



Polk County Board of County Commissioners

Meeting Agenda

May 17, 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 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. Robert "Tip" Franklin, on behalf of the Lake Ashton Community Action Committee/Regional Community Council to discuss growth along Thompson Nursery Road.
4. Comments.

D. APPROVE CONSENT AGENDA

5. Approve Consent Agenda.

E. COUNTY COMPROLLER (STACY M. BUTTERFIELD, CPA)

6. Disbursements.
7. Approve Minutes of Regular Board Meeting held on May 3, 2022.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

- 8. Approve the release of a surety in the form of Performance Bond No. 70NGP184909 in the amount of \$614,043.10 for Aniston (aka Kitty Fox). (No fiscal impact)
- 9. Accept Utilities Easement from Kenneth B. Warren and Harold R. Baxter, in conjunction with Lift Station 28. (No fiscal impact)

H. COUNTY MANAGER (BILL BEASLEY)

- 10. Approve a Right-of-Way Agreement between Polk County and Doris A. White in conjunction with the Thompson Nursery Road Phase 1 (Segment 4) Improvement project. (\$495,000 one-time expense)
- 11. Approve Land Purchase Agreement between the School Board of Polk County and Polk County in conjunction with a replacement fire station known as the Eaton Park Fire Rescue Station. (\$400,000 one-time expense)
- 12. Approve a Consultant Services Authorization with Jacobs Engineering Group for engineering services to conduct an alignment study for the Galloway Road North (CR 542A) at Swindell Road Intersection Improvement project. (\$370,739.51 one-time expense)
- 13. Approve computerized maintenance management system software and implementation services agreement with IHCS, Inc. dba Maven Asset Management. (Implementation Services \$278,860.00 one-time expense; Software \$101,579.00 year 1 and \$88,514.00 for year 2, 3 and 4 annual recurring expense)
- 14. Approve transfer from Waste & Recycling Cash Balance Forward Reserves to purchase capital equipment. (\$750,000 one-time transfer)

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.
 - a) Polk County Employees, 2021 United Way contributions.

N. LAY BOARD APPOINTMENTS

O. PUBLIC HEARINGS

* County Attorney opening comments

20. Public Hearing to consider adoption of a resolution to vacate a portion of platted, unmaintained right-of-way, as shown on the Map of the Town of Bradley Junction.
21. Public Hearing to consider adoption of a Resolution to vacate portions of platted, unmaintained rights-of-way as shown on the Revised Plat of Crooked Lake Subdivision, Lake Wales, Florida.
22. Public Hearing to consider adoption of a resolution to vacate platted, unmaintained rights-of-way, as shown on the plat of Poinciana Office and Industrial Park VII, and authorize a Release of Easement.
23. Public Hearing (LDCDD-2022-3 Schaller Preserve 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.
24. Public Hearing (LDCT-2021-19 Logistics Storage Yard) (First Hearing - No Action) an applicant-initiated ordinance amending the Land Development Code to modify the conditional use criteria in Section 303 for Salvage Yards.
25. Public Hearing (LDWA-2022-12 Chandler Access Waiver) to consider an applicant-initiated request seeking a waiver to Section 705 of the Land Development Code (LDC).
26. Public Hearing (LDCU-2021-68 Larsson MH De Novo) to consider an appeal to the Planning Commission's decision to approve LDCU-2021-41.

P. CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

27. Removal of equipment from inventory as listed on Blanket removal Form 2147

28. Proposed Fiscal Year 2022-2023 budgets for the Hamilton Bluff, Peace Creek, Pollard Road and Westridge Community Development Districts.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

29. SET HEARING (LDCPAS 2022-4 3rd Shalom Church CPA) to consider adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 1.77 +/- acres from Development of Regional Impact (DRI) to Institutional (INST) in the Utility Enclave Area (UEA). (Suggested hearing date is June 7, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
30. SET HEARING (LDCD 2022-1 County Line and Drane Field District Map Change) to consider the District Map change on 16.50 +/- acres from Business Park-1 (BPC-1) to Business Park Center-2 (BPC-2) in the Urban Growth Area (UGA). (Suggested hearing date is June 7, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
31. SET HEARING (LDCPAS 2022-5 County Line and Drane Field CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 16.50 +/- acres from Agricultural/Residential-Rural (A/RR) to Business Park Center (BPC) in the Urban Growth Area (UGA). This request is related to LDCD-2022-1 for a district change to BPC-2. (Suggested hearing date is June 7, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
32. SET HEARING (LDCPAS 2022-6 Church of God the Bible Way CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 5.52 +/- acres from Residential Medium (RM) to Institutional (INST) in the Urban Growth Area (UGA). (Suggested hearing date is June 7, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
33. SET HEARING (LDCPAS 2022-7 South Lakes RH CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 41.24 +/- acres from Residential Low (RL) to Residential High (RH) in the Urban Growth Area (UGA). (Suggested hearing date is June 7, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
34. SET HEARING (LDCPAS 2022-8 South Lakes RM CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 21 +/- acres from Residential Low (RL) to Residential Medium (RM) in the Urban Growth Area (UGA). (Suggested hearing date is June 7, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
35. SET HEARING (LDCU-2022-4 Lake Buffum Boat Ramp) to consider approval of 24 hour access to the Lake Buffum boat ramp. (Suggested hearing date is June 7, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
36. SET HEARING (LDWA-2021-33 Wing Access Waiver) to consider an applicant-initiated request seeking a waiver to Section 705 of the Land Development Code. (Suggested hearing date is June 7, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
37. Approve the release of a warranty and cash surety in the amount of \$790 for Bridgewater Crossings. (No fiscal impact)
38. Accept Crystal Ridge (aka Azur Resort) potable water, wastewater and reclaim utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
39. Accept a one-year warranty and surety in the amount of \$33,305 in the form of Maintenance Bond No. 1174664 for Crystal Ridge (aka Azur Resort). (No fiscal Impact)
40. Accept Frostproof Area Fire Station potable water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)

41. Accept Kathleen Fire Station potable water and wastewater utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
42. Approve the release of a surety in the form of Performance Bond No. CMS344531 in the amount of \$55,000 for Mirabella Phase 1. (No fiscal impact)
43. Accept Mirabella Phase 1 potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
44. Accept a one-year warranty and surety in the amount of \$197,883.91 in the form of Maintenance Bond No. 024259724 for Mirabella Phase 1. (No fiscal Impact)
45. Approve the release of a warranty and surety in the amount of \$71,854.44 in the form of Maintenance Bond No. 1087364 for Tivoli Reserve Phase 2. (No fiscal impact)
46. Approve Belle Haven Phase 2 plat for Conditional Approval. (No fiscal impact)
47. Approve Wylie Estates plat for Conditional Approval. (No fiscal impact)
48. Approve recommended changes to the functional classification of select Polk County roads: Pace Road, Road C and various roads in Poinciana. (No fiscal impact)
49. Approve a Memorandum of Understanding (MOU) forming the Heartland Regional Resiliency Coalition.

DEPUTY COUNTY MANAGER

PROCUREMENT

50. Approve an agreement with Wood Environment & Infrastructure Solutions, Inc. to provide professional engineering services for Hamilton Road & Medulla Road Drainage Improvement project. (\$118,330 one-time expense)
51. Approve an agreement with WSP USA, Inc. to provide professional engineering services for Waynesville Avenue at French Avenue Drainage Improvement project. (\$92,325 one-time expense)
52. Approve Amendment No. 1 to the agreement with Burgess & Niple, Inc. for professional engineering services for the Wabash Avenue multi-use trail project, a CIP amendment, and budget transfer. (\$84,804.53 one-time expense and \$84,804.53 one-time transfer)
53. Approve Amendment No. 1 with AE Engineering, Inc. to provide professional construction, engineering, and inspection services for the Ariana Street sidewalk project, a CIP amendment, and budget transfer. (\$11,345.01 one-time expense and \$11,345.01 one-time transfer)

COMMUNICATIONS

54. Proclaim May 2022 as Teen Pregnancy Prevention Awareness Month.

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

- 55. Approve State housing Initiatives Partnership (SHIP) rehabilitation/replacement program homeowner assistance agreements, for the property located in Wahneta, FL. (\$153,465.48 one-time expense)
- 56. Approve HOME investment partnership (HOME) rehabilitation/replacement modification of mortgage, homeowner assistance agreement and grant agreement for Case RC21-HOME-008. (\$2,909.00 one-time expense)
- 57. Approve termination of State Housing Initiative Partnership (SHIP) rehabilitation/replacement homeowner assistance agreements for Case RC-21-S-007, and related Rehabilitation/Reconstruction Work Contract. (\$2,558.69 one-time expense)
- 58. Approve the Final Financial and Program Status Reports for the Criminal Justice, Mental Health and Substance Abuse (CJMHS) Reinvestment Grant (contract #LHZ77) with the State of Florida, Department of Children and Families (DCF) for the Roots program.
- 59. Approve the First Amendment to the American Rescue Plan Local Fiscal Recovery Funding Agreement with Tri-County Human Services Inc. (\$419,075 one-time expense)

EQUITY & HUMAN RESOURCES

INFORMATION TECHNOLOGY

CODE ENFORCEMENT

COUNTY PROBATION

RISK MANAGEMENT

- 60. Consider approval of the proposed settlement in the matter of Edgar Daniels, Jr. v. Polk County Sheriffs' Office; \$40,000.00 one-time expense.

INDIGENT HEALTH CARE

DEPUTY COUNTY MANAGER

FACILITIES MANAGEMENT

- 61. Approve Sand Skink Mitigation Agreement with the Greater Tampa Bay Area Council, Inc., Boy Scouts of America to purchase 5.34 conservation credits in the Ancient Islands Conservation Bank for the Watkins Road Fire Rescue Station project. (\$114,810 one-time expense)
- 62. Approve Sand Skink Mitigation Agreement with the Greater Tampa Bay Area Council, Inc., Boy Scouts of America to purchase 0.92 conservation credits in the Ancient Islands Conservation Bank for the Masterpiece Road Fire Rescue Station project. (\$19,780 one-time expense)

FLEET MANAGEMENT

PARKS & NATURAL RESOURCES

FIRE RESCUE

- 63. Accept Firehouse Subs Public Safety Foundation Grant. (\$36,665 one-time revenue)

EMERGENCY MANAGEMENT

REAL ESTATE SERVICES

64. Accept Quit Claim Deeds from Crooked Lake Park Sewerage Company to Polk County in conjunction with the Crooked Lake Wastewater Treatment System. (No fiscal impact)
65. 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, Stein, Bellucci Estate, Bunyak, Swieca and Smicklas Parcels. (\$9,500 one-time expense)
66. Accept Drainage Easement from the School Board of Polk County in conjunction with drainage improvements to Walt Williams Road. (No fiscal impact)
67. Accept Warranty Deeds from the Polk County School Board for additional right-of-way along Harrells Nursery Road and Park Byrd Road in conjunction with sidewalk projects. (No fiscal impact)
68. Accept utility easement from Indigo at Champions Gate, LLC as requested through the Development Review Process. (No fiscal impact)
69. Accept instrument for additional right-of-way along Wawa Access Road as requested through the Development Review Process. (No fiscal impact)
70. Authorize the removal of Parcel ID Number 272703-721000-008180 from the County's Surplus Lands List and authorize another public sale of said parcel with a new minimum bid amount. (Potential for \$9,538, or greater, one-time revenue)
71. Approve Agreement for Transfer of Public Road, between the City of Davenport and Polk County for a portion of Forty Second Street and authorize a County Deed for the right-of-way associated therewith. (No fiscal impact)
72. Accept Quit Claim Deeds for properties being donated for conservation preservation, Negley and Schoon Parcels. (No fiscal impact)
73. SET HEARING to consider a request to vacate a platted and unmaintained Alley as shown on the map of Cowdery Subdivision. (Suggested hearing date is June 7, 2022 at 9:30 a.m or immediately following the Regular Agenda)

ROADS & DRAINAGE

74. Approve Modification No. 1 to CSA No. 17-053-04 with CONSOR Engineers, LLC for the North Lake Reedy Boulevard Bridge No. 164302 Replacement project. (\$21,829.52 one-time expense)
75. Approve Modification No. 1 to CSA No. 17-053-05 with CONSOR Engineers, LLC for the design and permitting of N. Lake Reedy Boulevard at CR 630 intersection realignment and the removal of Bridge 164303. (\$21,829.52 one-time expense)
76. Approve Modification No. 1 to CSA No. 17-050-05 with AIM Engineering & Surveying, Inc. for the Bailey Road Sidewalk Project. (\$16,694 one-time expense)
77. Adopt a Resolution setting parking restrictions on Pine Island Drive, near Winter Haven. (\$455.54 one-time expense)

78. Approve amended Interlocal Agreement between Polk County and the City of Auburndale for road improvements for the Lake Ariana Phase 2 Resurfacing Group. (\$111,825.82 estimated one-time expense)
79. Approve a State-Funded Grant Agreement and associated resolutions with the Florida Department of Transportation (FDOT) for the North Ridge Trail Project, and CIP Amendment and budget transfer. (\$9,500,000 one-time future revenue)

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

80. Approve Memorandum of Understanding between CareerSource Polk, Polk County, and the School Board of Polk County for coordination of resources and ensure effective and efficient delivery of the One-Stop Customer Service Delivery System.
81. Authorize the filing of a Foreclosure Complaint against the Lake Daisy Estates HOA and other necessary parties to foreclose multiple Code Enforcement liens recorded in favor of Polk County, Florida on the property located at 0 Lake Daisy Dr. Winter Haven, FL 33884 (Parcel ID 272906-855566-002181).
82. Approve a Release of Lien related to an Affordable Housing Impact Fee Waiver for Lenny Marks. (No fiscal impact)
83. Approve a Release of Lien related to an Affordable Housing Impact Fee Waiver for Rachel Kinney. (No fiscal impact)
84. Adopt Resolution approving Declarations Extending State of Local Emergency 22-01 (2022 Residential Waste Collection Emergency).
85. Authorize the County Attorney to execute required documents to sign-on or "opt-in" to settlement with Walgreens for opioid litigation and execute all documents on behalf of Polk County required by the settlement.
86. Approve a Satisfaction of Mortgage for the First Down Program for Michael E. and Tamika Lucas. (\$7000 one-time revenue)

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, May 18, 2022 - 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, May 19, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Thursday, May 19, 2022 - 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Monday, May 23, 2022 - 4:00 p.m. – Special meeting of the Lakes Access Advisory Committee will be held at Parks and Natural Resources, 4177 Ben Durrance Road, Bartow.
- Monday, May 23, 2022 - 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.
- Thursday, May 26, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Thursday, May 26, 2022 - 9:30 a.m. – Transportation Planning Organization’s Technical Advisory Committee will meet in the Multi-Purpose Room, Room 413.
- Thursday, May 26, 2022 - 1:30 p.m. – Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.

- Monday, May 30, 2022 – The offices of the Board of County Commissioners will be closed in observance of the Memorial Day Holiday.

- Wednesday, June 1, 2022 - 8:50 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.

- Wednesday, June 1, 2022 - 9:00 a.m. – Budget Work Session will be held in the Commissioners' Conference Room, Room 407.

- Wednesday, June 1, 2022 - 11:00 a.m. (or immediately following the Budget Work Session) – Finance & Audit Committee meeting will be held in the Commissioners' Conference Room, Room 407

- Wednesday, June 1, 2022 - 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.

- Thursday, June 2, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.

- Friday, June 3, 2022 - 9:00 a.m. – Board/Staff Agenda Review meeting to discuss the Agenda, TPO Board meeting and any other matters that may come before the Board will be held in the Commissioners' Conference Room, Room 407.