



TOWN OF LAKE HAMILTON
TOWN COUNCIL
REGULAR MEETING AGENDA
Tuesday, February 1, 2022
6:00 P.M.

The Town Council of the Town of Lake Hamilton will hold a Regular Council Meeting on Tuesday, February 1, 2022, at 6:00 PM at the Town Hall, 100 Smith Ave, Lake Hamilton, FL 33851.

- 1. CALL TO ORDER BY THE MAYOR**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ROLL CALL OF COUNCIL MEMBERS BY THE CLERK**
- 5. SCHEDULED PRESENTATIONS**
 - a. Chief Teague- Rodney Gunter Jr. Presentation
 - b. Proclamation for Lake Hamilton Woman's Club
- 6. CONSENT AGENDA**
- 7. RECOGNITION OF CITIZENS (Non-Agenda Items)**
- 8. OLD BUSINESS-**
 - **Open Public Hearing**
 - a. Second reading of Ordinance O-21-28 Palmdale Holdings FLU
 - b. Second reading of Ordinance O-21-29 Rezoning Palmdale Holdings
 - c. Second reading of Ordinance O-21-33 Overlay District
 - d. Second reading of Ordinance O-22-01 Annexation of Town Acquired Property
 - e. Second reading of Ordinance O-22-02 Annexation of White Clay Pit Grove
 - f. Second reading of Ordinance O-22-03 410 FLU Repeal
 - g. Second reading of Ordinance O-21-18 Parcel 410 FLU
 - h. Second reading of Ordinance O-22-04 LH Self Park & Storage Repeal
 - i. Second reading of Ordinance O-21-21 LH Self Park & Storage Comp Plan Amendment
 - j. Second reading of Ordinance O-22-05 Robinson Smith Ave Repeal
 - k. Second reading of Ordinance O-21-22 Robinson Comp Plan Amendment
 - **Close Public Hearing**
 - i. Future Planning Items/Update/Action on WUP/AWS/WW
- 9. NEW BUSINESS-**
 - a. First reading of Ordinance O-22-06 CDD Hamilton Bluff Grant Petition
 - b. First reading of Ordinance O-22-07 Park Committee
 - c. Approve Calvin, Giordano & Associates, Inc. continuing services agreement
- 10. STAFF REPORTS**
 - a. Town Administrator
 - b. Town Clerk
 - c. Police Department
 - d. Code Enforcement
 - e. Community Development
 - f. Public Works
- 11. ATTORNEY COMMENTS**
- 12. COUNCIL MEMBERS COMMENTS**
- 13. ADJOURNMENT**

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND F. S. 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THESE PROCEEDINGS PLEASE CONTACT TOWN CLERK, BRITTNEY SANDOVALSOTO, TOWN HALL, LAKE HAMILTON, FL AT 863-439-1910 WITHIN TWO (2) WORKING DAYS OF YOUR RECEIPT OF THIS NOTIFICATION. IF A PERSON DESIRES TO APPEAL ANY DECISION MADE BY THE TOWN COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, AFFECTED PERSONS MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE WHICH THE APPEALS IS TO BE BASED. (F.S. 286.26.105)

TOWN OF LAKE HAMILTON
PROCLAMATION RECOGNIZING
THE LAKE HAMILTON WOMAN'S CLUB

WHEREAS, the members of the Lake Hamilton Woman's Club have actively volunteered, funded, and participated in community activities for the betterment of Lake Hamilton; and

WHEREAS, on February 15, 2015, the Lake Hamilton Woman's Club celebrated their 100th anniversary; and

WHEREAS, the Town Council would like to congratulate the Lake Hamilton Woman's Club members on their 106th year of continued dedication and their tradition of supporting education, various local charities, and community activities; and

WHEREAS, in recent years the membership has proudly provided children and adults with pancake breakfasts, spaghetti dinners, and other community - based activities; and

WHEREAS, although all club events were suspended because of the Coronavirus Pandemic, members continued to support our Fire and Police Departments and the community during those challenging times; and

WHEREAS, the Town Council would like to thank the Lake Hamilton Woman's Club members for their dedication to the town and the utilization of their facility to conduct official town business during the renovation of the Town Hall; and

NOW THEREFORE, BE IT RESOLVED, through the authority vested in me by the Town Council of Lake Hamilton, Florida, I do hereby proclaim the month of February 2022 as Lake Hamilton's Woman's Club Month, to honor the organizations accomplishments, history, and legacy to our Community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of Lake Hamilton to be affixed this 1ST day of February 2022.

Michael Kehoe, Mayor

ORDINANCE O-21-28

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF LAKE HAMILTON, FLORIDA, SAID AMENDMENT BEING KNOWN AS AMENDMENT 21S06, AMENDING THE FUTURE LAND USE MAP CLASSIFICATION FROM RESIDENTIAL LANDS 1 TO RESIDENTIAL LANDS M FOR A 1.14 ACRE PARCEL OF LAND LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF MAIN STREET AND FIFTH STREET; AND TRANSMITTING SAID AMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR COMPLIANCE REVIEW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 through 163.3215, Florida Statutes, empowers local governments to adopt and amend comprehensive plans, or elements or portions thereof, to guide their future development and growth; and

WHEREAS, in exercise of its authority the Town Council has determined it necessary to adopt amendments to the Town's Comprehensive Plan, which are attached hereto as **Exhibit "A"** and by this reference made a part hereof, to ensure that the Comprehensive Plan is in full compliance with the laws of the State of Florida; and

WHEREAS, the Planning Commission held a public meeting on September 14, 2021 where they discussed and recommended the change of use to the Town Council for approval; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Town Council has held meetings and hearings on **Ordinance O-21-28**, the amendment to the Comprehensive Plan and made a part hereof; and the meetings were advertised and held with due public notice to obtain public comment; and having considered written and oral comments received during public hearings, find the amendment complete and appropriate to the needs of the Town.

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

SECTION 1. RECITALS. The provisions set forth in the recitals of this Ordinance (whereas clauses) are hereby adopted by the Town Council as legislative findings and intent of the Ordinance.

SECTION 2. AMENDMENT TO THE COMPREHENSIVE PLAN. The Town of Lake Hamilton Comprehensive Plan, Future Land Use Map is hereby amended as set forth in Exhibit "A".

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

SECTION 4. COPY OF ORDINANCE ON FILE. A copy of this Ordinance shall be kept on file in the office of the Lake Hamilton Town Clerk.

SECTION 5. CONFLICTS WITH OTHER ORDINANCES. That portion of any Ordinance which may be in conflict with this Ordinance is hereby repealed with the adoption of this Ordinance.

SECTION 6. EFFECTIVE DATE. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency, or the Administration Council enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Council, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

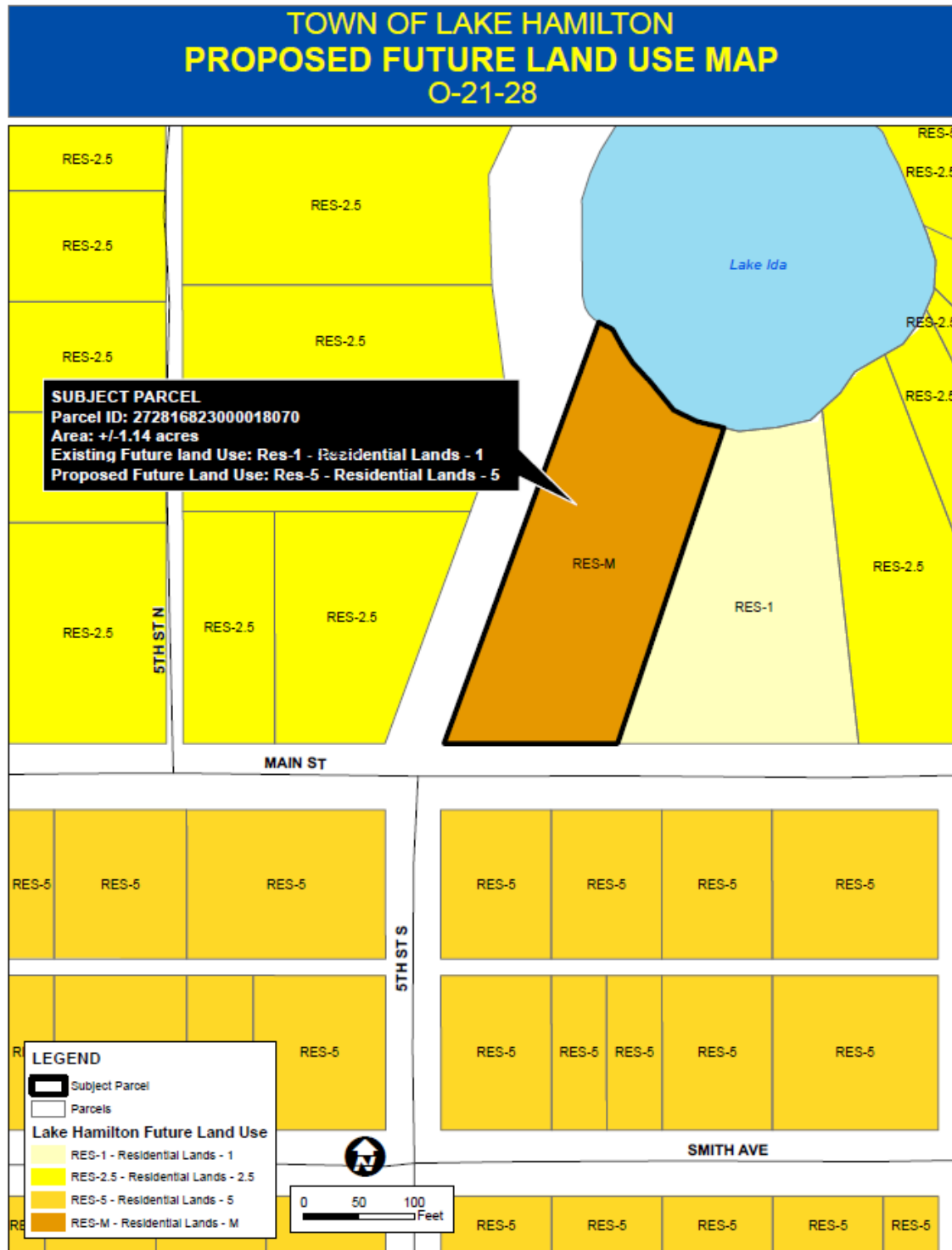
SECTION 7. INCORPORATION INTO COMPREHENSIVE PLAN. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Comprehensive Plan of the Town; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Comprehensive Plan is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Administrator or her designee, without need of public hearing, by filing a corrected or recodified copy of same with the Town Clerk.

MAP A

Legal Descriptions: Lake Hamilton LAKE HAMILTON PB 3A PG 34 BLK 18 LOT 7

Parcel ID Numbers: 27-28-16-823000-018070

Future Land Use Map Amendment:



INTRODUCED and PASSED on first reading this ____ day of November, 2021.

PASSED and ADOPTED on second reading this ____ day of _____, 2021.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

BRITTNEY SANDOVALSOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Wagner	_____	_____
Roberson	_____	_____
Tomlinson	_____	_____
O'Neill	_____	_____
Kehoe	_____	_____

ORDINANCE O-21-29

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, REZONING A 1.14 ACRE PARCEL OF LAND LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF MAIN STREET AND FIFTH STREET FROM R-1 - SINGLE FAMILY RESIDENTIAL TO R-4 - SINGLE FAMILY RESIDENTIAL ZONING DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, there has been a request for approval of a rezoning of the property described below; and

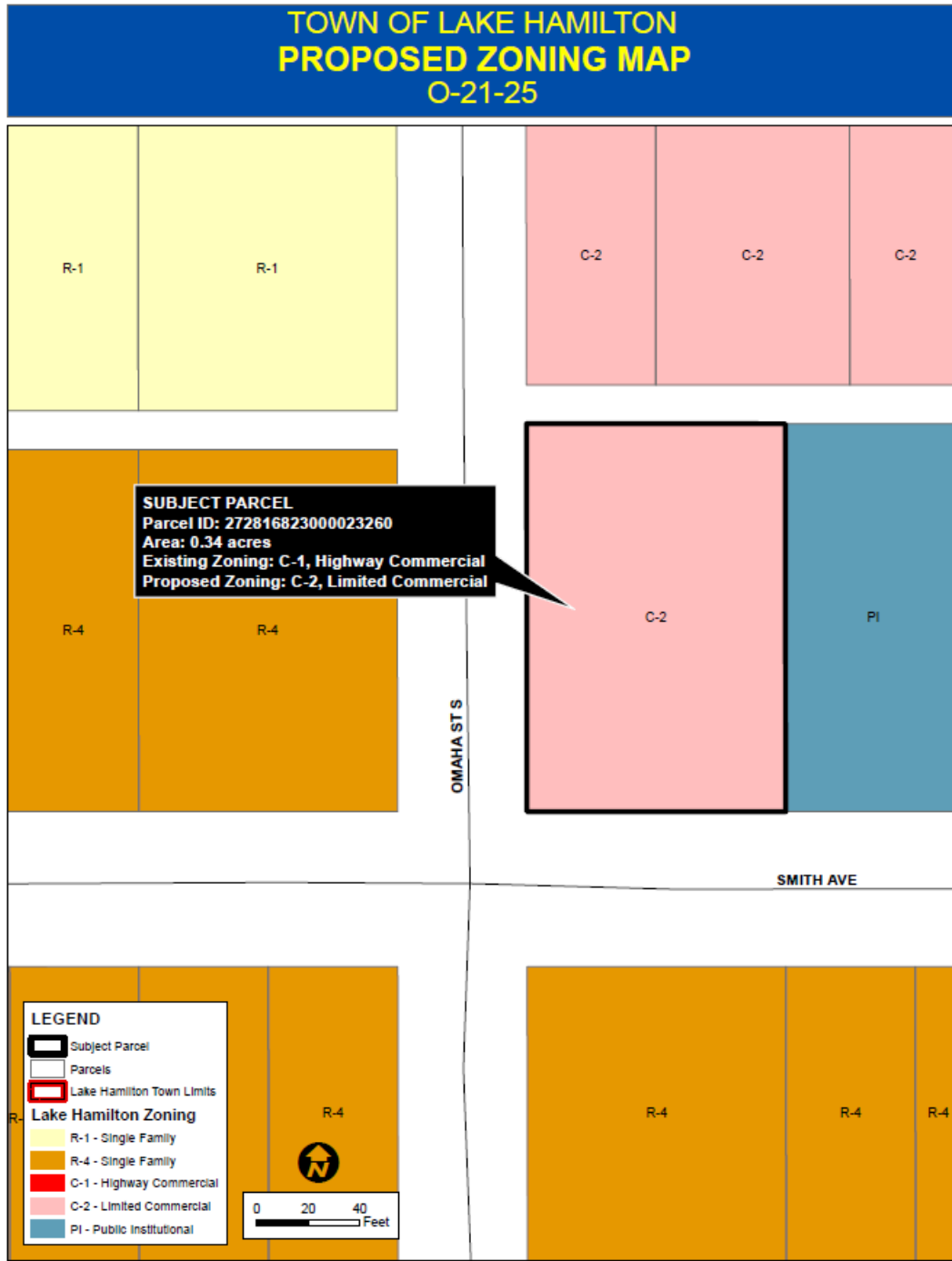
WHEREAS, the change will further the general health, safety, and welfare and be a benefit to the Town as a whole; and

WHEREAS, the Planning Commission held a public meeting on September 14, 2021 where they discussed and recommended the zoning change to the Town Council for approval; and

WHEREAS, the zoning change requested by the applicant is consistent with the Future Land Use Element of the Lake Hamilton Comprehensive Plan.

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

1. The parcel is located at the intersection of Main Street and 5th Street on the northeast side as shown on Map “A”, which is attached hereto, and consists of a total of approximately 1.14 acres, and is described as follows:
LAKE HAMILTON PB 3A PG 34 BLK 18 LOT 7
2. The parcel, as platted and described above, constitutes less than five percent (5%) of the municipally zoned area of the Town.
3. Said property is hereby rezoned from R-1 - Single Family Zoning District to R-4 - Single Family Zoning District and the regulations of that District contained in the Land Development Code shall govern further public review and development of the property within this District with the following specific conditions:
 - a. That any section, paragraph, or portion which may be deemed illegal or unconstitutional shall not affect any other section of this ordinance.
 - b. That all other ordinances or parts of ordinances in conflict herewith are hereby repealed.
 - c. This ordinance shall take effect immediately upon adoption after second reading.
4. A certified copy of this Ordinance, as well as a copy of the Land Development Code shall be located in the Office of the Town Clerk of Lake Hamilton.

MAP A**Legal Descriptions:** Lake Hamilton LAKE HAMILTON PB 3A PG 34 BLK 18 LOT 7**Parcel ID Numbers:** 27-28-16-823000-018070**Future Land Use Map Amendment:**

INTRODUCED and PASSED on first reading this 2nd day of November, 2021.

PASSED and ADOPTED on second reading this ____ day of _____, 2021.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

BRITTNEY SANDOVALSOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Wagner	_____	_____
Roberson	_____	_____
Tomlinson	_____	_____
O'Neill	_____	_____
Kehoe	_____	_____

ORDINANCE O-21-33

ORDINANCE O-21-33: AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF LAKE HAMILTON, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT TO ESTABLISH AND MAP A US HIGHWAY 27 OVERLAY DISTRICT; TRANSMITTING SAID AMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR COMPLIANCE REVIEW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, Section 163.3167(c), Florida Statutes, empowers the Town to adopt land development regulations to guide the growth and development of the Town, and to amend such regulations from time to time; and

Whereas, the Town Council of the Town of Lake Hamilton has determined it necessary and desirable to revise and amend the regulations encompassed by the Land Development Code of the Town; and

Whereas, pursuant to Section 166.041(c) 2, Florida Statutes, the Town Council has held two public hearings to amend the Land Development Code of the Town of Lake Hamilton; and

Whereas, the public hearings were advertised and held with due public notice to obtain public comment; and having considered all written and oral comments received during the public hearings, the Town Council finds that the changes are necessary and appropriate to the needs of the Town.

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

SECTION 1. RECITALS. The provisions set forth in the recitals of this Ordinance (whereas clauses) are hereby adopted by the Town Council as legislative findings and intent of the Ordinance.

SECTION 2. AMENDMENT OF THE COMPREHENSIVE PLAN. The **Town of Lake Hamilton Comprehensive Plan**, Future Land Use Map is hereby amended as set forth in Exhibit "A".

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

SECTION 4. COPY OF ORDINANCE ON FILE. A copy of this Ordinance shall be kept on file in the office of the Lake Hamilton Town Clerk.

SECTION 5. CONFLICTS WITH OTHER ORDINANCES. That portion of any Ordinance which may conflict with this Ordinance is hereby repealed with the adoption of this Ordinance.

SECTION 6. EFFECTIVE DATE. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency, or the Administration Council enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Council, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

SECTION 7. INCORPORATION INTO COMPREHENSIVE PLAN. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Comprehensive Plan of the Town; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Comprehensive Plan is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Administrator or her designee, without need of public hearing, by filing a corrected or recodified copy of same with the Town Clerk.

INTRODUCED and PASSED on first reading this 7th day of December 2021.

PASSED and ADOPTED on second reading this ____ day of _____ 2021.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

BRITTNEY SANDOVALSOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Ordinance O-21-33

Page 3

Record of Vote	Yes	No
Wagner	_____	_____
Roberson	_____	_____
Tomlinson	_____	_____
O'Neill	_____	_____
Kehoe	_____	_____

Exhibit A**Add new Policy to the Future Land Element.****Policy 1.2.17: U.S. Highway 27 Overlay District (US27OD)**

In order to facilitate redevelopment and new development in the U.S. Highway 27 corridor, the Town shall define and describe certain site intensity and development standards that may be offered as incentives to the developer of a commercial or residential mixed-use project consistent with the community's vision of future development in the highway corridor. Such projects shall be reviewed in accordance with the Lake Hamilton Land Development Regulations, as amended, and confirmed by the adoption of a Development Agreements as authorized by the Florida Local Government Development Agreement Act (Sec. 163.3220-163.3243, F.S.).

- a) Purpose: Identification of areas that will be established for commercial and residential uses of a mixed-use commercial/retail/office/multi-family nature, and which are restricted in accordance with the adopted standards in the Town's Land Development Code in regard to the permitted use and/or intensity at a specific location for a new development or redevelopment project.
- b) Range of Potential Uses: commercial and retail, office, restaurants, multi-family residential, temporary lodging, general recreation uses, and public or semi-public uses.
- c) Range of Potential Density/Intensity:

The maximum density for apartments and condominiums shall not exceed 25 DU/Acre and a floor area ratio that shall not exceed 3.0.

The maximum density for temporary lodging units shall not exceed 60 TLU/Acre.

The maximum floor area ratio for non-residential development shall not exceed 1.5.

The maximum floor area ratio for public or semi-public uses shall not exceed 2.0.

ORDINANCE O-22-01

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON EXTENDING THE CORPORATE LIMITS OF THE TOWN SO AS TO INCLUDE ADDITIONAL TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE PRESENT BOUNDARIES OF THE TOWN OF LAKE HAMILTON, FLORIDA; DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. THE LOCATION IS ADJACENT TO THE SOUTH SIDE OF WATER TANK ROAD AND APPROXIMATELY 660 FEET EAST OF DETOUR ROAD AND CONTAINING 19.74 ACRES.

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

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

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

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

1. That the Town Council of the Town of Lake Hamilton does hereby annex into the corporate limits of the Town of Lake Hamilton, Florida, one parcel owned by the Town of Lake Hamilton and consisting of a total of 19.74 acres, described as follows:

Parcel Number: 27-28-15-000000-043040: The East 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 15, Township 28 South, Range 27 East, Polk County, Florida.

2. The town boundaries of the Town of Lake Hamilton are hereby redefined to include the parcels of land described above and in accordance with Exhibit "A" hereto attached and made a part of the Ordinance.
3. All ordinances in conflict herewith are hereby repealed.
4. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provision and portions of this ordinance shall remain in full force and effect.
5. This ordinance shall take effect upon adoption.

INTRODUCED and PASSED on first reading this 11th day of January 2022.

PASSED and ADOPTED on second reading this ____ day of _____, 2022.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

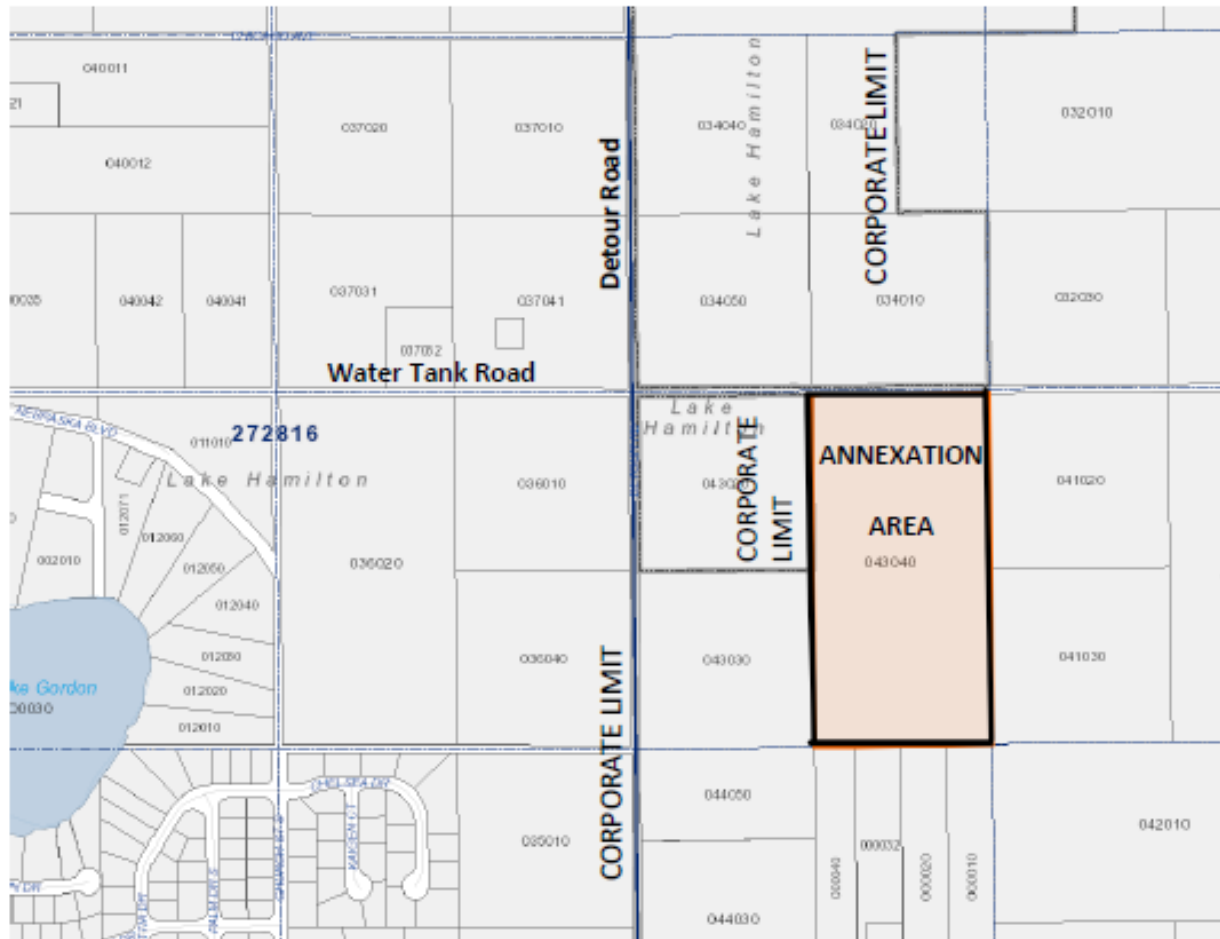
BRITTNEY SANDOVALSOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Wagner	_____	_____
Roberson	_____	_____
Tomlinson	_____	_____
O'Neill	_____	_____
Kehoe	_____	_____

Town Owned Property Annexation



ORDINANCE O-22-02

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON EXTENDING THE CORPORATE LIMITS OF THE TOWN SO AS TO INCLUDE ADDITIONAL TERRITORY LYING CONTIGUOUS AND ADJACENT TO THE PRESENT BOUNDARIES OF THE TOWN OF LAKE HAMILTON, FLORIDA; DESCRIBING SAID ADDITIONAL TERRITORY; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. THE LOCATION IS BETWEEN SCENIC HIGHWAY/ HIGHWAY 17 AND DETOUR ROAD APPROXIMATELY 640 FEET WEST OF DETOUR ROAD AND NORTH OF WHITE CLAY PIT ROAD AND CONTAINING 20.56 ACRES.

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

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

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

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

1. That the Town Council of the Town of Lake Hamilton does hereby annex into the corporate limits of the Town of Lake Hamilton, Florida, two parcels both owned by Rubush C & C LLC and Elsie Gamper and consisting of a total of 20.56 acres, described as follows:

Parcel Number: 27-28-09-000000-013020: The Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 9, Township 28 South, Range 27 East, Polk County, Florida.

AND

Parcel Number: 27-28-09-000000-011030: The Southwest 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 9, Township 28 South, Range 27 East, Polk County, Florida

2. The town boundaries of the Town of Lake Hamilton are hereby redefined to include the parcels of land described above and in accordance with Exhibit "A" hereto attached and made a part of the Ordinance.
3. All ordinances in conflict herewith are hereby repealed.
4. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provision and portions of this ordinance shall remain in full force and effect.

5. This ordinance shall take effect upon adoption.

INTRODUCED and PASSED on first reading this 11th day of January 2022.

PASSED and ADOPTED on second reading this ____ day of _____, 2022.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

BRITTNEY SANDOVALSOTO, TOWN CLERK

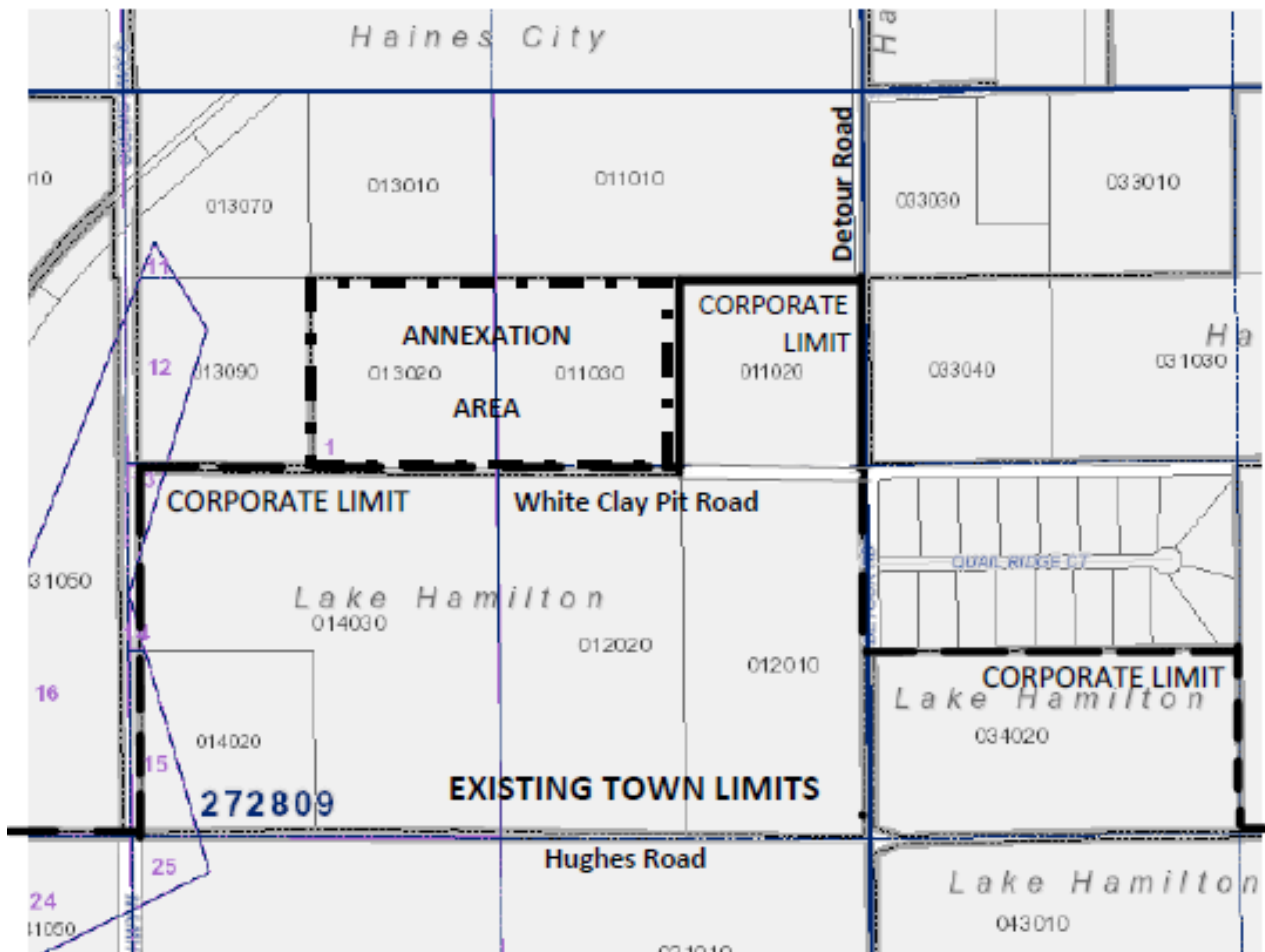
Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Wagner	_____	_____
Roberson	_____	_____
Tomlinson	_____	_____
O'Neill	_____	_____
Kehoe	_____	_____

EXHIBIT A

White Clay Pit Grove Annexation



ORDINANCE O-22-03

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, REPEALING THE SECOND (ADOPTION) READING OF ORDINANCE O-21-18; AUTHORIZING PUBLICATION AND ADOPTION PUBLIC HEARING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 5, 2021, the Town Council of the Town of Lake Hamilton adopted Ordinance O-21-18 on second reading; and

WHEREAS, subsequent to the adoption of Ordinance O-21-18, the Town became aware no Comprehensive Plan amendments can be processed by Florida Department of Economic Opportunity prior to passing of Ordinance O-21-20 Property Rights Amendment; and

WHEREAS, the improvidently timed approval of Ordinance O-21-18, was the result of a good faith error; and

WHEREAS, the Town Council has been notified by the Florida Department of Economic Opportunity it must repeal the second (adoption) reading of O-21-18; and

WHEREAS, the Town is authorized to re-publish and hold a subsequent public hearing to adopt Ordinance O-21-18 upon receiving State approval of and passing by Town Council of Ordinance O-21-20 Property Rights Amendment, as required by law; and

WHEREAS, the Town Council deems it in the best interests of the Town to repeal the second (adoption) reading of Ordinance O-21-18 and to re-publish and hold a subsequent public hearing to adopt Ordinance O-21-18 upon receiving State approval of and passing by Town Council of Ordinance O-21-20 Property Rights Amendment.

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

SECTION 1. Ordinance O-21-18 (attached hereto as Exhibit "A") is hereby REPEALED only as to the second (adoption) reading; and

SECTION 2. The Town Council is authorized to re-advertise and hold an adoption public hearing upon approval by the State of Florida Department of Economic Opportunity of and passing by Town Council of Ordinance O-21-20 Property Rights Amendment.

SECTION 3. CONFLICTS. If the event of a conflict with any other Town ordinances or part of ordinances, the provisions of this Ordinance shall control.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase, word, or other part of this Chapter is for any reason declared unconstitutional or invalid by any court of competent jurisdiction, such part shall be deemed separate, distinct and independent and the remainder of this Chapter shall continue in full force and effect.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect on final passage and adoption.

INTRODUCED and PASSED on first reading this 11th day of January 2022.

PASSED and ADOPTED on second reading this ____ day of _____, 2022.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

BRITTNEY SANDOVALSOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Wagner	_____	_____
Roberson	_____	_____
Tomlinson	_____	_____
O'Neill	_____	_____
Kehoe	_____	_____

EXHIBIT “A”**ORDINANCE O-21-18**

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF LAKE HAMILTON, FLORIDA, SAID AMENDMENT BEING KNOWN AS AMENDMENT 21S03, AMENDING THE FUTURE LAND USE MAP CLASSIFICATION FROM AGRICULTURAL TO RESIDENTIAL LANDS – 5 FOR A 9.93 ACRE PARCEL OF LAND LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF DETOUR ROAD AND WHITE CLAY PIT ROAD; AND TRANSMITTING SAID AMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 through 163.3215, Florida Statutes, empowers local governments to adopt and amend comprehensive plans, or elements or portions thereof, to guide their future development and growth; and

WHEREAS, in exercise of its authority the Town Council has determined it necessary to adopt amendments to the Town’s Comprehensive Plan, which are attached hereto as **Exhibit “A”** and by this reference made a part hereof, to ensure that the Comprehensive Plan is in full compliance with the laws of the State of Florida; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Town Council has held meetings and hearings on **Ordinance O-21-18**, the amendment to the Comprehensive Plan and made a part hereof; and the meetings were advertised and held with due public notice to obtain public comment; and having considered written and oral comments received during public hearings, find the amendment complete and appropriate to the needs of the Town;

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

SECTION 1. RECITALS. The provisions set forth in the recitals of this Ordinance (whereas clauses) are hereby adopted by the Town Council as legislative findings and intent of the Ordinance.

SECTION 2. AMENDMENT TO THE COMPREHENSIVE PLAN. The **Town of Lake Hamilton Comprehensive Plan**, Future Land Use Map is hereby amended as set forth in Exhibit “A”.

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

SECTION 4. COPY OF ORDINANCE ON FILE. A copy of this Ordinance shall be kept on file in the office of the Lake Hamilton Town Clerk.

SECTION 5. CONFLICTS WITH OTHER ORDINANCES. That portion of any Ordinance which may be in conflict with this Ordinance is hereby repealed with the adoption of this Ordinance.

SECTION 6. EFFECTIVE DATE. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Council enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Council, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

SECTION 7. INCORPORATION INTO COMPREHENSIVE PLAN. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Comprehensive Plan of the Town; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Comprehensive Plan is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Administrator or her designee, without need of public hearing, by filing a corrected or recodified copy of same with the Town Clerk.

INTRODUCED and PASSED on first reading this ____ day of _____, 2021.
PASSED AND ADOPTED on second reading this ____ day of _____, 2022.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

BRITTNEY SANDOVALSOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Ordinance O-21-18

Page 3 of 4

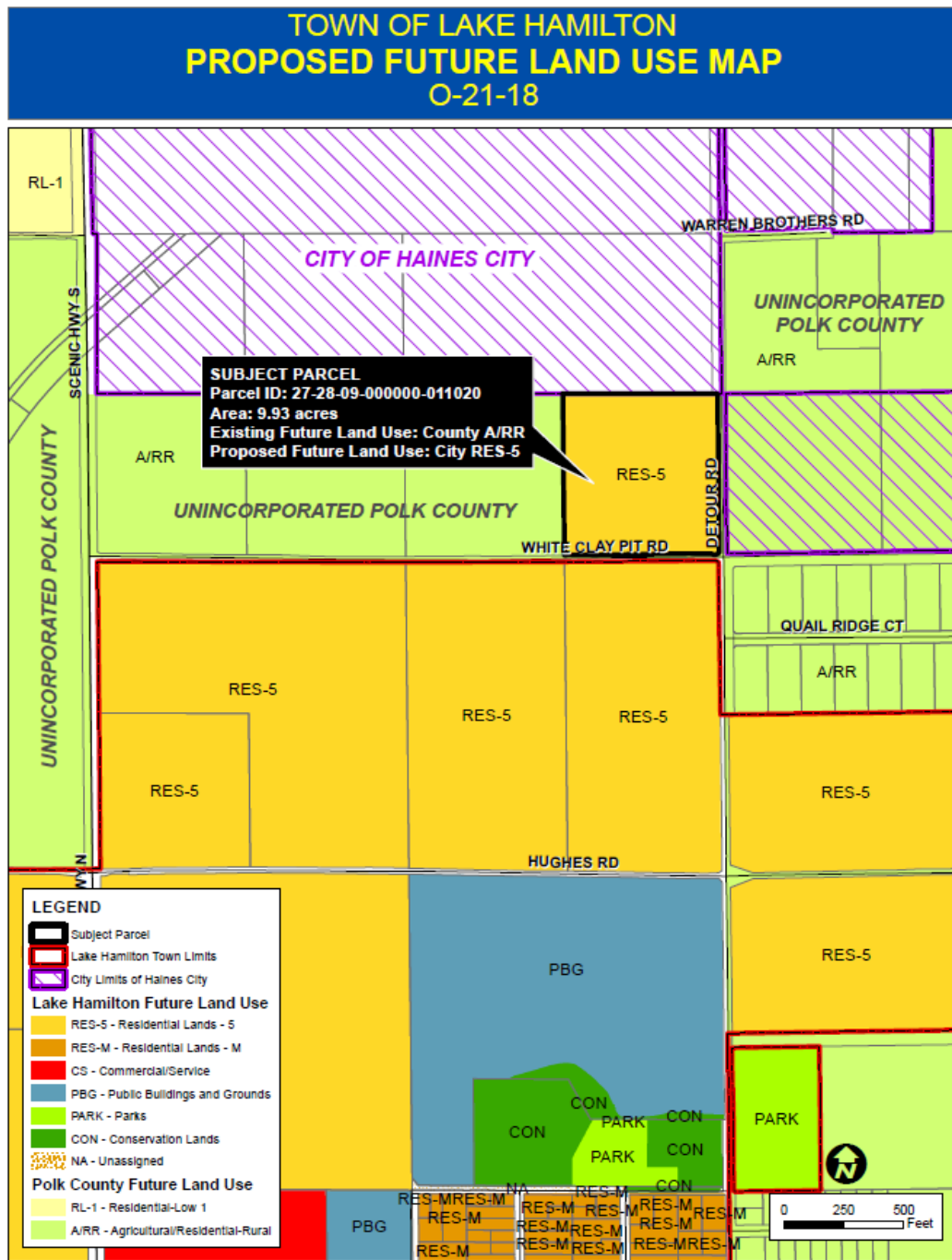
Record of Vote	Yes	No
Roberson	_____	_____
Tomlinson	_____	_____
O'Neill	_____	_____
Wagner	_____	_____
Kehoe	_____	_____

EXHIBIT "A"

Legal Descriptions: The SE ¼ of the NE ¼ of the NE ¼ of Section 9, Township 28 South, Range 27 East, Polk County, Florida.

Parcel No. 27-28-09-000000-011020

Future Land Use Map Amendment:



ORDINANCE O-22-04

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, REPEALING THE SECOND (ADOPTION) READING OF ORDINANCE O-21-21; AUTHORIZING PUBLICATION AND ADOPTION PUBLIC HEARING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 2, 2021, the Town Council of the Town of Lake Hamilton adopted Ordinance O-21-21 on second reading; and

WHEREAS, subsequent to the adoption of Ordinance O-21-21, the Town became aware no Comprehensive Plan amendments can be processed by Florida Department of Economic Opportunity prior to passing of Ordinance O-21-20 Property Rights; and

WHEREAS, the improvidently timed approval of Ordinance O-21-21, was the result of a good faith error; and

WHEREAS, the Town Council has been notified by the Florida Department of Economic Opportunity it must repeal the second (adoption) reading of O-21-21; and

WHEREAS, the Town is authorized to re-publish and hold a subsequent public hearing to adopt Ordinance O-21-21 upon receiving State approval of and passing by Town Council of Ordinance O-21-20 Property Rights Amendment, as required by law; and

WHEREAS, the Town Council deems it in the best interests of the Town to repeal the second (adoption) reading of Ordinance O-21-21 and to re-publish and hold a subsequent public hearing to adopt Ordinance O-21-21 upon receiving State approval of and passing by Town Council of Ordinance O-21-20 Property Rights Amendment.

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

SECTION 1. Ordinance O-21-21 (attached hereto as Exhibit "A") is hereby REPEALED only as to the second (adoption) reading; and

SECTION 2. The Town Council is authorized to re-advertise and hold an adoption public hearing upon approval by the State of Florida Department of Economic Opportunity of and passing by Town Council of Ordinance O-21-20 Property Rights Amendment.

SECTION 3. CONFLICTS. If the event of a conflict with any other Town ordinances or part of ordinances, the provisions of this Ordinance shall control.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase, word or other part of this Chapter is for any reason declared unconstitutional or invalid by any court of competent jurisdiction, such part shall be deemed separate, distinct and independent and the remainder of this Chapter shall continue in full force and effect.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect on final passage and adoption.

INTRODUCED and PASSED on first reading this 11th day of January 2022.

PASSED and ADOPTED on second reading this ____ day of _____, 2022.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

BRITTNEY SANDOVALSOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Wagner	_____	_____
Roberson	_____	_____
Tomlinson	_____	_____
O'Neill	_____	_____
Kehoe	_____	_____

EXHIBIT “A”**ORDINANCE O-21-21**

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF LAKE HAMILTON, FLORIDA, SAID AMENDMENT BEING KNOWN AS AMENDMENT 21S04, AMENDING THE FUTURE LAND USE MAP CLASSIFICATION FROM AGRICULTURAL TO INDUSTRIAL FOR A 10.17 ACRE PARCEL OF LAND LOCATED ON THE WEST SIDE OF DETOUR ROAD 552 FEET SOUTH OF THE INTERSECTION OF DETOUR ROAD AND HATCHINEHA ROAD; AND TRANSMITTING SAID AMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR COMPLIANCE REVIEW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 through 163.3215, Florida Statutes, empowers local governments to adopt and amend comprehensive plans, or elements or portions thereof, to guide their future development and growth; and

WHEREAS, in exercise of its authority the Town Council has determined it necessary to adopt amendments to the Town’s Comprehensive Plan, which are attached hereto as **Map “A”** and by this reference made a part hereof, to ensure that the Comprehensive Plan is in full compliance with the laws of the State of Florida; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Town Council has held meetings and hearings on **Ordinance O-21-21**, the amendment to the Comprehensive Plan and made a part hereof; and the meetings were advertised and held with due public notice to obtain public comment; and having considered written and oral comments received during public hearings, find the amendment complete and appropriate to the needs of the Town.

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

SECTION 1. RECITALS. The provisions set forth in the recitals of this Ordinance (whereas clauses) are hereby adopted by the Town Council as legislative findings and intent of the Ordinance.

SECTION 2. AMENDMENT TO THE COMPREHENSIVE PLAN. The Town of Lake Hamilton Comprehensive Plan, Future Land Use Map is hereby amended as set forth in Exhibit “A”.

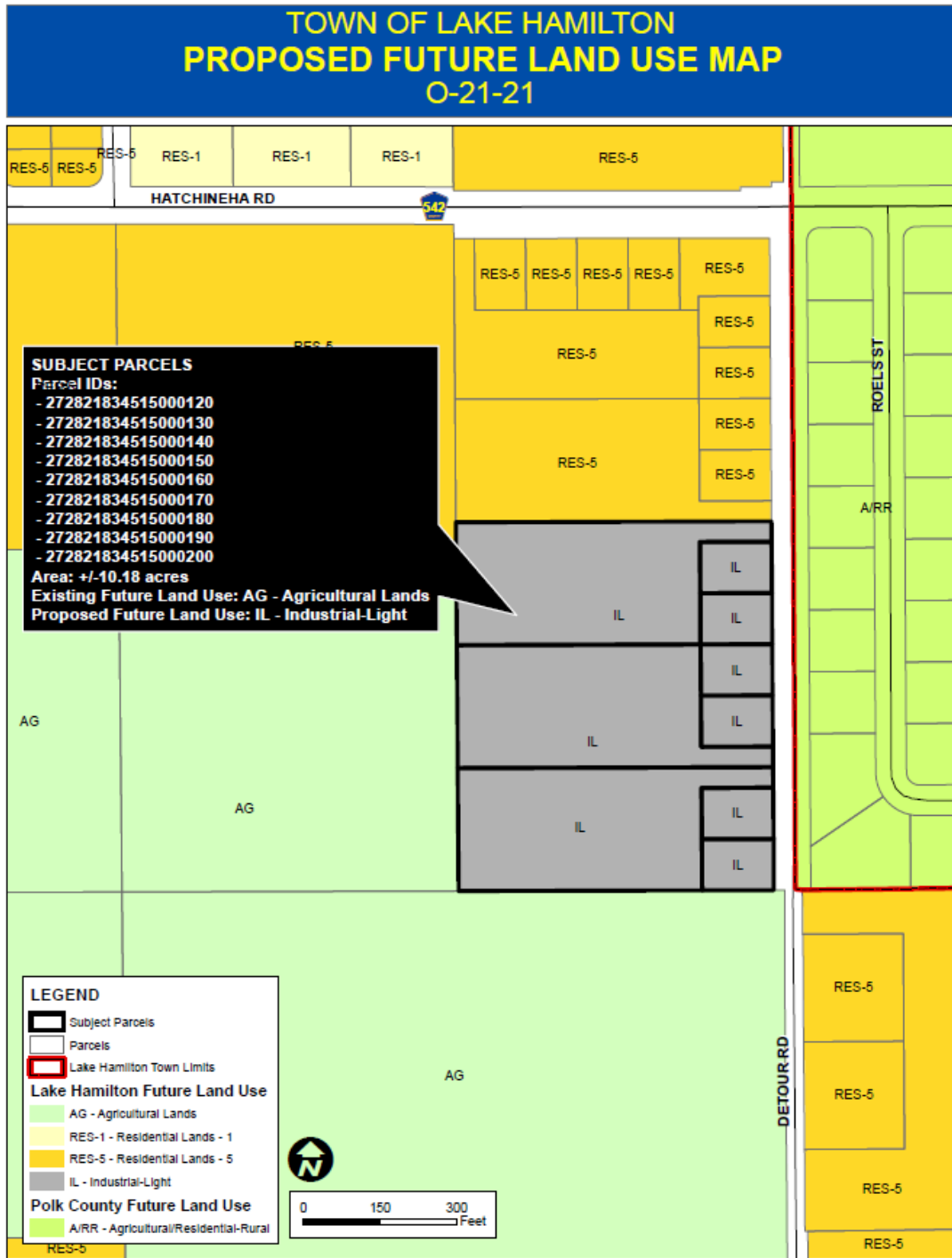
SECTION 3. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 4. COPY OF ORDINANCE ON FILE. A copy of this Ordinance shall be kept on file in the office of the Lake Hamilton Town Clerk.

SECTION 5. CONFLICTS WITH OTHER ORDINANCES. That portion of any Ordinance which may be in conflict with this Ordinance is hereby repealed with the adoption of this Ordinance.

SECTION 6. EFFECTIVE DATE. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency, or the Administration Council enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Council, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

SECTION 7. INCORPORATION INTO COMPREHENSIVE PLAN. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Comprehensive Plan of the Town; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Comprehensive Plan is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Administrator or her designee, without need of public hearing, by filing a corrected or recodified copy of same with the Town Clerk.

Map A**Legal Descriptions:** Lake Hamilton Hills Plat Book 152 Page 3, Lots 12 through 20**Parcel ID Numbers:** 272821-834515-000120 through and including 272821-834515-000200**Future Land Use Map Amendment:**

Ordinance O-21-21

Page 4 of 4

INTRODUCED and PASSED on first reading this ____ day of _____, 2021.

PASSED AND ADOPTED on second reading this ____ day of _____, 2022.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

BRITTNEY SANDOVALSOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Roberson	_____	_____
Tomlinson	_____	_____
O'Neill	_____	_____
Wagner	_____	_____
Kehoe	_____	_____

ORDINANCE O-22-05

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, REPEALING THE SECOND (ADOPTION) READING OF ORDINANCE O-21-22; AUTHORIZING PUBLICATION AND ADOPTION PUBLIC HEARING; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 2, 2021, the Town Council of the Town of Lake Hamilton adopted Ordinance O-21-22 on second reading; and

WHEREAS, subsequent to the adoption of Ordinance O-21-22, the Town became aware no Comprehensive Plan amendments can be processed by Florida Department of Economic Opportunity prior to passing of Ordinance O-21-20 Property Rights; and

WHEREAS, the improvidently timed approval of Ordinance O-21-22, was the result of a good faith error; and

WHEREAS, the Town Council has been notified by the Florida Department of Economic Opportunity it must repeal the second (adoption) reading of O-21-22; and

WHEREAS, the Town is authorized to re-publish and hold a subsequent public hearing to adopt Ordinance O-21-22 upon receiving State approval of and passing by Town Council of Ordinance O-21-20 Property Rights Amendment, as required by law; and

WHEREAS, the Town Council deems it in the best interests of the Town to repeal the second (adoption) reading of Ordinance O-21-22 and to re-publish and hold a subsequent public hearing to adopt Ordinance O-21-22 upon receiving State approval of and passing by Town Council of Ordinance O-21-20 Property Rights Amendment.

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

SECTION 1. Ordinance O-21-22 (attached hereto as Exhibit "A") is hereby REPEALED only as to the second (adoption) reading; and

SECTION 2. The Town Council is authorized to re-advertise and hold an adoption public hearing upon approval by the State of Florida Department of Economic Opportunity of and passing by Town Council of Ordinance O-21-20 Property Rights Amendment.

SECTION 3. CONFLICTS. If the event of a conflict with any other Town ordinances or part of ordinances, the provisions of this Ordinance shall control.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase, word or other part of this Chapter is for any reason declared unconstitutional or invalid by any court of competent jurisdiction, such part shall be deemed separate, distinct and independent and the remainder of this Chapter shall continue in full force and effect.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect on final passage and adoption.

INTRODUCED and PASSED on first reading this 11th day of January 2022.

PASSED and ADOPTED on second reading this ____ day of _____, 2022.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

BRITTNEY SANDOVALSOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Wagner	_____	_____
Roberson	_____	_____
Tomlinson	_____	_____
O'Neill	_____	_____
Kehoe	_____	_____

EXHIBIT “A”**ORDINANCE O-21-22**

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF LAKE HAMILTON, FLORIDA, SAID AMENDMENT BEING KNOWN AS AMENDMENT 21S05, AMENDING THE FUTURE LAND USE MAP CLASSIFICATION FROM COMMERCIAL SERVICE TO RETAIL/ OFFICE/ RESIDENTIAL FOR A 0.34 ACRE PARCEL OF LAND LOCATED ON THE NORTHEAST CORNER OF OMAHA STREET S AND SMITH AVENUE; AND TRANSMITTING SAID AMENDMENT TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY FOR COMPLIANCE REVIEW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3161 through 163.3215, Florida Statutes, empowers local governments to adopt and amend comprehensive plans, or elements or portions thereof, to guide their future development and growth; and

WHEREAS, in exercise of its authority the Town Council has determined it necessary to adopt amendments to the Town’s Comprehensive Plan, which are attached hereto as **Map “A”** and by this reference made a part hereof, to ensure that the Comprehensive Plan is in full compliance with the laws of the State of Florida; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Town Council has held meetings and hearings on **Ordinance O-21-22**, the amendment to the Comprehensive Plan and made a part hereof; and the meetings were advertised and held with due public notice to obtain public comment; and having considered written and oral comments received during public hearings, find the amendment complete and appropriate to the needs of the Town.

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

SECTION 1. RECITALS. The provisions set forth in the recitals of this Ordinance (whereas clauses) are hereby adopted by the Town Council as legislative findings and intent of the Ordinance.

SECTION 2. AMENDMENT TO THE COMPREHENSIVE PLAN. The Town of Lake Hamilton Comprehensive Plan, Future Land Use Map is hereby amended as set forth in Exhibit “A”.

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

SECTION 4. COPY OF ORDINANCE ON FILE. A copy of this Ordinance shall be kept on file in the office of the Lake Hamilton Town Clerk.

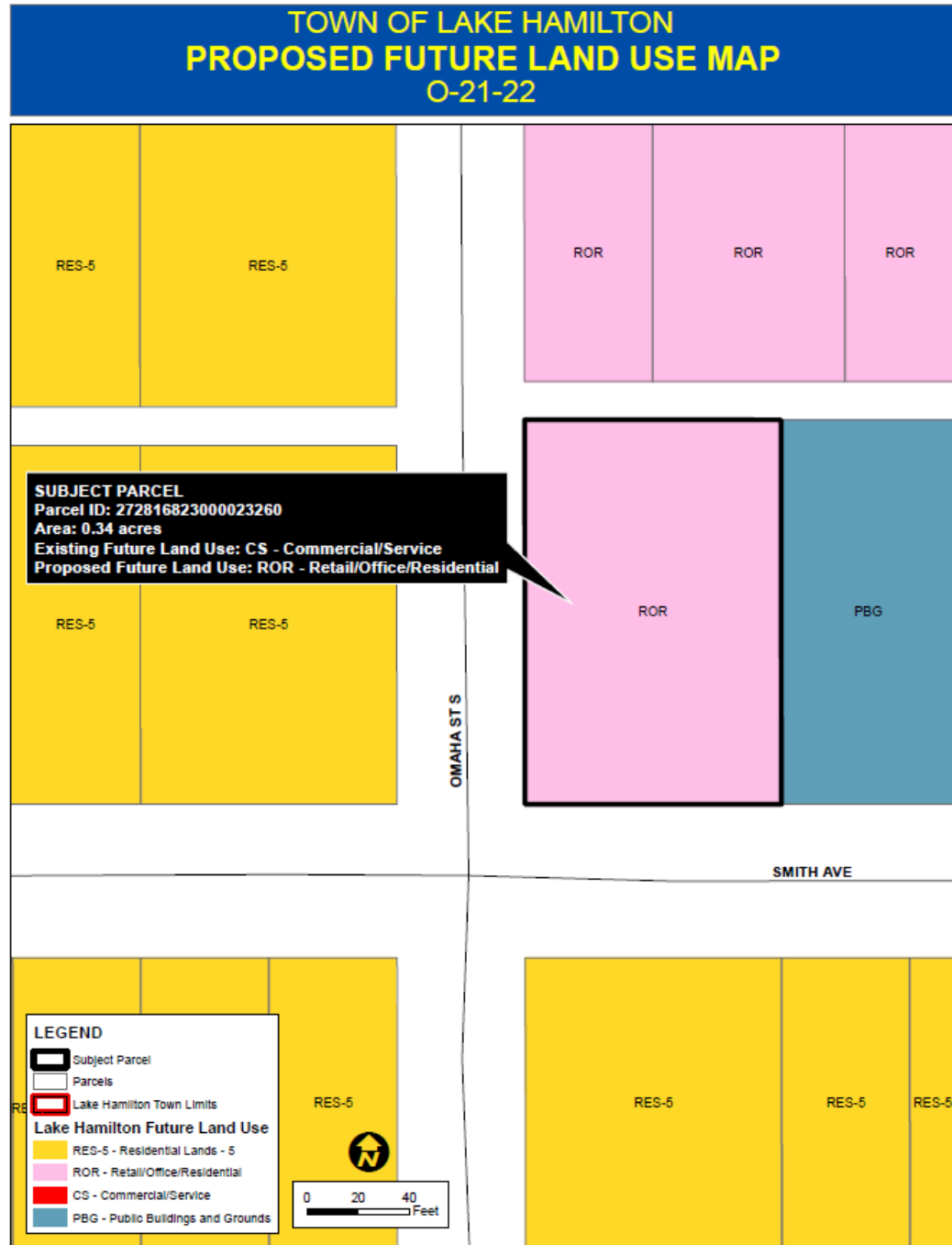
SECTION 5. CONFLICTS WITH OTHER ORDINANCES. That portion of any Ordinance which may be in conflict with this Ordinance is hereby repealed with the adoption of this Ordinance.

SECTION 6. EFFECTIVE DATE. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency, or the Administration Council enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Council, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

SECTION 7. INCORPORATION INTO COMPREHENSIVE PLAN. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Comprehensive Plan of the Town; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Comprehensive Plan is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Administrator or her designee, without need of public hearing, by filing a corrected or recodified copy of same with the Town Clerk.

MAP "A"

Legal Descriptions: LAKE HAMILTON PB 3A PG 34 BLK 23 LOTS 26 & 27
Parcel ID Numbers: 272816-823000-023260

Future Land Use Map Amendment:

INTRODUCED and PASSED on first reading this ____ day of _____, 2021.

PASSED AND ADOPTED on second reading this ____ day of _____, 2022.

TOWN OF LAKE HAMILTON, FLORIDA

MICHAEL KEHOE, MAYOR

ATTEST:

BRITTNEY SANDOVALSOTO, TOWN CLERK

Approved as to form:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Roberson	_____	_____
Tomlinson	_____	_____
O'Neill	_____	_____
Wagner	_____	_____
Kehoe	_____	_____

ORDINANCE O-22-06

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA ESTABLISHING THE HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2021); PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, GLK Real Estate, LLC, a Florida limited liability company ("Petitioner") has filed a Petition to Establish the Hamilton Bluff Community Development District (the "Petition") with the Town Council of the Town of Lake Hamilton (the "Town Council") pursuant to Section 190.005(2)(a), *Florida Statutes*, to adopt an ordinance establishing the Hamilton Bluff Community Development District (the "District") pursuant to Chapter 190, *Florida Statutes* (2021); and

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

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

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the Town Council on March 1, 2022, pursuant to Section 190.005(2)(b), *Florida Statutes*; and

WHEREAS, upon consideration of the record established at that duly noticed hearing, the Town Council has considered the record of the public hearing and the statutory factors set forth in section 190.005(2)(c), *Florida Statutes*, in making its determination to grant or deny the Petition; and

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

- (1) The statements within the Petition are true and correct; and
- (2) The Petition is complete in that it meets the requirements of Section 190.005(2)(a), *Florida Statutes* (2021); and
- (3) The appropriate Town of Lake Hamilton staff have reviewed the Petition for establishment of the District on the proposed land and have advised the Town Council that said Petition is complete and sufficient; and
- (4) Establishment of the District by this Ordinance is subject to and not inconsistent with any applicable element or portion of the state comprehensive plan or the Town Comprehensive Plan; and

- (5) The area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional, interrelated community; and
- (6) The District is the best alternative available for delivering community development services and facilities to the area that will be served by the District; and
- (7) The community development services and facilities of the District will not be incompatible with the capacity and uses of existing local and regional community development services and facilities; and
- (8) The area that will be served by the District is amenable to separate special-district government; and

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

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

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

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

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

SECTION 1. TITLE. This Ordinance shall be known and may be cited as the "Hamilton Bluff Community Development District Establishment Ordinance."

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

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

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

SECTION 5. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in **Exhibit A** attached hereto and incorporated by reference, the overall boundaries encompassing 259.72 acres, more or less. There are no parcels within the external boundaries of the District that are to be excluded from the District.

SECTION 6. FUNCTIONS AND POWERS. The District is limited to the performance of those powers and functions as described in Chapter 190, *Florida Statutes*. The District is also authorized to exercise additional powers to finance, fund, plan, establish, acquire, construct,

reconstruct, enlarge or extend, equip, operate and maintain systems and facilities for: parks and facilities for indoor and outdoor recreational, cultural, and educational uses as authorized and described in Section 190.012(2)(a), *Florida Statutes*; and security powers, including but not limited to walls, fences, and electronic intrusion detection, as authorized and described in Section 190.012(2)(d), *Florida Statutes*. In the exercise of its powers, the District shall comply with all applicable governmental laws, rules, regulations and policies including, but not limited to, all Town of Lake Hamilton ordinances and policies governing land planning and permitting of the development to be served by the District. The District shall not have any zoning or permitting powers governing land development or the use of land. No debt or obligation of the District shall constitute a burden on any local general purpose government.

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

SECTION 8. SEVERABILITY. If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be illegal, invalid, or unenforceable, such provision shall be deemed severable and the remaining provisions shall continue remain in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

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

INTRODUCED AND PASSED on first reading at the regular meeting of the Town Council of Lake Hamilton, Florida, held this 1st day of February 2022.

PASSED AND ADOPTED on second reading at the regular meeting of the Town Council of Lake Hamilton, Florida, held this 1st day of March 2022.

TOWN OF LAKE HAMILTON, FLORIDA

ATTEST

BRITTANEY SANDOVALSOTO, TOWN CLERK

APPROVED AS TO FORM:

HEATHER R. MAXWELL, ESQ., TOWN ATTORNEY

Record of Vote	Yes	No
Roberson		
Tomlinson		
O'Neill		
Wagner		
Kehoe		

EXHIBIT A
LEGAL DESCRIPTION
 Legal Description

HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT

A parcel of land lying in Section 15, Township 28 South, Range 27 East, Polk County, Florida, and a part of MAP OF LAKE HAMILTON, according to the map or plat thereof, recorded in Plat Book 3, Page 34, of the Public Records of Polk County, Florida, lying in Section 16, Township 28 South, Range 27 East, Polk County, Florida, hereinafter referred to as "HAMILTON BLUFF CDD AREA 1", together with all rights of way; TOGETHER WITH a parcel of land lying in Section 21, Township 28 South, Range 27 East, Polk County, Florida, hereinafter referred to as "HAMILTON BLUFF CDD AREA 2", together with all rights of way, and being more particularly described as follows:

HAMILTON BLUFF CDD AREA 1:

COMMENCE at the Southeast corner of said Section 16; run thence along the South line of the Southeast 1/4 of said Section 16, N.89°58'56"W., a distance of 659.44 feet to the West line of the East 1/2 of the Southeast 1/4 of said Southeast 1/4, also being the West boundary of Lots 1 and 4, Block 35 and the Southerly extension thereof, of said MAP OF LAKE HAMILTON; thence along the West line of the East 1/2 of the Southeast 1/4 of said Southeast 1/4, N.00°35'28"W., a distance of 35.00 feet to the North Right of Way of Lake Hatchineha Road (County Road 542), and the POINT OF BEGINNING; thence continue along said West line, N.00°35'28"W., a distance of 1285.14 feet to the South line of the Northeast 1/4 of said Southeast 1/4, also being the centerline of a 30' platted Right of Way of said MAP OF LAKE HAMILTON; thence along the South line of the Northeast 1/4 of said Southeast 1/4, N.89°56'42"W., a distance of 659.68 feet to the West line of the Northeast 1/4 of said Southeast 1/4, also being the centerline of a 30' platted Right of Way of said MAP OF LAKE HAMILTON; thence along the West line of the Northeast 1/4 of said Southeast 1/4, N.00°34'15"W., a distance of 1320.57 feet to the South line of the Northeast 1/4 of said Section 16; thence along the South line of said Northeast 1/4, N.89°54'27"W., a distance of 1156.81 feet to the Southwesterly extension of the East boundary of Parcel 27-28-16-823000-040034, as described in Official Records Book 10524, Page 1578 of said Public Records; thence along said East boundary and Southwesterly extension thereof, N.02°57'51"E., a distance of 128.08 feet to the North boundary of said parcel; thence along said North boundary, S.89°45'25"W., a distance of 154.29 feet to the Easterly Right of Way of Scenic Highway (State Road 17), according to the State of Florida State Road Department Right-of-Way Map, Proj. 5209-Rd. (8), with a date drawn of 05/04/40; thence along said Easterly Right of Way the following three (3) courses: 1) Northerly, 145.19 feet along the arc of a non-tangent curve to the left having a radius of 1687.02 feet and a central angle of 04°55'52" (chord bearing N.08°24'27"E., 145.14 feet); 2) Along a radial line, N.84°03'29"W., a distance of 17.00 feet; 3) Northerly, 31.67 feet along the arc of a non-tangent curve to the left having a radius of 1670.02 feet and a central angle of 01°05'12" (chord bearing N.05°23'55"E., 31.67 feet) to the South boundary of Parcel 27-28-16-823000-040034, as described in Official Records Book 6529, Page 1275 of said Public Records; thence along said South boundary, N.89°24'39"E., a distance of 124.57 feet to the East boundary of said described parcel; thence along said East boundary, and the East boundaries of Parcel 27-28-16-823000-040033 and Parcel 27-28-16-823000-040032, as described in Official Records Book 7560, Page 2085 and Official Records Book 8476, Page 2278, respectively, of said Public Records, N.00°35'21"W., a distance of 180.00 feet to the North boundary of said Parcel 27-28-16-823000-040032; thence along said North boundary S.89°24'39"W., a distance of 117.00 feet to said Easterly Right of Way of Scenic Highway (State Road 17); thence along said Easterly Right of Way N.00°35'21"W., a distance of 175.00 feet to the South boundary of Lot 2, Block 40, of said MAP OF LAKE HAMILTON; thence along said South boundary of Lot 2, S.89°54'28"E., a distance of 175.01 feet to the East line of the West 175 feet of said Lot 2; thence along said East line, N.00°35'21"W., a

distance of 322.50 feet to the North line of the South 1/2 of Lot 1 and said Lot 2, Block 40, of said MAP OF LAKE HAMILTON; thence along the North line of said South 1/2, S.89°54'28"E., a distance of 1111.77 feet to the West line of the Southeast 1/4 of said Northeast 1/4, also being the centerline of a 30' platted Right of Way of said MAP OF LAKE HAMILTON; thence along the West line of the Southeast 1/4 of said Northeast 1/4, N.00°34'18"W., a distance of 338.48 feet to the South line of the Northeast 1/4 of said Northeast 1/4, also being the centerline of a 30' platted Right of Way of said MAP OF LAKE HAMILTON; thence along the South line of the Northeast 1/4 of said Northeast 1/4, S.89°54'28"E., a distance of 659.95 feet to the Southerly extension of the West boundary of Lot 4, Block 38, of said MAP OF LAKE HAMILTON; thence along the West boundary of said Lot 4, Block 38, and the Southerly extension thereof, N.00°33'47"W., a distance of 683.67 feet to the North boundary of said Lot 4, Block 38; thence along said North boundary of Lot 4 and the Easterly extension thereof, S.89°47'41"E., a distance of 660.07 feet to the East line of said Northeast 1/4; thence along the East line of said Northeast 1/4, N.00°31'47"W., a distance of 642.60 feet to the Westerly extension of the South Right of Way of Kokomo Road (County Road 546E); thence along said South Right of Way, and Westerly extension thereof, N.89°12'47"E., a distance of 1655.21 feet to the East line of the West 1/4 of the North 1/4 of the Northwest 1/4 of aforesaid Section 15; thence along the East line of the West 1/4 of the North 1/4 of said Northwest 1/4, S.00°33'41"E., a distance of 1331.39 feet to the South line of the Northeast 1/4 of said Northwest 1/4; thence along the South line of the Northeast 1/4 of said Northwest 1/4, and the South line of the Northwest 1/4 of said Northwest 1/4, S.89°24'02"W., a distance of 661.46 feet to the East line of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of said Northwest 1/4; thence along the East line of the West 1/2 of the Northeast 1/4 of the Southwest 1/4 of said Northwest 1/4, S.00°33'31"E., a distance of 660.00 feet to the North line of the Southeast 1/4 of the Southwest 1/4 of said Northwest 1/4; thence along the North line of the Southeast 1/4 of the Southwest 1/4 of said Northwest 1/4, N.89°24'03"E., a distance of 330.75 feet to the East line of the Southeast 1/4 of the Southwest 1/4 of said Northwest 1/4; thence along the East line of the Southeast 1/4 of the Southwest 1/4 of said Northwest 1/4, S.00°33'36"E., a distance of 658.88 feet to the North line of the Southwest 1/4 of said Section 15; thence along the North line of said Southwest 1/4, S.89°23'44"W., a distance of 663.15 feet to the East line of the West 1/2 of the Northwest 1/4 of said Southwest 1/4; thence along the East line of the West 1/2 of the Northwest 1/4 of said Southwest 1/4, S.00°34'10"E., a distance of 1319.55 feet to the South line of the West 1/2 of the Northwest 1/4 of said Southwest 1/4; thence along the South line of the West 1/2 of the Northwest 1/4 of said Southwest 1/4, S.89°22'53"W., a distance of 661.81 feet to the West line of said Southwest 1/4; thence along the West line of said Southwest 1/4, S.00°34'24"E., a distance of 1269.71 feet to the Easterly extension of the North Right of Way of aforesaid Lake Hatchineha Road (County Road 542); thence along said North Right of Way and Easterly extension thereof, the following five (5) courses: 1) N.89°58'56"W., a distance of 40.00 feet; 2) S.00°34'24"E., a distance of 10.00 feet; 3) N.89°58'56"W., a distance of 60.00 feet; 4) S.00°34'24"E., a distance of 5.00 feet; 5) N.89°58'56"W., a distance of 559.44 feet to the POINT OF BEGINNING. Less and Except Parcel 27-28-16-823000-037032, as described in Official Records Book 4716, Page 1659 of said Public Records, being more particularly described as follows:

The South 300 feet of the East 250 feet of Lot 3, Block 37, MAP OF LAKE HAMILTON, as recorded in Plat Book 3, Page 34 of the public Records of Polk County, Florida.

Containing 240.531 acres, more or less.

**TOGETHER WITH
HAMILTON BLUFF CDD AREA 2**

COMMENCE at the Northeast corner of aforesaid Section 21; run thence along the North line of the Northeast 1/4 of said Section 21, N.89°58'56"W., a distance of 659.44 feet to the East line of the Northwest 1/4 of the Northeast 1/4 of said Northeast 1/4; thence along the East line of the Northwest 1/4 of the Northeast 1/4 of said Northeast 1/4, S.00°24'57"E., a distance of 35.00 feet to the South Right of Way of

said Lake Hatchineha Road (County Road 542), and the POINT OF BEGINNING; thence continue along the East line of the Northwest 1/4 of the Northeast 1/4 of said Northeast 1/4, S.00°24'57"E., a distance of 632.34 feet to the South line of the Northwest 1/4 of the Northeast 1/4 of said Northeast 1/4; thence along the South line of the Northwest 1/4 of the Northeast 1/4 of said Northeast 1/4, and the South line of the Northeast 1/4 of the Northwest 1/4 of said Northeast 1/4, S.89°55'31"W., a distance of 1319.14 feet to the West line of the Northeast 1/4 of the Northwest 1/4 of said Northeast 1/4; thence along the West line of the Northeast 1/4 of the Northwest 1/4 of said Northeast 1/4, N.00°29'00"W., a distance of 634.48 feet to said South Right of Way of Lake Hatchineha Road (County Road 542); thence along said South Right of Way, S.89°58'56"E., a distance of 1319.90 feet to the POINT OF BEGINNING.

Containing 19.187 acres, more or less.

Approximately 259.72 acres of land, more or less.

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

DATE: March 1, 2022

TIME: 6:00 p.m.

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

In accordance with the provisions of Chapter 190, *Florida Statutes*, a public hearing will be held by the Town Council of the Town of Lake Hamilton beginning at 6:00 p.m., on March 1, 2022, at Town Hall, 100 Smith Avenue, Lake Hamilton, Florida 33851, to consider an ordinance granting a petition to establish Hamilton Bluff Community Development District (the "District"). The title of the proposed ordinance is as follows:

**AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA
ESTABLISHING THE HAMILTON BLUFF COMMUNITY DEVELOPMENT
DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES (2021);
PROVIDING A TITLE; PROVIDING FINDINGS; CREATING AND NAMING
THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE
DISTRICT; DESCRIBING THE FUNCTIONS AND POWERS OF THE
DISTRICT; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL
MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING A
SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The proposed District will result in the District comprising of approximately 259.72 acres, more or less, generally located south of County Road 546 East, east of State Highway 17, and to the north and south of Water Tank Road as further identified in the map depicted in this notice. The Petitioner has proposed to establish the District to plan, finance, acquire, construct, operate and maintain infrastructure and community facilities which may be authorized by such district under Florida law, including Chapter 190, Florida Statutes.

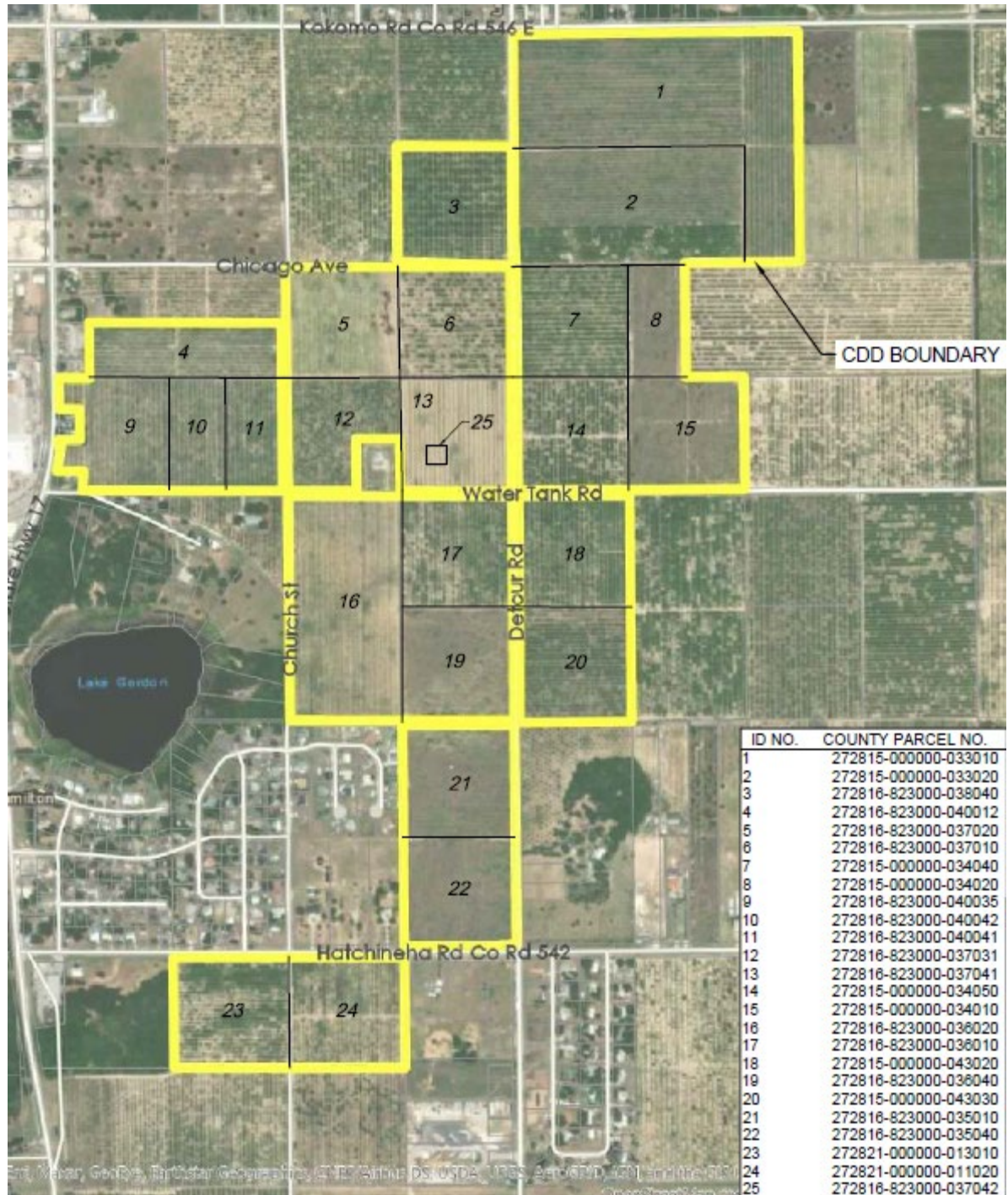
Copies of the petition, department reports, and proposed ordinance are open to public inspection at the office of the Town Clerk, Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851.

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

In accordance with the Americans with Disabilities Act and Florida Statutes, section 286.26, if you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the office of the Town Clerk, Brittney Sandovalsoto Town of Lake Hamilton, 100 Smith Avenue, Lake Hamilton, Florida 33851, or by phone at (863) 439-1910, within two (2) working days before a hearing or meeting in order to make arrangements.

Run Dates: February 1st, February 8th, February 15th, and February 22nd

GENERAL LOCATION MAP OF THE PROPOSED HAMILTON BLUFF COMMUNITY DEVELOPMENT DISTRICT



ORDINANCE NO. O-22-07

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKE HAMILTON, FLORIDA, AMENDING THE LAKE HAMILTON CODE OF ORDINANCES, BY ADDING SECTION 2-140 ENTITLED “LAKE HAMILTON PARKS AND RECREATION ADVISORY BOARD” TO CHAPTER 2 (ADMINISTRATION) ARTICLE VI (BOARDS AND COMMITTEES) OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE HAMILTON; PROVIDING FOR ESTABLISHMENT OF A PARKS AND RECREATION ADVISORY BOARD; PROVIDING FOR PURPOSE AND RESPONSIBILITIES OF THE PARKS AND RECREATION ADVISORY BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Hamilton, Florida, pursuant to s. 2(b), Art. VIII of the State Constitution, and Section 166.021, Florida Statutes, has the government, corporate and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the Town of Lake Hamilton is experiencing a period of rapid growth; and

WHEREAS, the Town Council desires recognizes the need to plan for parks and recreational activities and facilities as the Town continues to grow; and

WHEREAS, the Town Council desires to amend its Code of Ordinances to create an advisory board to provide recommendations to the Town Council with regard to parks and recreation activities and facilities.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Lake Hamilton, Florida, as follows:

Section 1. Amendment to Lake Hamilton Code of Ordinances.

Section 2-140 is hereby created and added in its entirety to Chapter 2 (Administration), Article VI (Boards and Committees), and shall read as follows (~~striketrough~~ language deleted, underline language added):

Chapter 2 – Administration; Article VI – Boards and Committees
Section 2-140

Section 1. Establishment of Board.

- (a) Created. Hereby created is the Town Parks and Recreation Advisory Board, hereinafter referred to as the “Board”, which shall be legally constituted and recognized upon the appointment of members thereto, acceptance of membership thereon, and their holding of an organizational meeting at which required officers are appointed therefor.
- (b) Number of members. The membership of the Parks and Recreation Advisory Boards shall consist of five (5) members who shall serve without compensation.
- (c) Appointment of members. The Mayor with the advice and consent of the Town Council shall appoint all members to terms on the Board from persons who area qualified electors (residents) of the corporate limits of the Town, but who are not elected members of the Town Council. The members of the Board shall serve at the pleasure of the Town Council.
 - (1) Due consideration may be given to representation from various geographic sections within the Town so that each member shall not be from the same general area.
 - (2) Due consideration may be given to diversified experience in parks and recreation interests and activities so that each member provides a unique dimension to the Board.
- (d) Terms; filling vacancies. All appointments to the Parks and Recreation Advisory Board shall be for terms of three years’ duration, except for appointments to fill unexpired terms for vacancies which may from time to time occur. Appointments to fill unexpired terms shall be for the duration of the unexpired term. Any member whose term expires may be reappointed for one (1) additional term.
 - (1) Board member terms shall be staggered so that no more than two members’ terms expire in any given year. Any vacancy occurring during the unexpired term of office of any member shall be filled by the Town Council for the remainder of the term, with such vacancy to be filled within 30 days of its occurrence.

Section 2. Officers. The Board shall elect a chairperson, a vice-chairperson, and a secretary by a majority vote of the Board with a quorum present. The chairman, or in his absence, the vice-chairman, shall preside over all meetings of the Board. Officers shall serve terms of one year, or until a successor is elected and installed.

Section 3. Functions; meetings; records.

- (a) The Parks and Recreation Advisory Board of the Town of Lake Hamilton, Florida, is hereby authorized to:
 - (1) Serve as trustees to Sample Park.
 - (2) Act in an advisory capacity to the Department Director and the Town Council in matters pertaining to parks and recreation, programs, Town-sponsored events, and any parks and recreation related matters which are presented to the Board.
 - (3) Provide recommendations on policies, procedures, and grant funding as presented by the Department Director.

- (4) Advise the Town Council on concerns and priorities of development for Town recreation areas, facilities, Town-sponsored events, and improved recreation services.
 - (5) Provide recommendations on the development of long-term capital improvements and cooperate with other governmental agencies and civic groups in the advancement of parks and recreation planning.
 - (6) Review the parks, recreation facilities, and other related programs with the Department Director annually.
- (b) Quorum: For the transaction of business, a quorum of the Board must consist of three or more appointed members present to vote. The Boards may meet monthly on a date to be determined by the Department Director and the agenda will be presented to the Board unless it is determined there is no business to conduct. Meetings shall be governed by the Sunshine Law, including meetings being properly noticed, open to the public, and minutes being taken. The conduct of the meetings shall be generally governed by Roberts Rules of Order. The Board shall provide the opportunity for public comment at all meetings. Members of the public shall be permitted three minutes to comment on any agenda item. Additional time may be granted at the discretion of the Board. The Secretary of the Parks and Recreation Advisory board shall keep minutes of its proceedings showing the vote of each member, all of which shall be public record.

Section 2. Conflicts. All other ordinances in conflict with any of the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 3. Severability.

If any section, paragraph, sentence, clause, phrase or word in this ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

Section 4. Codification. It is the intention of the Town Council of the Town of Lake Hamilton, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the Town of Lake Hamilton. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word “ordinance” may be changed to “section,” “article,” or other appropriate word.

Section 5. Effective Date. This ordinance shall take effect immediately upon its adoption.

INTRODUCED and approved upon first reading on February 1, 2022.

	Aye	Nay
Wagner	_____	_____
Kehoe	_____	_____

Tomlinson	_____	_____
Roberson	_____	_____
O'Neill	_____	_____

PASSED and **ADOPTED** upon second reading on March 1, 2022.

	Aye	Nay
Wagner	_____	_____
Kehoe	_____	_____
Tomlinson	_____	_____
Roberson	_____	_____
O'Neill	_____	_____

ATTEST

TOWN OF LAKE HAMILTON

Brittney Sandovalsoto, Town Clerk

Mike Kehoe, Mayor

APPROVED AS TO FORM

Heather R. Maxwell, Town Attorney



January 22, 2022

Ms. Sara Irvine
Town Administrator
Town of Lake Hamilton
100 Smith Avenue
Lake Hamilton, Florida 33851

RE: Agreement for Professional Planning Services [aka Continuing Services Agreement] between Calvin, Giordano & Associates, Inc. (CGA), and the Town of Lake Hamilton (Town)

Calvin, Giordano & Associates, Inc. (CGA) is pleased to submit this Agreement for Professional Planning and Related Services for the Town of Lake Hamilton (Town).

I. PROFESSIONAL PLANNING SERVICES

- A. Continuing Planning Assistance - The purpose of this provision is to provide professional community planning assistance to the Town, on an ongoing, as-needed, basis in the most cost-efficient manner possible.
1. CGA will assist the Town by providing on-going professional planning assistance as needed and requested by the Town in the implementation, maintenance and update of the Town's Comprehensive Plan and Land Development Code, including but not limited to the following:
- Assistance and coordination with Town staff in the interpretation of plan and code provisions in the on-going administration of the plan and code.
 - Assistance with public meetings and hearings for Town-initiated plan and code amendments, or special projects.
 - Coordination of redevelopment, subdivisions, planned developments and overlay district plans and projects.
 - Coordination of plan and code updates consistent with county, regional and state agency requirements, and review.
 - Such other continuing planning assistance or special projects as may be requested by the Town.
- B. Cost Recovery for Project and Amendment Applications – The purpose of this provision is to provide professional consultant assistance to the Town as may be required in the review of various development related applications, with the cost of such services to be paid by the applicant as is determined appropriate by the Town.

Building Code Services
Civil Engineering / Roadway
& Highway Design
Coastal Engineering
Code Enforcement
Construction Engineering &
Inspection (CEI)
Construction Services
Data Technologies &
Development
Electrical Engineering
Engineering
Environmental Services
Facilities Management
Geographic Information
Systems (GIS)
Governmental Services
Indoor Air Quality
Landscape Architecture
Planning
Project Management
Redevelopment
& Urban Design
Surveying & Mapping
Traffic Engineering
Transportation Planning
Water / Utilities Engineering
Website Development

Feather Sound
Corporate Center
13535 Feather Sound Dr.
Suite 135
Clearwater, FL 33762
727.394.3825 phone

www.cgasolutions.com



1. CGA will assist the Town in the review and processing of applications, submissions, and requests for development related approvals, including, but not limited to, the following:
 - Comprehensive Plan Amendments
 - Future Land Use Plan Map Amendments
 - Land Development Code Amendments
 - Zoning Map Amendments
 - Redevelopment Project Review/Coordination
 - Subdivision and Planned Development Review/Coordination
 - Site Plan and Plat Applications
2. Costs incurred during project and amendment application review and processing will be borne in their entirety by the applicant consistent with the Town's provisions for such reimbursement. Invoices will be submitted monthly by CGA to the Town, paid by the Town within thirty (30) days, and that amount billed by the Town to the applicant who will be responsible for reimbursement to the Town consistent with the Town's requirements therefor.
3. The Town may require an initial deposit from any applicant to off-set the initial cost of CGA assistance and apply such costs against this deposit. Any costs above the initial deposit will be paid as described in paragraph I.B.2 above, and any residual amount of the deposit not charged to the Town will be returned to the applicant upon conclusion of the review process. Any such deposit amount(s) shall be as established from time to time by resolution of the Town Council.

II. BASIS OF AGREEMENT

- A. The professional planning services to be provided by CGA in support of the Comprehensive Plan and Land Development Code shall be as set forth herein and as determined necessary by the Town.
- B. CGA shall perform such services on behalf of the Town at the request of the Town Administrator or their designee.
- C. Any services not specifically provided for in this Agreement will be considered additional services and be addressed in a separate contractual agreement should that be necessary

III. FEE

- A. CGA will perform the professional services set forth in I.A and B above based on the Professional Fee Schedule attached hereto and made a part of this Agreement.
- B. Invoices for work accomplished to date will be submitted monthly and are payable within thirty (30) days. Invoices will differentiate between services provided under I.A. Continuing Planning Assistance and I.B. Cost Recovery for Project and Amendment Applications, as may be applicable.



- C. In the event of termination in accordance with this Agreement or termination not the fault of CGA, CGA shall be compensated for services properly performed prior to receipt of notice of termination.

IV. TERMS OF THE AGREEMENT

- A. CGA will indemnify the Town in any action brought based upon CGA's negligence; the venue for any such action shall be in Polk County, Florida; and in any action to enforce this Agreement, attorneys' fees will be awarded to the prevailing party.
- B. The Town or their representative shall be available to meet with CGA and provide decisions in a timely manner throughout the course of this Agreement. The Town will provide all plans and other pertinent information, which are necessary for CGA to provide complete professional services as outlined in this Agreement
- C. This Agreement may be terminated by either party without cause upon written notice. Failure of the Town to make payments to CGA, in accordance with this Agreement, shall be considered substantial nonperformance and cause for termination.
- D. This Agreement represents the entire and integrated agreement between the Town and CGA and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both CGA and the Town.



ACCEPTANCE OF AGREEMENT

TOWN OF LAKE HAMILTON, FLORIDA

By: _____
Sara Irvine
Town Administrator

Date: _____

CALVIN, GIORDANO & ASSOCIATES, INC.

By: _____
Chris Giordano, MSC, CCM
President

Date: _____



Calvin, Giordano & Associates, Inc.

EXCEPTIONAL SOLUTIONS

PROFESSIONAL FEE SCHEDULE

Principal	224.00	LANDSCAPE ARCHITECT	
Contract Administrator	198.00	Associate, Landscape Architect	172.00
Project Administrator	172.00	Senior Landscape Architect	140.00
Executive Assistant / Clerical	78.00	Environmental Administrator	130.00
		Landscape Architect	125.00
ENGINEERING		Environmental Specialist	109.00
Associate, Engineering	198.00	Landscape CADD Technician	99.00
Director, Engineering	182.00	Environmental Assistant	94.00
Project Manager	156.00	Landscape Inspector/Arborist	109.00
Project Engineer	135.00	Landscape Designer	125.00
Engineer	114.00	Landscape Site Plan Reviewer	140.00
Jr. Engineer	104.00		
Senior CADD Tech Manager	120.00	INDOOR AIR QUALITY SERVICES	
CADD Technician	99.00	Sr. Environmental Scientist	130.00
Permit Administrator	94.00	Environmental Scientist	104.00
DATA TECH DEVELOPMENT		CONSTRUCTION	
Associate, Data Tech Dev.	172.00	Associate, Construction	172.00
GIS Coordinator	151.00	Construction Management Director	140.00
GIS Specialist	130.00	Construction Manager	130.00
Multi-Media 3D Developer	120.00	Senior Inspector	104.00
GIS Technician	104.00	Inspector	94.00
Sr. Applications Developer	172.00	Construction Coordinator	94.00
Applications Developer	140.00		
Network Administrator	161.00	EMERGENCY MANAGEMENT	
System Support Specialist	120.00	Director	151.00
IT Support Specialist	88.00	Planner	109.00
		Assistant Planner	94.00
GOVERNMENTAL SERVICES			
Associate, VP	198.00	PLANNING	
Director of Code Enforcement	151.00	Associate, Planning	182.00
Director of Building Code	151.00	Director of Planning	156.00
Project Manager	151.00	Planning Administrator	156.00
Grants Administrator	130.00	Planning Manager	151.00
Code Enforcement Field Supervisor	114.00	Senior Planner	130.00
Code Enforcement Field Inspector	94.00	Planner	109.00
Building Official	120.00	Assistant Planner	94.00
Building Plans Reviewer	94.00		
Building Inspector	94.00	EXPERT WITNESS	
Permit Processor	78.00	Principal/Associate	343.00
		Registered Engineer/Surveyor	291.00
SURVEYING		Project Engineer	239.00
Associate, Surveying	172.00		
Senior Registered Surveyor	151.00		
Survey Crew	140.00		
Registered Surveyor	135.00		
Survey Coordinator	109.00		
CADD Technician	99.00		
3D Laser Scanner	369.00		
G.P.S. Survey Crew	161.00		

In addition to the hourly rates listed above, charges will include direct out-of-pocket expenses such as reproduction, overnight mail, and other reimbursables billed at a multiplier of 1.25.

1800 Eller Drive, Suite 600
Fort Lauderdale, FL 33316
Phone: 954.921.7781
Fax: 954.921.8807

www.cgasolutions.com

Effective October 1, 2021

Fort Lauderdale

West Palm Beach

Port St. Lucie

Homestead

Clearwater

Jacksonville

Atlanta



Memorandum

To: Town Council

From: Sara Irvine, Town Administrator

Date: January 28, 2022

Subject: Monthly Update

Ongoing Staff Sickness— there has been a bout of colds and more covid cases within staff and/or family of staff. Staff are taking precautions to try to keep healthy. Please wear a mask and sanitize if you come into the office areas. We appreciate all limiting their time in the office. Please make an appointment.

Audit – Staff has been working with Auditor Ramos to finalize any further information he may require to complete the audit.

Quarterly Finance Reports – Due to audit prep and other activities, I was not able to get the December reconciliation complete before council agenda compilation. I will have them ready to the March meeting.

Fiscal Coordinator - I have reposted the Fiscal Coordinator job opening on the Florida League of Cities website, so it should show up on top. I will also repost it to Employee Florida.

Projects: The Landscaping project has not moved forward as planned due to the vendor pulling out of the project. We will do what we can with the revenue the town pledged for this fiscal year and apply for the grant again.

Holiday office closures: Monday, February 21st to recognize the United States Presidents.



Memorandum

To: Town Council

From: Community Development Department, Doug Leonard & Angie Hibbard

Date: January 27, 2022

Subject: Monthly Update

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1. **USDA Water Distribution System Improvement Project** – Initial closeout documents have been sent to USDA and additional documents will be sent next month,
 2. **Scenic Highway Septic to Sewer Project** – Pennoni is redesigning the project.
 3. **The Grand at Lake Hamilton** – The PUD will need to be amended and the project engineer has been notified.
 4. **Scenic Terrace South** – The resubmitted plans are in the final stages of review.
 5. **Hamilton Bluff** – The CDD ordinance is before Council for 1st reading.
 6. **Feltrim Lakes** – No additional work or updates.
 7. **Additional Development** – Staff is talking with an engineer about a project off Scenic Highway south of Hatchineha.
 8. **Ongoing services with Calvin, Giordano & Associates (CalGA)** – Staff met virtually with Chris & Luis to review services and have an in-person meeting on 2.2.22.
 9. **FRDAP** - Once a Parks Committee is assembled staff will meet with the group to review the plans.
 10. **Water Use Permit Renewal** – The official request for a 90-day response extension was submitted on 12.15.21 and the extension was granted by SWFWMD
 11. **Repaving & Road Project** – Staff has a meeting scheduled with the engineer next week. Staff needs from Council a specific list of streets that you want to concentrate on for Phase 1. Please review the document you were previously given and provide feedback to staff.
 12. **Rails to Trails** – Staff is researching grant opportunities to begin this project.
 13. **Road Transfers with Polk County** – Staff are continuing to work with the County. The County would like to schedule a presentation and answer any questions if there is a Special Meeting in February or at the March 1st meeting.
 14. **Planning Commission** – Met in January to review the PUD for Group 2b & Group 5. We would like to add this to the agenda if there is a Special Meeting in February.

15. **Retirement transition** – Doug and Sara have begun developing a plan for Doug’s transition to retirement/ consulting with a projected date of September 30, 2022.



Memorandum

To: Town Council

From: Public Services Director

Date: 1/26/22

Subject: Monthly Update for work performed in January 2022

Sanitation: Normal Operations

Parks: Normal Operations.

Streets: Normal Operations. In the course of Heather drafting up a resolution to reduce the speed limit to 30mph on Kokomo, the Chief brought up concerns of that low of a speed being detrimental to flow and being difficult to enforce with our current resources. That being said, Heather is investigating what we need to do to lower it to a specific speed, we are currently looking at 40MPH. We will update the council next month if we are successful or need more guidance from the council.

Water: Normal Operations.

Sewer: Normal Operations for the current collection system. We have financial contributions from one developer on the new wastewater plant and we are going full steam ahead to make that happen, I meet with Pennoni virtually every week, to go over progress and what everyone's next course of action is.

MISC: I'm out sick with COVID as I write this, but I'm trying to accomplish as much as I can from home. I also had to pull my kids out of school because of it, so I'm babysitting as well. This new variant has been making it's rounds to everyone. Everyone in my department is vaccinated, but it doesn't seem to make a difference to OMICRON. Staying staffed up continues to be a challenge, so I ask everyone's patience as we try to keep up with everything.