



Polk County Board of County Commissioners (Organizational)

Meeting Agenda - Final-revised

November 21, 2023 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

Bill Dehart, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (GEORGE LINDSEY, CHAIR)

REORGANIZATION OF THE BOARD (RANDY MINK)

1. Comments from the General Public regarding Reorganization of the Board.
2. Elect Chairperson.
3. Elect Vice Chairperson.
4. Adopt Resolution Authorizing Banks to Honor and Cash Warrants signed by new Chairperson and the Clerk effective November 21, 2023.
5. Recognition of the outgoing Chair.

A. PRESENTATIONS and RECOGNITIONS

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 November 7, 2023.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

F.1. Commissioner George Lindsey - Transportation Sales Surtax Discussion with comments from Municipal Elected Officials

G. COUNTY ATTORNEY (RANDY MINK)

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Approve the Infrastructure Agreement between GLK Real Estate, LLC. and Polk County for Wynnstone, Cascade & Brentwood Developments. (One-time expense of \$5,800,532.36)

H.2. Request Board approve construction contract with Gibbs & Register, Inc., for the Wabash Ave multi-use trail project, CIP Amendment, and transfer. (\$3,771,978.80 one-time expense)

H.3. Approve the Substance Abuse and Mental Health Services Administration Grant Subrecipient Agreement with Crescendo Consulting Group, LLC. (total amount not to exceed \$396,800)

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

I.1. Reappoint Pablo Sologaistoa as a member of the Lakes Access Advisory Committee, for the three-year term, November 17, 2023 through November 16, 2026.

I.2. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

J.1. Appoint Bruce Kistler as a member of the Lakes Access Advisory Committee, for the three-year term, November 17, 2023 through November 16, 2026.

J.2. Commissioner Wilson Comments.

K. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

K.1. Appoint Jack R. Green, Jr. as a member of the Lakes Access Advisory Committee for the three-year term, November 17, 2023 through November 16, 2026.

K.2. Commissioner Braswell Comments.

L. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

L.1. Appoint Elena C. Giarratano as a member of the Lakes Access Advisory Committee, for the three-year term, November 17, 2023 to November 16, 2026.

L.2. Commissioner Santiago Comments.

M. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

M.1. Appoint Jean Reed as a member of the Lakes Access Advisory Committee, for the three-year term, November 17, 2023, to November 16, 2026.

M.2. Commissioner Combee Comments.

N. LAY BOARD APPOINTMENTS

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

O.1. Public Hearing (LDWA-2023-43 Sunset Lane Access via Easement) to consider an applicant-initiated request seeking a waiver to Section 705 of the Land Development Code for residential lot with access through a private easement longer than ¼ mile and more than four lots. (No fiscal impact)

O.2. Public Hearing (LDGPAS-2023-13 Pool Branch Road PM to A/RR CPA) (Adoption Public Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 18.52 +/- acres Phosphate Mining (PM) to Agricultural/Rural-Residential (A/RR) in the Rural Development Area (RDA).

O.3. Public Hearing (LDGPAS-2023-17 J&T Ronald Reagan Parkway CPA) (Adoption Public Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 1.92 +/- acres Residential Low 4 (RL-4X) to Residential Medium (RMX) in the Transit Supportive Development Area (TSDA).

O.4. Public Hearing LDGPAS 2023-19 (NW 34th Street CE CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential Medium (RM), to Commercial Enclave (CE) on ±0.52 acres. (No Fiscal Impact)

O.5. Public Hearing (LDCT-2023-12 PIX Car Wash and Self-Storage Text Amendment) to consider the adoption of an applicant-initiated Land Development Code text amendment.

- O.6. Public hearing (LDCT-2023-17 Certified Local Government (CLG) Ordinance) (First Reading) to consider adoption of an ordinance needed to achieve Certified Local Government status as defined by the National Historic Preservation Act.

P. PUBLIC HEARINGS

* County Attorney opening comments

- P.1. Public Hearing (LDCPAS-2023-16 Avenue Y CPA) (Adoption Public Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on .22 +/- acres from Residential-Low (RL) to Residential-High (RH) in the Transit Supportive Development Area (TSDA). (No Fiscal Impact)
- P.2. Public Hearing LDCPAS 2023-18 (Shepherd Road Residential High CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Community Activity Center (CAC), Residential Medium (RM), and Preservation (PRESV) to Residential High (RH) on ±14.58 acres. (No Fiscal Impact)
- P.3. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Three Traffic Calming Devices (Speed Humps) on Fifth Street West, Near Winter Haven. (estimated \$15,000.00 one-time expense)
- P.4. Public Hearing to consider adoption of a Resolution to vacate platted and unmaintained right-of-way as shown on the map of Captain David Burns' Subdivision, Davenport, Florida and accept a Drainage Easement from Davenport Legacy, LLC. (No fiscal impact)
- P.5. Public Hearing to consider adoption of a Resolution to vacate a portion of maintained right-of-way for Horse Shoe Creek Road, currently known as Huckleberry Road, as recorded in Map Book 4, Pages 303 through 308, in Davenport, Florida and approve a new maintained right-of-way map for Huckleberry Road in conjunction therewith. (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. The 2023-2024 Annual Meeting Schedule for the Forest Lake, Holly Hill Road East, North Boulevard, Poinciana, Poinciana West, Schaller Preserve, Sandmine Road and Westside Haines City Community Development Districts.
- R.2. Removal of equipment from inventory as listed on Blanket Removal Form 2183.
- R.3. Appoint property custodian for the office of Communications.
- R.4. Appoint property custodian for the office of Health and Human Services/Healthy Families.
- R. COUNTY MANAGER
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.5. SET HEARING (LDCT-2023-16 Prescriptive Planned Development Text) to add a Prescriptive Planned Development (PD) as a Conditional Level 2 (C2) administrative review; add a Prescriptive Planned Development that does not require a Level 3 Review; Amend Chapter 9, Section 903G and Chapter 10 Definitions. The suggested hearing dates are for the first reading on December 5, 2023, at 9:30 a.m. and the Adoption reading on December 19, 2023, at 9:30 a.m.
- R.6. Accept a one-year warranty and surety in the amount of \$131,603.46 in the form of Maintenance Bond No. SU 1196179 Harmony on Lake Eloise Phase 1 Paving. (No fiscal Impact)
- R.7. Accept a one-year warranty and surety in the amount of \$113,818.70 in the form of Maintenance Bond No. CMS0354839 Hawthorne Phase 1 Paving. (No fiscal Impact)
- R.8. Accept a one-year warranty and surety in the amount of \$79,958.50 in the form of Maintenance Bond No. 30152647-M Hickory Ranch Phase 1 Paving. (No fiscal Impact)
- R.9. Accept a one-year warranty and surety in the amount of \$15,691.81 in the form of Maintenance Bond No. 0842664 Spirit Landings Paving. (No fiscal Impact)
- R.10. Accept a two-year warranty and surety in the amount of \$1,918.20 in the form of Maintenance Bond No. 0842662 Spirit Landings Storm and Drainage. (No fiscal Impact)
- R.11. Accept a one-year warranty and surety in the amount of \$99,118.87 in the form of Maintenance Bond No. 0641711 Spirit Landings. (No fiscal Impact)

- R.12. Accept Spirit Landings potable water and wastewater utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.13. Approve the release of a surety in the amount of \$92,536.39 in the form of cash for Camden at Providence. (No fiscal impact)
- R.14. Approve the release of a surety in the amount of \$86,042 in the form of cash for Camden Park at Providence Phase 2 N16. (No fiscal impact)
- R.15. Approve the release of a surety in the amount of \$16,736.24 in the form of cash for Camden Park at Providence Phase 3 N29. (No fiscal impact)
- R.16. Approve the release of a surety in the amount of \$128,084.45 in the form of cash for Prestwick Village. (No fiscal impact)
- R.17. Approve the release of a surety in the amount of \$1,523,745.10 in the form of Performance Bond No. CMS347442 Spirit Landings. (No fiscal impact)
- R.18. Approve the release of a warranty and surety in the amount of \$33,305 in the form of Maintenance Bond No. 1174664 for Crystal Ridge aka Azur Resort. (No fiscal impact)
- R.19. Approve the release of a warranty and surety in the amount of \$197,883.91 in the form of Maintenance Bond No. 024259724 Mirabella Phase 1. (No fiscal impact)
- R.20. Approve recommended changes to the functional classification of select Polk County roads: N. Davis Avenue, Old Kissimmee Road and Story Road. (No fiscal impact)
- R. BUILDING
- R. DEPUTY COUNTY MANAGER
- R. BUDGET & MANAGEMENT SERVICES
- R.21. Adopt a budget resolution to amend the Street Lighting District Fund for FY 22/23 (one time revenue - \$60,500)
- R.22. Adopt resolution to amend the FY 22/23 budget for required Governmental GASB 87 and GASB 96 capital outlay adjustments. Accounting adjustments only - no fiscal impact.
- R. PROCUREMENT
- R.23. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Version 1 for Oracle cloud managed services. (No fiscal impact)

R. COMMUNICATIONS

R.24. Alzheimer's and Brain Awareness Day Proclamation

R.25. Children's Grief Awareness Proclamation

R. COOPERATIVE EXTENSION SERVICES

R. HEALTH & HUMAN SERVICES

R.26. Approve Subcontract Amendment #0011, between The Ounce of Prevention Fund of Florida, Healthy Families Florida, and transfer from the Special Revenue Grant Fund Reserve for Contingency. (\$137,553 one-time revenue and expense)

R. EQUITY & HUMAN RESOURCES

R. INFORMATION TECHNOLOGY

R. CODE ENFORCEMENT

R. COURT SERVICES

R. RISK MANAGEMENT

R. INDIGENT HEALTH CARE

R.27. Approve the first amendment to the contract with Tri-County Human Services, Inc. (TCHS) for the provision of alcohol, substance abuse, and mental health services as mandated in Section 394.76 of the Florida Statutes. (total amount not to exceed \$1,005,929 annually.)

R.28. Approve Polk HealthCare Plan Medical Services Agreement with Central Florida Speech & Hearing Center, Inc. for specialty care services. (Transfer of existing appropriations to medical provider).

R.29. Approve Polk HealthCare Plan Medical Services Agreement with Medi-Healthcare, Inc. for specialty care services. (Transfer of existing appropriations to medical provider).

R. FACILITIES MANAGEMENT

R.30. Approve Consultant Services Authorization (CSA) No. 2021-033-01 with Clemons, Rutherford and Associates, Inc. (CRA) for architectural and engineering services associated with the Polk County Tourism Office Building Expansion project. (\$199,845.00 one-time expense)

R. FLEET MANAGEMENT

R. PARKS & NATURAL RESOURCES

R. FIRE RESCUE

R.31. Initial application of Certificate of Public Convenience and Necessity (COPCN) - Aloha Medical Services, Inc.

R.32. Renewal of Certificate of Public Convenience and Necessity (COPCN) - Go Logix LLC.

R. EMERGENCY MANAGEMENT

R. REAL ESTATE SERVICES

R.33. Approve Right-of-Way Agreement between Stanley Vazquez and Maria G. Torres and Polk County in conjunction with the County Road 557 Project, Parcel 710. (\$3,300 one-time expense)

R.34. Approve Agreement for Transfer of Public Road between the City of Lake Wales and Polk County for G.R. Road and authorize a County Deed for the right-of-way associated therewith. (No fiscal impact)

R.35. Authorize the conveyance of County's interest in Parcel ID Number 253005-372500-010021 to the City of Bartow and adopt a resolution authorizing the conveyance. (No fiscal impact)

R.36. Authorize an Easement to Duke Energy in conjunction with the Watkins Road Fire Station. (No fiscal impact)

R.37. Approve First Amendment to Lease No. 362 between Polk County and Tri-County Human Services, Inc., a Florida not for profit corporation. (No Fiscal Impact)

R.38. Accept Polk County Utilities Easement from TLG Championsgate, LLC, as requested through the Development Review Process. (No fiscal impact)

R. ROADS & DRAINAGE

R.39. Approve Change Order No. 5 to Contract No. 2022-016 with Watson Civil Construction, Inc. (Contractor) for the Lake Wilson Road Widening Project (\$145,943.68 one-time expense)

R.40. Approve Consultant Services Authorization (CSA) No. 22-081-02 with AECOM Technical Services, Inc. (Consultant) to provide Construction Engineering & Inspection (CEI) services for the US 27 @ Four Corners Boulevard Intersection Improvement Project, CIP Amendment and budget transfer. (\$75,619.50 one-time expense)

R. UTILITIES

R.41. Approve a budget transfer from reserves to close out Utilities Systems Revenue Bonds, 2020 Construction Fund - one-time transfer expense \$4,980,865.

- R.42. Amendment to the Fiscal Year 2022-2023 Utilities Community Investment Program (CIP) Budget and transfer from Utilities reserves. One time transfer \$3,161,074.
- R.43. Approve Piggyback Agreement with Miller Pipeline, LLC to provide for wastewater collection systems rehabilitation services (estimated \$1,200,000 annual recurring expense)
- R.44. Approve Piggyback Agreement with TC Delivers to provide Utilities customer bill printing and mailing services (estimated \$250,000 recurring annual expense)
- R.45. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Hazen and Sawyer, P.C. for engineering services for dewatering improvements to the northwest and southwest regional wastewater treatment facilities (No fiscal impact)
- R. WASTE & RECYCLING
- R.46. Approve budget transfer from Reserve for Contingency for Waste & Recycling Universal Solid Waste Collections FY 22/23 Budget. (one time transfer expense \$1,950,000)
- R. ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY
- R. COURT RELATED
- R. POLK COUNTY PROPERTY APPRAISER
- R. POLK COUNTY SHERIFF
- R.47. Approve Amendment to the Polk County Sheriff's Office (PCSO) FY 22/23 Budget
- R. POLK COUNTY SUPERVISOR OF ELECTIONS
- R. POLK COUNTY TAX COLLECTOR
- R. SUPERINTENDENT OF POLK COUNTY SCHOOLS
- R. WORKFORCE DEVELOPMENT BOARD
- R.48. Approve Memorandum of Understanding and Infrastructure Agreements between Polk County Workforce Development Board d/b/a CareerSource Polk (CareerSource Polk) and Winter Haven Housing Authority-HUD/Youth Build for coordination of resources and to ensure effective and efficient delivery of the One-Stop Customer Service Delivery System.
- R. COUNTY ATTORNEY

- R.49. SET PUBLIC HEARING to consider adoption of an ordinance limiting code enforcement and building department action for building additions, remodels, and sheds on owner occupied residential property, without a permit when the additions, remodels, and sheds are greater than six (6) years old at the time of a complaint. (Suggested hearing date is December 5, 2023, at 9:00 am)
- R.50. SET PUBLIC HEARING to consider adoption of an ordinance creating the Central Inwood Street Lighting Municipal Service Benefit Unit. (Suggested hearing date is December 5, 2023 at 9:00 a.m.)
- R.51. Adopt resolution creating the Solivita Phase 5A and Solivita Phase 5B Street Lighting Assessment Area
- R.52. Release of Lien related to a Workforce Housing Impact Fee Mitigation for Kevin E. Hillyard (No fiscal impact).
- R.53. Adopt resolution amending the Solivita Phase IV A Street Lighting Assessment Area
- R.54. Approve and Authorize Participation in PFAS Litigation and Settlement Agreements; Legal Services Agreement

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, November 23, 2023 and Friday, November 24, 2023 – The offices of the Board of County Commissioners will be closed for the Thanksgiving Holiday.
- Monday, November 27, 2023 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building third floor conference room 341.
- Monday, November 27, 2023 – 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.
- Tuesday, November 28, 2023 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building third floor conference room 341.
- Wednesday, November 29, 2023 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building third floor conference room 341.
- Thursday, November 30, 2023 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, November 30, 2023 – 9:00 a.m. – Deferred Compensation Committee will meet in the Commissioners' Conference Room, Room 407.
- Thursday, November 30, 2023 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building third floor conference room 341.
- Thursday, November 30, 2023 – 2:00 p.m. – The 1st Selection Committee Meeting for RFP 24-016 Polk County Comprehensive Plan Update will convene at the Polk County Administration Building, Room 413.
- Thursday, November 30, 2023 – 5:00 p.m. – Central Florida Development Council (CFDC) Investor Holiday Reception will be held at Grove Roots Brewing Company, 302 Third Street SW, Winter Haven.
- Friday, December 1, 2023 – 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, December 1, 2023 – 10:30 a.m. – Semi-Annual Suncoast Transportation Planning Alliance (SCTPA) Board Meeting will be held in the FDOT District 7 Auditorium, 11201 McKinley Drive, Tampa.
- Monday, December 4, 2023 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building third floor conference room 341.

- Monday, December 4, 2023 – 6:00 p.m. – Eloise Community Redevelopment Agency (CRA) Advisory Committee will meet at the Johnny and Freda Brooks Resource Center, 710 Snively Avenue, Eloise.