



# Polk County Board of County Commissioners

## Meeting Agenda - Final-revised

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### December 03, 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. Employee Recognition

### **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 November 19, 2024.

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

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

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

- H.1. Approve construction contract with Cobb Site Development, Inc. for the South Lake Wales drainage improvement project - ARP (\$3,775,058.51 one-time expense from American Rescue Plan Funds)
- H.2. Approve construction contract with Kamminga & Roodvoets, Inc. for the Fairway Avenue drainage improvement project - ARP (\$1,805,339.00 one-time expense from American Rescue Plan Funds)
- H.3. Approve construction contract with Harris McBurney Company for the Stonewood subdivision drainage improvement project - ARP (\$1,059,424.62 one-time expense from American Rescue Plan Funds)
- H.4. Request Board approve construction contract with Enviro-Tech Systems, Inc. for the Simmers-Young Park water quality improvement project. (\$2,628,681.66 one-time expense from American Rescue Plan Funds).
- H.5. Approve Memorandum of Agreement (MOA) between Rural and Family Lands Protection Program (RFLPP) of the Florida Department of Agriculture and Consumer Services, and Polk County to facilitate the acquisition of a perpetual conservation easement on EL-104-23 Raley Groves (Property). (one-time expense \$1,500,000)
- H.6. Approve Standard Grant Agreement #L0124 between State of Florida Department of Environmental Protection (FDEP) to fund the Headwaters of the Everglades - Land Acquisition for Septic Prevention Project. (one-time revenue \$1,800,000)
- H.7. Approve Consultant Services Authorization 2024-011-03 with Dewberry Engineers, Inc. for the Timber Shores, Cypress Knee Cove MHP, and Burlington and Hartman's Neighborhoods Septic to Sewer Project (\$492,259.06 not to exceed one-time expense).
- H.8. Confirm appointment of Mrs. Amber Smith to serve as Communications Division Director for Polk County Government.

**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 (LDCT-2024-23 Subdivision of Lots with Multiple Structures) (Adoption Hearing) to consider the adoption of a County-initiated request to allow lots with multiple units in existence for over 20 years to subdivide regardless of the minimum lot size, provided certain conditions can be met.

**P. PUBLIC HEARINGS**

P.1. Public Hearing (LDCDD-2024-5 Lake Hamilton Bluff Third CDD Boundary Amendment) to consider the adoption of an applicant-initiated resolution consenting to the amendment of the external boundaries of an existing Community Development District (CDD) that is mostly within the Lake Hamilton town limits.

P.2. Public Hearing to Consider Adoption of a Resolution Allowing for the Installation of Three Traffic Calming Devices (Speed Humps) on Lamplight Lane, Near Winter Haven. (estimated \$15,000.00 one-time expense)

**Q. WORK SESSION ITEMS**

**R. CONSENT AGENDA ITEMS**

R. COMMISSIONER DISTRICT 1

R. COMMISSIONER DISTRICT 2

R.1. Ratification of the BoCC Member and Liaison Assignments, effective January 1, 2025.

R. COMMISSIONER DISTRICT 3

R. COMMISSIONER DISTRICT 4

R. COMMISSIONER DISTRICT 5

R. COUNTY COMPTROLLER

- R.2. Appoint property custodian for the office of Healthy Families.
- R. COUNTY MANAGER
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.3. SET HEARING: (LD CPAS-2024-21 Parkview Christian CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 17.75+/- acres from Residential Suburban (RS) to Institutional (INST) in the Suburban Development Area (SDA). The suggested adoption hearing date is December 17, 2024, at 9:15 a.m.
- R.4. SET HEARING: (LD CPAS-2024-20 Mt. Pisgah Road A/RR CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 15.54+/- acres from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) in the Rural Development Area (RDA). The suggested adoption hearing date is December 17, 2024, at 9:15 a.m.
- R.5. SET HEARING: (LD CPAL-2024-11 Nichols Mosaic PM CPA) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 420+/- acres from the parent tract that consists of 542.62+/- acres from Agricultural/Residential Rural (A/RR) to Phosphate Mining (PM). The suggested transmittal date is December 17, 2024, at 9:15 a.m. and the adoption hearing date is February 18, 2025, at 9:15 a.m.
- R.6. SET HEARING: (LD CPAL-2024-12 North Prong Industrial CPA) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 420+/- acres from Phosphate Mining (PM) & Agricultural/Residential-Rural (A/RR) to Industrial (IND) in the Rural Development Area (RDA) and 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. This case is related to LD CT-2024-19. The suggested transmittal date is December 17, 2024, at 9:15 a.m. and the adoption hearing date is February 18, 2025, at 9:15 a.m.
- R.7. SET HEARING: (LD CT-2024-19 North Prong IND Text Amendment) to change Appendix E Section E105, Parcel Specific Comprehensive Plan Amendments with Conditions, to limit the intensity of the proposed Industrial (IND) activity on the site. This case is related to LD CPAL-2024-12. The suggested transmittal date is December 17, 2024, at 9:15 a.m. and the adoption hearing date is February 18, 2025, at 9:15 a.m.
- R.8. Crews Lake Haven Plat for Conditional Approval. (No fiscal impact)

- R.9. Accept Magnolia Estates potable water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.10. Accept a one-year warranty and surety in the amount of \$54,910.00 in the form of Maintenance Bond No. GM226218 for Magnolia Estates. (No fiscal Impact)
- R.11. Approve the release of a warranty and surety in the amount of \$15,691.81 in the form of Maintenance Bond No. 0842664 for Spirit Landings Paving. (No fiscal impact)
- R.12. Approve the release of a warranty and surety in the amount of \$99,118.87 in the form of Maintenance Bond No. 0641711 for Spirit Landings. (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.13. Approve State Housing Initiative Partnership (SHIP) Program rehabilitation/replacement program Homeowner Assistance Agreement and Grant Agreement for property located in Waverly, FL., for Case #RC24-SHIP-004. (\$196,416.88 one-time expense).
- R.14. Resolution to approve the HOME-ARP (American Rescue Plan) Allocation Plan Substantial Amendment No. 2 to the Fiscal Year 2021-2022 Consolidated Annual Action Plan. (No fiscal impact).
- R. EQUITY & HUMAN RESOURCES
- R. INFORMATION TECHNOLOGY
- R.15. Approve piggyback agreement with Central Florida Wiring, Inc. for voice and data cabling services for the Information Technology Division (IT). (Estimated \$300,000.00 - \$500,000.00 annual spend)
- R.16. Service Order and Master Services Agreement for backup fiberoptic connection between Bartow and the EOC (one-time cost \$350,000, annual reoccurring cost \$22,200)
- R. CODE ENFORCEMENT

R. COURT SERVICES

R. RISK MANAGEMENT

R.17. Approve annual Stop Loss reinsurance with Aetna for the self-insured Employee Health Plan at a total annual premium of \$602,756.

R.18. Consider approval of the proposed settlement in the matter of Karen Mims v. Polk County Board of County Commissioners; \$75,000.00 one-time expense.

R.19. Approve Amendment No. 1 with Ultimate Fitness Center, Inc. to Lease Agreement 340 and Service Agreement 2022-057 to operate the Polk County Fitness Center. (No fiscal Impact)

R. COMMUNITY HEALTH CARE

R. FACILITIES MANAGEMENT

R.20. Approve construction contract with All Florida Mechanical Services LLC for construction and installation of eleven air handling units at the Polk County Administration Building in Bartow, FL. (\$1,483,885.38, one-time expense from American Rescue Plan Funds).

R. FLEET MANAGEMENT

R. PARKS & NATURAL RESOURCES

R.21. Approve amending the Community Investment Program (CIP) for the Parks and Natural Resources CIP. Special Revenue Grant Fund CIP amendment to increase FY24/25 of the Water Resources CIP Kissimmee Watershed Project allocation by \$1,000,000 and reduce the Upper Saddle Creek Water Quality Improvement project by the same amount FY24/25, CIP amendment to reallocate American Rescue Plan (ARP) funding from the Water Resources CIP Lake Lulu FY24/25 in an amount of \$537,260 and increase the Peace Creek Canal project by the same amount, and Approve any modifications necessary to the land purchase agreements funding to maximize the use of ARP and any available grant funding while not exceeding Board authorized maximums. (one-time expense \$1,537,260)

R.22. Approve Consultant Services Agreement (CSA) No. 2022-062-03 with Dewberry Engineers, Inc. to provide professional engineering services for Poinciana Park soccer fields and cricket field conversion to artificial turf. (\$263,637.00)

R.23. Approve Polk County Water Atlas Scope of Services Agreement 2024-2025 with University of South Florida (USF) to provide website maintenance, updates, and water quality related research tasks (One time cost of \$101,360).

- R.24. Approval of Amendment NO.1 to the Innovative Technology Grant Agreement with the Florida Department of Environmental Protection (FDEP) for project, Phosphorus Remediation in Lake Deeson and Bear Branch (Agreement #INV37). The amendment is necessary since the project was delayed due to unforeseen circumstances and extends the grant agreement expiration to 11/30/2026. (No fiscal impact)
- R. FIRE RESCUE
- R. EMERGENCY MANAGEMENT
- R. REAL ESTATE SERVICES
- R.25. SET HEARING to consider a request to vacate portions of platted and unmaintained right-of-way shown on the map of A. R. Highfield's Addition to the City of Crooked Lake and Stephenson's Addition to Babson Park. (Suggested hearing date is December 17, 2024, at 9:00 a.m. or immediately following the regular agenda)
- R.26. Approve Right-of-Way Agreement between Skytech-Geo LLC, a Florida limited liability company and Logsons Investment LLC, a Florida limited liability company, and Polk County in conjunction with the County Road 557 Project, Parcel 131. (\$29,790 one-time expense)
- R.27. Authorize a Utility Easement to the Polk Regional Water Cooperative in conjunction with its Southeast Wellfield and Water Production Facility Project. (No fiscal impact)
- R.28. Accept instrument for additional right-of-way along County Road 547 as requested through the Development Review Process. (No fiscal impact)
- R.29. Accept Polk County Utilities Easement from Ana Cecilia Yanez Leon, as requested through the Development Review Process. (No fiscal impact)
- R.30. Approve Land Donation Agreement and accept Quit Claim Deed for property being donated for conservation preservation, Markham Estate parcel. (No fiscal impact)
- R. ROADS & DRAINAGE
- R.31. Approve Change Order Number 6 with Hubbard Construction Company (Contractor) for time extension and additional and unforeseen work on the West Pipkin Road Widening Project. (\$606,172.05 one-time expense) and CIP Amendment and budget transfer (\$5,050,000.00 one-time transfer)
- R.32. Adopt a Resolution Setting Speed Limits on Ballaria Court, Capri Way, Cascara Lane, San Mauro Drive, and Valentina Lane, Within the Cascara Subdivision, near Auburndale. (\$1,030.10 one-time expense)

R. UTILITIES

- R.33. Approve Consultant Services Authorization 2024-006-03 with Black and Veatch Corporation for the Key Performance Indicators, Benchmarking Updates, and Change Management Project (\$355,596.00 not to exceed one-time expense).
- R.34. Approve Conservation Project Agreement with the Polk Regional Water Cooperative for the Development of A Polk Regional Water Cooperative Conservation Program (Annual Recurring Cost to the County; proposed FY 2025, first-year impact of the project is projected to cost \$18,983.08).

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.35. SET PUBLIC HEARING to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption for Project Citrus, an expanding business. (Suggested hearing date is December 17, 2024 at 9:00 a.m.)
- R.36. Release of Lien related to Workforce Housing Impact Fee Waiver for Anne M. Beaudry and David M. Lopez (No fiscal impact).
- R.37. Adopt Resolution approving issuance of Housing Finance Authority Multifamily Housing Revenue Bonds for Cypress Oaks Preservation, Ltd.
- R.38. Consider resolution approving Declarations Extending State of Local Emergency 24-01 executed by the County Manager on November 22, 2024 and November 27, 2024.
- R.39. Consider adoption of a written order denying LDPD-2024-2 without prejudice. (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, December 2, 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.
- Monday, December 2, 2024 – 6:00 p.m. – Eloise Community Redevelopment Agency (CRA) Advisory Committee will meet at the Johnny and Freda Brooks Resource Center, 710 Snively Avenue, Eloise.
- Tuesday, December 3, 2024 – 6:00 p.m. – Sidewalk Advisory Committee will meet in Room 413, Fourth Floor, Administration Building.
- Tuesday, December 3, 2024 – Friday, December 6 – Florida Association of Counties Legislative Conference will be held at the Tampa Marriott Water Street, 505 Water Street, Tampa.
- Wednesday, December 4, 2024 – 8:50 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Wednesday, December 4, 2024 – 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.
- Wednesday, December 4, 2024 - 9:00 a.m. – Value Adjustment Board hearings will be held in the Administrative Building third floor conference room 341.
- Thursday, December 5, 2024 – 7:30 a.m. – Technical Advisory Group (TAG) for Polk County Environmental Lands Program will gather in the parking lot at Parks & Natural Resources Office, 4177 Ben Durrance Road, Bartow. Please contact [tabithabiehl@polk-county.net](mailto:tabithabiehl@polk-county.net) for details.
- Thursday, December 5, 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 5, 2024 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administrative Building third floor conference room 341.
- Thursday, December 5, 2024 – 9:00 a.m. – Polk Transportation Technical Advisory Committee (TAC) will meet in Room 413 in the County Administration Building.
- Friday, December 6, 2024 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administrative Building third floor conference room 341.

- Monday, December 9, 2024 – 9:00 a.m. – RNG/OPAL Fuels Ribbon Cutting will be held at Solid Waste, 10 Environmental Loop South, Winter Haven.
- Monday, December 9, 2024 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administrative Building third floor conference room 341.
- Tuesday, December 10, 2024 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administrative Building third floor conference room 341.
- Tuesday, December 10, 2024 – 1:30 p.m. – Land Use Hearing Officer will be held in the County Commission Boardroom.
- Wednesday, December 11, 2024 – 8:30 a.m. – Citrus Connection Board meeting will be held at 1212 George Jenkins Boulevard, Lakeland.
- Wednesday, December 11, 2024 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administrative Building third floor conference room 341.
- Wednesday, December 11, 2024 – 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, December 12, 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 12, 2024 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administrative Building third floor conference room 341.
- Thursday, December 12, 2024 – 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, December 12, 2024 – 9:00 a.m. – Tourist Development Council’s Board will meet at Lake Myrtle Sports Complex, 2701 Myrtle Park Road, Auburndale.
- Thursday, December 12, 2024 – 12:45 p.m. – Lakeland Leadership Day Lunch & Roundtable Discussion will be held in Room 413.
- Thursday, December 12, 2024 – 5:00 p.m. – Central Florida Development Council (CFDC) Holiday Reception will be held at Grove Roots Brewing Company, 302 3rd Street SW, Winter Haven.
- Friday, December 13, 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.
- 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. – Polk County Transportation

Disadvantaged Local Coordinating Board (TD-LCB) will be held in the County Commission Boardroom.