



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

November 01, 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. (MARTHA SANTIAGO, CHAIR)

INVOCATION

Bill Dehart, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (MARTHA SANTIAGO, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

A.1. Employee Recognition

B. CEREMONIAL PROCLAMATIONS

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

C.1. Thomas Burge to discuss Utilities complaint.

C.2. Thomas Romanishin to discuss Waste & Recycling.

C.3. Randy Wilkinson to discuss Leo Schofield (Background information for Bone Valley podcast).

C.4. 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 October 18, 2022.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

G.1. Approve the release of a surety in the amount of \$46,832.50 in the form of cash Treymont Phase 1. (No fiscal impact)

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Confirm appointment of Hezedeane A. Smith to serve as Polk County Fire Rescue Services Director (Fire Rescue Chief).

H.2. Approve Cooperative Funding Agreement (No. 22CF0003736) with the Southwest Florida Water Management District (SWFWMD) to co-fund the Ridge to Rivers Feasibility project (\$160,000 one-time revenue and \$160,000 County match).

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

I.1. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

J.1. Reappoint Warren K. "Rennie" Heath II as a member (Seat 6) of the Polk County Planning Commission for the three-year term, November 4, 2022 through November 3, 2025.

J.1. Commissioner Wilson Comments.

K. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

K.1. Commissioner Braswell Comments.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

L.1. Commissioner Combee Comments.

M. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO, CHAIR)

M.1. Chair Santiago Comments.

N. LAY BOARD APPOINTMENTS

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

* County Attorney opening comments

- O.1. Public Hearing (LDCDD-2022-8 / Westside Haines City CDD contraction) to consider the adoption of an applicant-initiated ordinance to remove a property included, due to a scrivener's error, from an existing Community Development District (CDD) located in the unincorporated area of the County and City of Davenport.
- O.2. Public Hearing (LDCPAL-2022-4 Cardboard & Shredded Paper Collection) (Adoption Public Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to amend the definition of Solid Waste Management Facility in Division 4.400 Glossary to exclude cardboard & shredded paper collection, and add definitions for cardboard & shredded paper collection, cardboard, and shredded paper. (No Fiscal Impact)
- O.3. Public Hearing (LDCT-2022-4 Cardboard & Shredded Paper Collection) (Adoption Hearing) a County initiated ordinance amending the Land Development Code to allow Cardboard & Shredded Paper Collection in specific land use districts and accessory uses to non-residential development. (No Fiscal Impact)
- O.4. Public Hearing (LDCPAL 2022-8 TAD in OC Text Amendment) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change Policy 2.109 and 2.125 regarding Transitional Area Developments (TAD) in the Office Center (OC) Future Land Use designations. (No Fiscal Impact)
- O.5. Public Hearing (LDCT-2022-8 TAD in OC LDC Text Amendment) (First Reading) to consider an ordinance relating to Transitional Area Developments (TAD) in the Office Center Future Land Use designation. This case is related to LDCPAL-2022-8. (No Fiscal Impact)

P. PUBLIC HEARINGS

- P.1. Public Hearing to consider adoption of a Resolution to vacate platted and unmaintained right-of-way (alley) as shown on the map of West Lake Wales Subdivision, Lake Wales, Florida. (No fiscal impact)
- P.2. Public Hearing (Transmittal Public Hearing) LDCPAL 2022-5 (Vistas at Davenport CPA) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 56.51 +/- acres from Leisure Recreational-X (ECX) to Residential Medium-X (RMX) in the Urban Growth Area (UGA) and in the North Ridge Selected Area Plan and the Transit Corridors and Centers Overlay (TCCO). (No Fiscal Impact)

- P.3. Public Hearing (LDCPAL 2022-6 Auburndale Business Park Old Dixie HWY BPC) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential Low (RL) to Business Park Center (BPC) on 98.64 +/- acres, a text amendment to Section 2.135 Parcel Specific Future Land Use Map Amendments with Conditions in the Comprehensive Plan, and LDCT-2022-13 a Land Development Code text amendment to Appendix E Parcel Specific Future Land Use. (No Fiscal Impact)
- P.4. Public Hearing (LDCT-2022-13 Auburndale Business Park LDC Text Amendment) (First Reading) to consider an ordinance adding development standards to Appendix E of the Land Development Code for property subject to LDCPA 2022-6 which is a Future Land Use designation change from Residential Low (RL) to Business Park Center (BPC). (No Fiscal Impact)
- P.5. Public Hearing (LDCPAL 2022-7 Crescent Valley US 17/92 RMX) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 153 +/- acres from Residential Low-X (RLX) to Residential Medium-X (RMX) in the Urban Growth Area (UGA) and the North Ridge Selected Area Plan (SAP). (No Fiscal Impact)
- P.6. Public Hearing (LDCT-2022-11 Residential Development Park LDC Text Amendment) (First Reading) to consider an ordinance relating to a new use called Residential Development Park (RDP) which is multiple single-family units on one property for rent. This case is related to LDCPAL-2022-12. (No Fiscal Impact)
- P.7. Public Hearing (LDCPAL 2022-12 Residential Development Park Text Amendment) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Text Amendment to modify Policy 2.128-C5 to allow for multiple single family detached structures on one parcel. This is related to a Land Development Code text amendment LDCT-2022-11. (No Fiscal Impact)

Q. CONSENT AGENDA ITEMS

- Q. COMMISSIONER DISTRICT 1
- Q. COMMISSIONER DISTRICT 2
- Q. COMMISSIONER DISTRICT 3
- Q. COMMISSIONER DISTRICT 4
- Q. COMMISSIONER DISTRICT 5
- Q. COUNTY COMPTROLLER
- Q.1. Removal of equipment from inventory as listed on Blanket Removal Form 2158.

- Q.2. Proposed Fiscal Year 2022-2023 budgets and legal description maps for the Bradbury, Hartford Terrace, Lake Mattie Preserve, Weiberg Road and Woodland Ranch Estates Community Development Districts.
- Q.3. Appoint property custodian for the office of Planning and Development and Transportation Planning Organization.
- Q.4. Accept Unclaimed Funds check in the amount of 17,046.23 from Joe G. Tedder, Tax Collector.
- Q.5. Accept Unclaimed Funds check in the amount of \$905.58 from Stacy M. Butterfield, CPA, Clerk of the Circuit Court.
- Q.6. The 2022-2023 Annual Meeting Schedule for the Eagle Hammock, Eden Hills, Crosswinds West, Hammock Reserve, Lake Ashton, Lake Ashton II, Lake Deer, Lawson Dunes and West Side Haines City Community Development Districts.
- Q. COUNTY MANAGER
- Q. ECONOMIC DEVELOPMENT
- Q. TOURISM/SPORTS MARKETING
- Q. OFFICE OF PLANNING & DEVELOPMENT
- Q.7. SET HEARING (LDCPAL-2022-14 SPD Revisions CPA Text Amendment) to consider adoption of a County-initiated Large-Scale Comprehensive Plan Text Amendment to remove development standards for Suburban Planned Developments from the Comprehensive Plan. The suggested transmittal date is December 6, 2022, at 9:30 a.m. and the adoption hearing date is March 21, 2023, at 9:30 a.m. No Fiscal Impact.
- Q.8. SET HEARING (LDCPAS 2022-15 County Road 540A INST) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 28.95+/- acres from Residential Low (RL) to Institutional in the Transit Supportive Development Area (TSDA). The suggested adoption hearing date is November 22, 2022, at 9:30 a.m.
- Q.9. SET HEARING (LDCPAS 2022-20 Bellagio County Line Rd CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment 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). The suggested adoption hearing date is November 22, 2022, at 9:30 a.m.

- Q.10. SET HEARING (LDCPAS 2022-22 Authenix North Ridge CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 20 +/- acres from Neighborhood Activity Center (NAC) to Residential High (RH) in the Transit Supportive Development Area (TSDA), Corridor and Center of the Transit Centers and Corridors Overlay and the North Ridge Selected Area Plan (SAP). The suggested adoption hearing date is November 22, 2022, at 9:30 a.m.
- Q.11. SET HEARING (LDCPAS 2022-23 Elevation Havendale CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 2.58 +/- acres from Residential High (RH) to Neighborhood Activity Center (NAC) in the Urban Growth Area (UGA) and Transit Corridors and Centers Overlay (TCCO). The suggested adoption hearing date is November 22, 2022, at 9:30 a.m.
- Q.12. SET HEARING (LDCPAS 2022-24 Artesia Polk County) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 26.61 +/- acres from Employment Center-X (ECX) and Residential Low-4X (RL-4X) to Residential Medium-X (RMX) in the Transit Supportive Development Area (TSDA) and the U.S. Highway 98 Selected Area Plan (SAP). The suggested adoption hearing date is November 22, 2022, at 9:30 a.m.
- Q.13. SET HEARING (LDCPAS 2022-25 Alturas RCC) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 11 +/- acres from Agriculture/Residential-Rural (A/RR) to Rural Cluster Center (RCC) in the Rural Development AREA (RDA). The suggested adoption hearing date is November 22, 2022, at 9:30 a.m.
- Q.14. SET HEARING (LDCT-2022-9 Open Space Text Amendment) to consider the adoption of a County-initiated request to modify Open Space and Recreation standards. Suggested hearing date for the first reading is November 22, 2022 at 9:30 a.m. and the second reading on December 6, 2022 at 9:30 a.m. No Fiscal Impact.
- Q.15. SET HEARING (LDCT-2022-16 SPD Revisions Text Amendment) to consider the adoption of a County-initiated request to modify Conditional Use and Open Space standards for Suburban Planned Developments (SPDs). Suggested hearing date for the first reading is December 6, 2022 at 9:30 a.m. and the second reading on March 21, 2023 at 9:30 a.m. No Fiscal Impact.
- Q.16. Westside Lakes Plat for Conditional Approval. (No fiscal impact)
- Q. BUILDING
- Q. DEPUTY COUNTY MANAGER
- Q. BUDGET & MANAGEMENT SERVICES

Q. PROCUREMENT

Q.17. Approve Amendment No. 3 to Agreement 19-003, Northeast Regional Wastewater Treatment Facility (NERWWTF) Clarifier Addition project with Wright-Pierce, Inc. (\$95,535.00 one-time expense)

Q.18. Approve Master Agreement for Utilities SCADA Construction Services with General Control Systems, Inc. and Revere Control Systems, Inc. (estimated \$2,500,000.00 annual recurring expense)

Q. COMMUNICATIONS

Q.19. Green Light for Veterans County Proclamation

Q.20. Farm-City Week Proclamation

Q. COOPERATIVE EXTENSION SERVICES

Q. HEALTH & HUMAN SERVICES

Q.21. Removal of Uncollectible Accounts from the Rohr Home's Active Accounts Receivable (No Fiscal Impact)

Q. EQUITY & HUMAN RESOURCES

Q. INFORMATION TECHNOLOGY

Q. CODE ENFORCEMENT

Q. COURT SERVICES

Q. RISK MANAGEMENT

Q.22. Consider approval of the proposed settlement in the matter of Karen Dubois v. Polk County Sheriffs' Office; \$99,000.00 one-time expense.

Q. INDIGENT HEALTH CARE

Q.23. Board sponsorship of historical marker to recognize the historical and benevolent significance of Shady Oaks Garden Cemetery, the county's pauper cemetery. (\$3,370.00)

Q. FACILITIES MANAGEMENT

Q. FLEET MANAGEMENT

Q. PARKS & NATURAL RESOURCES

- Q.24. Approve Cooperative Funding Agreement (No. 22CF0003714) with the Southwest Florida Water Management District (SWFWMD) to co-fund Upper Peace River Feasibility project (\$60,000 one-time revenue and \$60,000 County match).
- Q. FIRE RESCUE
- Q. EMERGENCY MANAGEMENT
- Q. REAL ESTATE SERVICES
- Q.25. Accept Quit Claim Deed from St. Mark's United Methodist Church for properties being donated for conservation preservation. (No Fiscal impact)
- Q.26. Accept instruments for additional right-of-way along Gandy Road, Franklin Street, and Road "C" as requested through the Development Review Process. (No fiscal impact)
- Q.27. Approve Right-of-Way Agreement between Holdings Winter Haven, Inc., f/k/a Bouldin Holdings 1, Inc. in conjunction with the Thompson Nursery Road Phase 1 Improvement Project, Parcel 104. (\$503,641) one-time expense)
- Q.28. Authorize an Easement to Duke Energy Florida, LLC in conjunction with the Loughman Fire Rescue Station. (No fiscal impact)
- Q.29. Approve Right-of-Way Agreement between Lucerne Park Investment, LLC and Polk County in conjunction with the County Road 557 Improvement Project. (\$204,000 one-time expense)
- Q. ROADS & DRAINAGE
- Q.30. Approve a State-Funded Grant Agreement (FPN: 449198-2-54-01) and the associated resolutions with the Florida Department of Transportation (FDOT) and CIP Amendment for the North Ridge Trail Project. (\$5,000,000.00 one-time revenue)
- Q.31. Adopt Resolution Setting Truck Restrictions on Adams Street (near Auburndale). (\$121.01 one-time expense)
- Q.32. Adopt Resolution Setting Truck Restrictions on Bridgers Avenue (near Auburndale). (\$232.66 one-time expense)
- Q.33. Adopt a Resolution Setting Parking Restrictions on Dunson Road, near Davenport (\$1,637.21 one-time expense)
- Q.34. Adopt a Resolution Setting Parking Restrictions on Pipkin Creek Road, near Lakeland. (\$232.01 one-time expense)

- Q.35. Approve an Interlocal Agreement Between Osceola County and Polk County for Maintenance for the Watermark Blvd. (A.K.A. Spine Road) Project (No Fiscal Impact).
- Q. UTILITIES
- Q.36. Approve (final) Change Order No. 1 to Construction Contract No. 2020-050 with Metro Equipment Service, Inc. for the Gibson Oaks Offsite Pipeline Improvements (\$146,010.16 one-time expense).
- Q. WASTE & RECYCLING
- 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.37. SET HEARING to consider the adoption of an ordinance amending Ordinance 2014-14, as amended, the Polk County Solid Waste Management Facility Siting and Operation Ordinance. (Suggested hearing dates are November 22, 2022 and December 6, 2022 at 9:30 a.m.)
- Q.38. SET PUBLIC HEARING to consider the adoption of an ordinance setting the yearly salary of Commissioners in accordance with Section 2.5 of the Polk County Charter. Suggested Hearing Date: November 22, 2022 at 9:30 a.m. or soon thereafter.
- Q.39. SET HEARING to consider an applicant-initiated ordinance to dissolve the Belle Haven Community Development District. Suggested hearing date for the hearing is November 22, 2022 at 9:30 a.m.
- Q.40. Adopt Resolution approving the Declarations Extending State of Local Emergency 22-02 (Hurricane Ian Emergency). (No fiscal impact).
- Q.41. Authorize the County Attorney and outside counsel not to seek fees and costs in the case of Distefano v. Polk County (2021CA-1053).

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, October 31, 2022 - 9:00 a.m. - Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.
- Monday, October 31, 2022 - 1:30 p.m. - Transportation Disadvantaged Local Coordinating Board meeting will be held in the County Commission Boardroom.
- Tuesday, November 1, 2022 - 6:00 p.m. - Sidewalk Advisory Committee will meet in the Multi-Purpose Room, Room 413.
- Wednesday, November 2, 2022 - 8:50 a.m. - Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Wednesday, November 2, 2022 - 9:00 a.m. - Planning Commission meeting will be held in the County Commission Boardroom.
- Wednesday, November 2, 2022 - 9:00 a.m. - Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.
- Thursday, November 3, 2022 - 8:30 a.m. - Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, November 3, 2022 - 9:00 a.m. - Tourist Development Council's Arts, Culture and Heritage Committee will meet at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale
- Thursday, November 3, 2022 - 9:00a.m. - Value Adjustment Board hearings will be held in the Administration Building third floor conference Room 341.
- Thursday, November 3, 2022 - 9:30 a.m. - Gulf Coast Safe Streets Summit will be held at the RP Funding Center, 701 West Lime Street, Lakeland, Florida 33815
- Friday, November 4, 2022 - 9:30 a.m. - Value Adjustment Board hearings will be held in the Administration Building third floor conference Room 341.
- Monday, November 7, 2022 - 9:30 a.m. - Value Adjustment Board hearings will be held in the Administration Building third floor conference Room 341.
- Tuesday, November 8, 2022 - 9:30 a.m. - Value Adjustment Board hearings will be held in the Administration Building third floor conference Room 341.
- Wednesday, November 9, 2022 - 8:30 a.m. - Lakeland Area Mass Transit District

Board of Directors meeting will be held at 1212 George Jenkins Boulevard, Hollingworth Room, Lakeland

- Wednesday, November 9, 2022 - 9:30 a.m. - Value Adjustment Board hearings will be held in the Administration Building third floor conference Room 341.
- Wednesday, November 9, 2022 - 4:00 p.m. - Central Florida Development Council Board Meeting will be held at the Central Florida Development Council Office, 1725 Bartow Road, Lakeland.
- Thursday, November 10, 2022 - 8:30 a.m. - Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, November 10, 2022 - 9:00 a.m. - The Tourist Development Council's Marketing Committee meeting will meet at the Balmoral Resort Florida, 116 Kenny Blvd, Haines City, FL 33844 (Balmoral Event Center).
- Thursday, November 10, 2022 - 9:30 a.m. - Value Adjustment Board hearings will be held in the Administration Building third floor conference Room 341.
- Thursday, November 10, 2022 - 10:00 a.m. - Deferred Compensation Committee will meet in Room 413.
- Thursday, November 10, 2022 - 5:30 p.m. - Contractor Licensing Board will meet in the County Commission Boardroom.
- Friday, November 11, 2022 - The offices of the Board of County Commissioners will be closed in observance of the Veteran's Day Holiday.
- Monday, November 14, 2022 - 9:30 a.m. - Value Adjustment Board hearings will be held in the Administration Building third floor conference Room 341.
- Tuesday, November 15, 2022 - 9:30 a.m. - Value Adjustment Board hearings will be held in the Administration Building third floor conference Room 341.
- Tuesday, November 15, 2022 - 1:30 p.m. - Land Use Hearing Officer will be held in the County Commission Boardroom.
- Wednesday, November 16, 2022 - 8:30 a.m. - Appellate Special Magistrate Hearing, in the County Commission Boardroom.
- Wednesday, November 16, 2022 - 9:30 a.m. - Value Adjustment Board hearings will be held in the Administration Building third floor conference Room 341.
- Wednesday, November 16, 2022 - 2:00 p.m. - Polk Regional Water Cooperative Board of Directors meeting will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.

- Thursday, November 17, 2022 - 8:30 a.m. - Special Magistrate Hearing, in the County Commission Boardroom.
- Thursday, November 17, 2022 - 8:30 a.m. - Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, November 17, 2022 - 9:00 a.m. - Tourist Development Council's Sports & Special Events Committee will meet at Polk State - Winter Haven Campus, 999 Avenue H, N.E., Winter Haven, FL 33881
- Thursday, November 17, 2022 - 9:30 a.m. - Value Adjustment Board hearings will be held in the Administration Building third floor conference Room 341.
- Friday, November 18, 2022 - 8:30 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.
- Friday, November 18, 2022 - 10:30a.m. (or immediately following the Board/Staff Agenda Review meeting) - Board/Staff Work Session on Indigent Health Care Plan will be held in the Commission Boardroom.