HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS
Tuesday, July 18, 2023
9:00 AM
600 S. Commerce Ave. Sebring, FL 33870
AGENDA

1 MEETING CALLED TO ORDER: Invitation to fill out "COMMENTS BY THE PUBLIC" forms.
Please silence all cell phones and devices.

2 INVOCATION

3 PLEDGE OF ALLEGIANCE

4 ANNOUNCEMENTS

The Highlands County Board of County Commissioners will hold a special workshop meeting on Tuesday, July 18, 2023, for the purpose of holding a workshop on the proposed FY 2023/2024 Budget to consider the budgets of the Constitutional Officers and Outside Agencies at 10:00 a.m., in the Board room, 600 S. Commerce Ave., Sebring

The Highlands Soil & Water Conservation District will hold a Board of Supervisors meeting on Tuesday, July 18, 2023, at 3:00 p.m., in the HSWCD Conference room of the Bert J. Harris, Jr. Agricultural Center, 4509 George Blvd., Sebring

The Affordable Housing Advisory Committee will hold a regular meeting on Wednesday, July 19, 2023, at 3:30 p.m., in the Engineering Training Room, 505 S. Commerce Ave., Sebring

The Historic Preservation Commission will hold a regular meeting on Thursday, July 20, 2023, at 2:30 p.m., in the Engineering Training Room, 505 S. Commerce Ave., Sebring

The Lake Istokpoga Management Committee (LIMC) will hold a special meeting on Tuesday, July 25, 2023, at 9:00 a.m., in Conference room 3 of the Bert J. Harris, Jr. Agricultural Center, 4509 George Blvd., Sebring

5 CONSTITUTIONAL OFFICERS – ANNOUNCEMENTS:

6 RECOGNITIONS, PRESENTATIONS AND PROCLAMATIONS:

7 PUBLIC COMMENT

8 CONSENT AGENDA

8.A *Request approval of Resolution 22-23-123 to accept the update to the attached list of Invasive Plant Management assets.*
Jonathan Harrison, Road and Bridge Director
Chris Mayhew, Invasive Plant Management Supervisor

There is no additional fiscal impact. The operating budget of the Invasive Plant Management Department (Fund 005 Cost Center 6304) covers maintenance activities associated with these assets.
Res 22.23.123 County maintained invasive plant assets.SGS.pdf

8.B *Request approval of Agreement with Sullivan Environmental Inc. for Operation and Maintenance for Landfill Systems Services.*
Clinton Howerton, Jr., P.E., Critical Infrastructure Director
The annual fiscal impact is $195,000, which funds were budgeted in the FY 22/23 budget for Operation and Maintenance for Landfill Systems Services in Cost Center 4210 (Refuse Disposal), 53100 (Professional Services).
23-004 SEI Highlands Executed.pdf

8.C *Request to adopt Resolution 22-23-139 for Budget Amendment 22-23-121 to appropriate additional Miscellaneous Revenue.*
Paul Blackman, Sheriff
The fiscal impact is an increase to Fund 005 (General) and the overall budget in the amount of $796,266.11. This budget amendment is appropriating the additional revenue in cost center 3101 (Sheriff-005), account 3421001 (Law Enforcement Services).
22-23-121 Sheriff_Appropriate Addl Misc Revenue (BA) revised.pdf
22-23-121R Sheriff_Appropriate Misc Revenue (Resolution).pdf

8.D *Request to adopt Resolution 22-23-137 for Budget Amendment 22-23-118 to realign excess funds from road Projects 21016, 22020, 22022 and 22025 in the amount of $176,500.00 to road Project 22021, 22074 and 22075.*
Jonathan Harrison, Road & Bridge Director
There is no fiscal impact to Fund 151 or the overall budget. This budget amendment is merely realigning unused adopted funds from 4102A 56301Z (Reconstruct Funds) and re-appropriating said funds into Project 22021, 22074 and 22075 for further roadway construction.
22-23-118R RB Project Closure_Project Realignment.pdf
22-23-118 RB Proj Closure_Proj Realignments (BA).pdf

8.E *Request to adopt Resolution 22-23-142 for Budget Amendment 22-23-122 to appropriate additional fund balance in Fund 129 (Conservation Trust).*
Jonathan Harrison, Road & Bridge Director
Dawn Ritter, Natural Resources Manager
The fiscal impact is an increase to Fund 129 (Conservation Trust Fund) in the amount of $51,786.00.
22-23-122R Conservation Trust Appropriate FB_Tractor (Resolution).pdf
22-23-122 Conservation Trust Appropriate FB_Tractor (BA).pdf

8.F *Request approval of Pay Without PO to Waste Connections for Invoice 6437-0001.*
Clinton Howerton Jr., P.E., Critical Infrastructure Director
The fiscal impact is an increase to Fund 401 (Solid Waste Enterprise Fund) Cost Center 4218 (Refuse Collections Program) in the amount of $14,748.72.
19570 Waste Connections 07-06-2023.pdf

8.G *Request adoption of Resolution 22-23-146 limiting Large Vehicle traffic on Stryker Rd. from US Highway 27 to N. Olivia Dr. & N. Olivia Dr. from SR 64 to Stryker Rd.*
JD Langford, P.E., County Engineer

The fiscal impact to Fund 110 (Transportation Trust) is $600 for posting signage along Stryker Road.

Resolution_22.23.146.Styker Bypass Route NO TRUCKS.SGS.pdf

8.H *Request adoption of Resolution 22-23-145 limiting Large Vehicle traffic on Placid Lakes Blvd. from US 27 to Catfish Creek Rd., Catfish Creek Rd. from Placid Lakes Blvd. to W. Interlake Blvd. and W. Interlake Blvd. from Catfish Creek Rd. to US Highway 27.*
JD Langford, P.E., County Engineer
The fiscal impact to Fund 110 (Transportation Trust) is $1,200 for posting signage along Placid Lakes Blvd., Catfish Creek Rd. and W. Interlake Blvd.
Resolution_22.23.145.Catfish Creek Bypass Route NO TRUCKS.SGS.pdf

8.I *Request adoption of Resolution 22-23-144 reinstating Vacation of Easements and Vacation of Right of Ways.*
JD Langford, P.E., County Engineer
The fiscal impact to Fund 110 (Transportation Trust) will be an increase in Revenue but is indeterminable at this time until the fee schedule is set.
Resolution 2.23.144.Easement and Right of Way Vacation Policy.SGS.pdf

8.J *Request approval of Budget Amendment 22-23-123 to provide additional funding for Cost Center 2103, Legal Professional Services Account 53100.*
Sherry G. Sutphen, County Attorney
There is no fiscal impact to Fund 005 (General) or the overall budget as this budget amendment is transferring $20,000 in cost center 2103 (County Attorney) from account 51200 (Regular Salaries and Wages) to account 53100 (Professional Services).
22-23-123 Legal Realignment.pdf

8.K *Request adoption of Resolution 22-23-143 amending the adopted FY 22-23 Engineering Fee Schedule for Vacation of Easement and Vacation of Right of Ways.*
JD Langford, P.E., County Engineer
The fiscal impact to Fund 110 (Transportation Trust) will be an increase in Revenue but is indeterminable at this time until the fee schedule is set.
Resolution 22-23-143.Vacation Fees.SGS.pdf

8.L *Request the Chair's signature on the JAG Countywide Certification of Participation (COP) to apply for the grant as well as the 51% Letter that are required.*
Paul Blackman, Sheriff
There will be no fiscal impact as these funds are anticipated in FY23-24 and set up ahead of time. Any required match is covered within the Sheriff's, the City's, and the Town's budgets.
Sheriff_Certificate-of-Participation.pdf
Sheriff_JAG-C 51% Letter.pdf

9 COMMITTEE ASSIGNMENTS:

9.A *Request reappointment of one member, Kathy Couturier, to the Historic Preservation Commission for a four-year term to expire June 30, 2027.*
Sergio Garcia, Planner II
There is no fiscal impact.

Couturier Application.pdf

10 PUBLIC HEARING

10.A *Public hearing to consider approval of Resolution 22-23-140 pertaining to the re-imposition of the solid waste special assessment.*
Clinton Howerton Jr., P.E., County Engineer
Tanya Cannady, Business Services Director
The fiscal impact is a proposed increase in the assessment to $222.79 which would be an increase of approximately $252,682 in assessment revenue based on the current residential unit count.
Solid Waste Final e-tear_Affidavit.pdf
Resolution 22-23-140.FINAL solid waste assessment.SGS.docx

10.B *Public hearing to approve Resolution 22-23-141 of the Highlands County Fire Protection Municipal Service Benefit Unit pertaining to the re-imposition of the fire protection special assessment.*
Laney Stearns, Public Safety Director
Tanya Cannady, Business Services Director
If the fire assessment increases 7% for each of the 5 assessment categories, then the annual assessment revenue budget will increase $844,937 for fiscal 23/24. The current annual assessment budget is $6,689,084 and next year's estimated assessment budget will be $ 7,534,021.
Fire Final e-tear_Affidavit.pdf
Resolution22-23-141 FINAL Fire Assess.FY22-23.SGS.docx

10.C *Public hearing to consider adoption of P&Z Hearing No. 2127, changing the Official Zoning Atlas for an approximate 0.69-acre parcel, from Limited Business District with a Conditional Use (B-2 CU) to Business District (B-3).*
Sergio Garcia, Planner II
There is no fiscal impact.
Staff Report P&Z 2127 for BCC Glock.pdf
Application P&Z 2127 - Glock.pdf
Resolution P&Z 2127 - Glock.pdf

10.D *Public hearing to consider adoption of Small Scale Comprehensive Plan Future Land Use Amendment CPA-23-618SS, for three (3) parcels totaling an approximate 18.64 acres, from LowDensity Residential (RL) to Medium Density Residential (RM).*
Sergio Garcia, Planner II
There is no fiscal impact.
Staff Report CPA-23-618SS for BCC Heartland Investment, LLC.pdf
Application CPA-23-618SS Heartland Investment, LLC.pdf
Ordinance CPA-23-618SS Heartland Investment, LLC.pdf

10.E *Public hearing to consider adoption of P&Z Hearing No. 2128, changing the Official Zoning Atlas for three (3) parcels totaling an approximate 18.64 acres, from Agricultural District to Multiple-Family Dwelling Planned Development District (R-3 PD).*
Sergio Garcia, Planner II
There is no fiscal impact.

Staff Report P&Z 2128 for BCC Heartland Investment, LLC.pdf
Application P&Z 2128 Heartland Investment, LLC.pdf
Resolution P&Z 2128 Heartland Investment, LLC.pdf

11 ACTION AGENDA

11.A *Request adoption of Resolution 22-23-138 for Budget Amendment 22-23-120 to appropriate funds for Project #21044 (Sebring Parkway Phase IV) and adoption of Resolution 22-23-134 to approve a HUD Economic Development Initiative Grant Agreement B-23-CP-FL-0431 between the United States Housing and Urban Development (HUD) Agency and Highlands County for the planning, design, and required National Environmental Policy Act (NEPA) clearance/approvals for Sebring Parkway Phase IV.*
JD Langford, PE, County Engineer
The fiscal impact will be an increase to Fund 151 (Infrastructure Surtax), Cost Center 4102A (Transportation Projects) in the amount of $1,100,000.00 and will be appropriated in Project 21044 (Sebring Parkway Phase IV).

HUD is willing to reimburse the County up to the amount of $1,100,000.00 for planning, design, and NEPA clearance/approval.
Res. 22-23-134.HUD.B-23-CP-FL-0431.SGS.pdf
22-23-120 Project 21044 Sebring Parkway Phase IV HUD Funding (BA).pdf
22-23-138 Project 21044 Sebring Parkway Phase IV HUD Funding (BA RES).pdf

11.B *Request approval of financial commitment in the amount of $340,000 to be considered Local Government contribution for the proposed Avon Park Apartments, an affordable 80-unit multi-family rental development, located at 911 W. State Street, Avon Park, Fl.*
Ingra Gardner, Director of Community Programs
Lucy Castillo, Housing Coordinator
The fiscal impact is the commitment of an expenditure from Fund 166 (SHIP) FY 22/23 adopted budget in the amount of $150,000 from the State Distribution - Account 54911Z (Special Needs/Rental Strategy) and $190,000 from the Program Income which are funds the SHIP program receives from clients that payback SHIP loans from prior years. Total of $340,000 from project 21366.
Avon Park Apartments Pro Forma Site Plan 07.18.2023.pdf
Local-government-verification-of-contribution-loan-form_7182023.pdf
610 S FL Ave 911 W State St.pdf

11.C *Request approval of Budget Amendment 22-23-125 to realign funding within Cost Center 5105 Ambulance Service.*
E. Laney Stearns, Public Safety Director
The fiscal impact is a realignment of budgeted funds in the amount of $400,000. Funds are being moved from Regular Salaries & Wages to Operating Supplies (55200) and Machinery & Equipment (56400) in the amounts of $100,000 and $300,000, respectively, within cost center 5105.
22-23-125 EMS Add'l Realignment - Rescue Vehicle (BA).pdf

11.D *Consider Statement of Legislative Intent to amend the Ordinance of Orange Villa Mobile Home Estates Special Benefit District to allowthe amount of assessment to be adopted by Resolution.*

Tanya Cannady, Business Services Director
There is no fiscal impact.

12 COUNTY ADMINISTRATOR AND LEGAL

12.A *County Attorney Status Report.*
Sherry G. Sutphen, County Attorney
There is no fiscal impact.
Legal_Long_Range_Log.docx

13 COMMISSIONERS

14 INFORMATIONAL

14.A *Resolution 22-23-124 approving the Railroad Reimbursement Agreement with the Florida Department of Transportation.*
Sherry G. Sutphen. County Attorney
There is no fiscal impact.
RES. BOOK 34 PAGE 126 (1).pdf

14.B *Board payables from to July 3, 2023, to July 17, 2023*
Cash requirements 07.10.23.pdf
Wires ACHs.pdf

15 ADJOURN

Any person who decides to appeal any decision made by this Board of County Commissioners of Highlands County, Florida, in public hearing or meeting is hereby advised that he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which such appeal is to be based.

The Board of County Commissioners of Highlands County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions, including one's access to, participation, employment or treatment in its programs or activities. "Anyone requiring reasonable accommodation as provided for in the Americans With Disabilities Act or Section 286.26 Florida Statutes should contact Human Resources, ADA Coordinator at: 863-402-6509 (voice), or via Florida Rely Service 711, or by e-mail: hrmanager@highlandsfl.gov." Requests for CART or interpreter services should be made as soon as possible but no later than 48 hours in advance to permit coordination of the service.

Please note our new website address: www.highlandsfl.gov/

Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER:	**Jonathan Harrison, Road and Bridge Director** **Chris Mayhew, Invasive Plant Management Supervisor**
SUBJECT/TITLE:	**Request approval of Resolution 22-23-123 to accept the update to the attached list of Invasive Plant Management assets.**

STATEMENT OF ISSUE

The Highlands County Invasive Plant Management (IPM) Division, under the direction of the Road and Bridge Department, is requesting the Board of County Commissioners to formally accept maintenance responsibilities of the attached list of assets. These total number of assets are currently being maintained by the IPM Division. Maintenance funding for these assets will come from the IPM Division's 6304 Cost Center. In order to formalize assets the Road & Bridge Department has provided a descriptive list that is also recorded and/or accessed electronically within the Road and Bridge OpenGov Asset Management software system. There are no additions or reductions with the attached list of assets. This resolution is to just formally recognize and approve the current list of assets of the Invasive Plant Management Division.

RECOMMENDED ACTION

Move to approve Resolution 22-23-123 to accept the update to the attached list of Invasive Plant Management assets.

FISCAL IMPACT

There is no additional fiscal impact. The operating budget of the Invasive Plant Management Department (Fund 005 Cost Center 6304) covers maintenance activities associated with these assets.

Attachments: Res 22.23.123 County maintained invasive plant assets.SGS.pdf

RESOLUTION NO. 22-23-123

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO COUNTY MAINTAINED INVASIVE PLANT MANAGEMENT ASSETS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF PRIOR RESOLUTION; PROVIDING FOR APPROVAL OF COUNTY MAINTAINED INVASIVE PLANT MANAGEMENT ASSETS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

WHEREAS, the County owns and maintains various invasive plant management assets throughout the unincorporated Highlands County; and

WHEREAS, the County maintains a list of such maintained invasive plant management assets which it from time to time updates as it deems necessary and appropriate in its sole discretion; and

WHEREAS, on August 17, 2021, Highlands County adopted Resolution 20-21-141, which approved the current Invasive Plant Management List; and

WHEREAS, the County's Road and Bridge Department has reviewed the current list of maintained invasive plant management assets in the County based on its established evaluation criteria and recommends revisions to the same; and

WHEREAS, the County has determined that it is appropriate and in the best interest of the citizens of and visitors to Highlands County to revise the list of County invasive plant management assets.

NOW, THEREFORE, BE IT RESOLVED BY THE HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Repeal of Prior Resolution. Resolution No. 20-21-141 is hereby repealed in its entirety and shall have no further force and effect as of the date of this Resolution.

SECTION 3. Approval of County Maintained Invasive Plant Management Assets. The list of County maintained invasive plant management assets attached hereto as **Exhibit "A"** is hereby approved as the current list of County maintained invasive plant management assets and shall supersede and replace any list approved prior to the date of this Resolution.

SECTION 4. Implementation of Administrative Actions. The County Administrator is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 5. Savings Clause. All prior actions of Highlands County pertaining to County maintained invasive plant management assets, which is the subject of this Resolution, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 7. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 8. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 9. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this ____ day of July 2023.

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____
Chris Campbell, Chairman

ATTEST:

_____
Jerome Kaszubowski
Clerk of Court

Exhibit "A"
County Maintained Invasive Plant Management Assets

COUNTY MAINTAINED INVASIVE PLANT MANAGEMENT ASSETS

ID	Location Description	Adjacent Street
32	CATFISH CREEK CANAL	CATFISH CREEK RD
64	COLLEGE DRIVE DITCH	E COLLEGE DR
102	COLONY POINT RETENTION	BRIARIDGE CIR N
82	EAST CHAIN - 1	CR 621
83	EAST CHAIN - 2	LAKE CLAY DR
115	EAST CHAIN - 3	LAKE APTHORP DR
119	EAST CHAIN - 3	CR 29
15	EAST LATERAL OF JACKSON CREEK	US 27
10	ELLIOTT CANAL - 1	SHADE LN
99	ERIN PARK CANALS	KILLARNEY DR
54	HENDERSONS CANAL - 2	SILK OAK ST
76	HOLLY HILL DITCH	SCRUBPENS RD
68	HORSE HAMMOCK DITCH	N HORSE HAMMOCK RD
79	HYACINTH AVE - DATE RD DITCH	HYACINTH AVE
46	ISTOKPOGA PARK CANAL	ISTOKPOGA PARK ACCESS RD
55	ISTOKPOGA SHORES CANAL - 1	LAKESHORE DR
56	ISTOKPOGA SHORES CANAL - 2	LAKESHORE DR
16	JACKSON CREEK - 1	SPARTA RD
17	JACKSON CREEK - 2	SR 66
18	JACKSON CREEK - 3	SR 66
60	JACKSONS CREEK SPILLWAY	TUBBS RD
58	JONQUIL AND LILY DITCH	JONQUIL AVE
103	LAKE CARRIE DITCH	LAKE CARRIE DR
113	LAKE FRANCIS CANAL - 2	CLOVERLEAF RD
23	LAKE FRANCIS CANALS	GREENLEAF AVE
29	LAKE HENRY CANAL - 1	LAKE JUNE RD
30	LAKE HENRY CANAL - 2	LAKE JUNE RD
25	LAKE HUNTLEY CANAL	LAKE HUNTLEY DR
33	LAKE JUNE CANAL - 2	LAKE JUNE RD
34	LAKE JUNE CANAL - 3	LAKE JUNE RD
67	LAKE SEBRING CANAL - 1	S CANAL BLVD
1	OLE SOUTH DITCH	COMMERCE LN
117	PINE NEEDLE DITCH	PINE NEEDLE DR
49	RUTLEDGE CANAL	HIGHLANDS LAKE DR
63	SCHLOSSER CANAL	LAKE DRIVE BLVD
118	SEBRING FALLS DITCH	CARIBBEAN RD
97	SEBRING TO JACKSON CONNECT	LAKEVIEW DR
88	SIRENA TO PEARL DITCH	LAKE DR E
59	SPARTA TO LAKE CHARLOTTE DITCH	SPARTA RD
43	STAR CANALS - 1	N OAK RIDGE DR
28	STERN'S CREEK	MILLER AVE
101	STURGEON RETENTION	STURGEON DR

ID	Location Description	Adjacent Street
35	SYLVAN SHORES CANAL - 1	LAKE CLAY DR
36	SYLVAN SHORES CANAL - 1	OAK AVE
37	SYLVAN SHORES CANAL - 3	LAKE CLAY DR
14	WESTERN TO STEARNS CREEK DITCH	MILLER AVE
100	WHITING RETENTION	WHITING DR
21	WILSON LOOP DITCH	WILSON DR
89	WOLF LAKE CANAL - 1	BANYAN RD
90	WOLF LAKE CANAL - 2	SUNRISE WAY
91	WOLF LAKE CANAL - 3	LAKESIDE DR W
92	WOLF LAKE CANAL - 4	BURKETT AVE

INVASIVE PLANT MANAGEMENT ASSETS
(REIMBURSED TAXING DISTRICTS)

ID	Location Description	Adjacent Street
8	(TAX DIST) CATFISH CREEK	WASHINGTON BLVD NE
5	(TAX DIST) DIANE DITCH - 1	ISLAND PKWY NE
4	(TAX DIST) DIANE DITCH - 2	ISLAND PKWY NE
74	(TAX DIST) FLAMINGO DITCH	FLAMINGO RD NE
116	(TAX DIST) PLACID LAKES BLVD CANAL	PLACID LAKES BLVD
31	(TAX DIST) PLACID LAKES CANALS	LAKE GROVES RD NW
6	(TAX DIST) ROOSEVELT DITCH	PLACID LAKES BLVD

COUNTY PROPERTY ASSET LOCATIONS

ID	Location Description	Adjacent Street
71	MARL PIT DITCHES	CLARK RD MARL PIT ACCESS RD
96	SHELL PIT	SHELL PIT
69	UNIT 1 BARN AND YARD	CR 17 A N
73	UNIT 2 BARN AND YARD	GEORGE BLVD
72	UNIT 3 BARN AND YARD	CR 621
93	WINDY POINT MITIGATION	BOAT RAMP RD
94	ISTOKPOGA PARK	ISTOKPOGA ACCESS RD

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **Clinton Howerton, Jr., P.E., Critical Infrastructure Director**

SUBJECT/TITLE: **Request approval of Agreement with Sullivan Environmental Inc. for Operation and Maintenance for Landfill Systems Services.**

STATEMENT OF ISSUE

Attached for your approval is an Agreement with Sullivan Environmental, Inc. to provide Operation and Maintenance for Landfill Systems Services in accordance with ITB 23-002-LKD Operation and Maintenance for Landfill Service. The agreement is for a thirty-six-month term from the date the Board signs the agreement with the potential for renewal of up to three (3) additional one-year terms. The first year estimated annual operation and maintenance cost is $195,000.00.
The county requires the services of a competent and qualified contractor to operate, maintain, and monitor the leachate collection and treatment systems; active gas management, control and disposal system; groundwater monitoring well system and non-potable water well and distribution system at the Highlands County Solid Waste Management Center (HCWWMC) as well as the gas collection system, leachate collection system, groundwater well monitoring system and non-potable water well and distribution system at Highlands County's closed Desoto City Landfill. Bids for ITB 23-004-LKD were opened on June 7, 2023, and Sullivan Environmental, Inc. was the sole and most advantageous bidder to the County for the services that were needed. A Notice of Award was issued on June 21, 2023 (Attachment A)

RECOMMENDED ACTION

Request approval of the Agreement with Sullivan Environmental, Inc. for Operation and Maintenance for Landfill Systems Services.

FISCAL IMPACT

The annual fiscal impact is $195,000, which funds were budgeted in the FY 22/23 budget for Operation and Maintenance for Landfill Systems Services in Cost Center 4210 (Refuse Disposal), 53100 (Professional Services).

Attachments: 23-004 SEI Highlands Executed.pdf

AGREEMENT

THIS AGREEMENT is made by and between the BOARD OF COUNTY COMMISSIONERS OF HIGHLIANDS COUNTY, a political subdivision of the State of Florida, 600 South Commerce Avenue, Sebring, Florida 33870, hereinafter referred to as the "COUNTY", and Sullivan Environmental, Inc., 4448 13th Lane NE, St. Petersburg, Florida 33703, hereinafter referred to as the "CONTRACTOR".

WITNESSETH:

WHEREAS, the COUNTY has competitively solicited for Operation and Maintenance for Landfill Services, pursuant to the COUNTY's Purchasing Policy and ITB-23-004-LKD; and,

WHEREAS, the CONTRACTOR submitted the lowest responsive bid most advantageous to the COUNTY related to the services set forth in ITB-23-004-LKD; and,

WHEREAS, the parties hereto have agreed to the terms and conditions cited herein based on said solicitation;

NOW THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

SECTION 1. RECITALS.

The above Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. TERM.

The term of this Agreement shall be for a period of three (3) years beginning on the date of execution by the COUNTY and may be extended when in the best interest of the COUNTY for three (3) additional periods of one (1) year each.

SECTION 3. SCOPE OF SERVICES.

The CONTRACTOR shall be responsible for performing the services described in **Exhibit "A"** attached hereto. To the extent of any conflict between **Exhibit "A"** and the terms and conditions of this Agreement, the terms and conditions of this Agreement shall prevail.

SECTION 4. WARRANTY.

The CONTRACTOR agrees to provide a full warranty to the COUNTY for all services which it provides hereunder for one full year following the date of final completion of such services. In the event that the CONTRACTOR is called to perform warranty work, the CONTRACTOR will be responsible for all costs incurred in repairing the warrantied services. To the extent applicable, any manufacturer's warranty on materials provided or installed shall be in addition to the warranty required hereunder.

SECTION 5. OBLIGATIONS OF THE CONTRACTOR.

Obligations of the CONTRACTOR shall include, but not be limited to, the following:

A. It is understood that the CONTRACTOR shall provide and pay for all labor, tools, materials, permits, equipment, transportation, supervision, and any and all other items or services, of any type whatsoever, which may be necessary to fully complete and deliver the goods and/or services requested by the COUNTY, and shall not have the authority to create or cause to be filed any liens for labor and/or materials on or against the COUNTY or any property owned by the COUNTY. Such lien, attachment, or encumbrance, until it is removed, shall preclude any and all claims or demands for any payment expected by virtue of this Agreement.

B. The CONTRACTOR will ensure that all of its employees, agents, sub-contractors, representatives, volunteers, and the like, fully comply with all of the terms and conditions set herein when providing services for the COUNTY in accordance herewith.

C. The CONTRACTOR will maintain an adequate and competent staff and remain authorized to do business within the State of Florida. The CONTRACTOR may subcontract the services requested by the COUNTY; however, the CONTRACTOR is fully responsible for the satisfactory completion of all subcontracted work.

SECTION 6. STANDARD OF CARE.

A. The CONTRACTOR has represented to the COUNTY that it possesses a level of knowledge, experience, and expertise that is commensurate with firms in the areas of practice required for the services to be provided. By executing this Agreement, the CONTRACTOR agrees that the CONTRACTOR will exercise that degree of care, knowledge, skill, and ability as any other similarly situated contractor possessing the degree of skill, knowledge, experience, and expertise, working on similar activities. The CONTRACTOR shall perform the services requested in an efficient manner consistent with the COUNTY's stated objectives and standards.

B. The CONTRACTOR covenants and agrees that it and its employees, agents, sub-contractors, representatives, volunteers, and the like, shall be bound by the same standards of conduct as stated above.

SECTION 7. COMPENSATION.

A. Compensation for services completed by the CONTRACTOR will be in accordance with Florida Statutes, section 218.70, Florida's Prompt Payment Act. The amount to be paid under this Agreement for services shall be in accordance with the pricing schedule set forth in **Exhibit "B"** which is attached hereto. To the extent of any conflict between **Exhibit "B"** and the terms and conditions of this Agreement, the terms and conditions of this Agreement shall prevail.

B. Services to be performed in accordance with this Agreement are subject to the annual appropriation of funds by the COUNTY. In its sole discretion, the

COUNTY reserves the right to forego use of the CONTRACTOR for any work which may fall within the Scope of Services listed herein. In the event the COUNTY is not satisfied with the services provided by the CONTRACTOR, the COUNTY will hold any amounts due until such time as the CONTRACTOR has appropriately addressed the problem, so long as the COUNTY has provided notice of defect to the CONTRACTOR.

SECTION 8. TERMINATION.

Either party may terminate this Agreement, with or without cause, given thirty (30) days written notice to the other party.

SECTION 9. PAYMENT WHEN SERVICES ARE TERMINATED.

A. In the event of termination of this Agreement by the COUNTY, and not due to the fault of the CONTRACTOR, the COUNTY shall compensate the CONTRACTOR for all services performed prior to the effective date of termination.

B. In the event of termination of this Agreement due to the fault of the CONTRACTOR, or at the written request of the CONTRACTOR, the COUNTY shall compensate the CONTRACTOR for all services completed, prior to the effective date of termination, which have resulted in a usable product, or otherwise tangible benefit to the COUNTY. All such payments shall be subject to an off-set for any damages incurred by the COUNTY resulting from any delay occasioned by early termination. This provision shall in no way be construed as the sole remedy available to the COUNTY in the event of breach by the CONTRACTOR.

SECTION 10. INSURANCE.

A. The CONTRACTOR shall maintain the following types of insurance, with the respective limits, and shall provide proof of same to the COUNTY, in the form of a Certificate of Insurance prior to the start of any work hereunder:

1. AUTOMOBILE:
   a. Combined Single Limit: $300,000 per accident,

      OR

   b. Bodily Injury: $300,000 per person,

      AND

      Property Damage: $100,000 per accident;

2. GENERAL LIABILITY: One Million Dollars ($1,000,000.00) each occurrence;

3. GENERAL AGGREGATE: Two Million Dollars ($2,000,000.00);

4. EXCESS COVERAGE: One Million Dollars ($1,000,000.00); and,

5. WORKERS' COMPENSATION: Employers' liability insurance which covers the statutory obligation for all persons engaged in the performance of the work required hereunder with limits not less than One Million Dollars ($1,000,000.00) per occurrence. Evidence of qualified self-insurance status will suffice for this subsection.

B. For every insurance policy required hereunder, the CONTRACTOR shall provide the COUNTY with a Certificate of Insurance evidencing such coverage for the duration of this Agreement. Said Certificate of Insurance shall be dated and show:

1. The name of the insured CONTRACTOR,
2. The specified job by name and job number,
3. List "HIGHLANDS COUNTY" as an Additional Insurer,
4. Recognizes the Indemnification requirements of this Agreement.
5. The name of the insurer,
6. The number of the policy,
7. The effective date,
8. The termination date,
9. A statement that the insurer will mail notice to the COUNTY at least thirty (30) days prior to any material changes in the provisions or cancellation of the policy.

C. The CONTRACTOR shall name "Highlands County" as an additional insured, to the extent of the service to be provided under the agreement, on all insurance policies required hereunder with the exception of Workers' Compensation, and provide the COUNTY with proof of same.

D. Receipt of certificates or other documentation of insurance or policies or copies of policies by the COUNTY, or by any of its representatives, which indicates less coverage than is required, does not constitute a waiver of the CONTRACTOR's obligation to fulfill the insurance requirements specified herein.

E. The CONTRACTOR shall ensure that any sub-contractor(s), hired to perform any of the duties contained in the Scope of Services of this Agreement, maintain the same insurance requirements set forth herein. In addition, the CONTRACTOR shall maintain proof of same on file and made readily available upon request by the COUNTY.

F. The CONTRACTOR hereby waives for itself and for its insurers and underwriters, all rights which each of them may hold to recover in subrogation, indemnity, contribution or by direct cause of action for any damages, losses and costs of defense for risks against which insurance is provided, whether or not the same is required to be provided. The CONTRACTOR shall obtain consents, endorsements or such other action by insurers and underwriters as may be necessary to establish that the waiver of subrogation, indemnity, contribution and direct cause of action shall not abrogate, limit or otherwise affect any insurance provided by the CONTRACTOR and shall deliver evidence of the same to the to the COUNTY upon reasonable request.

G. The COUNTY shall be exempt from, and in no way liable for, any sums of money which may represent a deductible in any insurance policy. The payment of such deductible shall be the sole responsibility of the CONTRACTOR and/or subcontractor providing such insurance.

H. All insurance carriers shall have an AM Best Resting of at least A- and a size of VII or larger. The General Liability and Workers' Compensation policies shall have a waiver of subrogation in favor of Highlands County. The liability policies shall be Primary/Non-Contributory.

SECTION 11. COUNTY OBLIGATIONS.

At the CONTRACTOR's request, the COUNTY agrees to provide, at no cost, all pertinent information known to be available to the COUNTY to assist the CONTRACTOR in providing and performing the required services.

SECTION 12. ENTIRE AGREEMENT.

This Agreement, including referenced exhibits and attachments hereto, constitutes the entire agreement between the parties and shall supersede, replace and nullify any and all prior agreements or understandings, written or oral, relating to the matters set forth herein, and any such prior agreements or understandings shall have no force or affect whatsoever on this Agreement.

SECTION 13. APPLICABLE LAW, VENUE, JURY TRIAL.

The laws of the State of Florida shall govern all aspects of this Agreement. In the event it is necessary for either party to initiate legal action regarding this Agreement, venue shall lie in Highlands County, Florida. The parties hereby waive their right to trial by jury in any action, proceeding or claim, arising out of this Agreement, which may be brought by either of the parties hereto.

SECTION 14. PUBLIC RECORDS.

A. Pursuant to Florida Statutes, Section 119.0701:

IF YOU HAVE QUESTIONS REGARDING THE APPLICATION OF FLORIDA STATUTES, CHAPTER 119, TO

YOUR DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE COUNTY'S CUSTODIAN OF PUBLIC RECORDS:

GLORIA RYBINSKI
600 SOUTH COMMERCE AVENUE
SEBRING, FLORIDA 33870
TELEPHONE NUMBER: (863) 702-6836
HCBCCRECORDS@HIGHLANDSFL.COM

B. CONTRACTOR agrees to comply with public records laws, specifically to:

1. Keep and maintain public records required by the COUNTY to perform the services set forth herein.
2. Upon request from the COUNTY's custodian of public records, provide the COUNTY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Florida Statutes, Chapter 119, or as otherwise provided by law.
3. Ensure that public records which are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law, for the duration of the contract term and following completion of the contract if the CONTRACTOR does not transfer the records to the COUNTY.
4. Upon completion of the contract, transfer, at no cost, to the COUNTY all public records in possession of the CONTRACTOR or keep and maintain public records required by the COUNTY to perform the services set forth herein. If the CONTRACTOR transfers all public records to the COUNTY upon completion of the contract, the CONTRACTOR shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the CONTRACTOR keeps and maintains public records upon completion of the contract, the CONTRACTOR shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the COUNTY, upon request from the COUNTY's custodian of public records, in a format that is compatible with the information technology systems of the COUNTY.

SECTION 15. INDEPENDENT CONTRACTOR.

This Agreement does not create an employee/employer relationship between the parties. It is the parties' intention that the CONTRACTOR, its employees, sub-contractors, representatives, volunteers, and the like, will be an independent contractor and not an employee of the COUNTY for all purposes, including, but not limited to, the application of the following, as amended: the Fair Labor Standards Act minimum wage and overtime payments, the Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the

provisions of the Internal Revenue Code, the State of Florida revenue and taxation laws, the State of Florida workers' compensation laws, the State of Florida unemployment insurance laws, and the Florida Retirement System benefits. The CONTRACTOR will retain sole and absolute discretion in the judgment of the manner and means of carrying out the CONTRACTOR's activities and responsibilities hereunder.

SECTION 16. APPLICABLE LICENSING.

The CONTRACTOR, at its sole expense, shall obtain all required federal, state, and local licenses, occupational and otherwise, required to successfully provide the services set forth herein.

SECTION 17. COMPLIANCE WITH ALL LAWS.

The CONTRACTOR, at its sole expense, shall comply with all laws, ordinances, judicial decisions, orders, and regulations of federal, state, county, and municipal governments, as well as their respective departments, commissions, boards, and officers, which are in effect at the time of execution of this Agreement or are adopted at any time following the execution of this Agreement.

SECTION 18. INDEMNIFICATION.

The CONTRACTOR agrees to be liable for any and all damages, losses, and expenses incurred, by the COUNTY, in any way related to the services provided herein and this Agreement, caused by the acts and/or omissions of the CONTRACTOR, or any of its employees, agents, sub-contractors, representatives, volunteers or the like. The CONTRACTOR agrees to indemnify, defend and hold the COUNTY harmless for any and all such claims, suits, judgments or damages, losses and expenses, including but not limited to, court costs, expert witnesses, consultation services and attorney's fees, arising from any and all acts and/or omissions of the CONTRACTOR, or any of its employees, agents, sub-contractors, representatives, volunteers, or the like through and including any appeals in any way related to the services provided herein and this Agreement. Said indemnification, defense, and hold harmless actions shall not be limited by any required insurance coverage amounts set forth herein and shall survive termination or natural termination of this Agreement. The CONTRACTOR waives any and all right or opportunity to contest the enforceability of this Section and agrees that in the event this Section, or any part thereof, is found unenforceable by the final unappealable judgment of a court of competent jurisdiction, this Section shall be construed so as to be enforceable to the maximum extent permitted by applicable law.

SECTION 19. BANKRUPTCY OR INSOLVENCY.

If the CONTRACTOR shall file a Petition in Bankruptcy, or if the same shall be adjudged bankrupt or insolvent by any Court, or if a receiver of the property of the CONTRACTOR shall be appointed in any proceeding brought by or against the CONTRACTOR, or if the CONTRACTOR shall make an assignment for the benefit of creditors, or proceedings shall be commenced on or against the CONTRACTOR's operations of the premises, the COUNTY may terminate this Agreement immediately notwithstanding any notice requirements set forth herein.

SECTION 20. BINDING EFFECT.

This Agreement shall be binding upon and enure to the benefit of the parties hereto, their heirs, personal representatives, successors, and/or assigns.

SECTION 21. ASSIGNMENT.

This Agreement shall only be assignable by the CONTRACTOR upon the express written consent of the COUNTY.

SECTION 22. SEVERABILITY.

All clauses found herein shall act independently of each other. If a clause is found to be illegal or unenforceable, it shall have no effect on any other provision of this Agreement. It is understood by the parties hereto that if any part, term, or provision of this Agreement is by the courts held to be illegal or in conflict with any law of the State of Florida or the United States, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid. If necessary, to preserve the intent of the parties, the parties shall negotiate in good faith to amend this Agreement, adopting a substitute provision for the one deemed invalid or unenforceable that is legally binding and enforceable.

SECTION 23. WAIVER.

Failure of the parties to insist upon strict performance of any of the covenants, terms, provisions, or conditions of this Agreement or to exercise any right or option herein contained, shall not be construed as a waiver or a relinquishment for the future of any such covenant, term, provision, or condition, or right of election, but same shall remain in full force and effect.

SECTION 24. NOTICE.

The parties hereto agree and understand that written notice, mailed or delivered to the last known mailing address, shall constitute sufficient notice to the COUNTY and the CONTRACTOR. All notices required and/or made pursuant to this Agreement to be given to the COUNTY and the CONTRACTOR shall be in writing and given by way of the United States Postal Service, first class mail, postage prepaid, addressed to the following addresses of record:

COUNTY: Highlands County
Attention: County Administrator
600 South Commerce Avenue
Sebring, Florida 33870

Copy to: Board of County Commissioners of Highlands County
Attention: County Attorney
600 South Commerce Avenue
Sebring, Florida 33870
ssutphen@roperpa.com

CONTRACTOR: Kristine Sullivan, Vice President
4448 13th Lane NE
St. Petersburg, Florida 33703
kristine@sullivannv.com

SECTION 25. MODIFICATION.

The covenants, terms, and provisions of this Agreement may be modified by way of a written instrument, mutually accepted by the parties hereto. In the event of a conflict between the covenants, terms, and/or provisions of this Agreement and any written Amendment(s) hereto, the provisions of the latest executed instrument shall take precedence.

SECTION 26. HEADINGS.

All headings of the sections, exhibits, and attachments contained in this Agreement are for the purpose of convenience only and shall not be deemed to expand, limit, or change the provisions contained in such sections, exhibits, and attachments.

SECTION 27. ADMINISTRATIVE DOCUMENTATION CONFLICT.

In the event the COUNTY issues a purchase order, memorandum, letter, or any other instrument addressing the services, work, and materials to be provided and performed pursuant to this Agreement, it is hereby specifically agreed and understood that any such purchase order, memorandum, letter, or other instrument is for the COUNTY's internal purposes only, and any and all terms, provisions, and conditions contained therein, whether printed or written, shall in no way modify the covenants, terms, and provisions of this Agreement and shall have no force or effect thereon. Likewise, any invoice or other instrument issued by the CONTRACTOR shall in no way modify the covenants, terms and provisions of this Agreement and shall have no force or effect thereon.

SECTION 28. CONFLICT OF INTEREST.

The CONTRACTOR warrants that the CONTRACTOR has not employed or retained any company or person, other than a bona fide employee working solely for the CONTRACTOR, to solicit or secure this Agreement, and that the CONTRACTOR has not paid or agreed to pay any person, company, corporation, individual, or firm any fee, commission, percentage, gift, or any other consideration, contingent upon or resulting from the award or making of this Agreement. For the breach or violation of this Paragraph, the COUNTY shall have the right to terminate this Agreement immediately, without liability and without regard to the notice requirements set forth herein.

SECTION 29. PUBLIC ENTITY CRIMES.

As required by section 287.133, Florida Statutes, the CONTRACTOR warrants that it is not on the convicted contractor list for a public entity crime committed within the past thirty-six (36) months. The CONTRACTOR further warrants that it will neither utilize the services of, nor contract with, any supplier, sub-contractor, or consultant in connection with this Agreement for a period of thirty-six (36) months from the date of being placed on the convicted contractor list.

SECTION 30. JOINT AUTHORSHIP.

This Agreement shall be construed as resulting from joint negotiation and authorship. No part of this Agreement shall be construed as the product of any one of the parties hereto.

SECTION 31. EQUAL OPPORTUNITY EMPLOYER.

The CONTRACTOR is an Equal Opportunity Employer and will comply with all equal opportunity employment laws. The CONTRACTOR will further ensure that all sub-contractors it utilizes in providing the services required hereunder will comply with all equal opportunity employment laws.

SECTION 32. AUDITING, RECORDS, AND INSPECTION.

In the performance of this Agreement, the CONTRACTOR shall keep books, records, and accounts of all activities, related to the Agreement, in compliance with generally accepted accounting procedures. Throughout the term of this Agreement, books, records, and accounts related to the performance of this Agreement shall be open to inspection during regular business hours by an authorized representative of the COUNTY and shall be retained by the CONTRACTOR, for a period of five (5) years after termination or completion of the Agreement or until the full COUNTY audit is complete, whichever comes first. The COUNTY shall retain the right to audit the books during the Five (5) year retention period. All books, records, and accounts related to the performance of this Agreement shall be subject to the applicable provisions of the Florida Public Records Act, chapter 119, Florida Statutes. The COUNTY also has the right to conduct an audit within sixty (60) days from the effective date of this Agreement to determine whether the CONTRACTOR has the ability to fulfill its contractual obligations to the satisfaction of the COUNTY. The COUNTY has the right to terminate this Agreement based upon the findings in this audit without regard to any notice requirement for termination.

SECTION 33. SOVEREIGN IMMUNITY.

The COUNTY expressly retains all rights, benefits and immunities of sovereign immunity in accordance with Section 768.28, Florida Statutes. Notwithstanding anything set forth in any section, article or paragraph of this Agreement to the contrary, nothing in this Agreement shall be deemed as a waiver of sovereign immunity or limits of liability which may have been adopted by the Florida Legislature or may be adopted by the Florida Legislature, and the cap on the amount and liability of the COUNTY for damages, attorney fees and costs, regardless of the number or nature of claims in tort, equity or contract, shall not exceed the dollar amount set by the Florida Legislature for tort. Nothing in this Agreement shall inure to the benefit of any third party for the purpose of allowing any claim against the COUNTY which would otherwise be barred under the Doctrine of Sovereign Immunity or operation of law. This section shall not limit any remedies as specifically contained in this Agreement.

SECTION 34. EMPLOYMENT ELIGIBILITY VERIFICATION (E-VERIFY).

Pursuant to Florida Statutes, Section 448.095, the CONTRACTOR shall be registered with and utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility status of all employees performing work under this Agreement as well as all newly hired employees. In addition, the CONTRACTOR shall require any and all subcontractors performing work in accordance with this Agreement to register with and utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment

eligibility status of all employees performing work under this Agreement as well as all newly hired employees. Any such subcontractor shall provide an affidavit to the CONTRACTOR stating that the subcontractor does not employ, contract with or subcontract with any ineligible individuals and the CONTRACTOR must keep a copy of said affidavit for the duration of this Agreement. Violation of this section is subject to immediate termination of this Agreement by the COUNTY without regard to any notice otherwise required herein. In the event the COUNTY incurs costs as a result of the CONTRACTOR'S breach of this provision, any and all such costs shall be paid by the CONTRACTOR immediately upon receipt of notice of the same from the COUNTY. Information on registration for and use of the E-Verify Program may be obtained at the Department of Homeland Security website: http://www.dhs.gov/E-Verify.

SECTION 35. USE OF COUNTY NAME, LOGO, SEAL, FLAG AND/OR LETTERHEAD.

The CONTRACTOR may only use the COUNTY'S name, logo, seal and/or flag with the express written permission of the COUNTY and consistent with any COUNTY policy related to the same. In addition, the CONTRACTOR shall not use the COUNTY'S letterhead, or any attempted rendition thereof, for issuing any correspondence related to this Agreement without the express written permission of the COUNTY.

SECTION 36. ELECTRONIC SIGNATURE.

This Agreement may be executed in multiple counterparts, each one of which shall be deemed an original, but all of which together shall constitute the same Agreement. Electronic signatures shall be valid and sufficient to bind any party to this Agreement. Signatures to this Agreement transmitted by facsimile, email or other electronic transmission (for example, through the use of a Portable Document Format or "pdf" file) shall be valid and effective to bind the party so signing. All such signatures will be deemed to be original signatures for all purposes.

SECTION 37. ATTACHMENTS

The Contractor hereby certifies and acknowledges the truthfulness and accuracy of any and all attachments submitted to Highlands County as part of the Contractor's response to Highlands County's for solicitation 23-004-LKD. All such attachments are hereby ratified and if the Contractor knowingly submitting such attachments to Highlands County with false or incorrect information such submittal shall be deemed a material breach of this Agreement for which automatic termination without notice shall be justified. Any such termination shall be in addition to any and all other remedies available to the County.

Signatures on Following Page

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have executed this Agreement effective the ____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY

_____
Chris Campbell, Chairman

ATTEST:

_____
Jerome Kaszubowski, Clerk

CONTRACTOR

By: _____

Print: Kristine Sullivan

Title: Vice - President

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization of Kristine Sipple Sullivan, as V.P., of Sullivan Environmental, who personally swore or affirmed that he/she is authorized to execute this Agreement and thereby bind the Contractor, and who is personally known to me or who produced Florida Driver License as identification, and who did/did not take an oath this 5th day of July, 2023.

(stamp)

GLADYS ANA GARCES
Notary Public, State of Florida
Commission# HH 356113
My comm. expires March 8, 2027

_____
NOTARY PUBLIC, State of Florida

Exhibit "A"
Scope of Services

Highlands County Solid Waste Management Center at 12700 Arbuckle Creek Road

- Perform evaluation; operations including monitoring, sampling, reporting and measurements as specified in the Draft Landfill Systems Operation Plan and Current Permitted Class I Landfill Operation Plan dated July 25, 2019; repair, and maintenance of the leachate lift stations, spray fields, collection and treatment systems, telemetry systems and hydraulic monitoring systems including after hours and weekend emergency response to any alarms or issues related to the systems.
- Certification/Inspections of leachate lift stations, collection and treatment systems, telemetry systems and hydraulic monitoring systems per regulations including after hours and weekend emergency response to any alarms related to the systems.
- Evaluation, operation, repair and maintenance of active landfill gas management, control, collection and disposal systems and flare including after hours and weekend emergency response to any alarms related to the systems.
- Evaluation, operation, repair, and maintenance of the potable water well and distribution system including after hours and weekend emergency response to any alarms related to the systems.
- Evaluation, repair and maintenance of existing plumbing and landfill piping systems.
- Evaluation, repair, and maintenance of the groundwater monitoring system to include monitoring wells and coordination with county contracted laboratory companies for required monitoring well and surface water sampling.
- Evaluation and operation of landfill generators and ensuring generator service contractors are performing necessary maintenance and repairs.
- Maintain daily, monthly, and annual records of operations that are necessary for regulatory reporting.
- Contractor shall heed all cautions identified in the Draft Landfill Systems Operations Plan.

Closed Desoto City Landfill at 6000 Skipper Road

- Perform daily evaluation; operations including monitoring, sampling, reporting and measurements; repair and maintenance of the leachate system including the routine pumping of leachate from cell no. 3 into leachate tanker or other system and disposal at the HCSMWC treatment facility or other designated facility. (Transportation of leachate will be by county staff)
- Evaluation, operation, repair and maintenance of landfill gas management, control, collection, and disposal systems.
- Evaluation, operation, repair, and maintenance of the potable water well and distribution system
- Evaluation, repair and maintenance of existing plumbing and landfill water piping systems.

- Evaluation, repair, and maintenance of the groundwater monitoring system to include monitoring wells and coordination with county contracted laboratory companies for required monitoring well sampling.

PERFORMANCE REQUIREMENTS

- Contractor will submit a quote for an hourly rate, daily rate and monthly rate based on working business hours from 7:00 AM to 5:00 PM, five (5) days per week, Monday through Friday, except for the county designated days off for Christmas Day, New Year's Day, Thanksgiving Day, and 4th of July. Contractor shall submit an hourly rate and daily rate for response to emergencies after the working business hours.
- The county will procure all supplies such as liquid chlorine and all parts and materials to make any repairs. Contractor shall provide County staff with a list of supplies, a parts list, and any recommended vendors.
- Contractor is responsible for supplying all labor, tools, and equipment. Contractor shall deem their workmanship is free of defects. Contractor is responsible for site safety, housekeeping and loading/unloading materials. If unloading/loading of materials requires the assistance of mechanical equipment the county will assist with their equipment.
- Contractor will use materials, equipment, and technical specifications acceptable to industry standards, unless specifically identified by Highlands County.
- Contractor will respond to emergencies within three (3) hours. Emergency rates shall apply for emergency call outs after working business hours, Saturdays and Sundays, and county designated holiday days off. Work scheduled at night and during the weekend will be at standard rates, not emergency rates.
- The landfill is open Monday – Friday from 7:00 AM – 5:00 PM, and Saturdays from 7:00AM – 12:00 PM, except for the county designated days off for Christmas Day, New Year's Day, Thanksgiving Day, and 4th of July.

Exhibit "B"
Pricing Schedule

ITEM	ITEM DESCRIPTION	Per hour	Per Day	Per Month
1	Operations during Working Business Hours	$ 75.00	$ 750.00	$ 16,250.00
TOTAL ANNUAL COST (Per Month cost multiplied by 12):				$ 195,000.00
TOTAL ANNUAL COST written in words:	One Hundred Ninety-Five Thousand Dollars and Zero Cents			
Alternate: (utilized only as needed)				
2	Operations after Working Business Hours	$ 112.50	Per hour	

WORKING BUSINESS HOURS: For purposes of this Agreement "Working Business Hours" shall be defined as Operational Hours from 7:00 AM to 5:00 PM, five (5) days per week, Monday through Friday, except for the County designated days off for Christmas Day, New Year's Day, Thanksgiving Day and 4th of July.

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **Paul Blackman, Sheriff**

SUBJECT/TITLE: **Request to adopt Resolution 22-23-139 for Budget Amendment 22-23-121 to appropriate additional Miscellaneous Revenue.**

STATEMENT OF ISSUE

In previous years the Sheriff's Office netted the revenues and expenditures in its financial statements. Our auditors have determined that the Sheriff's Office needs to report the revenue separately as "Charges for Services". Thus, the Extra Duty services revenue in FY 22-23 in the amount of $186,038.30 needs to be reflected as "Charges for Services by the Sheriff's office, along with a corresponding budget increase in the amount of $186,038.30 in Law Enforcement Personal Services.

Also, the Sheriff's Office received additional Misc Revenue; the bulk of which is insurance proceeds from the hack and a small amount of Tuition Reimbursement processed through the County, in FY 22-23 with a net amount of $262.908.97 along with a corresponding budget increase in the amount of $262,908.97 in Law Enforcement Operating expenses.

In addition, The Sheriff's office receives miscellaneous revenue for property sold at auction. In previous years these revenues and expenditures were netted in the financial statements on the Sheriffs books. As these amounts have increased, it has been determined, that for proper financial reporting, these revenues need to be reported as revenue separately in an "Asset Dispositions". Thus, the revenue collected in FY 22-23 in the amount of $322,757.47 needs to be reflected as "Asset Dispositions" by the Sheriff's Office, along with a corresponding budget increase in the amount of $322,757.47 in Law Enforcement Capital Outlay, for a total increase in the amount of $771,704.74.

RECOMMENDED ACTION

Move to adopt Resolution 22-23-139 for Budget Amendment 22-23-121 to appropriate additional Miscellaneous Revenue.

FISCAL IMPACT

The fiscal impact is an increase to Fund 005 (General) and the overall budget in the amount of $771,704.74. This budget amendment is appropriating the additional revenue in cost center 3101 (Sheriff-005), account 3421001 (Law Enforcement Services).

Attachments: 22-23-121 Sheriff_Appropriate Addl Misc Revenue (BA) revised.pdf
22-23-121R Sheriff_Appropriate Misc Revenue (Resolution).pdf

REVIEWED
O.M.B DEPARTMENT
July 11, 2023
BOARD OF COUNTY COMMISSIONERS
HIGHLANDS COUNTY FLORIDA

BOARD OF COUNTY COMMISSIONERS

BUDGET AMENDMENTS
(Transfers over $5,000 require Board approval)

DATE: **7/6/2023** SUBMITTED BY: **Sheriff**

FUND(S): **005** FUND TITLE(S): **General** COST CENTER(S) #: **3101**

PROJECT(S) #: PROJECT TITLE(S): COST CENTER TITLE(S): **Sheriff-005**
*list additional cost centers on reverse side of form

TYPE	FUND	COST CENTER	ACCOUNT	ACCOUNT NAME	ACTIVITY	BUDGET	INCREASE	DECREASE	REVISED BUDGET
R	005		3421001	Law Enforcement Services Other		0.00	796,266.11		796,266.11
E	005	3101	51001	Personal Services Elected Official		17,791,355.72	197,625.80		17,988,981.52
E	005	3101	53001	Operating Expense Elected Official		3,301,639.16	263,282.84		3,564,922.00
E	005	3101	56001	Capital Outlay Elected Official		201,292.12	335,357.47		536,649.59
									0.00
									0.00
									0.00

REASON: **To appropriate Miscellaneous Revenue collected into FY 22/23 as recommended by the County Auditors.**

OFFICE USE ONLY

OMB RECOMMENDATION:

_____ Approval

_____ Denial

REQUEST # **22-23-121**

ACTION:
Board ____ Approved ____ Denied
County Administrator ____ Approved ____ Denied

SIGNATURE: _____

DATE: ____ / ____ / ____

TRANSFER TYPE:

____ ITEM TO ITEM
____ RESERVE
XX BY RESOLUTION
____ SUPPLEMENTAL BUDGET

Signature: _____

Posted by Clerk: _____

Form Revised 08/05/2020

RESOLUTION NO. 22-23-139

A RESOLUTION OF HIGHLANDS COUNTY, FLORIDA PERTAINING TO BUDGET AMENDMENT 22-23-121 TO THE GENERAL FUND; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF BUDGET AMENDMENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Section 129.06, (Execution and Amendment of Budget) provides that the Board of County Commissioners may by resolution amend its budget; and

WHEREAS, Highlands County has determined that the following budget amendment is necessary and proper within the General Fund.

NOW, THEREFORE, BE IT RESOLVED BY HIGHLANDS COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. **Legislative Findings and Intent.** Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. **Approval of Budget Amendment.** Budget Amendment 22-23-121 is hereby approved and authorized to appropriate the Sheriff's Miscellaneous Revenues into FY 22-23, as recommended by the Auditors, in the amount of $796,266.11.

SECTION 3. **Implementation of Administrative Actions.** The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. **Savings Clause.** All prior actions of Highlands County pertaining to the budget amendment approved hereby, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. **Scrivener's Errors.** Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. **Conflicts.** All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. **Severability.** If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 18th day of July, 2023.

HIGHLANDS COUNTY, FLORIDA

By: _____
Chris Campbell, Chairperson

ATTEST:

_____
Jerome Kaszubowski, Clerk of Court

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **Jonathan Harrison, Road & Bridge Director**

SUBJECT/TITLE: **Request to adopt Resolution 22-23-137 for Budget Amendment 22-23-118 to realign excess funds from road Projects 21016, 22020, 22022 and 22025 in the amount of $176,500.00 to road Project 22021, 22074 and 22075.**

STATEMENT OF ISSUE

This Resolution and Budget Amendment are requesting to realign unused funds in the amount of $176,500.00 from Projects: #21016 Carey Ave NW, #22020 Ballard Rd, #22022 N Lone Bay Blvd, #22025 Ecstasy Ave to #22021 W Bench Rd for completion and new projects including #22074 W Shore and #22075 N Larramore Rd for needed roadway improvements.

RECOMMENDED ACTION

Move to adopt Resolution 22-23-137 for Budget Amendment 22-23-118 to realign excess funds from Projects 21016, 22020, 22022 and 22025 in the amount of $176,500.00 to Project 22021, 22074 and 22075 .

FISCAL IMPACT

There is no fiscal impact to Fund 151 or the overall budget. This budget amendment is merely realigning unused adopted funds from 4102A 56301Z (Reconstruct Funds) and re-appropriating said funds into Project 22021, 22074 and 22075 for further roadway construction.

Attachments: 22-23-118R RB Project Closure_Project Realignment.pdf
22-23-118 RB Proj Closure_Proj Realignments (BA).pdf

RESOLUTION NO. 22-23-137

A RESOLUTION OF HIGHLANDS COUNTY, FLORIDA PERTAINING TO BUDGET AMENDMENT 22-23-118 TO THE LOCAL GOVT INFRASTRUCTURE SURTAX FUND; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF BUDGET AMENDMENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Section 129.06, (Execution and Amendment of Budget) provides that the Board of County Commissioners may by resolution amend its budget; and

WHEREAS, Highlands County has determined that the following budget amendment is necessary and proper within the Local Govt Infrastructure Surtax Fund.

NOW, THEREFORE, BE IT RESOLVED BY HIGHLANDS COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. **Legislative Findings and Intent.** Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. **Approval of Budget Amendment.** Budget Amendment 22-23-118 is hereby approved and authorized to transfer excess funds from Project 21016 Carey Ave NW in the amount of $9,000.00 to Project 22075 N Larramore Rd with a net fiscal impact of $0.00.

SECTION 3. **Implementation of Administrative Actions.** The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. **Savings Clause.** All prior actions of Highlands County pertaining to the budget amendment approved hereby, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. **Scrivener's Errors.** Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. **Conflicts.** All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. **Severability.** If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 18th day of July 2023.

HIGHLANDS COUNTY, FLORIDA

By: _____
Chris Campbell, Chairperson

ATTEST:

_____
Jerome Kaszubowski, Clerk of Court

REVIEWED
O.M.B DEPARTMENT
July 5, 2023
BOARD OF COUNTY COMMISSIONERS
HIGHLANDS COUNTY FLORIDA

BOARD OF COUNTY COMMISSIONERS

BUDGET AMENDMENTS
(Transfers over $5,000 require Board approval)

DATE: **6/26/2023**

SUBMITTED BY: **Jonathan Harrison**

FUND(S): **151** FUND TITLE(S): **Local Govt Infrastructure Surtax** COST CENTER(S) #: **4102A**

PROJECT(S) #: **SEE BELOW** PROJECT TITLE(S): **SEE BELOW** COST CENTER TITLE(S): **Transportation Projects**
*list additional cost centers on reverse side of form

TYPE	FUND	COST CENTER	ACCOUNT	ACCOUNT NAME	ACTIVITY	BUDGET	INCREASE	DECREASE	REVISED BUDGET
R	151	4102A	3999100Z	Project Fund Balance Forward	21016	9,043.06		9,000.00	43.06
E	151	4102A	56301Z	Project Capital Infrastructure	21016	9,043.06		9,000.00	43.06
E	151	4102A	56301Z	Project Capital Infrastructure	22020	407,000.00		90,500.00	316,500.00
E	151	4102A	56301Z	Project Capital Infrastructure	22022	99,000.00		9,000.00	90,000.00
E	151	4102A	56301Z	Project Capital Infrastructure	22025	125,000.00		68,000.00	57,000.00
E	151	4102A	56301Z	Project Capital Infrastructure	22021	48,000.00	2,500.00		50,500.00
E	151	4102A	56301Z	Project Capital Infrastructure	22074	0.00	86,000.00		86,000.00
E	151	4102A	56301Z	Project Capital Infrastructure	22075	0.00	88,000.00		88,000.00

REASON: **Close Project 21016 (Carey Ave NW) and reaign unused funds in three other projects to reconstruct needed roadways.**

OFFICE USE ONLY

OMB RECOMMENDATION:

_____ Approval

_____ Denial

REQUEST # **22-23-118**

ACTION:

Board _____ Approved _____ Denied

County Administrator _____ Approved _____ Denied

SIGNATURE: _____

DATE: ____ / ____ / ____

TRANSFER TYPE:

XX ITEM TO ITEM
____ RESERVE
XX BY RESOLUTION
____ SUPPLEMENTAL BUDGET

Signature: _____

Posted by Clerk: _____

Form Revised 08/05/2020

BOARD OF COUNTY COMMISSIONERS

BUDGET AMENDMENTS

REQUEST NUMBER 22-23-118

FUND(S)	FUND TITLE(S)
151	Infrastructure Surtax

COST CTR(S)	COST CENTER TITLE(S)
4102A	Transportation Projects

FND	CST CTR	PROJ #	PROJECT TITLE
151	4102A	21016	Carey Ave NW
151	4102A	22020	Ballard Rd
151	4102A	22022	N Lone Bay Blvd
151	4102A	22025	Ecstasy Ave
151	4102A	22021	W Bench Rd
151	4102A	22074	N West Shore
151	4102A	22075	N Larramore Rd

Form Revised 08/05/2020

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER:	**Jonathan Harrison, Road & Bridge Director** **Dawn Ritter, Natural Resources Manager**
SUBJECT/TITLE:	**Request to adopt Resolution 22-23-142 for Budget Amendment 22-23-122 to appropriate additional fund balance in Fund 129 (Conservation Trust).**

STATEMENT OF ISSUE

This Resolution and Budget Amendment are to appropriate additional fund balance in Fund 129 (Conservation Trust) in the amount of $51,786.00 to 6307 (Conservation Trust), account 56400 (Machinery & Equipment), for the purpose of purchasing a tractor in replacement of the current aging equipment. The current tractor is 21 years old and has seen increased repairs amounting to over 50% of original cost. The current, and replacement tractor, is wholly utilized for its intended purpose within the CTF to provide required maintenance and management of publicly-owned conservation-valued lands. Currently, all routine maintenance of the Preserve and Grassy Lake Scrub is budgeted through the CTF allocated funding received through voluntary contributions, mitigation fees, timber sales, and environmental clearance fees. This request will be to purchase this tractor from the CTF which is already the funding source for fiscal requirements relative to our conservation lands.

RECOMMENDED ACTION

Move to adopt Resolution 22-23-142 for Budget Amendment 22-23-122 to appropriate additional fund balance in Fund 129 (Conservation Trust).

FISCAL IMPACT

The fiscal impact is an increase to Fund 129 (Conservation Trust Fund) in the amount of $51,786.00.

Attachments: 22-23-122R Conservation Trust Appropriate FB_Tractor (Resolution).pdf
22-23-122 Conservation Trust Appropriate FB_Tractor (BA).pdf

RESOLUTION NO. 22-23-142

A RESOLUTION OF HIGHLANDS COUNTY, FLORIDA PERTAINING TO BUDGET AMENDMENT 22-23-122 TO THE CONSERVATION TRUST FUND; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF BUDGET AMENDMENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Section 129.06, (Execution and Amendment of Budget) provides that the Board of County Commissioners may by resolution amend its budget; and

WHEREAS, Highlands County has determined that the following budget amendment is necessary and proper within the Conservation Trust Fund.

NOW, THEREFORE, BE IT RESOLVED BY HIGHLANDS COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. **Legislative Findings and Intent.** Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. **Approval of Budget Amendment.** Budget Amendment 22-23-122 is hereby approved and authorized to appropriate additional funds from Conservation Trust Fund's fund balance in the amount of $51,786.00 to purchase a tractor to perform regular maintenance at the county's conservation lands.

SECTION 3. **Implementation of Administrative Actions.** The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. **Savings Clause.** All prior actions of Highlands County pertaining to the budget amendment approved hereby, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. **Scrivener's Errors.** Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. **Conflicts.** All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. **Severability.** If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 18th day of July 2023.

HIGHLANDS COUNTY, FLORIDA

By: _____
Chris Campbell, Chairperson

ATTEST:

_____
Jerome Kaszubowski, Clerk of Court

REVIEWED
O.M.B DEPARTMENT
July 5, 2023
BOARD OF COUNTY COMMISSIONERS
HIGHLANDS COUNTY FLORIDA

BOARD OF COUNTY COMMISSIONERS

BUDGET AMENDMENTS
(Transfers over $5,000 require Board approval)

DATE: **7/5/2023** SUBMITTED BY: **Jonathan Harrison**

FUND(S): **129** FUND TITLE(S): **Conservation Trust** COST CENTER(S) #: **6307**

PROJECT(S) #: PROJECT TITLE(S): COST CENTER TITLE(S): **Conservation Trust**
*list additional cost centers on reverse side of form

TYPE	FUND	COST CENTER	ACCOUNT	ACCOUNT NAME	ACTIVITY	BUDGET	INCREASE	DECREASE	REVISED BUDGET
R	**129**		**3999100**	**Fund Balance Brought Forward**		**5,426.00**	**51,786.00**		**57,212.00**
E	**129**	**6307**	**56400**	**Machinery & Equipment**		**0.00**	**51,786.00**		**51,786.00**

REASON: **Appropriate additional funds from Fund Balance to purchase a new tractor needed to perform maintenance at The Preserve and at Lake Grassy conservation lands.**

OFFICE USE ONLY

OMB RECOMMENDATION:

_____ Approval

_____ Denial

REQUEST # **22-23-122**

ACTION:
Board _____ Approved _____ Denied
County Administrator _____ Approved _____ Denied

SIGNATURE: _____

DATE: ____/____/____

TRANSFER TYPE:

_____ ITEM TO ITEM
_____ RESERVE
XX BY RESOLUTION
_____ SUPPLEMENTAL BUDGET

Signature: _____ Posted by Clerk: _____

Form Revised 08/05/2020

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **Clinton Howerton Jr., P.E., Critical Infrastructure Director**

SUBJECT/TITLE: **Request approval of Pay Without PO to Waste Connections for Invoice 6437-0001.**

STATEMENT OF ISSUE

Waste Connections, Inc. residential garbage trucks were diverted to the Waste Management – Okeechobee Landfill to dump residential garbage on Thursday, March 31, 2022, and Friday, April 1, 2022, due to a fire at the Highlands County Class I Landfill. Highlands County paid Waste Management directly for the tipping fee charges for the garbage Waste Connections trucks dumped at the Okeechobee Landfill. Waste Connections submitted an invoice to Highlands County in June 2023 for their labor and mileage cost for diverting their trucks to the Waste Management – Okeechobee Landfill in March and April of 2022. An Invoice 6437-0001 in the amount of $14,748.72 is being presented for payment without a PO.

RECOMMENDED ACTION

Move to approve the Pay Without PO to Waste Connections, Inc. for Invoice 6437-0001.

FISCAL IMPACT

The fiscal impact is an increase to Fund 401 (Solid Waste Enterprise Fund) Cost Center 4218 (Refuse Collections Program) in the amount of $14,748.72.

Attachments: 19570 Waste Connections 07-06-2023.pdf

HIGHLANDS COUNTY
BOARD OF COUNTY COMMISSIONERS
Purchasing Division

REQUEST FOR PAYMENT FOR INVOICE WITHOUT A PURCHASE ORDER FOR INVOICE GREATER THAN $7,500.00

To: Purchasing Manager

From: Solid Waste (Department / Division Name) — Jennifer Willis (Requesting Employee's)

Date: 7-6-23

Purchase order to Waste Connections #19570 [Vendor's Name/Number] was not created for the purchase billed on the attached invoice, for the following reason(s):

Waste Connections diverted waste to Waste Management in Okeechobee due to a landfill fire. No purchase order was issued since it was an emergency.

By my signature I certify that:
1.) The goods or services were ordered by a County employee or volunteer approved to request a PO.
2.) The goods or services were received in good order and needed by the Department
3.) Funds are budgeted and available to pay for the goods or services.
4.) Supporting documentation.

J L Willis 7-6-23 — Employee's Signature & Date

Manager / Director's Signature & Date 7-6-23

Fund/Cost Ctr	Account	Project	Amount
4218	53433		$14,748.72

Approval:

No other purchasing rules or procedures would be broken by approving the payment.

Lori DeLoach Digitally signed by Lori DeLoach Date: 2023.07.07 08:42:37 -04'00'

Purchasing Division - Signature — Date

Funds are available for payment and the amount is greater than $7,500.00.

David Nitz

OMB Division - Signature — Date: Jul 7, 2023

Approved for payment based on the above information.

County Administrator - Signature — Date

Date of Board approval — JLW (Requesting Employee's Initials)

WASTE CONNECTIONS OF FL -SEBRING HAULING
5151 KENILWORTH BLVD, SEBRING FL 33870

Invoice No. 6437-0001

INVOICE

Customer

Name: Highlands County

Address: 590 S Commerce Ave

City: Sebring State: FL ZIP: 33870

Misc

Date: 4/1/2022

Customer #:

Date	Cost	Description	Qty.	TOTAL
4/1/2022	$ 4.05	12 trucks to Okeechobee WM landfill---Miles	1,329.6	$5,384.88
	$ 26.00	12 trucks to Okeechobee WM landfill--- 3 Hours per driver	36.0	$936.00
3/31/22	$ 26.00	16 trucks to Okeechobee WM landfill--- 3 Hours per driver	48.0	$1,248.00
	$ 4.05	16 trucks to Okeechobee WM landfill---Miles	1,772.8	$7,179.84
			SubTotal	$ 14,748.72
				$ -
				$ -
			TOTAL	$ 14,748.72

Payment

Other

Comments

Name: Waste Connections

CC #

Expires

Office Use Only

Waste Connections of FL, 5151 Kenilworth Blvd Sebring FL 33870

WASTE CONNECTIONS TABLE OF TICKETS FOR WASTE MANAGEMENT FACILITY IN OKECHOBEE

Friday, April 1, 2022

Waste Management Ticket #	Waste Connections Truck #	Date of Service	Time Inbound	Time Outbound	Miles to Waste Management from Sebring	Miles from Waste Management to Sebring	Total Miles This trip	Waste Connections cost/mile	Total Cost Mileage	Driver Hours	Cost /driver /hour	Total Driver Hours
1823722	201604	4/1/2022	7:15	7:32	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823724	100405	4/1/2022	7:18	7:46	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823738	201613	4/1/2022	7:39	8:06	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823739	201614	4/1/2022	7:40	8:08	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823736	201612	4/1/2022	7:37	8:10	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823735	201609	4/1/2022	7:37	8:13	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823747	201601	4/1/2022	7:52	8:15	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823751	201602	4/1/2022	7:55	8:23	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823799	201611	4/1/2022	9:14	9:39	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823908	201603	4/1/2022	12:13	12:38	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823929	100409	4/1/2022	12:57	13:21	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823958	201608	4/1/2022	13:46	14:09	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
				SUBTOTAL 4-1-22					**$ 5,384.88**	36.00		**$ 936.00**

Thursday, March 31, 2022

Waste Management Ticket #	Waste Connections Truck #	Date of Service	Time Inbound	Time Outbound	Miles to Waste Management from Sebring	Miles from Waste Management to Sebring	Total Miles This trip	Waste Connections cost/mile	Total Cost Mileage	Driver Hours	Cost /driver /hour	Total Driver Hours
1823340	201611	3/31/2022	7:07	7:35	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823330	201608	3/31/2022	6:53	7:38	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823351	201603	3/31/2022	7:35	7:57	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823350	201602	3/31/2022	7:34	7:59	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823353	201613	3/31/2022	7:37	8:03	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823354	100405	3/31/2022	7:37	8:13	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823358	201614	3/31/2022	7:41	8:15	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823367	201609	3/31/2022	7:55	8:17	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823366	201612	3/31/2022	7:53	8:18	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823365	200409	3/31/2022	7:51	8:21	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823612	201602	3/31/2022	14:49	15:06	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823628	201613	3/31/2022	15:23	15:44	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823640	201611	3/31/2022	15:36	15:53	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823647	201603	3/31/2022	15:48	16:08	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823669	201608	3/31/2022	16:32	16:55	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
1823666	200409	3/31/2022	16:27	17:00	55.40	55.40	110.80	$ 4.05	$ 448.74	3.00	$ 26.00	$ 78.00
				SUBTOTAL 3-31-22					**$ 7,179.84**	48.00		**$ 1,248.00**
				GRAND TOTALS					**$ 12,564.72**			**$ 2,184.00**
											$ 14,748.72	

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823340

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201611
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound	Gross	56280 lb
In	03/31/2022 07:07:59	Scale 1	nguerre3		Tare	36060 lb
Out	03/31/2022 07:35:25	Outbound	khamel1		Net	20220 lb
					Tons	10.11

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	10.11	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823330

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201608
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound	Gross	55100 lb
In	03/31/2022 06:53:56	Scale 1	nguerre3		Tare	36380 lb
Out	03/31/2022 07:38:02	Outbound	khamel1		Net	18720 lb
					Tons	9.36

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	9.36	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823351

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201603
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound	Gross	57360 lb
In	03/31/2022 07:35:04	Inbound 1	khamel1		Tare	36160 lb
Out	03/31/2022 07:57:44	Outbound	khamel1		Net	21200 lb
					Tons	10.60

Comments

	Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1	1000T-MSW TON	100	10.60	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823350

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201602
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound
In	03/31/2022 07:34:59	Scale 2	nguerre3	
Out	03/31/2022 07:59:40	Outbound	khamel1	

Gross	54060 lb
Tare	36580 lb
Net	17480 lb
Tons	8.74

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	8.74	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972 Ph: (863) 357-0824

Reprint
Ticket# 1823353

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201613
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound	Gross	56480 lb
In	03/31/2022 07:37:26	Scale 2	nguerre3		Tare	36320 lb
Out	03/31/2022 08:03:38	Outbound	khamel1		Net	20160 lb
					Tons	10.08

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	10.08	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature Tom Weldon

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823354

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 100405
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound		
In	03/31/2022 07:37:46	Inbound 1	khamel1		Gross	54000 lb
Out	03/31/2022 08:13:28	Outbound	khamel1		Tare	36100 lb
					Net	17900 lb
					Tons	8.95

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	8.95	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823358

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201614 SIDE LOADER
Container
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	55060 lb
In	03/31/2022 07:41:52	Inbound 2	khamel1		Tare	36460 lb
Out	03/31/2022 08:15:21	Outbound	khamel1		Net	18600 lb
					Tons	9.30

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	9.30	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823367

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201609 SIDE LOADER
Container
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	54020 lb
In	03/31/2022 07:55:06	Scale 1	nguerre3		Tare	37020 lb
Out	03/31/2022 08:17:06	Outbound	khamel1		Net	17000 lb
					Tons	8.50

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	8.50	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823366

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201612 SIDE LOADER
Container
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	53440 lb
In	03/31/2022 07:53:16	Inbound 3	nguerre3		Tare	36860 lb
Out	03/31/2022 08:18:40	Outbound	khamel1		Net	16580 lb
					Tons	8.29

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	8.29	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972 Ph: (863) 357-0824

Reprint
Ticket# 1823365

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 200409 Should be Trk #100409
Container SIDE LOADER
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	42960 lb
In	03/31/2022 07:51:57	Inbound 1	khamel1		Tare	36080 lb
Out	03/31/2022 08:21:58	Outbound	khamel1		Net	6880 lb
					Tons	3.44

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	3.44	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823612

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201602 SIDE LOADER
Container
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	55400 lb
In	03/31/2022 14:49:06	Scale 1	AMatheny		Tare	36140 lb
Out	03/31/2022 15:06:14	Outbound	khamel1		Net	19260 lb
					Tons	9.63

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	9.63	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972 Ph: (863) 357-0824

Reprint
Ticket# 1823628

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201613 SIDE LOADER
Container
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	56840 lb
In	03/31/2022 15:23:00	Inbound 2	khamel1		Tare	36400 lb
Out	03/31/2022 15:44:47	Outbound	AMatheny		Net	20440 lb
					Tons	10.22

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	10.22	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature Tom Welch

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972 Ph: (863) 357-0824

Reprint
Ticket# 1823640

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201611
Container SIDE LOADER
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	57160 lb
In	03/31/2022 15:36:00	Inbound 1	khamel1		Tare	36060 lb
Out	03/31/2022 15:53:44	Outbound	AMatheny		Net	21100 lb
					Tons	10.55

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	10.55	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823647

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201603 SIDE LOADER
Container
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	53540 lb
In	03/31/2022 15:48:49	Scale 2	AMatheny		Tare	36180 lb
Out	03/31/2022 16:08:19	Outbound	AMatheny		Net	17360 lb
					Tons	8.68

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	8.68	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823669

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201608 SIDE LOADER
Container
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	53420 lb
In	03/31/2022 16:32:32	Scale 1	AMatheny		Tare	35980 lb
Out	03/31/2022 16:55:34	Outbound	AMatheny		Net	17440 lb
					Tons	8.72

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	8.72	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972 Ph: (863) 357-0824

Reprint
Ticket# 1823666

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 03/31/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 200409 Should be Trk #100409
Container SIDE LOADER
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	59980 lb
In	03/31/2022 16:27:39	Scale 2	AMatheny		Tare	36160 lb
Out	03/31/2022 17:00:04	Outbound	AMatheny		Net	23820 lb
					Tons	11.91

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	11.91	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823722

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201604
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound		
In	04/01/2022 07:15:55	Inbound 1	khamel1		Gross	55620 lb
Out	04/01/2022 07:32:34	Outbound	nguerre3		Tare	35760 lb
					Net	19860 lb
					Tons	9.93

Comments

	Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1	1000T-MSW TON	100	9.93	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823724

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 100405
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound	Gross	59180 lb
In	04/01/2022 07:18:12	Scale 1	nguerre3		Tare	36060 lb
Out	04/01/2022 07:46:53	Outbound	nguerre3		Net	23120 lb
					Tons	11.56

Comments

	Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1	1000T-MSW TON	100	11.56	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823738

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201613 SIDE LOADER
Container
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound
In	04/01/2022 07:39:56	Inbound 1	khamel1	
Out	04/01/2022 08:06:49	Outbound	khamel1	

Gross	48040 lb
Tare	36800 lb
Net	11240 lb
Tons	5.62

Comments

	Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1	1000T-MSW TON	100	5.62	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823739

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201614 SIDE LOADER
Container
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	54720 lb
In	04/01/2022 07:40:28	Inbound 2	khamel1		Tare	36480 lb
Out	04/01/2022 08:08:31	Outbound	khamel1		Net	18240 lb
					Tons	9.12

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	9.12	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823736

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201612 SIDE LOADER
Container
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	53820 lb
In	04/01/2022 07:37:47	Inbound 2	khamel1		Tare	36420 lb
Out	04/01/2022 08:10:04	Outbound	khamel1		Net	17400 lb
					Tons	8.70

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	8.70	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823735

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201609
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound		
In	04/01/2022 07:37:12	Inbound 1	khamel1		Gross	55940 lb
Out	04/01/2022 08:13:45	Outbound	khamel1		Tare	36320 lb
					Net	19620 lb
					Tons	9.81

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	9.81	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972 Ph: (863) 357-0824

Reprint
Ticket# 1823747

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201601 SIDE LOADER
Container
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	53980 lb
In	04/01/2022 07:52:44	Inbound 3	khamel1		Tare	37660 lb
Out	04/01/2022 08:15:35	Outbound	khamel1		Net	16320 lb
					Tons	8.16

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	8.16	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823751

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201602
Container SIDE LOADER
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound	Gross	48020 lb
In	04/01/2022 07:55:28	Inbound 3	nguerre3		Tare	36060 lb
Out	04/01/2022 08:23:56	Outbound	AMatheny		Net	11960 lb
					Tons	5.98

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	5.98	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823799

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201611
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound	Gross	47580 lb
In	04/01/2022 09:14:52	Inbound 1	khamel1		Tare	36760 lb
Out	04/01/2022 09:39:00	Outbound	AMatheny		Net	10820 lb
					Tons	5.41

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	5.41	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823908

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201603
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound	Gross	56880 lb
In	04/01/2022 12:13:54	Inbound 2	khamel1		Tare	36080 lb
Out	04/01/2022 12:38:03	Outbound	AMatheny		Net	20800 lb
					Tons	10.40

Comments

	Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1	1000T-MSW TON	100	10.40	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972 Ph: (863) 357-0824

Reprint
Ticket# 1823929

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 100409
Container SIDE LOADER
Driver
Check#
Billing# 0007033
Grid

	Time	Scale	Operator	Inbound
In	04/01/2022 12:57:37	Scale 2	nguerre3	
Out	04/01/2022 13:21:49	Outbound	AMatheny	

Gross	58720 lb
Tare	36340 lb
Net	22380 lb
Tons	11.19

Comments

	Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1	1000T-MSW TON	100	11.19	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

Okeechobee Landfill
10800 N.E. 128th Ave
Okeechobee, FL 34972

Reprint
Ticket# 1823958

Ph: (863) 357-0824

Customer Name HIGHLANDSCOUNTY HIGHLAND
Ticket Date 04/01/2022
Payment Type Credit Account
Manual Ticket#
Route
Hauling Ticket#
Destination
Manifest
Profile ()
Generator
PO# 220390

Carrier WASTECONNECTION
Vehicle# 201608
Container
Driver
Check#
Billing# 0007033
Grid

SIDE LOADER

	Time	Scale	Operator	Inbound	Gross	55200 lb
In	04/01/2022 13:46:14	Inbound 1	AMatheny		Tare	36540 lb
Out	04/01/2022 14:09:45	Outbound	AMatheny		Net	18660 lb
					Tons	9.33

Comments

Product	LD%	Qty	UOM	Rate	Tax/Fee	Amount	Origin
1 1000T-MSW TON	100	9.33	Tons				HIGHLANDS

Total Tax/Fees
Total Ticket

Driver`s Signature

19570 Waste Connections 07-06-2023

Final Audit Report 2023-07-07

Created:	2023-07-07
By:	Lori DeLoach (ldeloach@highlandsfl.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAhNpajjfRV_915Tv5HWeFskFjGtQ7uTBn

"19570 Waste Connections 07-06-2023" History

Document digitally presigned by Lori DeLoach (ldeloach@highlandsfl.gov)
2023-07-07 - 12:42:37 PM GMT

Document created by Lori DeLoach (ldeloach@highlandsfl.gov)
2023-07-07 - 12:43:24 PM GMT

Document emailed to David Nitz (dnitz@highlandsfl.gov) for signature
2023-07-07 - 12:44:25 PM GMT

Email viewed by David Nitz (dnitz@highlandsfl.gov)
2023-07-07 - 1:20:56 PM GMT

Document e-signed by David Nitz (dnitz@highlandsfl.gov)
Signature Date: 2023-07-07 - 1:24:57 PM GMT - Time Source: server

Agreement completed.
2023-07-07 - 1:24:57 PM GMT

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **JD Langford, P.E., County Engineer**

SUBJECT/TITLE: **Request adoption of Resolution 22-23-146 limiting Large Vehicle traffic on Stryker Rd. from US Highway 27 to N. Olivia Dr. & N. Olivia Dr. from SR 64 to Stryker Rd.**

STATEMENT OF ISSUE

The Board of County Commissioners along with the Highlands County Board of County Commissioners Engineering Department and the Highlands County Sheriff's Department have received a substantial number of phone calls in reference to the abnormally high amounts of truck and large vehicle traffic using Stryker Rd. from US Highway 27 to N. Olivia Dr. and N. Olivia Dr. from SR 64 to Stryker Rd. The total distance is approximately 3.42 miles with the lane widths varying from 20' to 24' wide. Stryker Rd. is considered a Rural Major Collector Road and N. Olivia Dr. is considered a Rural Minor Collector Road.

RECOMMENDED ACTION

Move to adopt Resolution 22-23-146 that would include installing signage that would limit Large Vehicle traffic on Stryker Road from US Highway 27 to N. Olivia Dr. and on N. Olivia Dr. from SR 64 to Stryker Rd.

FISCAL IMPACT

The fiscal impact to Fund 110 (Transportation Trust) is $600 for posting signage along Stryker Road.

Attachments: Resolution_22.23.146.Styker Bypass Route NO TRUCKS.SGS.pdf

RESOLUTION NO. 22-23-146

A RESOLUTION OF THE HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS PERTAINING TO THE RESTRICTION OF LARGE VEHICLE TRAFFIC ON STRYKER ROAD FROM US HIGHWAY 27 TO NORTH OLIVIA DRIVE AND NORTH OLIVIA DRIVE FROM SR 64 TO STRYKER ROAD; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING A RESTICTION FOR LARGE VEHICLE TRAFFIC ON STRYKER BYPASS ROUTE; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Florida Statues, Section 316.006(3), Highlands County is empowered, among other actions, with the right to control, regulate, warn and guide traffic; and

WHEREAS, the Highlands County Engineering Department has received a substantial number of complaints related to large vehicle traffic utilizing Stryker Road from US Highway 27 to North Olivia Drive and North Olivia Drive from SR 64 to Stryker Road which are County owned and maintained roadways; and

WHEREAS, Stryker Road from US Highway 27 to North Olivia Drive is considered a rural major collector road and North Olivia Drive from SR 64 to Stryker Road is considered a rural minor collector roadway, both of which vary in width from twenty (20) feet to twenty-four (24) feet (together referred to as "**Stryker Bypass Route**"); and

WHEREAS, the large vehicles utilizing the Stryker Bypass Route are causing damage and destruction to the roadway; and

WHEREAS, the County has determined that it is in the best interest of and will protect the health, safety and welfare of the traveling public by restricting the access of large vehicle traffic on the Stryker Bypass Route.

NOW, THEREFORE, BE IT RESOLVED BY THE HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Restriction of Large Vehicle Traffic on Stryker Bypass Route.

A. No person shall operate a Large Vehicle (as defined herein) on the Stryker Bypass Route except as permitted for deliveries or specific end destinations located on the Stryker Bypass Route.
B. A Large Vehicle is hereby defined as a large commercial vehicle with a Gross Vehicle Weight Rating greater than twenty-five thousand (25,000) pounds and/or total length greater than fifty (50) feet.

SECTION 3. Implementation of Administrative Actions. The County Administrator is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. Savings Clause. All prior actions of Highlands County pertaining to the restriction of large vehicle traffic on the Stryker Bypass Route, which is the subject of this Resolution, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 18 day of July 2023.

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____
Chris Campbell, Chairperson

ATTEST:

_____
Jerome Kaszubowski, Clerk of Court

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **JD Langford, P.E., County Engineer**

SUBJECT/TITLE: **Request adoption of Resolution 22-23-145 limiting Large Vehicle traffic on Placid Lakes Blvd. from US 27 to Catfish Creek Rd., Catfish Creek Rd. from Placid Lakes Blvd. to W. Interlake Blvd. and W. Interlake Blvd. from Catfish Creek Rd. to US Highway 27.**

STATEMENT OF ISSUE

The Board of County Commissioners along with the Highlands County Board of County Commissioners Engineering Department and the Highlands County Sheriff's Department have received a substantial number of phone calls in reference to the abnormally high amounts of truck and large vehicle traffic using Placid Lakes Blvd from US 70 to Catfish Creek Rd. which is a Rural Minor Collector Road and is approximately 4.85 miles with an average lane width of 20'. Catfish Creek Rd. from Placid Lakes Blvd. to W. Interlake Blvd. which is a Rural Major Collector Road and is approximately 2.0 miles in length and average lane width of 20'. Finally, W. Interlake Blvd. from Catfish Creek Rd. to US Highway 27 which is a Rural Major Collector Road and is approximately 1.57 miles with an average lane width of 22'.

RECOMMENDED ACTION

Move to adopt Resolution 22-23-145 limiting Large Vehicle traffic on Placid Lakes Blvd. from US 70 to Catfish Creek Rd., Catfish Creek Rd. from Placid Lakes Blvd. to W. Interlake Blvd. and W. Interlake Blvd. from Catfish Creek Rd. to US Highway 27.

FISCAL IMPACT

The fiscal impact to Fund 110 (Transportation Trust) is $1,200 for posting signage along Placid Lakes Blvd., Catfish Creek Rd. and W. Interlake Blvd.

Attachments: Resolution_22.23.145.Catfish Creek Bypass Route NO TRUCKS.SGS.pdf

RESOLUTION NO. 22-23-145

A RESOLUTION OF THE HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS PERTAINING TO THE RESTRICTION OF LARGE VEHICLE TRAFFIC ON PLACID LAKES BOULEVARD FROM US 70 TO CATFISH CREEK ROAD; CATFISH CREEK ROAD FROM PLACID LAKES BOULEVARD TO WEST INTERLAKE BOULEVARD; AND WEST INTERLAKE BOULEVARD FROM CATFISH CREEK ROAD TO US HIGHWAY 27; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING A RESTICTION FOR LARGE VEHICLE TRAFFIC ON CATFISH CREEK BYPASS ROUTE; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Florida Statues, Section 316.006(3), Highlands County is empowered, among other actions, with the right to control, regulate, warn and guide traffic; and

WHEREAS, the Highlands County Engineering Department has received a substantial number of complaints related to large vehicle traffic utilizing Placid Lakes Boulevard from US 70 to Catfish Creek Road; Catfish Creek Road from Placid Lakes Boulevard to West Interlake Boulevard; and West Interlake Boulevard from Catfish Creek Road to US Highway 27, all of which are County owned and maintained roadways; and

WHEREAS, Placid Lakes Boulevard from US 70 to Catfish Creek Road is an average width of twenty (20) feet; Catfish Creek Road from Placid Lakes Boulevard to West Interlake Boulevard is an average width of twenty (20) feet; and West Interlake Boulevard from Catfish Creek Road to US Highway 27 is an average width of twenty-two (22) feet, (together referred to as "**Catfish Creek Bypass Route**"); and

WHEREAS, the large vehicles utilizing the Catfish Creek Bypass Route are causing damage and destruction to the roadways; and

WHEREAS, the County has determined that it is in the best interest of and will protect the health, safety and welfare of the traveling public by restricting the access of large vehicle traffic on the Catfish Creek Bypass Route.

NOW, THEREFORE, BE IT RESOLVED BY THE HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Restriction of Large Vehicle Traffic on Catfish Creek Bypass Route.

A. No person shall operate a Large Vehicle (as defined herein) on the Catfish Creek Bypass Route except as permitted for deliveries or specific end destinations located on the Catfish Creek Bypass Route.

B. A Large Vehicle is hereby defined as a large commercial vehicle with a Gross Vehicle Weight Rating greater than twenty-five thousand (25,000) pounds and/or total length greater than fifty (50) feet.

SECTION 3. Implementation of Administrative Actions. The County Administrator is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. Savings Clause. All prior actions of Highlands County pertaining to the restriction of large vehicle traffic on the Catfish Creek Bypass Route, which is the subject of this Resolution, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 18 day of July, 2023.

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS

By: _____
Chris Campbell, Chairperson

ATTEST:

_____
Jerome Kaszubowski, Clerk of Court

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **JD Langford, P.E., County Engineer**

SUBJECT/TITLE: **Request adoption of Resolution 22-23-144 reinstating Vacation of Easements and Vacation of Right of Ways.**

STATEMENT OF ISSUE

The Highlands County Engineering Department staff is proposing to revise the existing procedure and policy for the vacation of easements and right of ways to provide a more streamline and efficient process. The new policy/procedure will include a preliminary review in which the applicant can get an official approval or denial for their request before moving forward with the official secondary review. This will save the applicant time and money in the event the applicant's request is not supported by staff. Other measures will be instituted in the secondary review (if the applicant chooses to move forward) to further expedite the process as a whole. Accompanying the revised policy is Resolution 22-23-144 detailing the new policy.

RECOMMENDED ACTION

Move to adopt Resolution 22-23-144 reinstating Vacation of Easements and Vacation of Right of Ways.

FISCAL IMPACT

The fiscal impact to Fund 110 (Transportation Trust) will be an increase in Revenue but is indeterminable at this time until the fee schedule is set.

Attachments: Resolution 2.23.144.Easement and Right of Way Vacation Policy.SGS.pdf

RESOLUTION NO. 22-23-144

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA PERTAINING TO THE VACATION OF EASEMENT OR RIGHT OF WAY INTERESTS OWNED AND CONTROLLED BY THE COUNTY; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF PRIOR POLICY; PROVIDING FOR ADOPTION OF POLICY; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Highlands County owns and controls various easement interests and right of way interests throughout the County; and

WHEREAS, certain of the easement and right of way interests owned and controlled by the County are improved for use by or on behalf of the public; and

WHEREAS, certain of the easement and right of way interests owned and controlled by the County are unimproved but are needed or planned to be utilized by the County in the future; and

WHEREAS, certain of the easement and right of way interests owned and controlled by the County are not currently utilized for a public or County purpose and are not planned to be utilized by the County in the future; and

WHEREAS, from time to time the County a properly situated property owner, petitions the County to vacate an easement or right of way interest owned and controlled by the County; and

WHEREAS, the County has determined that it is the best interest of the public for it to adopt a policy which governs the vacation of easement or right of way interests which are owned and controlled by the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUTY, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. The Board of County Commissioners of Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Repeal of Prior Policy. The prior policy of the County as adopted in November of 2007, related to the closing of roads, vacation of plats and vacation of easements which are owned and controlled by the County, is hereby repealed in its entirety and shall have no further force or effect.

SECTION 3. Adoption of Policy. Highlands County hereby adopts the Easement and Right of Way Vacation Policy attached hereto as **Exhibit "A"**.

SECTION 4. Implementing Administrative Actions. The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 5. Savings Clause. All prior actions of Highlands County pertaining to the Easement and Right of Way Vacation Policy, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and City Attorney, may be corrected.

SECTION 7. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 8. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 9. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2023.

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS

_____
Chris Campbell, Chairperson

ATTEST:

_____
Jerome Kaszubowski, Clerk

EXHIBIT "A"
Easement and Right of Way Policy

EASEMENT AND RIGHT OF WAY VACATION POLICY

A property owner or representative acting on behalf of a property owner (the "Applicant"), may petition the County to vacate a platted easement or right of way interest owned by the County provided:

a. For easement vacation requests, the Applicant must show proof of ownership of the property which is encumbered by the easement sought to be vacated.
b. For right of way vacation requests, the Applicant must show proof of ownership of the property directly adjacent to the right of way sought to be vacated.
c. An application must be submitted to the County Engineer in the form approved by the County Administrator, with the required attachments along with the non-refundable initial review fee. The non-refundable initial review fee shall be adopted from time to time by Resolution.
d. Based on the operational needs of the County, the County Engineer and/or the Critical Infrastructure Director, as applicable, will conduct an initial review of the application and either approve, issue conditional alternatives or deny the vacation request.
e. Each application shall be considered in isolation based on the information provided and the needs of the County at the time of consideration.
f. Any decision by the County Engineer and/or the Critical Infrastructure Director to approve or deny a request for vacation shall not set a precedent for consideration of any future or other application for vacation of a County easement or right of way.
g. Upon denial, a letter explaining the reason for denial will be issued to the Applicant and the process shall be over and shall not continue further.
h. Upon approval or issuance of conditional alternatives, the Applicant will be notified and provided the opportunity to continue moving through the process.

i. If the Applicant chooses to move forward in the process, the submission of additional documentation may be required along with a non-refundable final processing fee which must be paid to the Engineering Department within one hundred eighty (180) days of being notified by the County. The non-refundable final processing fee shall be adopted from time to time by Resolution.
j. Failure to pay the final processing fee and/or submit any additional documentation as required may result in the denial of the application and a new application and initial review fee must be submitted for further consideration.
k. Upon payment of the final processing fee and submission of any additional documentation as required, the County Engineer shall cause the matter to be placed on the agenda of a regularly scheduled meeting of the Board of County Commissioners to request that a public hearing be scheduled related to the requested vacation.
l. Upon approval, by the Board of County Commissioners, to schedule a public hearing, the Applicant shall cause legal notice of the date and time of the public hearing to consider the vacation of easement or right of way interest to be advertised in a newspaper of general circulation in the county in not less than two weekly issues of said paper.
m. Proof of publication must be provided to the County Engineer to be included with agenda item for the public hearing.
n. For easement vacations, certificates must be provided to the County Engineer to be included with the agenda item for the public hearing, showing that all state and county taxes have been paid on the property, over which the easement sought to be vacated, is located.
o. For right of way vacations, certificates must be provided to the County Engineer to be included with the agenda item for the public hearing, showing that all state and county taxes have been paid for the property, directly adjacent to the right of way which is sought to be vacated.
p. At the public hearing, the Board of County Commissioners shall consider the application, all documentation submitted, any additional information presented by the County Engineer and/or Critical Infrastructure Director and make a final decision related to the requested vacation.
q. Final vacation of a County easement or right of way interest shall be in the sole discretion of the Board of County. The decision of the Board of County Commissioners shall be final.

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: Jul 18, 2023

PRESENTER: **Sherry G. Sutphen, County Attorney**

SUBJECT/TITLE: **Request approval of Budget Amendment 22-23-123 to provide additional funding for Cost Center 2103, Legal Professional Services Account 53100.**

STATEMENT OF ISSUE

It was determined that a realignment of funding within the cost center is needed due to an influx of hours using Roper, PA due to the vacant Assistant County Attorney position.

RECOMMENDED ACTION

Move to approve Budget Amendment 22-23-123 to provide additional funding for Cost Center 2103, Legal Professional Services Account 53100.

FISCAL IMPACT

There is no fiscal impact to Fund 005 (General) or the overall budget as this budget amendment is transferring $20,000 in cost center 2103 (County Attorney) from account 51200 (Regular Salaries and Wages) to account 53100 (Professional Services).

Attachments: 22-23-123 Legal Realignment.pdf

REVIEWED
O.M.B DEPARTMENT
July 7, 2023
BOARD OF COUNTY COMMISSIONERS
HIGHLANDS COUNTY FLORIDA

BOARD OF COUNTY COMMISSIONERS

BUDGET AMENDMENTS
(Transfers over $5,000 require Board approval)

DATE: **7/6/2023** SUBMITTED BY: **Chantel Strahan**

FUND(S): **005** FUND TITLE(S): **General** COST CENTER(S) #: **2103**

PROJECT(S) #: PROJECT TITLE(S): COST CENTER TITLE(S): **County Attorney**
*list additional cost centers on reverse side of form

TYPE	FUND	COST CENTER	ACCOUNT	ACCOUNT NAME	ACTIVITY	BUDGET	INCREASE	DECREASE	REVISED BUDGET
E	**005**	**2103**	**51200**	**Regular Salaries & Wages**		**142,380.00**		**20,000.00**	**122,380.00**
E	**005**	**2103**	**53100**	**Professional Services**		**190,619.50**	**20,000.00**		**210,619.50**
									0.00
									0.00
									0.00
									0.00
									0.00

REASON: **Realignment of funding within the cost center needed due to an influx of hours using Roper, PA due to the cacant Assistant County Atty position.**

OFFICE USE ONLY

OMB RECOMMENDATION:

_____ Approval

_____ Denial

REQUEST # **22-23-123**

ACTION:
Board _____ Approved _____ Denied
County Administrator _____ Approved _____ Denied

SIGNATURE: _____

DATE: ____ / ____ / ____

TRANSFER TYPE:

XX ITEM TO ITEM
_____ RESERVE
_____ BY RESOLUTION
_____ SUPPLEMENTAL BUDGET

Signature: _____

Posted by Clerk: _____

Form Revised 08/05/2020

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **JD Langford, P.E., County Engineer**

SUBJECT/TITLE: **Request adoption of Resolution 22-23-143 amending the adopted FY 22-23 Engineering Fee Schedule for Vacation of Easement and Vacation of Right of Ways.**

STATEMENT OF ISSUE

The Highlands County Engineering Department staff is proposing to revise the existing procedure and policy for the vacation of easements and right of ways to provide a more streamline and efficient process. Resolution 22-23-143 addresses the Adoption of New Fees for both the Vacation of Easement & Vacation of Right of Way.

RECOMMENDED ACTION

Move to adopt Resolution 22-23-143 amending the adopted FY 22-23 Engineering Fee Schedule for Vacation of Easement and Vacation of Right of Ways.

FISCAL IMPACT

The fiscal impact to Fund 110 (Transportation Trust) will be an increase in Revenue but is indeterminable at this time until the fee schedule is set.

Attachments: Resolution 22-23-143.Vacation Fees.SGS.pdf

RESOLUTION NO. 22-23-143

A RESOLUTION OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE ADOPTION OF FEES ASSOCIATED WITH PETITIONING THE COUNTY FOR THE VACATION OF EASEMENT AND RIGHT OF WAY INTERESTS OWNED AND CONTROLLED BY THE COUNTY; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE REPEAL OF PRIOR FEES; PROVIDING FOR ADOPTION OF NEW FEES; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, County's budget and financial policies require that to the extent possible and reasonable, County services should be supported by fees and charges in order to provide maximum flexibility in the use of general County taxes to provide for a broader public benefit; and

WHEREAS, Highlands County has enacted Resolution 22-23-143, adopting a policy for the vacation of easement or right of way interests owned and controlled by the County and the processing of such vacation applications will include review and consideration of property information, permits, maps, site plans, topography, and/or other matters, the nature of which require funding, at least in part, by user fees; and

WHEREAS, the provisions of controlling Florida law provide authorization for a County to levy reasonable fees and charges commensurate with the cost of the activities, functions and programs which are funded by the County; and

WHEREAS, it is fiscally prudent and appropriate for the County, from time-to-time, to establish the reasonable fees and charges for administering the various programs and services provided by the County; and

WHEREAS, the City has determined that the fees set forth herein are equitable and necessary for the processing of vacation applications submitted to the County; and

WHEREAS, the County has determined that it is in the best interest of its citizens to impose the fees set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY HIGHLANDS COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Repeal of Prior Fees. Any and all fees related to the processing of easement and/or right of way vacation applications are hereby repealed and shall have no further force or effect.

SECTION 3. Adoption of New Fees. The following fees are hereby established related to the vacation of easement or right of way interests owned and controlled by the County:

A. *Vacation Of Easement*

Initial Review Fee	$200.00	
Final Processing Fee (No encroachment)	$1,000.00	Includes Initial Review Fee – additional $800.00 due after payment of Initial Review Fee
Final Processing Fee (Existing encroachment)	$1,200.00	Includes Initial Review Fee – additional $1,000.00 due after payment of Initial Review Fee

B. *Vacation of Right of Way*

Initial Review Fee	$200.00	
Final Processing Fee (No encroachment)	$1,000.00	Includes Initial Review Fee – additional $800.00 due after payment of Initial Review Fee
Final Processing Fee (Existing encroachment)	$1,200.00	Includes Initial Review Fee – additional $1,000.00 due after payment of Initial Review Fee

SECTION 4. Implementation of Administrative Actions. The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 5. Savings Clause. All prior actions of Highlands County pertaining to the adoption of new fees pertaining to the vacation of easement and right of way interests owned and controlled by the County, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and City Attorney, may be corrected.

SECTION 7. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 8. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 9. Effective Date. This Resolution shall become effective immediately upon adoption.

DONE AND ADOPTED, this _____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS
OF HIGHLANDS COUNTY, FLORIDA

By: _____
Chris Campbell, Chairperson

(SEAL)

ATTEST:

_____
Jerome Kaszubowski, Clerk

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: Jul 18, 2023

PRESENTER: **Paul Blackman, Sheriff**

SUBJECT/TITLE: **Request the Chair's signature on the JAG Countywide Certification of Participation (COP) to apply for the grant as well as the 51% Letter that are required.**

STATEMENT OF ISSUE

Every year the County is allocated (through FDLE) a US Department of Justice grant known as the JAG-C. This grant is allocated to the three law enforcement agencies in Highlands County based upon population served. The grant allocation for FY23-24 is $61,178. The first step in applying for this grant requires the Chair of the County Commissioners to sign a "Certificate of Participation" (COP) which agrees to the process and assigns a grant manager to coordinate the process of applying for this grant.
We respectfully request Chairperson Campbell's signature that is required for the Certificate of Participation that has a deadline to be submitted of July31st.
After FDLE receives the COP, the assigned point of contact (POC) will be given access to the website to begin the application process and coordinate with the Sheriff, Sebring PD and Lake Placid PD to finalize the application. This will require the Board, and each City to sign what is known as a 51% letter. The City and Town have been sent their letters for signature. In order to save time this letter has been included as well. This letter needs to be put on Board letterhead and signed by Chairperson Campbell. The deadline for this letter is October 2nd.

RECOMMENDED ACTION

Move to approve the Chair to sign the COP and the 51% Letter that are required in order to apply for the 2022 JAG C Grant.

FISCAL IMPACT

There will be no fiscal impact as these funds are anticipated in FY23-24 and set up ahead of time. Any required match is covered within the Sheriff's, the City's, and the Town's budgets.

Attachments: Sheriff_Certificate-of-Participation.pdf
Sheriff_JAG-C 51% Letter.pdf

CERTIFICATE OF PARTICIPATION

Edward Byrne Memorial
Justice Assistance Grant (JAG) Program

Mr. Cody Menacof
Office of Criminal Justice Grants
Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee, Florida 32308

Dear Mr. Menacof:

This letter provides notification that the Highlands County Board of Commissioners ✔ Accepts ___ Declines to serve as the coordinating unit of government for the Florida Department of Law Enforcement's Edward Byrne Memorial Justice Assistance Grant (JAG) Countywide Program.

I understand, for the purposes of the JAG Countywide Program, the county can only request and approve applications for eligible subrecipients. In order to meet eligibility requirements, the county, and each organization or agency identified through the 51% planning process (as provided by Florida Administrative Code, Chapter 11D-9.002), must be able to document compliance with the following requirements prior to receiving a subaward:

- 2 C.F.R. Part 25—*Universal Identifier and System for Award Management (SAM) Requirements*
- 8 U.S.C §1373 & 1644—*Communication Between Governments and the Immigration and Naturalization Service*
- 28 C.F.R. Part 42—*Nondiscrimination; Equal Employment Opportunity; Policies and Procedures*
- 2 C.F.R. §200.318-327—*Federal Procurement Standards*
- 2 C.F.R Part 200.300-309—*Standards for Financial and Program Management*

For purposes of coordinating the preparation of application(s) for grant funds with the Office of Criminal Justice Grants, the following individual is designated as County Coordinator for the county's **FY22 JAG Countywide** subawards:

Name:	Angela M. Bollinger	Agency:	Highlands County Sheriff's Office
Title:	Budget Manager	Address:	400 South Eucalyptus Street
Email:	abollinger@highlandssheriff.org	City:	Sebring
Phone:	863-402-7215	Zip:	33870

I acknowledge and understand the responsibility placed upon the county to ensure grant funds are used for improving criminal justice and subawards, as identified through the 51% process, are only approved to eligible subrecipients.

Sincerely,

Chair
_____ County Board of Commissioners

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS
ADMINISTRATION
600 S. Commerce Ave., Sebring, Florida 33870
Office (863) 402-6833 Fax (863) 402-6835 www.highlandsfl.gov

July 18, 2023

Mr. Cody Menacof
Bureau Chief
Office of Criminal Justice Grants
Florida Department of Law Enforcement
P.O. Box 1489
Tallahassee, FL 32302-1489

Dear Mr. Menacof,

In compliance with State of Florida *Rule* 11D-9, F.A.C., the Highlands County Board of County Commissioners approves the distribution of $61,178 of Federal Fiscal Year 2022 Edward Byrne Memorial JAG Program funds for the following projects in Highlands County:

Subgrantee/Implementing Agency	Purpose or Title	Allocation Amount
Highlands County BOCC	County Law Enforcement Equipment	$ 53,021
City of Sebring	Sebring Police Department Equipment	6,741
Town of Lake Placid	Lake Placid Police Department Equipment	1,415
	Total:	$ 61,178

Sincerely,

Chris Campbell
Chair, Highlands County Board of County Commissioners

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **Sergio Garcia, Planner II**

SUBJECT/TITLE: **Request reappointment of one member, Kathy Couturier, to the Historic Preservation Commission for a four-year term to expire June 30, 2027.**

STATEMENT OF ISSUE

Two alternate vacancies of the HPC have been advertised on the County's website since November 2022. During this time, one regular member, Barbara Belli, has resigned from the HPC. Additionally, two regular members' terms have expired on June 30, 2023: Robert Robinson and Kathy Couturier. Ms. Couturier has asked to be reappointed and we have received one new application for regular appointment to be considered at the next regular HPC meeting. The reappoint term for Ms. Couturier would expire on June 30, 2027. The application for Ms. Couturier is attached for your review and consideration.

RECOMMENDED ACTION

Move to reappoint Kathy Couturier to the Historic Preservation Commission (HPC) as a regular voting member for a four-year term to expire June 30, 2027.

FISCAL IMPACT

There is no fiscal impact.

Attachments: Couturier Application.pdf

Kathy Couturier Online Application

Name = Kathy Couturier
Address = 1921 Beach Dr
City = Sebring
State = FL
Zip_Postal_Code = 33870
Phone = 863-446-2203
Email = Kathy.Couturier.1@us.af.mil
Request = Historic Preservation Commission
Membership Type = Regular Member
Current Employment Experience: = Avon Park Air Force Range - 15 years as Cultural Resources Manager/Archaeologist
Previous Employment Experience: = Worked on Grants with LSU and National Geographic Society - Ring Midden St. George Island, Florida - 1 year UNF and SEAC - Fort Caroline Search Phase I and Phase II - 2 years UNF - Vice-President Grant for Grant Mound - 1 year Blueberry Site in Lake Placid - 5 years
High School = Citrus High School
College = University of North Florida, and Colorado State University
Special Training: = Graduate Certificate in Military Land Management
Activities & Interest: = Cemetery Restoration Historic Building Preservation Kissimmee River Historical Documentation
Current positions on boards, committees, elected offices, law enforcement positions: = Highlands County Historic Preservation Commission
Relation = No
Relative Name: =
Relationship: =
Conviction = No
Gender = Female
Disabled = No
Age = NA
Race: = White
Signature Certification: = Checked indicating Electronically Signed
Client IP = 131.24.162.68

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER:	**Clinton Howerton Jr., P.E., County Engineer** **Tanya Cannady, Business Services Director**
SUBJECT/TITLE:	**Public hearing to consider approval of Resolution 22-23-140 pertaining to the re-imposition of the solid waste special assessment.**

STATEMENT OF ISSUE

Highlands County Code of Ordinances, Chapter 8.5, Solid Waste, Article III, Assessment, authorizes the annual imposition of a solid waste assessment for the purpose of providing for solid waste and recyclable materials collection services, disposal services, facilities and programs and the operation and management of a sanitary landfill within the County.

The County desires to re-impose its annual solid waste assessment outside of the rates established in prior annual assessment Resolutions for funding solid waste and recyclable materials collection services, disposal services, facilities and programs and the operation and management of a sanitary landfill within the County.

Due to a contractual increase as result of Consumer Price Index and Fuel Index increases, there will be an estimated 2.25% increase to the solid waste hauler rate. The operational expenses have also increased for the solid waste department during this time. The proposed adjustment of the annual solid waste assessment is to increase from $216.30/unit to $222.79/unit (a $6.49 per year increase or 3.0%) to account for these increases).

RECOMMENDED ACTION

Move to adopt Resolution 22-23-140 pertaining to the re-imposition of the solid waste special assessment.

FISCAL IMPACT

The fiscal impact is a proposed increase in the assessment to $222.79 which would be an increase of approximately $252,682 in assessment revenue based on the current residential unit count.

Attachments: Solid Waste Final e-tear_Affidavit.pdf
Resolution 22-23-140.FINAL solid waste assessment.SGS.docx

HRTPO: State needs to focus on SR70 for evacuation

By PHIL ATTINGER
Staff Writer

The state of Florida has plans to improve State Road 70, but local transportation planning officials want those plans expedited.

Board members with the Heartland Rural Transportation Planning Organization said at their quarterly meeting that people need that route improved for hurricane evacuation.

Terry Burroughs, Okeechobee County commissioner, remarked how the route has good four-lane capacity into the city of Okeechobee, but evacuating traffic hits a bottleneck in the city and beyond because the four-lane road drops back down to two at Sixth Avenue.

The Florida Department of Transportation has projects in the works right now to improve SR 70 from that point west to County Road 721 in Highlands County. However, that is only in the study phase right now.

One possibility is to widen the road to four lanes, which would require right of way acquisition, especially inside the city.

The study on that section of the highway is underway, costs $3 million and is expected to finish in early 2025.

Another FDOT project from CR 721 west to Lonesome Island Road is currently in the Project Development and Environment (PD&E) study phase. Proposed improvements there also include widening the two-lane road to four lanes.

That study, budgeted at $2 million, should finish in 2025, according to FDOT records at swflroads.com.

More local to Highlands County, FDOT is conducting a $2.28 million Plan, Design and Environmental (PD&E) study, expected to finish in 2024, on widening seven miles of the highway from Jefferson Avenue to County Road 29.

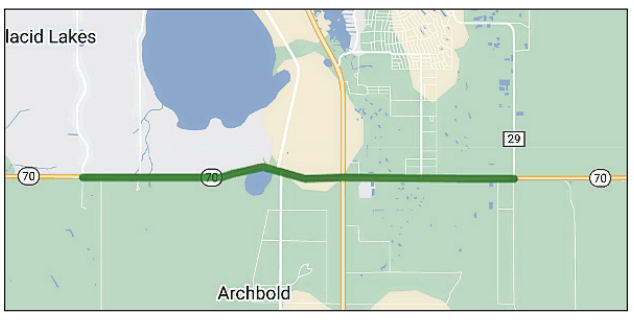
The state started work last year on the U.S. 27 and SR 70 intersection. Similar to improvements made in recent years to U.S. 27/State Road 64 in Avon Park and U.S. 98/State Road 60 in Bartow, FDOT has worked to:

- Reconstruct the intersection approaches and the intersection interior.
- Install new signage, pavement markers and signal lights.
- Put up new light poles and illumination.

Construction there is expected to have daytime and nighttime lane closures on both U.S. 27 and SR 70.

Unfortunately for coastal evacuees trying to get through Okeechobee this hurricane season, improvements there haven't been slated yet for construction.

Burroughs said the evacuation routes need to get more priority than they currently have.



COURTESY/FDOT

One of the Florida Department of Transportation projects for State Road 70 involves a $2.28 million Plan, Design and Environmental (PD&E) study, expected to finish in 2024, on widening seven miles of the highway from Jefferson Avenue to County Road 29.

ARRESTS

FROM PAGE 4A

cocaine, 198.94 grams of fentanyl, 8.88 grams of oxycodone, 76 Alprazolam pills, and a Ruger P65 9mm handgun. The only person arrested at this locations was:

- Rafel Rogers, 39 (son of Odia Rogers). Charged with: armed trafficking in cocaine (FL), armed trafficking in oxycodone (FL), trafficking in fentanyl, trafficking in MDMA, possession of a firearm by a convicted felon, possession of a structure for trafficking narcotics, possession of Alprazolam, and possession of drug paraphernalia. His prior criminal history consists of 43 felonies and 33 misdemeanors, and he's been to state prison twice.

During the search of the residence at 1282 37th Street NW (residence of Kenneth "Pop" Rogers), detectives recovered: 359.93 grams of cocaine, 475.15 grams of MDMA (Ecstasy), 5.26 grams of marijuana, and .18 grams of fentanyl. Additionally, detectives located a mechanized pill press machine that is suspected of being used to manufacture fentanyl and MDMA pills. Arrested at the residence were:

- Jordan Rogers, 21 (grandson of Odia Rogers, son of Rafel). Charged with: trafficking in cocaine, trafficking MDMA, possession of a structure to sell narcotics with minors present, possession of a structure to traffic narcotics, possession of fentanyl, and possession of drug paraphernalia.
- 16-year old female. Charged with: possession of marijuana and possession of drug paraphernalia.
- LaEricka Bryant, 16. Charged with: trafficking in cocaine, trafficking in MDMA, possession of fentanyl, and possession of drug paraphernalia.
- Jeriah Wells, 15. Charged with: possession of cocaine, and possession of drug paraphernalia.

Two other men were arrested on April 20. Both men are involved with the Rogers family operation and are still currently in the Polk County Jail. Those men are:

- Gerard Hall, 32. Charged with: trafficking methamphetamine (four counts), possession of a structure/vehicle for trafficking narcotics (four counts), use of 2-way device to commit a felony (three counts), possession of cocaine, possession of MDMA, and possession of drug paraphernalia (three counts). His prior criminal history consists of 22 felonies and 12 misdemeanors with one stay in state prison.
- Alpavin Tucker, 36. Charged with: trafficking in methamphetamine, trafficking in Amphetamine, trafficking in heroin, possession of cocaine, possess a structure/vehicle for trafficking drugs, possession of drug paraphernalia, and violation of probation. His prior criminal history consists of 17 felonies and 25 misdemeanors and has been to state prison twice.

One other Rogers family member, 28-year-old Dominique Rogers, was arrested by the PCSO during a May 24 death investigation in which a 19-year-old female died from a possible drug overdose at another residence on 37th Street NW. Dominique Rogers was at the residence when deputies arrived and he re-entered the crime scene and began picking up items after being ordered not to do so. He was charged at that time with resisting/obstruction. The death investigation is still open.

On June 14, Dominique Rogers was arrested by Manatee County and charged with two counts of second degree murder for a crime that occurred in their jurisdiction.

CHAMPION

FROM PAGE 1A

Prendergast, now three weeks into her job there, said that impressed her.

"For me, I think it was the fact that people just jumped in and wanted to take part," Prendergast said. "Their investment means a lot."

Tim Smolarick, president and publisher of Highlands News-Sun, said, "We were pleased to partner with these five advertisers in support of Champion for Children and the outcome was exceptional."

Emily Jones of ReMax Realty Plus in Sebring, who grew up in Avon Park and has known Prendergast since they were students of rival schools, said she's always tried to be involved in the community.

"They didn't have to ask me twice," Jones said. "I said, 'Yes!' right away."

The Foundation helps Highlands County's families, those with children, she said.

"It's our future," Jones said.

Teresa Lee, representing Alan Jay Automotive Network, said Alan Jay Wildstein has always been involved in anything in the community to do with children, especially the Foundation Alan Jay Automotive Network and the Champion for Children Foundation have been a partner in the annual Kids Tag Art program.

"He enjoys being there for our community," Lee said.

Andrew Santos, chief operating officer for AdventHealth Sebring, said the local hospital has had an 11-year partnership with the Foundation, since 2012, and has always worked to support the Foundation financially.

"[The Foundation] truly tries to beak the cycle of child abuse in this community," Santos said. "It aligns with our mission to give to them."

Foundation Founder and Board Chair Kevin Roberts said he was "elated" to see the special section in the Highlands News-Sun on Friday morning, an initiative that had been in the works since Prendergast was chosen in May to take over as the new CEO.

"It's a capsule summary of all the good for 28 years (that) this organization has done," Roberts said.

For her part, Prendergast said she's been busy finalizing two grants, hiring a new person, getting out and meeting people, as well as planning for the 2024 Champion for Children Gala, for which she already has 20 nominees.

"It's been great," Prendergast said. "Staff here is phenomenal. They are running like a well-oiled machine."



PHIL ATTINGER/STAFF

Champion for Children Foundation Board Chair Kevin Roberts checks the 'check' donated Friday by advertisers who participated in a special newspaper section on the Foundation. With him are two advertisers, from left, Emily Jones of ReMax Realty Plus and Teresa Lee, representing Alan Jay Automotive Network.

NOTICE OF HEARING TO RE-IMPOSE AND PROVIDE FOR COLLECTION OF SOLID WASTE SPECIAL ASSESSMENTS

Notice is hereby given that the Highlands County Board of County Commissioners, will conduct a public hearing to consider the re-imposition of the Solid Waste Special Assessment for the provision of solid waste related services, facilities, and programs within the unincorporated boundaries of Highlands County for the Fiscal Year beginning October 1, 2023

The public hearing will be held at 9:00a.m., or as soon thereafter as possible, on July 18, 2023, in the Board Chambers at the Highlands County Administration Building, 600 S. Commerce Avenue, Sebring, Florida, 33870, for the purpose of receiving public comment on the proposed assessments. This public hearing may be continued to a future date or dates. The times, places, and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice.

All affected property owners have a right to appear at the hearing and to file written objections with the Board of County Commissioners within 20 days of this notice. If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the Human Resources, ADA Coordinator no later than seven (7) days prior to the proceedings: Telephone (Voice) (863) 402-6509 or by Florida Rely Service 711 or by E-mail to: HRManager@Highlandsfl.gov.

The following table reflects the proposed solid waste assessment schedule being considered by the Board of County Commissioners for the Fiscal Year beginning October 1, 2023:

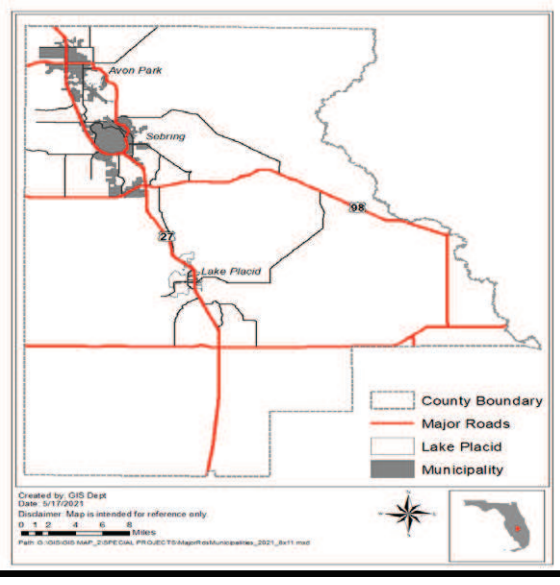
Solid Waste Assessment Rates

Property Category	Rate Per Dwelling Unit
Residential	$222.79

Copies of the Solid Waste Codes and Ordinances, the Preliminary Rate Resolution, the preliminary assessment roll, and other documentation related to the proposed re-imposition of the solid waste special assessment are available for inspection at the County Administrator's office located in the County Administration Building, 600 S. Commerce Avenue, Sebring, Florida 33870, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2023, as authorized by Florida Statutes, Section 197.3632. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the County at (863) 402-6500 between 8:00 a.m. and 5:00 p.m., Monday through Friday.



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AFFIDAVIT OF PUBLICATION

HIGHLANDS NEWS-SUN
Published Daily
SEBRING, HIGHLANDS COUNTY, FLORIDA

Case No. NOTICE OF HEARING TO RE-IMPOSE AND PROVIDE FOR COLLECTION OF SOLID WASTE SPECIAL ASSESSMENTS

STATE OF FLORIDA,
COUNTY OF HIGHLANDS

Before the undersigned authority, Janet Emerson, personally appeared who on oath says that she is the Classified Advertising Legal Clerk of Highlands News-Sun, a newspaper published at Sebring in Highlands County, Florida; that the attached copy or reprint of the advertisement, to the right, being a Public Notice, was published in said newspaper by print in the issues of or by publication on the newspaper's website, if authorized, on:

JUNE 27, 2023

Affiant further says that the Highlands News-Sun newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
SIGNED:

Janet Emerson

Sworn to and subscribed before me this 27th day of June, 2023 by Janet Emerson, who is personally known to me.

Nancy Y. Whirley Customer Service Supervisor, Notary Number HH293555
Notary expires: July 26, 2026

NANCY Y. WHIRLEY
Notary Public
State of Florida
Comm# HH293555
Expires 7/26/2026

RESOLUTION NO. 22-23-140

(FINAL Solid Waste Assessment Fiscal Year 2023-24)

A RESOLUTION OF THE HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS PERTAINING TO THE FINAL RE-IMPOSITION OF THE SOLID WASTE SPECIAL ASSESSMENT FOR FY 2023-24; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR IMPOSITION AND COMPUTATION OF THE SOLID WASTE ASSESSMENT; PROVIDING FOR CERTIFICATION OF ASSESSMENT ROLL; PROVIDING FOR METHOD OF COLLECTION; PROVIDING FOR APPLICATION OF ASSESSMENT PROCEEDS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Highlands County Code of Ordinances, Chapter 8.5, Solid Waste, Article III, Assessment (hereafter referred to as the "County Code" or "Ordinance"), authorizes the annual imposition of a solid waste assessment for the purpose of providing for solid waste and recyclable materials collection services, disposal services, facilities and programs and the operation and management of a sanitary landfill within the County; and

WHEREAS, the solid waste assessment is imposed each fiscal year in an equitable and efficient method of allocating and apportioning, based on residential dwelling units, in order to pay for the cost of providing solid waste and recyclable materials collection services, disposal services, facilities and programs and the operation and management of a sanitary landfill within the County; and

WHEREAS, on August 3, 2021, the County adopted the updated final Solid Waste assessment through Resolution No. 20-21-131 ("Updated Final Solid Waste Assessment Resolution"); and

WHEREAS, the Updated Final Solid Waste Assessment Resolution contemplated an annual increase in increments of not more than three percent (3%) each fiscal year, for the five (5) years following fiscal year 2021-2022, provided a public hearing is conducted prior to September 1 of each such year with the adoption of a Resolution reflecting the approved increase; and

WHEREAS, the legislative determinations of special benefit and fair apportionment embodied in the County's Code, and the Updated Final Solid Waste Assessment Resolution are affirmed and incorporated herein by reference; and

WHEREAS, following a public hearing, on May 16, 2023, the County adopted the FY 2023-24 Preliminary Solid Waste Assessment Resolution No. 22-23-110, pertaining to the contemplated three percent (3%) increase of the Solid Waste Assessment; and

WHEREAS, as set forth in Chapter 8.5, Article III (3), Section 8.5-46, of the Highlands County Code of Ordinances, the County Administrator caused a notice to be published, in a newspaper of general circulation in the County, advertising the public hearing to be held related to the final proposed increase in the Solid Waste Assessment for Fiscal Year 2022-23, proof of publication attached hereto as **Exhibit "A"**; and

WHEREAS, in order to impose a Solid Waste Assessment for the Fiscal Year beginning October 1, 2023, the County Code require the County to adopt an Annual Assessment Resolution which establishes the rates of assessment and approves the assessment roll for the upcoming Fiscal Year, with such amendments as the County deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, by this final annual Solid Waste Assessment Resolution for Fiscal Year 2023-24, the County desires to impose the annual Solid Waste assessment pursuant to and in accordance with the increase parameters set forth in the Updated Final Solid Waste Assessment Resolution for the funding solid waste and recyclable materials collection services, disposal services, facilities and programs and the operation and management of a sanitary landfill within the County.

NOW, THEREFORE, BE IT RESOLVED BY HIGHLANDS COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above findings are hereby adopted.

SECTION 2. Imposition and Computation of Solid Waste Assessment.

A. The following Solid Waste Assessment shall be imposed within the County in accordance with the County's Code and the Updated Final Solid Waste Assessment Resolution and shall continue each year until discontinued or changed:

Property Category	Rate Per Dwelling Unit
Residential	$222.79

B. The above stated Solid Waste Assessment rate may be increased annually in increments of not more than three percent (3%) each fiscal year, for the five (5) fiscal years following fiscal year 2021-2022, provided a public hearing is conducted prior to September 1 of each such year with the adoption of a Resolution reflecting the approved increase. Notice of the public hearing required hereunder shall be provided by publication only pursuant to Highlands County Code of Ordinances, Section 8.5-46.

SECTION 3. Certification of Assessment Roll. The County Administrator is hereby directed to prepare, or cause to be prepared, an Assessment Roll, together with the correction of any errors or omissions as provided for in Section 8.5-45 of the Highlands County Code of Ordinances, for the Fiscal Year commencing October 1, 2023, ("Assessed Property"), to

be delivered to the Tax Collector for collection using the Uniform Assessment Collection Act, as provided in the Code. The Assessment Roll shall include all assessed Property and shall be delivered to the Tax Collector, accompanied by a Certificate of Non-Ad Valorem Assessment Roll in substantially the form attached hereto as **Exhibit "B"**.

SECTION 4. Method of Collection. It is hereby declared that the Solid Waste Assessment imposed on Assessed Property in the County shall be collected and enforced pursuant to the Uniform Assessment Collection Act for the Fiscal Year beginning October 1, 2023. Solid Waste Assessments shall constitute a lien upon the Assessed Property and shall be equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles, and claims, until paid. The lien for a Solid Waste Assessment shall be deemed perfected upon the County's adoption of this Annual Assessment Resolution. Upon perfection, the lien for a Solid Waste Assessment shall attach to the Assessed Property as of the prior January 1, the lien date for ad valorem taxes imposed under the tax roll.

SECTION 5. Application of Assessment Proceeds. Proceeds derived by the County from the solid waste assessment will be utilized for the provision of solid waste and recyclable materials collection services, disposal services, facilities and programs and the operation and management of a sanitary landfill within the County. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund solid waste and recyclable materials collection and disposal services, facilities and programs and the operation and management of a sanitary landfill within the County.

SECTION 6. Savings Clause. All prior actions of Highlands County pertaining to the solid waste assessment, which is the subject of this Resolution, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 7. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 8. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 9. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 10. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of July, 2023.

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS

_____

Chris Campbell, Chairperson

ATTEST:

_____

Jerome Kaszubowski, Clerk of Court

Exhibit "A"
Proof of Publication

Exhibit "B"

CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLLS

I HEREBY CERTIFY that, I am the Chairman of the Highlands County Board of County Commissioners or other authorized agent of Highlands County, Florida (the "County"); that I am satisfied that all property included or includable on the **Highlands County Non-Ad Valorem Assessment Roll** for solid waste and associated services is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll **will be delivered to the Highlands County Tax Collector by September 15, 2023**.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Highlands County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this ___ day of _____, 2023.

HIGHLANDS COUNTY, FLORIDA

FOR EXHIBIT ONLY

_____
Chris Campbell, Chairperson

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER:	**Laney Stearns, Public Safety Director** **Tanya Cannady, Business Services Director**
SUBJECT/TITLE:	**Public hearing to approve Resolution 22-23-141 of the Highlands County Fire Protection Municipal Service Benefit Unit pertaining to the re-imposition of the fire protection special assessment.**

STATEMENT OF ISSUE

On August 3, 2021, the Board approved Resolution 20-21-132, which authorized up to a 7% increase each fiscal year, for the next 5 years provided a public hearing is conducted. This assessment resolution, if approved will then authorize staff to set a public hearing date with the proposed assessment up to 7%.

RECOMMENDED ACTION

Move to approve Resolution 22-23-141 of the Highlands County Fire Protection Municipal Service Benefit Unit, pertaining to the re-imposition of the fire protection special assessment.

FISCAL IMPACT

If the fire assessment increases 7% for each of the 5 assessment categories, then the annual assessment revenue budget will increase $844,937 for fiscal 23/24. The current annual assessment budget is $6,689,084 and next year's estimated assessment budget will be $ 7,534,021.

Attachments: Fire Final e-tear_Affidavit.pdf
Resolution22-23-141 FINAL Fire Assess.FY22-23.SGS.docx

NOTICE OF HEARING TO RE-IMPOSE AND PROVIDE FOR COLLECTION OF FIRE PROTECTION ASSESSMENT

Notice is hereby given that the Highlands County Board of County Commissioners on behalf of the Fire Protection Municipal Service Benefit Unit, will conduct a public hearing to consider re-imposition of the Fire Protection Assessment for the provision of fire protection services within the unincorporated boundaries of Highlands County and the Town of Lake Placid for the Fiscal Year beginning October 1, 2023.

The public hearing will be held at 9:00 a.m., or as soon thereafter as possible, on July 18, 2023, in the Board Chambers at the Highlands County Administration Building, 600 S. Commerce Avenue, Sebring, Florida, 33870, for the purpose of receiving public comment on the proposed assessments. This public hearing may be continued to a future date or dates. The times, places, and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice.

All affected property owners have a right to appear at the hearing and to file written objections with Highlands County within 20 days of this notice. If a person decides to appeal any decision made by the Board of Supervisors with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the Human Resources, ADA Coordinator no later than seven (7) days prior to the proceedings: Telephone (Voice) (863) 402-6509 or by Florida Rely Service 711 or by E-mail to: HRManager@Highlandsfl.gov.

The assessment for each parcel of property will be based upon each parcel's Property Use classification and the total number of billing units attributed to that parcel. The following table reflects the proposed fire services assessment schedule being considered by the Board of County Commissioners for the Fiscal Year beginning October 1, 2023:

Fire Protection Assessment Rates

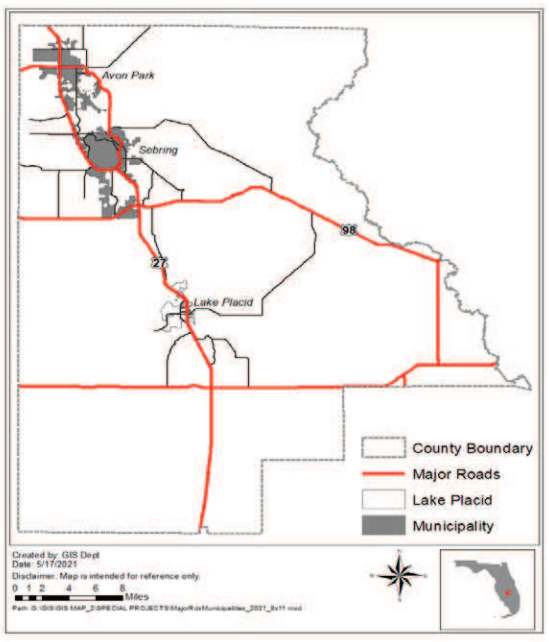
Residential Property Use Category	Rate Per Square Foot
Residential	$0.05610
Non-Residential Property Use Categories	**Rate Per Square Foot**
Commercial	$0.08414
Industrial/Warehouse	$0.07209
Institutional	$0.08414
Land Property Use Category	**Rate Per Parcel**
Vacant Land	$28.83751

The above listed Fire Protection Assessment rates may be increased annually in increments of not more than seven percent (7%) each fiscal year, for the five (5) fiscal years following fiscal year 2021-2022, provided a public hearing is conducted prior to September 1 of each such year with the adoption of a Resolution reflecting the approved increase. Notice of the public hearing required hereunder shall be provided by publication only pursuant to Highlands County Code of Ordinances, Section 9-623.

Copies of the Fire Protection Assessment Ordinance, the Final Initial Assessment Resolution, the Updated Preliminary Fire Assessment Resolution, the Updated Final Fire Assessment Resolution and the Preliminary Rate Resolution initiating and imposing the Fire Protection Assessment which is the subject of this hearing and the preliminary assessment roll, and other documentation related to the proposed re-imposition of the Fire Protection Assessment are available for inspection at the County Administrator's office located in the County Administration Building, 600 S. Commerce Avenue, Sebring, Florida 33870, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

The assessments will be collected on the ad valorem tax bill to be mailed in November 2023, as authorized by Florida Statutes, Section 197.3632. Failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the County at (863) 402-6500 between 8:00 a.m. and 5:00 p.m., Monday through Friday.



adno=0012910 8

LAWS
FROM PAGE 1A

systems before high-school championship events. The change came amid a legal battle about whether a Christian school should have been able to offer a prayer over the loudspeaker before a championship football game.

- SB 240, offering tax breaks for businesses that employ apprentices or pre-apprentices.
- SB 262, placing restrictions on large online companies about collecting and using consumers' personal data.
- SB 264, preventing, with some exceptions, property purchases in Florida by people from China who are not U.S. citizens or permanent U.S. residents.
- SB 266, prohibiting colleges and universities from spending money on diversity, equity and inclusion initiatives.
- HB 379, prohibiting the use of the social-media platform TikTok on devices owned by school districts and through internet access provided by districts. TikTok has been controversial because of its Chinese ownership.
- HB 389, allowing school districts to provide free menstrual hygiene products in schools.
- HB 411, changing residency requirements for county school-board members. The bill will require board members to reside in the districts they represent by the date they take office, rather than at the time they qualify to run.
- HB 477, imposing eight-year term limits on school-board members, down from the current 12 years.
- SB 540, allowing "prevailing" parties to recover legal fees in challenges to local government comprehensive growth-management plan changes.
- HB 543, allowing Floridians to carry guns without concealed-weapons licenses.
- HB 637, barring automakers from offering direct-to-consumer or online sales if their vehicles are currently sold through dealerships in the state.
- SB 766, allowing school districts to use cameras designed to capture images of drivers who illegally pass school buses.
- SB 846, banning state colleges and universities and employees from accepting gifts from "foreign countries of concern" — China, Cuba, Iran, North Korea, Russia, Syria and Venezuela.
- SB 902, placing additional safety requirements on amusement rides. The bill is named after 14-year-old Tyre Sampson, who was killed when he fell from a ride last year in Orlando.
- HB 931, prohibiting colleges and universities from using "political loyalty" tests in hiring, admissions or promotions.
- HB 1035, spelling out various rights of teachers, including a right to "control and discipline" students and to challenge certain directives from school districts they believe violate state law or State Board of Education rules.
- HB 1069, expanding to eighth grade a 2022 law that barred instruction about sexual orientation and gender identity in kindergarten through third grade.
- HB 1259, requiring school districts to share portions of local property-tax revenues with charter schools.
- HB 1285, expanding and making permanent the Florida State Guard, which DeSantis revived last year. The state guard will expand from 400 members to 1,500 members.
- HB 1305, requiring the Department of Transportation to conduct inspections of the Walt Disney World monorail system. The requirement comes amid a long-running feud between Disney and DeSantis.
- SB 1318, extending liability protections for aerospace companies if crew members are injured or killed in spaceflights.
- HB 1379, directing $100 million a year from real-estate taxes to the Florida Forever land-acquisition program and requiring a plan on how to improve water quality in the Indian River Lagoon watershed.
- HB 1521, imposing restrictions on which bathrooms transgender people can use at schools and public buildings. It will require people to use bathrooms that line up with their sex assigned at birth.
- SB 1580, establishing a right for health-care providers to opt out of providing services because of a "conscience-based objection" based on religious, moral or ethical beliefs.
- SB 1604, nullifying agreements reached by Disney and the former Reedy Creek Improvement District board. The Reedy Creek board has been replaced by a DeSantis-appointed Central Florida Tourism Oversight District board.
- SB 1718, toughening penalties on people who bring undocumented immigrants into Florida, requiring hospitals to submit data about whether patients are in the country legally and providing $12 million for a program that allows Florida to transport migrants to other parts of the country.
- HB 7063, providing a wide range of tax breaks, including holding a series of sales-tax "holidays" and creating sales-tax exemptions on diapers. It also will reduce a commercial-lease tax starting in December.
- SB 7064, increasing penalties for adult-entertainment businesses that do not verify the ages and identities of workers. The bill is designed to help curb human trafficking.

RADIO
FROM PAGE 1A

guys communicating with morse code as a hobby."

The number of operators exploded as radio became more accessible. In fact, ham operators helped create the science behind it.

"Ham radio operators helped advance the technology," Warrick said. "Antenna design, radio design, batteries – operators innovated what we have today."

The Amateur Radio Club provides ham operators for the county's emergency operations center during hurricanes, Enos said. He has been an operator for decades, including in fire service and disaster emergency communications up north. He also has a handheld ham radio the size of a small cell phone that he carries with him.

"We're very interested in getting younger people in Highlands County interested in ham radio," Enos said. "We encourage them to contact us on our website, Highlands County Amateur Radio Club — Highlands County Florida (highlandsamateurradio.com)."

There's so much to say about the 24-hour-long summer field exercise, including that Forsythe and his fellow operators planned to use the relay on the International Space Station as it passed over Central Florida Saturday night.

"We're in place when disasters come," said Ron Natale, who has been a ham radio operator for 60 years. "When everything is down, including electricity, you can still send messages through us and the American Radio Relay League (ARES)."

This is truly adventurous stuff.

"When a hurricane goes through the islands and tears everything up, sometimes there will be two or three days before they get infrastructure up," Warrick said. "There's a guy like one of us with a piece of wire over what's left of a tree and a radio and a battery giving them information."

REVOLT
FROM PAGE 1A

Shoigu was shown in a helicopter and then meeting with officers at a military headquarters in Ukraine. The video was widely broadcast on Russian media, including state-controlled television. It was unclear when it was shot.

General Staff chief Gen. Valery Gerasimov, also a main target of Prigozhin's ire, has not appeared in public.

It was unclear what would ultimately happen to Prigozhin and his forces under the deal purportedly brokered by Belarusian President Alexander Lukashenko. Kremlin spokesman Dmitry Peskov said Saturday that Putin has given his word that Prigozhin will be allowed to go to Belarus.

The RIA Novosti state news agency cited unidentified sources in the Prosecutor General's office as saying the criminal case against Prigozhin hasn't been closed, despite earlier Kremlin statements. The Interfax news agency carried a similar report.

Should the case continue, Prigozhin's presence in Belarus — a staunch Kremlin ally — would offer little protection against arrest and extradition.

Prigozhin appeared nonchalant in some of the last video taken during the rebellion. As a convoy carrying him in an SUV drove out of the southern city of Rostov-on-Don after its brief occupation Saturday, he was asked how he viewed the result of his revolt, according to footage posted on Russian social media.

"It's normal, we have cheered everyone up," the mercenary chief responded.

Before the uprising, Prigozhin had blasted Shoigu and army chief Gen. Valery Gerasimov with expletive-ridden insults for months, attacking them for failing to provide his troops with enough ammunition during the fight for the Ukrainian town of Bakhmut, the war's longest and bloodiest battle.

Associated Press writers Lorne Cook in Brussels and Jill Lawless in London contributed.

AFFIDAVIT OF PUBLICATION

HIGHLANDS NEWS-SUN
Published Daily
SEBRING, HIGHLANDS COUNTY, FLORIDA

Case No. NOTICE OF HEARING TO RE-IMPOSE AND PROVIDE FOR COLLECTION OF FIRE PROTECTION ASSESSMENT

STATE OF FLORIDA,
COUNTY OF HIGHLANDS

Before the undersigned authority, Janet Emerson, personally appeared who on oath says that she is the Classified Advertising Legal Clerk of Highlands News-Sun, a newspaper published at Sebring in Highlands County, Florida; that the attached copy or reprint of the advertisement, to the right, being a Public Notice, was published in said newspaper by print in the issues of or by publication on the newspaper's website, if authorized, on:

JUNE 27, 2023

Affiant further says that the Highlands News-Sun newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
SIGNED:

Janet Emerson

Janet Emerson

Sworn to and subscribed before me this 27th day of June, 2023 by Janet Emerson, who is personally known to me.

Nancy Y. Whirley

Nancy Y. Whirley Customer Service Supervisor, Notary Number HH293555
Notary expires: July 26, 2026

NANCY Y. WHIRLEY
Notary Public
State of Florida
Comm# HH293555
Expires 7/26/2026

RESOLUTION NO. 22-23-141

(FINAL Fire Protection Assessment Fiscal Year 2023-24)

A RESOLUTION OF THE HIGHLANDS COUNTY FIRE PROTECTION MUNICIPAL SERVICE BENEFIT UNIT (COUNTY), PERTAINING TO THE FINAL RE-IMPOSITION OF THE FIRE PROTECTION SPECIAL ASSESSMENT FOR FY 2023-24; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE IMPOSITION AND COMPUTATION OF FIRE PROTECTION SPECIAL ASSESSMENTS; PROVIDING A DETERMINATION OF FIRE SERVICES ASSESSED COSTS AND ESTABLISHMENT OF ANNUAL FIRE PROTECTION SPECIAL ASSESSMENTS FOR FISCAL YEAR 2023-24; PROVIDING FOR THE CERTIFICATION OF ASSESSMENT ROLL; PROVIDING FOR METHOD OF COLLECTION; PROVIDING FOR APPLICATION OF ASSESSMENT PROCEEDS; PROVIDING AS SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Highlands County enacted Ordinance 17-18-04, Ordinance 17-18-08 and Ordinance 18-19-17, as codified into Chapter 9, Article XLI (41), of the Highlands County Code of Ordinances, which authorizes the annual imposition of Fire Protection Assessments for fire protection related services, facilities and/or programs providing special benefits to certain Assessed Property within the County; and

WHEREAS, on April 17, 2018, the County adopted the preliminary fire assessment through Resolution 17-18-60 and on July 10, 2018, the County adopted the final initial fire assessment through Resolution 17-18-112 ("Final Initial Assessment Resolution"); and

WHEREAS, on August 3, 2021, the County adopted the updated final fire assessment through Resolution No. 20-21-131 ("Updated Final Fire Assessment Resolution"); and

WHEREAS, the Updated Final Fire Assessment Resolution contemplated an annual increase in increments of not more than seven percent (7%) each fiscal year, for the five (5) years following fiscal year 2021-2022, provided a public hearing is conducted prior to September 1 of each such year with the adoption of a Resolution reflecting the approved increase; and

WHEREAS, the Final Initial Assessment Resolution and the Updated Final Assessment Resolution contain and reference a brief and general description of the fire protection services, facilities and/or programs to be provided to Assessed Property; describes the method of apportioning the Fire Protection Assessed Cost to compute the Fire Protection Assessment for fire

protection services, facilities and programs against Assessed Property; estimates rates of assessment; and directs the updating and preparation of the Assessment Roll and provision of the notice required by the County's Code; and

WHEREAS, the legislative determinations of special benefit and fair apportionment embodied in the County' Code, the Final Initial Assessment Resolution, the Updated Preliminary Fire Assessment Resolution and the Updated Final Fire Assessment Resolution are affirmed and incorporated herein by reference; and

WHEREAS, following a public hearing on May 16, 2023, the County adopted the FY 2023-24 Preliminary Fire Protection Assessment Resolution 22-23-111, pertaining to the contemplated seven percent (7%) increase of the Fire Protection Assessment; and

WHEREAS, as set forth in Chapter 9, Article XLI (41), Division 3, Section 9-623, of the Highlands County Code of Ordinances, the County Administrator caused a notice to be published, in a newspaper of general circulation in the County, advertising the public hearing to be held related to the final proposed increase in the Fire Protection Assessment for Fiscal Year 2023-24, proof of publication attached hereto as **Exhibit "A"**; and

WHEREAS, by this final annual Fire Assessment Resolution for fiscal year 2023-24, the County desires to re-impose Fire Protection Assessments pursuant to and in accordance with the increase parameters set forth in the Updated Final Fire Assessment Resolution for the funding of fire protection services, facilities and/or programs that provide special benefits to Assessed Property within the County.

NOW, THEREFORE, BE IT RESOLVED BY HIGHLANDS COUNTY, FLORIDA, AS FOLLOWS:

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above findings are hereby adopted.

SECTION 2. Imposition and Computation of Fire Protection Special Assessments. Fire Protection Special Assessments shall be imposed within the County until discontinued or changed. Fire Services Special Assessments shall be computed in a manner set forth in this Final Assessment Resolution.

SECTION 3. Determination of Fire Protection Assessed Costs and Establishment of Annual Fire Protection Special Assessments for Fiscal Year 2023-24.

A. The Fire Protection Assessed Costs to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and the Parcel Apportionment for the Fiscal Year beginning October 1, 2023, is $7,130,836.

B. The estimated Fire Protection Special Assessment to be assessed and apportioned

among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Fire Protection Assessed Cost for the Fiscal Year beginning October 1, 2023, is hereby established as follows:

Fire Protection Special Assessment Rates Fiscal Year 2023-24
(100% of Assessable Costs)

Residential Property Use Category	**Rate Per Square Foot**
Residential	$.05610
Non-Residential Property Use Categories	**Rate Per Square Foot**
Commercial Industrial/Warehouse Institutional	$.08414 $.07209 $.08414
Land Property Use Category	**Rate Per Parcel**
Vacant Land	$28.83751

The Estimated Gross Revenue for Fiscal Year 2023-24 is $7,534,021; estimated exempt buy-down is $403,185; Estimated Net Revenue, therefore, is $7,130,836.

i. Recreation vehicle park property will be treated as commercial property. It is fair and reasonable to treat each space within recreation vehicle ("RV") park property, whether rented or vacant, as a building of commercial property and assign the square footage of 191 square feet, which is the average size of a recreational vehicle according to the Florida Association of RV Parks and Campgrounds, unless the Property Appraiser provides the actual square footage.

ii. Mobile Home lots will be treated as residential property. It is fair and reasonable to treat each space within the mobile home park as a building of residential property and to assign each space an amount of 720 square feet. Actual square footage shall be assessed for each mobile home when the data is available.

iii. No Fire Protection Assessment shall be imposed upon parcels assigned the following Florida Department of Revenue codes by the Highlands County Property Appraiser:

Code	**Parcel Type**

76	Cemetery
80	Vacant Governmental
81	Military
82/97	Forest/Park/Recreation
83	Public Schools
84	Colleges
86	County
87	State
88	Federal
89	Municipal
94	Rights of Way
95	Rivers, Lakes, Submerged Land
96	Wasteland/Marsh

iv. Any shortfall in the expected Fire Protection Assessment proceeds due to any reduction or exemption from payment of the Fire Services Assessments required by law or authorized by the County shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Protection Assessments. In the event a court of competent jurisdiction determines any exemption or reduction by the County is improper or otherwise adversely affects the validity of the Fire Protection Assessment imposed, the sole remedy shall be the imposition of a Fire Protection Assessment upon each affected Tax Parcel in the amount of the Fire Protection Assessment that would have been otherwise imposed save for such reduction or exemption afforded to such Tax Parcel by the County.

v. The approval of the Fire Assessment Rate Schedule by the adoption of this Final Rate Resolution determines the amount of the Fire Protection Assessed Costs. The remainder of such Fiscal Year budget for fire services, facilities, and programs shall be funded from available County revenue other than Fire Protection Assessment proceeds.

vi. The Final Fire Protection Assessments specified in the Fire Protection Assessment Rate Schedule are hereby established to fund the specified Fire Protection Assessed Costs determined to be assessed for the Fiscal Year 2023-24. No portion of such Fire Protection Assessed Costs are attributable to impact fee revenue that funds capital improvements necessitated by new growth or development. Further, no portion of such Fire Protection Assessed Costs are attributable to the Emergency Medical Services Cost.

vii. The Fire Protection Assessments established in this Final Rate Resolution shall be the assessment rates applied by the County Administrator in the preparation of the Assessment Roll for the Fiscal Year commencing October 1, 2023, as provided in Section 4 of this Final Rate Resolution.

C. The above stated Fire Protection Assessment rates may be increased annually in increments of not more than seven percent (7%) each fiscal year, for the five (5) fiscal years following fiscal year 2021-2022, provided a public hearing is conducted prior to September 1 of each such year with the adoption of a Resolution reflecting the approved increase. Notice of the public hearing required hereunder shall be provided by publication only pursuant to Highlands County Code of Ordinances, Section 9-623.

SECTION 4. Certification of Assessment Roll. The County Administrator is hereby directed to prepare, or cause to be prepared, an Assessment Roll, for the Fiscal Year commencing October 1, 2023, to be delivered to the Tax Collector for collection using the Uniform Assessment Collection Act, as provided in the Code. The Assessment Roll shall include all assessed property and shall be delivered to the Tax Collector, accompanied by a Certificate of Non-Ad Valorem Assessment Roll in substantially the form attached hereto as **Exhibit "B"**.

SECTION 5. Method of Collection. It is hereby declared that the Fire Protection Assessments re-imposed on Assessed Property in the County shall be collected and enforced pursuant to the Uniform Assessment Collection Act for the Fiscal Year beginning October 1, 2023.

SECTION 6. Application of Assessment Proceeds. Proceeds derived by the County from the Fire Protection Assessments will be utilized for the provision of fire protection services, facilities and programs. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire protection services, facilities and programs.

SECTION 7. Savings Clause. All prior actions of Highlands County pertaining to this Final Assessment Resolution and the FY 2023-24 fire assessment rates which are the subject of this Resolution, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 8. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 9. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 10. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 11. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of July, 2023.

HIGHLANDS COUNTY BOARD OF COUNTY COMMISSIONERS

_____

CHRIS CAMPBELL, CHAIRPERSON

ATTEST:

_____

Jerome Kaszubowski, Clerk of Court

Exhibit "A"
Proof of Publication

Exhibit "B"

CERTIFICATE

TO
NON-AD VALOREM ASSESSMENT ROLLS

I HEREBY CERTIFY that, I am the Chairman of the Highlands County Board of County Commissioners or other authorized agent of Highlands County, Florida (the "County"); that I am satisfied that all property included or includable on the **Highlands County Non-Ad Valorem Assessment Roll** for the funding of fire protection services, facilities and/or programs is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll **will be delivered to the Highlands County Tax Collector by September 15, 2023**.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Highlands County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this ___ day of _____, 2023.

HIGHLANDS COUNTY, FLORIDA

FOR EXHIBIT ONLY

_____
Chris Campbell, Chairperson

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **Sergio Garcia, Planner II**

SUBJECT/TITLE: **Public hearing to consider adoption of P&Z Hearing No. 2127, changing the Official Zoning Atlas for an approximate 0.69-acre parcel, from Limited Business District with a Conditional Use (B-2 CU) to Business District (B-3).**

STATEMENT OF ISSUE

The Applicant is requesting to change the Official Zoning Atlas for an approximate 0.69-acre parcel, from Limited Business District with a Conditional Use (B-2 CU) to Business District (B-3). The parcel is vacant of native vegetation but does include one structure with a gross floor area of 3,020 square feet. The structure is currently vacant, and the Applicant intends to lease it for uses consistent with the proposed B-3 zoning designation.

The Town Council of Lake Placid recommends denial of P&Z Hearing No. 2127 due to an inconsistency between the [surrounding] Zoning and Future Land Use Maps, [which further promotes] spot zoning.

The Planning and Zoning Commission recommended approval of P&Z Hearing No. 2127 as presented.

RECOMMENDED ACTION

Move to approve and adopt by Resolution 22-23-135, P&Z 2127, changing the Official Zoning Atlas for an approximate 0.69 acres from Limited Business District with a Conditional Use (B-2 CU) to Business District (B-3), referencing the mandatory findings of fact and becoming effective as provided by law.

FISCAL IMPACT

There is no fiscal impact.

Attachments: Staff Report P&Z 2127 for BCC Glock.pdf
Application P&Z 2127 - Glock.pdf
Resolution P&Z 2127 - Glock.pdf

HIGHLANDS COUNTY
PLANNING DIVISION
STAFF REPORT

Type: Rezone	**BCC Hearing Date:** 7/18/2023
Case Number: P&Z 2127	**Case Name:** Glock Rezone
Agent: N/A	**Property Owners:** Jacob Glock
Public Hearing: BCC	**Case Staff Member:** Sergio Garcia

Request: Rezone an approximate 0.69-acre parcel, from Limited Business District with a Conditional Use (B-2 CU) to Business District (B-3)

General Location: An approximate 0.69-acre parcel located in Lake Placid Estates on the east side of US 27 South, approximately 0.77 miles north of the intersection of US 27 and State Road 70, 0.92 miles east of Old State Road 8, and 1.06 miles south of S Sun N' Lake Boulevard; the address being 2525 US 27 S, Lake Placid

PARCEL ID: C-33-37-30-010-0021-0000

Staff Recommendations and Minutes:

1. **Staff Recommendation to the Board of County Commissioners (BCC) concerning the Planning and Zoning Commission (P&Z) Recommendation:** Move to approve and adopt by Resolution 22-23-135, P&Z 2127, changing the Official Zoning Atlas for an approximate 0.69 acres from Limited Business District with a Conditional Use (B-2 CU) to Business District (B-3), referencing the mandatory findings of fact and becoming effective as provided by law.

2. **Staff Recommendation to the Planning and Zoning Commission (P&Z):** Recommend to the Board of County Commissioners to approve and adopt by Resolution, P&Z 2127, changing the Official Zoning Atlas for an approximate 0.69 acres from Limited Business District with a Conditional Use (B-2 CU) to Business District (B-3), referencing the mandatory findings of fact and becoming effective as provided by law.

3. **Excerpt from the June 13, 2023 DRAFT P&Z Minutes and Recommendation to the BCC: "A. HEARING NUMBER P&Z 2127 – JACOB GLOCK** An approximate 0.69-acre parcel located in Lake Placid Estates on the east side of US 27 South, approximately 0.77 miles north of the intersection of US 27 and State Road 70, 0.92 miles east of Old State Road 8, and 1.06 miles south of S Sun N' Lake Boulevard; the address being 2525 US 27 S, Lake Placid; and abbreviated legal as follows: The South 150 feet of Tract 2, Lake Placid Estates, according to

the Plat thereof as recorded in Plat Book 6, Page 19, Public Records of Highlands County, Florida.

The Applicant is requesting a zoning change from Limited Business District with a Conditional Use (B-2 CU) to Business District (B-3). Mrs. Hunnicutt read the request and Mr. Garcia and presented the request. There were no letters received, and no one spoke in favor of the request. Mr. Ray Royce of the Lake Placid Town Council expressed concern of the property's inconsistency with surrounding designations and close proximity to the Lake Placid Regional Plan (LPRP) Overlay District.

Motion by Mr. Ingler and seconded by Ms. Pipal to recommend to the Board of County Commissioners to approve and adopt by Resolution, P&Z 2127, changing the Official Zoning Atlas for approximate 0.69 acre from Limited Business District with a Conditional Use (B-2 CU) to Business District (B-3), referencing the mandatory findings of fact and becoming effective as provided by law.

Upon roll call, all members voted yes. **Motion carried 7-0."**

Supplemental Material/Issue Analysis Report:

1. Request: The matter for consideration is for a change to the Official Zoning Atlas of an approximate 0.69-acre parcel, from B-2 CU to B-3.

An Ordinance, to change the future land use designation from Agriculture (AG) to Commercial (C), and a Resolution, to change the zoning designation from Residential District (R-1) to Limited Business District with a Conditional Use (B-2 CU) specific to office uses, were adopted on January 23, 2007. The existing conditional use is for office uses only.

The parcel is vacant of native vegetation but does include one structure with a gross floor area of 3,020 square feet. The structure is currently vacant, and the Applicant intends to lease it for uses consistent with the proposed B-3 zoning designation.

2. Notices to Surrounding Property Owners.

On May 12, 2023, notices were mailed to 6 property owners notifying them of the public hearings for the Planning and Zoning Commission and the Board of County Commissioners.

3. Existing Use Analysis:

LOCATION	EXISTING USE	LAND USE CATEGORY	ZONING
Subject Property	Vacant since 2011 (was a fruit stand)	C	B-2 CU

LOCATION	EXISTING USE	LAND USE CATEGORY	ZONING
Adjacent Property to the North	Grove/Orchards	AG	R-1
Adjacent Property to the South	Grove/Orchards	AG	Agricultural District (AU)
Adjacent Property to the East	Grove/Orchards	AG	R-1
Adjacent Property to the West	Grove/Orchards	Mixed Use (MU)	AU

4. Applicable References:

Planning…§163.3194(1)(a) - (b), F.S.; Highlands County 2030 Comprehensive Plan: Future Land Use Policies: 1.1, General Growth Management Strategy; Policy 1.2.D.7, Commercial (C).

Zoning…Highlands County Land Development Regulations (LDRs): Section 12.05.241: Limited Business District (B-2); Section 12.05.242: Business District (B-3); and Section 12.05.292: Conditional Use District (CU).

Department Comments and Analysis of Petitioner's Proposal:

1. The Departments, Divisions, and Agencies listed below provided comments as follows:

Zoning Division: The staff has no objection to this request.

Engineering Department: Approved with conditions. At the time of development, the Applicant shall undergo the development review process, and additional requirements may be identified at that time.

Town of Lake Placid: The Town Council recommends denial of the zoning change due to an inconsistency between the [surrounding] Zoning and Future Land Use Maps, [which further promotes] spot zoning.

Florida Department of Health: No objection.

2. The following Departments, Divisions, and Agencies offered no comment: Natural Resources Division, and Florida Department of Environmental Protection.

3. The following Departments, Divisions, and Agencies did not respond: Florida Department of Transportation, Highlands County Emergency Management,

Highlands County Emergency Medical Services, and Highlands County Fire Rescue.

4. **Planning Division:** The following analysis and findings of fact describe the physical, legal and cultural characteristics of the Applicant's property:

A. Natural Features Analysis:

1. **Topography:** The topographic map depicts the subject property as mostly level with an elevation of 130 feet.
2. **Soils:** The soil underlying the site is *Astatula, 0 to 8 percent slopes.* The available water capacity is very low, with a very rapid permeability. Depth to the water table is more than 80 inches. This soil is nearly level to moderately sloping, and excessively drained. The potential for urban uses is high in this soil.
3. **Surface Waters:** The subject parcel has no surface water areas.
4. **Vegetative Cover:** The site has been cleared of native vegetation.

B. Zoning Analysis:

1. **Current Use of Land:** The current use of the land is vacant; however, it was used as a fruit stand until 2011. The conditional use on the property only allows for office uses.
2. **Vested Rights:** None.
3. **Current Zoning Designation:** The site has a zoning designation of B-2 CU.
4. **Proposed Zoning Designation:** The proposed zoning designation is B-3.
5. **Current Zoning Intensity:** The current zoning allows a maximum intensity of up to 0.70 FAR for offices.
6. **Proposed Zoning Intensity:** The proposed zoning allows a maximum intensity of up to 0.80 FAR for other commercial uses; for office uses, the FAR remains the same.
7. **The Applicant's proposed development program:** The Applicant is proposing to use the site for commercial purposes that would no longer be restricted to office uses and would include the permitted uses made available in the more intensive B-3 zoning district. The B-3 district is intended to apply to general business, retail and wholesale, warehouse storage and other services of a general character. No residential uses are proposed, and the owner intends to lease out the current structure on the parcel.

C. Special Designated Areas:

1. **Environmental Protection:** The Conservation Overlay Map series of the Comprehensive Plan indicates that the site contains no Selected Natural Resources. Pursuant to Natural Resource Element Policy 3.3. of the Comprehensive Plan, the Applicant **is not required** to obtain Environmental Clearance at the time of development.
2. **Historic Resources:** The Florida Master Site File (FMSF) indicates that there are no known historic resources on the property.

3. **Archaeological Resources:** The Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Comprehensive Plan and the FMSF indicate no known archaeological resources on the site.
4. **Floodplains (FEMA designation):** The property has a flood zone designation of X, for areas located outside the Special Flood Hazard Areas, as depicted on the Flood Insurance Rate Map Community Panel Number **12055C0527C**, effective November 18, 2015.
5. **Military Airport Zones (MAZ):** The property is not located within any Military Airport Zones as designated by Section 12.12.800 of the Highlands County LDRs.
6. **Wellhead Protection Zones:** The property is not located within any of the defined protection zones as defined by Infrastructure Policy 6.6. of the Comprehensive Plan.
7. **Airport Surface Areas:** The property is not located within any of the defined surface areas as designated by Chapter 2.1 of the Highlands County Code of Ordinances.

D. Public Facilities and Services:

1. **Potable Water:** The property will be served by an on-site potable water (well) system that will be designed to connect to a central water system when it becomes available.
2. **Central Wastewater:** The property will be served by an on-site wastewater treatment (septic) system that will be designed to connect to a central wastewater treatment system when it becomes available.
3. **Solid Waste:** The property will be serviced by a county-approved refuse collection company.
4. **Vehicular Access and Traffic Circulation:** The site has an existing driveway on US 27 S; however, the access will likely require modification from the Florida Department of Transportation.
5. **Railroad Access:** The site is located less than one mile east of the South Central Florida Express railroad tracks; however, the site does not have direct access to these tracks.
6. **Recreation:** The proposed development will not require the need for recreation. Per the Highlands County Parks and Recreation Master Plan a shared bikeway exists along US 27; however, during the development process a sidewalk may be required pursuant to Section 12.09.103.C. of the LDRs.
7. **Drainage:** The Applicant will be required to comply with Section 12.13.104.F. of the Highlands County LDRs and the applicable water management district regulations.

E. Traffic Impacts: Pursuant to the Comprehensive Plan: Technical Support Section, a traffic analysis **will be** required at the time of development.

F. Schools: The permitted uses within the Business District (B-3) zoning designation are commercial in nature. Any project development will not likely generate student impacts to the school district; school concurrency **is**

not required, unless living space is proposed as accessory to the commercial operation.

G. Airports: The subject property is located approximately 28.1 miles southeast of the Avon Park Executive Airport and 15.8 miles south of the Sebring Regional Airport.

Mandatory Findings of Fact:

Use Consistency Finding: The proposed zoning change **is consistent** with the patterns of existing development within this area and compatible with the surrounding land uses.

Plan Consistency Finding: The proposed zoning change **is consistent** with the goals, objectives, and policies of the adopted Comprehensive Plan.

Environmental Clearance Finding: Environmental Clearance, pursuant to Natural Resources Element Policy 3.3 of the Comprehensive Plan, **is not required** for the proposed zoning change.

Historical and Archaeological Clearance: The proposed zoning change **is not required** to obtain Historical and Archaeological clearance, pursuant to FLU Policy 7.1 and NRE Policy 1.3 of the Comprehensive Plan. The Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Comprehensive Plan and the Florida Master Site File indicate that there are no known cultural resources on the property.

Conformity Finding: If approved, all future development actions for the property shall be made to conform to applicable Comprehensive Plan policies and to LDRs in effect at the time the applicable development order becomes effective as provided by law.

The Planning Division, based on the Mandatory Findings of Fact and Consistency with the Comprehensive Plan, recommends the Board of County Commissioners to approve and adopt by Resolution, P&Z 2127, changing the Official Zoning Atlas for an approximate 0.69 acres from Limited Business District with a Conditional Use (B-2 CU) to Business District (B-3), referencing the mandatory findings of fact and becoming effective as provided by law.

Attachments:

Exhibit 1: Location Map
Exhibit 2: Aerial Map
Exhibit 3: Future Land Use Map
Exhibit 4: Zoning Map
Exhibit 5: Proposed Zoning Map

Exhibit 1:


Grassy
27
S SUN 'N LAKES BLVD
CR 29
MOON GLOW AVE
Placid
Buck
Site Location
OLD SR 8
HIGHLANDS BLVD
70
Annie
N
Feet
0
1,150
2,300
4,600
LOCATION
P&Z 2127

Exhibit 2:

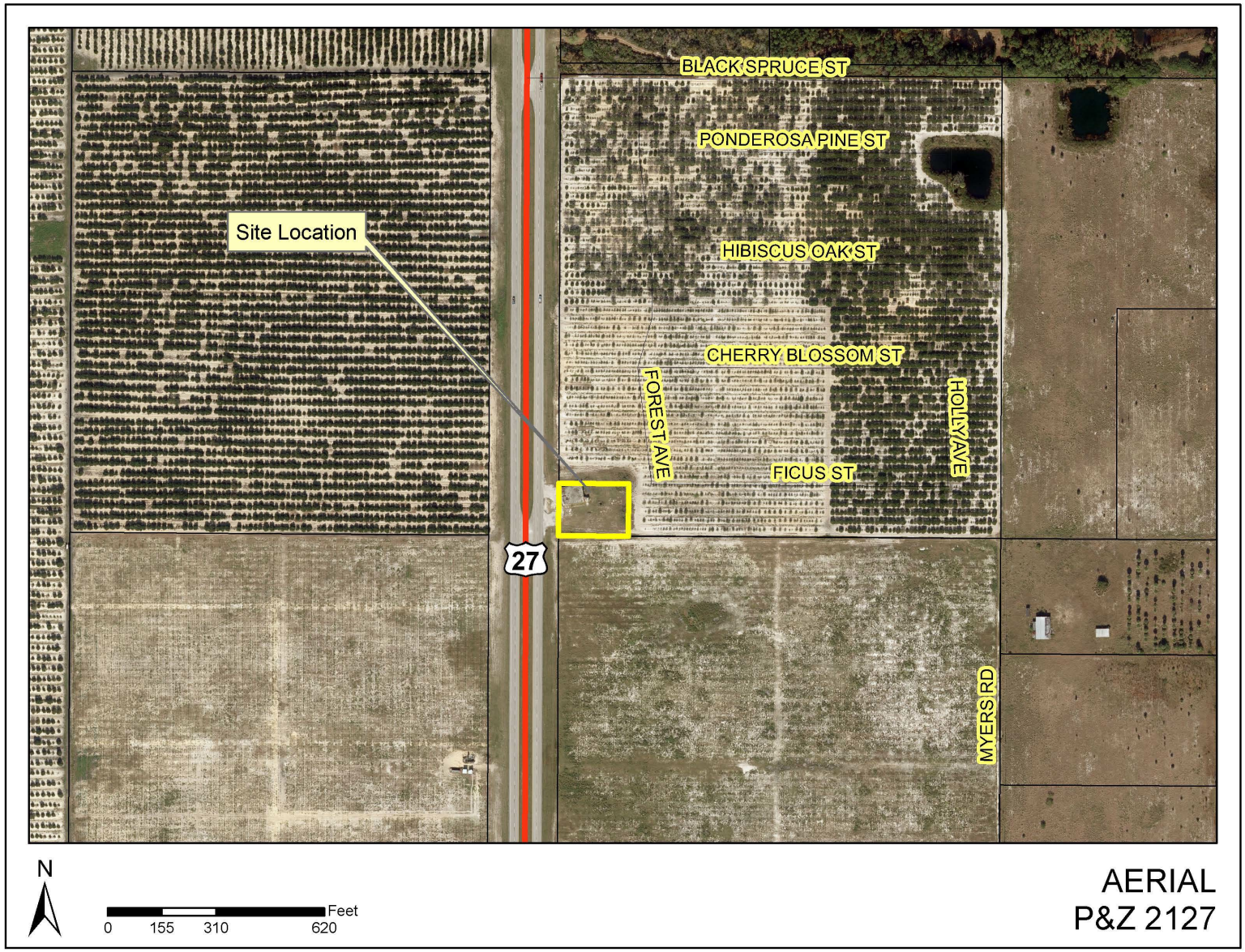

BLACK SPRUCE ST
PONDEROSA PINE ST
Site Location
HIBISCUS OAK ST
CHERRY BLOSSOM ST
FOREST AVE
HOLLY AVE
FICUS ST
27
MYERS RD
N
Feet
0
155
310
620
AERIAL
P&Z 2127

Exhibit 3:

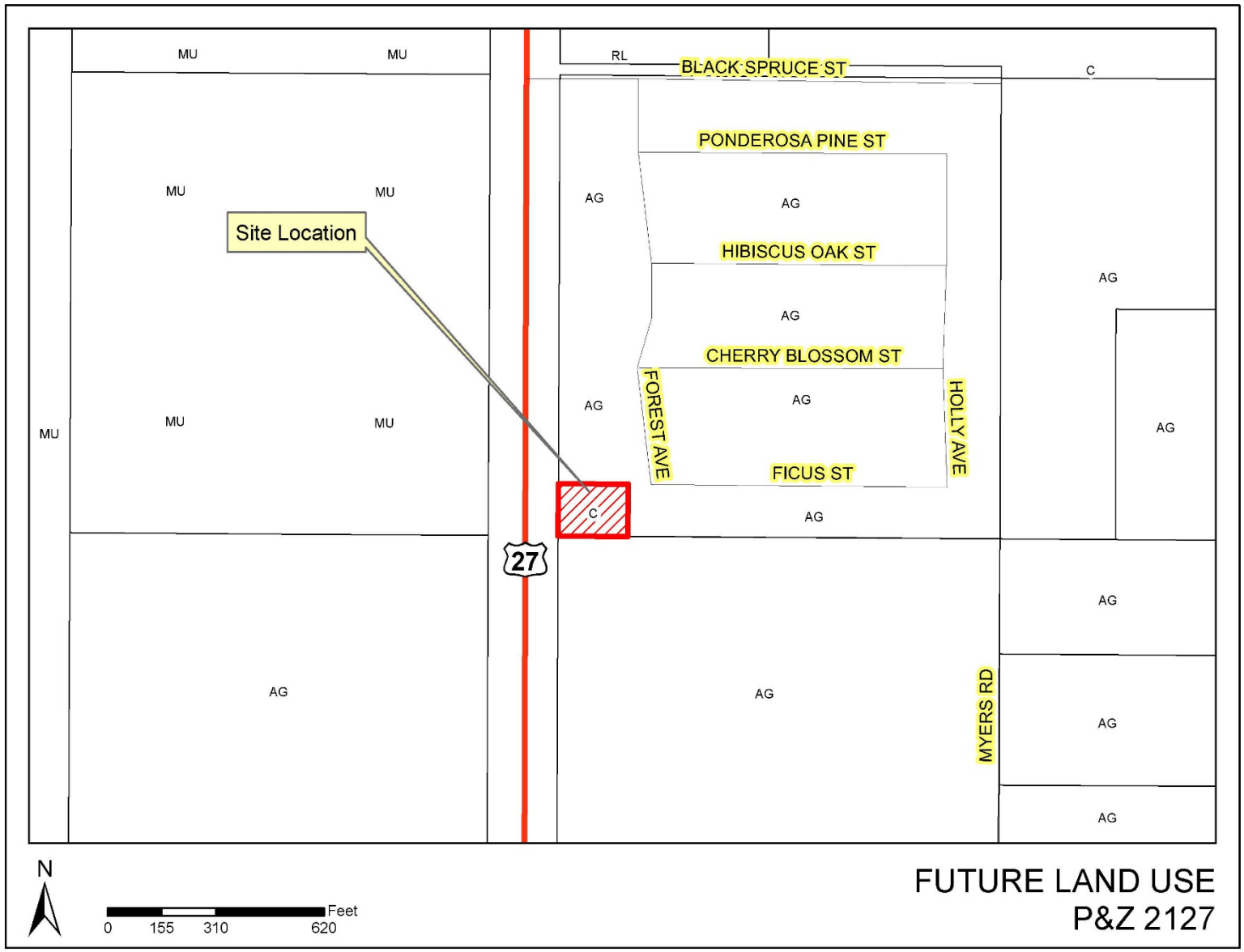

MU
MU
RL
BLACK SPRUCE ST
C
PONDEROSA PINE ST
AG
HIBISCUS OAK ST
CHERRY BLOSSOM ST
FOREST AVE
HOLLY AVE
FICUS ST
Site Location
C
27
MYERS RD
N
0
155
310
620
Feet
FUTURE LAND USE
P&Z 2127

Exhibit 4:

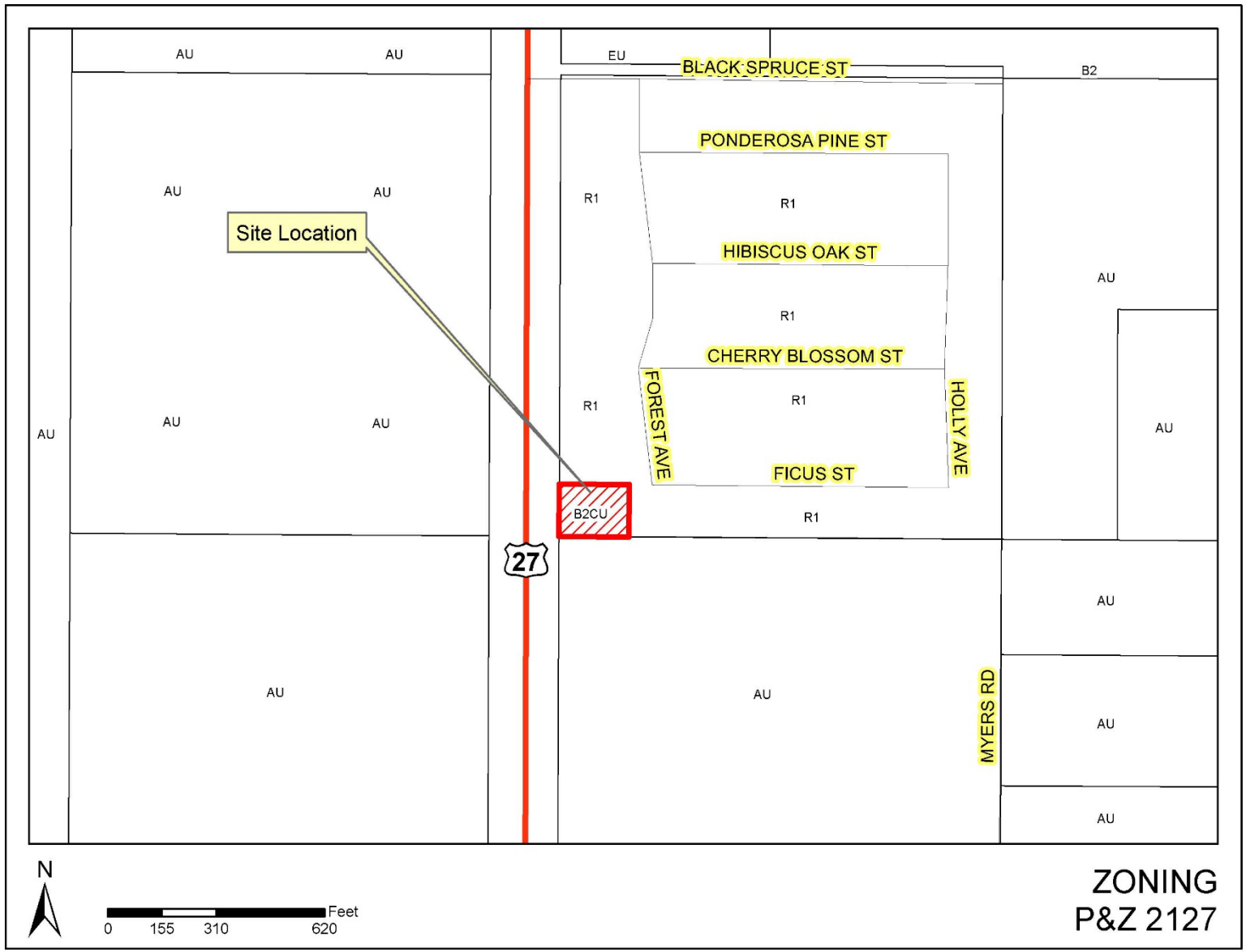
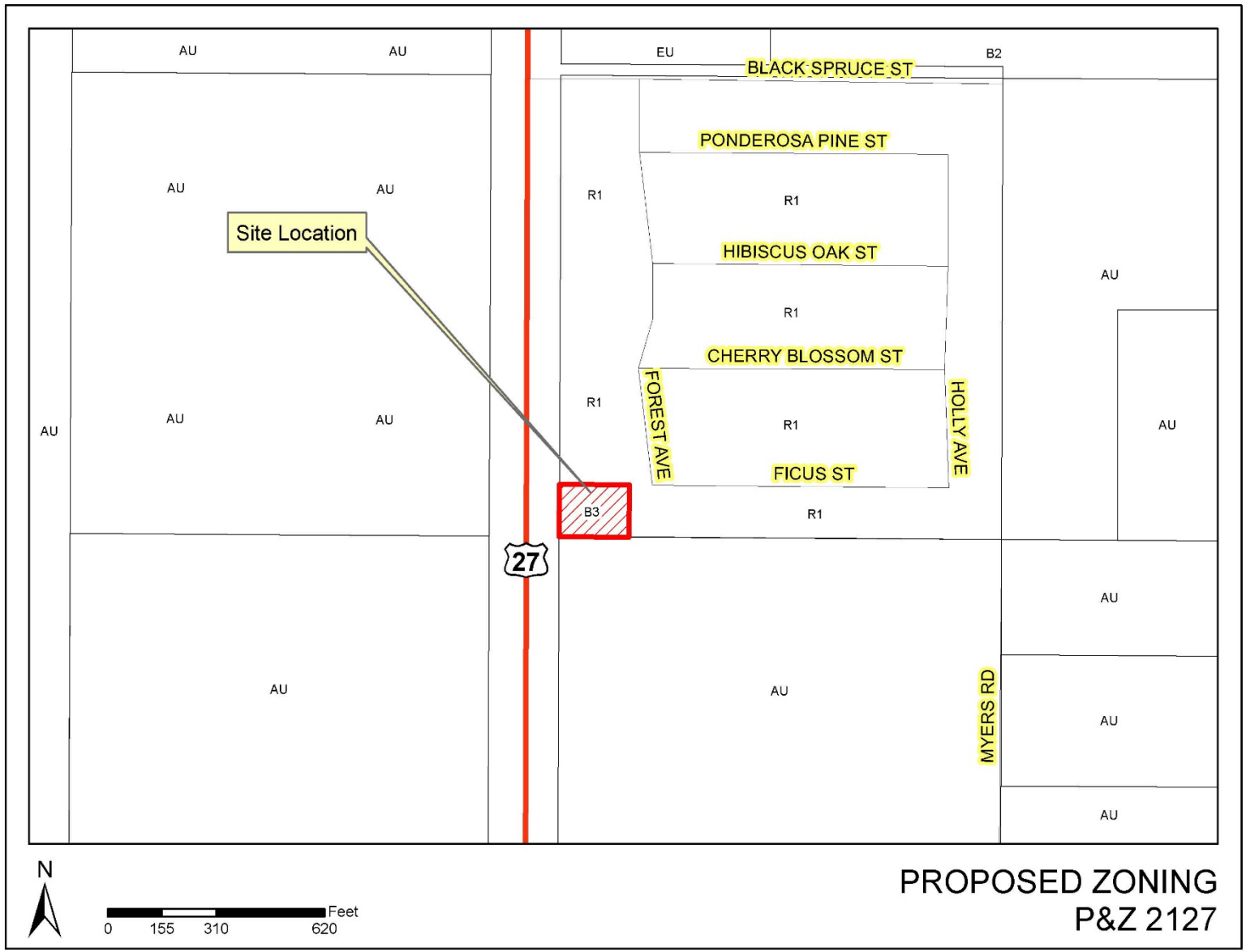

AU
AU
EU
BLACK SPRUCE ST
B2
PONDEROSA PINE ST
R1
R1
Site Location
HIBISCUS OAK ST
AU
R1
CHERRY BLOSSOM ST
FOREST AVE
R1
HOLLY AVE
AU
AU
AU
B2CU
R1
27
AU
AU
MYERS RD
AU
AU
AU
N
Feet
0
155
310
620
ZONING
P&Z 2127

Exhibit 5:


AU
AU
EU
B2
BLACK SPRUCE ST
PONDEROSA PINE ST
R1
HIBISCUS OAK ST
CHERRY BLOSSOM ST
FOREST AVE
HOLLY AVE
FICUS ST
Site Location
B3
27
MYERS RD
N
0
155
310
620
Feet
PROPOSED ZONING
P&Z 2127

Highlands County, Florida
Zoning Change Application

Zoning change from: B2CU
Zoning change to: B3

Note: *Do not leave any blank lines; if something does not apply, indicate that it is not applicable by using N/A*

****

Project NO. 23040016

SECTION I: STAFF USE ONLY:

P&Z Hearing Number: 2127 **Date of Application:** 04/17/2023
Amount of Fee: $ 1950.00 **Receipt No.:** 430000000149 **Tax Map No.:** 162-C
Hearing Dates: LP: _____ **P&Z:** 06/13/2023 **BCC:** 07/18/2023

****

This application has been reviewed for completeness and determined sufficient:

Rachel Bry
Zoning Supervisor

4/27/2023
Date

****

SECTION II: APPLICANT & PROPERTY INFORMATION:

1. **Name of Property Owner(s):** If more than one, all owners must sign the Owner's Affidavit (attached), which must accompany the application.
   Print Name: Jacob L. Glock
   Mailing Address: 1602 Woodford Avenue, Fort Myers, FL 33901
   Telephone No.: 239-410-5507 **E-Mail Address:** JacobGlock@AOL.com

2. **Name of Agent:** Complete the Agent's Affidavit (attached) from property owner, which must accompany application, giving agent authority to represent this application.
   Print Name: _____
   Mailing Address: _____
   Telephone No.: _____ **E-Mail Address:** _____

NOTARIZED AUTHORIZATION:

- ☐ If the applicant is not the owner of the property, a written, notarized authorization from each owner must be provided with this application – use Form A, attached. Property owner authorization is required. If the property owner withdraws permission at any point during the review and approval process, the application is considered null and void.
- ☐ If an agent is submitting the application for the owner/applicant – authorization from the owner/applicant is required – use Form B, attached.

3. **Legal Description Covered by Application:** If subdivided: Lot, block, complete name of subdivision, plat book, page number, section, township and range. If metes and bounds description, complete description, including section, township and range. SEE ATTACHED SHEET Yellow Highlighted

4. **Strap No.(s) of Property Covered by Application:**
   STRAP #:C-33-37-30-010-0021-0000 **STRAP #:**C-_____
   STRAP #:C-_____ **STRAP #:**C-_____

5. **Street Address(es) of Property Covered by the Application:** 2525 US 27 S, Lake Placid, FL 33825

****

SECTION III: INFORMATION ABOUT EXISTING USES:

6. **Existing Zoning District:** B2CU **Existing Land Use Classification:** C
Are the Zoning and Comprehensive Plan Consistent? ☑Consistent ☐Not Consistent

7. **Existing Property Information:** Size of Property (width) 150 feet, (depth) 200 feet, street frontage 150 feet, water frontage N/A feet, **Total acres** 0.688
If different from the total acreage, the upland, or developable portion is _____ +/- acres.

8. **Are there existing structures on the property?** ☒Yes ☐No **If Yes,** what type (CBS, Frame, Stucco, Other Multiple Units, Number of Dwellings per Building), and what are they used for? _____
ONE BUILDING, IS CURRENTLY EMPTY. LOOKING TO LEASE IT.
If multiple units, the number of dwellings per building/number of buildings: _____

9. **Is the property located within the Lake Placid Regional Plan (LPRP) area?** ☐Yes ☒No **If yes,** please submit a draft PD Resolution and site plan as part of the application. A separate application meeting should be arranged with the Town of Lake Placid. Please ask the Town staff (County Planning Department) for assistance.

10. **Vesting:** Is the property vested for specific property rights? ☐Yes ☒No **If Yes,** list the Vesting Action or Order Number or the method used to grant vested rights (state binding letter, legal lot of record, etc).: _____

11. **Has a public hearing been held on this property within the last 12 months?** ☐Yes ☒No **If Yes,** in whose name and when? _____

12. **Is this hearing being requested as a result of a code violation notice?** ☐Yes ☒No **If Yes,** explain. _____

13. **Information on the Adjacent Properties:**

	Existing Uses	FLUM Designations	Zoning Districts
North	VACANT / GROVE	AG	R1
South	VACANT	AG	AU
East	~~AG~~ vacant / Grove	AG	~~AU~~ R-1
West	VACANT / Grove	MU / ~~AG~~	AU

****

SECTION IV: INFORMATION ABOUT THE PROPOSED CHANGE:

14. **Reason for Proposed Change(s) (DO NOT INCLUDE SPECIFIC USES):** _____
TO INCREASE ITS USE FOR COMMERCIAL

15. **Proposed Number of Dwelling Units Desired or Number of Square Feet of Commercial Space (if applicable):**
ONE (SAME EXISTING) NO CHANGE

16. **Proposed Development Standards (if applicable):**

A. Proposed parcel size (if increasing area with this application) N/A square feet/acre
B. Proposed Floor Area Ratio (FAR): Gross floor area of existing building 3020 Sq. Ft. divided by Parcel size 30,000 Sq. Ft. = FAR 10% %

****

SECTION V: ADDITIONAL INFORMATION REQUIRED: 16 & 17 – NOT APPLICABLE FOR EXISTING DEVELOPMENT THAT IS NOT INCREASING IN SIZE; INDICATE N/A. N/A

17. **Potable Water:** The proposed development will be served by an off-site central potable water system. ☐Yes ☑No **If Yes,** the potable water system requirements will be accommodated by the _____ water system.

(See the attached model letter requesting this information from the respective servers). PLEASE ATTACH THEIR LETTER TO THIS APPLICATION. THIS APPLICATION WILL NOT BE COMPLETE WITHOUT THIS LETTER.

The Applicant must provide the following data of the water system that will be used (gallons per capita per day or gpcd):

a. The facility has the designed capacity for pumping and treating _____ gpcd.
b. The facility has a permitted capacity for _____ gpcd.
c. The facility has an average demand or committed capacity for _____ gpcd.
d. The facility has an excess capacity of _____ gpcd.
e. This proposed development will require approximately _____ gpcd.

Note: The required level of service (LOS) for potable water for Highlands County is:

Residence Type	Gallons per Capita per Day
RV Park	75
Mobile Home Park	100
Single Family or Multi-Family	120

If No, the proposed development will be served by an on-site potable water (well) system that will be designed to connect to a central water system when it becomes available. _____ **Applicant's Initial**

18. **Wastewater Treatment:** The proposed development will be served by an off-site central wastewater treatment system. ☐Yes ☑No

If Yes, the wastewater treatment system requirements will be accommodated by the _____ system.

Sig

(See the attached model letter requesting this information from the respective servers). PLEASE ATTACH THEIR LETTER TO THIS APPLICATION. THIS APPLICATION WILL NOT BE COMPLETE WITHOUT THIS LETTER.

The Applicant must provide the following data of the wastewater treatment system that will be used:

a. The facility has the designed capacity for pumping and treating _____ gpcd.
b. The facility has a permitted capacity for _____ gpcd.
c. The facility has an average demand or committed capacity for _____ gpcd.
d. The facility has an excess capacity of _____ gpcd.
e. This proposed development will require approximately _____ gpcd.

Note: The required LOS for potable water for Highlands County is:

Residence Type	Gallons per Capita per Day
RV Park	75
Mobile Home Park	100
Single Family or Multi-Family	120

If No, the proposed development will be served by an on-site wastewater tank system that will be designed to connect to a central wastewater treatment system when it becomes available. _____ **Applicant's Initial**

19. **Surface Drainage:** I (we) certify that storm water management will comply with the requirements of Section 12.13.104.F of the Highlands County Land Development Regulations (See County Engineer) and the applicable water management district regulations: ☒Yes ☐No _____ **Applicant's Initial**

Note: The required LOS for the County is premised upon the applicable water management district standards.

SFWMD:25-year/24-hour storm event (peak discharge, 25-year/36-hour)
SWFWMD:25-year/24-hour storm event (peak discharge, 25-year/24-hour)

*Applicants must utilize the appropriate water management district standards for drainage procedures and methods to assure that post-development run-off will not exceed pre-development run-off for a minimum of 24-year/24-hour storm event, and that Best Management Practices shall be utilized to meet or exceed state water quality standards. Direct discharge into designated outstanding Florida waters requires a treatment area 1.5 times standard area.

20. **Solid Waste Disposal:** The proposed development will be served by the WASTE CONNECTIONS refuse collection company.

Note: The required LOS for the County is based upon the landfill capacity to accommodate at least 5.21 pounds/person/day.

21. **Recreation and Green Space:** The recreation and green space LOS adopted by Highlands County will be met at the time of development which will include, in part, the following facilities, if any: N/A

Note: The required LOS for the County is to provide adequate facilities to maintain a County-wide standard of 10 acres/1,000 population.

22. **Military Airport Zones (MAZ):** Is this property located in an MAZ? ☐Yes ☒No
If Yes, please indicate the area as MAZ I, MAZ II, or MAZ III _____.

****

SECTION VI: ADDITIONAL ZONING AMENDMENT INFORMATION:

23. **Owner's Affidavit:** Owner's Affidavit(s) must be completed and submitted as part of **all** applications.

24. **Agent's Affidavit:** Agent's Affidavit(s), if applicable, must be completed and submitted as part of **all** applications.

25. **Map Properties within 500 Feet:** Submit a map which delineates the boundary of the proposed development site and its location on the map. Include each parcel of land within **500 feet** of the property being considered in the application.

26. **List of Property Owners:** List all current property owners within a 500-foot radius of the property being considered for a rezone, including names, mailing and site addresses, and STRAP numbers of their properties. **If** the property being considered for a rezone is an area currently zoned Agriculture, the list must contain a minimum of 6 different property owners adjacent to or in the vicinity of the rezoning being requested (Attach separate sheets to this application).

27. **Land Survey:** A copy of the survey, showing all dedications or easements within the property that is the subject of the application, prepared by a Florida registered land surveyor may be required and attached to the application.

28. **Proposed Flexible Unit Development (FUD) or Planned Development (PD) – Site Plan, Resolution, and Letter of Intent:** A site plan, a draft resolution, and a letter of intent are required which indicate uses, density, building locations, streets, site access, off-street parking, water courses or bodies, buffers, setbacks (dimensions), and environmentally sensitive areas. (See Section 12.05.291 of the Code of Ordinances for FUD requirements and Section 12.05.290 for PD requirements.)

29. **Surrounding Property Owners:** Have you discussed this rezoning request with the surrounding property owners? ☐**Yes** ☒**No**

30. **Contract to Sell:** Is this property under contract to sell contingent on the rezoning? ☐**Yes** ☒**No**

****

END OF APPLICATION

ATTACHMENTS:

1) Owner's Affidavit(s) or Corporation Affidavit
2) Agent's Affidavit(s)
3) Notarized authorization from each owner, as applicable (Form A)
4) Notarized authorization for agent to submit petition, as applicable (Form B)
5) Public Utility Information Request Format
6) Application Due Dates
7) Fee Schedule

Highlands County, Florida
Development Services Department Application

OWNER'S AFFIDAVIT

I, Jacob L. Glock, being first duly sworn, depose and say that I am the **OWNER** of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application, are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before hearings can be advertised. I also understand that it is my obligation to comply with any other lawfully adopted and recorded deed restrictions or covenants that are more restrictive or impose a higher standard, and that any action of this Board does not supersede those requirements.

I authorize County staff to enter the property during the application process to complete its evaluation.

Please initial the appropriate line:

Sig

No contact is required. _____

An appointment is required before entering the property. _____

Jacob L. Glock
Print Name of Owner

Signature of Owner

1602 Woodford Avenue.
Address: Number and Street (P.O. Box)

Fort Myers, FL 33901
City and State (Zip Code)

STATE OF FLORIDA
HIGHLANDS COUNTY

The Foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 28th day of March, 2023 by Jacob Glock who is personally known by me ☐ or who has produced FL DL G420-432-58-368-0 as identification and who did take an oath:

Jean Ann Rodgers
Signature

Notary Public State of Florida
Jean Ann Rodgers
My Commission HH 302282
Expires 8/17/2026

Jean Ann Rodgers
Print Name

Notary Public, State of Florida
My Commission Expires: 8/17/2026

)d found 0.6'S & 0.1'W of Accepted 1/2" Found Iron Rod

17"E(P)
49"E(F)
'(P&F)

Not Subdivided

Reference Monument
rete Monument Found (No ID)
)d Found (No Cap)
pe Found (No Cap)
pe & Cap Found (RLS 2906)
r Pole
Pole

ire(s)
nction Box
r

ment
as
sphalt

PROPERTY ADDRESS:
2525 US 27 S
LAKE PLACID, FL 33852

CERTIFIED TO, AND FOR
THE EXCLUSIVE USE OF:
GLOCK JACOB

LEGAL DESCRIPTION:
THE SOUTH 150 FEET OF TRACT 2, LAKE PLACID ESTATES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 19, PUBLIC RECORDS OF HIGHLANDS COUNTY, FLORIDA. LESS AND EXCEPT US 27 RIGHT-OF-WAY.

SURVEYOR'S NOTES:

1) This survey was prepared without benefit of an abstract or title opinion and easements or encumbrances, if they exist, were not made known prior to the date of this survey.
2) The legal description shown hereon was provided by client.
3) The parcel shown hereon lies in ZONE "X", according to the Federal Emergency Management Agency's Flood Insurance Rate Map, Community No. 12055C, Panel 0527 C, effective November 18, 2015.
4) Underground improvements, if any, were not located unless shown hereon.
5) Field bearings are based on the Easterly right of way line of US hwy 27, as being S00°11'50"W(BB).

No.	Date	Revi

PROJECT NO.:
HI00601901A

Field Survey Comple
9-8-2022

Drawn: RKM

Checked: RPS

F.B.: S-96, PG-10

Sherco, Inc.
SURVEYING SERVICES
16 North Lake Avenue
Avon Park, Florida 33825

RESOLUTION NO. 22-23-135

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE ZONING CHANGE FOR THAT PROPERTY IDENTIFIED BY THE HIGHLANDS COUNTY PROPERTY APPRAISER THROUGH PARCEL ID# C-33-37-30-010-0021-0000; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF ZONING CHANGE AND ZONING ATLAS AMENDMENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Highlands County Code of Ordinances, Section 12.03.401, the Property Owner of that property identified by the Highlands County Property Appraiser through Parcel ID# C-33-37-30-010-0021-0000 (Property), has requested a change to the existing zoning classification on the Property for the specific purposes of furthering economic development objectives; and

WHEREAS, the County has determined that the proposed zoning change is consistent with FLU Policy 1.1.A., which states that the Future Land Use Element shall be used as a common framework to govern land use decisions by the public sector and to guide the development activities of the private sector; and

WHEREAS, the County has determined that the proposed zoning change is consistent with the goals, objectives and policies of the Highlands County 2030 Comprehensive Plan (Plan); and

WHEREAS, the County has determined that Environmental Clearance, pursuant to NRE Policy 3.3 of the Plan, is not required for the proposed zoning change; and

WHEREAS, the County has determined that the Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Plan and the Florida Master Site File indicate that there are no known cultural resources on the Property and the proposed zoning change does not require Historical and Archaeological clearance, pursuant to FLU Policy 7.1 of the Plan, NRE Policy 1.3 of the Plan and the Highlands County Land Development Regulations; and

WHEREAS, all future development actions for the Property shall be made to conform to applicable Plan policies and to the County's Land Development Regulations in effect at the time of any development.

NOW, **THEREFORE BE IT RESOLVED**, by the County, after public hearing and comment that:

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Approval of Zoning Change and Zoning Atlas Amendment.

A. The zoning designation for that Property identified by the Highlands County Property Appraiser through Parcel ID# C-33-37-30-010-0021-0000 and more particularly described as:

> The South 150 feet of Tract 2, Lake Placid Estates, according to the Plat thereof as recorded in Plat Book 6, Page 19, Public Records of Highlands County, Florida. Less and except US 27 right-of-way.

is hereby changed from Limited Business District with a Conditional Use (B-2 CU) to Business District (B-3).

B. The official Zoning Atlas of the County is hereby amended to reflect that the zoning for the Property is Business District, B-3.

SECTION 3. Implementation of Administrative Actions. The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. Savings Clause. All prior actions of Highlands County pertaining to P&Z 2127, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. Effective Date. This Resolution shall take effect immediately after adoption.

(Signatures on Next Page)

DONE AND ADOPTED, this 18th day of July 2023.

BOARD OF COUNTY COMMISSIONERS
OF HIGHLANDS COUNTY, FLORIDA

By: _____
Mr. Chris Campbell, Chairperson

(SEAL)

ATTEST: _____
Jerome Kaszubowski, Clerk

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **Sergio Garcia, Planner II**

SUBJECT/TITLE: **Public hearing to consider adoption of Small Scale Comprehensive Plan Future Land Use Amendment CPA-23-618SS, for three (3) parcels totaling an approximate 18.64 acres, from Low Density Residential (RL) to Medium Density Residential (RM).**

STATEMENT OF ISSUE

The Applicant is requesting a small scale comprehensive plan amendment for three parcels totaling an approximate 18.64 acres to change the Future Land Use Map from Low Density Residential (RL) to Medium Density Residential (RM). The three parcels currently operate as a pasture for grazing soil and is vacant of native vegetation. The Applicant is proposing to utilize the property for a future 80-unit multiple-family residential development.

There is a companion request for a zoning change from Agricultural District (AU) to Multiple-Family Dwelling Planned Development District (R-3 PD), P&Z 2128.

The Planning and Zoning Commission recommended approval of CPA-23-618SS as presented, with six supporting votes and one dissenting vote.

RECOMMENDED ACTION

Move to approve and adopt by Ordinance 22-23-28, CPA-23-618SS, amending the Future Land Use Map of the Highlands County Comprehensive Plan for an approximate 18.64 acres from Low Density Residential (RL) to Medium Density Residential (RM), and transmit CPA-23-618SS to the Florida Department of Commerce for its compliance determination, referencing the mandatory findings of fact and becoming effective as provided by law.

FISCAL IMPACT

There is no fiscal impact.

Attachments: Staff Report CPA-23-618SS for BCC Heartland Investment, LLC.pdf
Application CPA-23-618SS Heartland Investment, LLC.pdf
Ordinance CPA-23-618SS Heartland Investment, LLC.pdf

HIGHLANDS COUNTY
PLANNING DIVISION
STAFF REPORT

Type: Small Scale Comprehensive Plan Amendment	**BCC Hearing Date:** 7/18/2023
Case Number: CPA-23-618SS	**Case Name:** Heartland Investment, LLC The Ranch at Sparta
Agent: Jeff Kennedy	**Property Owners:** Heartland Investment, LLC
Public Hearing: BCC	**Case Staff Member:** Sergio Garcia

Request: Change the Future Land Use Map (FLUM) for three (3) parcels totaling an approximate 18.64 acres, from Low Density Residential (RL) to Medium Density Residential (RM)

General Location: Three (3) parcels totaling an approximate 18.64 acres located on the east side of Sparta Road, approximately 1.13 miles west of US 27, 2.95 miles north of State Road 66, and 0.12 miles south of Schlosser Road; the address being unassigned for one parcel (Parcel C-05-35-29-A00-0400-0000), and addresses for the other two parcels being 4200 Sparta Road and 4021 Stiles Lane, Sebring

PARCEL ID: C-05-35-29-A00-0400-0000
C-05-35-29-A00-0390-0000
C-05-35-29-200-0020-0000

Staff Recommendations and Minutes:

1. **Staff Recommendation to the Board of County Commissioners (BCC) concerning the Planning and Zoning Commission (P&Z) Recommendation:** Move to approve and adopt by Ordinance 22-23-28, CPA-23-618SS, amending the Future Land Use Map of the Highlands County Comprehensive Plan for an approximate 18.64 acres from Low Density Residential (RL) to Medium Density Residential (RM), and transmit CPA-23-618SS to the Florida Department of Commerce for its compliance determination, referencing the mandatory findings of fact and becoming effective as provided by law.

2. **Staff Recommendation to the P&Z:** Recommend to the Board of County Commissioners to approve and adopt by Ordinance, CPA-23-618SS, amending the Future Land Use Map of the Highlands County Comprehensive Plan for an approximate 18.64 acres from Low Density Residential (RL) to Medium Density Residential (RM), and transmit CPA-23-618SS to the Florida Department of Economic Opportunity for its compliance determination, referencing the mandatory findings of fact and becoming effective as provided by law.

3. **Excerpt from the June 13, 2023, DRAFT P&Z Minutes and Recommendation to the BCC: "<u>B. HEARING NUMBER CPA-23-618SS – HEARTLAND INVESTMENT, LLC C/O RICK WHIDDEN</u>** Three (3) parcels totaling an approximate 18.64 acres located on the east side of Sparta Road, approximately 1.13 miles west of US 27, 2.95 miles north of State Road 66, and 0.12 miles south of Schlosser Road; the address being unassigned for one parcel (Parcel C-05-35-29-A00-0400-0000), and addresses for the other two parcels being 4200 Sparta Road and 4021 Stiles Lane, Sebring; and abbreviated legal description as follows: Three (3) parcels totaling an approximate 18.64 acres located in Section 5, Township 35 South, Range 29 East, Highlands County, Florida.

The Applicant is requesting a small-scale Comprehensive Plan amendment to amend the future land use map designation from Low Density Residential (RL) to Medium Density Residential (RM). Mrs. Hunnicutt read the request and Mr. Garcia, Mr. Jeff Kennedy (acting Agent), and Mr. Keatley Waldron (property owner) presented the request. There were 12 letters received in favor of the request from 12 individuals representing 11 households. There were 41 letters received against the request from 37 individuals representing 31 households. Two (2) members of the audience spoke in favor of the request noting property rights and the need for additional housing with the expected growth throughout the State and County. Nine (9) members of the audience spoke against the request noting concerns of increased traffic, noise, and crime; drainage and flooding issues; whether the development would be rental units; infrastructure requirements; and environmental concerns. Mr. Kennedy confirmed the development would connect to City water and sewer lines, is planning a retention area larger than required by Code, and noted the development is proposed to be sold as townhome units. Staff also clarified that the County is not permitted to prohibit rentals, as it would be a violation of Federal housing requirements.

Motion by Mr. Ingler to deny Ordinance, CPA-23-618SS, amending the Future Land Use Map of the Highlands County Comprehensive Plan for an approximate 18.64 acres from Low Density Residential (RL) to Medium Density Residential (RM), and transmit CPA-23-618SS to the Florida Department of Economic Opportunity for its compliance determination, referencing the mandatory findings of fact and becoming effective as provided by law. Motion to recommend denial failed for lack of a second.

Motion by Ms. Pipal and seconded by Mr. Youngman to recommend to the Board of County Commissioners to approve and adopt by Ordinance, CPA-23-618SS, amending the Future Land Use Map of the Highlands County Comprehensive Plan for approximately 18.64 acres from Low Density Residential (RL) to Medium Density Residential (RM), and transmit CPA 23-618SS to the Florida Department of Economic opportunity for its compliance determination, referencing the mandatory findings of fact and becoming effective as provided by law.

Upon roll call, Ms. Pipal, Mr. Youngman, Mrs. Ezell, Mr. Leonardo, Mr. Miller and Mrs. Hunnicutt voted yes, and Mr. Ingler voted no. **Motion carried 6-1."**

Supplemental Material/Issue Analysis Report:

1. **Request:** The matter for consideration is for a change to the Future Land Use Map of three parcels totaling an approximate 18.64 acres, from RL to RM.

   The three parcels currently operate as a pasture for grazing soil, which contains one 50' x 32' wood barn for the associated agricultural operation and is vacant of native vegetation. The Applicant is proposing to utilize the property for a future 80-unit multiple-family residential development.

   There is a companion request for a zoning change from Agricultural District (AU) to Multiple-Family Dwelling Planned Development District (R-3 PD), P&Z 2128.

2. **Existing Use Analysis:**

LOCATION	EXISTING USE	LAND USE CATEGORY	ZONING
Subject Property	Grazing Soil	RL	AU
Adjacent Property to the North	Grazing Soil/Single-Family Residences (SFR)	RL	AU
Adjacent Property to the South	Vacant (formerly Children's Home Society), Church, & SFRs	High Density Residential (RH), RM/RL, & RM	Multiple-Family Dwelling including Motel and Hotel District (R-3), AU, & Residential District (R-1A)
Adjacent Property to the East	Grazing Soil/SFRs	RL	AU
Adjacent Property to the West	Duplexes, SFR, & Warehouse Storage	RM & Commercial (C)	Two-Family Dwelling District (R-2), Residential District (R-1), & Business District (B-3)

3. **Applicable References:**
   Planning…§163.3194(1)(a) - (b), F.S.; Highlands County 2030 Comprehensive Plan: Future Land Use Policies: 1.1, General Growth Management Strategy; Policy 1.2.D.2, Low Density Residential (RL) and Policy 1.2.D.3, Medium Density Residential (RM).

   Zoning…Highlands County Land Development Regulations (LDRs): Section 12.05.200: Agricultural District (AU); Section 12.05.213: Multiple-Family Dwelling including Motel and Hotel District (R-3); and Section 12.05.290: Planned Development District (PD).

4. Supporting Goals, Objectives, and/or Policies from Comprehensive Plan:

Future Land Use Element

Objective 1: Growth Management Strategy:

Policy 1.1, General Growth Management Strategy:

A.1. Encourage compatible future growth, including infill, in the planning period of 2010 to 2030;

A.2. Allow and encourage compatible infill development wherever properties are already served by public infrastructure, but not utilized at the most suitable density and/or intensity or type of land use in relation to surrounding development;

B. In general, the outward expansion of urban land uses from the municipal limits of Avon Park, Sebring, and Lake Placid shall connect to the existing and planned infrastructures and centralized services that support the communities, municipalities and many of the employment centers of Highlands County. In most instances, development decisions should recognize this as a fundamental principle of policies governing future development within Highlands County. The County will give preference to:

1. Opportunities for infill or redevelopment, where such opportunities exist;

Policy 1.2.D.3, Medium Density Residential (RM):

Historic development patterns for this land use category favor commuter linkages from satellite subdivisions around municipalities and along arterial corridors. Housing service ranges from single-family detached neighborhoods to attached housing complexes, such as duplexes, which offer both ownership and rental opportunities. Vacant infill properties are prime candidates for this land use category. Future projects should emphasize a traditional preference for privacy, visual amenity, and low-profile development: one and two story construction, ample separation between buildings, off-street parking, landscape treatments, etc.

Infrastructure Element

Objective 6: Provide Sufficient Potable Water to Residential and Nonresidential Users Within Water Service Areas Consistent with the Water Supply Facilities Work Plan:

Policy 6.5, Mandatory Connection to Central Water System:

A. Except for lots greater than one gross acre, require connection to the central water system for all new development within one-quarter mile of an existing water line.

B. The County shall require that all new development and redevelopment containing dwelling units on lots smaller than one (1.0) gross acre in size to provide potable water as follows:

1. Multi-Family Developments (regardless of parcel size) and subdivisions with lots less than 1 acre in size shall be required to:

a. Connect to an existing system.

K. Pursuant to F.S. 163.3180, prior to the issuance of a building permit, the developer shall submit written guarantee from the water supplier to ensure adequate water supplies will be available by the date of issuance of a Certificate of Occupancy and no Certificate of Occupancy shall be issued until potable water is available to the unit.

Department Comments and Analysis of Petitioner's Proposal:

1. The Departments, Divisions, and Agencies listed below provided comments as follows:

Zoning Division: The staff has no objection to this request.

Engineering Department: Approved with conditions. At the time of development, the Applicant shall undergo the development review process and additional requirements may be identified at that time.

Florida Department of Health: No objection.

2. The following Departments, Divisions, and Agencies offered no comment: Natural Resources Division, Florida Department of Environmental Protection, and Sebring Regional Airport.

3. The following Departments, Divisions, and Agencies did not respond: City of Sebring, Florida Department of Transportation, Highlands County Emergency Management, Highlands County Emergency Medical Services, and Highlands County Fire Rescue.

4. Planning Division: The following analysis and findings of fact describe the physical, legal and cultural characteristics of the Applicant's property:

A. Natural Features Analysis:

1. **Topography:** The topographic map depicts the subject property as mostly level with an elevation between 95 and 100 feet.
2. **Soils:** The soils underlying the site are *Tavares Sand, 0 to 5 percent slopes* and *Satellite Sand, 0 to 2 percent slopes*.
   Tavares Sand, 0 to 5 percent slopes. The available water capacity is very low, with a rapid to very rapid permeability. Depth to the water table is about 42 to 72 inches. This soil is nearly level to gently sloping and is moderately well drained. For most urban uses, the soil has moderate limitations because of the seasonal high-water table and its relative proximity to the surface.

Satellite Sand, 0 to 2 percent slopes. The available water capacity is very low, with a very rapid permeability. Depth to the water table is about 18 to 42 inches. This soil is nearly level and is somewhat poorly drained. For most urban uses, including recreational development, the soil has severe limitations because of the seasonal high-water table and its close proximity to the surface. However, this limitation can be minimized by adding suitable topsoil or stabilizing the surface.

3. **Surface Waters:** The subject parcel has no surface water areas.
4. **Vegetative Cover:** The site has been cleared of native vegetation.

B. Land Use Analysis:

1. **Current Use of Land:** The current use of the land is for grazing soil.
2. **Vesting Rights:** None.
3. **Current Future Land Use Map (FLUM) Designation:** The site has a FLUM designation of Low Density Residential.
4. **Proposed FLUM Designation:** The proposed FLUM designation is Medium Density Residential.
5. **Current FLUM Population Yield:** The current FLUM allows up to 3 dwelling units per acre. The three parcels currently have a potential population yield of 123 persons; 18.64 acres x 3 dwelling units = 55.92 dwelling units; 55 dwelling units x the average household size of 2.25 persons = 123.75 persons. However, the current FLUM is inconsistent with the current zoning of AU and would only permit 1 dwelling unit per 5 acres; providing a potential population yield of 6 persons: 18.64 acres/5 acres = 3.728 dwelling units; 3 dwelling units x the average household size of 2.25 persons = 6.75 persons.
6. **Proposed FLUM Population Yield:** The proposed FLUM would allow up to 8 dwelling units per acre and would enable for a potential population yield of 335 persons; 18.64 acres x 8 dwelling units = 149.12 dwelling units; 149 dwelling units x the average household size of 2.25 persons = 335.25 persons. However, the proposed zoning is a Planned Development capped at 80 dwelling units, with a conditioned maximum occupancy rate of 5 persons per unit, which would carry a potential population yield of 400 persons: 80 dwelling units x 5 persons = 400 persons. Consistent with the average household size of 2.25 persons in Highlands County, the potential population yield is more likely to be 180 persons.
7. **The Applicant's proposed development program:** The Applicant is proposing to use the site for an 80-unit multi-family development comprised of single-story units, with the possibility of construction for two-story units and a clubhouse facility with a swimming pool.

C. Special Designated Areas:

1. **Environmental Protection:** The Conservation Overlay Map series of the Comprehensive Plan indicates that the site contains no Selected Natural Resources. Pursuant to Natural Resource Element Policy 3.3.

of the Comprehensive Plan, the Applicant **is not required** to obtain Environmental Clearance at the time of development.

2. **Historic Resources:** The Florida Master Site File (FMSF) indicates that there are no known historic resources on the property.
3. **Archaeological Resources:** The Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Comprehensive Plan and the FMSF indicate no known archaeological resources on the site.
4. **Floodplains (FEMA designation):** The property has a flood zone designation of X, for areas located outside the Special Flood Hazard Areas, as depicted on the Flood Insurance Rate Map Community Panel Number **12055C0229C**, effective November 18, 2015.
5. **Military Airport Zones (MAZ):** The property is located within MAZ III as designated by Section 12.12.800 of the Highlands County LDRs.
6. **Wellhead Protection Zones:** The property is not located within any of the defined protection zones as defined by Infrastructure Policy 6.6. of the Comprehensive Plan.
7. **Airport Surface Areas:** The property is not located within any of the defined surface areas as designated by Chapter 2.1 of the Highlands County Code of Ordinances.

D. Public Facilities and Services:

1. **Potable Water:** The property will be served by an off-site central potable water system provided by the City of Sebring.
2. **Central Wastewater:** The property will be served by an off-site central wastewater system provided by the City of Sebring.
3. **Solid Waste:** The property will be serviced by a county-approved refuse collection company.
4. **Vehicular Access and Traffic Circulation:** The site will have two points of access onto Sparta Road.
5. **Railroad Access:** The site is not located adjacent to any railroad tracks or rail spurs.
6. **Recreation:** The proposed development will be required to meet the Level of Service (LOS) Standards as stated in the Highlands County Comprehensive Plan.
7. **Drainage:** The Applicant will be required to comply with Section 12.13.104.F. of the Highlands County LDRs and the applicable water management district regulations.

E. Traffic Impacts: Pursuant to the Comprehensive Plan: Technical Support Section, a traffic analysis **is** required at the time of development.

F. Schools: The permitted uses within the Medium Density Residential Future Land Use designation will generate student impacts to the school district; school concurrency **is** required.

G. Airports: The subject property is located approximately 10.2 miles southeast of the Avon Park Executive Airport and 6.24 miles west of the Sebring Regional Airport.

H. Fundamental Planning Analysis ref. Comprehensive Plan:

Technical Support Section II. 3.b. (1-8) for the Future Land Use Element: Sprawl Rule Indicators:

(1) *Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems:* The site is an existing pasture for grazing soil that does not contain any significant environmental features. The site is located in an area with other residential uses and has direct access to an existing major collector roadway, Sparta Road, which is approximately three-quarters of a mile to US 27, the region's primary arterial roadway for high traffic volumes and urbanized connectivity. The proposed use will not adversely impact natural resources or ecosystems. All required permits from appropriate agencies shall be obtained prior to development.

(2) *Promotes the efficient and cost-effective provision or extension of public infrastructure and services:* The future development will be able to connect to existing central potable water and wastewater systems. Fire services and law enforcement are already available.

(3) *Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available:* The property is located near an existing sidewalk that would connect to US 27 and downtown Sebring. This sidewalk would provide walkability to residents. The proposed development would be required to build a sidewalk along Sparta Road or pay into a Grant in Aid fund for future sidewalk construction.

(4) *Promotes conservation of water and energy:* The property is located in an area with existing water and sewer connections, adequate roadway capacity, and medium density developments adjacent to and within the City of Sebring. The proposed amendment will promote an outward expansion, as well as infill, of the RM Land Use category that exists primarily to the west and north of the property. The property is also located in an existing urbanized area with nearby schools, recreation, and commercial uses. Building in this area will reduce travel time for vehicles, thereby conserving energy.

(5) *Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils:* This indicator is not applicable.

(6) *Preserves open space and natural lands and provides for public open space and recreation needs:* The future development will locate on already disturbed natural lands; hence, the development preserves other open space and natural lands.

(7) *Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area:* Development of this site, in accordance with the RM Land Use category, would be

consistent with residential development growth patterns that exist in the immediate vicinity.

(8) *Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164:* This indicator is not applicable.

Mandatory Findings of Fact:

Use Consistency Finding: The proposed Small Scale Comprehensive Plan Amendment **is consistent** with the patterns of existing development within this area and compatible with the surrounding land uses.

Plan Consistency Finding: The proposed Small Scale Comprehensive Plan Amendment **is consistent** with the goals, objectives, and policies of the adopted Comprehensive Plan.

Environmental Clearance Finding: Environmental Clearance, pursuant to Natural Resources Element Policy 3.3 of the Comprehensive Plan, **is not required** for the proposed Small Scale Comprehensive Plan Amendment.

Historical and Archaeological Clearance: The proposed Small Scale Comprehensive Plan Amendment **is not required** to obtain Historical and Archaeological clearance, pursuant to FLU Policy 7.1 and NRE Policy 1.3 of the Comprehensive Plan. The Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Comprehensive Plan and the Florida Master Site File indicate that there are no known cultural resources on the property.

Conformity Finding: If approved, all future development actions for the property shall be made to conform to applicable Comprehensive Plan policies and to LDRs in effect at the time the applicable development order becomes effective as provided by law.

The Planning Division, based on the Mandatory Findings of Fact and Consistency with the Comprehensive Plan, recommends the Board of County Commissioners to approve and adopt by Ordinance, CPA-23-618SS, amending the Future Land Use Map of the Highlands County Comprehensive Plan for an approximate 18.64 acres from Low Density Residential (RL) to Medium Density Residential (RM), and transmit CPA-23-618SS to the Florida Department of Commerce for its compliance determination, referencing the mandatory findings of fact and becoming effective as provided by law.

Attachments:

Exhibit 1: Location Map
Exhibit 2: Aerial Map
Exhibit 3: Future Land Use Map
Exhibit 4: Proposed Future Land Use Map

Exhibit 1:

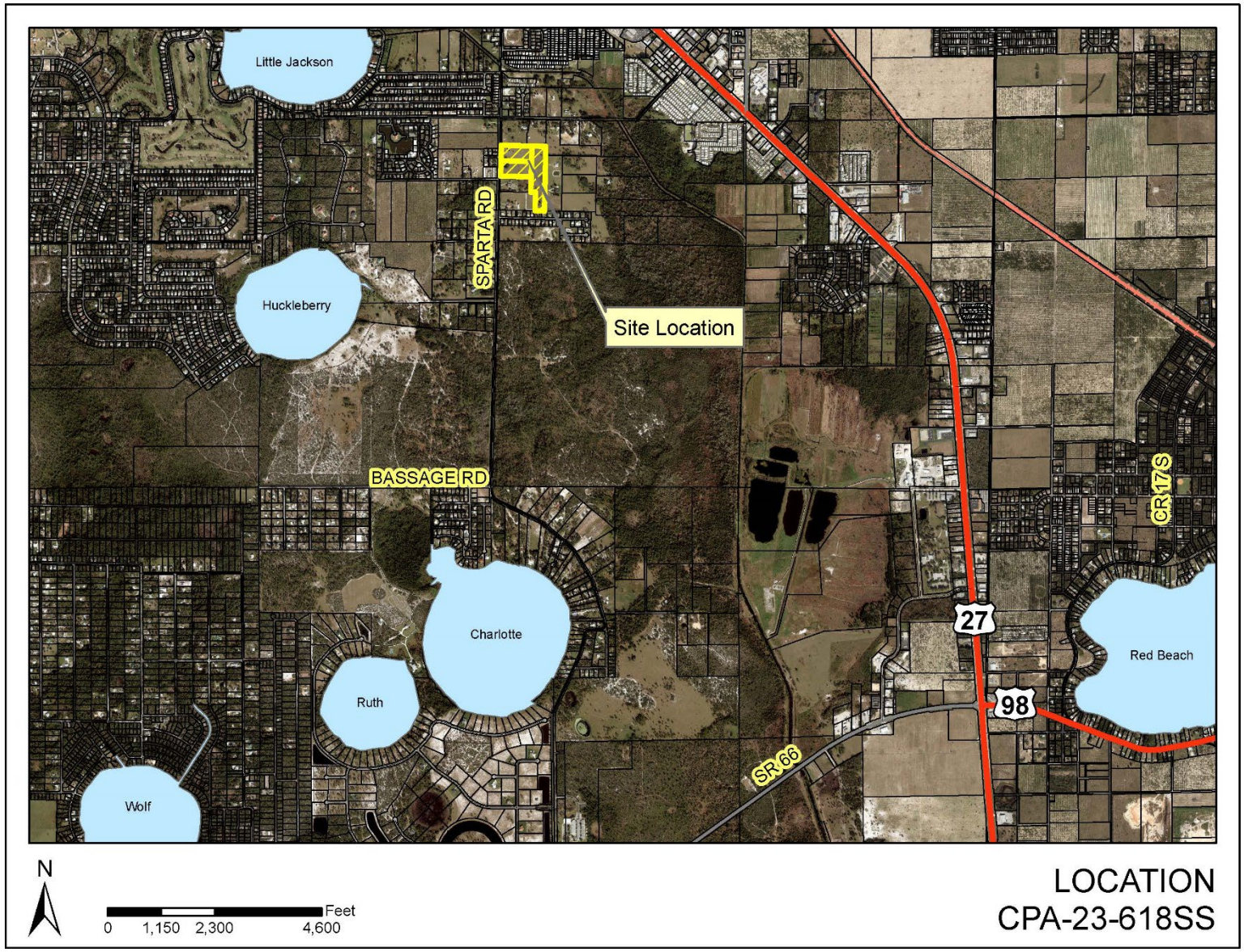

Little Jackson
SPARTA RD
Site Location
Huckleberry
BASSAGE RD
CR 17 S
27
Charlotte
Red Beach
Ruth
98
SR 66
Wolf
N
Feet
0 1,150 2,300 4,600
LOCATION
CPA-23-618SS

Exhibit 2:

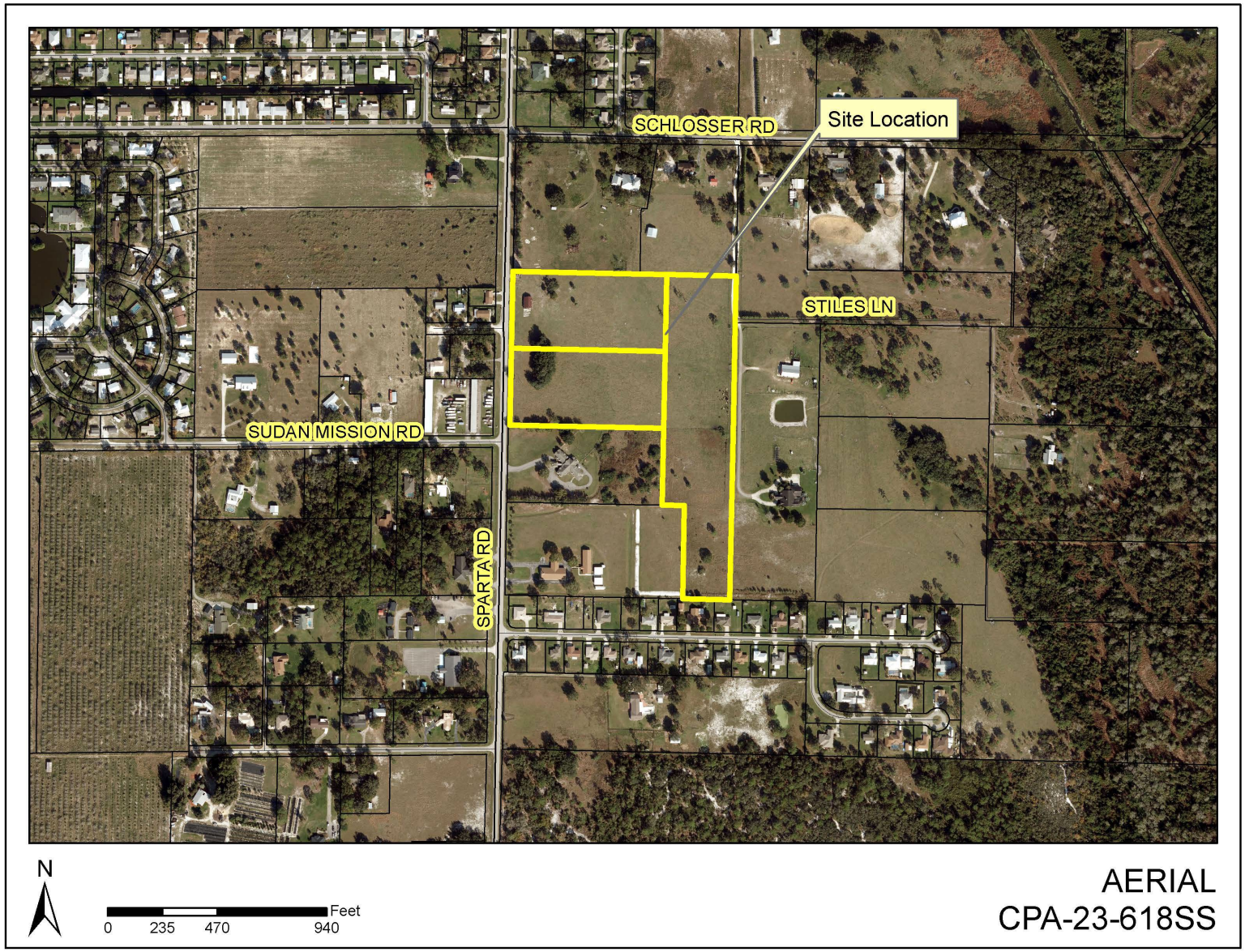

SCHLOSSER RD
Site Location
STILES LN
SUDAN MISSION RD
SPARTA RD
N
Feet
0
235
470
940
AERIAL
CPA-23-618SS

Exhibit 3:

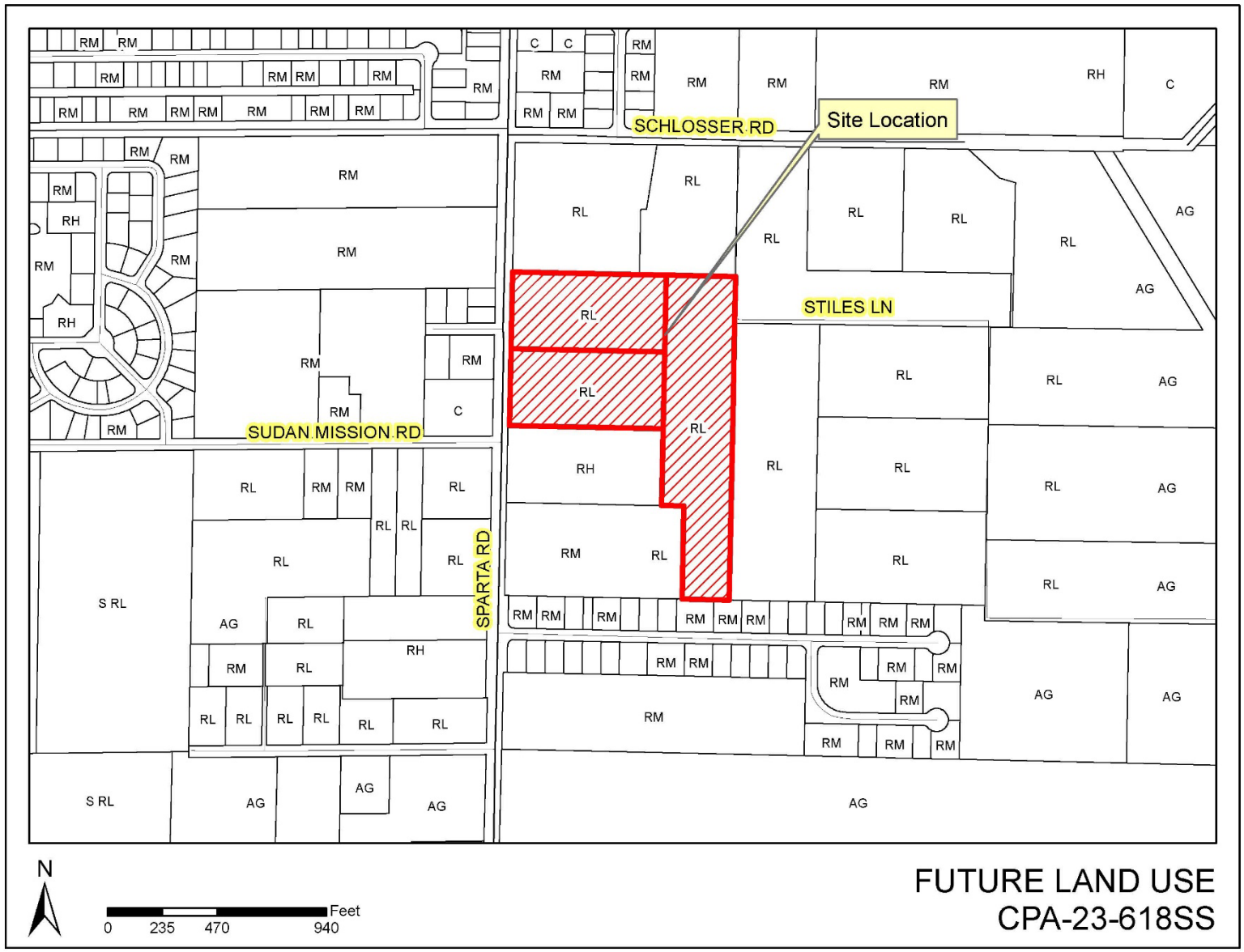
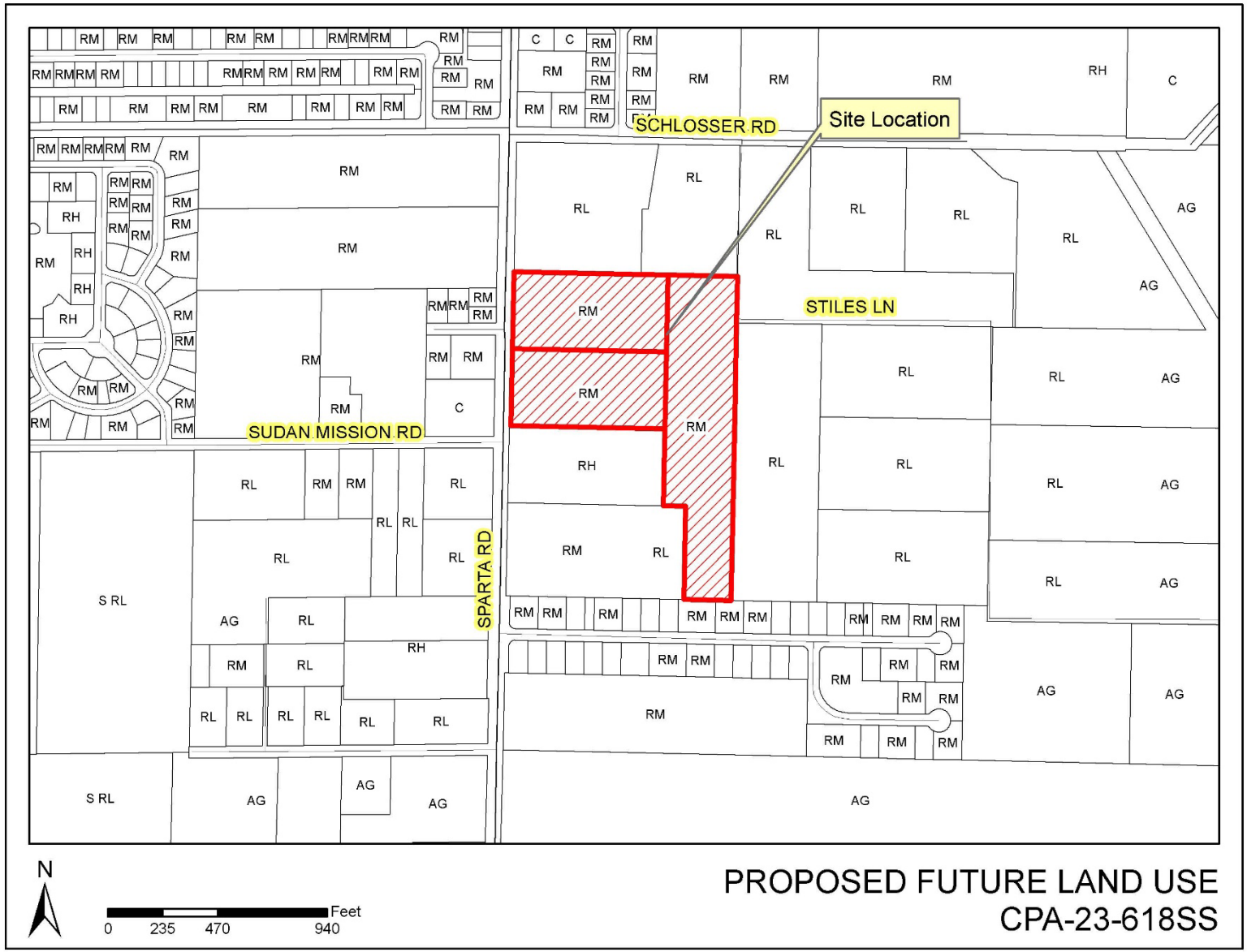

SCHLOSSER RD
Site Location
STILES LN
SUDAN MISSION RD
SPARTA RD
N
0 235 470 940 Feet
FUTURE LAND USE
CPA-23-618SS

Exhibit 4:


SCHLOSSER RD
Site Location
STILES LN
SUDAN MISSION RD
SPARTA RD
N
0
235
470
940
Feet
PROPOSED FUTURE LAND USE
CPA-23-618SS

Highlands County, Florida
Comprehensive Plan Amendment Application

☑ Small Scale Comprehensive Plan Map Amendment (100 acres or less)
☐ Large Scale Comprehensive Plan Map Amendment (more than 100 acres)

Change from: RL Change to: RM

Note: Do not leave any blank lines; if something does not apply, indicate that it is not applicable.

STAFF USE ONLY: project # 23040019 Receipt # 4300000151

Case Number: CPA- 23 - 618 SS/LS **Date of Application:** 04/18/2023

Amount of Fee: $1,500.00 **Tax Map No.:** 70-A

Hearing Dates: P&Z 06 / 13 / 2023 BOCC 07 / 18 / 2023

This application has been reviewed for completeness and determined sufficient.

Melony Eldridge 4/24/2023

Signed: Planning and Zoning Manager **Date**

Property Identification Number(s) / Strap(s) of Property Covered by Application:

STRAP No. C- 05-35-29-A00-0390-0000 **STRAP No. C-** 05-35-29-A00-0400-0000

STRAP No. C- 05-35-29-200-0020-0000 **STRAP No. C-** ___-___-___-____-____-____

APPLICANT INFORMATION:

1. **Name of Property Owner(s):** Owner(s) must sign the **Owner's Affidavit** (attached), which must accompany the application.

   Print Name(s): HEARTLAND INVESTMENT LLC

   Mailing Address: P.O. BOX 3679, SEBRING, FLA. 33871

   Daytime Telephone No. (863) 381-1516 **E-Mail Address:** Drdkwaldron@yahoo.com

2. **Name of Agent:** Complete the **Agent's Affidavit** (attached) from Property Owner, giving the Agent authority to represent this application. Attach completed affidavit to the application.

   Print Name: RICK WHIDDEN

   Mailing Address: 4108 MULLIGAN CT. W. SEBRING, FLA. 33872

   Daytime Telephone No. (863) 381-1516 **E-Mail Address:** RICKWHIDDENDRAFTING@GMAIL.COM

NOTARIZED AUTHORIZATION:

- ☐ If the Applicant is not the Owner of the property, a written, notarized authorization from each Owner must be provided with this application – use Form A, attached. Property Owner authorization is required. If the Property Owner withdraws permission at any point during the review and approval process, the application is considered null and void.

- ☑ If an Agent is submitting the application for the Owner/Applicant – authorization from the Owner/Applicant is required – use Form B, attached.

PLAN AMENDMENT REQUEST INFORMATION:

3. Please provide a brief description of the proposed plan amendment, including the reason(s) the amendment should be approved:
   MEDIUM DENSITY RESIDENTIAL "RM" IS REQUESTED.
   THIS WILL BE IN HARMONY WITH OTHER "RM" & "RH" LAND USE
   TO THE NORTH, SOUTH & WEST.

4. Based upon the Highlands County Comprehensive Plan, please provide the goal(s), objective(s), and/or policy number(s) that support your proposed plan amendment.

   a. Goal(s) FLU ELEMENT
   b. Objective(s) OBJECTIVE 1 GROTH MANAGEMENT
   c. Policy(ies) POLICY 1.2.D.3

PROPERTY INFORMATION:

5. **Legal Description(s) of Property Covered by Application:** If subdivided: Lot, block, complete name of subdivision, plat book, page number, section, township and range. If metes and bounds description: complete description including section, township and range.
   SEE ATTACHED

6. **Street Address(es) of Property Covered by the Application**:
   4200 SPARTA & 4021 STILES LANE SEBRING, FLA. 33875

7. **Name of Project, Subdivision, or Overall Project or part of a larger project, if applicable**: THE RANCH AT SPARTA

8. **Existing Zoning District:** A U **Existing Future Land Use Classification:** R L

9. **Current Use of the Property:** Number of existing dwelling units, type of commercial or industrial, etc.
   PASTURE

10. **Are there existing structures on the property?** ☑ **Yes** ☐ **No** **If yes,** what type? (Dwelling, Mobile Home, Accessory Structure, Commercial Building, Other)
32' X 50' WOOD BARN

If multiple units, the number of dwellings per building: _____

11. **Existing Property Information:** Size of Property (width) 1,390 feet, (depth) 958 +/- feet, road frontage 860 +/- feet, water frontage -0- feet, **Total acres:** 18.69 +/-

If different from the total acreage, the developable portion is N/A +/- acres.

12. **Is the property located within the Lake Placid Regional Plan area?** ☐ **Yes** ☑ **No**

13. **Vesting:** Is the property vested for specific property rights? ☐ **Yes** ☑ **No** **If yes,** explain:

14. **Current Uses on the Adjacent Properties:**

	Current Use(s)	FLUM Designation(s)	Zoning District(s)
North	S.F.	RL	AU
South	MULTI FAM-S.F.-CHURC	RM & RH	R-3 & R-1-A
East	S.F.	RL	AU
West	S.F.-DUPLEX-STORAGE	COMM & RM	B-3, R-1 & R-2

INFORMATION ABOUT THE PROPOSED USE:

15. **Proposed Number of Dwelling Units and/or Square Feet of Commercial space:** 80

16. **Residential Density:** The proposed density is 4.3 units per acre.

17. **Intensity:** The proposed intensity is 220,000 square feet at 27% Floor Area Ratio (FAR).

ADDITIONAL INFORMATION REQUIRED PERTAINING TO PUBLIC FACILITIES:

18. **Potable Water:** The proposed development will be served by an off-site central potable water system. ☑ **Yes** ☐ **No**
If yes, the potable water system requirements will be accommodated by the CITY OF SEBRING water system. PLEASE ATTACH A LETTER FROM THE SERVICE PROVIDER ACKNOWLEDGING CAPACITY. *(See the attached sample letter requesting this information from the service provider.)*

If No, the proposed development will be served by an on-site potable water (well) system that will be designed to connect to a central water system when it becomes available.

19. **Wastewater Treatment:** The proposed development will be served by an off-site central wastewater treatment system. ☑ **Yes** ☐ **No**
If Yes, the wastewater treatment system requirements will be accommodated by the CITY OF SEBRING system. PLEASE ATTACH A LETTER FROM THE SERVICE

PROVIDER ACKNOWLEDGING CAPACITY. (See the attached sample letter requesting this information from the service provider.)

If No, the proposed development will be served by an on-site wastewater treatment system that will be designed to connect to a central wastewater treatment system when it becomes available.

20. **Schools:** Every application requesting a land use change that will generate new residential dwelling units and a permanent population shall secure from the Highlands County School District **a letter** that will certify information pertaining to the following concerns based upon the location of the Applicant's property: IF APPLICABLE, PLEASE ATTACH A LETTER TO THIS APPLICATION. (*See the attached sample letter requesting this information from the School District.)*

ADDITIONAL COMPREHENSIVE PLAN INFORMATION NEEDED AT THE TIME OF DEVELOPMENT:

A. **Environmental Clearance:** If the property contains Wetlands, Xeric Uplands and/or Cutthroatgrass Seeps.

B. **Flood Hazard Areas:** There may be Special Flood Hazard areas on the property.

C. **Historic Properties:** There may be historic resources on the property.

D. **Archaeological Resources:** There may be archaeological resources on the property.

E. **Military Airport Zones (MAZ):** The property may be located in a MAZ.

F. **Surface Drainage:** Storm water management must comply with the requirements of Section 12.13.104.F of the Highlands County Land Development Regulations (See County Engineer) and the applicable water management district regulations.

G. **Solid Waste Disposal:** The proposed development must be served by a County approved refuse collection company.

H. **Recreation and Open Space:** The recreation and open space LOS adopted by Highlands County must be met at the time of development.

I. **Preliminary Concurrency Evaluation:** Completion of a Comprehensive Plan Amendment Traffic Study and approval of the Plan Amendment by the BCC does not provide Concurrency Approval. A separate application for Concurrency Determination is provided and administered by the County Engineer at time of development.

END OF APPLICATION

ATTACHMENTS:

1. Preliminary Concurrency Evaluation
2. Owner's Affidavit(s) or Corporate Affidavit
3. Agent's Affidavit(s)
4. Notarized authorization from each owner, as applicable (Form A)

5. Notarized authorization for agent to submit petition, as applicable (Form B)
6. Public Utility Information Request Sample Letter
7. Public School Information Request Sample Letter
8. Application Due Dates
9. Fee Schedule

PRELIMINARY CONCURRENCY EVALUATION

ENGINEERING INFORMATION ON THIS PAGE IS TO BE SECURED BY THE APPLICANT.

Traffic Levels of Service: Roadway Level of Service Standards are established by TE Policy 8.2. THE APPLICANT IS RESPONSIBLE FOR SECURING FROM THE COUNTY ENGINEER OR DESIGNEE A DETERMINATION AS TO WHETHER A COMPREHENSIVE PLAN TRAFFIC STUDY IS REQUIRED FOR THIS AMENDMENT. If a Land Development Traffic Assessment (LDTA) or Comprehensive Plan Amendment Impact Study (TIS) is not required, this application is to be endorsed confirming clearance: (to be circled by Reviewer)

A. Small Project: No Traffic Impact Study Required.

B. Minor Land Development Traffic Assessment or Comprehensive Plan Amendment Traffic Impact Study: A development which generates 150 but less than or equal to 1,000 average daily trips.

   1. Required with this application.
   2. Required at the time of development

C. Major Land Development Traffic Assessment or a Comprehensive Plan Amendment Traffic Impact Study: A development which generates more than 1,000 average daily trips.

   1. Required with this application
   2. Required at the time of development

D. TRAFFIC STUDY REQUIRED AT THE TIME OF DEVELOPMENT

Howell 3-6-23
Reviewer's Signature Date

Howell 3-6-23
County Engineer's Signature Date

Highlands County, Florida
Development Services Department Application

OWNER'S (CORPORATION) AFFIDAVIT

I, HEARTLAND INVESTMENT LLC, being first duly sworn, depose and say that I am the **OWNER/CORPORATION** of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application, are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before hearings can be advertised. I also understand that it is my obligation to comply with any other lawfully adopted and recorded deed restrictions or covenants that are more restrictive or impose a higher standard, and that any action of this Board does not supersede those requirements.

I authorize County staff to enter the property during the application process to complete its evaluation.

Please initial the appropriate line.
No contact is required. _____
An appointment is required before entering the property. _____

Signed, Sealed and Delivered
In Our Presence:

Chelsea Bassett
Print Name: Chelsea Bassett

A. Kelly
Print Name: A. Killmon

HEARTLAND INVESTMENT LL,
a FLORIDA corporation

By: _____
Print Name: DAVID K. WALDRON
Title: MGR

STATE OF FLORIDA
COUNTY OF HIGHLANDS
The foregoing instrument was acknowledged before me this 7 day of March 2023, by David Heatley Waldron, President, of Heartland Inv., a _____ corporation, who is personally known to me or who has produced _____ as identification and who did take an oath.

Chanda T. Gray
Signature

Chanda T. Gray
Print Name
Notary Public, State of Florida

My Commission Expires: 7/21/2026

Parcel No. _____

Notary Public State of Florida
Chanda T Gray
My Commission HH 291157
Expires 7/21/2026

FORM B. APPLICANT AUTHORIZATION TO AGENT

I, the undersigned, being first duly sworn, depose and say that I am the applicant for the FUTURE LAND USE CHANGE of the property described and which is the subject matter of the proposed hearing.

I give authorization for RICK WHIDDEN to be my agent for this application.

DAVID KEATLEY WALDRON
Print Name of Owner

Signature of Owner

P.O. BOX 3679
Address: Number and Street (P.O. Box)

SEBRING, FLA. 33871
City and State (Zip Code)

STATE OF FLORIDA, HIGHLANDS COUNTY

The Foregoing instrument was acknowledged before me this 7 day of March, 2023 by David Keatley Waldron who is personally known by me ☑ or who has produced _____, as identification and who did (did not) take an oath.

Signature

Chanda T. Gray
Print Name

Notary Public, State of Florida

My Commission Expires: 7/21/2026

Notary Public State of Florida
Chanda T Gray
My Commission HH 291157
Expires 7/21/2026

Highlands County, Florida
Development Services Department Application

AGENT'S AFFIDAVIT

I, RICK WHIDDEN, being first duly sworn, depose and say that I am the **ATTORNEY-IN-FACT, AGENT or LESSEE** of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application, are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before hearings can be advertised. I also understand that it is my obligation to comply with any other lawfully adopted and recorded deed restrictions or covenants that are more restrictive or impose a higher standard, and that any action of this Board does not supersede those requirements.

RICK WHIDDEN
Print Name of Agent

Signature of Agent

4108 MULLIGAN CT. W.
Address: Number and Street (P.O. Box)

SEBRING, FLA. 33872
City and State (Zip Code)

STATE OF FLORIDA
HIGHLANDS COUNTY

The Foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 6 day of March, 2023 by _____ who is personally known by me ☐ or who has produced _____, as identification and who did take an oath:

Janice T. Walker
Notary Public, State Of Florida
Commission No. HH50378
My Commission Expires: 11/17/24

Signature

Janice T. Walker
Print Name

Notary Public, State of Florida
My Commission Expires: 11-17-2024

JOHN SHOOP MAYOR

COUNCIL:
LENARD CARLISLE, PRESIDENT
ROLAND BISHIP, PRO-TEMPORE
HARRISON HAVERY
TERRY MENDEL
JOSH STEWART

SEBRING
CITY ON THE CIRCLE
UTILITIES DEPARTMENT
321 N MANGO ST.
SEBRING, FL 33870
(863) 471-5112
(863) 471-5148 (FAX)

KATHY HALEY, CMC
CITY CLERK/TREASURER

SCOTT NOETHLICH
CITY ADMINISTRATOR

BOB BOGGUS
UTILITIES DIRECTOR

April 18, 2023

To Whom It May Concern:

Re: 4200 Sparta Rd and 4021 Stiles Rd (C-05-35-29-A00-0390-0000 and C-05-35-29-A00-0400-0000

Listed below is the water and wastewater capacities data requested for the above referenced parcels.

Potable Water

Designed capacity: 14,789,600 GPD
Permitted capacity: 5,811,000 GPD
Committed capacity: 3,933,000 GPD
Excess capacity: 1,878,000 GPD
This development demand: N/A GPD

Wastewater Treatment

Designed capacity: 2,000,000 GPD
Permitted capacity: 2,000,000 GPD
Committed capacity: 1,248,000 GPD
Excess capacity: 752,000 GPD
This development demand: N/A GPD

Please let me know if you have any questions or if I may be of further assistance.

Best regards,

Bob Boggus
Utilities Director

cc: Kim Shands, Administrative Coordinator
File

The School Board of Highlands County
Transforming Today's Learners into Tomorrow's Leaders

Department
Anjelica Tinajero Business/Operations

426 School Street
Sebring, FL 33870
(863) 471-5626
ramostia@highlands.k12.fl.us

School Board of Highlands County
School Capacity Planning Tool for Comprehensive Plan Amendments

April 11, 2023

Jeff Kennedy
7045 County Road 17 South
Sebring, FL 33876

School Year of Analysis: **2022/2023**

Proposed Development:
Applicant:
Location (map attached): 4200 Sparta Road and 4021 Stiles Road, Sebring, FL
C-05-35-29-A00-0400-0000, C-05-35-26-A00-0400-0000, C-05-35-29-200-+0020-0000

School Attendance Zones:
Elementary: **Cracker Trail Elementary**
Middle: **Sebring Middle**
High: **Sebring High**

Maximum Proposed Dwelling Units: ___Single Family _____Mobile Home __80__ Multi-Family
Propose build out year:
Proposed Phasing if applicable:

2022/2023 Student Generation Rates by Dwelling Unit Type

Dwelling unit Type	Elementary (K-5)	Middle (6-8)	High (9-12)
Single Family	0.129	0.061	0.074
Mobile Home	0.086	0.041	0.049
Multi-Family	0.080	0.038	0.046

Dr. Brenda Longshore, Superintendent
Donna Howerton, Chairperson · Jan Shoop. Vice Chairperson
Isaac Durrance · Reese Martin · Nicole Radonski

A fully accredited school system of the Southern Association of Colleges and Schools
Equal Opportunity Employment and Veteran's Preference Employer

The School Board of Highlands County
Transforming Today's Learners Into Tomorrow's Leaders

Department
Anjelica Tinajero Business/Operations

426 School Street
Sebring, FL 33870
(863) 471-5626
ramostia@highlands.k12.fl.us

School	Capacity	5-Year Work Program Added Capacity	Available Planning Capacity	Proposed Development Student Generation	Available Capacity including Proposed Development (+/-)
Cracker Trail Elementary	196.90	0	196.90	6.40	190.50
Sebring Middle	124.21	0	124.21	3.04	121.17
Sebring High	527.98	0	527.98	3.68	524.30

This information is provided as a planning tool to assist in the evaluation of a proposed land use amendment. This information does not reserve school capacity nor does it establish school concurrency requirements. School concurrency requirements will be established pursuant to F.S. 163.3177 and F.S.163.3180 at time of development.

Sincerely,

Anjelica Tinajero
Assistant Superintendent of Business/Operations

AT/cp

Dr. Brenda Longshore, Superintendent
Donna Howerton, Chairperson · Jan Shoop, Vice Chairperson
Isaac Durrance · Reese Martin · Nicole Radonski

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Equal Opportunity Employment and Veteran's Preference Employer

ORDINANCE NO. 22-23-28

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE FUTURE LAND USE MAP OF THE HIGHLANDS COUNTY 2030 COMPREHENSIVE PLAN AND THAT PROPERTY IDENTIFIED BY THE HIGHLANDS COUNTY PROPERTY APPRAISER THROUGH PARCEL ID#s C-05-35-29-A00-0400-0000, C-05-35-29-A00-0390-0000, AND C-05-35-29-200-0020-0000; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF LAND USE DESIGNATION CHANGE AND FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR NON-CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Section 163.3167 empowers the Highlands County Board of County Commissioners to adopt and amend the Highlands County 2030 Comprehensive Plan (Plan); and

WHEREAS, the Property Owner of that property identified by the Highlands County Property Appraiser through Parcel ID#s C-05-35-29-A00-0400-0000, C-05-35-29-A00-0390-0000, and C-05-35-29-200-0020-0000 (Property), has requested a change to the Property which requires an amendment to the Future Land Use Map of the Plan; and

WHEREAS, the Highlands County Planning and Zoning Commission, held a duly noticed public hearing on June 13, 2023, to review the small-scale amendment to the Property, identified by CPA-23-618SS, which proposes a change to the Future Land Use Map of the Plan; and

WHEREAS, the Highlands County Planning and Zoning Commission recommended approval of CPA-23-618SS and adoption of the subject Future Land Use Map amendment; and

WHEREAS, the County has determined that the proposed Future Land Use Map amendment, CPA-23-618SS, is consistent with the patterns of existing development within this area of the County and is compatible with the surrounding land uses; and

WHEREAS, the County has determined that the proposed Future Land Use Map amendment, CPA-23-618SS, is consistent with the goals, objectives and policies of the Plan; and

WHEREAS, the County has determined that Environmental clearance, pursuant to NRE Policy 3.3 of the Plan, is not required for the proposed Future Land Use Map

amendment, CPA-23-618SS; and

WHEREAS, the County has determined that the Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Plan and the Florida Master Site File indicate that there are no known cultural resources on the Property and the proposed Future Land Use Map amendment, CPA-23-618SS, does not require Historical and Archaeological clearance, pursuant to FLU Policy 7.1 and NRE Policy 1.3 of the Plan; and

WHEREAS, the County has determined that the Property that is the subject of CPA-23-618SS is not located within an area of critical state concern; and

WHEREAS, all future development actions for the Property shall be made to conform to applicable Plan policies and to the County's Land Development Regulations in effect at the time of development.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Highlands County, Florida, after due notice and public hearing, as follows:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. The Board of County Commissioners for Highlands County has complied with all requirements and procedures of Florida law in processing this Ordinance. The above recitals are hereby adopted.

SECTION 2. APPROVAL OF LAND USE DESIGNATION CHANGE AND FUTURE LAND USE MAP AMENDMENT.

A. The land use designation for that Property identified by the Highlands County Property Appraiser through Parcel ID#s C-05-35-29-A00-0400-0000, C-05-35-29-A00-0390-0000, and C-05-35-29-200-0020-0000 consisting of approximately 18.64 acres and more particularly described as:

> Tract 2 and the north half of Tract 39, Stiles Ranchettes, Unrecorded, lying in Section 5, Township 35 South, Range 29 East, Highlands County, Florida, being more particularly described as follows: Commence at the northwest corner of the southwest 1/4 of Section 5, Township 35 South, Range 29 East, Highlands County, Florida; thence South 01°12'00" West, along the west line of said Section 5, a distance of 590.20 feet; thence South 88°42'59" East, a distance of 40.00 feet to the east right of way line of Sparta Road and for the Point of Beginning; thence continue South 88°42'59" East, a distance of 958.00 feet; thence South 01°12'00" West, a distance of 1,390.00 feet to a point lying on the north boundary line of Francis Sparta Estates, according to the Plat thereof recorded in Plat Book 13, Page 51 of the Public Records of Highlands County, Florida; thence North 88°42'59" West, along said north boundary line a distance of 420.50 feet;

thence North 01°12'00" East, a distance of 400.00 feet; thence South 88°42'59" East, a distance of 115.50 feet; thence North 01°12'00" East, a distance of 330.00 feet; thence South 88°42'59" East, a distance of 7.00 feet; thence North 01°12'00" East, a distance of 330.00 feet; thence North 88°42'59" West, a distance of 660.00 feet to a point lying on the said east right of way line of Sparta Road; thence North 01°12'00" East, along said right of way a distance of 330.00 feet to the Point of Beginning.

is hereby changed from “Low Density Residential” to “Medium Density Residential”.

B. The Future Land Use Map of the Plan is hereby amended to reflect that the land use for the Property is Medium Density Residential.

SECTION 3. IMPLEMENTING ADMINISTRATIVE ACTIONS. The County Administrator is hereby authorized and directed to take such actions as are deemed necessary and appropriate in order to implement the provisions of this Ordinance. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. SAVINGS CLAUSE. All prior actions of Highlands County pertaining to CPA-23-618SS, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 5. **NON-CODIFICATION AND SCRIVENER’S ERRORS.** The provisions of this Ordinance shall not be codified in the Board of County Commissioners of Highlands County Code of Ordinances. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. SEVERABILITY. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective immediately upon adoption; however, pursuant to Florida Statutes, Section 163.3187, the subject small-scale Future Land Use Map amendment shall become effective 31 days after adoption of this Ordinance by the County, unless otherwise challenged within 30 days after said adoption. In the event of a timely challenge, the subject small-scale Future Land Use Map amendment shall become effective once the Florida Department of Economic Opportunity or the Administration Commission issues a final order determining

that the adopted small-scale Future Land Use Map amendment is in compliance with the Plan.

DONE AND ADOPTED this 18th day of July, 2023.

BOARD OF COUNTY COMMISSIONERS
HIGHLANDS COUNTY, FLORIDA

(SEAL)

By:_____
Chris Campbell, Chairman

ATTEST_____
Jerome Kaszubowski, Clerk

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **Sergio Garcia, Planner II**

SUBJECT/TITLE: **Public hearing to consider adoption of P&Z Hearing No. 2128, changing the Official Zoning Atlas for three (3) parcels totaling an approximate 18.64 acres, from Agricultural District to Multiple-Family Dwelling Planned Development District (R-3 PD).**

STATEMENT OF ISSUE

The Applicant is requesting to change the Official Zoning Atlas for three (3) parcels totaling an approximate 18.64 acres, from Agricultural District to Multiple-Family Dwelling Planned Development District (R-3 PD). The three parcels currently operate as a pasture for grazing soil and is vacant of native vegetation. The Applicant is proposing to utilize the property for a future 80-unit multiple-family residential development.

There is a companion request for a Future Land Use Map Amendment from Low Density Residential (RL) to Medium Density Residential (RM), CPA-23-618SS.

The Planning and Zoning Commission recommended approval of P&Z 2128 as presented, with six supporting votes and one dissenting vote.

RECOMMENDED ACTION

Move to approve and adopt by Resolution 22-23-136, P&Z 2128, changing the Official Zoning Atlas for an approximate 18.64 acres, from Agricultural District (AU) to Multiple-Family Dwelling Planned Development District (R-3 PD), referencing the mandatory findings of fact and becoming effective as provided by law.

FISCAL IMPACT

There is no fiscal impact.

Attachments: Staff Report P&Z 2128 for BCC Heartland Investment, LLC.pdf
Application P&Z 2128 Heartland Investment, LLC.pdf
Resolution P&Z 2128 Heartland Investment, LLC.pdf

HIGHLANDS COUNTY
PLANNING DIVISION
STAFF REPORT

Type: Rezone	**BCC Hearing Date:** 7/18/2023
Case Number: P&Z 2128	**Case Name:** Heartland Investment, LLC The Ranch at Sparta
Agent: Jeff Kennedy	**Property Owners:** Heartland Investment, LLC
Public Hearing: BCC	**Case Staff Member:** Sergio Garcia

Request: Rezone three (3) parcels totaling an approximate 18.64 acres, from Agricultural District (AU) to Multiple-Family Dwelling Planned Development District (R-3 PD)

General Location: Three (3) parcels totaling an approximate 18.64 acres located on the east side of Sparta Road, approximately 1.13 miles west of US 27, 2.95 miles north of State Road 66, and 0.12 miles south of Schlosser Road; the address being unassigned for one parcel (Parcel C-05-35-29-A00-0400-0000), and addresses for the other two parcels being 4200 Sparta Road and 4021 Stiles Lane, Sebring

PARCEL ID: C-05-35-29-A00-0400-0000
C-05-35-29-A00-0390-0000
C-05-35-29-200-0020-0000

Staff Recommendations and Minutes:

1. **Staff Recommendation to the Board of County Commissioners (BCC) concerning the Planning and Zoning Commission (P&Z) Recommendation:** Move to approve and adopt by Resolution 22-23-136, P&Z 2128, changing the Official Zoning Atlas for an approximate 18.64 acres, from Agricultural District (AU) to Multiple-Family Dwelling Planned Development District (R-3 PD), referencing the mandatory findings of fact and becoming effective as provided by law.

2. **Staff Recommendation to the Planning and Zoning Commission (P&Z):** Recommend to the Board of County Commissioners to approve and adopt by Resolution, P&Z 2128, changing the Official Zoning Atlas for an approximate 18.64 acres, from Agricultural District (AU) to Multiple-Family Dwelling Planned Development District (R-3 PD), referencing the mandatory findings of fact and becoming effective as provided by law.

3. **Excerpt from the June 13, 2023 DRAFT P&Z Minutes and Recommendation to the BCC: "C. HEARING NUMBER P&Z 2128 – HEARTLAND INVESTMENT, LLC C/O RICK WHIDDEN** Three (3) parcels totaling an approximate 18.64 acres

located on the east side of Sparta Road, approximately 1.13 miles west of US 27, 2.95 miles north of State Road 66, and 0.12 miles south of Schlosser Road; the address being unassigned for one parcel (Parcel C-05-35-29-A00-0400-0000), and addresses for the other two parcels being 4200 Sparta Road and 4021 Stiles Lane, Sebring; and abbreviated legal description as follows: Three (3) parcels totaling an approximate 18.64 acres located in Section 5, Township 35 South, Range 29 East, Highlands County, Florida.

The Applicant is requesting a zoning change from Agricultural District (AU) to Multiple-Family Dwelling Planned Development District (R-3 PD). Mrs. Hunnicutt read the request and Mr. Garcia, Mr. Jeff Kennedy (acting Agent), and Mr. Keatley Waldron (property owner) presented the request. There were 12 letters received in favor of the request from 12 individuals representing 11 households. There were 41 letters received against the request from 37 individuals representing 31 households. Two (2) members of the audience spoke in favor of the request noting property rights and the need for additional housing with the expected growth throughout the State and County. Nine (9) members of the audience spoke against the request noting concerns of increased traffic, noise, and crime; drainage and flooding issues; whether the development would be rental units; infrastructure requirements; and environmental concerns. Mr. Kennedy confirmed the development would connect to City water and sewer lines, is planning a retention area larger than required by Code, and noted the development is proposed to be sold as townhome units. Staff also clarified that the County is not permitted to prohibit rentals, as it would be a violation of Federal housing requirements.

Motion by Mr. Miller and seconded by Ms. Pipal to recommend to the Board of County Commissioners to approve and adopt by Resolution, P&Z 2128, changing the Official Zoning Atlas for three (3) parcels totaling an approximate 18.64 acres from Agricultural District (AU) to Multiple-Family Dwelling Planned Development District (R-3 PD), referencing the mandatory findings of fact and becoming effective as provided by law along with the conditions of approval as listed in the Staff Report and as stated on the record.

Upon roll call, Ms. Pipal, Mr. Youngman, Mrs. Ezell, Mr. Leonardo, Mr. Miller and Mrs. Hunnicutt voted yes, and Mr. Ingler voted no. **Motion carried 6-1."**

4. Conditions of approval are included in the adopting resolution and are as follows:

1. The underlying or base zoning regulations for this PD District shall be the R-3 District and any use or allowance not specified herein will be as defined in the R-3 District as provided in Section 12.05.213 of the Code.

2. There shall be a maximum of 80 dwelling units.

3. The minimum living area shall be 1,200 square feet of living space per dwelling unit; the maximum living area shall be 2,500 square feet of living space.

4. Each dwelling unit shall have at minimum a one-car garage.

5. Each dwelling unit shall have a maximum occupancy of five (5) persons.

6. Dwelling units shall be limited to one-story with a maximum height of 25 feet.

7. The clubhouse, if any, shall be limited to two-stories with a maximum height of 40 feet.

8. The minimum property boundary line setbacks shall be as follows:

    a. North: 25 feet.

    b. South: 25 feet.

    c. East: 50 feet.

    d. West: 25 feet; with the structures directly adjacent to Sparta Road to be setback a minimum of 120 feet from the centerline of Sparta Road.

9. Minimum yard requirements shall be as follows:

    a. Front: 19 feet, measured from the edge of pavement.

    b. Side: 0 feet between interior units, with no less than 15 feet between buildings, and 25 feet to the property boundary line. The distance shown between buildings on the conceptual site plan is for estimation purposes only; however, at the time of development, the buildings shall have a separation of no less than 15 feet between each.

    c. Rear: No less than 30 feet between the rear of one building and the side of another and no less than 40 feet between the rear of two buildings. The distance shown between buildings on the conceptual site plan are approximates.

    d. Corner: 19 feet, measured from the edge of pavement.

10. The Entrance Sign may be placed no closer than 5 feet to the property line along Sparta Road.

11. There shall be a 6-foot-tall wall, matching the color and texture of the proposed dwelling units, constructed along the northerly boundary of the property as indicated on the conceptual PD site development plan.

12. The individual units may be sold as townhomes by metes and bounds description. A Homeowners Association shall be created to maintain all common areas of the development and ensure the general development requirements of this R-3 PD.

13. All internal roads shall be privately owned and maintained by the Homeowners Association and shall be no less than twenty-four (24) feet in width of roadway, with at least three (3) feet on either side of the roadway for a total of a 30-foot-wide private right-of-way. Internal roadways shall not be dedicated to Highlands County for maintenance.

14. The Conceptual PD Site Development plan for this R-3 PD, pursuant to the requirements set forth in Section 12.05.290 of the Code, is attached hereto. The property shall be subject to the County Code for final site plan approval.

Supplemental Material/Issue Analysis Report:

1. Request: The matter for consideration is for a change to the Official Zoning Atlas of three parcels totaling an approximate 18.64 acres, from AU to R-3 PD.

The three parcels currently operate as a pasture for grazing soil, which contains one 50' x 32' wood barn for the associated agricultural operation and is vacant of native vegetation. The Applicant is proposing to utilize the property for a future 80-unit multiple-family residential development.

There is a companion request for a Future Land Use Map Amendment from Low Density Residential (RL) to Medium Density Residential (RM), CPA-23-618SS.

2. Notices to Surrounding Property Owners.

On May 11, 2023, notices were mailed to 49 property owners notifying them of the public hearings for the Planning and Zoning Commission and the Board of County Commissioners.

3. Existing Use Analysis:

LOCATION	EXISTING USE	LAND USE CATEGORY	ZONING
Subject Property	Grazing Soil	RL	AU
Adjacent Property to the North	Grazing Soil/Single-Family Residences (SFR)	RL	AU
Adjacent Property to the South	Vacant (formerly Children's Home Society), Church, & SFRs	High Density Residential (RH), RM/RL, & RM	Multiple-Family Dwelling including Motel and Hotel District (R-3), AU, & Residential District (R-1A)

LOCATION	EXISTING USE	LAND USE CATEGORY	ZONING
Adjacent Property to the East	Grazing Soil/SFRs	RL	AU
Adjacent Property to the West	Duplexes, SFR, & Warehouse Storage	RM & Commercial (C)	Two-Family Dwelling District (R-2), Residential District (R-1), & Business District (B-3)

4. Applicable References:

Planning…§163.3194(1)(a) - (b), F.S.; Highlands County 2030 Comprehensive Plan: Future Land Use Policies: 1.1, General Growth Management Strategy; Policy 1.2.D.2, Low Density Residential (RL) and Policy 1.2.D.3, Medium Density Residential (RM).

Zoning…Highlands County Land Development Regulations (LDRs): Section 12.05.200: Agricultural District (AU); Section 12.05.213: Multiple-Family Dwelling including Motel and Hotel District (R-3); and Section 12.05.290: Planned Development District (PD).

Department Comments and Analysis of Petitioner's Proposal:

1. The Departments, Divisions, and Agencies listed below provided comments as follows:

Zoning Division: The staff has no objection to this request.

Engineering Department: Approved with conditions. At the time of development, the Applicant shall undergo the development review process and additional requirements may be identified at that time.

Florida Department of Health: No objection.

2. The following Departments, Divisions, and Agencies offered no comment: Natural Resources Division, Florida Department of Environmental Protection, and Sebring Regional Airport.

3. The following Departments, Divisions, and Agencies did not respond: City of Sebring, Florida Department of Transportation, Highlands County Emergency Management, Highlands County Emergency Medical Services, and Highlands County Fire Rescue.

4. Planning Division: The following analysis and findings of fact describe the physical, legal and cultural characteristics of the Applicant's property:

A. Natural Features Analysis:

1. **Topography:** The topographic map depicts the subject property as mostly level with an elevation between 95 and 100 feet.
2. **Soils:** The soils underlying the site are *Tavares Sand, 0 to 5 percent slopes* and *Satellite Sand, 0 to 2 percent slopes.*
   Tavares Sand, 0 to 5 percent slopes. The available water capacity is very low, with a rapid to very rapid permeability. Depth to the water table is about 42 to 72 inches. This soil is nearly level to gently sloping and is moderately well drained. For most urban uses, the soil has moderate limitations because of the seasonal high-water table and its relative proximity to the surface.
   Satellite Sand, 0 to 2 percent slopes. The available water capacity is very low, with a very rapid permeability. Depth to the water table is about 18 to 42 inches. This soil is nearly level and is somewhat poorly drained. For most urban uses, including recreational development, the soil has severe limitations because of the seasonal high-water table and its close proximity to the surface. However, this limitation can be minimized by adding suitable topsoil or stabilizing the surface.
3. **Surface Waters:** The subject parcel has no surface water areas.
4. **Vegetative Cover:** The site has been cleared of native vegetation.

B. Zoning Analysis:

1. **Current Use of Land:** The current use of the land is for grazing soil.
2. **Vesting Rights:** None.
3. **Current Zoning Designation:** The site has a zoning designation of AU.
4. **Proposed Zoning Designation:** The proposed zoning designation is R-3 PD.
5. **Current Zoning Population Yield:** The current zoning allows up to 1 dwelling unit per 5 acres. The three parcels currently have a potential population yield of 6 persons; 18.64 ÷ 5 acres = 3.72 dwelling units; 3 dwelling units x the average household size of 2.25 persons = 6.75 persons.
6. **Proposed Zoning Population Yield:** The proposed zoning would allow up to 80 dwelling units and a maximum of 5 persons per unit, which would carry a potential population yield of 400 persons; 80 units x 5 persons = 400 persons. The average household size in Highlands County is 2.25 persons; therefore, the potential population yield is more likely to be 180 persons.
7. **The Applicant's proposed development program:** The Applicant is proposing to use the site for an 80-unit multi-family development comprised of single-story units, with the possibility of construction for two-story units and a clubhouse facility with a swimming pool.

C. Special Designated Areas:

1. **Environmental Protection:** The Conservation Overlay Map series of the Comprehensive Plan indicates that the site contains no Selected Natural Resources. Pursuant to Natural Resource Element Policy 3.3.

of the Comprehensive Plan, the Applicant **is not required** to obtain Environmental Clearance at the time of development.

2. **Historic Resources:** The Florida Master Site File (FMSF) indicates that there are no known historic resources on the property.
3. **Archaeological Resources:** The Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Comprehensive Plan and the FMSF indicate no known archaeological resources on the site.
4. **Floodplains (FEMA designation):** The property has a flood zone designation of X, for areas located outside the Special Flood Hazard Areas, as depicted on the Flood Insurance Rate Map Community Panel Number **12055C0229C**, effective November 18, 2015.
5. **Military Airport Zones (MAZ):** The property is located within MAZ III as designated by Section 12.12.800 of the Highlands County LDRs.
6. **Wellhead Protection Zones:** The property is not located within any of the defined protection zones as defined by Infrastructure Policy 6.6. of the Comprehensive Plan.
7. **Airport Surface Areas:** The property is not located within any of the defined surface areas as designated by Chapter 2.1 of the Highlands County Code of Ordinances.

D. Public Facilities and Services:

1. **Potable Water:** The property will be served by an off-site central potable water system provided by the City of Sebring.
2. **Central Wastewater:** The property will be served by an off-site central wastewater system provided by the City of Sebring.
3. **Solid Waste:** The property will be serviced by a county-approved refuse collection company.
4. **Vehicular Access and Traffic Circulation:** The site has two points of direct access onto Sparta Road.
5. **Railroad Access:** The site is not located adjacent to any railroad tracks or rail spurs.
6. **Recreation:** The proposed development will be required to meet the Level of Service (LOS) Standards as stated in the Highlands County Comprehensive Plan.
7. **Drainage:** The Applicant will be required to comply with Section 12.13.104.F. of the Highlands County LDRs and the applicable water management district regulations.

E. Traffic Impacts: Pursuant to the Comprehensive Plan: Technical Support Section, a traffic analysis **is** required at the time of development.

F. Schools: The permitted uses within the Medium Density Residential Future Land Use designation will generate student impacts to the school district; school concurrency **is** required.

G. Airports: The subject property is located approximately 10.2 miles southeast of the Avon Park Executive Airport and 6.24 miles west of the Sebring Regional Airport.

Mandatory Findings of Fact:

Use Consistency Finding: The proposed zoning change **is consistent** with the patterns of existing development within this area and compatible with the surrounding land uses.

Plan Consistency Finding: The proposed zoning change **is consistent** with the goals, objectives, and policies of the adopted Comprehensive Plan.

Environmental Clearance Finding: Environmental Clearance, pursuant to Natural Resources Element Policy 3.3 of the Comprehensive Plan, **is not required** for the proposed zoning change.

Historical and Archaeological Clearance: The proposed zoning change **is not required** to obtain Historical and Archaeological clearance, pursuant to FLU Policy 7.1 and NRE Policy 1.3 of the Comprehensive Plan. The Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Comprehensive Plan and the Florida Master Site File indicate that there are no known cultural resources on the property.

Conformity Finding: If approved, all future development actions for the property shall be made to conform to applicable Comprehensive Plan policies and to LDRs in effect at the time the applicable development order becomes effective as provided by law.

The Planning Division, based on the Mandatory Findings of Fact and Consistency with the Comprehensive Plan, recommends the Board of County Commissioners to approve and adopt by Resolution, P&Z 2128, changing the Official Zoning Atlas for approximately 18.64 acres from Agricultural District (AU) to Multiple-Family Dwelling Planned Development District (R-3 PD), referencing the mandatory findings of fact and becoming effective as provided by law with the following conditions of approval:

1. **The underlying or base zoning regulations for this PD District shall be the R-3 District and any use or allowance not specified herein will be as defined in the R-3 District as provided in Section 12.05.213 of the Code.**
2. **There shall be a maximum of 80 dwelling units.**
3. **The minimum living area shall be 1,200 square feet of living space per dwelling unit; the maximum living area shall be 2,500 square feet of living space.**
4. **Each dwelling unit shall have at minimum a one-car garage.**
5. **Each dwelling unit shall have a maximum occupancy of five (5) persons.**
6. **Dwelling units shall be limited to one-story with a maximum height of 25 feet.**

7. **The clubhouse, if any, shall be limited to two-stories with a maximum height of 40 feet.**

8. **The minimum property boundary line setbacks shall be as follows:**

    a. **North: 25 feet.**

    b. **South: 25 feet.**

    c. **East: 50 feet.**

    d. **West: 25 feet; with the structures directly adjacent to Sparta Road to be setback a minimum of 120 feet from the centerline of Sparta Road.**

9. **Minimum yard requirements shall be as follows:**

    a. **Front: 19 feet, measured from the edge of pavement.**

    b. **Side: 0 feet between interior units, with no less than 15 feet between buildings, and 25 feet to the property boundary line. The distance shown between buildings on the conceptual site plan is for estimation purposes only; however, at the time of development, the buildings shall have a separation of no less than 15 feet between each.**

    c. **Rear: No less than 30 feet between the rear of one building and the side of another and no less than 40 feet between the rear of two buildings. The distance shown between buildings on the conceptual site plan are approximates.**

    d. **Corner: 19 feet, measured from the edge of pavement.**

10. **The Entrance Sign may be placed no closer than 5 feet to the property line along Sparta Road.**

11. **There shall be a 6-foot-tall wall, matching the color and texture of the proposed dwelling units, constructed along the northerly boundary of the property as indicated on the conceptual PD site development plan.**

12. **The individual units may be sold as townhomes by metes and bounds description. A Homeowners Association shall be created to maintain all common areas of the development and ensure the general development requirements of this R-3 PD.**

13. **All internal roads shall be privately owned and maintained by the Homeowners Association and shall be no less than twenty-four (24) feet in width of roadway, with at least three (3) feet on either side of the roadway for a total of a 30-foot-wide private right-of-way. Internal roadways shall not be dedicated to Highlands County for maintenance.**

14. **The Conceptual PD Site Development plan for this R-3 PD, pursuant to the requirements set forth in Section 12.05.290 of the Code, is attached hereto. The property shall be subject to the County Code for final site plan approval.**

Attachments:

Exhibit 1: Location Map
Exhibit 2: Aerial Map
Exhibit 3: Zoning Map
Exhibit 4: Proposed Zoning Map
Exhibit 5: PD Conceptual Site Plan

Exhibit 1:

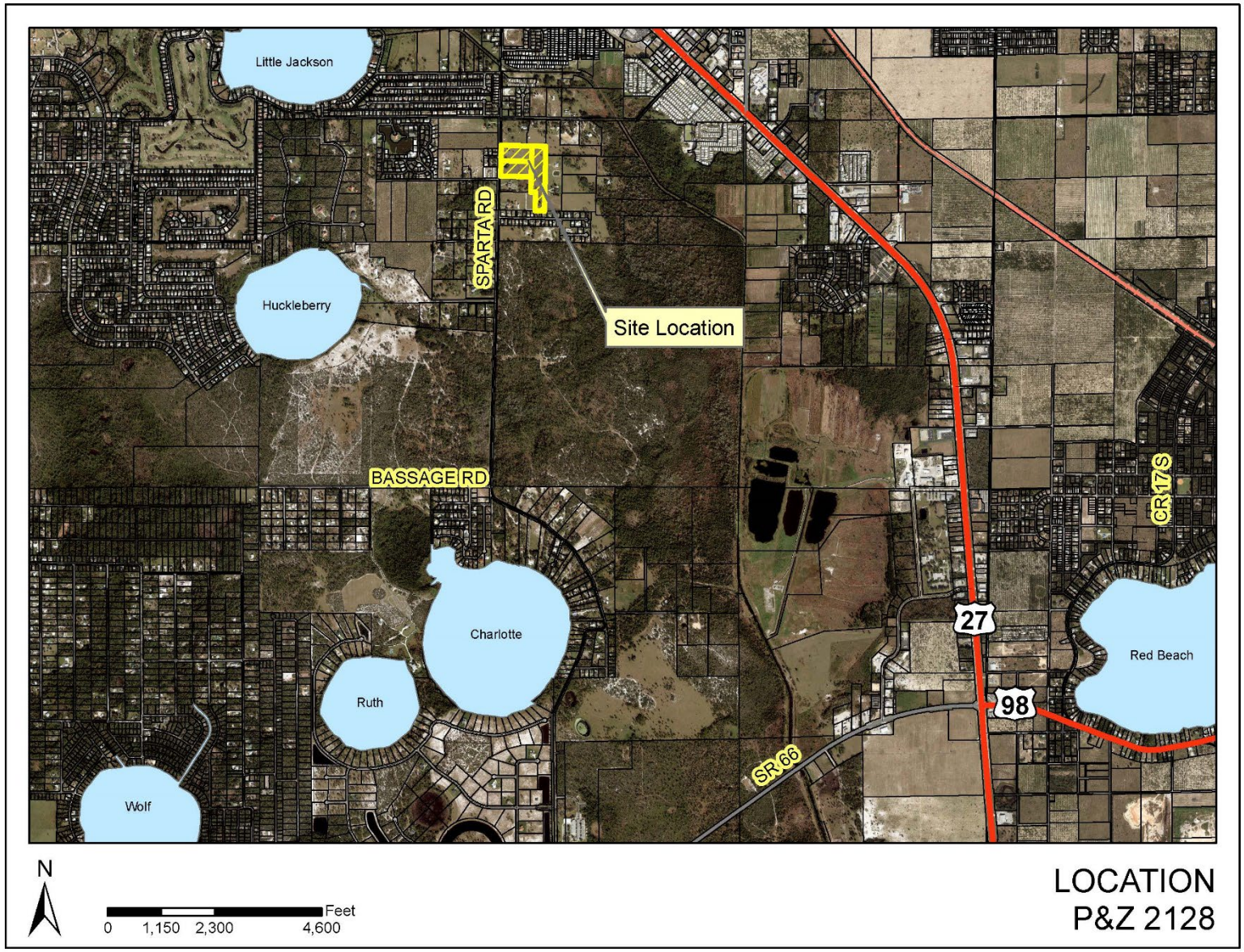

Little Jackson
SPARTA RD
Site Location
Huckleberry
BASSAGE RD
CR 17 S
Charlotte
27
Red Beach
Ruth
98
SR 66
Wolf
N
Feet
0
1,150
2,300
4,600
LOCATION
P&Z 2128

Exhibit 2:

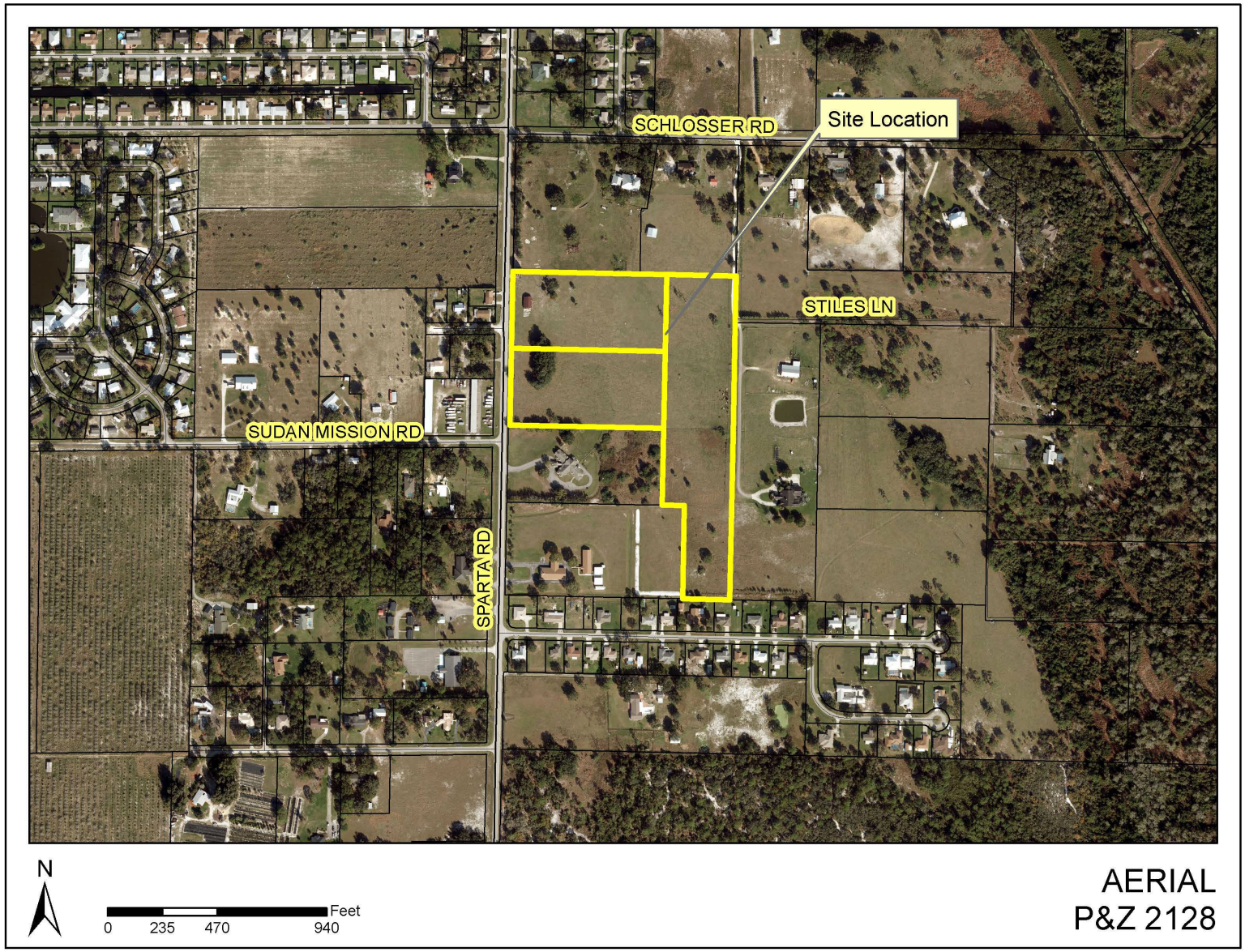

SCHLOSSER RD
Site Location
STILES LN
SUDAN MISSION RD
SPARTA RD
N
0
235
470
940
Feet
AERIAL
P&Z 2128

Exhibit 3:

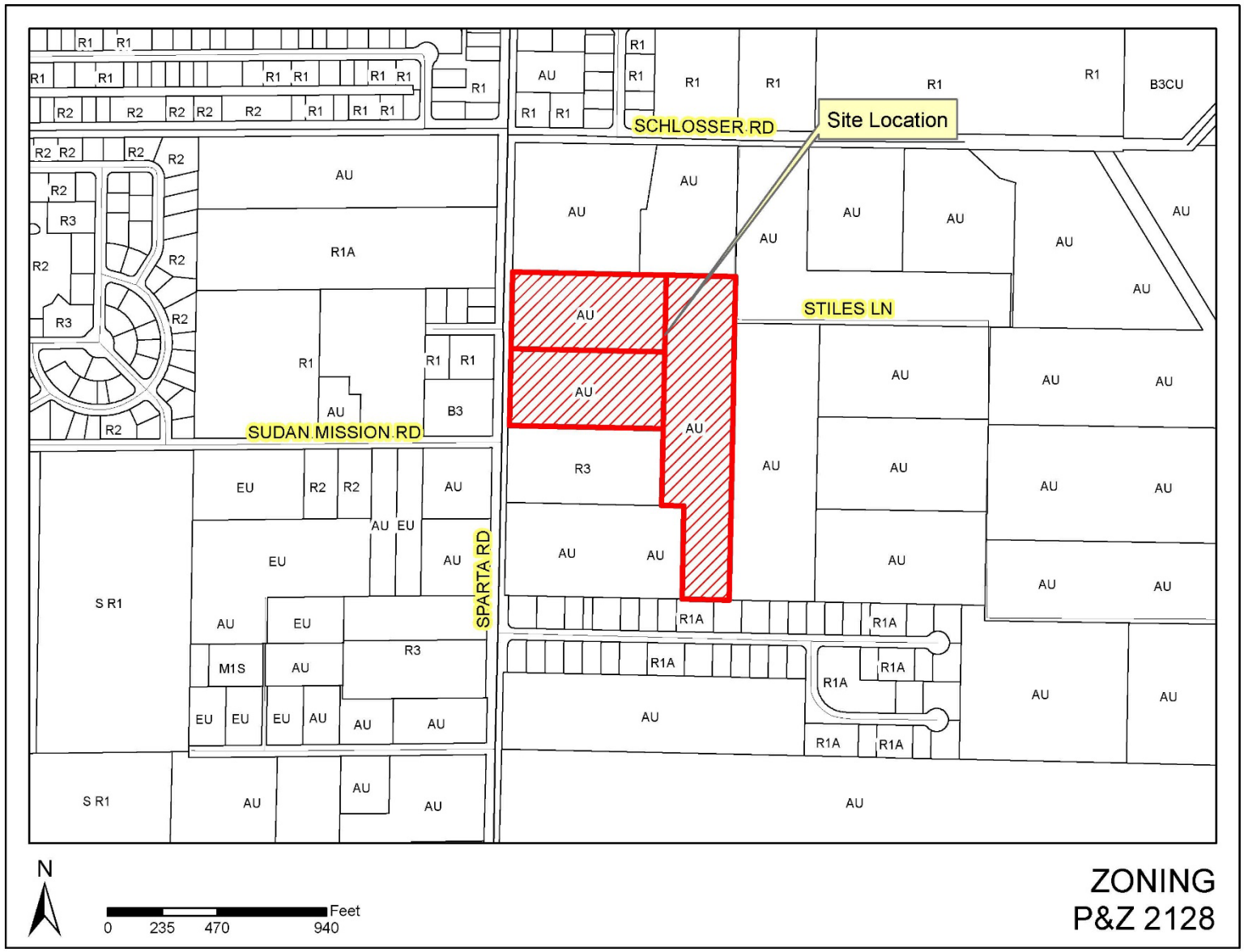

SCHLOSSER RD
Site Location
STILES LN
SUDAN MISSION RD
SPARTA RD
B3CU
N
0 235 470 940 Feet
ZONING
P&Z 2128

Exhibit 4:

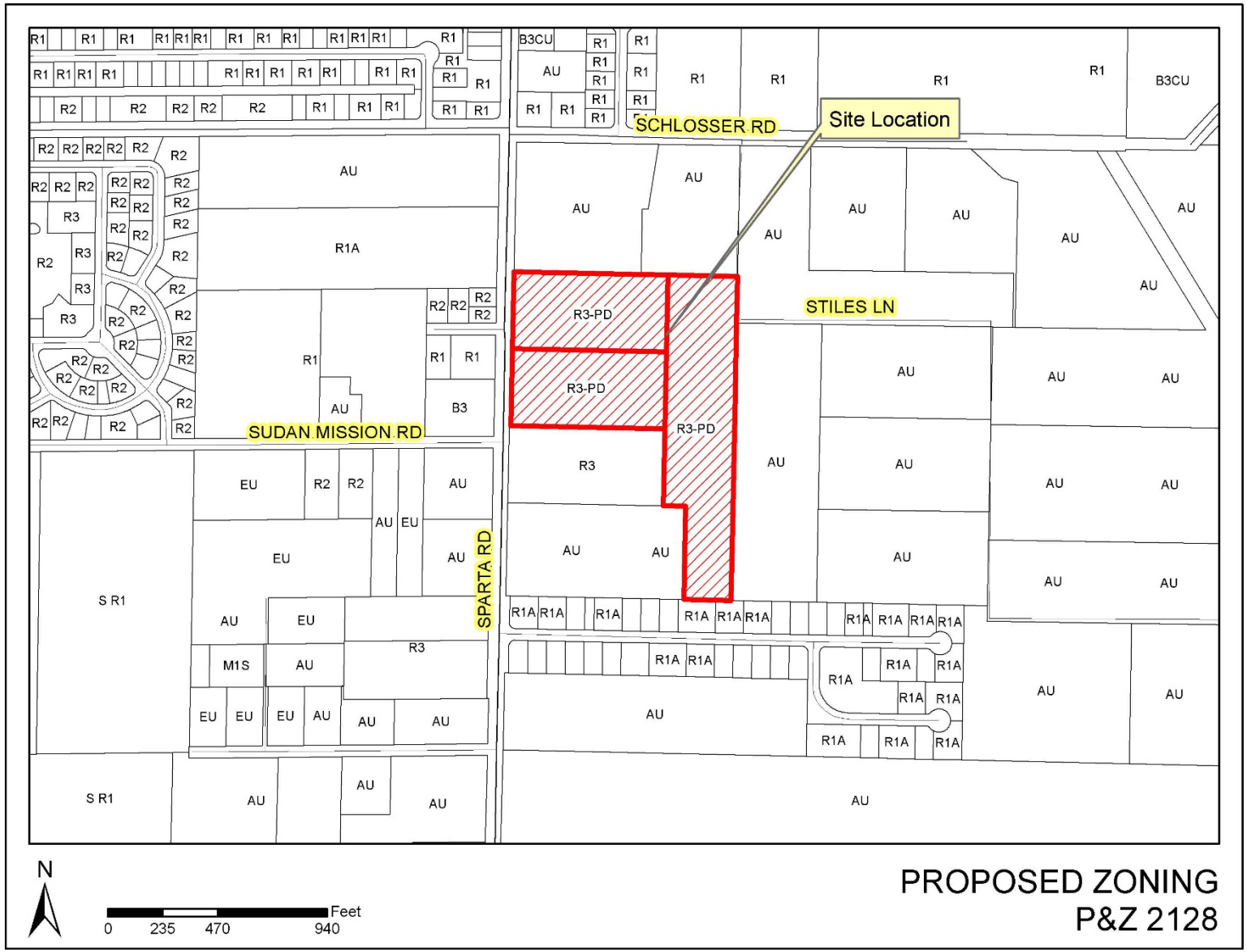
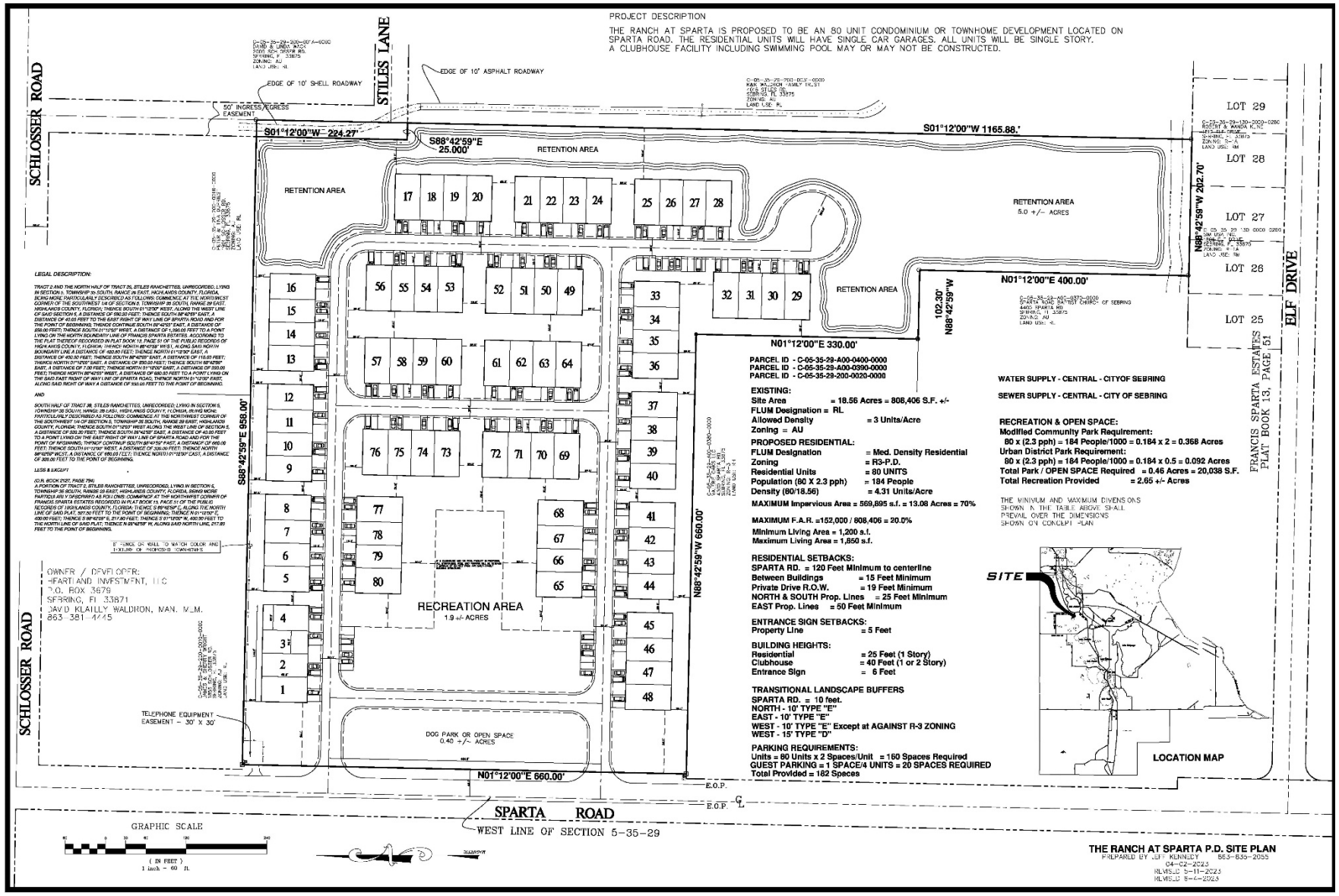

SCHLOSSER RD
Site Location
STILES LN
SUDAN MISSION RD
SPARTA RD
R3-PD
R3-PD
R3-PD
N
0
235
470
940
Feet
PROPOSED ZONING
P&Z 2128

Exhibit 5:


PROJECT DESCRIPTION
THE RANCH AT SPARTA IS PROPOSED TO BE AN 80 UNIT CONDOMINIUM OR TOWNHOME DEVELOPMENT LOCATED ON SPARTA ROAD. THE RESIDENTIAL UNITS WILL HAVE SINGLE CAR GARAGES. ALL UNITS WILL BE SINGLE STORY. A CLUBHOUSE FACILITY INCLUDING SWIMMING POOL MAY OR MAY NOT BE CONSTRUCTED.
SCHLOSSER ROAD
STILES LANE
ELF DRIVE
EDGE OF 10' SHELL ROADWAY
EDGE OF 10' ASPHALT ROADWAY
50' INGRESS/EGRESS EASEMENT
S01°12'00"W 224.27'
S88°42'59"E 25.000'
S01°12'00"W 1165.88,'
RETENTION AREA
RETENTION AREA
5.0 +/- ACRES
RETENTION AREA
N01°12'00"E 400.00'
N88°42'59"W 202.70'
102.30'
N88°42'59"W
N01°12'00"E 330.00'
S88°42'59"E 958.00'
N88°42'59"W 660.00'
N01°12'00"E 660.00'
LOT 29
LOT 28
LOT 27
LOT 26
LOT 25
FRANCIS SPARTA ESTATES PLAT BOOK 13, PAGE 51
LEGAL DESCRIPTION:
TRACT 2 AND THE NORTH HALF OF TRACT 35, STILES RANCHETTES, UNRECORDED, LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 29 EAST, HIGHLANDS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 29 EAST, HIGHLANDS COUNTY, FLORIDA; THENCE SOUTH 01°12'00" WEST, ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 224.27 FEET; THENCE SOUTH 88°42'59" EAST, A DISTANCE OF 45.69 FEET TO THE EAST RIGHT OF WAY LINE OF SPARTA ROAD AND FOR THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°42'59" EAST, A DISTANCE OF 958.00 FEET; THENCE SOUTH 01°12'00" WEST, A DISTANCE OF 1,396.06 FEET TO A POINT LYING ON THE NORTH BOUNDARY LINE OF FRANCIS SPARTA ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 13, PAGE 51 OF THE PUBLIC RECORDS OF HIGHLANDS COUNTY, FLORIDA; THENCE NORTH 88°42'59" WEST, ALONG SAID NORTH BOUNDARY LINE A DISTANCE OF 660.00 FEET; THENCE NORTH 01°12'00" EAST, A DISTANCE OF 400.00 FEET; THENCE SOUTH 88°42'59" EAST, A DISTANCE OF 102.30 FEET; THENCE NORTH 01°12'00" EAST, A DISTANCE OF 330.00 FEET; THENCE SOUTH 88°42'59" EAST, A DISTANCE OF 7.30 FEET; THENCE NORTH 01°12'00" EAST, A DISTANCE OF 202.70 FEET; THENCE NORTH 88°42'59" WEST, A DISTANCE OF 660.00 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF SPARTA ROAD; THENCE NORTH 01°12'00" EAST, ALONG SAID RIGHT OF WAY A DISTANCE OF 193.05 FEET TO THE POINT OF BEGINNING.
AND
SOUTH HALF OF TRACT 36, STILES RANCHETTES, UNRECORDED; LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 29 EAST, HIGHLANDS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 29 EAST, HIGHLANDS COUNTY, FLORIDA; THENCE SOUTH 01°12'00" WEST ALONG THE WEST LINE OF SECTION 5, A DISTANCE OF 330.20 FEET; THENCE SOUTH 88°42'59" EAST, A DISTANCE OF 45.00 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF SPARTA ROAD AND FOR THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°42'59" EAST, A DISTANCE OF 660.00 FEET; THENCE SOUTH 01°12'00" WEST, A DISTANCE OF 330.00 FEET; THENCE NORTH 88°42'59" WEST, A DISTANCE OF 660.00 FEET; THENCE NORTH 01°12'00" EAST, A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING.
LESS & EXCEPT
(O.R. BOOK 2127, PAGE 784)
A PORTION OF TRACT 2, STILES RANCHETTES, UNRECORDED, LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 29 EAST, HIGHLANDS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF FRANCIS SPARTA ESTATES RECORDED IN PLAT BOOK 13, PAGE 51 OF THE PUBLIC RECORDS OF HIGHLANDS COUNTY, FLORIDA; THENCE S 88°42'59" E, ALONG THE NORTH LINE OF SAID PLAT, 307.00 FEET TO THE POINT OF BEGINNING; THENCE N 01°12'00" E, 400.00 FEET; THENCE S 88°42'59" E, 217.00 FEET; THENCE S 01°12'00" W, 400.00 FEET TO THE NORTH LINE OF SAID PLAT; THENCE N 88°42'59" W, ALONG SAID NORTH LINE, 217.00 FEET TO THE POINT OF BEGINNING.
6' FENCE OR WALL TO MATCH COLOR AND FIXTURE OF PROPOSED TOWNHOMES
OWNER / DEVELOPER:
HEARTLAND INVESTMENT, LLC
P.O. BOX 3679
SEBRING, FL 33871
DAVID KLAILLY WALDRON, MAN. MEM.
863-381-4445
TELEPHONE EQUIPMENT EASEMENT - 30' X 30'
RECREATION AREA
1.9 +/- ACRES
DOG PARK OR OPEN SPACE
0.40 +/- ACRES
PARCEL ID - C-05-35-29-A00-0400-0000
PARCEL ID - C-05-35-29-A00-0390-0000
PARCEL ID - C-05-35-29-200-0020-0000
EXISTING:
Site Area = 18.56 Acres = 808,406 S.F. +/-
FLUM Designation = RL
Allowed Density = 3 Units/Acre
Zoning = AU
PROPOSED RESIDENTIAL:
FLUM Designation = Med. Density Residential
Zoning = R3-P.D.
Residential Units = 80 UNITS
Population (80 X 2.3 pph) = 184 People
Density (80/18.56) = 4.31 Units/Acre
MAXIMUM Impervious Area = 569,895 s.f. = 13.08 Acres = 70%
MAXIMUM F.A.R. =152,000 / 808,406 = 20.0%
Minimum Living Area = 1,200 s.f.
Maximum Living Area = 1,850 s.f.
RESIDENTIAL SETBACKS:
SPARTA RD. = 120 Feet Minimum to centerline
Between Buildings = 15 Feet Minimum
Private Drive R.O.W. = 19 Feet Minimum
NORTH & SOUTH Prop. Lines = 25 Feet Minimum
EAST Prop. Lines = 50 Feet Minimum
ENTRANCE SIGN SETBACKS:
Property Line = 5 Feet
BUILDING HEIGHTS:
Residential = 25 Feet (1 Story)
Clubhouse = 40 Feet (1 or 2 Story)
Entrance Sign = 6 Feet
TRANSITIONAL LANDSCAPE BUFFERS
SPARTA RD. = 10 feet.
NORTH - 10' TYPE "E"
EAST - 10' TYPE "E"
WEST - 10' TYPE "E" Except at AGAINST R-3 ZONING
WEST - 15' TYPE "D"
PARKING REQUIREMENTS:
Units = 80 Units x 2 Spaces/Unit = 160 Spaces Required
GUEST PARKING = 1 SPACE/4 UNITS = 20 SPACES REQUIRED
Total Provided = 182 Spaces
WATER SUPPLY - CENTRAL - CITYOF SEBRING
SEWER SUPPLY - CENTRAL - CITY OF SEBRING
RECREATION & OPEN SPACE:
Modified Community Park Requirement:
80 x (2.3 pph) = 184 People/1000 = 0.184 x 2 = 0.368 Acres
Urban District Park Requirement:
80 x (2.3 pph) = 184 People/1000 = 0.184 x 0.5 = 0.092 Acres
Total Park / OPEN SPACE Required = 0.46 Acres = 20,038 S.F.
Total Recreation Provided = 2.65 +/- Acres
THE MINIMUM AND MAXIMUM DIMENSIONS SHOWN IN THE TABLE ABOVE SHALL PREVAIL OVER THE DIMENSIONS SHOWN ON CONCEPT PLAN
SITE
LOCATION MAP
E.O.P.
E.O.P.
SPARTA ROAD
WEST LINE OF SECTION 5-35-29
GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.
THE RANCH AT SPARTA P.D. SITE PLAN
PREPARED BY: JEFF KLINGLEY 863-835-2055
04-02-2023
REVISED 5-11-2023
REVISED 6-6-2023

Highlands County, Florida
Zoning Change Application

Zoning change from: AU
Zoning change to: R3-PD

Note: *Do not leave any blank lines; if something does not apply, indicate that it is not applicable by using N/A*

****

SECTION I: STAFF USE ONLY:

Project #23040018

P&Z Hearing Number: 2128 **Date of Application:** 04/18/2023
Amount of Fee: $ #1950.00 **Receipt No.:** 430000150 **Tax Map No.:** 70-A
Hearing Dates: LP: _____ **P&Z:** 06/13/2023 **BCC:** 07/18/2023

****

This application has been reviewed for completeness and determined sufficient:

Rachel B J
Zoning Supervisor

4/27/2023
Date

****

SECTION II: APPLICANT & PROPERTY INFORMATION:

1. **Name of Property Owner(s):** If more than one, all owners must sign the Owner's Affidavit (attached), which must accompany the application.
   Print Name: HEARTLAND INVESTMENT LLC
   Mailing Address: P.O. BOX 3679 SEBRING, FLA. 33871
   Telephone No.: 863-381-4445 **E-Mail Address:** Drdkwaldron@yahoo.com

2. **Name of Agent:** Complete the Agent's Affidavit (attached) from property owner, which must accompany application, giving agent authority to represent this application.
   Print Name: RICK WHIDDEN
   Mailing Address: 4108 MULLIGAN CT. W. SEBRING, FLA. 33872
   Telephone No.: 863-381-1516 **E-Mail Address:** RICKWHIDDENDRAFTING@GMAIL.COM

NOTARIZED AUTHORIZATION:

- ☐ If the applicant is not the owner of the property, a written, notarized authorization from each owner must be provided with this application – use Form A, attached. Property owner authorization is required. If the property owner withdraws permission at any point during the review and approval process, the application is considered null and void.
- ☐ If an agent is submitting the application for the owner/applicant – authorization from the owner/applicant is required – use Form B, attached.

3. **Legal Description Covered by Application:** If subdivided: Lot, block, complete name of subdivision, plat book, page number, section, township and range. If metes and bounds description, complete description, including section, township and range. SEE ATTACHED

4. **Strap No.(s) of Property Covered by Application:**
   STRAP #:C-05-35-29-A00-0390-0000 **STRAP #:**C-05-35-29-A00-0400-0000
   STRAP #:C-05-35-29-200-0020-0000 **STRAP #:**C-_____

5. **Street Address(es) of Property Covered by the Application:**
   4200 SPARTA ROAD & 4021 STILES LANE SEBRING, FLA. 33875

****

SECTION III: INFORMATION ABOUT EXISTING USES:

6. **Existing Zoning District:** AU **Existing Land Use Classification:** RL
   Are the Zoning and Comprehensive Plan Consistent? ☐Consistent ■Not Consistent

7. **Existing Property Information:** Size of Property (width) 1,390.00 +/- feet, (depth) 958.00 +/- feet, street frontage 860.00 +/- feet, water frontage -0- feet, **Total acres** 18.69 +/-
   If different from the total acreage, the upland, or developable portion is _____ +/- acres.

8. **Are there existing structures on the property?** ☑Yes ☐No **If Yes**, what type (CBS, Frame, Stucco, Other Multiple Units, Number of Dwellings per Building), and what are they used for? 32' X 50' WOOD BARN
   If multiple units, the number of dwellings per building/number of buildings: _____

9. **Is the property located within the Lake Placid Regional Plan (LPRP) area?** ☐Yes ■No **If yes,** please submit a draft PD Resolution and site plan as part of the application. A separate application meeting should be arranged with the Town of Lake Placid. Please ask the Town staff (County Planning Department) for assistance.

10. **Vesting:** Is the property vested for specific property rights? ☐Yes ■No **If Yes,** list the Vesting Action or Order Number or the method used to grant vested rights (state binding letter, legal lot of record, etc).: _____

11. **Has a public hearing been held on this property within the last 12 months?** ☐Yes ■No **If Yes,** in whose name and when? _____

12. **Is this hearing being requested as a result of a code violation notice?** ☐Yes ■No **If Yes,** explain. _____

13. **Information on the Adjacent Properties:**

	Existing Uses	FLUM Designations	Zoning Districts
North	S.F.R.	RL	AU
South	MULTIFAMILY, S.F.R. & CHURCH	RM & RH	R-3 & R-1-A
East	S.F.R.	RL	AU
West	S.F.R. DUPLEX & STORAGE	COMM. & RM	B-3, R-1 & R-2

****

SECTION IV: INFORMATION ABOUT THE PROPOSED CHANGE:

14. **Reason for Proposed Change(s) (DO NOT INCLUDE SPECIFIC USES):** PROPOSED CHANGE IS NEEDED FOR MULTIPLE FAMILY DEVELOPMENT

15. **Proposed Number of Dwelling Units Desired or Number of Square Feet of Commercial Space (if applicable):** 80 UNITS OR 4.3 UNITS PER ACRE

16. **Proposed Development Standards (if applicable):**
    A. Proposed parcel size (if increasing area with this application) N/A square feet/acre
    B. Proposed Floor Area Ratio (FAR): Gross floor area of existing building N/A divided by Parcel size N/A = FAR N/A %

****

SECTION V: ADDITIONAL INFORMATION REQUIRED: 16 & 17 – NOT APPLICABLE FOR EXISTING DEVELOPMENT THAT IS NOT INCREASING IN SIZE; INDICATE N/A.

17. **Potable Water:** The proposed development will be served by an off-site central potable water system. ■Yes ☐No **If Yes,** the potable water system requirements will be accommodated by the CITY OF SEBRING water system.

(See the attached model letter requesting this information from the respective servers). PLEASE ATTACH THEIR LETTER TO THIS APPLICATION. THIS APPLICATION WILL NOT BE COMPLETE WITHOUT THIS LETTER.

The Applicant must provide the following data of the water system that will be used (gallons per capita per day or gpcd):

a. The facility has the designed capacity for pumping and treating SEE ATTACHED gpcd.
b. The facility has a permitted capacity for SEE ATTACHED gpcd.
c. The facility has an average demand or committed capacity for SEE ATTACHED gpcd.
d. The facility has an excess capacity of SEE ATTACHED gpcd.
e. This proposed development will require approximately SEE ATTACHED gpcd.

Note: The required level of service (LOS) for potable water for Highlands County is:

Residence Type	Gallons per Capita per Day
RV Park	75
Mobile Home Park	100
Single Family or Multi-Family	120

If No, the proposed development will be served by an on-site potable water (well) system that will be designed to connect to a central water system when it becomes available. N/A **Applicant's Initial**

18. **Wastewater Treatment:** The proposed development will be served by an off-site central wastewater treatment system. ■Yes ☐No

If Yes, the wastewater treatment system requirements will be accommodated by the CITY OF SEBRING system.

(See the attached model letter requesting this information from the respective servers). PLEASE ATTACH THEIR LETTER TO THIS APPLICATION. THIS APPLICATION WILL NOT BE COMPLETE WITHOUT THIS LETTER.

The Applicant must provide the following data of the wastewater treatment system that will be used:

a. The facility has the designed capacity for pumping and treating SEE ATTACHED gpcd.
b. The facility has a permitted capacity for SEE ATTACHED gpcd.
c. The facility has an average demand or committed capacity for SEE ATTACHED gpcd.
d. The facility has an excess capacity of SEE ATTACHED gpcd.
e. This proposed development will require approximately SEE ATTACHED gpcd.

Note: The required LOS for potable water for Highlands County is:

Residence Type	Gallons per Capita per Day
RV Park	75
Mobile Home Park	100
Single Family or Multi-Family	120

If No, the proposed development will be served by an on-site wastewater tank system that will be designed to connect to a central wastewater treatment system when it becomes available. N/A **Applicant's Initial**

19. **Surface Drainage:** I (we) certify that storm water management will comply with the requirements of Section 12.13.104.F of the Highlands County Land Development Regulations (See County Engineer) and the applicable water management district regulations: ■Yes ☐No _____ **Applicant's Initial**

Note: The required LOS for the County is premised upon the applicable water management district standards.

SFWMD:25-year/24-hour storm event (peak discharge, 25-year/36-hour)
SWFWMD:25-year/24-hour storm event (peak discharge, 25-year/24-hour)

*Applicants must utilize the appropriate water management district standards for drainage procedures and methods to assure that post-development run-off will not exceed pre-development run-off for a minimum of 24-year/24-hour storm event, and that Best Management Practices shall be utilized to meet or exceed state water quality standards. Direct discharge into designated outstanding Florida waters requires a treatment area 1.5 times standard area.

20. **Solid Waste Disposal:** The proposed development will be served by the WASTE CONNECTIONS refuse collection company.

Note: The required LOS for the County is based upon the landfill capacity to accommodate at least 5.21 pounds/person/day.

21. **Recreation and Green Space:** The recreation and green space LOS adopted by Highlands County will be met at the time of development which will include, in part, the following facilities, if any: RECREATION & GREEN SPACE WILL BE MET @ TIME OF DEVELOPMENT

Note: The required LOS for the County is to provide adequate facilities to maintain a County-wide standard of 10 acres/1,000 population.

22. **Military Airport Zones (MAZ):** Is this property located in an MAZ? ■Yes ☐No
If Yes, please indicate the area as MAZ I, MAZ II, or MAZ III MAZ III.

****

SECTION VI: ADDITIONAL ZONING AMENDMENT INFORMATION:

23. **Owner's Affidavit:** Owner's Affidavit(s) must be completed and submitted as part of **all** applications.

24. **Agent's Affidavit:** Agent's Affidavit(s), if applicable, must be completed and submitted as part of **all** applications.

25. **Map Properties within 500 Feet:** Submit a map which delineates the boundary of the proposed development site and its location on the map. Include each parcel of land within **500 feet** of the property being considered in the application.

26. **List of Property Owners:** List all current property owners within a 500-foot radius of the property being considered for a rezone, including names, mailing and site addresses, and STRAP numbers of their properties. **If** the property being considered for a rezone is an area currently zoned Agriculture, the list must contain a minimum of 6 different property owners adjacent to or in the vicinity of the rezoning being requested (Attach separate sheets to this application).

27. **Land Survey:** A copy of the survey, showing all dedications or easements within the property that is the subject of the application, prepared by a Florida registered land surveyor may be required and attached to the application.

28. **Proposed Flexible Unit Development (FUD) or Planned Development (PD) – Site Plan, Resolution, and Letter of Intent:** A site plan, a draft resolution, and a letter of intent are required which indicate uses, density, building locations, streets, site access, off-street parking, water courses or bodies, buffers, setbacks (dimensions), and environmentally sensitive areas. (See Section 12.05.291 of the Code of Ordinances for FUD requirements and Section 12.05.290 for PD requirements.)

29. **Surrounding Property Owners:** Have you discussed this rezoning request with the surrounding property owners? ☐**Yes** ■**No**

30. **Contract to Sell:** Is this property under contract to sell contingent on the rezoning? ☐**Yes** ■**No**

****

END OF APPLICATION

ATTACHMENTS:

1) Owner's Affidavit(s) or Corporation Affidavit
2) Agent's Affidavit(s)
3) Notarized authorization from each owner, as applicable (Form A)
4) Notarized authorization for agent to submit petition, as applicable (Form B)
5) Public Utility Information Request Format
6) Application Due Dates
7) Fee Schedule

TRACT 2 AND THE NORTH HALF OF TRACT 39, STILES RANCHETTES, UNRECORDED, LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 29 EAST, HIGHLANDS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 29 EAST, HIGHLANDS COUNTY, FLORIDA; THENCE SOUTH 01°12'00" WEST, ALONG THE WEST LINE OF SAID SECTION 5, A DISTANCE OF 590.20 FEET; THENCE SOUTH 88°42'59" EAST, A DISTANCE OF 40.00 FEET TO THE EAST RIGHT OF WAY LINE OF SPARTA ROAD AND FOR THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°42'59" EAST, A DISTANCE OF 958.00 FEET; THENCE SOUTH 01°12'00" WEST, A DISTANCE OF 1,390.00 FEET TO A POINT LYING ON THE NORTH BOUNDARY LINE OF FRANCIS SPARTA ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 13, PAGE 51 OF THE PUBLIC RECORDS OF HIGHLANDS COUNTY, FLORIDA; THENCE NORTH 88°42'59" WEST, ALONG SAID NORTH BOUNDARY LINE A DISTANCE OF 420.50 FEET; THENCE NORTH 01°12'00" EAST, A DISTANCE OF 400.00 FEET; THENCE SOUTH 88°42'59" EAST, A DISTANCE OF 115.50 FEET; THENCE NORTH 01°12'00" EAST, A DISTANCE OF 330.00 FEET; THENCE SOUTH 88°42'59" EAST, A DISTANCE OF 7.00 FEET; THENCE NORTH 01°12'00" EAST, A DISTANCE OF 330.00 FEET; THENCE NORTH 88°42'59" WEST, A DISTANCE OF 660.00 FEET TO A POINT LYING ON THE SAID EAST RIGHT OF WAY LINE OF SPARTA ROAD; THENCE NORTH 01°12'00" EAST, ALONG SAID RIGHT OF WAY A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING.

AND

SOUTH HALF OF TRACT 39, STILES RANCHETTES, UNRECORDED; LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 29 EAST, HIGHLANDS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 29 EAST, HIGHLANDS COUNTY, FLORIDA; THENCE SOUTH 01°12'00" WEST ALONG THE WEST LINE OF SECTION 5, A DISTANCE OF 920.20 FEET; THENCE SOUTH 88°42'59" EAST, A DISTANCE OF 40.00 FEET TO A POINT LYING ON THE EAST RIGHT OF WAY LINE OF SPARTA ROAD AND FOR THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°42'59" EAST, A DISTANCE OF 660.00 FEET; THENCE SOUTH 01°12'00" WEST, A DISTANCE OF 330.00 FEET; THENCE NORTH 88°42'59" WEST, A DISTANCE OF 660.00 FEET; THENCE NORTH 01°12'00" EAST, A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING.

LESS & EXCEPT

(O.R. BOOK 2127, PAGE 794)

A PORTION OF TRACT 2, STILES RANCHETTES, UNRECORDED, LYING IN SECTION 5, TOWNSHIP 35 SOUTH, RANGE 29 EAST, HIGHLANDS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF

FRANCIS SPARTA ESTATES RECORDED IN PLAT BOOK 13, PAGE 51 OF THE PUBLIC RECORDS OF HIGHLANDS COUNTY, FLORIDA; THENCE S 88°42'59" E, ALONG THE NORTH LINE OF SAID PLAT, 527.50

FEET TO THE POINT OF BEGINNING; THENCE N 01°12'00" E, 400.00 FEET; THENCE S 88°42'59" E, 217.80 FEET; THENCE S 01°12'00" W, 400.00 FEET TO THE NORTH LINE OF SAID PLAT; THENCE N 88°42'59" W, ALONG SAID NORTH LINE, 217.80 FEET TO THE POINT OF BEGINNING.

JOHN SHOOP MAYOR

COUNCIL:
LENARD CARLISLE, PRESIDENT
ROLAND BISHIP, PRO-TEMPORE
HARRISON HAVERY
TERRY MENDEL
JOSH STEWART

SEBRING
CITY ON THE CIRCLE
UTILITIES DEPARTMENT
321 N MANGO ST.
SEBRING, FL 33870
(863) 471-5112
(863) 471-5148 (FAX)

KATHY HALEY, CMC
CITY CLERK/TREASURER

SCOTT NOETHLICH
CITY ADMINISTRATOR

BOB BOGGUS
UTILITIES DIRECTOR

April 18, 2023

To Whom It May Concern:

Re: 4200 Sparta Rd and 4021 Stiles Rd (C-05-35-29-A00-0390-0000 and C-05-35-29-A00-0400-0000

Listed below is the water and wastewater capacities data requested for the above referenced parcels.

Potable Water

Designed capacity: 14,789,600 GPD
Permitted capacity: 5,811,000 GPD
Committed capacity: 3,933,000 GPD
Excess capacity: 1,878,000 GPD
This development demand: N/A GPD

Wastewater Treatment

Designed capacity: 2,000,000 GPD
Permitted capacity: 2,000,000 GPD
Committed capacity: 1,248,000 GPD
Excess capacity: 752,000 GPD
This development demand: N/A GPD

Please let me know if you have any questions or if I may be of further assistance.

Best regards,

Bob Boggus
Utilities Director

cc: Kim Shands, Administrative Coordinator
File

The School Board of Highlands County
Transforming Today's Learners Into Tomorrow's Leaders

Department
Anjelica Tinajero Business/Operations

426 School Street
Sebring, FL 33870
(863) 471-5626
ramostia@highlands.k12.fl.us

School Board of Highlands County
School Capacity Planning Tool for Comprehensive Plan Amendments

April 11, 2023

Jeff Kennedy
7045 County Road 17 South
Sebring, FL 33876

School Year of Analysis: **2022/2023**

Proposed Development:
Applicant:
Location (map attached): 4200 Sparta Road and 4021 Stiles Road, Sebring, FL
C-05-35-29-A00-0400-0000, C-05-35-26-A00-0400-0000, C-05-35-29-200-+0020-0000

School Attendance Zones:
Elementary: **Cracker Trail Elementary**
Middle: **Sebring Middle**
High: **Sebring High**

Maximum Proposed Dwelling Units: ___Single Family _____Mobile Home __80__ Multi-Family
Propose build out year:
Proposed Phasing if applicable:

2022/2023 Student Generation Rates by Dwelling Unit Type

Dwelling unit Type	Elementary (K-5)	Middle (6-8)	High (9-12)
Single Family	0.129	0.061	0.074
Mobile Home	0.086	0.041	0.049
Multi-Family	0.080	0.038	0.046

Dr. Brenda Longshore, Superintendent
Donna Howerton, Chairperson · Jan Shoop. Vice Chairperson
Isaac Durrance · Reese Martin · Nicole Radonski

A fully accredited school system of the Southern Association of Colleges and Schools
Equal Opportunity Employment and Veteran's Preference Employer

The School Board of Highlands County
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Department
Anjelica Tinajero Business/Operations

426 School Street
Sebring, FL 33870
(863) 471-5626
ramostia@highlands.k12.fl.us

School	Capacity	5-Year Work Program Added Capacity	Available Planning Capacity	Proposed Development Student Generation	Available Capacity including Proposed Development (+/-)
Cracker Trail Elementary	196.90	0	196.90	6.40	190.50
Sebring Middle	124.21	0	124.21	3.04	121.17
Sebring High	527.98	0	527.98	3.68	524.30

This information is provided as a planning tool to assist in the evaluation of a proposed land use amendment. This information does not reserve school capacity nor does it establish school concurrency requirements. School concurrency requirements will be established pursuant to F.S. 163.3177 and F.S.163.3180 at time of development.

Sincerely,

Anjelica Tinajero
Assistant Superintendent of Business/Operations

AT/cp

Dr. Brenda Longshore, Superintendent
Donna Howerton, Chairperson · Jan Shoop. Vice Chairperson
Isaac Durrance · Reese Martin · Nicole Radonski

A fully accredited school system of the Southern Association of Colleges and Schools
Equal Opportunity Employment and Veteran's Preference Employer

Highlands County, Florida
Development Services Department Application

OWNER'S AFFIDAVIT (Corporation)

I, HEARTLAND INVESTMENT LLC, being first duly sworn, depose and say that I am the **OWNER/CORPORATION** of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application, are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before hearings can be advertised. I also understand that it is my obligation to comply with any other lawfully adopted and recorded deed restrictions or covenants that are more restrictive or impose a higher standard, and that any action of this Board does not supersede those requirements.

I authorize County staff to enter the property during the application process to complete its evaluation.

Please initial the appropriate line:

No contact is required. _____

An appointment is required before entering the property. _____

Signed, Sealed and Delivered in our presence:

Chelsea Bassett
Print Name: Chelsea Bassett

A. Kilmon
Print Name: A. Kilmon

HEARTLAND INVESTMENT LLC
a FLORIDA corporation.
By: David Keatley Waldron
Print Name: DAVID KEATLEY WALDRON
Title: MGR

STATE OF FLORIDA
HIGHLANDS COUNTY

The Foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 7 day of March, 2023 by David Keatley Waldron who is personally known by me ☑ or who has produced _____, as identification and who did take an oath:

Chanda T. Gray
Signature

Chanda T. Gray
Print Name

Notary Public, State of Florida
My Commission Expires: 7/21/2026

Notary Public State of Florida
Chanda T Gray
My Commission HH 291157
Expires 7/21/2026

DIVISION OF CORPORATIONS

Sunbiz.org DIVISION of CORPORATIONS an official State of Florida website

Detail by Entity Name

Florida Limited Liability Company
HEARTLAND INVESTMENT, L.L.C.

Filing Information

Document Number	L00000002112
FEI/EIN Number	59-3621023
Date Filed	02/25/2000
State	FL
Status	ACTIVE

Principal Address

4015 STILES LANE
SEBRING, FL 33875

Changed: 04/16/2009

Mailing Address

P.O. BOX 3679
SEBRING, FL 33871 36

Changed: 03/23/2010

Registered Agent Name & Address

WALDRON, DAVID KEATLEY
4015 STILES LANE
SEBRING, FL 33875

Address Changed: 04/16/2009

Authorized Person(s) Detail

Name & Address

Title MGR

WALDRON, DAVID KEATLEY
4015 STILES LANE
SEBRING, FL 33875

Title MGR

WALDRON, KIMBERLEE A

4015 STILES LANE
SEBRING, FL 33875

Annual Reports

Report Year	Filed Date
2020	05/16/2020
2021	04/08/2021
2022	04/05/2022

Document Images

04/05/2022 -- ANNUAL REPORT	View image in PDF format
04/08/2021 -- ANNUAL REPORT	View image in PDF format
05/16/2020 -- ANNUAL REPORT	View image in PDF format
04/01/2019 -- ANNUAL REPORT	View image in PDF format
04/18/2018 -- ANNUAL REPORT	View image in PDF format
04/24/2017 -- ANNUAL REPORT	View image in PDF format
04/18/2016 -- ANNUAL REPORT	View image in PDF format
04/22/2015 -- ANNUAL REPORT	View image in PDF format
03/06/2014 -- ANNUAL REPORT	View image in PDF format
04/30/2013 -- ANNUAL REPORT	View image in PDF format
04/07/2012 -- ANNUAL REPORT	View image in PDF format
04/19/2011 -- ANNUAL REPORT	View image in PDF format
03/23/2010 -- ANNUAL REPORT	View image in PDF format
04/16/2009 -- ANNUAL REPORT	View image in PDF format
04/28/2008 -- ANNUAL REPORT	View image in PDF format
02/21/2007 -- ANNUAL REPORT	View image in PDF format
02/06/2006 -- ANNUAL REPORT	View image in PDF format
01/31/2005 -- ANNUAL REPORT	View image in PDF format
04/29/2004 -- ANNUAL REPORT	View image in PDF format
02/05/2003 -- LIMITED LIABILITY CORPORATION	View image in PDF format
05/21/2002 -- ANNUAL REPORT	View image in PDF format
04/24/2001 -- ANNUAL REPORT	View image in PDF format
02/25/2000 -- Florida Limited Liabilites	View image in PDF format

Highlands County, Florida
Development Services Department Application

FORM B. Applicant Authorization to Agent

I, the undersigned, being first duly sworn, depose and say that I am the applicant for the REZONING of the property described and which is the subject matter of the proposed hearing.

I give authorization for RICK WHIDDEN to be my agent for this application.

DAVID KEATLEY WALDRON
Print Name of Applicant

Signature of Applicant

P.O. BOX 3679
Address: Number and Street (P.O. Box)

SEBRING, FLA. 33871
City and State (Zip Code)

STATE OF FLORIDA
HIGHLANDS COUNTY

The Foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 7 day of March, 2023 by David Keatley Waldron who is personally known by me ☑ or who has produced _____, as identification and who did take an oath.

Signature

Chanda T. Gray
Print Name

Notary Public, State of Florida
My Commission Expires: 7/21/2026

Notary Public State of Florida
Chanda T Gray
My Commission HH 291157
Expires 7/21/2026

Highlands County, Florida
Development Services Department Application

AGENT'S AFFIDAVIT

I, RICK WHIDDEN, being first duly sworn, depose and say that I am the **ATTORNEY-IN-FACT, AGENT or LESSEE** of the property described and which is the subject matter of the proposed hearing; that all the answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application, are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before hearings can be advertised. I also understand that it is my obligation to comply with any other lawfully adopted and recorded deed restrictions or covenants that are more restrictive or impose a higher standard, and that any action of this Board does not supersede those requirements.

RICK WHIDDEN
Print Name of Agent

Signature of Agent

4108 MULLIGAN CT. W.
Address: Number and Street (P.O. Box)

SEBRING, FLA. 33872
City and State (Zip Code)

STATE OF FLORIDA
HIGHLANDS COUNTY

The foregoing instrument was acknowledged before me this 6 day of March 2023 by _____ who is personally known by me or who has produced _____, as identification and who did take an oath:

Signature

Janice T. Walker
Print Name

Notary Public, State of Florida

My Commission Expires: 11-17-2024

Janice T. Walker
Notary Public, State Of Florida
Commission No. HH50378
My Commission Expires: 11/17/24

RESOLUTION NO. 22-23-136

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF HIGHLANDS COUNTY, FLORIDA, PERTAINING TO THE ZONING CHANGE FOR THOSE PROPERTIES IDENTIFIED BY THE HIGHLANDS COUNTY PROPERTY APPRAISER THROUGH PARCEL ID #s C-05-35-29-A00-0390-0000, C-05-35-29-A00-0400-0000, AND C-05-35-29-200-0020-0000; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF ZONING CHANGE AND ZONING ATLAS AMENDMENT; PROVIDING FOR GENERAL CONDITIONS, RESTRICTIONS AND LIMITATIONS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Highlands County Code of Ordinances, Section 12.03.401, the Property Owner of those properties identified by the Highlands County Property Appraiser through Parcel ID #s C-05-35-29-A00-0390-0000, C-05-35-29-A00-0400-0000, and C-05-35-29-200-0020-0000 ("Property"), has requested a change to the existing zoning classification on the Property for the specific purposes of furthering residential objectives; and

WHEREAS, the County has determined that the proposed change is consistent with FLU Policy 1.1.A., which states that the Future Land Use Element shall be used as a common framework to govern land use decisions by the public sector and to guide the development activities of the private sector; and

WHEREAS, the County has determined that the proposed change is consistent with the goals, objectives and policies of the Highlands County 2030 Comprehensive Plan ("Plan"); and

WHEREAS, the County has determined that Environmental Clearance, pursuant to NRE Policy 3.3 of the Plan, is not required for the proposed change; and

WHEREAS, the County has determined that the Archaeologically Sensitive Areas Map of the Conservation Overlay Map series of the Plan and the Florida Master Site File indicate that there are no known cultural resources on the Property and the proposed change does not require Historical and Archaeological clearance, pursuant to FLU Policy 7.1 of the Plan, NRE Policy 1.3 of the Plan and the Highlands County Land Development Regulations; and

WHEREAS, all future development actions for the Property shall be made to conform to applicable Plan policies and to the County's Land Development Regulations in effect at the time of any development.

NOW, **THEREFORE BE IT RESOLVED**, by the County, after public hearing and comment that:

SECTION 1. Legislative Findings and Intent. Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. Approval of Zoning Change and Zoning Atlas Amendment.

A. The zoning designation for those Properties identified by Highlands County Property Appraiser through Parcel ID #s C-05-35-29-A00-0390-0000, C-05-35-29-A00-0400-0000, and C-05-35-29-200-0020-0000 and as more particularly described as:

Tract 2 and the north half of Tract 39, Stiles Ranchettes, Unrecorded, lying in Section 5, Township 35 South, Range 29 East, Highlands County, Florida, being more particularly described as follows: Commence at the northwest corner of the southwest 1/4 of Section 5, Township 35 South, Range 29 East, Highlands County, Florida; thence South 01°12'00" West, along the west line of said Section 5, a distance of 590.20 feet; thence South 88°42'59" East, a distance of 40.00 feet to the east right of way line of Sparta Road and for the Point of Beginning; thence continue South 88°42'59" East, a distance of 958.00 feet; thence South 01°12'00" West, a distance of 1,390.00 feet to a point lying on the north boundary line of Francis Sparta Estates, according to the Plat thereof recorded in Plat Book 13, Page 51 of the Public Records of Highlands County, Florida; thence North 88°42'59" West, along said north boundary line a distance of 420.50 feet; thence North 01°12'00" East, a distance of 400.00 feet; thence South 88°42'59" East, a distance of 115.50 feet; thence North 01°12'00" East, a distance of 330.00 feet; thence South 88°42'59" East, a distance of 7.00 feet; thence North 01°12'00" East, a distance of 330.00 feet; thence North 88°42'59" West, a distance of 660.00 feet to a point lying on the said east right of way line of Sparta Road; thence North 01°12'00" East, along said right of way a distance of 330.00 feet to the Point of Beginning.

And

South half of Tract 39, Stiles Ranchettes, Unrecorded; lying in Section 5, Township 35 South, Range 29 East, Highlands County, Florida, being more particularly described as follows: commence at the northwest corner of the southwest 1/4 of Section 5, Township 35 South, Range 29 East, Highlands County, Florida; thence South 01°12'00" West along the west line of Section 5, a distance of 920.20 feet; thence South 88°42'59" East, a distance of 40.00 feet to a point lying on the east right of way line of Sparta Road and for the Point of Beginning; thence continue South 88°42'59" East, a distance of 660.00 feet; thence South 01°12'00" West, a distance of 330.00 feet; thence North 88°42'59" West, a distance of 660.00 feet; thence North 01°12'00" East, a distance of 330.00 feet to the Point of Beginning.

Less & Except

(O.R. Book 2127, Page 794)

A portion of Tract 2, Stiles Ranchettes, Unrecorded, lying in Section 5, Township 35 South, Range 29 East, Highlands County, Florida, being more particularly described as follows: commence at the northwest corner of Francis Sparta Estates recorded in Plat Book 13, Page 51 of the Public Records of Highlands County, Florida; thence South 88°42'59" East, along the north line of said Plat, 527.50 feet to the Point of Beginning; thence North 01°12'00" East, 400.00 feet; thence South 88°42'59" East, 217.80 feet; thence South 01°12'00" West, 400.00 feet to the north line of said Plat; thence North 88°42'59" West, along said north line, 217.80 feet to the Point of Beginning.

is hereby changed from Agricultural District, AU, to Multiple Family Dwelling Planned Development District, R-3 PD.

B. The official zoning atlas of the County is hereby amended to reflect the zoning for the Property is R-3 PD.

C. At the time of development on the Property, the Property Owner, or a representative thereof shall submit any such other requirements imposed during the development review process.

SECTION 3. General Condition, Restrictions and Limitations. This R-3 PD shall be subject to the conditions, restrictions, and limitations stated in Sections 12.05.213 and 12.05.290 of the Highlands County Code of Ordinances (“Code”) except as expressly modified as follows:

1. The underlying or base zoning regulations for this PD District shall be the R-3 District and any use or allowance not specified herein will be as defined in the R-3 District as provided in Section 12.05.213 of the Code.
2. There shall be a maximum of 80 dwelling units.
3. The minimum living area shall be 1,200 square feet of living space per dwelling unit; the maximum living area shall be 2,500 square feet of living space.
4. Each dwelling unit shall have at minimum a one-car garage.
5. Each dwelling unit shall have a maximum occupancy of five (5) persons.
6. Dwelling units shall be limited to one-story with a maximum height of 25 feet.
7. The clubhouse, if any, shall be limited to two-stories with a maximum height of 40 feet.
8. The minimum property boundary line setbacks shall be as follows:
    a. North: 25 feet.
    b. South: 25 feet.

c. East: 50 feet.

d. West: 25 feet; with the structures directly adjacent to Sparta Road to be setback a minimum of 120 feet from the centerline of Sparta Road.

9. Minimum yard requirements shall be as follows:

a. Front: 19 feet, measured from the edge of pavement.

b. Side: 0 feet between interior units, with no less than 15 feet between buildings, and 25 feet to the property boundary line. The distance shown between buildings on the conceptual site plan is for estimation purposes only; however, at the time of development, the buildings shall have a separation of no less than 15 feet between each.

c. Rear: No less than 30 feet between the rear of one building and the side of another and no less than 40 feet between the rear of two buildings. The distance shown between buildings on the conceptual site plan are approximates.

d. Corner: 19 feet, measured from the edge of pavement.

10. The Entrance Sign may be placed no closer than 5 feet to the property line along Sparta Road.

11. There shall be a 6-foot-tall wall, matching the color and texture of the proposed dwelling units, constructed along the northerly boundary of the property as indicated on the conceptual PD site development plan.

12. The individual units may be sold as townhomes by metes and bounds description. A Homeowners Association shall be created to maintain all common areas of the development and ensure the general development requirements of this R-3 PD.

13. All internal roads shall be privately owned and maintained by the Homeowners Association and shall be no less than twenty-four (24) feet in width of roadway, with at least three (3) feet on either side of the roadway for a total of a 30-foot-wide private right-of-way. Internal roadways shall not be dedicated to Highlands County for maintenance.

14. The Conceptual PD Site Development plan for this R-3 PD, pursuant to the requirements set forth in Section 12.05.290 of the Code, is attached hereto. The property shall be subject to the County Code for final site plan approval.

SECTION 4. Implementation of Administrative Actions. The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 5. Savings Clause. All prior actions of Highlands County pertaining to P&Z 2128, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 6. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 7. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 8. Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 9. Effective Date. This Resolution shall take effect immediately after Highlands County Ordinance 22-23-28, adopting a small-scale comprehensive plan amendment, CPA-23-618SS, changing the land use designation on the Property from Low Density Residential (RL) to Medium Density Residential (RM).

DONE AND ADOPTED, this 18th day of July 2023.

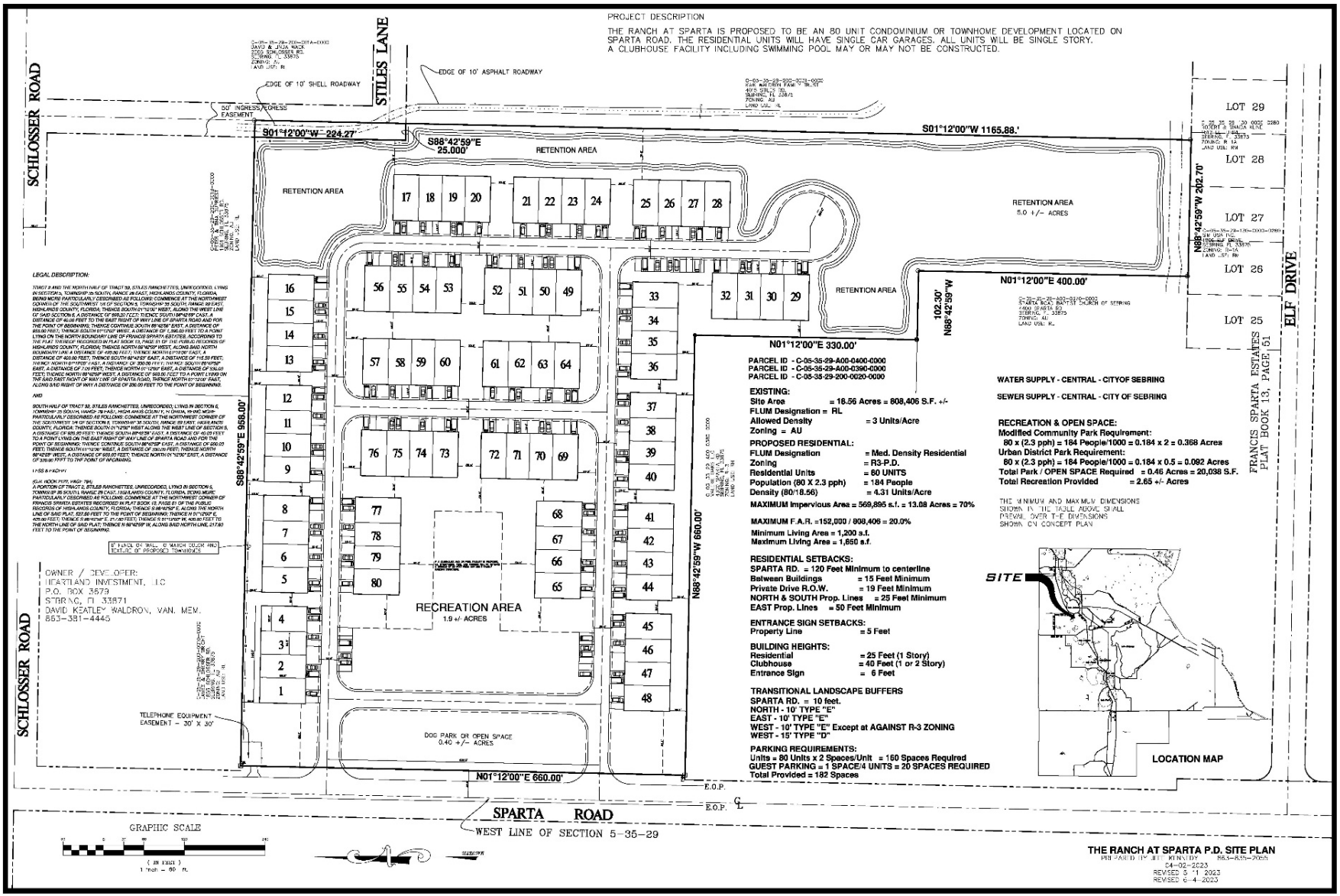
BOARD OF COUNTY COMMISSIONERS
OF HIGHLANDS COUNTY, FLORIDA

By: _____
Chris Campbell, Chairperson

(SEAL)

ATTEST: _____
Jerome Kaszubowski, Clerk

Conceptual Site Plan: "Exhibit A"



HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: Jul 18, 2023

PRESENTER: **JD Langford, PE, County Engineer**

SUBJECT/TITLE: **Request adoption of Resolution 22-23-138 for Budget Amendment 22-23-120 to appropriate funds for Project #21044 (Sebring Parkway Phase IV) and adoption of Resolution 22-23-134 to approve a HUD Economic Development Initiative Grant Agreement B-23-CP-FL-0431 between the United States Housing and Urban Development (HUD) Agency and Highlands County for the planning, design, and required National Environmental Policy Act (NEPA) clearance/approvals for Sebring Parkway Phase IV.**

STATEMENT OF ISSUE

Attached for your review and approval is the HUD Economic Development Initiative Grant B-23-CP-FL-0431 Agreement between the United States Housing and Urban Development Agency and Highlands County, and Resolution 22-23-134 authorizing the Chairman of the Board to execute said Agreement for Highlands County Project Number 21044 for the planning, design, and required NEPA clearance/approvals for construction of a new roadway between Sebring Parkway, SR 17, and Arbuckle Creek Road for a distance of approximately 0.5 miles, in the total grant amount of $1,100,000.00. Also included for your review and approval is Resolution 22-23-138 for Budget Amendment 22-23-120 to appropriate the funds for this project.

HUD is willing to provide the County with financial assistance under the HUD Economic Development Initiative Grant B-23-CP-FL-0431, in the total grant amount of $1,100,000.00, for the proposed Sebring Parkway Phase 4. The proposed construction consists of two (2) lanes expandable to four (4) lane roadway providing a more direct connection between the Sebring Parkway, SR 17, and Arbuckle Creek Road and provide improved access to other facilities such as US 98 (via Arbuckle Creek Road) and US 27 while also connecting regional services such as the Highlands County Landfill. The project will also consolidate three (3) intersections into one (1) single intersection to improve east-west traffic movement, efficiency, and safety.

The County shall provide oversight into the planning, design and NEPA clearance/approval process. Due to the specialized nature of this work, it is the County's intent for these project components to be contracted out. The County will be reimbursed for administrative efforts for the contract and oversight of the project to include administrative and general overhead.

The County shall commence the project activities after the execution of this Agreement and shall perform in accordance with the following schedule:

1. Planning and design to begin after January 2, 2024.
2. Secure NEPA clearance/approval by June 30, 2026.
3. Final design to be completed by December 31, 2028.

The Board Attorney has reviewed and approved the HUD Economic Development Initiative Grant B-23-CP-FL-0431 Agreement and the accompanying resolution. Richard "OJ" Oujevolk, PE is the project manager for this project under the direct supervision of the County Engineer. The Consultant Engineer will be the engineer of record.

RECOMMENDED ACTION

Move to adopt Resolution 22-23-138 for Budget Amendment 22-23-120 and appropriate funds to Project 21044 (Sebring Parkway Phase IV) and adopt Resolution 22-23-134 to approve a HUD Economic Development Initiative Grant Agreement B-23-CP-FL-0431 between HUD and Highlands County for Sebring Parkway Phase IV.

FISCAL IMPACT

The fiscal impact will be an increase to Fund 151 (Infrastructure Surtax), Cost Center 4102A (Transportation Projects) in the amount of $1,100,000.00 and will be appropriated in Project 21044 (Sebring Parkway Phase IV).

HUD is willing to reimburse the County up to the amount of $1,100,000.00 for planning, design, and NEPA clearance/approval.

Attachments: Res. 22-23-134.HUD.B-23-CP-FL-0431.SGS.pdf
22-23-120 Project 21044 Sebring Parkway Phase IV HUD Funding (BA).pdf
22-23-138 Project 21044 Sebring Parkway Phase IV HUD Funding (BA RES).pdf

RESOLUTION NO. 22-23-134

A RESOLUTION OF HIGHLANDS COUNTY, FLORIDA PERTAINING TO COMMUNITY PROJECT FUNDING GRANT AGREEMENT WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT RELATED TO AGREEMENT NO.: B-23-CP-FL-0431; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF AGREEMENT AND AUTHORIZATION TO EXECUTE; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Highlands County applied for a Community Project Funding Grant Agreement, pursuant to the Department of Housing and Urban Development Agreement No.: B-23-CP-FL-0431, the Community Project Funding Grant which provides funds will assist in the Construction of a roadway between Sebring Parkway, SR-17, and Arbuckle Creek Road; and

WHEREAS, the Department of Housing and Urban Development has awarded a Community Funding Grant to Highlands County in accordance with Agreement No.: B-23-CP-FL-0431; and

WHEREAS, Highlands County has determined that it is in the best interest of the public to approve the Agreement with the Department of Housing and Urban Development and to accept the funding awarded.

NOW, THEREFORE, BE IT RESOLVED BY HIGHLANDS COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. **Legislative Findings and Intent.** Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. **Approval of Agreement and Authorization to Execute.** The Community Project Funding Grant Agreement No.: B-23-CP-FL-0431, with Department of Housing and Urban Development, attached hereto as **Exhibit "A"**, is hereby approved and the Chairperson, or Vice-Chairperson, is authorized to execute the same on behalf of the County.

SECTION 3. **Implementation of Administrative Actions.** The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The

County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. **Savings Clause.** All prior actions of Highlands County pertaining to Community Project Funding Grant Agreement No.: B-23-CP-FL-0431, approved hereby, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. **Scrivener's Errors.** Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. **Conflicts.** All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. **Severability.** If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this ___ day of _____, 2023.

HIGHLANDS COUNTY, FLORIDA

By:_____
Chris Campbell, Chairperson

ATTEST:

_____
Jerome Kaszubowski, Clerk of Court

Exhibit "A"
Department of Housing and Urban Development Agreement
No.: B-23-CP-FL-0431

FY 2023 COMMUNITY PROJECT FUNDING
GRANT AGREEMENT NO. B-23-CP-FL-0431

Grantee Name: Highlands County
Grantee Address: 505 S. Commerce Ave. Sebring, FL 33870
Grantee's Unique Entity Identifier (UEI):
Grantee's Employer Identification Number (EIN)
Federal Award Identification Number (FAIN) B-23-CP-FL-0431
Assistance Listing Number and Name 14.251 Economic Development Initiative, Community Project Funding, and Miscellaneous Grants
Period of Performance/Budget Period Start Date Date of grant obligation
Period of Performance/Budget Period End Date August 31, 2031

This Grant Agreement between the Department of Housing and Urban Development (HUD) and Highlands County (the Grantee) is made pursuant to the authority of the Consolidated Appropriations Act, 2023 (Public Law 117-103) and the Explanatory Statement for Division L of that Act, which was printed in the Senate section of the Congressional Record on December 20, 2022 (Explanatory Statement).

In reliance upon and in consideration of the mutual representations and obligations under this Grant Agreement, HUD and the Grantee agree as follows:

ARTICLE I. Definitions

The definitions at 2 CFR 200.1 apply to this Grant Agreement, except where this Grant Agreement specifically states otherwise.

Budget period is defined in 2 CFR 200.1 and begins and ends on the dates specified above for the Period of Performance/Budget Period Start Date and Period of Performance/Budget Period End Date.

Period of Performance is defined in 2 CFR 200.1 and begins and ends on the dates specified above for the Period of Performance/Budget Period Start Date and Period of Performance/Budget Period End Date.

ARTICLE II. Total Grant Amount

Subject to the provisions of the Grant Agreement, HUD will make grant funds in the amount of $1,100,000 available to the Grantee.

ARTICLE III. Award-Specific Requirements

A. Federal Award Description. The Grantee must use the Federal funds provided under this Grant Agreement (Grant Funds) to carry out the Grantee's "Project." Unless changed in accordance with Article III, section C of this Grant Agreement, the Grantee's Project shall be as described in the Project Narrative that is approved by HUD as of the date that HUD signs this Grant Agreement. For reference, HUD will attach this approved Project Narrative as Appendix 1 to the Grant Agreement on the date that HUD signs this Grant Agreement.

B. Approved Budget. The Grantee must use the Grant Funds as provided by the Approved Budget. Unless changed in accordance with Article III, section C of this Grant Agreement, the Approved Budget shall be the line-item budget that is approved by HUD as of the date that HUD signs this Grant Agreement. For reference, HUD will attach this approved line-item budget as Appendix 2 to this Grant Agreement on the date that HUD signs this Grant Agreement.

C. Project and Budget Changes. All changes to the Grantee's Project or Approved Budget must be made in accordance with 2 CFR 200.308 and this Grant Agreement. To request HUD's approval for a change in the Project or Approved Budget, the Grantee must submit a formal letter to the Director of HUD's Office of Economic Development - Congressional Grants Division through the assigned Grant Officer. The letter must be submitted by email to the assigned Grant Officer and must provide justification for the change. The email submitting the letter must also include a revised project narrative or revised line-item budget, as applicable, that includes the requested change. The Grantee is prohibited from making project or budget changes that would conflict with the Applicable Appropriations Act Conditions described in Article III, section D of this Grant Agreement. The assigned Grant Officer for this grant is provided in the Award Letter for this grant and found on HUD's website. The HUD Office of Economic Development – Congressional Grants Division will notify the Grantee in writing, by email, whether HUD approves or disapproves the change. Before the Grantee expends Grant Funds in accordance with any change approved by HUD or otherwise allowed by 2 CFR 200.308, the Grantee must update its grant information in Disaster Recovery Grant Reporting (DRGR) to reflect that change.

D. Applicable Appropriations Act Conditions. The conditions that apply to the Grant Funds as provided by the Consolidated Appropriations Act, 2023 and the Explanatory Statement are hereby incorporated and made part of this Grant Agreement. In the event of a conflict between those conditions, the conditions provided by the Act will govern. The Grant Funds are not subject to the Community Development Block Grants regulations at 24 CFR part 570 or Title I of the Housing and Community Development Act of 1974.

E. In accordance with 2 CFR 200.307(b), costs incidental to the generation of program income may be deducted from gross income to determine program income, provided these costs have not been charged to the grant. As authorized under 2 CFR 200.307(e)(2), program income may be treated as an addition to the Federal award, provided that the Grantee uses that income for allowable costs under this Grant Agreement. In accordance with 2 CFR 200.307(b), costs incidental to the generation of program income may be deducted from gross income to determine program income, provided these costs have not been charged to the grant. Any program income that cannot be expended on allowable costs under this Grant Agreement must be paid to HUD before closeout of the grant, unless otherwise specified by an applicable Federal statute.

F. The Grantee must use the Grant Funds only for costs (including indirect costs) that meet the applicable requirements in 2 CFR part 200 (including appendices). The Grantee's indirect cost rate information is as provided in Appendix 3 to this Grant Agreement. Unless the Grantee is an Institution of Higher Education, the Grantee must immediately notify HUD upon any change in the Grantee's indirect cost rate during the Period of Performance, so that HUD can amend the Grant Agreement to reflect the change if necessary. Consistent with 2 CFR Part 200, Appendix III (C.7), if the Grantee is an Institution of Higher Education and has a negotiated rate in effect on the date this Grant Agreement is signed by HUD, the Grantee may use only that rate for its indirect costs during the Period of Performance.

G. The Grantee must comply with any specific award conditions that HUD may attach to this Grant Agreement as provided by 2 CFR 200.208. If applicable, these conditions will be listed or added as Appendix 5 to this Grant Agreement.

H. The Grantee is responsible for managing the Project and ensuring the proper use of the Grant Funds. The Grantee is also responsible for ensuring the completion of the Project, the grant closeout, and compliance with all applicable federal requirements. The Grantee may subaward all or a portion of its funds to one or more subrecipients, as identified in the Project Narrative (Appendix 1) or as may be approved by HUD in accordance with 2 CFR 200.308. All subawards made with funding under this Grant Agreement are subject to the subaward requirements under 2 CFR Part 200, including 2 CFR 200.332, and other requirements provided by this Grant Agreement. The Grantee is responsible for ensuring each subrecipient complies with all requirements under this Grant Agreement, including the general federal requirements in Article IV. A subaward may be made to a for-profit entity only if HUD expressly approves that subaward and the for-profit entity is made subject to the same Federal requirements that apply to all other subrecipients, including the requirements 2 CFR part 200 provides for a "non-Federal entity" that receives a subaward.

ARTICLE IV. General Federal Requirements

A. If the Grantee is a unit of general local government, a State, an Indian Tribe, or an Alaskan Native Village, the Grantee is the Responsible Entity (as defined in 24 CFR part 58) and agrees to assume all of the responsibilities for environmental review and decision-making and action, as specified and required in regulations issued by the Secretary pursuant to section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994 and published in 24 CFR Part 58.

B. If the Grantee is a housing authority, redevelopment agency, academic institution, hospital or other non-profit organization, the Grantee shall request the unit of general local government, Indian Tribe or Alaskan Native Village, within which the Project is located and which exercises land use responsibility, to act as Responsible Entity and assume all of the responsibilities for environmental review and decision-making and action as specified in paragraph A above, and the Grantee shall carry out all of the responsibilities of a grantee under 24 CFR Part 58.

C. After December 29, 2022, neither the Grantee nor any of its contractors, subrecipients and other funding and development partners may undertake, or commit or expend Grant Funds or local funds for, project activities (other than for planning, management, development and administration activities), unless a contract requiring those activities was already executed on or before December 29, 2022, until one of the following occurs: (i) the Responsible Entity has completed the environmental review procedures required by 24 CFR part 58, and HUD has approved the environmental certification and given a release of funds; (ii) the Responsible Entity has determined and documented in its environmental review record that the activities are exempt under 24 CFR 58.34 or are categorically excluded and not subject to compliance with environmental laws under 24 CFR 58.35(b); or (iii) HUD has performed an environmental review under 24 CFR part 50 and has notified Grantee in writing of environmental approval of the activities.

D. Following completion of the environmental review process, the Grantee (recipient) shall exercise oversight, monitoring, and enforcement as necessary to assure that decisions and mitigation measures adopted through the environmental review process are carried out during project development and implementation.

E. The Grantee must comply with the generally applicable HUD and CPD requirements in 24 CFR Part 5, subpart A, including all applicable fair housing, and civil rights requirements. If the Grantee is a Tribe or a Tribally Designated Housing Entity (TDHE) as established under 24 CFR 1000.206, the Grantee must comply with the nondiscrimination requirements in 24 CFR 1000.12 in lieu of the nondiscrimination requirements in 24 CFR 5.105(a). The Grantee must report data on the race, color, religion, sex, national origin, age, disability, and family characteristics of persons and households who are applicants for, participants in, or beneficiaries or potential beneficiaries of the Grantee's Project, consistent with the instructions and forms provided by HUD in order to carry out its responsibilities under the Fair Housing Act, Executive Order 11063, Title VI of the Civil Rights Act of 1964, and Section 562 of the Housing and Community Development Act of 1987 (e.g. HUD-27061).

F. The Grantee must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 CFR part 200, as may be amended from time to time. If 2 CFR part 200 is amended to replace or renumber sections of part 200 that are cited specifically in this Grant Agreement, the part 200 requirements as renumbered or replaced by the amendments will govern the obligations of HUD and the Grantee after those amendments become effective.

G. The Grantee must comply with the Award Term in Appendix A to 2 CFR Part 25 ("System for Award Management and Universal Identifier Requirements") and the Award Term in Appendix A to 2 CFR Part 170 ("Reporting Subawards and Executive Compensation"), which are hereby incorporated into and made part of this Grant Agreement.

H. If the Total Grant Amount, as provided in Article II of this Grant Agreement, is greater than $500,000, the Grantee must comply with the Award Term and Condition for Grantee Integrity and Performance Matters in Appendix 4 to this Grant Agreement.

I. Unless the Grantee is exempt from the Byrd Amendment as explained below, the Grantee must comply with the provisions of Section 319 of Public Law 101-121, 31 U.S.C. 1352, (the Byrd Amendment) and 24 CFR Part 87, which prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal Government in connection with a specific contract, grant, loan, or cooperative agreement. The Grantee must include in its award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements), the requirements for the certification required by Appendix A to 24 CFR Part 87 and for disclosure using Standard Form- LLL (SF-LLL), "Disclosure of Lobbying Activities." In addition, the Grantee must obtain the executed certification required by Appendix A and an SF-LLL from all covered persons. "Person" is as defined by 24 CFR Part 87. Federally recognized Indian tribes and TDHEs established by Federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment. State-recognized Indian tribes and TDHEs established only under state law must comply with this requirement.

J. The Grantee must comply with drug-free workplace requirements in Subpart B of 2 CFR Part 2429, which adopts the governmentwide implementation (2 CFR Part 182) of sections 5152-5158 of the Drug-Free Workplace Act of 1988, Pub. L. 100-690, Title V, Subtitle D (41 U.S.C. 701-707).

K. The Grantee must comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) as implemented by regulations at 49 CFR Part 24. The URA applies to acquisitions of real property and relocation occurring as a direct result of the acquisition, rehabilitation, or demolition of real property for Federal or Federally funded programs or projects. Real property acquisition that receives Federal financial assistance for a program or project, as defined in 49 CFR 24.2, must comply with the acquisition requirements contained in 49 CFR part 24, subpart B. Unless otherwise specified in law, the relocation requirements of the URA and its implementing regulations at 49 CFR part 24, cover any displaced person who moves from real property or moves personal property from real property as a direct result of acquisition, rehabilitation, or demolition for a program or project receiving HUD financial assistance

L. If Grant Funds are used for purchase, lease, support services, operation, or work that may disturb painted surfaces, of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead- based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA's lead- based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

M. The Grantee must comply with Section 3 of the Housing and Urban Development Act of 1968 (Section 3), 12 U.S.C. 1701u, and HUD's regulations at 24 CFR part 75, as applicable, including the reporting requirements in 24 CFR 75.25. Grants made to Tribes and TDHEs are subject to Indian Preference requirements in Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5307(b)). As stated in 24 CFR 75.3(c), grants to Tribes and TDHEs are subject to Indian Preference requirements in lieu of Section 3. Grantees that are not exempt from Section 3 must submit annual reports of Section 3

accomplishment Performance Measures in DRGR in January of the calendar year. This report reflects Section 3 accomplishments for the previous calendar year.

N. The Grantee must not use any Grant Funds to support any Federal, state, or local project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use. Public use includes use of funds for mass transit, railroad, airport, seaport, or highway projects, and utility projects which benefit or serve the general public (including energy-related, communication-related, water-related, and waste water-related infrastructure), other structures designated for use by the general public or with other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownfields, as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107-118). Public use does not include economic development that primarily benefits private entities.

O. The Grantee must not use any Grant Funds to maintain or establish a computer network that does not block the viewing, downloading, and exchanging of pornography. This requirement does not limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

P. The Grantee must administer its Grant Funds in accordance with the Conflict of Interest requirements set forth in Appendix 6 of this Grant Agreement.

Q. The Grantee must comply with the governmentwide debarment and suspension requirements in 2 CFR part 180 as incorporated and supplemented by HUD's regulations at 2 CFR part 2424.

R. The Grantee must comply with the award term and condition regarding trafficking in persons in Appendix 7 of this Grant Agreement.

S. The assurances and certifications the Grantee has made and submitted to HUD are incorporated by this reference and made part of this Grant Agreement.

ARTICLE V. Drawdown Requirements

A. The Grantee may not draw down Grant Funds until HUD has received and approved any certifications and disclosures required by 24 CFR 87.100 concerning lobbying, if applicable.

B. The Grantee must use HUD's Disaster Recovery Grant Reporting (DRGR) system to draw down Grant Funds and report to HUD on activities.

C. The Grantee must enter activity and budget information in DRGR that is consistent with the Grantee's Project and Approved Budget as described in Article III, sections A and B of this Grant Agreement and complies with HUD's instructions for entering information in DRGR found in the document titled "Grant Award Instructions" that accompanies the Grant Agreement.

D. The Grantee must only enter activities in DRGR that are described in the Approved Budget.

E. The Grantee must expend all Grant Funds in accordance with the activity and budget information in DRGR.

F. Each drawdown of Grant Funds constitutes a representation by the Grantee that the funds will be used in accordance with this Grant Agreement.

G. The Grantee must use DRGR to track the use of program income and must report the receipt and use of program income in the reports the Grantee submits to HUD under Article VI of this Grant Agreement. The Grantee must expend program income before drawing down Grant Funds through DRGR.

H. Notwithstanding any other provision of this grant agreement, HUD will not be responsible for payment of any Grant Funds after the date Treasury closes the account in accordance with 31 U.S.C. § 1552. Because Treasury may close the account up to one week before the September 30 date specified by 31 U.S.C. § 1552, the Grantee is advised to make its final request for payment under the grant no later than September 15, 2031.

ARTICLE VI. Program-Specific Reporting Requirements

In addition to the general reporting requirements that apply under other provisions of this Agreement, the following program-specific reporting requirements apply to the Grantee:

A. The Grantee must submit a performance report in DRGR on a semi-annual basis and must include a completed Federal financial report as an attachment to each performance report in DRGR. Performance reports shall consist of a narrative of work accomplished during the reporting period. During the Period of Performance, the Grantee must submit these reports in DRGR no later than 30 calendar days after the end of the 6-month reporting period. The first of these reporting periods begins on the first of January or June (whichever occurs first) after the date this Grant Agreement is signed by HUD.

B. The performance report must contain the information required for reporting program performance under 2 CFR 200.329(c)(2) and (d), including a comparison of actual accomplishments to the objectives of the Project as described in Article III, section A of this Grant Agreement, the reasons why established goals were not met, if appropriate, and additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

C. Financial reports must be submitted using DRGR or such future collections HUD may require and as approved by OMB and listed on the Grants.gov website (https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html).

D. The performance and financial reports will undergo review and approval by HUD. If a report submission is insufficient, HUD will reject the report in DRGR and identify the corrections the Grantee must make.

E. No drawdown of funds will be allowed through DRGR while the Grantee has an overdue performance or financial report.

F. The Grantee must report and account for all property acquired or improved with Grant Funds as provided by 2 CFR part 200 using the applicable common forms approved by OMB and provided on the Grants.gov website (https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html). This reporting obligation includes submitting status reports on real property at least annually as provided by 2 CFR 200.330, accounting for real and personal property acquired or improved with Grant Funds as part of Project Closeout, and promptly submitting requests for disposition instructions as provided by 2 CFR 200.311(c), 200.313(e), and 200.314(a).

ARTICLE VII. Project Closeout

A. The grant will be closed out in accordance with 2 CFR part 200, as may be amended from time to time, except as otherwise specified in this Grant Agreement.

B. The Grantee must submit to HUD a written request to closeout the grant no later than 30 calendar days after the Grantee has drawn down all Grant Funds and completed the Project as described in Article III, section A of this Grant Agreement. HUD will then send the Closeout Agreement and Closeout Certification to the Grantee.

C. At HUD's option, the Grantee may delay initiation of project closeout until the resolution of any findings as a result of the review of semi-annual activity reports in DRGR. If HUD exercises this option, the Grantee must promptly resolve the findings.

D. The Grantee recognizes that the closeout process may entail a review by HUD to determine compliance with the Grant Agreement by the Grantee and all participating parties. The Grantee agrees to cooperate with any HUD review, including reasonable requests for on-site inspection of property acquired or improved with Grant Funds.

E. No later than 120 calendar days after the Period of Performance, Grantees shall provide to HUD the following documentation:

1. A Certification of Project Completion.

2. A Grant Closeout Agreement.

3. A final financial report giving the amount and types of project costs charged to the grant (that meet the allowability and allocability

requirements of 2 CFR part 200, subpart E); a certification of the costs; and the amounts and sources of other project funds.

4. A final performance report providing a comparison of actual accomplishments with the objectives of the Project, the reasons for slippage if established objectives were not met and additional pertinent information including explanation of significant cost overruns.

5. A final property report, if specifically requested by HUD at the time of closeout.

ARTICLE VIII. Default

A default under this Grant Agreement shall consist of any use of Grant Funds for a purpose other than as authorized by this Grant Agreement, any noncompliance with statutory, regulatory, or other requirements applicable to the Grant Funds, any other material breach of this Grant Agreement, or any material misrepresentation in the Grantee's submissions to HUD in anticipation of this award. If the Grantee fails to comply with the terms and conditions of the Grant Agreement, HUD may adjust specific conditions of this Grant Agreement as described in 2 CFR part 200, as may be amended from time to time. If HUD determines that noncompliance cannot be remedied by imposing additional conditions, HUD may take one or more of the remedies for noncompliance described in 2 CFR part 200, as may be amended from time to time. HUD may also terminate all or a part of this award as provided by 2 CFR 200.340 and other applicable provisions of 2 CFR part 200, as may be amended from time to time. Nothing in this Grant Agreement shall be construed as creating or justifying any claim against the Federal government or the Grantee by any third party.

ARTICLE IX. HUD Contact Information

Except where this Grant Agreement specifically states otherwise, all requests, submissions, and reports the Grantee is required to make to HUD under this Grant Agreement must be made in writing via email to CPFGrants@hud.gov.

This agreement is hereby executed on behalf of the Grantee and HUD as follows:

GRANTEE

_____

(Name of Organization)

BY: _____
(Signature of Authorized Official)

_____
(Typed Name and Title of Authorized Official)

_____
(Date)

HUD

BY: _____
Robin J. Keegan,
Deputy Assistant Secretary for Economic Development

_____
(Date)

APPENDIX 1 – Project Narrative

The approved Project Narrative has been attached to the end of the grant agreement.

APPENDIX 2 – Approved Budget

The approved Budget has been attached to the end of the grant agreement.

APPENDIX 3 – Grantee's Indirect Cost Rate Information

Subject to the applicable requirements in 2 CFR part 200 (including its appendices), the Grantee will use an indirect cost rate as represented by the Grantee below:

☐ The Grantee will not use an indirect cost rate to charge its indirect costs to the grant.

☐ The Grantee will use the indirect cost rate(s) identified in the table below to charge its indirect costs to the grant.

Agency/Dept./Major Function	Indirect cost rate	Direct Cost Base
_____	_____%	_____
_____	_____%	_____

[PLEASE NOTE: The grantee must check one of the two boxes above. If the second box is checked, the corresponding table must be filled out as described below.

The table must include each indirect cost rate that will be used to calculate the Grantee's indirect costs under the grant. The table must also specify the type of direct cost base to which each included rate applies (for example, Modified Total Direct Costs (MTDC)). Do not include indirect cost rate information for subrecipients.

For government entities, enter each agency or department that will carry out activities under the grant, the indirect cost rate applicable to each department/agency (including if the de minimis rate is used per 2 CFR 200.414), and the type of direct cost base to which the rate will be applied.

For nonprofit organizations that use the Simplified Allocation Method for indirect costs or elects to use the de minimis rate of 10% of Modified Total Direct Costs in accordance with 2 CFR 200.414, enter the applicable indirect cost rate and type of direct cost base in the first row of the table.

For nonprofit organizations that use the Multiple Allocation Base Method, enter each major function of the organization for which a rate was developed and will be used under the grant, the indirect cost rate applicable to that major function, and the type of direct cost base to which the rate will be applied.]

APPENDIX 4 –
Award Term and Condition for Grantee Integrity and Performance Matters

Reporting of Matters Related to Grantee Integrity and Performance

1. General Reporting Requirement
If the total value of the Grantee's currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then during that period of time the Grantee must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2. Proceedings About Which Grantee Must Report
During any period of time when the Grantee is subject to the requirement in paragraph 1 of this award term and condition, the Grantee must submit the information required about each proceeding that:

a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government;

b. Reached its final disposition during the most recent five-year period; and

c. Is one of the following:

(1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition;

(2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more;

(3) An administrative proceeding, as defined in paragraph 5. of this award term and condition, that resulted in a finding of fault and liability and the Grantee's payment of either a monetary fine or penalty of $5,000 or more or reimbursement, restitution, or damages in excess of $100,000; or

(4) Any other criminal, civil, or administrative proceeding if:

(i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;

(ii) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on the Grantee's part; and

(iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting Procedures
During any period of time when the Grantee is subject to the requirement in paragraph 1 of this award term and condition, the Grantee must enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. The Grantee does not need to submit the information a second time under assistance awards that the Grantee received if the Grantee already provided the information through SAM because the Grantee was required to do so under Federal procurement contracts that the Grantee was awarded.

4. Reporting Frequency
During any period of time when the Grantee is subject to the requirement in paragraph 1 of this award term and condition, the Grantee must report proceedings information through SAM for the most recent five-year period, either to report new information about any proceeding(s) that the Grantee has not reported previously or affirm that there is no new information to report. If the Grantee has Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than $10,000,000, the Grantee must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. Definitions
For purposes of this award term and condition:

a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables.

b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently active grants, cooperative agreements, and procurement contracts includes—

(1) Only the Federal share of the funding under any Federal award with a cost share or match requirement; and

(2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

APPENDIX 5 – Specific Award Conditions
NONE.

APPENDIX 6 – Conflict of Interest Requirements

1. *Conflicts Subject to Procurement Regulations.* When procuring property or services, the grantee and its subrecipients shall comply with the applicable conflict-of-interest rules in 2 CFR 200.317 and 2 CFR 200.318(c). In all cases not governed by 2 CFR 200.317 and 2 CFR 200.318(c), the Grantee and its subrecipients must follow the requirements contained in paragraphs 2-5 below.

2. *General prohibition*. No person who is an employee, agent, consultant, officer, or elected or appointed official of the Grantee or subrecipient and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have a financial interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has immediate family or business ties, during his or her tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including a stepchild), sibling (including a stepsibling), grandparent, grandchild, and in-laws of a covered person.

3. *Exceptions*. HUD may grant an exception to the general prohibition in paragraph (ii) upon the Grantee's written request and satisfaction of the threshold requirements in paragraph (iv), if HUD determines the exception will further the Federal purpose of the award and the effective and efficient administration of the Grantee's Project, taking into account the cumulative effects of the factors in paragraph (v).

4. *Threshold requirements for exceptions*. HUD will consider an exception only after the Grantee has provided the following documentation:

> *a.* A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how that disclosure was made; and
>
> *b.* An opinion of the Grantee's attorney that the interest for which the exception is sought would not violate state or local law.

5. *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the Grantee has satisfactorily met the threshold requirements in paragraph (iii), HUD will consider the cumulative effect of the following factors, where applicable:

> *a.* Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
>
> *b.* Whether an opportunity was provided for open competitive bidding or negotiation;
>
> *c.* Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception

will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;

d. Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process regarding the assisted activity in question;

e. Whether the interest or benefit was present before the affected person was in a position as described in paragraph (ii);

f. Whether undue hardship will result either to the Grantee or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and

g. Any other relevant considerations.

6. *Disclosure of potential conflicts of interest.* The Grantee must disclose in writing to HUD any potential conflict of interest.

APPENDIX 7 – Award Term and Condition Regarding Trafficking in Persons

The following award term and condition, which is required by 2 CFR part 175, applies as written:

a. Provisions applicable to a grantee that is a private entity.

1.You as the grantee, your employees, subrecipients under this award, and subrecipients' employees may not—

i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;

ii. Procure a commercial sex act during the period of time that the award is in effect; or

iii. Use forced labor in the performance of the award or subawards under the award.

2.We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity:

i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or

ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—

A. Associated with performance under this award; or

B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by HUD at 2 CFR 2424.

b. Provision applicable to a grantee other than a private entity.
We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or

2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either:

i. Associated with performance under this award; or

ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by HUD at 2 CFR 2424.

c. Provisions applicable to any grantee.

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.

2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:

i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and

ii. Is in addition to all other remedies for noncompliance that are available to us under this award.

3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

d. Definitions. For purposes of this award term:

1."Employee" means either:

i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or

ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.

2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

3. “Private entity”:

i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.

ii. Includes:

A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).

B. A for-profit organization.

4. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

APPENDIX 1 – Project Narrative – Construction of a Roadway Between Sebring Parkway, SR-17, and Arbuckle Creek Road

The project is the *Construction of a Roadway Between Sebring Parkway, SR-17, and Arbuckle Creek Road. The project's purpose is to consolidate three (3) intersections into one (1) single intersection to improve east-west traffic movement, efficiency, and safety.* This project will provide a more direct connection between the Sebring Parkway, SR-17, and Arbuckle Creek Road (see Figure 1 – Appendix 1 Project Narrative); and provide improved access to other facilities such as US 98 (via Arbuckle Creek Road) and US 27 while also connecting regional services such as the Highlands County Landfill.

The proposed new roadway is to be built on existing County lands. To ensure that any funding received from HUD is used in accordance with the National Environmental Policy Act (NEPA). The County is proposing to use 100 percent of the HUD Economic Development Initiative Grant B-23-CP-FL-0431 to determine if said County lands are suitable for the proposed project and purpose of consolidating three (3) intersections into one (1) single intersection improving east-west traffic movement, efficiency, and safety. Governing conditions for the NEPA Study for the roadway shall be in accordance with all applicable Federal Criteria.

The project is proposed to be delivered in three (3) phases. *100 percent of HUD Economic Development Initiative Grant B-23-CP-FL-0431 is to be used as described to deliver Phase 1 – Planning.* Subsequent project phases and expenditures are summarized below (Phase 2 – Final Design and Right-of-Way Acquisition and Phase 3 – Conventional Design Bid-Build execution of Phase 2 Final Plans). Figure 2 – Appendix 1 – Project Narrative provides the overall project schedule.

The three project phases are:

1. Phase 1 - *Planning (to include NEPA certification, e.g., 100 percent of HUD Economic Development Initiative Grant B-23-CP-FL-0431),* preliminary engineering (30 to 45 percent) plans and all necessary permitting. It is anticipated that the Class of Action for this Project (under FHWA NEPA criteria would be a Type 2 Categorical Exclusion (CE2). The cost of Phase 1 is estimated to be 23 percent (23%) of the total project. *HUD Economic Development Initiative Grant B-23-CP-FL-0431 is to be used exclusively in this process.* Proposed execution date is Fall 2023. *Proposed completion date is Winter 2026.*
2. Phase 2 – Final Design and Right-of-Way Acquisition. Based on the analysis as performed in Phase 1, the County will complete final design and any additional Right-of-Way acquisition based on the NEPA evaluation conducted during Phase 1. It is anticipated that the design and any additional Right-of-Way needs will cost approximately 12 percent (12%) of the total budget for the project. Any additional Rights-of-Way shall be acquired in accordance with "The Uniform Relocation Assistance and Real Property Acquisition Policies Act (of 1970)". Proposed execution for Phase 2 is Winter 2026 with proposed completion by Winter of 2029.
3. Phase 3 – Conventional Design-Bid-Build execution of Phase 2 final plans. Phase 3 is the construction phase and is estimated to be sixty-three percent (63%) of total project cost. Proposed execution Spring 2029. Construction commencement Summer 2029 and completion Spring 2032.

APPENDIX 1 – Project Narrative – Construction of a Roadway Between Sebring Parkway, SR-17, and Arbuckle Creek Road

Highlands County proposes to use HUD Economic Development Initiative Grant B-23-CP-FL-0431 to perform all elements of Phase 1 – Planning. In accordance with 24 CFR 58.34(a)(1) all activities utilizing these funds would be Exempt and part of HUD's FY 22 or 23 HUD Part 50 Nationwide ERR for CPF Soft Costs. *The total award amount of $1,100,000 will be applied to the environmental clearance and preliminary plans preparation for the project.* The $1,100,00 HUD Grant Number B-23-CP-FL-0431represents approximately 23% of the total project budget of $4,772,893.

Highlands County, FL, and the Florida Department of Transportation (FDOT) are contributing approximately $3,672,893 (split equally) for any additional Right-of-Way, final engineering, and construction costs. It is estimated that any Right-of-Way and final design costs will be $585,000 (approximately 12% of total costs) and the remaining $3,087,893 will be used for construction, and construction inspection services (CEI).

Highlands County, FL and FDOT Funds are programmed for FDOT Fiscal Year 2026 (which is calendar Year July 1, 2025 to June 30, 2026). The FDOT Project Financial ID Number is 449676-1.

The total project budget and phase budgets (including the amount used for HUD Grant Number B-23-CP-FL-0431) are shown in Figures 3 and 4 – Appendix 2 – Approved Budget, respectively.

Figure 1 – Appendix 1 – Project Narrative – Conceptual Roadway Alignment for Construction of a Roadway Between Sebring Parkway, SR-17, and Arbuckle Creek Road

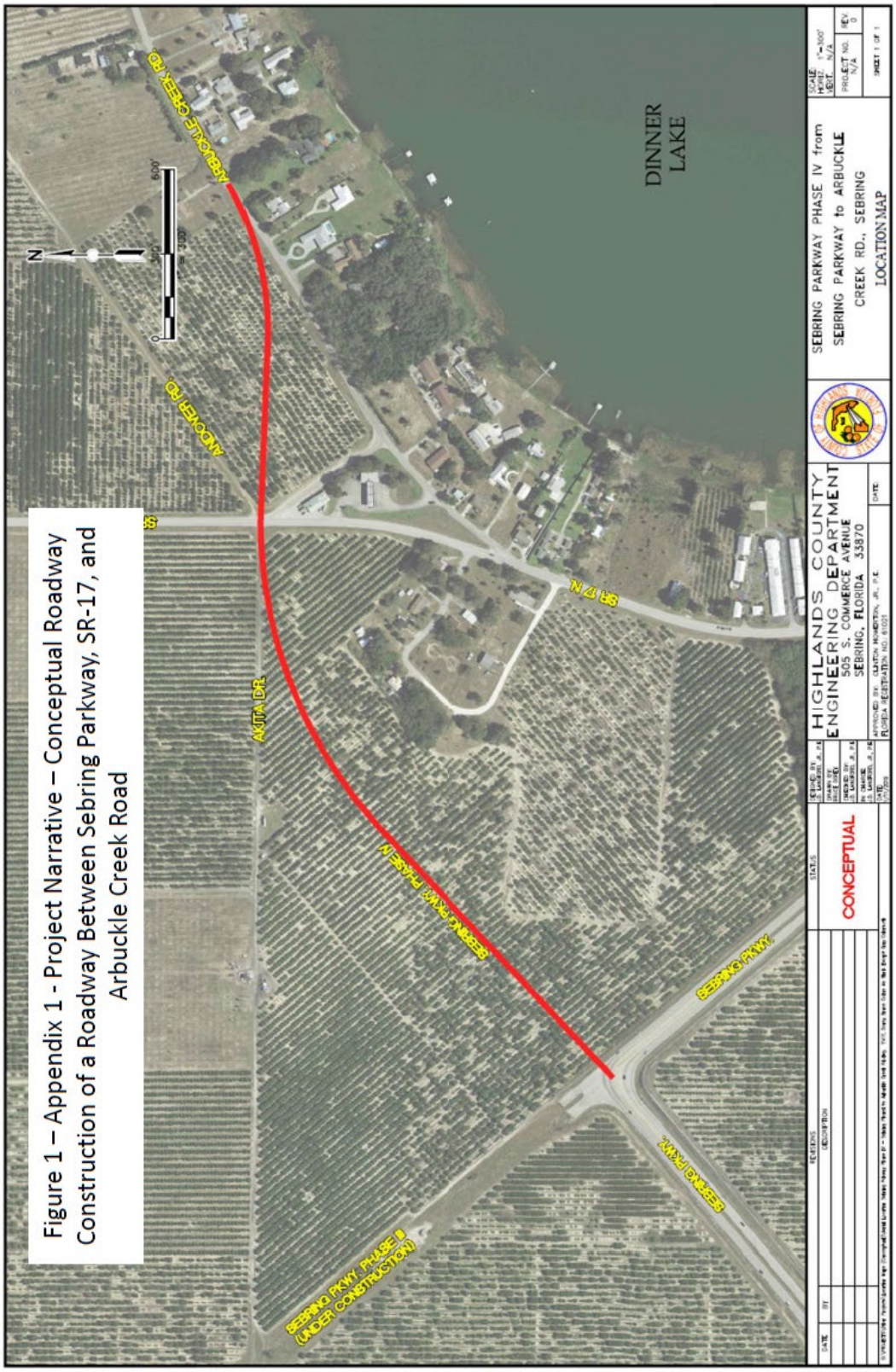
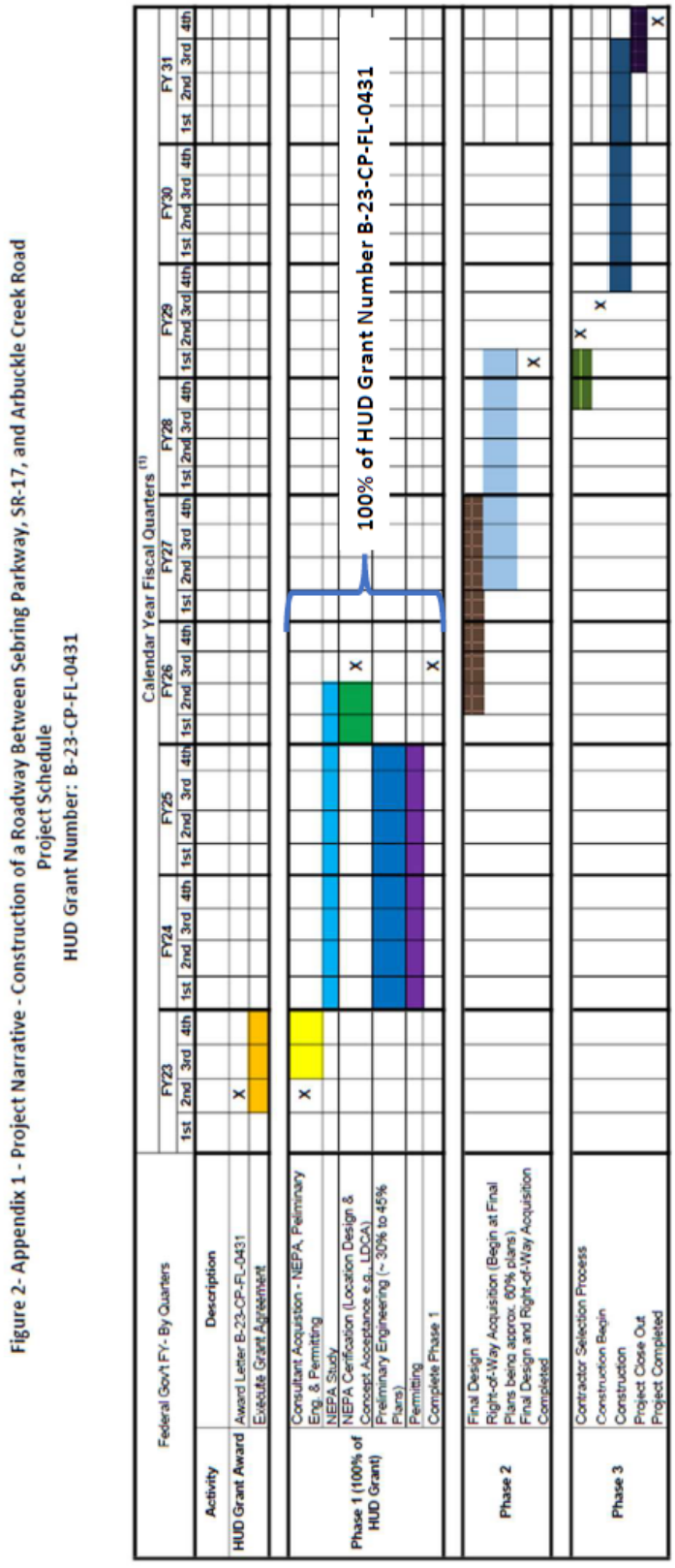


Figure 2 – Appendix 1 – Project Schedule for Construction of a Roadway Between Sebring Parkway, SR-17, and Arbuckle Creek Road



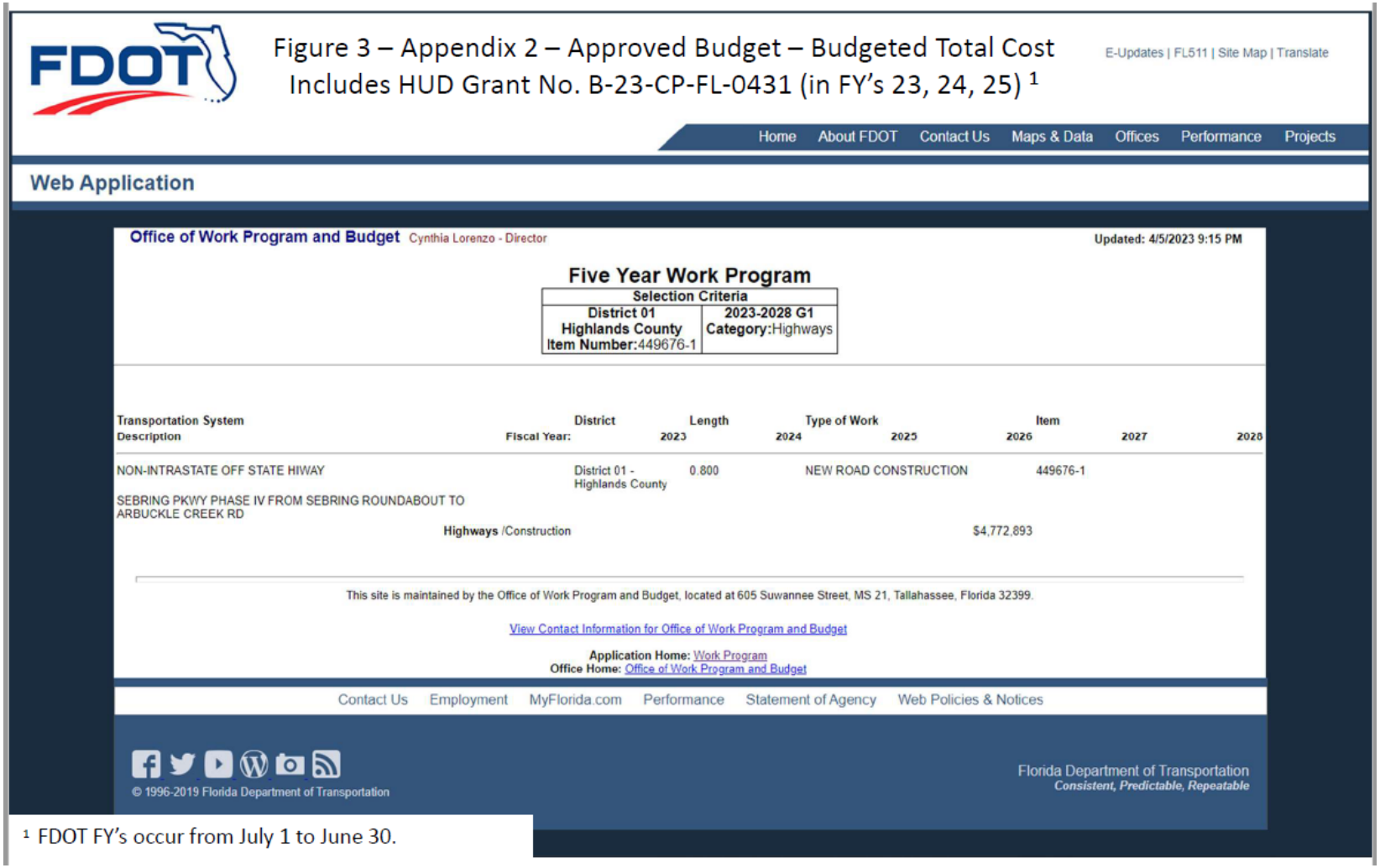


Figure 3 – Appendix 2 – Approved Budget – Budgeted Total Cost Includes HUD Grant No. B-23-CP-FL-0431 for Construction of a Roadway Between Sebring Parkway, SR-17, and Arbuckle Creek Road

Figure 4 – Appendix 2 – Approved Budget – Project Budget for Construction of a Roadway Between Sebring Parkway, SR-17, and Arbuckle Creek Road

Figure 4 - Appendix 2 - Approved Budget - Construction of a Roadway Between Sebring Parkway, SR-17, and Arbuckle Creek Road

Project Budget

HUD Grant Number: B-23-CP-FL-0431

Fiscal Year	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	FY34
ACTIVITY												
Phase 1 - Preliminary (100% of HUD Grant)												
Acquisition			$1,100,00.00									
NEPA												
Preliminary Engineering												
Permitting												
Phase 2 - Final												
Engineering				$585,000								
Right-of-Way												
Phase 3 - Construction												
Constructor Acquisition												
Construction								$3,087,893				
Close Out												

100% of HUD Grant Number B-23-CP-FL-0431

(1)The first federal quarter of the year is January 1 to March 31. The second federal quarter of the year is April 1 to June 30. The third federal quarter of the year is July 1 to September 30. The fourth and final federal quarter of the year is October 1 to December 31.
For example, the United States government Fiscal Year 2023 is:
1st quarter: 1 October 2022 – 31 December 2022.
2nd quarter: 1 January 2023 – 31 March 2023.
3rd quarter: 1 April 2023 – 30 June 2023.
4th quarter: 1 July 2023 – 30 September 2023.

REVIEWED
O.M.B DEPARTMENT
July 5, 2023
BOARD OF COUNTY COMMISSIONERS
HIGHLANDS COUNTY FLORIDA

BOARD OF COUNTY COMMISSIONERS

BUDGET AMENDMENTS
(Transfers over $5,000 require Board approval)

DATE: **6/29/2023** SUBMITTED BY: **JD Langford, P.E., County Engineer**

FUND(S): **151** FUND TITLE(S): **Infrastructure Surtax** COST CENTER(S) #: **4102A**

PROJECT(S) #: **21044** PROJECT TITLE(S): **Sebring Parkway Phase IV** COST CENTER TITLE(S): **Transportation Projects**
*list additional cost centers on reverse side of form

TYPE	FUND	COST CENTER	ACCOUNT	ACCOUNT NAME	ACTIVITY	BUDGET	INCREASE	DECREASE	REVISED BUDGET
R	**151**		**3315200Z**	**Economic Environment Community Projects**	**21044**	**0.00**	**1,100,000.00**		**1,100,000.00**
E	**151**	**4102A**	**56301Z**	**Project Capital Infrastructure**	**21044**	**0.00**	**1,100,000.00**		**1,100,000.00**
									0.00
									0.00

REASON: **This budget amendment is necessary to appropriate grant funds from the Department of Housing and Urban Development (HUD) to Fund 151 (Infrastructure Surtax Fund), Cost Center 4102A, Account 56301Z (Project Capital Infrastructure) to fund the project.**

OFFICE USE ONLY

OMB RECOMMENDATION:

_____ Approval

_____ Denial

REQUEST # **22-23-120**

ACTION:
Board _____ Approved _____ Denied
County Administrator _____ Approved _____ Denied

SIGNATURE: _____

DATE: ____/____/____

TRANSFER TYPE:

_____ ITEM TO ITEM
_____ RESERVE
XX BY RESOLUTION
_____ SUPPLEMENTAL BUDGET

Signature: _____

Posted by Clerk: _____

RESOLUTION NO. 22-23-138

A RESOLUTION OF HIGHLANDS COUNTY, FLORIDA PERTAINING TO BUDGET AMENDMENT 22-23-120 TO THE INFRASTRUCTURE SURTAX FUND; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF BUDGET AMENDMENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Section 129.06, (Execution and Amendment of Budget) provides that the Board of County Commissioners may by resolution amend its budget; and

WHEREAS, Highlands County has determined that the following budget amendment is necessary and proper within the Infrastructure Surtax Fund.

NOW, THEREFORE, BE IT RESOLVED BY HIGHLANDS COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. **Legislative Findings and Intent.** Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. **Approval of Budget Amendment.** Budget Amendment 22-23-120 is hereby approved and authorized to appropriate funding from United States Housing and Urban Development (HUD) for Project 21044 Sebring Parkway Phase IV in the amount of $1,100,000.

SECTION 3. **Implementation of Administrative Actions.** The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. **Savings Clause.** All prior actions of Highlands County pertaining to the budget amendment approved hereby, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. **Scrivener's Errors.** Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. **Conflicts.** All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. **Severability.** If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 18th day of July 2023.

HIGHLANDS COUNTY, FLORIDA

By:_____
Chris Campbell, Chairperson

ATTEST:

_____
Jerome Kaszubowski, Clerk of Court

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER:	**Ingra Gardner, Director of Community Programs** **Lucy Castillo, Housing Coordinator**
SUBJECT/TITLE:	**Request approval of financial commitment in the amount of $340,000 to be considered Local Government contribution for the proposed Avon Park Apartments, an affordable 80-unit multi-family rental development, located at 911 W. State Street, Avon Park, Fl.**

STATEMENT OF ISSUE

Highlands County is facing an ever-increasing demand for affordable rental housing to provide shelter for a significant portion of its working resident population. The financial commitment of $340,000 will be considered Local Government contribution, in the form of a zero percent (0%) loan for the proposed Avon Park Apartments, located at 911 West State Street, Avon Park, Fl.
Avon Park Apartments will consist of eighty (80) units of rental apartments with forty (40) 2-bedroom units and forty (40) 3-bedroom units. Twelve of the units of the proposed development will be available for extremely- to very-low income residents at the 40% Area Median Income (AMI) level. Sixty-eight of the units of the proposed development will be available for very-low and low-income residents at the 60% AMI level.

RECOMMENDED ACTION

Move to approve and authorize Chair to execute Florida Housing Finance Corporations Local Government Verification of Contribution-Loan Form, providing local government financial commitment of $340,000 for the proposed Avon Park Apartments, an affordable 80-unit multi-family rental development, located at 911 W. State Street, Avon Park, Fl.

FISCAL IMPACT

The fiscal impact is the commitment of an expenditure from Fund 166 (SHIP) FY 22/23 adopted budget in the amount of $150,000 from the State Distribution - Account 54911Z (Special Needs/Rental Strategy) and $190,000 from the Program Income which are funds the SHIP program receives from clients that payback SHIP loans from prior years. Total of $340,000 from project 21366.

Attachments: Avon Park Apartments Pro Forma Site Plan 07.18.2023.pdf
Local-government-verification-of-contribution-loan-form_7182023.pdf
610 S FL Ave 911 W State St.pdf



For the best experience, open this PDF portfolio in Acrobat X or Adobe Reader X, or later.

Get Adobe Reader Now!

FLORIDA HOUSING FINANCE CORPORATION
LOCAL GOVERNMENT VERIFICATION OF CONTRIBUTION – LOAN FORM

Name of Development: Avon Park Apartments

Development Location: 610 South Florida Avenue and 911 West State Street, Avon Park, Florida
(At a minimum, provide the address number, street name and city, and/or provide the street name, closest designated intersection and either the city (if located within a city) or county (if located in the unincorporated area of the county). If the Development consists of Scattered Sites, the Development Location stated above must reflect the Scattered Site where the Development Location Point is located.)

The City/County of Highlands, commits $ 340,000.00 at face value, (which may be used as an FHFC Non-Corporation Funding Proposal in an Application for FHFC funding if it meets the required criteria) in the form of a reduced interest rate loan to the Applicant for its use solely for assisting the proposed Development referenced above.

Please note: In some competitive processes, Florida Housing will use the face value of the commitment minus the net present value of the commitment for scoring purposes. The net present value of the above-referenced loan, based on its payment stream, inclusive of a reduced interest rate and the designated discount rate (as stated in the applicable RFA) is: $340,000.00.

No consideration or promise of consideration has been given with respect to the loan. For purposes of the foregoing, the promise of providing affordable housing does not constitute consideration. The commitment for this loan must be effective as of the Application Deadline for the applicable RFA, and is provided specifically with respect to the proposed Development.

CERTIFICATION

I certify that the foregoing information is true and correct and that this commitment is effective at least through the date required in the applicable RFA.

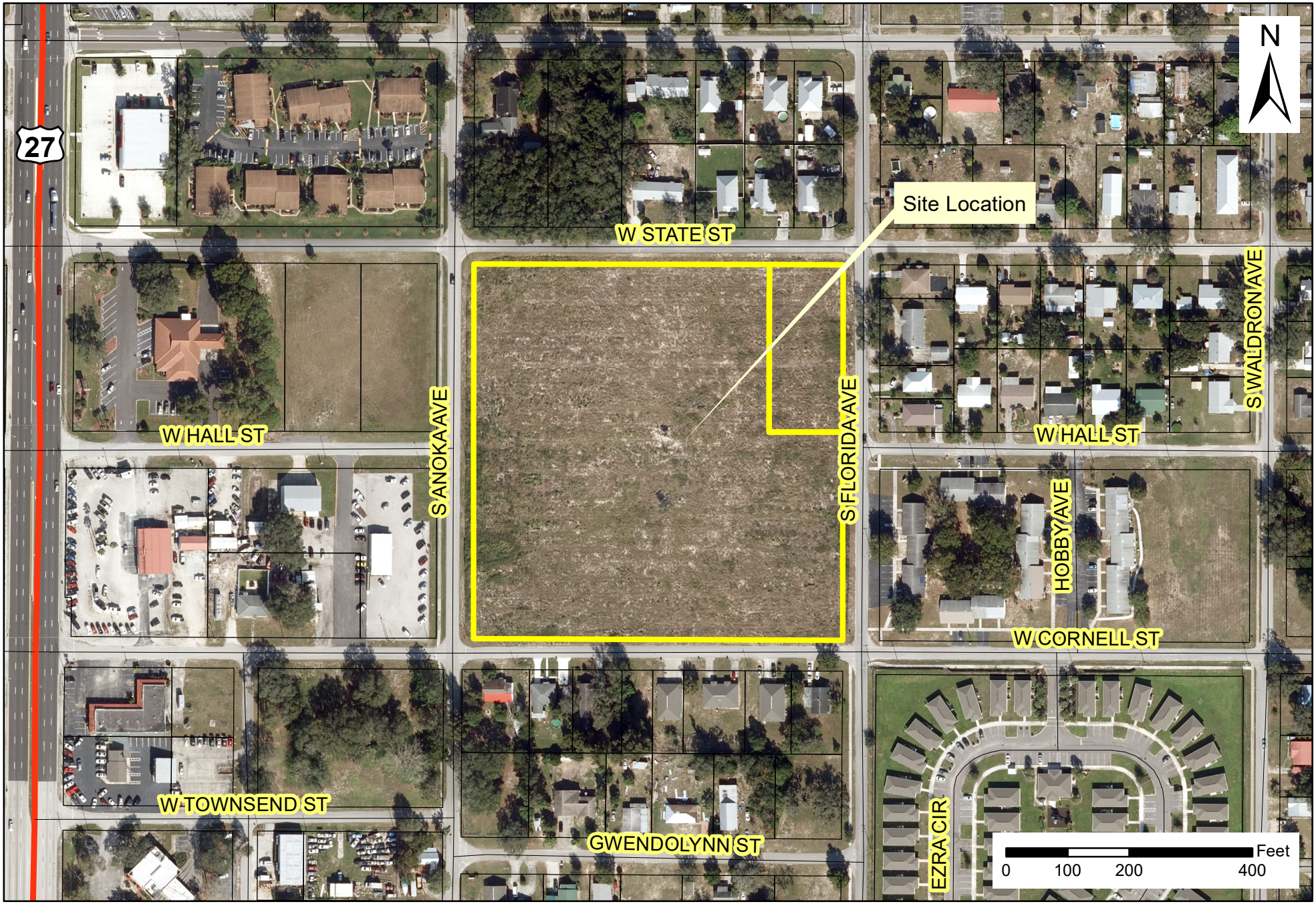
	Chris Campbell
Signature	Print or Type Name
Chairman, Highlands County Board of County Commissioners	July 18, 2023
Print or Type Title	Date Signed

NOTE TO LOCAL GOVERNMENT OFFICIAL: Additional information is set forth in the applicable Request for Application under which the Applicant is applying for funding for the above referenced Development.

This certification must be signed by the chief appointed official (staff) responsible for such approvals, Mayor, City Manager, County Manager /Administrator/Coordinator, Chairperson of the City Council/Commission or Chairperson of the Board of County Commissioners. If the contribution is from a Land Authority organized pursuant to Chapter 380.0663, Florida Statutes, this certification must be signed by the Chair of the Land Authority. One of the authorized persons named above may sign this form for certification of state, federal or Local Government funds initially obtained by or derived from a Local Government that is directly administered by an intermediary such as a housing finance authority, a community reinvestment corporation, or a state-certified Community Housing Development Organization (CHDO). Other signatories are not acceptable. The Applicant will not receive credit for this contribution if the certification is improperly signed. The amount of the contribution stated on this form must be a precise dollar amount and cannot include words such as estimated, up to, maximum of, not to exceed, etc.

If there are alterations made to this form that change the meaning of the form, the form will not be accepted.

(Form Rev. 07-2022)



Data Sources:
Highlands County BOCC
Highlands County ArcGIS
Highlands County Property Appraiser

Site Addresses:
610 South Florida Avenue
911 West State Street
Avon Park

Prepared by:
Highlands County
Development Services Department
Date Prepared: July 5, 2023

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **E. Laney Stearns, Public Safety Director**

SUBJECT/TITLE: **Request approval of Budget Amendment 22-23-125 to realign funding within Cost Center 5105 Ambulance Service.**

STATEMENT OF ISSUE

Realign funding to provide additional funding for Operating Supplies as well as Machinery & Equipment for the purchase of a Rescue Vehicle that was approved by the Board at the July 3rd meeting.

RECOMMENDED ACTION

Move to approve Budget Amendment 22-23-125 to realign funding within Cost Center 5105 Ambulance Service.

FISCAL IMPACT

The fiscal impact is a realignment of budgeted funds in the amount of $400,000. Funds are being moved from Regular Salaries & Wages to Operating Supplies (55200) and Machinery & Equipment (56400) in the amounts of $100,000 and $300,000, respectively, within cost center 5105.

Attachments: 22-23-125 EMS Add'l Realignment - Rescue Vehicle (BA).pdf

REVIEWED
O.M.B DEPARTMENT
July 11, 2023
BOARD OF COUNTY COMMISSIONERS
HIGHLANDS COUNTY FLORIDA

BOARD OF COUNTY COMMISSIONERS

BUDGET AMENDMENTS

(Transfers over $5,000 require Board approval)

DATE: **07.11.23** SUBMITTED BY: **Roxanna Taylor**

FUND(S): **005** FUND TITLE(S): **General** COST CENTER(S) #: **5105**

PROJECT(S) #: _____ PROJECT TITLE(S): _____ COST CENTER TITLE(S): **Ambulance Service 005**

*list additional cost centers on reverse side of form

TYPE	FUND	COST CENTER	ACCOUNT	ACCOUNT NAME	ACTIVITY	BUDGET	INCREASE	DECREASE	REVISED BUDGET
E	**005**	**5105**	**51200**	**Regular Salaries & Wages**		**3,567,150.00**		**400,000.00**	**3,167,150.00**
E	**005**	**5105**	**55200**	**Operating Supplies**		**475,885.06**	**100,000.00**		**575,885.06**
E	**005**	**5105**	**56400**	**Machinery & Equipment**		**233,219.00**	**300,000.00**		**533,219.00**
									0.00
									0.00
									0.00
									0.00

REASON: **To move funds from Regular Salaries & Wages to Operating Supplies to realign funding for items needed as well as Machinery & Equipment for the purchase of a Rescue Vehicle.**

OFFICE USE ONLY

OMB RECOMMENDATION:

_____ Approval

_____ Denial

REQUEST # **22-23-125**

ACTION:

Board _____ Approved _____ Denied

County Administrator _____ Approved _____ Denied

SIGNATURE: _____

DATE: ____ / ____ / ____

TRANSFER TYPE:

XX ITEM TO ITEM

_____ RESERVE

_____ BY RESOLUTION

_____ SUPPLEMENTAL BUDGET

Signature: _____

Posted by Clerk: _____

Form Revised 08/05/2020

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER: **Tanya Cannady, Business Services Director**

SUBJECT/TITLE: **Consider Statement of Legislative Intent to amend the Ordinance of Orange Villa Mobile Home Estates Special Benefit District to allow the amount of assessment to be adopted by Resolution.**

STATEMENT OF ISSUE

The Ordinance for Orange Villa Mobile Home Estates Special Benefit District was adopted March 6, 1979. The assessment amount is stated within the Ordinance and we are requesting to amend the ordinance to allow the amount of assessment to be adopted by Resolution following a public hearing of the Board of Supervisors, consistent with our current practices. The assessment revenue form the 44 property owners no longer covers the electricity costs for the street lights and the assessment needs to be increased.

RECOMMENDED ACTION

Give direction to staff.

FISCAL IMPACT

There is no fiscal impact.

Attachments:

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: Jul 18, 2023

PRESENTER: **Sherry G. Sutphen, County Attorney**

SUBJECT/TITLE: **County Attorney Status Report.**

STATEMENT OF ISSUE

Attached is a copy of the pending items on the County Attorney File Log as of July 5, 2023.

RECOMMENDED ACTION

None. This is being provided for informational purposes.

FISCAL IMPACT

There is no fiscal impact.

Attachments: Legal_Long_Range_Log.docx

Legal Department
Long-range Log

Priority	Matter	Notes
N/A	Employee Manual revisions	
N/A	Purchasing Policy revisions	
1	Hospital sale issues	
2, 7	Annexation issues with all cities (enclaves and roads)	
3, 8	Impact Fees and other funding mechanisms related to growth and infrastructure	
N/A	Revisions to organization of Advisory Boards and Committees	
2, 7	Joint Planning Agreements with cities	
N/A	Lincoln Heights Park	
N/A	Procedure/Policies on vacation of a right of way, roadway, easement, or a portion thereof, owned by the County.	
	Update to Administrative Code regarding confirmation of upper management positions	
	HL Bishop Park commercial water vessel RFLOI	
	Resolution authorizing County Administrator/Chairman to issue certain letters of support and grant applications	
	Various Assessment Resolutions for FY 23-24	
N/A	Update of all County policies which are not codified in a manual	

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: Jul 18, 2023

PRESENTER:	**Sherry G. Sutphen. County Attorney**
SUBJECT/TITLE:	**Resolution 22-23-124 approving the Railroad Reimbursement Agreement with the Florida Department of Transportation.**

STATEMENT OF ISSUE

On June 6, 2023 at a regular scheduled meeting, the Board approved Resolution 22-23-124 which included a scrivener's error in the Financial Project No. The error has been revised and filed.

RECOMMENDED ACTION

None. This is being provided as informational purposes only.

FISCAL IMPACT

There is no fiscal impact.

Attachments: RES. BOOK 34 PAGE 126 (1).pdf

RESOLUTION NO. 22-23-124

A RESOLUTION OF HIGHLANDS COUNTY, FLORIDA PERTAINING TO THE RAILROAD REIMBURSEMENT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), FINANCIAL PROJECT NO.: 451338-1-57-01; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF AGREEMENT AND AUTHORIZATION TO EXECUTE; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, FDOT is constructing, reconstructing or otherwise changing a portion of the Public Road System on Harris Drive, which crosses at grade the right of way and tracks of South-Central Florida Express, Inc.'s Milepost 894.48, FDOT/AAR Crossing Number 627635N, at or near Lake Placid, Florida, hereinafter referred to as the "Project"; and

WHEREAS, the County is responsible for fifty percent (50%) of the maintenance costs of the Project; and

WHEREAS, Highlands County has determined that it is in the best interest of the health, safety and welfare of the public to approve the Agreement, related to the Project, with FDOT (Financial Project No.: 451338-1-57-01).

NOW, THEREFORE, BE IT RESOLVED BY HIGHLANDS COUNTY, FLORIDA AS FOLLOWS:

SECTION 1. **Legislative Findings and Intent.** Highlands County has complied with all requirements and procedures of Florida law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. **Approval of Authorization to Execute.** The FDOT Railroad Reimbursement Agreement related to the Project (Financial Project No.: 451338-1-57-01), attached hereto as **Exhibit "A"**, is hereby approved and the Chairperson or Vice-Chairperson is authorized to execute the same on behalf of the County.

SECTION 3. **Implementation of Administrative Actions.** The County Administrator is hereby authorized and directed to take such action as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The County Administrator may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such County employees as deemed effectual and prudent.

SECTION 4. **Savings Clause.** All prior actions of Highlands County pertaining to FDOT Financial Project No.: 451338-1-57-01, approved hereby, as well as any and all matters relating thereto, are hereby ratified and affirmed consistent with the provisions of this Resolution.

SECTION 5. **Scrivener's Errors.** Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the County Administrator and County Attorney, may be corrected.

SECTION 6. **Conflicts.** All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 7. **Severability.** If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

SECTION 8. **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 6th day of June, 2023.

BOARD OF COUNTY COMMISSIONERS SEAL

HIGHLANDS COUNTY, FLORIDA

By: _____
Chris Campbell, Chairperson

ATTEST:

_____
Jerome Kaszubowski, Clerk of Court

Exhibit "A"

FDOT Railroad Reimbursement Agreement
Financial Project No.: 451338-1-57-01

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DocuSign Envelope ID: 5A3EE240-874B-4ED3-84E4-31BB11B5BC3E

DS
WKG

RAILROAD REIMBURSEMENT AGREEMENT
GRADE CROSSING TRAFFIC CONTROL DEVICES – COUNTY

FINANCIAL PROJECT NO.	ROAD NAME OR NUMBER	COUNTY NAME	PARCEL & R/W NUMBER	FAP NUMBER
451338-1-57-01	Harris Drive	Highlands	2 / 09500-SIGD	D123 026 B

THIS AGREEMENT, made and entered into this 22nd day of June, 2023, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the DEPARTMENT, and South Central Florida Express, Inc., a corporation organized and existing under the laws of Florida, with its principal place of business in the City of Clewiston, County of Hendry,
State of Florida, hereinafter called the COMPANY; and Highlands, County, a political subdivision of the State of Florida, acting by and through its Board of County Commissioners, hereinafter called the COUNTY.

WITNESSETH:

WHEREAS, the DEPARTMENT is constructing, reconstructing or otherwise changing a portion of the Public Road System, designated by the Financial Project ID 451338-1-57-01, on Harris Drive, which crosses at grade the right of way and tracks of the COMPANY'S Milepost 894.48, FDOT/AAR Crossing Number 627635N, at or near Lake Placid, Florida, as shown on DEPARTMENT'S Plan Sheet No. 1-3, attached hereto as a part hereof; and

NOW, THEREFORE, in consideration of the mutual undertakings as herein set forth, the parties hereto agree as follows:

1. The COMPANY shall furnish the necessary materials and install Automatic Grade Crossing Signals Type III Class III and/or other traffic control devices at said location on an actual cost basis and in accordance with the attached detailed statement of the work, plans, and specifications; and the Standard Plans Index 509-070 and 711-001, and the FDOT Design Manual (FDM), which is attached hereto and by reference made a part hereof.

2. After installation of said signals is completed, fifty (50%) percent of the expense thereof in maintaining the same shall be borne by the COUNTY and fifty (50%) percent shall be borne by the COMPANY, as enumerated by the Schedule of Annual Cost of Automatic Highway Grade Crossing Devices attached hereto and by this reference made a part hereof and subject to future revision.

3. After said signals have been installed and found to be in satisfactory working order by the parties hereto, the same shall be immediately put into service, operated and maintained by the COMPANY so long as said COMPANY or its successors or assigns shall operate the said signals at said grade crossing; or until it is agreed between the parties hereto that the signals are no longer necessary or until the said crossing is abandoned; or legal requirements occur which shall cease operation of signals thereat. The COMPANY agrees that any future relocation or adjustment of said signals shall be performed by the COMPANY, but at the expense of the party initiating such relocation. Upon relocation the maintenance responsibilities shall be in accordance with the provisions of this agreement. It is further agreed that the cost of maintaining any additional or replacement signal equipment at the same location will be shared as provided under Paragraph 2. above.

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RAILROAD REIMBURSEMENT AGREEMENT
GRADE CROSSING TRAFFIC CONTROL DEVICES – COUNTY

FINANCIAL PROJECT NO.	ROAD NAME OR NUMBER	COUNTY NAME	PARCEL & R/W NUMBER	FAP NUMBER
451338-1-57-01	Harris Drive	Highlands	2 / 09500-SIGD	D123 026 B

THIS AGREEMENT, made and entered into this 22.00 day of June, 23.00, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the DEPARTMENT, and South Central Florida Express, Inc., a corporation organized and existing under the laws of Florida, with its principal place of business in the City of Clewiston, County of Hendry, State of Florida, hereinafter called the COMPANY; and Highlands, County, a political subdivision of the State of Florida, acting by and through its Board of County Commissioners, hereinafter called the COUNTY.

WITNESSETH:

WHEREAS, the DEPARTMENT is constructing, reconstructing or otherwise changing a portion of the Public Road System, designated by the Financial Project ID 451338-1-57-01, on Harris Drive, which crosses at grade the right of way and tracks of the COMPANY'S Milepost 894.48, FDOT/AAR Crossing Number 627635N, at or near Lake Placid, Florida, as shown on DEPARTMENT'S Plan Sheet No. 1-3, attached hereto as a part hereof; and

NOW, THEREFORE, in consideration of the mutual undertakings as herein set forth, the parties hereto agree as follows:

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2. After installation of said signals is completed, fifty (50%) percent of the expense thereof in maintaining the same shall be borne by the COUNTY and fifty (50%) percent shall be borne by the COMPANY, as enumerated by the Schedule of Annual Cost of Automatic Highway Grade Crossing Devices attached hereto and by this reference made a part hereof and subject to future revision.

3. After said signals have been installed and found to be in satisfactory working order by the parties hereto, the same shall be immediately put into service, operated and maintained by the COMPANY so long as said COMPANY or its successors or assigns shall operate the said signals at said grade crossing; or until it is agreed between the parties hereto that the signals are no longer necessary or until the said crossing is abandoned; or legal requirements occur which shall cease operation of signals thereat. The COMPANY agrees that any future relocation or adjustment of said signals shall be performed by the COMPANY, but at the expense of the party initiating such relocation. Upon relocation the maintenance responsibilities shall be in accordance with the provisions of this agreement. It is further agreed that the cost of maintaining any additional or replacement signal equipment at the same location will be shared as provided under Paragraph 2. above.

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4. Unless otherwise agreed upon herein, the COUNTY agrees to ensure that at the crossing the advancewarning signs and railroad crossing pavement markings will conform to the U.S. Department of Transportation Manual on Uniform Traffic Control Devices within 30 days of notification that the railroad signal improvements have been completed and that such signs and pavement markings will be continually maintained at an acceptable level.

5. The COMPANY hereby agrees to install and/or adjust the necessary parts of its facilities along said road in accordance with the provisions set forth in the:

☐ (a) DEPARTMENT Procedure No. 725-080-002 Appendix D.4, and Rule 14.57.011 "Public Railroad-Highway Grade Crossing Costs", Florida Administrative Code.

☒ (b) Federal Highway Administration Federal-Aid Policy Guide, 23 C.F.R. Subchapter G, Part 646, Subpart B, and 23 C.F.R., Subchapter B, Part 140, Subpart I,

and any supplements thereto or revisions thereof, which, by reference hereto, are made a part hereof. The COMPANY further agrees to do all of such work, with its own forces or by a contractor paid under a contract let by the COMPANY, all under the supervision and approval of the DEPARTMENT and the Federal Highway Administration, when applicable.

6. The DEPARTMENT hereby agrees to reimburse the COMPANY for all costs incurred by it in the installation and/or adjustment of said facilities, in accordance with the provisions of Procedure No. 725-080-002 Appendix D-4 "Billing Requirements," and any supplements thereto or revisions thereof. It is understood and agreed by and between the parties hereto that preliminary engineering costs not incorporated within this agreement shall not be subject to payment by the DEPARTMENT.

7. Attached hereto, and by this reference made a part hereof, are plans and specifications of the work to be performed by the COMPANY pursuant to the terms hereof, and an itemized estimate of the cost thereof in the amount of $299,290. All work performed by the COMPANY pursuant hereto, shall be performed according to these plans and specifications as approved by the DEPARTMENT and the Federal Highway Administration if federal aid participating; and all subsequent plan changes shall likewise be approved by the DEPARTMENT and the Federal Highway Administration, when applicable.

8. All labor, services, materials, and equipment furnished by the COMPANY in carrying out the work to be performed hereunder shall be billed by the COMPANY direct to the DEPARTMENT. Separate records as to the costs of contract bid items and force account items performed for the COMPANY shall also be furnished by the COMPANY to the DEPARTMENT.

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RAILROAD REIMBURSEMENT AGREEMENT
GRADE CROSSING TRAFFIC CONTROL DEVICES – COUNTY

9. The COMPANY has determined that the method to be used in developing the relocation or installation cost shall be as specified for the method checked and described hereafter:

☒ (a) Actual and related indirect costs accumulated in accordance with a work order accounting procedure prescribed by the applicable Federal or State regulatory body.

☐ (b) Actual related indirect costs accumulated in accordance with an established accounting procedure developed by the COMPANY and approved by the DEPARTMENT.

☐ (c) An agreed lump sum $, as supported by a detail analysis of estimated cost attached hereto. (NOTE: This method is not applicable where the estimated cost of the proposed adjustment exceeds $100,000.)

10. The installation and/or adjustment of the COMPANY'S facility as planned ☐ will ☒ will not involve additional work over and above the minimum reimbursable requirements of the DEPARTMENT. (If upgrading and/or nonreimbursable work is involved at the option of the COMPANY, then credit against the cost of the project is required and will be governed by the method checked and described hereafter):

☐ (a) _____% will be applied to the final billing of work actually accomplished to determine required credit for (betterment) and/or (expired service life) and/or (nonreimbursable segments).

☐ (b) All work involving nonreimbursable segments will be performed by special COMPANY work or job order number apart and separate from the reimbursable portion of the work; such work or job order number to be ___ . The COMPANY further agrees to clearly identify such additional work areas in the COMPANY'S plans and estimates for the total work covered by this Agreement.

☐ (c) $ ___ credited for ☐ betterment ☐ expired service life ☐ nonreimbursable segments in accord with Article 9.(c) hereinabove.

11. It is specifically agreed by and between the DEPARTMENT and the COMPANY that the DEPARTMENT shall receive fair and adequate credit for any salvage which shall accrue to the COMPANY as a result of the above installation and/or adjustment work.

12. It is further agreed that the cost of all improvements made during this adjustment work shall be borne by the COMPANY, subject only to the DEPARTMENT bearing such portion of this cost as represents the cost of adjustment of previously existing facility, less salvage credit as set forth in the immediately preceding paragraph.

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13. Upon completion of the work the COMPANY shall, within one hundred eighty (180) days, furnish the DEPARTMENT with two (2) copies of its final and complete billing of all costs incurred in connection with the work performed hereunder, such statement to follow as closely as possible the order of the items contained in the estimate attached hereto. The totals for labor, overhead, travel expense, transportation, equipment, material and supplies, handling costs and other services shall be shown in such a manner as will permit ready comparison with the approved plans and estimates. Materials shall be itemized where they represent major components of cost in the relocation following the pattern set out in the approved estimate as closely as is possible. Salvage credits from recovered and replaced permanent and recovered temporary materials shall be reported in said bills in relative position with the charge for the replacement or the original charge for temporary use.

The final billing shall show the description and site of the Project; the date on which the first work was performed, or, if preliminary engineering or right-of-way items are involved, the date on which the earliest item of billed expense was incurred; the date on which the last work was performed or the last item of billed expense was incurred; and the location where the records and accounts billed can be audited. Adequate reference shall be made in the billing to the COMPANY'S records, accounts and other relevant documents. All cost records and accounts shall be subject to audit by a representative of the DEPARTMENT. Upon receipt of invoices, prepared in accordance with the provisions of the above indicated Reimbursement Policy, the DEPARTMENT agrees to reimburse the COMPANY in the amount of such actual costs as approved by the DEPARTMENT'S auditor.

14. Payment shall be made only after receipt and approval of goods and services unless advance payments are authorized by the DEPARTMENT's Comptroller under Section 334.044(29), F.S., or by the Department of Financial Services under Section 215.422(14), Florida Statutes (F.S.).

15. In accordance with Section 287.058, Florida Statutes, the following provisions are in this Agreement: If this Contract involves units of deliverables, then such units must be received and accepted in writing by the Contract Manager prior to payments. Bills for fees or other compensation for services or expenses shall be submitted in detail sufficient for a proper preaudit and postaudit thereof.

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16. Bills for travel expenses specifically authorized in this agreement shall be submitted and paid in accordance with DEPARTMENT Rule 14-57.011 "Public Railroad-Highway Grade Crossing Costs" and the Federal Highway Administration Federal-Aid Policy Guide, Subchapter B, Part 140, Subpart I "Reimbursement for Railroad Work."

17. In accordance with Section 215.422, Florida Statutes, the following provisions are in this Agreement: Contractors providing goods and services to the Department should be aware of the following time frames. Upon receipt, the Department has five (5) working days to inspect and approve the goods and services, unless the Agreement specifies otherwise. The Department has 20 days to deliver a request for payment (voucher) to the Department of Financial Services. The 20 days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved.

If a payment is not available within 40 days, a separate interest penalty at a rate as established pursuant to Section 215.422(3)(b), Florida Statutes, will be due and payable, in addition to the invoice amount, to the Contractor. Interest penalties of less than one (1) dollar will not be enforced unless the Contractor requests payment. Invoices which have to be returned to a Contractor because of Contractor preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department.

A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for contractors/vendors who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516 or by calling the Division of Consumer Services at 1-877-693-5236.

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18. In the event this contract is for services in excess of TWENTY FIVE THOUSAND DOLLARS ($25,000.00) and a term for a period of more than one year, the provisions of Section 339.135(6)(a), Florida Statutes, are hereby incorporated:

> The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the Comptroller of the Department that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of TWENTY FIVE THOUSAND DOLLARS ($25,000.00) and which have a term for a period of more than one year.

19. In accordance with Section 287.133 (2)(a), Florida Statutes, the following provisions are included in this Agreement:

> A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in s.287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

20. In accordance with Section 287.134(2)(a), Florida Statutes, the following provisions are included in this Agreement:

> An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity.

21. In accordance with Section 287.0582, Florida Statutes, the following provision is included in this Agreement:

> The Department's obligation to pay under this contract is contingent upon an annual appropriation by the Florida Legislature.

22. The COMPANY covenants and agrees that it will indemnify and hold harmless the DEPARTMENT and all of the DEPARTMENT'S officers, agents, and employees from any claim, loss, damage, cost charge, or expense arising out of any act, action, neglect, omission or delay by the COMPANY during the performance of the contract,

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whether direct or indirect, and whether to any person or property to which the DEPARTMENT or said parties may be subject, except that neither the COMPANY nor any of its sub-contractors will be liable under this section for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of the DEPARTMENT or any of its officers, agents, or employees.

23. COMPANY shall:

1. utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the COMPANY during the term of the contract; and

2. expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

3. use steel and iron manufactured in the United States, in accordance with the Buy America provisions of 23 CFR 635.410, as amended. Ensure that all manufacturing processes for this material occur in the United States. As used in this specification, a manufacturing process is any process that modifies the chemical content, physical shape or size, or final finish of a product, beginning with the initial melting and continuing through the final shaping and coating. If a steel or iron product is taken outside the United States for any manufacturing process, it becomes foreign source material. When using steel or iron materials as a component of any manufactured product (e.g., concrete pipe, prestressed beams, corrugated steel pipe, etc.), these same provisions apply. Foreign steel and iron may be used when the total actual cost of such foreign materials does not exceed 0.1% of the total Contract amount or $2,500, whichever is greater. These requirements are applicable to all steel and iron materials incorporated into the finished work but are not applicable to steel and iron items that the COMPANY uses but does not incorporate into the finished work. Submit a certification from the manufacturer of steel or iron, or any product containing steel or iron, stating that all steel or iron furnished or incorporated into the furnished product was produced and manufactured in the United States or a statement that the product was produced within the United States except for minimal quantities of foreign steel and iron valued at $ (actual cost). Submit each such certification to the Engineer prior to incorporating the material or product into the project. Prior to the use of foreign steel or iron materials on a project, submit invoices to document the actual cost of such material, and obtain the Engineer's written approval prior to incorporating the material into the project; and

4. comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964, the regulations of the U.S. Department of Transportation issued thereunder, and the assurance by the COMPANY pursuant thereto. The COMPANY shall include the attached Title VI / Nondiscrimination Assurance in all contracts with consultants and contractors performing work on the Project that ensure compliance with Title VI of the Civil Rights Act of 1964, 49 C.F.R. Part 21, and related statutes and regulations.

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24. It is understood and agreed by the parties to this Agreement that if any part, term, or provision of this Agreement is held illegal by the courts or in conflict with any law of the State of Florida, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

25. Any questions or matters arising under this Agreement as to validity, construction, enforcement, performance, or otherwise, shall be determined in accordance with the laws of the State of Florida. Venue for any action arising out of or in any way related to this Agreement shall lie exclusively in a state court of appropriate jurisdiction in Leon County, Florida.

26. The parties agree to bear their own attorney's fees and costs with respect to this Agreement.

27. The parties agree that this Agreement is binding on the parties, their heirs-at-law, and their assigns and successors in interest as evidenced by their signatures and lawful executions below.

28. A modification or waiver of any of the provisions of this Agreement shall be effective only if made in writing and executed with the same formality as this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers, the day and year first above written.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

DocuSigned by:
BY: _____ 06/22/2023 | 4:18 PM EDT
E4FD33AAA641427...
(TITLE: Director of Transportation Developement)

COMPANY: South Central Florida Express

DocuSigned by:
BY: Bob Lawson 06/22/2023 | 12:52 PM EDT
BF627DAA9E634F7...
(TITLE: _____)

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Highlands COUNTY, FLORIDA

BY: Chris Campbell

(TITLE: Chairman)

June 06, 2023

BOARD OF COUNTY COMMISSIONERS SEAL

DS DC

Legal Review:
DocuSigned by:
BY: Don Conway 06/22/2023 | 1:57 PM EDT
DOT Date

Approved as to Funds Available
BY: See Attached
Comptroller - DOT Date

Approved as to FAPG Requirements
BY: N/A
FHWA Date

DocuSign Envelope ID: 7B53EBFE-6F09-4767-8D0F-E86E6CE55B44

DocuSign Envelope ID: 5A3EE240-874B-4ED3-84E4-31BB11B5BC3E

FDOT

Florida Department of Transportation

RON DESANTIS
GOVERNOR

801 North Broadway
Bartow, Florida 33830

JARED W. PERDUE, P.E.
SECRETARY

MEMORANDUM

Date: January 27, 2023

To: L.K. Nandam, P.E., District Secretary

From: John M. Kubler, P.E., Director of Transportation Development

Copies: Greg Bowne, Melissa Slater, Nicole Mills, Abra Horne, Kevin Ingle

Subject: Delegation of Authority for John Kubler

Effective February 3, 2023, I will be serving as the Interim District Secretary for District One. During this period, Nicole Mills, P.E., Intermodal Systems Development Administrator will serve as the Interim Director of Transportation Development.

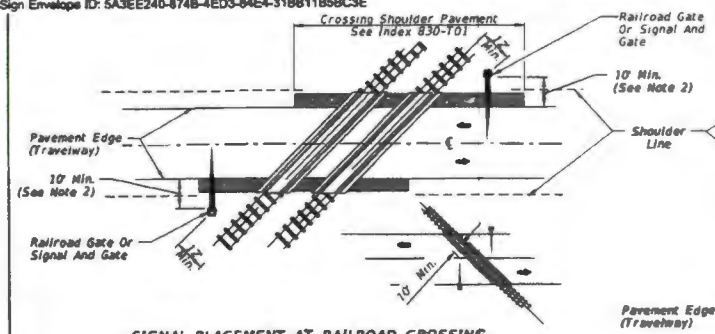
Therefore, I delegate Nicole Mills, P.E., as the Interim Director of Transportation Development, to act on behalf of the Director of Transportation Development and sign all documents except for Human Resources related items such as hire packages, telework agreements, etc. which I will retain in my court. Signature should be made "in your name for the Interim Director of Transportation Development".

This delegation will remain in effect from Friday, February 3, 2023 through May 31, 2023, unless rescinded.

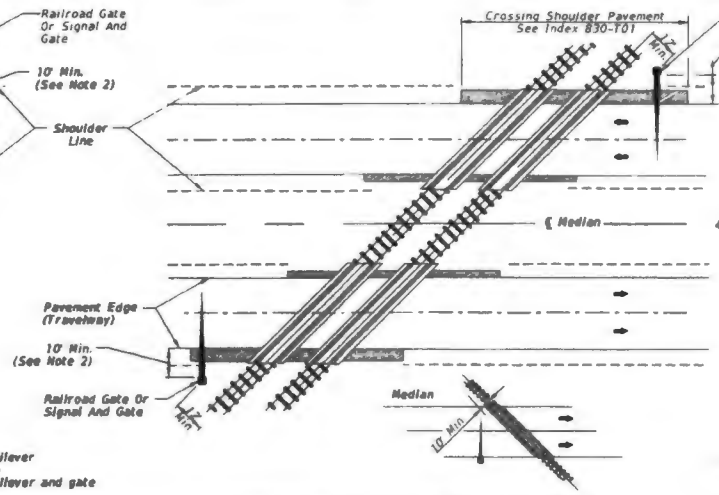
John M. Kubler, P.E.
Director of Transportation Development

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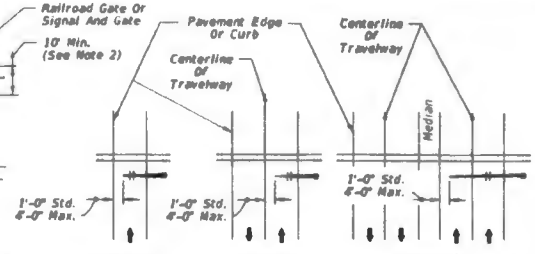
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SIGNAL PLACEMENT AT RAILROAD CROSSING
(2 - LANE DESIGN)



SIGNAL PLACEMENT AT RAILROAD CROSSING
(4 - LANE DESIGN)



NOTE: Arrows denote direction of travel not pavement markings.

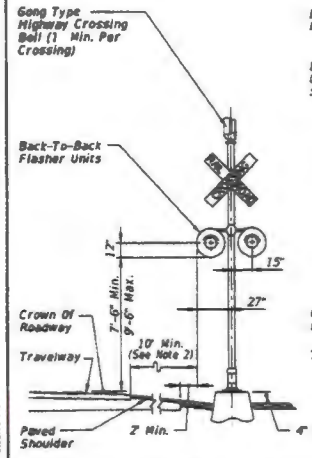
FIGURE 1

GENERAL NOTES:

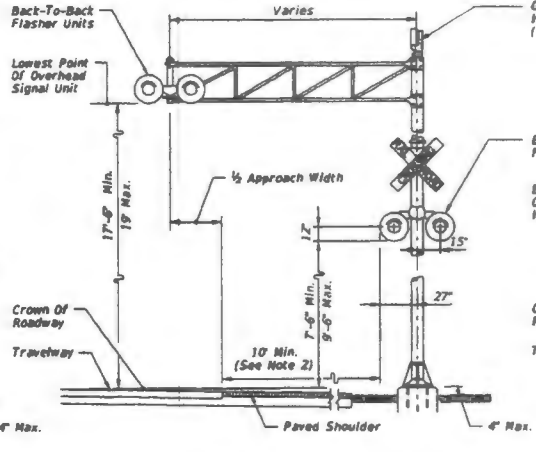
1. No guardrail is proposed for signals; however, some form of impact attenuation device may be specified for certain locations.
2. Advance flasher to be installed when and if called for in Plans or Specifications.
3. Top of foundation shall be no higher than 4" above finished shoulder grade.
4. Type of traffic control device
   - I Flashing warning devices
   - II Flashing warning devices with cantilever
   - III Flashing warning devices with gate
   - IV Flashing warning devices with cantilever and gate
   - V Gate
5. Class of traffic control devices (Not Shown)
   - 1 2 Quadrant flashing warning devices–one track
   - II 2 Quadrant flashing warning devices–multiple tracks
   - III 2 Quadrant flashing warning devices and gates–one track
   - IV 2 Quadrant flashing warning devices and gates–multiple tracks
   - V 3-4 Quadrant flashing warning devices and gates–one track
   - VI 2-4 Quadrant flashing warning devices and gates–multiple tracks

NOTE:

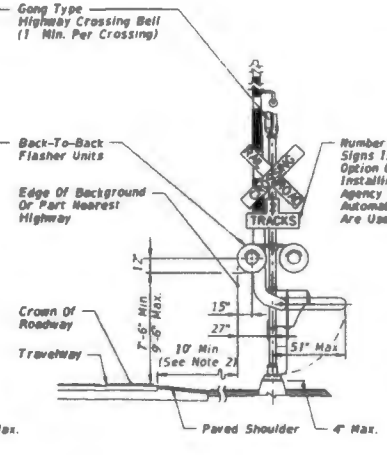
1. Two separate foundations may be required (one for signals, one for gate), depending on type of equipment used.
2. When 10' is deemed impractical the control device can be located as close as 2' from the edge of a paved shoulder but not less than 6' from the edge of the near traffic lane.



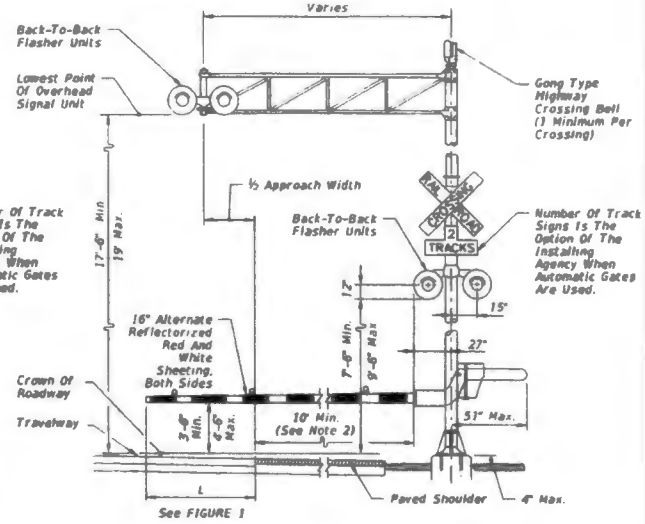
TYPE I



TYPE II



TYPE III AND TYPE V



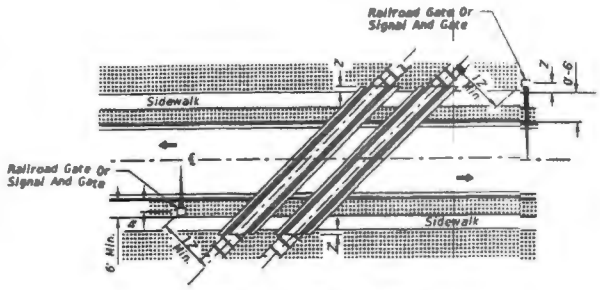
TYPE IV AND TYPE VI

TRAFFIC CONTROL DEVICES FOR FLUSH SHOULDER ROADWAY

LAST REVISION	REVISION	DESCRIPTION:			INDEX	SHEET
02/05/21			FY 2023-24 STANDARD PLANS	RAILROAD GRADE CROSSING TRAFFIC CONTROL DEVICES	509-070	1 of 3

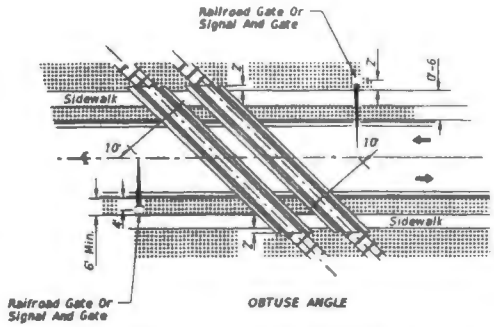
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DocuSign Envelope ID: 5A3EE240-874B-4ED3-84E4-318B11B5BC3E



SIGNAL PLACEMENT AT RAILROAD CROSSING

(2 LANES, CURB & GUTTER)

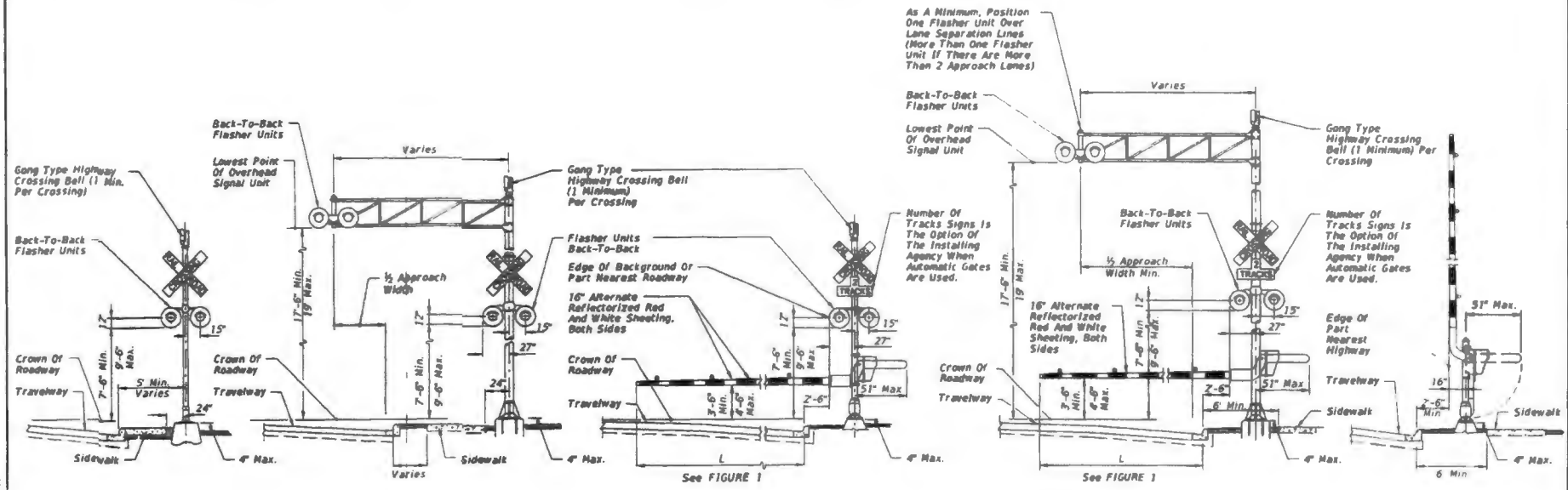


SIGNAL PLACEMENT AT RAILROAD CROSSING

(2 LANES, CURB & GUTTER)

NOTES:

1. The location of flashing warning devices and stop lines shall be established based on future (or present) installation of gate with appropriate track clearances.
2. Where plans call for railroad traffic control devices to be installed in curbed medians, the minimum median width shall be 12'-6".
3. Location of railroad traffic control device is based on the distance available between face of curb & sidewalk. 0' to 6' - Locate device outside sidewalk. Over 6' - Locate device between face of curb and sidewalk.
4. Stop line to be perpendicular to edge of roadway, approx. 15' from nearest rail; or 8' from and parallel to gate when present.
5. When a cantilevered-arm flashing warning device is used, the minimum vertical clearance shall be 17'-6" from above the Crown of Roadway to the Lowest Point of the Overhead Signal Unit

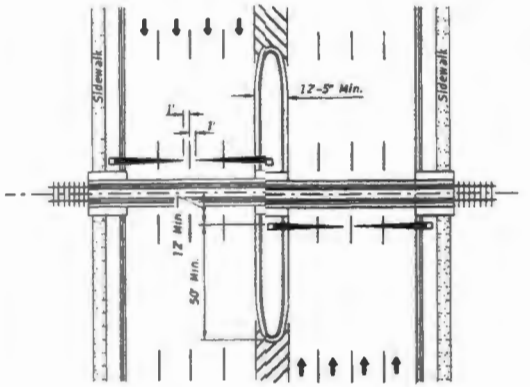


TRAFFIC CONTROL DEVICES FOR CURBED ROADWAY

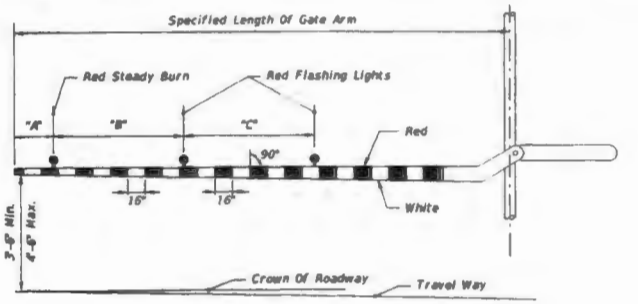
LAST REVISION 02/05/21	REVISION DESCRIPTION:	FDOT FY 2023-24 STANDARD PLANS	RAILROAD GRADE CROSSING TRAFFIC CONTROL DEVICES	INDEX 509-070	SHEET 2 of 3

DocuSign Envelope ID: 7B53EBFE-6F09-4767-8D0F-E86E6CE55B44

DocuSign Envelope ID: 5A3EE240-874B-4ED3-84E4-318B11B5BC3E



PLAN

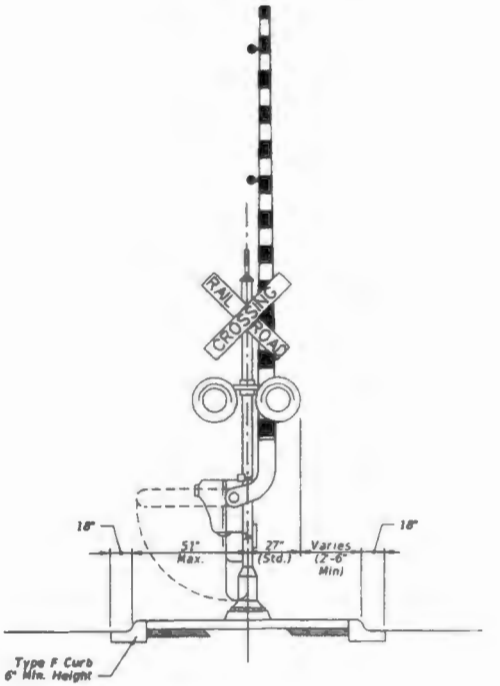


GATE ARM DETAIL

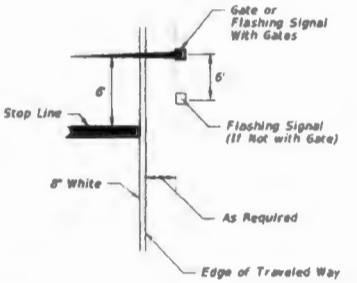
RAILROAD GATE ARM LIGHT SPACING			
Specified Length Of Gate Arm	Dimension "A"	Dimension "B"	Dimension "C"
14 Ft.	6"	36"	5'
15 Ft.	18"	36"	5'
16-17 Ft.	24"	36"	5'
18-19 Ft.	28"	41"	5'
20-23 Ft.	28"	4'	5'
24-28 Ft.	28"	5'	5'
29-31 Ft.	36"	6'	6'
32-34 Ft.	36"	7'	7'
35-37 Ft.	36"	9'	9'
38 And Over	36"	10'	10'

NOTE:

For additional information see the "Manual On Uniform Traffic Control Devices", Part 8; The "Traffic Control Handbook", Part VIII; and AASHTO "A Policy On Geometric Design Of Streets And Highways".



MEDIAN SECTION AT SIGNAL GATES



MEDIAN SIGNAL GATES FOR MULTILANE UNDIVIDED URBAN SECTIONS

(Three or More Driving Lanes in one Direction, 45 mph or less)

RELATIVE LOCATION OF CROSSING TRAFFIC CONTROL DEVICES

LAST REVISION	REVISION	DESCRIPTION:			INDEX	SHEET
02/05/21			FDOT FY 2023-24 STANDARD PLANS	RAILROAD GRADE CROSSING TRAFFIC CONTROL DEVICES	509-070	3 of 3

DocuSign Envelope ID: 7B53EBFE-6F09-4767-8D0F-E86E6CE55B44

DocuSign Envelope ID: 5A3EE240-874B-4ED3-84E4-31BB11B5BC3E

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

RAILROAD GRADE CROSSING TRAFFIC CONTROL DEVICES ANNUAL MAINTENANCE COSTS

725-090-41
RAIL
06/21

FINANCIAL PROJECT NO.	ROAD NAME OR NUMBER	COUNTY NAME	PARCEL & R/W NUMBER	FAP NUMBER
451338-1-57-01	Harris Drive	Highlands	2 / 09500-SIGD	Pending

COMPANY NAME: South Central Florida Express, Inc.

A. FDOT/AAR XING NO.: 627635N RR MILE POST TIE: 894.48

B. TYPE SIGNALS PROPOSED: III CLASS: III DOT INDEX: 509-070

SCHEDULE OF ANNUAL COST OF AUTOMATIC HIGHWAY GRADE CROSSING TRAFFIC CONTROL DEVICES

Annual Maintenance Cost Exclusive of Installation

CLASS	DESCRIPTION	COST*
I	2-Quadrant Flashing Lights with One Track	$2,608.00
II	2-Quadrant Flashing Lights with Multiple Tracks	$3,451.00
III	2-Quadrant Flashing Lights and Gates with One Track	$3,934.00
IV	2-Quadrant Flashing Lights and Gates with Multiple Tracks	$4,940.00
V	3 or 4-Quadrant Flashing Lights and Gates with One Track	$7,777.00
VI	3 or 4-Quadrant Flashing Lights and Gates with Multiple Tracks	$9,759.00

AUTHORITY: FLORIDA ADMINISTRATIVE RULE 14-57.011
Public Railroad-Highway Grade Crossing Costs

EFFECTIVE DATE: July 22, 1982
GENERAL AUTHORITY: 334.044, F.S.
SPECIFIC LAW IMPLEMENTED: 335.141, F.S.

*This schedule will become effective July 1, 2021 and will be reviewed every 5 years and revised as appropriate based on the Consumer Price Index for all Urban Consumers published by the U.S. Department of Labor.

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To: Jennifer.Gaona@dot.state.fl.us

FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

ASV94

3/23/2023

CONTRACT INFORMATION

Contract:	ASV94
Contract Type:	AA - RR SIGNALS-PE/INSTAL (RR-SIG/PE)
Method of Procurement:	R - RAILROAD/UTILITIES AGREEMENT
Vendor Name:	SOUTH CENTRAL FLORIDA EXPRESS
Vendor ID:	F650518598001
Beginning Date of This Agreement:	03/17/2023
Ending Date of This Agreement:	12/31/2050
Contract Total/Budgetary Ceiling:	
	Signal Safety Project for Crossing 627635N

FUNDS APPROVAL INFORMATION

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER ON 3/23/2023

Action:	Task Work Order
Reviewed or Approved:	APPROVED
Organization Code:	55012020129
Expansion Option:	A9
Object Code:	563000
Amount:	$299,290.00
Financial Project:	45133815701
Work Activity (FCT):	675
CFDA:	
Fiscal Year:	2023
Budget Entity:	55100100
Category/Category Year:	*088808/23*
Amendment ID:	W001
Sequence:	00
User Assigned ID:	3P-SIG
Enc Line (6s)/Status:	0001/04

Total Amount: $299,290.00

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DocuSign Envelope ID: 5A3EE240-874B-4ED3-84E4-31BB11B5BC3E

3/14/2023

Florida Department of Transportation
Federal Authorization Management System

Notice of Approved Authorization

From Federal highway Administration
to Participate in Project Costs Incurred
After the Effective Date of Authorization
Noted Below

Federal Aid Project Number: **D123 026 B**

State Project Number: **451338 1 57 01**

This Notice of Approved Authorization is issued with the stipulation that the Florida Department of Transportation agrees to comply with the appicable terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) The regulations issued pursuant thereto and (3) the policies and procedures promulgated by the Federal Highway Administration relative to the above designates project. The Florida Department of Transportation also agrees to comply with the applicable provisions set forth in CFR Part 630, Subpart C.

Project Location:**HARRIS DRIVE FROM US 27 TO W OF XING 627635N ;RAIL SAFETY PROJECT;CONSTRUCTION**

Classification of phase of work to be under agreement	Effective Date of authorization
Highway planning & Research	
Preliminary Engineering	
Right-of-Way	
Construction	
X Other	**3/14/2023**

Dist.	Appr.	FAIN	Urban/ With	Total Cost	Federal Share	Federal Funds Under Agreement	Advanced Construction
01	**YS40**	**693JJ22330000YS40FLD123026**		**299,290.00**	**100.0%**	**299,290.00**	**0.00**

Department of Transportation

Available funds certified by:	**ASHLEY MELTON**	Date:**2/23/2023**
Approval recommended by:	**BRITTANY WATSON**	Date:**2/28/2023**
Approved and Authorized by:	**FORNICHER NIXSON**	Date:**2/28/2023**

Federal Highway Administration

Approval Recommended by:	**Pamela Angelo**	Date:**3/14/2023**
Approved and Authorized by:	**Pamela Angelo**	Date:**3/14/2023**
Agreement Approved by:	**Mark Chapin**	Date:**3/14/2023**

State remarks:

INITIAL AUTHORIZATION FOR RAIL SAFETY YS40 (+)299,290. APPROVED BY RAIL OFFICE 8/8/2022. (FAC/NOMINAL RATES) = (YS40/100%) SOFT MATCH AMT = $0

Division remarks:

3/1/2023: Federal 100% PA

This Notice of Authorization is not the official FHWA Approved project Agreement for the project designated above. The official Project Agreement must be printed from FHWA's Fiscal Management Information System (FMIS). The District Federal Aid Coordinator may obtain the Project Agreement at: https://fhwaapps.fhwa.dot.gov/

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SCXF FORCE ACCOUNT ESTIMATE

CROUCH PROJECT NUMBER : 23013

ESTIMATE SUBJECT TO REVISION AFTER: 1/24/2024 **DOT NO.:** 627635N

CITY: Lake Placid **COUNTY:** Highlands **STATE:** FL

DESCRIPTION: Harris Dr., Lake Placid, FL. Signal System Installation, FL&G (2), PMD4, House w/ power and meter service, wind gates (gate saver)

ZONE: SCFE **SUB-DIV:** N/A **MILE POST:** AVC 0894.472

AGENCY PROJECT NUMBER: 451338-1

1	**PRELIMINARY ENGINEERING:**					
1.1	Contracted & Administrative Engineering Services - Crouch Engineering				$	9,000
1.2	Contracted & Administrative Engineering Services - SCFE				$	1,500
	Subtotal				$	10,500
2	**CONSTRUCTION ENGINEERING/INSPECTION:**					
2.1	Contracted & Administrative Engineering Services - Crouch Engineering				$	17,400
2.2	Contracted & Administrative Engineering Services - SCFE				$	1,500
	Subtotal				$	18,900
3	**FLAGGING SERVICE: (Contract Labor)**					
3.1	Labor (Conductor-Flagman)	10	Days @	$ 1,000.00	$	10,000
3.2	Expenses				$	-
	Subtotal				$	10,000
4	**SIGNAL & COMMUNICATIONS WORK:**					
4.1	Signal System Installation (CDL)				$	232,681
	Subtotal				$	232,681
5	**TRACK WORK:**					
	Subtotal				$	-
	PROJECT SUBTOTAL:				$	272,081
6	**CONTINGENCIES:** 10%				$	27,208
	PROJECT TOTAL:				$	299,290
	CURRENT AUTHORIZED BUDGET:				$	-
	TOTAL SUPPLEMENT REQUESTED:				$	**299,290**

DIVISION OF COST:

Agency	*100.00%*	$	*299,290*
Railroad	0.00%	$	-
		$	299,290

NOTE:

This estimate has been prepared based on site conditions, anticipated work duration periods, material prices, labor rates, manpower and resource availability, and other factors known as of the date prepared. The actual cost for work may differ based upon the agency's requirements, their contractor's work procedures, and/or other conditions that become apparent once construction commences or during the progress of the work

Estimate prepared by: M Moawad, Crouch Engineering
DATE: 01/24/23
Revised:

Approved by: S Vick, Crouch Engineering **Approved by:** Scott Ogle, SCFE / US Sugar
DATE: 01/24/23 **DATE:**

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DocuSign Envelope ID: 5A3EE240-874B-4ED3-84E4-31BB11B5BC3E

CDL ELECTRIC
one company many solutions

Proposal

Railroad Signal Division
1308 N. Walnut Street, Pittsburg, KS 66762
Ph: (620) 231-6420 www.cdl-electric.com

South Central Florida Express (SCFE)	PHONE: (863) 599-3883	DATE: January 23, 2023
STREET: 900 South W.C. Owens Ave.	Signal System Installation (627 635 N)	
CITY, STATE and ZIP CODE: Clewiston, FL. 33440	Harris Dr., Lake Placid, FL	
CONTACT: Scott Ogle- sogle@ussugar.com	JOB NUMBER: RCP- 294	

We hereby submit specifications and estimates for:

RCP-294, Signal System Installation, Harris Dr., Lake Placid, FL. (627 635 N)-

A new railroad highway grade crossing warning signal system will be designed and installed specifically for the location listed above. It will include a new pre-wired crossing control shelter with prediction type circuitry and flashing gate signal assemblies.

Warning signals will include two S-60 complete gate assemblies: each with 12" LED light units, signs, and a bell. Underground signal cable, rail bonds, track connection items, foundations, and grounding components will be included as well. New conduits will be furnished under the road and track as required. Also, a new AC meter service will be installed for this automatic warning system. After the installation of the proposed signal system is complete, dress stone and grass seed will be placed, as needed, to properly finish the installation.

Any overhead or underground utilities that may interfere with the installation or proper operation of the proposed work must be relocated at the expense of others. C.D.L. Electric, Incorporated will not be responsible for any cost(s) associated with labor or material(s) required to relocate utilities at this location.

If concrete, asphalt or any other type of roadway/walkway material must be removed for the proper installation and operation of the proposed signal system, then additional charges may apply. C.D.L. Electric, Incorporated will not be responsible for any cost(s) associated with labor or material(s) to replace concrete, asphalt or any other type of roadway/walkway material removed during the installation process of the proposed signal material.

We hereby propose to furnish material and labor — complete in accordance with above specifications, for the sum of $232,681.47, sales tax excluded.

The price breakdown is as follows:

Material- See Items on Material List and Handling Charges:	$166,495.47
Labor- Crew Mobilization, Crew Install, Office Support, Project Mgmt.:	$54,300.00
Equipment- Truck(s) with Trailer(s), Excavator, Loader:	$11,886.00
Total Selling Price:	$232,681.47

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Please Note the following:

1. Proposed Pricing is valid for (365) days from the date of this Proposal, prices are subject to change dependent upon current material prices
2. Proposed pricing is based on Lump Sum
3. Terms: Net Due 30 Days from Invoice Date
4. This proposal may be withdrawn by us if not accepted within (365) days
5. Crew labor will be paid per their standard pay wages with overtime when applicable, and include standard benefit package as outlined in their employee handbook
6. Pricing is based on crew being allowed to work unrestricted hours seven days per week
7. If traffic control for the public roadway, other than typical "Crew Working" type signage is mandated by a third party, then other charges may apply
8. When applicable, existing automatic warning system will be removed and transported to nearest railroad yard

Authorized Signature:



Josh Shamhart
VP, Railroad Construction Services
josh.shamhart@cdl-electric.com
(417) 208-7862

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance

Acceptance of Proposal — the above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature: _____

Signature: _____

Continued on next page

HIGHLANDS COUNTY
COUNTY COMMISSION AGENDA ITEM

DATE OF ACTION REQUEST: July 18, 2023

PRESENTER:

SUBJECT/TITLE: Board payables from to July 3, 2023, to July 17, 2023

Attachments: Cash requirements 07.10.23.pdf
Wires ACHs.pdf

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
20632	6303	56300Z	230250	221599-5	21,370.00	ENG SVCS-CATFISH CREE
AIM ENGINEERING & SURVEYING						
TOTAL CHECK					21,370.00	
20582	5105	55200	230257	9139266308	82.80	DELIVERY (ESTIMATE)
AIRGAS INC	5105	55200	230257	9139266309	25.80	DELIVERY (ESTIMATE)
	5105	55200	230257	9139266310	25.80	DELIVERY (ESTIMATE)
TOTAL CHECK					134.40	
23896	5305	54800	230238	1744	6,250.00	SPORTS MARKETING SALES AN
AIRSTREAM VENTURES LLC						
TOTAL CHECK					6,250.00	
200019	005	202005		446397	7,366.86	BCC JUN AFLAC
AMERICAN FAMILY LIFE ASSURAN						
TOTAL CHECK					7,366.86	
24883	3217	53400		FUEL STIPEND	30.00	FUEL STIP 04/23-06/23
SIDDHARTH ANANTHAN						
TOTAL CHECK					30.00	
508906	5229	54000		MILEAGE	83.46	VISITS:7/3-7/7
NORINE ANDREWS	5229	54000		MILEAGE.	35.10	VISITS: 6/29-6/30
TOTAL CHECK					118.56	
24037	3217	53400		FUEL STIPEND	5.00	FUEL STIP 04/23-06/23
SETH ANTHONY						
TOTAL CHECK					5.00	
000085	6209	54300		20401-16880	137.37	SVC: 5/15/23-6/16/23
CITY OF AVON PARK UTILITIES						
TOTAL CHECK					137.37	
24523	3217	53400		FUEL STIPEND	30.00	FUEL STIP 04/23-06/23
MICHAEL BACEVIC						
TOTAL CHECK					30.00	
002583	6211	56600	230210	H65389570	117.42	NEW AUDIOVISUAL MATERIALS
BAKER & TAYLOR ENTERTAINMENT	6209	56600	230210	H65407850	63.87	NEW AUDIOVISUAL MATERIALS
	6210	56600	230210	H65414750	85.13	NEW AUDIOVISUAL MATERIALS
	6212	56600	230210	H65458520	497.57	NEW AUDIOVISUAL MATERIALS
TOTAL CHECK					763.99	
004328	6210	56600	230146	5018392364	567.91	NEW BOOKS
BAKER & TAYLOR INC	6212	56600	230146	5018392365	773.52	NEW BOOKS
	6210	56600	230146	5018425224	310.06	NEW BOOKS
	6212	56600	230146	5018425225	386.10	NEW BOOKS
	6209	56600	230146	5018425241	340.41	NEW BOOKS
	6210	56600	230146	5018431486	75.00	NEW BOOKS
	6212	56600	230146	5018432161	18.99	NEW BOOKS
	6212	56600	230146	5018432162	157.87	NEW BOOKS
TOTAL CHECK					2,629.86	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
24000	3217	53400		FUEL STIPEND	10.00	FUEL STIP 04/23-06/23
JEFFREY A BANNISTER						
TOTAL CHECK					10.00	
24195	2672	54600		1302196	125.00	GOV'T CENTER
BATES SECURITY LLC						
TOTAL CHECK					125.00	
24049	3217	53400		FUEL STIPEND	110.00	FUEL STIP 04/23-06/23
CHARLES E BENTON						
TOTAL CHECK					110.00	
011155	5105	55200	230127	85003692	125.90	MEDICAL SUPPLIES
BOUND TREE MEDICAL LLC						
TOTAL CHECK					125.90	
24418	3217	53400		FUEL STIPEND	45.00	FUEL STIP 04/23-06/23
DESTINY J BREWER						
TOTAL CHECK					45.00	
24911	3217	53400		FUEL STIPEND	70.00	FUEL STIP 04/23-06/23
LACI NICOLE BROWN						
TOTAL CHECK					70.00	
18283	7987	53406	230258	499	3,768.00	SECURITY:JUNE
CALEUS LLC	7987	53400	230325	500	462.00	CLEANING:JUNE
	7963	53400	230323	501	560.00	CLEANING:JUNE
	7974	53400	230324	502	1,200.00	CLEANING:JUNE
TOTAL CHECK					5,990.00	
23993	3217	53400		FUEL STIPEND	100.00	FUEL STIP 04/23-06/23
ZACHARY CAMPBELL						
TOTAL CHECK					100.00	
19910	7993B	54900		39368	592.60	RX: 6/16-6/30
CANARX GROUP INC						
TOTAL CHECK					592.60	
24700	3217	53400		FUEL STIPEND	145.00	FUEL STIP 04/23-06/23
KALEY CAUDILL						
TOTAL CHECK					145.00	
000217	2700	55404	230302	1011 12776	9,441.01	JUL-SEP 2023 MEMBER A
CENTRAL FL REG PLANNING COUN						
TOTAL CHECK					9,441.01	
013545	4102	54100		311869662	173.27	SVC: 6/26-7/27
EMBARQ FLORIDA INC	3998	54100		312034416	195.22	SVC: 6/28/23-7/27/23
	4102	54100		312116251	149.50	SVC: 6/25-7/24
	3998B	54100		312159748	195.22	SVC: 6/25/23-7/24/23
	3998B	54100		312243472	161.11	SVC: 6/28/23-7/27/23
	3998B	54100		312326401	61.29	SVC: 6/28/23-7/27/23
TOTAL CHECK					935.61	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
007793	6212	56400Z	231155	231777	2,360.38	NEW BOOKS FOR PROJECT 200
CHILDRENS PLUS INC						
TOTAL CHECK					2,360.38	
013314	4102	54400	230470	4157083952	63.86	MAT RENTAL, 4102
CINTAS CORPORATION	4106	54400	230470	4157083952	9.13	UNIFORM RENTAL, 4106
	6304	53005Z	230472	4157299275	89.38	COVERALLS, STATE
	4102	54400	230467	4157299369	3.88	UNIFORM RENTAL, 4102
	4104	54400	230467	4157299369	91.57	MAT RENTAL, 4104
	4104	55200	230467	4157299369	104.85	UNIFORM REPLACEMENT, 4104
	4200	54400	230467	4157299369	3.83	UNIFORM RENTAL, 4200
	4102	54400	230468	4157299408	3.05	UNIFORM RENTAL, 4102
	4103	54400	230468	4157299408	12.17	UNIFORM RENTAL, 4103
	6303	54400	230474	4157299423	8.27	UNIFORM RENTAL, 6303
	6304	54400	230473	4157299502	19.54	UNIFORM RENTAL, 6304
	4102	54400	230469	4157299529	63.93	MAT RENTAL, 4102
	4102	55200	230469	4157299529	59.00	UNIFORM REPLACEMENT, 4102
	4106	54400	230469	4157299529	7.62	UNIFORM RENTAL, 4106
	4102	54400	230471	4157299994	61.68	MAT RENTAL, 4102
	4106	54400	230471	4157299994	3.04	UNIFORM RENTAL, 4106
	4108	54400	230471	4157299994	4.56	UNIFORM RENTAL, 4108
	4102	54400	230470	4157858369	63.86	MAT RENTAL, 4102
	4102	55200	230470	4157858369	32.67	UNIFORM REPLACEMENT, 4102
	4106	54400	230470	4157858369	9.13	UNIFORM RENTAL, 4106
	6304	53005Z	230472	4158057879	89.38	COVERALLS, STATE
						VOID CHECK - CONTINUED
013314	6303	54400	230474	4158057996	8.27	UNIFORM RENTAL, 6303
CINTAS CORPORATION	4102	54400	230468	4158058007	3.05	UNIFORM RENTAL, 4102
	4103	54400	230468	4158058007	12.17	UNIFORM RENTAL, 4103
	4102	54400	230467	4158058024	3.88	UNIFORM RENTAL, 4102
	4104	54400	230467	4158058024	92.08	MAT RENTAL, 4104
	4104	55200	230467	4158058024	47.43	UNIFORM REPLACEMENT, 4104
	4200	54400	230467	4158058024	3.83	UNIFORM RENTAL, 4200
	4102	54400	230469	4158058076	63.93	MAT RENTAL, 4102
	4102	55200	230469	4158058076	32.66	UNIFORM REPLACEMENT, 4102
	4106	54400	230469	4158058076	7.62	UNIFORM RENTAL, 4106
	6304	54400	230473	4158058082	19.54	UNIFORM RENTAL, 6304
	4102	54400	230471	4158058370	61.68	MAT RENTAL, 4102
	4102	55200	230471	4158058370	46.96	UNIFORM REPLACEMENT, 4102
	4106	54400	230471	4158058370	3.04	UNIFORM RENTAL, 4106
	4108	54400	230471	4158058370	4.56	UNIFORM RENTAL, 4108
	4102	54400	230470	4158569312	66.91	MAT RENTAL, 4102
	4102	55200	230470	4158569312	37.62	UNIFORM REPLACEMENT, 4102
	4106	54400	230470	4158569312	9.13	UNIFORM RENTAL, 4106
	6303	54400	230474	4158735320	8.27	UNIFORM RENTAL, 6303
	6304	53005Z	230472	4158735373	89.38	COVERALLS, STATE
	4102	54400	230467	4158735483	3.88	UNIFORM RENTAL, 4102
						VOID CHECK - CONTINUED

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
013314	4104	54400	230467	4158735483	91.57	MAT RENTAL, 4104
CINTAS CORPORATION	4200	54400	230467	4158735483	3.83	UNIFORM RENTAL, 4200
	6304	54400	230473	4158735493	19.54	UNIFORM RENTAL, 6304
	4102	54400	230469	4158735538	63.74	MAT RENTAL, 4102
	4102	55200	230469	4158735538	25.86	UNIFORM REPLACEMENT, 4102
	4106	54400	230469	4158735538	7.62	UNIFORM RENTAL, 4106
	4102	54400	230468	4158735573	3.05	UNIFORM RENTAL, 4102
	4102	55200	230468	4158735573	29.62	UNIFORM REPLACEMENT, 4102
	4103	54400	230468	4158735573	12.17	UNIFORM RENTAL, 4103
	4102	54400	230471	4158735837	61.68	MAT RENTAL, 4102
	4106	54400	230471	4158735837	3.04	UNIFORM RENTAL, 4106
	4108	54400	230471	4158735837	4.56	UNIFORM RENTAL, 4108
	4102	54400	230470	4159261327	66.91	MAT RENTAL, 4102
	4106	54400	230470	4159261327	9.13	UNIFORM RENTAL, 4106
	6304	53005Z	230472	4159421890	89.38	COVERALLS, STATE
	6303	54400	230474	4159421906	8.27	UNIFORM RENTAL, 6303
	4102	54400	230467	4159421908	3.88	UNIFORM RENTAL, 4102
	4104	54400	230467	4159421908	91.57	MAT RENTAL, 4104
	4200	54400	230467	4159421908	10.15	UNIFORM RENTAL, 4200
	4105	54400	230067	4159422031	103.09	UNIFORM RENTAL - TRAFFIC
	6304	54400	230473	4159422063	19.54	UNIFORM RENTAL, 6304
						VOID CHECK - CONTINUED
013314	4102	54400	230468	4159422073	3.05	UNIFORM RENTAL, 4102
CINTAS CORPORATION	4103	54400	230468	4159422073	12.17	UNIFORM RENTAL, 4103
	4102	54400	230469	4159422105	70.00	MAT RENTAL, 4102
	4102	55200	230469	4159422105	51.59	UNIFORM REPLACEMENT, 4102
	4106	54400	230469	4159422105	7.62	UNIFORM RENTAL, 4106
	4102	54400	230471	4159422416	61.68	MAT RENTAL, 4102
	4106	54400	230471	4159422416	3.04	UNIFORM RENTAL, 4106
	4108	54400	230471	4159422416	4.56	UNIFORM RENTAL, 4108
	4108	55200	230471	4159422416	31.62	UNIFORM REPLACEMENT, 4108
	4101	54400	230137	4159820398	9.41	UNIFORM RENTAL
	4102	54400	230470	4159960687	66.91	MAT RENTAL, 4102
	4102	55200	230470	4159960687	28.47	UNIFORM REPLACEMENT, 4102
	4106	54400	230470	4159960687	9.13	UNIFORM RENTAL, 4106
	6304	54400	230473	4160091950	19.15	UNIFORM RENTAL, 6304
	6303	54400	230474	4160091990	8.10	UNIFORM RENTAL, 6303
	6304	53005Z	230472	4160092004	89.38	COVERALLS, STATE
	4102	54400	230467	4160092020	3.88	UNIFORM RENTAL, 4102
	4102	55200	230467	4160092020	18.81	UNIFORM REPLACEMENT, 4102
	4104	54400	230467	4160092020	91.57	MAT RENTAL, 4104
	4104	55200	230467	4160092020	31.53	UNIFORM REPLACEMENT, 4104
	4200	54400	230467	4160092020	10.57	UNIFORM RENTAL, 4200
						VOID CHECK - CONTINUED

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
013314	4102	54400	230468	4160092077	3.05	UNIFORM RENTAL, 4102
CINTAS CORPORATION	4103	54400	230468	4160092077	12.17	UNIFORM RENTAL, 4103
	4102	54400	230469	4160092130	70.00	MAT RENTAL, 4102
	4106	54400	230469	4160092130	7.62	UNIFORM RENTAL, 4106
	4105	54400	230067	4160092303	132.22	UNIFORM RENTAL - TRAFFIC
	4102	54400	230471	4160092516	61.68	MAT RENTAL, 4102
	4106	54400	230471	4160092516	3.04	UNIFORM RENTAL, 4106
	4108	54400	230471	4160092516	4.56	UNIFORM RENTAL, 4108
	4101	54400	230137	4160427912	9.41	UNIFORM RENTAL
	4210	54400	230093	4160428273	113.60	JANIOTORIAL SUPPLIES AND
TOTAL CHECK					3,208.08	
24713	5367	54942Z	231327	231327	244.10	PRISCILLA PEREZ - 1920 WI
CITY OF SEBRING						
TOTAL CHECK					244.10	
24713	5367	54942Z	231319	DEPOSIT	244.10	WILLIAMS-205 ROSE AVE
CITY OF SEBRING						
TOTAL CHECK					244.10	
21090	4102A	56301Z	221132	11	75,694.15	CONSTRUCTION-STRYKER
COBB SITE DEVELOPMENT INC						
TOTAL CHECK					75,694.15	
22735	005	141000	231301	0001-623446	2,222.64	22" WIPER BLADE / ANCO 31
COLE AUTO SUPPLY INC						
TOTAL CHECK					2,222.64	
23994	3217	53400		FUEL STIPEND	15.00	FUEL STIP 04/23-06/23
CORY EVAN COMPTON						
TOTAL CHECK					15.00	
24370	3217	53400		FUEL STIPEND	55.00	FUEL STIP 04/23-06/23
COURTNEY ANN CONKLIN						
TOTAL CHECK					55.00	
24028	3217	53400		FUEL STIPEND	80.00	FUEL STIP 04/23-06/23
ERIC L CONKLIN						
TOTAL CHECK					80.00	
23946	3217	53400		FUEL STIPEND	40.00	FUEL STIP 04/23-06/23
NOAH CONNELL						
TOTAL CHECK					40.00	
24694	3217	53400		FUEL STIPEND	15.00	FUEL STIP 04/23-06/23
JAMES CROWE						
TOTAL CHECK					15.00	
21509	2672	54400		693144	39.00	66101 TANK RENTAL
DT WATER LLC	2672	54400		693160	32.00	TANK RENTAL
	2672	54400		696084	5.00	66101 LATE FEE
TOTAL CHECK					76.00	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
23995	3217	53400		FUEL STIPEND	45.00	FUEL STIP 04/23-06/23
CHRISTOPHER LEON DAVIES						
TOTAL CHECK					45.00	
25047	3217	53400		FUEL STIPEND	10.00	FUEL STIP 04/23-06/23
IVERSON CHRISTIAN DE LA NUEZ						
TOTAL CHECK					10.00	
24505	3217	53400		FUEL STIPEND	30.00	FUEL STIP 04/23-06/23
LECIL DEATHERAGE						
TOTAL CHECK					30.00	
007776	3217	53400		FUEL STIPEND	115.00	FUEL STIP 04/23-06/23
JOSEPH P DEBREE III						
TOTAL CHECK					115.00	
013773	3217	53400		FUEL STIPEND	45.00	FUEL STIP 04/23-06/23
JENNIFER DEBREE						
TOTAL CHECK					45.00	
24575	3217	53400		FUEL STIPEND	80.00	FUEL STIP 04/23-06/23
JOSEPH DEBREE IV						
TOTAL CHECK					80.00	
006855	3990	53100		JULY 2023	36,710.83	JULY MONTHLY ALLOWANC
STEPHEN J NELSON MD						
TOTAL CHECK					36,710.83	
22133	4210	54600	230068	530057	10,918.85	HEAVY EQUIP REPAIRS
DJD EQUIPMENT HOLDINGS LLC	4210	54600	230068	530061	275.25	HEAVY EQUIP REPAIRS
TOTAL CHECK					11,194.10	
005441	5221	53400		23-069-B	768.28	CREM:J R REISTER
DOWDEN FUNERAL HOME						
TOTAL CHECK					768.28	
24843	1002B	54600	230594	INV00214637	237.38	DISASTER REC SVC-JUL
THRIVE OPERATIONS LLC						
TOTAL CHECK					237.38	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
000475	3217	54300		910087770200	448.52	SVC: 5/27/23-6/28/23
DUKE ENERGY FLORIDA INC	4105	54300		910087827333	497.08	SVC: 5/24/23-6/23/23
	4105	54300		910087827739	52.86	SVC: 5/24/23-6/23/23
	4105	54300		910087828269	734.91	SVC: 5/26/23-6/27/23
	4105	54300		910087898007	42.23	SVC: 5/23/23-6/22/23
	6209	54300		910087898312	1,608.43	SVC: 5/27/23-6/28/23
	4105	54300		910087898792	43.63	SVC: 5/23/23-6/22/23
	4105	54300		910087931853	72.25	SVC: 5/23/23-6/22/23
	4110	54300		910087932614	73.26	SVC: 5/23/23-6/22/23
	7987	54300		910087933491	30.79	SVC: 5/24-6/23
	4105	54300		910087933631	16.77	SVC: 5/24/23-6/23/23
	6102	54300		910087934541	260.51	SVC: 5/26/23-6/27/23
	4105	54300		910087934666	30.79	SVC: 5/26/23-6/27/23
	4105	54300		910087972307	47.53	SVC: 5/23/23-6/22/23
	4105	54300		910087972612	9.57	SVC: 5/26/27-6/27/23
	4105	54400		910087972612	2.37	SVC: 5/26/27-6/27/23
	4105	54300		910087973358	5.90	SVC: 5/26/23-6/27/23
	4105	54400		910087973358	6.04	SVC: 5/26/23-6/27/23
	4105	54300		910087974622	30.79	SVC: 5/23/23-6/22/23
	4105	54300		910088007470	32.43	SVC: 5/26/23-6/27/23
	4105	54300Z		910088008067	161.14	SVC: 5/23/23-6/22/23
						VOID CHECK - CONTINUED
000475	4102	54300		910088008695	235.90	SVC: 5/27/23-6/28/23
DUKE ENERGY FLORIDA INC	4105	54300		910088008843	6.67	SVC: 5/26/23-6/27/23
	4105	54400		910088008843	13.33	SVC: 5/26/23-6/27/23
	7987	54300		910088009323	30.79	SVC: 5/24-6/23
	4105	54300		910088009620	32.43	SVC: 5/24/23-6/23/23
	3217	54300		910088009779	26.56	SVC: 5/31/23-6/29/23
	2672	54300		910088010219	462.23	SVC: 5/19/23-6/20/23
	4105	54300		910088010491	26.40	SVC: 5/26/23-6/27/23
	4105	54400		910088010491	18.44	SVC: 5/26/23-6/27/23
	2672	54300		910088010631	400.52	SVC: 5/26/23-6/27/23
	4105	54300		910088010805	53.87	SVC: 5/26/23-6/27/23
	2672	54300		910088039478	779.86	SVC: 5/26/23-6/27/23
	4105	54300		910088041464	30.79	SVC: 5/26/23-7/27/23
	4105	54300		910088041620	5.90	SVC: 5/26/23-6/27/23
	4105	54400		910088041620	6.04	SVC: 5/26/23-6/27/23
	4105	54300		910088042077	39.38	SVC: 5/24/23-6/23/23
	7974	54300		910088042366	39.25	SVC: 5/26/23-6/27/23
	2672	54300		910088042572	671.06	SVC: 5/26/23-6/27/23
	7974	54300		910088072510	30.79	SVC: 5/26/23-6/27/23
	4105	54300		910088073313	44.92	SVC: 5/23/23-6/22/23
	4105	54300		910088073610	30.79	SVC: 5/26/23-6/27/23
						VOID CHECK - CONTINUED

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
000475	4105	54300		910088074207	16.98	SVC: 5/24/23-6/23/23
DUKE ENERGY FLORIDA INC	4105	54300		910088074356	30.79	SVC: 5/23/23-6/22/23
	4105	54300		910088074520	59.23	SVC: 5/26/23-6/27/23
	2672	54300		910088074653	28.87	SVC: 5/24/23-6/23/23
	4102	54300		910088103007	30.79	SVC: 5/31/23-6/29/23
	4105	54300		910088103156	19.04	SVC: 5/26/23-6/27/23
	4105	54400		910088103156	50.30	SVC: 5/26/23-6/27/23
	4102	54300		910088103320	391.88	SVC: 5/31/23-6/29/23
	6102	54300		910088103627	30.79	SVC: 5/26/23-6/27/23
	4105	54300		910088105314	33.17	SVC: 5/24/23-6/23/23
	4105	54400		910088105314	23.48	SVC: 5/24/23-6/23/23
	4105	54300		910088105926	266.91	SVC: 5/23/23-6/22/23
	4105	54300		910088106703	55.89	SVC: 5/23/23-6/22/23
	4105	54300		910088136775	32.43	SVC: 5/24/23-6/23/23
	7987	54300		910088138149	32.47	SVC: 5/25-6/23
	7987	54300		910088138420	30.79	SVC: 5/24-6/23
	4102	54300		910088138587	30.79	SVC: 5/27/23-6/28/23
	2672	54300		910088138884	30.79	SVC: 5/26/23-6/27/23
	4105	54300		910088163182	5.90	SVC: 5/24/23-6/23/23
	4105	54400		910088163182	6.04	SVC: 5/24/23-6/23/23
	4105	54300		910088163314	5.90	SVC: 5/24/23-6/23/23
						VOID CHECK - CONTINUED
000475	4105	54400		910088163314	6.04	SVC: 5/24/23-6/23/23
DUKE ENERGY FLORIDA INC	7974	54300		910088163596	106.61	SVC: 5/26/23-6/27/23
	4105	54300		910088164141	18.61	SVC: 5/24/23-6/23/23
	4105	54400		910088164141	24.03	SVC: 5/24/23-6/23/23
	4105	54300		910088960034	10.15	SVC: 5/26/23-6/27/23
	4105	54400		910088960034	12.04	SVC: 5/26/23-6/27/23
	4105	54300		910088960381	265.06	SVC: 5/23/23-6/22/23
	6102	54300		910088960703	30.79	SVC: 5/26/23-6/27/23
	2672	54300		910091504528	32.43	SVC: 5/24/23-6/23/23
TOTAL CHECK					8,912.71	
000475	5367	54942Z	231320	DEPOSIT	355.00	SEYMOUR-4521 LEUCADEN
DUKE ENERGY FLORIDA INC						
TOTAL CHECK					355.00	
23974	3217	53400		FUEL STIPEND	45.00	FUEL STIP 04/23-06/23
SCOTT ELIOT DURBAN						
TOTAL CHECK					45.00	
24045	3217	53400		FUEL STIPEND	40.00	FUEL STIP 04/23-06/23
WARREN B EDDINGTON						
TOTAL CHECK					40.00	
003967	4102A	56301Z	231120	72782	303,031.95	SUN N LAKE BLVD SIDEWALK
EXCAVATION POINT INC						
TOTAL CHECK					303,031.95	
15795	3440A	53400	230035	164587	10.08	STORE MICROFILM
FLORIDA DEPARTMENT OF STATE						
TOTAL CHECK					10.08	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
000477	4108	54300		13362-34909	117.56	SVC: 5/31-6/30
FLORIDA POWER & LIGHT CO	4108	54300		51785-45330	27.63	SVC: 5/31-6/30
	4108	54300		79741-82458	797.36	SVC: 5/31-6/30
TOTAL CHECK					942.55	
17626	4102	53402	230676	82840	6,755.03	SHELL HAULED-LP
FLORIDA TRANSPORT SERVICES I	4102	53402	230676	82841	764.03	SHELL TO AP
	4102	53402	230676	82842	8,774.75	SHELL HAULED- SEBRING
TOTAL CHECK					16,293.81	
L208521	005	208521			270.78	DED:219 GARN SETT
FMCC						
TOTAL CHECK					270.78	
23943	3217	53400		FUEL STIPEND	190.00	FUEL STIP 04/23-06/23
MARK H FORTIER						
TOTAL CHECK					190.00	
001011	5221	53400		23-067-B	752.27	STEVEN DILLON
FOUNTAIN FUNERAL HOME	5221	53400		23-070-B	752.27	CLARENCE PEREZ ROBLES
	5221	53400		23-071-B	752.27	MARIA MALDONADO
TOTAL CHECK					2,256.81	
24760	3217	53400		FUEL STIPEND	5.00	FUEL STIP 04/23-06/23
AUSTIN GARRETT						
TOTAL CHECK					5.00	
24379	3998B	54600	230368	0360599-IN	800.00	0394530 SVC:6/21/23
LJ POWER INC	3998B	54600	230368	0360601-IN	800.00	0394536 SVC:6/20/23
TOTAL CHECK					1,600.00	
23997	3217	53400		FUEL STIPEND	190.00	FUEL STIP 04/23-06/23
VENTURA TOBIAS GIPSON JR						
TOTAL CHECK					190.00	
21551	4102	55200	230532	P14613	74.97	SUPPLIES AS NEEDED
GLADE AND GROVE SUPPLY CO LL						
TOTAL CHECK					74.97	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
000545	7963	54300		103802001	269.76	SVC: 5/23/23-6/23/23
GLADES ELECTRIC COOPERATIVE	7963	54300		103802005	151.78	SVC: 5/23/23-6/23/23
	7963	54300		103802016	10.77	SVC: 5/23/23-6/23/23
	4105	54300		116659001	348.35	SVC: 5/23/23-6/23/23
	4105	54400		116659001	19.00	SVC: 5/23/23-6/23/23
	4105	54300		1941001	64.27	SVC: 5/23/23-6/23/23
	4105	54300		1942001	64.01	SVC: 5/23/23-6/23/23
	4210	54300		2792003	99.11	SVC: 5/23/23-6/23/23
	4210	54300		2792004	1,893.31	SVC: 5/23/23-6/23/23
	4210	54300		2792006	228.56	SVC: 5/23/23-6/23/23
	4105	54300		2792008	67.06	SVC: 5/23/23-6/23/23
	4230	54300		2792014	155.72	SVC: 5/23-6/23
	4230	54300		2792015	1,591.91	SVC: 5/23-6/23
	4105	54300		2792016	56.41	SVC: 5/23/23-6/23/23
	4105	54300		2792017	151.04	SVC: 5/23/23-6/23/23
	4210	54300		2792022	475.14	SVC: 5/23/23-6/23/23
	4105	54300		2792026	219.69	SVC: 5/23/23-6/23/23
	4105	54300		2792027	56.53	SVC: 5/23/23-6/23/23
	4105	54300		2792028	56.53	SVC: 5/23/23-6/23/23
	4210	54300		2792032	115.95	SVC: 5/23/23-6/23/23
	4105	54300		2792033	56.79	SVC: 5/23/23-6/23/23
						VOID CHECK - CONTINUED
000545	4105	54300		2792034	69.46	SVC: 5/23/23-6/23/23
GLADES ELECTRIC COOPERATIVE	4105	54300		2792035	71.99	SVC: 5/23/23-6/23/23
	4210	54300		2792036	41.03	SVC: 5/23/23-6/23/23
	4210	54300		2792037	465.92	SVC: 5/23/23-6/23/23
	4105	54300		2792038	22.56	SVC: 5/23/23-6/23/23
	4105	54300		2792039	19.49	SVC: 5/23/23-6/23/23
	3998B	54300		2792041	159.90	SVC: 5/23/23-6/23/23
	4105	54300		2792051	56.53	SVC: 5/23/23-6/23/23
	4105	54300		2792052	56.53	SVC: 5/23/23-6/23/23
	4210	54300		2792054	133.00	SVC: 5/23/23-6/23/23
	4105	54400		7783217002	30.26	SVC: 5/23/23-6/23/23
	4105	54300		97	457.47	SVC: 5/23/23-6/23/23
TOTAL CHECK					7,735.83	
20587	5301	53400	230345	008	8,240.00	TDC LEAD MARKETING
GRAY DOG PUBLISHING CORP						
TOTAL CHECK					8,240.00	
23942	3217	53400		FUEL STIPEND	80.00	FUEL STIP 04/23-06/23
EARL E GRAY						
TOTAL CHECK					80.00	
24518	3217	53400		FUEL STIPEND	65.00	FUEL STIP 04/23-06/23
SCOTT J HANKS						
TOTAL CHECK					65.00	
25023	3217	53400		FUEL STIPEND	80.00	FUEL STIP 04/23-06/23
KYLE HEMLER						
TOTAL CHECK					80.00	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
508899	5229	54000		MILEAGE	28.93	VISITS: 6/29-6/30
KELLY HERNANDEZ	5229	54000		MILEAGE.	53.04	VISITS: 7/3-7/6
TOTAL CHECK					81.97	
24349	3217	53400		FUEL STIPEND	10.00	FUEL STIP 04/23-06/23
ADAM C HESS						
TOTAL CHECK					10.00	
20210	420	141000	230239	4716	345.60	ASPHALT PLANT SAND
HICKEY MINING INC						
TOTAL CHECK					345.60	
L208518	005	208518			1,435.00	DED:007 EMS DUES
HIGHLANDS CO PROF EMS & FIRE						
TOTAL CHECK					1,435.00	
001115	005	3694010		CL#415285	7,715.00	SETTLEMENT:HD1030
FLORIDA DEPARTMENT OF HEALTH						
TOTAL CHECK					7,715.00	
23841	4102	54600	230028	9830	244.76	MISC. REPAIR PARTS
HIGHLANDS EQUIPMENT AND REPA						
TOTAL CHECK					244.76	
23998	3217	53400		FUEL STIPEND	155.00	FUEL STIP 04/23-06/23
JACQUELINE HILTS						
TOTAL CHECK					155.00	
23987	3217	53400		FUEL STIPEND	205.00	FUEL STIP 04/23-06/23
DAVID HOLDEN						
TOTAL CHECK					205.00	
23948	3217	53400		FUEL STIPEND	85.00	FUEL STIP 04/23-06/23
DANIEL HOLMES						
TOTAL CHECK					85.00	
24759	005	115120		2792008	96.57	PAT: LORETHA ROGERS
HUMANA GOLD CHOICE MEDICARE						
TOTAL CHECK					96.57	
24914	3217	53400		FUEL STIPEND	5.00	FUEL STIP 04/23-06/23
KALEB HUMPHREY						
TOTAL CHECK					5.00	
508828	4102	55403		PHYSICAL	100.00	CDL TRAINING COURSE
SAMMIE JAMISON						
TOTAL CHECK					100.00	
24002	3217	53400		FUEL STIPEND	5.00	FUEL STIP 04/23-06/23
CLAYTON S JOHNSON						
TOTAL CHECK					5.00	
16905	4210	53100	230691	0251824	3,307.40	PROF SV THRU:05/21/23
JONES EDMUNDS & ASSOCIATES						
TOTAL CHECK					3,307.40	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
18858	3217	53400		FUEL STIPEND	15.00	FUEL STIP 04/23-06/23
SCOTT KAPLAN						
TOTAL CHECK					15.00	
23709	2107	54900		APR-JUL 23	18.60	4/01-7/01 DRIVING REC
JEROME KASZUBOWSKI	005	3694010		CL#416502	674.65	SETTLEMENT FORDF250
	2107	54900		DL RECORD	105.40	34 DRIVING RECORD
	3440A	55200		EL00002901	49.00	ADOBE ACROBAT
TOTAL CHECK					847.65	
24517	3217	53400		FUEL STIPEND	60.00	FUEL STIP 04/23-06/23
JORDAN K KINSEY						
TOTAL CHECK					60.00	
24516	3217	53400		FUEL STIPEND	150.00	FUEL STIP 04/23-06/23
MARK JEFFREY KINSEY						
TOTAL CHECK					150.00	
24231	3217	53400		FUEL STIPEND	15.00	FUEL STIP 04/23-06/23
WILLIAM STANLEY KOZAK II						
TOTAL CHECK					15.00	
23953	3217	53400		FUEL STIPEND	55.00	FUEL STIP 04/23-06/23
OTTO ULRICH KRUCKER						
TOTAL CHECK					55.00	
25200	107	220000		REFUND DEP	150.00	REFUND DEP-PLACID LAK
CLAUDIA KUREK						
TOTAL CHECK					150.00	
25223	005	115120		REFUND	632.27	EMS OVERPAYMENT
KAREN S LAMB						
TOTAL CHECK					632.27	
006286	4210	53400	230219	13265107	1,133.94	PICK UP OF SCALEHOUSE CAS
LOOMIS ARMORED US INC	2111	53400	230220	13265107	7,410.79	ARMORED CAR SERVICE
TOTAL CHECK					8,544.73	
20094	5305	54800	230407	2023-018836	14,480.00	MASTER SERVICES AGREEMENT
MADDEN PREPRINT MEDIA LLC	5305	54800	230422	2023-018896	520.00	WEBSITE MAINTENCE
TOTAL CHECK					15,000.00	
24620	3217	53400		FUEL STIPEND	5.00	FUEL STIP 04/23-06/23
BRIDGET MADDOX						
TOTAL CHECK					5.00	
24003	3217	53400		FUEL STIPEND	40.00	FUEL STIP 04/23-06/23
DEJUNG MANGUM JR						
TOTAL CHECK					40.00	
24030	3217	53400		FUEL STIPEND	60.00	FUEL STIP 04/23-06/23
ADAM L MCQUAIG						
TOTAL CHECK					60.00	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
006424	5105	53441	230384	183101	677.17	COLLECTION FEES:JUNE
MEDICAL DATA SYSTEMS	5105	53441	230384	183102	1,248.59	COLLECTION FEES-JUNE
TOTAL CHECK					1,925.76	
23962	3217	53400		FUEL STIPEND	90.00	FUEL STIP 04/23-06/23
RALPH MEYERS						
TOTAL CHECK					90.00	
006069	4210	54400	230104	99686	140.00	RENTAL OF 2 PORTABLE TOIL
MID FLORIDA PORTABLE TOILET	4210	54400	230104	99687	70.00	RENTAL OF 1 PORTABLE TOIL
	6102	54400	230180	99688	70.00	PORTABLE TOILET AT LAKE P
TOTAL CHECK					280.00	
25230	005	220000		REFUND	100.00	HL BISHOP DEP
CHRISTOPHER MILLER						
TOTAL CHECK					100.00	
21571	005	141000	231300	137974	4,181.70	11R22.5 G182RSD (H) - MAR
MONRO MUFFLER BRAKE INC						
TOTAL CHECK					4,181.70	
23941	3217	53400		FUEL STIPEND	110.00	FUEL STIP 04/23-06/23
MICHAEL PAUL MORSE JR						
TOTAL CHECK					110.00	
24187	5226	53400		06302023	4,123.00	JUN 2023-1083 TRIPS
MTM TRANSIT LLC						
TOTAL CHECK					4,123.00	
17624	3217	53400		FUEL STIPEND	5.00	FUEL STIP 04/23-06/23
JOHN MUHA						
TOTAL CHECK					5.00	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
14807	3217	55200	230404	1196078	7,118.21	ESTIMATED SHIPPING
NAFECO INC	5105	55200	230404	1196078	7,118.21	ESTIMATED SHIPPING
	3217	55200	221326	1199235	735.61	ESTIMATED SHIPPING/HANDLI
	5105	55200	221326	1199235	741.16	ESTIMATED SHIPPING/HANDLI
	3217	55200	230404	1205112	723.15	ESTIMATED SHIPPING
	5105	55200	230404	1205112	723.15	ESTIMATED SHIPPING
	3217	55200	230404	1205919	4,579.20	UNIFORMS
	5105	55200	230404	1205919	4,579.20	UNIFORMS
	3217	55200	230404	1205964	8,274.91	ESTIMATED SHIPPING
	5105	55200	230404	1205964	8,274.91	ESTIMATED SHIPPING
	3217	55200	230404	1206953	72.00	UNIFORMS
	5105	55200	230404	1206953	72.00	UNIFORMS
	3217	55200	230404	1206979	14,123.41	ESTIMATED SHIPPING
	5105	55200	230404	1206979	14,123.41	ESTIMATED SHIPPING
	3217	55200	230404	1208648	8,613.88	UNIFORMS
	5105	55200	230404	1208648	8,613.88	UNIFORMS
	3217	55200	230404	1210277	1,170.67	ESTIMATED SHIPPING
	5105	55200	230404	1210277	1,170.68	ESTIMATED SHIPPING
	3217	55200	230404	1211098	6,036.37	UNIFORMS
	5105	55200	230404	1211098	6,036.37	UNIFORMS
	3217	55200	230404	1214047	636.00	UNIFORMS
						VOID CHECK - CONTINUED
14807	3217	55200	230404	1214047	10.33	ESTIMATED SHIPPING
NAFECO INC	5105	55200	230404	1214047	646.33	ESTIMATED SHIPPING
	3217	55200	221326	1214055	651.00	UNIFORMS
	5105	55200	221326	1214055	651.00	UNIFORMS
TOTAL CHECK					105,495.04	
24435	4210	54600	230095	33005906	1,475.46	HEAVY EQUIP REPAIRS
NATIONAL EQUIPMENT DEALERS L	4210	54600	230095	33005914	2,959.14	HEAVY EQUIP REPAIRS
	4210	54600	230095	33005980	1,075.00	HEAVY EQUIP REPAIRS
TOTAL CHECK					5,509.60	
24031	3217	53400		FUEL STIPEND	60.00	FUEL STIP 04/23-06/23
FELIPE NAVARRETE						
TOTAL CHECK					60.00	
24912	3217	53400		FUEL STIPEND	70.00	FUEL STIP 04/23-06/23
ETHAN NEAL						
TOTAL CHECK					70.00	
24014	3217	53400		FUEL STIPEND	5.00	FUEL STIP 04/23-06/23
JESUS GOMEZ OLGUIN						
TOTAL CHECK					5.00	
24007	3217	53400		FUEL STIPEND	70.00	FUEL STIP 04/23-06/23
FRANCISCO OLIVERO JR						
TOTAL CHECK					70.00	
24013	3217	53400		FUEL STIPEND	5.00	FUEL STIP 04/23-06/23
REBECCA OSER						
TOTAL CHECK					5.00	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
24143	2111	53400		3540796	440.00	P&A COBRA 6/1-6/30
P&A ADMINISTRATIVE SERVICES						
TOTAL CHECK					440.00	
008782	005	141000	231290	2007527	7,957.46	FUEL, UNLEADED / REGULAR
PALMDALE OIL CO	005	141000	231290	2007528	12,399.76	FUEL DIESEL DYED ULTRA LO
	005	141000	231291	2007957	14,946.45	FUEL, DIESEL DYED ULTRA L
	005	141000	231291	2007958	5,319.04	FUEL, UNLEADED / REGULAR
TOTAL CHECK					40,622.71	
508895	5229	54000		MILEAGE	33.09	VISITS: 6/28-6/30
MINDY PARKER	5229	54000		MILEAGE.	76.12	VISITS: 7/3-7/7
TOTAL CHECK					109.21	
010466	5225	53400		JUNE 2023	2,500.00	DV SAFEHOUSE
PEACE RIVER CENTER						
TOTAL CHECK					2,500.00	
001004	5103	53411		JUNE 2023	8,750.00	OUTPATIENT 4/01-6/30
PEACE RIVER CENTER FOR PERSO	5103	53412		JUNE 2023	10,033.00	JUNE 2023 24HR CRISIS
TOTAL CHECK					18,783.00	
000869	3217	54300		29513001	145.10	SVC: 5/24-6/24
PEACE RIVER ELECTRIC COOPERA						
TOTAL CHECK					145.10	
23410	3217	53400		FUEL STIPEND	30.00	FUEL STIP 04/23-06/23
ANTHONY PEREZ						
TOTAL CHECK					30.00	
24530	3217	53400		FUEL STIPEND	45.00	FUEL STIP 04/23-06/23
ALEJANDRO PEREZ-CARUZ						
TOTAL CHECK					45.00	
24954	6210	56600	230822	433776	274.96	WONDERBOOKS & PLAYAWAYS F
PLAYAWAY PRODUCTS LLC						
TOTAL CHECK					274.96	
24504	3217	53400		FUEL STIPEND	30.00	FUEL STIP 04/23-06/23
JAMES THEODORE POLBOS						
TOTAL CHECK					30.00	
25228	5367	54942Z	231328	231328	1,000.00	PRISCILLA PEREZ-1920 WIGH
ROY A POLLARD						
TOTAL CHECK					1,000.00	
24619	3217	53400		FUEL STIPEND	85.00	FUEL STIP 04/23-06/23
TYLER SCOTT PROVENCHER						
TOTAL CHECK					85.00	
002711	5105	53100	230230	062023	3,900.00	ON CALL HOURS-JUNE
R&D MEDICAL SERVICES						
TOTAL CHECK					3,900.00	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
24101	3217	53400		FUEL STIPEND	85.00	FUEL STIP 04/23-06/23
RAFAEL RAMOS						
TOTAL CHECK					85.00	
22357	4102	54605	230101	080615812023	606.00	ANNUAL SIGNAL MAINTENANCE
RAILWAY AUDITING AND MGMT SR						
TOTAL CHECK					606.00	
14244	1031B	54600	231038	3216721	4,989.60	SERVICE CONTRACT
RAPISCAN SYSTEMS						
TOTAL CHECK					4,989.60	
23977	3217	53400		FUEL STIPEND	50.00	FUEL STIP 04/23-06/23
COLT LAWRENCE RENFRO						
TOTAL CHECK					50.00	
504522	5105	54000		TRAVEL	370.90	HOLLYWOOD:6/11-6/15
KARIN RICHARDSON						
TOTAL CHECK					370.90	
24008	3217	53400		FUEL STIPEND	20.00	FUEL STIP 04/23-06/23
CARLOS D RIVERA JR						
TOTAL CHECK					20.00	
23957	3217	53400		FUEL STIPEND	90.00	FUEL STIP 04/23-06/23
JOSEPH JOHN ROMANIK						
TOTAL CHECK					90.00	
24963	3217	53400		FUEL STIPEND	65.00	FUEL STIP 04/23-06/23
MARIO SANCHEZ						
TOTAL CHECK					65.00	
001677	5221	53400		23-072-B	788.27	CREM: JANET WAGES
SCOTT FUNERAL HOME						
TOTAL CHECK					788.27	
000432	3217	54300		01921	42.46	SVC: 5/20-6/23
CITY OF SEBRING	5105	54300		01921	63.69	SVC: 5/20-6/23
	2672	54300		06010	18.12	SVC: 5/20-6/23
	5105	54300		06016	152.68	SVC: 6/03/23-6/30/23
	3995	54300		06179	87.42	SVC: 6/3-6/30
	2672	54300		14652	156.40	SVC: 5/20-6/23
	4102	54300		14653	719.51	SVC: 5/20-6/23
	2672	54300		14656	22.83	SVC: 5/20-6/23
	2672	54300		14658	148.89	SVC: 5/20-6/23
	3217	54300		14694	100.61	SVC: 5/20-6/23
	5105	54300		14694	150.92	SVC: 5/20-6/23
	3991	54300		14696	39.11	SVC: 5/20/23-6/23/23
	2672	54300		14960	14.34	SVC: 5/20-6/23
	3217	54300		41333	14.34	SVC: 6/03/23-6/30/23
	6210	54300		69712	264.50	SVC: 6/03/23-6/30/23
	3217	54300		70252	98.27	SVC: 6/03/23-6/30/23
	5105	54300		70252	98.27	SVC: 6/03/23-6/30/23
TOTAL CHECK					2,192.36	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
24577	3217	53400		FUEL STIPEND	40.00	FUEL STIP 04/23-06/23
JOSHUA SIMS						
TOTAL CHECK					40.00	
24359	3217	53400		FUEL STIPEND	105.00	FUEL STIP 04/23-06/23
DAMIAN H SMITH						
TOTAL CHECK					105.00	
24837	3217	53400		FUEL STIPEND	80.00	FUEL STIP 04/23-06/23
CHRISTIAN SOFFRON						
TOTAL CHECK					80.00	
007395	4210	54600	230090	143129	54.44	MISC IRRIGATION SUPPLIES
SOMERS IRRIGATION INC						
TOTAL CHECK					54.44	
25126	3217	53400		FUEL STIPEND	70.00	FUEL STIP 04/23-06/23
LYNN SORENSEN						
TOTAL CHECK					70.00	
23989	3217	53400		FUEL STIPEND	5.00	FUEL STIP 04/23-06/23
STEPHANIE SORENSEN						
TOTAL CHECK					5.00	
005469	2672	55200	231247	232548-1	822.69	JANITORIAL SUPPLIES
SOUTHERN JANITOR SUPPLY INC						
TOTAL CHECK					822.69	
004141	4106	54900	230102	JULY	1,088.25	ROW MOWING
SPRING LAKE IMPROVEMENT DIST						
TOTAL CHECK					1,088.25	
L208501	005	208501			1,223.26	DED:002 SUPPORT
STATE DISBURSEMENT UNIT						
TOTAL CHECK					1,223.26	
000157	5221	53400		23-063-B	752.27	CREM: C H SHOEMAKER
STEPHENSON-NELSON FUNERAL HO	5221	53400		23-065-B	816.17	CREM: M D OWENS
TOTAL CHECK					1,568.44	
011304	5221	53400		23-068-B	768.28	CREM:SHIRLEY RUSHER
STEPHENSON-NELSON FUNERAL HO						
TOTAL CHECK					768.28	
23981	3217	53400		FUEL STIPEND	10.00	FUEL STIP 04/23-06/23
SEAN SEBASTIAN STROUSE						
TOTAL CHECK					10.00	
23999	3217	53400		FUEL STIPEND	30.00	FUEL STIP 04/23-06/23
JAMES STUEVER						
TOTAL CHECK					30.00	
24738	3217	53400	230388	671553	135.00	FIRE EXTINGUISHER/GUARDIA
SUMMIT FIRE & SECURITY LLC						
TOTAL CHECK					135.00	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
004440	3217	54300		01-00253-02	44.60	SVC: 5/8-6/8
SUN N LK OF SEB IMPROVEMENT	5105	54300		01-00253-02	66.90	SVC: 5/8-6/8
TOTAL CHECK					111.50	
24838	3217	53400		FUEL STIPEND	25.00	FUEL STIP 04/23-06/23
BRADY TIMPE						
TOTAL CHECK					25.00	
24076	4105	54609	230622	1061926-01	16,979.60	LED FIXTURE 400W/480V P/N
TORRES ELECTRICAL SUPPLY CO						
TOTAL CHECK					16,979.60	
000519	3217	54300		6029	44.40	MAY SVC
TOWN OF LAKE PLACID	6102	54300		6433	22.28	SVC: 5/1-5/31
TOTAL CHECK					66.68	
001300	4102	54600	230039	106363	10.45	SUPPLIES AS NEEDED
TRIANGLE IRON WORKS INC	4102	54600	230039	106559	58.49	SUPPLIES AS NEEDED
	4102	54600	230039	106572	72.01	SUPPLIES AS NEEDED
	4102	54600	230039	106693	18.56	SUPPLIES AS NEEDED
TOTAL CHECK					159.51	
25036	5367	54942Z	231322	RENT ASSIST	1,800.00	RODRIGUEZ-1711 WOLFE
GLENN TUPICA						
TOTAL CHECK					1,800.00	
25036	5367	54942Z	231326	231326	3,600.00	KRYSTAL WEAVER - 2029 STE
GLENN TUPICA						
TOTAL CHECK					3,600.00	
L229901	005	229901			268.41	DED:101 UNITED WAY
UNITED WAY OF CENTRAL FLORID						
TOTAL CHECK					268.41	
000862	005	141000	231147	INV-28120	1,767.90	BLANK, "30 X 18" DRILLED
MCCAIN SALES OF FLORIDA INC	4105	55209	231147	INV-28120	573.00	9"X18" BLANKS NO HOLES
TOTAL CHECK					2,340.90	
23851	2111	54100	230202	597199	208.86	LOCATING SERVICES
USIC HOLDINGS INC						
TOTAL CHECK					208.86	
508905	5229	54000		MILEAGE	86.91	VISITS: 7/3-7/7
SANDRA VALDEZ-LOPEZ	5229	54000		MILEAGE.	24.44	VISITS: 6/29-6/30
TOTAL CHECK					111.35	
22258	3217	53400		FUEL STIPEND	45.00	FUEL STIP 04/23-06/23
JOSHUA VELAZQUEZ						
TOTAL CHECK					45.00	
16568	5305	54800	231315	00088149	3,000.00	MARKETING PARTNERSHIP REN
VISIT FLORIDA						
TOTAL CHECK					3,000.00	

PAYMENT TYPE: CHECKS ONLY

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
003694	4102	55200	230037	211531/2	22.53	TOILET SEAT
W & W LUMBER OF LAKE PLACID	4102	55200	230037	211556/2	17.46	CAULKGUN/CONST ADH
TOTAL CHECK					39.99	
24923	5305	54800	230724	INV-001208	2,083.33	SPLIT 6-MONTHS CITRUS GOL
YELLOW DOG MEDIA LLC						
TOTAL CHECK					2,083.33	
25229	005	220000		REFUND	20.00	AGRI CIVIC CTR DEP
DONALD NATHANIEL WATSON						
TOTAL CHECK					20.00	
L208520	005	208520			86.31	DED:0203 WISCONSIN
WI SCTF						
TOTAL CHECK					86.31	
23983	3217	53400		FUEL STIPEND	25.00	FUEL STIP 04/23-06/23
JEFFERY SCOTT ANTHONY WYATT						
TOTAL CHECK					25.00	
001423	4102	54400	230173	018940601	155.14	XEROX C8170H 1 LINE FAX,
XEROX CORPORATION	4102	55200	230173	018940601	44.27	BLACK AND WHITE IMAGES
	4102	54400	230171	018940603	147.58	XEROX C8155H-MAY
	4102	55200	230171	018940603	71.43	BLACK AND WHITE IMAGES
	4102	54400	230172	018940604	104.43	XEROX C8130T-MAY
	4102	55200	230172	018940604	41.51	BLACK AND WHITE IMAGES
	2700	54400	230168	019163540	168.36	XEROX C8170H ADD-ONS: BR
	2700	55200	230168	019163540	289.74	BLACK & WHITE IMAGES
TOTAL CHECK					1,022.46	
24010	3217	53400		FUEL STIPEND	15.00	FUEL STIP 04/23-06/23
JOSHUA A YOUNG						
TOTAL CHECK					15.00	
23975	3217	53400		FUEL STIPEND	20.00	FUEL STIP 04/23-06/23
MICHAEL AUSTIN YOUNT						
TOTAL CHECK					20.00	
TOTAL CASHABLE CHECKS					817,083.11	
TOTAL EFT VOUCHERS					.00	
TOTAL REPORT					817,083.11	

TOTAL NUMBER OF CHECKS TO BE ISSUED - 174
TOTAL NUMBER OF EFT VOUCHERS TO BE ISSUED - 0

PAYMENTS PENDING A/P APPROVAL

VENDOR	FD/COST CNTR	ACCOUNT	ENCUMBRANCE	INVOICE	AMOUNT	DESCRIPTION
TOTAL PENDING A/P APPROVAL					0.00	

Jerome Kaszubowski
H.C. Clerk of Courts
Finance & Accounting Division

BOCC Financial Support Report

DATE	COMPANY	PURPOSE	WIRES/ACH
7/6/2023	P&A	CLAIMS	$ 1,678.86
7/7/2023	KEIBER	DPA	$ 20,000.00
7/7/2023	CIGNA	CLAIMS	$ 350,598.47
TOTAL	0		$ 372,277.33