

February 3, 2010 Regular BoCC meeting

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CALL TO ORDER - 9:00 a.m. (BOB ENGLISH, CHAIR)

INVOCATION

1. [Reverend Rob Patrick - Associate Reformed Presbyterian Church of Bartow.](#)

PLEDGE OF ALLEGIANCE (BOB ENGLISH, CHAIR)

A. APPROVE CONSENT AGENDA

2. [Approve Consent Agenda.](#)

B. PRESENTATIONS and RECOGNITIONS

3. [Presentation of service certificates to: Sheri Carlton; Wayne H. Manley; Leslie Strickland; Steven Lajoie; Sharon Mathis; Arvel Bradley, Jr.; Kathy Brown and John Wheeler.](#)

Attachment: [Board Presentations February2010.pdf](#)

4. [Deloris Johnson, CEO of Agricultural and Labor Program, Inc. \(ALPI\), to thank the Board for the recognition and Proclamation at its January 20th Board meeting.](#)

5. [Recognize Diana Wilkinson, Juvenile Delinquency Manager, as the recipient for the 2010 Certified Public Management \(CPM\) of the Year Award.](#)

C. PROCLAMATIONS

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

6. [Disbursements.](#)

7. [Minutes of Regular Board meeting and Special Board meeting held on January 20, 2010.](#)

Attachment: [012010 MIN.pdf](#)

Attachment: [012010S MIN.pdf](#)

E. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

NORTH RIDGE COMMUNITY REDEVELOPMENT AGENCY

8. [Approve minutes from CRA meeting held on January 20, 2010.](#)

Attachment: [North Ridge CRA minutes of 012010.pdf](#)

9. [Amendment to Mitigation Credit Purchase Agreement between Polk County and Reedy Creek Mitigation Bank for the Ernie Caldwell Boulevard Project. \(\\$36,250.00 one-time expense\)](#)

Attachment: [ECB Sec2 Map.pdf](#)

Attachment: [ECB Amdt MCPA Fiscal Impact Form.pdf](#)

Attachment: [ECB Amdt MCPA Agreement.pdf](#)

Attachment: [ECB Amdt MCPA ReqfLegalSvcs.pdf](#)

F. PUBLIC HEARING TO CONSIDER SETTLEMENT

G. COUNTY ATTORNEY (MICHAEL CRAIG)

10. [Right-of-Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcels 103 and 723. \(\\$105,759.00 one-time expense\)](#)

Attachment: [Berkley Rd Ph 4 Pcls 103 723 Fiscal.pdf](#)

Attachment: [Berkley Rd Ph 4 Pcls 103 723 Backup.pdf](#)

H. COUNTY MANAGER (MICHAEL HERR)

11. [Approve projects for federal funding.](#)

Attachment: [US27 Widening.pdf](#)

Attachment: [Transit.pdf](#)

Attachment: [LawEnforcement.pdf](#)

Attachment: [RgnlIntermodal.pdf](#)

Attachment: [US98 Widening.pdf](#)

Attachment: [Inwood Community Ctr.pdf](#)

Attachment: [USFIncbrtorandBiofuel.pdf](#)

Attachment: [ItchepkCKWtld.pdf](#)

12. [Marketing Partnership with Polk County Tourism and Sports Marketing and Merlin Entertainments Group Florida LLC, a Delaware limited liability company \(LEGOLAND\). \(\\$350,000.00 recurring expense for 10 years and \\$35,000.00 recurring revenue for 5 years\)](#)

Attachment: [Legoland Agreement.pdf](#)

13. [Provide Polk County Bonus Incentive \(PCBI\) grant in the amount of \\$1,500,000 to Merlin Entertainment Group of England to assist in their business expansion here in Polk County. \(\\$150,000.00 recurring expense for 10 year, totaling \\$1,500,000.00\)](#)

14. [Approval and execution of a Cooperative Funding Agreement \(10C00000012\) between the Southwest Florida Water Management District and Polk County for the Polk County Southwest Regional Utility Service Area Carter Road Reclaimed Water Main Project \(N156\) and amendment of the Fiscal Year 2009/2010 Utilities Expansion Community Investment Program budget. \(\\$450,000.00 not to exceed cost\)](#)

Attachment: [SWFWMD Agreement Approvals.pdf](#)

Attachment: [SWFWMD Agreement Contract.pdf](#)

Attachment: [Budget Revision Journal.pdf](#)

15. [Purchase of two parcels of property, totaling approximately three \(3.08\) acres, that are contiguous to the Lakeland Adult Day Care Center and the Wabash Community Center from Rennis and Wilda Collins, establishment of budget with a CIP amendment and transfer of Reserve for Contingency funds for this acquisition. \(\\$25,027.00 one-time expense\)](#)

Attachment: [10 0203 Collins Property Purch ContractMap.pdf](#)

Attachment: [10 0203 Collins Property Purch ReqForLgl BMSAppr.pdf](#)

Attachment: [10 0203 Collins Property Purch Bud Rev Jrnl.pdf](#)

Attachment: [10 0203 Collins Property Purch PWF1 Oracle.pdf](#)

16. [Capital Improvement Projects Budget Amendment. \(\\$350,000.00 one-time redistribution\)](#)

Attachment: [Fire CIP Budget Revision Journal.pdf](#)

17. [Authorization to apply for an Emergency Shelter Grant \(ESG\) for the operational cost of Shabak House, a Polk County based non-profit organization providing residential and support services to individuals transitioning from the State Forensic Hospital and/or from residential mental health treatment programs to prevent homelessness and enable individuals and families to move toward independent living. \(\\$300,000.00 one-time revenue\)](#)

18. [Status Report on 2010 Census Technical and Promotional Activities. \(No fiscal impact\)](#)

Attachment: [Census Update.pdf](#)

I. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE

19. [Lobbyist Ron Book to discuss the Polk County Sex Offender Ordinance.](#)

20. [Lauren Book-Lim to discuss the Polk County Sex Offender Ordinance.](#)

21. [Bill Jewell to discuss the Polk County Sex Offender Ordinance.](#)

22. [Gene Cords to discuss the Polk County Sex Offender Ordinance.](#)

23. [Paul Murray to discuss the Polk County Sex Offender Ordinance.](#)

24. [Dr. Uzi Talit, President of Cardiology Associates of Polk County, to discuss Polk Healthcare.](#)

Attachment: [Bullet points re issue.pdf](#)

Attachment: [polk health letter 83109.pdf](#)

Attachment: [polk health letter 12810.pdf](#)

Attachment: [Response to Dr Talit 9 29 09.pdf](#)

J. COMMISSIONER DISTRICT 1 (BOB ENGLISH, CHAIR)

25. [Reappoint Marian Ryan to the Water Policy Advisory Committee for a four-year term beginning February 8, 2010, and ending February 7, 2014.](#)

Attachment: [MarianRyan.pdf](#)

26. [Present letter concerning Doc Dockery and his support of High-speed Rail.](#)

K. COMMISSIONER DISTRICT 2 (RANDY WILKINSON)

27. [Comments.](#)

L. COMMISSIONER DISTRICT 3 (EDWIN V. SMITH)

28. [Comments.](#)

M. COMMISSIONER DISTRICT 4 (JEAN REED)

29. [Comments.](#)

N. COMMISSIONER DISTRICT 5 (SAM JOHNSON)

30. [Comments.](#)

O. LAY BOARD APPOINTMENTS

31. [Appoint Paul Helmstetter to the Transportation Planning Organization's Citizens Advisory Committee to serve a three-year term effective February 3, 2010.](#)

Attachment: [Helmstetter Biography and Application.pdf](#)

32. [Appoint Gary Clark to the Workforce Development Board for a three-year term effective February 3, 2010.](#)

Attachment: [Gary Clark Nomination Bio.pdf](#)

33. [Appoint Judy A. Dertod to the Workforce Development Board for a three-year term effective February 3, 2010.](#)

Attachment: [Judy Dertod Nomination Bio.pdf](#)

34. [Appoint Liesta Sykes to the Workforce Development Board for a three-year term effective](#)

[February 3, 2010.](#)

Attachment: [Liesta Sykes Resume.pdf](#)

Attachment: [Liesta Sykes Nomination.pdf](#)

***** 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. [Adopt a Resolution to Vacate Maintained Right-of-Way known as Armour Road, near Bartow. \(No fiscal impact.\)](#)

Attachment: [PH Armour Rd Backup.pdf](#)

36. [LDC 09T-18 \(Retail Use Changes\) to consider the Adoption of an ordinance amending the Land Development Code. \(No fiscal impact\)](#)

Attachment: [LDC 09T 18 Staff Report.pdf](#)

Attachment: [LDC 09T 18 Ordinance.pdf](#)

Q. CONSENT AGENDA ITEMS

ACCOUNTANT, AUDITOR and CLERK TO THE BOARD

37. [Removal of equipment from inventory as listed on Blanket Removal Form 1852.](#)

Attachment: [Blanket Removal Form 1852.pdf](#)

38. [Unclaimed funds check in the amount of \\$25,436.86](#)

Attachment: [020310 Unclaimed Funds Clerk of Courts.pdf](#)

39. [The 2010 Annual Meeting Schedule for Tohopekaliga Water Authority.](#)

40. [Minutes of the Poinciana Community Development District dated July 29, 2009.](#)

41. [Lands Available from Tax Deed Sale.](#)

Attachment: [Tax Deed Sale 020310.pdf](#)

COUNTY ATTORNEY

42. [Right-of-Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcels 106, 701A and 701B. \(\\$84,950.00 one-time expense\)](#)

Attachment: [Berkley Rd Ph 4 Pcls 106 701AB Backup.pdf](#)

Attachment: [Berkley Rd Ph 4 Pcls 106 701AB Fiscal.pdf](#)

43. [Right-of-Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcels 112 and 705. \(\\$95,346.00 one-time expense\)](#)

Attachment: [Berkley Rd Ph 4 Pcls 112 705 Backup.pdf](#)
Attachment: [Berkley Rd Ph 4 Pcls 112 705 Fiscal.pdf](#)

44. [Right-of-Way Purchase for Berkley Road Phase IV and County Road 559-A Improvement Project, Parcel 116. \(\\$28,206.00 one-time expense\)](#)

Attachment: [Berkley Rd Ph 4 Pcl 116 Backup.pdf](#)
Attachment: [Berkley Rd Ph 4 Pcl 116 Fiscal.pdf](#)

45. [Right-of-Way Purchase for Kathleen Road Phase II Improvement Project, Parcel 181. \(\\$30,000.00 one-time expense\)](#)

Attachment: [Kathleen Rd Ph II Pcl 181.pdf](#)
Attachment: [Kathleen Rd Ph II Pcl 181.pdf](#)

46. [Right-of-Way Purchase for Kathleen Road Phase II Improvement Project, Parcel 180. \(\\$11,000.00 one-time expense\)](#)

Attachment: [Kathleen Rd Ph II Pcl 180.pdf](#)
Attachment: [Kathleen Road Ph II Pcl 180.pdf](#)

47. [Right-of-Way Purchase for Kathleen Road Phase II Improvement Project, Parcel 179. \(\\$33,000.00 one-time expense\)](#)

Attachment: [Kathleen Rd Ph II Pcl 179.pdf](#)
Attachment: [Kathleen Rd Ph II Pcl 179.pdf](#)

48. [SET HEARING DATE to consider Petitions to vacate rights-of-way. \(Suggested hearing date: March 3, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

ASSISTANT COUNTY MANAGER

49. [Amendment No. 0001, Memorandum of Agreement \(MOA\) between the Board and Florida Department of Health, Polk County Health Department for Mobile Outreach Unit Services. \(\\$86,240.00 one-time revenue\)](#)

Attachment: [Amendment No 0001 Mobile Outreach.pdf](#)

50. [Polk HealthCare Plan Provider Agreements \(Transfer of existing appropriations to medical providers\)](#)

Attachment: [H Clements MD 10 137 RM.pdf](#)
Attachment: [Royal Palm Orth 10 101 RM.pdf](#)
Attachment: [S Zeman MD 10 098 RM.pdf](#)
Attachment: [Sport Orth Reh dba Sel 10 105 RM.pdf](#)

CENTRAL FLORIDA DEVELOPMENT COUNCIL

51. [Polk County Bonus Incentive Funds to benefit Quantum Marketing, Inc. for the company's expansion in Lakeland. \(\\$30,000.00 one-time expense\)](#)

52. [Letter of Permission Form with Bright House Networks, LLC \(hereinafter referred to as BHN\) for broadband cable television and digital services at Central Florida Development Council's new corporate headquarters at the Lake Myrtle Sports Complex in Auburndale. \(\\$26,352.00 recurring expense/\\$2,000.00 one-time installation cost\)](#)

Attachment: [BHN Letter of Permission.pdf](#)
Attachment: [BHN Service Agreement.pdf](#)
Attachment: [BHN Terms and Conditions.pdf](#)
Attachment: [BHN Rider to Service Agreement.pdf](#)

INFRASTRUCTURE MANAGEMENT

53. [CSA No. 02-99-06, Modification No. 3, with Woolpert, Inc., for final design and construction administration services for Pump Station No. 84. \(\\$47,419.83 not to exceed cost\)](#)

Attachment: [Woolpert CSA 02 99 06 Mod 3 Contract.pdf](#)
Attachment: [Woolpert CSA 02 99 06 Mod 3 Approvals.pdf](#)

GROWTH MANAGEMENT

54. [SET HEARING DATE to consider transmittal of the 2010A Large Scale Comprehensive Plan Amendments \(CPA 10A-01, 02, 04, 05, 07, 08, 10, 11, and 12\) and associated ordinances. \(Suggested hearing date: February 17, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

55. [SET HEARING DATE to consider transmittal of a Large Scale Comprehensive Plan Amendment \(CPA 10A-03\) and associated ordinance. \(Suggested hearing date: February 18, 2010, at 1:30 p.m.\) \(No fiscal impact\)](#)

56. [SET HEARING DATE to consider CU 09-17 and LDC 09D-04 \(Innovation Environmental Park\). These are companion cases to CPA 10A-03. \(Suggested hearing date: February 18, 2010, at 9:00 a.m.\) \(No fiscal impact\)](#)

57. [Kinny Harmon Road Improvements Amendment to Surety. \(No fiscal impact\)](#)

Attachment: [Kinny Harmon Roadway Improvements.pdf](#)

HUMAN SERVICES

58. [Approval and Execution of Amendment 4 to Standard Coordination Contract between the Lakeland Area Mass Transit District and the Board of County Commissioners. \(No fiscal impact\)](#)

Attachment: [LAMTD Coordination Agreement Amendment 4.pdf](#)

59. [Amendment 1 to Interlocal Agreement between the Board and Lakeland Area Mass Transit District. \(\\$24,400.00 recurring revenue\)](#)

Attachment: [LAMTD ADA Screening Agreement Amendment 1.pdf](#)

60. [Amendment 004, Older Americans Act, OAA 2009 POLK for the provision of home delivered meals to the elderly. \(\\$60,000.00 one-time revenue\)](#)

Attachment: [Request for legal OAA Amend 004 2009.pdf](#)

Attachment: [OAA Amend 004 2009.pdf](#)

61. [Amendment 003 2009/2010, Emergency Home Energy Assistance for the Elderly Program to assist eligible elderly residents with a utility emergency. Also request transfer of \\$10,000.00 from the Special Revenue Fund Reserve for Contingency. \(\\$10,000.00 one-time revenue\)](#)

Attachment: [Budget Revision Journaleheap020310.pdf](#)

Attachment: [Request for legal EHEAP Amend 003 0910.pdf](#)

Attachment: [EHEAP Amend 003 0910.pdf](#)

62. [Amendment 002, Home Care for the Elderly, HCE-09/10-POLK. Approve transfer of \\$20,350.00 in funds allocated for Subsidies to be utilized for Case Management-Case Aide Services. Also request transfer of \\$9,639.00 from the Special Revenue Fund Reserve for Contingency to bring budgeted level from \\$25,004.00 to \\$34,643.00 for Case Management-Case Aide Services. \(\\$20,350.00 one-time revenue category transfer\)](#)

Attachment: [Budget Revision Journalhce020310.pdf](#)

Attachment: [HCE Amend 002 0910.pdf](#)

Attachment: [Request for legal HCE Amend 002 0910.pdf](#)

63. [Adult Food Care Program Standard Contract between the Florida Department of Elder Affairs \(FL DOEA\) and the Board to provide nutritious meals to community-based adults. Also request approval to transfer \\$64,386.00 from Special Revenue Fund Reserve for Contingency. \(\\$64,386.00 one-time revenue\)](#)

Attachment: [Request for Legal FL DOEA Adult Food Care Program.pdf](#)

Attachment: [FL DOEA Standard Contract ADC Food Program.pdf](#)

Attachment: [Budget Revision Journalacfoodprogram020310.pdf](#)

64. [Housing Choice Voucher \(formerly Section 8\) Housing Assistance Payments \(HAP\) Contracts for the families and the amounts listed.](#)

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

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

65. [Housing Choice Voucher Payment \(formerly Section 8\) to the Housing Authority of the City of Fort Lauderdale for Asha Mandela. \(\\$2,051.70 one-time expense\)](#)

Attachment: [FLHA Reimbursement Checklist.pdf](#)

Attachment: [FLHA Reimbursement Request.pdf](#)

66. [Adopt Resolution accepting the \\$131,250.00 Volunteer Impact, Retention and Expansion \(VIRE\) Grant from Corporation for National and Community Service Grant Funds thus establishing unanticipated revenue for FY 2009-2010. \(\\$75,000.00 one-time revenue/\\$56,250.00 in-kind match\)](#)

Attachment: [Final VIRE ABudget Resolution.pdf](#)
Attachment: [VIRE Grant Budget Revision Journal.pdf](#)

SUPPORT SERVICES

67. [Approve Sellers Agreement with GovDeals, Inc. \(No fiscal impact\)](#)

Attachment: [govdealsagreement.pdf](#)

68. [Extend Existing Fiber Optic Interlocal Agreement with the City of Bartow. \(\\$6,036.00 recurring expense\)](#)

Attachment: [City of Bartow Interlocal Agreement.pdf](#)

POLK COUNTY SHERIFF

69. [Approve appropriation and expense of funds from the Law Enforcement Trust Fund to provide financial assistance to the Criminal Justice, Law and Career Academy, Inc. at Kathleen High School. \(\\$2,000.00 recurring expense\)](#)

Attachment: [February 3rd Sheriff Law Enforcement Trust Fund Request.pdf](#)

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.

- Tuesday, February 2, 2010 – 9:30 a.m. – Board/Staff Work Session to discuss the Residential Collection Proposal will be held in the Commissioners' Conference Room, Room 407.
- Tuesday, February 2, 2010 – 10:00 a.m. – Circulation Subcommittee of the Librarian's Advisory Council will meet at the Winter Haven Public Library, 325 Avenue A NW, Winter Haven.
- Tuesday, February 2, 2010 – 3:00 p.m. – Lakes Access Advisory Committee will meet in the Parks and Recreation Conference Room, 515 East Boulevard Street, Bartow.
- Tuesday, February 2, 2010 - 3:00 p.m. - Urban Form Focus Group will meet in the County Commission Boardroom.
- Thursday, February 4, 2010 - 8:30 a.m. - Development Review Committee will meet in the Growth Management Conference Room, Second Floor, Neil Combee Administration Building.
- Friday, February 5, 2010 – 12:00 p.m. – Two or more members of the Lakes Access Advisory Committee will meet with the Bartow Kiwanis Club at the Bartow Civic Center, located at 2250 S. Floral Ave., Bartow, to discuss the Committee's charge.
- Friday, February 5, 2010 – 2:00 p.m. – Library Cooperative Youth Services Special Interest Group will meet at the Winter Haven Public Library, 325 Avenue A NW, Winter Haven.
- Monday, February 8, 2010 - 1:30 p.m. - Transportation Disadvantaged Local Coordinating Board will meet in the County Commission Boardroom.

- Tuesday, February 9, 2010 – 8:30 a.m. – Lakeland Area Mass Transit District will meet at the District Administration Building, 1248 George Jenkins Boulevard, Building B, Lakeland.
- Tuesday, February 9, 2010 - 8:30 a.m. - Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Tuesday, February 9, 2010 - 9:00 a.m. - Planning Commission meeting will be held in the County Commission Boardroom.
- Tuesday, February 9, 2010 – 6:30 p.m. – Polk County Charter Review Commission will meet at Lakeland City Hall, Commission Chambers, 228 S. Massachusetts Avenue, Lakeland.
- Wednesday, February 10, 2010 and Thursday, February 11, 2010 – Two or more County Commissioners will be attending meetings with the Florida Congressional Delegation in Washington, DC.
- Wednesday, February 10, 2010 – 10:00 a.m. – Library Cooperative Governing Board's Impact Fee Advisory Subcommittee will meet at the Historical/Genealogical Library, 100 East Main Street, Bartow.
- Thursday, February 11, 2010 - 8:30 a.m. - Development Review Committee will meet in the Growth Management Conference Room, Second Floor, Neil Combee Administration Building.
- Thursday, February 11, 2010 - 9:00 a.m. - Transportation Planning Organization Board will meet in the County Commission Board Room.
- Thursday, February 11, 2010 – 6:00 p.m. – Public Meeting pertaining to the development of a Parks Master Plan for the Hayman Property will be held at the Ridgeview Global Studies Academy, 1000 Dunson Road, Davenport.
- Thursday, February 11, 2010 – 6:30 p.m. – Contractor Licensing Board will meet in the County Commission Boardroom.
- Friday, February 12, 2010 – 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.
- Friday, February 12, 2010 – 12:00 p.m. – Board of County Commissioners will attend a luncheon for the Lake Wales Youth Leadership group at the Polk Nature Discovery Center, Circle B Bar Reserve, 4399 Winter Lake Road/SR 540, Lakeland.
- Monday, February 15, 2010 – 9:00 a.m. – Board of County Commissioners and the Planning Commission will hold a joint work session in the County Commission Boardroom.