



CITY OF BARTOW
CITY COMMISSION REGULAR MEETING
MONDAY, FEBRUARY 16, 2026 AT 6:00 PM
OR AS SOON THEREAFTER AS POSSIBLE
CITY HALL COMMISSION CHAMBERS
450 NORTH WILSON AVE., BARTOW, FL 33830

AGENDA

1. CALL TO ORDER AND ROLL CALL
2. INVOCATION
 - a. Pastor Rob Sowell, Word of Life Christian Center
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. PROCLAMATIONS AND SPECIAL PRESENTATIONS
 - a. Issuance of a proclamation recognizing Agri-Fest Weeks. Being accepted by Sarah Waldman, Agri-Fest Coordinator and Carole McKenzie, Polk County Farm Bureau Executive Director.
 - b. Issuance of a proclamation recognizing the 12th Annual SyFy Bartow event, February 21, 2026. Being accepted by event hosts Sean and Lori Serdynski.
 - c. Black History Facts — Commissioner Leo E. Longworth
 - d. Presentation of Library Spring Programs – Christina Hielscher, City Librarian
 - e. Golf Course programming update — Tami Waring, Golf Course Manager
 - f. Presentation of Beautification Awards — Kyle Lasek, Director of Parks & Recreation
5. GENERAL PUBLIC COMMENT

At this time, the Commission will receive comments from the public regarding matters not appearing on this agenda.
6. CITY ANNOUNCEMENTS
7. REPORTS OF CHARTER OFFICERS
 - a. City Manager Communications
 1. Support of State Road 60 Scenic Highway Designation — Central Florida Regional Planning Council, Polk County Board of County Commissioners

- b. City Attorney Communications
- c. Legislative Updates

8. AGENDA MODIFICATION/APPROVAL

9. PUBLIC COMMENT ON AGENDA ITEMS

At this time, the Commission will receive comments from the public regarding matters that appear on this agenda, not otherwise scheduled for a separate Public Hearing.

10. HEARINGS – FIRST AND SECOND READINGS AND PUBLIC HEARINGS

- a. Public hearing and final reading of Ordinance No. 2026-02 — AN ORDINANCE VACATING AND CLOSING AN UNOPENED PLATTED RIGHT OF WAY (ALDERMAN AVENUE) EXTENDING FROM PEARL STREET TO VINE STREET, AND LYING BETWEEN LOTS 1 THRU 6, BLOCK 5 AND LOTS 7 THRU 12, BLOCK 4, ALL OF WHICH ARE PART OF OAKDALE SUBDIVISION, PB 8, PG 38, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.
- b. First reading and consideration of 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.

11. CONSENT AGENDA

- a. Approval of February 2, 2026 City Commission Regular Meeting minutes.
- b. Approval of February 2, 2026 Commissioner absence(s): None.
- c. Consideration and approval of Letter of Authorization request for Peace Creek Restoration at Wilson Preserve.

12. OTHER COMMISSION BUSINESS

- a. OLD BUSINESS
 - 1. Consideration and approval of Application No. S-25-10-PSP — The Terraces at Stuart Crossing Preliminary Subdivision Plat, a 400 lot, single family and single family attached residential development. The development area consists of 58.9 acres (+/-) of the overall Stuart Crossing project, which is 692 acres (+/-) in size. The property is owned by JK Stuart Properties, LLC, and is located on the southwest corner of the intersection of Ernest M. Smith Jr. Blvd and Osprey Blvd., in Sections

- b. NEW BUSINESS — NONE

13. RESOLUTIONS

- a. RESOLUTION NO. 26-4256-R - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN PROGRAM PROJECT NUMBER DW53023; MAKING FINDINGS; AMENDING PLEDGED REVENUES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

14. COMMISSIONER COMMENTS

- a. GARY BALL
- b. LEO E. LONGWORTH
- c. TRISH PFEIFFER
- d. LAURA SIMPSON
- e. TANYA TUCKER

15. ADJOURNMENT

Please be advised that if you desire to appeal any decisions made because of the above hearing or meeting, you will need a record of the proceedings and in some cases a verbatim record is required. You must make your own arrangements to produce this record. (Florida Statute 286.0105). The City Commission may continue the public hearing(s) on other dates and at times as it deems necessary. Any interested party shall be advised that the date, time, and place of any continuation of these or continued public hearings may be announced during the hearing and that no further notice regarding this matter will be published. If you are a person with a disability who needs any accommodation to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Clerk's Office at 450 N. Wilson Avenue, P.O. Box 1069, Bartow, Florida 33831-1069 or phone (863) 534-0100 within 2 working days of your receipt of this meeting notification; if you are hearing or voice impaired, call 1-800-955-8771. Posted at City Hall, Bartow Public Library, the City's website: www.cityofbartow.net and Facebook page on February 12 & 13, 2026.



PROCLAMATION

WHEREAS, in 1988, members of the local agricultural community, school board educators, and the Polk County Extension Office envisioned an educational program designed to expand local students' knowledge and appreciation of the agriculture industry; and

WHEREAS, in 1989, more than 600 fourth-grade students attended the first one-day Agri-Fest event, participating in hands-on learning activities highlighting the economic importance of the Polk County agriculture industry; and

WHEREAS, for more than 37 years, the Agri-Fest event has successfully combined educational curriculum objectives with interactive experiences related to locally produced food and fiber commodities, as well as careers in agriculture, growing to serve nearly 6,000 Polk County fourth-grade students over a ten-day period each year; and

WHEREAS, the Polk County agriculture industry continues to serve as a primary economic driver, generating significant business revenues from agriculture, natural resources, and related food industries; and

WHEREAS, the Polk County Agricultural Center, located in the city of Bartow, has proudly served as the home of the Polk County Agri-Fest event for 37 years.

NOW, THEREFORE, I, Tanya Tucker, by virtue of the authority vested in me as Mayor of the City of Bartow, do hereby proclaim March 2nd– 6th AND March 9th – 13th, 2026 as:

POLK COUNTY AGRI-FEST DAYS

in the City of Bartow and encourage all citizens to support the dedicated volunteers who work each year to make this educational event a success and to promote youth understanding of the agriculture industry and the vital contributions it makes to our food supply, fiber production, and local economy.

DATED at Bartow, Florida, this 16th day of February 2026.

CITY OF BARTOW

By: _____
Mayor Tanya Tucker

ATTEST WITH SEAL:

By: _____
City Clerk Jacqueline Poole



PROCLAMATION

WHEREAS, the event now known as SYFY Bartow, originally titled SYFY Saturday, was first held on March 17, 2014, through the collaboration of Sean and Lori Serdynski, Main Street Bartow, Inc., and the City of Bartow; and

WHEREAS, held annually on the third Saturday of February, SYFY Bartow this year themed “Animation Invasion” features one of the nation’s largest television- and movie-themed car shows, along with family-friendly entertainment, pop culture vendors, authors, artists, and cosplay organizations; and

WHEREAS, this free community festival benefits City of Bartow Parks, Recreation & Cultural Arts Department and, through its continued growth, has become one of Bartow’s most anticipated and well-attended events; and

WHEREAS, the Bartow City Commission proudly supports this signature Central Florida celebration, now marking its twelfth anniversary, taking place at Mosaic Park in partnership with the Parks, Recreation and Cultural Arts Department, beginning with “Movie in the Park” on Friday, February 20, 2026, and continuing with a full day of festivities on Saturday, February 21, 2026.

NOW, THEREFORE, I, Tanya Tucker, by virtue of authority vested in me as Mayor of the City of Bartow, do hereby proclaim February 21, 2026 as:

SYFY BARTOW DAY

in the City of Bartow and encourage all residents and visitors to take part in the festivities and enjoy all that the beautiful City of Bartow, Florida has to offer.

DATED at Bartow, Florida this 16th day of February 2026.

CITY OF BARTOW

By: _____
Mayor Tanya Tucker

ATTEST WITH SEAL:

By: _____
City Clerk Jacqueline Poole

CITY OF BARTOW, FLORIDA

TO: Honorable Mayor and City Commissioners, City of Bartow City Commission

THROUGH: Mike Herr, City Manager

FROM: Christina Hielscher, City Librarian

DATE: February 16, 2026

SUBJECT: Presentation of Library Spring Programs – Christina Hielscher, City Librarian

SUMMARY AND BACKGROUND

In addition to all the regular programs the library offers, several special programs are planned for the spring and summer.

STAFF ANALYSIS

The planned library programs are both entertaining and educational and will appeal to a wide audience.

FISCAL IMPACT

RECOMMENDATION

ATTACHMENTS

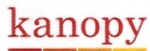
1. Bartow Library Spring Programming

Library Programming Updates



City of Bartow
BARTOW PUBLIC LIBRARY

FEBRUARY 2026

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
2 Matter of Balance* 9:30am Kids' Ukulele Club* 6pm Yarn Over Broadway 6pm	3 Get Moving 9:30am Intro to AI* 4pm	4 Novels After Noon 3pm	5 Book Babies 10am Songs & Stories 11am Teen D&D* 4pm Let's Get Crafting: Woven Coasters* 6pm	6 Chair Yoga 9:30am	7 Black History Month Bingo for Books 3pm
9 Matter of Balance* 9:30am Yarn Over Broadway 6pm	10 Get Moving 9:30am Intro to Word* 4pm Game Night 4:30pm	11 Lego Club 4:30pm The Authors at Bartow 6pm	12 Book Babies 10am Songs & Stories 11am D&D* 5:30pm	13 Chair Yoga 9:30am Interactive Movie: The Princess and the Frog 2pm	14 SeanTMusic: Reading in Motion 10am Paws to Read 11am Pokémon Club 11am Teen Anime Club 1pm
16 Matter of Balance* 9:30am Adult Ukulele Club* 6pm Yarn Over Broadway 6pm	17 Get Moving 9:30am Advanced Word* 4pm	18 Homeschool Hour 10am Full STEAM Ahead 4:30pm	19 Book Babies 10am Songs & Stories 11am Teen D&D* 4pm Novels at Night 6:30pm	20 Chair Yoga 9:30am	21
23 Matter of Balance* 9:30am Yarn Over Broadway 6pm	24 Get Moving 9:30am Intro to Excel* 4pm Game Night 4:30pm	25 Lego Club 4:30pm	26 Book Babies 10am Songs & Stories 11am D&D* 5:30pm	27 Chair Yoga 9:30am	28 Pokémon Club 11am Teen Anime Club 1pm
Scan here to sign up for our monthly newsletter and be the first to learn about new programs! 		February is Black History Month! Read and stream related books and movies on Libby and Kanopy with your library card.  		Bartow Public Library 2150 S. Broadway Ave. (863) 534-0131 cityofbartow.net/library *registration required  COLOR KEY: Adult Program Teen Program Children's Program Family Program	

Black History Month

2150 S. Broadway Ave.
Bartow, FL 33830
(863) 534-0131

*Celebrate Black History
Month with*

BINGO FOR BOOKS

Play bingo and win books written by
African-American authors!

February 7
Bartow Library
3pm

Ages 16+
Free to play



**SEANTMUSIC
PRESENTS**



2150 S. Broadway Ave.
Bartow, FL 33830
(863) 534-0131



Drum along on
buckets and
drums and
blend poetry
and rhythm
together!



READING IN MOTION



February 14
10am
Bartow Library
Elementary ages
Register by calling 863-534-0131



Adult Scavenger Hunt

Black History Month: Inventors

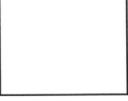
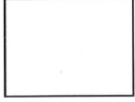
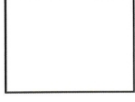
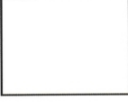
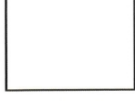
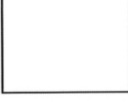
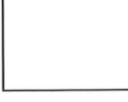
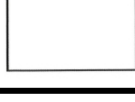
Match the inventions with their inventors!
Write the name of the inventor in the box next to the item.
Turn in at the front desk for a prize!

Kids Scavenger Hunt

Black History Month: Inventors

Match the inventions with their inventors! Write the number of the inventor in the box next to the item. Turn in at the front desk for a prize!



Bartow Library's HOMESCHOOL OLYMPICS



Join us at the soccer
field at Mosaic Park for
a special Homeschool
Hour!

February 18
10 am - 12 pm



2150 S. Broadway Ave.
Bartow, FL 33830
(863) 534-0131




OLYMPICS READING CHALLENGE

Event	To Qualify	Book Read
 Biathlon	Read a Book That Combines Two Things You Love Example: "mystery + animals," "fantasy + food," "graphic novel + history."	
 Curling	Read a Book With a Team or Group of Friends Stories about friendship or teamwork.	
 Ski Jumping	Read a Book That's Out of Your Comfort Zone Try a new genre or a book you normally wouldn't pick!	
 Cross Country Skiing	Read for a Long Time Read for 60 minutes in a row.	

Gold:
Complete
all events



Silver:
Complete
7 events



Bronze:
Complete
5 events



March

March 7 Family Escape Room

Based on the upcoming release of Mo Willem's *It's My Bird-Day*. Puzzles will be based on beloved Willems characters.

March 20 Potato Derby

Families bring a potato and use science and engineering skills to turn it into a race car! After building, race your "cars" in the Potato Derby.

March 21 Paint and Sip, Regency Edition

Paint, socialize, and enjoy snacks/mocktails.



Don't Let the Pigeon Escape the Room !

Saturday, March 7
Sessions: 10AM, 11AM, 1PM, 2PM, 3PM

Pre-registration is required!
Call Bartow Public Library (863) 534-0131 to secure a spot

2150 S. Broadway Ave.
Bartow, FL 33830
(863) 534-0131



April & May

April 4 Baby Prom

Our second annual baby dance party! Kids age 0-4 can get dressed in their finest outfits and dance the morning away.



May 16 Fairy Tale Tea Party

Grown ups and their kids can celebrate family and fairy tales at this whimsical, story-themed tea party.



Free Comic Books

Special Guests

Crafts

Fun for All Ages!



Summer Reading Preview

This summer, our summer reading theme will be Unearth Your Story. While the primary focus of this year's theme is learning about natural history (paleontology, archaeology, etc.), we will also be focusing on the history of our community and country by tying in celebrations for America 250.

Summer Kickoff – Dinosaur Carnival

Kids will participate in dinosaur-themed carnival games, a dinosaur lab talk, interact with animatronic dinosaurs, and dig in fossil excavation boxes. (presented by Big Idea Adventures)

Super Summer Shows

- **Bright Star Touring Theatre Presents Dino Academy**

Step into the prehistoric world with Dino Academy! Led by the quirky and curious Dr. Sarah Tops, this action-packed adventure uncovers fascinating dino facts that will wow even the biggest dino fans.

- **Science Heroes Present Digging It**

Kids will “unearth their curiosity” as they dig into science all around them!

- **Gatorland**

Get up close and personal with relatives of dinosaurs! Kids will also get to meet snakes, tarantulas, and everything in between.



Bartow Golf Course & Mulligans

Programming FY26



OUR BIG IDEA – *Growing Together*

Through innovative programming, themed events, and leagues, we aim to increase participation from golfers and non-golfers alike. Driving consistent traffic to boost revenue streams while maintaining a unified approach to elevate our course, our restaurant, and our community.

SALES - GOLF

3 YEAR SALES SUMMARY	FY 22/23	FY 23/24	FY 24/25
Total Number of Green Fees	35,904	36,346	38,608
Total Increase		+442	+2262
Sales - Green Fees	\$734,022	\$814,838	\$889,804
Sales - Pro Shop	\$146,492	\$159,180	\$168,155
COMBINED TOTAL	\$880,833	\$974,019	\$1,057,959
Total Increase		+\$93,186	+\$83,940
		10.58%	8.62%

SALES - MULLIGANS

3 YEAR SALES SUMMARY	FY 22/23	FY 23/24	FY 24/25
Sales - Food	\$279,580	\$332,299	\$358,714
Sales - Beverages	\$119,886	\$141,428	\$160,375
Sales - Catering	\$973	\$11,320	\$33,194
COMBINED TOTAL	\$399,466	\$485,047	\$552,283
		+\$85,581	+\$67,236
		21.42%	13.86%

BUSINESS MODEL

Annual Signature Events

- **Master's Week (April)**
Masters themed tournament with custom Master's scorecard, Par 3, and Food and Beverage
- **The Ryder's Cup (September)**
Ryder's Cup themed tournament with Europe vs USA
- **1st Annual Bartow Unity Cup (November 2027)**
A Co-Ed two-person scramble, flighted for all skill levels to enjoy.

New Leagues & Instructional Series

- **"Get Golf Ready"**
4-week program for absolute beginners covering fundamentals. To be offered on a weeknight and a weekend morning to accommodate different schedules.
- **"Bartow Birdies League"**
Women's league launching November 11th, this program will include beginner clinics, intermediate skill workshops and social tournament play.

Mulligans Dining Events

- "Music on the Patio"
offered seasonally
- "Themed Dinners"
special ticketed event hosted once monthly
 1. "Cheeseburger in Paradise" night
 2. "Beer & Brats Night" pairing
with new "MULLIGANS" beer
- 1. "Taco & Tequila Tuesday"
- 2. "Fish Fry Friday"

Golf Programming



New Instructional Series

Long-term player development pipeline from juniors to adults



League Development & Annual Signature Events

New and consistent annual streams of revenue from leagues and tournaments



Fundraiser: "Legacy Brick Pathway "

Builds community pride while creating a lasting legacy that supports facility improvements



Mulligan's Programming



Monthly Theme Nights

Increases weekday and off-season traffic



Live Patio Music

Creates consistent, predictable dining events



“Nine & Dine” Promotional Offerings

*Strengthens cross-promotion with golf
events & Leagues*



League Development for Bartow Birdies



CITY OF BARTOW
Parks, Recreation &
Cultural Arts



LEAGUE INFORMATION

November 11 thru April 21
Biweekly Shotgun - Tuesdays at 8:30am
(play format changing per round)
Ages 16 and older



**BARTOW
BIRDIES**
EST. 2025
WOMEN'S LEAGUE



Cost \$10 per round Biweekly
+ Cart & Green Fee
Prizes and End of Year Championship
To register call (863) 533-9183 or
scan QR Code

WHERE TRADITION MEETS THE
WOMEN WHO DEFINE IT



Bartow Birdies
Women's Golf League

Bartow Birdies

Wednesday, Oct 29th, 2025 - Wednesday, Apr 1st, 2026

Bartow Golf Course

Looking for a fun and social way to spend you Wednesday mornings?

The Bartow Birdies golf league created for both social and retired golfers who enjoy the game and camaraderie that comes with it.

We play every other Wednesday at 8:30am with a 9-hole flighted format that keeps play fair and enjoyable for all skill levels.

Each date features a lighthearted rotation of fun play formats to keep things fresh and exciting- perfect for those who love golf but also love the laughter along the way.

The \$5 buy-in goes toward weekly prizes and our end of season league awards, so everyone has a chance to celebrate their game.

Join the Bartow Birdies - where friendship and fun are just as important as the scorecard!

 View Scorecard >

 More Info >

 190 Herbert Dixon Blvd,
Bartow, FL

 Get Directions

Share

New tournament & League look

Cart Signs



2025 Pennewell Tournament
Bartow Golf Course



Carl Walls
Wayne Pennewell

Tee: GOLD - Men
Hole: 1A

Date: October 25
Time: 8:30AM

Personalized Scorecards

	1	2	3	4	5	6	7	8	9	Out
Jay Allen										
Mike Hitchens										

Starting Hole: 1A

	1	2	3	4	5	6	7	8	9	Out
GOLD - Men (64-2-109)	328	329	126	337	319	425	343	288	473	2778
Par	4	4	3	4	4	5	3	4	5	38
Stroke Index	9	3	17	1	11	15	7	13	5	
Carl Walls										
Wayne Pennewell										

Inn	10	11	12	13	14	15	16	17	18	In	Total	PH	Net
JA													
MH													

Shotgun: 8:30 AM

Inn	10	11	12	13	14	15	16	17	18	In	Total	PH	Net
	250	336	446	125	368	129	332	316	333	2621	5399		
	4	4	2	3	2	3	4	4	4	36	72		
	10	10	18	12	14	8	2	6	4				
CW													
WP													

2025 Annual Pennewell Tournament

Thank you for choosing Bartow Golf Course!



Team Signature: _____

Golf Hub Website to locate / sign up for all events

Karl Goin Jacob Freeman	
Beckham Hasty Dalton Scarborough	
Tanner Wooten Alex Pannebaker	
Matt Warren Jake Spencer	



Bartow Golf Course

190 BLEWOOD AVE, BARTOW, Florida 33830 [Get Directions](#)

Your one stop destination for everything happening at Bartow Golf Course and Mulligan's Restaurant. Sign up here for upcoming tournaments, leagues, clinics, and community events - all designed to bring golfers and fans together. Whether you're a beginner, an occasional player, or just here for drinks, this is where Bartow comes to play and off the course.

Share   

 <https://bartowgolfcoursehub.com>

[View Club Website](#)

 [Scorecard](#)

[View Scorecards](#)

Events, Leagues and Clinics

Upcoming

Past



[View Additional Filters](#)

Carts Advertisement Opportunities



jpg or .png

CONTROL YOUR ROLL.

NEW CADENCE TR PING

90 px

728 px

BANNER AD

HOLE	1	2	3	4	5	6	7	8	9	OUT	TOTAL
PAR	4	3	5	4	3	4	4	5	5	36	
John Smithson	22 HCP	- 4 +	5	6	4	3	3	4	42	34	34
David Thompson	19 HCP	+	+	+	+	+	+	+	00	00	00

Edit players Steve & Michael View all 18 Back 9

Can have multiple banners per hole
They rotate every 10 seconds

Legacy Brick Pathway



KEY TIMELINE GOAL

	<i>QTR. 1</i> <i>Oct.-Dec</i>	<i>QTR. 2</i> <i>Jan-March</i>	<i>QTR. 3</i> <i>April - June</i>	<i>QTR 4</i> <i>July - Sept</i>
“Bartow Birdies” League				
Masters Week				
Ryders Cup Week				
1st Annual “Bartow Unity Cup” Championship - 2027				
“Nine & Dine”				
Jr. Golf Instruction				
“Pave the Way” Brick/Paver Program				
“Family Fun Days”				
“Music on the Patio”				



Questions?



City of
BARTOW
Parks, Recreation
& Cultural Arts

February 2026 Beautification Award Winners

**PRCA Assistant Director
Kyle Lasek**

1130 Bennett Court



RESIDENTIAL

Jan Parham

**February 2026
BEAUTIFICATION
AWARD**

2075 Cherokee Street



RESIDENTIAL

Frances Locke

February 2026
BEAUTIFICATION
AWARD

795 S Broadway Ave



COMMERCIAL
Eterna
Chiropractic
Wellness
February 2026
BEAUTIFICATION
AWARD



City of
BARTOW

Parks, Recreation
& Cultural Arts

**March AWARD WINNERS
WILL BE ANNOUNCED AT THE
NEXT COMMISSION MEETING**



RESOLUTION 2026-2A

A RESOLUTION OF THE CENTRAL FLORIDA REGIONAL PLANNING COUNCIL SUPPORTING THE DESIGNATION OF A STATE ROAD 60 SCENIC HIGHWAY AND AN OFFICIAL SCENIC HIGHWAY DESIGNATION BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.

WHEREAS, at its meeting on February 11, 2026, the Central Florida Regional Planning Council received a presentation from Rob Kincart seeking support of the designation of State Road 60, otherwise identified in petition as "Route 60 Coast to Coast Scenic Highway," as a Florida Scenic Highway, pending such designation by the Florida Department of Transportation (FDOT); and

WHEREAS, a Byway Organization is being established to protect, enhance and preserve the qualities, character, and resources of the designated corridor, while supporting their use for appropriate economic development, recreation and tourism interests; and

WHEREAS, the Route 60 Coast to Coast Scenic Highway Byway's limits traverse a 56.1-mile corridor within Polk County; and

WHEREAS, the organizing group now seeks to submit a Letter of Intent to FDOT as the first step to designate the Route 60 Coast to Coast Scenic Highway (attached map, Exhibit A) to help better recognize its resources within Polk County, to ensure preservation of the County's history, heritage, and picturesque scenic beauty while bringing increased economic benefit to the community; and

NOW, THEREFORE, BE IT RESOLVED BY THE CENTRAL FLORIDA REGIONAL PLANNING COUNCIL:

- The Central Florida Regional Planning Council supports the designation of the Route 60 Coast to Coast Scenic Highway, and the newly created Byway Organization's efforts to seek designation by the FDOT.

DULY PASSED AND ADOPTED THIS 11th DAY OF FEBRUARY 2026.

CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

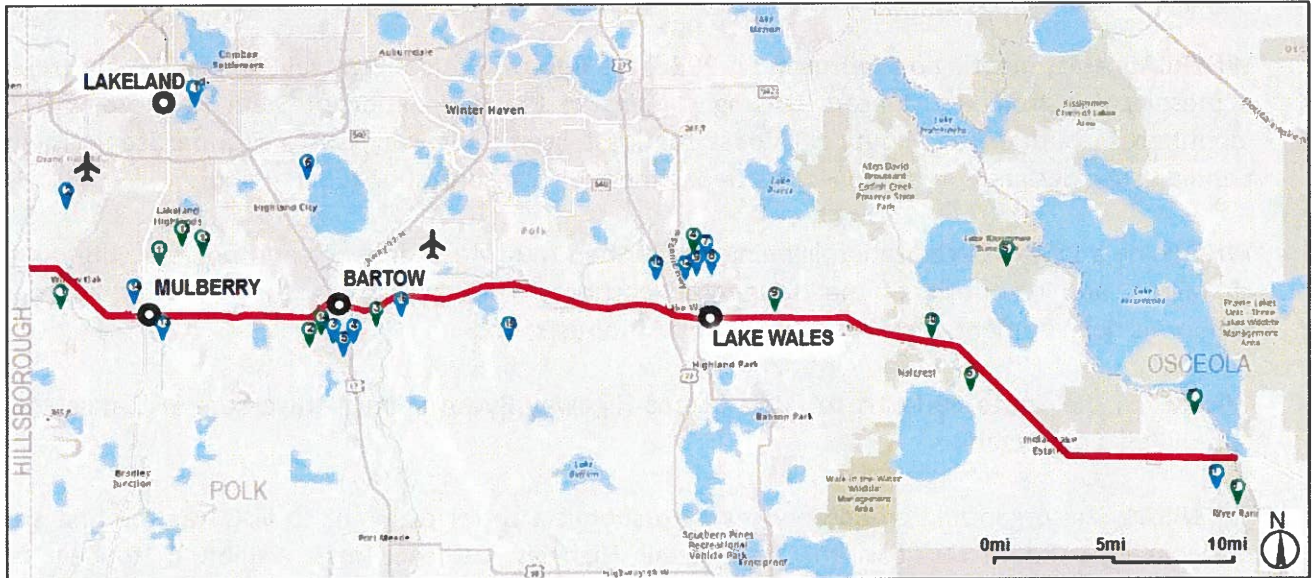
By: Don Elwell
Don Elwell, Chair

ATTEST: Jeff Corder-Schubert

COUNCIL ATTORNEY: Nora White

Resolution 2026-2A Exhibit A

Route 60 Coast to Coast Scenic Highway Map



POLK COUNTY ROUTE 60 FLORIDA'S COAST TO COAST SCENIC HIGHWAY

LEGEND



ATTRactions

1. Frank Lloyd Wright Architecture (FSC)
2. Florida Air Museum
3. Historic Polk County Courthouse
4. L.S. Swann House Museum
5. Wander House
6. Polk's Nature Discovery Center
7. Bok Tower
8. Spook Hill
9. Polk State College - Lake Wales
10. Florida's Natural Visitors Center



PARKS & RECREATION

1. Alafia River Reserve
2. Bartow Sports Complex
3. Bartow Peace River Landing
4. Bok Tower Gardens
5. Lake Kissimmee State Park
6. SLIMCA Preserve
7. Shady Oak Fish Camp
8. KODCO Wildlife Management Area
9. Lake Wales Country Club
10. North Walk in the Water Creek
11. Loyal Horse Park
12. Lakeland Highlands Scrub
13. The Club At Eaglebrooke
14. Fort Blvd Park



CITIES AND TOWNS

AIRPORT



- PROPOSED COAST TO COAST SCENIC HIGHWAY
- THE RIDGE SCENIC BYWAY
- COUNTY BORDER

Dr. Martha Santiago, Chair
Commissioner, District 4



330 W Church Street
Drawer BC01
P.O. Box 9005
Bartow, FL 33831-9005
(863) 534-6422
MarthaSantiago@PolkFL.gov

Board of County Commissioners

January 16, 2026

Florida Department of Transportation
Scenic Highway Program
605 Suwannee St.
Tallahassee, FL 32399-0450

RE: Letter of Support for State Route 60 Scenic Highway Designation

To Whom it May Concern:

This letter is a show of support from the Polk County Board of County Commissioners for the proposed designation of State Route 60 as the "Coast to Coast" Scenic Highway.

Polk County has the privilege of being located in the heart of Florida and centrally located between the two coasts. This location puts us in the middle of the proposed "Coast to Coast" scenic highway.

We are extremely proud of Polk County and its historical roots, scenic roadways, rural and urban charm and we are honored to be among the fastest growing counties in the state. We welcome visitors passing through to stop and visit our local attractions, historical sites, passive and active parks or to just stop for a meal while they continue on their trek from one coast to the other.

We are excited about the proposed "Coast to Coast" Scenic Highway and proud to be a part of the journey.

Sincerely,

Martha Santiago, Ed.D., Chair
County Commissioner, District 4

Becky Troutman
Commissioner, District 1

Bill Braswell
Commissioner, District 3

Rick Wilson
Commissioner, District 2

Michael H. Scott
Commissioner, District 5

Equal Opportunity Employer



January 26, 2026

100 East Main Street, Bartow, FL 33830

Florida Department of Transportation
Scenic Highway Program
605 Suwannee Street
Tallahassee, FL 32399-0450

Re: Letter of Support – State Road 60 Scenic Highway Designation

To Whom It May Concern:

I write in support of the proposed designation of State Road 60 as a Scenic Highway Designation, on behalf of the Polk County Historical Commission. The Polk County Historical Commission (PCHC) was established by the State Legislature in 1937. The PCHC serves as the Historical Resources Advisory Board to the Polk County Board of County Commissioners on all matters related to designation, regulation, and administration of cultural, architectural, and historical resources in the County, as prescribed by Ordinance No. 2023-076. Polk County is recognized as a Certified Local government by the U.S. Department of the Interior, National Park Service in accordance with the National Historic Preservation Act (54 USC Chapter 3025).

The proposed designation will help support the goal of historic preservation as a matter of public policy in Polk County and enhance Polk County's status as a unique destination. Polk County's historical resources are valued by the residents of Florida and the millions of tourists who visit the state each year. The designation of State Road 60 as a Scenic Highway will ensure that historical resources along the corridor are promoted and will result in economic and cultural benefits.

Thank you for your positive consideration of the Scenic Highway Designation for State Road 60.

Bea Hancock, Chairperson

Case #VAC-26-01 / Michael Trey Owens - Alderman Avenue
Planning Department Staff Report
P & Z Hearing Date: January 26, 2026
City Commission Dates: February 2, 2026 (1st Reading)
February 16, 2026 (2nd Reading/PH)



GENERAL INFORMATION

Request: Review and recommendation to the City Commission of a request to vacate and close an unopened, platted right of way (Alderman Avenue) extending from Pearl Street to Vine Street; and lying between Lots 1 thru 6, Block 5 and Lots 7 thru 12, Block 4 all of which are part of Oakdale Subdivision, PB 8, PG 38, public records of Polk County, Florida.

Location: A Location Map showing the location and limits of the proposed right of way vacation is attached.

Applicant: Michael Trey Owens, Et. Al., 900 West Vine Street, Bartow, Florida

Development History: None

SPECIAL INFORMATION

Transportation/Access: The unopened, platted right of way does not provide improved physical public access to any adjacent properties.

Utility Services: The City of Bartow does not maintain any municipal service lines (water, wastewater or electrical) within the limits of the unopened, platted alley and has no plans to use it for such in the future.

Confirmation has been requested from Comcast, Frontier Communication and Florida Public Utilities stating that no objections exist with the proposed vacation of the unopened, platted alley.

Drainage: The City of Bartow does not have any drainage structures (e.g., pipes, manholes, inlets, etc.) within the limits of the unopened, platted alley.

STAFF ANALYSIS

The City's Development Review Committee reviewed the proposed vacation and determined it has no adverse impact on any City systems or the surrounding area in general. All adjacent property owners have been notified of this application. These owners will assume ownership and maintenance responsibility for the vacated segments of right of way adjacent to their properties.

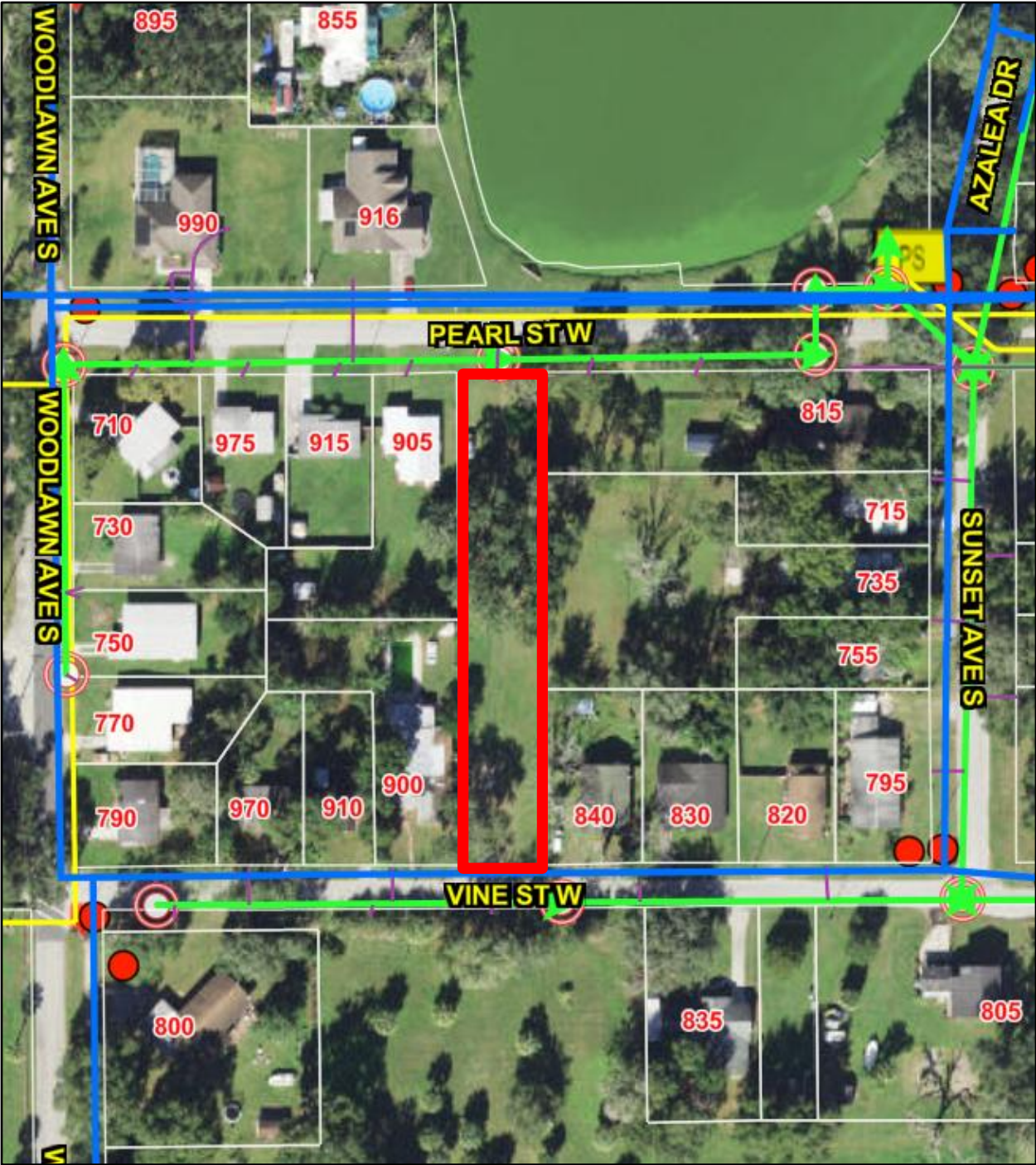
STAFF RECOMMENDATION

The City's Development Review Committee recommends approval of the application to vacate and close an unopened, platted right of way (Alderman Avenue) extending from Pearl Street to Vine Street; and lying between Lots 1 thru 6, Block 5 and Lots 7 thru 12, Block 4 all of which are part of Oakdale Subdivision, PB 8, PG 38, public records of Polk County, Florida.

PLANNING AND ZONING COMMISSION RECOMMENDATION

At its meeting of January 26, 2026, the Planning and Zoning Commission voted to recommend approval of this application to the City Commission.

Location Map



 Alderman ROW Vacation

ORDINANCE NO. 2026-02

AN ORDINANCE VACATING AND CLOSING AN UNOPENED PLATTED RIGHT OF WAY (ALDERMAN AVENUE) EXTENDING FROM PEARL STREET TO VINE STREET, AND LYING BETWEEN LOTS 1 THRU 6, BLOCK 5 AND LOTS 7 THRU 12, BLOCK 4, ALL OF WHICH ARE PART OF OAKDALE SUBDIVISION, PB 8, PG 38, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE UPON FINAL PASSAGE.

Whereas, the Development Review Committee reviewed this matter and finds that it complies with the City of Bartow Unified Land Development Code and Florida Statutes, as applicable, and hereto recommends the vacating and closing of an unopened, platted right of way extending from Pearl Street to Vine Street, and lying between Lots 1 thru 6, Block 5 and Lots 7 thru 12, Block 4, all of which are part of Oakdale Subdivision, PB 8, PG 38, public records of Polk County, Florida; and

Whereas, the Planning and Zoning Commission reviewed the recommendation of the Development Review Committee at an advertised public hearing and hereto recommends the vacating and closing of an unopened, platted right of way extending from Pearl Street to Vine Street, and lying between Lots 1 thru 6, Block 5 and Lots 7 thru 12, Block 4, all of which are part of Oakdale Subdivision, PB 8, PG 38, public records of Polk County, Florida; and

Whereas, the City Commission finds that after reviewing these recommendations the unopened, platted right of way extending from Pearl Street to Vine Street, and lying between Lots 1 thru 6, Block 5 and Lots 7 thru 12, Block 4, all of which are part of Oakdale Subdivision, PB 8, PG 38, public records of Polk County, Florida, is not needed now nor will it be needed for any municipal purpose in the future, and it is in the best interest of the City of Bartow to discontinue, close and vacate the same.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF BARTOW, FLORIDA:

Section 1. That the unopened, platted right of way extending from Pearl Street to Vine Street, and lying between Lots 1 thru 6, Block 5 and Lots 7 thru 12, Block 4, all of which are part of Oakdale Subdivision, PB 8, PG 38, public records of Polk County, Florida, as described and shown by the exhibit attached hereto as Exhibit "A", is hereby discontinued, closed and vacated.

Section 2. That the City Clerk is hereby authorized and directed to note the discontinuance, closing and vacation on the official map of the City of Bartow, Florida, and to record a copy of this ordinance among the public records of Polk County, Florida.

Section 3. After passage on first reading, at least three copies of this ordinance in the form in which it has been passed on first reading shall be made available for public inspection in the Office of the City Clerk, and there shall be published in a newspaper of general circulation in the City of Bartow, a notice describing this ordinance in brief and general terms and stating that it is available for public inspection in the Office of the City Clerk, together with the time and place when and where it will be considered for final passage. Such publication shall be at least ten days prior to the time advertised.

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

Section 5. This ordinance shall become effective immediately upon passage and adoption by the City Commission of the City of Bartow, Florida.

INTRODUCED AND PASSED on First Reading this ____ day of _____, 2026.

PASSED AND DULY ADOPTED, on Second Reading with a quorum present and voting, by the City Commission of Bartow, Florida, this ____ day of _____, 2026.

ATTEST WITH SEAL:

CITY OF BARTOW

By: _____
Jacki Poole, City Clerk

By: _____
Tanya Tucker, Mayor

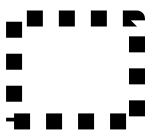
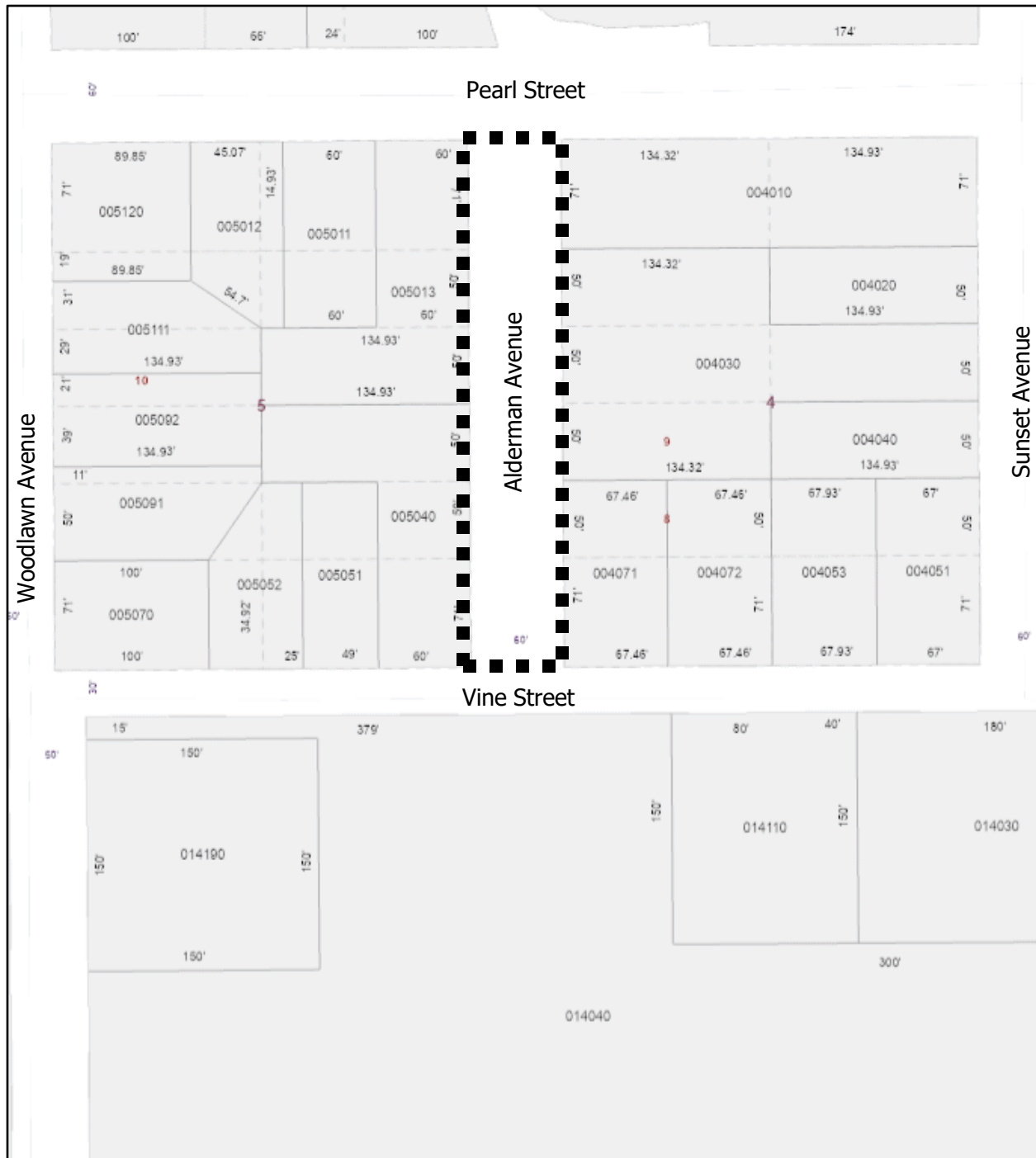
Approved as to correctness and form:

Approved as to substance:

By: _____
Sean R. Parker, City Attorney

By: _____
Mike Herr, City Manager

Exhibit "A"



DESCRIPTION OF RIGHT OF WAY TO BE VACATED: All that part of an unopened, platted right of way extending from Pearl Street to Vine Street, and lying between Lots 1 thru 6, Block 5 and Lots 7 thru 12, Block 4, all of which are part of Oakdale Subdivision, PB 8, PG 38, public records of Polk County, Florida, public records of Polk County, Florida.

CITY OF BARTOW, FLORIDA

TO: Honorable Mayor and City Commissioners, City of Bartow City Commission

THROUGH: Mike Herr, City Manager

FROM: Michael Poucher, Director of Electric Utilities; Sean R. Parker, City Attorney

DATE: February 16, 2026

SUBJECT: First reading and consideration of 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.

SUMMARY AND BACKGROUND

The Electric Department proposes to amend the Bartow Code of Ordinances Section 78-153 – Payment of bills to move the service charge amount from the ordinance to the City of Bartow Electric Tariff book. Section 78-156 – Underground installation of electric distribution facilities will be amended to require underground construction for new electric line extensions in the electric utility service territory with some exceptions.

STAFF ANALYSIS

Code Section 78-153 contains a specific \$20.00 service charge to restore electric service after the service is cut for non-payment. The charge increases to \$40 if it is cut at the pole and doubles if done after hours. Service fees need to change from time to time as costs change and this means an ordinance change and all the associated paperwork must be done for each change. By placing the fees in the Electric Tariff book, which is still approved by the City Commission, it reduces the time and administrative burden to make changes to the fees.

Code Section 78-156 is amended to require underground for new electric line extensions in the City of Bartow Electric service territory. Most new line extensions are installed underground and underground has many benefits including greater resilience to outages from animals and storms, less need for tree trimming, and better aesthetics in public areas. Requiring underground construction by ordinance puts potential new customers on notice that underground will be required and gives the electric utility the authority to enforce the ordinance.

There are several exemptions to underground construction for situations where underground is cost prohibitive or not practical to install. This includes large residential or agricultural tracts, temporary

facilities, and utility equipment that is normally above ground.

FISCAL IMPACT

There is no immediate fiscal impact due to the proposed changes. Staff will be bringing fee changes to the Commission for approval in the near future. Many of our fees have not been updated in many years and need to be adjusted. Staff will be bringing changes to the City's Electric Line Extension Policy at the next Commission meeting which will have a substantial impact to the equitable recovery of new construction costs.

RECOMMENDATION

Staff recommends the City Commission adopt the changes to section 78 of the Code of Ordinances.

ATTACHMENTS

1. 2026-01 Electric Utilities Update Ordinance of 2026 with Exhibit A
2. Ordinance 78-153 Payment of Bills REDLINE (1)
3. Ordinance 78-153 Payment of bills CLEAN
4. Ordinance 78-156 Underground installation REDLINE
5. Ordinance 78-156 Underground Installation CLEAN
6. Electric Code of Ordinances Section 78-153 Revision
7. Electric Code of Ordinances Section 78-156 Revision
8. 2026-01 bartow tariffs Clean

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 INTSTALLATION OF UNDERGROUND FACILITIES; REPEALING ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bartow has a series of ordinance sections related to the overall governance of its Utilities, which are codified in Chapter 78 of the Code of Ordinances; and

WHEREAS, from time to time there is a need to review, revise, modify, delete, and/or add particular Sections to this Chapter as part of an overall update to the Chapter and in response to various events and conditions that exist in the City's facilities; and

WHEREAS, the Director of Electric Utility, and his staff have worked to develop the various updates that are contained in this ordinance, in an effort to provide needed updates to the Chapter; and

WHEREAS, the City Commission finds that these updates to Chapter 78 are necessary and will serve to provide the City and its citizens with necessary updates and revisions to the Code.

NOW THEREFORE

BE IT ENACTED BY THE PEOPLE OF THE CITY OF BARTOW:

SECTION 1. This ordinance shall be commonly known as the "Electric Utility Chapter 78 Update Ordinance of 2026" and may be so cited.

SECTION 2. Various Sections of Chapter 78 of the Code of Ordinances shall be revised and modified, as set forth in Exhibit 'A' to this ordinance, a copy of which is attached hereto and incorporated herein, such copy consisting of two (2) numbered pages. In accordance with §166.041(2), Florida Statutes, added language to existing code provisions shall be underlined and deleted language from existing code provisions shall be ~~stricken through~~.

SECTION 3. All existing ordinances of the City of Bartow in conflict with this ordinance are repealed to the extent necessary to give this ordinance full force and effect.

SECTION 4. If any provision or portion of this ordinance is declared by a court of competent

jurisdiction to be void, unconstitutional, or unenforceable, then all remaining portions, provisions, and regulations of this ordinance shall remain in full force and effect.

SECTION 5. Any scrivener's error created as a result of the passage of this ordinance may be corrected by City of Bartow staff, without further legislative action, so long as the intent of this ordinance is preserved, by filing a revised copy thereof with the City Clerk's office with the terms "Staff Revised" and the revision version number in the style of the ordinance.

SECTION 6. It is the intent of the City Commission that the provisions of Exhibit 'A' to this ordinance shall be codified as and become and be made a part of the permanent Code of Ordinances of the City of Bartow. The provisions of Exhibit 'A' to this ordinance may be renumbered or relettered to accomplish such intention and the word "ordinance", or similar words, may be changed to "section," "article", or other appropriate word. Further, it is the intent of the City Commission that the implementing and instructional sections of this ordinance, Sections 1 through 7, shall not be codified. The Code codifier is granted liberal authority to codify the provisions of Exhibit 'A' to this ordinance, including the authority to modify cross-references as he or she may see fit to capture the intent of this ordinance.

SECTION 7. This ordinance shall take effect upon final passage.

INTRODUCED AND PASSED on first reading at the Regular meeting of the City of Bartow City Commission held this 16th day of February, 2026.

PASSED AND ADOPTED on second reading at the Regular meeting of the City of Bartow City Commission held this ____ day of March, 2026.

CITY OF BARTOW

ATTEST:

Tanya Tucker, Mayor

Jacqueline Poole, City Clerk
(city seal)

APPROVED AS TO FORM:

APPROVED AS TO SUBSTANCE:

Sean R. Parker, City Attorney

Mike Herr, City Manager

EXHIBIT "A"

Sec. 78-153. - Payment of bills.

(a) All bills for electric service are due and payable within 21 days after the date of meter reading. Failure to pay such bills within seven days after they become due and payable will subject the consumer to discontinuance of service. After service has been discontinued, a service charge ~~of \$20.00~~ must be paid prior to restoration of service as specified in City of Bartow Electric Tariffs Sheet 8.0, as amended from time to time.~~when service was disconnected at the meter, or a service charge of \$40.00 must be paid prior to restoration of service for service disconnected at the service pole (the latter charge to include replacement of the meter); said service charges shall be doubled if service is restored after hours.~~ Failure of the consumer to receive a bill shall not avoid discontinuance of service, although the city manager, or his designee, may waive discontinuance of service if he finds that extenuating circumstances caused the delinquency (see also [section 78-182](#)).

(b) Any consumer whose income from Social Security, Social Security Supplement Division, or the state department of health and rehabilitative services under aid to families with dependent children exceeds 50 percent of his total income as determined by such agencies, and who is the owner or lessee in occupancy of the house to which electric service is provided, and whose electrical bill indicates a due date of the 16th through the 31st of the month or the first through the seventh of the month, shall have the election to designate an extended due date therefor of the following eighth day of the month. Such election shall be made by the consumer by registering at the customer service department at city hall and filing an appropriate affidavit.

Sec. 78-156. - Underground installation of electric distribution facilities.

- a) Any individual so requesting may have his electrical distribution facilities installed underground. All such installations shall be performed in accordance with rules, regulations, and standards promulgated by the city manager or his designee, approved by motion of the city commission, and filed with the city clerk; such rules shall include the rates and charges for such installation and for the service.
- b) Installation of underground facilities. All electric service extensions within the city electric utility service territory will be installed underground and all differential charges, contribution-in-aid-of-construction, and other applicable fees as provided for elsewhere in these ordinances will be paid by the applicant.

Exemptions: The following items shall be exempt from complying with the provisions of this section.

- (1) Any residential or agricultural lot or parcel greater than 40,000 square feet in size where an overhead source is available. If an underground source is already available or planned, underground will be required.
- (2) Temporary facilities installed to provide emergency utility services.
- (3) Utility equipment utilized for street lighting purposes.

- (4) Utility equipment utilized exclusively for vehicular and pedestrian traffic control purposes.
- (5) Utility equipment appurtenant to underground facilities, such as pad-mounted transformers, switches, terminal boxes, meters, cabinets, vaults, and pedestals.
- (6) Temporary utility equipment utilized or to be utilized exclusively in conjunction with construction projects, seasonal, or special event installations. Upon installation of permanent utility service, above ground service shall be removed.
- (7) Electric substations, electrical distribution lines designated as main feeder lines on the utilities distribution switching schematic, or electrical lines rated for greater than 15 kV.
- (8) Equipment installed by the utility which should not be installed underground for engineering, safety, or environmental regulatory reasons.
- (9) Utility lines where severe disruption of existing improvements, diminished quality of service, or undue difficulty in repair would occur.
- (10) Utility lines where an affected adjoining property owner will not consent to modification of easements.

- **Sec. 78-153. - Payment of bills.**

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(Code 1955, § 9-20; Ord. No. 1769-A, § 1, 1-20-98)

- **Sec. 78-153. - Payment of bills.**

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(b) Any consumer whose income from Social Security, Social Security Supplement Division, or the state department of health and rehabilitative services under aid to families with dependent children exceeds 50 percent of his total income as determined by such agencies, and who is the owner or lessee in occupancy of the house to which electric service is provided, and whose electrical bill indicates a due date of the 16th through the 31st of the month or the first through the seventh of the month, shall have the election to designate an extended due date therefor of the following eighth day of the month. Such election shall be made by the consumer by registering at the customer service department at city hall and filing an appropriate affidavit.

(Code 1955, § 9-20; Ord. No. 1769-A, § 1, 1-20-98)

Sec. 78-156. - Underground installation of electric distribution facilities.

- a) Any individual so requesting may have his electrical distribution facilities installed underground. All such installations shall be performed in accordance with rules, regulations, and standards promulgated by the city manager or his designee, approved by motion of the city commission, and filed with the city clerk; such rules shall include the rates and charges for such installation and for the service.
- b) Installation of underground facilities. All electric service extensions within the city electric utility service territory will be installed underground and all differential charges, contribution-in-aid-of-construction, and other applicable fees as provided for elsewhere in these ordinances will be paid by the applicant.

Exemptions: The following items shall be exempt from complying with the provisions of this section.

- (1) Any new preliminary or amended site plan submitted prior to the effective date of this section unless underground electric facilities are already installed or planned by the city.
- (2) Any preliminary or revised preliminary subdivision plat application, submitted to the city or Polk County prior to the effective date of this section unless underground electric facilities are already installed or planned by the city.
- (3) Any residential or agricultural lot or parcel greater than 40,000 square feet in size where an overhead source is available. If an underground source is already available or planned, underground will be required.
- (4) Temporary facilities installed to provide emergency utility services.
- (5) Utility equipment utilized for street lighting purposes.
- (6) Utility equipment utilized exclusively for vehicular and pedestrian traffic control purposes.
- (7) Utility equipment appurtenant to underground facilities, such as pad-mounted transformers, switches, terminal boxes, meters, cabinets, vaults, and pedestals.
- (8) Temporary utility equipment utilized or to be utilized exclusively in conjunction with construction projects, seasonal, or special event installations. Upon installation of permanent utility service, above ground service shall be removed.
- (9) Electric substations, electrical distribution lines designated as main feeder lines on the utilities distribution switching schematic, or electrical lines rated for greater than 15 kV.
- (10) Equipment installed by the utility which should not be installed underground for engineering, safety, or environmental regulatory reasons.
- (11) Utility lines where severe disruption of existing improvements, diminished quality of service, or undue difficulty in repair would occur.
- (12) Utility lines where an affected adjoining property owner will not consent to modification of easements.

Sec. 78-156. - Underground installation of electric distribution facilities.

- a) Any individual requesting may have his electrical distribution facilities installed underground. All such installations shall be performed in accordance with rules, regulations, and standards promulgated by the city manager or his designee, approved by motion of the city commission, and filed with the city clerk; such rules shall include the rates and charges for such installation and for the service.
- b) Installation of underground facilities. All electric service extensions within the city electric utility service territory will be installed underground and all differential charges, contribution-in-aid-of-construction, and other applicable fees as provided for elsewhere in these ordinances will be paid by the applicant.

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- (4) Temporary facilities installed to provide emergency utility services.
- (5) Utility equipment utilized for street lighting purposes.
- (6) Utility equipment utilized exclusively for vehicular and pedestrian traffic control purposes.
- (7) Utility equipment appurtenant to underground facilities, such as pad-mounted transformers, switches, terminal boxes, meters, cabinets, vaults, and pedestals.
- (8) Temporary utility equipment utilized or to be utilized exclusively in conjunction with construction projects, seasonal, or special event installations. Upon installation of permanent utility service, above ground service shall be removed.
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- (12) Utility lines where an affected adjoining property owner will not consent to modification of easements.

(Code 1955, § 9-2

CODE OF ORDINANCES
SECTION 78-153
REVISION

Proposed Change to Section 78-153

•Sec. 78-153. - Payment of bills.

(a) All bills for electric service are due and payable within 21 days after the date of meter reading. Failure to pay such bills within seven days after they become due and payable will subject the consumer to discontinuance of service. After service has been discontinued, a service charge ~~of \$20.00~~ must be paid prior to restoration of service as specified in City of Bartow Electric Tariffs Sheet 8.0 as amended from time to time. ~~when service was disconnected at the meter, or a service charge of \$40.00 must be paid prior to restoration of service for service disconnected at the service pole (the latter charge to include replacement of the meter); said service charges shall be doubled if service is restored after hours.~~ Failure of the consumer to receive a bill shall not avoid discontinuance of service, although the city manager, or his designee, may waive discontinuance of service if he finds that extenuating circumstances caused the delinquency (see also [section 78-182](#)).

(b) Any consumer whose income from Social Security, Social Security Supplement Division, or the state department of health and rehabilitative services under aid to families with dependent children exceeds 50 percent of his total income as determined by such agencies, and who is the owner or lessee in occupancy of the house to which electric service is provided, and whose electrical bill indicates a due date of the 16th through the 31st of the month or the first through the seventh of the month, shall have the election to designate an extended due date therefor of the following eighth day of the month. Such election shall be made by the consumer by registering at the customer service department at city hall and filing an appropriate affidavit.

(Code 1955, § 9-20; Ord. No. 1769-A, § 1, 1-20-98)

1. Revision deletes specified service charge of \$20.00 from the ordinance.
2. It specifies that charges are contained in the Electric Tariffs Sheet 8.0 which contains all the miscellaneous utility charges. The \$20.00 charge is already contained in the tariff sheet.
3. This change simplifies revision of charges to a single reading rather than two revisions required to change the ordinance.
4. The Tariff sheets will be made available on the website and accessible to the public.

CODE OF ORDINANCES
SECTION 78-156
REVISION

Proposed Change to Section 78-156

Sec. 78-156. - Underground installation of electric distribution facilities.

- a) Any individual so requesting may have his electrical distribution facilities installed underground. All such installations shall be performed in accordance with rules, regulations, and standards promulgated by the city manager or his designee, approved by motion of the city commission, and filed with the city clerk; such rules shall include the rates and charges for such installation and for the service.
- b) **Installation of underground facilities. All electric service extensions within the city electric utility service territory will be installed underground and all differential charges, contribution-in-aid-of-construction, and other applicable fees as provided for elsewhere in these ordinances will be paid by the applicant.**

Exemptions: The following items shall be exempt from complying with the provisions of this section.

- 1. **Any residential or agricultural lot or parcel greater than 40,000 square feet in size where an overhead source is available. If an underground source is already available or planned, underground will be required.**
- 2. **Temporary facilities installed to provide emergency utility services.**
- 3. **Utility equipment utilized for street lighting purposes.**

Proposed Change to Section 78-156

Continued

- (4) Utility equipment utilized exclusively for vehicular and pedestrian traffic control purposes.
- (5) Utility equipment appurtenant to underground facilities, such as pad-mounted transformers, switches, terminal boxes, meters, cabinets, vaults, and pedestals.
- (6) Temporary utility equipment utilized or to be utilized exclusively in conjunction with construction projects, seasonal, or special event installations. Upon installation of permanent utility service, above ground service shall be removed.
- (7) Electric substations, electrical distribution lines designated as main feeder lines on the utilities distribution switching schematic, or electrical lines rated for greater than 15 kV.
- (8) Equipment installed by the utility which should not be installed underground for engineering, safety, or environmental regulatory reasons.
- (9) Utility lines where severe disruption of existing improvements, diminished quality of service, or undue difficulty in repair would occur.
- (10) Utility lines where an affected adjoining property owner will not consent to modification of easements.

(Code 1955, § 9-2

1. Revision adds language to the ordinance to require underground construction for new development.
2. Underground advantages include:
 - a) greater resistance to outages.
 - b) Less tree-trimming needed
 - c) Better aesthetics
3. Certain installations are exempt including large residential or agricultural lots where underground becomes cost prohibitive, temporary facilities, lighting, and electric utility facilities.

CITY OF BARTOW

FIRST REVISED SHEET NO. 1.0
CANCELLING ORIGINAL SHEET NO. 1.0

ELECTRIC DOCUMENTATION

VOLUME I

CITY OF BARTOW

450 N. Wilson Ave.
P. O. Box 1069
Bartow, Florida 33830

Submitted to Florida Public Service Commission

Issued by: James R. O'Connor
City Manager

Effective

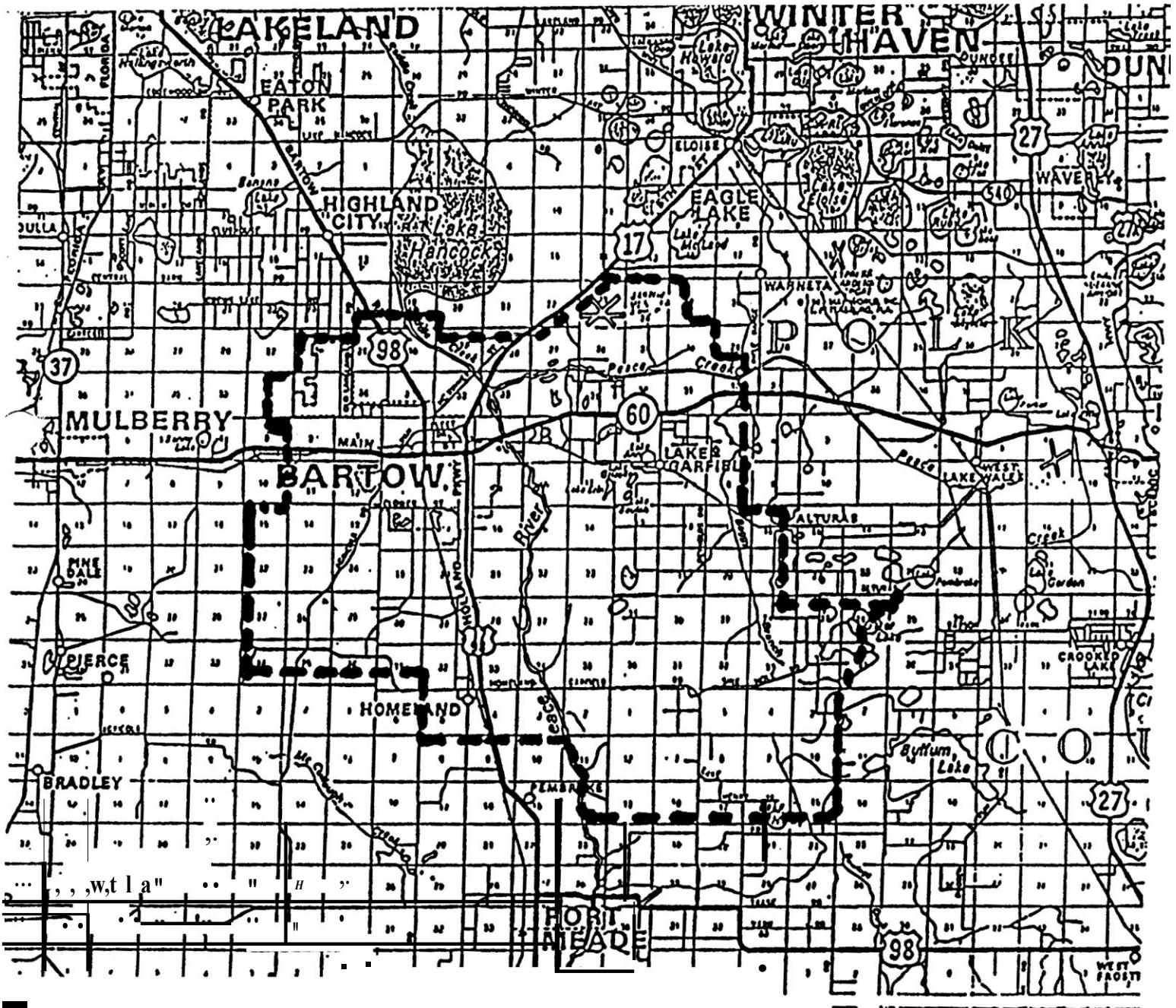
4/15/2003

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DESCRIPTION OF TERRITORY SERVED

The City of Bartow and surrounding areas in Polk County Florida,
as shown below:



Issued By: James R. O'Connor
City Manager

Effective: FEB 22

LIST OF COMMUNITIES SERVED

COMMUNITIES

RATE SCHEDULES

Bartow	GS, GSD, RS
Bartow Municipal Airport and Airport Industrial Park	Applicable Through- out Area Served
Connersville	
Gordonville (Part)	
Homeland	
Lake Garfield	
Wheeler Heights	
Lake Hendry and adjoining areas	

Issued by: James R. O'Connor
City Manager

Effective: FEB 22 1977

GENERAL SERVICE NON-DEMAND

RATE SCHEDULE GS

AVAILABILITY -Available throughout the area served.

APPLICABILITY - For lighting and power in establishments not classed as Residential Service or General Service Demand.

CHARACTER OF SERVICE - Single or three phase, 60 hertz, and at an available standard secondary voltage of the City.

LIMITATIONS - Subject to all the rules and regulations of the City of Bartow. Standby or resale not permitted.

RATES-	Service Charge	\$ 9.40 per month
	Energy Charge	\$0. .06826 per kWh

MINIMUM CHARGE - The minimum monthly charge shall be the service charge plus other applicable charges covered by Ordinance, State Statutes or Federal Law.

BILLING ADJUSTMENTS-See "Power Cost Adjustment" beginning on Sheet No. 9.0
See "Public Service Tax and Surcharge" beginning on Sheet No. 9.1
See "Florida Gross Receipts tax" beginning on Sheet No. 9.3
See "Florida Sales Tax", beginning on Sheet No. 9.5.

Issued by: Michael Poucher, P.E, Director, Electric
Utility

Effective: April 1, 2025

GENERAL SERVICE DEMAND

RATE SCHEDULE GSD SECONDARY

AVAILABILITY - Available throughout the area served.

APPLICABILITY -For lighting and power in non-residential establishments with an electrical demand requirement of 20 kW or more for three or more months out of the past twelve months. Also available to customers with a lower demand requirement who agree to remain on this rate schedule for at least one year.

CHARACTER OF SERVICE - Single or three phase, 60 hertz, and at an available standard secondary voltage of the City.

LIMITATIONS - Subject to all the rules and regulations of the City of Bartow. Resale not permitted. Standby generating equipment is permitted for emergency purposes only.

RATES-	Service Charge	\$ 22.79 per month
	Demand Charge	\$10.04 per kW
	Energy Charge	\$0.02365 per kWh

BILLING DEMAND - The maximum 15 minute integrated demand, but not less than 20kW.

POWER FACTOR - When the power factor is less than 90%, the Billing Demand may be determined upon the basis of 90% of the calculated kVA demand.

MINIMUM CHARGE - The minimum monthly charge shall be the service charge plus demand charges, plus other applicable charges covered by Ordinance, State Statutes or Federal Law.

BILING ADJUSTMENTS- See "Power Cost Adjustment" beginning on Sheet No. 9.0
See "Public Service Tax and Surcharge" beginning on Sheet No. 9.1
See "Florida Gross Receipts tax" beginning on Sheet No. 9.3
See "Florida Sales Tax" beginning on Sheet No. 9.5.

Issued by: Michael Poucher, P.E. Director,
Electric Utility

Effective: April 1, 2025

GENERAL SERVICE DEMAND

RATE SCHEDULE GSD PRIMARY

AVAILABILITY - Available throughout the area served.

APPLICABILITY - Customer served through primary metering for lighting and power in non-residential establishments with an electrical demand requirement of 20 kW or more for three or more months out of the past twelve months. Also available to customers with a lower demand requirement who agree to remain on this rate schedule for at least one year.

CHARACTER OF SERVICE - Single or three phase, 60 hertz, and at an available standard primary voltage of the City.

LIMITATIONS - Subject to all the rules and regulations of the City of Bartow. Resale not permitted. Standby generating equipment is permitted for emergency purposes only.

RATES-	Service Charge	\$22.79 per month
	Demand Charge	\$9.88 per kW
	Energy Charge	\$0.02337 per kWh

BILLING DEMAND -The maximum 15-minute integrated demand, but not less than 20kW.

POWER FACTOR - When the power factor is less than 90%, the Billing Demand may be determined upon the basis of 90% of the calculated kVA demand.

MINIMUM CHARGE - The minimum monthly charge shall be the service charge plus demand charges, plus other applicable charges covered by Ordinance, State Statutes or Federal Law.

BILLING ADJUSTMENTS-See "Power Cost Adjustment" beginning on Sheet No. 9.0
See "Public Service Tax and Surcharge" beginning on Sheet No. 9.1
See "Florida Gross Receipts tax" beginning on Sheet No. 9.3
See "Florida Sales Tax" beginning on Sheet No. 9.5.

Issued by: Michael Poucher, P.E. Director,
Electric Utility

Effective: April 1, 2025

GENERAL SERVICE DEMAND

RATE SCHEDULE GSD LARGE POWER

AVAILABILITY - Available throughout the area served.

APPLICABILITY -Primary metered customers with an electrical demand of 1000 kW or greater and a load factor of 50% or better for lighting and power in non-residential establishments.

CHARACTER OF SERVICE - Single or three phase, 60 hertz, and at an available standard secondary or primary voltage of the City.

LIMITATIONS - Subject to all the rules and regulations of the City of Bartow. Resale not permitted. Standby generating equipment is permitted for emergency purposes only.

RATES-	Service Charge	\$22.79 per month
	Demand Charge	\$9.83 per kW
	Energy Charge	\$0.02211 per kWh

BILLING DEMAND -The maximum 15 minute integrated demand, but not less than 20kW.

POWER FACTOR - When the power factor is less than 90%, the Billing Demand may be determined upon the basis of 90% of the calculated kVA demand.

MINIMUM CHARGE - The minimum monthly charge shall be the service charge plus demand charges, plus other applicable charges covered by Ordinance, State Statutes or Federal Law.

BILLING ADJUSTMENTS- See "Power Cost Adjustment" beginning on Sheet No. 9.0
See "Public Service Tax and Surcharge" beginning on Sheet No. 9.1
See "Florida Gross Receipts tax" beginning on Sheet No. 9.3
See "Florida Sales Tax" beginning on Sheet No. 9.5.

Issued by: Michael Poucher, P.E. Director,
Electric Utility

Effective: April 1, 2025

GENERAL SERVICE DEMAND
RATE SCHEDULE GSD LOW LOAD FACTOR

AVAILABILITY - Available throughout the area served.

APPLICABILITY - For lighting and power in non-residential establishments with an electrical demand requirement of 20 kW or more, but not in excess of 200 kW, and with an average monthly load factor of less than 25%.

CHARACTER OF SERVICE- Single or three phase, 60 hertz, and at an available standard secondary or primary voltage of the City.

LIMITATIONS - Subject to all the rules and regulations of the City of Bartow. Resale not permitted. Standby generating equipment is permitted for emergency purposes only.

RATES-	Service Charge	\$22.79 per month
	Energy Charge	\$0.09563 per kWh

BILLING DEMAND - The maximum 15 minute integrated demand will be metered monthly but will not be applied in the billing process.

MINIMUM CHARGE - The minimum monthly charge shall be the service charge plus other applicable charges covered by Ordinance, State Statutes or Federal Law.

BILLING ADJUSTMENTS - See "Power Cost Adjustment" beginning on Sheet No. 9.0
See "Public Service Tax and Surcharge" beginning on Sheet No. 9.1
See "Florida Gross Receipts tax" beginning on Sheet No. 9.3
See "Florida Sales Tax" beginning on Sheet No. 9.5.

SPECIAL CONDITIONS - Customers must apply in writing for service under this rate schedule and must remain under this rate schedule for a period of at least one year. Thereafter, in the event a customer served under this rate schedule modifies their electric usage such that Rate Schedule GSD is more advantageous, said customer will be permitted to change to billing under Rate Schedule GSD, upon written request. Customers electing to change to Rate Schedule GSD must remain under that rate schedule for a period of at least one year.

By making application for Rate Schedule GSD Low Load Factor, the customer also agrees to the installation of load control equipment by, and at the option of, the City.

Issued by:	Michael Poucher, P.E. Director, Electric Utility	Effective: April 1, 2025
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RESIDENTIAL SERVICE

RATE SCHEDULE RS

AVAILABILITY - Available throughout the area served.

APPLICABILITY - For service to a single-family dwelling unit occupied by one family or household, and to churches on church property used for church purposes. Service provided hereunder shall not be shared with or resold to others.

CHARACTER OF SERVICE - Single or three phase, 60 hertz, and at an available standard secondary voltage of the City.

LIMITATIONS - Subject to all the rules and regulations of the City of Bartow. Standby or resale not permitted.

RATES-	Service Charge	\$9.40 per month
	Energy Charge	\$0.05476 per kWh

MINIMUM CHARGE - The minimum monthly charge shall be the service charge plus other applicable charges covered by Ordinance, State Statutes or Federal Law.

BILLING ADJUSTMENTS - See "Power Cost Adjustment" beginning on Sheet No. 9.0
See "Public Service Tax and Surcharge" beginning on Sheet No. 9.I
See "Florida Gross Receipts tax" beginning on Sheet No. 9.3

Issued by: Michael Poucher, P.E.
Director, Electric Utility

Effective: April I, 2025

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 Underground Service Revised Regulations as recommended in August 2022 pursuant to Code of Ordinances Section 78-156 and available from the Bartow Utilities Department.

Type of Service:

General	Difference in Actual Cost of Underground installation compared to the estimated cost of overhead service.
Single-family Home Subdivision or Manufactured Home Development	Underground
Multi-family homes up to 4 Units per building	Secondary
Apartments and Condominiums - Smaller than 100 Units	Only (200 A service) for individual residences,
- 100 to 120 Units	
- 121 to 200 Units	
- Over 200 Units	

(Continued to Sheet No. 8.1)

Issued by: David Wright
Assistant City Manager

Effective: January 1, 2023

small commercial

\$649 per lot
\$844 per bldg.
\$422 per unit
\$316 per unit
\$275 per unit
\$233 per unit

establishments, or multi-family buildings

\$575 up to 100 ft., plus \$2.94/ft up to 200 ft.

(Continued to Sheet No. 8.1)

Issued by: David Wright
Assistant City Manager

Effective: January 1, 2023

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. 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 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 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

(Continued to Sheet No. 8.2)

Issued by: David Wright
Assistant City Manager

Effective: January 1, 2023

Electric Lines" above.

(Continued to Sheet No. 8.2)

Issued by: David Wright
Assistant City Manager

Effective: January 1, 2023

MISCELLANEOUS

<u>Fixture Type</u>	<u>Base Monthly Charge</u>	<u>kWh/Month</u>
50 Watt LED "Rural"	\$ 8.75	18
100-Watt High Pressure Sodium "Suburban"*	\$ 8.75	41
96-Watt LED "Roadway"	\$17.50	34
250-Watt High Pressure Sodium "Roadway" *	\$17.50	105
212-Watt LED Tenon Top "FOOT Roadway"	\$26.00	74
278-Watt LED Cobrahead "FOOT Roadway"	\$26.00	85
60-Watt LED "Antique"	\$23.00	21
10-Watt "Antique" *	\$23.00	41
96-Watt LED "Flood"	\$19.00	34
250-Watt "Mini Flood" *	\$19.00	100
146-Watt LED "Flood"	\$25.00	51
400-Watt "Mini Flood"*	\$25.00	161
400-Watt "Sportslighter" *	\$25.00	161
960-Watt LED "Sports Flood"	\$46.75	336
1000-Watt "Sportslighter"*	\$46.75	378

*Indicates fixture no longer available for new installation

In addition to the Base Monthly charge, the Tax Exempt BPCA for the month shall be applied to the kWh/month value for the Fixture and added to the monthly bill.

The city reserves the right to replace existing high pressure sodium fixtures with equivalent LED fixtures at any time.

CONTINUITY OF SERVICE: The city will use reasonable diligence at all times to provide continuous service at the agreed nominal voltage and shall not be liable to the customer for complete or partial failure of interruption of service, or for fluctuations in voltage, resulting from causes beyond its control or through the ordinary negligence of its employees, servants, or agents.

Issued by: David Wright
Assistant City Manager

Effective: January 1, 2023

POWER COST ADJUSTMENT

APPLICABILITY -To be added to or subtracted from monthly rate per kWh of each filed rate schedule.

CALCULATION - The Power Cost Adjustment shall be calculated as follows:

1	Projected Power Supply Costs	\$	x,xxx,xxx
2	Other Costs to Be Recovered [1]	\$	xxx,xxx
3	Total Costs to be Recovered	\$	x,xxx,xxx Line 1 + or - Line 2
4	Total Projected Energy Sales (kWh)		x,xxx,xxx
5	PCA - Total Cost per kWh	\$	x.xxxxxx Line 3 / Line 4

[1] Including costs under or over recovered in the prior period(s).

PUBLIC SERVICE TAX AND SURCHARGE

APPLICABILITY - To be added to the monthly charges under each filed rate schedule. Public Service Tax is applicable to service locations inside the City limits. Surcharge is applicable to service locations outside the City limits, but within the service territory. Exempt customers are as defined by City Ordinance.

CALCULATION - A 10% Public Service Tax and an equivalent 10% Surcharge are applied to all revenues from sales of electricity, excluding any tax-exempt fuel, in accordance with City Ordinance, and shall be separately stated on the customer's bill. Furthermore, Surcharge revenues are subject to Florida Sales Tax, but Public Service Tax revenues are not.

Issued by: Joseph J. DeLegge
City Manager

Effective: January 20, 1998

FLORIDA GROSS RECEIPTS TAX

RATE SCHEDULE GR

APPLICABILITY - To be added to monthly rate of each filed rate schedule.

CALCULATION - Each rate for electric service shall be increased by the actual tax level imposed for the Florida Gross Receipts Tax. The tax adjustment shall be levied on all revenue associated with the retail delivery of electricity and shall be separately stated on the customer's bill in accordance with the appropriate Florida statutes. The tax adjustment shall be applied exclusively for the purpose of collecting these taxes as levied by the State of Florida.

Issued By: James R. O'Connor
City Manager

Effective: FEB 1, 2011

FLORIDA SALES TAX

RATE SCHEDULE FST

APPLICABILITY - To be added to monthly rate of each non-residential rate schedule, subject to exemptions set forth in the Florida Statutes.

CALCULATION - Each non-residential rate for electric service shall be increased by the actual tax level imposed for the Florida Sales Tax, provided, however, that this tax shall not be added to the billing of customers who qualify for exemption under the applicable Florida statutes. The tax adjustment shall be levied on all revenue associated with the retail delivery of electricity, including the Florida Gross Receipts Tax, and shall be separately stated on the customer's bill in accordance with the appropriate Florida statutes. Exempt customers shall periodically be required to furnish evidence of exempt status pursuant to law.

Issued By: James R. O'Connor
City Manager

Effective: FEB 22 1993

ECONOMIC DEVELOPMENT RIDER

AVAILABILITY -Available throughout the area served.

APPLICABILITY - This rider is available for load associated with initial permanent service to new establishments or the expansion of existing establishments. Service under this Rider is limited to customers who make application to the City for service under this Rider, and for whom the City approves such application after January 1, 2018. The new load applicable under this Rider, either for a new establishment or the incremental new load for an existing establishment, must be a minimum of 500 kW and 200,000 kWh per month at a single delivery point.

Initial application for this Rider is not available to existing load. However, if a change in ownership occurs after the customer contracts for service under this Rider, the successor customer may be allowed to fulfill the balance of the contract under this Rider and continue the schedule of credits outlined below. This Rider is not available for renewal of service following interruptions such as equipment failure, temporary plant shutdown, strike or economic conditions. This Rider is not available for load shifted from one establishment or delivery point on the City system to another on the City system.

The load and employment requirements under this Rider must be achieved at the same delivery point. Additional metering equipment may be required to qualify for this Rider. The customer's service agreement under this Rider must include a description of the amount and nature of the load being provided, the number of full-time jobs resulting, and documentation verifying that the availability of the Economic Development Rider is a significant factor in the customer's location/expansion decision.

LIMITATIONS -The City reserves the right to limit applications for this Rider when the City's economic development expenses from this rider and other sources exceed \$200,000 per year.

DEFINITION - New Load is that which is added to the City's system by a new establishment after January 1, 2018. For existing establishments, New Load is the net incremental load above that which existed prior to approval for service under this Rider.

DESCRIPTION - A credit based on the percentages below will be applied to the customer charge, demand charge, energy charge and purchased power adjustment of the customer's otherwise applicable rate schedule associated with the customer's New Load:

Year 1 - 20% reduction
Year 2 - 15% reduction
Year 3 - 10% reduction
Year 4 - 5% reduction
Year 5 - 5% reduction

(Continued on Sheet No. 9.6.1)

Issued by: George A. Long
City Manager

Effective: April 1, 2018

(Continued from Sheet No. 9.6)

TERM OF SERVICE - The customer agrees to a five-year contract term. Service under this Rider will terminate at the end of the fifth year.

The City may terminate service under this Rider at any time if the customer fails to comply with the terms and conditions of this Rider. Failure to: (1) maintain the level of employment specified in the customer's service agreement and/or (2) purchase from the City the amount of load specified in the customer's service agreement may be considered grounds for termination.

PROVISIONS FOR EARLY TERMINATION - If the City terminates service under this Rider for the customer's failure to comply with its provisions, the Customer will be required to reimburse the City for any discounts received under this Rider plus interest.

If the customer opts to terminate service under this Rider before the term of service specified in the service agreement, the customer will be required to reimburse the City for any discounts received under this Rider plus interest.

STANDARD FORMS AND BLANK BILL FORMS

CUSTOMER'S DEPOSIT RECEIPT

CITY OF BARTOW
METER DEPOSIT

51070

Name S

Address A

Amount of Deposit PA

Account No.

Date By

REFUND INFORMATION

Deposit Applied SD

Amount of Final Bill

Amount to City by Receipt

Amount by Check # To Cust.

Balance Due City

Issued By: James R. O'Connor
City Manager

Effective: FEB 22 1993

STANDARD FORMS AND BLANK BILL FORMSCUSTOMER'S DELINQUENT NOTICE

CITY OF BARTOW
450 NORTH WILSON AVENUE

BARTOW, FLORIDA 33830

DELINQUENT NOTICE

SERVICE WILL BE DISCONTINUED
IF THE BILL IS NOT PAID BY ---▶

NOTICE DATE

CUT OFF DATE

-----	1	1	+	+	1	---
PREVIOUS BALANCE	PAYMENTS		PRESENT CHARGES		LATE CHARGES	

AMOUNT DUE

LOCATION NUMBER

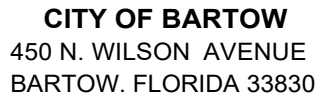
NOTICE DATE

CUSTOMER NUMBER

PLEASE RETURN THIS NOTICE OR BILL STUB WITH YOUR REMITTANCE
IF THIS BILL HAS BEEN PAID, PLEASE DISREGARD THIS NOTICE
FOR DISPUTED BILLS CONTACT CUSTOMER SERVICE, CITY OF **BARTOW**, 533-0911 • EXT. 41 OR 66

FIRST REVISED SHEET NO. 12.0
CANCELLING ORIGINAL SHEET NO. 12.0

BLANK BILL FORMS



DELINQUENT DATE

**PAYMENTS RECEIVED AFTER 3.30 P.M.
WILL BE POSTED ON NEXT DAYS BUSINESS**

[illegible]

Issued By: James R. O'Connor
City Manager

Effective: M a y 1 , 1 9 8 6

CITY OF BARTOW
COMMERCIAL ELECTRIC SERVICE AGREEMENT

THIS AGREEMENT is made and entered Into this day of 21st day of October, 2020 ("Effective Date"), by and between the CITY OF BARTOW (hereafter "**CITY**") whose address is 450 North Wilson Avenue, Bartow, Florida 33830, and MINERAL DEVELOPMENT, LLC (hereafter "**CUSTOMER**") whose address is 4000 SR 60 East, Mulberry, Florida 33860.

RECITALS

WHEREAS the **CUSTOMER** plans to construct and place into service a phosphate recovery facility located within the **CITY'S** electric utility service **area** at 4001 Noralyn Mine Road, Bartow, Florida.

WHEREAS the **CUSTOMER** has requested electric service from the **CITY**.

WHEREAS the **CUSTOMER** plans to place the phosphate recovery facility into service in November 2022.

WHEREAS the **CITY** currently does not have the electrical infrastructure necessary to provide the required electric service requested by the **CUSTOMER**.

WHEREAS the **CITY** plans to expand its electric distribution system in order to provide electric service to the **CUSTOMER**.

WHEREAS in return for the **CUSTOMER** agreeing to become a long-term commercial electric **CUSTOMER**, **CITY** is willing to provide certain favorable considerations as set forth below.

ACCORDINGLY, for and in consideration of the Recitals, the mutual undertakings and agreements herein contained and assumed, and other good and valuable consideration the receipt and sufficiency of which are acknowledged by the parties, the **CUSTOMER** and **CITY** hereby covenant and **agree as** follows:

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

Issued by: Bradley L. Hiers
Director, Bartow Electric Utility

Effective: August 15, 2022

(Continued on Sheet No. 22.1)

Issued by: Bradley L. Hiers
Director, Bartow Electric Utility

Effective: August 15, 2022

SECTION 2. PROVISION OF SERVICE.

2.1 As the exclusive provider of electric power, CITY shall sell and deliver to **CUSTOMER**, and **CUSTOMER** shall purchase and receive from **CITY, CUSTOMER's** full requirements for electric service for the **CUSTOMER's** phosphate recovery facility. The CITY will use reasonable diligence at all times to provide continuous service at the agreed nominal voltage, and shall not be liable to the CUSTOMER for complete or *partial failure or interruption of service, or for fluctuations in voltage, resulting from causes beyond its control* or through the ordinary negligence of its employees, servants or agents.

2.2. The CITY shall not be liable for any act or omission caused directly or indirectly by strikes, labor troubles, accident, litigation, shutdowns for repairs or adjustments, Interference by Federal, State or Municipal governments, acts of God or other causes beyond its control.

2.3. Electric service received from the CITY shall be for the CUSTOMER's own use solely for the purpose of operating the phosphate recovery facility and shall not be resold or in any other manner used by anyone other than **CUSTOMER**.

2.4. Increased service requirements shall be supplied at all times by the CITY through the existing, or enlarged, service connection and such metering equipment as will properly measure the amount of energy and its maximum demand, provided that the necessary enlargement of the facilities in service does not require changes in point of delivery. The CUSTOMER shall give reasonable advance notice to the City of any changes which affect the connected load under contract to the end that the City will have ample time to provide adequate service facilities.

2.5 Electric service under this Service Agreement may be interrupted at any time by the City subject to the terms of the then current power supply contract. The total duration of Interruption shall not exceed 36 hours total per year, nor shall the duration of any individual interruption exceed 6 hours. The terms of the interruption criteria of the current power supplier are included in Appendix A.

SECTION 3. TERM OF AGREEMENT.

Issued by: Bradley L. Hiers
Director, Bartow Electric Utility

Effective: August 15, 2022

(Continued on Sheet No. 22.2)

Issued by: Bradley L. Hiers
Director, Bartow Electric Utility

Effective: August 15, 2022

3.1. This Service Agreement, hereby terminating on its Effective Date any and all prior agreements, whether written or verbal, formal or informal, between the parties, shall become effective as of the date specified herein, and shall remain in effect for an initial term of ten (10) Contract Years, and shall renew for a five (5) year term after the tenth Contract Year, and shall renew for additional five (5) year terms thereafter in the same manner, unless terminated by written notice of such intention from either party to the other at *least one (1) year prior to the expiration date of the initial term or any subsequent term.*

3.2. Contract Year shall be a twelve-month period beginning upon the Issuance of a Certificate of Occupancy for the phosphate recovery facility and ending on the anniversary date thereof.

3.3. If not otherwise terminated under the terms of Section 5.1 below, either party shall have the right to terminate this Agreement, following sixty (60) days written notice to the other Party, upon the happening of any of the following events:

(a) Any final court decision, Internal Revenue Service ruling, or any change in the applicable statutes or regulations, which in the reasonable opinion of CITY's legal counsel, results in the continued existence of this Agreement having a material adverse effect on CITY's ability to issue tax exempt bonds. For these purposes, "tax exempt bonds" shall mean bonds, the interest of which is excluded from gross income for Federal income tax purposes.

SECTION 4. RIGHT OF WAY. The CUSTOMER shall grant or cause to be granted to the CITY, and without cost to the CITY, all rights of way, easements, licenses, permits and privileges, upon, over, under, along, across and through the land of (whether owned by or leased by) the CUSTOMER, which, in the opinion of the CITY, are necessary for the rendering of electricity service to the CUSTOMER.

SECTION 5. SCHEDULE.

5.1. The cost to provide electric service to the CUSTOMER is dependent upon the results of System Impact Studies and Facilities Studies which may be required by the transmission service provider, Duke Energy Florida. If required, the results of these studies may not be known for 120 days or more. The CUSTOMER may terminate this Agreement if the results of the System Impact Study and Facilities Study are such that

Issued by: Bradley L. Hiers
Director, Bartow Electric Utility

Effective: August 15, 2022

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Director, Bartow Electric Utility

Effective: August 15, 2022

the cost to modify the transmission system renders the proposed phosphate recovery facility uneconomical in the sole opinion of the **CUSTOMER**.

5.2. The CITY will commence design and construction of the distribution facilities necessary to provide electric service upon the acceptance of results of the System Impact Study and Facilities Study by the CUSTOMER. The CITY anticipates completion of the construction of distribution facilities 14 months after commencement of construction.

SECTION 6. ELECTRIC RATES. The **CUSTOMER** will be billed monthly during the term of this Agreement from the date of commencement of electric service. The CUSTOMER shall be charged for electric service as follows. The following Purchased Power Demand Rate and Purchased Power Energy Rate reflect estimates of natural gas prices in 2022 and purchased power cost estimates as of 1 September 2020.

Monthly CUSTOMER Service Charge, \$/month	\$400.00
Delivery System Energy Rate Contract Year 1, each kWh	\$0.01000 note 1
Purchased Power Demand Rate, each kW	\$6.578 note 2
Purchased Power Energy Rate, each kWh	\$0.02738 note 2

Minimum Charge. **CUSTOMER** Service Charge plus all Demand Charges

Note 1. The Delivery System Energy Rate shall be \$0.01170 for Contract years 2, 3 and 4. Thereafter, the Delivery System Energy Rate shall be increased periodically whenever the OTY conducts electric system rate studies and increase electric rates throughout the electric system. The percentage increase in the Delivery System Energy Rate shall not exceed the **average** percentage rate Increase adopted for the **CITY's** entire electric system.

Note 2, The CITY shall calculate the Incremental cost of bulk power supply each month necessary to supply the MDL recovery facility. The calculation shall include all incremental demand and energy charges from the then current suppliers of bulk power supply plus the incremental demand and energy charges from the transmission service provider (currently Duke Energy Florida). All charges shall be adjusted for losses to the **CUSTOMER's** delivery point. The Purchase

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Effective: August 15, 2022

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Director, Bartow Electric Utility

Effective: August 15, 2022

Power Demand Rate shall be based on the greater of (1) 12,000 kW or (2) the maximum 60-minute demand during the billing month.

Charges for electric service will be subject to the Florida Gross Receipts Tax pursuant to the provisions of Florida Statute Chapter 203, Public Service Tax pursuant to Florida Statute Chapter 166.231 and Florida and Polk County sales taxes. The taxes shall be determined in a manner consistent with application of *these taxes on other electric customers in the CITY.*

SECTION 7. Capital cost Recovery. In addition to the above rates and charges for electric service, the Customer shall pay to the CITY each month, as reimbursement for all capital costs, a Capital Cost Recovery Charge, currently estimated at \$80,000 per month, based upon the current estimated budget of all incremental capital costs required to provide service of \$2.4 million with recovery amortized over 34 months, at an interest rate of five percent. The Capital Cost Recovery Charge shall remain constant and shall be in effect until the CITY has recovered all incremental capital costs expended by the CITY to provide electric service to the **CUSTOMER** including interest. Payment of the monthly Capital Cost Recovery Charge shall commence with the first billing statement rendered following the issuance of the Certificate of Occupancy for the phosphate recovery facility.

Incremental capital cost shall include the following:

1. Cost to modify the SW Substation to place in service a 69kV to 25 kV substation transformer with 25 kV feeder breaker and associated instrumentation, metering and control systems.
2. Cost to construct a 25 kV distribution line from the SW Substation to the CUSTOMER'S site to include all costs for right-of-way.
3. Costs of any system impact studies and facility studies that may be required by the transmission service provider.
4. Any costs incurred as a result of modifications to the transmission system required by tile System Impact Study and Facilities Study.
5. Engineering, consulting and professional services costs associated with providing electric service to the **CUSTOMER**,

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Director, Bartow Electric Utility

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The CITY shall maintain accurate accounts of the above costs and upon request by the CUSTOMER, shall provide to the CUSTOMER the current budgeted amount and expenditures to date of the incremental costs to provide service to the CUSTOMER. Upon completion of all capital improvements detailed above, CITY shall calculate a final Capital Cost Recovery Charge and the monthly billed charge will be based on that final calculation.

The Capital Cost Recovery Charge will be discontinued after the CITY has recovered all incremental capital costs that are incurred in providing electric service to the **CUSTOMER**.

SECTION 8. PAYMENT OF BILLS. All bills for electric service and Capital Cost Recovery are due and payable within 21 days after the date of meter reading. Failure to pay such bills within seven (7) days after they become due and payable will subject the consumer to discontinuance of service. Following any discontinuance of service, resumption of service shall only occur after compliance with the requirements of the applicable Sections under Chapter 78 of the Code of Ordinances of the City of Bartow. Failure of the consumer to receive a bill shall not avoid discontinuance of service, although the **CITY** manager, or his designee, may waive discontinuance of service if he finds that extenuating circumstances caused the delinquency. Bills shall be subject to a delinquency charge of 1.5 percent if not paid by the due date.

SECTION 9. ACCESS TO PREMISES. The CITY shall, at all reasonable hours, have free access to the **CUSTOMER'S** premises for any purpose connected with the delivery of electric power under this Agreement or the exercise of any rights secured to, or the performance of any obligations imposed on it by this Agreement. The CITY shall use its best efforts not to disrupt the operations of the **CUSTOMER'S** business while using such access rights.

SECTION 10. DEFAULT.

10.1 CITY Defaults and **CUSTOMER** Remedies.

CITY Default. The following events shall be defaults with respect to the CITY (each, a "**CITY** Default"):

Director, Bartow Electric Utility

(Continued on Sheet No. 22.6)

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- (a). A Bankruptcy Event shall have occurred with respect to CITY;
- (b). CITY shall be in default in the performance of this Agreement;
- (c). CITY fails to pay **CUSTOMER** any undisputed amount owed to **CUSTOMER** under the Agreement within thirty (30) days from receipt of notice from **CUSTOMER**; or
- (d). CITY makes an untrue, inaccurate or incomplete representation or breaches any warranty or material term of the Agreement and (A) if such breach can be cured within thirty (30) days after **CUSTOMER's** written notice of such breach and CITY fails to so cure, or (B) CITY fails to commence and pursue a cure within such thirty (30) day period if a longer cure period is needed, but not to exceed 180 days in any event.
- (e). CITY breaches any material term of the Agreement if (A) such breach can be cured within thirty (30) days after **CUSTOMER's** notice of such breach and CITY fails to cure, or (B) CITY fails to commence and pursue said cure within such thirty (30) day period if a longer cure period is needed.

CUSTOMER's REMEDIES: If a CITY Default described in Section 10.1 of this Agreement has occurred and is continuing, the **CUSTOMER** may terminate the Agreement, seek the recovery of damages and exercise any other remedy it may have at law or equity or under the Agreement.

10.2 **CUSTOMER Defaults and CITY's Remedies.**

CUSTOMER Default. The following events shall be defaults with respect to the **CUSTOMER** (each, a "**CUSTOMER Default**"):

- (a). A Bankruptcy Event shall have occurred with respect to **CUSTOMER**;
- (b). **CUSTOMER** breaches any material term of the Agreement if such breach can be cured within thirty (30) days after CITY's notice of such breach and **CUSTOMER** fails to so cure, or

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CUSTOMER fails to commence and pursue said cure within such thirty (30) day period if a longer

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cure period is needed; or

{c}. CUSTOMER fails to pay the CITY any undisputed amount due the CITY under the Agreement within thirty (30) days from receipt of notice from the CITY.

(d). CUSTOMER makes an untrue, inaccurate or incomplete representation or breaches any warranty or material term of the Agreement and (A) if such breach can be cured within thirty {30} days after CITY's written notice of such breach and CUSTOMER fails to so cure, or (B) CUSTOMER fails to commence and pursue a cure within such thirty (30) day period if a longer cure period is needed, but not to exceed 180 days in any event.

(e). CUSTOMER breaches any material term of the Agreement if {A} such breach can be cured within thirty (30) days after CITY's notice of such breach and CUSTOMER fails to cure, or (B) CUSTOMER fails to commence and pursue said cure within such thirty (30) day period if a longer cure period is needed.

CITY's Remedies. If a CUSTOMER Default described In Section 10.1 of *this* Agreement has occurred and is continuing, the CITY may terminate the Agreement, seek the recovery of damages and exercise any other remedy it may have at law or equity or under the Agreement.

SECTION 11. DISCLAIMER OF THIRD-PARTY BENEFICIARIES. This Agreement is solely for the benefit of and shall be binding upon the formal parties hereto and their respective authorized successors and assigns, and no right or cause of action shall accrue upon or by reason hereof, to or for the benefit of any third party not a party to this Agreement or an authorized successor or assignee thereof.

SECTION 12. NO WAIVER. Any failure at any time by the CITY or the **CUSTOMER** to enforce a provision of the Contract, shall not constitute a waiver by such party of said provision.

SECTION 13. AMENDMENTS. No additions, alterations or variations of the terms of this Agreement shall
(Continued to Sheet No. 22.8)

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be valid, nor can provisions of the Agreement be waived by either party, unless such additions, alterations, variations or waivers are expressed in writing and duly signed by both parties.

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SECTION 14. ASSIGNMENTS. Subject to the provisions contained herein, this Agreement shall be binding upon and shall inure to the benefits of the successor and assigns of the parties hereto. This Agreement may not be assigned by the **CUSTOMER** without the prior written consent of the **CITY**.

SECTION 15. SEVERABILITY. If any part of this Agreement is found invalid or unenforceable by any court, such invalidity or unenforceability shall not affect the other parts of this Agreement if the rights and *obligations of the parties contained therein are not materially prejudiced, and if the intentions of the parties can continue to be implemented.* To that end, this Agreement is declared severable.

SECTION 16. AUTHORITY TO EXECUTE AGREEMENT. The signature by any person to this Agreement shall be deemed a confirmation by that person that he or she has the full power and authority to bind any corporation, limited liability company, partnership, or any other business or legal entity for which he or she purports to act hereunder.

SECTION 17. GOVERNING LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. Should suit be filed for any reason arising out of this Agreement, the parties agree that venue for suit, action shall lie only in the courts with jurisdiction over such matters in Polk County, Florida, or the United States District Court for the Middle District of Florida, Tampa Division. Nothing herein shall prevent the parties from pursuing their legal rights associated with nonperformance under this Agreement including instituting legal action seeking: (1) any remedies of specific performance, injunctive relief and declaratory relief available at equity; and/or (2) any money damages available at law. Both parties have contributed to the preparation, drafting and negotiation of this document and neither has had undue influence or control thereof. Both parties **agree** that in construing this Agreement, it shall not be construed in favor of either party by virtue of the preparation, drafting, or negotiation of this Agreement. The parties shall have the right to specifically enforce the terms and conditions of this Agreement by an action for specific performance.

SECTION 18. NOTICES. Any notice provided for or concerning this Agreement shall be in writing and shall be deemed sufficiently given when sent by certified or registered mail as sent to the respective address of each party as set forth at the beginning of this Agreement. Notices sent to the CITY shall be addressed to the CITY MANAGER:

(Continued to Sheet No. 22.9)

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Director, Bartow Electric Utility

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450 N. Wilson Avenue
PO Box 1069 (33831)
Bartow, Florida 33830

245 South Central Avenue
Bartow, Florida 33830

Notices sent to the **CUSTOMER** shall be addressed as follows:

Mineral Development, LLC
4000 SR 60.East
Mulberry, Florida 33860

SECTION 19. SOVEREIGN IMMUNITY. Notwithstanding any contradictory language in the Contract, nothing herein is intended to act as a waiver of the City's sovereign Immunity or the limits of liability set forth in §768.28 of the Florida Statutes regardless of whether any such obligations are based (n tort, contract, statute, strict liability, and negligence, product liability or otherwise.

SECTION 20. PUBLIC RECORDS. CUSTOMER acknowledges CITY's obligations under Article I, Section 24, Florida Constitution and Chapter 119, Florida Statutes, to release public records to members of the public upon request. CUSTOMER acknowledges that CITY is required to comply with Article I, Section 24, Florida Constitution and Chapter 119, Florida Statutes, in the handling of the information and records created by or related to this Agreement (including the Agreement itself) and that said statute controls over the terms of this Agreement that might appear to be in conflict.

In WITNESS WHEREOF, and intending to be legal bound hereby, the CITY and the **CUSTOMER** have caused this Agreement for the sale and purchase of electric energy and capacity to be duly executed under seal by their respective duly authorized representatives as of the date and year first above written.

SIGNATURE BLOCKS

MINERAL DEVELOPMENT, LLC

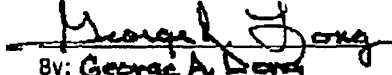
CITY OF BARTOW

(Continued to Sheet No. 22.10)

Issued by: Bradley L. Hiers
Director, Bartow Electric Utility

Effective: August 15, 2022


By: Lance McNeill
Title: President & CEO
Date: 10/21/2020


By: George A. Dory
Title: City Manager
Date: October 21, 2020

(Continued to Sheet No. 22.10)

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Director, Bartow Electric Utility

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APPENDIX A.

Section 7.1. Interruptions.

(a) FMPA shall supply and deliver Wholesale Power Service hereunder to the Delivery Point(s) on a firm basis secondary to FMPA's Firm load. FMPA may recall all or part of the Wholesale Power Service only when the following two conditions are met:

(i) During an emergency or reliability situation where FMPA does not have sufficient capacity to serve its Firm Load obligations, which shall occur when The Florida Municipal Power Pool (FMPP) is on the verge of Issuing an Energy Emergency Alert (EEA) pursuant to the North American Electric Reliability Corporation (NERC) standards; and

(ii) Using its commercially reasonable efforts, FMPA is unsuccessful at securing replacement energy and associated transmission service where the cost of replacement energy required to avoid interrupting Wholesale Power Service is above the corresponding day's Gas Index multiplied by a Heat Rate of 20 MMBtu/MWh.

(b) FMPA or its agent will promptly inform Bartow as soon as reasonably possible under the circumstances upon becoming aware of any event, occurrence or circumstance that will result in the need to interrupt or recall all or part of the Wholesale Power Service or otherwise cause a material reduction or an interruption or suspension of delivery of the Wholesale Power Service to Bartow.

(c) In lieu of Wholesale Power Service interruption, Bartow may elect to be responsible for the cost of any replacement energy acquired by FMPA that exceeds the \$/MWh price set forth in Section 7.1(a)(ii) above. Upon the Service Date, and then periodically thereafter at the sole discretion of Bartow, Bartow shall provide FMPA with parameters under which Bartow affirmatively elects to accept responsibility for the cost of replacement energy in excess of the amount set forth in Section 7.1(a)(ii). If FMPA is able to procure any replacement energy timely enough to avoid Wholesale Power Service interruption, and the conditions of such procurement are within the parameters provided by Bartow, FMPA will endeavor to procure and provide replacement energy to Bartow, and FMPA will include such excess replacement energy costs as a separately itemized charge on the next monthly bill. Bartow may revise the parameters described in this Section 7.1(c) at its discretion upon written notice to FMPA. Replacement energy procured pursuant to this Section 7.1(c) shall not be accounted for as a Wholesale Power Service interruption for purposes of Section 7.2.

(d) Notwithstanding any other provision of this Agreement, FMPA shall not be responsible for any failure to deliver Wholesale Power Service due to (a) transmission system operations beyond the Delivery Point(s) or (b) interruptions of transmission service necessary to deliver Wholesale Power Service to Bartow if initiated by the Florida Reliability Coordinating Council security coordinator. FMPA

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Director, Bartow Electric Utility

disclaims any liability for third-party claims arising out of any failure to supply Wholesale Power Service hereunder, or for interruption, reversal or abnormal voltage of the supply. Any interruptions of

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Wholesale Power Service pursuant to this Section 7.1(d) shall not be accounted for as Wholesale Power Service interruption for purposes of Section 7.2.

Section 7.2. Interruption Frequency.

FMPA shall use commercially reasonable efforts not to cause interruptions of Wholesale Power Service pursuant to exceed thirty-six (36) hours per Contract Year, nor a single Interruption to exceed six (6) hours in duration.



City of Bartow

CITY OF BARTOW

CITY COMMISSION REGULAR MEETING

MONDAY, FEBRUARY 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 February 2, 2026, at 6:00 p.m. at the 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 and Facebook page on January 29, 2026.

1. CALL TO ORDER

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

City Clerk Poole called the 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, Finance Director Peter Lear, PRCA Director Jason Hargrove, Fire Chief Jay Robinson, Police Chief Stephen Walker, Customer Service Manager Shaun Gelissen, Communications Director Laurie Hayes, Electric Utilities Director Michael Poucher, Water/Wastewater Utilities Director John Hall, Public Works Director Billy Groover, Code Compliance & Neighborhood Services Director Tray Towles, Executive Asst./Community Liaison Pam Sams, Management Asst. Angel Ruse, Officer Paul, IT Director Frank Canovaca, City Clerk Jacqueline Poole.

2. INVOCATION

Pastor Missy Turbeville, First United Methodist Church gave invocation.

3. PLEDGE OF ALLEGIANCE

Mayor Tucker requested a moment of silence in memory of Bishop Watson's brother, who passed away over the weekend.

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 February 2026 as Black History Month and honoring Bishop Willie L. Watson, Jr. as the Black History Month Champion for 2026. Being accepted by Bishop Willie Watson, Jr.**

City Attorney Parker read the proclamation in its entirety.

Mayor Tucker presented Bishop Watson with a proclamation and a crystal globe in recognition of his selection as the 2026 Black History Month Champion and extended her congratulations on the honor.

Commissioner Longworth remarked that Pastor Turbeville, who offered the invocation, said something meaningful that applied well to Bishop Watson: "Thank you for using God's gifts to make the world a better place." Commissioner Longworth noted that Bishop Watson has done exactly that through six decades of pastoral service, making Bartow, as well as Polk County and the State of Florida, a better place. He expressed his gratitude for Bishop Watson's lifelong dedication to the community and displayed a plaque bearing Bishop Watson's name, which will be permanently exhibited in the Commission Chambers.

Mayor Tucker again thanked Bishop Watson for his service to the community.

Bishop Watson expressed his gratitude to God for allowing him the opportunity to serve and thanked his wife, children, church family, and the City of Bartow for the honor. He stated that he was deeply humbled by the recognition and gave all credit and praise to God. He added that it was a blessing to live in a community that acknowledges and honors God and emphasized the importance of teaching children about God so that future generations may know Him.

- b. **Issuance of a proclamation recognizing the 26th Annual L.B. Brown Heritage Festival February 14–15, 2026. Being accepted by Neighborhood Improvement Corporation (NIC) of Bartow, Inc. President Chuck Warren, Chairperson Gloria Northern McCoy, Treasurer Juanita Warner, Board Member Patricia Smithfields & Volunteers.**

City Attorney Parker read the proclamation in its entirety.

Mayor Tucker encouraged the community to attend and participate in the upcoming event, noting that it continues to grow each year and offers a wonderful opportunity for family fun.

NIC President Warren expressed appreciation for the City's continual support of the L.B. Brown House and Festival, thanking the City Commission, staff, and management. He invited everyone to attend the festival on February 14 and 15,

highlighting approximately 50 vendors offering food and goods, local entertainment, and tours of the L.B. Brown House Museum.

NIC Chairperson McCoy conveyed heartfelt gratitude for the City's longstanding support, acknowledging the absence of her longtime colleague and friend, Clifton Lewis. She affirmed that his legacy and that of the L.B. Brown House would continue through the community's love and support.

- c. **Issuance of a proclamation recognizing February 25, 2026 as Ret. Col. Cynthia E. Cook Day. Being accepted by Caryn Ruth, Florida Department of Transportation (FDOT) Black History Month Recognition Representative.**

City Attorney Parker read the proclamation in its entirety.

Mayor Tucker presented the proclamation to Sikandra Grant, FDOT District 1 Training & Performance Manager.

Ms. Grant extended her sincere thanks to the City of Bartow and to each of you for your contributions to your respective roles. She also extended an official invitation to the Commissioners to attend FDOT's upcoming Black History Month Program, scheduled for February 25 at 12:00 noon at the FDOT District One Conference Center. She said we would love to see you there and to bring their appetite.

- d. **Issuance of a proclamation recognizing February 8–14, 2026 as National Future Business Leaders of America (FBLA) Week. Being accepted by Gause Academy FBLA Chapter President Zachary Carroll and Melissa Knokol, Digital Design and GIS Teacher.**

City Attorney Parker read the proclamation in its entirety.

Mayor Tucker presented the proclamation to Gause Academy FBLA Chapter President Zachary Carroll and Melissa Knokol, Digital Design and GIS Teacher.

Ms. Knokol addressed the Commission, sharing that she has witnessed firsthand the positive impact of FBLA on students over the years. She noted that many former participants have returned, even 10 to 15 years later, to express how meaningful the program was in shaping their lives and careers. Ms. Knokol expressed pride in Zachary Carroll, who will soon attend his third state conference and, with continued success, may advance to the national competition in San Antonio this summer. She also extended her appreciation to the Commission for their ongoing support of both FBLA and Gause Academy.

- e. **Phase II Water Restriction — John Hall, Director of Water Utilities.**

Water Utilities Director Hall presented a slide presentation originally developed by April Breten, who graciously allowed its use. He noted the presentation had been shared with the Southwest Florida Water Management District Board the previous week when the Board approved Phase II water restrictions. He reported that rainfall data for December 2025 showed the Bartow area received an average of 1.7 inches compared to the historical average of 2.2 inches. A rainfall distribution map indicated that while northern Polk County experienced wetter-than-normal conditions, the Bartow area remained within the normal range. For the 12-month period ending December 2025, Polk County received 39 inches of rain, 13 inches below its normal annual average of 52 inches resulting in increasingly dry conditions. This prompted the Polk County Board of County Commissioners to issue a countywide burn ban. District-wide rainfall analysis showed a significant shift from 2024, when the region was six inches above average, to 2025, when it fell 13 inches below average. In accordance with the District's Water Shortage Plan, the governing board may impose restrictions necessary to protect water resources and promote recovery. The plan considers factors such as drought indicators, lake levels, public supply storage, precipitation outlook, and availability of alternative water supplies. The twelve-month rainfall averages across the District were described as critically below normal. Aquifer levels were low-normal in the central region, moderately abnormal in the north, and severely abnormal in the south. The three-month precipitation outlook projected below-normal rainfall for all regions, and most lake levels were reported below normal as of January 4, 2026. At that time, the C.W. Bill Young Reservoir held 10.54 billion gallons, and the Peace River–Manasota Reservoir held 12.94 billion gallons, both showing declines. He outlined the four Water Shortage Plan phases. Phase I serves as an alert to prepare for worsening conditions. Phase II imposes once-per-week lawn watering and restricted hours. Phases III and IV introduce stricter limits and suspension of nonessential uses. The District Board approved moving from Phase I to a modified Phase II, effective February 8, 2026, with once-per-week watering remaining in effect through July 1, 2026. Residents are encouraged to check irrigation systems for leaks and inefficiencies, while utilities are asked to review enforcement procedures, process citations, and report enforcement data monthly. In Bartow, these enforcement duties are handled by Code Enforcement rather than the Utilities Department. Questions related to violations can be directed at Code Enforcement Director Towles. Details of Phase II restrictions have been added to the City website for public reference.

Director Hall also reported that recent cold weather caused some ruptures in water pipes. Six employees from Public Works and TCS worked over the weekend to address these issues, with some being simple repairs and others involving ruptured backflow preventers, which are more complex to fix.

Mayor Tucker asked who was responsible for enforcing the burn ban and whether burning in a barrel constituted a violation.

Fire Chief Robinson responded that enforcement is handled jointly by the Fire Department and Code Enforcement. He explained that open burning is prohibited in Bartow under the City's Solid Waste Ordinance, and violators are addressed by either Code Enforcement or the Bartow Police Department, often resolving issues on a call-by-call basis. The Fire Department also supports the County burn ban and executes enforcement within City and covered County areas to ensure consistency. Residents observing outdoor burning should contact the Fire Department or the Police Department's non-emergency number, though 911 calls are occasionally received and responded to as well.

Commissioner Pfeiffer requested that a public service announcement containing details about the burn ban be posted on the City's social media pages and city's website.

5. **GENERAL PUBLIC COMMENT**

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

City Attorney Parker reminded all speakers addressing the City Commission that while making comments during any time set aside for public comments or public hearings to refrain from making any personal attacks, derogatory comments, commenting on any items in litigation or under investigation, or any other matters that do not fall within the purview of the City Commission. Public speakers are limited to three minutes. Yielding of time is not customary during public comments. General public comment is the public's chance to speak and be heard and is not a time typically for questions and answers. Refer to the agenda to seek the appropriate time to make comments. Speaker cards are located on the tables to the left of the room and with the City Clerk. Fill out the speaker card and give it to the clerk when you come to the podium. Before you begin your remarks, state your name and address for the record.

Mayor Tucker opened the public comment period.

Gerald J. Cochran, 1615 North St., Bartow. Mr. Cochran expressed concern regarding increases in his utility bills over the past four years. He stated that his bills have approximately doubled during that time. Mr. Cochran cited examples from recent months, noting that he used 1,000 gallons of water in January and none in February, yet paid \$81.43 in January and \$93 in February for combined water and sewer service. He also stated that his electric usage was approximately 700 kilowatt-hours, but that his overall charges remained high regardless of his consumption. He questioned where the collected utility revenues are being directed and expressed his belief that residents are being overcharged for services not used. He stated that penalties for nonpayment and the threat of disconnection place an undue burden on citizens living on fixed incomes such as Social Security. Mr. Cochran further stated that, in his view, this practice is unfair and possibly unlawful. He concluded by voicing

concern that the three-minute time limit for public comment restricts his right to free speech.

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

6. **CITY ANNOUNCEMENTS**

Commissioner Pfeiffer reported that the Commission attended the Chamber of Commerce's annual meeting this past Saturday. She noted that it was a very nice event and congratulated Bartow Main Street Executive Director Linda Holcomb, who received the George Harris Leadership Award. She commended the Chamber for hosting an excellent program and added that everyone had an enjoyable time

7. **REPORT OF CHARTER OFFICERS**

a. **CITY MANAGER COMMUNICATIONS**

City Manager Herr noted that, consistent with the Commission's rules of procedure for agenda modifications, he wished to add two items for discussion this evening under "City Manager Communications." He requested adding Item 4 to provide an update on the Community Redevelopment Agency (CRA), including an overview of recent and upcoming activities and meetings. He explained that Commissioners had been provided with a schedule outlining upcoming joint meetings of the City Commission and the CRA Board related to the CRA Plan update. The update includes the proposed expansion of the CRA boundaries to incorporate the Masonic Lodge and the Carver Recreation Center. He further noted that, in accordance with state statute, both the CRA Board and the City Commission must adopt a "finding of necessity" to validate the proposed expansion. He also referenced scheduled meetings where both bodies will identify potential capital projects and consider borrowing options to fund them. The joint project priority session for that discussion is anticipated to be held on February 13. Subsequent meetings will address approval of the borrowing and associated loan amount. Lastly, he requested adding Item 5, a discussion regarding power cost adjustments. Commissioners have been provided with a fact sheet prepared by the Finance Director to support this discussion.

MOTION was made by Commissioner Ball, seconded by Commissioner Pfeiffer to approve and modify the agenda to include Item No. 7.a.4 for a CRA Update and Item No. 7.a.5 relating to Power Cost Adjustments.

VOTE TO THE MOTION WAS AS FOLLOWS:

AYE: Ball, Longworth, Pfeiffer, Simpson, Tucker

NAY: None

Motion carried.

1. **Update on General Fund regarding Property Tax Relief and Aquatics Program — City Manager Mike Herr, Finance Director Peter Lear, PCRA Director Jason Hargrove.**

City Manager Herr stated that Finance Director Lear and PCRA Director Hargrove would provide an update on the Aquatics Program, focusing on the current cost estimate for the proposed new pool project and its fiscal impacts. He explained that construction costs have approximately doubled since the project was first approved as part of the City's reserve spend-down program about two and a half years ago when \$3.5 million was budgeted. Current estimates now exceed that amount significantly. He further noted that operational costs, including utilities, chemicals, and staffing for year-round use, are projected at approximately \$1.1 to \$1.2 million annually, a recurring expense that would place a substantial burden on the General Fund. Because Parks, Recreation and Cultural Arts (PCRA) operations are funded largely by property tax revenues, he emphasized the importance of understanding the local impact of proposed property tax relief legislation. Herr concluded by recommending that the City not proceed with the pool project at this time due to its high and continuing costs.

PCRA Director Hargrove reviewed the project scope and design history. The original plan included a six-lane recreational pool for lap swimming and instructional use, a zero-depth entry pool, and a splash pad. The project also encompassed demolition of the old facility, upgrades to the restroom facilities, new shade structures, pool furnishings, lighting, site work, landscaping, and required permitting and design services. The project site was planned for the Bartow Civic Center complex. He reported that while the City had budgeted \$3.5 million, updated cost estimates from Straughn Trout (July 2025) placed the total project cost between \$6.03 and \$6.35 million about \$2.5 to \$2.8 million more than budgeted. Estimated annual personnel and operating costs, depending on staffing model and operational season, ranged as follows:

- Year-round operation (contracted): approximately \$1.5 million
- Year-round operation (city-staffed): approximately \$1.41 million
- Seasonal 25-week operation (contracted): approximately \$680,000
- Seasonal 25-week operation (city-staffed): approximately \$631,000

Finance Director Lear discussed broader fiscal considerations affecting the City's General Fund. He outlined several proposed state legislative initiatives that could significantly reduce municipal revenues, including:

- A proposed homestead property tax exemption that could eliminate property taxes on primary residences, resulting in an estimated \$3.15 million revenue loss.

- A proposal to cap enterprise fund transfers of 10%, representing another \$2.2 million loss.
- A recommendation that requires cities to reduce their budgets by 10% each year, equating to approximately \$3.8 million for Bartow.

Director Lear said if all measures were enacted, the City could face a combined \$9.2 million loss, roughly 25% of the General Fund's current \$38.4 million revenue. He noted that law enforcement funding would be shielded from cuts, leaving other departments including Parks and Recreation more vulnerable to impacts. Existing General Fund subsidies also support the Fire Department, Transportation, Golf Course and Mulligans operations, and employer-of-choice pay adjustments, further limiting flexibility. Given these combined financial pressures and competing priorities, Finance Director Lear concluded that proceeding with the pool project would not be financially responsible at this time.

Mayor Tucker asked if the splash pads were still on the table and if we would be circling back after the legislation session has ended.

Director Hargrove said he does not have cost analysis on splash pads, that it is not part of our future right now.

Director Lear stated that the \$3.5 million previously set aside for the aquatic facility remains in reserve at this time. He added that once the City has a better understanding of actions taken by the Legislature and the outcomes of the November voter referendums, the allocation can be reassessed.

City Manager Herr noted that while the \$3.5 million remains in reserves, the City's Fire Administration Headquarters is housed in a 60-year-old facility that is deteriorating and deemed unhealthy for occupancy. Several architectural reports recommend that no further funding be invested in that building. He explained that the City has submitted a \$4 million legislative appropriation request to assist in constructing a new Fire Administration Headquarters, but any balance not covered by the appropriation will still need to be funded. Given current fiscal uncertainties, particularly the potential impact of statewide property tax relief measures, the City Manager stated his belief that the funds should be prioritized for essential public safety infrastructure rather than discretionary quality-of-life amenities. He acknowledged the Commission's and staff's prior support for the aquatic facility but said that, under current circumstances, directing the \$3.5 million toward the fire headquarters would be a more critical use of resources. He further noted that if the state appropriation is not awarded, the City may need to borrow funds to complete the project and could apply a portion of the \$3.5 million reserve toward that cost. He emphasized that the replacement of the fire administration facility is long overdue and essential to maintaining core public safety services.

Commissioner Pfeiffer stated that she believes it would be best to wait until the current session concludes before revisiting the discussion to assess the city's position. She noted that she and the City Manager had previously met one-on-one regarding the pool project and expressed interest in seeing what a significantly scaled-back version of the project might look like. She explained that when the pool design was relocated, the footprint was expanded, which increased the overall cost further impacted by inflation. She acknowledged that the resulting design was very nice, but correspondingly expensive. She thanked staff for providing a detailed breakdown of the recurring costs associated with the facility, which she found helpful, and asked whether a FRDAP grant or USDA funding could potentially be used toward the estimated \$3.5 million project cost.

City Manager Herr explained that FRDAP funds would not apply to an aquatics project. He added that while the USDA does have applicable programs, they are loan-based, and he would not recommend borrowing funds to finance an aquatics program. However, he noted that USDA funding could be considered for other major facilities such as a fire station headquarters.

Commissioner Pfeiffer agreed, acknowledging that while some USDA loans are partially forgivable, the pool represents more of a community "want" than a "need." She emphasized that although there has been strong community interest in restoring the pool, which the city has had for more than sixty years, it has been closed for approximately five years, and the commission continues to receive regular public feedback on the matter. She concluded by suggesting that the commission revisit the topic once more information is available after the current session, at which point they can make informed decisions regarding next steps, whether that involves a reduced pool project, splash pads, or other alternatives.

Vice Mayor Simpson stated that she appreciated holding off on the discussion, as she believed the Commission would be considering alternate uses for the \$3.5 million, including the splash pad. She had previously not been aware that this might no longer be a possibility and was glad the item would be revisited. She then asked if the change in location designation accounted for the nearly \$3 million increase in cost.

Commissioner Pfeiffer said that the added costs were attributed to the bathrooms and the pump house along with the expanded size.

Director Hargrove explained that the bathrooms already exist and would only be modified. He said he would verify details but believed utilizing the Oaks Building carried a higher price than returning the project to the Bartow Civic

Center. He confirmed that the location determination did not cause the nearly \$3 million cost increase.

City Manager Herr stated that staff had developed “Plan B” and “Plan C” options for allocating the \$3.5 million toward improvements at Mary Holland Park and the Mulligan’s restaurant site. He recommended waiting to see the outcome of the legislative session before finalizing a spending plan. He suggested that, if the city receives the appropriation, it could consider borrowing funds for the fire station, a facility that could be repaid through the fire assessment and use the \$3.5 million for other improvements. He noted that although property tax-related revenues are limited, any borrowed funds would need to be repaid. He cautioned that an increase to the fire assessment may need to be considered, acknowledging that such a measure would not be popular but emphasizing the importance of this as a “legacy moment” for the City. He added that Bartow is not guilty of overspending.

Vice Mayor Simpson agreed, affirming that she would “defend that 100%.” She clarified that she is not opposed to allocating funds toward the fire station but appreciated the opportunity to have this additional discussion.

2. **Library Mural — City Librarian Christina Hielscher**

Librarian Hielscher reported that a mural is planned for the front exterior wall of the Bartow Public Library. She shared photos showing the existing wall where the mural will be installed, located near the “Bartow Public Library” sign. Hielscher explained that the mural will enhance the library’s appearance and complement the building’s design. Both sides of the front concrete wall will be painted. She noted that artist Gillian Fazio, of Gillian Fazio Art, has been selected for the project. Fazio has completed several murals throughout Polk County and Florida, including the “My Heart Belongs to Bartow” mural in downtown Bartow. The project cost is \$20,000, funded through the Library Co-op County budget, with work scheduled to begin on Monday, February 9. She displayed a mock-up of the design, which features a floral and fauna theme, reflecting the artist’s style and the librarian’s vision. The mural will incorporate books, butterflies, and other natural elements that blend with the library’s lakeside setting. Landscaping in front of the wall has been cleared and will be replanted after the mural’s completion with new landscaping designed to complement it. Completion is expected by the end of February, weather permitting.

Commissioner Pfeiffer commented that the mural design is beautiful and noted the artist will likely enjoy this project because it can be completed without the use of a lift, saving time and cost.

Vice Mayor Simpson also praised the design, expressing appreciation for the magnolias and insects included in the artwork. She suggested adding a bookworm to the mural.

Librarian Hielscher agreed the addition would be fun, noting the design already includes ladybugs, butterflies, and bees. She added that the color palette, drawn from the library's exterior, ties the design together but will remain suitable even if the building's colors change in the future.

Director Hargrove commented that inclement weather could delay the start date and emphasized the importance of not having the artist work in cold conditions. He confirmed that ground cover has been removed in preparation and that once the mural is complete, perennial peanuts will be planted to add color and enhance the surrounding area.

3. **Update on Cold Weather Advisory — Jay Robinson, Fire Chief & Shaun Gelissen, Customer Service Manager**

Fire Chief Robinson reported that on Thursday, the City received an update from the National Weather Service forecasting the coldest temperatures since 2010. He noted that this prediction proved accurate, with winds reaching 20–40 miles per hour and gusts up to 50 mph. Temperatures dropped into the 20s, producing wind chills between 8 and 11 degrees. On Saturday, actual conditions included sustained winds around 30 mph with gusts up to 38 mph and temperatures near 25°, yielding a wind chill of 11°. Sunday's winds moderated slightly to 10–15 mph with gusts up to 28 mph, and Monday morning recorded a temperature of 25° with a wind chill of 24°. He explained that Communications Director Hayes began issuing cold weather alerts and public messaging on Thursday through the City's website and social media. All utility, public works, and electric department call-out crews were placed on standby and responded as needed. Staff continued assessing minor weather-related issues, which fortunately did not include any major damage, only a few transformers and several frozen backflow preventers that crews spent much of Sunday thawing. He said as a precaution, Fire Station No. 2 was closed both nights due to its outdoor truck bay. He explained that this decision helped prevent costly freeze-related damage to fire apparatus. All trucks were brought indoors except for the ladder truck, which is still unable to fit into Station No. 1 because of the bay door issue. A heating plan was implemented for that apparatus that required the driver to periodically start the engine and circulate its pump throughout the night to prevent freezing, ensuring it remain operational. He said crews also assisted Public Works in checking on nursing homes, dialysis centers, and other medical facilities to confirm that water and electric services remained functional. The City's Water Department and Water Reclamation Facility operated on generator power from Saturday through Monday to reduce demand on the electric grid, which allowed surplus energy to be redirected back into the system. He said two cold weather shelters were opened through partnerships with local organizations. Chief Robinson thanked the Church Service Center and Pastor Tommy Presley and the staff at Turning Point Worship Center for hosting shelters. He noted the Polk County Sheriff's Office opened an additional facility at the county jail.

The Turning Point shelter hosted six individuals each night, while the Sheriff's Office shelter hosted four each night, providing safe refuge for ten people during the freezing temperatures. Looking ahead, Chief Robinson stated that another freeze is expected tonight, though not as severe as the recent event. Wednesday morning's low is forecast around 37°, with slightly warmer conditions before temperatures drop again during the weekend.

Fire Chief Robinson further noted the department's concern regarding ongoing drought conditions. The current drought index is 520 (on a scale of 0–800, where 0 is saturated and 800 is desert), nearly double the three-year average of 284. He reminded those present that rainfall is typically sparse until summer, suggesting conditions will likely worsen before improvement. He referenced the 2001 Green Swamp fire that closed Interstate 4, noting that while he hopes to avoid such incidents, similar risks exist under current conditions. On a lighter note, he concluded by reporting that, despite the cold, there were no sightings of falling iguanas in Bartow.

Customer Services Manager Gelissen reported that his team contacted local businesses prior to the weekend, asking them to maintain consistent power and heating levels to help avoid large fluctuations in demand on the electrical grid. He noted that the School Board's Energy Director confirmed receipt of the message and delayed increasing the school heating system until Sunday, which also helped reduce grid impact. He stated that there was moderate email correspondence throughout the weekend, including from residents seeking assistance with cold weather-related concerns. He mentioned that some residents are unaware they should contact the Police Department after hours for emergencies such as burst water pipes. One significant issue occurred in Wind Meadows, where a resident temporarily lost water service; Public Works was promptly dispatched to resolve it. He further reported that utility cutoffs were suspended last week due to freezing temperatures. He receives daily cold weather updates from the Fire Chief and reviews them each morning. During freezing conditions, he emphasized that no customers are left without power overnight, as such weather is uncommon for Florida. The last service disconnection occurred the previous Tuesday and involved a water-only account. No disconnections were planned for the current day due to low temperatures. Once temperatures rise above 35°F, normal cutoff procedures will resume. Manager Gelissen stated that typically 85–90% of customers whose service is disconnected make payment the same day. He explained that performing cutoffs sometimes triggers the system to issue a second bill, which can confuse some customers. This is due to limitations in the billing software, which may display a new bill date while also listing a past-due balance. Notices at the bottom of bills indicate that unpaid balances are subject to disconnect.

Commissioner Pfeiffer requested that the Communications Director publicize the after-hours contact number for utilities, so residents know whom to call during unusual weather events. She also relayed a constituent concern from

a customer whose power had been disconnected without notice and asked whether courtesy door-hanger notices are still used. She noted that residents sometimes miss due dates because of personal circumstances, and additional communication could help.

Manager Gelissen explained that the disconnection process is largely manual, reviewed daily based on payment history. First-time delinquent customers often receive calls or emails before disconnecting. Courtesy door hangers are no longer used, as dispatching electric crews solely for notices is not efficient. He added that while bills state disconnection may occur seven days after the due date, in practice the City allows an additional 10–14 days before service is cut off.

Commissioner Pfeiffer suggested this information also be shared publicly to increase transparency.

Manager Gelissen noted that the current billing software lacks the ability to send text notifications of pending disconnections. The City's payment system is outdated, but staff are working with Tyler Technologies to integrate a notification feature that would allow communication by text, phone, or email. The system's effectiveness, however, depends on whether customers provide email addresses, and many have not yet registered their contact information online or have not read their emails.

Commissioner Ball commented that the system is outdated and referenced a prior issue involving customers with automatic payments being charged late fees when payment dates shifted, reportedly due to a third-party processing delay.

Manager Gelissen explained that the issue occurred about two months ago, following David Wright's retirement, when responsibility for power cost adjustments was transitioned to Director Lear. This change caused certain billing due dates to be shifted by several days based on the meter reading cycle, which generally ranges from 28 to 32 days. Because due dates fluctuate, customers using credit card autopay should schedule the charge for 7–10 days prior to their due date.

Commissioner Ball noted that one customer still received a late fee despite being enrolled in automatic payment and suggested considering standardized due date windows, such as the 1st and 15th of each month, to minimize such occurrences.

Manager Gelissen responded that when billing issues are identified as system-related, his office promptly waives fees without question. However, the system currently does not generate a report identifying affected accounts automatically.

Mayor Tucker remarked that she personally adjusted her own payment date to the first of the month to avoid similar issues.

Manager Gelissen stated that he maintains an open-door policy and invites any customer with billing or late-fee concerns to contact him directly. He noted that a new payment system is under development through NeoGov and expected to be completed within 12 to 16 months. The new system will be tailored for electric service and will provide more flexibility, including notification capabilities. In the meantime, he recommended customers use ACH (checking account transfers), which automatically align with billing due-date fluctuations.

Commissioner Longworth asked if the City would be able to send text message notifications.

Manager Gelissen confirmed that this capability is expected once Tyler's notification software is fully implemented. He is awaiting additional training from Tyler representatives on its use.

4. **CRA Update**

Asst. City Attorney Crawford provided an update on the status of several ongoing Community Redevelopment Agency (CRA) processes. He stated that a loan, potentially totaling \$18.2 million, was in progress and that staff and bond counsel were finalizing the necessary steps to bring the issue forward. He also noted that a revised CRA Plan had been prepared by the Central Florida Regional Planning Council in January 2026, which proposes expanding the CRA boundary to include two currently tax-exempt parcels, the Carver Recreation Center and the Masonic Lodge. This expansion would create the opportunity to redevelop and return those properties to the tax rolls. Asst. Attorney Crawford summarized prior actions, noting that the existing CRA Plan was last revised on June 6, 2022, at which time the Commission extended the CRA's termination date and trust fund authority through September 30, 2050. He reviewed the seven-step process required for adopting the amended CRA Plan and confirmed that several of those steps had been completed, including the CRA Board's adoption of a resolution recommending the new plan and area expansion on January 28, 2026. He outlined the next steps in the process, including the issuance of notices to taxing authorities, findings of compliance with the Comprehensive Plan by the Planning and Zoning Commission, publication of public hearing notices, and final adoption by the City Commission, anticipated for March 2, 2026. A special CRA meeting to issue bonds was tentatively scheduled for March 4, 2026, with closing expected shortly thereafter. Regarding the \$18.2 million loan, Attorney Crawford advised that a joint workshop between the City Commission and CRA Board was scheduled for Friday, February 13, 2026, to establish project priorities and confirm eligible uses of funds under applicable bond requirements. He explained that the financing structure

would primarily rely on CRA tax increment revenues, with a secondary covenant by the City to budget and appropriate funds, if necessary, but that the repayment schedule had been designed to avoid any new burden on the City's General Fund.

In a brief discussion of the February 13 joint session, Commissioner Pfeiffer noted a scheduling conflict with a Florida Redevelopment Agency meeting that morning in Orlando. Attorney Crawford stated that the CRA Director had proposed a 5:30 p.m. meeting time but saw no issue with adjusting the time to accommodate Commission preference. City Manager Herr suggested 3:00 p.m. as an alternate meeting time. Attorney Crawford indicated that it would be acceptable, and Commissioner Longworth remarked that the CRA Director was likely to consider public participation when proposing an evening session. Attorney Crawford acknowledged the input and said he would relay on the Commission's 3:00 p.m. preference to CRA staff.

Asst. City Attorney Crawford concluded by emphasizing the importance of the upcoming joint session, noting that bond counsel would attend to address financing and eligibility questions and that full Commission participation would be critical in determining project priorities and completing the bond documentation process.

Mayor Tucker inquired why the County Commission would have any involvement in the area (CRA District), noting that the property lies within the city limits.

Asst. City Attorney Crawford explained that the area in question lies within a Community Redevelopment Agency (CRA) district established prior to a legislative "magic date." He further stated that legislation adopted in 2006 requires that, for any CRA plan created before that date, if the agency wishes to expand its area without obtaining a formal delegation from the charter county, it must provide the county with a written report and opportunity to comment. This process allows the county to express any competing needs or concerns. He noted that Polk County became a charter county in 1998, while the City established its CRA in 1990. Litigation arose in 2000 when the City expanded its CRA boundaries, and the City prevailed, confirming that it may expand its CRA area without county delegation. However, under the 2006 legislation, the City is now required to notify the County and allow for comment. Accordingly, when the most recent expansion process began about a year ago, the City contacted the County Commission to ensure there were no objections before proceeding with the Central Florida Regional Planning Council's preparation of the CRA plan and the finding of necessity.

City Manager Herr discussed the process of acquiring the loan and the recommendations of the City's financial advisor regarding the City's potential backing of that loan. He referred to comments from October, when the \$18 million borrowing was first considered. He stated that the current CRA Board

is performing well, with thoughtful and well-prepared members who work effectively with the CRA Director. He noted that meetings often last several hours, reflecting the members' dedication. He explained that, given the City's potential financial responsibility for the CRA, it may be appropriate for the City Commission to serve as the CRA Board. This model, he noted, is common in other Florida cities, as elected Commissioners are accountable to the public for the City's and CRA's budgets. He recommended that two current CRA Board members serve alongside the City Commission on the CRA Board, with the remaining five to function as an advisory committee. He cited the City of Winter Haven as an example where this approach works effectively. He emphasized that his suggestion does not reflect any concerns about the current Board's performance but rather recognizes changing circumstances and increased fiduciary responsibilities. The City Attorney could draft guidelines for the advisory committee for Commission review. He concluded by offering to meet individually with CRA Board members to discuss the proposal if directed by the Commission.

Commissioner Ball agreed with City Manager Herr's comments, stating that taking on fiduciary responsibility for the \$18 million project and ensuring its repayment would ultimately rest with the Commission. He believed that moving forward in cooperation with the CRA board would be the right approach.

Vice Mayor Simpson remarked that, reflecting on the workshop discussions earlier in the evening, particularly regarding artwork selections being made by the CRA, she felt there may be a need for the Commission to have increased involvement in certain funding determinations. She noted that the specific structure of such participation is yet to be defined, but there appears to be a potential need for greater Commission input in related decision-making processes.

Commissioner Pfeiffer commented that, given the legislature's position last year on the proposed bill regarding Community Redevelopment Agencies (CRAs), the intent was for the CRA board to mirror the majority composition of the City Commission. Although that bill has not been reintroduced this year, the sponsoring legislator could bring it back next session. He noted that it was previously stalled only because a senator, who will not be returning, helped keep it from advancing. She suggested it would be prudent for the City to align its structure with legislative preference in anticipation of future changes. She further agreed with the City Manager's recommendation that large-scale borrowing and debt responsibility, such as the proposed \$18 million, should rest with the elected body. She observed that Bartow has not taken on debt of that size in at least 30 years and emphasized that accountability for such financial decisions properly belongs with the Commission, not with an appointed or volunteer board. She concluded by supporting the recommendation and commending staff for the thoughtful analysis.

Commissioner Longworth expressed a differing view, stating that while he had considered the matter carefully, he disagreed with transferring CRA authority to the Commission. He noted that the Commission already holds fiduciary accountability for all City funds, including the CRA's approximately \$4 million budget, and that CRA board members though appointed rather than elected are chosen by the Commission. He emphasized that the current CRA board and director are performing exceptionally well and that, unlike in past years, the board's operations are now aligned with Commission expectations. He argued that "if it isn't broken, it shouldn't be fixed," suggesting that the existing structure is functioning effectively and that large financial projects could be handled through existing oversight mechanisms, such as Commission approval of the CRA budget. He also expressed concern that making the City Commission the CRA board could politicize the work, potentially diminishing the specialized, community-level perspective that appointed members, many of whom are local business owners and community advocates, bring to the table. He reiterated his appreciation for the City Manager's analysis but maintained his opposition, adding that he preferred to consider the issue further before making a final decision.

Vice Mayor Simpson stated that Commissioner Longworth had largely expressed the same concern she intended to raise, noting that other City boards do not manage a \$4 million budget as the CRA does. She said that distinction makes the CRA situation unique. She emphasized that she did not wish to dissolve the CRA, having previously served on the board, but supported finding a way to include additional City Commission oversight in the \$18 million funding process. Vice Mayor Simpson said she wants to ensure that the Commission's oversight and responsibilities are strengthened as the City moves forward with the new loan.

City Manager Herr explained that under the model he had proposed, the City Commission would serve as the CRA Board and appoint two citizen members to serve alongside them. The existing CRA Board could remain in place as an advisory committee that staff would continue to work with regularly. He clarified that no entity would be dissolved and that the proposed change would simply redefine roles to establish a more collaborative process.

Commissioner Pfeiffer stated that the proposed change represents a productive and necessary shift toward collaboration. She said that while the CRA has done commendable work, many of its decisions were not previously brought before the Commission for discussion. She described attending a recent CRA workshop with Vice Mayor Simpson, noting the importance of full Commission participation in such meetings given the significance of the topics discussed. Commissioner Pfeiffer stressed that it is vital for the entire Commission to be present and informed when discussions involve substantial funding or future planning.

Vice Mayor Simpson stated that she looks forward to the City Manager and staff presenting a restructuring proposal that strengthens collaboration while ensuring the CRA Board members do not view the change as a demotion. She emphasized the importance of honoring the board's accomplishments in the process.

City Manager Herr agreed, noting that a similar advisory structure was used successfully in Winter Haven, where advisory committee members provided valuable input before matters were elevated to the CRA Board. He said that approach fostered collaboration and mutual respect while maintaining active involvement from all parties.

Mayor Tucker asked the City Manager what direction he needed from the Commission.

City Manager Herr responded that he did not wish to approach CRA Board members individually until confirming the Commission's desired course of action.

Commissioner Pfeiffer expressed support for the proposed concept, stating that broadening participation and discussion would be beneficial.

Commissioner Longworth stated that he was not convinced otherwise at this time.

Commissioner Ball supported it.

Vice Mayor Simpson concluded that it would be worthwhile for the City Manager to return with a proposed restructuring format and to obtain feedback from the CRA Board before the Commission takes further action.

Finance Director Lear provided an update on the City's ongoing loan process. The City's financial advisors, Public Risk Advisory Group (PRAG), have issued a Request for Proposals (RFP) to obtain the most favorable loan terms available from banking institutions. The RFP was released on Friday, January 23, and responses are due by 10:00 a.m. this Friday. Participating banks will submit their best loan offers, which will be categorized as either taxable or non-taxable, depending on the nature of the projects being financed. A detailed presentation outlining these proposals will be provided at the joint CRA meeting scheduled for February 13.

Commissioner Longworth inquired whether "taxable" referred to the investor.

Director Lear confirmed that it does, explaining that while the financing will be structured as a loan, it functions similarly to municipal bonds. The distinction between taxable and non-taxable status affects whether the investor pays taxes on the interest earned, which in turn influences the interest rate. The

projects identified at the joint meeting will determine the allocation between taxable and non-taxable financing.

City Manager Herr asked whether local banks were given an opportunity to participate.

Director Lear confirmed that the RFP was distributed to local financial institutions in addition to larger banks, and several local banks have already submitted questions regarding the City's financial position, existing obligations, and major taxpayers. He added that the debt will be backed by the City through a "covenant to budget and appropriate" pledge, although the primary repayment source will be the CRA's tax increment revenue, estimated at approximately \$1.4 million. PRAG advised that lenders require the City's backing to ensure adequate security and creditworthiness.

Commissioner Pfeiffer asked about the project timeline.

Director Lear stated that the RFP responses will be reviewed this week, with resolutions authorizing debt issuance scheduled for City Commission consideration on March 2, followed by CRA approval on March 4. The loan closing is anticipated for March 10, allowing the financing process to be completed prior to the conclusion of the current state legislative session.

5. **Power Cost Adjustments – Peter Lear, Finance Director (Item added)**

Director Lear referred to the fact sheet regarding the Power Cost Adjustment (PCA) and explained that the City purchases electricity from Florida Power & Light (FPL), TECO, and solar energy sources. That power is then distributed to customers, with a portion of the electricity rate dedicated to recovering the cost of purchased power. Many years ago, the City Commission instituted a ceiling on this recovery rate, currently set at 6.0 cents per kilowatt-hour (kWh). He noted that the City's cost for purchased power now exceeds that cap, with the actual cost amounting to approximately 6.6 cents per kWh. Because of the ceiling, customers are being billed at only 6.0 cents per kWh, resulting in the City under-recovering its costs. This shortfall arose after a power cost increase in November during an unusual cold snap. Although costs temporarily decreased, the City continues to make up previous under-collections while current market conditions again drive costs upward. Projections indicate that power purchase costs could increase to as much as 11 cents per kWh, which would result in an underbilling of approximately \$900,000 for the month of March alone. Given the current recovery rate of roughly 0.6 cents per month, it will take over a year to recover that deficit if the ceiling remains unchanged. He recalled that the last PCA adjustment occurred in November 2021, when the rate ceiling was raised from 6.0 to 7.5 cents and later reduced back to 6.0 cents after costs stabilized. He recommended a similar temporary adjustment, raising the ceiling to 7.5 cents, and stated staff would report back in April with an update, with the intent to

reduce the rate once recovery is achieved. He added that current natural gas prices have sharply increased, previously around \$30 and now exceeding \$100, with some projections nearing \$1,000 due to storm-related impacts. Although such spikes may be short-lived, even several days at those prices significantly increase costs. He reiterated that no formal Commission vote is required, but staff seeks the Commission's concurrence as was done previously.

Commissioner Pfeiffer asked about the impact this would have on residents.

Director Lear responded that it would result in about a 10% increase in the power cost portion of customer bills, with the PCA rate increasing from 6.0 to 6.6 cents per kWh, depending on individual usage.

Commissioner Pfeiffer recalled that during a previous natural gas spike, possibly in 2021, customer bills rose sharply, and the then Finance Director mitigated the impact by deferring a portion of the bills over several months.

Director Lear confirmed that the PCA ceiling serves the same purpose, protecting customers from sudden cost spikes.

Commissioner Pfeiffer observed that customers are often unaware of how the City absorbs these costs and may believe the increases are locally driven. She suggested this be communicated publicly, noting that natural gas market fluctuations directly affect electric rates just as oil prices impact gasoline. She also remarked that heavy consumption, especially during extreme weather, contributes to higher costs.

Director Lear agreed, noting that adjusting the PCA now would help the City avoid falling further behind as both consumption and wholesale costs rise.

Commissioner Pfeiffer reiterated the importance of public messaging to explain power costs.

Commissioner Longworth clarified that customers are currently paying less than the City's cost and that the PCA adjustment would make billing a direct pass-through of actual power costs.

Commissioner Ball calculated that a 1.5-cent increase per kWh would amount to about \$15 more for a customer using 1,000 kWh.

Director Lear explained that the immediate increase would be only 0.6 cents per kWh, not the full 1.5 cents, since the rate is currently at the ceiling. The adjustment to 7.5 cents would allow the City to recover prior deficits, with 7.5 cents established as the maximum rate.

Commissioner Longworth confirmed this would remain in place until April when the PCA would be reassessed.

Director Lear responded affirmatively, explaining that the PCA is recalculated monthly, with billing lagging one month behind usage and payments typically two months behind costs. He emphasized staff's goal of transparency in presenting this recommendation.

Mayor Tucker urged residents to be mindful of their energy usage.

Commissioner Ball added that it makes more sense to address the adjustment now, while consumption is relatively moderate, rather than deferring it to the high-usage summer months. Using a customer (Gerald Cochran) with 700 kWh of monthly usage as an example, he noted the increase would be about \$10.50, less impactful than to spread recovery over future high-demand periods.

CONSENSUS was received to adjust the Power Cost Adjustment ceiling from 6.0% to 7.5%.

b. **CITY ATTORNEY COMMUNICATIONS**

City Attorney Parker stated that, as seen from the presentations this evening, a variety of matters are currently underway. He noted that this week is the qualification period for candidates, and that the City Clerk's Office will be processing any applications received through 5:00 p.m. on Friday. He reminded Commission that several proposed charter amendments are planned for the upcoming ballot, and staff are working to finalize that language. The materials must be translated into Spanish and prepared for submission to the Supervisor of Election Office and that he would be focusing on that for the remainder of the week to meet required deadlines.

City Attorney Parker referenced an item discussed during the earlier workshop regarding the proposed property tax changes. He stated that he began to comment during that discussion but wanted to reiterate the importance of paying close attention to the "dos and don'ts" of messaging and communication surrounding such issues. He said he anticipates receiving guidance from the Florida League of Cities and noted that several Commissioners may have already spoken with League representatives while in Tallahassee. He emphasized the need to follow such guidance carefully, agreeing with Vice Mayor Simpson's prior comment that Commissioners may share information but should refrain from advocacy on one position or another.

Commissioner Longworth added that, as mentioned during the day's work session, he intended to provide information received from the Florida League of Cities' attorney. He noted that their counsel met with the Board of Directors while they were in Tallahassee and indicated that, at a certain stage, officials should

refrain from making statements about the issue altogether. He said he would discuss this further with the City Attorney to clarify what level of attention and caution should be observed.

City Attorney Parker responded that he would make a note to contact the League's General Counsel. He commented that many municipalities are closely monitoring the matter and that Bartow's Commission remains a particularly attentive group. Because Commissioners are frequently asked questions by residents, he said it is important to feel comfortable providing information while remaining within appropriate legal boundaries, and he intends to gain a clearer understanding of those limits.

Vice Mayor Simpson suggested that a palm card be prepared and distributed to Commissioners as a reference tool.

c. **LEGISLATIVE UPDATES**

Commissioner Pfeiffer reported that four commissioners traveled to Tallahassee, some attending Polk County Day and others participating in the Florida League of Cities Legislative Action Days. Mayor Tucker remained in Bartow and met with Congressman Franklin and his staff, ensuring that all legislative and local bases were covered. She noted that during their meetings in Tallahassee, lobbyists arranged appointments with various state representatives and their aides to discuss approximately eight bills of concern to the City. This included legislation related to utility transfers, sales tax, land and water management, and the "Blue Ribbon" projects that could erode local land use control. Out of approximately 1,500 bills filed this session, around 500 are expected to affect municipalities. She emphasized that staff and commissioners are actively following these bills and that most committee activity must occur within the next two weeks, or the measures will likely die for this session.

Vice Mayor Simpson added that, in addition to the commission's participation, this year marked the first time that the Chamber of Commerce's Government Advisory Council joined the legislative visits. Local business leaders represented the community, meeting with legislators both jointly and independently to discuss property tax reform, business impacts, workforce development, and education. They also identified potential grant opportunities and expressed interest in continuing their legislative engagement in future years.

Commissioner Ball remarked that it was an honor to meet with senators and representatives regarding the property tax bills and shared his experience attending a Senate subcommittee meeting on Senate Bill 984, relating to firefighter cancer benefit modifications. The legislation would extend certain benefits and protections to former firefighters, including death benefits and cancer prevention initiatives. He expressed pride in seeing this bill advance and his intent to continue tracking its progress on behalf of the fire service community.

Commissioner Pfeiffer noted that Commissioner Ball is also monitoring the delivery of new fire trucks associated with significant reimbursements to the City.

Commissioner Ball confirmed this, explaining that once the trucks are delivered and titled, the City will be able to recover funds. One truck is expected to arrive in mid-March and another in mid-May. Since the reimbursement deadline is June 1, the May delivery will be close, and he will work closely with the Fire Chief to ensure all paperwork is completed promptly for submission to the City's lobbyist Connie Vanassche.

Commissioner Pfeiffer further observed that proposed homestead exemption changes could have broader fiscal impacts, particularly leading to higher costs for local businesses and renters. She stressed the importance of engaging the business community in communicating these potential consequences. She also mentioned concern over a proposed \$250 million reduction in funding to the Southwest Florida Water Management District (SWFWMD). She noted that while reserves were expected to cover current commitments, such a reduction could jeopardize future cost-sharing agreements like those under the Polk Regional Water Cooperative. She reported that following the Tallahassee trip, she attended the recent Water Cooperative meeting where SWFWMD representatives assured us that existing project contracts remain funded through established reserves.

Commissioner Pfeiffer concluded by highlighting the success of the City's advocacy efforts and expressing appreciation to the delegation for their representation of Bartow's interests at the state level. She also recognized Marisol Tarango, present in the audience, introducing her as the aide to Representative Kincart-Johnson, and noted that Ms. Tarango had attended Polk County Day as well.

Commissioner Longworth commented that visiting the state capital is always a remarkable experience. The atmosphere is bustling, with numerous groups from universities to various organizations, each having their designated day to meet with legislators. Despite the large crowds and busy schedule, the process remains well organized, as everyone has appointments and specific times to meet. He emphasized the importance of communication and relationship-building, noting that it is always better to "build bridges rather than walls." Engaging with lawmakers, he said, is essential to share local perspectives and strengthen connections. He expressed appreciation for the representatives and senators who made time to meet with them, acknowledging how demanding their schedules are during the session. He concluded by reiterating that even a few minutes of conversation with legislators can make a meaningful difference, recalling a saying from his time as president of the Florida League of Cities: "You can either make things happen, watch things happen, or wonder what happened if you're not involved." He thanked the legislators for their time and for giving city representatives the opportunity to share their stories.

8. **AGENDA MODIFICATION / APPROVAL**

This item was approved under item no. 7.a, "REPORT OF CHARTER OFFICERS".

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 opened the public hearing.

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

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

a. **Public hearing and consideration of Resolution No. 26-4252-R - A RESOLUTION AMENDING THE FISCAL YEAR 2025-2026 ANNUAL BUDGET OF THE CITY OF BARTOW.**

City Attorney Parker read the resolution by title only:

"A RESOLUTION AMENDING THE FISCAL YEAR 2025-2026 ANNUAL BUDGET OF THE CITY OF BARTOW."

MOTION was made by Vice Mayor, seconded by Commissioner Ball to adopt Resolution No. 26-4252-R, a resolution amending the Fiscal Year 2025-2026 Annual Budget of the City of Bartow.

Director Lear reported that the budget amendment includes two items. The first is a project-related item in Parks for a Story Trail Extension which is being added to the five-year Capital Improvement Program to enable the City to apply for grant funding. This project has no cost in the current fiscal year and will be included in next year's budget depending on future developments. The second item relates to the summer internship previously discussed, funded through the Florida City and County Management Association (FCCMA). The City will receive \$10,000 in revenue to fully offset the associated expenses.

Commissioner Pfeiffer inquired about the duration of the internship.

Director Lear confirmed it is a summer program. He concluded by stating these are the only two items included in the budget amendment.

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.

- b. **First reading and consideration of Ordinance No. 2026-02 — AN ORDINANCE VACATING AND CLOSING AN UNOPENED PLATTED RIGHT OF WAY (ALDERMAN AVENUE) EXTENDING FROM PEARL STREET TO VINE STREET, AND LYING BETWEEN LOTS 1 THRU 6, BLOCK 5 AND LOTS 7 THRU 12, BLOCK 4, ALL OF WHICH ARE PART OF OAKDALE SUBDIVISION, PB 8, PG 38, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.**

City Attorney Parker read the ordinance by title only:

AN ORDINANCE VACATING AND CLOSING AN UNOPENED PLATTED RIGHT OF WAY (ALDERMAN AVENUE) EXTENDING FROM PEARL STREET TO VINE STREET, AND LYING BETWEEN LOTS 1 THRU 6, BLOCK 5 AND LOTS 7 THRU 12, BLOCK 4, ALL OF WHICH ARE PART OF OAKDALE SUBDIVISION, PB 8, PG 38, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

MOTION was made by Commissioner Ball, seconded by Commissioner Longworth to pass on first reading Ordinance No. 2026-02, an ordinance vacating and closing an unopened platted right of way (Alderman Avenue) extending from Pearl Street to Vine Street, and lying between Lots 1 thru 6, Block 5 and Lots 7 thru 12, Block 4, all of which are part of Oakdale Subdivision, PB 8, PG 38, public records of Polk County, Florida.

Planning Director Wieggers explained that this request is to vacate and close a platted right-of-way that has historically never been opened or used for any municipal purpose. The section of right-of-way is identified as Alderman Avenue on an old plat. It would extend from Pearl Street on the north to Vine Street on the south and lies just east of Woodlawn Avenue and west of Sunset Avenue, on the west side of Bartow. He stated that staff have confirmed with all utility providers, including the City's departments, that there are no existing public utilities within the property and no plans for future use, so there are no related issues. The request was presented to the Planning and Zoning Commission at its meeting last week, where a public hearing was held. One property owner asked several questions regarding the potential effects of the vacation but appeared satisfied with the responses provided. A total of five property owners will benefit from this vacation and will assume ownership of the land if the City approves the request. This evening constitutes the first reading of the ordinance, and it is expected to return for a second reading at the next City Commission meeting.

ROLL CALL VOTE TO THE MOTION WAS AS FOLLOWS:

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

Motion carried.

11. **CONSENT AGENDA**

- a. **Approval of January 20, 2026 City Commission Regular Meeting minutes.**
- b. **Approval of October 29, 2025 CRA and City Commission Joint Meeting minutes.**
- c. **Approval of City Commissioner absences for January 20, 2026 excusal(s): None.**
- d. **Approval to reappoint Board Members Garry Crosby and Wayne Harrison to the Planning and Zoning Commission for three-year terms. The new terms will expire in February 2029.**
- e. **Approval of the Professional Consulting Services Agreement for Federal Advocacy with Becker & Poliakoff commencing March 1, 2026 and terminating February 28, 2027.**

MOTION was made by Commissioner Ball, seconded by Commissioner Pfeiffer 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**
 1. **Determination of procedure to appoint a new committee member to the Beautification Advisory Committee to fill a vacancy.**

City Clerk Poole reported that Board Member Wilma Till had resigned from the Beautification Board. She noted that two applications are currently on file for the vacant position. Both applicants were contacted and confirmed their continued interest in serving. Clerk Poole explained that the Commission

could either designate a Commissioner to present a nomination at a future meeting or proceed tonight by ranking the applicants on file.

The Commission ranked applicants Reinaldo Lopez and Kim Downs by assigning a score of 1 to their top choice and 2 to their second choice. The applicant with the lowest cumulative score was designated for appointment. The City Attorney compiled the scores, and the City Clerk verified the totals. Based on the final rankings, Kim Downs was selected to serve on the Beautification Board. Copies of the completed ranking forms are attached to these minutes.

MOTION was made by Vice Mayor Simpson, seconded by Commissioner Pfeiffer to appoint Kim Downs to the Beautification Advisory Committee for an extended three-year term to conclude in May 2029.

VOTE TO THE MOTION WAS AS FOLLOWS:

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

Motion carried.

13. **RESOLUTIONS – NONE**

14. **COMMISSIONER COMMENTS:**

a. **GARY BALL**

Commissioner Ball had no further comments.

b. **LEO E. LONGWORTH**

Commissioner Longworth reported that a gun violence awareness program was held the previous day at Mount Zion AME Church in Bartow. He noted that the event was well attended and very well organized. Commissioner Longworth mentioned that Captain Stevens was present and received recognition during the program, and he thanked Chief Walker for allowing Captain Stevens to participate.

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 8:40 p.m.

Mayor Tanya Tucker

ATTEST:

City Clerk Jacqueline Poole

(City Seal)



February 17, 2026

Zachary Martin
Project Delivery Manager
HGS, LLC d/b/a RES Environmental Operating Company
6575 West Loop South, Suite 300
Bellaire, TX 77401

Re: Letter of Authorization – Peace Creek Restoration Project
City Rights of Way and Owned Parcels
Sections 28/33, Township 29 South, Range 25 East

Dear Mr. Martin:

This letter is in response to your request for a Letter of Authorization regarding the use of a route lying, and running, generally easterly of the intersection of US Highway 17 and Ernest M. Smith Boulevard, and extending easterly into property owned by C. Wilson Ranch, but also involving City-owned parcels consisting of active and future well sites to serve the City's Water Treatment Plant. To the extent that any of the property in question is owned by or utilized via easement or other rights of access by the City of Bartow, the same may be used by you for construction access for your project. Such use should utilize the maximum possible distance from any active well sites so as not to unreasonably interfere with the operations of the same.

This Letter of Authorization is only intended to allow for construction access during your project and shall not be construed as perpetual authorizing to utilize City property or easement rights for permanent access to the site after completion of your project.

If you should have any questions related to this matter, please feel free to contact me at 863-534-0100, or by email at jhall@cityofbartow.net.

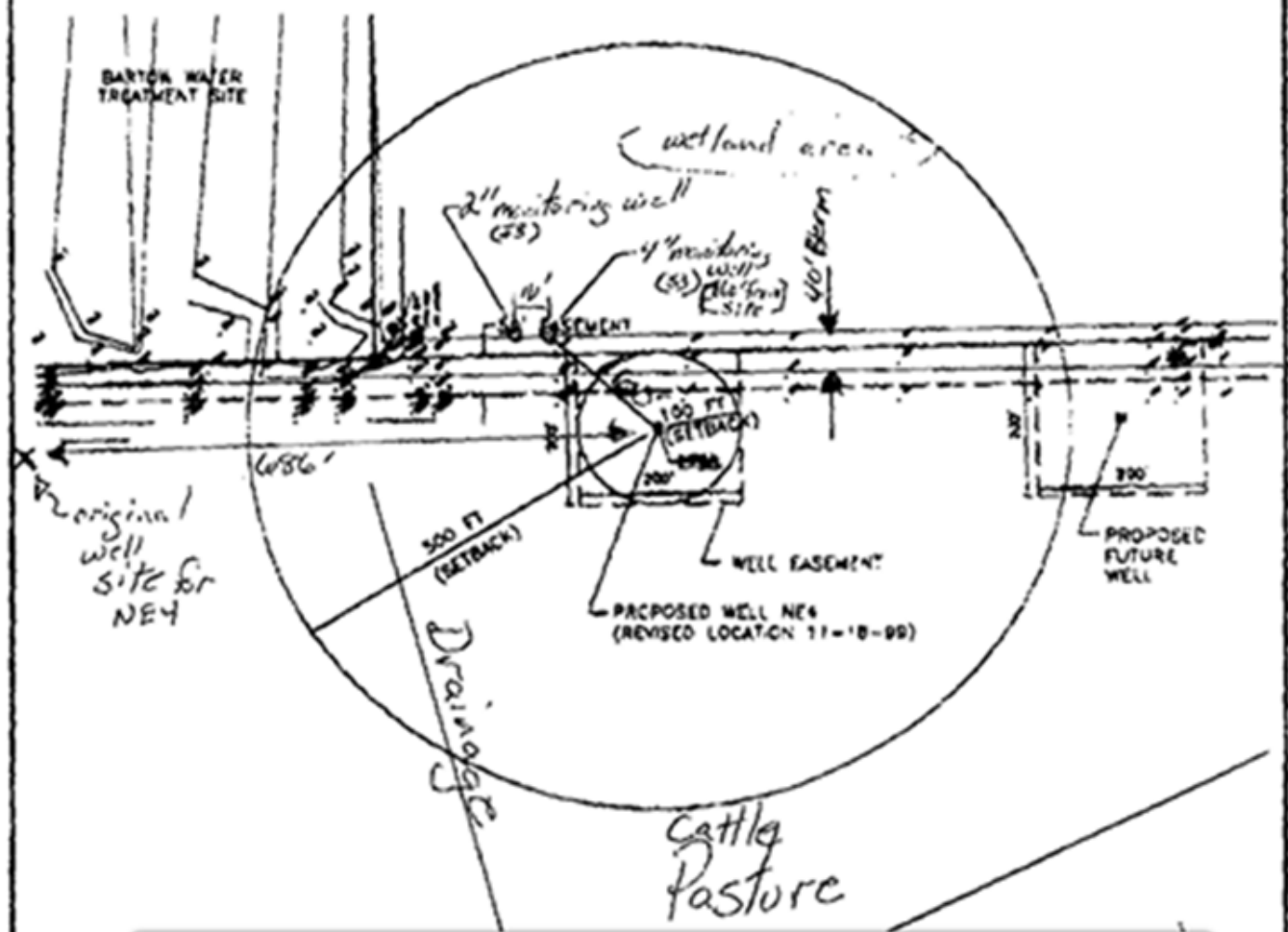
Sincerely yours,

John Hall
Utilities Director

cc: Mike Herr, City Manager
Tony Martinez, Water Plant Operator

Previously mined

SCALE: 1" = 200'





A photograph of a creek restoration project. The creek is bordered by a stone wall made of large, grey, irregular rocks. The water is calm and reflects the surrounding green trees and the sky. A blue plastic bottle is visible on the stone wall. The background is filled with dense green foliage and trees.

Peace Creek Restoration at Wilson Preserve

Briefing for City of Bartow

PRJ105342 Wilson Ranch Reserve



Peace Creek Restoration at Wilson Preserve

(Berm, eroding streambank, no riparian cover)



Coordination Objectives

- Requesting construction access – e.g., letter of consent, access agreement
- Coordinating on fence installations and gates

Agenda Items

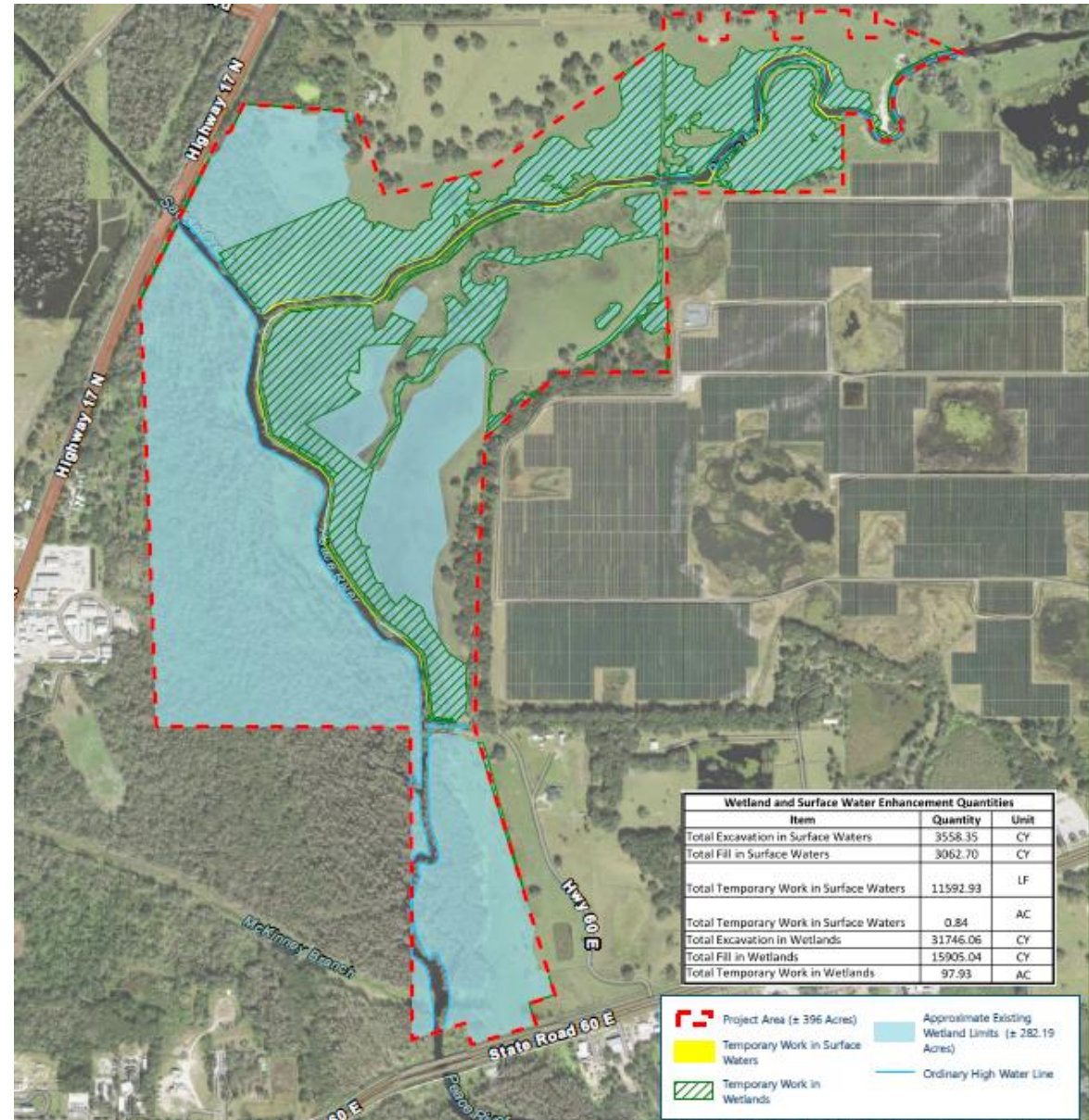
- Outline proposed project concept & benefits,
- Overview of project funding,
- Permitting status / regulatory context,
- “Construction Start” – site prep and mobilization work
- Construction Access, Fences, and Gates
 - Address intersection w/ City of Bartow properties + requesting access

Project Concept

- Bridge replacement - the existing, private, vehicular access bridge over Peace Creek will be replaced within the same footprint, 100ln. ft. or less
- Remove interior cattle fencing, install/replace perimeter fence
- Earth work to restore/ improve hydrology
- Remove upland berms
- Restore historic OXBOW channels
- Install rootwad revetments in river for erosion control
- Fill in existing agricultural ditches
- Bank stabilization
- Invasive/ exotic plant removal
- Planting of native wetland plants and trees
- Monitoring and maintaining for success
- Site placed under a conservation easement

Temporary Work in Wetlands and Surface Waters

- Regulatory agencies confirmed, compensatory mitigation is **NOT** required, given restoration and enhancement activities result in a net increase of wetlands and surface waters, as well as increase function of these habitat types onsite
- During the restoration and enhancement construction, 11,592.93 linear feet (LF) / 0.84 acres of temporary work in surface waters is proposed, along with 97.93 acres of temporary work in wetlands

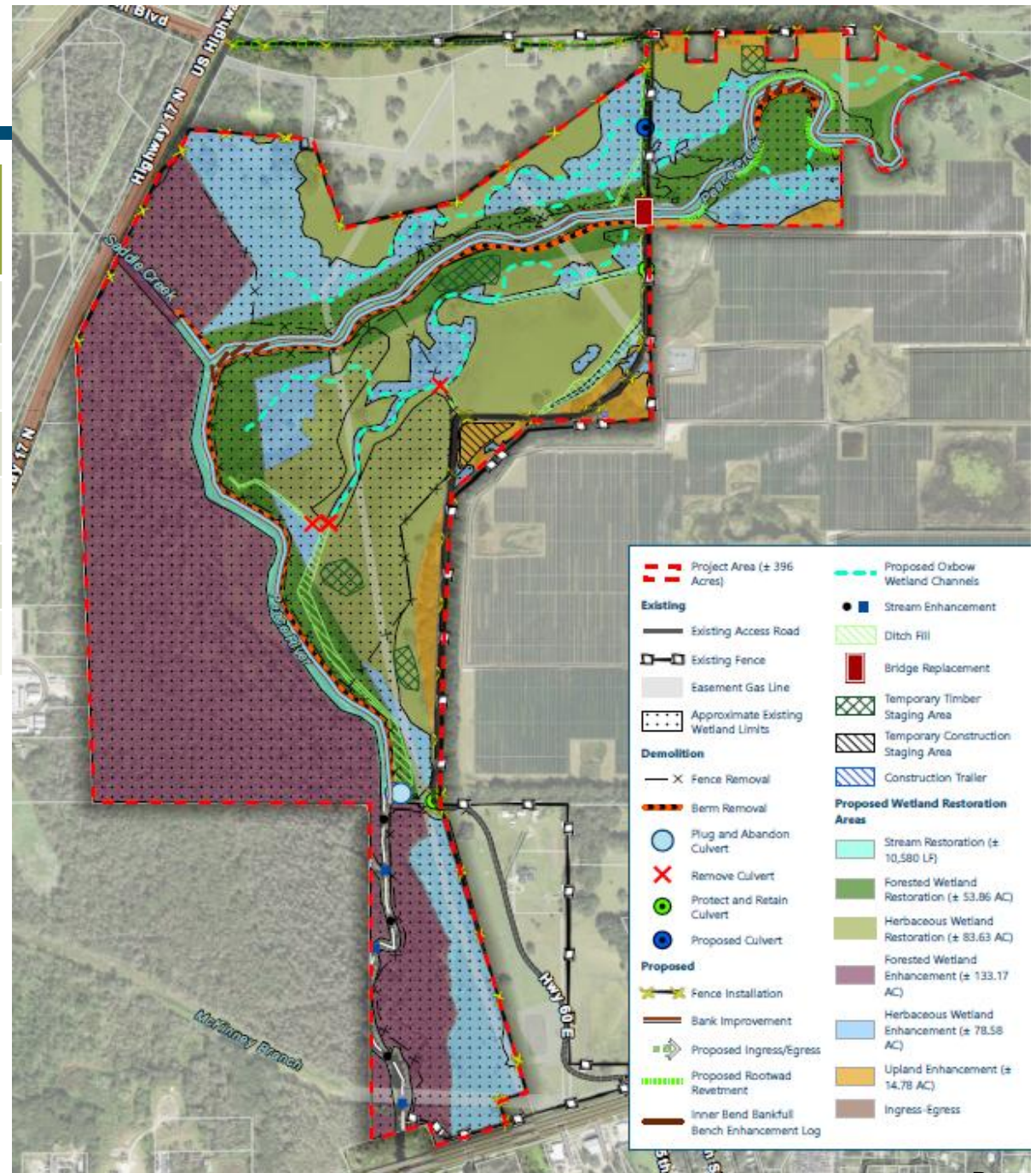


Project Concept

TARGET TYPE	RESTORATION (ACRES or LF)	ENHANCEMENT (ACRES)
UPLAND		14.78
HERBACEOUS	83.63	
HERBACEOUS		78.58
FORESTED	53.86	
FORESTED		133.17
STREAM	10,580	

Project Benefits

- **Water quality** – reduced nutrient and sediment loads
- **Flood resiliency** – increased water storage
- **Wildlife habitat** – increased habitat quantity and quality, restored native plant communities and removal of invasive/exotics



Peace Creek Restoration at Wilson Preserve

Project Funding

FUNDING SOURCE	PROJECT PHASE	AMOUNT	INVOICE PAID
FDEP Heartland Headwaters	PRE-DESIGN / PLANNING	\$1,500,000	Y
FDEP WQ Improvement Grant	DESIGN	\$1,500,000	N
FDEP WQ Improvement Grant	CONSTRUCTION	\$6,000,000	N
FL Senate / FDEP	CONSTRUCTION	\$2,000,000	N

Pre-Design / Planning & Design Phases: **FULLY FUNDED**

Total Construction Start / Mobilization Cost: \$5.5M

Total Construction Cost: \$25.6M

Total Post-Construction Cost: \$6.1M

Construction Funds Seeking: \$23.1M

Post-Construction Funds Seeking: \$6.1M



EDA FY25 Disaster Supplemental (federal);
FDAC + FDEP
private and non-profit funders

Permitting Status

	SWFWMD - ERP	USACE - NWP 27	FEMA No-Rise Cert
Pre-Application Meeting	5/15/2025	6/27/2024	8/18/2025
Permit Application Submitted	8/14/2025	5/16/2025	8/26/2025
Site Visit with Permitting Agency	11/14/2025	-	-
RAI #1 from Permitting Agency	9/13/2025	7/28/2025	TBD
RAI #1 Response from RES	12/12/2025*	8/4/2025	TBD

- *FDEP Notice of Intent filed – reflects a construction start date of 2/16/2026*

*Anticipated RAI response submittal date for RES

USACE – Remaining items, Nov. 11th sent updated CRAS survey to USACE for coordination with SHPO, still waiting on comments/concurrence from USFWS.

SWFWMD – Nov. 11th sent updated CRAS survey to DHR, waiting for final comments. Nov. 14th, FWC and SWFWMD staff on-site. Need to submit 1st RAI response.

Early Construction Activities

"Construction Start" / Mobilization Focus (2025/2026)

- Constructing trailer pad + installing construction trailer
- Remove cattle fencing
- Access road maintenance
- Site clearing + stockpiling key timber for bank stabilization
- Phase 1 of invasive mgmt.

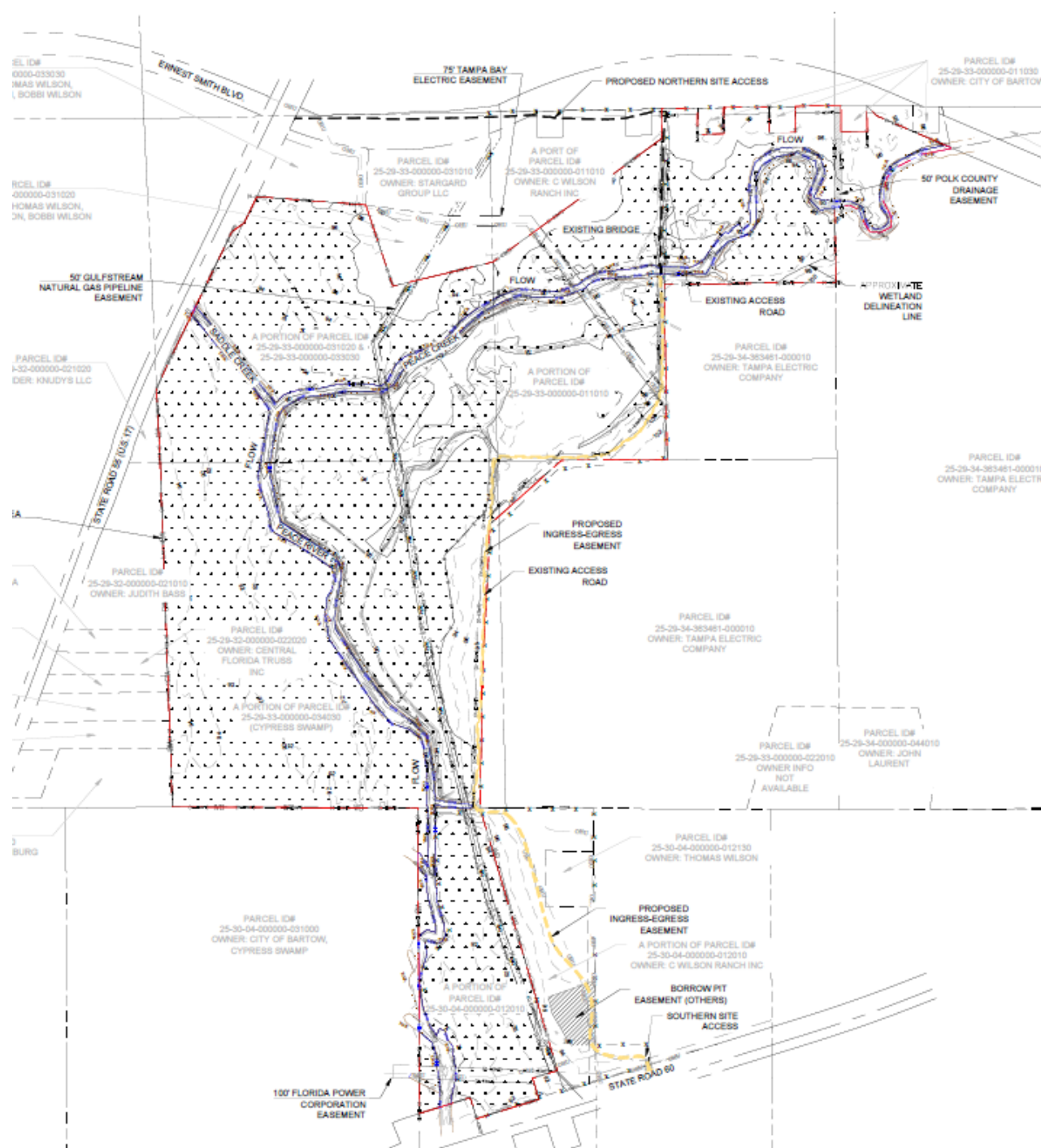
Construction Kickoff Event

- Groundbreaking event upon permit issuance
- Winter/Spring 2026

Construction Access, Fences, and Gates

Requesting construction access – e.g., letter of consent, access agreement

Coordinating agreement on fence installations and gates on property boundaries



Case No. S-25-10-PSP / The Terraces at Stuart Crossing PSP

Planning Department Staff Report

P & Z Hearing Date: December 8, 2025

**City Commission Date: December 15, 2025
February 16, 2026**



GENERAL INFORMATION

Request: Review and recommendation to the City Commission of a request to approve The Terraces at Stuart Crossing Preliminary Subdivision Plat (PSP)

Owner: J.K. Stuart Properties, LLC

Applicant: Clayton Kollenbaum, Meritage Homes of Florida, Inc.

Location: Southwest corner of the intersection of Ernest M. Smith Jr. Blvd and Osprey Blvd., in Sections 29 - 32, Township 29S, Range 25E, Polk County, Fl. (*See Location Map*)

FLUM Designation: LDR, Low Density Residential; MDR, Medium Density Residential; Commercial

Zoning Classification: PD, Planned Development (Stuart Crossing PD)

Tract Size: 58.9 acres (+/-)

Number of Lots: 400 (*See Attached PSP*)

Residential Density: The residential development program will permit a total of 400 single family dwelling units which equates to a net residential density of 7 units/acre or a gross residential density of 6.8 units/acre.

Development History: The Stuart Crossing Planned Development (PD) was approved by the City Commission in November 2015 by Ordinance No. 2015-12. The PD is a 692 acre mixed use development consisting of single and multi-family residential units, commercial, business park, institutional, recreation and open space and conservation uses.

The PD was subsequently amended in November 2021 by Resolution No. 21-4097-R; August 2023 by Resolution No. 23-4151-R; June 2025 by Resolution No. 25-4226-R; and September 2025 by Resolution No. 25-4242-R. In June 2022

the City Commission approved a Community Development District application for the adjacent *The Grove at Stuart Crossing* project area and approved an expansion of the district in June 2025 to include the underlying land of this project.

The last amendment approved in September 2025 by Resolution No. 25-4242-R incorporated the changes into the PD Land Use Plan that allowed for the consideration of the design characteristics that are incorporated into this PSP. These include:

1. Ability to use Tract G for residential use consisting of Two Family Residential Duplex, Single Family Attached Town Houses, Multi Family Residential Patio Homes, Zero Lot-Line Homes, Town Houses, or Condominiums up to a maximum residential density of 12 dwelling units per acre;
2. Utilization of private rights-of-way;
3. Requirement for private streets to be designed, constructed and maintained in accordance with accepted engineering standards;
4. Establishment of HOA and/or CDD provisions that address criteria for the management of on-street parking and obstruction of roadways;
5. Streetlights shall comply with standards consistent with the DarkSky International initiative;
6. Residential Design and Monotony Controls;
7. Building designs that include gutter systems to direct runoff directly to the master stormwater system and fences in the rear yard of each home;
8. Allowance for Single Family Attached Town Houses to utilize a Minimum Lot Size 1,800 sq. ft. and Minimum Lot Width of 20-feet; and
9. Allowance for Two Family Residential Duplex, Zero Lot Line, Single Family Detached, and Patio Homes to utilize a Minimum Lot Size is 2,700 sq .ft. and Minimum Lot Width of 30-feet.

The ability to incorporate these alternative standards for sidewalk locations, right-of-way widths, recreation (active or passive), and other requirements, requires the review and approval by the City Commission as part of a preliminary plat or site plan approval.

PROJECT ANALYSIS

Environmental Analysis:

Monarch Ecology Group, LLC (MONARCH) prepared an environmental report to address habitat and listed species concerns in support of the Preliminary Subdivision Plat (PSP) application. As stated in the report the project acreage has been in agricultural use for decades and was originally converted to pastureland for a cattle operation dating back to 1952. The cattle operation was maintained through the 1970's and 1980's as shown on historic aerials and was maintained in agricultural use until 2022 at which time cattle were removed from the site to accommodate surrounding development.

Terrain: The elevation of the developable site generally lies between 109' MSL and 102' MSL. The highest point is near the middle of the project site, and it slopes lower to the project's edges.

Vegetation: The property is a mixture of grass pastureland, native trees, wetlands and exotic species.

Surface Water: The site contains three surface water features that function as drainage swales. The swales were all dry during the field review and had no standing or flowing water nor did they have any substantial wetland vegetation. Vegetation in the swales mostly consisted of broomsedge, bahia grass, and cogon grass. These three areas will be impacted by site development and removed.

Wetlands: The site contains two freshwater marsh wetlands that are both isolated. The larger of the two is 1.85 acres in size and the smaller wetland is 0.14 acres in size. The larger wetland had a fair amount of standing water during the field review and a variety of herbaceous vegetation including soft rush, smartweed, sedges, primrose willow, maidencane, water pennywort, coinwort, pickerelweed, and arrowhead. The smaller wetland is more overgrown and dominated by broomsedge, caesarweed, dog fennel, cogon grass, peppervine, but also has scattered soft rush, water pennywort, smartweed, frogfruit, and dayflower. The smaller wetland is also connected to a swale that extends north but the swale terminates and does not drain offsite, therefore, it is considered isolated. The smaller wetland will be impacted by development and removed. The large wetland will be completely avoided and preserved. A 25-foot average buffer will also be maintained around the large wetland consistent with SWFWMD

requirements which will provide additional protection from surrounding development.

Flood Plain: Approximately 3.1 acres of the site lie within the 100 year flood plain designated by the Federal Emergency Management Agency (FEMA) FIRM. The floodplain boundary encompasses the larger wetland area in its entirety and will remain in place and become part of the open space features of the development.

Soil Types: The primary type of soil located in the developable portion of the site is Pomona Fine Sand. It is poorly drained and is associated with broad areas on flatwoods. It has limitations as a site for urban development but can be used if proper water control measures are incorporated into site design during the development process. The soil associated with the wetland area is Kaliga Muck which takes extreme effort to manage if used for development purposes.

Endangered Plant and Animal Species: There are no known endangered plant or animal species within the developable limits of the project. These are or may be present within the areas not intended for development and will be identified as necessary during subsequent site investigation and permitting activities as part of other jurisdictional agency review.

Transportation/Access:

Development of the site will have sufficient access to the surrounding road network via connections to J.K. Stuart Boulevard which then connects to Ernest M. Smith Jr. Boulevard and Osprey Boulevard. Connections to J.K Stuart Boulevard will be individually permitted by the City of Bartow during the construction plan review and approval process. Roads within the project will remain private since they will not contribute to the City's roadway network and be owned and maintained by a mandatory home owners association or Community Development District (CDD). (*See Condition of Approval #3*).

Existing Conditions			
Street/Thoroughfare	Functional Classification	Current LOS	Adopted LOS
Ernest M. Smith Jr. Boulevard	Urban Collector	C	D

Future Conditions			
Street/Thoroughfare	Functional Classification	Future LOS	Adopted LOS
Ernest M. Smith Jr. Boulevard	Urban Collector	C	D

According to the Polk Transportation Planning Organization's 2025 Roadway Network Database Ernest M. Smith Jr. Boulevard's roadway Annual Average Daily Traffic count was 9,200 (E) and 9,200 (W) trips with a projected growth rate of 2%. There is no existing deficiency in capacity nor is there a projected deficiency within a 5-year period.

Utility Services:

Water and Wastewater: The property is located in the City's service area. Potable water and wastewater services will become available when planned extensions are completed and capacity exists in each system to accommodate the proposed development. Each system will be owned and maintained by the City of Bartow provided it is constructed to City standards for public improvements.

Stormwater Management: Stormwater management facilities will be constructed concurrent with future development. These facilities will be constructed according to guidelines and standards established by the Southwest Florida Water Management District and the City of Bartow and will be owned and maintained by the property owner. These facilities will be owned and maintained by a mandatory home owners association or CDD.

Solid Waste: Solid waste and recycling services will be provided by the City of Bartow. Capacity currently exists at the Polk County Central Landfill to meet the needs of this development in the future. The adopted level of service of 8.0 pounds per person per day will be maintained.

Electrical Distribution: The property is located in the City's service area and capacity currently exists in the City's distribution system.

Emergency Response:

Law Enforcement and Fire Protection will be provided by the City of Bartow Police and Fire Departments. Both agencies will be tasked with planning and budgeting for additional assets, for approval by the City Commission, to ensure satisfactory coverage is provided in future years as the project develops.

Public Schools

For school assignment purposes this development is zoned for Spessard Holland Elementary, Bartow Middle and Bartow Senior High school. The planned development will produce an estimated 58 elementary, 34 middle and 46 high school students. The developer will be required to apply for a school concurrency determination at the time they apply for concurrency with the City in order to receive a binding

determination and pay school impact fees at the appropriate time.

Public Notice:

Public notice of the request was published in the local newspaper and posted on the City website and City Hall bulletin board. Three property owners within a 500' notification radius were notified of the request.

IMPACT ANALYSIS

Land Use Compatibility:

The Terraces at Stuart Crossing PSP will allow development that is compatible with the existing and future development in the area. Development of this site for single family residential use is compatible with the goals of the City of Bartow.

Consistency w/ CPP:

The Terraces at Stuart Crossing PSP is consistent with the City's Future Land Use Map and with the Goals, Objectives and Policies of the City's Comprehensive Plan. Specifically, the following:

Future Land Use Policy 1.1.3: Approval of development proposals will be conditioned on the availability of public facilities and services necessary to serve the proposed development and that the facilities meet the City's established level of service standards established within all elements of the City of Bartow Comprehensive Plan, including the level of service standards listed within the following elements: Infrastructure Element; Transportation Element; Capital Improvements Element; and Public School Facilities Element.

Future Land Use Policy 1.2.1: The City will approve the location of new development on the basis of the suitability of the land to support development without adversely affecting the natural environment resources, potable water well protection areas and environmentally sensitive land, through the use of a development review process and appropriate mitigation measures. Specifically, the densities and intensities of land uses in wetlands, flood prone areas, and areas with severe soil limitations to development shall be regulated accordingly.

Future Land Use Policy 1.2.2: The City will encourage development in areas where public facilities and services are available or are projected to be available. High intensity, higher density uses will be encouraged where the greatest level of public facilities exist. Low density, low intensity development will be encouraged where low public facility capacities exist.

Future Land use Policy 1.7.2: Prior to the issuance of a development order, the City shall require developers to confirm that required utility services are available or will be available concurrent with the impacts of the development.

Housing Policy 1.4: The City will develop schedules to provide municipal services to those areas designated on the Future Land Use Map for residential development.

Transportation Policy 1.4: The City shall continue to review all development proposals and require that such proposals contain sufficient information to determine their impacts on the adopted LOS standards.

Transportation Policy 2.3: The City will implement land use policies in support of increased transit, which includes encouraging mixed use developments and medium or higher residential densities within ¼ mile of any transit route.

Transportation Policy 4.4: During the development review process, the City will coordinate with the FDOT and the TPO when reviewing development proposals within the City limits abutting a State or County roadway to ensure state and regional consistency.

Transportation Objective 7 - Access Management: The City of Bartow shall coordinate access point, median openings, and street intersection locations associated with adjacent existing and future development to promote a safe and orderly pattern of access and preserve the capacity of arterial and collector roads.

Transportation Objective 10: The City will encourage non-automotive mobility.

Infrastructure Policy 3.5: No development permit will be issued if it will result in the inability of the City to maintain the Levels of Service at or above the levels established in this plan.

Recreation Policy 4.1: The City shall promote the use of open space for protection of natural vegetation and for landscaping, buffering, or greenbelts.

STAFF ANALYSIS

The applicant, Meritage Homes of Florida, Inc, submitted this request in order to facilitate the construction of a new addition to a larger, mixed use planned community (e.g. Stuart Crossing). The applicant is also the developer of the adjacent "*The Groves at Stuart Crossing*" neighborhood which is almost half-way through a planned buildout.

Internal vehicular access within this development will utilize a modified roadway width of 22' within modified rights-of-way that are 42', 45', 48' and 56' wide with a closed drainage system and pedestrian (e.g. trails and/or sidewalks) on one or both sides of the roadway. The internal bicycle/pedestrian system will also connect with similar improvements along J.K. Stuart Boulevard which leads to Ernest M. Smith Jr. and Osprey Boulevards with final connection points to Fort Frasier Trail.

In accordance with direction given by the City Commission the project incorporates the use of additional off-street visitor parking at a rate of 1 space per 4 lots for a total of 104 spaces. The location of these spaces are flexible with final placement to be determined during the subdivision construction plan review and approval process. Subsequent development approvals (e.g. subdivision construction plan and final plat) will further delineate current, established standards and identify internal lot sizes, roadway and pedestrian configuration, open space and recreation area uses, and landscaping/buffer standards.

The PSP was reviewed by the Development Review Committee pursuant to the provisions of Sections 7.04.00 and 7.06.00 of the Unified Land Development Code (ULDC) and associated design standards contained in Article 3. The PSP, as shown, is consistent with all these standards. The PSP was also reviewed to ensure consistency with the approved PD Land Use Plan and its associated conditions of approval.

The PSP identifies the proposed configuration of the development to include points of connection for potable water and sewer service; identification of access points connecting to the surrounding road network; general location and size of stormwater management, recreation, open space and conservation areas; and bicycle/pedestrian improvements along the internal local roads.

The City will be given the right to access road rights-of-way (those not dedicated to and maintained by the City) and provided with easements within the development for all other municipal utility purposes. Other public service and utility providers will also be given the right to access.

STAFF RECOMMENDATION

The Development Review Committee recommends approval of The Terraces at Stuart Crossing SFR for the following reasons:

1. The request is consistent with the City of Bartow's Comprehensive Plan; and
2. The request is consistent with the City of Bartow's Unified Land Development Code.

Subject to the following conditions:

1. Development shall conform to The Terraces at Stuart Crossing PSP, dated "Received November 10, 2025"; and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and local laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the City of Bartow. This Preliminary Subdivision Plat approval shall remain valid for one year from the date of approval, in accordance with the Section 7.06.05.02(A) of the ULDC.
2. The development shall obtain water, wastewater, electrical, and solid waste services as applicable from the City of Bartow subject to applicable City rate resolutions and ordinances. Master water, wastewater, electrical distribution, and stormwater plans, including preliminary calculations for the entire project shall be required to be submitted for review and approval concurrent with the construction plan.
3. The roads/rights of way within the individual areas of development will remain private since they will not contribute to the City's roadway network. The dedication language on the final plat shall contain necessary language to demonstrate compliance with this intent and a copy of the homeowner's association or CDD documents addressing ownership and maintenance responsibilities shall be provided for review and approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION

At its meeting of December 8, 2025, the Planning and Zoning Commission voted to recommend approval of this application to the City Commission.

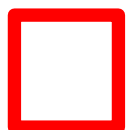
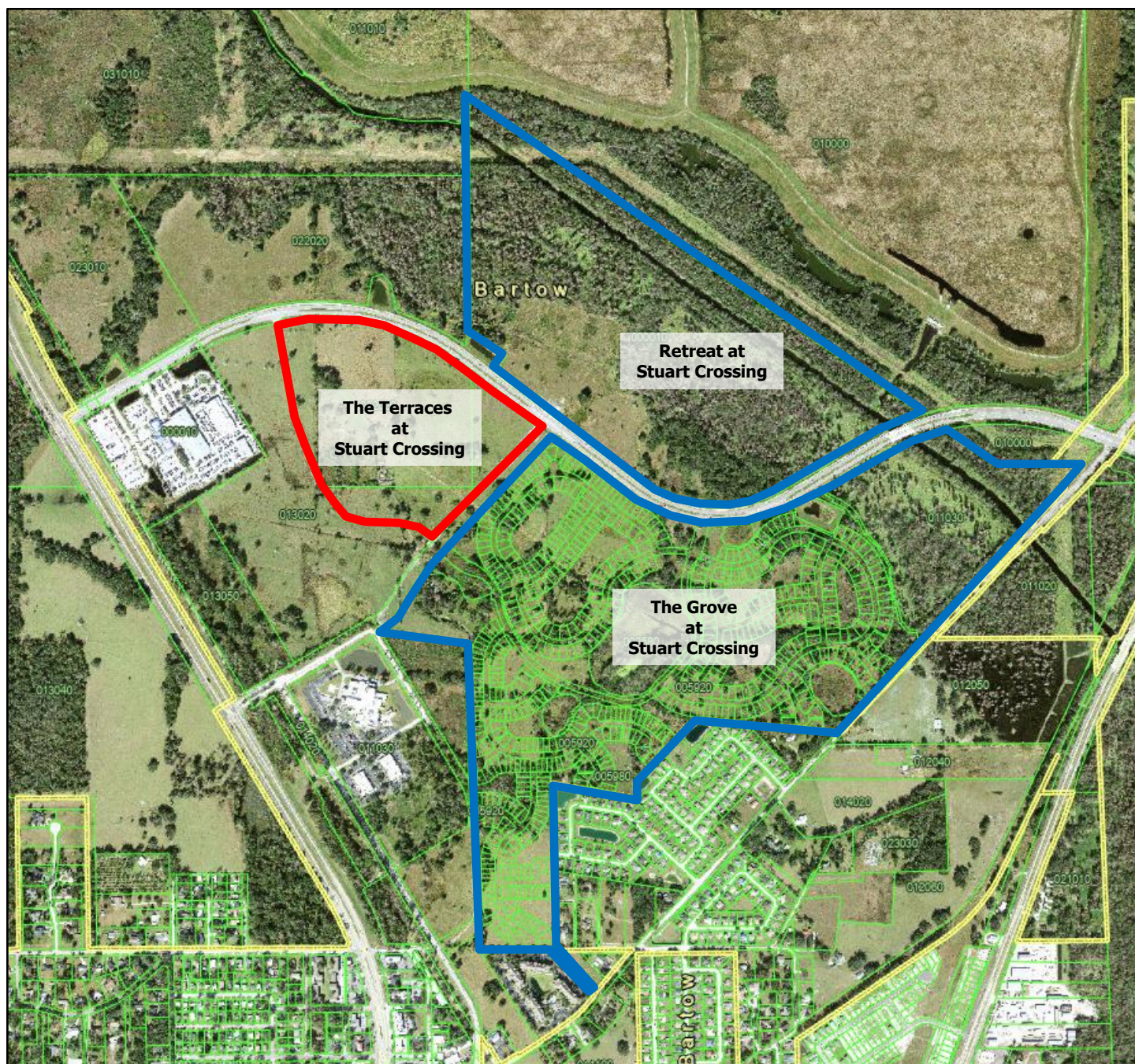
CITY COMMISSION ACTION

At its meeting of December 15, 2025, the City Commission voted to continue the request to allow the applicant to submit a revised plan addressing parking supply concerns identified by the Commission. Since this meeting the applicant's team members have watched the meeting video of December 15, 2025, and have prepared revisions to the Preliminary Subdivision Plat as shown on Sheet No. C2.0 - Overall Site Plan.

Revisions to the Overall Site Plan include the addition of a parking requirement table with a breakdown of required parking spaces, per City of Bartow's ULDC Sec. 3.03.02, and provided parking spaces.

Per the City's ULDC, the required number of parking spaces for the project is 492 spaces and the Overall Site Plan provides 1,351 parking spaces within individual garage, driveway, and visitor /guest parking spaces. Additionally, 22 more parking spaces have been included in the west side of the project to help address the commissioner's concern.

Location Map

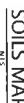


Subject Property

CITY OF BARTOW, FLORIDA

25-29-32-0000-0001-3010

FRONTIER FLORIDA L
120 E. LIME STREET
LAKE LAND, FL 33601
PHONE: (877) 384-0724



SHEET INDEX	
Sheet Number	Sheet Title
C12	COVER SHEET
C11	GENERAL NOTES
C12	SWAMP NOTES AND DETAILS
C13	CONTOURUS PROPERTY OWNERSHIP
C14	EASTING CONDITIONS
C15	EROSION CONTROL & DEMOLITION PLAN
C16	PAVING PLAN
C20	OVERALL SITE PLAN
C21	SITE DETAILS
C26	OVERALL PAVING AND GRADIENT PLAN
C28	OVERALL DRAINAGE PLAN
C29	OVERALL UTILITY PLAN

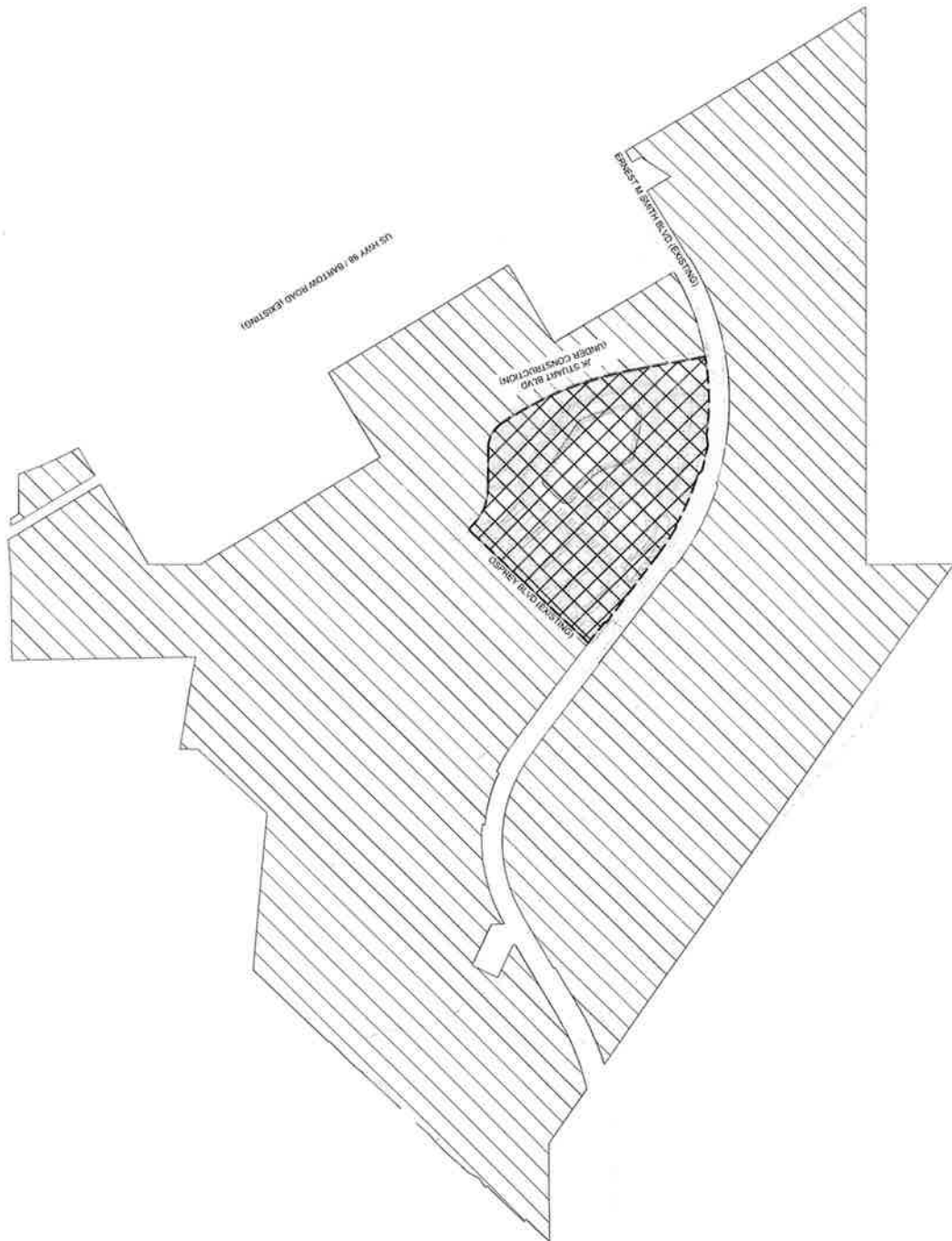
SEC 29,30,31,32 TWP 29 S RGE 25 E

CITY OF BARTOW

POLK COUNTY, FLORIDA

THE TERRACES AT STUART CROSSING
MERITAGE HOMES OF FLORIDA, INC
PRELIMINARY SUBDIVISION PLAT
COVER SHEET





NOTE: SEE PLAT AT CROSSING YUINGBO 2016 CONVEYANCE AND USE OF THE SAME FOR THE LOCATION OF THE PROPERTY AND THE BOUNDARIES OF THE PROPERTY.

LEGEND

MR. STUART BLVD. (UNDER CONSTRUCTION)

STUART BLVD. (EXISTING)

07/10/2023

C13

0 300 600
Feet



10/02/2023

THE TERRACES AT STUART CROSSING
MERITAGE HOMES OF FLORIDA, INC
PRELIMINARY SUBDIVISION PLAT
CONTIGUOUS PROPERTY OWNERSHIP

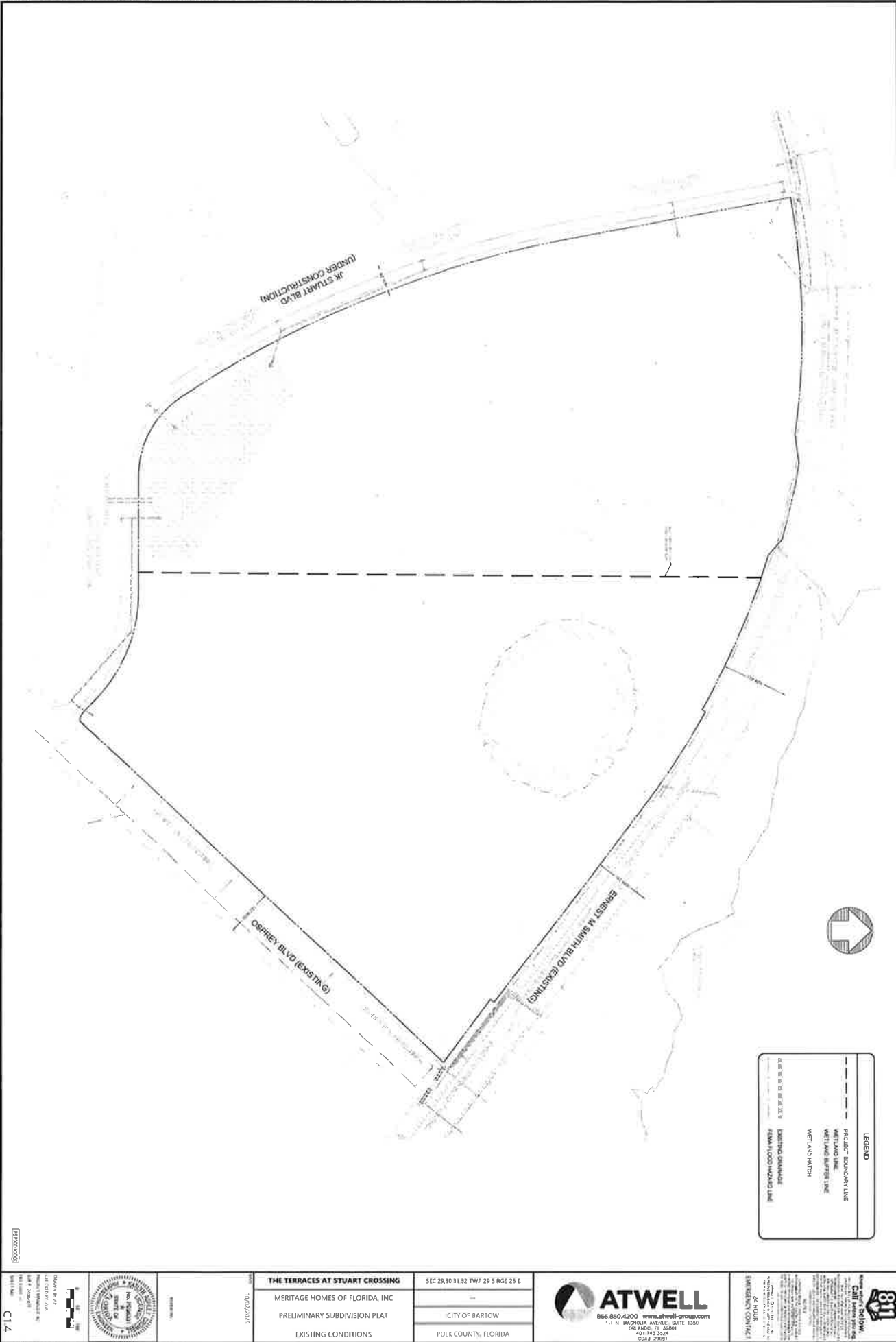
SEC 26 30 31 32 TWP 29 S RGE 25 E
CITY OF BARTON
POLK COUNTY, FLORIDA

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CDA# 20091

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44-400-8





07/22/2025

C14

THE TERRACES AT STUART CROSSING
MERITAGE HOMES OF FLORIDA, INC.
PRELIMINARY SUBDIVISION PLAT
EXISTING CONDITIONS

SEC 29.30 31.32 TWP 29 5 RGE 25 E
CITY OF BARTOW
POLK COUNTY, FLORIDA

07/22/2025

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ORLANDO, FL 32801
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CD#4 78891

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www.811.org

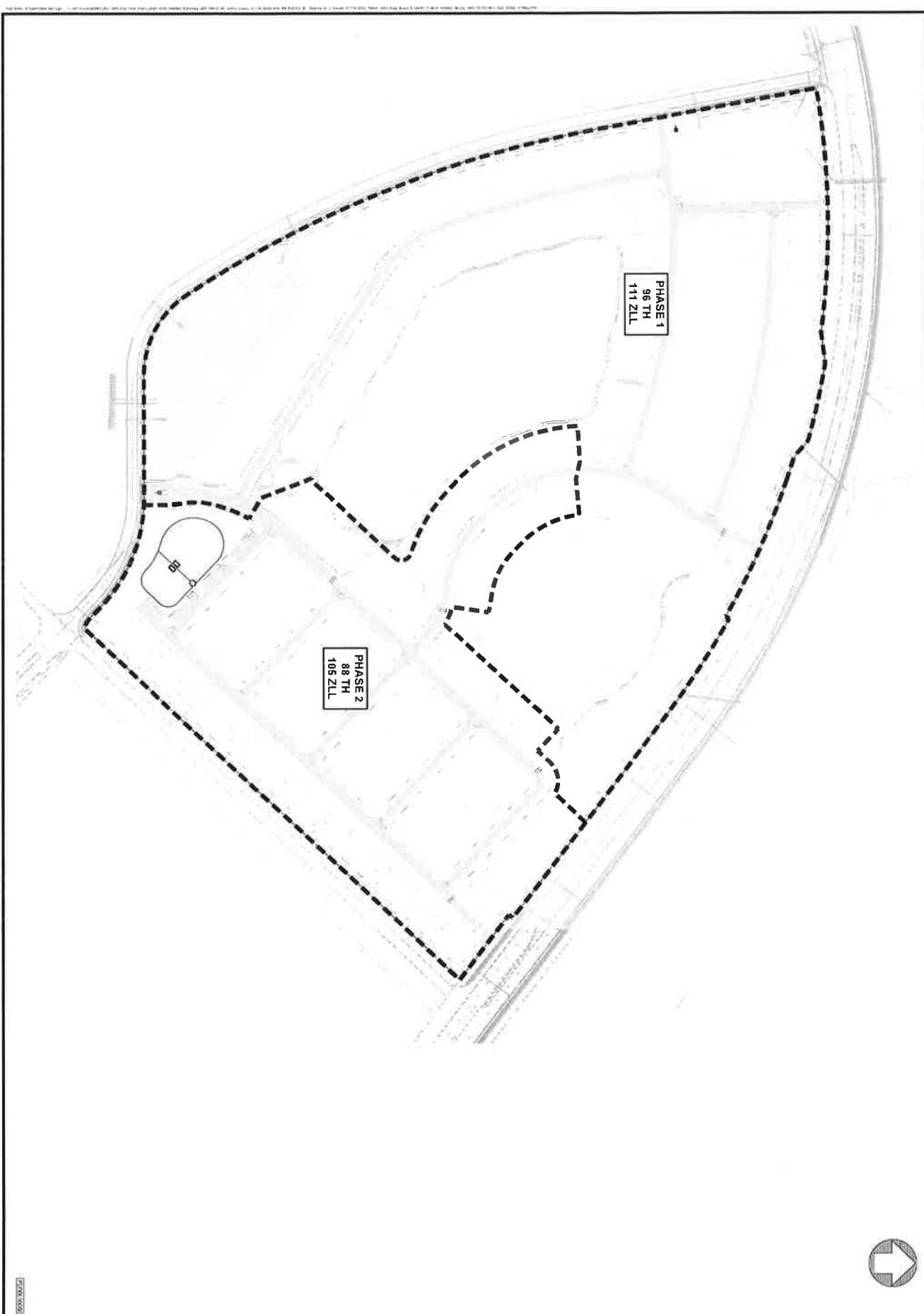
LEGEND
--- PROJECT BOUNDARY LINE
--- WETLAND LINE
--- WETLAND BUFFER LINE
--- WETLAND WATCH
--- EXISTING DRAINAGE
--- STREAM FLOOD HAZARD LINE



811
Before you dig, call 811.

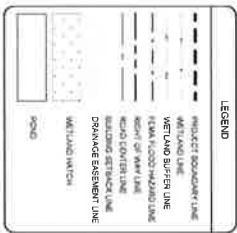
- Know what's below,
Call before you dig.**
- Before you dig, call 811 or your local one-call center to find out who has underground utilities in the area. They'll mark the lines for you. It's the only way to avoid damage to underground utilities and the danger to people and property. Call 811 or your local one-call center today. It's the only way to find out who has underground utilities in the area. They'll mark the lines for you. It's the only way to avoid damage to underground utilities and the danger to people and property. Call 811 or your local one-call center today.
- 24 HOUR
EMERGENCY CONTACT**

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ORLANDO, FL 32801
407.743.9324



	THE TERRACES AT STUART CROSSING MERITAGE HOMES OF FLORIDA, INC. PRELIMINARY SUBDIVISION PLAT PHASING PLAN		S1/4, 25, 30, 31, 32 TWP 29-5 R16E 25 E CITY OF BARTOW POLK COUNTY, FLORIDA	 ATWELL 888.850.4200 www.atwell-group.com 111 N. MAGNOLIA AVENUE, SUITE 1350 ORLANDO, FL 32801 407.743.3824 CDMA 20700	24 HOUR EMERGENCY CONTACT
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	10/2/2023		11/1/2023		
	10/2/2023		11/1/2023		

1. NO REQUEST FOR VARIANCE IS BEING SUBMITTED FOR THIS PROJECT.
2. THE PROJECT WILL BE CONDUCTED IN TWO PHASES:
a. PHASE 1: THE PROJECT WILL BE CONDUCTED IN TWO PHASES. PHASE 1 WILL INVOLVE THE CONSTRUCTION OF A NEW 100,000-SQ-FT WAREHOUSE AND THE REMOVAL OF THE EXISTING 100,000-SQ-FT WAREHOUSE. PHASE 2 WILL INVOLVE THE CONSTRUCTION OF A NEW 100,000-SQ-FT WAREHOUSE AND THE REMOVAL OF THE EXISTING 100,000-SQ-FT WAREHOUSE.
3. NO VARIATION OF 100,000 SQ. FT. OR MORE IS ANTICIPATED FOR THIS PROJECT.
4. THE PROJECT WILL BE CONDUCTED IN TWO PHASES. PHASE 1 WILL INVOLVE THE CONSTRUCTION OF A NEW 100,000-SQ-FT WAREHOUSE AND THE REMOVAL OF THE EXISTING 100,000-SQ-FT WAREHOUSE. PHASE 2 WILL INVOLVE THE CONSTRUCTION OF A NEW 100,000-SQ-FT WAREHOUSE AND THE REMOVAL OF THE EXISTING 100,000-SQ-FT WAREHOUSE.
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1. WATER MAIN, FORCE MAIN, AND SANITARY SEWERS SYSTEM TO BE OWNED AND MAINTAINED BY THE CITY OF BARROW
2. TRACT A TRACT C TRACT DOW AND TRACT DOW 200 TO BE OWNED AND MAINTAINED BY THE CHUKCHILIK FISHING COOPERATIVE
3. TRACT 3 WEST CLINCH IS TO BE OWNED AND MAINTAINED BY THE CITY OF BARROW
4. TRACT 4 TRACT 5 TRACT 6 TRACT 7 AND ALL OTHER OPEN SPACE TO BE OWNED AND MAINTAINED BY THE CHUKCHILIK ASSOCIATION OR CDD
5. TRACT 8 TRACT 9 TRACT 10 TRACT 11 TRACT 12 AND TRACT 13 TO BE OWNED AND MAINTAINED BY THE CITY OF BARROW. A SIGNATURE REFERENCE OF BARROW TRACT 13 TO BE OWNED AND MAINTAINED BY THE CHUKCHILIK ASSOCIATION OR CDD
6. AIRCRAFT AND AIRCRAFT RIGHTS TO BE OWNED AND MAINTAINED BY THE CDD
7. LANDSCAPE EXPENSES TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION OR CDD
8. AIRCRAFT DEVELOPMENT TO BE OWNED AND MAINTAINED BY THE CHUKCHILIK ASSOCIATION OR CDD

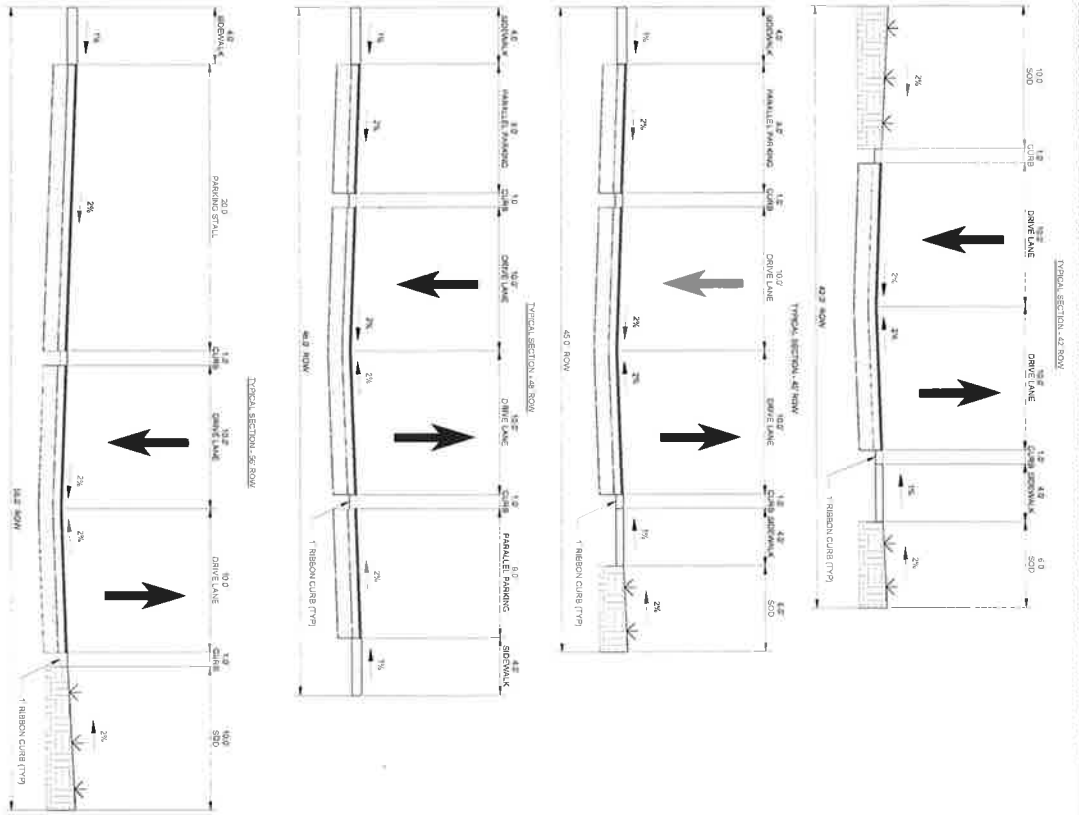
BUILDING SETBACKS AND BUFFERS

FRONT BUILDING SETBACK	20'
REAR BUILDING SETBACK	10'
LEFT SIDE BUILDING SETBACK	10'
RIGHT SIDE BUILDING SETBACK	10'
LANDSCAPE BUFFER	20' AROUND EXISTING SITE

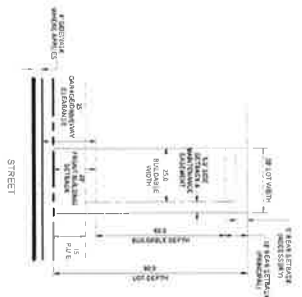
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1. JURISDICTION, CITY OF BARTON	
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4. ADEQUATE ZONING	YES
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100. COMMUNITY DEVELOPMENT DISTRICT	

CITY OF BARTOW
POLK COUNTY, FLORIDA

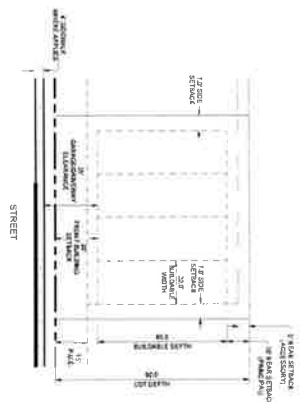




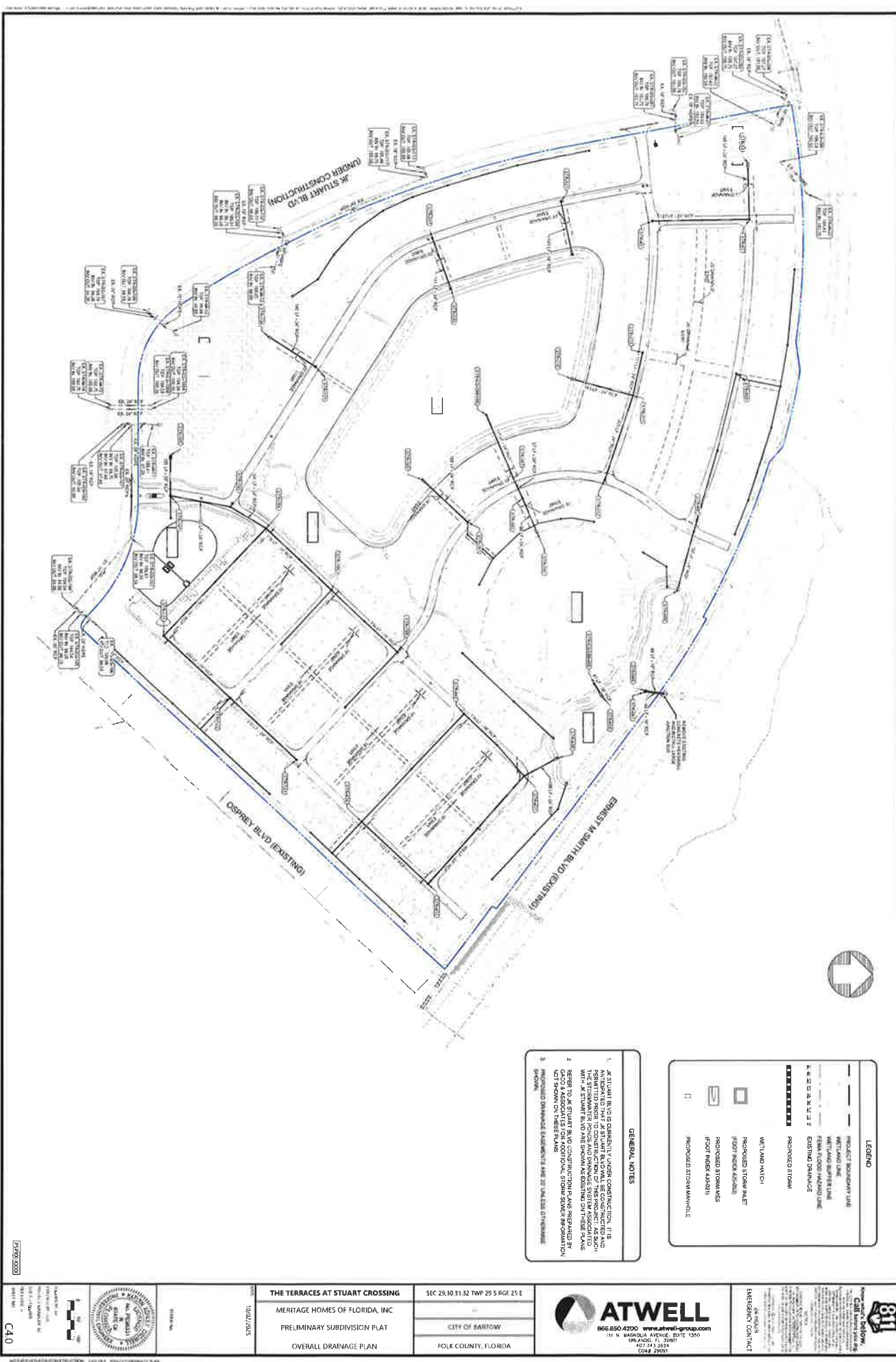
30' MIN. SINGLE FAMILY
STANDARD LOT DETAIL



20' MIN. TOWNHOME
STANDARD LOT DETAIL



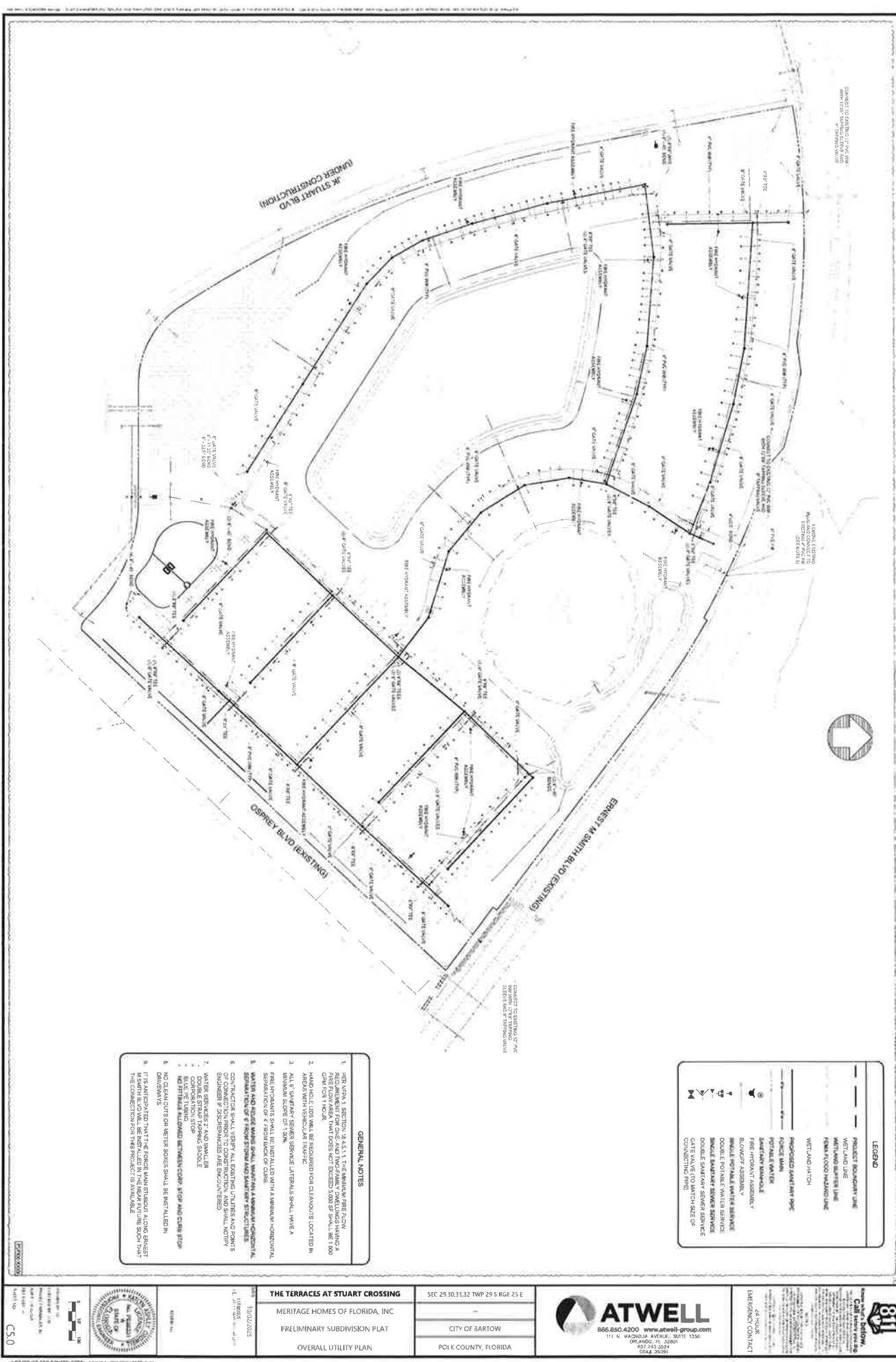
	THE TERRACES AT STUART CROSSING MERITAGE HOMES OF FLORIDA, INC PRELIMINARY SUBDIVISION PLAT SITE DETAILS	SEC 29.30, 31, 32 TWP 29 S RGE 25 E CITY OF BARTOW POLK COUNTY, FLORIDA		
	DATE: 07/26/2015 BY: D. Weller	SCALE: AS SHOWN		
	PROJECT NO: 150100001	SHEET NO: C20		
	EMERGENCY CONTACT: 24 HOUR			



LEGEND

- PROJECT BOUNDARY LINE
- WETLAND LINE
- WETLAND BUFFER LINE
- FROM 100' BUFFER LINE
- EXISTING DRAINAGE
- PROPOSED STORM
- WETLAND WATCH
- PROPOSED STORM INLET
- PROPOSED STORM BASIN
- PROPOSED STORM MANHOLE

- GENERAL NOTES**
1. JK STUART BLVD IS CURRENTLY UNDER CONSTRUCTION. IT IS PROPOSED TO BE COMPLETED BY THE TIME OF THE SUBDIVISION PLAT. THE PROPOSED STORM DRAINAGE SYSTEM IS BASED ON THE ASSUMPTION THAT JK STUART BLVD IS COMPLETED BY THE TIME OF THE SUBDIVISION PLAT.
 2. SEE TO JK STUART AND CONSTRUCTION HAS BEEN COMPLETED BY THE TIME OF THE SUBDIVISION PLAT.
 3. PROPOSED DRAINAGE ELEMENTS ARE TO BE BASED ON THE ASSUMPTION THAT JK STUART BLVD IS COMPLETED BY THE TIME OF THE SUBDIVISION PLAT.



LEGEND	
	PROJECT BOUNDARY LINE
	WETLAND LINE
	WETLAND BUFFER LINE
	FEMA FLOOD HAZARD LINE
	WETLAND HATCH
	PROPOSED MANHOLE
	POTABLE WATER MAIN
	POTABLE WATER FIRE HYDRANT ASSEMBLY
	SEWER MANHOLE
	SEWER MANHOLE BLOWOFF ASSEMBLY
	STORMWATER MANHOLE
	STORMWATER MANHOLE BLOWOFF ASSEMBLY
	DOUBLE SANITARY SEWER SERVICE GATE VALVE TO MATCH SIZE OF CONNECTING PIPE

- GENERAL NOTES**
- PER VFW 1, SECTION 12.4.5.1, THE MINIMUM FREE FLOW RISE FOR A 15" DIAMETER MANHOLE SHALL BE 1.00 FEET FOR 100' OF PIPE.
 - ALL 15" DIAMETER SEWER SERVICE LATERALS SHALL HAVE A HAND HOLE. HAND HOLES SHALL BE REQUIRED FOR CLEANOUTS LOCATED IN AREAS WITH IRREGULAR TOPPOGRAPHY.
 - ALL 15" DIAMETER SEWER SERVICE LATERALS SHALL HAVE A 15" DIAMETER CLEANOUT.
 - ALL 15" DIAMETER SEWER SERVICE LATERALS SHALL BE INSTALLED WITH A MINIMUM HORIZONTAL SEPARATION OF 4' FROM BACK OF CURB.
 - WATER AND SEWER MAINS SHALL MAINTAIN A MINIMUM HORIZONTAL SEPARATION OF 4' FROM STORMWATER AND SANITARY STRUCTURES.
 - CONNECTIONS SHALL VERIFY ALL EXISTING UTILITIES AND POINTS OF CONNECTION PRIOR TO CONSTRUCTION, AND SHALL NOTIFY THE UTILITY AGENCIES OF ANY EXISTING UTILITIES.
 - WATER AND SEWER MAINS SHALL MAINTAIN A MINIMUM HORIZONTAL SEPARATION OF 4' FROM STORMWATER AND SANITARY STRUCTURES.
 - NO CLEANOUTS OR WETTER BOXES SHALL BE INSTALLED IN DRIVEWAYS.
 - IT IS ANTICIPATED THAT THE FORCE MAIN STURDY ALONG BRISTOL W/STREET WILL BE INSTALLED IN THE MAIN PAVING ALONG BRISTOL W/STREET AND THE FORCE MAIN STURDY ALONG BRISTOL W/STREET WILL BE INSTALLED IN THE MAIN PAVING ALONG BRISTOL W/STREET.

DATE: 10/02/2025

BY: [Signature]

THE TERRACES AT STUART CROSSING

HERITAGE HOMES OF FLORIDA, INC

PRELIMINARY SUBDIVISION PLAT

OVERALL UTILITY PLAN

SEC 29.30.31.32 TWP 29 S RGE 25 E

CITY OF BARTOW

POLK COUNTY, FLORIDA

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ORLANDO, FL 32801

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EMERGENCY CONTACT

24 HOUR

Scale: 1" = 100'

North Arrow

CS0

CITY OF BARTOW, FLORIDA

TO: Honorable Mayor and City Commissioners, City of Bartow City Commission

THROUGH: Mike Herr, City Manager

FROM: Pete Lear, Finance Director

DATE: February 16, 2026

SUBJECT: RESOLUTION NO. 26-4256-R - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN PROGRAM PROJECT NUMBER DW53023; MAKING FINDINGS; AMENDING PLEDGED REVENUES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

SUMMARY AND BACKGROUND

The City approved Resolution No. 24-4190-R on August 5, 2024 related to the State Revolving Fund Loan for the Lead Service Line Project. This resolution and the related agreement with the Florida Department of Environmental Protection (FDEP) was to fund the planning, design and construction of the Lead Service Line Project. FDEP has requested an updated resolution and legal letter that will provide the financial backing option of a reserve bank balance and legal certification of the bank account. These two documents have been prepared and are being presented to the City Commission for approval. Resolution No. 26-4256-R will amend the previously adopted Resolution No. 24-4190-R as requested by FDEP to set up the bank security of a reserve account. The other option that was presented was to pledge revenues of the City, which was not the chosen security.

STAFF ANALYSIS

The Florida Department of Environmental Protection (FDEP) has requested the attached legal letter and a resolution to amend the adopted Resolution No. 24-4190-R to designate a reserve account as the funding security for the SRF Loan. Resolution No. 2026-4256-R is being presented to amend the original resolution as requested. The reserve bank account option allows the City to not pledge revenues while the project is ongoing while still maintaining our current cash balances. This option allows more flexibility for future projects.

FISCAL IMPACT

The Finance Department has set up a reserve bank account at Truist Bank. The funds of the Utility Department have been moved from the general operating account to a new bank account.

RECOMMENDATION

The recommendation is to utilize a reserve account rather than pledge revenues. The required bank account and funding have already been created at Truist Bank as provided in the attached legal letter.

ATTACHMENTS

1. 26-4256-R Authorizing Resolution 2026 Update Lead Service Line DW53023

RESOLUTION NO. 26-4256-R

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BARTOW, FLORIDA RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN PROGRAM PROJECT NUMBER DW53023; MAKING FINDINGS; AMENDING PLEDGED REVENUES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Bartow has previously adopted Resolution No. 24-4190-R which designated pledged revenues for the Florida Department of Environmental Protection State Revolving Fund Loan Program Project No. DW53023; and,

WHEREAS, the details and specifics of the designated pledged revenues for this project were deemed insufficient/incomplete by the FDEP. Clarification of the source of pledged revenues has been requested by the FDEP, along with supporting documentation in the form of a Legal Opinion Letter and a letter confirming the establishment of a loan repayment reserve account;

NOW THEREFORE, Be it resolved by the City Commission of the City of Bartow, Florida:

Section 1. Findings.

The foregoing findings are incorporated herein by reference and made a part hereof.

Section 2. Rescind the Pledge of Revenues Detailed in Resolution No. 24-4190-R.

The revenues pledged for the repayment of the loan as detailed in Resolution No. 24-4190-R are hereby rescinded.

Section 3. Pledge of Revenues.

The revenues pledged for the repayment of the loan are hereby designated as revenues from or on deposit in the City of Bartow Loan Repayment Reserve Account.

Section 4. Conflicts.

All Resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 5. Severability.

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

Section 6. Effective Date.

This Resolution shall take effect immediately upon its approval.

PASSED and **DULY ADOPTED** with quorum present in voting by the City Commission of the City of Bartow, Florida, this 16th day of February, 2026.

CITY OF BARTOW, FLORIDA

Mayor Tanya L. Tucker

Attest:

Jacqueline Poole, City Clerk

Approved as to form:

Sean R. Parker, City Attorney

Approved as to Substance:

Mike Herr, City Manager

BOSWELL & DUNLAP LLP

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‡- Board Certified, City, County, Local
Government Law

February 12, 2026

Mr. Eric Meyers
Program Administrator
State Revolving Fund Management
3900 Commonwealth Blvd., Mail Station 3505
Tallahassee, Florida 32399-3000

Re: DW53023 - City of Bartow, Florida
Lead Service Lines

Dear Mr. Meyers:

I am the duly and properly appointed City Attorney for the City of Bartow, Florida (the "City"). The City proposes to borrow \$660,000 (\$323,400 Principal Forgiveness), excluding capitalized interest and loan service fee, from the Florida Department of Environmental Protection's State Revolving Fund for planning, design, and construction of the City of Bartow Lead Service Lines Project.

It is my understanding that the loan will be secured by revenues from or on deposit in the City of Bartow Loan Repayment Reserve Account FL-01-0099-0003 at Florida Cooperative Liquid Assets Securities System. Such revenues are legally available to pledge, and the City of Bartow has the legal authority to increase rates to ensure repayment of the loan.

Sincerely,



Sean R. Parker, City Attorney

cc: Peter Lear, Finance Director



Summary Statement

December 31, 2025

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Investor ID: FL-01-0099

0000081-0000351 PDF 878747

City of Bartow
450 N Wilson Ave
Bartow, FL 33830

FLCLASS

FLCLASS		Average Monthly Yield: 3.8943%						
		Beginning Balance	Contributions	Withdrawals	Income Earned	Income Earned YTD	Average Daily Balance	Month End Balance
FL-01-0099-0001	CITY OF BARTOW SURPLUS RSVS	628,597.29	5,000,000.00	0.00	3,140.65	131,424.00	952,339.11	5,631,737.94
FL-01-0099-0003	Water SRF Reserve	342,696.73	0.00	0.00	1,135.25	7,231.98	343,301.85	343,831.98
TOTAL		971,294.02	5,000,000.00	0.00	4,275.90	138,655.98	1,295,640.96	5,975,569.92



CITY OF BARTOW SURPLUS RSVS

Account Summary

Average Monthly Yield: 3.8943%

	Beginning Balance	Contributions	Withdrawals	Income Earned	Income Earned YTD	Average Daily Balance	Month End Balance
FLCLASS	628,597.29	5,000,000.00	0.00	3,140.65	131,424.00	952,339.11	5,631,737.94

Transaction Activity

Transaction Date	Transaction Description	Contributions	Withdrawals	Balance	Transaction Number
12/01/2025	Beginning Balance			628,597.29	
12/30/2025	Contribution	5,000,000.00			655047
12/31/2025	Income Dividend Reinvestment	3,140.65			
12/31/2025	Ending Balance			5,631,737.94	



Account Statement

December 31, 2025

Page 3 of 4

Account Number: FL-01-0099-0003

Water SRF Reserve

Account Summary

Average Monthly Yield: 3.8943%

	Beginning Balance	Contributions	Withdrawals	Income Earned	Income Earned YTD	Average Daily Balance	Month End Balance
FLCLASS	342,696.73	0.00	0.00	1,135.25	7,231.98	343,301.85	343,831.98

Transaction Activity

Transaction Date	Transaction Description	Contributions	Withdrawals	Balance	Transaction Number
12/01/2025	Beginning Balance			342,696.73	
12/31/2025	Income Dividend Reinvestment	1,135.25			
12/31/2025	Ending Balance			343,831.98	



FLCLASS

FLCLASS

Date	Dividend Rate	Daily Yield
12/01/2025	0.000110039	4.0164%
12/02/2025	0.000110100	4.0187%
12/03/2025	0.000109148	3.9839%
12/04/2025	0.000108691	3.9672%
12/05/2025	0.000325410	3.9591%
12/06/2025	0.000000000	3.9592%
12/07/2025	0.000000000	3.9592%
12/08/2025	0.000108227	3.9503%
12/09/2025	0.000108285	3.9524%
12/10/2025	0.000108321	3.9537%
12/11/2025	0.000107851	3.9366%
12/12/2025	0.000318003	3.8690%
12/13/2025	0.000000000	3.8690%
12/14/2025	0.000000000	3.8690%
12/15/2025	0.000105987	3.8685%
12/16/2025	0.000106185	3.8743%
12/17/2025	0.000105404	3.8472%
12/18/2025	0.000105336	3.8448%
12/19/2025	0.000315585	3.8396%
12/20/2025	0.000000000	3.8396%
12/21/2025	0.000000000	3.8396%
12/22/2025	0.000105159	3.8383%
12/23/2025	0.000105334	3.8447%
12/24/2025	0.000210530	3.8422%
12/25/2025	0.000000000	3.8422%
12/26/2025	0.000316083	3.8457%
12/27/2025	0.000000000	3.8457%
12/28/2025	0.000000000	3.8457%
12/29/2025	0.000106199	3.8763%
12/30/2025	0.000105926	3.8663%
12/31/2025	0.000105721	3.8588%

Performance results are shown net of all fees and expenses and reflect the reinvestment of dividends and other earnings. Many factors affect performance including changes in market conditions and interest rates and in response to other economic, political, or financial developments. Investment involves risk including the possible loss of principal. No assurance can be given that the performance objectives of a given strategy will be achieved. **Past performance is no guarantee of future results. Any financial and/or investment decision may incur losses.**