



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

December 20, 2022 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. Fred Daniell - Flooding at 830 Diamond Acres Road, Davenport (Lake Saint Charles)

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 December 6, 2022.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

H. COUNTY MANAGER (BILL BEASLEY)

- H.1. Request Board approve construction contract with Denson Construction, Inc. for the Thornhill Road Bridge Replacement project. (\$2,302,597.35 one-time expense)
- H.2. Approve Change Order No. 2 to Contract No. 2021-059 with Hubbard Construction Company (Contractor) for the West Pipkin Road Widening Project (\$259,482.13 one-time expense).
- H.3. Approve a Right-of-Way Agreement between Polk County and Steve Sanderson et al in conjunction with the Thompson Nursery Road Phase 1 (Segment 2) Project. (\$5,525,000 one-time expense)
- H.4. Approve Amendment Four to the Master Purchase Agreement with Motorola Solutions, Inc. (\$3,279,505.14 for 3 years)

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. Waste Collection Update - Bill Beasley
- M.2. Chair Lindsey Comments.

N. LAY BOARD APPOINTMENTS

- N.1. Appoint Steve Williams to Housing and Neighborhood Development's Affordable Housing Advisory Committee (AHAC) for the three-year term, January 1, 2023, through December 31, 2025.

N.2. Appoint Hattie Wilson to Housing and Neighborhood Development's Affordable Housing Advisory Committee (AHAC) for the three-year term, January 1, 2023, through December 31, 2025.

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

* County Attorney opening comments

O.1. Public Hearing (LDCT-2022-17 Garage Setbacks and Trees) (Adoption Hearing), a County-initiated request to modify the LDC to establish 25-foot setbacks for residential garage entrances and to provide for one canopy or understory tree per unit within residential developments. (No Fiscal Impact).

O.2. Public Hearing (LDWA-2022-50 Clark Access Waiver) to consider an applicant-initiated request seeking a waiver to Section 705 of the Land Development Code for a residential lot with access through a private easement to an unpaved County road longer than ¼ mile. (No fiscal impact)

P. PUBLIC HEARINGS

P.1. Public Hearing to consider adoption of a Resolution to vacate portions of platted and unmaintained rights-of-way as shown on the map of Florida Development Company Tract and the Replat of Prince Orange Manor, Davenport, Florida. (No fiscal impact)

P.2. Public Hearing (LDCPAS-2022-29 Pierce Materials) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 3.51 +/- acres from Residential Low (RL-1) to Convenience Center (CC) in the Transit Supportive Development Area (TSDA). (No Fiscal Impact)

P.3. Public Hearing (LDCPAS 2022-20 Bellagio County Line Road BPC) (Adoption Public Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 14.53 +/- acres from Agricultural Residential Rural (A/RR) to Business Park Center (BPC) in the Rural Development Area (RDA). (No Fiscal Impact)

P.4. Public Hearing (LDCPAS 2022-27 NEBCO Inc OC) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 1.70 +/- acres from Residential Low (RL) in the Transit Supportive Development Area (TSDA) and Residential Suburban (RS) in the Suburban Development Area (SDA) to Office Center (OC). (No Fiscal Impact)

Q. CONSENT AGENDA ITEMS

Q. COMMISSIONER DISTRICT 1

- Q.1. Ratification of BoCC Member and Liaison Assignments, effective January 1, 2023.
- Q. COMMISSIONER DISTRICT 2
- Q. COMMISSIONER DISTRICT 3
- Q. COMMISSIONER DISTRICT 4
- Q. COMMISSIONER DISTRICT 5
- Q. COUNTY COMPTROLLER
- Q.2. Removal of equipment from inventory as listed on Blanket Removal Form 2161.
- Q.3. Appoint property custodian for the office of Communications Division.
- Q.4. Affidavit of Publication of Unclaimed Funds Received from the Tax Collector.
- Q.5. Affidavit of Publication of Unclaimed Funds Received from the Clerk of the Circuit Court.
- Q. COUNTY MANAGER
- Q. ECONOMIC DEVELOPMENT
- Q. TOURISM/SPORTS MARKETING
- Q. OFFICE OF PLANNING & DEVELOPMENT
- Q.6. SET HEARING (LDCPAL 2022-11 Champions Gate CPA) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 81+/- acres from Residential Low-X (RLX), Office Center-X (OCX), and Employment Center-X (ECX) to Mixed Use-X (MUX) in the Transit Supportive Development Area (TSDA) in the Ronald Reagan Selected Area Plan (RRSAP), and amend the policies in the RRSAP to allow for the new MUX designation and reference the ChampionsGate Development of Regional Impact (DRI). This case is related to LDCT-2022-18. The suggested transmittal date is January 3, 2023, at 9:30 a.m. and the adoption hearing date is March 21, 2023, at 9:30 a.m.
- Q.7. SET HEARING (LDCT-2022-18 Champions Gate Text) to consider adoption of an ordinance to create the new MUX, add it to the use table, add development conditions, and reference the ChampionsGate Development of Regional Impact (DRI). This case is related to LDCPAL-2022-11. The suggested hearings for a first reading on January 3, 2023, at 9:30 a.m. and the seconding reading on March 21, 2023, at 9:30 a.m.
- Q.8. Reserve Phase One Plat for Conditional Approval. (No fiscal impact)

- Q.9. Reserve Phase Two Plat for Conditional Approval. (No fiscal impact)
- Q.10. Reserve Phase Three Plat for Conditional Approval. (No fiscal impact)
- Q.11. Reserve Phase Four Plat for Conditional Approval. (No fiscal impact)
- Q.12. Reserve Phase Five Plat for Conditional Approval. (No fiscal impact)
- Q.13. Reserve Phase Six Plat for Conditional Approval. (No fiscal impact)
- Q.14. Reserve Phase Seven Plat for Conditional Approval. (No fiscal impact)
- Q.15. Approve the release of a warranty and surety in the amount of \$6,846.64 in the form of Maintenance Bond No. 107391771 for Race Trac 27 & Dunson. (No fiscal impact)
- Q.16. Accept Performance Surety in the amount of \$24,675.11 in the form of cash for Westside Lakes. (No fiscal impact)
- Q. BUILDING
- Q. DEPUTY COUNTY MANAGER
- Q. BUDGET & MANAGEMENT SERVICES
- Q. PROCUREMENT
- Q.17. Authorize staff to negotiate an agreement with Rodda Construction, Inc., for Construction Manager at Risk services for the Simmers Young Park Improvements. (No fiscal impact)
- Q. COMMUNICATIONS
- Q. COOPERATIVE EXTENSION SERVICES
- Q. HEALTH & HUMAN SERVICES
- Q.18. Approve First Amendment to American Rescue Plan Local Fiscal Recovery Funding Agreement with All Veterans Center, Inc. (No fiscal impact)
- Q.19. Approve Emergency Solutions Grant COVID-19 1 (ESG-CV1) Subrecipient Agreement Amendment No. 5 between Polk County and Homeless Coalition of Polk County, Inc. (\$65,000.00 one-time expense).
- Q.20. Approve Community Development Block Grant COVID-19 1 & 3 (CDBG-CV 1 & 3) subrecipient agreement Amendment 3 between Polk County and The Salvation Army, A Georgia Corporation. (\$50,000.00 one-time expense)

- Q.21. Approve Community Development Block Grant COVID-19 1 & 3 (CDBG-CV 1 & 3) subrecipient agreement Amendment 3 between Polk County and Volunteers in Service to The Elderly (VISTE). (\$50,000.00 one-time expense)
- Q.22. Approve Community Development Block Grant COVID-19 1 & 3 (CDBG-CV 1 & 3) subrecipient agreement Amendment 3 between Polk County and Gospel, Inc. (\$50,000.00 one-time expense)
- Q.23. Approve Community Development Block Grant COVID-19 1 & 3 (CDBG-CV 1 & 3) subrecipient agreement Amendment 3 between Polk County and Winter Haven Housing Authority. (\$50,000.00 one-time expense)
- Q. EQUITY & HUMAN RESOURCES
- Q. INFORMATION TECHNOLOGY
- Q. CODE ENFORCEMENT
- Q. COURT SERVICES
- Q. RISK MANAGEMENT
- Q.24. Approve annual excess Workers' Compensation insurance policy renewal with Midwest Employers Casualty Company, effective January 1, 2023, through December 31, 2023. (One-time \$297,229)
- Q. INDIGENT HEALTH CARE
- Q. FACILITIES MANAGEMENT
- Q. FLEET MANAGEMENT
- Q. PARKS & NATURAL RESOURCES
- Q. FIRE RESCUE
- Q. EMERGENCY MANAGEMENT
- Q. REAL ESTATE SERVICES
- Q.25. Approve Agreement for Transfer of Public Road, between the City of Frostproof and Polk County for McCleod Road a/k/a Palm Avenue North a/k/a McCloud Road a/k/a McLeod Road and authorize a County Deed for the right-of-way associated therewith. (No fiscal impact)
- Q.26. Approve Sovereignty Submerged Lands Easement Renewal between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and Polk County in conjunction with an existing bridge on 91 Mine Road. (No fiscal impact)

- Q.27. Approve Lease Agreements between Polk County and Mid Florida Community Services, Inc., and adopt a resolution authorizing the lease of the associated properties. (No Fiscal Impact)
- Q.28. Accept Quit Claim Deeds for properties being donated for conservation preservation, Chizek Estate, Johnson and Laird Estate Parcels. (No Fiscal impact)
- Q.29. 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, Doering parcel. (\$2,500 one-time expense)
- Q.30. Accept instrument for additional right-of-way along B.F. Cook Road and East Cook Road as requested through the Development Review Process. (No fiscal impact)

Q. ROADS & DRAINAGE

- Q.31. Adopt a Resolution Setting Speed Limits on Appleton Street, Grandin Street, Madison Drive, Mandovi Street and Merrill Street, Within the Madison Place Subdivision, near Davenport. (\$1,062.32 one-time expense)
- Q.32. Approve an Indemnification and Hold Harmless Agreement Between the City of Lakeland and Polk County for the US 92 and County Line Road Intersection Improvement Project (No Fiscal Impact).
- Q.33. Adopt a Resolution Setting Speed Limits on Berkshire Loop, Hampshire Boulevard, Oakley Way and Tiverton Way, Within the Southchase Subdivision, near Lakeland. (\$1,062.32 one-time expense)
- Q.34. Approve Change Order No. 1 to Contract No. 2022-016 with Watson Civil Construction, Inc. (Contractor) for the Lake Wilson Road Widening Project (\$166,293.77 one-time expense)
- Q.35. Approve Modification No. 2 to CSA No. 17-058-04 with Rummel, Klepper & Kahl, LLP (Consultant) for the East Main Street at Combee Road Intersection Improvements Project. (\$19,130.00 one-time expense)

Q. UTILITIES

- Q.36. Approve the 2022 updates (Reference Manuals) by way of adopting a formal resolution consistent with requirements stated within Utilities Ordinance No. 10-081.

Q. WASTE & RECYCLING

- Q.37. Approve a Sixth Amendment to the Residential Solid Waste and Recyclable Materials Collection Franchise Agreement with FCC Environmental Services Florida LLC (FCC).

- Q.38. FY22/23 University of Florida Town and Gown partnership with Polk County (One-Time Expense \$376,134)
- Q. ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY
 - Q. COURT RELATED
 - Q. POLK COUNTY PROPERTY APPRAISER
 - Q. POLK COUNTY SHERIFF
 - Q. POLK COUNTY SUPERVISOR OF ELECTIONS
 - Q. POLK COUNTY TAX COLLECTOR
 - Q. SUPERINTENDENT OF POLK COUNTY SCHOOLS
 - Q. WORKFORCE DEVELOPMENT BOARD
 - Q. COUNTY ATTORNEY
- Q.39. Adopt Resolution approving Declarations Extending State of Local Emergency 22-03 (2022 East Residential Waste Collection Emergency). (No fiscal impact.)
- Q.40. Consider adoption of a written order denying LDCU-2022-22 with prejudice. (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.

- Thursday, December 22, 2022 - 8:30 a.m. - Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Friday, December 23, 2022 and Monday, December 26, 2022 – The offices of the Board of County Commissioners will be closed for the Christmas Holiday.
- Thursday, December 29, 2022 - 8:30 a.m. - Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Friday, December 30, 2022 – 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, January 2, 2023 – The offices of the Board of County Commissioners will be closed for the New Year's Day Holiday.
- Tuesday, January 3, 2023 – 10:30 a.m. (or immediately following the Board meeting to be held in the Commission Boardroom) – Board/Staff Work Session on October 2024 Waste Collection Contracts, Final Overview.