



Polk County Board of County Commissioners

Meeting Agenda - Final-revised

May 16, 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

Murphy Hanley, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (GEORGE LINDSEY, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

- A.1. Polk County Roads and Drainage Division - Pavement Management - National Recognition for the James B. Sorenson Award for Excellence in Pavement Preservation
- A.2. 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 May 2, 2023.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

H. COUNTY MANAGER (BILL BEASLEY)

H.1. Approve a State-Funded Grant Agreement and associated resolutions and amend the budget for unanticipated revenue for the Florida Department of Transportation (FDOT) and CIP Amendment and budget transfer for the Thompson Nursery Road Phase II Extension. (\$5,000,000.00 one-time revenue)

H.2. Approve Consultant Services Authorization (CSA) No. 22-083-01 with Burgess and Niple, Inc., (Consultant) for final design services on the Lake Ned Road at Cypress Gardens Road Intersection Improvements Project. (\$318,137.45 one-time expense)

H.3. Approve contract with Lakeland Volunteers in Medicine, Inc. (LVIM) to provide medical services to qualified residents. (Total amount not to exceed \$366,817.89 for the remainder of year 1 and \$546,661.00 annually in years 2, 3 and 4)

H.4. Approve the American Rescue Plan Local Fiscal Recovery Funding Agreement with Central Florida Health Care. (\$799,075.00 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

N.1. Appoint Nick Miller as a member of the Tourist Development Council for the four-year term, May 1, 2023 through April 30, 2027.

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

* County Attorney opening comments

- O.1. Public Hearing (LDCPAL-2022-14 SPD Revisions Comprehensive Plan Text Amendment) (Adoption Hearing) to consider adoption of a County-initiated Large-Scale Comprehensive Plan Text Amendment to remove development standards for Suburban Planned Developments from the Comprehensive Plan. (No Fiscal Impact).
- O.2. Public Hearing (LDCT-2022-16 SPD Revisions LDC Text Amendment) (Adoption Hearing) to consider the adoption of a County-initiated request to modify Conditional Use and Open Space standards for Suburban Planned Developments (SPDs). (No Fiscal Impact).
- O.3. Public Hearing (LDCT-2023-2 Infill Lots Text Amendment) (Adoption Hearing) to consider the adoption of a County-initiated request to amend setback standards for infill lots; modify requirements for the infill of individual lots; and increase the locations for administrative approval of individual mobile homes. (No Fiscal Impact).
- O.4. Public Hearing (LDCPAS-2023-1 Aleph RH CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 1 +/- acre from Business Park Center (BPC) to Residential Low (RL) in the Transit Supportive Development Area (TSDA). (No Fiscal Impact)

P. PUBLIC HEARINGS

- P.1. Public Hearing (LDCCD-2023-1 County Line Road Sub-district Change) (Adoption Hearing) to consider the adoption of a Sub-District Map Change on 35.18 +/- acres from Business Park Center-1 (BPC-1) in the Rural Development Area (RDA) to Business Park Center-2 (BPC-2). (No Fiscal Impact)
- P.2. Public Hearing to consider adoption of an ordinance amending Polk County Ordinance 11-007, the Polk County Structural Maintenance Ordinance, and repealing Polk County Ordinance 21-029

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 2171.
- R.2. Proposed Fiscal Year 2023-2024 budgets for the Lake Deer, Lake Mattie Preserve, Lawson Dunes, North Powerline Road, Scenic Highway, Scenic Terrace, North and Scenic Terrace South Community Development Districts.
- R.3. Audit Report 2023-02 Building Division Trust Accounts audit.
- R.4. Audit Report 2023-04 Ernie Caldwell Boulevard Construction Contract 2nd Follow-up Audit.
- R. COUNTY MANAGER
- R. ECONOMIC DEVELOPMENT
- R. TOURISM/SPORTS MARKETING
- R. OFFICE OF PLANNING & DEVELOPMENT
- R.5. SET HEARING (LDCPAL 2022-25 Moore Road Fire Station) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 4.01+/- acres from Residential Low-X (RLX) to Institutional INSTX) in the Urban Growth Area (UGA), Polk City Special Protection Area (SPA) within the Green Swamp Area of Critical State Concern. The suggested adoption date is June 6, 2023, at 9:30 a.m.
- R.6. SET HEARING (LDCU-2023-3/Tails of the Wild CU) to consider the approval of Conditional Use to allow a Wild or Exotic Animal Breeding, Boarding, and Rehabilitation Facility in the Green Swamp ACSC. Suggested hearing date is June 6, 2023 at 9:30 a.m. (No Fiscal Impact)
- R.7. Island Club Phase 2 Plat for Conditional Approval. (No fiscal impact)
- R.8. Lake Deer Estates Plat for Conditional Approval. (No fiscal impact)
- R.9. Ranches at the Junction Plat for Conditional Approval. (No fiscal impact)
- R.10. Rattler Ridge Plat for Conditional Approval. (No fiscal impact)
- R.11. Wabash Estates Plat for Conditional Approval. (No fiscal impact)
- R.12. Accept Windsor Island Resort Phase 3 potable water and wastewater utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)

- R.13. Accept a one-year warranty and surety in the amount of \$102,575.76 in the form of Maintenance Bond No. 7901118545 for Windsor Island Resort Ph 3 Utility Acceptance. (No fiscal Impact)
- R.14. Accept a three-year warranty and surety in the amount of \$13,559.66 in the form of Maintenance Bond No. US00124373SU23A for Champions Chase Townhomes. (No fiscal Impact)
- R.15. Approve the release of a surety in the amount of \$405,864 in the form of Performance Bond No. 3858367 for Champions Chase Townhomes. (No fiscal impact)
- R.16. Accept Champions Chase Townhomes potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
- R.17. Accept a one-year warranty and surety in the amount of \$74,967.60 in the form of Maintenance Bond No. US00124374SU23A Champions Chase Townhomes. (No fiscal Impact)
- R.18. Approve the release of a cash surety in the amount of \$71,989 for Forest Hills Master Infrastructure. (No fiscal impact)
- R.19. Approve the release of a cash surety in the amount of \$500 for Catalyst Reunion Apartments. (No fiscal impact)
- R.20. Approve the release of a warranty and surety in the amount of \$8,093.13 in the form of Maintenance Bond No. 1174674 for Shepherd Storage & RV Park. (No fiscal impact)
- R.21. Approve the release of a cash surety in the amount of \$500 for Siena Pointe Apartments. (No fiscal impact)
- R. BUILDING
- R. DEPUTY COUNTY MANAGER
- R. BUDGET & MANAGEMENT SERVICES
- R.22. Approve an Amended American Rescue Plan Fund Agreement with The Freedom Tour, Inc. (No Fiscal Impact)
- R. PROCUREMENT
- R.23. Approve Agreement with Commercial Risk Management for third party administrative services for workers' compensation claims. (Estimated \$200,000 recurring annual expense)
- R.24. Approve Amendment No. 1 to Agreement 2020-015 with Cody & Associates, Inc. for salary study services. (\$64,680 one-time expense)

- R. COMMUNICATIONS
- R.25. Polk County, Florida Public Works Week
- R. COOPERATIVE EXTENSION SERVICES
- R. HEALTH & HUMAN SERVICES
- R. EQUITY & HUMAN RESOURCES
- R. INFORMATION TECHNOLOGY
- R.26. Microsoft Enterprise Agreement to renew/upgrade from existing Office E3 licenses to Microsoft M5/F5 for all licensed employees. (3YR Agreement, Annual Cost: \$1,624,027.46)
- R. CODE ENFORCEMENT
- R. COURT SERVICES
- R. RISK MANAGEMENT
- R. INDIGENT HEALTH CARE
- R.27. Approve the MOU for the Shared Transportation Plan between Polk, Highlands and Hardee Counties with Highlands County Board of County Commissioners and Hardee County Board of County Commissioners. This shared plan outlines the process for the safe and dignified transport of individuals experiencing mental health and substance abuse crises (Baker Acts/ Marchman Acts).
- R.28. Adopt Resolution to amend and restate the Resolution establishing the Citizens Health Care Oversight Committee's (COC) purpose, responsibilities, membership, officers, appointments, meeting, staffing, and reporting requirements. (no fiscal impact)
- R. FACILITIES MANAGEMENT
- R. FLEET MANAGEMENT
- R. PARKS & NATURAL RESOURCES
- R. FIRE RESCUE
- R. EMERGENCY MANAGEMENT
- R. REAL ESTATE SERVICES
- R.29. Approve Agreement between Ark Industries, Inc. and Polk County in conjunction with the Eloise Loop Road Drainage Project. (\$20,000 one-time expense)

- R.30. Accept a Quit Claim Deed from GLK Real Estate, LLC, a Florida limited liability company, for additional right-of-way along FDC Grove Road. (No fiscal impact)
- R.31. Accept a Quit Claim Deed and Utility Easement from the Sandmine Road Community Development District in conjunction with the Windsor Island Resort development. (No fiscal impact)
- R.32. Accept instruments for additional right-of-way along 11th Street South, and Cooley Road as requested through the Development Review Process. (No fiscal impact)

R. ROADS & DRAINAGE

- R.33. Approve Change Order No. 3 to Contract No. 2022-016 with Watson Civil Construction, Inc. (Contractor) for the Lake Wilson Road Widening Project (\$211,840.00 one-time expense)
- R.34. Request Board Approve Amendment No. 6 with Jacobs Engineering Group, Inc. for Agreement 18-15, Lake Wilson Road Widening project. (\$38,352.46 one-time expense)

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. SUPERINTENDENT OF POLK COUNTY SCHOOLS

R. COUNTY ATTORNEY

- R.35. Release of Lien related to a Workforce Housing Impact Fee Mitigation for Charles and Sharon Cox (No fiscal impact).
- R.36. Second Amendment to Ad Valorem Tax Exemption Performance Agreement with Nucor Steel Florida, Inc.

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, May 15, 2023 – 1:30 p.m. – Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.
- Wednesday, May 17, 2023 – 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Wednesday, May 17, 2023 – 12:00 p.m. – Adult Leadership Lake Wales – Lunch and Roundtable will be held in the Multi-Purpose Room, Room 413.
- Wednesday, May 17, 2023 – 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, May 18, 2023 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, May 18, 2023 – 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, May 18, 2023 – 9:00 a.m. – Tourist Development Council’s Sports and Special Events Committee will be held at the Hilton Garden Inn Lakeland, 3839 Don Emerson Drive, Lakeland.
- Monday, May 22, 2023 – 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.
- Thursday, May 25, 2023 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, May 25, 2023 – 9:30 a.m. – Technical Advisory (TAC) Committee will meet in Room 413, Fourth Floor, Polk County Administration Building.
- Monday, May 29, 2023 – The offices of the Board of County Commissioners will be closed in observance of the Memorial Day Holiday
- Thursday, June 1, 2023 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Friday, June 2, 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.

- Monday, June 5, 2023 – 11:20 a.m. – Youth Leadership Polk Program will be held in the Multi-Purpose Room, Room 413.
- Monday, June 5, 2023 – 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.