



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

February 06, 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

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 January 23, 2024.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

H. COUNTY MANAGER (BILL BEASLEY)

- H.1. Approve the contract with The Haley Center, Inc. for the proposed purchase of a medical office building. (Total amount not to exceed \$1,600,000 for the term of the agreement)
- H.2. Approve Local Agency Program (LAP) Agreement with the Florida Department of Transportation (FDOT), Resolutions, CIP Amendment and Resolution to amend the FY 23/24 Budget to fund the construction phase of the Minor Streetscape Improvement Project for East Orange Avenue and East Crystal Avenue. (\$800,000.00 one-time revenue)
- H.3. Approve construction contract with Kamminga & Roodvoets, Inc. for the Driftwood Drive drainage improvements project (\$558,436.20 one-time expense from American Rescue Plan Funds)
- H.4. Approve Amendment No. 1 to Agreement 2022-025 with Hazen and Sawyer, P.C. to provide professional engineering services for septage receiving stations (\$727,049.00 one-time expense from American Rescue Plan Funds)

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. 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-2023-21 Graceway Thornhill INST Appendix E Text amendment) (First Reading) to consider an ordinance adopting a Land Development Text Amendment to amending Appendix E of the Land Development Code to remove the southern 30 feet of the subject site and the NAC in Appendix E (Parcel Specific Land Use). This case is related to LDCPAS-2023-20 which is a Future Land Use designation change on 5.8 +/- acres from Residential Low (RL), Neighborhood Activity Center (NAC), and Business Park Center (BPC) to Institutional (INST) and amend text in Appendix 2.135. (No Fiscal Impact)

P. PUBLIC HEARINGS

- P.1. Public Hearing (LDCT-2023-15 Mine and Mill Text Amendment) (First Reading) to consider the adoption of an applicant-initiated request to add additional property to a conditional Comprehensive Map Amendment in Appendix E of the Land Development Code (LDC) to allow the applicant to apply for a Conditional Use request for Construction Aggregate, Processing and Storage in an Industrial (IND) land use district.
- P.2. Public Hearing (LDCT-2023-7 Planned Development Text) (Adoption Hearing) to considered amendments to the current Planned Development (PD) requirements in Section 303 of the Land Development Code. This amendment includes changes to multiple chapters of the code including Chapters 2, 3, 4, 9, and 10.
- P.3. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Two Traffic Calming Devices (Speed Humps) on Ware Avenue, Near Winter Haven. (estimated \$10,000.00 one-time expense)
- P.4. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Four Traffic Calming Devices (Speed Humps) on Camp Gilead Drive, Near Polk City. (estimated \$20,000.00 one-time expense)
- P.5. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Four Traffic Calming Devices (Speed Humps) on Rocky Point Road, Near Lake Wales. (estimated \$20,000.00 one-time expense)
- P.6. Public Hearing to Consider Adoption of a Resolution to vacate a portion of platted, unopened, and unmaintained right-of-way (alley) as shown on the map of Haskell, Highland City, Florida. (No fiscal impact)
- P.7. Public Hearing to Consider Adoption of an Ordinance granting an Economic Development Ad Valorem Tax Exemption to an expanding business, Publix Super Markets, Inc., and approval of a Performance Agreement with the company.

- P.8. Public Hearing to Consider Adoption of an Ordinance granting an Economic Development Ad Valorem Tax Exemption to an expanding business, Novaphos Development, LLC, and approval of a Performance Agreement with the company.
- P.9. Economic Development Impact Fee Mitigation Agreement with Novaphos Development, LLC (estimated \$10,206 impact fee revenue loss)

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 2187.
- R. COUNTY MANAGER
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.2. SET HEARING: (LDCPAL-2023-9 RCC Text Change) to policies in Objective 2.110-B (Rural Cluster Centers) and Policies 2.110-J1 & L3. The suggested transmittal date is February 20, 2024, at 9:30 a.m. and the adoption hearing date is April 16, 2024, at 9:30 a.m.
- R.3. SET HEARING: (LDCPAS-2023-20 Graceway-Thornhill Road INST CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 5.8+/- acres from Residential Low (RL), Neighborhood Activity Center (NAC), and Business Park Center (BPC) to Institutional (INST) in the Transit Supportive Development Area (TSDA). This case is related to LDCT-2023-21 amending text in Appendix E in the Land Development Code (Parcel Specific Land Use). The suggested adoption hearing date is February 20, 2024, at 9:30 a.m.

- R.4. SET HEARING: (LDCPAS-2023-27 St. Matthews CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 29.34+/- acres from Residential Medium (RM) to Institutional (INST) in the Urban Growth Area (UGA). The suggested adoption hearing date is February 20, 2024, at 9:30 a.m.
- R.5. SET HEARING (LDCT-2023-14 US 27 SAP RACX Storage & Car Wash) to consider the adoption of a request to add "Self-Storage Facility" and "Full-Service Car Wash" to the Use Table for the Regional Activity Center (RACX) land use district in the US 27 Selected Area Plan (SAP). The suggested hearing dates are for the first reading on February 20, 2024, at 9:30 a.m. and the second reading on March 5, 2024, at 9:30 a.m.
- R.6. SET HEARING: (LDWA-2023-58 Silver Fox Path Access Waiver) to consider approval of a Waiver to Chapter 8, Section 821.A of Polk County's Land Development Code (LDC) to provide access through a platted residential lot with the intent of creating four (4) residential lots. The suggested adoption date is date is February 20, 2024, at 9:30 a.m.
- R.7. Approve the release of a cash surety in the amount of \$2,215.95 for Evergreen on Lake Idylwild Driveway. (No fiscal impact)
- R.8. Approve the release of a cash surety in the amount of \$430.00 for Tyson's Car Wash. (No fiscal impact)
- R.9. Approve the release of a warranty and surety in the amount of \$112,816.34 in the form of Maintenance Bond No. 30152623 for Parkside. (No fiscal impact)
- R.10. Accept Performance Surety in the amount of \$1,999,648.70 in the form of Performance Bond No. 024271742 for Hancock Crossing. (No fiscal impact)
- R.11. To consider an Impact Fee Credit Agreement between Cottages at Lake Hamilton, LLC and Polk County in the amount of \$318,976.70 for related transportation improvements at the intersection of W. Lake Hamilton Drive and Lucerne Park Road (SR544)
- R. BUILDING
- R. DEPUTY COUNTY MANAGER
- R. BUDGET & MANAGEMENT SERVICES
- R.12. Approve an amended American Rescue Plan Fund Agreement with Aerospace Center for Excellence, Inc. (No Fiscal Impact)
- R. PROCUREMENT
- R. COMMUNICATIONS

- R.13. Future Business Leaders of America Week Proclamation
- R.14. Polk County Agri-Fest Weeks Proclamation
- R. COOPERATIVE EXTENSION SERVICES
- R. HEALTH & HUMAN SERVICES
- R.15. Approve Modification State Housing Initiatives Partnership (SHIP) Rehabilitation program Homeowner Assistance Agreement and Grant Agreement for the property located in Haines City, FL for Case# RC22-SHIP-020. (\$1,031.00 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. PARKS & NATURAL RESOURCES
- R. FIRE RESCUE
- R. EMERGENCY MANAGEMENT
- R. REAL ESTATE SERVICES
- R.16. Accept Drainage Easement from Polk County Fraternal Order of Police, Inc. in conjunction with drainage improvements in the area of W. Brannen Road. (No Fiscal Impact)
- R.17. Accept Quit Claim Deed for property being donated for conservation preservation, Tuttle parcel. (No fiscal impact)
- R.18. Accept instrument for additional rights-of-way along Powerline Road and East Johnson Avenue as requested through the Development Review Process. (No fiscal impact)
- R.19. Authorize a County Deed to LHRV Park, LLC for the conveyance of a portion of an unassessed parcel at the end of Catfish Street. (No fiscal impact)

R. ROADS & DRAINAGE

R.20. Adopt a Resolution Setting Parking Restrictions on Glenco Drive, near Davenport (\$232.21 one-time expense)

R.21. Adopt a Resolution Setting Speed Limits on Oak Run Circle and Oak Run Drive, Within the Oak Run Subdivision, near Lakeland. (\$100.07 one-time expense)

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. WORKFORCE DEVELOPMENT BOARD

R. COUNTY ATTORNEY

R.22. Consider adoption of a resolution authorizing the County's Real Estate Services Administrator and his designated agents to purchase property through tax deed and judicial sales in conjunction with necessary land acquisition relating to proposed public infrastructure improvements. (No fiscal impact)

R.23. Approve Agreement for Professional Services with Allen Norton & Blue for review of the management of the Fire Rescue Division. (Fiscal Impact Not to Exceed \$100,000).

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, February 6, 2024 – 6:00 p.m. – Sidewalk Advisory Committee will meet in the Multi-Purpose Room, Room 413, Fourth Floor.
- Wednesday, February 7, 2024 – 9:00 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Thursday, February 8, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, February 8, 2024 – 9:00 a.m. – Transportation and Planning Organization (TPO) Board Meeting will be held in the County Commission Boardroom.
- Thursday, February 8, 2024 – 12:00 p.m. – Youth Leadership Lake Wales Luncheon will be held in the Multi-Purpose Room, Room 413, Fourth Floor.
- Tuesday, February 13, 2024 – 7:30 a.m. – Technical Advisory Group (TAG) for Polk County Environmental Lands Program will gather in the parking lot of the Parks & Natural Resources Office, 4177 Ben Durrance Road, Bartow. Contact tabithabiehl@polk-county.net for details.
- Wednesday, February 14, 2024 – 7:30 a.m. – Technical Advisory Group (TAG) for Polk County Environmental Lands Program will gather in the parking lot of the Parks & Natural Resources Office, 4177 Ben Durrance Road, Bartow. Contact tabithabiehl@polk-county.net for details.
- Wednesday, February 14, 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, February 14, 2024 – 4:00 p.m. – Central Florida Development Council (CFDC) Board Meeting will be held at the CFDC Offices, 1725 Bartow Road, Lakeland.
- Thursday, February 15, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, February 15, 2024 – 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, February 15, 2024 – 9:30 a.m. – Deferred Compensation Committee will meet in the Commissioners' Conference Room, Room 407.

- Friday, February 16, 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.