



# Polk County Board of County Commissioners

## Meeting Agenda

### July 7, 2020 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. (BILL BRASWELL, CHAIRMAN)**

#### **INVOCATION**

1. Joseph Richardson, Director, Central Florida Freethought Community, Winter Garden

#### **PLEDGE OF ALLEGIANCE (BILL BRASWELL, CHAIRMAN)**

#### **A. PRESENTATIONS and RECOGNITIONS**

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

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

2. Catherine Lecas to request increased restrictions on firearm discharge in residential areas.
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 16, 2020.

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

#### **G. COUNTY ATTORNEY (MICHAEL CRAIG)**

7. Adopt Residential Waste Program Services Tentative Assessment Resolution and Resolution Setting the Estimated Assessment Rates for Fiscal Year 2020-21. (No fiscal impact)
8. Adopt Tentative Rate Resolution for the 2020-21 Street Lighting Assessments. (No fiscal impact)
9. Adopt Tentative Rate Resolution for the 2020-21 Fire Services Non-Ad Valorem Assessments.
10. Adopt Tentative Assessment Resolution and Assessment Roll for the 2020-21 Nuisance Abatement Liens to be collected by the Uniform Method of Collection of Non-Ad Valorem Assessments on the tax bill. (No fiscal impact)
11. Adopt Tentative Assessment Resolution and Assessment Roll for the 2020-21 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)
12. Adopt Tentative Rate Resolution for the 2020-21 Skyview Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)
13. Adopt Tentative Rate Resolution for the 2020-21 East Bimini Bay Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)
14. Adopt Tentative Rate Resolution for the 2020-21 Island Club West Utility Municipal Service Benefit Unit ("MSBU"). (No fiscal impact)
15. Approve Right-of-Way Agreement between Richard Samuel Higgins and Polk County for the purchase of property in conjunction with the Galloway Rd @ Sleepy Hill Road Intersection Improvement Project. (\$285,000 one-time expense)
16. Proposed Fiscal Year 2020-2021 budgets for the Alafia Preserve, Astonia, Cypress Park Estates, Davenport Road South, Donaldson Knoll, Forest Lake, Golden Lakes, Hammock Reserve and Lucerne Park Community Development Districts.
17. Approve Hunter's Crossing Phase Three Plat for Conditional Approval. (No fiscal impact)
18. SET HEARING to consider a request to vacate a portion of platted and maintained right-of-way as shown on the map of E.D. Greenfield's Michigan Lakeside Park and currently known as Edison Road. (Suggested hearing date is July 21, 2020 at 9:30 a.m. or immediately following the Regular Agenda)
19. Consider approval of the proposed settlement in the matter of Jay Schwartz vs. Polk County; \$112,000 one-time expense.

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

20. Approve three (3) Parks Maintenance / Caretaker positions, equipment purchases and operating expenses for maintenance and operation of Poinciana Community Park. (\$75,150 one-time expense / \$306,589 annual recurring expense)

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

21. Commissioner Lindsey Comments.

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

22. Commissioner Wilson Comments.

**K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)**

23. Commissioner Santiago Comments.

**L. COMMISSIONER DISTRICT 5 (JOHN E. HALL)**

24. Commissioner Hall Comments.

**M. COMMISSIONER DISTRICT 3 (BILL BRASWELL, CHAIRMAN)**

25. Chairman Braswell Comments.

**N. LAY BOARD APPOINTMENTS**

**O. PUBLIC HEARINGS**

\* County Attorney opening comments

26. Public Hearing (LDCPAS 2019-19 Westside Lakes, CPA) to consider adoption of a Small Scale Comprehensive Plan Amendment and associated ordinance to change the Future Land Use designation from Residential Low-4X (RL-4X) to Residential Medium-X (RMX) in the Transit Supportive Development Area (TSDA) and in the Ronald Reagan Selected Area Plan (SAP).

27. Public Hearing (LDCPAS 2020-2 Davis North CPA) to consider adoption of a Small Scale Comprehensive Plan Amendment and associated ordinance to change the Future Land Use designation from Business Park Center-1 (BPC-1) to Residential Low (RL) in the Urban Growth Area (UGA).

28. Public Hearing (LDCPAL-2019-18 Richland CPA) (Adoption Hearing) to consider a Large Scale Comprehensive Plan Map Amendment (CPA) to change the Future Land Use designation from Residential Low-1X (RL-1X) to Residential High-X (RHX) in the Transit Supportive Development Area (TSDA) and US 27 North Selected Area Plan (SAP) on 95 +/- total acres.

29. Public Hearing (LDCPAL-2019-16 Walker CPA) (Adoption Hearing) to consider adoption of a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation on 79.23 +/- acres from Agricultural/Residential-Rural (A/RR) in the Rural Development Area (RDA) to Residential Low (RL) in the Urban Growth Area (UGA).

30. Public Hearing (LDCPAS 2020-1 ECP North CPA) to consider adoption of a Small Scale Comprehensive Plan Amendment and associated ordinance to change the Future Land Use designation from Neighborhood Activity Center-X (NACX) to Residential Medium-X (RMX) in the Transit Supportive Development Area (TSDA) and in the Ronald Reagan Selected Area Plan (SAP).

31. Public Hearing (LDCPAL-2019-19 Old Kissimmee Road CPA) (Adoption Hearing) to consider a Large Scale Comprehensive Plan Map Amendment (CPA) to change the Future Land Use designation from Residential Low-4X (RL-4X) to Residential Medium-X (RMX) in the Transit Supportive Development Area (TSDA) and Ronald Reagan Selected Area Plan (SAP) on 13.83 +/- total acres.

32. Review Hearing for Hunt Construction Group, Inc. related to request for Alternative Impact Fee Calculation.

33. Public Hearing to consider the appeal of the Board's approval of First 2 Aid EMS, Inc., application for a Type G: ALS Interfacility Transport Service Certificate of Public Convenience and Necessity.

**P. CONSENT AGENDA ITEMS**

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

34. Removal of equipment from inventory as listed on Blanket Removal Form 2102

35. Accept list of Lands Available from Tax Deed Sale on June 18, 2020.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

36. Accept a one year warranty and surety in the amount of \$69,592.50 in the form of cash for City Center Transit. (No fiscal Impact)
37. Accept a Performance Surety in the form of an Irrevocable Standby Letter of Credit (No. 90539584) for Gary Mine in the amount of \$31,793.30 for the lifetime of the mine. (No fiscal impact)
38. Approve the release of a surety in the form of Performance Bond No. E259344 in the amount of \$21,750 for Lunn Landings. (No fiscal impact)
39. Accept Lunn Landings potable water and wastewater utility system improvements for ownership, operation and maintenance by Polk County Utilities. (No fiscal impact)
40. Accept a one year warranty and surety in the amount of \$33,364.25 in the form of Maintenance Bond No. E259347 for Lunn Landings. (No fiscal Impact)
41. SET HEARING (LDCU-2020-7 Klarich Short-Term Rental CU De Novo Hearing) to consider an appeal to the Planning Commission's decision to deny LDCU-2020-7. (Suggested hearing date is July 21, 2020 at 9:30 a.m. or immediately following the Regular Agenda)
42. Approve the release of a warranty and surety in the amount of \$61,338.76 in the form of Maintenance Bond No. 1156509 for Solterra Phase 2A-2. (No fiscal impact)
43. Approve the release of a surety in the form of Performance Bond No. K09558792 in the amount of \$790,751 for Sunset Cove. (No fiscal impact)

44. Accept Sunset Cove Development potable water utility system improvements for ownership, operation and maintenance by Polk County Utilities. (No fiscal impact)
45. Accept a one year 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)
46. Accept a performance surety in the form of an Irrevocable Letter of Credit (No. 3011) for BB-1 Sand Mine in the amount of \$31,864.36 for the lifetime of the mine.

DEPUTY COUNTY MANAGER

PROCUREMENT

47. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Chastain Skillman, Inc. to provide professional engineering services for the Northeast Regional Park (NERP) Baseball Complex.

COMMUNICATIONS

48. Proclaim July 2020 as Lakes Appreciation Month.

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

49. Approve HOME Investment Partnership Program homeowner assistance agreements for Case RC 18 H 014, located in Winter Haven. (\$119,068.05 one-time expense)
50. Approve State Housing Initiatives Partnership (SHIP) program homeowner assistance agreements for Case RC 20 S 003, located in Lake Wales. (\$119,600.20 one-time expense)
51. Approve State Housing Initiatives Partnership (SHIP) program homeowner assistance agreements for Case RC 19 S 013, located in Auburndale. (\$113,634.20 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

52. Approve and ratify Letter of Agreement from WellCare of Florida, Inc. for the Public Emergency Medical Transportation Medicaid Managed Care Supplement Payment Program. (\$864,000 estimated one-time revenue)
53. Approve and ratify Letter of Agreement from Humana Medical Plan, Inc. for the Public Emergency Medical Transportation Medicaid Managed Care Supplement Payment Program. (\$432,000 estimated one-time revenue)
54. Approve and ratify Letter of Agreement from Sunshine State Health Plan, Inc. for the Public Emergency Medical Transportation Medicaid Managed Care Supplement Payment Program. (\$576,000 estimated one-time revenue)
55. Approve and ratify Letter of Agreement from Simply Healthcare Plans, Inc. for the Public Emergency Medical Transportation Medicaid Managed Care Supplement Payment Program. (\$345,000 estimated one-time revenue)
56. Approve and ratify Letter of Agreement from United Health Care of Florida, Inc. for the Public Emergency Medical Transportation Medicaid Managed Care Supplement Payment Program. (\$288,000 estimated one-time revenue)
57. Approve and ratify Letter of Agreement from Florida Community Care, LLC for the Public Emergency Medical Transportation Medicaid Managed Care Supplement Payment Program. (\$144,000 estimated one-time revenue)
58. Approve and ratify Letter of Agreement from Aetna Better Health of Florida Inc. for the Public Emergency Medical Transportation Medicaid Managed Care Supplement Payment Program. (\$230,000 estimated one-time revenue)

## EMERGENCY MANAGEMENT

59. Approve state funded Emergency Management Preparedness and Assistance (EMPA) Subgrant Agreement and Certification.
60. Approve Emergency Management Performance Grant (EMPG) Agreement. (\$158,113 one-time revenue; \$158,113 match requirement)

## ROADS & DRAINAGE

61. Adopt a Resolution setting parking restrictions on Minute Maid Ramp Road 2, near Davenport. (\$232.61 one-time expense)
62. Adopt a Resolution setting parking restrictions on Thomas Wood Lane East, near Winter Haven. (\$120.99 one-time expense)
63. Approve Hazard Mitigation Grant Agreement with the Florida Department of Emergency Management (FDEM), CIP Amendment, budget transfer for match, and adopt resolution to fund the design of the Jan Phyl Village Drainage Improvements Project. (\$56,250 one-time revenue and \$18,750 county match)
64. Approve the Revised Roads & Drainage Division Residential Traffic Calming Policy. (No fiscal impact)
65. Adopt Resolution setting truck restrictions on FDC Grove Road (near Davenport). (\$455.54 one-time expense)

- 66. Adopt a Resolution setting parking restrictions on County Road 655 (Rifle Range Road), near Winter Haven. (\$2,900 one-time expense)
- 67. Adopt Resolution setting speed limits on Court Drive East, Jack Pine Street, Middle Street and Willow Street, Lying within the Blue Lake Terrace Subdivision, near Lake Wales. (\$539.07 one-time expense)
- 68. Approve Modification No. 1 to the Consultant Services Authorization with Rummel, Klepper & Kahl, LLP for the N. Galloway Road at Sleepy Hill Road Intersection Improvements Project. (\$9,984.56 one-time expense)

UTILITIES

WASTE & RECYCLING

- 69. Approve FY2019-20 Non-Exclusive Commercial Franchise Renewal for Gateway Rolloff Services, Inc. (No fiscal impact)
- 70. Approve FY2019-20 Non-Exclusive Commercial Franchise with Ideal Refuse of Florida, Inc. (No fiscal impact)
- 71. Approve FY2019-20 Non-Exclusive Commercial Franchise with Webb's Can-It. (No fiscal impact)

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. Adopt Resolution approving Extensions to Declaration of State of Local Emergency 20-01. (No fiscal impact).
- 73. Approve Right-of-Way Agreement between David F. Pokrywka and Polk County and CIP Amendment in conjunction with the County Road 557 Improvement Project. (\$423,500 one-time expense)
- 74. Approve Right-of-Way Agreement for Parcel 125 in conjunction with the West Pipkin Road Improvement Project. (\$205,000 one-time expense)
- 75. Approve Right-of-Way Agreement for Parcels 108 and 703 in conjunction with the West Pipkin Road Improvement Project. (\$32,300 one-time expense)

76. Approve Right-of-Way Agreement for Parcel 707 in conjunction with the West Pipkin Road Improvement Project. (\$1,600 one-time expense)
77. 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; Maerz, Aslakson, and Madd Assets, LLC parcels. (\$12,200 one-time expense)
78. Accept Polk County Utilities Easements from Wen-Davenport Real Estate, LLC, and Mid-Florida Landholdings, LLC, as requested through the Development Review Process. (No fiscal impact)
79. Accept Quit Claim Deed for property being donated for conservation preservation, located in the Lake Wales Ridge Ecosystem - Crooked Lake West project area, Trice Parcel. (No fiscal impact)
80. SET HEARING to consider adoption of final rate resolutions and assessment rolls for the (1) Residential Waste Program Services, (2) Street Lighting Districts, (3) Fire Services, (4) the Skyview Utility Municipal Services Benefit Unit, (5) Roadway Paving Improvements, (6) Nuisance Abatement Liens, (7) Excessive Bulk Waste, (8) Island Club West Utility Municipal Services Benefit Unit, and (9) East Bimini Bay Utility Municipal Services Benefit Unit non-ad valorem assessments for fiscal year 2020-21. (Suggested hearing date is September 14, 2020 at 6:00 p.m.)
81. Accept instrument for additional right-of-way for Chestnut Road, as requested through the Development Review Process. (No fiscal impact)
82. Approve Land Purchase Agreement between The Ridge Cooperative and Polk County in conjunction with a proposed new fire station in the Lake Wales area. (\$83,000 one-time expense)

## 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 6, 2020 - 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.
- Tuesday, July 7, 2020 - 6:00 p.m. – Sidewalk Advisory Committee will meet in the Multi-Purpose Room, Room 413.
- Thursday, July 9, 2020 - 8:30 a.m. – Development Review Committee will meet in



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

- Thursday, July 9, 2020 - 9:00 a.m. – Tourist Development Council’s Marketing Committee meeting will be held via Zoom platform, by a link provided on the Visit Central Florida website at [www.visitcentralflorida.org](http://www.visitcentralflorida.org).
- Tuesday, July 14, 2020 - 9:00 a.m. – Budget Work Session will be held in the County Commission Boardroom.
- Tuesday, July 14, 2020 - 1:30 p.m. – Polk County Sheriff’s Office Budget Work Session will be held in the County Commission Boardroom.
- Wednesday, July 15, 2020 - 8:30 a.m. – Lakeland Area Mass Transit District Board of Directors meeting will be held at 1212 George Jenkins Boulevard, Hollingsworth Room, Lakeland.
- Wednesday, July 15, 2020 - 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Wednesday, July 15, 2020 - 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 16, 2020 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, July 16, 2020 - 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.

- Thursday, July 16, 2020 - 2:00 p.m. – Tourist Development Council’s Sports and Special Events Committee meeting will be held via Zoom platform, by a link provided on the Polk County Sports Marketing website at [www.centralfloridasports.com](http://www.centralfloridasports.com).
  
- Friday, July 17, 2020 - 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.