



# Polk County Board of County Commissioners

## Meeting Agenda

### July 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**

#### **B. CEREMONIAL PROCLAMATIONS**

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

2. Faye Bellamy requests the BoCC waive fees for a Level 3 Review application in order to proceed with a redevelopment project in Florence Villa.
3. Comments.

#### **D. APPROVE CONSENT AGENDA**

4. Approve Consent Agenda.

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

5. Disbursements.
6. Approve Minutes of Regular Board Meeting held on June 21, 2022.

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

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

7. Proposed Fiscal Year 2022-2023 budgets for the Highland Meadows II and Highland Meadows West Community Development Districts.
8. Accept Performance Surety Bond No. GM204414 for Astonia North in the amount of \$1,240,268.15. (No fiscal impact)
9. Adopt Tentative Rate Resolution for the 2022-23 Fire Services Non-Ad Valorem Assessments.
10. Adopt Tentative Rate Resolution for the 2022-23 Street Lighting Assessments. (No fiscal impact)
11. Adopt Tentative Assessment Resolution and Assessment Roll for the 2022-23 Nuisance Abatement Assessments to be collected by the Uniform Method of Collection of Non-Ad Valorem Assessments on the tax bill. (No fiscal impact)
12. Adopt Tentative Assessment Resolution and Assessment Roll for the 2022-23 Excessive Bulk Waste Assessments to be collected by the Uniform Method of Collection of Non-Ad Valorem Assessments on the tax bill. (No fiscal impact)
13. Adopt Tentative Rate Resolution for the 2022-23 Skyview Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)
14. Adopt Tentative Rate Resolution for the 2022-23 East Bimini Bay Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)
15. Adopt Tentative Rate Resolution for the 2022-23 Island Club West Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)
16. Adopt Tentative Rate Resolution for the 2022-23 Southwest Inwood Street Lighting Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)
17. Adopt Residential Waste Program Services Tentative Assessment Resolution setting the Estimated Assessment Rates for Fiscal Year 2022-23. (No fiscal impact)

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

18. Approve Amendment No. 3 to the Emergency Rental Assistance Subaward Agreement with Heart for Winter Haven, Inc. (\$1,565,000 one-time expense)
19. Approve a construction contract with 1st Class Roofing, Inc. for the Polk County Central Jail Roof Replacement project. (\$1,601,721.88 one-time expense)
20. Approve a Cooperative Funding Agreement with the Southwest Florida Water Management District (SWFWMD) to co-fund the Lake Hancock Natural Systems Enhancement Project. (Total project cost not-to-exceed \$420,000 with 50% reimbursement from SWFWMD)
21. Approve Land Purchase Agreement between the City of Lakeland and Polk County in conjunction with a new EMS station known as the Lakeland Hills EMS Station. (\$150,000 one-time expense)
22. Consider an Infrastructure and Impact Fee Credit Agreement for Thompson Nursery Road Extension (Phase 1/Segment 3) between Vmar Dev, LLC and Polk County, establish the CIP Project, CIP Amendment and budget transfer.

**I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)**

23. Commissioner Lindsey Comments.

**J. COMMISSIONER DISTRICT 2 (RICK WILSON)**

24. Commissioner Wilson Comments.

**K. COMMISSIONER DISTRICT 3 (BILL BRASWELL)**

25. Appoint Beatrice "Bea" Hancock as a Member (Seat 4) of the Polk County Historical Commission, for the three-year term, October 1, 2022 through September 30, 2025.

26. Commissioner Braswell Comments.

**L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)**

27. Commissioner Combee Comments.

**M. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO, CHAIR)**

28. Chair Santiago Comments.

**N. LAY BOARD APPOINTMENTS**

**O. PUBLIC HEARINGS**

\* County Attorney opening comments

29. Public Hearing (LDCPAL 2021-24 Canopy Oaks CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to amend Appendix 2.135 Parcel Specific Future Land Use Map Amendments with Conditions. This request is a companion to LDCT 2021-8. (Request to be continued)

30. Public Hearing (LDCT-2021-8 Canopy Oaks) (Adoption Hearing) to consider an applicant-initiated ordinance amending the Land Development Code, Appendix E, Section E105 Parcel Specific Comprehensive Plan Amendments with Conditions. This request is a companion to LDCPAL 2021-24. (Request to be continued)

31. Public Hearing to consider adoption of a Resolution to vacate any public interest that may exist in the drainage easements as shown on the Plat of Sandhill Lane Subdivision.

32. Public Hearing to consider adoption of a Resolution to vacate a portion of platted and unmaintained right-of-way as shown on the plat of Poinsettia Park.

33. Public Hearing to consider adoption of a Resolution to vacate a portion of platted, maintained right-of-way for Burbank Avenue as shown on the Re-Plat of Shore Acres Gardens, Lakeland, Florida.

34. Public Hearing to consider adoption of an ordinance calling a referendum on November 8, 2022, for proposed amendment to the Polk County Charter for expense reduction regarding the Charter Review Commission.

35. Public Hearing to consider adoption of an ordinance calling a bond referendum on November 8, 2022, relating to the issuance of bonds or indebtedness in an aggregate principal amount not to exceed \$75,000,000 related to the acquisition, preservation, protection, management, operation and restoration of environmental lands, water resources, important fish and wildlife habitat, and for historic preservation payable from ad valorem tax not to exceed 0.2mill to be levied for a period not in excess of 20 years.
36. Public Hearing (LDCDD-2022-2 Crosswinds East 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 and Haines City.
37. Public Hearing (LDCPAL-2022-1 BPC in the RDA CPA) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to Policy 2.108-A3: Rural Development Area (RDA) Land Use Categories related to Business Park Center and to amend Section 2.113-B Business Park Center Development Criteria related to Floor Area Ratio (FAR).
38. Public Hearing (LDSPD-2022-2 Heritage Park MHP) (Adoption Hearing) to consider a Suburban Planned Development request for a 14-unit Mobile Home Park on approximately 4.8 acres in a Residential Suburban (RS) district.
39. Public Hearing (LDCPAL-2022-3 CIE and Water Supply Plan Update) (Adoption Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to update the Water Supply Plan and the Capital Improvements Element.

**P. CONSENT AGENDA ITEMS**

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

40. Removal of equipment from inventory as listed on Blanket Removal Form 2150.
41. Proposed Fiscal Year 2022-2023 budgets for the East 547, Eden Hills, Lake Ashton, Poinciana, Poinciana West, and Westside Haines City Community Development Districts.
42. Accept list of Lands Available from Tax Deed Sale on June 16, 2022.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

43. SET HEARING (LDCD-2022-3 Spirit Lake Sub-District Change) to consider a Sub-District Map change from Residential Low-1 (RL-1) to Residential Low-4 (RL-4) on +/- 5.00 acres. (Suggested hearing date is July 19, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
44. SET HEARING (LDCPAL-2022-4 Cardboard & Shredded Paper Collection) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to amend the definition of Solid Waste Management Facility in Division 4.400 Glossary to exclude cardboard & shredded paper collection, and add definitions for cardboard & shredded paper collection, cardboard, and shredded paper. (Suggested hearing dates are July 19, 2022 at 9:30 a.m. or immediately following the Regular Agenda and September 20, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
45. SET HEARING (LDCT-2022-4 Cardboard & Shredded Paper Collection) to consider a County initiated ordinance amending the Land Development Code to allow Cardboard & Shredded Paper Collection in specific land use districts and accessory uses to non-residential development. (Suggested hearing dates are July 19, 2022 at 9:30 a.m. or immediately following the Regular Agenda and September 20, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
46. SET HEARING (LDSPD-2022-1 Deeson SPD De Novo Hearing) to consider an appeal to the Planning Commission's decision to deny LDSPD-2022-1. (Suggested hearing date is July 19, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
47. Approve the release of a surety in the form of Performance Bond No. S-336768 in the amount of \$173,167.90 for South Haven. (No fiscal impact)
48. Accept South Haven potable water and wastewater 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 \$128,172.32 in the form of Maintenance Bond No. S-336776 South Haven. (No fiscal Impact)
50. Approve Sunrise Landing Plat for Conditional Approval. (No fiscal impact)

DEPUTY COUNTY MANAGER

BUDGET & MANAGEMENT SERVICES

PROCUREMENT

51. Approve agreement with Miller Construction Management, Inc. to provide Pre-Construction Manager at Risk services for the Watkins Road Fire Rescue Station. (\$25,860.52 pre-construction services one-time expense)
52. Report of Fiscal Year 2020/2021 Emergency purchase orders and Sole Source purchase orders exceeding \$50,000.00 (No fiscal impact)
53. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Johnson, Levinson, Ragan, Davila, Inc. to provide engineering services for upgrades to the County Administration Building heating, ventilation, and air-conditioner (HVAC) equipment. (No fiscal impact)
54. Approve an agreement with Wright-Pierce, Inc to provide professional services for Deeson Road Lift Station and Force Main Improvements project. (\$249,966.26 one-time expense)

COMMUNICATIONS

- 55. Proclaim July 2022 as Lakes Appreciation Month.

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

- 56. Approve HOME INVESTMENT PARTNERSHIP(HOME) rehabilitation/replacement modification of mortgage, homeowner assistance agreement and grant agreement for Case RC21-HOME-009. (\$872.00 one-time expense)
- 57. Adopt Resolution approving the HOME-ARP (American Rescue Plan) Allocation Plan Substantial Amendment No. 1 to the Fiscal Year 2021-2022 Consolidated Annual Action Plan. (No fiscal impact)
- 58. Approve the Interlocal Agreement for Countywide Transit System with the Lakeland Area Mass Transit District. (\$3,132,207 not-to-exceed, one-time expense)

EQUITY & HUMAN RESOURCES

INFORMATION TECHNOLOGY

CODE ENFORCEMENT

COUNTY PROBATION

RISK MANAGEMENT

INDIGENT HEALTH CARE

DEPUTY COUNTY MANAGER

FACILITIES MANAGEMENT

- 59. Accept and execute Amendment One to the Florida Department of Equal Opportunity (DEO) Federally funded Community Development Block Grant Mitigation Program (CDBG-MIT) subrecipient agreement with the Florida Department of Equal Opportunity for the Polk County Specialty Care/Indigent Healthcare Roof Replacement project. (No fiscal impact; contract wording modifications)

FLEET MANAGEMENT

PARKS & NATURAL RESOURCES

FIRE RESCUE

- 60. Approve a Renewal of Certificate of Public Convenience and Necessity (COPCN) for RG Ambulance Service, Inc. d/b/a American Ambulance. (No fiscal impact)

EMERGENCY MANAGEMENT

REAL ESTATE SERVICES

- 61. Accept Quit Claim Deed for property being donated for conservation preservation, Kerner Estate Parcel. (No fiscal impact)

- 62. Accept instrument for additional right-of-way along Bolender Road as requested through the Development Review Process. (No fiscal impact)
- 63. 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, Ropp, Haberstock, and Phillips parcels. (\$4,500 one-time expense)
- 64. Declare surplus and authorize the public sale of County-owned Parcel ID Number 232826-000000-032100. (Potential for \$6,250 or greater, one-time revenue)
- 65. SET HEARING to consider requests to vacate a portions of platted and unmaintained rights-of-way as shown on the Plat of Roy A. Miller's Subdivision and on the plat of South Lake Wales Unit Number Six. (Suggested hearing date is July 19, 2022 at 9:30 a.m or immediately following the regular agenda)
- 66. Approve Right-of-Way Agreement between Reed E. Venrick and Polk County for a right-of-way parcel associated with the Old Bartow/Lake Wales Road at CR 653 Intersection Improvement Project. (\$30,000 one-time expense)

#### ROADS & DRAINAGE

- 67. Adopt a Resolution setting speed limits on Bouyer Street, Chat Street and Gerald Street, within the Mammoth Grove Subdivision, near Lake Wales. (\$331.21 one-time expense)
- 68. Adopt a Resolution setting truck restrictions on Mullinsville Road (near Frostproof). (\$250.66 one-time expense)
- 69. Adopt a Resolution setting parking restrictions on Washington Street, near Lake Wales. (\$455.54 one-time expense)

#### UTILITIES

- 70. Approve a Bulk Wastewater Service Agreement between Thomas Lee Group Acquisitions, LLC (TLG) and Polk County. (TLG to pay wastewater connection charges in the amount of \$168,848.75, associated interest charges, and customary account and recurring monthly user fees based on County's prevailing rates)
- 71. Approve the Standard Grant Agreement with the State of Florida Department of Environmental Protection (Department) for the Polk County Septage Receiving Stations Project (Land Application Reduction Program). (No fiscal impact)
- 72. Approve the Standard Grant Agreement with the State of Florida Department of Environmental Protection (FDEP) for the Polk County Crooked Lake Park Receivership Wastewater Treatment Facility Abandonment, and a transfer from reserves and amendment to the FY 21/22 Utilities Community Investment Program expansion budget.

#### WASTE & RECYCLING

- 73. Approve a Fifth Amendment to the Residential Solid Waste and Recyclable Materials Collection Franchise Agreement with Advanced Disposal Services Solid Waste Southeast, Inc.

#### 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

74. SET HEARING to consider adoption of final rate resolutions and assessment rolls for the (1) Residential Waste Program Services, (2) Street Lighting Assessment Areas, (3) Fire Services, (4) the Skyview Utility Municipal Services Benefit Unit, (5) Roadway Paving Improvements, (6) Nuisance Abatement, (7) Excessive Bulk Waste, (8) Island Club West Utility Municipal Services Benefit Unit, (9) East Bimini Bay Utility Municipal Services Benefit Unit, and (10) Southwest Inwood Street Lighting Municipal Services Benefit Unit non-ad valorem assessments for fiscal year 2022-23. (Suggested hearing date is September 12, 2022 at 6:00 p.m.)
75. SET HEARING to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption for Project Genesis, a New Business. (Suggested hearing date is July 19, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
76. Adopt Resolution approving Declaration Extending State of Local Emergency 22-01 (2022 Residential Waste Collection Emergency). (No fiscal impact)
77. Approve a Release of Lien for Brittany Roberts related to a Workforce Housing Impact Fee Mitigation. (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.

- Monday, July 4, 2022 – The offices of the Board of County Commissioners will be closed in observance of the Independence Day Holiday.
- Wednesday, July 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, July 6, 2022 - 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.
  
- Thursday, July 7, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
  
- Thursday, July 7, 2022 - 9:00 a.m. – Tourist Development Council’s Arts, Culture and Heritage Committee will meet at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
  
- Thursday, July 7, 2022 - 6:00 p.m. – Stormwater Technical Advisory Committee will meet in the Commissioners’ Conference Room, Room 407.
  
- Tuesday, July 12, 2022 - 1:30 p.m. – Budget Work Session will be held in the County Commission Boardroom.
  
- Tuesday, July 12, 2022 - 3:30 p.m. – Budget Work Session will be held in the County Commission Boardroom.
  
- Tuesday, July 12, 2022 - 6:00 p.m. – Sidewalk Advisory Committee will meet in the Multi-Purpose Room, Room 413.
  
- Wednesday, July 13, 2022 - 2:00 p.m. – Polk Regional Water Cooperative Board of Directors Meeting will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
  
- Thursday, July 14, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.

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