



Polk County Board of County Commissioners

Meeting Agenda

April 5, 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 "Year of Water Skiing" Florida House Resolution. (Representative Melony Bell)

B. CEREMONIAL PROCLAMATIONS

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

3. Karen Freedman, League of Women Voters Climate Action Committee Chair - Climate Change/Local Sustainability Presentation.
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 March 15, 2022.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

8. Accept Annual Financial Audit Report for the Highland Meadows Community Development District.
9. Approve Astonia North 2 plat for Conditional Approval. (No fiscal impact)
10. Approve the release of a warranty and surety in the amount of \$42,658.05 in the form of Irrevocable Standby Letter of Credit No. 3337905-1 for Hunter's Crossing Phase 3. (No fiscal impact)
11. Accept Hunter's Crossing Phase IV potable water and wastewater utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
12. Accept a one-year cash warranty surety in the amount of \$23,151.24 for Hunter's Crossing Phase IV. (No fiscal Impact)
13. Approve mediated settlement agreement with A & E Autobody, Inc. for parcels 100, 101, 102, 103 and 105, to acquire needed rights-of-way for the Thompson Nursery Road Project. (\$7,838,880 one-time expense)

H. COUNTY MANAGER (BILL BEASLEY)

14. Approve an agreement with Florida Polytechnic University Board of Trustees to conduct a broadband feasibility study. (\$250,000 one-time expense)

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

15. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

16. Commissioner Wilson Comments.

K. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

17. Commissioner Braswell Comments.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

18. Commissioner Combee Comments.

M. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO, CHAIR)

19. Waste Collection Update - Bill Beasley
20. Chair Santiago Comments.

N. LAY BOARD APPOINTMENTS

O. PUBLIC HEARINGS

* County Attorney opening comments

21. Public Hearing (LDCPAL-2021-17 Meadowbrook CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 90.57 +/- acres from Agricultural/Residential-Rural (A/RR) in the Rural Development Area (RDA) to Residential Suburban (RS) in the Suburban Development Area (SDA).
22. Public Hearing (LDCPAL-2021-20 Canterwood South) (Adoption Hearing) to consider a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 203 +/- acres from Development of Regional Impact (DRI) to Residential Low (RL) in the Urban Growth Area (UGA).
23. Public Hearing (LDCPAS-2021-23 Gibsonia Gardens CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 34.35 +/- acres from Residential Low (RL) and Linear Commercial Corridor (LCC) to Preservation (PRESV) and Residential Medium (RM) in the Transit Supportive Development Area (TSDA).
24. Public Hearing (LDCPAS-2021-19 Recker Highway CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 3 +/- acres from Residential Suburban (RS) to Business Park Center (BPC) in the Suburban Development Area (SDA).
25. Public Hearing (LDWA-2022-10 Twin Lakes Access Waiver) (Adoption Hearing) to consider an applicant-initiated request seeking a waiver to Section 705 of the Land Development Code (LDC).
26. Public Hearing (LDCT-2021-22 Murex RH LDC Text Amendment) (First Hearing - No Action) to consider an applicant-initiated ordinance amending Appendix E, Parcel Specific Future Land Use with Conditions, of the Land Development Code to add development conditions for property related to LDCPAS-2021-24 which is a Future Land Use designation change 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 LDC.
27. Public Hearing (LDCT-2021-21 Bartow Airport Authority) (Adoption Hearing) to consider an applicant-initiated ordinance amending the Land Development Code to amend Table 2.1 Use Table to list "Retail, Home Sales Offsite" as a "P" Permitted Use within Industrial (IND) land use districts.
28. Public Hearing (LDCT-2022-3 TCX Drive-Thru) (Adoption Hearing) to consider an applicant-initiated ordinance amending the Land Development Code to amend the location criteria for uses with drive-thru facilities in Town Center-X (TCX) land use districts in the US Highway 98 Selected Area Plan (SAP).
29. Public Hearing (LDCD-2021-12-PC North Central Landfill Sub-District Change) to consider a Sub-District Map change from Institutional-1 (INST-1) to Institutional-2 (INST-2) in the Rural Development Area (RDA) on +/- 210 acres.
30. Public Hearing (LDCPAL-2021-16 PC North Central Landfill CPA) (Adoption Public Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 210 +/- acres from Business Park Center (BPC) and Recreation Open space (ROS) to Institutional (INST) in the Rural Development Area (RDA).

P. CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

31. Removal of equipment from inventory as listed on Blanket Removal Form 2144

COUNTY MANAGER

32. Approve letter of support to the Governor for Water Infrastructure Funding.

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

33. SET HEARING (LDCT-2021-19 Logistics Storage Yard) to consider an applicant-initiated ordinance amending the Land Development Code to amend the conditional use criteria in Section 303 for Salvage Yards (Suggested hearing dates are April 19, 2022 at 9:30 a.m. or immediately following the Regular Agenda and May 17, 2022 at 9:30 or immediately following the Regular Agenda)
34. SET HEARING (LDCT-2022-1 Enterprise Rental) to consider 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. (Suggested hearing dates are April 19, 2022 at 9:30 a.m. or immediately following the Regular Agenda and May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
35. SET HEARING (LDPD-2021-41 Marcum Road De Novo Hearing) to consider an appeal to the Planning Commission's decision to approve LDPD-2021-41. (Suggested hearing date is May 3, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
36. SET HEARING (LDCPAL-2022-3 Water Supply Plan) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to update the 10-Year Water Supply Plan. (Suggested hearing dates are April 19, 2022 at 9:30 a.m. or immediately following the Regular Agenda and May 17, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
37. Approve Estates at Lake Buffum Grove plat for Conditional Approval. (No fiscal impact)
38. Approve Redding Pointe plat for Conditional Approval. (No fiscal impact)
39. Accept a cash Performance Surety for Fantasy Island Resort Orlando in the amount of \$835,755.80. (No fiscal impact)
40. Accept Performance Surety Bond No. S-335717 for Helena Road Orleans in the amount of \$17,055.50. (No fiscal impact)

41. Approve the release of a warranty and cash surety in the amount of \$5,999.39 for Hunter's Meadow. (No fiscal impact)
42. Accept Shepherd Storage & RV Park potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
43. Accept a one-year warranty and surety in the amount of \$8,093.13 in the form of Maintenance Bond No. 1174674 Shepherd Storage & RV Park. (No fiscal Impact)
44. Approve the release of a surety in the form of Performance Bond No. 613-102705-2 in the amount of \$242,708.85 for Solivita 5H Unit 2. (No fiscal impact)
45. Approve the release of a surety in the form of Performance Bond No. 024252868 in the amount of \$290,684.02 for Solivita Phase 5H Unit 3. (No fiscal impact)
46. Approve the release of a surety in the form of Performance Bond No. 41K235100 in the amount of \$474,417.79 for Village at Crystal Beach. (No fiscal impact)
47. Accept Village at Crystal Beach potable water and wastewater utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
48. Accept a one-year warranty and surety in the amount of \$70,076.10 in the form of Maintenance Bond No. 41K235467 for Village at Crystal Beach. (No fiscal Impact)
49. Accept Performance Surety Bond No. 59BSBIU1770 for Windsor Island Resort Phase 2B in the amount of \$2,182,639.85. (No fiscal impact)
50. Approve recommended changes to the functional classification of the following Polk County roads: Four Corners Blvd., Moss Road E., and CR 550 (Overlook Drive). (No fiscal impact)
51. Approve and sign a notice of termination for the Polk Commerce Centre Development of Regional Impact (DRI) Development Order and request Clerk to record Notice. (No fiscal Impact)

DEPUTY COUNTY MANAGER

BUDGET & MANAGEMENT SERVICES

52. Approve an American Rescue Plan Funding Agreement with Theatre Winter Haven, Inc. (\$15,000 one-time expense)
53. Approve an American Rescue Plan Fund Agreement with Rise Up Feed and Seed Ministries, Inc. (\$60,000 one-time expense)
54. Approve an American Rescue Plan Funding Agreement with Southeast Christian Assemblies of God, Inc., Turning Point Worship Center. (\$75,000 one-time expense)
55. Approve an American Rescue Plan Funding Agreement with Warner University. (\$532,020 one-time expense)
56. Approve an American Rescue Plan Funding Agreement with Aerospace Center for Excellence, Inc. (\$600,000 one-time expense)

57. Approve a one-time allocation of \$500,000 for Clerk of Courts due to unspent FY20/21 appropriations.

PROCUREMENT

58. Approve an agreement with Cardno, Inc. to provide professional engineering services for the Imperial Lakes Boulevard drainage improvement project. (\$121,135 one-time expense)
59. Approve agreement with Downs & St. Germain Research, Inc for RFP 22-181, Annual Ongoing Detailed Tourism-Based Research. (\$85,000 estimated annual expense)
60. Approve Piggyback Agreement for Security Guard Services with Universal Protection Service, LLC d/b/a Allied Universal Security Services (\$86,000 estimated recurring annual expense)
61. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Playmore West, Inc. dba Playmore Recreational Products and Services to provide and install playground equipment. (No fiscal impact)

COMMUNICATIONS

62. Proclaim April 2022 as Water Conservation Month.
63. Proclaim April 2022 as Child Abuse Prevention Month.

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

64. Approve Amendment Four to the subcontract between the Ounce of Prevention Fund of Florida and Polk County, for the provision of Healthy Families Polk Services for Fiscal Year 2021-2022. (\$200,000 one-time reduction)
65. Approve the First Amendment to an American Rescue Plan Local Fiscal Recovery Funding Agreement with Gospel Inc. (No fiscal Impact)
66. Approve Community Development Block Grant COVID-19 3 (CDBG-CV3) Subrecipient Agreement Amendment No. 2 between Polk County and Gospel, Inc. (\$27,500 one-time expense)
67. Approve Community Development Block Grant COVID-19 3 (CDBG-CV3) Subrecipient Agreement Amendment No. 2 between Polk County and Salvation Army, A Georgia Corporation. (\$27,500 one-time expense)
68. Approve Community Development Block Grant COVID-19 3 (CDBG-CV3) Subrecipient Agreement Amendment No. 2 between Polk County and Volunteers In Service to The Elderly (VISTE). (\$27,500 one-time expense)
69. Approve Community Development Block Grant COVID-19 3 (CDBG-CV3) Subrecipient Agreement Amendment No. 2 between Polk County and Winter Haven Housing Authority. (\$27,500 one-time expense)
70. Approve Community Development Block Grant COVID-19 3 (CDBG-CV3) Subrecipient Agreement between Polk County and HANDS of Central Florida, Inc. (\$979,000 one-time expense)

71. Approve Emergency Solutions Grant COVID-19 1 (ESG-CV1) Subrecipient Agreement Amendment No. 3 between Polk County and Homeless Coalition of Polk County, Inc. (\$45,000 one-time expense)
72. Approve HOME Investment Partnership rehabilitation/replacement program homeowner assistance agreement, for the property located in Winter Haven, FL (\$153,085.60 one-time expense)
73. Approve HOME Investment Partnership rehabilitation/replacement program homeowner assistance agreement, for the property located in Bradley, FL (\$145,931.20 one-time expense)
74. Approve Community Development Block Grant (CDBG) rehabilitation/replacement modification of mortgage, homeowner assistance agreement and grant agreement for Case RC20-CDBG-003. (\$1,424 one-time expense)
75. Approve the third amendment to the contract with Tri-County Human Services, Inc. (TCHS) to provide Housing and Benefits Specialists for the Roots program. (\$20,000 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

76. Adopt a Resolution renaming a public roadway from Tower Rd S to Blue View Rd.

REAL ESTATE SERVICES

77. Accept City Deed from the City of Winter Haven for Parcel 168, in conjunction with the Thompson Nursery Road Phase 1 – Segment 4 Project. (No Fiscal Impact)
78. Approve Right-of-Way agreement between Polk County and Charles Case, for additional right-of-way along Socrum Loop Road. (\$8,000 one-time expense)
79. Accept instrument for additional right-of-way along Grant Road as requested through the Development Review Process. (No fiscal impact)

80. Authorize a Release of Easement for a Drainage Easement and authorize a County Deed to U.S. Agri-Chemicals Corporation. (No fiscal impact)
81. Declare surplus and authorize the public sale of County-owned Parcel ID Number 242924-000000-033120. (Potential for \$35,000 or greater, one-time revenue)
82. Authorize the conveyance of two County owned parcels to the City of Lakeland. (No fiscal impact)
83. 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, Broome Estate, Zielinski, Roberts and Trautman parcels. (\$6,100 one-time expense)
84. Approve CIP amendment and Land Purchase Agreement between Anna Marie Gish and Polk County in conjunction with the Crooked Lake Waste Water Treatment System, Lift Station 375. (\$160,000 one-time expense)

ROADS & DRAINAGE

85. Approve Modification No. 1 to CSA No. 17-058-04 with Rummel, Klepper & Kahl, LLP for the East Main Street at Combee Road Intersection Improvement Project. (\$19,792 one-time expense)
86. Adopt a Resolution setting speed limits on Bandon Dunes Loop and Foxtail Loop within the Blossom Grove Estates Subdivision, near Davenport. (\$357.02 one-time expense)
87. Adopt a Resolution setting speed limit on Moose Lodge Road, near Bartow. (\$262.21 one-time expense)
88. Adopt a Resolution setting parking restrictions on Village Circle Southwest, near Winter Haven. (\$121.23 one-time expense)
89. Adopt a Resolution setting speed limit on Burtis Street, near Lakeland. (\$262.21 one-time expense)
90. Adopt a Resolution setting speed limit on Meridian Point Lane, near Lakeland. (\$262.21 one-time expense)
91. Adopt a Resolution setting parking restrictions on Avenue Z Southeast and Ninth Street Southeast, near Winter Haven. (\$262.21 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

92. Approve a Release of Lien (Roth) for an Affordable Housing Impact Fee Waiver. (No fiscal impact)
93. Approve a Release of Lien (Williams) for a Workforce Housing Impact Fee Mitigation. (No fiscal impact)
94. Approve a Release of Lien (Clayton) for a Workforce Housing Impact Fee Mitigation. (No fiscal impact)
95. Approve a Subordination Agreement of First Down Mortgage For Case FD-0080. (No fiscal impact)
96. Approve satisfaction and release of First Down Mortgage Lien for Case FD-0062 (Osterhold). (\$7,000 one-time revenue)
97. Adopt resolution amending and restating Resolution 2019-060 to include a fuel surcharge to the maximum prices tow truck operators can charge for nonconsensual towing services. (No fiscal impact)
98. Acknowledge an Interlocal Agreement between the City of Haines City and the Toho Water Authority for Water and Wastewater Service to the Marion Creek Estates subdivision.
99. Authorize Polk County to intervene in any administrative hearing or other legal actions to support the Notice of Permit Renewal Denial for BS Ranch & Farm Industrial Organic Recycling Facility (BS Ranch) (DEP File Number FLA866202-004-IW9A/NR) and upon the permit renewal denial becoming final, authorize the County Attorney's Office and outside counsel to seek legal remedies for violations of any laws, regulations or codes and move forward with any other causes of action Polk County may have involving BS Ranch.
100. Adopt Resolution approving Declarations Extending State of Local Emergency 22-01 (2022 Residential Waste Collection Emergency) (No fiscal impact)

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 5, 2022 - 6:00 p.m. – Sidewalk Advisory Committee will meet in the Multi-Purpose Room, Room 413.

- Wednesday, April 6, 2022 - 8:15 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Wednesday, April 6, 2022 - 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.
- Thursday, April 7, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Wednesday, April 13, 2022 - 8:30 a.m. – Lakeland Area Mass Transit District Board Meeting will be held at 1212 George Jenkins Boulevard, Hollingsworth Room, Lakeland.
- Wednesday, April 13, 2022 - 3:00 p.m. – Central Florida Development Council Board Meeting will be held at Southern Homes Sanctuary by the Lake Model Center, 3785 Lake Alfred Road, Winter Haven.
- Thursday, April 14, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Thursday, April 14, 2022 - 9:00 a.m. – Transportation Planning Organization Meeting will be held in the County Commission Boardroom.
- Thursday, April 14, 2022 - 1:30 p.m. – Board/Staff Work Session to discuss Recycling Materials (Processing) will be held in the County Commission Boardroom.

- Thursday, April 14, 2022 - 5:30 p.m. – Contractor Licensing Board will meet in the County Commission Boardroom.

- Friday, April 15, 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.