



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

July 16, 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. 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 July 2, 2024.

- E.3. Consider adoption of Resolution authorizing the issuance of Utility System Revenue and Revenue Refunding Bonds, Series 2024 not to exceed \$105,000,000.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

- G.1. Yarborough Lane Extension Impact Fee Credit Agreement.

H. COUNTY MANAGER (BILL BEASLEY)

- H.1. Approve a Construction Manager at Risk, Guaranteed Maximum Price (GMP) Addendum with Rodda Construction, Inc. for Phase I to convert five soccer fields at Simmers Young Park to artificial turf fields. (\$5,813,279.00 one-time expense)
- H.2. Ratify Agreement No. 2022-100 with Trane U.S. Inc. and approve increased annual estimated recurring expense amount of \$3,500,000.
- H.3. Approve Consultant Services Authorization (CSA) No. 2021-032-04 with CMHM Architects for Architectural and Engineering (A&E) services for a new Lakeland Hills Fire Rescue EMS Station project. (\$213,700.00 one-time expense)
- H.4. Approve the first amendment to contract with Lakeland Volunteers in Medicine, Inc. (LVIM) for medical, dental, and behavioral health services to qualified residents. (Total amount not to exceed: \$1,341,217 for FY 23/24, \$1,376,719 for FY 24/25 and \$1,413,641 for FY 25/26)
- H.5. Approve piggyback agreement with Lifeline Mobile, Inc. for the purchase of one new mobile medical unit. (\$602,326.00 one-time expense)
- H.6. Approve the contract with Central Florida Speech & Hearing Center, Inc. for the purchase and build-out of two mobile audiology services cargo vans. (Total amount not to exceed \$291,606).

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

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

* County Attorney opening comments

- O.1. Public Hearing (LDCPAS-2024-2 Outdoor Sales Land Use Change CPA) (Adoption Hearing) to consider the Future Land Use Map change from Residential Suburban (RS) to Commercial Enclave (CE) (No Fiscal Impact)
- O.2. Public Hearing (LDCT-2024-11 LDC Chapter 9 Text Amendment) (First Reading) to amend multiple sections of Chapter 9 (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. (No Fiscal Impact) REQUEST TO CONTINUE
- 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. (No Fiscal Impact). REQUEST TO CONTINUE
- P.3. Public Hearing (LDCPAL-2023-12 Green Swamp Density CPA Text) (Transmittal Hearing) to change Section 2.132-D Rural Special Protection Area (Rural-SPA) and modifications of Policy 2.132-D4 and Policy 2.132-D5. (No Fiscal Impact)
- P.4. Public Hearing (LDCT-2024-13 Green Swamp Density Measurement Text Amendment) for a LDC Text amending Chapter 5, Section 502, Table 5.3, and Amending Section 506. (No Fiscal Impact)
- P.5. Public Hearing to consider adoption of a Resolution to vacate portions of platted, unopened, and unmaintained rights-of-way as shown on the Map of Starr Lake Development and the Replat of Starr Lake Development, Lake Wales, Florida. (No fiscal impact)
- P.6. Public Hearing to consider adoption of a Resolution to vacate a portion of a platted public drainage easement as shown on the plat of Country View Estates II. (No fiscal impact)

- P.7. Public Hearing to consider adoption of a Resolution to vacate portions of platted, unopened, and unmaintained rights-of-way as shown on the map of Florida Development Co. Tract and on the Replat of Lakewood Heights. (No fiscal impact)
- P.8. Public Hearing to consider adoption of a Resolution to vacate a portion of maintained right-of-way for Shady Oaks Drive. (No fiscal impact)
- P.9. Public Hearing to consider adoption of a Resolution approving proposed revision to the Utilities Division Schedule of Rates, Charges, and Fees.
- P.10. Public Hearing to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption to an expanding business, known as Project Mix, and approval of a Performance Agreement with the company *(Withdrawn upon request of applicant)*.

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 2198.
- R. COUNTY MANAGER
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.2. SET HEARING: (LDCD-2024-3 New Tampa Highway Sub-District) to consider the adoption of a Sub-District Change to change 5.92 +/- acres from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) in the Transit Supportive Development Area (TSDA). The suggested adoption hearing date is August 6, 2024, at 9:15 a.m.

R.3. SET HEARING: (LDCPAL-2024-3 CR 640 Industrial Park CPA) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 380 +/- acres from Phosphate Mining (PM) to Industrial (IND) in the Rural Development Area (RDA). The suggested transmittal date is August 6, 2024, at 9:15 a.m. and the adoption hearing date is October 1, 2024, at 9:15 a.m.

R.4. SET HEARING: (LDCPAL-2024-1 Socrum Loop Rd PRESV CPA) 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, Polk City Special Protection Area (SPA) and Urban Growth Area (UGA). The suggested transmittal date is August 6, 2024, at 9:15 a.m. and the adoption hearing date is December 17, 2024, at 9:15 a.m.

R.5. SET HEARING: (LDCPAS-2023-29 Grove Avenue RH CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 10.76 +/- acres from Residential Suburban (RS) to Residential Low (RL-1) and from Suburban Development Area (SDA) to Urban Growth Area (UGA). The suggested adoption hearing date is August 6, 2024, at 9:15 a.m.

R.6. SET HEARING: (LDCPAS-2024-4 Winter Lake Road RH CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 7.8 +/- acres from Residential Low 2 (RL-2) to Residential High (RH) and in the Urban Growth Area (UGA). The suggested adoption hearing date is August 6, 2024, at 9:15 a.m.

R.7. SET HEARING: (LDCPAL-2023-10 Alderman Rd BPC CPA) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the future Land Use designation on 101 +/- acres of a parent tract of 166 +/- acres from Agricultural/Residential Rural (A/RR) and Residential Low (RL) to Business Park Center (BPC) and in the Rural Development Area (RDA), Transit Supportive Development Area (TSDA), Transit Core and Transit Center of the Transit Centers and Corridors Overlay. This case is related to LDCT-2023-23. The suggested transmittal date is August 6, 2024, at 9:15 a.m. and the adoption hearing date is October 1, 2024, at 9:15 a.m.

R.8. SET HEARING: (LDCT-2023-23 Alderman Rd Text Amendment) to amend to Appendix E adding Conditions for development on parent tracts totaling 166.0± acres and in the Rural Development Area (RDA), Transit Supportive Development Area (TSDA), Transit Core and Transit Center of the Transit Centers and Corridors Overlay, related. This case is related to LDCPAL-2023-10. The suggested transmittal date is August 6, 2024, at 9:15 a.m. and the adoption hearing date is October 1, 2024, at 9:15 a.m.

R.9. SET HEARING: (LDWA-2024-21 Garden of Eden Access Waiver) to consider the approval of an Access Waiver to allow eight single-family lots on an easement on 40.41 +/- acres in the Residential Suburban (RS) Future Land Use and Suburban Development Area (SDA). The suggested hearing date is August 6, 2024, at 9:15 a.m.

R.10. SET HEARING: (LDCPAL-2024-2 Wahneta Main Street Commercial Overlay CPA) to change Section 2.134-A of the Wahneta Neighborhood Plan to allow for establishment of the Main Street Commercial Overlay by adding new policies and mapping the Overlay on the Future Land Use Map. The suggested transmittal date is September 3, 2024, at 9:15 a.m. and the adoption hearing date is November 5, 2024, at 9:15 a.m.

R.11. Joyner Oaks Plat for Conditional Approval. (No fiscal impact)

R.12. Millan Oaks Plat for Conditional Approval. (No fiscal impact)

R.13. Pine Pointe at Astoria Plat for Conditional Approval. (No fiscal impact)

R.14. Accept RCMA Daycare Expansion potable water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)

R.15. Accept a one-year warranty and surety in the amount of \$5,667.07 in the form of Maintenance Bond No. 100277329 for RCMA Daycare Expansion. (No fiscal impact)

R.16. Approve the release of a warranty and surety in the amount of \$102,575.76 in the form of Maintenance Bond No. 7901118545 for Windsor Island Resort Phase 3. (No fiscal impact)

R.17. Assignment of Wynnstone, Cascades, & Brentwood Infrastructure Agreement to Westside Haines City Community Development District.

R.18. Interlocal Agreement between Polk County and the City of Fort Meade for Floodplain Management Services

R. BUILDING

R. DEPUTY COUNTY MANAGER

R. BUDGET & MANAGEMENT SERVICES

R.19. Set Proposed Millage Rate for Fiscal Year 2024/2025

R.20. Set Proposed Millage Rate for the Library Municipal Service Taxing Unit (MSTU) for Fiscal Year 2024/2025.

R.21. Set Proposed Millage Rate for the Parks Municipal Service Taxing Unit for Fiscal Year 2024/2025

- R.22. Set Proposed Millage Rate for the Rancho Bonito Municipal Service Taxing Unit (MSTU) for Fiscal Year 2024/2025.
- R.23. Set Proposed Millage for the Stormwater Municipal Service Taxing Unit (MSTU) for Fiscal Year 2024/2025.

R. PROCUREMENT

- R.24. Approve selection committee's recommendation to authorize staff negotiations with Clifton Larson Allen LLP for annual financial auditing services to the Board and Elected Officials. (No fiscal impact)

R. COMMUNICATIONS

R. COOPERATIVE EXTENSION SERVICES

R. HEALTH & HUMAN SERVICES

- R.25. Approve State Housing Initiative Partnership (SHIP) Program Rehabilitation/Replacement Program Homeowner Assistance Agreement and Grant Agreement for property located in Haines City, FL., for Case #RC23-SHIP-003. (\$205,187.50 one-time expense).

- R.26. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Green Mills Group - United Commons and Smith & Henzy for SHIP funds supporting multi-family rental developments. (No fiscal impact)

R. EQUITY & HUMAN RESOURCES

R. INFORMATION TECHNOLOGY

R. CODE ENFORCEMENT

R. COURT SERVICES

- R.27. Approve letter of support for allocation of FY2023 Byrne Justice Assistance Grant funds.

R. RISK MANAGEMENT

R. INDIGENT HEALTH CARE

R. FACILITIES MANAGEMENT

- R.28. Approve Consultant Services Authorization (CSA) No. 2022-062-02 with Dewberry Engineers, Inc. for site development/permitting engineering services for a new Sheriff's Office Evidence Storage Facility project. (\$54,609.00 one-time expense)

R.29. Approve selection committee's recommendation to authorize staff enter into contract negotiations with CPH Consulting, LLC, for Architectural & Engineering Services for a new Polk County utilities northeast regional warehouse-operations building & fleet facility. (No Fiscal Impact)

R. FLEET MANAGEMENT

R.30. Approve piggyback agreement with Syn-Tech Systems, Inc. to upgrade the current Syn-Tech Fuel Master Software utilized at County fuel sites. (\$162,191.72 one-time expense, \$13,412.88 annual recurring expense)

R. PARKS & NATURAL RESOURCES

R. FIRE RESCUE

R. EMERGENCY MANAGEMENT

R. REAL ESTATE SERVICES

R.31. Approve selection committee's recommendation to authorize staff negotiations with American Acquisition Group, Florida Acquisition & Appraisal, Inc., HDR Engineering, Inc., and Independence Acquisition & Appraisal, LLC to perform property acquisition services. (No fiscal impact)

R.32. Accept Polk County Utilities Easement from Park Square 27 LLC, as requested through the Development Review Process. (No fiscal impact)

R.33. Adopt Resolutions of Necessity authorizing condemnation for transportation improvements to the intersection of CR 542A (Galloway Road) at 10th Street, Project No. 5400190. (No fiscal impact)

R. ROADS & DRAINAGE

R.34. SET HEARING to Consider Adopting a Resolution Allowing for the Installation of Traffic Calming Devices (Speed Humps) on Old Kissimmee Road, Near Davenport. (Suggested Hearing Date: Tuesday, August 20, 2024, at 9:15 a.m.) (No fiscal impact)

R.35. SET HEARING to Consider Adopting a Resolution Allowing for the Installation of Traffic Calming Devices (Speed Humps) on Willis Road, Near Mulberry. (Suggested Hearing Date: Tuesday, August 20, 2024, at 9:15 a.m.) (No fiscal impact)

R.36. Approve Infrastructure Agreement between Polk County and Lake Gibson Owner, LLC for Walmart Entrance at Daugherty Road (Estimated \$142,601.83 one-time expense)

R.37. Approve Modification No. 1 to CSA No. 22-81-01 with AIM Engineering & Surveying, Inc. (Consultant) for Design Services for the 1st Street NW Sidewalk Project. (\$30,259.34 one-time expense).

- R.38. Approve Amendment 3 to Agreement 2022-018, with Stantec Consulting Services, Inc. for the Imperial Lakes Boulevard drainage improvement project. (\$12,750.00 one-time expense from the American Rescue Plan Fund)
- R.39. Adopt a Resolution Setting Parking Restrictions on Campo Lane, Hamlet Loop and Meadow Bend Drive, within the Greenfield Village Subdivision, near Davenport. (\$4,107.96 one-time expense)
- R.40. Adopt a Resolution Setting Speed Limit on Essex Avenue South, near Lakeland. (\$100.07 one-time expense)
- R.41. Approve Local Agency Program (LAP) Agreement between Polk County and FDOT for FPN 453504-1-38-01 for design services of the North Lake Fitness Trail in the City of Davenport and associated resolution (no fiscal impact).
- R.42. Approve Construction Agreement and Resolution with the Florida Department of Transportation. (FDOT) for the US 27 @ Tierra Del Sol Blvd/Central Grove Rd Intersection Improvement Project (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. POLK COUNTY SUPERVISOR OF ELECTIONS
- R. POLK COUNTY TAX COLLECTOR
- R.43. Approve budget transfer from Tax Collector Reserve for Contingency to the Tax Collector's General Fund operating budget for software purchase. (\$165,300 one-time transfer and expense)
- R. WORKFORCE DEVELOPMENT BOARD
- R. COUNTY ATTORNEY
- R.44. SET PUBLIC HEARING to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption for Project Butterfly, a New Business. (Suggested hearing date is August 6, 2024 at 9:00 a.m.)

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.

- Friday, July 12, 2024 – Monday, July 15, 2024 – National Association of Counties Annual Conference and Exhibition will be held at the Tampa Convention Center, Tampa.
- Wednesday, July 17, 2024 – 8:30 a.m. – Lakeland Area Mass Transit District (LAMTD) Board of Directors meeting will be held at 1212 George Jenkins Boulevard, Lakeland.
- Wednesday, July 17, 2024 – 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, July 18, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, July 18, 2024 – 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, July 18, 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.
- Monday, July 22, 2024 – 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in Room 413, Fourth Floor, Polk County Administration Building.
- Wednesday, July 24, 2024 – 9:00 a.m. – Affordable Housing Advisory Committee (AHAC) will meet in Room 413, Fourth Floor, Polk County Administration Building.
- Wednesday, July 24, 2024 – 2:00 p.m. – Polk Regional Water Cooperative (PRWC) Board of Directors meeting will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, July 25, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, July 25, 2024 – 9:00 a.m. – Tourist Development Council's Arts, Culture, and Heritage Committee will meet at Lake Myrtle Sports Complex, 2701 Myrtle Park Road, Auburndale.
- Thursday, July 25, 2024 – 9:30 a.m. – Transportation Planning Organization (TPO) Technical Advisory Committee (TAC) will meet in Room 413, Fourth Floor, County Administration Building.

- Thursday, July 25, 2024 – 1:30 p.m. – Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.
- Thursday, August 1, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, August 1, 2024 – 9:00 a.m. – Tourist Development Council's Marketing Committee will meet at Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, August 1, 2024 – 2:30 p.m. – Historical Marker Committee followed by the Historical Commission will meet in the County Commission Boardroom.
- Friday, August 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.