



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

March 05, 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

Bill Dehart, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (BILL BRASWELL, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

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 February 20, 2024.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

G.1. One College Place II Plat for Conditional Approval. (No fiscal impact)

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Approve the contract with Central Florida Health Care, Inc. (CFHC) for the proposed build of a new community health center in Dundee. (Total amount not to exceed \$3,000,000)

H.2. Approve the contract with Central Florida Health Care, Inc. (CFHC) for the proposed build of a new community health center in Lakeland. (Total amount not to exceed \$3,000,000)

H.3. Approve the first amendment to the contract with the Tenth Judicial Circuit Court of Florida for the Behavioral Health Court (BHC) Program. (Total amount not to exceed: \$319,164 for FY 23/24, \$335,122 for FY 24/25, \$351,878 for FY 25/26, \$369,472 for FY 26/27, and \$387,946 for FY 27/28)

H.4. Approve agreement with RDK Assets, Inc. dba RDK Truck Sales (RDK) for long term waste collection truck leases. (\$956,000.00 annual estimated recurring expense)

H.5. Approve agreement with Inspire Placemaking Collective, Inc. to update the Polk County Comprehensive Plan. (\$560,523.00 one-time 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

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) (Adoption Hearing) 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 (LDCT-2023-19 Housing LDC Text Amendment) (First Reading) 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. (No Fiscal Impact).
- O.3. Public Hearing (LDCT-2023-20 Mining Inspection Text Amendment) (First Reading) to consider the adoption of a Text Amendment to change the responsibility of performing annual mining inspections from Code Enforcement to Land Development. (No Fiscal Impact)

P. PUBLIC HEARINGS

- P.1. Public Hearing to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption to a new business, D.R. Horton, Inc., and approval of a Performance Agreement with the company.
- P.2. Public Hearing to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption to a new business, NVR, Inc., and approval of a Performance Agreement with the company.
- P.3. Economic Development Impact Fee Mitigation Agreement with NVR, Inc. (estimated \$67,077 impact fee revenue loss)

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. Audit Report 2024-02 Code Enforcement Fees.
- R.2. Removal of equipment from inventory as listed on Blanket Removal Form 2189.

- R. COUNTY MANAGER
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.3. SET HEARING: (LDCCD-2023-10 Lunn Road Subdistrict) to consider the adoption of a Sub-District Change from Residential Low-1 (RL-1) to Residential Low-3 (RL-3) on 2.71 +/- acres in the Transit Supportive Development Area (TSDA). The suggested adoption hearing date is March 19, 2024, at 9:30 a.m.
- R.4. SET HEARING: (LDCCD-2023-14 Drane Field/Hamilton Road Subdistrict) to consider the adoption of a Sub-District Change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) on 29 +/- acres in the Urban Growth Area (UGA). The suggested adoption hearing date is March 19, 2024, at 9:30 a.m.
- R.5. SET HEARING: (LDCCPAS-2023-11 Providence N27 CAC CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 7.48 +/- acres from Preservation-X (PRES-X) to Community Activity Center-X (CAC-X) in the Urban Growth Area (UGA), Transit Corridors and Centers Overlay (TCCO) and Ronald Reagan Selected Area Plan (SAP). The suggested adoption hearing date is March 19, 2024, at 9:30 a.m.
- R.6. SET HEARING: (LDCCPAS-2023-21 Rifle Range Road RacTrac HIC CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 13.56 +/- acres from Agricultural/Rural Residential-X (A/RR-X) to High Impact Commercial-X (HIC-X) in the Rural Development Area (RDA), Transit Corridors and Centers Overlay (TCCO), Gateway Selected Area Plan (SAP). The suggested adoption hearing date is March 19, 2024, at 9:30 a.m.
- R.7. SET HEARING: (LDCCPAS-2023-28 Lake Marion ROS CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 32.02 +/- acres from Poinciana Pre-Development of Regional Impact (PRE-DRI #1) to Recreation Open Space (ROS) in the Rural Development Area (RDA). The suggested adoption hearing date is March 19, 2024, at 9:30 a.m.
- R.8. SET HEARING: (LDCCPAS-2023-31 Fox Lake Drive CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 0.62 +/- acres from Linear Commercial Corridor (LCC) to Residential Medium (RM) in the Transit Supportive Development Area (TSDA). The suggested adoption hearing date is March 19, 2024, at 9:30 a.m.

- R.9. SET HEARING: (LDDRI-2023-1 Providence NOPC) to consider the expansion of the N-27 commercial area (related to LDCPAS-2023-11), summarization of the residential and commercial unit counts within the Neighborhoods and extend the buildout dates of Phase I and Phase II on 2,300+/- acres in the Urban Growth Area (UGA), Transit Corridors and Centers Overlay (TCCO) and Ronald Reagan Selected Area Plan (SAP). The suggested adoption hearing date is March 19, 2024, at 9:30 a.m.
- R.10. SET HEARING (Auburndale JPA) to consider the re-adoption of a Joint Planning Area (JPA) Interlocal Agreement between the City of Auburndale and Polk County. Suggested hearing date is March 19, 2024, at 9:30 a.m. (No fiscal impact).
- R.11. Alturas Babson Park Plat for Conditional Approval. (No fiscal impact)
- R.12. Champions Crossing - Replat #1 Plat for Conditional Approval. (No fiscal impact)
- R.13. Millstone Plat for Conditional Approval. (No fiscal impact)
- R.14. Accept a one-year warranty and surety in the amount of \$40,616.00 in the form of Maintenance Bond No. CIC1936116 TLE Daycare Center. (No fiscal Impact)
- R.15. Accept an additional warranty and surety in the amount of \$10,000.00 in the form of Maintenance Bond No. 301280C for Culver's Christina. (No fiscal Impact)
- R.16. Accept Performance Surety in the amount of \$22,203.50 in the form of Performance Bond No. 100221899 for WMG Sandmine (aka Heartland Dental and Chipotle). (No fiscal impact)
- R.17. Accept Performance Surety in the amount of \$1,230,727.10 in the form of Performance Bond No. 72BSBIY2461 Ross Creek. (No fiscal impact)
- R.18. Accept Performance Surety in the amount of \$319,864.96 in the form of Performance Bond No. 024273476 for Wilder Pines. (No fiscal impact)
- R.19. Accept Performance Surety in the amount of \$110,000.00 in the form of Performance Bond No. 024271029 for Westview Pod A Phase 1A. (No fiscal impact)
- R.20. 1st Amendment to Power Line Road - Northern Extension Phase 1 Infrastructure Agreement.
- R.21. Accept Standby Letter of Credit No. 754018532-L001 as required by the Wynnstone, Cascades & Brentwood Infrastructure Agreement. (No fiscal impact)
- R. BUILDING
- R. DEPUTY COUNTY MANAGER

- R.22. Approve letter of support to Polk County's federal delegation members to support the "Fire Grants and Safety Act" (S.870)
- R. BUDGET & MANAGEMENT SERVICES
 - R. PROCUREMENT
 - R. COMMUNICATIONS
 - R. COOPERATIVE EXTENSION SERVICES
 - R. HEALTH & HUMAN SERVICES
- R.23. Approve Modification of State Housing Initiatives Partnership (SHIP) Rehabilitation program Homeowner Assistance Agreement and Grant Agreement for the property located in Unincorporated Winter Haven, FL for Case# RC22-SHIP-016. (\$7,245.00 one-time expense).
- R. EQUITY & HUMAN RESOURCES
 - R. INFORMATION TECHNOLOGY
 - R. CODE ENFORCEMENT
 - R. COURT SERVICES
 - R. RISK MANAGEMENT
 - R. INDIGENT HEALTH CARE
- R.24. Approve the contract with We Care of Central Florida, Inc. (We Care) for the proposed purchase of a cargo van and to fund one full-time employee. (Total amount not to exceed \$105,400 for the term of the agreement)
- R. FACILITIES MANAGEMENT
 - R. FLEET MANAGEMENT
 - R. PARKS & NATURAL RESOURCES
 - R. FIRE RESCUE
 - R. EMERGENCY MANAGEMENT
- R.25. Request Board adopt a Resolution naming the previously unnamed private roadway located in the unincorporated area of Lakeland, S-22, T-28, R-23, Walking Tree Drive. (No fiscal impact)
- R. REAL ESTATE SERVICES

- R.26. Approve Right-of-Way Agreement between Danilda Stefanni Maldonado and Heylin Eliubin Maldonado Leon and Polk County in conjunction with the County Road 557 Project, Parcel 124. (\$80,000 one-time expense)
- R.27. Approve Right-of-Way Agreement between Peggy Elferdink and Polk County in conjunction with the County Road 557 Project, Parcel 134. (\$73,000 one-time expense)
- R.28. Adopt Resolutions of Necessity for multiple parcels authorizing condemnation for transportation improvements to County Road 557, Project No. 5400135. (No fiscal impact)
- R.29. Approve Agreement for Transfer of Public Road between the City of Winter Haven and Polk County for Roosevelt Drive and authorize a County Deed for the right-of-way associated therewith. (No fiscal impact)
- R.30. Accept instrument for additional right-of-way along Waring Road as requested through the Development Review Process. (No fiscal impact)
- R.31. Approve Lease Agreement between Polk County and the City of Auburndale for a softball complex at Simmers Young Park. (No Fiscal Impact)

R. ROADS & DRAINAGE

- R.32. Approve CIP Amendment and budget transfer for Sinkhole Remediation at 3657 Royal Crest Drive, Lakeland (\$500,000 one-time transfer)
- R.33. Approve Modification No. 1 to Consultant Services Authorization (CSA) No. 17-059-06 with Jacobs Engineering Group, Inc. (Consultant) for the Galloway Road North (CR 542A) at Swindell Road Intersection Improvement Project. (\$51,600.63 one-time expense)
- R.34. Approve Amendment #2 to Agreement 2022-031 with Rummel, Klepper & Kahl, LLP (RK&K) for professional engineering services for the Creekwater Drive Drainage Improvements Project. (\$22,723.95 one-time expense)
- R.35. Adopt a Resolution Setting Truck Restrictions on T S Wilson Road and Lake Reedy Boulevard South (near Frostproof). (\$272.21 one-time expense)
- R.36. Adopt a Resolution Setting Speed Limit on High View Bend, Within the High View Subdivision, near Lakeland. (\$100.07 one-time expense)

R. UTILITIES

- R.37. Approve piggyback agreement with Odyssey Manufacturing Co. for chemical system maintenance and repair services. (\$290,000 estimated recurring expense)

R. WASTE & RECYCLING

- R.38. Approve piggyback agreement with Routeware, Inc. for route management of Polk County's waste collection trucks. (\$65,752.00 one-time expense; \$60,225.72 annual estimated recurring expense)
- R.39. Approve First Amendment to a Piggyback Agreement for Landfill Gas Purchases, and a Lease and Access Agreement for a North Central Landfill renewable natural gas processing facility site. (No fiscal impact)
- R. ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY
- R. COURT RELATED
- R.40. Request Board approve and sign the Office of Criminal Justice Grants & Florida Department of Law Enforcement's Award Agreement, C-R7170: Tenth Judicial Circuit Polk County Court, in the amount of \$16,093.00.
- 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.41. Approve and authorize payment of invoice from the Maldonado Law Firm, P.A., for Appellate Code Enforcement Special Magistrate services rendered in connection with the Kiki Leasing appeal (one-time payment of \$750.00)
- R.42. Ratify and approve Outside Counsel Agreement with Foley and Lardner.

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 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.
- Tuesday, March 5, 2024 – 6:00 p.m. – Sidewalk Advisory Committee will meet in Room 413, Fourth Floor, Polk County Administration Building.
- Wednesday, March 6, 2024 – 7:00 a.m. – Lakeland City Commission Sun 'n Fun Breakfast, Skylight Hangar, 2985 Laird Boulevard, Lakeland.
- Wednesday, March 6, 2024 – 9:00 a.m.- Planning Commission Meeting will be held in the County Commission Boardroom.
- Thursday, March 7, 2024 – 8:00 a.m. – Board/Staff Retreat will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, March 7, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, March 7, 2024 – 2:30 p.m. – Historical Commission and Marker Committee will meet in the County Commission Boardroom.
- Tuesday, March 12, 2024 – 10:00 a.m. – A joint public meeting will be held pursuant to §164.1055, F.S. and §163.361, F.S. between the City Commission of City of Lake Wales, the Lake Wales Community Redevelopment Agency Board and the Polk County Board of County Commissioners in the County Commission Boardroom.
- Wednesday, March 13, 2024 – 8:30 a.m. – Lakeland Area Mass Transit District (LAMTD) Board of Directors meeting will be held at 1212 George Jenkins Boulevard, Lakeland.
- Thursday, March 14, 2024 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administrator Building.
- Friday, March 15, 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, March 18, 2024 – 1:30 p.m. – Transportation Disadvantaged Local Coordinating Board (TD-LCB) annual public workshop and quarterly meeting will be held in the County Commission Boardroom.