



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

January 09, 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 December 19, 2023.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

- G.1. Adopt Resolution Initiating the Conflict Resolution Procedures under the Florida Governmental Conflict Resolution Act and Giving Notice of Competing Policy Goals and Plans for CRA Funds to the Lake Wales Community Redevelopment Agency (“CRA”) and the City of Lake Wales for the proposed expansion of the boundaries of the CRA.

H. COUNTY MANAGER (BILL BEASLEY)

- H.1. Request Board approve 1) Accept and execute Modification No. One (1) to Contract # H0573 for Project # 4337-423-R, Polk County, FRS/EMS Protective Measures, Wind Retrofit for twenty-five (25) FRS/EMS Stations, between the Florida Division of Emergency Management FEMA HMGP and Polk County for the Federal Emergency Management Agency’s (FEMA) Hazard Mitigation Grant Program (HMGP) funding Agreement and 2) CIP amendment, Budget Resolution, and transfer from reserves to establish budget for the modification of the project budget.
- H.2. Request Board approve construction contracts with 1) Robert Binns Roofing, Inc. (\$696,780.00); 2) R.F. Lusa & Sons Sheet Metal, Inc. (\$1,125,864.00); and 3) Architectural Sheet Metal, Inc. (\$742,192.00) for the roof replacement of 21 Fire Rescue/Emergency Medical Services stations. (\$2,564,836.00 total one-time expense)
- H.3. Request Board approve construction contract with FHS Industrial Constructors, LLC and Rodman Development, Inc., a Joint Venture, for the installation of replacement overhead doors at 23 Fire Rescue/Emergency Medical Services stations. (\$2,544,738.99 one-time expense).
- H.4. Request Board approve construction contract with Bigfoot Construction, Inc. for the installation of replacement window shutter systems at 25 Fire Rescue/Emergency Medical Services stations. (\$680,723.00 one-time expense).
- H.5. Approve a Resolution to accept a grant award in the amount of \$1,000,000 and enter into a Grant Agreement for the Polk County FL Vision: Safer Roads FL [Safe Streets and Roads for All (SS4A) grant], as well as adopt a budget resolution to amend the FY 23/24 budget.

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 (LDCPAL 2023-5 Northeast Regional Park) (Adoption Hearing), a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential Low-X (RLX) to Recreation and Open Space-X (ROSX) on ±80.26 acres and Institutional-X (INSTX) on ±1.95 acres to recognize an existing regional park and fire rescue station in the North U.S. Highway 27 Selected Area Plan.

O.2. Public Hearing (LDCT-2023-18 Livestock and Fowl in Residential Neighborhoods) (First Reading), a County-initiated request to modify Section 222 to clarify the County's code on nonresidential farm buildings and structures and allow variances to setback distances. (No Fiscal Impact).

P. PUBLIC HEARINGS

P.1. Public Hearing to consider adoption of a Resolution to vacate portions of platted, unopened, and unmaintained rights-of-way shown on the map of the Town of Medulla which is a correction to the map entitled Henry Hays Map of Medulla. (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. Audit Report 2023-11 Building Permits Audit.
- R.2. Removal of equipment from inventory as listed on Blanket Removal Form 2185.
- R. COUNTY MANAGER
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R.3. First Amendment to Interlocal Agreement with the City of Winter Haven for Tourist Development Tax Funding for Chain of Lakes Complex Renovation.
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.4. SET HEARING (LDCDD-2023-3 Crosswinds CDD Scrivener's Error) to consider the adoption of an applicant-initiated ordinance to amend an existing Community Development District (CDD) ordinance. Suggested hearing date is January 23, 2024, at 9:30 a.m. following the regular agenda (No fiscal impact).
- R.5. SET HEARING: (LDCPAS-2023-22 ABC Road) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Agricultural/Residential-Rural-X (A/RRX) to Employment Center-X (ECX) on 1.46± acres, within the Gateway Selected Area Plan (SAP) in the Rural Development Area (RDA). The suggested adoption hearing date is January 23, 2024, at 9:30 a.m.
- R.6. SET HEARING: (LDCPAS-2023-25 Bella Vista LR to BPC CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Leisure/Recreation (L/R) to Business Park Center (BPC) on 42.47± acres, within the Transit Supportive Development Area (TSDA), Transit Centers and Corridor Overlay (TCCO). This case is related to LDCD-2023-9, a Sub-district change request from BPC-1 to BPC-2. The suggested adoption hearing date is January 23, 2024, at 9:30 a.m.
- R.7. SET HEARING: (LDCD-2023-9 Bella Vista Sub-district BPC-1 to BPC-2) to consider the adoption of a Sub-district change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) on 42.47± acres, within the Transit Supportive Development Area (TSDA), Transit Centers and Corridor Overlay (TCCO). This case is related to LDCPAS-2023-25, a Land Use change request from L/R to BPC. The suggested adoption hearing date is January 23, 2024, at 9:30 a.m.
- R.8. SET HEARING (LDWA-2023-55/Ventures Subdivision Waiver) to consider the adoption of an applicant-initiated request for approval of a waiver to LDC Section 705.B necessary to allow the issuance of building permits for a subdivision that gains access solely via easement and provides access to more than four (4) lots. Suggested hearing date is January 23, 2024 at 9:30 a.m. No Fiscal Impact.

- R.9. SET HEARING: (LDCT-2023-7 Planned Development Text) to replace 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. The suggested hearing dates are for the first reading on January 23, 2024, at 9:30 a.m. and the Adoption reading on February 6, 2024, at 9:30 a.m.
- R.10. SET HEARING: (LDCT-2023-15 Mine and Mill LDC Text) to Appendix E, Section E105.E, CPA 16C-02, Subsection 3. The suggested hearing dates are for the first reading on January 23, 2024, at 9:30 a.m. and the Adoption reading on February 6, 2024, at 9:30 a.m.
- R.11. Combee Road South Commercial Park Plat for Conditional Approval. (No fiscal impact)
- R.12. Approve the release of a surety in the amount of \$8,548,772.98 in the form of Irrevocable Letter of Credit No. FGAC-22516 for Garden Hills at Providence Phase 1. (No fiscal impact)
- R.13. Accept Garden Hills at Providence Phase 1 potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.14. Accept a one-year warranty and surety in the amount of \$326,284.83 in the form of Irrevocable Letter of Credit No. FGAC-23464 for Garden Hills at Providence Phase 1. (No fiscal impact)
- R.15. Accept Sovereign at Town Center Phase 1 potable water and wastewater utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.16. Accept a one-year warranty and surety in the amount of \$12,019.40 in the form of Maintenance Bond No. 6091013232 for Sovereign at Town Center Phase 1. (No fiscal Impact)
- R.17. Approve the release of a warranty and surety in the amount of \$40,104.28 in the form of Maintenance Bond No. SU1169874-1 for Tierra Del Sol East Phase 2. (No fiscal impact)
- R.18. Approve the release of a surety in the amount of \$1,506,193.47 in the form of Irrevocable Letter of Credit No. FGAC-23028 for Chateau at Astonia. (No fiscal impact)
- R.19. Accept Chateau at Astonia potable water, wastewater, reclaim water utility system and offsite improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)

- R.20. Accept a one-year warranty and surety in the amount of \$164,804.49 in the form of Irrevocable Letter of Credit No. FGAC-23344 for Chateau at Astonia. (No fiscal impact)
- R. BUILDING
- R. DEPUTY COUNTY MANAGER
- R.21. Approve an Agreement with Anfield Consulting, Inc. for lobbying services for fiscal year 2024. (\$180,000 one-time expense)
- R. BUDGET & MANAGEMENT SERVICES
- R.22. Approve and release an appropriation and expenditure from the Law Enforcement Trust Fund (\$138,296.99 one-time expense)
- R. PROCUREMENT
- R.23. Approve selection committee's recommendation to authorize staff enter contract negotiations with Inspire Placemaking Collective, Inc. to update the Polk County Comprehensive Plan. (No fiscal impact)
- R. COMMUNICATIONS
- R.24. Certified Registered Nurse Anesthetists (CRNA) Week Proclamation
- R. COOPERATIVE EXTENSION SERVICES
- R. HEALTH & HUMAN SERVICES
- R.25. Approve State Housing Initiative Partnership (SHIP) Program rehabilitation/replacement program Homeowner Assistance Agreement and Grant Agreement for property located in unincorporated Winter Haven, FL for Case #RC23-SHIP-004. (\$175,206.20 one-time expense).
- R.26. Approve modification of State Housing Initiatives Partnership (SHIP) Rehabilitation program Homeowner Assistance Agreement and Grant Agreement for the property located in Bartow, FL for Case# RC22-SHIP-017. (\$3,732.00 one-time expense).
- R.27. Approve Modification of HOME program Homeowner Assistance Agreement and Grant Agreement for the property located in Lake Wales, FL for Case RC22-HOME-005. (\$1,901.00 one-time expense).
- R.28. Approve Second Amendment to American Rescue Plan Local Fiscal Recovery Funding Agreement with Chapters Health Foundation Inc. on behalf of Good Shepherd Hospice. (No fiscal impact)
- R. EQUITY & HUMAN RESOURCES

- R. INFORMATION TECHNOLOGY
- R. CODE ENFORCEMENT
- R. COURT SERVICES
- R. RISK MANAGEMENT
- R. INDIGENT HEALTH CARE
- R. FACILITIES MANAGEMENT
- R.29. Request Board accept and execute Modification No. One (1) a time-extension to Contract # H04883 between the Florida Division of Emergency Management (FDEM) and Polk County for the Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP) for Project # 4337-401-R, Polk County, Auxiliary Power for Six (6) County Fueling Sites.
- R. FLEET MANAGEMENT
- R. PARKS & NATURAL RESOURCES
- R.30. Consider adoption of a resolution amending Resolution No. 09-217 to reduce the quorum of the Polk County Lakes Access Advisory Committee to five members.
- R. FIRE RESCUE
- R.31. Approve the EMS County Grant Application and Resolution (\$96,280.26 one-time revenue)
- R. EMERGENCY MANAGEMENT
- R. REAL ESTATE SERVICES
- R.32. SET HEARING to consider a request to vacate platted and unmaintained right-of-way (alley) as shown on the map of the Haskell. (Suggested hearing date is February 6, 2024 at 9:30 a.m or immediately following the regular agenda)
- R.33. Approve Right-of-Way Agreement between Jeremy and Virginia Lovelace and Polk County in conjunction with the County Road 557 Project, Parcels 104/701. (\$16,900 one-time expense)
- R.34. Approve Grazing Lease Agreement between Polk County and Bern Kinard Auctioneer, Inc. (\$11,000 annual revenue)
- R.35. Authorize the conveyance of County's interest in a portion of Parcel ID Number 253005-372500-015030 to the City of Bartow and adopt a resolution authorizing the conveyance. (No fiscal impact)

- R.36. Accept instrument for additional right-of-way along Old Lake Alfred Road as requested through the Development Review Process. (No fiscal impact)
- R.37. Approve Subordination Agreement between Polk County and Frontier Florida LLC in conjunction with the CR 547 (Davenport Blvd) at 10th Street Intersection Improvement Project. (No fiscal impact)
- R.38. Accept Quit Claim Deeds for property being donated for conservation preservation, Smith Estate and Foss parcels. (No Fiscal impact)
- R.39. Approve First Amendment to Lease No. 321 between Polk County and Seniors First, Inc., a Florida not for profit corporation. (No Fiscal Impact)

R. ROADS & DRAINAGE

- R.40. SET HEARING to Consider Adopting a Resolution Allowing for the Installation of Traffic Calming Devices (Speed Humps) on Ware Avenue, Near Winter Haven. (Suggested Hearing Date: Tuesday, February 6, 2024, at 9:30 a.m.) (No fiscal impact)
- R.41. Approve Consultant Services Authorization (CSA) No. 22-088-02 with HNTB Corporation (Consultant) for design services for the Cooley Road Sidewalk Project. (\$156,998.00 one-time expense)
- R.42. Approve Consultant Services Authorization (CSA) No. 22-090-02 with Kimley-Horn & Associates, Inc. (Consultant) to provide Professional Engineering services for the Tank Road/Student Drive Sidewalk Project. (\$114,475.00 one-time expense)
- R.43. Approve Consultant Services Authorization (CSA) No. 22-096-01 with WSP USA Environment & Infrastructure, Inc. (Consultant) to provide Construction Engineering and Inspection (CEI) services for the East Main Street at Combee Road Intersection Improvement Project. (\$101,016.42 one-time expense)

R. UTILITIES

- R.44. Approve Master Consulting Agreements with AtkinsRealis USA Inc., Black and Veatch Corporation, Carollo Engineers, Inc., CHA Consultants, Inc., Chastain-Skillman Inc., CivilSurv Design Group, Inc., Dewberry Engineers, Inc., Half Associates, Inc., Hazen and Sawyer, P.C., Jones Edmunds and Associates, Inc., Kennedy/Jenks Consultants, Inc., Pennoni Associates, Inc., Rummel, Klepper and Kahl, LLP, Tetra Tech, Inc., and Wright-Pierce, Inc. to provide Professional Engineering Services. (No Fiscal Impact)

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.45. The Supervisor of Elections requests the Board to approve a proposed change to the Polk County precinct map.
- R. POLK COUNTY TAX COLLECTOR
- R. SUPERINTENDENT OF POLK COUNTY SCHOOLS
- R. WORKFORCE DEVELOPMENT BOARD
- R. COUNTY ATTORNEY

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, January 9, 2024 – 3:00 p.m. – Lakes Access Advisory Meeting will be held at Parks and Natural Resources, 4177 Ben Durrance Rd., Bartow.
- Wednesday, January 10, 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, January 10, 2024 – 3:00 p.m. – Central Florida Development Council (CFDC) Board Meeting will be held at the Dr. Jay Mulaney Auditorium, Lakeland Regional Health, 1324 Lakeland Hills Boulevard, Lakeland.
- Wednesday, January 10, 2024 – 4:00 p.m. – Central Florida Development Council (CFDC) Investor Meeting will be held at the Dr. Jay Mulaney Auditorium, Lakeland Regional Health, 1324 Lakeland Hills Boulevard, Lakeland.
- Thursday, January 11, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, January 11, 2024 – 9:00 a.m. – Tourist Development Council’s Marketing Committee will meet at Bonnet Springs Park, 400 Bonnet Springs Boulevard, Lakeland.
- Thursday, January 11, 2024 – 2:30 p.m. – Historical Marker Committee followed by the Historical Commission will meet in the County Commissioner Boardroom.
- Monday, January 15, 2024 – The offices of the Board of County Commissioners will be closed for the Martin Luther King, Jr. Day Holiday.
- Wednesday, January 17, 2024 – 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, January 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, January 18, 2024 – 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, January 18, 2024 – 9:00 a.m. – Tourist Development Council’s Sports and Special Events Committee will meet at Aerospace Center for Excellence, 4075 James C. Ray Drive, 2nd Floor in the Eickhoff Conference Room, Lakeland. The building with the Museum on the 1st Floor.

- Monday, January 22, 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.