



# Polk County Board of County Commissioners

## Meeting Agenda - Final-revised

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### July 02, 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 June 18, 2024.

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

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

- G.1. Adopt Tentative Assessment Resolution and Assessment Roll for the 2024-25 Excessive Bulk Waste Assessments to be collected by the Uniform Method of Collection of Non-Ad Valorem Assessments on the tax bill. (No fiscal impact)
- G.2. Adopt Tentative Assessment Resolution and Assessment Roll for the 2024-25 Nuisance Abatement Assessments to be collected by the Uniform Method of Collection of Non-Ad Valorem Assessments on the tax bill. (No fiscal impact)
- G.3. Adopt Residential Waste Program Services Tentative Assessment Resolution setting the Estimated Assessment Rates for Fiscal Year 2024-25. (No fiscal impact)
- G.4. Adopt Tentative Rate Resolution for the 2024-25 Fire Services Non-Ad Valorem Assessments.
- G.5. Adopt Tentative Rate Resolution for the 2024-25 Street Lighting Assessments. (No fiscal impact)
- G.6. Adopt Tentative Rate Resolution for the 2024-25 Central Inwood Street Lighting Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)
- G.7. Adopt Tentative Rate Resolution for the 2024-25 Southwest Inwood Street Lighting Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)
- G.8. Adopt Tentative Rate Resolution for the 2024-25 East Bimini Bay Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)
- G.9. Adopt Tentative Rate Resolution for the 2024-25 Island Club West Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)
- G.10. Adopt Tentative Rate Resolution for the 2024-25 Skyview Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)

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

- H.1. Request Board approve (1) construction contract with MidSouth, Inc. for the Deeson Road lift station and force main improvements project (\$2,307,365.50 one-time expense) and (2) CIP Amendment to the FY 23/24 Utilities Community Investment Program Expansion budget and a transfer from reserves in the amount of \$250,000.00. This project is partially funded through the American Rescue Plan through the United States Department of Treasury.
- H.2. Approve Subcontract Amendment thirteen between the Ounce of Prevention Fund of Florida and Polk County, for the provision of Healthy Families Polk Services for Fiscal Year 2024-2025 (\$1,585,843.75 One-time Revenue, \$400,000.00 Cash Match Contribution).

H.3. Approve Lease Agreement between Ruthven Business Park II, LLC and Polk County. (\$236,000.04, initial estimated annual expense)

**I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)**

I.1. Appoint Merle H. Bishop, FAICP, CPM, as a member of the Polk County Planning Commission, for the three-year term, October 1, 2024 through September 30, 2027.

I.2. 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**

N.1. Appoint Michael Phillips as a member of the Tourist Development Council for the four-year term, July 1, 2024, through June 30, 2028.

N.2. Appoint Zach Burek as a member of the Tourist Development Council for the four-year term, September 1, 2024, through August 31, 2028.

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

\* County Attorney opening comments

**P. PUBLIC HEARINGS**

P.1. PUBLIC HEARING to consider adopting an ordinance providing for publication of legal advertisements and public notices on a publicly accessible website in lieu of using a newspaper when newspaper publication is required by Polk County ordinance, resolution, code, board policy, or administrative order.

P.2. 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.3. PUBLIC HEARING (LDCT-2024-7 Water Star Text Amendment) (Adoption Hearing) to consider an amendment to the Land Development Code to add Chapter 2, Section 212, Plumbing Fixtures and Appliances, and amend Chapter 2, Section 226, Irrigation Systems. (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. Removal of equipment from inventory as listed on Blanket Removal Form 2197.

R. COUNTY MANAGER

R. ECONOMIC DEVELOPMENT

R. TOURISM/SPORTS MARKETING

R. OFFICE OF PLANNING & DEVELOPMENT

R.2. SET HEARING: (LDPCAS-2024-2 Outdoor Sales CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 3.99 +/- acres from Residential Suburban (RS) to Commercial Enclave (CE) in the Suburban Development Area (SDA). The suggested adoption hearing date is July 16, 2024, at 9:15 a.m.

R.3. SET HEARING: (LDCT-2024-11 Chapter 9 LDC Changes) to amend multiple sections of Chapter 9. The suggested hearing dates are, for the first reading on July 16, 2024, at 9:15 a.m., and the second reading on August 6, 2024, at 9:15 a.m.

R.4. SET HEARING: (LDPD-2024-2 Shepherd Rd Multi-family/De Novo Hearing) to consider an appeal to the Planning Commission's decision to deny LDPD-2024-2. The suggested hearing date is August 6, 2024, at 9:15 a.m.

R.5. Accept Lakeland Boat & RV Storage potable water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)

- R.6. Accept a one-year warranty and cash surety in the amount of \$6,000.93 for Lakeland Boat & RV Storage. (No fiscal Impact)
- R.7. Approve the release of a warranty and surety in the amount of \$184,748.31 in the form of Maintenance Bond No. CIC1919492 for Preservation Pointe Phase 4. (No fiscal impact)
- R.8. TPO Interlocal Agreement - Amendment & Resolution. (No fiscal impact)
- 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) Hurricane Housing Recovery Program (HHRP) Homeowner Assistance Agreement and Grant Agreement for property located in Unincorporated Winter Haven, FL., for Case#DR24-S-IAN-011. (\$186,746.20 one-time expense).
- R.10. Resolution adopting the Fiscal Year (FY) 2024-2025 Annual Action Plan. (No fiscal impact).
- R. EQUITY & HUMAN RESOURCES
- R. INFORMATION TECHNOLOGY
- R. CODE ENFORCEMENT
- R. COURT SERVICES
- R.11. Approve the Certificate of Participation between Polk County and the Florida Department of Law Enforcement (No fiscal impact)
- R. RISK MANAGEMENT
- R.12. Consider approval of the proposed settlement in the matter of Steven Haugen v. Polk County Board of County Commissioners; \$170,000.00 one-time expense.
- R. INDIGENT HEALTH CARE

R. FACILITIES MANAGEMENT

- R.13. Request Board approve Modification Number One to Contract #H0349 for FEMA Project #4337-0246-R, Central County Jail Auxiliary Power Generator System, between the Florida Division of Emergency Management (FDEM) and Polk County for the Hazard Mitigation Grant Program (HMGP) funding Agreement and CIP amendment, budget resolution, and transfer from the General Fund Reserve for Cash Balance Forward (\$180,158 one-time revenue and \$60,052 local match totaling \$240,210).
- R.14. Request Board approve Modification No. Two (2) to Contract # H04883 for Project # 4337-401-R, Polk County, Auxiliary Power for Six (6) County Fueling Sites, between the Florida Division of Emergency Management (FDEM) and Polk County for the Hazard Mitigation Grant Program (HMGP) funding Agreement.

R. FLEET MANAGEMENT

R. PARKS & NATURAL RESOURCES

- R.15. Elimination of Historical Marker Application Fee of \$315 per application from Polk County Parks & Natural Resources Schedule of User Fees; amendment of Resolution No 2013-148 (\$1,575 recurring revenue reduction)
- R.16. 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-123-24, EL-124-24, EL-125-24 and EL-126-24. (no fiscal impact)

R. FIRE RESCUE

R. EMERGENCY MANAGEMENT

R. REAL ESTATE SERVICES

- R.17. SET HEARING to consider requests to vacate platted and unmaintained rights-of-way shown on the map of Florida Development Co Tract, Replat of Lakewood Heights, map of Starr Lake Development and Replat of Starr Lake Development along with a portion of maintained right-of-way for Shady Oaks Drive and a portion of a platted drainage easement shown on the plat of Country View Estates II. (Suggested hearing date is July 16, 2024 at 9:00 a.m or immediately following the regular agenda)
- R.18. Approve Land Purchase Agreement between Terrie Dulac and Polk County for the purchase of conservation preservation property. (\$5,200 one-time expense)
- R.19. Approve Right-of-Way Agreement between Eduardo Moreno and Polk County in conjunction with the CR 542A (Galloway Road) at 10th Street, Parcel 109. (\$4,000 one-time expense)

- R.20. Approve Right-of-Way Agreement between Lynn M. Van Wormer and Polk County in conjunction with the CR 542A (Galloway Road) at 10th Street, Parcel 108. (\$1,400 one-time expense)
- R.21. Accept instrument for additional right-of-way along Mount Olive Road as requested through the Development Review Process. (No fiscal impact)
- R.22. Authorize an Easement to the City of Lakeland in conjunction with water service to the Eaton Park Fire Station. (No fiscal impact)
- R.23. Adopt Resolution of Necessity for multiple parcels authorizing condemnation for transportation improvements to Thompson Nursery Road Phase 1 Segment 1, Project No. 5400203, Parcels 120 and 121. (No fiscal impact)

R. ROADS & DRAINAGE

- R.24. Approve Modification No. 1 to Consultant Services Authorization (CSA) No. 17-050-06 with AIM Engineering & Surveying, Inc. (Consultant) for the SR 60 @ 80 Foot Rd Intersection Improvement Project. (\$22,465.00 one-time expense)
- R.25. Adopt a Resolution Setting Speed Limit on Astonia Boulevard, Bloom Terrace, Lily Lane and Sidney Street, Within the Astonia Subdivision, near Davenport. (\$1,030.10 one-time expense)
- R.26. Approve Joint Project Agreement (JPA) between Polk County and the City of Eagle Lake (City) for the Northwest Wahneta Drainage Improvement Project (Project).

R. UTILITIES

- R.27. Adopt a resolution setting forth a preliminary schedule of revised County water utility rates, charges, and fees and SET HEARING for July 16, 2024 at 9:15 a.m. to consider adopting a Resolution approving the proposed revisions to the water utility rates, charges, and fees stated in the preliminary schedule.

R. WASTE & RECYCLING

R. ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY

R. COURT RELATED

R. POLK COUNTY PROPERTY APPRAISER

R. POLK COUNTY SHERIFF

- R.28. Approve and release an appropriation and expenditure of \$10,000 from the Law Enforcement Trust Fund (\$10,000.00 one-time expense)

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.29. SET PUBLIC HEARING to consider adoption of final rate resolutions and assessment rolls for the (1) Residential Waste Program Services, (2) Street Lighting Assessment Areas, (3) Fire Services, (4) the Skyview Utility Municipal Services Benefit Unit, (5) Nuisance Abatement, (6) Excessive Bulk Waste, (7) Island Club West Utility Municipal Services Benefit Unit, (8) East Bimini Bay Utility Municipal Services Benefit Unit, (9) Southwest Inwood Street Lighting Municipal Services Benefit Unit, and (10) Central Inwood Street Lighting Municipal Services Benefit Unit non-ad valorem assessments for fiscal year 2024-25. (Suggested hearing date: September 9, 2024 at 6:00 p.m.) (No fiscal impact)
- R.30. SET PUBLIC HEARING to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption for Project Mix, an expansion of an Existing Business. (Suggested hearing date is July 16, 2024 at 9:00 a.m.)
- R.31. Execute Agreement between Polk County and D-R Media and Investments to create a publicly accessible website for legal notice publication (no fiscal impact).
- R.32. Consider a Resolution designating <https://polkcounty.column.us/search> as Polk County's Publicly Accessible Website.
- R.33. Consider a Resolution directing departments and divisions to publish legally required advertisements and public notices in both a newspaper and on the Publicly Accessible Website and establishes publications on the Polk County Publicly Accessible Website to be the official and controlling version.
- R.34. Consider a Resolution approving a plan of finance concerning the issuance by the Polk County Industrial Development Authority of its Polk County Industrial Development Authority Industrial Development Revenue Bonds (Victory Ridge Academy Project), in a principal amount not exceeding \$17,000,000 for the purpose of providing funds to make a loan to Victory Ridge Academy and Victory Ridge Charitable Fund, Inc., to finance the costs of renovation, expansion, design, construction, equipping and/or furnishing of educational facilities to be located in Polk County, Florida, which facility is to be owned and operated to the extent of its interests therein by Victory Ridge Academy, Inc.

## 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, July 1, 2024 – 2:00 p.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.
- Tuesday, July 2, 2024 – 6:00 p.m. – Sidewalk Advisory Committee will meet in Room 413, Fourth Floor, Administration Building.
- Wednesday, July 3, 2024 – 1:00 p.m. – Interviews for RFP 24-360 SHIP Funds Supporting Multi-Family Rental Development Projects will convene in Room 413, Fourth Floor, County Administration Building.
- Thursday, July 4, 2024 – The offices of the Board of County Commissioners will be closed in observance of the Independence Day Holiday.
- Tuesday, July 9, 2024 – 9:00 a.m. – Interviews for RFP 24-402 Annual Financial Auditing Services will convene in Room 413, Fourth Floor, County Administration Building.
- Tuesday, July 9, 2024 – 6:00 p.m. – Stormwater Technical Advisory Committee (STAC) will meet in the Commissioners’ Conference Room, Room 407.
- Wednesday, July 10, 2024 – 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.
- Thursday, July 11, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administrator Building.
- Thursday, July 11, 2024 – 9:00 a.m. – Tourist Development Council’s Sports and Special Events Committee will meet at the Lake Myrtle Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Friday, July 12, 2024 – 8:00 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, July 12, 2024 – 10:00 a.m. – Board of County Commissioners and Polk County Sheriff’s Office Proposed FY 24/25 Budget Work Session will be held in the County Commission Boardroom.