



Polk County Board of County Commissioners

Meeting Agenda - Final

May 07, 2024 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. (BILL BRASWELL, CHAIR)

INVOCATION

Murphy Hanley, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (BILL BRASWELL, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

A.1. Lance Schmidt, Managing Principal of Office, Central Florida of CliftonLarsonAllen, LLP will present the Annual Comprehensive Financial Audit for the fiscal year ended September 30, 2023.

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 April 16, 2024.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

H. COUNTY MANAGER (BILL BEASLEY)

- H.1. Request Board approve 1) Construction contract with Strickland Construction, Inc. for the Polk County Sheriff's Office Ridge District Station at Poinciana project (\$10,543,327.00 one-time expense), and 2) CIP amendment and budget transfer in the amount of \$2,310,849.00 from General Capital Improvement Fund Reserves.
- H.2. Approve construction contract with Strickland Construction, Inc. for the construction of a new roadway maintenance facility in Frostproof. (\$4,410,000.00 one-time expense).
- H.3. Approve construction contract with Cridel Group, Inc. for the Fort Fraser Trail Extension - Winter Lake Road to Glendale Street (\$6,943,298.20 one-time expense)
- H.4. Approve Local Agency Program (LAP) Supplemental Agreement with the Florida Department of Transportation (FDOT) to fund the construction phase of the Inwood Elementary School sidewalk improvement project, CIP Amendment, Resolution and budget amendment. (\$554,455.00 one-time revenue)
- H.5. Approve the contract with Central Florida Health Care, Inc. (CFHC) for the proposed purchase and renovation of a new community health center in Mulberry. (Total amount not to exceed \$4,000,000)
- H.6. Approve the contract with Winter Haven Hospital, Inc. d/b/a Center for Behavioral Health (WHCBH) for the proposed renovations, equipment and supplies. (Total amount not to exceed \$408,966)
- H.7. Approve agreement with SePRO Corporation dba EutroPHIX to provide professional engineering services for Lake Deeson, a 55-acre lake located in Polk County north of downtown Lakeland. (\$481,000.00 one-time expense)
- H.8. Approve agreement with SePRO Corporation dba EutroPHIX to provide professional engineering services for the Bear Branch stormwater conveyance system. (\$389,000.00 one-time expense)

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

- I.1. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

- J.1. Commissioner Wilson Comments.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

K.1. Commissioner Santiago Comments.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

L.1. Appoint Adam Bass as an alternate member of the Polk County Planning Commission for the remainder of the three-year term, May 7, 2024 to July 1, 2026.

L.2. Commissioner Combee Comments.

M. COMMISSIONER DISTRICT 3 (BILL BRASWELL, CHAIR)

M.1. Chair Braswell Comments.

N. LAY BOARD APPOINTMENTS

N.1. Appoint Susan L. Smith as a member of the Housing Finance Authority for the remainder of the three-year term ending January 22, 2025.

N.2. Appoint Le Rue "Skip" Stellfox to the Tohopekaliga Water Authority (TWA) Board of Supervisors for the remainder of a vacated term and a new 1-year term ending September 30, 2025.

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

* County Attorney opening comments

O.1. Public Hearing (LDPCAL-2023-11 US 27 NR SAP ECX) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 29.69+/- acres from Professional Institution-X (PIX) to Employment Center-X (ECX) and to amend Policy 2.131-Q4, M, c (a) to delete the new driveway access prohibition to US 27 within the Transit Supportive Development Area (TSDA), Transit Corridor and Transit Center of the Transit Centers and Corridors Overlay. (No Fiscal Impact)

O.2. Public Hearing (LDCT-2024-3 Recreational Camping LDC Text Amendment) (First Reading) to consider the adoption of a County-initiated request to modify Conditional Use criteria for Recreational Camping and RV Parks (No Fiscal Impact).

O.3. Public Hearing (LDCT-2024-4 Streets & Pedestrian Safety Text Amendment) (First Reading) to add EV Charging Stations as accessory uses and require 20 MPH speed limits signs on Level 2 plans for residential subdivisions with public roads. (No Fiscal Impact).

O.4. Public Hearing (LDCT-2024-5 Boat Ramps Amendment) (First Reading) to allow administrative approval of Boat Ramps to be open 24 Hours in Recreation Open Space (ROS) land use districts (No Fiscal Impact).

P. PUBLIC HEARINGS

- P.1. Public Hearing (LDCU-2024-4 North Lakeland Brownfield Designation) (Adoption Hearing) to consider the designation of a 22.5-acre site as a Brownfield. (No Fiscal Impact)
- P.2. Public Hearing (LDCPAL-2023-12 Green Swamp Density CPA Text) (Transmittal Hearing) to change SECTION 2.132-D RURAL SPECIAL PROTECTION AREA (RURAL-SPA) and modifications of POLICY 2.132-D4 and POLICY 2.132-D5. (No Fiscal Impact) (Request to continue to June 18, 2024, at 9:15 a.m.)
- P.3. Public Hearing to consider adoption of an ordinance amending Polk County Ordinance 2022-029, the Polk County Local Provider Participation Fund Ordinance (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 2193.
- R. COUNTY MANAGER
- R.2. Approve the First Amendment to the Amended and Restated Administrative Agreement for the Governmental 457(b) Deferred Compensation Plan. (No Fiscal Impact)
- R.3. Approve the following documents relating to the Deferred Compensation Plan offered to county employees: 1) Adoption Agreement for Eligible Governmental 457 Plan, 2) Amendment to Implement SECURE Act and Other Law Changes and the Certificate of Adopting Resolution to the Implement SECURE Act, 3) Amendment for the CARES Act, and the Certificate of Adopting Resolution for the CARES Act. (No Fiscal Impact)
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT

- R.4. SET HEARING: (LDCPAS-2023-24/US 98 Commercial CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 1.69+/- acres from Agricultural/Residential-Rural (A/RR) and Phosphate Mining (PM) to Rural Cluster Center (RCC) in the Rural Development Area (RDA) The suggested adoption hearing date is May 21, 2024, at 9:30 a.m.
- R.5. SET HEARING: (LDCPAS-2023-32/Lakeland Highlands CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 0.61+/- acres from Residential Medium (RM) to Office Center (OC) in the Transit Supportive Development Area (TSDA). The suggested adoption hearing date is May 21, 2024, at 9:30 a.m.
- R.6. SET HEARING: (LDCPAS-2024-1/Dundee Road L/R CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 18.53+/- acres from Business Park Center (BPC) to Leisure Recreational (L/R) in the Urban Growth Area (UGA). The suggested adoption hearing date is May 21, 2024, at 9:30 a.m.
- R.7. SET HEARING: (LDCT-2024-1 Florinda Farms Text Amendment) for a LDC Text amendment to amend Appendix E, Section E105. The suggested hearing dates are, for the first reading on May 21, 2024, at 9:30 a.m., and the second reading on June 4, 2024, at 9:30 a.m.
- R.8. SET HEARING (LDWA-2023-70/Cedar Ridge Road Access Waiver) to consider the approval of an applicant-initiated request for a waiver to LDC Section 705 necessary to allow the issuance of building permits for up to five (5) single-family homes on property that gains access solely via an easement and that the parent parcel does not front a paved public or private road. Suggested hearing date is May 21, 2024, at 9:30 a.m. (No Fiscal Impact)
- R.9. Sizemore East Plat for Conditional Approval. (No fiscal impact)
- R. BUILDING
- R. DEPUTY COUNTY MANAGER
- R. BUDGET & MANAGEMENT SERVICES
- R. PROCUREMENT
- R. COMMUNICATIONS
- R.10. Florida Water Reuse Week Proclamation
- R.11. Safe Boating Week Proclamation
- R. COOPERATIVE EXTENSION SERVICES

R. HEALTH & HUMAN SERVICES

- R.12. Approve State Housing Initiative Partnership (SHIP) Program rehabilitation/replacement program Homeowner Assistance Agreement and Grant Agreement for property located in the City of Haines City, FL. for Case# RC23-SHIP-007. (\$196,515.00 one-time expense).

R. EQUITY & HUMAN RESOURCES

R. INFORMATION TECHNOLOGY

R. CODE ENFORCEMENT

R. COURT SERVICES

R. RISK MANAGEMENT

R. INDIGENT HEALTH CARE

R. FACILITIES MANAGEMENT

R. FLEET MANAGEMENT

- R.13. Approve CIP amendment to add a Fuel Site Technology upgrade project to the FY 23/24 adopted CIP and transfer from Fleet Maintenance contingency reserve (One-time upgrade expense \$146,429, 1st year recurring expense \$15,763, totaling \$162,192)

R. PARKS & NATURAL RESOURCES

R. FIRE RESCUE

R. EMERGENCY MANAGEMENT

R. REAL ESTATE SERVICES

- R.14. Declare surplus and authorize the private conveyance of the County's interest in Parcel ID Number 283012-944600-070503 to Shauna and Mark Miratsky. (\$500, one-time revenue.)

- R.15. Approve Right-of-Way Agreement between Bonnie A. Gray, and Polk County in conjunction with the County Road 557 Project, Parcel 114. (\$104,260 one-time expense)

- R.16. Accept Quit Claim Deed for property being donated for conservation preservation, Ellis Estate Parcel. (\$125 estimated one-time expense)

- R.17. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with 1) American Acquisition Group for Group A; and 2) Florida Acquisition & Appraisal, Inc. for Group B to perform acquisition services for drainage projects. (No fiscal impact)
- R.18. Accept instruments for additional rights-of-way along County Road 547 and Walker Lake Road as requested through the Development Review Process. (No fiscal impact)
- R.19. Ratify and accept a County Deed from Osceola County for additional right-of-way in conjunction with an intersection project known as CR 54 (Ronald Reagan Parkway) at Westside Boulevard Intersection Improvement Project. (No fiscal impact)
- R.20. Approve Agreement for Transfer of Public Road between the City of Winter Haven and Polk County for Coon Lake Road and authorize a County Deed for the right-of-way associated therewith. (No fiscal impact)
- R.21. Accept multiple deeds and easements for road rights-of-way and associated drainage facilities in conjunction with the with the Power Line Road improvements. (No fiscal impact)
- R.22. Accept Quit Claim Deed from William Lamboy for property being donated in Rancho Bonito. (no fiscal impact)
- R.23. Approve maintained right-of-way map for Crescent Valley Ranch Road, located in the Davenport area. (No fiscal impact)

R. ROADS & DRAINAGE

- R.24. SET HEARING to Consider Adopting a Resolution Allowing for the Installation of Traffic Calming Devices (Speed Humps) on Dossey Road South, Near Lakeland. (Suggested Hearing Date: Tuesday, June 4, 2024, at 9:30 a.m.) (No fiscal impact)
- R.25. Approve Amendment to the Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation (FDOT) to Include Updated Exhibit "A" for FY 2024/2025 and Adopt a Resolution Authorizing the Chairman to Execute the Amendment on Behalf of the Polk County Board of County Commissioners. (\$1,021,357.00 one-time revenue/no match required)
- R.26. Approve Interlocal Agreement between Polk County and the City of Auburndale for Road Improvements for the County Road 559 at Adams Road intersection improvements project (Estimated \$328,376.00 one-time expense)
- R.27. Adopt a Resolution Setting Speed Limit on Galloway Oaks Drive, Within the Galloway Oaks Subdivision, near Lakeland. (\$100.07 one-time expense)

- R.28. Adopt Resolution Setting Truck Restrictions on Bryant Road (near Lakeland). (\$82.72 one-time expense)
- R.29. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Kisinger Campo & Associates, Corp. for engineering services for the North Ridge Trail. (No fiscal impact)
- R.30. Approve Temporary License Agreement for the Lake Gibson Control Structure between Polk County (County), the City of Lakeland (City) and the Southwest Florida Water Management District (SWFWMD).
- R.31. Approve Temporary License Agreement for the Lake Parker Control Structure between Polk County (County) and the Southwest Florida Water Management District (SWFWMD).
- R. UTILITIES
- R.32. Approve piggyback agreement with A.C. Schultes of Florida, Inc. dba Rowe Drilling for water well services (estimated \$137,000 recurring annual expense)
- 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.33. Confirm the Local Workforce Development Board (LWDB) Member list, the Local Workforce Development (LWD) Area Designation for Polk County Workforce Development Board, Inc. d/b/a CareerSource Polk, and authorize the chairman to sign the Local Workforce Designation form.
- R. COUNTY ATTORNEY
- R.34. SET PUBLIC HEARING to consider adoption of an ordinance amending Ordinance 18-027, as previously amended by Ord. 2019-031, the Economic Development Ad Valorem Tax Exemption for Exel, Inc. d/b/a DHL Supply Chain (USA) (Suggested hearing date is May 21, 2024 at 9:00 a.m.)

- R.35. Approve Agreement with Panza, Maurer & Maynard, PA, for legal services related to a HIPAA Compliance Review (not-to-exceed cost of \$149,900).
- R.36. Request Board adopt resolution expressing the intent to issue future debt to finance the acquisition and construction of certain utility capital projects.
- R.37. Authorize the Chair to execute a letter in support of the Technical Assistance Grant for the Four Corners Future Growth and Collaborative Strategic Planning Project.
- R.38. Release of Lien related to a Workforce Housing Impact Fee Mitigation for Jerry I. Pollard (No fiscal impact).
- R.39. Release of Lien related to an Affordable Housing Impact Fee Waiver for Yvonne A. Ingraham (No fiscal impact).
- R.40. Request the Board authorize the filing of a temporary and permanent prohibitory injunction complaint against 1027 Fantasy, LLC for violating the Florida Building Code by allowing people to occupy a structure without a County issued Certificate of Occupancy.

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.

- Tuesday, May 7, 2024 – 6:00 p.m. – Sidewalk Advisory Committee will meet in Room 413, Fourth Floor, Polk County Administration Building.
- Wednesday, May 8, 2024 – 8:30 a.m. – Lakeland Area Mass Transit District (LAMTD) Board of Directors meeting will be held at 1212 George Jenkins Boulevard, Lakeland.
- Wednesday, May 8, 2024 – 3:00 p.m. – Central Florida Development Council (CFDC) Board Meeting will be held at Balmoral Resort Florida, 124 Kenny Boulevard, Haines City.
- Wednesday, May 8, 2024 – 4:00 p.m. – Central Florida Development Council (CFDC) Investor Meeting will be held at Balmoral Resort Florida, 124 Kenny Boulevard, Haines City.
- Thursday, May 9, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, May 9, 2024 – 9:00 a.m. – Tourist Development Council’s Marketing Committee will meet at the Lake Myrtle Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, May 9, 2024 – 10:00 a.m. – Deferred Compensation Committee will meet in the Commissioners’ Conference Room, Room 407.
- Tuesday, May 14, 2024 – 3:00 p.m. – Lakes Access Advisory meeting will be held at the Parks and Natural Resources Office, 4177 Ben Durrance Road, Bartow.
- Wednesday, May 15, 2024 – 9:30 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Wednesday, May 15, 2024 – 1:00 p.m. – Lake Wales Adult Leadership Day Lunch and Roundtable will be held in Room 413, Fourth Floor, Polk County Administration Building.
- Wednesday, May 15, 2024 – 2:00 p.m. – Polk Regional Water Cooperative (PRWC) Board of Directors meeting will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, May 16, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administrator Building.

- Thursday, May 16, 2024 – 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, May 16, 2024 – 9:00 a.m. – Tourist Development Council’s Sports and Special Events Committee will meet at the Lake Myrtle Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Friday, May 17, 2024 – 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.
- Friday, May 17, 2024 – 2:30 p.m. – Value Adjustment Board (VAB) will have the final meeting to consider the recommendations in the County Commission Boardroom.