



**VIA Electronic Filing**

April 15, 2026

Florida Public Service Commission  
Adam Teitzman, Commission Clerk  
Office of the Commission Clerk  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

***Re: City of Bartow, Florida – Revised Tariff Sheets***

Dear Mr. Teitzman:

This letter is submitted on behalf of the City of Bartow, Florida pursuant to Rules 25-9.05 through 25-9.071 of the *Florida Administrative Code*.

Electronically filed are the city's following tariff sheets in legislative and final filing formats except as noted:

- a. Twelfth Revised Sheet No. 8.0 – *Miscellaneous*, and,
- b. Fourth Revised Sheet No. 8.1 – *Miscellaneous(continued)*.

A copy of the ordinance approving the revisions is included with this filing.

Please contact our office if there are any questions.

Very truly yours,

/s/

Jody Lamar Finklea  
General Counsel and Chief Legal Officer

**MISCELLANEOUS**

LIMITATIONS – The following are subject to the ordinances, rules, and regulations of the City of Bartow.

|   |  |
|---|--|
| Deposit - Credit Assessment Fee   | \$ 5.00  |
| - Residential Service - Credit-based deposit policy based on square footage or on most recent 12 months of billing. Good credit risk deposit waived; moderate credit risk - one times average bills; high credit risk - two times average bill. |  |
| - General Service - Two times estimated average monthly bill  |  |
| Reconnect Charge - Disconnect at meter  | \$20.00  |
| - Disconnected at pole  | \$40.00  |
| - After hours   | \$100.00   |
| Bad Check Charge  | 5% of check, \$20.00 minimum,<br>or as permitted by Florida Statutes   |
| Late Payment Penalty  | 1.5% of delinquent amount,<br>\$10.00 minimum  |
| Meter Tampering Charge  | Estimated value of diverted electricity plus \$50.00<br>penalty, plus costs to investigate and repair damage, and increase in deposit to two times normal deposit. |
| New Service Charge / Transfer of Service Charge   | \$20.00  |
| Temporary Service Charge - Single-phase Service Charge  | \$30.00  |
| - Three-phase Service Charge  | \$50.00  |
| Meter Test Charge   | \$30.00  |
| Refunded if meter is more than 2-percent fast or 2-percent slow   |  |

UNDERGROUND SERVICE CHARGES: Subject to the Line Extension Policy and Underground Service Revised Regulations pursuant to Code of Ordinances Sections 78-151 and 78-156 and available from the Bartow Utilities Department. The applicant shall pay to the city, prior to construction, the cost of materials, plus administrative costs, engineering, inspection, and permitting fees, to install and remove the temporary service.

(Continued to Sheet No. 8.1)

MISCELLANEOUS

LIMITATIONS – The following are subject to the ordinances, rules, and regulations of the City of Bartow.

|   |   |
|---|---|
| Deposit - Credit Assessment Fee   | \$ 5.00   |
| - Residential Service - Credit-based deposit policy based on square footage or on most recent 12 months of billing. Good credit risk deposit waived; Moderate credit risk - 1 times average bills; High credit risk - 2 times average bill. |   |
| - General Service   | 2 times estimated average monthly bill  |
| Reconnect Charge - Disconnect at Meter  | \$20.00   |
| - Disconnected at Pole  | \$40.00   |
| - After hours   | \$100.00  |
| Bad Check Charge  | 5% of check, \$20.00 minimum, or as permitted by Florida Statutes   |
| Late Payment Penalty  | 1.5% of delinquent amount, \$10.00 minimum  |
| Meter Tampering Charge  | Estimated value of diverted electricity plus \$50.00 penalty, plus costs to investigate and repair damage, and increase in deposit to 2 times normal deposit. |
| New Service Charge / Transfer of Service Charge   | \$20.00   |
| Temporary Service Charge - Single-phase Service Charge  | \$30.00   |
| - Three-phase Service Charge  | \$50.00   |
| Meter Test Charge   | \$30.00   |
|   | Refunded if meter is more than 2% fast or 2% slow.  |

UNDERGROUND SERVICE CHARGES: Subject to the Line Extension Policy and Underground Service Revised Regulations ~~as recommended in August 2022~~ pursuant to Code of Ordinances Sections 78-151 and 78-156 and available from the Bartow Utilities Department. The Applicant shall pay to the city, prior to construction, the cost of materials, plus administrative costs, engineering, inspection, and permitting fees, to install and remove the temporary service.

Type of Service:

|  |  |
|--|--|
| <del>General</del>   | <del>Difference in Actual Cost of Underground installation compared to the estimated cost of overhead service.</del> |
| <del>Single-family Home Subdivision or Manufactured Home Development</del> | <del>\$649 per lot</del>   |
| <del>Multi-family homes up to 4 Units per building</del>                   | <del>\$844 per bldg.</del>   |
| <del>Apartments and Condominiums – Smaller than 100 Units</del>            | <del>\$422 per unit</del>  |
| <del>100 to 120 Units</del>  | <del>\$316 per unit</del>  |
| <del>121 to 200 Units</del>  | <del>\$275 per unit</del>  |
| <del>Over 200 Units</del>  | <del>\$233 per unit</del>  |

~~Underground Secondary Only (200 A service) for individual residences, small commercial establishments, or multi-family buildings~~ ~~\$575 up to 100 ft., plus \$2.94/ft up to 200 ft.~~

Issued by: ~~David Wright~~ Michael Poucher  
~~January 1, 2023~~ March 2, 2026  
~~Assistant City Manager~~ Director, Electric Utility

Effective:

MISCELLANEOUS

EXTENSION OF ELECTRIC LINES: The city will extend its electric lines to serve any permanent installation within the defined electric service territory of the city in accordance with its Line Extension Policy pursuant to Section 78-151(c) of the Code of Ordinances and with the Underground Service Regulations pursuant to Section 78-156 of the Code of Ordinances. The applicant shall pay to the city, prior to construction, a Contribution in Aide of Construction (CIAC) for the cost of materials, plus administrative costs, engineering, inspection, and permitting fees, less any transformer deposit amount.

Any line extension will be owned and maintained by the city up to the Point of Delivery (metering point or weather head). Line extensions beyond the Point of Delivery are the customer's responsibility. However, the city may, upon signed contract, own, extend and maintain distribution facilities beyond the Point of Delivery at a charge of fifteen (15) per cent per year of the cost of construction. This charge will become part of the customer's monthly billing schedule.

An applicant may request underground construction of electric facilities in their development or property. Facilities may be located outside of their development or property in an adjacent public right-of-way. The city will consider the request based on evaluation of the impact to electric utility operations and reliability. In either case, the applicant shall be required to pay the CIAC as specified in the City's Line Extension Policy Underground Service Regulations.

An applicant may request relocation of existing facilities. The city will calculate relocation costs as the cost to install new facilities plus cost to remove existing facilities, plus undepreciated value of existing facilities, less salvage value of removals. Cost associated with engineering, inspection, and required regulatory permitting may be included in the estimate. Upon signed agreement, the applicant shall pay the CIAC to the city.

PRIVATE AREA LIGHTING INSTALLATIONS: The city will install unmetered private area lighting fixtures upon application in writing and, if applicable, after receipt of initial charges. Customers shall agree to receive and pay for services for a minimum term of 36 months. Base monthly charges are for fixtures installed on existing poles. If the city must install a single wood pole on which to mount the fixture, the customer shall pay an initial charge of \$159.00 and an additional monthly charge of \$3.00. The customer may request a concrete pole instead of a wood pole upon payment of an initial charge of \$457.00. The customer may request an "ornamental" pole instead of a wood pole upon payment of an initial charge of \$977.00. If additional facilities are required, see "Extension of Electric Lines" above.

(Continued to Sheet No. 8.2)

MISCELLANEOUS

EXTENSION OF ELECTRIC LINES: The city will extend its electric lines to serve any permanent installation within the defined electric service territory of the city in accordance with its Line Extension Policy pursuant to Section 78-151(c) of the Code of Ordinances and with the Underground Service Regulations pursuant to Section 78-156 of the Code of Ordinances. The applicant shall pay to the city, prior to construction, a Contribution in Aid of Construction (CIAC) for the cost of materials, plus administrative costs, engineering, inspection, and permitting fees, less any transformer deposit amount. A line extension including up to 300 circuit feet of overhead primary, pole-mounted transformer(s), and up to 200 feet of overhead secondary cable will be constructed at no charge to the applicant. For longer line extensions, the minimum bill of the applicant, for thirty six months following establishment of service, shall be the greater of (a) the applicable portion of the city's actual cost of the line extension divided by thirty six, or (b) the base charges for sales of electricity (exclusive of power cost adjustment charges).

Any line extension will be owned and maintained by the city up to the Point of Delivery (metering point or weather head). Line extensions beyond the Point of Delivery are the customer's responsibility. However, the city may, upon signed contract, own, extend and maintain distribution facilities beyond the Point of Delivery at a charge of fifteen (15) per cent per year of the cost of construction. This charge will become part of the customer's monthly billing schedule.

An applicant may request underground construction of electric facilities in their development or property. Facilities may be located outside of their development or property in an adjacent public right-of-way. The city will consider the request based on evaluation of the impact to electric utility operations and reliability. In either case, the applicant shall be required to pay the CIAC as specified in the City's Line Extension Policy Underground Service Regulations. new feeder mains in the vicinity of their property. The applicant will be required to pay the city in advance for preparation of a binding cost estimate for such construction, and upon acceptance will be required to pay a Contribution in Aid of Construction. ("CIAC").

An applicant may request relocation of existing ~~overhead facilities to underground.~~ The city will calculate relocation costs as the cost to install new facilities plus cost to remove existing facilities, plus undepreciated value of existing facilities, less salvage value of removals. Cost associated with engineering, inspection, and required regulatory permitting may be included in the estimate. Upon signed agreement, the applicant shall pay the CIAC to the city. The applicant will be required to pay the city in advance for preparation of a binding cost estimate for such construction, and upon acceptance will be required to pay a Contribution in Aid of Construction ("CIAC"). For relocations, the CIAC will be based on the cost to install underground facilities plus cost to remove overhead facilities, plus net book value less salvage value of removals.

~~The city will relocate an overhead secondary service of up to 100 feet in length to underground at a charge of \$575.00. For service distances over 100 feet and up to 200 feet this charge shall be increased by \$2.94 per foot. (See Line Extension Policy Regulations as drafted August 2022 and available from Bartow Utilities Department.)~~

PRIVATE AREA LIGHTING INSTALLATIONS: The city will install unmetered private area lighting fixtures upon application in writing and, if applicable, after receipt of initial charges. Customers shall agree to receive and pay for services for a minimum term of 36 months. Base monthly charges are for fixtures installed on existing poles. If the city must install a single wood pole on which to mount the fixture, the customer shall pay an initial charge of \$159.00 and an additional monthly charge of \$3.00. The customer may request a concrete pole instead of a wood pole upon payment of an initial charge of \$457.00. The customer may request an “ornamental” pole instead of a wood pole upon payment of an initial charge of \$977.00. If additional facilities are required, see “Extension of Electric Lines” above.

(Continued to Sheet No. 8.2)

Issued by: ~~David Wright~~Michael Poucher  
~~2023~~March 2, 2026

Effective: ~~January 1,~~

~~Assistant City Manager~~Director, Electric Utility



CITY OF BARTOW  
**CITY COMMISSION REGULAR MEETING**  
MONDAY, MARCH 2, 2026, AT 6:00 P.M. (EST)  
*OR AS SOON THEREAFTER AS POSSIBLE*  
BARTOW CITY HALL COMMISSION CHAMBERS  
450 N. WILSON AVE, BARTOW, FL 33830

**MINUTES**

The City Commission of the City of Bartow met at a Regular Meeting on March 2, 2026, at 6:00 p.m. at Bartow City Hall, Commission Chambers, 450 N. Wilson Avenue, Bartow, FL 33830. Notice of this meeting was posted at City Hall, Bartow Public Library, and on the City's website [www.cityofbartow.net](http://www.cityofbartow.net) and Facebook page on February 26, 2026.

1. **CALL TO ORDER**

Mayor Tucker called the meeting to order at 6:03 p.m.

City Clerk Poole called roll, attendance was as follows:

Commissioners Present: Commissioner Gary Ball, Commissioner Leo E. Longworth, Commissioner Trish Pfeiffer, Vice Mayor Laura Simpson and Mayor Tanya Tucker.

Commissioners Absent: None

Staff Members Present: City Manager Mike Herr, City Attorney Sean Parker, Assistant City Attorney Drew Crawford, Finance Director Peter Lear, Planning Director Bob Wieggers, Fire Chief Jay Robinson, Deputy Fire Chief Byron Moore, Deputy Fire Chief James Schall, PRCA Director Jason Hargrove, Communications Director Laurie Hayes, Water Utilities Director John Hall, Electric Utilities Director Michael Poucher, Assistant Electric Director Tony McDuffie, Electric Engineer Brent Fooockle, Public Works Director Billy Groover, Code Compliance & Neighborhood Services Director Tray Towles, Customer Service Manager Shaun Gelissen, IT Director Frank Canovaca , Officer Paul, Assistant PRCA Director Kyle Lasek, Assistant City Clerk Kaylee Fussell, and City Clerk Jacqueline Poole.

2. **INVOCATION**

Pastor Andrew Farley, Mount Olive Freewill Baptist Church gave invocation.

3. **PRESENTATION OF COLORS AND PLEDGE OF ALLEGIANCE**

The Commissioners and audience gave the Pledge of Allegiance to the Flag of the United States of America.

4. **PROCLAMATIONS AND SPECIAL PRESENTATIONS**

a. **Issuance of a proclamation recognizing the 55th Annual Bloomin' Arts Festival, March 7-8, 2026. Being accepted by Bloomin' Arts Co-Chairpersons, Michell Githens and Lara Frederickson.**

City Attorney Parker read the proclamation in its entirety.

Mayor Tucker presented the proclamation. She stated said this is a truly exciting event for Bartow, one of the city's longest-running and best-attended community traditions.

Bloomin' Arts Co-Chairperson Githens thanked the commission for the proclamation and shared details about the upcoming weekend. The festival will run from 9 a.m. to 4 p.m. on both Saturday and Sunday, featuring about 90 artists from across the country showcasing works in painting, woodworking, ceramics, fabric, and textiles, offering something for everyone. Saturday will also feature the Antique Classic Car Show along Broadway and Summerlin, and a quilt show will take place both days in the upstairs of the Kincart Building on Central Avenue. There will be three children's activity stations with hands-on arts & crafts, as well as local vendors, including Peace Creek Farm with produce, Arbuckle Ranch with beef, and TaylorMade Florals' new bouquet bar, Bulldog Landscaping will offer trees, ornamentals, and dish gardens, adding to the "everything in bloom" theme. Guests can also enjoy about 11 food trucks alongside downtown restaurants. She described the weekend as a wonderful time to be in Bartow, with "Chamber of Commerce weather", sunshine and temperatures in the 80s. She expressed a heartfelt thanks to all city departments for their invaluable support in making Bloomin' Arts possible and for what they do for Bartow daily.

b. **Issuance of a proclamation recognizing March 2026 as American Red Cross Month. Being accepted by Tina Sweeten. Executive Director, American Red Cross of Mid-Florida.**

City Attorney Parker read the proclamation in its entirety.

Mayor Tucker presented the proclamation.

Director Sweeten expressed sincere gratitude to the City of Bartow, noting that Bartow is the only municipality in Polk County that has offered the organization space to open "no-notice" shelters. She shared that during a recent Thunderbolt emergency exercise; they received a call to open four shelters within their area that same morning, a challenge they successfully met. The team achieved a 75% score on the exercise, which was especially meaningful given the addition of new staff and volunteers since July 1. She explained that this success was possible thanks to strong partnerships, particularly with the City of Bartow. She thanked the city for allowing use of municipal facilities, which made it possible to simulate the full process by opening four shelters, delivering supplies, staffing each one, and even registering mock residents all within four hours. She also highlighted the organization's ongoing collaboration with the Bartow Fire Department. She

noted the American Red Cross has responded to every fire in the city. Last year alone, volunteers responded to 130 fires countywide, 19 of which occurred in Bartow, assisting families affected by those incidents. She closed by again thanking the City of Bartow for its continued partnership and support in serving residents during emergencies and times of need.

c. **Presentation of March 2026 Beautification Awards – PRCA Assistant Director Kyle Lasek.**

PRCA Assistant Director Lasek, Committee Chairperson Ashlei Lung, and PPRCA Director Hargrove presented a Residential Beautification Award to Ms. Stacy Threatt, who accepted the honor on behalf of her parents, Corneilus and Yolanda, who reside at 2295 Martin Luther King Jr., Blvd.

Assistant Director Lasek noted that the photos displayed were taken before the recent frost and commended the Threatt family for their excellent lawn care, emphasizing how well-maintained and carefully pruned their property is.

Ms. Stacy Threatt expressed sincere gratitude to the City of Bartow for recognizing her parents, saying it was an honor to accept the award on their behalf. She mentioned this may be their second or third Beautification Award and thanked the City once again for its ongoing recognition of community pride and effort.

PRCA Assistant Director Lasek, Committee Chairperson Ashlei Lung, and PPRCA Director Hargrove presented a Residential Beautification Award to Yolanda Floyd who resides at 1080 S. Oak Avenue. PRCA Assistant Director Lasek noted that the photos show newly installed planter boxes in front of the property and a picture of the recipient with her family. He remarked that the plants appear to be thriving in a happy and well-cared-for environment, reflecting the joy and pride of the family. He congratulated Yolanda and thanked her for her efforts in beautifying the area. Mrs. Floyd was thankful for the recognition.

PRCA Assistant Director Lasek, Committee Chairperson Ashlei Lung, and PPRCA Director Hargrove presented a Commercial Beautification Award to Amanda and Ron Cabanas of Legacy Dance located at 1195 Luke Avenue.

Mrs. Cabanas expressed her appreciation for the opportunity and thanked the City of Bartow for its support.

PRCA Assistant Director Lasek said that the April awards would be presented during the April 6 City Commission meeting.

5. **GENERAL PUBLIC COMMENT**

At this time, the Commission received comments from the public regarding matters not appearing on this agenda.

City Attorney Parker made a couple of announcements regarding public comment procedures. He reminded all speakers addressing the City Commission to refrain from personal attacks, derogatory remarks, or comments related to matters in litigation, under investigation, or outside the Commission's jurisdiction. He also noted that, although many attendees were present and several public hearings would occur later in the meeting, this portion was designated for general public comment only. He advised that individuals wishing to speak on the CRA agenda items or the Emilie Project would have separate opportunities to do so during their respective public hearings. He emphasized that the Commission would work to ensure an efficient and orderly process for all public comment periods throughout the meeting.

Mayor Tucker opened the public comment period.

**Gerald J. Cochran, 1615 N Street, Bartow.** Mr. Cochran addressed the Commission regarding recent increases in his utility bills, stating that his charges have reached the highest levels he has seen in the past ten years. He shared that his most recent bill totaled \$168.96, with \$66.88 of that amount attributed to water usage now exceeding his electric costs. He expressed concern that this appeared disproportionate and noted that a plumber inspected his property and confirmed there were no leaks. He explained that these rising costs place a strain on his limited Social Security income. He also voiced concerns about the city's golf course operations, stating that after ten years, the facility still had not broken even financially. He questioned the management of the golf course budget, including staff compensation, and suggested that utility rate increases should not be used to offset losses from other city operations. He concluded by reminding the audience that public comments are limited to three minutes per speaker

**April Loew, 2055 S. Floral Ave., Lot #235, Bartow.** Ms. Loew addressed the Commission regarding what she described as the City of Bartow's lack of a comprehensive Emergency Management Plan. She referenced a recent fire southwest of the city near a 55-plus community, noting that many elderly residents were concerned about the fire and resulting smoke, especially given potential respiratory health risks. She shared her personal experience evacuating wildfire in California and expressed concern that the city's website provides little to no actionable information on emergency preparedness beyond basic hurricane and flood guidance. Ms. Loew said that when she contacted the City, staff were unable to identify anyone responsible for emergency management, and she was informed that no formal plan currently exists. She emphasized the importance of having clear points of contact and an established structure for communication during emergencies, noting that in large-scale incidents, the Fire Chief may not be available to answer public inquiries. She pointed out that with Bartow's anticipated population growth and industrial traffic along Highway 60 and nearby rail lines, the city faces increased risk of events such as wildfires or chemical spills. She concluded by encouraging the Commission to consider developing a comprehensive Emergency Management Plan for the City of Bartow, observing that it was particularly fitting to

raise the issue during Red Cross Month, as the Red Cross often fills emergency response roles that municipalities typically address.

With no further comments, Mayor Tucker closed the public comment period.

6. **CITY ANNOUNCEMENTS**

Mayor Tucker reminded the audience that the Bloomin' Arts Festival is this weekend.

7. **REPORT OF CHARTER OFFICERS**

a. **CITY MANAGER COMMUNICATIONS**

City Manager Herr thanked Ms. Loew for her comments, stating that they were thoughtful and well-intended. He explained that the City's Fire Chief also serves as Bartow's Emergency Management Director and oversees the city's emergency planning and response efforts. He assured Ms. Loew that Fire Chief Robinson, who has served the department for 38 years, is accessible and responsive to residents' concerns. He advised that if Chief Robinson is unavailable, Deputy Chief Byron Moore or Deputy Chief James Schaille may also be contacted as part of the department's leadership team. He added that staff from his office would follow up with Ms. Loew to arrange a discussion with the Fire Chief and his team to further address her concerns. He again thanked Ms. Loew for bringing the matter forward and for her interest in the city's emergency management efforts.

b. **CITY ATTORNEY COMMUNICATIONS**

City Attorney Parker had no report.

c. **LEGISLATIVE UPDATES**

Commissioner Pfeiffer provided an update on the current legislative session, noting that two Fridays remain before the scheduled conclusion on March 13, though it appears the session may extend beyond that date. She reported that several concerning bills are still under consideration and that legislators are currently conferencing to reconcile differences between the House and Senate budgets. She stated that the next two weeks will focus on reaching agreement on budget items and related legislation. She added that the Commission would remain on standby for any updates or alerts and referenced the report from the Monday morning legislative call, which outlined the status of several key bills.

8. **AGENDA MODIFICATION / APPROVAL**

City Attorney Parker requested moving Item 10.k, concerning Ordinance 2026-01, to the first position under Public Hearings. He noted that all remaining items would follow in their original sequence thereafter.

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to move Item 10.k, Ordinance No. 2026-01, to be the first item under Public Hearings, with all other items to follow in their original order.

**VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

9. **PUBLIC COMMENT ON AGENDA ITEMS**

At this time, the Commission received comments from the public regarding matters appearing on this agenda, not otherwise scheduled for a separate public hearing.

Mayor Tucker noted that the Commission would be discussing several topics about which many people feel strongly and emphasized the need to keep the meeting professional and efficient. She asked attendees to refrain from clapping, shouting, or other outbursts so that everyone in the chamber and those watching the recorded livestream could clearly hear the discussion and comments. She added that limiting disruptions also helps ensure that nothing said by speakers is missed.

City Attorney Parker clarified that the current public comment period was reserved for matters not otherwise scheduled for a public hearing. He noted that, while most items on the agenda would have their own dedicated public hearings, members of the public could use this time to address agenda items or not set for separate hearings. He added that those who have attended previous meetings are familiar with the speaker sign-in sheets, which are located on the table on the west side of the room. Anyone wishing to speak at any point during the meeting was asked to complete a card and submit it to the Clerk so she can track the speakers, and to state their name and address when beginning their remarks.

Mayor Tucker opened the public hearing.

**Christine Koskoski, 605 S. Wilson Ave., Bartow.** Ms. Koskoski asked for information about plans to relocate electric lines underground and whether a map is available showing the areas where this might occur. She noted that she lives in the historic district and believes her homeowners insurance is significantly higher than that of many others, despite her home being of lower value, and said that removing the risk of overhead power lines or poles falling on her house could help reduce her insurance costs.

With no further comments, Mayor Tucker closed the public comment period.

10. **HEARINGS – FIRST AND SECOND READINGS AND PUBLIC HEARINGS**

- a. **Public hearing and final reading or Ordinance 2026-01 — AN ORDINANCE RELATING TO ELECTRIC SERVICE UTILITIES; AMENDING CERTAIN SECTIONS OF CHAPTER 78 OF THE CODE OF ORDINANCES OF THE CITY OF BARTOW; SPECIFICALLY UPDATING SECTIONS DEALING WITH THE PAYMENT OF BILLS AND INSTALLATION OF UNDERGROUND FACILITIES; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER’S ERRORS; PROVIDING FOR AN EFFECTIVE DATE. *This item was originally listed last in Section 10 of the agenda but was moved to be heard first (see Agenda Modification and Approval).***

City Attorney Parker read the Ordinance by title only:

“AN ORDINANCE RELATING TO ELECTRIC SERVICE UTILITIES; AMENDING CERTAIN SECTIONS OF CHAPTER 78 OF THE CODE OF ORDINANCES OF THE CITY OF BARTOW; SPECIFICALLY UPDATING SECTIONS DEALING WITH THE PAYMENT OF BILLS AND INSTALLATION OF UNDERGROUND FACILITIES; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER’S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.”

**MOTION** was made by Commissioner Longworth, seconded by Vice Mayor Simpson to adopt on final reading Ordinance No. 2026-01, an ordinance relating to Electric Service Utilities; amending certain sections of Chapter 78 of the Code of Ordinances of the City of Bartow; specifically updating sections dealing with the payment of bills and installation of underground facilities; repealing ordinances in conflict; providing for severability; providing for codification; providing for the administrative correction of scrivener’s errors; providing for an effective date.

Director Poucher explained that the proposed amendments to Section 78 of the electric ordinances address two areas. The first change involves Section 78-153, Payment of Bills, which currently lists certain fees that also appear in the electric tariffs approved by the Commission. He stated that the proposal is to remove the fee provisions from the ordinance and rely solely on the tariffs, with no change to the actual fee amounts at this time, so that all fees are contained in a single, easier-to-update document. The second change concerns Section 78-156 Underground Installation of Electric Distribution Facilities. Director Poucher said the amendment would require all new developments to install electric facilities underground, with limited exceptions for large residential or agricultural parcels greater than one-acre, temporary facilities, certain electric utility facilities, and locations where underground installation would create operational problems, such as flood-prone areas

Mayor Tucker opened the public hearing.

**Christine Koskoski, 605 S. Wilson Ave., Bartow.** Ms. Koskoski said she appreciates the requirement for underground utility lines in all new developments and expressed regret that similar improvements are not being made in existing neighborhoods. She asked the Commission to consider extending underground installation to existing developments in the future.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried

- b. **Public hearing and consideration of RESOLUTION NO. 26-4253-R – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT; APPROVING AND ADOPTING THE AUGUST 2025 REPORT OF THE CENTRAL FLORIDA REGIONAL PLANNING COUNCIL ENTITLED 2025 BARTOW CRA FINDING OF NECESSITY; MAKING SUPPLEMENTAL LEGISLATIVE FINDINGS AND A SUPPLEMENTAL FINDING OF NECESSITY PURSUANT TO SECTION 163.355, FLORIDA STATUTES, FOR THE EXERCISE OF COMMUNITY REDEVELOPMENT AUTHORITY, PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969, OVER TWO (2) PARCELS OF REAL PROPERTY COMMONLY KNOWN AND REFERRED TO AS CARVER RECREATION CENTER AND TUSCAN MASONIC LODGE; ADDING THE CARVER RECREATION CENTER AND TUSCAN MASONIC LODGE PROPERTIES TO THE EXISTING COMMUNITY REDEVELOPMENT AREA OF THE CITY OF BARTOW, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney Parker read the Resolution by title only:

“A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT; APPROVING AND ADOPTING THE AUGUST 2025 REPORT OF THE CENTRAL FLORIDA REGIONAL PLANNING COUNCIL ENTITLED 2025 BARTOW CRA FINDING OF NECESSITY; MAKING SUPPLEMENTAL LEGISLATIVE FINDINGS AND A SUPPLEMENTAL FINDING OF NECESSITY PURSUANT TO SECTION 163.355, FLORIDA STATUTES, FOR THE EXERCISE OF COMMUNITY REDEVELOPMENT AUTHORITY, PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969, OVER TWO (2) PARCELS OF REAL PROPERTY COMMONLY KNOWN AND REFERRED TO AS CARVER RECREATION CENTER AND TUSCAN MASONIC LODGE; ADDING THE CARVER RECREATION CENTER AND TUSCAN MASONIC LODGE

PROPERTIES TO THE EXISTING COMMUNITY REDEVELOPMENT AREA OF THE CITY OF BARTOW, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.”

**MOTION** was made by Commissioner Longworth, seconded by Vice Mayor Simpson to adopt Resolution No. 26-4253-R, a resolution of the City Commission of the City of Bartow, Florida relating to Community Redevelopment; approving and adopting the August 2025 Report of the Central Florida Regional Planning Council entitled 2025 Bartow CRA Finding of Necessity; making supplemental Legislative Findings and a Supplemental Finding of Necessity pursuant to Section 163.355, Florida Statutes, for the exercise of Community Redevelopment Authority, pursuant to the Community Redevelopment Act of 1969, over two (2) parcels of real property commonly known and referred to as Carver Recreation Center and Tuscan Masonic Lodge; adding the Carver Recreation Center and Tuscan Masonic Lodge properties to the existing Community Redevelopment Area of the City of Bartow, Florida; providing for severability; providing for conflicts; providing for an effective date.

Assistant City Attorney Crawford explained that the Bartow Community Redevelopment Agency has been working to add the Carver Recreation Center and the Tuscan Masonic Lodge parcels to the CRA Community Redevelopment Area. This change would make both parcels eligible for CRA spending from tax increment revenues in the redevelopment trust fund, opening the door to various programs, including expanded recreation opportunities on the east side of town and potential redevelopment of the fraternal social club site if a new vision for that property moves forward. He stated that staff had provided Polk County with the required written report and that no comments had been received. He noted that, during a county work session he attended, county commissioners indicated these parcels should have been included in the CRA boundaries long ago. He concluded by reminding the Commission that this is a public hearing required by law to receive comments and that, if the Commission adopts the finding of necessity, the two parcels will be automatically added to the Community Redevelopment Area.

Mayor Tucker opened the public hearing.

**Gerald Cochran, 1615 North St., Bartow.** Mr. Cochran stated that, to his knowledge, his neighborhood is not included in the CRA district and questioned why, noting that residents there pay taxes as well. He remarked that the CRA is intended to address blighted areas and said his neighborhood fits that description but has not seen any results or improvements. He added that there is no park in or near the neighborhood other than Carver, and that children are forced to play in the street, even as city traffic cuts through the area day and night as a shortcut. He concluded by saying the neighborhood should at least be included in the CRA district and shown on the CRA map.

Assistant City Attorney Crawford explained that when the CRA was first established, it covered only the downtown area and has been expanded several times since then to include additional areas that were legally determined to be blighted. He noted that the two parcels under consideration were found by the Central Florida Regional Planning Council to meet the statutory definition of blight, emphasizing that, although people often “know blight when they see it,” state law requires that blight meet specific technical criteria. He added that any further expansion of the CRA would require a formal study to determine whether the additional areas legally qualify as blighted or as a slum.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- c. **Public hearing and consideration of RESOLUTION NO. 26-4254-R – A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT; APPROVING THE RECOMMENDATIONS OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BARTOW, FLORIDA AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF BARTOW, FLORIDA; APPROVING THE 2026 BARTOW CRA COMMUNITY REDEVELOPMENT PLAN UPDATE DATED JANUARY 2026 FOR THE BARTOW COMMUNITY REDEVELOPMENT AREA PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969; PROVIDING FINDINGS REGARDING THE COMMUNITY REDEVELOPMENT PLAN UPDATE AND AGENCY ACTIVITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney Parker read the Resolution by title only:

“A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA RELATING TO COMMUNITY REDEVELOPMENT; APPROVING THE RECOMMENDATIONS OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BARTOW, FLORIDA AND THE PLANNING AND ZONING COMMISSION OF THE CITY OF BARTOW, FLORIDA; APPROVING THE 2026 BARTOW CRA COMMUNITY REDEVELOPMENT PLAN UPDATE DATED JANUARY 2026 FOR THE BARTOW COMMUNITY REDEVELOPMENT AREA PURSUANT TO THE COMMUNITY REDEVELOPMENT ACT OF 1969; PROVIDING FINDINGS REGARDING THE COMMUNITY REDEVELOPMENT PLAN UPDATE AND AGENCY ACTIVITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.”

**MOTION** was made by Vice Mayor Simpson, seconded by Commissioner Ball to adopt Resolution No. 26-4254-R, a resolution of the City Commission of the City of Bartow, Florida relating to Community Redevelopment; approving the recommendations of the Community Redevelopment Agency of the City of Bartow, Florida and the Planning and Zoning Commission of the City of Bartow, Florida; approving the 2026 Bartow CRA Community Redevelopment Plan Update dated January 2026 for the Bartow Community Redevelopment Area pursuant to the Community Redevelopment Act of 1969; providing findings regarding the Community Redevelopment Plan Update and agency activity; providing for severability; providing for conflicts; providing for an effective date.

Assistant City Attorney Crawford explained that the resolution before the Commission concerns the Community Redevelopment Plan, which is the formal document adopted by the City Commission to guide the CRA's efforts to redevelop designated blighted and slum areas in Bartow. He noted that the plan was developed by the Community Redevelopment Agency in coordination with the Central Florida Regional Planning Council, with work occurring over the past year and the document finalized in January 2026. He stated that the CRA Board unanimously recommended the new plan, and the Planning and Zoning Commission recommended approval on a 4–1 vote after finding, as required by law, that it is consistent with the City's Comprehensive Plan. Crawford added that the plan's major elements are detailed in the materials provided and that the Community Development Director was present to answer specific questions. He concluded that adoption of the resolution would formally confirm and implement the new Community Redevelopment Plan, which will guide redevelopment activities going forward, with the expectation that it will be updated again in approximately three to five years.

City Manager Herr directed attention to page 3 of the agenda materials, which identifies redevelopment sites and opportunities included in the modified Community Redevelopment Plan. He highlighted the 15 potential projects listed there, noting they had been reviewed by the CRA Board and originated from recommendations by the CRA Director and City Manager. He referenced the recent joint session between the City Commission and CRA Board where these projects were discussed, emphasizing that while the CRA Board makes formal recommendations, the city faces a choice between bold or conservative action. He stated that the plan addresses blighted conditions across businesses and neighborhoods, including vacant sites, some with buildings, some without and specifically praised the inclusion of the cement factory and cigar factory. He explained that loan proceeds could fund the CRA Innovation Center, enabling a cash transfer to the general fund for incentives to attract developers to the cigar factory site. He emphasized that the Community Redevelopment Plan is flexible and that while 15 projects have been identified, final agreements with property owners on purchase prices remain uncertain. He stressed the need to move these projects forward, noting that current underutilization of properties limits job creation and tax increment revenue growth needed to fund ongoing

redevelopment. He advocated bold action, stating that the CRA has served the city well historically but should now focus on future opportunities rather than past missed chances. He clarified that changes to the project list would require recommendations from the CRA Director and City Manager to the CRA Board for approval, followed by a recommendation to the City Commission. He noted that he wanted to ensure the rules of engagement are clearly documented for the record, so all understand how operations will proceed: with the department reporting to the City Manager, and the City Manager serving the City Commission.

Assistant City Attorney Crawford followed up stating that not only are those individual properties addressed, which is excellent for including them in the plan, but legal staff have also reviewed the plan, ensuring the full suite of economic development and redevelopment tools will be available to the CRA as a result.

Mayor Tucker opened the public hearing.

With no comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- d. **Public hearing and consideration of RESOLUTION NO. 26-4255-R – A RESOLUTION OF THE CITY OF BARTOW, FLORIDA, AUTHORIZING THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BARTOW, FLORIDA (THE "AGENCY") TO ENTER INTO LOAN AGREEMENTS WITH THE LENDER AND OBTAIN A LOAN THEREUNDER; DESIGNATING THE 2026A NOTE AS A "QUALIFIED TAX-EXEMPT OBLIGATION" UNDER SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986; APPROVING AN INTERLOCAL AGREEMENT; APPROVING THE ACTIONS TAKEN BY THE AGENCY WITH RESPECT TO ITS APPROVAL OF THE LOAN AGREEMENT AND THE LOAN; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.**

City Attorney Parker read the Resolution by title only:

“A RESOLUTION OF THE CITY OF BARTOW, FLORIDA, AUTHORIZING THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BARTOW, FLORIDA (THE "AGENCY") TO ENTER INTO LOAN AGREEMENTS WITH THE LENDER AND OBTAIN A LOAN THEREUNDER; DESIGNATING THE 2026A NOTE AS A "QUALIFIED TAX-EXEMPT OBLIGATION" UNDER SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986; APPROVING AN INTERLOCAL AGREEMENT; APPROVING THE ACTIONS

TAKEN BY THE AGENCY WITH RESPECT TO ITS APPROVAL OF THE LOAN AGREEMENT AND THE LOAN; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.”

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to adopt Resolution No. 26-4255-R, a resolution of the City of Bartow, Florida, authorizing the Community Redevelopment Agency of the City of Bartow, Florida (the "agency") to enter into loan agreements with the lender and obtain a loan thereunder; designating the 2026A Note as a "qualified tax-exempt obligation" under Section 265(b)(3) of the Internal Revenue Code of 1986; approving an interlocal agreement; approving the actions taken by the agency with respect to its approval of the loan agreement and the loan; and providing severability and an effective date.

Assistant City Attorney Crawford explained that this resolution authorizes an \$18 million loan for the CRA to fund the redevelopment projects outlined in the CRA plan. He walked through key loan details: the Redevelopment Increment Revenue Trust Fund serves as the primary repayment source, backed by increment revenues from the city and county; an interlocal agreement between the City Commission and CRA will cover any shortfalls via budgeted appropriations; and the bank secures repayment through these mechanisms. The loan splits into a nontaxable portion of \$5.4 million at 4.35% interest and a taxable portion of \$12.6 million at 5.5% interest, with projected annual debt service of \$1,472,97.31, slightly above current increment revenue to the trust fund. To proceed, Florida law requires the City Commission to approve the CRA Board's pledge of increment revenue via this resolution, which also fulfills public hearing notice requirements. All notices that are required to be issued to the county and to the citizens have been published and mailed.

Commissioner Longworth expressed concern about potential adverse legislative changes to tax funding. He asked what would happen if tax funding took an adverse direction from the legislature while locking in this \$18 million pledge before year-end. He asked if there is any flexibility.

Assistant City Attorney Crawford clarified that adopting the resolution now allows the CRA Board's vote on March 4 at 8:30 AM, with loan closing anticipated on March 10. He said while House Joint Resolution 203 (if passed by voters) would reduce city property/sales tax collections and doubly impact increment revenue alongside county effects, he believes the remaining CRA increment would still cover payments.

Finance Director Lear added that current city/county increment revenue totals about \$4 million, with 31% residential property in the CRA. Even in a worst-case loss of all residential increment, over \$2.7 million would remain, enough to cover the under \$1.5 million annual debt service, allowing projects to proceed with limited surplus funds.

Mayor Tucker opened the public hearing.

**Gerald J. Cochran, 1615 North St., Bartow.** Mr. Cochran cautioned that \$18 million sounds insignificant when stated quickly, but without budget guarantees, he questioned who would cover a loan default. He asked if federal funds would back any portion, noting the city's budget could not sustain it, and cited the subsidized golf course and restaurant as examples of businesses unable to break even.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- e. **Public hearing and final reading of Ordinance No. 2025-17 - AN ORDINANCE ANNEXING UPON THE PETITION OF THE OWNERS THEREOF APPROXIMATELY 369.3 ACRES OF PROPERTY LOCATED ON THE NORTH SIDE OF HIGHWAY 60 EAST; SOUTH SIDE OF GERBER DAIRY ROAD; AND 3,600' WEST OF RIFLE RANGE ROAD IN SECTIONS 29 THRU 32, TOWNSHIP 29S, RANGE 26E, POLK COUNTY FLORIDA; PROVIDING FOR SCRIVENER'S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.**

City Attorney Parker outlined housekeeping procedures. He welcomed the audience, many of whom were familiar from prior Planning and Zoning meetings regarding the Emilie projects. He committed to ensuring everyone had a chance to speak, mirroring the successful public comment process used there. He noted a court reporter is present, so speakers must address one at a time for accurate transcription. He explained that the Mayor controls meeting conduct including breaks, and all should defer to her direction. He outlined the order: Planning Director Wieggers presents for the city, followed by Attorney Allen for the developer, then a combined public hearing on all five interrelated items using a 5-minute speaking limit. After public input, commissioners will handle motions, discussions, and individual votes. He added that all comments constitute sworn testimony, asking potential speakers to stand for the clerk-administered oath to tell the truth.

City Clerk Poole then swore in the audience members, staff, and project representatives.

City Attorney Parker reminded commissioners that, due to quasi-judicial items on the agenda, they must disclose any ex parte communications such as emails, phone calls, or site visits related to Emilie development.

Disclosures by Commissioners:

**Vice Mayor Simpson:** Received emails addressed to the city commission address (no separate conversations); visited nearby roadways and areas but not the site itself.

**Commissioner Longworth:** Received two letters (one from Colleen Williams) and two emails (copied to the clerk); visited both sites with city personnel (no conversations about the projects).

**Mayor Tucker:** Received an anonymous packet via city mailbox with maps, public notices, and hearing info; attended developer's initial presentation at Polk State Bartow Campus and a citizens' meeting at Oak City Church (listened only); spoke with Cindy Barrow, Susan Private, and Pam Luce (who opposed the project); got opposing comments on her public Facebook post; all other communications via city email.

**Commissioner Ball:** Attended developer's presentation at Polk State Bartow Campus, received emails via city email; received Dania Lovett's handout tonight via clerk; spoke briefly with Cindy Barrow and husband at Civic Center on the same night as the first hearing, they voiced the same concerns during that public meeting, no further conversations have occurred.

**Mayor Tucker (addendum):** Also received Dania Lovett's handout.

**Commissioner Pfeiffer:** Disclosed prior list (November) including Colleen Williams and Pam Luce; received recent emails from Brittany Villa, Lynette Walters, and Angela Foley; skipped public hearings to wait; met George Lindsey (February last year) who provided an 11x14 sheet introducing the project; received info from Dania Lovett; drove by properties and reviewed aerials.

**Planning Director Wieggers** explained that the items before the Commission have been under discussion for approximately a year, with multiple rounds of review, public notices, and procedural steps. Tonight's hearings represent the culmination of that extensive process. The agenda includes five public hearing items covering annexation, comprehensive plan amendments, and zoning for two contiguous areas referred to as Emilie East and Emilie West projects.

#### Background and Review Process

Planning Director Wieggers stated over the past year all operating departments have carefully reviewed the proposed amendments to ensure sufficient technical and procedural information was available for consideration. Several

studies have been completed, most notably a transportation impact analysis that remains under review by the Florida Department of Transportation. The applicant has also performed significant utility verification work to confirm that existing and future infrastructure will adequately serve the project area. The Planning and Zoning Commission held its public hearing on October 27, 2025. The City Commission approved the first reading on November 17, 2025. Following that action, two amendments related to the Emilie project were transmitted to the Florida Commerce Division of Community Planning for statutory review under Chapter 163, Florida Statutes. Comments were returned by January 23, 2026.

### Project Overview

Planning Director Wieggers gave a project overview. He said Emilie East: 369 acres of unincorporated land proposed for annexation and designated as Planned Development (PD).

Emilie West: The corresponding Clear Springs property located west of Emilie East, designated as Planned Industrial but proposed for transition to Planned Residential under the Clear Springs Sector Plan.

He stated that both tracts together represent a combined total of 2,245 residential units, 1,094 in Emilie East and 1,151 in Emilie West. The overall residential density is projected at roughly 2 to 3 units per acre, based on gross acreage. Development will occur in four phases:

Phases 1–2: Emilie West (2027–2032)

Phases 3–4: Emilie East (2030–2035)

### Infrastructure, Utilities, and Coordination

The project is designed as a coordinated development extending the design and connectivity principles of the Clear Springs Sector Plan. Shared features will include integrated roadways, multiuse trails, sidewalks, and utilities. The applicant has agreed to donate land for a future City public safety substation (fire or police), which will be incorporated into the project's infrastructure.

The annexed areas fall within both the City of Bartow's electric service territory and its Chapter 180 utility service area, giving the City jurisdiction to provide water, sewer, and electric services.

### Conditions of approval require the developer to:

- Construct all improvements identified as necessary by transportation and utility studies.

- Provide a navigation easement recognizing proximity to the Bartow Executive Airport.
- Enter into a development agreement with the City establishing timing and obligations for infrastructure improvements for each phase.

### Comprehensive Plan and Agency Comments

Comprehensive plan amendments were transmitted to all required review agencies.

Southwest Florida Water Management District (SWFWMD): Requested verification of potable water capacity and confirmation of water conservation measures. The City provided detailed capacity data and confirmed compliance with existing conservation ordinances and policies.

Florida Department of State, Division of Historical Resources:

For Emilie East – reported no known archaeological or historic sites but noted that further review would occur before site development.

For Emilie West – identified an already documented archaeological site known as the Bosco Site (8PO00441), determined eligible for listing on the National Register. The City confirmed that policies within its comprehensive plan and the Clear Springs Sector Plan provide protection and evaluation of such resources.

No adverse comments were received from the Department of Transportation, Department of Education, Polk County School Board, Polk County Board of Commissioners, Central Florida Regional Planning Council, or Florida Commerce Division of Community Planning.

All comments were technical in nature, not objections and were addressed in the City's responses. The Florida Commerce Division found no adverse impacts to state resources, confirming the amendments meet statutory requirements.

### Public Notices and Next Steps

All required public notices were issued, including publication in the local newspaper, posting at City Hall, and mailed notifications to affected property owners. Technical documentation and correspondence from reviewing agencies are on file in the City Clerk's office for public inspection.

If the Commission adopts the proposed ordinances tonight, the amendments will be sent to the Florida Commerce Division for final administrative review. State statute provides a 30-day period during which any challenge may be filed before the amendments become final.

Planning Director Wieggers concluded by acknowledging the participation of Mr. Joshua Macklemore from the Polk County School Board's Planning Staff, present to address school planning issues if necessary.

**Attorney Bart Allen of Peterson & Myers Law Firm** appeared representing the applicant, CBD Land Investments appeared before the City Commission on behalf of the applicant, CBD Land Investments, to present the companion items related to the Emilie at Bartow project, consisting of five separate but interrelated requests: annexation, two comprehensive plan amendments, and two planned development (PD) rezonings collectively covering the Emilie East and Emilie West properties. He concurred with City Attorney Parker's outlined process for the meeting, requesting one modification: that the applicant team be allowed to present their materials in full before public comment, followed by citizen remarks, and then receive several minutes for a brief rebuttal and response period to address questions afterward.

Attorney Allen began his presentation by extending the apologies of Mr. Waronker, who has served as the applicant's primary representative for nearly two years but was unable to attend due to a family emergency. Mr. Allen conveyed Mr. Waronker's regrets and disappointment at missing what is hoped to be one of the final hearings for this long-anticipated project. Attorney Allen introduced members of the applicant's consultant team, acknowledging the range of technical expertise involved in the Emile East and Emilie West development proposals:

Mr. George Lindsey, Lindsey Development – consulting on land development strategy and coordination with the applicant over the past year.

Mr. John McVay, Elite Designs – lead land planner overseeing the site design and community layout for both Emilie East and Emilie West.

Stantec Consulting Team – engaged across several disciplines:

Mr. Andy Mikulski, planning specialist;

Mr. Rob Engel, P.E., professional engineer;

Mr. Keith Wetzel P.E., professional engineer focusing on stormwater, drainage, and floodplain management;

Mr. Christian Kline, transportation analyst responsible for preparing the traffic impact study now under review by the Florida Department of Transportation;

Ms. Diane Chadwick, previously part of the planning team, was unable to attend due to other obligations. Mr. Allen expressed appreciation for her long-standing involvement despite her absence.

GAI Consultants – represented by Mr. Greg Kolb, who previously presented to the Commission on the site’s water and sewer service capacity and remains available for related technical questions.

Stillwater Environmental – represented by Ms. Jessica Azpurua, lead environmental consultant responsible for species studies, wetland delineations, and environmental impact assessments associated with both project tracts.

Attorney Allen noted that Mr. Patrick Carroll, representing Clear Springs Development, was also present in the audience as a stakeholder and project partner.

Attorney Allen stated that he had delivered a very detailed presentation during November 17, 2025, transmittal hearing, and therefore did not intend to restate those materials in full. Instead, he provided a focused update on the major components of the project, including:

- A brief review of the prior transmittal and comments received from state agencies.
- An in-depth discussion of the land use plan and planned development design.
- Key considerations of concurrency, or the City’s ability to provide necessary public services.
- Closing remarks and request for approval.

#### Overview of Applications

Attorney Allen summarized that while there are five separate items before the Commission, they together constitute one coordinated project known as “Emilie at Bartow.” The terms “East” and “West” simply distinguish the two ownership tracts and their current jurisdictional status.

**Emilie West:** Already within the City of Bartow, has an existing Planned Industrial land use designation under the Clear Springs Sector Plan.

**Emilie East:** Currently in unincorporated Polk County, requires annexation, assignment of a Low Density Residential future land use designation, and adoption of PD zoning consistent with Emilie West.

Together, the two sites total approximately 2,245 residential units on around 740 acres, averaging 2.5 units per gross acre or 3.6 units per net acre. The project is designed with significant open space, amenity centers, and conservation areas, maintaining alignment with the City’s existing growth framework.

He reiterated that Polk County’s review agencies, the Florida Commerce Department, and other state entities had all completed coordinated review under Chapter 163, Florida Statutes, with no objections and only minor technical

comments. These comments, already addressed by staff, related to water capacity, reclaimed water use, and archaeological review, none of which changed the City's or applicants' conclusions.

### Record Incorporation

Attorney Allen stated that since the November transmittal hearing was stenographically recorded, he wished to formally incorporate the certified court transcript from that hearing into tonight's record as an exhibit, along with the City's official minutes from November 17, 2025. Copies were offered to the City Clerk for inclusion in the permanent file.

### Annexation and Land Use Context

Turning to the annexation request for Emilie East, Attorney Allen explained that the property satisfies Chapter 171, Florida Statutes, regarding being both contiguous and compact to current municipal boundaries. The annexation represents a logical eastward extension of Bartow's service area.

The property is already located within both the City's electric service territory and its Chapter 180 utility service boundary, meaning it will automatically receive Bartow municipal utilities upon annexation. Mr. Allen displayed the City's long-term utility service boundary map, highlighting the red star marking Emilie East's location, showing it well within the City's planned eastern growth corridor.

He noted that Bartow's geographic opportunities for growth are constrained to the west by Highland City and south Lakeland, and to the south by phosphate mining operations, leaving the east corridor as the logical direction for sustainable expansion. The proposed annexation and land use assignment align with the City's documented planning intent dating back decades.

### Comprehensive Plan Amendments

Attorney Allen recapped the current proposed land use designations:

- **Emilie West** (under the Clear Springs Sector Plan): Presently Planned Industrial (FAR 0.5) originally mapped when the Polk Parkway was anticipated to extend through the area with a nearby interchange. Since those plans changed, industrial development no longer suits the site. The applicant now proposes Low Density Residential to create continuity with surrounding neighborhoods.
- **Emilie East:** Currently designated Residential Low (R-L1X) in unincorporated Polk County, allowing up to five dwelling units per acre with PD approval. The applicant requests that this property also be designated Low Density Residential upon annexation.

The southern 800 acres of conservation land depicted in pink on City maps will remain unchanged and undeveloped. The northern natural basin known as “the bowl” will continue to serve as stormwater retention, with no structures proposed there. The project thus works entirely within previously designated development envelopes, maintaining consistency with existing regional planning frameworks and environmental conservation designations.

### Planned Development (PD) Design

Attorney Allen then turned to the Planned Development ordinance that accompanies both the East and West parcels. He explained that the PD document is intentionally conceptual at this stage, showing development zones, street hierarchy, and regulatory notes, with detailed designs to follow during the preliminary and final subdivision plan stages.

The PD specifies:

- Lot size ranges and housing mix.
- Requirements for buffering and perimeter landscaping.
- Streetscape standards, including lighting and sidewalk placement.
- Integration of the Clear Springs Design Standards and Pattern Book to maintain continuity across both tracts.

He presented visuals depicting how the project’s spine road a major internal boulevard will travel from State Road 60 eastward through Clear Springs and into Emilie East, intersecting with neighborhood streets and connecting to multiple community amenity centers. Four phases are planned, beginning in the west and progressing eastward as infrastructure extends.

### Amenities and Pedestrian Networks

The project includes four major amenity centers featuring recreational spaces such as pools, pickleball courts, large open lawns, playgrounds, and community mail kiosks. These facilities will double as safe school bus stop locations, coordinated with the Polk County School District, and will include shelters, lighting, and internal pedestrian access from all neighborhoods.

In addition to neighborhood parks and tot lots, Emilie at Bartow will feature an integrated multimodal and trail system, including:

- Over 3 miles of continuous multiuse path along the main spine road.
- Approximately 3.5 additional miles of stabilized nature trails—for walking, biking, and nature viewing—located along wetlands and floodplain edges.
- Over 6 miles of total interconnected trail network, enabling residents to traverse the community safely without using main roads.

Rendering slides showed landscaped corridors, internal sidewalks on both sides of local streets, and examples of dog parks, bike racks, and passive open spaces to support a pedestrian-oriented design.

### Compatibility and Buffering

Responding to concerns raised during earlier hearings, Mr. Allen presented detailed exhibits illustrating how compatibility will be achieved between Emilie's perimeter and neighboring areas, particularly along Gerber Dairy Road.

Key commitments include:

- A 50-foot landscaped buffer with 4-foot earthen berms and 6-foot fences atop the berms, together providing approximately 10 feet of opaque screening.
- Retention of existing natural vegetation wherever feasible, recognized as the "best buffer available."
- No vehicular or pedestrian access to or from Gerber Dairy Road or Logan Lane including emergency access.
- Design restrictions preventing residential rear lots from backing directly onto Gerber Dairy Road; instead, these areas will include ponds, open spaces, or greenbelts.

Attorney Allen displayed side-section diagrams of the landscaping and elevation treatments, characterizing them as comparable to those successfully implemented on EF Griffin Road. He also described how the project will maintain wildlife corridors, linking the conserved 800-acre area with interior wetlands and floodplain segments, and confirmed that culvert and bridge designs across Peace Creek would follow FDOT and Fish and Wildlife guidelines for wildlife crossings.

### Concurrency and Impact Fees

Addressing concurrency, Attorney Allen explained that tonight's action concerns entitlement-level approvals annexation, land use, and zoning but not final development permits. The City's concurrency review will be reconfirmed at each subsequent stage: preliminary plat, construction plans, and final platting. He said Florida statute allows concurrency to be finalized no later than issuance of a Certificate of Occupancy, but Bartow's ordinances require earlier checkpoints. He reiterated the key policy: the City of Bartow "shall not issue a development permit if it results in a failure to maintain service level standards," ensuring that adequate capacity exists before development proceeds. Projected start of construction is at least two years away, with further permitting, engineering, and developer agreements required beforehand. Regarding impact fees, he stressed that the project is not exempt. Based on current 2026 rates:

- City of Bartow: \$8,000 per single-family unit

- Polk County: \$4,900 per unit
- Polk County School Board: \$11,124 per unit

Total combined impact fees amount to approximately \$24,000 per home, yielding an estimated \$54 million over the life of the 2,245-unit project. This does not include ad valorem taxes or recurring revenue for the City and County.

### Conclusion and Requests

Attorney Allen concluded by outlining next steps and restating the formal requests for approval:

- Annexation of Emilie East (369 acres).
- Assignment of Low Density Residential future land use to Emilie East.
- Adoption of Planned Development zoning for Emilie East.
- Change of use for Emilie West from Planned Industrial to Low Density Residential.
- Adoption of companion Planned Development zoning for Emilie West.

Attorney Allen reaffirmed that all five items are fully supported by City planning staff, have received favorable Department of Commerce reviews, and are consistent with City policy and growth direction. In conclusion, he thanked the Commission and City staff for their collaboration throughout the process and stood by ready, along with his consultant team, to answer questions from the Commission following public comments.

Mayor Tucker recessed the meeting at 8:34 p.m.

Mayor Tucker reconvened the meeting at 8:45 p.m.

Mayor Tucker asked if there were any questions from the Commission. There were none.

City Attorney Parker reiterated how the public hearing would take place on the five action items on the Emilie. Will conduct one singular hearing on all five items with a five-minute clock instead of three.

Mayor Tucker opened the public hearings for Ordinance Nos. 2025-17, 2025-18, 2025-19, 2025-21 and 2025-22.

**Marcia Davis, 2650 Alturas Rd., Bartow.** Ms. Davis stated that she has been a resident of Bartow for 25 years and has lived in Central Florida for 51 years. She expressed concern that land development is the leading cause of species

decline and habitat loss, noting that roughly 450,000 acres in Florida have been developed over the past decade, impacting species such as the Gopher Tortoise, Florida Panther, Wood Stork, and Snail Kite. She said that large suburban developments like Emilie Springs contribute to stormwater runoff, pollution, algae blooms, and wetland loss, which affect the Peace Creek and Peace River systems. She noted that natural lands absorb rainfall, while roads and roofs increase runoff and flooding. She added that HOA managed neighborhoods often remove old-growth trees and require frequent lawn watering, leading to more fertilizer runoff and water pollution. She estimated the project would add thousands of new homes and over 8,000 vehicles, worsening traffic and roadkill while fragmenting wildlife habitat. She concluded by questioning who truly benefits from the project, stating that overdevelopment harms both residents and Central Florida's environment.

**Ashlei Lung, 1060 S. Oak Ave., Bartow.** Ms. Lung stated that she is a lifelong Bartow resident, as were her parents. After moving to Illinois for a short period, she returned to Bartow because she loves the community and wants to ensure that future growth is smart and responsible. She said her comments were based on facts rather than emotion. She expressed concern about the developer, David Warnoker of CBD Real Estate, stating that developers often collect their payments and leave without long-term commitment to the community. She referenced his other projects near Champions Gate and Highway 27, noting that traffic congestion in those areas has significantly worsened and cautioning against similar impacts along Highway 60. She also noted that Mr. Warnoker is affiliated with Lennar Homes, which is currently facing a lawsuit filed by the Seminole Tribe over allegedly defective housing construction. The case involves hundreds of homes, and she added that Lennar has a low customer rating of 1.2 out of 5 from the Better Business Bureau. D.R. Horton, another builder active in the region, also holds a 1.1 rating and is not BBB-accredited. Regarding environmental conditions, Ms. Lung observed that the area is under drought restrictions allowing lawn watering only once per week, yet the proposed site is prone to flooding during heavy rains. She questioned whether adding 2,000 to 4,000 homes would worsen existing flooding and resource strains. She also reminded the Commission that the county has already denied the project twice and that the Lake Wales Planning Committee recently rejected similar developments at Iron Mountain and Steeplechase. She stated in May 2025 a whistleblower lawsuit was filed alleging that Polk County failed to follow the school concurrency agreement by omitting reserve capacity data from developer submissions. She reported that local schools already have large class sizes averaging about 23 students per class and over 300 teacher vacancies, which would be exacerbated by new housing demands. She questioned how public services would be funded if proposed property tax cuts take effect, expressing concern that future homeowners and residents would bear the costs after developers depart. She concluded by stating that she supports annexation of the property only if it is used for wildlife preservation rather than large-scale residential development.

**Gerald Cochran, 1615 North St., Bartow.** Mr. Cochran said he had several questions regarding public health impacts associated with the proposed development. He stated that much of the land being considered was formerly used for phosphate mining and that such land is often reclaimed and potentially contaminated. He emphasized that phosphate lands can be radioactive, and he was concerned this issue was not addressed in the developer's presentation. Drawing on his experience collecting air, water, and soil samples at phosphate mine sites, he said that while testing contaminants were common, Geiger counters were generally not used to check for radioactivity. He cautioned that radiation could affect soil, air, and water quality, and that people living on or near contaminated land could be exposed through air or well water. He added that radioactivity cannot simply be filtered out and can contaminate homes and materials permanently. He warned that approving development on such land could pose long-term health risks to residents, including increased cancer risk, particularly lung cancer. He urged decision-makers to consider these concerns before approving new development, noting that while impact fees may provide short-term revenue, the long-term health risks could lead to serious consequences for families and property owners.

**Christine Koskoski, 605 S. Wilson Ave., Bartow.** Ms. Koskoski stated that while the developer indicated there would be no impact on residents on Gerber Dairy Road, constructing a four-foot berm could trap stormwater during hurricanes, causing flooding on nearby properties. She added that diverting water away from wetlands could cause them to dry out, harming local ecosystems. She further observed that while the proposed development includes amenities such as a pool and recreational facilities, these will likely result in high HOA fees. Residents may also be required to maintain non-native St. Augustine lawns that need heavy watering and fertilizer, contributing to nutrient runoff and further damage to wetlands. She expressed concern that habitat loss could force wildlife into residential areas, creating safety risks. She noted that the distance for fire and emergency services would add further challenges, and that construction of a new fire station, though proposed, would take time. As a lifelong Floridian, she asked that the city focus on maintaining Bartow's small-town character, stating that those new residents would likely shop and dine in nearby Winter Haven rather than supporting local businesses.

**Colleen Williams, Gerber Dairy Rd., Winter Haven.** Ms. Williams stated that the Commission's decision is not merely a zoning matter but one that will affect the health, safety, and future of all families and wildlife living near or on the proposed development site. She urged the Commission to recognize both their legal and moral responsibility to protect public health. She explained that the property in question was permitted for the dumping of biosolids and liquid sewage between 2013 and 2024, resulting in more than a decade of contamination. She said the land remains toxic and unsafe for residential use. she described biosolids as the product of sewage sludge, containing industrial toxins, pharmaceuticals, pathogens, and "forever chemicals" that do not break down and can persist in soil, air, and dust for decades or longer. She said these

contaminants have been linked to cancer, neurological disorders, autoimmune disease, developmental issues in children, and respiratory illness. She emphasized that children are particularly vulnerable and that once homes are constructed, exposure will be constant and unavoidable. She said no disclosure or lawsuit could reverse the harm caused by living on contaminated soil and warned that approving the project would knowingly place people in danger. She stated that if the development proceeds, future health problems, cancer clusters, or respiratory illnesses could lead to investigations and lawsuits against the city. She cautioned that while developers may profit and move on, elected officials would remain accountable for approving residential construction on contaminated land. She urged the commissioners to prohibit any residential development on property previously treated with biosolids or sewage sludge. She said economic growth must never come at the expense of human life and reminded the Commission of their oath to protect public health, safety, and welfare.

**Dania Lovett, 3980 Gerber Dairy Rd., Winter Haven.** Ms. Lovett stated that she lives on Gerber Dairy Road and provided a handout showing a flood zone map. She said the proposed development site lies within several identified flood zones, marked in green and red on her map, and noted that her home, indicated by a star, is just 500 feet from the property. She shared photos showing flooding in her front yard, explaining that Peace Creek frequently overflows and has caused significant flooding in nearby communities. She added that the city has previously purchased flooded homes in this area, demonstrating that the risk is well known. She said developers often claim stormwater will be properly managed, but such assurances frequently fail after construction. The soil in this area drains poorly and is unsuitable for dense housing. She cautioned that raising the site's elevation will displace floodwaters into neighboring rural properties like hers. She referenced similar post-development flooding in Flagler and Lee counties, Plant City and Kathleen, where homes, farms, and roads were inundated after large subdivisions were built. She cited the city's own comprehensive plan policies 1.5 and 1.8, which require new development to be compatible with existing land uses. She argued that this high-density project does not meet that standard, as surrounding properties consist of 1 to 5-acre agricultural lots and cannot coexist safely with increased runoff and flooding. She said paving over land in this area would worsen stormwater issues, pollute the aquifer, and strain the water supply, especially amid current countywide drought restrictions. She raised questions about drinking water capacity, asking whether the project will need a new Southwest Florida Water Management District pumping permit or if the existing one is sufficient. She noted that local elementary schools are already near capacity, referencing the school board's statement at an October Planning and Zoning meeting that they cannot accommodate additional K–5 students from this project. She reminded the Commission that Polk County had twice denied this development, citing flooding as a primary concern, and that Bartow's own Planning and Zoning Committee does not recommend approval. She concluded by stating this issue is not simply about housing, but about flooding, water security, and land-use compatibility.

She urged the city to prioritize commercial development and job creation, consistent with statements made by City Manager Herr at a city prayer breakfast and respectfully asked the Commission to deny the ordinances for Emilie East and West.

**Becky Niles, 845 S. Oakwood Loop, Bartow.** Ms. Niles shared concerns about public safety, city infrastructure, and the economic strain of new developments. She reported that, according to the Polk County Sheriff's Office, there are currently 103 deputy vacancies for road patrol and 19 positions open at the detention center. In Bartow, she stated there are 10 vacant officer positions, with three new hires currently in training, leaving 13 positions unfilled, equivalent to roughly three officers per shift. She also noted that Polk County Fire Rescue has more than 100 positions vacant, with the greatest shortages among paramedics, and questioned how a new fire station could be staffed under those conditions. She shared an example of a recent incident in which a woman reported being accosted near Bartow High School and waited approximately 30 minutes for law enforcement to arrive, which she said demonstrates current public safety challenges. She further expressed frustration that while the developer stands to gain an estimated \$100 million from the project, city residents face rising costs and are being asked to fund water and infrastructure improvements. She said many long-time Bartow families are struggling to remain due to affordability issues. Calling the proposed "affordable housing" model a form of gentrification, she cited local wages typically \$14 to \$27 per hour, or about \$56,000 annually and questioned how those earning such incomes could afford homes priced near \$300,000. She also described recent wildlife sightings, including coyotes in her Oakwood Loop neighborhood and a reported Florida Panther along Highway 555, saying that overdevelopment is pushing wildlife into residential areas, creating safety risks. She voiced concern that increased traffic will lengthen emergency response times, sharing that an ambulance from Auburndale recently required 30 to 40 minutes to reach a cardiac arrest call in Bartow. She stated that new developments do not benefit existing residents, locals cannot access private amenities such as pools or parks, yet ratepayers must help subsidize the cost of utilities and infrastructure. She cited a transportation report showing an 11% increase in rural road traffic and an 18% increase in fatalities, saying that residents are the ones affected. She concluded by noting that Bartow currently has 81 foreclosures and referenced a Peace Creek water report quoting Mr. Lindsey, who stated that "the days of cheap water are over" and that even proposed aquifer drilling will not adequately meet future water needs. She urged the Commission to stop approving developments that overextend city resources and harm existing residents.

**Pam Luce, 1808 Charleston Lane, Bartow.** Ms. Luce stated that in 2021, the State of Florida overhauled growth management laws under Florida Statute Chapter 163, limiting the ability of state agencies, regional planning councils, and counties to provide comments on development proposals. She said this change has weakened growth management oversight statewide, leading to

rapid high-density expansion in Polk County. She noted that developers have become major political donors and that some state agency staff regret being unable to provide the same level of review as before. She said that Chapter 163 still requires developments to align with local comprehensive plans. She cited the city's objectives and policies regarding urban sprawl, compatibility, and land use (Objectives 1.1, 1.10, Policies 1.10.1, 1.5.2, and 1.8.1), stating that the Emilie Springs project represents "leapfrog" development into rural farmland and flood-prone areas, inconsistent with orderly growth and the city's comprehensive plan. She emphasized that the proposal is incompatible with surrounding agricultural land, floodplains, and even an archaeological site. She stated that no financial feasibility analysis has been provided to demonstrate how the project benefits the city, particularly if property tax reductions are enacted. She also noted that fire services in northwest Bartow remain incomplete despite prior concurrency commitments. Identifying herself as the whistleblower referenced earlier, Ms. Luce said that while working for the school district, she was instructed to issue school concurrency determination letters to developers even when school capacity was unavailable. She said she presented evidence in past meetings that such letters were issued repeatedly for Spessard Holland Elementary and noted that the same developer previously built in Eagle Lake without applying for concurrency review, leaving unknown impacts on nearby schools. She concluded by urging the Commission to reject the Emilie Springs development, stating that it is inconsistent with city growth policies, poses infrastructure challenges, and continues a pattern of poor planning. She encouraged commissioners to "follow reason and vote no."

**Tom Palmer, 1805 26<sup>th</sup> St. NW, Winter Haven.** Mr. Tom Palmer, Chair of the Ancient Islands Group of the Florida Sierra Club, representing Polk, Hardee, Highlands, DeSoto, and Sumter Counties, stated that the Commission should require an updated floodplain analysis to account for the effects of climate change, as future flood levels are uncertain. He noted that portions of the proposed development already appear to sit within retention areas and could face increased flooding. He commended the inclusion of internal wildlife crossings but questioned their effectiveness, noting that berms and fencing would block animals from entering or exiting the site, undermining the purpose of wildlife corridors. He said that the lack of State comments on the project was unsurprising given recent changes in state law limiting agency input, and noted that even when comments are made, local governments are no longer required to address them. As an example, he cited a prior case near the Avon Park Air Force Range where local officials disregarded state environmental guidance. He concluded that growth management oversight in Florida has been weakened and described the proposed project as an example of urban sprawl. He urged the Commission to seriously consider denying the development proposal.

**Teri Markley, 1650 Margaret Ave., Bartow.** Ms. Markley stated that she is a second-generation Bartow native who has lived in the area most of her life. She shared that she submitted a public information request to the Polk County School Board in November and received a response indicating that school

buses currently make approximately 34 stops along U.S. Highway 60 between the Peace River Bridge and Rifle Range Road. She said this shows how heavily the corridor is already traveled. She asked if any traffic impact studies had been completed related to this proposed development. She noted recent and future additions of multiple traffic signals along U.S. 60, including at 80 Foot Road, Alturas Road, near the distribution center, and potentially at the Polk Parkway and Wilson Ranch Road intersections. She expressed concern that continued residential growth would lead to worsening congestion, requiring further widening of U.S. 60 and reducing mobility between Bartow, Winter Haven, and Lake Wales. She reflected on how travel times within Polk County have increased dramatically over the years and said that excessive traffic threatens Bartow's small-town character. She said she loves Bartow's community events, art festivals, and friendly neighborhoods and does not want to see the city lose its sense of connection and identity to large, impersonal subdivisions. She concluded by thanking the Commission for its work and careful consideration of the issue.

**Margaret Anderson, 960 E. George St., Bartow.** Ms. Anderson urged the Commission to vote against all proposed Emilie Springs developments. She stated that she is a sixth-generation Floridian and has lived in Bartow for 46 years since marrying a third-generation resident. She said she values Bartow's small-town charm, historic character, and sense of community, which are increasingly threatened by large-scale development. She noted that high-density housing projects add traffic, lengthen commute times, and diminish the qualities that make Bartow desirable. She said U.S. Highway 60 already experiences congestion and safety issues from existing developments in Lake Wales, and that adding more than 2,200 new homes will worsen these conditions. While roadway improvements are being discussed, she said they would be inadequate to offset the impacts. She added that some of the proposed development areas include floodplains and land previously used for waste dumping, creating potential health and environmental risks for future residents. She also pointed to ongoing water restrictions and said it is irresponsible to expand beyond the city's resource capacity. She suggested that additional housing is needed, Bartow should instead encourage small-scale, affordable developments for seniors such as single-story villas or condominiums constructed by local builders rather than by large national developers such as Lennar. She cited poor customer satisfaction reports associated with Lennar projects and questioned why the city would support an outside developer with no long-term ties to the community. She further stated that there is no housing shortage, noting that local listings already include hundreds of new homes, many of which remain on the market for months. She concluded that the Emilie Springs proposal represents unnecessary high-density growth on land ill-suited for it and benefits only out-of-state developers, not Bartow residents.

**Kathryn Eldridge, 365 80 Foot Rd., Bartow.** Ms. Eldridge stated that she is a lifelong resident of Bartow and that her family has lived in the area for five generations. She said she has lived most of her life on or near 80 Foot Road

and that her daughter is being raised on the same family property. She shared that many in attendance know her personally from the community and her longtime employment at Sonny's. She described firsthand knowledge of flooding in the area, explaining that during the rainy and hurricane seasons, nearby fields fill with water and the low-lying "bowl" area quickly floods. She said that water flows across property lines and roads, up to Highway 60 and beyond, affecting properties including her own. She noted that culverts along 80 Foot Road and adjacent wooded areas channel stormwater under Highway 60, contributing to overflow in residential areas. She said that long-term residents have witnessed repeated flooding along Peace Creek, 91 Mine Road, and Rifle Range Road, and that anyone familiar with the area can see how saturated the land becomes during storms. She argued that building in such flood-prone areas is unsafe and inconsistent with common sense. She stated that she is not opposed to growth but opposes what she described as "reckless development." She said Bartow lacks sufficient road capacity, schools, and fire protection to support the proposed development and that much of the land is reclaimed mine property and former dumping ground. She noted that the project had previously been denied by the County. She urged commissioners to think of their residents and future generations, saying that rapid, high-density development would destroy the community's character and natural landscape. She expressed her belief that responsible growth is possible, but the Emilie Springs project does not meet that standard.

**Mike Hancock, 3520 E. Gaskins Rd., Bartow.** Mr. Hancock stated that after listening to the discussion, two key concepts stood out to him, rural character and compatibility. He defined rural character as areas dominated by open space, natural landscapes, and agricultural uses rather than manmade structures, and compatibility as the ability for two things to exist together without conflict. He said the proposed Emilie Springs development clearly conflicts with both definitions. He cited numerous community concerns including water, roads, funding, police, fire, and school capacity. He said longtime residents who have built their lives in the area now face loss of peace and quiet, increased light and noise pollution, and diminished rural quality of life. Comparing sound levels, he said rural homes typically experience 30–40 decibels while developments of the proposed scale could reach 85–90 decibels. He added that light pollution, measured by the Bortle scale, would also dramatically increase, obscuring the night sky that residents currently enjoy. He described existing traffic congestion on Highway 60 and 91 Mine Road, saying travel times have already increased by 15–20 minutes during peak hours. He said adding thousands of new residents would overwhelm local roads and create unsafe conditions. Drawing on his 30 years as a firefighter, he compared traffic capacity to "friction loss" in a hose, explaining there is only so much flow that can move safely through a limited channel. He also recalled seeing significant flooding in the area during his career and said additional construction would worsen runoff and strain drainage systems. He questioned why the city would replace its scenic rural highway with dense development and said the project would create suburban "villages" inconsistent with the countryside's character. He emphasized that he

loves rural living and does not oppose growth, but believes this development is incompatible with the surrounding community. He said it would take away the quiet lifestyle residents have worked to preserve and urged commissioners to consider the long-term impact on families who have lived there for generations. He concluded by asking the Commission to reject the project for the sake of preserving Bartow's rural environment and community values.

**John Phillips, 2645 Gerber Dairy Rd., Winter Haven.** Mr. Phillips stated that he owns the home located closest to the proposed development, approximately 150 feet from the property line. He said during heavy rainfall, all areas around his property flood except the house. He explained that his home had to be built higher than the surrounding land due to persistent flooding and poor soil drainage. He said that by the developer's own demonstration, his residence represents the nearest existing home to the project and that his livestock of goats, cows, horses, and donkeys are within about 50 feet of the development boundary. He expressed concern that both his animals and the area's wildlife would be directly impacted. He regularly observes coyotes and gopher tortoises on his property, which borders the proposed site and serves as part of a local wildlife corridor. He recalled witnessing trucks dumping biosolids approximately 50 feet behind his home several years ago, during the period when the land was permitted for such materials. He said that just two weeks ago, around 11:30 p.m., he again saw a tanker truck enter the site and remain for about 20 minutes, raising new concerns about what was being discharged. He explained that stormwater currently flows southwest across his property through a shallow canal that leads into a pond and then into nearby wetlands. He warned that if development berms are constructed along the property line, they will block this flow, preventing water from draining and causing flooding on his property and neighboring lands. He urged commissioners to visit his property to observe the conditions firsthand, emphasizing that flooding issues are already severe and would only worsen with this development. He said the land is not suitable for dense housing, would harm wildlife and livestock, and cannot handle the water impacts. He concluded by asking the Commission to vote against the proposed development

**Melvin Blackford, 740 Grove Dr., Bartow.** Mr. Blackford stated that he lives in Connersville and must travel along Gandy Cemetery Road to reach his home. He said that development has steadily surrounded his neighborhood, with nine new subdivisions built nearby since the 1970s, and now the proposed project would further expand north of Peace Creek Valley. He has lived on his property since 1971 and described how flooding has long been an issue. He said that during hurricane seasons, the area can become completely covered in water, recalling times when it was deep enough to boat across. Currently, however, the region is in drought, and his neighbor's well recently went dry after the water table dropped from 15 feet to 37 feet, reflecting the area's extreme water fluctuations. He expressed concern about the additional traffic the project would bring, estimating thousands more vehicles using Highway 60 once construction is complete. He noted that the Polk Parkway extension and other regional

projects are already adding congestion and that traffic near the Peace River Bridge and local commercial areas, such as Walmart and Publix, has worsened to the point that he must take detours via 91 Mine Road and Highway 17. He also mentioned frequent semi-truck traffic and said these impacts will intensify as new developments are added along Gaskin Road and near the rail and truck terminals. He referenced his personal connection to the area, saying he has hunted and fished on the property for years and regularly sees wildlife, including alligators, coyotes, scrub jays, gopher tortoises, deer, and wild hogs. He said continued development is forcing these animals into town and endangering them citing an example of a deer recently struck and killed in front of local businesses. He concluded by urging the City Commission to deny the proposed development, stating that it threatens the area's environment, wildlife, road safety, and water resources, and that residents have already borne the cumulative impacts of surrounding subdivisions.

**Clay Rollins, 615 Morgan Rd., Winter Haven.** Mr. Rollins thanked the Commission for allowing residents the opportunity to speak and said he wished the proposal had not progressed this far, as he views the process as a costly waste of city resources. He expressed concern that the city already faces financial challenges and that the proposed development would add further strain, especially regarding water supply. Citing data showing average water use in Florida at approximately 77 gallons per person per day, he estimated the project would require more than half a million additional gallons of water daily. He said this is troubling given current reports of water contamination, including the presence of uranium and radium. He cautioned that these contaminants do not degrade over time and that expanding demand would only worsen water quality and availability. He said with national and local economic uncertainty, the city should not take risks that could harm residents for the sake of developer profits. He questioned whether it was worth endangering even one child's health for financial gain and concluded by urging the Commission to reject the development. He also asked commissioners to consider the public's clear opposition to the project and the impact their decision could have on future elections.

**Harvey Prevatte, 7000 SR 60 E, Bartow.** Mr. Prevatte stated that he owns the property adjacent to the east side of the proposed Emilie East development. He reminded the Commission that during Hurricane Ian in 2022, flooding was so severe that it submerged a recently constructed county bridge on his property, illustrating the vulnerability of the area to major flood events. He noted that the same experts speaking on behalf of the developer tonight also testified in support of the project when the county previously denied it. He cautioned that, should the city approve the development, future homeowners may someday wish that developers had guaranteed reimbursement for any flood-damaged properties. He further warned that once access to U.S. Highway 60 is established, the developer could later seek rezoning of adjacent land to commercial use to add gas stations or retail, altering the rural character of the

area. He concluded by urging commissioners to “beware of the wolf in sheep’s clothing.”

**Tony Waters, 2900 Gerber Dairy Road, Winter Haven.** Mr. Waters stated that he has been involved in opposing the proposed development for five years and described the process as mentally and emotionally draining for residents who live in and rely on the area for their livelihoods. He said the project has been repeatedly rejected as a bad idea, with no significant improvements since its initial proposal. Only the developers and their representatives, he noted, continue to promote it. He stated that the project would require construction of a 300-foot bridge across Peace Creek, rerouting of streams and wildlife corridors, and new intersections all of which would disrupt the natural environment, increase flooding, and alter the character of the community. He argued that if so, much alteration is needed to make the site buildable, the project should not be pursued at all. He criticized developers for citing State statutes to justify the project, asserting that Bartow’s elected officials have both the right and responsibility to protect residents’ best interests. He asked the Commission to prevent the city from becoming another sprawling metropolitan area, noting that residents choose to live there for its open space, peace, and rural charm not for crowded neighborhoods or heavy traffic. He said the 10-year construction period would bring continuous noise, dust, and pollution affecting property, wells, and air quality, and would worsen flooding in an already flood-prone area. He questioned the need for additional subdivisions when several nearby developments remain unfinished or unsold. He also highlighted ongoing water shortages and increased wildlife displacement due to existing construction along Bomber Road, warning that new development would push animals even further into populated areas. He quoted a statement from former County Commissioner Randy Wilkerson, who noted that officials would later be forced to fix flooding problems caused by such projects, and referenced Mark Twain’s quote, “Buy land; they’re not making it anymore,” emphasizing the need to preserve natural land. Mr. Waters raised two additional points: first, that earlier school board estimates projected roughly 700 new students from about 2,100 homes, which he believed understated the true impact; and second, that a state letter identified archaeological site P000441 within the project area as potentially eligible for the National Register of Historic Places. He said development could damage this protected resource. He concluded that the project is neither needed nor wanted, would cause irreversible harm to the community and environment, and should be denied, as previous boards have done.

**Amity McGee, 3900 Gerber Dairy Road, Winter Haven.** Ms. McGee stated that she has lived on her property for 25 years, which has been home to four generations of her family. When she purchased the land, she was informed that the area across the street was designated as flood zone property. She said that both Mr. Gerber and his attorney confirmed this, and that she and other residents bought their land with that understanding. However, the county later changed the zoning, and citizens had no ability to stop it. She explained that

residents have already fought this development twice at the county level and won both times, yet the proposal continues to return in new forms. She expressed frustration that the only county commissioner who supported the project now works for the developer, saying that this undermines public trust. She said that citizens are following all appropriate channels to oppose the project, while developers appear to operate by a different set of rules. She stated that she feels unheard and disadvantaged as a taxpayer who must pay both county property taxes and high city electric bills yet does not have the right to vote in city elections. She said the proposed development will border her property on the county side, creating flooding risks with no clear accountability between city and county jurisdictions. She described how her property can flood severely and how at times her family must park at the road because they cannot access their driveway during heavy rains. She asked whether the city would assume responsibility for drainage, ditch maintenance, and road repairs if flooding worsens once the property is annexed. Ms. McGee noted that the county previously denied the project twice due to flooding concerns and said approval by the city would blur jurisdictional responsibilities, leaving nearby county residents without support. She also recounted a prior hurricane during which her household went 19 days without electricity and said she was told that being one of the last homes in the city's service area meant restoration would be delayed. City services, she said, have already been reduced since the pandemic, yet this proposal would add thousands of new residents and strain resources further. He questioned conflicting statements about the project's density, citing figures ranging from 3 to 5.5 homes per acre, and raised concerns about whether the homes could be used as rentals or short-term Airbnb-type properties. She said communication between the city and county appears inconsistent, particularly regarding flooding and drainage management, and warned that residents in her area would suffer the consequences. She concluded by asking the Commission not to approve the development, stressing that residents will bear the financial and environmental impacts of flooding and inadequate planning.

**Daryl Phillips, 2635 Gerber Dairy Road, Winter Haven.** Mr. Phillips stated that most of his neighbors have already expressed concerns like his and that the county previously denied this development multiple times. He recalled that when Cassidy Holmes originally proposed building in the same area years ago, approval was ultimately limited to one home per acre after several attempts. He said he was present at that meeting and questioned how the proposed density has now increased to three to five homes per acre, which he believes violates prior determinations for that property. He said the existing electrical substation serving Gerber Dairy Road is already outdated, and residents frequently experience power outages even during normal weather conditions. He said he has had to purchase a generator due to the loss of electricity being so common. Addressing school capacity, he stated that the Polk County School Board plans to move students to Lake Region and other nearby schools because local campuses are already at or near capacity. He warned that those schools will soon also be full if additional developments are approved. He added that wildlife

is still abundant in the area, despite development studies suggesting otherwise. He noted that eight subdivisions are already located within five miles of his property, and that nearby development in both the county and city such as along Ernest Smith Boulevard has dramatically reduced open space. He urged the Commission to reject the proposal, saying the area has already seen enough growth and should remain rural and agricultural. He concluded by asking commissioners to deny all phases of the Emilie Springs development, stating that it is neither necessary nor compatible with the area's character.

**Kenny Meeks, 175 Cecile Ct., Bartow.** Mr. Meeks stated that he opposes the Emilie Springs development and urged the Commission to consider who the project is really being built for. He said existing Bartow residents are generally satisfied and that current subdivisions already provide sufficient housing, making thousands of additional units unnecessary. He expressed concern that large-scale growth would bring in many new residents from outside the community, along with different values and priorities, potentially changing Bartow's political and cultural character. He questioned how local schools could absorb the resulting increase in students, noting that the projected population has risen significantly since earlier versions of the plan. He emphasized his long-standing ties to Bartow and said he wants to "keep Bartow, Bartow," preserving its small-town identity and close-knit community. He concluded by thanking the Commission for its work and asking members to consider the community's character and wishes when deciding on the project.

**Susan Prevatte, 7000 SR 60 E, Bartow.** Ms. Prevatte thanked the commissioners and acknowledged that they are likely to be as tired of dealing with the Emilie Springs proposal as the residents are. She said she is praying that they will listen to their constituents and do what is best for the City of Bartow. She added that she has never been more proud of Bartow's citizens for repeatedly attending meetings and speaking up about what they believe is right for their community.

**Adrian Perez, 2950 Gerber Dairy Rd., Winter Haven.** Mr. Perez stated that he was speaking in support of his neighbors and thanked the Commission for listening to residents' concerns. He said Gerber Dairy Road is being heavily impacted and reiterated issues previously raised about flooding and lighting. As a county resident, he echoed with others on who should they contact when problems arise, since they cannot call the City of Bartow directly. He asked the commissioners to consider the concerns of citizens on both sides of the line and to help protect the neighborhood.

**Drew Davis, 1075 E. Mann Road, Bartow.** Mr. Davis stated that, in a time of political division, the Emilie Springs proposal has managed to unite nearly the entire Bartow community in opposition. He said the many concerns raised about wildlife, flooding, biosolid dumping, water supply, archaeological resources, and prior denials are important, but that commissioners ultimately need only listen to their residents. He emphasized that the people are what make Bartow unique

and that they have clearly and repeatedly voiced their objection to the project. He said he is angry and tired of feeling bullied and being told that growth is inevitable. He urged the Commission to use its authority to “end this madness” by denying the development and to “keep Bartow, Bartow” by honoring the community’s wishes.

**Tiffany Ponds, 2355 S. Tee Circle, Bartow.** Ms. Ponds stated that she is known as “the Oreo cookie lady” and operates a small business selling deep-fried Oreos. She expressed support for the Emilie Springs development and said she may stand alone in that position but prefers to focus on positive opportunities and future growth. She commented that many people are resistant to change, but she places her faith in God, whom she believes is ultimately in control of infrastructure, nature, and circumstances such as flooding and power outages. She said that when she lost power during hurricane season, she relied on her faith rather than focusing on the inconvenience. She concluded that she is looking forward to new development and growth that could benefit her small business and affirmed that she proudly stands in favor of the project.

With no further comments, Mayor Tucker closed the public hearings for Ordinance Nos. 2025-17, 2025-18, 2025-19, 2025-21 and 2025-22.

Attorney Allen noted there had been extensive discussion about school capacity and concurrency. He asked Joshua Macklemore from the Polk County School Board’s planning staff if he had anything to add beyond the nonbinding concurrency letter provided, which indicates that school capacity is available. Mr. Macklemore stated he had nothing further to add.

Mr. Rob Engel, a civil/drainage engineer with Stantec, stated he had previously appeared before the Commission in November. He addressed concerns about Gerber Dairy Road, explaining that while exhibit drawings may give the impression of a “dam,” the project is required to receive and convey off-site water through the property. He said he had reviewed FEMA flood maps, recognized the low areas shown in the flooding photos, and indicated that those conditions would be addressed through the stormwater management design and permitting process.

Attorney Allen stated that contrary to public comments, the subject property has not been mined for phosphate, the land is considered undisturbed. On concurrency, he explained that if the project is approved, it must meet all concurrency requirements at each stage of development, as mandated by the city’s comprehensive plan, land development code, and state law. He acknowledged the lawsuit referenced by Ms. Luce involving the School Board and said the applicants intend to follow the concurrency process correctly. Addressing biosolids, Attorney Allen stated that Class B biosolids were previously applied under a valid Florida Department of Environmental Protection permit and that this use was identified and reviewed in Phase I and Phase II environmental assessments. He said DEP has cleared the site and that there

are no outstanding issues related to prior biosolids use, adding that any allegation of illegal dumping is unfounded and not authorized by the developer or current owner. Regarding potable water, he said the analysis reviewed by city staff and utility consultants shows Bartow currently has sufficient permitted capacity to serve the entire project without modifying its existing water permits. In addition, there is a separate agreement for irrigation water from Clear Springs, which will keep irrigation demand off the city's potable water system. He noted that all water-conservation measures required by the Southwest Florida Water Management District incorporated into the city's plans will be met, and that countywide conservation has already reduced average potable water use. Lastly, he addressed maintenance costs, stating that all internal subdivision roads will be private, with only the main spine road potentially becoming public, subject to possible shared-maintenance arrangements. He said the homeowners' association, not the City of Bartow, will be responsible for maintaining all amenities within the development.

**George Lindsey, 3020 S. Florida Ave., Lakeland.** Mr. Lindsey stated that he previously served on the Citizens Advisory Committee that helped draft Polk County's first comprehensive plan and observed the evolution of Florida's 1985 Growth Management Act for many years. He said the growth management process is tedious but not complicated, and that the central challenge is balancing present public interests with private property rights, the rule of law, and a growing population. He explained that the first step is the local government's adoption of a comprehensive plan, which sets the community's vision and standards for land use, conservation, housing, and infrastructure. Once adopted after workshops, public hearings, and state review the plan becomes "the law of the land" and effectively creates a social contract between the city, the community, and property owners. He stated that when a property owner later asks what can be done with their land, staff applies the adopted plan and codes. If the proposed application does not comply, the owner must revise or withdraw it. Once staff determines that an application is consistent with the plan and ordinances, the matter proceeds to a quasi-judicial hearing, like the current one, where commissioners act in a judge-like role and simply apply the law to the evidence presented. He emphasized that infrastructure concurrency and regulatory permits are not preconditions to a land-use decision; rather, they are required before any development can proceed. He noted that multiple agencies such as U.S. Fish and Wildlife, FDOT, the Army Corps of Engineers, the Southwest Florida Water Management District, and the Polk County School Board each have their own jurisdiction, and no construction can begin until all required approvals and concurrency obligations are met. He addressed the concern that existing residents would have to pay for new infrastructure, stating that at full buildout, the Emilie project is projected to generate substantial impact fees and annual tax revenues. He said the development would provide millions of dollars in impact fees to the City of Bartow, Polk County, and the Polk County School Board, and that the city would receive several million dollars per year in property taxes, including significant funding dedicated to public safety. He added that each new homeowner would pay a sizable impact-fee contribution

up front and, thereafter, annual homesteaded property taxes that exceed the current citywide average, meaning they would pay their “fair share” rather than burden existing residents. He then discussed school concurrency and referenced Ms. Luce’s pending lawsuit against the School Board, noting that her complaint seeks more accurate accounting of reserved classroom capacity so that development either pauses or contributes proportionate share mitigation when seats are lacking. He said the applicants agree that accurate capacity numbers are important and that, if any capacity issue arises, the law requires either a pause or mitigation before further development can proceed. Regarding urban sprawl and compatibility, he explained that the city’s predecessors designated an urban service area around Bartow as the planned area for future growth and extension of urban services. He noted that the Emilie project lies entirely within this urban service area and therefore is, by definition, not urban sprawl. In his view, a master-planned community with coordinated infrastructure represents “smart growth,” whereas widespread one-acre lots on wells and septic systems without unified stormwater management would better fit the description of sprawl. He added that in a past Polk County land-use case, it was found acceptable for development to locate at the perimeter of an urban service area and extend improvements inward, with the first development paying for oversized infrastructure and later projects reimbursing those costs, like how a major force main in Bartow was funded. He stated that the city’s professional planning staff has already found that the application complies with 24 separate comprehensive plan policies, is compatible with the surrounding area, and meets the standards for approval, and that a recent state review raised no objections. He urged commissioners, in their quasi-judicial role, to identify any specific comprehensive-plan policy the project fails to meet; he said the applicants stand ready to address any such citation. He concluded by saying that while growth is inevitable, progress is optional, and he and the applicants believe the Emilie master-planned project would provide long-term economic and community benefits for the City of Bartow.

City Attorney Parker read the ordinance by title only:

“AN ORDINANCE ANNEXING UPON THE PETITION OF THE OWNERS THEREOF APPROXIMATELY 369.3 ACRES OF PROPERTY LOCATED ON THE NORTH SIDE OF HIGHWAY 60 EAST; SOUTH SIDE OF GERBER DAIRY ROAD; AND 3,600’ WEST OF RIFLE RANGE ROAD IN SECTIONS 29 THRU 32, TOWNSHIP 29S, RANGE 26E, POLK COUNTY FLORIDA; PROVIDING FOR SCRIVENER’S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.”

**MOTION** was made by Commissioner Ball, seconded by Mayor Tucker to deny on final reading Ordinance No. 2025-17, an ordinance annexing upon the petition of the owners thereof approximately 369.3 acres of property located on the north side of Highway 60 east; south side of Gerber Dairy Road; and 3,600’ west of Rifle Range Road in Sections 29 thru 32, Township 29S, Range 26E,

Polk County Florida; providing for scrivener's error; and providing for an effective date upon final passage.

Commissioner Pfeiffer stated that the city welcomes new development opportunities but takes such decisions very seriously given their long-term implications. She emphasized that growth must align with fiscal reality, describing the proposal as more than a land-use decision but a major financial commitment. She noted that approving annexation and more than 2,200 new homes would effectively create a "city within a city" comparable in population to Fort Meade within Bartow's existing 5,400 residents. Commissioner Pfeiffer expressed concern about ongoing state legislative changes, including potential elimination of non-school property taxes, restrictions on municipal utility revenues, revenue-sharing adjustments, funding preemptions, and mandates for services outside city limits without annexation requirements. She said residential growth increases demands for police, fire, road maintenance, stormwater management, and infrastructure replacement, while impact fees are one-time payments and homesteaded residential properties often fail to generate surplus revenue beyond service costs. She added that shifting police services to the sheriff's office would not be cost-free and could increase response times, and that cities with heavy residential expansion bear disproportionate financial burdens. She cautioned that annexation creates permanent obligations for utilities, roads, stormwater, and public safety, which the city currently struggles to maintain. With uncertain future property tax structures, utility surcharges, and revenue-sharing formulas, approving such a large development now, amid state fiscal restructuring, creates significant structural risk. She highlighted additional physical risks, including floodplain development along Peace Creek, where engineering reduces but does not eliminate flood risk, and high-density residential conversion of industrial-zoned land. She said expanding utilities beyond current service areas compounds these concerns, and that good governance requires evaluating total risk rather than isolated factors. She concluded that this is fundamentally a resilience decision, not just a land-use change. While acknowledging the developers' interest in Bartow, she described the Emilie Springs project as a "square peg in a round hole" unsuitable for this location. She said growth cannot be stopped in sensible areas but emphasized that this proposal does not make sense given floodplain location, density, service obligations, and financial uncertainties. She affirmed that her comments were accurate and true, despite the difficulty of the situation.

Commissioner Ball stated that annexation is one of his strongest priorities, particularly bringing enclaved properties within city limits as the city expands outward. He described the Emilie Springs proposal as "leapfrog" development that skips over substantial undeveloped land between current city boundaries, essentially stopping at the Peace River Bridge, with only limited exceptions near Gandy Cemetery Road and a 60-acre project. He said extending services from the current city edge near the air base out to Rifle Range Road and U.S. Highway 60 represents a considerable distance that would strain public safety

response times. He noted his prior experience working in public safety and said reaching the interior of the proposed "bowl" area from any direction would overtax existing resources. He emphasized that while cities have discretion to annex, statutory eligibility does not compel approval, annexation must firmly serve the public interest. He said planning consistency and revenue potential alone cannot justify the decision, and that annexation must ensure adequate capacity for public safety, transportation, drainage, and utilities without shifting long-term financial burdens onto existing citizens and businesses. He acknowledged ongoing state-level uncertainty about municipal funding, stating that there are no guaranteed revenues to support such significant population growth at this time.

Mayor Tucker stated that she is a fifth-generation Bartowan whose family has lived in the area for generations, including a long period in the Alturas area where she has firsthand knowledge of local conditions. She shared that in her county job following the 2004 hurricanes, she personally oversaw the demolition of 17 homes in Peace River Heights due to severe flooding, giving her direct experience of the area's vulnerabilities. She agreed with her colleagues that the city currently lacks the infrastructure, emergency resources, and school capacity to support more than 2,200 new homes. Mayor Tucker noted that her daughter, a schoolteacher, regularly discusses the ongoing teacher shortage and classroom overcrowding. She affirmed that residents have been heard throughout the process, even if they sometimes feel otherwise, and emphasized the uncertainty of impending state tax cuts, which would make it difficult to maintain existing city services let alone accommodate major expansion. She concluded by stating that she will vote no on the proposed items tonight.

Commissioner Longworth first commended Ms. Tiffany Ponds for having the courage to speak in favor of the proposed development as the only speaker to do so, calling it an act of strength. He thanked her for expressing her perspective. He acknowledged that no commissioner agrees with every public comment but emphasized that development brings benefits like economic growth, job creation, and support for local businesses like Ms. Ponds's. As a business owner himself, he said growth helps businesses thrive through increased customers, though he recognized that Bartow's growth has been rapid. He reflected on traffic congestion worsening over the years citing lines on U.S. 98 that now extend far beyond what they were in 1987 and noted that growth is inevitable, with developers continuing to propose projects regardless of who serves on the Commission. On public safety, he expressed concern about current vacancies in the police department, saying existing officers are stretched thin. He noted that annexation would immediately make the city responsible for the area, even before homes are built, and questioned how police and fire could plan and budget for additional assets like a new fire station during construction. He said the staff report acknowledges these challenges but offered no clear solutions. Regarding flooding, he cited existing issues in the Tee Circle area east of Bartow, where homes flood during hurricanes or prolonged rain, to the point that the city is considering buying one property for a

retention pond. He said development near Peace River would likely worsen these conditions rather than improve them. He voiced opposition to residential development near airports, particularly when the airport predates the project. He noted the staff report's condition requiring an avigation easement. He concluded that the proposal is not a reasonable annexation or boundary extension due to public safety demands, flooding risks, and airport proximity, and that he does not support it.

Vice Mayor Simpson stated that speaking last on this topic is challenging since many concerns have already been thoroughly addressed by residents and fellow commissioners, but she wanted to focus specifically on the airport-related issues, public safety challenges, and particularly the unintentional downstream consequences that development on this property would create. She described the site as both critical watershed land and designated floodplain, where engineering might protect the new homes from direct flooding, but the reality, as demonstrated during Polk County's severe 2024 storms, is that older, established developments downstream receive the additional runoff and displaced water. She noted specific examples from Lakeland, where flooding impacted legacy neighborhoods rather than the newer subdivisions, because development upstream alters natural drainage patterns and pushes excess water further along Peace Creek and into the Peace River system. Vice Mayor Simpson emphasized that these ripple effects create long-term burdens for existing residents who did not choose this change. While acknowledging that development will continue to come to Bartow as the region grows, she concluded that this specific property does not provide sufficient economic, infrastructural, or otherwise benefits to justify the environmental, safety, and financial risks it would impose on the broader community.

Commissioner Pfeiffer explained the airport flight paths, noting that planes taking off from the southern runway bank right over the proposed residential area, while those from the northern runway bank left. She said maps at the airport clearly show this pattern, raising safety issues there have also been noted by the airport director.

Vice Mayor Simpson followed up that airport encroachment would worsen existing runway flooding by displacing water that should naturally flow into the property from the creek and river. She said this creates additional hazards for airport operations, reinforcing that the site is unsuitable for development.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- f. Public hearing and final reading of Ordinance No. 2025-18 - AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS "AMENDMENT NO. CPA-25-01-LS – EMILIE EAST"; SPECIFICALLY ASSIGNING LOW DENSITY RESIDENTIAL LAND USE TO RECENTLY ANNEXED PARCELS OWNED BY SMITH GERBER, LLC; TRANSMITTING SAID AMENDMENT TO FLORIDACOMMERCE DIVISION OF COMMUNITY DEVELOPMENT FOR A FINDING OF COMPLIANCE; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.

City Attorney Parker read the Ordinance by title only:

"AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS "AMENDMENT NO. CPA-25-01-LS – EMILIE EAST"; SPECIFICALLY ASSIGNING LOW DENSITY RESIDENTIAL LAND USE TO RECENTLY ANNEXED PARCELS OWNED BY SMITH GERBER, LLC; TRANSMITTING SAID AMENDMENT TO FLORIDACOMMERCE DIVISION OF COMMUNITY DEVELOPMENT FOR A FINDING OF COMPLIANCE; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE."

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to deny on final reading of Ordinance No. 2025-18, an ordinance amending the Comprehensive Plan Future Land Use Map of the City of Bartow, Florida; said amendment being known as "Amendment No. CPA-25-01-LS – Emilie East"; specifically assigning Low Density Residential land use to recently annexed parcels owned by Smith Gerber, LLC; transmitting said amendment to FloridaCommerce Division of Community Development for a finding of compliance; providing for scrivener's error; providing for severability; and providing for an effective date upon final passage.

Mayor Tucker opened the public hearing.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:**

**NAY:**

Motion carried.

- g. Public hearing and final reading of Ordinance No. 2025-19 - AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BARTOW,

**FLORIDA, ZONING APPROXIMATELY 369.3 ACRES OF LAND OWNED BY SMITH GERBER, LLC AND LOCATED IN SECTIONS 29 THRU 32, TOWNSHIP 29S, RANGE 26E, POLK COUNTY FLORIDA, AS PD, PLANNED DEVELOPMENT; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE. (At the request of the Applicant and City Staff, this item will be continued until the Regular City Commission Meeting of November 17, 2025).**

City Attorney Parker read the Ordinance by title only:

“AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BARTOW, FLORIDA, ZONING APPROXIMATELY 369.3 ACRES OF LAND OWNED BY SMITH GERBER, LLC AND LOCATED IN SECTIONS 29 THRU 32, TOWNSHIP 29S, RANGE 26E, POLK COUNTY FLORIDA, AS PD, PLANNED DEVELOPMENT; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.”

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to deny on final reading of Ordinance No. 2025-19, an ordinance amending the Zoning Map of the City of Bartow, Florida, zoning approximately 369.3 acres of land owned by Smith Gerber, LLC and located in Sections 29 thru 32, Township 29S, Range 26E, Polk County Florida, as PD, Planned Development; providing for scrivener's error; providing for severability; and providing for an effective date upon final passage.

Mayor Tucker opened the public hearing.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- h. **First reading and public hearing of Ordinance No. 2025-21 - AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS “AMENDMENT NO. CPA-25-02-LS – EMILIE WEST”; SPECIFICALLY TO CHANGE THOSE PARCELS OF LAND OWNED BY CLEAR SPRINGS LAND COMPANY, LLC., FROM CLEAR SPRINGS PLANNED INDUSTRIAL TO CLEAR SPRINGS RESIDENTIAL; TRANSMITTING SAID AMENDMENT TO THE FLORIDACOMMERCE DIVISION OF COMMUNITY DEVELOPMENT FOR A FINDING OF**

**COMPLIANCE; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE. (At the request of the Applicant and City Staff, this item will be continued until the Regular City Commission Meeting of November 17, 2025).**

City Attorney Parker read the Ordinance by title only:

"AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS "AMENDMENT NO. CPA-25-02-LS – EMILIE WEST"; SPECIFICALLY TO CHANGE THOSE PARCELS OF LAND OWNED BY CLEAR SPRINGS LAND COMPANY, LLC., FROM CLEAR SPRINGS PLANNED INDUSTRIAL TO CLEAR SPRINGS RESIDENTIAL; TRANSMITTING SAID AMENDMENT TO THE FLORIDACOMMERCE DIVISION OF COMMUNITY DEVELOPMENT FOR A FINDING OF COMPLIANCE; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE."

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to deny on final reading of Ordinance No. 2025-21, an ordinance amending the Comprehensive Plan Future Land Use Map of the City of Bartow, Florida; said amendment being known as "Amendment No. CPA-25-02-LS – Emilie West"; specifically to change those parcels of land owned by Clear Springs Land Company, LLC., from Clear Springs Planned Industrial to Clear Springs Residential; transmitting said amendment to the FloridaCommerce Division of Community Development for a finding of compliance; providing for scrivener's error; providing for severability; and providing for an effective date upon final passage.

Mayor Tucker opened the public hearing.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:**

**NAY:**

Motion carried.

- i. **Public hearing and final reading of Ordinance No. 2025-22 - AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BARTOW, FLORIDA, ZONING APPROXIMATELY 556 ACRES OF LAND OWNED BY CLEAR SPRINGS LAND COMPANY, LLC AND LOCATED IN SECTION 25, TOWNSHIP 29S, RANGE 25E AND SECTION 30, TOWNSHIP 29S, RANGE**

**26E, POLK COUNTY FLORIDA, AS PD, PLANNED DEVELOPMENT; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE. (At the request of the Applicant and City Staff, this item will be continued until the Regular City Commission Meeting of November 17, 2025).**

City Attorney Parker read the Ordinance by title only:

“AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF BARTOW, FLORIDA, ZONING APPROXIMATELY 556 ACRES OF LAND OWNED BY CLEAR SPRINGS LAND COMPANY, LLC AND LOCATED IN SECTION 25, TOWNSHIP 29S, RANGE 25E AND SECTION 30, TOWNSHIP 29S, RANGE 26E, POLK COUNTY FLORIDA, AS PD, PLANNED DEVELOPMENT; PROVIDING FOR SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.”

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to deny on final reading of Ordinance No. 2025-22, an ordinance amending the Zoning Map of the City of Bartow, Florida, zoning approximately 556 acres of land owned by Clear Springs Land Company, LLC and located in Section 25, Township 29S, Range 25E and Section 30, Township 29S, Range 26E, Polk County Florida, as PD, Planned Development; providing for scrivener's error; providing for severability; and providing for an effective date upon final passage.

Mayor Tucker opened the public hearing.

With no further comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:**

**NAY:**

Motion carried.

- j. **Public hearing and final reading of Ordinance No. 2025-23 – AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS “AMENDMENT #CPA-25-03-TEXT”; SPECIFICALLY TO AMEND POLICY 3.2.7 AND 3.3.38 OF THE FUTURE LAND USE ELEMENT TO: 1) EXTEND THE BUILDOUT YEAR OF THE CLEAR SPRINGS SECTOR PLAN DETAIL SPECIFIC AREA PLAN #1; 2) INCORPORATE THE CLEAR SPRINGS LAND USE EQUIVALENCY MATRIX; AND 3) ALLOW RENEWABLE ENERGY SOURCES (SOLAR POWER) IN ALL CLEAR SPRINGS LAND USE DESIGNATIONS; TRANSMITTING SAID AMENDMENT TO THE FLORIDA**

**DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) FOR A FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE. (At the request of the Applicant and City Staff, this item will be continued until the Regular City Commission Meeting of November 17, 2025).**

City Attorney Parker read the Ordinance by title only:

"AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF BARTOW, FLORIDA; SAID AMENDMENT BEING KNOWN AS "AMENDMENT #CPA-25-03-TEXT"; SPECIFICALLY TO AMEND POLICY 3.2.7 AND 3.3.38 OF THE FUTURE LAND USE ELEMENT TO: 1) EXTEND THE BUILDOUT YEAR OF THE CLEAR SPRINGS SECTOR PLAN DETAIL SPECIFIC AREA PLAN #1; 2) INCORPORATE THE CLEAR SPRINGS LAND USE EQUIVALENCY MATRIX; AND 3) ALLOW RENEWABLE ENERGY SOURCES (SOLAR POWER) IN ALL CLEAR SPRINGS LAND USE DESIGNATIONS; TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) FOR A FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERROR; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE."

**MOTION** was made by Vice Mayor Simpson, seconded by Commissioner Longworth to adopt on final reading of Ordinance No. 2025-23, an ordinance amending the Comprehensive Plan of the City of Bartow, Florida; said amendment being known as "Amendment #CPA-25-03-TEXT"; specifically to amend Policy 3.2.7 and 3.3.38 of the Future Land Use Element to: 1) extend the buildout year of the Clear Springs Sector Plan Detail Specific Area Plan #1; 2) incorporate the Clear Springs Land Use Equivalency Matrix; and 3) allow renewable energy sources (solar power) in all Clear Springs Land Use designations; transmitting said amendment to the Florida Department of Economic Opportunity (DEO) for a finding of compliance; providing for severability; providing for scrivener's error; and providing for an effective date upon final passage.

Planning Director Wieggers stated that this item, like the previous five, underwent mandatory state review and returned with no comments, recommendations, or objections. He explained that Clear Springs Land Company, represented tonight by Mr. Tim Campbell, is requesting three specific amendments:

First, to extend the buildout year of the Clear Springs Sector Plan Detailed Specific Area Plan #1 to align with recent state legislation on "phasing periods."

Second, to incorporate the Clear Springs land equivalency use matrix into the sector plan framework, enabling administrative flexibility to adjust development intensities based on traffic counts, a common industry practice. He noted that

both this and the first request would be memorialized directly in the comprehensive plan text rather than in a separate DSAP document.

Third, to permit renewable energy sources, such as solar power, across all Clear Springs land use designations. He said this mirrors policies already adopted for the Silver and Wilson Ranch developments and does not approve any specific projects, it simply enables future requests. For example, if Clear Springs wanted photovoltaic arrays in a specific area, they would need to return for zoning approval and full development review before the Commission.

Wiegiers concluded that these are the three items under consideration tonight, and Mr. Campbell is available to speak further on behalf of the applicant.

**Tim Campbell, Land Use Attorney with Clark, Campbell, Lancaster, Workman & Airth, located at 500 S Florida Ave., Lakeland.** Attorney Campbell clarified that this request is unrelated to the Emilie development but pertains to the larger 18,000-acre Clear Springs mixed-use master plan. He noted that extending the buildout year from 2030 to 2041 is a statutory allowance under Florida law that would apply regardless, but incorporating it into the comprehensive plan, as Director Wiegiers is doing, ensures consistency in a single document. He described it as a straightforward administrative update. On the second item, Attorney Campbell explained that large master-planned developments commonly include a land equivalency use matrix based on Institute of Transportation Engineers (ITE) data. This table allows trading uses (e.g., from office to commercial) without increasing traffic trips beyond planned levels. He said staff would review any such requests using this standard methodology anyway, so formalizing the table simply provides clarity and a predefined schedule. He reiterated that the request is to add utility-owned renewable generation systems (such as solar) as an allowed use within Clear Springs land designations. No specific locations are proposed; any future project would require returning for zoning, approvals, and Commission review.

Mayor Tucker opened the public hearing.

With no comments, Mayor Tucker closed the public hearing.

**ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker

**NAY:** None

Motion carried.

- k. **Public Hearing — Review and consideration by the City Commission of the City of Bartow of a request by Clear Springs Land Company, LLC, to amend a previously approved Development Agreement with the City of Bartow.**

Attorney Campbell stated that this item pertains to the Emilie Springs development and that the applicants are hereby withdrawing the request, as it is no longer relevant at this time.

11. **CONSENT AGENDA**

- a. **Approval of February 16, 2026, City Commission Regular Meeting minutes.**
- b. **Approval of February 16, 2026, City Commissioner absence(s): None**
- c. **Consideration and approval of updated Electric Utilities Cost in Aid of Construction Guidelines.**
- d. **Consideration and approval of State Appropriate funded Fire Truck Purchase through Sourcewell Cooperative with Oshkosh Corporation/ Pierce Manufacturing (Ten-8). (Cooperative Purchasing/Governmental Contracts that exceed \$100,000.00).**
- e. **Consideration and approval, authorizing staff to enter contract negotiations starting with the highest ranked firm CityVitae, LLC, for Electric Vehicle Charging Station Infrastructure Implementation.**
- f. **Approval of staff request to apply for and the use of the FY 2026-2027 Community Development Block Grant (CDBG) in the amount of \$102,630.19**

**MOTION** was made by Commissioner Ball, seconded by Vice Mayor Simpson to approve Consent Agenda as presented.

**VOTE TO THE MOTION WAS AS FOLLOWS:**

**AYE:** Ball, Longworth, Pfeiffer, Simpson, Tucker  
**NAY:** None

Motion carried.

12. **OTHER COMMISSION BUSINESS**

- a. **OLD BUSINESS – NONE**
- b. **NEW BUSINESS – NONE**

13. **RESOLUTIONS – NONE**

14. **COMMISSIONER COMMENTS:**

- a. **GARY BALL**

Commissioner Ball had no further comments.

b. **LEO E. LONGWORTH**

Commissioner Longworth had no further comments.

c. **TRISH PFEIFFER**

Commissioner Pfeiffer had no further comments.

d. **LAURA SIMPSON**

Vice Mayor Simpson had no further comments.

e. **TANYA TUCKER**

Mayor Tucker had no further comments.

15. **ADJOURNMENT**

With no further business to discuss, Mayor Tucker adjourned the meeting at 11:02 p.m.



Mayor Tanya Tucker

ATTEST:

  
City Clerk Jacqueline Poole

(City Seal)

