



# Polk County Board of County Commissioners

## Meeting Agenda

### February 15, 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. Patrick Daughtery, 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. Amy Whann to speak about household garbage and recycling service.
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 February 1, 2022.

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

#### **G. COUNTY ATTORNEY (RANDY MINK)**

8. Accept Performance Cash Surety in the amount of \$6,655 for Treymont Phase Two. (No fiscal impact)
9. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Blue Sky Communities/Florence Place, Blue Sky Communities/Swan Landing, and SHAG Grove Manner Apartments for RFP 22-128, HOME ARP (American Rescue Plan) Funds Supporting Multifamily Rental Development Projects. (No fiscal impact)

**H. COUNTY MANAGER (BILL BEASLEY)**

10. Approve a construction contract with MG Underground, LLC for the 24th Street NW Drainage Improvements Project. (\$285,454.25 one-time expense)
11. Approve a Consultant Services Authorization with Burgess and Niple, Inc. to provide engineering services for the design improvements to CR 547 (Davenport Boulevard) at North 10th Street Intersection. (\$243,945.67 one-time expense)
12. Approve a Consultant Services Authorization with Jacobs Engineering Group, Inc. to provide engineering services for the design improvements to the CR 542A (Galloway Road North) at West 10th Street Intersection. (\$253,246.38 one-time expense)
13. Approve a Consultant Services Authorization with Jacobs Engineering Group, Inc. to provide engineering services for the design improvements to the Kathleen Road at Campbell Road West Intersection. (\$240,377.25 one-time expense)
14. Approve a contract with Blue Flame Crew, LLC for the North Central Landfill Phase V Gas Collection System. (\$1,645,954.28 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. Chair Santiago Comments.

**N. LAY BOARD APPOINTMENTS**

**O. PUBLIC HEARINGS**

\* County Attorney opening comments

20. Public Hearing (LDCU-2021-46 Oakfield Apartments) (Adoption Hearing) to consider adoption of a Resolution creating a Brownfield Area Designation.
21. Public Hearing (LDCD-2021-17 Harris Sub-District Change) (Adoption Hearing) to consider a Sub-District Map change from Residential Low-1 (RL-1) to Residential Low-2 (RL-2) on +/- 0.38 acres.
22. Public Hearing (LDCDD-2021-9 Belle Haven CDD) to consider the adoption of an applicant-initiated ordinance to adopt a Community Development District (CDD) in the unincorporated area of the county.
23. Public Hearing (LDCPAS 2021-16 Dickinson LCC CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation from Residential Low (RL) to Linear Commercial Corridor on 4.15 +/- acres in the Transit Supportive Development Area (TSDA).
24. Public Hearing (LDCPAS 2021-17 Go Green Auto Recycling CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 6.65 +/- acres from Phosphate Mining (PM) and Lakes (LAKES) to Industrial (IND) in the Rural Development Area (RDA).
25. Public Hearing (LDCT-2021-20 Phosphate Mining Ordinance 88-19 Text Amendment) (Adoption Hearing) to consider an amendment to Ordinance 88-19 regarding reclamation only Operating Permits related to Phosphate Mining.
26. Public Hearing (LDCPAS 2021-22 Watkins CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation from Agricultural/Residential-Rural (A/RR) to Institutional (INST) on 5 +/- acres in the Rural Development Area (RDA).
27. Public Hearing (LDCT-2021-11 Setback Text Amendment) (First Hearing - No Action) to consider a County-initiated ordinance amending the Land Development Code to consolidate setback regulations and clarify setbacks for specific accessory structures.
28. Public Hearing to consider adoption of an Ordinance for the purpose of increasing the yearly salary of Polk County Commissioners as provided in the Polk County Charter.

**P. CONSENT AGENDA ITEMS**

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

29. Removal of equipment from inventory as listed on Blanket Removal Form 2141.

30. Appoint property custodian for the office of Human Services/Healthy Families.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

31. SET HEARING (LDCPAS 2021-20 Stephen Mills CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 0.71 +/- acres from Leisure Recreation (L/R) to Agricultural Residential Rural (A/RR) in the Rural Development Area (RDA). (Suggested hearing date is March 1, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
32. SET HEARING (LDPD-2021-33 Peace Creek De Novo Hearing) to consider an appeal to the Planning Commission's decision to deny LDPD-2021-33. (Suggested hearing date is March 1, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
33. SET HEARING (LDCU-2021-60 Harry's Old Place Expansion) to consider the expansion of a non-conforming restaurant for employee and overflow parking in a Residential Low-4 land use district. (Suggested hearing date is March 1, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
34. Accept Performance Surety Bond No. 3858391 for Watersong Phase Two in the amount of \$2,091,272.86. (No fiscal impact)
35. Approve the release of a warranty and cash surety in the amount of \$697.83 for Adams Estate. (No fiscal impact)
36. Approve the release of a warranty and surety in the amount of \$9,210 in the form of Maintenance Bond No. 0772425 for Heritage Woods. (No fiscal impact)
37. Approve the release of a surety in the form of Performance Bond No. S-332971 in the amount of \$109,902.54 for Estates of Lake Florence. (No fiscal impact)
38. Accept a one-year warranty and surety in the amount of \$118,059.25 in the form of Maintenance Bond No. S-336771 for Estates of Lake Florence. (No fiscal Impact)
39. Approve Champions Station plat for Conditional Approval. (No fiscal impact)

DEPUTY COUNTY MANAGER

BUDGET & MANAGEMENT SERVICES

40. Approve an American Rescue Plan Fund Agreement with Keep Polk County Beautiful. (\$50,000 one-time expense)

PROCUREMENT

COMMUNICATIONS

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

41. Approve an American Rescue Plan Local Fiscal Recovery Funding Agreement with All Veterans Center, Inc. (\$405,000 one-time expense)

42. Approve an American Rescue Plan Local Fiscal Recovery Funding Agreement with Chapters Health Foundation, Inc. on behalf of Good Shepherd Hospice, Inc. (\$250,000 one-time expense)
43. Approve an American Rescue Plan Local Fiscal Recovery Funding Agreement with Medical Associates of Central Florida. (\$124,000 one-time expense)
44. Accept funds appropriated from Health & Human Services Relief Fund-Phase 4 General Distribution and the American Rescue Plan (ARP) and approve transfer from the Special Revenue Grant Fund Reserve for Contingency to establish budget for unanticipated revenue for the Rohr Home. (\$205,494.95 one-time revenue and expense)
45. Approve Polk HealthCare Plan Medical Services Agreement with Central Florida Health Care, Inc. for specialty care services. (Transfer of existing appropriations to medical provider)
46. Approve Polk HealthCare Plan Medical Services Agreement with Central Florida Health Care, Inc. for behavioral health services. (Transfer of existing appropriations to medical provider)
47. Approve Polk HealthCare Plan Medical Services Agreement with Tri-County Human Services, Inc. for behavioral health services. (Transfer of existing appropriations to medical provider)
48. Approve Polk HealthCare Plan Medical Services Agreement with Peace River Center for Personal Development, Inc. for behavioral health services. (Transfer of existing appropriations to medical provider)

#### EQUITY & HUMAN RESOURCES

#### INFORMATION TECHNOLOGY

#### CODE ENFORCEMENT

#### COUNTY PROBATION

#### RISK MANAGEMENT

49. Approve the proposed settlement in the matter of Leonard Pewitt v. Polk County Board of County Commissioners. (\$30,000 one-time expense)

#### INDIGENT HEALTH CARE

#### DEPUTY COUNTY MANAGER

#### FACILITIES MANAGEMENT

#### FLEET MANAGEMENT

#### PARKS & NATURAL RESOURCES

#### FIRE RESCUE

#### EMERGENCY MANAGEMENT

#### REAL ESTATE SERVICES

50. Declare surplus and authorize the public sale of County-owned Parcel ID Number 233111-157000-014200. (Potential for \$20,750 or greater, one-time revenue)
51. Declare surplus and authorize the private sale through sealed bid offering to adjacent landowners of County-owned Parcel ID Number 252835-000000-041020. (Potential for \$8,875 one-time revenue)
52. Approve Land Purchase Agreement in conjunction with the purchase of a conservation preservation property located in the Lake Wales Ridge Ecosystem Project - Crooked Lake West Area, Andrews parcel. (\$1,500 one-time expense)
53. Accept Instrument for additional right-of-way along Roe Road and 30th Street as requested through the Development Review Process (No Fiscal Impact)
54. Approve Agreements for Transfer of Public Roads between the Town of Dundee and Polk County for AT Race Road, Welsh Road, Campbell Road along with various unmaintained platted rights-of-ways located in the vicinity thereof and authorize County Deeds for the rights-of-ways associated therewith. (No fiscal impact)
55. Approve a Right-of-Way Agreement between Polk County and Peter and Debra Benjamin in conjunction with the Thompson Nursery Road Phase 1 – Segment 4 Improvement project. (\$305,000 one-time expense)

#### ROADS & DRAINAGE

56. Approve Skink Mitigation Agreement with the Greater Tampa Bay Area Council, Inc., Boy Scouts of America to purchase 4.18 conservation credits in the Ancient Islands Conservation Bank for the CR 547 at Orchid Drive/Holly Hill Road Intersection Project. (\$89,870 one-time expense)
57. Adopt a Resolution setting speed limits on Cardinal Court, Hummingbird Pass, Mockingbird Road, Robin Road (Entrance) and Robin Road within the Lake Wilson Preserve Subdivision, near Davenport. (\$357.02 one-time expense)
58. Adopt Resolution setting truck restrictions on Moore Road and Old Polk City Road (near Lakeland). (\$455.54 one-time expense)
59. Adopt Resolution setting truck restrictions on Golfview Street (near Lakeland). (\$231.61 one-time expense)
60. SET HEARING to consider adopting 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. (Suggested hearing date is Tuesday, April 19, 2022 at 9:30 a.m. or immediately following the Regular Agenda)

#### 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

61. Approve mediated settlement agreement with Dawn Michelle Wright, as Successor Trustee of the J. Glenn Wright Trust dated November 10, 2011 (“Wright”) for parcels 149 and 150 in the case of Polk County v. Khodabhai P. Patel, et al (2020CA-2230), an eminent domain lawsuit filed to acquire needed rights-of-way for the West Pipkin Project. (\$555,750 one time expense)
62. Approve a Release of Lien (Fogel) Workforce Housing Impact Fee Mitigation. (No fiscal impact)
63. Approve a Release of Lien (Pagan) Workforce Housing Impact Fee Mitigation. (No fiscal impact)
64. Approve a Release of Lien (Head) for an Affordable Housing Impact Fee Waiver. (No fiscal impact)
65. SET HEARING to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption for Project Horizon, an expanding business. (Suggested hearing date is March 1, 2022 at 9:30 a.m. or immediately following the Regular Agenda)

## **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, February 16, 2022 - 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Wednesday, February 16, 2022 - 2:00 p.m. – Polk Regional Water Cooperative Board of Directors Special Meeting will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, February 17, 2022 - 8:30 a.m. – Development Review Committee will

meet in the Planning and Development Conference Room, Second Floor, County Administration Building.

- Thursday, February 17, 2022 - 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, February 17, 2022 - 9:00 a.m. – Tourist Development Council meeting will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Friday, February 18, 2022 - 9:00 a.m. – Citizens Healthcare Oversight Committee will hold a Work Session at Circle B Bar Reserve, 4399 Winter Lake Road, Lakeland.
- Wednesday, February 23, 2022 - 10:00 a.m. – Efficiency Commission meeting will be held in the County Commission Boardroom.
- Wednesday, February 23, 2022 - 11:30 a.m. – Youth Leadership Fort Meade Lunch and Roundtable Discussion will be held in the Multi-Purpose Room, Room 413.
- Thursday, February 24, 2022 - 8:00 a.m. – Board/Staff Retreat will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, February 24, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Thursday, February 24, 2022 - 1:30 p.m. – Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.



- Friday, February 25, 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.
- Monday, February 28, 2022 - 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.