



## *Board of County Commissioners Meeting Agenda*

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### **January 24, 2012 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.

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.

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

#### **INVOCATION**

1. [Reverend Ralph Waters - Frostproof Care Center - Frostproof Florida](#)

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

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

2. [Approve Consent Agenda.](#)

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

3. [Recognize Donna Kay-Matlock, Program Manager of the Adult Day Health Care Program, for being selected Nurse of the Year 2011 by Positive Promotions.](#)

Attachment: [Donna Kay-Matlock biography.pdf](#)

Attachment: [Positive Promotions Nurse of the Year Donna Kay 2011.pdf](#)

#### **C. PROCLAMATIONS**

4. [Proclaim January 22-28, 2012 as HAZARDOUS MATERIALS AWARENESS WEEK. Pete McNally, representing Polk County Emergency Management, will accept the proclamation.](#)

Attachment: [Hazardous Materials.pdf](#)

5. [Proclaim January 30-February 3, 2012 as SEVERE WEATHER AWARENESS WEEK. Pete McNally, representing Polk County Emergency Management, will accept the proclamation.](#)

Attachment: [Severe Weather Awareness Week.pdf](#)

#### **D. COUNTY COMPTROLLER (RICHARD WEISS)**

6. [Disbursements.](#)

Attachment: [DOC038.pdf](#)

7. [Minutes of Regular Board meeting held on January 10, 2012.](#)

Attachment: [011012 MIN.pdf](#)

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

##### **MUNICIPALITY**

8. [Mike Britt, Natural Resources Director for the City of Winter Haven, to discuss the Water Resource Sustainability Plan.](#)

Attachment: [Final Sustainable Water Resource Management Plan.pdf](#)

#### **F. PUBLIC HEARING TO CONSIDER SETTLEMENT**

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

9. [Approve Resolution requesting authorization from the Florida Legislature to start the application process to establish an Enterprise Zone in unincorporated Polk County.](#)

Attachment: [EnterpriseZoneRes.pdf](#)

#### **H. COUNTY MANAGER (JIM FREEMAN)**

10. [Approve 2012 Federal Appropriations requests.](#)

Attachment: [Foreign Trade Zone.pdf](#)

Attachment: [US98.pdf](#)

Attachment: [GangMethCrime.pdf](#)

Attachment: [TransitPolicy.pdf](#)

Attachment: [Wetlands.pdf](#)

Attachment: [US27.pdf](#)

11. [Construction Manager at Risk Authorization \(CMA\) No. 09-034-01 with Nujak Development, Inc., for the construction of the Four Corners Fire Rescue Station to be located at 50901 Highway 27 in Davenport, on an approximately two acre parcel of the new Polk County Northeast Regional Park site. \(\\$1,165,511.84 not to exceed one-time expense\)](#)

Attachment: [12 0124 Four Corners FRS CMA Nujak Lgl PWF1 FiscAppr GL.pdf](#)

Attachment: [12 0124 Four Corners FRS CMA Backup.pdf](#)

12. [Habitat Conservation Plan Contract Grant between Florida Fish and Wildlife Conservation Commission and Polk County Board of County Commissioners to initiate development of a County-wide Multi-species Habitat Conservation Plan. \(\\$308,250.00 one-time grant with a \\$100,000.00 County match\)](#)

Attachment: [Habitat Conservation Plan Contract.pdf](#)

Attachment: [Habitat Conservation Plan Approval.pdf](#)

13. [Amendment No. 1 to Cooperative Funding Agreement No. 10C00000095 between the Southwest Florida Water Management District \(SWFWMD\) and Polk County for the Itchepackesassa Creek Regional Stormwater System \(W282\) and Budget Transfer and CIP Amendment. \(\\$2,141,810.00 one-time reimbursement requiring a Budget Transfer and CIP Amendment\)](#)

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

Attachment: [First Amendment Itchepackesassa Creek.pdf](#)

Attachment: [First Amendment Itchepackesassa Creek Approval.pdf](#)

14. [Report Bid Award to The Lane Construction Corporation by Procurement Director for Bid No. 12-005, Bartow Northern Connector \(US 98 to US 17\); request approval for construction contract allowance amount of \\$300,000.00; request approval raising the maximum amount of an individual allowance request that may be approved by the County Manager or his designee from \\$25,000.00 to \\$40,000.00 for this contract only. \(\\$11,410,205.02 one-time expense\)](#)

Attachment: [Bartow Northern Connector fund spreadsheet.pdf](#)

Attachment: [Bartow Northern Connector analysis.pdf](#)

Attachment: [Bartow Northern Connector Recap.pdf](#)

Attachment: [BNC Map.pdf](#)

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

15. [Jeff Hancock to discuss Anti-SLAPP \(Strategic Lawsuit against Public Participation under the RICO Statutes, per Mr. Hancock\).](#)

16. [Comments.](#)

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

17. [Commissioner English Comments.](#)

#### **K. COMMISSIONER DISTRICT 2 (MELONY M. BELL)**

18. [Commissioner Bell Comments.](#)

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

19. [Commissioner Smith Comments.](#)

#### **M. COMMISSIONER DISTRICT 4 (R. TODD DANTZLER)**

20. [Commissioner Dantzler Comments.](#)

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

21. [Chairman Johnson Comments.](#)

**O. LAY BOARD APPOINTMENTS**

22. [Reappoint Samuel L. Garber to the Contractor Licensing Board \(CLB\) for a three-year term, expiring December 31, 2014. \(No fiscal impact\)](#)

Attachment: [Samuel L Garber.pdf](#)

23. [Reappoint Leslie G. Pickett to the Contractor Licensing Board \(CLB\) for a three-year term, expiring December 31, 2014. \(No fiscal impact\)](#)

Attachment: [Leslie G Pickett.pdf](#)

24. [Reappoint John W. Scott to the Contractor Licensing Board \(CLB\) for a three-year term, expiring December 31, 2014. \(No fiscal impact\)](#)

Attachment: [John W Scott.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**

25. [LDC 11T 05 to consider the adoption of an ordinance amending Chapters 3 and 4 of the Land Development Code to allow a variety of residential building types in the Transit Supportive Development Area \(TSDA\) with the approval of a Planned Development. \(No fiscal impact\)](#)

Attachment: [LDC 11T 05 Ordinance.pdf](#)

Attachment: [LDC 11T 05 Staff Report 2nd reading.pdf](#)

26. [\(CU 11-16\) De Novo hearing for Lake Ned Apartments. \(No fiscal impact\)](#)

Attachment: [CU 11 16 De Novo staff report.pdf](#)

Attachment: [CU 11 16 opposition.pdf](#)

27. [LDC 11T-07 to consider the adoption of a staff-initiated ordinance amending the Land Development Code allowing development incentives and standards that promote conservation of the land adjacent to the SR 17 Ridge Scenic Highway. \(No fiscal impact\)](#)

Attachment: [LDC 11T 07 Staff Report.pdf](#)

Attachment: [LDC 11T 07 Ordinance.pdf](#)

28. [LDC 12T-01 \(Alternative Reclamation Slope for Non-Phosphate Mining\) to consider the adoption of an applicant-initiated ordinance amending the Land Development Code. \(No fiscal impact\)](#)

Attachment: [LDC 12T 01 first reading staff report.pdf](#)

Attachment: [LDC 12T 01 Ordinance.pdf](#)

29. [LDC 12T-02 \(Non-conformities\) to consider the adoption of an ordinance amending the Land Development Code. \(No fiscal impact\)](#)

Attachment: [LDC 12T 02 Ordinance.pdf](#)

Attachment: [LDC 12T 02 first reading staff report.pdf](#)

30. [Consider adoption of an Ordinance amending Ordinance No. 2011-031, the Belmont Park Special Street Lighting District. \(No fiscal impact\)](#)

Attachment: [Belmont Park Special Street Lighting District Map.pdf](#)

Attachment: [Ordinance Amending Ord 2011-031 Belmont Pk Special St Lighting Dist.pdf](#)

Attachment: [Ordinance 2011-031 Creating Belmont Pk Special St Lighting Dist.pdf](#)

31. [Consider adoption of an Ordinance amending the Polk County Property Maintenance Ordinance for the purpose of providing for interest to accrue on the Claim of Lien, provide for a finding that the properties derive a special benefit from the abatement of violation and the costs of abatement to be fairly and reasonably apportioned, and to provide for a process to appeal costs of abatement to the Polk County Code Enforcement Special Magistrate.](#)

Attachment: [Proposed Ordinance Amending the Polk County Property Maintenance Ordinance.pdf](#)

## **Q. CONSENT AGENDA ITEMS**

### **COUNTY COMPTRROLLER**

32. [Removal of equipment from inventory as listed on Blanket Removal Form 1899.](#)

Attachment: [1899 Blanket Removal Form.pdf](#)

33. [Accept list of Lands Available from Tax Deed Sale.](#)

Attachment: [Tax Deed Sales.pdf](#)

34. [Minutes of the Lake Ashton Community Development District meeting dated October 14, 2011.](#)

35. [Approve increase of \\$8,200.00 to the original not to exceed amount of \\$17,500.00 for agreement number 10-068 with Integrity Public Finance Consulting for Arbitrage Related Services for Utility Bonds Outstanding.](#)

### **CENTRAL FLORIDA DEVELOPMENT COUNCIL**

36. [Sponsorship Funding Assistance with Sasvari Way Soccer Training Centers. \(\\$2,000.00 one-time expense\)](#)

Attachment: [2012 Sasari Way International Soccer Academy.pdf](#)

### **OFFICE OF PLANNING & DEVELOPMENT**

37. [Victor Posner City Center 1F Amendment to Irrevocable Standby Letter of Credit No. S140154. \(No fiscal impact\)](#)

Attachment: [Amendment LOC 01242012.pdf](#)

38. [SET HEARING \(CPA 12A-01,02,03,04,05,06\) to consider transmittal of the 2012A Large Scale Comprehensive Plan Amendments and associated ordinances. \(Suggested hearing date: February 21, 2012, at 1:30 p.m.\) \(No fiscal impact\)](#)

39. [SET HEARING \(LDC 11T-08\) to consider the adoption of a staff-initiated ordinance \(Public Notice\) amending the Land Development Code. \(Suggested hearing dates: February 21, 2012, and March 6, 2012, both at 1:30 p.m.\) \(No fiscal impact\)](#)

40. [Consider an Interlocal Agreement Between Polk County and the City of Fort Meade to provide inspection services for Fort Meade's road resurfacing program. \(\\$7,200.00 estimated one-time revenue\)](#)

Attachment: [Fort Meade Interlocal Agreement.pdf](#)

41. [Ratify Board Chairman's Acknowledgement and Re-acceptance of right of way dedication for Overlook Drive \(CR 550\), as noted in the Overlook Ridge Subdivision Plat, re-acceptance is in order to acknowledge an additional owner to the right of way dedication. \(No fiscal impact\)](#)

Attachment: [Overlook Ridge.pdf](#)

## **SOCIAL SERVICES**

42. [Ancillary Services Provider Agreement between Elderly Services and Simply Healthcare Plans, Inc. \(Recurring revenue as generated by authorized services rendered\)](#)

Attachment: [Provider Agreement Simply Healthcare Plans Inc.pdf](#)

Attachment: [Req for legal Simply Healthcare Plans.pdf](#)

43. [Imposition of Lien for demolition of a dilapidated structure within the Municipality of the City of Bartow to recover cost associated through the County's Demolition and Clearance Program. \(\\$4,597.73 one-time expense\)](#)

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

Attachment: [Checklist.pdf](#)

44. [Imposition of Liens to recover costs associated with demolishing dilapidated structures through the County's Demolition and Clearance Program. \(\\$66,951.72 one-time expense\)](#)

Attachment: [OrderImposingLien12412.pdf](#)

Attachment: [OrderImposingLiensChecklist12412.pdf](#)

45. [HOME Investment Partnership Program \(HOME\) Down Payment Assistance Program Satisfaction of Mortgage and Security Agreement for Case S01-DP-0040. \(No fiscal impact\)](#)

Attachment: [HOME DPA Sat 012412.pdf](#)  
Attachment: [HOME DPA Sat 012412 Checklist.pdf](#)

46. [State Housing Initiatives Partnership \(SHIP\) Program Down Payment Assistance Program Satisfactions of Mortgage and Security Agreements for the families listed. \(No fiscal impact\)](#)

Attachment: [SHIP DPA 012412 Checklist.pdf](#)  
Attachment: [SHIP DPA 012412.pdf](#)

47. [Housing Choice Voucher Housing Assistance Payments \(HAP\) Contracts for the voucher numbers and the amounts listed. \(\\$30,372.00 annual expense\)](#)

Attachment: [Housing Choice Voucher Contracts.pdf](#)  
Attachment: [Housing Choice Voucher Contracts Checklist.pdf](#)

48. [HOME Investment Partnership \(HOME\) Program 2009 Community Housing Development Organization \(CHDO\) Project Agreement between Polk County and Keystone Challenge Fund, Inc. \(Keystone\). \(No fiscal impact\)](#)

Attachment: [Copy of Budget Amd HOME 1-24-12 CHDO.pdf](#)  
Attachment: [2009 CHDO Setaside funds.pdf](#)  
Attachment: [CHDO Project Agreement PY 2009 8710 Fort Socrum Village Place for 1 24 2012.pdf](#)

49. [HOME Investment Partnership \(HOME\) Program 2010 Community Housing Development Organization \(CHDO\) Project Agreement between Polk County and Keystone Challenge Fund, Inc. \(Keystone\). \(No fiscal impact\)](#)

Attachment: [2010 CHDO Setaside Funds Cklst.pdf](#)  
Attachment: [Copy of Budget Amd HOME 1-24-12 CHDO.pdf](#)  
Attachment: [CHDO Project Agreement PY 2010 7538 Floral Circle West 1 24 2012.pdf](#)

## **RISK MANAGEMENT/POLK HEALTH CARE PLAN**

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

Attachment: [LWCC dba Neurodiagnostic 12 083 RM.pdf](#)  
Attachment: [Summit Health Special 12 181 RM.pdf](#)  
Attachment: [A Mbakwem MD PA 12 174 RM.pdf](#)  
Attachment: [Florida Woman Care LLC 12 183 RM.pdf](#)  
Attachment: [LWCC dba ENT 12 179 RM.pdf](#)

## **UTILITIES**

51. [License Agreement with the Orlando-Orange County Expressway Authority for Site 34, located north of State Road 417 between International Drive and Hunter's Vista Boulevard. \(No fiscal impact\)](#)

Attachment: [STOPR License Agreement with OOCEA.pdf](#)  
Attachment: [License Agreement for Site 34 Backup.pdf](#)

52. [License Agreement with the South Florida Water Management District for Site 29, located north of Tarragona Drive in the Hunter's Creek Subdivision. \(No fiscal impact\)](#)

Attachment: [STOPR License Agreement with SFWMD.pdf](#)  
Attachment: [License Agreement for Site 29 Backup.pdf](#)

## COUNTY ATTORNEY

53. [Declare surplus and authorize the private conveyance of the County's interest in Parcel ID No. 253134-478000-000070 to Alonzo J. Graham and Annie H. Graham, husband and wife. \(\\$500.00 one-time revenue\)](#)

Attachment: [Surplus Graham Backup.pdf](#)

54. [Declare surplus and authorize the private conveyance of the County's interest in Parcel ID No. 282906-000000-033070 to Fred Albert Feagle. \(\\$2,000.00 one-time revenue\)](#)

Attachment: [Surplus Feagle Backup.pdf](#)

55. [Accept instruments for additional Rights-of-Way along Passion Play Road and Overlook Drive as requested through the Development Review Process. \(\\$63.90 one-time expense\)](#)

Attachment: [DRC Passion Play Overlook Fiscal.pdf](#)  
Attachment: [DRC Passion Play Overlook Backup.pdf](#)

56. [Declare surplus and authorize the Private conveyance of the County's interest in Parcel ID No. 232736-015500-006013 to Shelley Leetch, a married woman. \(\\$500.00 one-time revenue\)](#)

Attachment: [Surplus Leetch Backup.pdf](#)

57. [Quit Claim Deed from Southern New England Conference Association of Seventh Day Adventists. Property being donated for conservation. \(\\$18.50 one-time expense\)](#)

Attachment: [Donation 7th Day Adventist Backup.pdf](#)  
Attachment: [Conserv Donation 7th Day Adventist.pdf](#)

58. [Easement Agreement for the Inwood Community Drainage Improvements Project, Parcel ID 252824-000000-023070. \(\\$5,000.00 one-time expense\)](#)

Attachment: [Inwood Drainage Conner Backup.pdf](#)

59. [Approve Easement Agreement with John G. Noonan, as Bishop of the Diocese of Orlando, Florida. \(\\$24,860.00 one-time expense\)](#)

Attachment: [Cath eas.pdf](#)

60. [Adopt Resolution approving the issuance of Orange County Industrial Development Authority Refunding Revenue Bonds in an aggregate principal amount not to exceed \\$95,000,000.00.](#)

Attachment: [catholicresolution.pdf](#)

61. [Adopt Resolution approving the issuance of Orange County Industrial Development Authority Variable Interest Rate Revenue and Refunding Bonds in an aggregate principal amount not to exceed \\$18,000,000.00 of which \\$3,000,000.00 is for facilities in Polk County.](#)

Attachment: [resolution christian prison ministries.pdf](#)

62. [Amendment No. 1 to Residential Solid Waste Franchise Agreement No. 10-30. \(No fiscal impact\)](#)

Attachment: [Amendment1FranchiseAgrmt.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.

- [Monday, January 23, 2012 – 9:45 a.m.](#) – Central Florida Development Council (CFDC) Board meeting will be held at Lake Myrtle Sports Complex, Multi-Purpose Room, 2701 Lake Myrtle Park Drive, Auburndale.
- [Monday, January 23, 2012 – 12:00 p.m.](#) – Public Safety Coordinating Council will meet in the Commissioners' Conference Room, Room 407.
- [Monday, January 23, 2012 – 5:30 p.m.](#) – Community Relations Advisory Council will meet in the Commissioners' Conference Room, Room 407.
- [Tuesday, January 24, 2012 - 7:00 p.m.](#) - Polk Transportation Planning Organization's Citizens Advisory Committee will meet in the Multi-Purpose Room, Room 413.
- [Wednesday, January 25, 2012 – 9:00 a.m.](#) – Polk Transit Authority Board of Directors will meet in the County Commission Boardroom.
- [Wednesday, January 25, 2012 – 1:30 p.m.](#) – Board/Staff Work Session to discuss the Polk Commerce Centre Community Redevelopment Agency, will be held in the County Commission Boardroom.
- [Thursday, January 26, 2012 - 8:30 a.m.](#) - Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Neil Combee Administration Building.
- [Thursday, January 26, 2012 – 9:00 a.m.](#) – Tourist Development Council will meet at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- [Thursday, January 26, 2012 - 9:30 a.m.](#) - Polk Transportation Planning Organization's Technical

Advisory Committee will meet in the Multi-Purpose Room, Room 413.

- Thursday, January 26, 2012 – 10:30 a.m. – Library Cooperative Circulation Services will meet at the Winter Haven Public Library, 325 Avenue A NW, Winter Haven.
- Thursday, January 26, 2012 - 1:30 p.m. - Board of Adjustment will be held in the County Commission Boardroom.
- Thursday, January 26, 2012 - 4:00 p.m. - Bone Valley Selected Areas Study Focus Group will meet in the Florida Industrial and Phosphate Research Institute (FIPR) – Education Conference Room, 1855 West Main Street, Bartow.
- Thursday, January 26, 2012 – 4:15 p.m. – Polk County Historical Commission will meet at the Historical Museum, Third Floor, 100 East Main Street, Bartow.
- Friday, January 27, 2012 – 1:00 p.m. – Minority Business Input Team (MBIT) will meet in the Commissioners’ Conference Room, Room 407.
- Monday, January 30, 2012 – 4:00 p.m. – Housing Finance Authority will meet in the Commissioners’ Conference Room, Room 407.
- Wednesday, February 1, 2012 – Florida Association of Counties (FAC) 2012 Legislative Day and meetings with Legislators will be held at the Florida State University Turnbull Conference Center and in the respective Legislators’ offices or meeting areas, Tallahassee, FL.
- Wednesday, February 1, 2012 - 8:45 a.m. - Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Wednesday, February 1, 2012 - 9:00 a.m. - Planning Commission meeting will be held in the County Commission Boardroom.
- Thursday, February 2, 2012 - 8:30 a.m. - Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Neil Combee Administration Building.
- Friday, February 3, 2012 – 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, February 6, 2012 – 2:30 p.m. – Central Florida Development Council, Inc. Board of Directors will hold a Special Meeting at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Drive, Auburndale.