



# Polk County Board of County Commissioners

## Meeting Agenda - Final-revised

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### February 20, 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**

A.1. Employee Recognition

### **B. CEREMONIAL PROCLAMATIONS**

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

C.1. Brandy Wells - Request for Funding (Another Chance Youth Mentor Program).

C.2. Comments.

### **D. APPROVE CONSENT AGENDA**

### **E. COUNTY COMPTROLLER (STACY M. BUTTERFIELD, CPA)**

E.1. Disbursements.

E.2. Minutes of Regular Board meeting held on February 6, 2024.

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

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

G.1. Approve staff to pursue acquisition of the site nominated to the Environmental Lands Program. Conservation Land Acquisition Selection Advisory Committee (CLASAC) recommends pursuing acquisition of EL-110-23. (no fiscal impact)

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

H.1. Approve purchase of Motorola Diagnostx equipment for the Public Safety Radio System (\$644,793.85 one-time expense).

H.2. Approve The Florida Defense Infrastructure Grant Agreement (S0232) made between Florida Department of Commerce (Commerce) and Polk County (County) (one-time revenue of \$500,000).

H.3. Agreement for mowing and ditch cleaning services between Polk County and the Association of Poinciana Villages, Inc. (APV) (\$224,000.00 estimated annual expense).

**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**

N.1. Appoint Alice Brown to Housing and Neighborhood Development's Citizen Advisory Committee (CAC) for the three-year term February 20, 2024, through February 20, 2027.

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

\* County Attorney opening comments

- O.1. Public Hearing (LDCT-2023-14 US 27 SAP RACX Storage & Car Wash) (First Reading) 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). (No Fiscal Impact).
- O.2. Public Hearing (LDCPAS-2023-20 Graceway Thornhill INST and Appendix 2.135 text CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the 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) the Transit Supportive Development Area (TSDA) and amend text in Appendix 2.135. Parcel Specific Future Land Use Map Amendments with conditions to remove the southern 30 feet of the subject site and the southern 30 feet of the adjacent NAC). This case is related to LDCT-2023-21 to amend Appendix E, Parcel Specific Future Land Use) of the Land Development Code. (No Fiscal Impact)
- O.3. Public Hearing (LDCT-2023-21 Graceway Thornhill INST Appendix E Text amendment) (Adoption Hearing) 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 (LDCPAL-2023-9 RCC Text Change CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan text amendment to modify Objectives/Policies in the Future Land Use Element related to the Rural Cluster Center Future Land Use District and activity centers. (No Fiscal Impact)
- P.2. Public Hearing (LDCPAS-2023-27 St. Matthews INST CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 29.34 +/- acres from Residential Medium (RM) to Institutional (INST) in the Urban Growth Area (UGA). (No Fiscal Impact)
- P.3. Public Hearing (LDWA-2023-58 Silver Fox Path Access Waiver) to consider the adoption of an applicant-initiated request seeking a waiver to Chapter 8, Section 821.A of Polk County’s Land Development Code (LDC) to access through a platted residential lot with the intent of creating four (4) residential lots. (No fiscal impact)

- P.4. Public Hearing (LDCT-2023-15 Mine and Mill Text Amendment) (Adoption Hearing) 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.5. Public Hearing to consider adopting the Polk County claims settlement ordinance raising the amount the Risk Manager may issue or receive in settlements from twenty-five thousand dollars (\$25,000) to fifty thousand dollars (\$50,000).

**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. Approve Consent Agenda.
- R.2. Removal of equipment from inventory as listed on Blanket Removal Form 2188.
- R. COUNTY MANAGER
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.3. SET HEARING (LDCT-2023-19 Housing LDC Text Amendment) to consider the adoption of a County-initiated request to alleviate certain administrative burdens on citizens to develop and use individual lots, reduce the levels of review for certain uses, and provide clarity for citizens and staff when applying existing conditional use standards. The suggested hearing dates are for the first reading on March 5, 2024, at 9:30 a.m. and the second reading on March 19, 2024, at 9:30 a.m.

- R.4. SET HEARING: (LDCT-2023-20 Mining Inspection Text Amendment) to consider the amendment to Chapter 3, Section 303. The suggested hearing dates are for the first reading on March 5, 2024, at 9:30 a.m. and the Adoption reading on March 19, 2024, at 9:30 a.m.
- R.5. Island Club West Tract L Plat for Conditional Approval. (No fiscal impact)
- R.6. Accept Culver's Christina potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.7. Accept a one-year warranty and surety in the amount of \$5,911.50 in the form of Maintenance Bond No. 9954170 Culver's Christina. (No fiscal Impact)
- R.8. Accept Elan Champions Ridge potable water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.9. Accept a one-year warranty and cash surety in the amount of \$7,008.25 for Elan Champions Ridge. (No fiscal Impact)
- R.10. Accept Providence Apartments Phase 1 potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.11. Accept a one-year warranty and surety in the amount of \$19,107.10 in the form of a cash Providence Apartments Phase 1. (No fiscal Impact)
- R.12. Approve the release of a warranty and surety in the amount of \$31,788.54 in the form of Maintenance Bond No. 21BSBIV1365 Legacy Union Townhomes. (No fiscal impact)
- R.13. Approve the release of a warranty and surety in the amount of \$22,287.10 in the form of Maintenance Bond No. and rider 014221941 for Sun State Utility. (No fiscal impact)
- R.14. Approve the release of a cash surety in the amount of \$1,563.90 for Posner Village Phase 2. (No fiscal impact)
- R.15. Approve the release of a cash surety in the amount of \$10,261.10 for Publix Champions Crossing. (No fiscal impact)
- R. BUILDING
- R.16. Interlocal Agreement between Polk County Building Division and the Village of Highland Park (City).
- R. DEPUTY COUNTY MANAGER
- R. BUDGET & MANAGEMENT SERVICES

R. PROCUREMENT

R.17. Report of Fiscal Year 2022/2023 emergency and sole source purchases that exceeded \$50,000.00. (No fiscal impact)

R. COMMUNICATIONS

R. COOPERATIVE EXTENSION SERVICES

R. HEALTH & HUMAN SERVICES

R.18. Approve State Housing Initiative Partnership (SHIP) Program rehabilitation/replacement program Homeowner Assistance Agreement and Grant Agreement for property located in Unincorporated Lake Wales, FL for Case # RC23-SHIP-002 (\$178,554.20 one-time expense)

R. EQUITY & HUMAN RESOURCES

R. INFORMATION TECHNOLOGY

R. CODE ENFORCEMENT

R. COURT SERVICES

R. RISK MANAGEMENT

R. INDIGENT HEALTH CARE

R.19. Approve Polk HealthCare Plan Medical Services Agreement with Total Life Health Center, LLLP for primary care services. (Transfer of existing appropriations to medical provider).

R. FACILITIES MANAGEMENT

R.20. Request Board approve construction contract with JCR Construction & Services LLC, for the Courthouse Phase II - ADA 1st Floor Restrooms project. (\$282,886.82 one-time expense).

R. FLEET MANAGEMENT

R. PARKS & NATURAL RESOURCES

R.21. 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-106-23, EL-107-23, EL-109-23, EL-111-24, EL-112-24, EL-113-24, EL-114-24 and EL-115-24 and CLASAC does not recommend pursuing acquisition of EL-108-23. (no fiscal impact)

R.22. Approve Amendment #1 to Standard Grant Agreement # 22SRP74 with the State of Florida Department of Environmental Protection (FDEP) to provide funding for the Polk County Parks and Natural Resources Ridge to River Protection of Critical Assets project (no fiscal impact).

R. FIRE RESCUE

R.23. Department of Justice Grant - Edward Byrne Memorial Justice Assistance Grant (JAG) Program and transfer from Special Revenue Grant Fund Reserves (one time revenue of \$113,803)

R.24. Department of Justice Grant - Edward Byrne Memorial Justice Assistance Grant (JAG) Program (one time revenue of \$103,108)

R.25. Department of Justice Grant - Edward Byrne Memorial Justice Assistance Grant (JAG) Program (one time revenue of \$97,315)

R. EMERGENCY MANAGEMENT

R. REAL ESTATE SERVICES

R.26. Approve Right-of-Way Agreement between Richard and Pamela Skudlarek and Polk County in conjunction with the County Road 557 Project, Parcel 716. (\$5,000 one-time expense)

R.27. Adopt Resolutions of Necessity for multiple parcels authorizing condemnation for transportation improvements to County Road 557, Project No. 5400135. (No fiscal impact)

R.28. Adopt Resolution of Necessity authorizing condemnation for transportation improvements to the intersection of County Road 54 at Westside Boulevard, Project No. 5400189. (No fiscal impact)

R.29. Approve Subordination Agreement between Polk County and Duke Energy Florida, LLC in conjunction with the CR 547 (Davenport Blvd) at 10th Street Intersection Improvement Project. (No fiscal impact)

R.30. Accept instruments for additional right-of-way along Old Tampa Highway, Lake Harris Dr., 10th Street North, CR 542 and Martin Luther King Boulevard as requested through the Development Review Process. (No fiscal impact)

R.31. Approve maintained right-of-way map for a portion of County Road 630, located in the Frostproof area. (No fiscal impact)

R.32. Accept an Access Easement from Ritchie Bros. Properties Inc., in conjunction with a Polk County Utilities existing Lift Station. (No fiscal impact)

R.33. Accept a Utility Easement from Desmond Surujbali in conjunction with bulk wastewater services to Briarwood Estates Mobile Home Park. (No fiscal impact)

R. ROADS & DRAINAGE

- R.34. Approve Consultant Services Authorization (CSA) No. 22-086-03 with DRMP, Inc. (Consultant) to provide Construction Engineering and Inspection (CEI) services for the City of Lake Wales Minor Streetscape Improvement Project for East Orange Avenue and East Crystal Avenue. (\$162,566.25 one-time expense)
- R.35. Approve Consultant Services Authorization (CSA) No. 22-096-02 with WSP USA Environment & Infrastructure Inc. (Consultant) for design services for the Vaughn Road Widening project. (\$112,447.00 one-time expense)
- R.36. Approve piggyback agreement with TransCore ITS, LLC for intelligent transportation systems (ITS) maintenance services for the Roads and Drainage Division. (\$80,000 estimated recurring expense)
- R.37. Approve Amendment #2 to Agreement 2022-043 with Kisinger Campo & Associates for Palmer Road drainage improvement project. (no expense)
- R.38. Approve updated Polk County Residential Traffic Calming Policy (No fiscal impact).

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.39. Approve and release an appropriation and expenditure of \$101,000.00 from the Domestic Violence Training Fund. (\$101,000.00 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.40. SET PUBLIC HEARING to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption for Project River, a new business. (Suggested hearing date is March 5, 2024 at 9:00 a.m.)

- R.41. SET PUBLIC HEARING to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption for Project Cedar, a new business. (Suggested hearing date is March 5, 2024 at 9:00 a.m.)
- R.42. Approve a cover letter acknowledging the building official's letter to Mr. James Abercrombie addressing the reasons for the denial of Mr. Abercrombie's re-roof permit (BT-2022-1395).

## 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.

- Wednesday, February 21, 2024 – 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, February 22, 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 22, 2024 – 9:00 a.m. – Tourist Development Council's (TDC) Board Meeting will be held at Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, February 22, 2024 – 1:00 p.m. – Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.
- Monday, February 26, 2024 – 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in Room 413, Fourth Floor, Polk County Administration Building.
- Thursday, February 29, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administrator Building.
- Thursday, February 29, 2024 – 1:30 p.m. – Conservation Land Acquisition Selection Advisory Committee (CLASAC) will meet in the County Commission Boardroom.
- Friday, March 1, 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.
- Friday, March 1, 2024 – 8:30 a.m. – Citizens Healthcare Oversight Committee (COC) will be held in the County Commission Boardroom.
- Friday, March 1, 2024 – 1:00 p.m. – Central Florida Development Council (CFDC) Spring Training Event at Publix Field at Joker Marchant Stadium, 2301 Lakeland Hills Blvd, Lakeland.
- Monday, March 4, 2024 – 5:30 p.m. - Eloise Community Redevelopment Agency (CRA) Advisory Committee will meet at the Johnny and Freda Brooks Resource Center, 710 Snively Avenue, Eloise.