



Polk County Board of County Commissioners

Meeting Agenda

August 3, 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. Rev. Terry Knight, Crystal Lake UMC, Lakeland

PLEDGE OF ALLEGIANCE (RICK WILSON, CHAIRMAN)

A. PRESENTATIONS and RECOGNITIONS

2. Dave Carter, P.E. Chairman of the Stormwater Technical Advisory Committee, to provide an update on Committee activities.
3. Katie Yoxall, Executive Director, Keep Polk County Beautiful, Inc., to present the 2020-2021 Clean It Up to Green It Up Program and 2021-2022 proposed work plan.

B. CEREMONIAL PROCLAMATIONS

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 July 20, 2021.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (MICHAEL CRAIG)

8. Accept Annual Financial Audit Report for the Highland Meadows Community Development District.
9. Accept Proposed Fiscal Year 2021-2022 budget for the Lakeside Preserve Community Development District.
10. Accept Ernie Caldwell Boulevard Utility Improvements – Pine Tree Trail to CR 547 for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
11. Approve Employment Agreement with Randy M. Mink, as County Attorney.

H. COUNTY MANAGER (BILL BEASLEY)

12. Approve Change Order No. 2 to the construction contract with Vogel Bros. Building Co. for the Direct Potable Reuse pilot study at the Cherry Hill Water Production Facility. (\$1,741,704.54 one-time expense and a time extension of 270 days)

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

13. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

14. Reappoint Michell Githens as a member of the Citizens HealthCare Oversight Committee, representing Health Insurance Industry, for the four-year term, October 1, 2021 through September 30, 2025.
15. Reappoint Pauline Simmonds-Brown as a member of the Citizens HealthCare Oversight Committee, representing Minorities, for the four-year term, September 15, 2021 through September 14, 2025.
16. Commissioner Braswell Comments.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

17. Appoint Ann M. Barnhart to serve as the Hospital Executive member of the Citizens HealthCare Oversight Committee for the four-year term, October 1, 2021 through September 30, 2025.
18. Appoint Thomas (Tommy) Addison as a member of the Polk County Planning Commission for the three-year term, September 19, 2021 through September 18, 2024.
19. Commissioner Santiago Comments.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

20. Reappoint Stacy Campbell-Domineck to serve as the Work Force Skilled Labor member of the Citizens HealthCare Oversight Committee for the four-year term, October 1, 2021 through September 30, 2025.

21. Commissioner Combee Comments.

M. COMMISSIONER DISTRICT 2 (RICK WILSON, CHAIRMAN)

22. Appoint Christina Criser Jackson as a member of the Citizens HealthCare Oversight Committee, representing Quality of Life Council - Health Committee Member, for the four-year term, October 1, 2021 through September 30, 2025.
23. Chairman Wilson Comments.

N. LAY BOARD APPOINTMENTS

O. PUBLIC HEARINGS

* County Attorney opening comments

24. Public Hearing (LDCPAL-2021-10 Gapway) (Transmittal Hearing) to consider a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation on 78 +/- acres from Residential Low (RL) to 73 +/- acres of Residential Medium (RM) and five (5) acres of Convenience Center (CC) in the Urban Growth Area (UGA). (Applicant has requested this case be withdrawn)
25. Public Hearing (LDCD-2021-9 Sabatier Sub-District Change) to consider a Sub-District Map change from Residential Low-1 (RL-1) to Residential Low-2 (RL-2) on +/- 0.88 acres.
26. Public Hearing (LDCPAS 2021-2 Hunt Realty CPA) (Adoption Hearing) to consider adoption of a Small Scale Comprehensive Plan Amendment and associated Ordinance to change the Future Land Use designation on 4.1 +/- acres from Residential Low (RL) to Neighborhood Activity Center (NAC) in the Transit Supportive Development Area (TSDA).
27. Public Hearing (LDCT 2020-13 North US 27 SAP NACX District) (First Hearing - No Action) to consider the adoption of an applicant-initiated Land Development Code Text Amendment.
28. Public Hearing (LDCPAL 2021-3 BMR CPA) (Adoption Hearing) to consider the adoption of a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation on 38.36 +/- acres from Phosphate Mining (PM) to Industrial (IND) in the Rural Development Area (RDA).
29. Public Hearing (LDCPAL 2021-4 Riley Preserve CPA) (Adoption Hearing) to consider the adoption of a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation on 15.45 +/- acres from Business Park Center (BPC) to Residential High (RH) in the Transit Supportive Development Area (TSDA).
30. Public Hearing (LDCPAL 2021-7 Majestic Realty CPA) (Transmittal Hearing) to consider the adoption of a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation on 15.43 +/- acres from Regional Activity Center-X (RACX) to Business Park Center-X (BPC-X) in the Transit Supportive Development Area (TSDA).
31. Public Hearing (LDCPAL 2021-11 Gibsonia Gardens) to consider adoption of a Small Scale Comprehensive Plan Amendment and associated Ordinance to change the Future Land Use designation on 34.35 +/- acres from Residential Low (RL) and Linear Commercial Corridor (LCC) to Residential Medium (RM) in the Transit Supportive Development Area (TSDA).
32. Public Hearing (LDCPAL-2021-8 ImperiaLakes Golf Course) (Transmittal Hearing) to consider a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation on 188 +/- acres from Development of Regional Impact (DRI) to Residential

- Low (RL) in the Urban Growth Area (UGA).
33. Public Hearing (LDCT 2021-5 Flood Hazard Management and Floodplain Protection) (First Hearing - No Action) to consider the adoption of a County-initiated ordinance amending the Land Development Code.
 34. Public Hearing (LDCPAL 2021-9 CIE Annual Update) (Adoption Hearing) to review the Capital Improvements Element and reference the adopted five-year schedule of Capital Improvements, to reflect the timing and funding of capital projects to meet or maintain adopted Level-Of-Service (LOS) standards for certain public facilities; reference the adopted Transportation Improvement Program (TIP) Five-Year Study and the adopted Polk County School Board Five-Year Work Plan.

CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

35. Annual Financial Audit Report for the Westridge Community Development District.
36. Proposed Fiscal Year 2021-2022 budgets for the Alafia, Donaldson Knoll and Eagle Ridge Community Development Districts.
37. Removal of equipment from inventory as listed on Blanket Removal Form 2128.
38. Appoint property custodian for the office of HR/Finance Director

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

39. Approve the release of a warranty and cash surety in the amount of \$69,592.52 for City Center Transit. (No fiscal impact)
40. Approve the release of a surety in the form of Performance Bond No. 41K000390 in the amount of \$213,615.26 for Cove @ Eagle Lake. (No fiscal impact)
41. Accept Performance Surety Bond No. SU1173214 for Festival Phase 5 in the amount of \$2,231,890.54. (No fiscal impact)
42. Accept Performance Surety Bond No. 024252868 for Solivita Phase 5H – Unit 3 in the amount of \$290,684.02. (No fiscal impact)
43. Approve the release of a warranty and surety in the amount of \$16,449.71 in the form of Maintenance Bond No. 41424202 for Sunset Cove Development. (No fiscal impact)

44. Approve The Glen at West Haven Plat for Conditional Approval. (No fiscal impact)
45. Accept Performance Surety Bond No. SU1173205 for The Glen at West Haven in the amount of \$2,870,471.57. (No fiscal impact)
46. Approve Champions Chase Townhomes Plat for Conditional Approval. (No fiscal impact)
47. Approve Festival Phase 5 Plat for Conditional Approval. (No fiscal impact)
48. Approve Madison Place Phase 3 for Conditional Approval. (No fiscal impact)
49. SET HEARING (LDCPAL 2021-15 Property Rights Element) to consider a Large-Scale Comprehensive Plan Text Amendment to add a Property Rights Element to Chapter 2 of the Polk County Comprehensive Plan. (Suggested hearing dates are August 17, 2021 at 9:30 a.m. or immediately following the Regular Agenda and October 19, 2021 at 9:30 a.m. or immediately following the Regular Agenda)

DEPUTY COUNTY MANAGER

PROCUREMENT

50. Authorize staff to negotiate an agreement with Rodda Construction, Inc. for the Construction Manager at Risk services for the Burnham McCall Training Center. (No fiscal impact)
51. Approve Amendment 4 to the Consulting Service Agreement with Jacobs Engineering Group, Inc for the Lake Wilson Road Widening Project. (\$223,846.95 one-time expense)
52. Request Board approve agreement with Geosyntec Consultants, Inc. for professional engineering services for the Wilson Acres drainage improvement project. (\$119,650.00 one-time expense)

COMMUNICATIONS

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

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

- 53. Approve New Certificate of Public Convenience and Necessity (COPCN) for Myers Southern, LLC dba STAT Ambulance to provide basic life support non-emergency inter-facility transport.

EMERGENCY MANAGEMENT

- 54. Approve Emergency Management Preparedness and Assistance Subgrant Agreement and Certification. (\$105,806 not-to-exceed, one-time revenue)
- 55. Approve Emergency Management Performance Grant (EMPG) Agreement. (160,788 one-time revenue; \$160,788 one-time match)

ROADS & DRAINAGE

- 56. Adopt a Resolution setting speed limit on Heritage Park Lane within the Heritage Park Subdivision, near Mulberry. (\$51.45 one-time expense)
- 57. Adopt a Resolution setting speed limits on Fox Loop, High Point Drive and Kimberly Point Drive within the Westbury Subdivision, near Davenport. (\$176.74 one-time expense)
- 58. Adopt a Resolution setting speed limits on Gardner Oaks Drive and Gardner Oaks Lane, within the Gardner Oaks Subdivision, near Lakeland. (\$232.61 one-time expense)
- 59. Adopt a Resolution setting parking restrictions on Crosstower Drive, near Winter Haven. (No fiscal impact)
- 60. Adopt a Resolution setting parking restrictions on County Road 655 (Rifle Range Road), near Winter Haven. (\$455.54 one-time expense)
- 61. Approve Modification No. 1 to the Consultant Services Authorization with Rummel, Klepper & Kahl, LLC for the Fort Fraser Trail Extension Project. (\$23,076 one-time expense)

UTILITIES

- 62. Approve a Utility Infrastructure Agreement with GLK Real Estate, LLC for the Brentwood, Wynnstone, and Cascades Planned Unit Developments.

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

63. Approve Right-of-Way Agreement between AZRE, LLC and Polk County in conjunction with the Lake Reedy Boulevard Bridge Project. (\$69,000 one-time expense)
64. SET HEARING to consider requests to vacate portions of platted and unmaintained rights-of-way as shown on the plat of Sun Ray Homes Plat Number Four and on the plat of Florida Development Company Tract. (Suggested hearing date is August 17, 2021 at 9:30 a.m or immediately following the regular agenda)
65. Approve Right-of-Way Agreement between Town Center East Property Owners' Association, Inc, a Florida corporation, for Parcels 104 and 704 in conjunction with the Lake Wilson Road Improvement Project. (\$61,200 one-time expense)
66. Declare surplus and authorize the public sale of County-owned properties, Atlantic Ave. and Shady Brooke Drive parcels. (Potential for \$55,000 or greater, one-time revenue)
67. 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; Robb, and Boad parcels. (\$3,000 one-time expense)
68. Accept instruments for additional right-of-way for Plateau Avenue, and Bonnie Mine Road, as requested through the Development Review Process. (No fiscal impact)
69. Accept Sidewalk Easement from The All Nations Pentecostal Church, Incorporated in conjunction with the Avenue Y NE Sidewalk project. (No fiscal impact)
70. Approve a Utility Easement Agreement between Polk County and the City of Haines City in conjunction with utility relocation by the City. (No fiscal impact)
71. Subordination Agreement of First Down Mortgage for Case FD-0064

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, August 3, 2021 - 6:00 p.m. – Sidewalk Advisory Committee will meet in the Multi-Purpose Room, Room 413.
- Wednesday, August 4, 2021 - 8:15 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.

- Wednesday, August 4, 2021 - 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.

- Wednesday, August 4, 2021 - 2:00 p.m. – Polk Regional Water Cooperative Board of Directors Meeting will be held at Nora Mayo Hall, 500 3rd Street NW, Winter Haven.

- Thursday, August 5, 2021 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.

- Thursday, August 11, 2021 - 3:00 p.m. – Central Florida Development Council Board Meeting will be held at the City of Lakeland’s Lake Crago Outdoor Recreation Complex, 525 Lake Crago Drive, Lakeland.

- Thursday, August 11, 2021 - 4:00 p.m. – Central Florida Development Council Investor Meeting will be held at the City of Lakeland’s Lake Crago Outdoor Recreation Complex, 525 Lake Crago Drive, Lakeland.

- Thursday, August 12, 2021 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.

- Thursday, August 12, 2021 - 9:00 a.m. – Transportation Planning Organization Board Meeting will be held in Conference Room E at the AdventHealth Field House, 210 Cypress Gardens Blvd., Winter Haven.

- Thursday, August 12, 2021 - 2:30 p.m. – Historical Commission and Marker Committee will meet in the County Commission Boardroom.

- Thursday, August 12, 2021 - 5:30 p.m. – Contractor Licensing Board will meet in the County Commission Boardroom.

- Friday, August 13, 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 Commissioners' Conference Room, Room 407.

- Friday, August 13, 2021 - 1:30 p.m. – Board/Staff Work Session to discuss the Community Investment Program will be held in the Multi-Purpose Room, Room 413.