



Board of County Commissioners Meeting Agenda

February 4, 2009 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 four days prior to the proceeding. Their offices are located in the Neil Combee Administration Building, 330 West Church Street in Bartow. Telephone (863) 534-6090, TDD (863) 534-7777 or 1-800-955-8771, Voice Impaired 1-800-955-8770 via Florida Relay Service.

Addendum items are flagged with asterisks (**)

CALL TO ORDER - 9:00 a.m. (SAM JOHNSON, Chairperson)

INVOCATION

1. [Reverend Daphne Johnson, College Heights United Methodist Church](#)

PLEDGE OF ALLEGIANCE (SAM JOHNSON, Chairperson)

A. APPROVE CONSENT AGENDA

2. [Consent Agenda.](#)

B. PRESENTATIONS and RECOGNITIONS

3. [Presentation of service certificates to: Essie Hall, Edward "Ed" Mastronardi, Henry Trupiano \(not attending\), and Joe Stewart.](#)

Attachment: [2009BoardPresentationsFebruary4.pdf](#)

4. [Lee Griffin, Operations Manager for WTSP, to give a presentation on the Digital TV Conversion](#)

C. PROCLAMATIONS

5. [Proclaim February 1-7, 2009 as HAZARDOUS WEATHER AWARENESS WEEK. Rosa Ward and Paul Womble, representing Polk County Emergency Management, will accept the proclamation.](#)

Attachment: [Hazardous Weather Proclamation.pdf](#)

D. ACCOUNTANT, AUDITOR and CLERK TO THE BOARD (RICHARD WEISS)

6. [Disbursements.](#)

7. [Minutes of Regular Board Meeting held on January 21, 2009.](#)

Attachment: [012109.MIN.pdf](#)

E. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

NORTH RIDGE COMMUNITY REDEVELOPMENT AGENCY

8. [Approve minutes from North Ridge CRA meeting held on January 21, 2009.](#)

Attachment: [North Ridge CRA minutes 012109.pdf](#)

9. [Discuss North Ridge Community Redevelopment Agency Advisory Committee.](#)

F. PUBLIC HEARING TO CONSIDER SETTLEMENT

10. [Public Hearing to consider mediated settlement in Natasha Frazier, as personal representative of the Estate of Ricky Henderson vs. Polk County, et al., Case No. 2007CA-00978.](#)

G. COUNTY ATTORNEY (MICHAEL CRAIG)

H. COUNTY MANAGER (MICHAEL HERR)

11. [Economic Crises Marketing Plan Request Using Fourth Penny Reserves](#)

Attachment: [CFDC Presentation.pdf](#)

12. [Adopt Fire Department Burn Ban Resolution No. 09-006](#)

Attachment: [FireDeptBurnBanResNo09_006.pdf](#)

13. [Discuss Polk County Day](#)

Attachment: [Revenue Breakdown for Polk County Day 2009.pdf](#)

14. [Discuss Impact Fee Advisory Committee appointments](#)

Attachment: [Impact Fee Advisory Committee Members.pdf](#)

Attachment: [Resolution Creating Impact Fee Advisory Committee.pdf](#)

I. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE

15. [Carol Castagnero to discuss several issues.](#)

Attachment: [Carol Castagnero.pdf](#)

16. [Comments](#)

J. COMMISSIONER DISTRICT 1 (BOB ENGLISH)

17. [Discuss State Farm Insurance](#)

18. [Comments.](#)

K. COMMISSIONER DISTRICT 2 (RANDY WILKINSON)

19. [Ethics Policy](#)

20. [Comments.](#)

L. COMMISSIONER DISTRICT 3 (EDWIN V. SMITH)

21. [Lay Board Appointment - Industrial Development Authority](#)

Attachment: [IDA Campos bio 3.pdf](#)

22. [Comments.](#)

M. COMMISSIONER DISTRICT 4 (JEAN REED)

23. [Comments.](#)

N. COMMISSIONER DISTRICT 5 (SAM JOHNSON)

24. [Comments.](#)

O. LAY BOARD APPOINTMENTS

***** RECESS - The Board of County Commissioners will recess from 12:30 p.m. until 1:30 p.m. or soon thereafter. *****

P. PUBLIC HEARINGS

Q. CONSENT AGENDA ITEMS

ACCOUNTANT, AUDITOR and CLERK TO THE BOARD

25. [Removal of equipment from inventory as listed on Blanket Removal Form 1828.](#)

Attachment: [Blanket Removal Form 1828.pdf](#)

26. [Appointment of Annie Goldblum as Deputy Property Custodian.](#)

Attachment: [Deputy Property Custodian.pdf](#)

27. [List of Lands Available from Tax Deed Sale.](#)

Attachment: [Lands Available Letter.pdf](#)

28. [Satisfaction of Assessment Lien.](#)

29. [Schedule of regular meetings adopted by the Tohopekaliga Water Authority.](#)

30. [Minutes of the Poinciana Community Development District.](#)

31. [Public Official Bond, Richard M. Weiss, Clerk of Court.](#)

Attachment: [Weiss-Bond.pdf](#)

COUNTY ATTORNEY

32. [Instruments for Additional Right-of-Way as requested through the Development Review Process.](#)

Attachment: [02_04_09 CoAtty_DRC_3 Pcls_FiscallImpact_PN.pdf](#)

Attachment: [02_04_09 CoAtty_DRC_3 Pcls_Backup_PN.pdf](#)

33. [SET HEARING DATE to consider Petitions to Vacate Rights-of-Way. \(Suggested hearing date: March 4, 2009, at 1:30 p.m.\)](#)

34. [Authorize the Release and Conveyance of the County's Interest in Two Parcels by County Deed](#)

Attachment: [02_04_09 CoAtty_ConveyDeededRW_Bradco Wolff_Backup_DR.pdf](#)

35. [Drainage and Retention Pond Easement from Holly Hills Fruit Products Co., Inc. for additional drainage as requested through the Development Review Process.](#)

Attachment: [02_04_09 CoAtty_DRC_Sand_Mine_Rd_Backup_NP.pdf](#)

36. [Additional Right-of-Way for CR 37B \(Lakeland Highlands Road\), Parcels 134 A and B, and TCE Parcel 723](#)

Attachment: [CR 37B Pcls 134 and 723.pdf](#)

Attachment: [CR37B Pcls 134and723 Fiscal Impact.pdf](#)

37. [Record maintained right-of-way maps for Crews Lake Drive, Green Pond Road, and Rockridge Road](#)

Attachment: [02_04_09 CoAtty_MROW_CrewsLk GreenPond Rockridge_Fiscal.pdf](#)

Attachment: [02_04_09 CoAtty_MROW_RockridgeRd_Backup.pdf](#)

Attachment: [02_04_09 CoAtty_MROW_CrewsLakeRd_Backup.pdf](#)

Attachment: [02_04_09 CoAtty_MROW_GreenPondRd_Backup.pdf](#)

38. [Additional Right-of-Way for CR 37B \(Lakeland Highlands Road\), Parcel 124 and Easement Parcel 803](#)

Attachment: [02_04_09 CoAtty_AddIRW_CR37B_Pcls124and803_Bucker_Fiscal_Impact_SL.pdf](#)
Attachment: [02_04_09 CoAtty_AddIRW_CR37B_Pcls124and803_Bucker_Backup_SL.pdf](#)

39. [SET HEARING DATE to consider adoption of an ordinance amending Ordinance No. 07-049, Natures Edge Golf Estates Special Street Lighting District. \(Suggested hearing date: March 4, 2009, at 1:30 p.m.\)](#)

Attachment: [Am07-049NaturesEdge.pdf](#)
Attachment: [Am07-049NaturesEdgeGolf.pdf](#)

40. [Right-of-Way Purchase for Kathleen Road Phase II Improvement Project](#)

Attachment: [02_04_09 CoAtty_AddIRW_KathleenRdPh2_Metcalf_Backup.pdf](#)
Attachment: [02_04_09 CoAtty_AddIRW_KathleenRdPh2_Metcalf_Fiscal.pdf](#)

41. [Modification No. 1 to Subgrant Agreement \(Contract No. 08HM-81-07-63-01-019\) between the Florida Division of Emergency Management and Polk County.](#)

Attachment: [Mod One to Subgrant Agreement.pdf](#)

42. [Land Purchase Option Agreement between the County and FX Bar Ranch, Inc. regarding Southeast Polk County Exploratory Well.](#)

Attachment: [OptionAgrFinal.pdf](#)

CENTRAL FLORIDA DEVELOPMENT COUNCIL

43. [Corporate Sponsorship Two Year Agreement with Imperial Swan Hotel & Suites](#)

Attachment: [Imperial Swan 2 year.pdf](#)

44. [Corporate Sponsorship Two Year Agreement with Best Western Admiral's Inn & Convention Center](#)

Attachment: [Best Western Admirals Inn 2 year.pdf](#)

45. [Facility Use Agreement with The School Board of Polk County to host the 2009 YBOA National Basketball Championships](#)

Attachment: [Polk County School Board Facilities Use.pdf](#)

46. [Event Sponsorship Agreement with Sun 'n Fun to host the Sun 'n Fun Fly-In](#)

Attachment: [Sun n Fun Inc.pdf](#)

ENVIRONMENTAL RESOURCES

47. [Acceptance of the Aviana Clubhouse potable water and wastewater utility system for ownership, operation, and maintenance.](#)

Attachment: [Aviana Checklist.pdf](#)

Attachment: [Aviana System Acceptance.pdf](#)

48. [Acceptance of the Victoria Woods at Providence potable water and wastewater utility systems for ownership, operation, and maintenance.](#)

Attachment: [Victoria Woods Checklist.pdf](#)

Attachment: [Victoria Woods Acceptance.pdf](#)

49. [Acceptance of the All Saints Academy potable water improvements and utility easement donated by All Saints Academy associated with the potable water improvements](#)

Attachment: [All Saints Checklist.pdf](#)

Attachment: [All Saints Acceptance.pdf](#)

GROWTH MANAGEMENT

50. [SET HEARING DATE to consider LDC 09T-06 amending Section 223.B, Overgrown Lots Creating a Nuisance. \(Suggested hearing dates: February 18, 2009, at 1:30 p.m. and March 4, 2009, at 1:30 p.m.\)](#)

51. [SET HEARING DATE for Evaluation and Appraisal Report; EAR 08-02. \(Suggested hearing date: March 4, 2009, at 1:30 p.m.\)](#)

52. [Victoria Woods at Providence Release of Surety](#)

Attachment: [Victoria Woods at Providence.pdf](#)

53. [Oakmont Phase I Release of Surety](#)

Attachment: [Oakmont Phase One.pdf](#)

54. [Citruswood Subdivision Conditional Plat Approval](#)

Attachment: [Citruswood.pdf](#)

55. [Highlands Creek Surety Release](#)

Attachment: [Highlands Creek.pdf](#)

56. [Hartford Estates Surety Release](#)

Attachment: [Hartford Estates.pdf](#)

57. [Clubhouse Boulevard at Providence Release of Surety](#)

Attachment: [Clubhouse Boulevard at Providence.pdf](#)

HUMAN SERVICES

58. [Memorandum of Understanding \(MOU\), Between the Polk County Extension Service and the University of Florida, Institute of Food and Agricultural Sciences, Florida 4-H OMK Department, with Regards to the Housing of the Operation: Military Kids State Coordinator.](#)

Attachment: [2 4 09 OMK MOU.pdf](#)

59. [Approve Master Contract between the Board and the West Central Florida Area Agency on Aging, Inc. for the period January 1, 2009 through December 31, 2009.](#)

Attachment: [Master Contract OAA M2009POLK.pdf](#)

60. [HOME Investment Partnership Program Rehabilitation/Replacement for Merel E. Black.](#)

Attachment: [2009_2-4-09 Black.pdf](#)

61. [CDBG Satisfaction of Rehabilitation Lien Agreement and Rehabilitation Mortgage for James and Margaret Gardner.](#)

Attachment: [James Gardner 2009.pdf](#)

62. [Section 8 Housing Assistance Payments \(HAP\) contracts for the families listed.](#)

Attachment: [Section 8 Contracts.pdf](#)

63. [Tenant-Based Rental Assistance \(TBRA\) Payments Contracts for the families listed.](#)

Attachment: [TBRA Contracts.pdf](#)

PUBLIC SAFETY

64. [Addendum to the agreement with Florida Department of Agriculture and Consumer Services \(Contract No. 1936\)](#)

Attachment: [FDACS_ContractNumber1936Addendum.pdf](#)

Attachment: [CooperativeAgreementWithDivOfForestry.pdf](#)

PUBLIC WORKS

65. [Modification No. 1 to CSA No. 06-141-03 with Kisinger Campo and Associates, Corporation for the CR 550 \(Overlook Drive\) from SR 540 \(Cypress Gardens Boulevard\) to SR 542 \(Dundee Road\), Carl Floyd Road from Overlook Drive to Dundee Road, and Cypress Gardens Boulevard at Cypress Gardens Road Improvement Projects.](#)

Attachment: [CO ModSummarySheet CSAMod1_0614103_04Feb09.pdf](#)

Attachment: [CSAMod1Approval_0614103.pdf](#)

Attachment: [Map_Overlook_Carl_Floyrd_CGB_CGR_04Feb09.pdf](#)
Attachment: [CSAMod1Contract_0614103.pdf](#)
Attachment: [Fiscal_Impact_for_CSA_0614103_Mod1.pdf](#)

66. [Joint Project Agreement \(JPA\) between Polk County and the City of Lakeland to include the construction of water, wastewater, and effluent facilities within the construction limits of the CR 37B \(Lakeland Highlands Road\) Widening Improvement Project.](#)

Attachment: [PWFI_Info_Form_04Feb09.pdf](#)
Attachment: [Map_CR37BLkldhldsRd_04Feb09.pdf](#)
Attachment: [JPAwCOL_CR37BLkldhldsRd_04Feb09.pdf](#)

67. [Lease Agreement No. 105 between the Board and Colonial Bank for office suites 201, 202, 204, 205, and 206 in the Colonial Bank building located at 600 North Broadway, Bartow, Florida to be used for office space by the Central Florida Development Council.](#)

Attachment: [Lease_105_CFDC_Oracle_Tourism.pdf](#)
Attachment: [CFDC_Lease_with_Colonial_Bank.pdf](#)
Attachment: [Lease_105_CFDC_Oracle_BD.pdf](#)

68. [Utility Easement Agreement with TECO to install, operate and maintain those facilities necessary to provide electric energy, service systems for the Lakel Myrtle Sports Complex.](#)

Attachment: [Polk_County_easement_Lk_Myrtle_final.pdf](#)
Attachment: [090204_TECO_Easement_Agree_Lk_Myrtle_Dev_Ex_A.pdf](#)

SUPPORT SERVICES

69. [Amendments No. 1 to Master Consulting Agreements No. 06-233 with URS Corporation Southern, 06-234 with HDR Engineering, Inc., 06-268 with PB Americas, Inc. and Amendments No. 2 to Master Consulting Agreements No. 06-235 with PBS&J, 06-262 with Jacobs Engineering Group, Inc.](#)

Attachment: [Engineering_GEC_amendments.pdf](#)

70. [Modification No. 1 for CSA No. 06-80-02 with Faller Davis & Associates for Wilson Acres Drainage Improvements.](#)

Attachment: [CSA_FallerDavis_Mod1.pdf](#)

71. [Modification No. 1 for CSA No. 06-81-05 with Professional Engineering Consultants, Inc. \(PEC\) for Elizabeth Place Hydrologic Enhancement Program](#)

Attachment: [CSA_PEC_Mod1.pdf](#)

72. [Modification No. 1 for CSA No. 02-99-07 with Woolpert, Inc. for design, coordination and construction phase services for US 27 and Homerun Boulevard utility modifications.](#)

Attachment: [029907.pdf](#)

73. [Modification No. 2 for CSA No. 02-101-17 with Chastain Skillman, Inc. for Fuel Tank Evaluations and Standby Power Compliance Evaluation.](#)

Attachment: [0210117.pdf](#)

74. [Fee Resolution between the County and State of Florida, Department of Health, Polk County Health Department](#)

Attachment: [ExecutedOriginal_PCHD_CORE_09_010_CHSS.pdf](#)

Attachment: [PCHD Fee Resolution.pdf](#)

75. [Settlement offer to Alan Silva and His Attorney's Payer & Payer](#)

76. [Settlement offer to Mr. Robert Mayfield.](#)

ANNOUNCEMENTS - All of the below scheduled meetings constitute 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, February 2, 2009 – 10:00 a.m. – An Orientation session with Commissioner Edwin V. Smith will be held in the Environmental Resources Conference Room, 1011 Jim Keene Boulevard, Winter Haven. Canceled~~
- Monday, February 2, 2009 – 7:00 p.m. – Winter Haven Area Transit will meet with the Auburndale City Commissioners to discuss the FY 09/10 transit funding by participating cities in the WHAT service area at Auburndale City Hall.
- Tuesday, February 3, 2009 – 3:00 p.m. – The Lakes Access Advisory Committee will meet in the Leisure Services Division Conference Room, 515 East Boulevard Street, Bartow.
- Thursday, February 5, 2009 - 8:30 a.m. - Development Review Committee will meet in the Growth Management Conference Room, Second Floor, Neil Combee Administration Building.
- Thursday, February 5, 2009 – 12:00 p.m. – Board of County Commissioners will hold a roundtable discussion with Leadership Winter Haven in the Multi-Purpose Room, Room 413.
- Thursday, February 5, 2009 – 5:00 p.m. – Winter Haven Area Transit will meet with Haines City City Commissioners to discuss the FY 09/10 transit funding by participating cities in the WHAT service area at Haines City Hall.
- Friday, February 6, 2009 – 12:00 p.m. – Southwest Florida Water Management District will host a luncheon and a tour of the Lake Hancock project at Polk's Nature Discovery Center/Circle B Bar Preserve, 4399 Winter Lake Road, Lakeland.
- Monday, February 9, 2009 - 1:30 p.m. - Transportation Disadvantaged Local Coordinating Board will meet in the County Commission Boardroom.
- Monday, February 9, 2009 – 3:30 p.m. – Historical Museum & Genealogical Library Task Force will meet at the Historical Museum, Third Floor Conference Room, 100 East Main Street, Bartow.
- Tuesday, February 10, 2009 - 8:30 a.m. - Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.

- Tuesday, February 10, 2009 - 9:00 a.m. - Planning Commission meeting will be held in the County Commission Boardroom.
- Wednesday, February 11, 2009, and Thursday, February 12, 2009 – Two or more County Commissioners will be attending meetings with the Florida Congressional Delegation in Washington, DC.
- Wednesday, February 11, 2009 - 9:00 a.m. - The Selection Committee for RFP 09-022-CAR, Construction Manager at-Risk Continuing Contracts, will meet at the Purchasing Division, in Conference Room B, 2470 Clower Lane, Bartow.
- Thursday, February 12, 2009 - 8:30 a.m. - Development Review Committee will meet in the Growth Management Conference Room, Second Floor, Neil Combee Administration Building.
- Thursday, February 12, 2009 - 9:00 a.m. - Polk Transportation Planning Organization Board will meet in the County Commission Boardroom.
- Thursday, February 12, 2009 - 6:30 p.m. - The Contractor Licensing Board will meet in the County Commission Boardroom.
- Friday, February 13, 2009 - 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.