



Polk County Board of County Commissioners

Meeting Agenda - Final

March 21, 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

Bill Dehart, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (GEORGE LINDSEY, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

- A.1. Employee Recognition
- A.2. Present Polk County Fire Rescue's Dustin Bovill with the American Red Cross Lifesaving Award
- A.3. Waste Management of Florida - Refuse Collection Update (Ms. Lisa McNeight - Area Director, Public Sector Solutions and Mr. Bill Stubblebine - Director of Operations)

B. CEREMONIAL PROCLAMATIONS

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

- C.1. Shellie Blum - Tax Lien/Code Violation Payment Program (239 Waverly Loop, Lake Wales)
- 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 March 7, 2023.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Approve property insurance renewal with Arthur J. Gallagher, effective April 1, 2023 through March 31, 2024. (\$2,300,850 estimated annual expense)

H.2. Approve the First Amendment to the Substance Abuse Mental Health Services Administration (SAMHSA) Grant Subrecipient Agreement with Peace River Center for Personal Development, Inc. (PRC) for behavioral health navigation services, adopt a Resolution to amend the budget for unanticipated revenue and appoint Judy Tewksbury as Authorized Official to electronically accept SAMHSA Grant Funds. (\$850,000.00 one-time revenue)

H.3. Approve agreement with Florida Transportation Engineering, Inc. to provide professional engineering services for Simmers Young Park artificial turf conversion. (\$631,811.22 for phase I)

H.4. Approve amendment with AECOM Technical Services, Inc. for the North Ridge Trail project, CIP amendment, and budget transfer. (\$323,232.00 one-time expense)

I. COMMISSIONER DISTRICT 2 (RICK WILSON)

I.1. Commissioner Wilson Comments.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

J.1. Commissioner Braswell 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 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 (Adoption Hearing) to consider the adoption of LDCT-2022-25, a County-initiated request for Reclaimed Reuse Systems and Section 932.B.
- O.2. Public Hearing (Adoption 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 2022-11 ChampionsGate MUX CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan map and text amendment and companion Land Development Code text amendment (LDCT-2022-18) to change Future Land Use designation on 81 +/- acres from Residential Low-X (RLX), Employment Center-X (ECX), and Office Center-X (OCX) to Mixed Use-X (MUX) and create an overlay for the ChampionsGate Development of Regional Impact (DRI) in the Ronald Reagan Selected Area Plan. (No Fiscal Impact)
- O.4. Public Hearing (LDCT-2022-18 (ChampionsGate MUX LDC Text Amendment) (Adoption Hearing) to consider an ordinance adopting a text amendment to the Ronald Reagan Selected Area Plan in Chapter 4 of the Land Development Code to create the new MUX, add it to the use table, add development conditions, and reference the ChampionsGate Development of Regional Impact (DRI). This case is related to LDCPAL-2022-11 which is a Map and Text amendment for a Future Land Use designation change on 81 +/- acres from Residential Low-X (RLX), Office Center-X (OCX), and Employment Center-X (ECX) to Mixed Use-X (MUX) in the Transit Supportive Development Area (TSDA) in the Ronald Reagan Selected Area Plan (RRSAP), and amend policies in the RRSAP for the new MUX and reference the ChampionsGate DRI.. (No Fiscal Impact)
- O.5. Public Hearing (LDPD-2022-32/540-A Self-Storage TAD) (Adoption Hearing) 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. No Fiscal Impact.
- O.6. Public Hearing (LDCPAS-2022-31 West Pipkin RM CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map 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). (No Fiscal Impact).

- O.7. Public 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 for residential lot with access through a private easement to an unpaved County Road longer than ¼ mile. (No fiscal impact)

P. PUBLIC HEARINGS

- P.1. Public Hearing (LDGPAS-2022-44 Old HWY 37 RL-3) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Map designation on ±3.31 acres from Institutional (INST) to Residential Low (RL) in the Transit Supportive Development Area (TSDA). (No Fiscal Impact).
- P.2. Public Hearing (LDGP-2022-10 Old Hwy 37 RL-3 Sub-district Change) (Adoption Hearing) to consider the adoption of 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 a Small-Scale Comprehensive Plan Amendment (LDGPAS-2022-44). (No Fiscal Impact)
- P.3. Public Hearing (LDGPAS-2022-42 US 27 LCC) (Adoption Hearing) to consider the adoption of a Land Use Designation change on ±5.8 acres from Agricultural Residential Rural-X (A/RR-X) in the Rural Development Area (RDA) and Gateway Selected Area Plan (SAP) to Linear Commercial Corridor-X (LCC-X) (No Fiscal Impact).
- P.4. Public Hearing to consider adoption of an ordinance amending Polk County Ordinance 2019-056, the Polk County Amended and Restated Comprehensive Impact Fee Ordinance.

Q. WORK SESSION ITEMS

- Q.1. Employee Compensation Plan (Budget Director Christia Johnson, Deputy County Manager Todd Bond, and Equity & Human Resources Director Kandis Baker-Buford)
- Q.2. FY 2023-24 Millage Rates (Budget Director Christia Johnson and Deputy County Manager Todd Bond)

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 2167.

R.2. Appoint property custodian for the office of the Building Division.

R. COUNTY MANAGER

R. ECONOMIC DEVELOPMENT

R. TOURISM/SPORTS MARKETING

R. OFFICE OF PLANNING & DEVELOPMENT

R.3. SET HEARING (LDCT-2021-13 Completion and Acceptance of Infrastructure and Improvements) to consider the adoption of a County-initiated request for Completion and Acceptance of Infrastructure and Improvements. The suggested hearings for a first reading on April 4, 2023, at 9:30 a.m. and the second reading on April 18, 2023, at 9:30 a.m.

R.4. SET HEARING (LDCT-2022-23 On-Street Parking) to consider the adoption of a County-initiated request to clarify minimum off-street parking requirements and provide on-street parking standards. The suggested hearing dates are for the first reading on April 4, 2023, at 9:30 a.m. and the second reading on April 18, 2023, at 9:30 a.m.

R.5. SET HEARING (LDCT-2022-24 Internal Sidewalks) to consider the adoption of a County-initiated request to clarify sidewalk requirements along developments with frontage on County roadways and require internal sidewalks within all major subdivisions. The suggested hearing dates are for the first reading on April 4, 2023, at 9:30 a.m. and the second reading on April 18, 2023, at 9:30 a.m.

R.6. SET HEARING (LDCPAS-2022-40 Braddock Road CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 34.74 +/- acres from Business Park Center-X (BPCX) to Mixed-Use-X (MUX) in the I-4/NE Polk Parkway Plan District Selected Area Plan (SAP) and in the Transit Supportive Development Area (TSDA) and the Transit Centers and Corridors Overlay (TCCO). The suggested adoption hearing date is April 4, 2023, at 9:30 a.m.

R.7. Clubhouse Acres Phase II Plat for Conditional Approval. (No fiscal impact)

R.8. Approve recommended changes to the functional classification of select Polk County roads: Braddock Road, Cornerstone Church Place, and Holly Hill Grove Road 2. (No fiscal impact)

R. BUILDING

R. DEPUTY COUNTY MANAGER

R. BUDGET & MANAGEMENT SERVICES

- R.9. Approve an Amended American Rescue Plan Fund Agreement with Noah's Ark of Central Florida (No Fiscal Impact)

R. PROCUREMENT

R. COMMUNICATIONS

R. COOPERATIVE EXTENSION SERVICES

R. HEALTH & HUMAN SERVICES

- R.10. Approve State Housing Initiative Partnership (SHIP) Program rehabilitation/replacement program Homeowner Assistance Agreement and Grant Agreement for property located in Bartow, FL for Case# RC22-SHIP-005. (\$166,004.20 one-time expense)

R. EQUITY & HUMAN RESOURCES

R. INFORMATION TECHNOLOGY

R. CODE ENFORCEMENT

R. COURT SERVICES

R. RISK MANAGEMENT

- R.11. Consider approval of the proposed settlement in the matter of Gary & Vicki Ptacek v. Polk County Board of County Commissioners. (\$110,000.00 one-time expense)

- R.12. Consider approval of the proposed settlement in the matter of Janelle Swilley v. Polk County Sheriff's Office. (\$70,000.00 one-time expense)

R. INDIGENT HEALTH CARE

- R.13. Approve the second amendment to the contract with Tri-County Human Services, Inc. for Men's JASA "Jail Alternatives to Substance Abuse" Program. (total additional funding amount not to exceed \$87,050)

R. FACILITIES MANAGEMENT

R. FLEET MANAGEMENT

R. PARKS & NATURAL RESOURCES

- R.14. Approve Amendment No.1 to Sole Source Agreement No.22-371 with Vermont Systems, Inc. for recreation and maintenance software. (\$93,005.71 four-year expense)

R. FIRE RESCUE

R. EMERGENCY MANAGEMENT

R. REAL ESTATE SERVICES

R.15. SET HEARING to consider requests to vacate portions of platted and unmaintained rights-of-way as shown on the Revised Plat of Crooked Lake and on the map of Haskell Subdivision. (Suggested hearing date is April 4, 2023 at 9:30 a.m. or immediately following the regular agenda)

R.16. Approve Amendment #4 to Lease No. 270, Grazing Lease between Polk County and ADK Cattle, LLC. (\$17,118.51, annual revenue)

R.17. 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, Robert G. Prongay Family Trust parcel. (\$2,500 one-time expense)

R.18. Accept instrument for additional right-of-way along McCleod Road and Reynolds Road as requested through the Development Review Process. (No fiscal impact)

R.19. Accept utility easements from BJ's Wholesale Club, Inc., and Sunnyglen Farms, Inc., as requested through the Development Review Process (No fiscal impact)

R.20. Approve master service agreements with Mancuso Appraisal Services, Inc. and Lee Pallardy, Inc. for general appraisal services. (No fiscal impact)

R.21. Approve master service agreements with Compass Real Estate Consulting, Inc., Durrance and Associates, Lee Pallardy, Inc., The Spivey Group, Inc. and Wilson Real Estate, Inc. for eminent domain appraisal services. (No fiscal impact)

R.22. Authorize a Utility Easement to the City of Bartow for planned electric facilities associated with the proposed Central Polk Parkway Segment 2. (No fiscal impact)

R.23. Authorize a County Deed to the City of Lakeland to clear the encumbrance of an easement for right-of-way in conjunction with the City's C.D. McIntosh Power Plant. (No fiscal impact)

R.24. Authorize a County Deed to James A. Sadler, as Trustee to convey the County's interest in Parcel ID Number 242536-000000-022010 (No fiscal impact)

R. ROADS & DRAINAGE

R.25. Approve Amendment No. 1 to the Reimbursement Agreement with the City of Lakeland (City) for the West Pipkin Road Widening Project. (\$350,000 one-time expense)

- R.26. Approve Consultant Services Authorization (CSA) No. 22-088-01 with HNTB Corporation, (Consultant) to provide engineering services for the Cypress Parkway at Lake Marion Creek Road Intersection Improvements Project (\$102,255.00 one-time expense)
- R.27. Adopt a Resolution Setting Parking Restrictions on Appleton Street, Grandin Street, Madison Drive, Mandovi Street and Merrill Street, within the Madison Place Subdivision, near Davenport. (\$2,362.50 one-time expense)
- R.28. Adopt a Resolution Setting Parking Restrictions on Country Walk Circle, within the Country Walk Estates Subdivision, near Davenport. (\$455.54 one-time expense)
- R.29. Adopt a Resolution Setting Speed Limit on Burbank Avenue, near Lakeland. (\$232.63 one-time expense)
- R. UTILITIES
- R.30. Approve the Interlocal Agreement with the Water Cooperative of Central Florida relating to the Governance of the Cypress Lake Alternative Water Supply Project (No fiscal impact)
- R. WASTE & RECYCLING
- R.31. Approve renewal for Non-Exclusive Commercial Franchise with Roggen Clyne Development Inc. (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.32. Adopt resolution requiring candidates qualifying before the Polk County Supervisor of Election to file reports electronically. (No fiscal impact)
- R.33. Adopt Resolution approving Declarations Extending State of Local Emergency 22-03 (2022 East Residential Waste Collection Emergency). (No fiscal impact.)

R.34. Approve Agreements for Land Use Hearing Officer Services with (1) Garganese, Weiss, D'Agresta & Salzman, PA; (2) Conn & Buenaventura, PA; and (3) Janet A. McDonald, Esq. (estimated annual cost of \$75,000, collectively).

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 20, 2023 – 1:30 p.m. – Transportation Disadvantaged Local Coordinating Board (TD-LCB) 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.
- Tuesday, March 21, 2023 – 1:00 p.m. – 1st Selection Committee meeting for RFP 23-175 Curbside Residential Waste Collection Services will be held in Room 407, Fourth Floor, Polk County Administration Building.
- Wednesday, March 22, 2023 – 2:00 p.m. – Polk Regional Water Cooperative Board of Directors meeting will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, March 23, 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 23, 2023 – 9:30 a.m. – Technical Advisory Committee will meet in Room 413, Fourth Floor, Polk County Administration Building.
- Thursday, March 23, 2023 – 1:30 p.m. – Land Use Hearing Officer will be held in the County Commission Boardroom.
- Friday, March 24, 2023 – 8:30 a.m. – Citizens Healthcare Oversight Committee (COC) will be held in the County Commission Boardroom.
- Tuesday, March 28, 2023 – 7:00 a.m. – Lakeland Area Transit Board Meeting (LAMTD) and Retreat, 525 Lake Crago Dr, Lakeland.
- Thursday, March 30, 2023 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Friday, March 31, 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.
- Friday, March 31, 2023 – 11:30 a.m. – Value Adjustment Board will have the final meeting to consider the recommendations and will be held in the County Commission Boardroom.