



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

April 16, 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

Darryl Banks, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (BILL BRASWELL, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

A.1. Reverend Dr. Alex Harper Recognition

A.2. Employee Recognition

B. CEREMONIAL PROCLAMATIONS

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

C.1. Ella O'Neill - Refuse Collection (Bulk Items).

C.2. Comments.

D. APPROVE CONSENT AGENDAS

D.1. Approve Consent Agenda.

ELOISE COMMUNITY REDEVELOPMENT AGENCY

D.2. Approve Eloise CRA Consent Agenda.

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

E.1. Disbursements.

E.2. Minutes of Regular Board meeting held on April 2, 2024.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Approve a State-Funded Grant Agreement and associated resolution with the Florida Department of Transportation (FDOT) (\$3,276,934.00 one-time future revenue)

H.2. Approve Right-of-Way Agreement between Catherine S. Hart and Polk County in conjunction with the County Road 557 Project, Parcel 125. (\$1,860,625 one-time expense)

H.3. Approve Right-of-Way Agreement between Timothy Chancy and Polk County in conjunction with the County Road 557 Project, Parcel 135. (\$448,422 one-time expense)

H.4. Approve the Interlocal Agreement between Polk County (County) and the City of Lake Wales (City) for the provision of wholesale wastewater service (County to pay to the City for wastewater capacity in the amount of \$1,047,849 and recurring monthly user fees as described in Section 7 of the aforementioned Agreement); budget transfer of \$1,047,849 from Northeast Regional Wastewater Treatment Facility Electrical and Communication Network Conversion project (American Rescue Plan Funds) and an amendment to the FY 23/24 Utilities Community Investment Program (CIP) Expansion budget.

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

I.1. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

J.1. Appoint Jacquelyn Codd, Esq. as a member of the Sidewalk Advisory Committee for the remainder of the two-year term ending September 30, 2025.

J.2. Commissioner Wilson 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 3 (BILL BRASWELL, CHAIR)

M.1. Chair Braswell Comments.

N. LAY BOARD APPOINTMENTS

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

* County Attorney opening comments

- O.1. Public Hearing (LDCT-2024-2 Townhomes LDC Text Amendment) (Adoption Hearing) to consider the adoption of a County-initiated request to clarify the approval process and development standards for multi-family townhome developments. (No Fiscal Impact).
- O.2. Public Hearing (LDDRI-2023-3 River Ranch DRI Map H Amendment) (Adoption Hearing) to consider an amendment to the River Ranch Development of Regional Impact (DRI) to add a mixed-use category. (No Fiscal Impact)
- O.3. Public Hearing (LDWA-2023-74 Hatchineha Road Access Waiver) to consider the approval of an applicant-initiated request for a waiver to LDC Section 705.B necessary to allow the issuance of building permits for up to four (4) single-family homes on property that gains access solely via an easement that exceeds ¼ mile. (No Fiscal Impact)

P. PUBLIC HEARINGS

- P.1. Public Hearing (LDCPAL-2023-9 RCC Text Change CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan text amendment to modify Objectives/Policies in the Future Land Use Element related to the Rural Cluster Center Future Land Use District and activity centers. (No Fiscal Impact)
- P.2. Public Hearing (LDCPAL-2023-13 Septic to Sewer Text Change CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan text amendment to several elements of the Comprehensive Plan will be amended that address new septic tank limitations in areas with Basin Management Action Plans, a new overlay called Nutrient Restoration Plan Overlay (NRPO), and septic tank to sewer conversation in the NRP. This case is related to LDCT-2024-24. (No Fiscal Impact)
- P.3. Public Hearing (LDCT-2023-24 Septic to Sewer) (First Reading) to consider the adoption of a County-initiated request to amend the Land Development Code to add the Nutrient Restoration Plan Overlay, restrictions on septic tanks, and definitions. (No Fiscal Impact).
- P.4. Public Hearing (LDCU-2024-4 North Lakeland Brownfield Designation) to consider the designation of a 22.5-acre site as a Brownfield. (No Fiscal Impact)

- P.5. Public Hearing to consider adoption of an ordinance calling a referendum on November 5, 2024, for proposed amendment to merge the Efficiency Commission with the Charter Review Commission for expense reduction.
- P.6. Public Hearing to consider adoption of a Resolution to vacate platted, unopened, and unmaintained right-of-way (alley) shown on Ransone's Addition to Bradley Junction, Bradley, Florida. (No fiscal impact)
- P.7. Public Hearing to consider adoption of a Resolution to vacate a portion of platted, unmaintained right-of-way shown as 43rd Street on the Replat of Davenport Terminals in Davenport, Florida. (No fiscal impact)

Q. WORK SESSION ITEMS

R. CONSENT AGENDA ITEMS - BOARD OF COUNTY COMMISSIONERS

- 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 2192.
- R. COUNTY MANAGER
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R.2. Approve an Interlocal Agreement with the City of Auburndale for Equipment Donation at Field 6. (No Fiscal Impact)
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.3. SET HEARING: (LDCPAL-2023-11 US 27 NR SAP ECX) 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 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. The suggested transmittal date is May 7, 2024, at 9:30 a.m. and the adoption hearing date is September 3, 2024, at 9:30 a.m.

- R.4. SET HEARING: (LDCPAL-2023-12 Green Swamp Density Record CPA Text) to change SECTION 2.132-D RURAL SPECIAL PROTECTION AREA (RURAL-SPA) and modifications of POLICY 2.132-D4 and POLICY 2.132-D5. The suggested transmittal date is May 7, 2024, at 9:30 a.m. and the adoption hearing date is September 3, 2024, at 9:30 a.m.
- R.5. SET HEARING: (LDCT-2024-3 Recreational Camping Text Amendment) to amend Chapter 3, Section 303, to modify Conditional Use criteria for Recreational Camping and RV Parks, and Chapter 10 to provide a definition for Primitive Camping. The suggested hearing dates are, for the first reading on May 7, 2024, at 9:30 a.m., and the second reading on May 21, 2024, at 9:30 a.m.
- R.6. SET HEARING: (LDCT-2024-4 Streets & Pedestrian Safety Text Amendment) to amend Chapter 206, Accessory Uses, to add EV Charging Stations; Chapter 8, Subdivisions, to require speed limits signs on Level 2 plans; and Chapter 10 to provide definitions. The suggested hearing dates are, for the first reading on May 7, 2024, at 9:30 a.m., and the second reading on May 21, 2024, at 9:30 a.m.
- R.7. SET HEARING: (LDCT-2024-5 Boat Ramps Amendment) to amend Chapter 3, Section 303, Vehicle-Oriented Recreation. The suggested hearing dates are, for the first reading on May 7, 2024, at 9:30 a.m., and the second reading on May 21, 2024, at 9:30 a.m.
- R.8. SET HEARING: (LDCT-2024-6 Vehicle Repair Amendment) to amend Chapter 2, Section 218 to add clarification, Chapter 2, Section 219 to add regulations, and Chapter 10 to add definitions. The suggested hearing dates are, for the first reading on May 7, 2024, at 9:30 a.m., and the second reading on May 21, 2024, at 9:30 a.m.
- R. BUILDING
- R. DEPUTY COUNTY MANAGER
- R. BUDGET & MANAGEMENT SERVICES
- R. PROCUREMENT
- R. COMMUNICATIONS
- R. COOPERATIVE EXTENSION SERVICES
- R. HEALTH & HUMAN SERVICES
- R.9. Approve State Housing Initiative Partnership (SHIP) Program rehabilitation/replacement Homeowner Assistance Agreement and Grant Agreement for property located in Waverly, FL., for Case# RC23-SHIP-005. (\$181,990.00 one-time expense).

- R.10. Approve Second Amendment to American Rescue Plan Local Fiscal Recovery Funding Agreement with All Veterans Center, Inc. (No fiscal impact)
- R. EQUITY & HUMAN RESOURCES
- R. INFORMATION TECHNOLOGY
- R.11. Approve agreement with Version 1 for Oracle cloud managed services. (\$54,122.73, one-time expense and \$383,796.31 estimated average annual recurring expense)
- R. CODE ENFORCEMENT
- R. COURT SERVICES
- R. RISK MANAGEMENT
- R. INDIGENT HEALTH CARE
- R. FACILITIES MANAGEMENT
- R. FLEET MANAGEMENT
- R. PARKS & NATURAL RESOURCES
- R.12. Consider the recommendation of the Polk County Historical Commission to approve the Legacies in Polk Government Leadership Guidelines and Application. (Estimated \$500 Recurring)
- R.13. Approve staff to pursue acquisition of sites nominated to the Environmental Lands Program. Conservation Land Acquisition Selection Advisory Committee (CLASAC) recommends pursuing acquisition of EL-119-24, EL-120-24, EL-121-24 and EL-122-24. (no fiscal impact)
- R. FIRE RESCUE
- R.14. Approve Amendment No. 4 to Contract 14-22, Medical Director Services with Pushpal Banerjee, D. O. (\$2,271.00-one time increase)
- R.15. Requesting the approval of the initial application of Certificate of Public Convenience and Necessity (COPCN) for GOLOGIX LLC, (No Fiscal Impact)
- R. EMERGENCY MANAGEMENT
- R. REAL ESTATE SERVICES
- R.16. Declare surplus and authorize the private conveyance of the County's interest in Parcel ID Number 242822-000000-041015 to Hulbert Homes, Inc. (\$1,618 one-time revenue)

- R.17. Accept an Access Easement from The District Board of Trustees of Polk State College, in conjunction with the Eaton Park Fire Station. (No fiscal impact)
- R.18. Approve Lease Agreement between Willow Oak Volunteer Fire Department, Inc. and Polk County. (No fiscal impact)
- R.19. Adopt Resolutions of Necessity for multiple parcels authorizing condemnation for transportation improvements to County Road 557, Project No. 5400135. (No fiscal impact)
- R.20. Adopt Resolution of Necessity authorizing condemnation for transportation improvements to the intersection of County Road 54 at Heritage Pass, Project No. 5400192. (No fiscal impact)
- R.21. Accept Quit Claim Deed and Public Drainage and Utilities Easement from Maronda Homes, LLC of Florida, for additional right-of-way and public easement along, and associated with, Athabasca Court. (No fiscal impact)
- R.22. Accept Special Warranty Deed from Hartford Terrace Community Development District, for additional rights-of-way along Forest Lake Drive and Holly Hill Road. (No fiscal impact)
- R.23. Accept instruments for additional rights-of-way along E.F. Griffin Road, T.S. Wilson Road, and Lake Deer Drive South as requested through the Development Review Process. (No fiscal impact)

R. ROADS & DRAINAGE

- R.24. Approve Consultant Services Authorization (CSA) No. 22-081-03 with AECOM Technical Services, Inc. (Consultant) to provide Construction Engineering & Inspection (CEI) services for the SR 60 @ 80 Foot Road Intersection Improvement Project, CIP Amendment and budget transfer. (\$197,522.25 one-time expense)
- R.25. Approve Consultant Services Authorization (CSA) No. 22-081-04 with AECOM Technical Services, Inc. (Consultant) to provide temporary staff to the Roads & Drainage Division, Project Management Section. (\$192,000.00 one-time expense)
- R.26. Approve Consultant Services Authorization (CSA) No. 22-095-02 with Rummel, Klepper & Kahl, LLP (Consultant) for design services for the W. Socrum Loop/N. Campbell Rd./Old Dade City Rd. Sidewalk Project. (\$129,490.00 one-time expense)
- R.27. Adopt a Resolution Setting Parking Restrictions on Connie Lee Court, Larry Road, Leitha Way, Lindale Street and Victor Road, near Lakeland (\$2,322.10 one-time expense)

- R.28. Approve Interlocal Agreement between Polk County and the City of Davenport (City) for the North Lake Fitness Trail Project. (no fiscal impact)
- R.29. Approve a Hold Harmless Agreement between Polk County and Kimley-Horn and Associates, Inc. for Thompson Nursery Road Extension.
- 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.30. Approve distribution of funds from the Driver Education Trust Fund to the Polk County School Board for use in its driver education safety program. (\$292,103.53 recurring revenue and expense)
- R. WORKFORCE DEVELOPMENT BOARD
- R. COUNTY ATTORNEY
- R.31. SET PUBLIC HEARING to consider adoption of an ordinance amending Polk County Ordinance 2022-029, the Polk County Local Provider Participation Fund Ordinance. (Suggested hearing date is May 7, 2024, at 9:00 a.m. or soon thereafter).
- R.32. Authorize the filing of appeal in the case of Florida PACE Funding Agency v. State of Florida, et al. (2022CA-1562) filed in the Circuit Court of the Second Judicial Circuit, In and for Leon County, Florida.
- R.33. Authorize the Chair to execute a letter in support of SB 770 (2024).
- R.34. Closure and discontinuance of operations of the Rohr Home (no fiscal impact)
- R.35. Adopt resolution repealing the Use Policy for County Administration Building adopted on June 27, 2000.

S. CONSENT AGENDA ITEMS - ELOISE COMMUNITY REDEVELOPMENT AGENCY

- S.1. Appoint Juanita (Janie) Torres to the Eloise Community Redevelopment Agency Advisory Committee for the three-year term commencing on April 16, 2024 and ending on April 16, 2027. (No fiscal impact)
- S.2. Appoint Bobby Williams to the Eloise Community Redevelopment Agency Advisory Committee for the three-year term commencing on April 16, 2024 and ending on April 16, 2027. (No fiscal impact)
- S.3. Approve the Eloise Community Redevelopment Agency meeting minutes from August 8, 2023 and October 17, 2023 CRA Board meetings.

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, April 15, 2024 – 12:00 p.m. – Public Safety Coordinating Council will meet in the Commissioners' Conference Room, Room 407.
- Monday, April 15, 2024 – 1:00 p.m. – Lakeland Area Mass Transit District (LAMTD) Board of Directors meeting will be held in the City Commission Conference Room at City Hall, 228 South Massachusetts Avenue, Lakeland.
- Tuesday, April 16, 2024 – 10:30 a.m. (or immediately following the Public Hearings) – Finance and Audit Committee meeting will be held in the County Commission Boardroom.
- Tuesday, April 16, 2024 – 11:30 a.m. – 55th Annual Presidents' Roundtable Public Safety Awards Luncheon will be held at First United Methodist Church, 72 Lake Morton Drive, Lakeland.
- Wednesday, April 17, 2024 – 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Wednesday, April 17, 2024 – 9:00 a.m. – Value Adjustment Board Hearings will be held in the County Administration Building, Room 341, Third Floor.
- Thursday, April 18, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, April 18, 2024 – 9:00 a.m. – Value Adjustment Board Hearings will be held in the County Administration Building, Room 341, Third Floor.
- Thursday, April 18, 2024 – 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Monday, April 22, 2024 – 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in Room 413, Fourth Floor, Polk County Administration Building.
- Wednesday, April 24, 2024 – 1:00 p.m. – Conservation Land Acquisition Selection Advisory Committee (CLASAC) will meet in the County Commission Boardroom.
- Thursday, April 25, 2024 – 8:30 a.m. – State of the County 2024 will be held in the Pro Cap Room at Polk County Sheriff's Office, 1891 Jim Keene Boulevard, Winter Haven.
- Thursday, April 25, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County

Administration Building.

- Thursday, April 25, 2024 – 9:00 a.m. – Tourist Development Council's Board will meet at Lake Myrtle Sports Complex, 2701 Myrtle Park Road, Auburndale.
- Thursday, April 25, 2024 – 1:30 p.m. – Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.
- Thursday, April 25, 2024 – Friday, April 26, 2024 – Central Florida Development Council (CFDC) Leadership Mission will be held in Jacksonville, Florida.
- Tuesday, April 30, 2024 – 7:00 a.m. – Lakeland Area Mass Transit Board Retreat will be held at Lake Crago Recreational Center, 525 Lake Crago Drive, Lakeland.
- Tuesday, April 30, 2024 – 9:00 a.m. – Citizens Healthcare Oversight Committee (COC) Work Retreat will be held at Circle B Bar Reserve, 4399 Winter Lake Road, Lakeland.
- Wednesday, May 1, 2024 – 9:00 a.m. – Planning Commission Meeting will be held in the County Commission Boardroom.
- Thursday, May 2, 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 2, 2024 – 9:00 a.m. – Tourist Development Council's Arts, Culture, and Heritage Committee will meet at Lake Myrtle Sports Complex, 2701 Myrtle Park Road, Auburndale.
- Thursday, May 2, 2024 – 2:30 p.m. – Historical Marker Committee followed by the Historical Commission will meet in the County Commission Boardroom.
- Friday, May 3, 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.