



## *Board of County Commissioners Meeting Agenda*

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01-21-09 Regular Board Meeting

### **January 21, 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.

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

#### **INVOCATION**

1. [Jim Bell, Public Safety Director](#)

**PLEDGE OF ALLEGIANCE** (SAM JOHNSON, CHAIRPERSON)

#### **A. APPROVE CONSENT AGENDA**

2. [Consent Agenda](#)

#### **B. PRESENTATIONS and RECOGNITIONS**

3. [Presentation of service certificates to Victoria "Vicky" Holley; Harrold Likens, II; Larry Martin; James Whitlow; Carol Barnes; Terry Wilson; and Harvey Green.](#)

Attachment: [2009BoardPresentationsJanuary.pdf](#)

4. [Jim Bell, Public Safety Director and Dr. Greg White, Emergency Medical Services Medical Director to give a presentation on the Medical Priority Dispatch System.](#)

Attachment: [Priority Dispatch Presentation 01 21 09.pdf](#)

5. [Fleet Management - Long Term Vehicle Purchase Program Overview](#)

Attachment: [PurchaseOverview.pdf](#)

#### **C. PROCLAMATIONS**

6. [Proclaim January 21, 2009 as FLORIDA 4-H CENTENNIAL COMMEMORATION DAY. Nicole Walker, representing the Polk County Cooperative Extension Services 4-H Youth Program, will accept the proclamation.](#)

Attachment: [Florida 4H Centennial Proclamation.pdf](#)

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

7. [Disbursements.](#)

Attachment: [Disbursements 012109.pdf](#)

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

**E. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY**

**POLK COUNTY SHERIFF**

9. [Returning of excess funds in the amount of \\$5,780,378 and approve allocation of excess funds.](#)

Attachment: [Sheriff Letter to Board.pdf](#)

**NORTH RIDGE COMMUNITY REDEVELOPMENT AGENCY**

10. [North Ridge CRA minutes from the December 17, 2008, meeting.](#)

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

11. [Modification No. 7 to CSA No. 00-19-06 with PB Americas, Inc. \(Consultant\) for the Ernie Caldwell Boulevard Project.](#)

Attachment: [21Jan09 Mod CO Summary Spreadsheet.pdf](#)

Attachment: [21Jan09 ECB Mod 7 CSA 001906 Approvals.pdf](#)

Attachment: [21Jan09 ECB Mod 7 CSA 001906 Contract.pdf](#)

Attachment: [Ernie Caldwell Map3.pdf](#)

Attachment: [21Jan09 PWFI Info Form.pdf](#)

**POLK COMMERCE CENTRE COMMUNITY REDEVELOPMENT AGENCY**

12. [Polk Commerce Centre CRA minutes from the July 9, 2008 meeting](#)

Attachment: [Polk Commerce Centre CRA minutes.pdf](#)

13. [Approve Outside Counsel Agreement to retain legal services of the lawfirm of Valenti, Campbell, Trohn, Tamayo & Aranda, P.A. to represent CRA in pending litigation.](#)

Attachment: [OUTSIDE COUNSEL AGREEMENT PCC CRA 2009.pdf](#)

**F. PUBLIC HEARING TO CONSIDER SETTLEMENT**

14. [Approve Settlement Agreement with Defendant, Nancy Montgomery Ware in the code enforcement](#)

[foreclosure case of Polk County v. Paul Ware and Nancy Montgomery-Ware \(53-2008CA-003716-0000-00\).](#)

Attachment: [Polk vs Nancy Ware.pdf](#)

**G. COUNTY ATTORNEY (MICHAEL CRAIG)**

**H. COUNTY MANAGER (MICHAEL HERR)**

15. [Bartow Northern Connector Project: Request for Board's direction to select a preferred alternative for the Fort Fraser Trail Intersection Bartow Northern Connector Project:](#)

Attachment: [Ft Fraser Trail Ariel Map.pdf](#)  
Attachment: [PWFI Info Form.pdf](#)  
Attachment: [BNCpresentation120508.pdf](#)

16. [Provide direction for Budgeting for Outcomes \(BFO\) process.](#)

Attachment: [CA LIST UPDATED.pdf](#)  
Attachment: [CFDC BOARD MEMBERS.pdf](#)  
Attachment: [TDC MEMBERS.pdf](#)

17. [Discuss projects for Federal Stimulus Package](#)

Attachment: [EconomicStimulusPackage\\_PavementManagement.pdf](#)  
Attachment: [stimulus pkg.pdf](#)  
Attachment: [economic stimilus projects \\_resurfacing \(2\).pdf](#)

18. [Discuss Economic Stimulus package for USF Expansion/Innovation Center.](#)

Attachment: [USF Polytechnics.pdf](#)

19. [Request Board approve the appointments of County Commissioner Bob English to a three year term, County Commissioner Jean Reed to a two year term, and County Commissioner Ed Smith to a two-year term on the Polk Transit Authority Board.](#)

Attachment: [PTA Legislation.pdf](#)

**I. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE**

20. [Dennis Dutcher, Regional Director, United Waterfowlers of Florida, Inc., to discuss waterfowl hunting at Circle B Bar Reserve.](#)

Attachment: [CircleBBar.pdf](#)

21. [Comments.](#)

22. [Comments.](#)

23. [Comments.](#)

24. [Comments.](#)

25. [Comments.](#)

26. [Comments.](#)

**J. COMMISSIONER DISTRICT 1 (BOB ENGLISH)**

27. [Comments.](#)

**K. COMMISSIONER DISTRICT 2 (RANDY WILKINSON)**

28. [Comments.](#)

**L. COMMISSIONER DISTRICT 3 (EDWIN V. SMITH)**

29. [Lay Board Appointment - Alternate Member, Planning Commission](#)

Attachment: [PC Artman bio 3.pdf](#)

30. [Comments.](#)

**M. COMMISSIONER DISTRICT 4 (JEAN REED)**

31. [Lay Board Appointment - Citizens' Health Care Oversight Committee](#)

Attachment: [CHCOC OToole bio 4.pdf](#)

32. [Discuss Committee Assignments.](#)

Attachment: [BoCCAssignmts.pdf](#)

33. [Comments.](#)

**N. COMMISSIONER DISTRICT 5 (SAM JOHNSON, CHAIRPERSON)**

34. [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**

35. [LDC 09T-05 \(Landscape Revision\) to consider the Adoption of an ordinance amending Sections 226, 702, 704, 720, 932, Chapter 10 and Appendix B of the Land Development Code. \(Continue to March 4, 2009, at 1:30 p.m. and March 18, 2009, at 1:30 p.m.\)](#)

36. [Joint Planning and Interlocal Service Boundary Agreement Between Haines City and Polk County](#)

Attachment: [Exhibit A Joint Planning Area Boundary.pdf](#)

Attachment: [Haines City CityView JPA.pdf](#)

Attachment: [Exhibit C Proposed Transfer from County.pdf](#)  
Attachment: [Exhibit D Candidate Road Impact Fee Projects.pdf](#)  
Attachment: [Haines City JPA Exhibit B.pdf](#)

37. [DA 06-09M - Ridgewood Lakes Development Agreement Modification](#)

Attachment: [DA 06 09M Development Agreement.pdf](#)  
Attachment: [DA 06 09M Staff Report.pdf](#)

38. [Consider adoption of an ordinance amending Ordinance No. 70-02, as amended, regarding Polk County Retiree Benefits Program.](#)

Attachment: [HEALTH INSURANCE ORDINANCEFinal \(2\)12-08-08.pdf](#)

**Q. CONSENT AGENDA ITEMS**

**ACCOUNTANT, AUDITOR and CLERK TO THE BOARD**

39. [Removal of equipment from inventory as listed on Blanket Removal Form 1827.](#)

Attachment: [Blanket Removal Form 1827.pdf](#)

40. [Minutes of the August 5, 2008, meeting of the Golden Lakes Community Development District.](#)

41. [Minutes of the August 20, 2008, meeting of the Poinciana West Community Development District.](#)

42. [Lands available from Tax Deed Sale.](#)

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

43. [Modification to current contract with Point and Pay, Inc. regarding fees per transaction for the electronic payment processing of major credit cards and electronic checks.](#)

Attachment: [Point and Pay Amendment.pdf](#)

44. [Appoint Property Custodian for Growth Management/Long Range Planning.](#)

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

45. [Investment Policy modification.](#)

Attachment: [Clerks Investment Policy.pdf](#)

**COUNTY ATTORNEY**

46. [Authorize the County Attorney's Office to file suit against Jean Luxain to recover damages resulting from a vehicle colliding with a guardrail driven by Jean Luxain.](#)

47. [Declare Surplus and Authorize the Public Sale of Remnant Parcels Associated with Griffin Road Improvement Project](#)

Attachment: [1-21-09 Griffin surplus.pdf](#)

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

Attachment: [RW Kathleen Phase 2 Deslaurier.pdf](#)

Attachment: [RW Kathleen Phase 2 Deslaurier Fiscal Impact.pdf](#)

49. [Consider Resolution authorizing negotiations required by Florida Statute §73.015 to be undertaken by the County Chief Right-of-Way Agent and his designated agents, subject to final Board Approval, for acquisitions necessitated by new Transportation CIP Projects.](#)

Attachment: [Resolution authorizing negotiations re various proj.pdf](#)

50. [Accept amendments to Revised Suntrust Standby Advice No. U901885, implementing amendments to Irrevocable Standby Letter of Credit No. 91897689, issued in favor of the Board, by BNP Paribas Houston.](#)

Attachment: [LOCHCRAamend1.pdf](#)

Attachment: [LOCHCRAamend2.pdf](#)

51. [Adopt a written order for Case No. CU 01-18M.](#)

Attachment: [orderboardCU0118M.pdf](#)

52. [Additional Right-of-Way for CR 37B \(Lakeland Highlands Road\), Parcel 167 and TCE Parcel 720](#)

Attachment: [01 21 09 CO ATTY Addl RW CR 37B Pcls 167 and 720 Diamond Sr Living Backup.pdf](#)

Attachment: [01 21 09 CO ATTY Addl RW CR 37B Pcls 167 and 720 Diamond Sr Living Fiscal Impact SL.pdf](#)

53. [Adopt a written order for Case No. CU 08-17.](#)

Attachment: [orderboardCU0817denovo.pdf](#)

54. [Right-of-Way Purchase for Thompson Nursery Road Improvement Project](#)

Attachment: [01 21 09](#)

[CoAtThompsonNurseryRd\\_Campbell\\_FiscalImpact\\_DR.pdf](#)

Attachment: [Thompson Nursery Road Campbell ROW.pdf](#)

55. [Adopt a Resolution authorizing the Conveyance of County owned property to the City of Mulberry](#)

Attachment: [01 21 09 CoAtty\\_TransferToCityOfMulberry\\_Backup\\_CP.pdf](#)

Attachment: [Resolution re Private Sale of Property.pdf](#)

56. [Quit Claim Deed from Thomas L. Miller for Property Being Donated for Conservation](#)

Attachment: [01 21 09 Co Atty Donation Miller FiscalImpact\\_CP.pdf](#)

Attachment: [01 21 09 Co Atty Donation Miller Backup.pdf](#)

**CENTRAL FLORIDA DEVELOPMENT COUNCIL**

57. [Amended Promotional Agreement with Polk County Tourism and Sports Marketing and Florida Southern College](#)

Attachment: [FSC Agreement Pink-Purple.pdf](#)

Attachment: [FSC Event Agreement.pdf](#)

**ENVIRONMENTAL RESOURCES**

58. [First Amendment to Agreement No. 08C0000021 between the Southwest Florida Water Management District \(SWFWMD\) and Polk County for the Christina Watershed Management Program Implementations of Best Management Practices \(L967\)](#)

Attachment: [ChristinaWatershedFirstAmendment\\_ImplementationBMPsL967.pdf](#)

59. [Florida Fish and Wildlife Conservation Commission, Contract No. FWC08228, Cooperative Funding Phase II, Lake Gwyn Surface Water Restoration and Flood Protection Project](#)

Attachment: [LakeGwynRestorationProject\\_FWCContract08228.pdf](#)

60. [Change Order No. 1 to Construction Quote No. 08-007, and Budget Transfer and Community Investment Program \(CIP\) Amendment Increasing the Forestbrook and Forestgreen Drainage Improvement CIP Project](#)

Attachment: [ForestbrookForestgreenMap.pdf](#)

Attachment: [ForestbrookForestgreenChangeOrder.pdf](#)

Attachment: [ForestbrookForestgreen\\_BudgetRevisionJournal.pdf](#)

61. [Amendment to the currently adopted Utilities Five-Year Expansion Community Investment Program \(CIP\) budget and the Utilities Five-Year Renewal and Replacement CIP budget](#)

Attachment: [Utilities\\_CIP\\_BudgetAmendment\\_Att\\_B\\_Backup.pdf](#)

Attachment: [UtilitiesBudgetAmendBudgetRevJournal\\_CIP.pdf](#)

Attachment: [Utilities\\_CIP\\_BudgetAmendment\\_Att\\_A\\_BackupREV.pdf](#)

Attachment: [Utilities\\_CIP\\_BudgetAmendment\\_Att\\_A\\_REV.pdf](#)

Attachment: [UtilitiesBudgetAmendBudgetRevJournal\\_RandR.pdf](#)

Attachment: [Utilities\\_CIP\\_BudgetAmendment\\_Att\\_C.pdf](#)

Attachment: [Utilities\\_CIP\\_BudgetAmendment\\_Att\\_B.pdf](#)

**GROWTH MANAGEMENT**

62. [Kinny Harmon Road Improvements Amendment to Surety](#)

Attachment: [Kinny Harmon Road Improvement.pdf](#)

63. [Victor Posner City Center 1F Amendment to Surety](#)

Attachment: [Victor Posner City Center Phase 1F.pdf](#)

64. [Solivita Phase I Release of Surety](#)

Attachment: [Solivita Phase I.pdf](#)

## **HUMAN SERVICES**

65. [Satisfaction of Liens between Polk County and the following listed clients.](#)

Attachment: [Satisfaction Order Imposing Lien for Demo.pdf](#)

66. [SHIP Program Satisfaction of Mortgage and Security Agreements for John G. Clark and Barbara A. Clark.](#)

Attachment: [John Clark SHIP.pdf](#)

67. [State Housing Initiatives Partnership \(SHIP\) Program Satisfaction of Rehabilitation/Reconstruction Lien Agreement for Betty Seay.](#)

Attachment: [Seay.pdf](#)

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

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

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

Attachment: [TBRA Contracts.pdf](#)

## **PUBLIC SAFETY**

70. [Division of Forestry Cooperative Equipment Loan Agreement](#)

Attachment: [Cooperative Equipment Loan Agreement.pdf](#)

## **PUBLIC WORKS**

71. [Change Order No. 8 to Contract No. 06-137 with Cherry Hill Construction, Inc. \(Contractor\) for the CR 54 \(Ronald Reagan Parkway\) Phase I Road Widening Project.](#)

Attachment: [CR 54 Phase I - Map.pdf](#)

Attachment: [CO-MOD SUMMARY.pdf](#)

Attachment: [01-21-09 Public Works Fiscal Impact Info Form.pdf](#)

Attachment: [CO 8 Contract 06 137.pdf](#)

72. [Joint Project Agreement \(JPA\) between Polk County and the City of Auburndale to include the construction of water, wastewater, and effluent force main facilities within the construction limits of the CR 655 \(Berkley Road\) Phases 2 and 3 Improvement Project.](#)

Attachment: [Map CR655 Ph 2 and 3.pdf](#)

Attachment: [JPA COA CR 655 Ph 2 and 3.pdf](#)

## **SUPPORT SERVICES**

73. [Modification No. 1 for CSA No. 06-06-01 with Wade Trim Inc. for Loyce E. Harpe Park Environmental Assessment Services](#)

Attachment: [060601timeext.pdf](#)

74. [Polk HealthCare Plan Provider Agreement renewals](#)

Attachment: [MondelloFamilyClinic\\_09\\_128\\_RM.pdf](#)

Attachment: [RandolphHunter\\_09\\_129\\_RM.pdf](#)

Attachment: [JacobolamaMD\\_09\\_008\\_RM.pdf](#)

Attachment: [RadiologyImagingSpecLkldPA\\_09\\_127\\_RM.pdf](#)

75. [Healthy Start Coalition of Hardee, Highlands and Polk Counties, Inc., Contract for Services for Teen Pregnancy Prevention Program \(Contract No. 09-130-RM\)](#)

Attachment: [HealthyStartCoalition\\_09\\_130\\_RM.pdf](#)

**The Chairman adjourned the meeting at 5:30 p.m.**