



Polk County Board of County Commissioners

Meeting Agenda

April 19, 2022 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 forty eight hours prior to the proceeding. Their offices are located in the County 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.

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. (MARTHA SANTIAGO, CHAIR)

INVOCATION

1. Bill DeHart, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (MARTHA SANTIAGO, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

2. Presentation of service awards to employees with 20 or more years of service to Polk County.

B. CEREMONIAL PROCLAMATIONS

C. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE AND OPPORTUNITY TO BE HEARD

3. Angela Lorio and Shannon Madina to discuss the Polk County Bully Project.
4. Comments.

D. APPROVE CONSENT AGENDA

5. Approve Consent Agenda.

E. COUNTY COMPTROLLER (STACY M. BUTTERFIELD, CPA)

6. Disbursements.
7. Approve Minutes of Regular Board Meeting held on April 5, 2022.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

H. COUNTY MANAGER (BILL BEASLEY)

8. Approve Change Order No. 1 to Contract No. 2021-059 with Hubbard Construction Company for the West Pipkin Road Widening Project, a CIP Amendment, and budget transfer. (\$1,211,759.75 one-time expense and \$1,211,760 one-time transfer)
9. Approve the Construction Manager at Risk (CMAR) 2020-052-01, Guaranteed Maximum Price (GMP) Addendum with Miller Construction Management, Inc., for the Polk County Roads & Drainage Mapping and Survey office building. (\$1,399,530 one-time expense)
10. Approve a piggyback agreement for Telephone System Maintenance and Equipment with Forerunner Technologies, Inc. (\$400,000 estimated recurring expense)

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

11. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

12. Commissioner Wilson Comments.

K. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

13. Commissioner Braswell Comments.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

14. Commissioner Combee Comments.

M. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO, CHAIR)

15. Waste Collection Update - Bill Beasley
16. Chair Santiago Comments.

N. LAY BOARD APPOINTMENTS

O. PUBLIC HEARINGS

* County Attorney opening comments

17. Public Hearing to consider Adoption of an Ordinance to amend Ordinance 86-35 "Polk County Parking Ordinance" by Amending Section 2(1)(b) to Prohibit Parking on the Roadway Within Fifty Feet of an Intersection Upon Any County Road; Providing for Severability: Providing an Effective Date. (\$312.70 one-time expense)
18. Public Hearing (LDCT-2021-19 Logistics Storage Yard) (First Public Hearing - No Action) to consider an applicant-initiated ordinance amending the Land Development Code to amend the conditional use criteria in Section 303 for Salvage Yards. (Request Continuance to May 17, 2022 at 9:30 a.m. – 1st Reading and June 7, 2022 at 9:30 a.m. – 2nd Reading)
19. Public Hearing (LDCT-2022-1 Enterprise Rental) (First Public Hearing - No Action) an applicant-initiated ordinance amending the Use Table for the North Ridge Selected Area Plan to add "Heavy Machinery Equipment Sales and Services" as a "C2" conditional use in Regional Activity Center-X (RACX) future land use districts.

20. Public Hearing (LDCPAL 2022-3 CIE and Water Supply Plan) (Transmittal Public Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to update the Water Supply Plan and the Capital Improvements Element.
21. Public Hearing (LDPD-2021-33 Peace Creek De Novo Hearing) to consider an appeal to the Planning Commission's decision to deny LDPD-2021-33.

P. CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

22. Removal of equipment from inventory as listed on Blanket Removal Form 2145.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

23. SET HEARING (LDCDD-2021-8 Amendment North Power Line Road CDD Scrivener's Error) to consider the adoption of an applicant-initiated ordinance to amend an existing Community Development District (CDD) ordinance. (Suggested hearing date is May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
24. SET HEARING (LDCDD-2022-1 Yarborough Lane CDD) to consider the adoption of an applicant-initiated ordinance to establish the boundary of a Community Development District (CDD) in the unincorporated area of the county. (Suggested hearing date is May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
25. SET HEARING (LDCPAL-2021-24 Canopy Oaks) to amend the Comprehensive Plan, Appendix 2.135 Parcel Specific Future Land Use Map Amendments with Conditions. This request is a companion to LDCT-2021-8. (Suggested hearing dates are May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda and July 5, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
26. SET HEARING (LDCT-2021-8 Canopy Oaks) to amend the Land Development Code, Appendix E, Section E105 Parcel Specific Comprehensive Plan Amendments with Conditions. This request is a companion to LDCPAL-2021-24. (Suggested hearing dates are May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda and July 5, 2022 at 9:30 a.m. or immediately following the Regular Agenda)

27. SET HEARING (LDCPAS-2022-2 Reynolds Road CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 2.23 +/- acres from Convenience Center (CC) to Business Park Center (BPC) in the Transit Supportive Development Area (TSDA). (Suggested hearing date is May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
28. SET HEARING (LDCPAS-2022-3 3KS Family CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 12.85 +/- acres from Business Park Center-X (BPCX), Residential Low-X (RLX) and Lakes-X (LAKESX) to Industrial-X (INDX) in the Transit Supportive Development Area (TSDA). (Suggested hearing date is May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
29. SET HEARING (LDCPAL-2022-1 BPC in the RDA) a Large-Scale Comprehensive Plan text amendment to relating to Business Park Center (BPC) in the Rural Development Area (RDA) and the Floor Area Ratio for BPC in the RDA. (Suggested hearing dates are May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda and July 5, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
30. SET HEARING (LDCPAS 2021-24 Murex Enterprise RH CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 24.19 +/- acres from Business Park Center (BPC) to Residential High (RH) for 457 apartments in the Transit Supportive Development Area (TSDA) and to Appendix 2.135 to add a section to reference this case to have development conditions in the Land Development Code (LDC). This case is related to LDCT-2021-22. (Suggested hearing date is May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
31. Approve the release of a surety in the form of an Irrevocable Standby Letter of Credit reference number 18133050-00-000 in the amount of \$1,389,704 for Forest Hills Master Infrastructure. (No fiscal impact)
32. Accept Forest Hills Master Infrastructure potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
33. Accept a one-year cash warranty surety in the amount of \$71,989 for Forest Hills Master Infrastructure. (No fiscal Impact)
34. Accept Performance Surety Bond No. 0242497 for Parkside in the amount of \$109,494. (No fiscal impact)
35. Approve Spirit Landings plat for Conditional Approval. (No fiscal impact)
36. Approve Trinity Ridge Commercial Parcel F-Replat plat for Conditional Approval. (No fiscal impact)
37. Adopt a Resolution to support the American Association of State Highway Transportation Officials (AASHTO) designation of United States Bicycle Route 15 through Polk County. (No fiscal impact)

DEPUTY COUNTY MANAGER

BUDGET & MANAGEMENT SERVICES

38. Approve an American Rescue Plan Funding Agreement with Heart for Winter Haven, Inc. (\$200,000 one-time expense)

PROCUREMENT

39. Approve the Second Amendment to Lease No. 340 and Amendment No. 2 to the Agreement with Ultimate Fitness Center, Inc. (UFC) to operate the Polk County Fitness Center. (No fiscal impact)
40. Approve a Grazing Lease Agreement with J.E. Davis Corporation. (\$3,001 annual revenue)
41. Approve agreements with Playmore West, Inc. dba Playmore Recreational Products and Services for RFP 22-095 Hunt Brothers Park & West Lake Wales Park Playground Equipment & Installation. (\$199,255 one-time expense)

COMMUNICATIONS

42. Proclaim April 25 - 29, 2022 as Parental Alienation Awareness Week.

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

43. Approve the Amendment No.2 to the Emergency Rental Assistance Subaward Agreement with Heart for Winter Haven, Inc. (\$250,000 one-time expense)

EQUITY & HUMAN RESOURCES

INFORMATION TECHNOLOGY

CODE ENFORCEMENT

COUNTY PROBATION

RISK MANAGEMENT

INDIGENT HEALTH CARE

DEPUTY COUNTY MANAGER

FACILITIES MANAGEMENT

FLEET MANAGEMENT

PARKS & NATURAL RESOURCES

FIRE RESCUE

EMERGENCY MANAGEMENT

44. Adopt the updated county Comprehensive Emergency Management Plan (CEMP). (No fiscal impact)

REAL ESTATE SERVICES

45. Accept instruments for additional right-of-way along Polk City Road (CR 559) and Nalcrest Road/Leisure Lane as requested through the Development Review Process. (No fiscal impact)

- 46. Accept Quit Claim Deeds for property being donated for conservation preservation, Schick Trust and Kneebone Estate Parcels. (No Fiscal impact)
- 47. Approve Amendment to Lease No. 270, Grazing Lease Extension Agreement between Polk County and ADK Cattle, LLC. (\$17,118.51 annual revenue)
- 48. Declare surplus and authorize the private conveyance of four County-owned properties to Scott Langston. (\$3,000 one-time revenue)
- 49. Approve Right-of-Way agreements from multiple property owners for temporary construction easements associated with drainage improvements along Chestnut Road. (\$14,500 one-time expense)

ROADS & DRAINAGE

- 50. Approve Modification No. 1 to CSA No. 17-055-05 with Kisinger Campo & Associates, Corp. for the Thornhill Road Bridge Replacement project. (\$98,039 one-time expense)
- 51. Approve Consultant Services Authorization No. 17-049-13 with AECOM Technical Services, Inc. to provide engineering services for the HB 53 Stormwater Needs Analysis Report. (\$123,865 one-time expense)

UTILITIES

WASTE & RECYCLING

ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY

COURT RELATED

POLK COUNTY PROPERTY APPRAISER

POLK COUNTY SHERIFF

POLK COUNTY SUPERVISOR OF ELECTIONS

POLK COUNTY TAX COLLECTOR

SUPERINTENDENT OF POLK COUNTY SCHOOLS

WORKFORCE DEVELOPMENT BOARD

COUNTY ATTORNEY

- 52. SET HEARING to consider adoption of an ordinance establishing the Polk County Local Provider Participation Fund. (Suggested hearing date is May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
- 53. SET HEARING to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption for Project Flame, an expanding business. (Suggested hearing date is May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
- 54. Approve a Release of Lien for Amanda Cherie Holmes for a Workforce Housing Impact Fee Mitigation. (No fiscal impact)

55. Approve an agreement with Maria Gallo, Esq. for Hearing Officer Services for Dangerous Dog Hearings.
56. Adopt Resolution approving Declarations Extending State of Local Emergency 22-01 (2022 Residential Waste Collection Emergency). (No fiscal impact).
57. Authorize the County Attorney to execute required documents to sign-on or “opt-in” to settlements with CVS, TEVA and Allergan for opioid litigation and execute all documents on behalf of Polk County required by the settlement.

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.

- Wednesday, April 20, 2022 - 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Wednesday, April 20, 2022 – 10:00 a.m. – Efficiency Commission meeting will be held in the Multi-Purpose Room, Room 413.
- Thursday, April 21, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Thursday, April 21, 2022 - 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, April 21, 2022 - 9:00 a.m. – Tourist Development Council meeting will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Monday, April 25, 2022 - 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.

- Tuesday, April 26, 2022 - 8:30 a.m. – Lakeland Area Mass Transit District Board Retreat will be held at Lake Crago Outdoor Recreation Complex, 525 Lake Crago Drive, Lakeland.

- Thursday, April 28, 2022 - 7:30 a.m. – Polk Vision’s State of the County Event will be held at the Polk State College Center for Public Safety, 1251 Jim Keene Boulevard, Winter Haven.

- Thursday, April 28, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.

- Thursday, April 28, 2022 - 1:30 p.m. – Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.

- Friday, April 29, 2022 - 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.