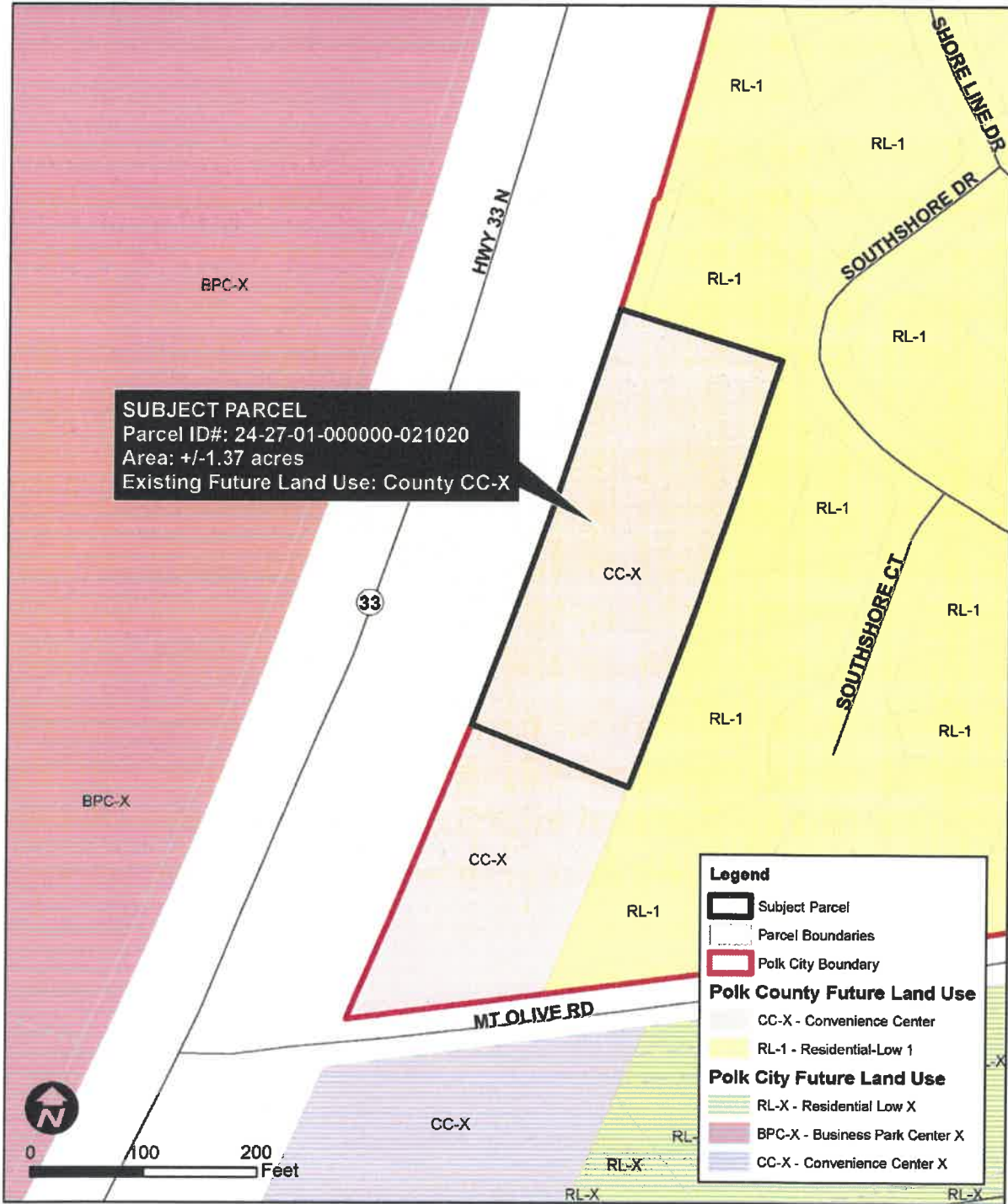
Potable water, wastewater, solid waste, transportation and emergency services will be reviewed prior to any development approval.



# City of Polk City AERIAL PHOTO MAP

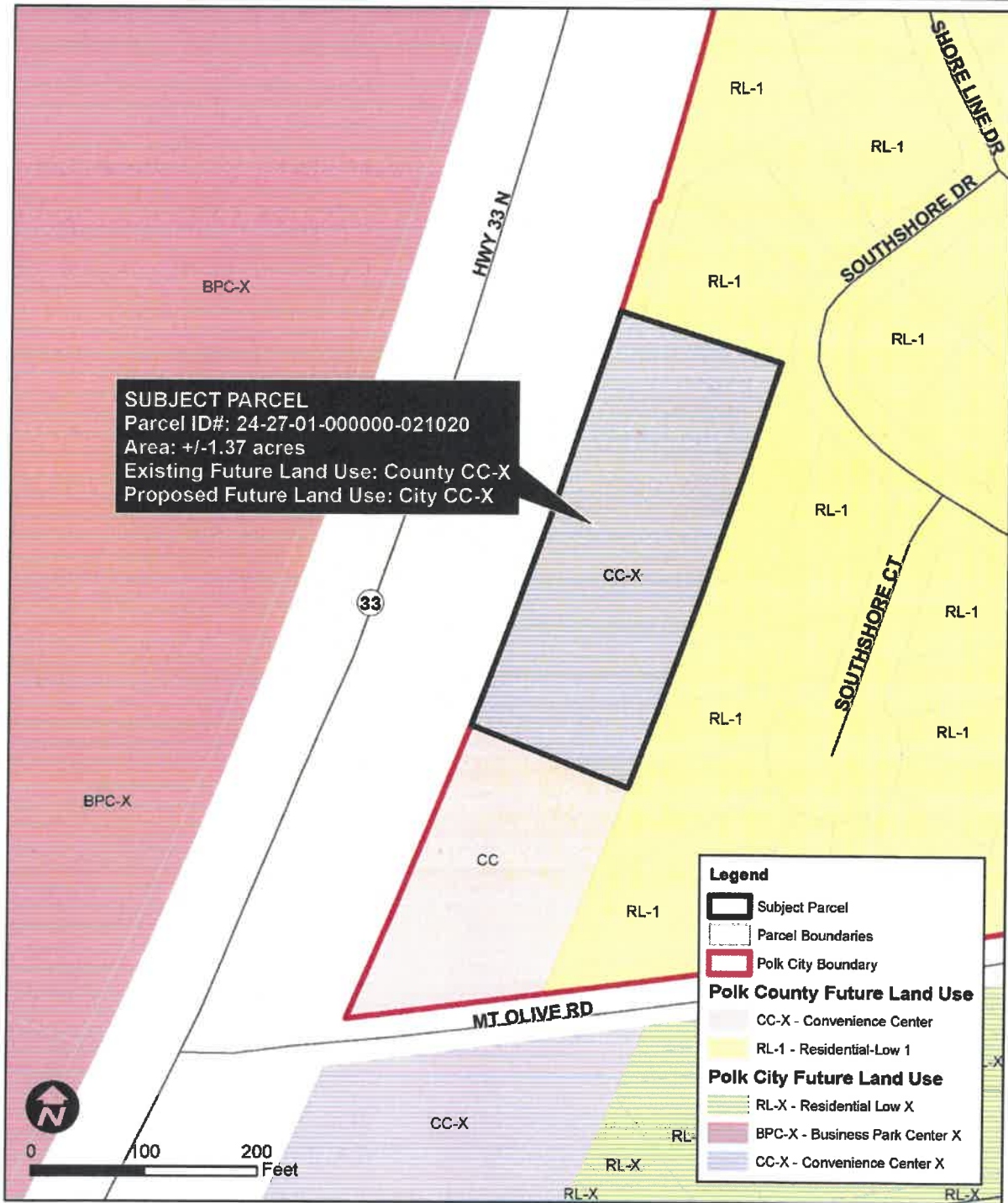


# City of Polk City EXISTING FUTURE LAND USE MAP

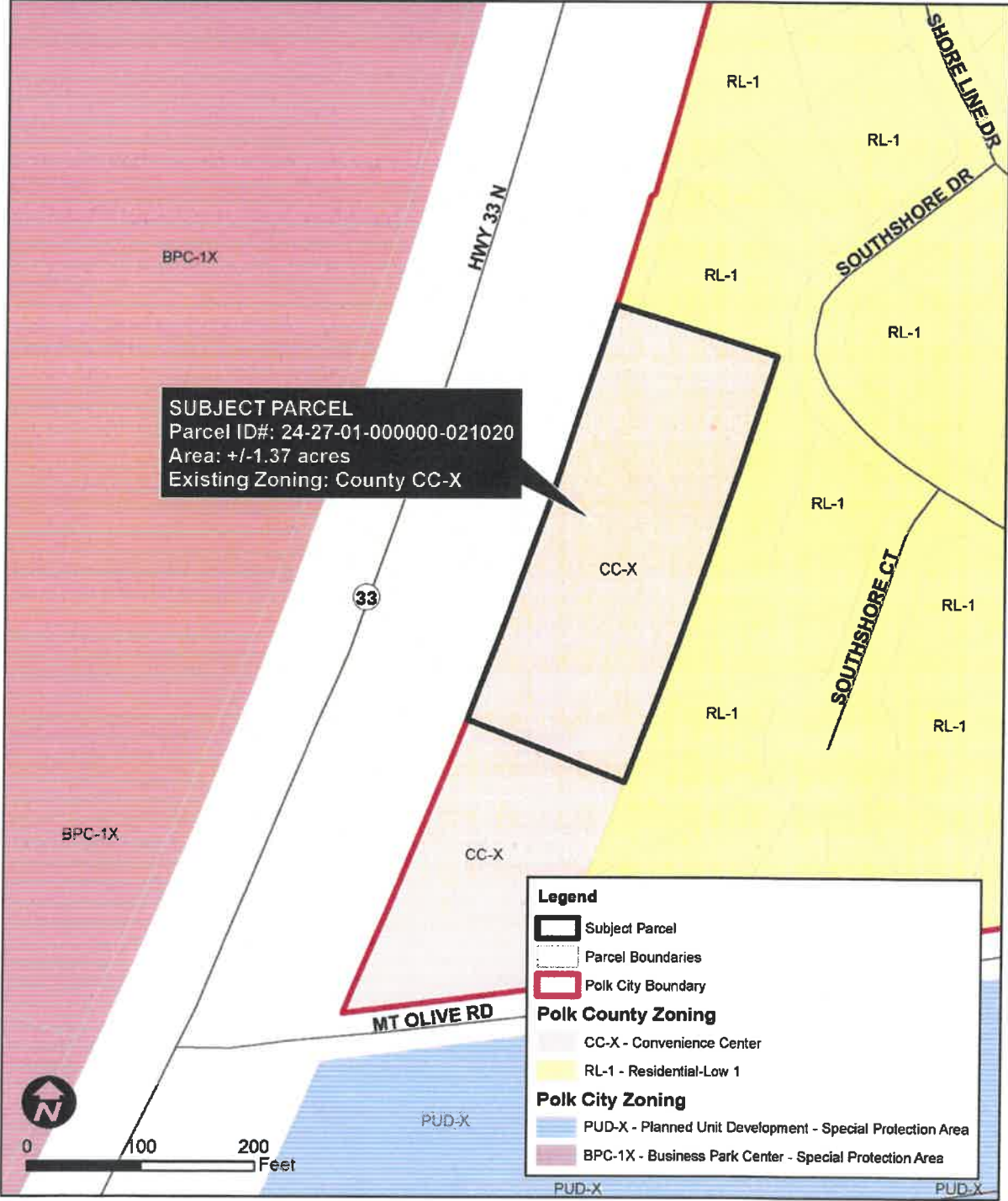




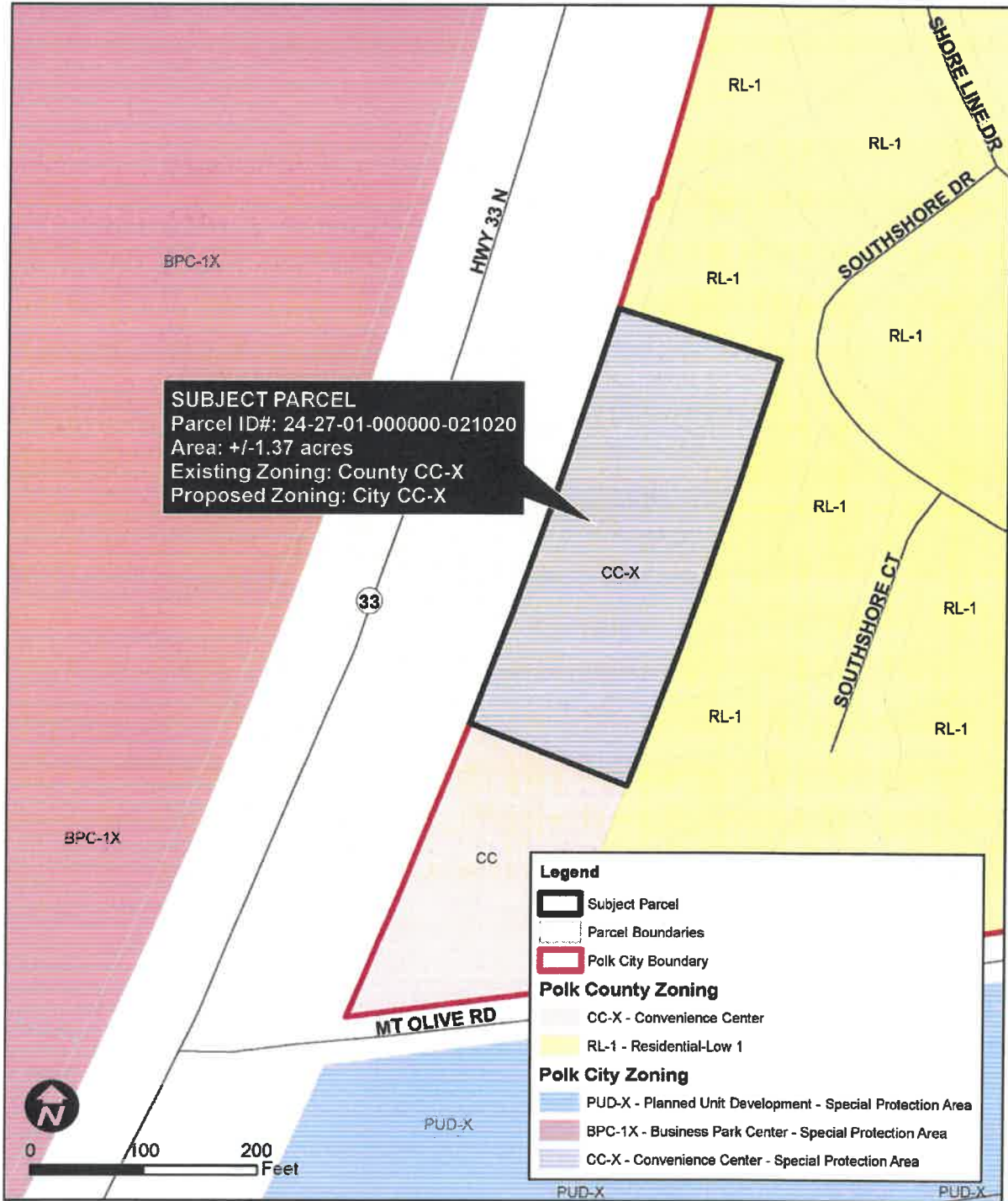
# City of Polk City PROPOSED FUTURE LAND USE MAP



# City of Polk City EXISTING ZONING MAP



# City of Polk City PROPOSED ZONING MAP





Proposed Amendment: # \_\_\_\_\_  
Receipt: # \_\_\_\_\_ Fee: \$ \_\_\_\_\_  
Small Scale? (≤ 10 acres) YES ( ) NO ( )

**CITY OF POLK CITY  
APPLICATION FOR FUTURE LAND USE MAP AND/OR ZONING AMENDMENT**

City of Polk City  
Planning Services  
PO Box 1139  
Polk City, Florida 33868  
Phone: 863-984-1375

FOR OFFICE USE ONLY	
DATE RECEIVED:	_____
RECEIVED BY:	_____
P & Z HEARING:	_____
(LS) TRANSMITTAL HEARING:	_____
(SS) FIRST READING:	_____
ADOPTION HEARING:	_____

APPLICANT NAME: Nuruddin Musani PHONE: 404-786-1212

ADDRESS: 4371 Conroy Club Drive, Orlando, FL 32835

(Enclose Letter of Authorization from owner(s))

AGENT NAME: Chad Brooker PHONE: 863-397-1626

ADDRESS: 6039 Cypress Gardens Blvd, Winter Haven, FL 33884

OWNER NAME: \_\_\_\_\_ PHONE: 404-786-1212

(Enclose Proof of Ownership, i.e. photocopy of Deed, Tax Receipt)

ADDRESS: 4371 Conroy Club Drive, Orlando, FL 32835

REQUEST DCA REVIEW: ( ) YES ( ) NO ( ) N/A # of acres: \_\_\_\_\_ Legal description attached (X)

**SUMMARY AND LOCATION OF PROPOSED AMENDMENT:**

The subject property is located along SR 33 just northeast of the SR 33 & Mt Olive Rd intersection. The parcel number for the property is 24-27-01-000000-021020.

**JUSTIFICATION OF PROPOSED AMENDMENT:**

The applicant is annexing this property into Polk City for a retail and convenience store development. A Pre-Application meeting was held on 03/17/2022 with Polk City and CFRPC. It was then that we were advised that the appropriate zoning and FLU designations for the site are Convenient Center (CCX).

EXISTING FUTURE LAND USE: Polk County CURRENT ZONING: Polk County



**WHEREFORE**, the petitioner requests that the City Commission of Polk City to annex the real property described in Schedule "A" attached hereto into the city limits of Polk City, Florida, and petitioner requests the assignment of a land use designation of Convenient Center (CCX)

At such time as the City's Future Land Use Map can be amended upon annexation of the real property.

**SIGNED AND DATED** this 10th day of AUGUST, 2022

**Witnessed By:**

**Petitioner(s)**

Nmusani  
(Signature)

\_\_\_\_\_

NURUDDIN MUSANI  
(Print name)

\_\_\_\_\_





# City of Polk City

• 123 Broadway Blvd, SE • Polk City, Florida 33868 • (863) 984-31375 • Fax (863) 984-2334

## Application for Zoning or for Rezoning of Property

### Applicant

The following information is required for submission of an application for assignment of a Zoning District in the City or the Rezoning of property in the City limits of Polk City, Florida. **Please print or type the required information below. Attach three copies of the current survey of subject property certified to the City of Polk City along with an aerial photograph and location map.**

Name of Property Owner: Nuruddin Musani

Mailing Address: 4371 Conroy Club Drive, Orlando, FL 32835 Phone: 404-786-1212

Name of Representative, if applicable: Chad Brooker (Traditions Engineering LLC)

Mailing Address: 6039 Cypress Gardens Blvd, Winter Have, FL 33884 Phone: 863-397-1626

Reason for Request: The applicant is annexing into Polk City and needs a zoning classification.

### Property Identification

Property Address or General Location: Parcel: 24-27-01-000000-021020

Present Use of the Property: Vacant

Existing Structures Located on the Site: None

Total Acreage: 1.37 Number of Residents on Site: None

Parcel I.D.#: 24-27-01-000000-021020

Section: 01 Township: 27 Range: 24

Legal Description of the Property: See Survey

Subdivision

(if any): \_\_\_\_\_

### Planning and Zoning Information

Current City Zoning Classification: Polk County

Current Future Land Use Classification: Polk County

Requested City Zoning Classification: Convenient Center (CCX)

**Note:** Unless specific zoning designations are requested, the City will assign designations, which most closely conform with the actual use of the property or with designations of surrounding properties. An application fee will be assessed only on requests for land use and zoning changes which result in an increase in land use or zoning intensity over that allowed under the County designations.

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

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

Fee Paid: \_\_\_\_\_

File Number: \_\_\_\_\_

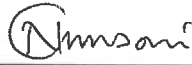



**OWNER'S SIGNATURE PAGE**

(I) (We), Nuruddin Musani & Manjani Naushad being duly sworn, depose and say that (I) (we) own one or more of the properties involved in this petition and that (I) (we) authorize the City of Polk City to process this petition for Zoning or Re-zoning, in accordance with all adopted City rules and regulations, and in conformance with State law.

Further (I) (we) or any agent or lessee of the subject property authorized by (me) (us) to file this petition, deposes and say that the statements and answers contained in the application and any information attached thereto, present the arguments in behalf of this petition to the best of (my) (our) ability; and that the statements and information referred to above are in all respects true and correct to the best of (my) (our) knowledge and belief.

**OWNERS**

  
Signature of Owner  
Nuruddin Musani  
Printed Name of Owner

  
Signature of Owner  
Manjani Naushad  
Printed Name of Owner

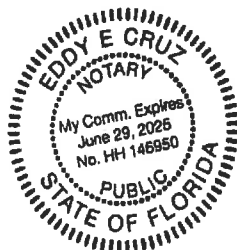
N/A  
Signature of Owner  
N/A  
Printed Name of Owner


N/A  
Signature of Owner  
N/A  
Printed Name of Owner

STATE OF FLORIDA  
COUNTY OF POLK

**OWNER'S NOTARIZATION**

The foregoing instrument was acknowledged before me this 10 day of August, 2022, by Naushad Mansani and Nuruddin Musani, who is personally known to me or who has produced a driver's license as identification and who did not take an oath.



  
Notary Public  
Notarial Seal and Commission  
Expiration Date

(FORM 6294)

**AGENT, LESSEE, OR BUYER'S SIGNATURE PAGE**

(I) (We), NURUDDIN MUSANI & NAUSHAD MANJANI  
being duly sworn, depose and say that (I) (we) serve as \_\_\_\_\_ for the  
owner(s)

(agent or lessee)

in making this petition and that the owner(s) (has) (have) authorized (me) (us) to act in this  
capacity.

Further, (I) (we) depose and say that the statements and answers herein contained and other  
information attached hereto present the arguments in behalf of the petition herein requested to  
the best of (my) (our) ability and that the statements and information above referred to are in  
all respects true and correct to the best of (my) (our) knowledge and belief.

**AGENT, LESSEE, OR BUYER(S)**

Nuruddin  
Signature of Agent, Lessee, or Buyer(s)  
NURUDDIN MUSANI  
Printed Name of Agent, Lessee, or Buyer(s)

Naushad  
Signature of Agent, Lessee, or Buyer(s)  
NAUSHAD MANJANI  
Printed Name of Agent, Lessee, or Buyer(s)

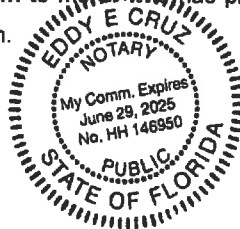
N/A  
Signature of Agent, Lessee, or Buyer(s)  
N/A  
Printed Name of Agent, Lessee, or Buyer(s)

N/A  
Signature of Agent, Lessee, or Buyer(s)  
N/A  
Printed Name of Agent, Lessee, or Buyer(s)

STATE OF FLORIDA  
COUNTY OF POLK

**AGENT, LESSEE, OR BUYER(S) NOTARIZATION**

The foregoing instrument was acknowledged before me this 10 day of  
August, 2022, by Naushad Manjani & Nuruddin Musani, who is  
personally known to me ~~as who~~ who has produced a driver's license as identification and who did  
not take an oath.



[Signature]  
Notary Public  
Notarial Seal and Commission  
Expiration Date