



## Polk County Board of County Commissioners

### Meeting Agenda - Final-revised

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#### March 07, 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**

Murphy Hanley, Polk County Fire Rescue Chaplain

#### **PLEDGE OF ALLEGIANCE (GEORGE LINDSEY, CHAIR)**

#### **A. PRESENTATIONS and RECOGNITIONS**

A.1. President's Volunteer Service Award - Lifetime Achievement (RSVP Polk Volunteers)

#### **B. CEREMONIAL PROCLAMATIONS**

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

C.1. Randy Wilkinson/Billy Townsend to share resolution for a new trial for Leo Schofield.

C.2. 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 February 21, 2023.

**F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY**

**G. COUNTY ATTORNEY (RANDY MINK)**

**H. COUNTY MANAGER (BILL BEASLEY)**

H.1. Approve the Infrastructure and Impact Fee Credit Agreement between Jackstone Development LLC, GLK Real Estate LLC, Northeast Polk Land Investments LLC, CH-DEV LLC, JMBI Real Estate LLC; and Polk County for Powerline Road - Northern Extension Phase I (\$10,800,000.00 One Time Expense).

H.2. Approve Consultant Services Authorization (CSA) No. 22-084-01 with CONSOR Engineers, LLC (Consultant) to provide engineering services for the replacement of Rockridge Road Bridge No. 164138. (\$341,312.26 one-time expense)

H.3. Approve Work Authorization No. 04 to Agreement 22-103 with Revere Control Systems, Inc. to provide Supervisory Control and Data Acquisition (SCADA) services for 10 existing Utilities lift stations. (\$743,728 lump sum expense)

H.4. Approve the Software as a Service Solutions Agreement (SaaS) and the Implementation Scope of Services for the Simplify i3 Software Solution with EPIC Engineering and Consulting Group, LLC. (\$248,260 lump sum one-time expense and approximately \$60,000 (4% escalator) recurring annual expense).

**I. COMMISSIONER DISTRICT 2 (RICK WILSON)**

I.1. Appoint Edward Howell as a member of the Lakes Access Advisory Committee, for the three-year term, November 17, 2022 through November 16, 2025.

I.2. Commissioner Wilson Comments.

**J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)**

J.1. Commissioner Braswell Comments.

**K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)**

K.1. Appoint Linda M. Schultz as Alternate Member of the Polk County Planning Commission for the term January 3, 2023, to January 2, 2026.

K.2. Appoint Dr. Robert S. Hinds to serve as a member of the Housing Finance Authority for the remainder of the four-year term ending November 30, 2023.

K.3. Commissioner Santiago Comments.

**L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)**

L.1. Commissioner Combee Comments.

**M. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY, CHAIR)**

M.1. Chair Lindsey Comments.

**N. LAY BOARD APPOINTMENTS**

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

\* County Attorney opening comments

- O.1. Public Hearing to consider the adoption of LDCT-2022-25, a County-initiated request for Reclaimed Reuse Systems and Section 932.B. The suggested hearings for a first reading on March 7, 2023, at 9:30 a.m. and the second reading on March 21, 2023, at 9:30 a.m.
- O.2. A public hearing to consider the adoption of LDCT-2023-1, a County-initiated request for connection to an alternative wastewater treatment system for schools when central sanitary sewer (wastewater) is not available.
- O.3. Public Hearing (LDCPAL 2022-21 Minute Maid Mixed Use US 27 RHX and TCCX) (Transmittal Public Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 27.19 +/- acres from 8.42 +/- acres of Employment Center-X (ECX) and 18.77 +/- acres of Tourist Commercial Center-X (TCCX) to 20.1 +/- acres of Residential High-X (RHX) and 7.09 +/- acres of Tourist Commercial Center-X (TCCX) in the North Ridge Selected Area Plan (SAP) and the Green Swamp Area of Critical State Concern.

**P. PUBLIC HEARINGS**

- P.1. Public Hearing to consider the adoption of LDCPAL 2022-25, a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 4.01 +/- acres from Residential Low-X (RLX) to Institutional INSTX) in the Urban Growth Area (UGA), Polk City Special Protection Area (SPA) within the Green Swamp Area of Critical State Concern. The suggested transmittal date is March 7, 2023, at 9:30 a.m. and the adoption hearing date is May 2, 2023, at 9:30 a.m.
- P.2. Public Hearing to consider adoption of a Resolution to vacate a portion of Delbert Collins Road. Also accept a Warranty Deed for the replacement right-of-way for Delbert Collins Road, and authorize a County Deed for the conveyance of any interest the County may have in that portion of the vacated right-of-way lying outside the limits of the replacement right-of-way. (No fiscal impact)

- P.3. Public Hearing to consider adoption of a Resolution to vacate portions of platted and unmaintained rights-of-way as shown on the map of Florida Development Company Tract and the Replat of Prince Orange Manor, Davenport, Florida. (No fiscal impact)
- P.4. Public Hearing to consider adoption of a Resolution to vacate portions of platted and unmaintained rights-of-way as shown on the map of Florida Development Company Tract. (No fiscal impact)
- P.5. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Three Traffic Calming Devices (Speed Humps) on Avenue Q Northwest, Near Winter Haven. (estimated \$15,000.00 one-time expense)
- P.6. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Three Traffic Calming Devices (Speed Humps) on Duval Road, Near Winter Haven. (estimated \$15,000.00 one-time expense)
- P.7. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Four Traffic Calming Devices (Speed Humps) on Forty-Third Street, Near Davenport. (estimated \$20,000.00 one-time expense)
- P.8. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Five Traffic Calming Devices (Speed Humps) on Hickory Road, Near Auburndale. (estimated \$25,000.00 one-time expense)
- P.9. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Two Traffic Calming Devices (Speed Humps) on James Street East, Near Davenport. (estimated \$10,000.00 one-time expense)

**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 2166.
- R.2. The 2022-2023 Annual Meeting Schedule for the Lake Region Lakes Management District.

- R. COUNTY MANAGER
- R.3. Accept the Efficiency Commission report containing final recommendations. (No Fiscal Impact)
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.4. SET HEARING (LDCD-2022-10 Old Hwy 37 CD) to consider a Sub-District Map Change on 3.31 +/- acres from Residential Low-1 (RL-1) to Residential- Low-3 (RL-3) in the Transit Supportive Development Area (TSDA). This case is related to LDCPAS-2022-44. The suggested adoption hearing date is March 21, 2023, at 9:30 a.m.
- R.5. SET HEARING (LDCPAS-2022-44 Old Hwy 37 CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 3.31 +/- acres from Institutional (INST) to Residential Low (RL) in the Transit Supportive Development Area (TSDA). This case is related to LDCD-2022-10. The suggested adoption hearing date is March 21, 2023, at 9:30 a.m.
- R.6. SET HEARING (LDCPAS-2022-42 US Highway 27 LCC) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 5.8 +/- acres from Agricultural/Residential Rural-X (A/RRX) to Linear Commercial Corridor-X (LCCX) within the Rural Development Area (RDA) and the Gateway Selected Area Plan (SAP). The suggested adoption hearing date is March 21, 2023, at 9:30 a.m.
- R.7. SET HEARING (LDPD-2022-32/540-A Self-Storage TAD) to consider the approval of a Transitional Area Development (TAD) for a Self-Storage Facility with a Floor Area Ratio of 0.70 in an Office Center (OC) land use district. Suggested hearing date is March 21, 2023 at 9:30 a.m. No Fiscal Impact.
- R.8. SET HEARING (LDWA-2022-61 SR 37 Access via Easement) to consider an applicant-initiated request seeking a waiver to Section 705 of the Land Development Code. Suggested hearing date is March 21, 2023, at 9:30 a.m. (No fiscal impact)
- R.9. SET HEARING (LDCPAS-2022-31 Pipkin Road) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 10.93 +/- acres from Business Park Center (BPC) and Residential Low (RL) to Residential Medium (RM) in the Transit Supportive Development Area (TSDA). The suggested adoption hearing date is March 21, 2023, at 9:30 a.m.
- R.10. Pollard Pointe plat for Conditional Approval. (No fiscal impact)

- R.11. Acres at Scott Lake plat for Conditional Approval. (No fiscal impact)
- R.12. Accept Providence Blvd. Collector Road, Phase 2-B offsite potable water, wastewater and reclaimed water systems improvements for ownership, operation and maintenance by Polk County Utilities. (No fiscal impact)
- R.13. Accept a one-year warranty and surety in the amount of \$54,142.76 in the form of a cash surety for Providence Blvd. Collector Road, Phase 2-B (No fiscal Impact)
- R. BUILDING
- R. DEPUTY COUNTY MANAGER
- R.14. Adopt a Resolution and approve a Transfer Agreement between the Polk Regional Water Cooperative ("PRWC") and Polk County. (One-time revenue \$4,004,937.57)
- R. BUDGET & MANAGEMENT SERVICES
- R.15. Approve an Amended American Rescue Plan Fund Agreement with Bradley Community Project, Inc. (No Fiscal Impact)
- R.16. Approve an Amended American Rescue Plan Fund Agreement with RHEMAFI, LLC. (No Fiscal Impact)
- R. PROCUREMENT
- R.17. Request Board Approve Amendment #1 with Patel, Greene & Associates, LLC for Agreement 2022-034, Stonewood Subdivision drainage improvements project. (\$158,799.96 one-time expense from the American Rescue Plan Fund)
- R.18. Request Board Approve Amendment #1 with WSP USA Environment & Infrastructure, Inc. for Agreement 2022-038, Hamilton Road & Medulla Road drainage improvements project. (\$73,330.00 one-time expense from the American Rescue Plan Fund)
- R.19. Report of Fiscal Year 2021/2022 Emergency purchase orders and Sole Source purchase orders exceeding \$50,000.00. (No fiscal impact)
- R.20. Approve Cooperative Agreement for fleet management technologies and related software with Samsara Inc. (\$45,000 estimated recurring annual expense)
- R.21. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Furr, Wegman, & Banks, P.A., for architectural & engineering services for the Lawrence Crow building demolition and sallyport design. (No Fiscal Impact)
- R. COMMUNICATIONS

- R.22. Proclaim March 12-18, 2023 as AmeriCorps Week.
- R.23. Proclaim March 31, 2023 as Lakeland Alumni Chapter of Kappa Alpha Psi Fraternity Day in Polk County.
- R. COOPERATIVE EXTENSION SERVICES
- R. HEALTH & HUMAN SERVICES
- R.24. Approve HOME Investment Partnership (HOME) Rehabilitation/Replacement Program Homeowner Assistance Agreement and Grant Agreement for the property located in Bartow, FL for Case # RC22-HOME-003 (\$176,434.20 one-time expense).
- R.25. Approve the Amendment No.1 to the Mortgage Assistance Subaward Agreement with HANDS of Central Florida, Incorporated (\$50,000.00 one-time expense).
- R. EQUITY & HUMAN RESOURCES
- R. INFORMATION TECHNOLOGY
- R. CODE ENFORCEMENT
- R. COURT SERVICES
- R. RISK MANAGEMENT
- R. INDIGENT HEALTH CARE
- R.26. Approve the replacement Medical Services Agreement with Lakeland Regional Health Systems, Inc. and Lakeland Regional Medical Center, Inc. d/b/a Lakeland Regional Health for primary care services. (Transfer of existing appropriations to medical provider).
- R. FACILITIES MANAGEMENT
- R. FLEET MANAGEMENT
- R. PARKS & NATURAL RESOURCES
- R.27. Approve agreement with Rodda Construction, Inc. to provide Pre-Construction Manager at Risk (CMAR) services for the Simmers Young Park artificial turf improvements. (\$37,675.00 for phase I pre-construction services)
- R. FIRE RESCUE
- R. EMERGENCY MANAGEMENT
- R. REAL ESTATE SERVICES

- R.28. Approve Right-of-Way Agreement between Lakeland Properties of FL, LLC and Polk County in conjunction with the US Highway 98 @ Duff Road Intersection Improvement Project, Parcels, 100, 101, and 102. (\$74,651 one-time expense)
- R.29. Approve Land Purchase Agreement in conjunction with the purchase of a conservation preservation property located in the Lake Wales Ridge Ecosystem Project - Crooked Lake West Area, Valjean Trust parcel. (\$3,000 one-time expense)
- R.30. Approve Amendment to Non-Exclusive Perpetual Easement between the Southwest Florida Water Management District and Polk County in conjunction with the Panther Point Trail and Hampton Reserve Trailhead. (No fiscal impact)
- R.31. Authorize an Easement to Tampa Electric Company in conjunction with the Central Regional WPF and Utilities Operations Building. (No fiscal impact)
- R.32. Accept Quit Claim Deed for property being donated for conservation preservation from the Estate of Sandra M. Kiesling, deceased. (No Fiscal impact)
- R.33. Accept instrument for additional right-of-way along Hamilton Road as requested through the Development Review Process. (No fiscal impact)
- R.34. Authorize Easements to Duke Energy Florida, LLC, and Peoples Gas System in conjunction with the Frostproof Fire Station. (No fiscal impact)
- R.35. Accept Quit Claim Deed from Loughman Volunteer Fire Department, Inc., releasing the reverter condition associated with the Old Loughman Fire Station site. (No fiscal impact)
- R. ROADS & DRAINAGE
- R. UTILITIES
- R. WASTE & RECYCLING
- R.36. Approve renewal for Non-Exclusive Commercial Franchise with JJ's Waste & Recycling LLC. (No fiscal impact)
- 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.37. SET PUBLIC HEARING to consider adoption of an ordinance amending Polk County Ordinance 2019-056, the Polk County Amended and Restated Comprehensive Impact Fee Ordinance, for the purpose of adopting the 2023 Transportation Impact Fee Update Study, imposing updated rates for Transportation Impact Fees, and making other revisions to the ordinance. (Suggested hearing date is March 21, 2023 at 9:30 a.m.)

R.38. Adopt Resolution approving Declarations Extending State of Local Emergency 22-03 (2022 East Residential Waste Collection Emergency). (No fiscal impact.)

## 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, March 6, 2023 – 6:00 p.m. – Eloise Community Redevelopment Advisory (CRA) meeting will be held at the Johnny and Freda Brooks Resource Center, 710 Snively Avenue, Eloise.
- Tuesday, March 7, 2023 – 6:00 p.m. – Sidewalk Advisory Committee will meet in the Administration Building, Fourth Floor, Multi-Purpose Conference Room 413.
- Wednesday, March 8, 2023 – 8:30 a.m. – Lakeland Area Mass Transit District (LAMTD) Board of Directors meeting will be held at 1212 George Jenkins Boulevard, Lakeland.
- Wednesday, March 8, 2023 – 3:00 p.m. – Central Florida Development Council (CFDC) Board Meeting will be held at Molekule, 4000 North Combee Road, Lakeland.
- Wednesday, March 8, 2023 – 4:00 p.m. – Central Florida Development Council (CFDC) Investor Meeting will be held at Molekule, 4000 North Combee Road, Lakeland.
- Wednesday, March 8, 2023 – 5:30 p.m. – Contractor Licensing Board Meeting will be held in the County Commission Boardroom.
- Thursday, March 9, 2023 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, March 9, 2023 – 9:00 a.m. – Tourist Development Council's Marketing Committee will meet at the Hampton Inn Bartow, 205 Old Bartow Eagle Lake Road, Bartow.
- Friday, March 10, 2023 – 9:00 a.m. – Citizens Healthcare Oversight Committee (COC) Retreat will be held at the Circle B Bar Reserve, 4399 Winter Lake Road, Lakeland.
- Friday, March 10, 2023 – 1:00 p.m. – Central Florida Development Council (CFDC) Spring Training Event will be held at Publix Field at Joker Stadium, 2301 Lakeland, Hills Boulevard, Lakeland.
- Wednesday, March 15, 2023 – 5:00 p.m. – 2023 Polk County Day Reception will be held at The Capitol, 22nd Floor, 400 South Monroe Street, Tallahassee.
- Wednesday, March 15, 2023 – 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.

- Thursday, March 16, 2023 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, March 16, 2023 – 9:00 a.m. – Tourist Development Council's Sports and Special Events Committee will meet at Publix Field at Joker Marchant Stadium – The 34 Club, 2301 Lakeland Hills Boulevard, Lakeland.
- Friday, March 17, 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.
- Monday, March 20, 2023 – 1:30 p.m. – Transportation Disadvantaged Local Coordinating Board (TD-LCB) meeting will be held meeting will be held in the County Commission Boardroom.
- Monday, March 20, 2023 – 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.