



Polk County Board of County Commissioners

Meeting Agenda

April 20, 2021 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. (RICK WILSON, CHAIRMAN)

INVOCATION

1. The Rev. Canon Angela Ifill, St. Mark's Church, Haines City

PLEDGE OF ALLEGIANCE (RICK WILSON, CHAIRMAN)

A. PRESENTATIONS and RECOGNITIONS

2. Video Recognition of employees with more than 20 years of service to Polk County.

B. CEREMONIAL PROCLAMATIONS

3. Proclaim April 26 – 30, 2021 as Polk County Juror Appreciation Week.

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

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 6, 2021.
8. Recognize the Third Accreditation for the Clerk's Department of Inspector General.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (MICHAEL CRAIG)

9. Accept Solterra Resort Bowen Road Offsite Utilities for ownership, operation and maintenance by Polk County Utilities. (No fiscal impact)
10. Approve an Implementation Agreement for the West Polk Lower Floridan Aquifer Wellfield, an Approved Water Project of the Polk Regional Water Cooperative.
11. Approve an Implementation Agreement for the Southeast Wellfield Lower Floridan Aquifer project, an approved water project of the Polk Regional Water Cooperative.

H. COUNTY MANAGER (BILL BEASLEY)

12. Approve the Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) Addendum with Rodda Construction Inc. for the Northeast Regional Park (NERP) baseball complex expansion. (\$5,631,191 one-time expense)
13. Approve Right-of-Way Agreement for Parcel 106AB and remainder (Redgrave et al) in conjunction with the Lake Wilson Road Widening Improvement Project. (\$4,490,000 one-time expense)
14. Approve Amendment No. 1 to the Agreement with AECOM Technical Services, Inc. to provide design, construction and post construction services for the Marigold Avenue and CR 580 (Cypress Parkway) Widening Project. (\$2,730,039 not-to-exceed expense)

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

15. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

16. Commissioner Braswell Comments.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

17. Commissioner Santiago Comments.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

18. Commissioner Combee Comments.

M. COMMISSIONER DISTRICT 2 (RICK WILSON, CHAIRMAN)

19. Chairman Wilson Comments.

N. LAY BOARD APPOINTMENTS

O. PUBLIC HEARINGS

* County Attorney opening comments

20. Public Hearing to consider the adoption of a Joint Planning Area and Interlocal Agreement – Amendment #2 between the City of Auburndale and Polk County.

21. Public Hearing (LDCPAS 2020-10 Clark Custom Air) (Adoption Hearing) to consider a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation on 0.36 +/- acres from Residential Low (RL) to Commercial Enclave (CE) in the Transit Supportive Development Area (TSDA).
22. Public Hearing (LDCPAS 2020-14 Southsee Corp) (Adoption Hearing) to consider a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation on 4.52 +/- acres from Residential Suburban (RS) in the Suburban Development Area (SDA) to Leisure Recreation (L/R) in the Transit Supportive Development Area (TSDA).

P. CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

23. Removal of equipment from inventory as listed on Blanket Removal Form 2121.

24. Appoint Property Custodian for Risk Management.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

25. Accept Joe's Car Wash at Davenport potable water and wastewater utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
26. Accept a one-year warranty and cash surety in the amount of \$2,400.09 for Joe's Car Wash at Davenport. (No fiscal Impact)
27. SET HEARING (LDCPAS 2020-10 Clark Custom Air) (Adoption Hearing) to consider a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation on 0.36 +/- acres from Residential Low (RL) to Commercial Enclave (CE) in the Transit Supportive Development Area (TSDA). (Suggested hearing date is April 20, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
28. SET HEARING (LDCT 2020-14 Poinciana-DRI) to consider adoption of a text amendment to the Land Development Code, Chapter 4. (Suggested hearing dates are May 4, 2021 at 9:30 a.m. or immediately following the Regular Agenda and July 6, 2021 at 9:30 a.m. or immediately following the Regular Agenda)

29. SET HEARING (LDCPAL 2020-22 Poinciana-Cypress CPA) to consider the adoption of a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation on 131 +/- acres from Poinciana Pre-Development of Regional Impact (Pre-DRI) in the Rural Development Area (RDA) to Residential Medium (RM) and Convenience Center (CC) in the Transit Supportive Development Area (TSDA) and a text amendment to the Comprehensive Plan to modify Section 2-130-A. (Suggested hearing dates are May 4, 2021 at 9:30 a.m. or immediately following the Regular Agenda and July 6, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
30. Approve Delphi Hills plat for Conditional Approval. (No fiscal impact)
31. Approve Enclave at Lake Myrtle Plat for Conditional Approval. (No fiscal impact)
32. Approve Lake James Phase Four Plat for Conditional Approval. (No fiscal impact)
33. Accept Performance Surety Bond No. 41K235040 for Mattie Pointe in the amount of \$346,082. (No fiscal impact)
34. Approve Solivita-Phase 5H-Unit 3 plat for Conditional Approval. (No fiscal impact)
35. Accept Performance Surety Bond and Bond Rider No. 613-102705-2 for Solivita 5H Unit 2 in the amount of \$242,708.85. (No fiscal impact)
36. Accept Seminole Tribe of Florida (STOF) Lakeland Entryway offsite potable water utility system improvements for ownership, operation and maintenance by Polk County Utilities. (No fiscal impact)
37. Accept a one-year warranty and surety in the amount of \$6,054.65 in the form of Maintenance Bond No. 2706483 for Seminole Tribe of Florida (STOF) Lakeland Entryway. (No fiscal Impact)
38. Approve the release of a surety in the form of Performance Bond No. 1072455 in the amount of \$1,465,090.31 Tivoli Reserve Phase 1. (No fiscal impact)
39. Approve the release of a warranty and surety in the amount of \$207,351.25 in the form of Maintenance Bond No. 72BSBHU7542 for Tivoli Reserve Phase 1. (No fiscal impact)
40. Approve the release of a surety in the form of Performance Bond No. 72BSBIC2961 in the amount of \$240,741.33 for Tivoli Reserve Phase 2. (No fiscal impact)
41. Accept Tivoli Reserve Phase 2 potable water, wastewater and reclaimed water utility system improvements for ownership, operation and maintenance by Polk County Utilities. (No fiscal impact)
42. Accept a one-year warranty and surety in the amount of \$71,854.44 in the form of Maintenance Bond No. 1087364 for Tivoli Reserve Phase 2. (No fiscal Impact)
43. Approve the release of a surety in the form of Performance Bond No. S-324118 in the amount of \$2,399,599.28 Vistamar (aka Fox Run). (No fiscal impact)
44. Approve recommended changes to the functional classification of select Polk County roads. (No fiscal impact)
45. Approve Windsor Island Resort Phase 2A Plat for Conditional Approval. (No fiscal impact)

46. Accept a three-year warranty and surety in the amount of \$79,996.39 in the form of Maintenance Bond No. S-324118 for Vistamar Villages Phase 1 (aka Fox Run) paving. (No fiscal Impact)
47. Accept Vistamar Villages Phase 1 (aka Fox Run) potable water, wastewater and reclaimed water utility system improvements for ownership, operation and maintenance by Polk County Utilities. (No fiscal impact)
48. Accept Vistamar Villages Phase 2 and 3 (aka Fox Run) potable water, wastewater and reclaimed water utility system improvements for ownership, operation and maintenance by Polk County Utilities. (No fiscal impact)
49. Accept a one-year warranty and surety in the amount of \$61,307.57 in the form of Maintenance Bond No. S-324118 for Vistamar Villages Phase 2 and 3 (aka Fox Run). (No fiscal impact)
50. Accept Bridgewater Crossings wastewater utility system improvements for ownership, operation and maintenance by Polk County Utilities. (No fiscal impact)
51. Accept a one-year warranty and cash surety in the amount of \$790 for Bridgewater Crossings. (No fiscal Impact)
52. Accept a one-year warranty and surety in the amount of \$246,972.51 in the form of Maintenance Bond No. S-324118 for Vistamar Villages Phase 1 (aka Fox Run). (No fiscal Impact)
53. Accept a three-year warranty and surety in the amount of \$19,898.67 in the form of Maintenance Bond No. S-324163 for Vistamar Villages Phase 2 and 3 (aka Fox Run) paving. (No fiscal Impact)

DEPUTY COUNTY MANAGER

PROCUREMENT

54. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with KPM Franklin for RFP 21-205, Professional Engineering Services for Jan Phyl Village drainage improvements. (No fiscal impact)
55. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Patel, Greene & Associates for RFP 21-306, Professional Engineering Services for Eloise Loop Road drainage improvements. (No fiscal impact)
56. Approve construction contract with Florida Exterior Coating, Inc. for the Polk County Administration Building Roof Replacement project. (\$403,515 one-time expense)

COMMUNICATIONS

57. Proclaim April 22, 2021 as Earth Day.
58. Proclaim April 25th to May 1st, 2021 as Tobacco Free Florida Week.

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

59. Approve State Housing Initiative Partnership (SHIP) program subordination agreement for Case HHR-LA-0018. (No fiscal impact)
60. Approve Community Development Block Grant (CDBG) Program homeowner assistance agreements for property located in Babson Park, FL for Case RC21-CDBG-001. (\$137,395.55 one-time expense)
61. Approve 2019 Community Housing Development Organization (CHDO) funds for two single family new construction projects. (\$240,000 one-time expense)

EQUITY & HUMAN RESOURCES

INFORMATION TECHNOLOGY

CODE ENFORCEMENT

COUNTY PROBATION

62. Approve the Certificate of Participation between Polk County and the Florida Department of Law Enforcement. (No fiscal impact)

RISK MANAGEMENT

INDIGENT HEALTH CARE

DEPUTY COUNTY MANAGER

FACILITIES MANAGEMENT

63. Approve a Consultant Services Authorization with Inwood Consulting Engineers, Inc. for civil engineering services associated with the Roads and Drainage Ernie Caldwell Dundee Sub-Station project. (\$269,169.54 one-time expense)

FLEET MANAGEMENT

PARKS & NATURAL RESOURCES

FIRE RESCUE

EMERGENCY MANAGEMENT

64. Adopt Resolution renaming Prestwick Drive to BELLA PRESTWICK BLVD. (\$80.00 one-time expense)

ROADS & DRAINAGE

65. Adopt Resolution setting speed limits on County Road 35A (Kathleen Road), near Lakeland. (\$123.21 one-time expense)
66. Adopt Resolution setting speed limits on County Road 559 (Formerly State Road 559), near Auburndale. (No fiscal impact)
67. Adopt a Resolution setting speed limit on Taylor Lane, near Polk City. (\$121.15 one-time expense)

68. Adopt a Resolution setting speed limit on Lee Avenue (AKA Lee Court and Lees Court), near Bartow. (\$121.15 one-time expense)
69. SET HEARING to consider adoption of a Resolution allowing for the installation of traffic calming devices (speed humps) on Avenue Y Northeast, near Winter Haven. (Suggested hearing date is Tuesday, May 18, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
70. SET HEARING to consider adoption of a Resolution allowing for the installation of traffic calming devices (speed humps) on Sixth Street Northeast, near Winter Haven. (Suggested hearing date is Tuesday, May 18, 2021, at 9:30 a.m. or immediately following the Regular Agenda)
71. Approve Modification No. 3 to the Consultant Services Authorization with HDR Engineering, Inc. for the Keith Lane Drainage Improvements Project and approve a CIP amendment and budget transfer. (\$16,087.39 one-time expense and \$523,003 one-time transfer)

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

72. Approve Memorandum of Understanding and Infrastructure Funding Agreement by and between CareerSource Polk and Florida Department of Education Division of Vocational Rehabilitation for coordination of resources and ensure effective and efficient delivery of the One-Stop Customer Service Delivery System.
73. Adopt Resolution approving Extensions to Declaration of State of Local Emergency 20-01. (No fiscal impact).
74. SET HEARING to consider adoption of an ordinance amending Ordinance 20-007, the Economic Development Ad Valorem Tax Exemption for Peace River Citrus Products, Inc. (Suggested hearing date is May 4, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
75. Approve Subordination Agreement between Polk County and the City of Lakeland for parcels acquired for the West Pipkin Road Improvement Project.

76. SET HEARING to consider requests to vacate a portions of a platted right-of-way as shown on the Revised Plat of Crooked Lake; a portion of maintained right-of-way for Old Berkley Road and a platted drainage and utility easement as shown on the plat of Poinciana Neighborhood 4, Village 7. (Suggested hearing date is May 4, 2021 at 9:30 a.m or immediately following the regular agenda)
77. Approve Right-of-Way Agreement for Parcel 103 in conjunction with the County Road 54 at County Road 547 Intersection Improvement Project. (\$66,500 one-time expense)
78. Approve Land Purchase Agreements in conjunction with the purchase of conservation preservation properties located in the Lake Wales Ridge Ecosystem Project - Crooked Lake West Area; Pavao and Strong parcels. (\$3,000 one-time expense)
79. Authorize a Release of Easement for an easement located adjacent to Ernie Caldwell Boulevard. (No fiscal impact)
80. Accept instrument for additional right-of-way for Eagle Lake Loop Road as requested through the Development Review Process. (No fiscal impact)
81. Accept utility easement from Blackwater Storage, LLC, as requested through the Development Review Process. (No fiscal impact)
82. Approve Subordination Agreement for Workforce Housing Impact Fee Lien. (No fiscal impact)
83. Approve Resolution calling on Congress and the President to repeal the 2001 Authorization for use of military force (AUMF), to end the endless war in Afghanistan and bring our troops home.

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, April 20, 2021 - 10:00 a.m. (or immediately following the Board of County Commissioners' meeting) – Board/Staff Work Session to discuss Franchising – Commercial Waste Hauling will be held in the County Commission Boardroom.
- Tuesday, April 20, 2021 - 6:00 p.m. – Stormwater Technical Advisory Committee (STAC) Informational Meeting will be held via virtual meeting. For meeting information, please contact Tabitha Biehl at (863)534-7377 or tabithabiehl@polk-county.net.

- Wednesday, April 21, 2021 - 5:30 p.m. – Housing & Neighborhood Development will hold a virtual public meeting regarding the FY 2019-2020 Consolidated Action Plan Amendment No. 4 and FY 2020-2021 Consolidated Action Plan Amendment No. 1. For meeting information, please contact Nancy Hurley, Housing Compliance Manager, at NancyHurley@polk-county.net.

- Thursday, April 22, 2021 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.

- Thursday, April 22, 2021 - 9:00 a.m. – Tourist Development Council meeting will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.

- Thursday, April 22, 2021 - 1:30 p.m. – Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.

- Monday, April 26, 2021 - 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.

- Tuesday, April 27, 2021 - 9:00 a.m. – Finance & Audit Committee meeting will be held in the County Commission Boardroom.

- Tuesday, April 27, 2021 - 12:30 p.m. – Leadership Northeast Polk Lunch & Roundtable Discussion will be held in the Multi-Purpose Room, Room 413.

- Wednesday, April 28, 2021 - 9:00 a.m. – Affordable Housing Advisory Committee (AHAC) meeting will be held in the Multi-Purpose Room, Room 413.

- Wednesday, April 28, 2021 - 2:00 p.m. – Polk Regional Water Cooperative Board

of Directors Special Meeting will be held at Nora Mayo Hall, 500 3rd Street NW, Winter Haven.

- Thursday, April 29, 2021 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.

- Friday, April 30, 2021 - 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 County Commission Boardroom.