



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

April 18, 2023 Regular BoCC meeting

In accordance with the American with Disabilities Act, persons with disabilities needing special accommodations to participate in this proceeding should contact the Communications Office not later than 48 hours prior to the proceeding. Their office is located in the County Administration Building, 330 West Church Street in Bartow. Telephone (863) 534-6090 or TTY (863) 534-7777. If hearing impaired dial 7-1-1 for Florida Relay services or call (800) 955-8771 (TTY); dial (800) 955-1339 if you are using a computer.

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

If a person decides to appeal any decision made by the board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER - 9:00 a.m. (GEORGE LINDSEY, CHAIR)

INVOCATION

Murphy Hanley, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (GEORGE LINDSEY, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

A.1. Lance Schmidt, Managing Principal of Office, Central Florida of CliftonLarsonAllen, LLP will present the Annual Comprehensive Financial Audit for the fiscal year ended September 30, 2022.

B. CEREMONIAL PROCLAMATIONS

C. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE AND OPPORTUNITY TO BE HEARD

C.1. Comments.

D. APPROVE CONSENT AGENDA

D.1. Approve Consent Agenda.

E. COUNTY COMPTROLLER (STACY M. BUTTERFIELD, CPA)

E.1. Disbursements.

E.2. Minutes of Regular Board meeting held on April 4, 2023.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

- G.1. Approve the release of a cash surety in the amount of \$23,151.24 for Hunter's Crossing Phase IV. (No fiscal impact)

H. COUNTY MANAGER (BILL BEASLEY)

- H.1. Approve Community Development Block Grant (CDBG) subrecipient agreement between Polk County and the City of Winter Haven. (\$863,974.15 one-time expense).
- H.2. Approve construction contract with Killebrew, Inc. for the Auxiliary Power and Relocation Lift Station No. 5 project (\$842,199.75 one-time expense)
- H.3. Approve Consultant Services Authorization (CSA) No. 22-089-01 with Jacobs Engineering Group, Inc. (Consultant) to provide Construction Engineering and Inspection (CEI) services for the Fort Fraser Trail Extension Project. (\$495,625.26 one-time expense)
- H.4. Request Board approve construction contract with Central Concrete Products, Inc. for the Crystal Lake Elementary Sidewalk project. (\$495,056.00 one-time expense)

I. COMMISSIONER DISTRICT 2 (RICK WILSON)

- I.1. Commissioner Wilson Comments.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

- J.1. Commissioner Braswell Comments.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

- K.1. Commissioner Santiago Comments.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

- L.1. Commissioner Combee Comments.

M. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY, CHAIR)

- M.1. Chair Lindsey Comments.

N. LAY BOARD APPOINTMENTS

O. EXPEDITED HEARINGS PURSUANT TO RESOLUTION NO. 2022-089

* County Attorney opening comments

- O.1. Public Hearing (LDCT-2021-13 Completion and Acceptance of Infrastructure and Improvements) (Adoption Hearing) to consider the adoption of a County-initiated request for Completion and Acceptance of Infrastructure and Improvements. (no fiscal impact)
- O.2. Public Hearing (LDCT-2022-23 On-Street Parking) (Adoption Hearing) to consider the adoption of a County-initiated request to clarify minimum off-street parking requirements and provide on-street parking standards (No Fiscal Impact).
- O.3. Public Hearing (LDCT-2022-24 Internal Sidewalks) (Adoption Hearing) to consider the adoption of a County-initiated request to clarify sidewalk requirements along developments with frontage on County roadways and require internal sidewalks within all major subdivisions. (No Fiscal Impact).
- O.4. Public Hearing (LDCT-2022-21 Add uses to Solar Farms) (First Reading), an applicant-initiated request to add additional primary uses associated with solar power generation facilities in Section 303 Criteria for Conditional Uses of the Land Development Code.
- O.5. Public Hearing (LDCT-2022-20 ECX Car Washes and Vehicle Service) (First Reading) to consider the adoption of an applicant-initiated Land Development Code text amendment.
- O.6. Public Hearing (LDCT-2023-3 Anchuca LDC Text Amendment) (First Reading) to consider an ordinance adopting a Land Development Text Amendment to add development conditions in Appendix E related to LDCPAS-2022-32 which is a Future Land Use Designation to change Industrial (IND) and Residential Low (RL-1) to Business Park Center (BPC). (No Fiscal Impact)
- O.7. Public Hearing (LDCPAS-2022-36 Monument Sign Change CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 1.27 +/- acres from Residential Low (RL-1X) to Professional/Institutional (PIX) in the Transit Supportive Development Area (TSDA). (No Fiscal Impact)
- O.8. Public Hearing (LDPD-2022-38 Artesia PD) (Adoption Hearing) to consider the adoption of a Planned Development (PD) for a Residential Development Park (RDP) in the Transit Supportive Development Area (TSDA), and US 98 SAP. (No Fiscal Impact)

P. PUBLIC HEARINGS

- P.1. Public Hearing to consider adoption of an ordinance prohibiting dangerous uses of public rights-of-way.
- P.2. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Four Traffic Calming Devices (Speed Humps) on Davis Road, Near Willow Oak. (estimated \$20,000.00 one-time expense)

- P.3. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Four Traffic Calming Devices (Speed Humps) on Grady Polk Road, Near Winter Haven. (estimated \$20,000.00 one-time expense)
- P.4. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Six Traffic Calming Devices (Speed Humps) on Raymond Avenue, Near Frostproof. (estimated \$30,000.00 one-time expense)
- P.5. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Six Traffic Calming Devices (Speed Humps) on Thirty-Seventh Street Northwest, Near Winter Haven. (estimated \$30,000.00 one-time expense)
- P.6. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Three Traffic Calming Devices (Speed Humps) on Duval Road, Near Winter Haven. (estimated \$15,000.00 one-time expense)

Q. WORK SESSION ITEMS

R. CONSENT AGENDA ITEMS

- R. COMMISSIONER DISTRICT 1
 - R.1. Ratification of the amended BoCC Member and Liaison Assignments, effective April 4, 2023.
- R. COMMISSIONER DISTRICT 2
- R. COMMISSIONER DISTRICT 3
- R. COMMISSIONER DISTRICT 4
- R. COMMISSIONER DISTRICT 5
- R. COUNTY COMPTROLLER
 - R.2. Removal of equipment from inventory as listed on Blanket Removal Form 2169.
 - R.3. Appoint property custodian for the Administrative Office of the Court (AOC).
 - R.4. Appoint property custodian for the office of Public Defender, 10th Judicial Circuit.
- R. COUNTY MANAGER
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT

- R.5. SET HEARING (LDCD-2023-2 Anchuca CD) to consider a Sub-District Map Change on 25.43 +/- acres from Business Park Center-1 (BPC-2) in the Transit Supportive Development Area (TSDA). This case is related to LDCPAS-2022-32 and LDCT-2023-3. The suggested adoption hearing date is May 2, 2023, at 9:30 a.m.
- R.6. SET HEARING (LDCPAL 2022-24 Park Place Apartments) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 19.6 +/- acres from Residential Low (RL-1X) and Professional/Institutional (PIX) to Residential High (RHX) in the Transit Supportive Development Area (TSDA), Corridor and Center of the Transit Centers and Corridors Overlay, within the North Ridge Selected Area Plan (SAP) and the Green Swamp of Critical State Concern (GSCSC). The suggested transmittal date is May 2, 2023, at 9:30 a.m. and the adoption hearing date is July 11, 2023, at 9:30 a.m.
- R.7. SET HEARING (LDCPAL 2023-1 Holly Hill 3 Brentwood RHX CPA) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 14.48 +/- acres from Employment Center-X (ECX) and Residential Medium-X (RMX) to Residential High-X (RHX) in the Transit Supportive Development Area (TSDA), North Ridge Selected Area Plan (SAP), Ridge Special Protection Area (SPA), Green Swamp Area of Critical State Concern (ACSC) and Transit Corridors and Centers Overlay (TCCO). The suggested transmittal date is May 2, 2023, at 9:30 a.m. and the adoption hearing date is August 8, 2023, at 9:30 a.m.
- R.8. SET HEARING (LDCPAL 2023-2 SR 37 PM to ARR) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 57.06 +/- acres from Phosphate Mining (PM) to Agricultural Residential Rural (A/RR) in the Rural Development Area (RDA) and wetlands. The suggested transmittal date is May 2, 2023, at 9:30 a.m. and the adoption hearing date is July 11, 2023, at 9:30 a.m.
- R.9. SET HEARING (LDCT-2023-2 Infill Lots) to consider the adoption of a County-initiated request to amend setback standards for infill lots; modify requirements for the infill of individual lots; and increase the locations for administrative approval of individual mobile homes. The suggested hearing dates are for the first reading on May 2, 2023, at 9:30 a.m. and the second reading on May 16, 2023, at 9:30 a.m.
- R.10. SET HEARING (LDCPAS-2022-32 Anchuca CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 25.43 +/- acres from Residential Low (RL) and Industrial (IND) to Business Park Center (BPC) in the Transit Supportive Development Area (TSDA). This case is related to LDC-2023-2 and LDCT-2023-3. The suggested adoption hearing date is May 2, 2023, at 9:30 a.m.
- R. BUILDING

R. DEPUTY COUNTY MANAGER

R. BUDGET & MANAGEMENT SERVICES

R.11. Approve transfer from Eloise CRA reserves to fund the Snively Brooks Park Refurbishment (\$182,912 one-time transfer)

R.12. Approve transfer from Economic Development reserves to fund the FY 22/23 Central Florida Development Council, Inc. Memorandum of Understanding. (\$84,700 one-time transfer)

R. PROCUREMENT

R.13. Approve piggyback agreement with A.C. Schultes of Florida, Inc. to provide water well services (estimated \$100,000 recurring annual expense)

R.14. Approve piggyback agreement with Waterway of Central Florida LLC for fire hose inspection, ground ladder testing, and related services for Fire Rescue. (estimated \$36,000 annual expense)

R. COMMUNICATIONS

R.15. Water Conservation Month in Polk County

R. COOPERATIVE EXTENSION SERVICES

R. HEALTH & HUMAN SERVICES

R.16. Approve State Housing Initiative Partnership (SHIP) Program rehabilitation/replacement program Homeowner Assistance Agreement and Grant Agreement for property located in Auburndale, FL for Case# RC22-SHIP-008. (\$165,724.20 one-time expense).

R.17. Adopt a Resolution approving Substantial Amendment No. 2 to the Fiscal Year 2022-2023 Consolidated Annual Action Plan adding the new construction project for the Winter Haven Recreational and Cultural Center and adding the Public Facilities projects for local nonprofit service providers. (No fiscal impact).

R. EQUITY & HUMAN RESOURCES

R.18. Approve the 2023 Position Classification and Compensation Plan as discussed at the March 21, 2023, Board Work Session. (Estimated \$3.2 million expense for the remainder of FY 22/23)

R. INFORMATION TECHNOLOGY

R. CODE ENFORCEMENT

R. COURT SERVICES

- R. RISK MANAGEMENT
- R. INDIGENT HEALTH CARE
- R.19. Approve the Deputy County Manager or his designee be given the authority to submit an application to receive a one-million-dollar funding appropriation from the Substance Abuse Mental Health Services Administration for a Polk County Behavioral Health Improvement Project. (No fiscal expense)
- R. FACILITIES MANAGEMENT
- R. FLEET MANAGEMENT
- R. PARKS & NATURAL RESOURCES
- R.20. Request Board approve selection committee's recommendation to authorize staff to enter into contract negotiations with Chastain-Skillman, Inc. for professional engineering services for Wabash Park basketball court and walking trail. (No fiscal impact)
- R. FIRE RESCUE
- R. EMERGENCY MANAGEMENT
- R. REAL ESTATE SERVICES
- R.21. Accept Quit Claim Deed from heirs of the Estate of William Harold Howe, deceased, for property being donated for conservation preservation. (No Fiscal impact)
- R.22. Accept Quit Claim Deed for additional right-of-way along Shepherd Rd and Appaloosa Drive in conjunction with a sidewalk associated with development. (No fiscal impact)
- R.23. Approve Ground Lease Agreement between Polk County and Loma Linda Homeowners Association, Inc., and adopt a resolution authorizing the lease of the associated property. (No Fiscal Impact)
- R.24. Accept Drainage Easement from Hickory Oaks, LLC in conjunction with drainage improvements along with Old Berkley Road. (No Fiscal Impact)
- R.25. Accept a Perpetual Slope Easement from 6367 Lake Wilson Ground Owner, LLC in conjunction with the Lake Wilson Road Project. (No fiscal impact)
- R.26. Accept instruments for additional right-of-way and associated drainage along Johnson Avenue (CR580) as requested through the Development Review Process. (No fiscal impact)
- R. ROADS & DRAINAGE

- R.27. Approve Consultant Services Authorization (CSA) No. 22-083-02 with Burgess & Niple, Inc. (Consultant) for Peer Review Services on the Thompson Nursery Road Widening Project. (\$197,365.60 one-time expense)
- R.28. Approve a CIP Amendment and budget transfer to the Ronald Reagan Parkway and Old Kissimmee Road Intersection Improvement Project. (\$190,806 one-time transfer).
- R.29. Approve Modification No. 1 to Consultant Services Authorization (CSA) No. 17-059-04 with Jacobs Engineering Group, Inc. (Consultant) for the CR 542A (Galloway Road N) at 10th Street West Intersection Project. (\$127,745.88 one-time expense)
- R.30. Adopt a Resolution Setting Parking Restrictions on Princeton Avenue and West Street, near Frostproof (\$671.31 one-time expense)
- R.31. Approve Change Order (CO) No. 3 with Hubbard Construction Company (Contractor) for increased costs for asphalt pavement on the West Pipkin Road Widening Project. (\$351,246.33 one-time expense)

R. UTILITIES

- R.32. Approve a research agreement with the University of Central Florida for a new five-year term. (No fiscal impact)

R. WASTE & RECYCLING

- R.33. Change Order #4, Thalle Construction Co. for Phase VI-A drainage sand. (Increase of \$302,870.00)

R. ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY

R. COURT RELATED

R. POLK COUNTY PROPERTY APPRAISER

R. POLK COUNTY SHERIFF

R. POLK COUNTY SUPERVISOR OF ELECTIONS

R. POLK COUNTY TAX COLLECTOR

R. SUPERINTENDENT OF POLK COUNTY SCHOOLS

R. WORKFORCE DEVELOPMENT BOARD

- R.34. Confirm the Local Workforce Development Board (LWDB) Roster, the Local Workforce Development (LWD) Area Designation for Polk County Workforce Development Board, Inc. d/b/a CareerSource Polk, and ratify Chairman's signature dated April 14, 2023.

R. COUNTY ATTORNEY

- R.35. Adopt Resolution approving Declarations Extending State of Local Emergency 22-03 (2022 East Residential Waste Collection Emergency). (No fiscal impact.)
- R.36. Approve Guaranty Agreement for Polk Regional Water Cooperative Drinking Water State Revolving Fund Planning Loan Agreement Amendment 1 as Security for a Loan from the Florida Department of Environmental Protection

ANNOUNCEMENTS

Below are scheduled events and public meetings at which two or more County Commissioners or Planning Commissioners may appear to discuss issues that may come before the Board of County Commissioners.

- Wednesday, April 19, 2023 – 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, April 20, 2023 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, April 20, 2023 – 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Friday, April 21, 2023 – 8:30 a.m. – 2023 State of the Transportation System Community Forum will be held at SunTrax, 100 Transformation Way, Auburndale.
- Monday, April 24, 2023 – 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.
- Tuesday, April 25, 2023 – 3:00 p.m. – State of the County Rehearsal, Polk State College Center for Public Safety, 1251 Jim Keene Boulevard, Winter Haven.
- Wednesday, April 26, 2023 – 8:00 a.m. – State of the County 2023, Polk State College Center for Public Safety, 1251 Jim Keene Boulevard, Winter Haven.
- Wednesday, April 26, 2023 – 2:00 p.m. – Polk Regional Water Cooperative (PRWC) Special Board of Directors Meeting will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, April 27, 2023 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, April 27, 2023 – 9:00 a.m. – Tourist Development Council meeting will be held at PCTSM Headquarters, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, April 27, 2023 – 1:30 p.m. – Land Use Hearing Officer Hearings will be held in the County commission Boardroom.
- Friday, April 28, 2023 – 9:00 a.m. – Board/Staff Agenda Review meeting to discuss the Agenda and any other matters that may come before the Board will be held in the Commissioners' Conference Room, Room 407.
- Tuesday, May 2, 2023 – 6:00 p.m. – Sidewalk Advisory Committee will meet in Room 413, Fourth Floor, Polk County Administration Building.