



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

August 08, 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. Dave Carter, P.E. Chairman of the Stormwater Technical Advisory Committee (STAC), to provide an update on Committee activities.

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.

D.2. Approve Eloise CRA Consent Agenda.

D.3. Approve Harden/Parkway CRA Consent Agenda.

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

E.1. Disbursements.

E.2. Minutes of Regular Board meeting held on July 25, 2023.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

G.1. Proposed Fiscal Year 2023-2024 budgets for the Highland Meadows and Highland Meadows II Community Development Districts.

G.2. Approve the release of a cash surety in the amount of \$64,927.50 for Treymont Phase 2 & 3. (No fiscal impact)

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Approve the Sixth Amendment to the Cypress Lake Alternative Water Supply Agreement with the Water Cooperative of Central Florida relating to the Cypress Lake Wellfield. (\$1,998,855 not-to-exceed, one-time expense)

H.2. Approve Thompson Nursery Road Professional Services Agreement 2022-041, Amendment No. 1, with Kimley-Horn and Associates. (\$1,092,555.64 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. Appoint Mike Hickman as a Member of the Polk County Planning Commission for the three-year term, September 1, 2023, to August 31, 2026.

K.2. 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 (LDCPAL 2023-4 N US 27 SAP CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 12.86 +/- acres from Professional/Institutional (PIX) to Residential High (RHX) in the Transit Supportive Development Area (TSDA). (No Fiscal Impact)
- O.2. Public Hearing (LDCPAL 2023-1 Holly Hill 3 RHX CPA) (Adoption Public Hearing) to consider the adoption of a Large-Scale Comprehensive Plan map to change Future Land Use designation on 14.48 +/- acres from Residential Medium-X (RMX), and Employment Center-X (ECX) 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)/Transit Corridors and Centers Overlay (TCCO). (No Fiscal Impact)
- O.3. Public Hearing (LDCPAL-2023-3 5-Acre Rounding Error CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment (CPA) to modify policy 2.119-A3 subsection F, addressing the calculation of density in rural and suburban development areas; amending policy 2.120-A4 subsection A and, policy 2.121-A2 subsection A to address minimum lot size calculations. This is related to LDCT-2023-5, a Land Development Code text amendment to modify Chapter 2, Section 205, Footnotes for Table 2.2, and Section 208.A, to address the calculation of density in rural and suburban development areas and minimum lot size. (No Fiscal Impact)
- O.4. Public Hearing (LDCT-2023-5 5-Acre Rounding Error Text Amendment) (First Reading) to consider the adoption of a Land Development Code text amendment to modify Chapter 2, Section 205, Footnotes for Table 2.2, and Section 208.A, to address the calculation of density in rural and suburban development areas and minimum lot size. (No Fiscal Impact)

P. PUBLIC HEARINGS

- P.1. Public Hearing (LDCPAL 2022-15 US Highway 27 OCX CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan map to change the Future Land Use designation on 0.94 +/- acres from Residential Low-X (RLX) in the Transit Supportive Development Area (TSDA) to Office Center-X (OCX) in the Transit Supportive Development Area (TSDA). (No Fiscal Impact)
- P.2. Public Hearing (LDDRI 2023-2) to consider adoption of a Resolution to Rescind the Rida/ChampionsGate Development of Regional Impact Development Order. (No fiscal impact)

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. Removal of equipment from inventory as listed on Blanket Removal Form 2176.
- R.2. Appoint property custodian for the office of Communications.
- R.3. Appoint property custodian for the office of Tax Collector for Polk County.
- R. COUNTY MANAGER
- R.4. Approve an Agreement with Anfield Consulting, Inc. for lobbying services for fiscal year 2024. (\$180,000 one-time expense)
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.5. SET HEARING (LDSPD-2023-1 Deeson SPD De Novo Hearing) to consider an appeal to the Planning Commission's 5:2 decision to approve LDSPD-2023-1, a 147-unit single-family subdivision. Suggested hearing date is August 22, 2023, at 9:30 a.m. (No Fiscal Impact.)
- R.6. SET 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. Suggested hearing date is August 22, 2023, at 9:30 a.m. (No Fiscal Impact.)
- R.7. SET HEARING (LDCT-2023-10 NACX Car Wash) to consider the adoption of an applicant-initiated Land Development Code text amendment. The suggested hearings for a first reading on August 22, 2023, at 9:30 a.m. and the second reading on September 5, 2023, at 9:30 a.m.
- R.8. SET HEARING (LDCU-2023-13/Reunion Self-Storage CU) 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) on +/- 1.75 acres. Suggested hearing date is August 22, 2023, at 9:30 a.m. No Fiscal Impact.

- R.9. SET HEARING (LDCU-2023-17/Gerties Road Duplex) 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. Suggested hearing date is August 22, 2023 at 9:30 a.m. No Fiscal Impact.
- R.10. SET HEARING (LDPD-2023-10/Swiss Valley MHP Mod) to consider approval of a modification to LDPD-2020-29 to add eleven lots into an approved Mobile Home Park. Suggested hearing date is August 22, 2023 at 9:30 a.m. No Fiscal Impact.
- R.11. Lake Reedy View Plat for Conditional Approval. (No fiscal impact)
- R.12. Providence Self Storage Plat for Conditional Approval. (No fiscal impact)
- R.13. Accept Blackwater Storage potable water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.14. Accept a one-year warranty and cash surety in the amount of \$2,130 for Blackwater Storage. (No fiscal Impact)
- R.15. Accept Dunson Park Apartments potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.16. Accept a one-year warranty and surety in the amount of \$11,224.53 in the form of Maintenance Bond No. PR2741518 Dunson Grove Apartments, LLC. (No Fiscal Impact)
- R.17. Accept Hallam Preserve West K potable water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.18. Accept a one-year warranty and surety in the amount of \$4,529.88 in the form of Maintenance Bond No. 41K236162 for Hallam Preserve West Phase K. (No fiscal Impact)
- R.19. Accept Swiss Valley Estates Ph 1 potable water and wastewater utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.20. Accept a one-year warranty and surety in the amount of \$6,220 in the form of Maintenance Bond No. CIC1926694 Swiss Valley Estates Ph1. (No fiscal Impact)

- R.21. Accept a Performance Surety in the form of an Irrevocable Standby Letter of Credit (No. 4603294601) for DCR Mine in the amount of \$21,431.15 for the lifetime of the mine.
(No fiscal impact)
- R.22. Accept Performance Surety in the amount of \$1,885,386.98 in the form of Performance Bond No. 08BSBJA9482 Fulton Meadows. (No fiscal impact)
- R.23. Accept Performance Surety in the amount of \$103,266.52 in the form of Performance Bond No. SU1189279 for Ironwood. (No fiscal impact)
- R.24. Approve the release of a warranty and surety in the amount of \$21,226.18 in the form of Maintenance Bond No. 41K235469 for Eagle Pointe of Lakeland. (No fiscal impact)
- R.25. Approve the release of a surety in the amount of \$20,405.00 in the form of Performance Bond No. 41K236162 for Hallam Preserve West K. (No fiscal impact)
- R.26. First Amendment to Infrastructure Agreement between Polk County, Florida and Ashton Orlando Residential, L.L.C., for Buckingham Road and Dunson Road Intersection.
- R. BUILDING
- R. DEPUTY COUNTY MANAGER
- R. BUDGET & MANAGEMENT SERVICES
- R. PROCUREMENT
- R. COMMUNICATIONS
- R. COOPERATIVE EXTENSION SERVICES
- R. HEALTH & HUMAN SERVICES
- R.27. Approve State Housing Initiative Partnership (SHIP) Program rehabilitation/replacement program Homeowner Assistance Agreement and Grant Agreement for property located in the Wahneta Community of Polk County for Case# RC22-SHIP-016. (\$182,271.20 one-time expense).
- R.28. Approve modification of State Housing Initiatives Partnership (SHIP) Rehabilitation program Homeowner Assistance Agreement and Grant Agreement for the property located in Fort Meade, FL for Case# RC22-SHIP-001. (\$11,955.00 one-time expense).
- R. EQUITY & HUMAN RESOURCES
- R. INFORMATION TECHNOLOGY

R. CODE ENFORCEMENT

R. COURT SERVICES

R. RISK MANAGEMENT

R.29. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Johns Eastern Company for third party administrative services for auto, general and employment practices liability claims. (No fiscal impact)

R. INDIGENT HEALTH CARE

R.30. Approve the Contract, Shared Data Information System Participant Agreement and Business Associate Agreement with The Family Healthcare Foundation, Inc. for navigation services. (total amount not to exceed \$44,200 Year 1 and \$176,800 Year 2)

R.31. Approve the Fourth Amendment to Administrative Services Agreement with Meritain Health, Inc. (\$59,400 estimated recurring increase)

R.32. Approve the First Amendment to Polk HealthCare Plan Medical Services Agreement with BayCare Health System, Inc. for behavioral health services. (Transfer of existing appropriations to medical provider).

R.33. Approve Amendment No.1 to Agreement 2021-015 with Heritage Health Solutions Inc. for third party administrative off-site medical services. (No fiscal impact at this time)

R. FACILITIES MANAGEMENT

R. FLEET MANAGEMENT

R. PARKS & NATURAL RESOURCES

R. FIRE RESCUE

R.34. Department of Justice Grant - Edward Byrne Memorial Justice Assistance Grant (JAG) Program

R.35. Renewal of Certificate of Public Convenience and Necessity (COPCN) - American Medical Response, Inc.

R.36. Renewal of Certificate of Public Convenience and Necessity (COPCN) - MedFleet, Inc.

R.37. Renewal of Certificate of Public Convenience and Necessity (COPCN) - Positive Mobility, Inc.

R. EMERGENCY MANAGEMENT

R. REAL ESTATE SERVICES

- R.38. Accept instruments for additional rights-of-way along Bailey Road, Grady Avenue, Parker Street, and Cooley Road as requested through the Development Review Process. (No fiscal impact)
- R.39. Accept Quit Claim Deed from GLK Real Estate, LLC for additional right-of-way along Neal Road and Mystery House Road. (No fiscal impact)
- R.40. Approve Release of Easement for a drainage easement adjacent to Joel Massey Road in conjunction with development. (No fiscal impact)
- R.41. Approve Agreements for Transfer of Public Roads between the Town of Dundee and Polk County for Almburg Road and Steward Road and authorize County Deeds for the rights-of-ways associated therewith. (No fiscal impact)

R. ROADS & DRAINAGE

- R.42. Set Hearing to Consider Adopting a Resolution Allowing for the Installation of Traffic Calming Devices (Speed Humps) on Central Avenue Northwest, Near Kathleen. (Suggested Hearing Date: Tuesday, October 17, 2023, at 9:30 a.m.) (No fiscal impact)
- R.43. Set Hearing to Consider Adopting a Resolution Allowing for the Installation of Traffic Calming Devices (Speed Humps) on Colonial Avenue, Near Lakeland. (Suggested Hearing Date: Tuesday, October 17, 2023, at 9:30 a.m.) (No fiscal impact)
- R.44. Set Hearing to Consider Adopting a Resolution Allowing for the Installation of Traffic Calming Devices (Speed Humps) on Wakulla Drive, Near Winter Haven. (Suggested Hearing Date: Tuesday, October 17, 2023, at 9:30 a.m.) (No fiscal impact)
- R.45. Approve a CIP Amendment and budget transfer for the CR 547 (Davenport Boulevard) at Orchid Drive/Holly Hill Road Intersection Improvements Project. (\$375,000.00 one-time transfer)
- R.46. Approve Consultant Services Authorization (CSA) No. 22-093-01 with NV5, Inc., (Consultant) for final design services on the CR 630 at CR 630A Intersection Improvements Project. (\$130,523.00 one-time expense)
- R.47. Approve Modification No. 2 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. (\$97,545.90 one-time expense)
- R.48. Request Board Approve Amendment No.1 with WSP USA, for Agreement 2022-029, South Lake Wales drainage improvement project. (\$90,910.00 one-time expense from the American Rescue Plan Fund)

- R.49. Adopt a Resolution Setting Parking Restrictions on Holton Road, near Auburndale (\$976.80 one-time expense)
- R.50. Adopt a Resolution Setting Speed Limits on Bristol Bay Avenue, Grey Fox Drive, Oakhurst Boulevard and Westmont Avenue, Within the Devonshire Manor Subdivision, near Lakeland. (\$747.01 one-time expense)
- R.51. Adopt a Resolution Setting Speed Limits on Greenwoods Drive and Greenwoods Lane, near Lakeland. (\$230.12 one-time expense)
- R.52. Approve Interlocal Agreement between Polk County and the City of Lake Wales (City) for the Ridge Scenic Highway (RSH) Connector Trail Project. (No Fiscal Impact)
- R.53. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Ardaman and Associates, Madrid Engineering Group, WSP USA, MC Squared and Universal Engineering Sciences for professional geotechnical services and construction materials testing and inspection. (No fiscal impact)
- 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. SUPERINTENDENT OF POLK COUNTY SCHOOLS
- R. WORKFORCE DEVELOPMENT BOARD
- R.54. Approve Memorandum of Understanding by and between Workforce Development Board, Inc. d/b/a CareerSource Polk and the Florida Department of Education - Division of Blind Services for coordination of resources and ensure effective and efficient delivery of the One-Stop Customer Service Delivery System.
- R. COUNTY ATTORNEY

- R.55. SET PUBLIC HEARING to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption for Project Harvest, an expanding business. (Suggested hearing date is August 22, 2023 at 9:00 a.m.)
- R.56. Authorize Polk County to petition for administrative hearing and take other legal actions to reverse or modify consent order entered between BS Ranch and Farm, Inc. and Florida Department of Environmental Protection (OGC File No. 22-0423) and authorize the County Attorney's Office and outside counsel to seek legal remedies for violations of any laws, regulations or codes and move forward with any other causes of action Polk County may have involving BS Ranch and Farm, Inc. and WHS Visions of Lakeland, LLC.
- R. ELOISE COMMUNITY REDEVELOPMENT AGENCY
- R.57. Approve the Eloise CRA minutes from August 16, 2022
- R.58. Request the Eloise CRA Board adopt the attached resolution approving the FY 23/24 budget for the Agency in the amount of \$1,010,001.
- R. HARDEN/PARKWAY COMMUNITY REDEVELOPMENT AGENCY
- R.59. Approve the Harden/Parkway CRA meeting minutes from August 16, 2022.
- R.60. Request the Harden/Parkway CRA Board adopt the attached resolution approving the FY 2023-2024 budget for the Agency in the amount of \$1,611,139.

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.

- Saturday, August 5, 2023 – 11:00 a.m. – Grand Opening Celebration for The Bradley Community Project Inc.'s newly renovated Community Center and the Frankie Smith Park, 125 Hooker Street, Bradley.
- Wednesday, August 9, 2023 – 3:00 p.m. – Central Florida Development Council (CFDC) Board Meeting will be held at Southeastern University, 1000 Longfellow Boulevard, Lakeland.
- Wednesday, August 9, 2023 – 4:00 p.m. – Central Florida Development Council (CFDC) Investor Meeting will be held at Southeastern University, 1000 Longfellow Boulevard, Lakeland.
- Wednesday, August 9, 2023 – 5:30 p.m. – Contract Licensing Board Meeting will be held in the County Commission Boardroom.
- Thursday, August 10, 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 10, 2023 – 2:30 p.m. – Historical Commission and Marker Committee will meet in the County Commission Boardroom.
- Wednesday, August 16, 2023 – 8:30 a.m. – Lakeland Area Mass Transit District (LAMTD) Board of Directors meeting will be held at 1212 George Jenkins Boulevard, Lakeland.
- Wednesday, August 16, 2023 – 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Wednesday, August 16, 2023 – 1:30 p.m. – Community Investment Program (CIP) Workshop will be held in the Commissioners' Conference Room, Room 407.
- Thursday, August 17, 2023 – 8:00 a.m. – CareerSource Polk's 2023 Annual Meeting and Best Places to Work Awards Breakfast will be held at the RP Funding Center, 701 West Lime Street, Lakeland.
- Thursday, August 17, 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 17, 2023 – 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.

- Friday, August 18, 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, August 21, 2023 – 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.