



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

August 22, 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

B. CEREMONIAL PROCLAMATIONS

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

C.1. Hercules Betts of Loughman to discuss 1) traffic/speed control on Old Tampa Hwy 2) the dumping of debris/trash around the cemetery 3) US 17/92 - proposal for businesses to park their semi-trucks in the community

C.2. 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 August 8, 2023.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

H. COUNTY MANAGER (BILL BEASLEY)

- H.1. Approve the amended contract with United Way of Central Florida, Inc. to continue solicitation and administration of a community wellness initiative and provide Navigator services. (total amount not to exceed \$10,040,000 annually - Year 1 and \$10,160,000 annually - Year 2 and thereafter)
- H.2. Request Board approve 1) construction contract with Trias Construction LLC for the Moore Road Fire Rescue Station project. (\$6,124,326.00 one-time expense). 2) CIP budget amendment and budget transfer in the amount of \$1,491,463.
- H.3. Request Board approve 1) construction contract with Whitehead Construction for the Masterpiece Road Fire Rescue Station project. (\$5,007,664.00 one-time expense). 2) CIP amendment and budget transfer in the amount of \$128,585.
- H.4. Request Board approve construction contract with Henkelman Construction, Inc. for the Eaton Park Fire Rescue Station project. (\$4,201,712.00 one-time expense).
- H.5. Approve a Right-of-Way Agreement between Polk County and Ladon J. Jones III in conjunction with the Thompson Nursery Road Phase 1 [Segment 2] Project. (\$3,520,000 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 (LDCU-2023-13/Reunion Self-Storage) (Adoption Hearing) to consider the Conditional Use approval of a Self-Storage Facility in a Community Activity Center (CACX) land use district in the Ronald Reagan Selected Area Plan (SAP). No Fiscal Impact.
- O.2. Public Hearing (LDCU-2023-17/Gerties Road Duplex) (Adoption Hearing) to consider Conditional Use (CU) approval for recognition of a former legal non-conforming property as an extended rights parcel to locate two duplexes (four dwelling units) within a Residential Low-1 (RL-1) land use district. No Fiscal Impact.
- O.3. Public Hearing (LDPD-2023-10/Swiss Valley MHP Mod) (Adoption Hearing) to consider approval of a modification to LDPD-2020-29 to add eleven lots into an approved Mobile Home Park. No Fiscal Impact
- O.4. Public Hearing (LDCT-2023-10 ECX Car Wash) (First Reading) to consider the adoption of an applicant-initiated Land Development Code text amendment.

P. PUBLIC HEARINGS

- P.1. Public Hearing to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption to an expanding business, Publix Super Markets, Inc., and approval of a Performance Agreement with the company.
- P.2. Economic Development Impact Fee Mitigation Agreement with Publix Super Markets, Inc. (estimated \$65,362.50 impact fee revenue loss)
- P.3. Public Hearing (LDCU-2023-7 Drew St B & B De Novo Hearing) to consider an appeal to the Planning Commission's decision to approve LDCU-2023-7, a Conditional Use request for a bed and breakfast within an Agricultural/Residential Rural land use district.
- P.4. Public Hearing (LDSPD-2023-1 Deeson SPD De Novo Hearing) to consider an appeal to the Planning Commission's 5:2 decision to approve a 147-unit single-family subdivision northwest of Lakeland.

Q. WORK SESSION ITEMS

R. CONSENT AGENDA ITEMS

- R. COMMISSIONER DISTRICT 1
- R. COMMISSIONER DISTRICT 2
- R. COMMISSIONER DISTRICT 3
- R. COMMISSIONER DISTRICT 4
- R. COMMISSIONER DISTRICT 5

R. COUNTY COMPTROLLER

- R.1. Proposed Fiscal Year 2023-2024 budgets for Champion's Reserve, Charles Cove, Peace Creek, and Ranches at Lake McLeod Community Development Districts.
- R.2. Removal of equipment from inventory as listed on Blanket Removal Form 2177.
- R.3. Appoint property custodian for the office of Cooperative Extension Services.

R. COUNTY MANAGER

- R.4. Establish Holiday and Board meeting schedule for 2024.

R. ECONOMIC DEVELOPMENT

R. TOURISM/SPORTS MARKETING

R. OFFICE OF PLANNING & DEVELOPMENT

- R.5. SET HEARING (LDCDD-2023-2 Amendment / North Power Line Road CDD Scrivener's Error) to consider the adoption of an applicant-initiated ordinance to amend an existing Community Development District (CDD) ordinance. Suggested hearing date is September 5, 2023, at 9:30 a.m. following the regular agenda (No fiscal impact).
- R.6. SET HEARING (LDPD-2023-12 (Creek Ranch RMD DeNovo Hearing) to consider an appeal to the Planning Commission's 4:3 decision to approve LDPD-2023-12, a Rural Mixed-Use Development. The suggested hearing date is September 19, 2023, at 9:30 a.m.
- R.7. Accept 9-2698 McDonald's Davenport potable water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.8. Accept a one-year warranty and cash surety in the amount of \$2,347.00 for 9-2698 McDonald's Davenport. (No fiscal Impact)
- R.9. Accept BJ's Wholesale Club #226 potable water and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.10. Accept a one-year warranty and cash surety in the amount of \$6,871.50 for BJ's Wholesale Club #226. (No fiscal Impact)
- R.11. Approve the release of a warranty and surety in the amount of \$58,349.11 in the form of Maintenance Bond No. 72BSBIT2512 for Tivoli Reserve Phase 3. (No fiscal impact)

- R.12. Thompson Nursery Road Extension Infrastructure Agreement (Phase 1/Segment 3) and CIP Amendment and Budget Transfer (\$2,357,352.00 one-time transfer).
- R. BUILDING
- R. DEPUTY COUNTY MANAGER
- R. BUDGET & MANAGEMENT SERVICES
- R.13. Approve the Second Amendment to the American Rescue Plan Fund Agreement with Her Boss Media Center. (No Fiscal Impact)
- R. PROCUREMENT
- R. COMMUNICATIONS
- R. COOPERATIVE EXTENSION SERVICES
- R. HEALTH & HUMAN SERVICES
- R.14. Approve HOME Investment Partnership (HOME) rehabilitation/replacement program Homeowner Assistance Agreement and Grant Agreement for the property located in Bradley, FL for Case# RC22-HOME-005. (\$191,305.20 one-time expense).
- R.15. Approve HOME Investment Partnership (HOME) rehabilitation/replacement program Homeowner Assistance Agreement and Grant Agreement for the property located in Lake Wales, FL for Case# RC22-HOME-011. (\$180,266.20 one-time expense).
- R.16. Approve State Housing Initiative Partnership (SHIP) Program rehabilitation/replacement program Homeowner Assistance Agreement and Grant Agreement for property located in Bartow, FL for Case# RC22-SHIP-017. (\$167,709.20 one-time expense).
- R.17. Approve State Housing Initiatives Partnership (SHIP) Annual Report (AR) for FY 2020- 2021 Closeout Year. (No fiscal impact).
- R.18. Request approval of the Urban County Partnership Agreements renewal amendments for Auburndale, Bartow, Dundee, Eagle Lake, Frostproof, Hillcrest Heights, Lake Alfred, Mulberry, and Winter Haven and authorize a resolution to approve the administration of the Polk County Urban County Community Development Block Grant (CDBG) grant for program years 2024, 2025, and 2026. (No fiscal impact).
- R. EQUITY & HUMAN RESOURCES
- R. INFORMATION TECHNOLOGY

- R.19. Resolution Adopting Cybersecurity Standards and Authorizing IT Division Director to Modify, Update, and Enforce the Standards (No fiscal impact).
- R. CODE ENFORCEMENT
- R. COURT SERVICES
- R. RISK MANAGEMENT
- R. INDIGENT HEALTH CARE
- R.20. Approve the Contract with We Care of Central Florida, Inc. (We Care) for referral and coordination of specialty care services to eligible low-income county residents. (total amount not to exceed \$597,420 annually)
- R.21. Approve the First Amendment to the Contract with Tri-County Human Services, Inc. (TCHS) to provide forensic intensive case management for the Helping HANDS Program. (total amount not to exceed \$128,150 annually)
- R.22. Approve the Contract with Healthy Start Coalition of Hardee, Highlands and Polk Counties, Inc. (Healthy Start) for the Teen Pregnancy Prevention Alliance Program. (total amount not to exceed \$105,176 annually)
- R. FACILITIES MANAGEMENT
- R. FLEET MANAGEMENT
- R. PARKS & NATURAL RESOURCES
- R.23. Request Board approve selection committee's recommendation to authorize staff to enter into contract negotiations with Dewberry Engineers, Inc. to provide professional engineering services for the Circle B Bar Reserve. (No fiscal impact)
- R. FIRE RESCUE
- R. EMERGENCY MANAGEMENT
- R. REAL ESTATE SERVICES
- R.24. Approve Right-of-Way Agreement between Mark C. Roller in conjunction with the Thompson Nursery Road Phase 1 Improvement Project, Parcels 106 and 107. (\$498,200 one-time expense)
- R.25. Approve Land Purchase Agreement between Tony's Photo Lab & Studio, Inc., and Polk County for the purchase of property in conjunction with Lift Station 38 replacement and Fitzgerald at S. Florida Ave (SR 37) improvements. (\$921,600 one-time expense)

- R.26. Declare surplus and authorize the public sale of County-owned Parcel ID Number 233111-157000-018071. (Potential for \$9,500 or greater, one-time revenue)
- R.27. Declare surplus and authorize the private conveyance of the County's interest in portions of Parcel ID Number 262816-000000-034080 to James E. Young, Jr. and Michael Lee and Rebecca Ann Lee, husband and wife. (\$1,000 one-time revenue)
- R.28. Approve Land Purchase Agreement in conjunction with the purchase of a conservation preservation property located in the Lake Wales Ridge Ecosystem Project - Crooked Lake West Area, Vetere and Cilluffo Estate parcel. (\$2,500 one-time expense)
- R.29. Accept Quit Claim Deed from Joice L. Perkins, Trustee for right of way associated with Shell Road. (No fiscal impact)
- R.30. Accept instrument for additional right-of-way along Thompson Nursery Road as requested through the Development Review Process. (No fiscal impact)
- R.31. Accept Quit Claim Deed from Nottingham Davenport, LLC, for additional right-of-way along 10th Street in conjunction with proposed development. (No fiscal impact)

R. ROADS & DRAINAGE

- R.32. Approve Amendment No. 3 to Agreement 18-73 with Dewberry Engineers, Inc. for CR 557 (Buena Vista Drive) widening professional services. (\$429,107.94 one-time expense)
- R.33. Approve Amendment No.1 to Agreement 2022-043 with Kisinger Campo & Associates for Palmer Road drainage improvement project. (\$308,027.11 one-time expense from the American Rescue Plan Fund)

R. UTILITIES

R. WASTE & RECYCLING

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.34. Accept Report of Discounts, Errors, Double Assessments & Insolvencies.
- R. SUPERINTENDENT OF POLK COUNTY SCHOOLS
- R. WORKFORCE DEVELOPMENT BOARD
- R. COUNTY ATTORNEY
- R.35. Renew Outside Counsel Agreement with Peterson & Myers, P. A.
- R.36. Release of Lien related to an Affordable Housing Impact Fee Waiver for Mayra Perez Espinosa & Maria Teresa Espinosa (No fiscal impact).
- R.37. Release of Lien related to Workforce Housing Impact Fee Waiver for Ulysess Hamm, Jr. and Audrie Hamm (No fiscal impact).
- R.38. Release of Lien related to an Affordable Housing Impact Fee Waiver for Tara Green Rogers (No fiscal impact).

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.

- Monday, August 21, 2023 – 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.
- Wednesday, August 23, 2023 – 10:30 a.m. – Deferred Compensation Committee will meet in the Commissioners' Conference Room, Room 407.
- Thursday, August 24, 2023 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, August 24, 2023 – 9:00 a.m. – Tourist Development Council's (TDC) Board will meet at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, August 24, 2023 – 9:00 a.m. – Transportation Planning Organization (TPO) Board Meeting will be held in the County Commission Boardroom.
- Thursday, August 24, 2023 – 1:30 p.m. – Land Use Hearing Officer will be held in the County Commission Boardroom.
- Tuesday, August 29, 2023 – 9:00 a.m. – Central Florida Development Council (CFDC) Membership tour will be held at Coca-Cola, 705 Main Street, Auburndale.
- Tuesday, August 29, 2023 – 4:00 p.m. to 6:00 p.m. – Exhibit Opening, "Delta Sigma Theta: 110 Years of Social Action" at the Polk County History Center, 100 East Main Street, Bartow.
- Thursday, August 31, 2023 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Friday, September 1, 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.
- Monday, September 4, 2023 – The offices of the Board of County Commissioners will be closed in observance of the Labor Day Holiday.
- Tuesday, September 5, 2023 – 6:00 p.m. – Eloise Community Redevelopment Agency (CRA) Advisory Committee will meet at the Johnny and Freda Brooks Resource Center, 710 Snively Avenue, Eloise.