



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

December 17, 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. (RICK WILSON, CHAIR)

INVOCATION

Murphy Hanley, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (RICK WILSON, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

A.1. Steve Labate - Presentation to Commissioner Bill Braswell on behalf of Lakeland Gold Star Parents.

B. CEREMONIAL PROCLAMATIONS

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

C.1. Randy Wilkinson - Invitation to Evening with Gilbert King at Polk Theater, December 21. The Pulitzer Prize winner will discuss his expose' of the unjust Polk County conviction of Leo Schofield as told in Bone Valley, the worldwide #1 Crime Podcast.

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 December 3, 2024.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Approve the contract with Central Florida Health Care, Inc. (CFHC) for the purchase of equipment. (Total amount not to exceed \$1,553,882.99)

H.2. Approve the third amendment to the contract with Winter Haven Hospital, Inc., d/b/a Center for Behavioral Health to provide behavioral health services. (Total amount not to exceed \$1,576,280 annually.)

H.3. Approve the contract with Winter Haven Hospital, Inc., d/b/a Center for Behavioral Health for site-based services to adults with mental health needs. (Total amount not to exceed \$470,000 annually.)

H.4. Approve the Florida Communities Trust Grant Agreement (F2407) made between Florida Department of Environmental Protection (FDEP) and Polk County (County) (one-time revenue of \$1,775,000).

H.5. North Ridge Trail Extension Infrastructure Agreement from Legacy Park Blvd. to Poitras #2 Road. (not to exceed a reimbursement cost of \$1,414,231.08).

H.6. Approve the Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) Addendum No. 1 with Wharton-Smith, Inc. for the Northeast Regional Wastewater Treatment Facility (NERWWTF), Phase A dewatering and construction expansion. (\$44,644,133.00 one-time expense)

I. COMMISSIONER DISTRICT 1 (BECKY TROUTMAN)

I.1. Commissioner Troutman 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 (MICHAEL SCOTT)

L.1. Commissioner Scott Comments.

M. COMMISSIONER DISTRICT 2 (RICK WILSON, CHAIR)

M.1. Chair Wilson Comments.

N. LAY BOARD APPOINTMENTS

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

* County Attorney opening comments

- O.1. Public Hearing (LDCPAL-2024-1 Socrum Loop Rd PRESV CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 6.88+/- acres from Residential Low-X (RL-X) and Office Center-X (OCX) to Preservation-X (PRESVX) in the Green Swamp ACSC. (No Fiscal Impact)
- O.2. Public Hearing (LDCPAS-2024-21 Parkview Christian CPA) (Adoption Public Hearing) to consider the Future Land Use Change from Residential Suburban (RS) to Institutional (INST-1) on +/- 17.75 acres in the Suburban Development Area (SDA). (No Fiscal Impact)
- O.3. Public Hearing (LDCPAS-2024-20 Mt Pisgah Rd PM to ARR CPA Amendment) (Adoption Hearing) to consider the Future Land Use Change from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) on +/- 15.54 acres in the Rural Development Area (RDA). (No Fiscal Impact)
- O.4. Public Hearing (LDCPAL-2024-11 Mosaic Nichols PM CPA Amendment) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Agricultural/Residential-Rural (A/RR) to Phosphate Mining (PM) on +/- 420 acres. (No Fiscal Impact).
- O.5. Public Hearing (LDCPAL-2024-12 North Prong IND CPA Amendment) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation from Phosphate Mining (PM) and Agricultural/Residential-Rural (A/RR) to Industrial (IND) on +/- 420 acres and to change the text of Section 2.135 of the Comprehensive Plan to limit the intensity of the IND activity on certain areas of the site. (No Fiscal Impact).
- O.6. Public Hearing (LDCT-2024-19 North Prong LDC Text Amendment) (Transmittal Hearing) to consider Change the text of the Land Development Code Appendix E, Section E105, to limit the intensity of the IND on certain areas of the property (No Fiscal Impact).

P. PUBLIC HEARINGS

- P.1. Public Hearing (LDCPAL-2023-13 Septic to Sewer Text Change CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan text amendment to several elements of the Comprehensive Plan will be amended that address new septic tank limitations in areas with Basin Management Action Plans, a new overlay called Nutrient Restoration Plan Overlay (NRPO), and septic tank to sewer conversation in the NRP. This case is related to LDCT-2023-24. (No Fiscal Impact)
- P.2. Public Hearing (LDCT-2023-24 Septic to Sewer) (Adoption Hearing) to consider the adoption of a County-initiated request to amend the Land Development Code to add the Nutrient Restoration Plan Overlay, restrictions on septic tanks, and definitions. This case is related to LDCPAL-2023-13. (No Fiscal Impact).
- P.3. Public Hearing to consider adoption of a resolution to vacate portions of platted, rights-of-way as shown on the Map of A. R. Highfield's Addition to the City of Crooked Lake and the Plat of Stephenson's Addition to Babson Park, Polk County, Florida. (No fiscal impact)
- P.4. Public Hearing to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption to an expanding business, ALDI (Florida) L.L.C., and approval of a Performance Agreement with the company.
- P.5. Public Hearing to consider adoption of a resolution providing notice of intent to use the uniform method for the levy, collection and enforcement of non-ad valorem assessments.

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. Accept Public Official Bond for County Commissioner Rebecca Ann Troutman.
- R.2. Accept Public Official Bond for County Commissioner Michael Hugh Scott.
- R.3. Proposed Fiscal Year 2025 budgets for Bridgewater and Ridgecrest Community Development Districts.
- R.4. Removal of equipment from inventory as listed on Blanket Removal Form 2207.

- R.5. Appoint property custodian for the office of Planning and Development/TPO.
- R. COUNTY MANAGER
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.6. SET HEARING: (LDCPAS-2024-3 Spirit Lake Road OC CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on .44+/- acres from Residential-Low (RL) to Office Center (OC) in the Transit Supportive Suburban Development Area (TSDA). The suggested adoption hearing date is January 7, 2025, at 9:15 a.m.
- R.7. SET HEARING: (LDCT-2024-26 Appendix A Clean Up Text) to amend Sections 704, 804, 980 and A406; amend Chapter 10, Appendix A, Section A203; delete Section A204; add Section A204; consolidate figures A6 thru A14; amend Section A207; delete Subsection A207.G. The suggested hearing dates are for the first reading on January 7, 2025, at 9:15 a.m. and the second reading on January 21, 2025, at 9:15 a.m.
- R.8. SET HEARING: (LDCT-2024-27 SR 60 & Boy Scout Road RCC Activity Center Plan (ACP) Text Amendment) to change the text of the Land Development Code Appendix E, Section E105. This case is related to LDCPAS-2024-25. The suggested hearing dates are for the first reading on January 7, 2025, at 9:15 a.m. and the second reading on January 21, 2025, at 9:15 a.m.
- R.9. Fulton Meadows Plat for Conditional Approval. (No fiscal impact)
- R.10. Lake Buffum Acres Plat for Conditional Approval. (No fiscal impact)
- R.11. Accept Brentwood Multifamily potable water and wastewater utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.12. Accept a one-year warranty and surety in the amount of \$3,149.88 in the form of Maintenance Bond No. 2358615 for the Brentwood Multifamily development. (No fiscal Impact)
- R.13. Accept Brentwood Townhomes Phases 2 & 3 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 \$134,591.02 in the form of Maintenance Bond No. LICX1983025 for the Brentwood Townhome development Phases 2 & 3. (No Fiscal Impact)

- R.15. Accept Heritage MHP potable water 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 \$5,669.00 in the form of Maintenance Bond No. OFB2423896 for Heritage MHP. (No fiscal impact)
- R.17. Accept Performance Surety in the amount of \$219,439.00 in the form of Performance Bond No. 41K237323 for Victory Ridge Academy. (No fiscal impact)
- R.18. Approve agreement with AECOM Technical Services for a Vision Zero Action Plan. (\$919,998.00 one-time expense)
- R. BUILDING
- R. DEPUTY COUNTY MANAGER
- R. BUDGET & MANAGEMENT SERVICES
- R.19. Approve a first amendment to an Amended and Restated American Rescue Plan Fund Agreement with Heart for Winter Haven, Inc. (No fiscal impact)
- R. PROCUREMENT
- R. COMMUNICATIONS
- R. COOPERATIVE EXTENSION SERVICES
- R. HEALTH & HUMAN SERVICES
- R.20. Approve the HOME American Rescue Plan (ARP) Funded Tenant Based Rental Assistance (TBRA) Program subrecipient agreement. (\$200,000 one-time expense).
- R.21. Approve modification No. 2 of State Housing Initiatives Partnership (SHIP) Rehabilitation program Homeowner Assistance Agreement and Grant Agreement for the property located in Winter Haven, FL., for Case #DR24-S-IAN-012. (\$3,913.00 one-time expense).
- R. EQUITY & HUMAN RESOURCES
- R. INFORMATION TECHNOLOGY
- R. CODE ENFORCEMENT
- R. COURT SERVICES
- R. RISK MANAGEMENT

R.22. Approve annual excess Workers' Compensation insurance policy renewal with Midwest Employers Casualty Company, effective January 1, 2025 through December 31, 2025. (Total premium \$299,358)

R.23. Approve agreement with Willis Towers Watson, Inc. for employee health and wellness benefits consulting. (\$285,000.00 recurring expense)

R. COMMUNITY HEALTH CARE

R.24. Approve the First Amendment to Substance Abuse and Mental Health Services Administration Grant Subrecipient Agreement with Polk Vision, Inc. (total amount not to exceed \$155,262)

R. FACILITIES MANAGEMENT

R.25. Approve and sign Grant Agreement for the Department of Energy (DOE) to administer the State Community Energy Programs (SCEP) under Energy Efficiency and Conservation Block Grant Program (EECBG). (\$481,240.00 Grant - No match requirement)

R.26. Approve Amendments No. 9 and No.10 to Agreement 19-004 with The Lunz Group, Inc., authorizing architectural and engineering services for the Bradley Junction and Caloosa Lake Fire Rescue Stations. (\$301,810.00, Bradley Junction and \$279,510.00 Caloosa Lake; one-time expense)

R.27. Accept and execute Modification No. Three (3) to a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) Agreement for Project #: 4337-0422-R, Polk County BOCC, FRS / EMS Stations Auxiliary Power Generators Contract #: H0510 between The Florida Division of Emergency Management FEMA HMGP and Polk County. (No fiscal impact)

R. FLEET MANAGEMENT

R. PARKS & NATURAL RESOURCES

R.28. Approve selection committee's recommendation to authorize staff enter into negotiations with Showdown ATV LLC to provide ATV rentals at Bone Valley ATV Park. (No fiscal impact)

R. FIRE RESCUE

R. EMERGENCY MANAGEMENT

R. REAL ESTATE SERVICES

R.29. Approve Right-of-Way Agreement between LWG Florida Properties, LLC Polk County in conjunction with the Thompson Nursery Road Phase 1 (Segment 4) Improvement project. (\$181,117 one-time expense)

- R.30. Approve Purchase and Sale Agreement between Tampa Electric Company and Polk County and authorize a County Deed in conjunction with the conveyance of the County's interest in a platted Park as shown on the plat of Waverly identified as Parcel ID Number 272910-859000-047000. (\$50,000, one-time revenue)
- R.31. Approve Agreement between Tohopekaliga Water Authority and Polk County. (No fiscal impact)
- R.32. Approve Agreement for Transfer of Public Road between the City of Lakeland and Polk County for a portion of Wabash Avenue North and authorize a County Deed for the right-of-way associated therewith. Also accept a City Deed from the City of Lakeland for right-of-way associated with a portion of Wabash Avenue North and 10th Street. (No fiscal impact)
- R.33. Authorize an Easement to the City of Lakeland in conjunction with electric service to gas facilities within the North Central Landfill. (No fiscal impact)
- R.34. Approve Memorandum of Agreement between the State of Florida, Department of Transportation and Polk County regarding the Central Polk Parkway and authorize a County Deed for right-of-way parcels associated therewith. (No fiscal impact)
- R.35. Accept instrument for additional rights-of-way along Old Bartow-Lake Wales Road and Old Bartow Road as requested through the Development Review Process. (No fiscal impact)
- R.36. Approve maintained right-of-way map for Davis Brothers Road, located in the Lake Wales area. (No fiscal impact)
- R.37. Ratify and accept a Special Warranty Deed from Marsha L. Smith and Charlotte Hall McGahee, as co-Trustees for additional right-of-way in conjunction with an intersection project known as the Kathleen Road at Deeson Road Intersection Improvement Project. (No fiscal impact)
- R.38. Accept Quit Claim Deed, Sidewalk Easement and Access Easement from BVT-Aventon Holly Hill Owner, LLP in conjunction with proposed development as requested through the Development Review Process. (No fiscal impact)
- R.39. Accept Quit Claim Deeds for property being donated for conservation preservation, Dickey and Lantz Estate parcels. (No Fiscal impact)
- R.40. Approve recommended alignment alternative and adopt resolution for the Power Line Road Phase 2 Project. (No fiscal impact)
- R.41. Authorize an Easement to Peoples Gas System, Inc. and approve a Use Agreement between Peoples Gas System, Inc. and Polk County. Also approve an Amendment to Lease and Access Agreement between Polk County RNG LLC and Polk County all in conjunction with the sale of naturally produced gas at the North Central Landfill. (No fiscal impact)

R. ROADS & DRAINAGE

- R.42. Adopt a Resolution Setting Parking Restrictions on Derwent Drive and Lancashire Street, within the Glen at West Haven Subdivision, near Davenport. (\$3,802.95 one-time expense)
- R.43. Adopt a Resolution Setting Parking Restrictions on Cypress Fox Boulevard and Fox Squirrel Drive, within the Meadow Walk Subdivision, near Davenport. (\$3,612.90 one-time expense)

R. UTILITIES

- R.44. Approve Consultant Services Authorization 2024-011-04 with Dewberry Engineers, Inc. for the Northeast Regional Utility Service Area (NERUSA) Alternative Water Supply (AWS) Receiving Facility Project (\$324,713.00 not to exceed one-time expense).
- R.45. Approve the CIP Amendment and budget transfer of \$1,350,000 of American Rescue Plan funds from Crooked Lake Park Receivership Project to Septage Receiving Station Project. These projects are partially funded through the American Rescue Plan through the United States Department of Treasury. (\$1,350,000 one-time transfer).
- R.46. Approve Release of Claims for Consultant Services Authorization (CSA) 18-060-03 with Jones Edmunds and Associates, Inc. for the Crooked Lake Park Receivership - Wastewater Treatment Facility (WWTF) Abandonment and Lift Station Replacements project. (Release of Claims (Payment to County) totaling \$144,221.06).
- R.47. Approve Consultant Services Authorization 2024-018-01 with Tetra Tech Inc. for the Northwest Regional Utility Service Area (NWRUSA) Master Plan Update Project (\$291,448.00 not-to-exceed, one-time expense).

R. SOLID WASTE

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. WORKFORCE DEVELOPMENT BOARD

R. COUNTY ATTORNEY

- R.48. Approve Offer of Judgment with This Land of Acres, Inc., for parcel 133 in the case of Polk County v. Sean Daniel Freeman, et al (2024CA-2048), an eminent domain lawsuit filed to acquire needed rights-of-way for the County Road 557 Project. (\$27,982 one time expense).
- R.49. Approve amendment and assignment of Agreement for Land Use Hearing Officer Services with Conn & Buenaventura, PA, to Buenaventura Law, PLLC. (No fiscal impact)
- R.50. Approve Outside Counsel Agreement with Campbell, Trohn, Tamayo & Aranda, P.A.
- R.51. Adopt a resolution identifying the appointment of Polk County's Supervisor to the Water Cooperative of Central Florida.
- R.52. Consider resolution approving Declarations Extending State of Local Emergency 24-01 executed by the County Manager on December 4, 2024, and December 11, 2024.
- R.53. Ratify the effective date of December 3, 2024, for the BoCC Member and Liaison Assignments approved on the December 3, 2024, agenda.

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, December 16, 2024 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administrative Building third floor conference room 341.
- Monday, December 16, 2024 – 1:30 p.m. – Transportation Disadvantaged Local Coordinating Board (TD-LCB) meeting will be held in the County Commission Boardroom.
- Wednesday, December 18, 2024 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administrative Building third floor conference room 341.
- Thursday, December 19, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, December 19, 2024 – 9:00 a.m. – Transportation Planning Organization (TPO) Board meeting, immediately followed by the Polk Transit Authority (PTA) meeting, will be held in the County Commission Boardroom.
- Thursday, December 19, 2024 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administrative Building third floor conference room 341.
- Friday, December 20, 2024 – 8:30 a.m. – Citizens Healthcare Oversight Committee (COC) will be held in the County Commission Boardroom.
- Friday, December 20, 2024 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administrative Building third floor conference room 341.
- Tuesday, December 24, 2024 - Wednesday, December 25, 2024 – The offices of the Board of County Commissioners will be closed in observance of the Christmas Holiday.
- Wednesday, January 1, 2025 – The offices of the Board of County Commissioners will be closed in observance of New Year's Day.
- Thursday, January 2, 2025 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Friday, January 3, 2025 – 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, January 3, 2025 – 11:30 a.m. – Finance and Audit Committee meeting will be held in the Commissioners' Conference Room, Room 407.