



# Polk County Board of County Commissioners

## Meeting Agenda - Final-revised

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### September 06, 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. Clerk & Comptroller Stacy M. Butterfield, CPA, to present Polk County's first-ever deed book - Deed Book A - which was recently fully preserved by Kofile Technologies, Inc. The preservation of the historical record is dedicated to the citizens of Polk County. Clerk Butterfield is also joined by Trae Scism, Client Executive with Kofile Technologies, Inc.

#### **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 August 16, 2022.

**F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY**

**G. COUNTY ATTORNEY (RANDY MINK)**

G.1. Proposed Fiscal Year 2022-2023 budget for the Wind Meadows South Community Development District.

G.2. Accept Quit Claim Deed from Wind Meadows South Community Development District for additional right-of-way for Crews Lake Road in conjunction with development. (No Fiscal Impact)

**H. COUNTY MANAGER (BILL BEASLEY)**

H.1. Approve Polk County School Board's request for release of Educational System Impact Fees. (No fiscal impact)

H.2. Approve the Fifth Amendment to the Cypress Lake Alternative Water Supply Agreement between the Water Cooperative of Central Florida and Reedy Creek Improvement District relating to the Cypress Lake Wellfield. (\$2,080,000 not-to-exceed, onetime expense)

H.3. Approve the contract with Tri-County Human Services, Inc. for the New Beginning Transition Center for men, a residential and intensive outpatient treatment program. (total amount not to exceed \$975,000 annually)

H.4. Approve the contract with Tri-County Human Services, Inc. for the New Beginning Transition Center for women, a residential and intensive outpatient treatment program. (total amount not to exceed \$675,000 annually)

H.5. Approve the contract with Florida Department of Health in Polk County to provide dental services to eligible low-income county residents. (total amount not to exceed \$910,000 annually)

H.6. Approve the contract with Florida Department of Health in Polk County to provide primary care services to eligible low-income county residents who are not Polk HealthCare Plan members. (total amount not to exceed \$728,000 annually)

H.7. Approve the contract with Peace River Center for Personal Development, Inc. to provide behavioral health services to eligible low-income county residents who are not Polk HealthCare Plan members. (total amount not to exceed \$430,000 annually)

H.8. Request Board approve construction contract with Cone & Graham, Inc. for the Bone Valley ATV Park Bridge project. (\$3,502,191.40 one-time expense)

**I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)**

- I.1. Reappoint Jinx Wilson Chaney to serve as a member (Seat 2) of the Polk County Historical Commission for the three-year term, October 1, 2022 to September 30, 2025.
- I.2. Commissioner Lindsey Comments.

**J. COMMISSIONER DISTRICT 2 (RICK WILSON)**

- 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**

- N.1. Appoint Larry Bull to the Workforce Development Board for the four-year term, October 2022 through June 30, 2026.
- N.2. Appoint Fred Heid to the Workforce Development Board for the four-year term, October 2022 through June 30, 2026.

**O. PUBLIC HEARINGS**

\* County Attorney opening comments

- O.1. Public Hearing (LDCD-2022-4 - Lunn Road Sub-District Change) to consider a Sub-District Map change from Residential Low-1 (RL-1) to Residential Low-2 (RL-2) on +/- 0.92 acres. (No fiscal impact)
- O.2. Public Hearing LDCPAS-2022-17 (The Hub at Polk County Metro Architecture, CPA) (Adoption Public Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 9.62 +/- acres from Residential Medium-X (RMX) to Residential High-X (RHX) in the Transit Supportive Development Area (TSDA) and the North Ridge Selected Area Plan (SAP). (No Fiscal Impact)

- O.3. Public Hearing LDCPAS-2022-19 (Pipkin Road RM, CPA) (Adoption Public Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 9.66 +/- acres from Residential Low (RLX) to Residential Medium (RMX) in the Transit Supportive Development Area (TSDA). (No Fiscal Impact)
- O.4. Public Hearing (Adoption Hearing) LDCT-2021-23 (Residential in ECX), an applicant-initiated ordinance amending the Land Development Code to modify the 15% area of ECX limitation for multifamily. (No Fiscal Impact).
- O.5. Public Hearing (Adoption Public Hearing) LDCPAL 2021-26 (Residential in ECX, CPA) to consider the adoption of a Large-Scale Comprehensive Plan text Amendment to change Appendix 2.131, North Ridge Selected Area Plan (SAP) in Comprehensive Plan regarding Policy 2.131-Q4, M, Modified Land Use Categories for Employment Center-X (ECX) to modify the density and the 15% ECX residential area cap. This is related to LDCT-2022-23. (No Fiscal Impact)
- O.6. Public Hearing (Adoption Hearing) LDCT-2022-6 (Temporary Shelter Text Amendment), a County-initiated ordinance amending the Land Development Code Section 207.K Temporary Emergency Shelters to allow such shelters to be utilized in the event of new construction or replacement of a primary residence on vacant parcels located outside of platted subdivisions (No Fiscal Impact).
- O.7. Public Hearing (First Reading) LDCT-2022-7 (SE Polk MH) to consider the adoption of a County-initiated ordinance amending the Land Development Code to add Individual Mobile Homes into the Village Centers and Village Center Cores of the Southeast Polk SAP. (No Fiscal Impact).

**P. CONSENT AGENDA ITEMS**

- P. COMMISSIONER DISTRICT 1
- P. COMMISSIONER DISTRICT 2
- P. COMMISSIONER DISTRICT 3
- P. COMMISSIONER DISTRICT 4
- P. COMMISSIONER DISTRICT 5
- P. COUNTY COMPTROLLER
- P.1. Removal of equipment from inventory as listed on Blanket Removal Form 2154.
- P.2. Proposed Fiscal Year 2022-2023 budgets for the Holly Hill Road East and North Boulevard Community Development Districts.
- P. COUNTY MANAGER

- P.3. Approve federal lobbying contract for Holland & Knight LLP. (\$108,000 one-time expense)
- P.4. Approval of Agreement with the Polk Regional Water Cooperative (PRWC) for the PRWC Heartland Protection and Sustainability Project, Polk County Alternative Water Supply Receiving Facilities (Project 6), for which the Florida Department of Environmental Protection (FDEP) awarded state funds via grant Agreement Number LPA0212 (\$416,098 reimbursable expenses).
- P. ECONOMIC DEVELOPMENT
- P. TOURISM/SPORTS MARKETING
- P.5. Approve Amendment No. 3 to Contract 18-043, Advertising and Related Marketing Services Agreement with The Zimmerman Agency. (\$35,750 monthly recurring fee)
- P.6. Request Board approve selection committee's recommendation to authorize staff to enter contract negotiations with Margaret Henriksson PR Ltd. for United Kingdom Public Relations and Sales Representative. (No fiscal impact)
- P.7. Approve First Amendment to the Interlocal Agreement with the City of Auburndale for Tourist Development Tax Funding for Development/Construction of the Lake Myrtle Sports Park Multipurpose Stadium, Phase III. (\$622,000 one-time payment)
- P. OFFICE OF PLANNING & DEVELOPMENT
- P.8. SET HEARING (LDWA-2022-23/Smith Access Waiver) to consider the adoption of an applicant-initiated request for Waiver to Section 705.B in a Residential Low-1 (RL-1) land use district on approximately 2.89 acres. Suggested hearing date is September 20, 2022 at 9:30 a.m. (No fiscal impact)
- P.9. SET HEARING LDCPAL-2022-4 (Cardboard & Shredded Paper Collection) 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. The adoption hearing needs to be reset from September 20, 2022, at 9:30 a.m. to November 1, 2022, at 9:30 a.m. (No fiscal impact)
- P.10. SET HEARING LDCT-2022-4 (Cardboard & Shredded Paper Collection) 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)
- P.11. Approve the release of a warranty and surety in the amount of \$11,628.67 in the form of Maintenance Bond No. PR2712282 for Elite Automotive. (No fiscal impact)

- P.12. Approve the reduction of a cash surety from \$341,325 to \$183,053.75 for Fantasy Island Resort. (No fiscal impact)
- P.13. Hickory Ranch Plat for Conditional Approval. (No fiscal impact)
- P.14. Approve the release of a Surety Bond No. ES00002904 in the amount of \$1,132,747.97 for Legacy Union Townhomes. (No fiscal impact)
- P.15. Accept Legacy Union Townhomes potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- P.16. Accept a one-year warranty and surety bond No 21BSBIV1365 in the amount of \$31,788.54 for Legacy Union Townhomes. (No fiscal Impact)
- P.17. Accept Irrevocable Letter of Credit Performance Surety for Mater Academy School in the amount of \$242,191.49. (No fiscal impact)
- P.18. Accept Polk Florence Villa Grove potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- P.19. Accept a one-year warranty and surety in the amount of \$35,213.00 in the form of Maintenance Bond No. 0767158 Polk Florence Villa Grove. (No fiscal Impact)
- P.20. Accept Tyson's Car Wash wastewater utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- P.21. Accept a one-year warranty and surety in the amount of \$430.00 in the form of a cash surety for Tyson's Car Wash. (No fiscal Impact)
- P.22. Resolution supporting Polk County's application for U.S. Department of Transportation's Safe Streets and Roads for All Grant (SS4A) to Complete the Vision Zero planning efforts.
- P. BUILDING
- P. DEPUTY COUNTY MANAGER
- P. BUDGET & MANAGEMENT SERVICES
- P. PROCUREMENT
- P.23. Approve West Pipkin Road Professional Services Amendment No. 7 with Patel, Greene & Associates. (\$49,757.00 estimated one-time expense).
- P. COMMUNICATIONS
- P. COOPERATIVE EXTENSION SERVICES

P. HEALTH & HUMAN SERVICES

P.24. Approve State Housing Initiatives Partnership (SHIP) Annual Report (AR) for FY 2019-2020 Closeout Year. (No fiscal impact)

P.25. Approve Community Development Block Grant (CDBG) subrecipient agreement Amendment 1 between Polk County and The City of Winter Haven. (No fiscal impact)

P. EQUITY & HUMAN RESOURCES

P. INFORMATION TECHNOLOGY

P. CODE ENFORCEMENT

P. COUNTY PROBATION

P.26. Approve Amended letter of support for allocation of FY21 Byrne Justice Assistance Grant funds. (No fiscal impact)

P. RISK MANAGEMENT

P. INDIGENT HEALTH CARE

P.27. Approve the contract with Peace River Center for Personal Development, Inc. to provide primary care services to eligible low-income county residents who are not Polk HealthCare Plan members. (total amount not to exceed \$120,000 annually)

P.28. Approve the first amendment to the contract with Lake Wales Care Center, Inc. to provide primary and specialty care services to eligible low-income county residents. (total amount not to exceed \$170,046 annually)

P. FACILITIES MANAGEMENT

P. FLEET MANAGEMENT

P. PARKS & NATURAL RESOURCES

P.29. Approve agreement with Ground Level, Inc. to provide invasive plant species management services for Parks and Natural Resources. (\$304,750.00 five-year expense)

P. FIRE RESCUE

P. EMERGENCY MANAGEMENT

P. REAL ESTATE SERVICES

- P.30. SET HEARING to consider requests to vacate portions of platted, maintained and unmaintained rights-of-way as shown on the map of Everett Subdivision and on the map of Park Place. (Suggested hearing date is September 20, 2022 at 9:30 a.m or immediately following the regular agenda)
- P.31. Adopt Resolution authorizing negotiations required by §73.015, Florida Statutes to be undertaken by the County Real Estate Services Administrator and his designated agents, subject to final Board approval, for acquisitions necessitated by new Roads and Drainage CIP Projects; various intersection and capacity projects. (No fiscal impact)
- P.32. Approve Land Purchase Agreements in conjunction with the purchase of conservation preservation properties located in the Lake Wales Ridge Ecosystem Project - Crooked Lake West Area, Beane, Derry, Kolling, Kurtz, Smith, and Maloof/Spognardi parcels (\$10,000 one-time expense).
- P.33. Authorize the conveyance of fourteen County owned parcels to the City of Lakeland. (No fiscal impact)
- P.34. Approve Agreements for Transfer of Public Roads between the City of Haines City and Polk County for Floyd Road a/k/a Kennedy Road, Palmeroy Road and a portion of Hughes Road and authorize County Deeds for the rights-of-ways associated therewith. (No fiscal impact)
- P.35. Approve Memorandum of Agreement between the State of Florida, Department of Transportation and Polk County regarding the Central Polk Parkway. (\$43,000 one-time revenue)
- P.36. Accept Warranty Deed from the School Board of Polk County in conjunction with the Old Bartow/Lake Wales Road at CR 653 Intersection Improvement Project. (No fiscal impact)
- P.37. Accept Quit Claim Deed from Richmond American Homes of Florida, LP for additional right-of-way along Johnson Avenue (CR 580). (No fiscal impact)
- P.38. Authorize a Release of Easement for an ingress-egress easement associated with a former utility site. (No fiscal impact)
- P.39. Accept Drainage Easement from Maria Laura Reyes Casanova and Juan Galan in conjunction with a drainage system near Elizabeth Street. (No fiscal impact)
- P.40. Accept utility easement from Trident-Davenport, LLC as requested through the Development Review Process (No fiscal impact)
- P.41. Approve maintained right-of-way map for Lake Mattie Road, located in the Auburndale area. (No fiscal impact)



P.42. Accept instrument for additional right-of-way along Keystone Road and Lake Alfred Road as requested through the Development Review Process. (No fiscal impact)

P. ROADS & DRAINAGE

P.43. Approve Modification No. 2 to CSA No. 17-058-02 with Rummel, Klepper & Kahl, LLP (Consultant) for the N. Galloway Road at Sleepy Hill Road Intersection Improvements Project. (\$6,580.00 one-time expense)

P.44. Adopt Resolution Setting Truck Restrictions on Lebanon Road and Tennessee Road (near Lakeland). (\$616.01 one-time expense)

P.45. Adopt a Resolution Setting Speed Limits on Gardner Drive, Polly Lane and Reding Way, Within the Aniston Subdivision, near Lakeland. (\$535.22 one-time expense)

P.46. Adopt a Resolution Setting Speed Limit on Halabrin Road, near Haines City. (\$262.21 one-time expense)

P.47. Adopt Resolution Setting Truck Restrictions on Denton Avenue (near Auburndale). (\$250.66 one-time expense)

P.48. Amend Resolution No. 15-008 changing the Committee members terms for the Polk County Sidewalk Advisory Committee. (No fiscal impact)

P.49. Approve Budget Amendment and Transfer for the CR559 and Adams Road Intersection Infrastructure Agreement (\$195,795.22 one-time transfer).

P. UTILITIES

P.50. Approve Consultant Services Authorization 18-063-06 with WSP USA, Inc. for the Edgehill WPF Well Rehabilitation and Sand Production Remediation project (\$194,501.94 one-time expense)

P.51. Approve Services Authorization 18-019-07 with the University of Central Florida for the Hodge Street Water Treatment Facility Operations Assessment (\$114,500 one-time expense).

P.52. Approve Change Order No. 1 to Construction Contract No. 2021-053 with Chinchor Electric, Inc. for the Standby Power Improvements Phase 2 NE2 and NW Project (\$84,570.00 one-time expense and a time extension of 90 days)

P. WASTE & RECYCLING

P. ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY

P. COURT RELATED

P. POLK COUNTY PROPERTY APPRAISER

P. POLK COUNTY SHERIFF

P.53. Approve and release an appropriation and expenditure from the Law Enforcement Trust Fund. (\$429,681.60 one-time expense)

P. POLK COUNTY SUPERVISOR OF ELECTIONS

P. POLK COUNTY TAX COLLECTOR

P. SUPERINTENDENT OF POLK COUNTY SCHOOLS

P. WORKFORCE DEVELOPMENT BOARD

P.54. Approve the 2022-2023 Polk County Workforce Development Board's Final Budget. (No fiscal impact.)

P. COUNTY ATTORNEY

P.55. SET PUBLIC HEARING to consider adoption of an Assessment Resolution and Non-Ad Valorem Assessment Roll pursuant to Ord. 2022-029, the Polk County Local Provider Participation Fund Ordinance. (Suggested hearing date is September 20, 2022 at 9:00 a.m.)

P.56. 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 October 18, 2022 and November 1, 2022 at 9:30 a.m.)

P.57. Consider adoption of a written order denying LDPD-2022-5 without prejudice. (No fiscal impact)

P.58. Consider resolution establishing expedited hearing procedures for land use cases. (No fiscal impact).

P.59. Consider resolution revising de novo hearing procedures. (No fiscal impact).

P.60. Request the Board authorize the filing of a Quiet Title Complaint against CM 37, Inc. (dissolved corporation) formerly Camp Mack, Inc., (dissolved corporation) and Kissimmee River Fire Station, Inc. and other necessary parties to quiet title at 3801 Camp Lester Road (Camp Lester Fire Station), Lake Wales, FL 33853-9752.

P.61. Approve Agreement for Traffic Control on Private Roads for Town Center Reserve Homeowners Association of Polk County, Inc. (No fiscal impact.)

P.62. Release of Lien related to the West Bimini Bay Municipal Services Benefit Unit (one-time expense of \$35.50 in recording fees).

## ANNOUNCEMENTS

All of the below scheduled meetings constitute 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, September 5, 2022 – The offices of the Board of County Commissioners will be closed in observance of the Labor Day Holiday.
- Wednesday, September 7, 2022 – 8:50 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Wednesday, September 7, 2022 – 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.
- Wednesday, September 7, 2022 – 5:01 p.m. – Lakeland Area Mass Transit District TRIM Initial Public Hearing and set tentative millage rate for LAMTD will be held at Lakeland City Hall, 228 S. Massachusetts Avenue, 3rd Floor Conference Room.
- Thursday, September 8, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Thursday, September 8, 2022 – 9:00 a.m. – The Tourist Development Council's Marketing Committee will meet at the RP Funding Center, 701 W. Lime Street, Lakeland, FL 33815 in the Lake Parker Room.
- Thursday, September 8, 2022 - 5:30 p.m. – Contractor Licensing Board will meet in the County Commission Boardroom.
- Monday, September 12, 2022 – 6:00 p.m. – Public Hearing to adopt Tentative Millage Rates and Budget for fiscal year 2022-23 (includes millage rates and budget for the Parks, Library, Stormwater, and Rancho Bonito MSTUs) will be held in the County Commission Boardroom.
- Tuesday, September 13, 2022 – 3:00 p.m. – Lake Access Advisory meeting will meet at the Parks and Natural Resources Office, 4177 Ben Durrance Road, Bartow, FL 33830.
- Wednesday, September 14, 2022 – Friday, September 16, 2022 – Florida Association of Counties Innovation & Policy Conference, JW Marriott Miami.
- Wednesday, September 14, 2022 – 8:30 a.m. – Lakeland Area Mass Transit District Board of Directors meeting will be held at 1212 George Jenkins Boulevard, Lakeland.
- Wednesday, September 14, 2022 – 10:00 a.m. – Polk County Efficiency Commission will meet in the Multi-Purpose Room, Room 413.

- Wednesday, September 14, 2022 – 12:00 p.m. – Central Florida Development Council Board Advance will be held at Florida Polytechnic University, 4700 Research Way, Lakeland, FL 33805.
- Thursday, September 15, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Thursday, September 15, 2022 – 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, September 15, 2022 – 9:00 a.m. – Tourist Development Council's Sports & Special Events Committee will meet at Frescos Southern Kitchen, 132 South Kentucky Avenue, Lakeland, FL 33801.
- Thursday, September 15, 2022 – 10:00 a.m. – Loughman Fire Station Open House.
- Friday, September 16, 2022 - 8:30 a.m. – Citizens Healthcare Oversight Committee will be held in the County Commission Boardroom.
- Friday, September 16, 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, September 19, 2022 – 6:00 p.m. – Public Hearing to adopt Final Millage Rates and Budget for fiscal year 2022-23 (includes millage rates and budget for the Parks, Library, Stormwater, and Rancho Bonito MSTUs) will be held in the County Commission Boardroom.