



Polk County Board of County Commissioners

Meeting Agenda

October 20, 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. Pastor Moses Anderson, Jr., House of Praise Ministries, COGBF, Frostproof

PLEDGE OF ALLEGIANCE (BILL BRASWELL, CHAIRMAN)

A. PRESENTATIONS and RECOGNITIONS

2. Video presentation of service awards for employees with 20 or more years of service.

B. CEREMONIAL PROCLAMATIONS

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

3. Evangaline Teak to discuss utility billing concerns.
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 October 6, 2020.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (MICHAEL CRAIG)

8. Approve the release of a warranty and surety in the amount of \$32,204.10 in the form of Maintenance Bond No. LPM 0505370 for Cascara. (No fiscal impact)

H. COUNTY MANAGER (BILL BEASLEY)

9. Approval for SHIP New Construction infill Lots Developer's Agreement. (\$520,000 one time expense)
10. Approve Community Development Block Grant (CDBG) subrecipient agreement between Polk County and Mulberry Community Service Center. (\$250,000.00 one-time expense)
11. Approve Consultant Services Authorization 18-062-03 with Reiss Engineering, Inc. for the Southwest Regional Wastewater Dynamic Hydraulic Model Update/Verification project. (\$248,941 not-to-exceed, one-time expense)
12. Request Board approve Sourcewell cooperative agreement with AssetWorks, LLC for their computerized maintenance management system (CMMS) and CIP amendment.
13. Approve the Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) Addendum with Core Construction Services of Florida, LLC. for the Frostproof prototype fire rescue station (\$3,278,032.21 one-time expense)

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

14. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

15. Commissioner Wilson Comments.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

16. Commissioner Santiago Comments.

L. COMMISSIONER DISTRICT 5 (JOHN E. HALL)

17. Commissioner Hall Comments.

M. COMMISSIONER DISTRICT 3 (BILL BRASWELL, CHAIRMAN)

18. Chairman Braswell Comments.

N. LAY BOARD APPOINTMENTS

*****RECESS - The Board of County Commissioners will recess from 12:30 p.m. until 1:30 p.m. or soon thereafter.*****

O. PUBLIC HEARINGS

* County Attorney opening comments

19. Public Hearing to consider LDCPAS 2020-4 (4404 OC, CPA) for adoption of a Small Scale Comprehensive Plan Amendment and associated ordinance to change the Future Land Use designation on 0.65 +/- acres from Residential Medium (RM) to Office Center (OC) in the Transit Supportive Development Area (TSDA).

20. Public Hearing (Adoption Hearing) to consider LDWA-2020-28 (Collins Waiver), a waiver request to allow more than four lots to gain access solely via an easement and for the easement to exceed 1,320 feet (0.25 miles). No Fiscal Impact.
21. Public Hearing (LDPD-2020-22 East Atlantic PD De Novo Hearing) to consider an appeal to the Planning Commission's decision to approve LDPD-2020-22. (No Fiscal Impact)
22. Public Hearing to consider LDCPAS 2020-5 (Loughman Fire Station, CPA) for adoption of a Small Scale Comprehensive Plan Amendment and associated ordinance to change the Future Land Use designation from Residential Medium-X (RMX) to Institutional-X (INSTX) in the Transit Supportive Development Area (TSDA) and in the Ronald Reagan Selected Area Plan (SAP).
23. Public Hearing (First Reading) LDCT-2020-9 (Lakes Access Amendment) to consider a County-initiated ordinance amending the Land Development Code. No Fiscal Impact.
24. Public Hearing (First Reading) LDCT-2020-8 (TSDA and Utilities Availability Clarification LDC Text Amendment) to consider the adoption of a County-initiated ordinance amending the Land Development Code. No Fiscal Impact.

P. CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

25. Removal of equipment from inventory as listed on Blanket Removal Form 2109.
26. Accept Unclaimed Funds check in the amount of \$16,390.93 from Joe G. Tedder, Tax Collector.
27. Accept Unclaimed Funds check in the amount of \$6,048.60 from Stacy M. Butterfield, Clerk of Circuit Court.
28. Final Fiscal Year 2020/2021 budget for City Center, Hawthorne Mill North, and Solterra Resort Community Development Districts.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

29. SET HEARING (LDCDD-2020-3 / North Power Line Road CDD Expansion) to consider the adoption of an applicant initiated ordinance to expand an existing Community Development District (CDD) located partially in both Davenport and the unincorporated areas of the County. Suggested hearing date is December 1, 2020 at 9:30 a.m. following the regular agenda (No fiscal impact).
30. SET HEARING LDCPAL 2020-17 (Berakah, CPA) to consider a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation on 4.84 +/- acres from Employment Center-X (ECX) to Institutional-X (INSTX) in the Transit Supportive Development Area (TSDA) and the North Ridge Selected Area Plan (SAP). Suggested transmittal hearing date is November 3, 2020 at 9:30 a.m. and the suggested adoption hearing date is February 2, 2021 at 9:30 a.m.
31. SET HEARING LDCPAL 2020-10 (Legacy Park CPA) to consider the transmittal and adoption of a Large Scale Comprehensive Plan Amendment and associated ordinance to change the Future Land Use designation from Professional Institutional-X (PIX) to Residential High-X (RHX) in the Transit Supportive Development Area (TSDA), North US 27 Selected Area Plan (SAP), the Ridge Special Protection Area (SPA) in the Green Swamp Area of Critical State Concern. The suggested transmittal hearing date is November 3, 2020 at 9:30 am and the adoption hearing is March 2, 2021 at 9:30 am.
32. SET HEARING LDCPAL 2020-6 (Marion Creek, CPA) to consider a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation on 190.52 +/- acres from Poinciana Pre-DRI #1 to Agricultural Residential Rural (A/RR) in the Rural Development Area (RDA). Suggested transmittal hearing date is November 3, 2020 at 9:30 a.m. and the suggested adoption hearing date is January 5, 2021 at 9:30 a.m.
33. SET HEARING LDCPAL 2020-4 (RV Park, CPA) to consider the transmittal and adoption of a Large Scale Comprehensive Plan Amendment and associated ordinance to change the Future Land Use designation on 23.82 +/- acres from Residential Low-X (RLX) and Neighborhood Activity Center-X (NACX) to Leisure Recreation-X (LRX) in the Utility Enclave Area (UEA) and in the Southeast Polk Selected Area Plan (SAP) Village Center-Core. The suggested transmittal hearing date is November 3, 2020 at 9:30 am and the adoption hearing is January 5, 2021 at 9:30 am.
34. SET HEARING LDCPAS 2020-5 (Loughman Fire Station CPA) (Adoption) to consider the adoption of a Small Scale Comprehensive Plan Amendment and associated ordinance to change the Future Land Use designation from Residential Medium-X (RMX) to Institutional-X (INSTX) in the Ronald Reagan Parkway Selected Area Plan (SAP) in the Transit Supportive Development Area (TSDA). Suggested adoption hearing date is October 20, 2020 at 9:30 a.m.
35. SET HEARING LDCT 2020-8 (TSDA and Utility Clarification) to consider the adoption of a Land Development Code text amendment. The first reading of this text amendment needs to be reset. Suggested hearing date for the first reading is October 20, 2020 at 9:30 a.m. and the second reading is suggested for November 3, 2020 at 9:30 p.m.
36. SET HEARING LDPD-2020-29 (Swiss Village Estates MHP) to consider a Planned Development request for a 40-unit Mobile Home Park with amenities on approximately 10 acres in a Residential Low-4 (RL-4) district. Suggested hearing date: December 1, 2020 at 9:30 a.m. No Fiscal Impact.
37. Martni Sand Mine Plaza Plat for Conditional Approval. (No fiscal impact)
38. Springs at Posner Park Plat for Conditional Approval. (No fiscal impact)
39. Westside Lakes Plat for Conditional Approval. (No fiscal impact)

40. Accept Bella Citta West Phase 2 & 3 potable water and reclaimed water utility system improvements for ownership, operation and maintenance by Polk County Utilities. (No fiscal impact)
41. Accept a one year warranty and cash surety in the amount of \$6,518.93 for Bella Citta West Phase 2 & 3. (No fiscal Impact)
42. Accept a replacement bond for the one year warranty surety in the amount of \$125,068 in the form of a Subdivision Performance Bond (No.GM 204125) for Kathleen Mine. (No fiscal impact)
43. Approve the release of a surety in the form of Performance Bond No. 41K000380 in the amount of \$345,155.86 for Creeks Crossing East. (No fiscal impact)

DEPUTY COUNTY MANAGER

PROCUREMENT

44. Approve piggyback agreement with Leesburg Concrete Company, Inc. (\$150,000 estimated annual expense)
45. Request Board approve selection committee's recommendation to authorize staff to enter into contract negotiations with Eisman & Russo, Inc. for constructing administration services for the Inwood multi-use path project. (No fiscal impact)
46. Request Board approve selection committee's recommendation to authorize staff to enter into contract negotiations with AE Engineering, Inc. for construction administration services for the Ariana Street sidewalk project. (No fiscal impact)

COMMUNICATIONS

47. Guardianship Awareness Month Proclamation

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

EMERGENCY MANAGEMENT

ROADS & DRAINAGE

48. Old Bartow-Eagle Lake Road Resolution Adopt a Resolution Setting Parking Restrictions on Old Bartow-Eagle Lake Road, near Bartow. (\$1,889.12 one-time expense)

UTILITIES

49. Approve Services Authorization 18-019-03 Modification No. 2 with the University of Central Florida for the Babson Park Water Treatment Plant No. 1 and Water Treatment Plant No. 2 Biological Activated Carbon Filtration Process Evaluation (\$34,979 one-time expense and time extension)

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

50. Adopt Resolution approving Extensions to Declaration of State of Local Emergency 20-01. (No fiscal impact).
51. Approve Land Purchase Agreement between Scott F. Allen, Trustee and Polk County in conjunction with a proposed new fire station in the Haines City area (\$153,000 one-time expense)
52. Authorize the conveyance of County's interest in Parcel ID Number 233001-142490-001041 to the City of Mulberry. (No fiscal impact)
53. Approve Lease between Polk County and Main Street Bartow, Incorporated, and adopt a resolution authorizing the lease of the associated property (No fiscal impact)
54. Approve Right-of-Way Agreement for Parcel 117 in conjunction with the West Pipkin Road Improvement Project. (46,471 one-time expense)
55. Approve Right-of-Way Agreement for Parcel 713 in conjunction with the West Pipkin Road Improvement Project. (\$28,500 one-time expense)

56. Approve Notice of Limitation of Use/Site Dedication in conjunction with the Bone Valley ATV Park Phase 1. (No fiscal impact)
57. Approve Agreement for Transfer of Public Road, between the City of Haines City and Polk County for a portion of 10th Street North and authorize a County Deed for the right-of-way associated therewith. (No fiscal impact)
58. Accept Quit Claim Deed from Deborah Ann Nash, Neil Edward Shoaf, and Stanley Lee Shoaf, for property being donated for conservation preservation. (No Fiscal impact)
59. SET HEARINGS to consider requests to vacate a portion of a platted drainage easement shown on the plat of Heatherwood Subdivision and platted rights-of-way shown on the plats of West Frostproof and Dixie Highway Homesites Unit No. 2. (Suggested hearing date is November 17, 2020 at 9:30 a.m, or immediately following the regular agenda)
60. Set public hearing to consider adoption of a resolution setting forth intention to utilize uniform method for collection of non-ad valorem assessments. SUGGESTED HEARING DATE: December 1, 2020 at 9:30a.m.
61. Accept a utility easement from Aviana Homeowners Association, Inc., as requested through the Development Review Process. (No fiscal impact)
62. Approve maintained right-of-way map for Summers Road. (No fiscal impact)
63. Release of Lien related to an Affordable Housing Impact Fee Waiver (No fiscal impact)
64. Release of Lien Related to Affordable Housing Impact Fee Waiver (No fiscal impact)
65. Authorize the County Attorney's Office to petition the Tenth Judicial Circuit Court for the appointment of a receiver to operate the abandoned wastewater system assets of the Crooked Lake Park Sewerage Company (the "CLPS Company") (\$400 filing fee expense)
66. Approve Outside Counsel Agreement with David A. Theriaque, P.A., d/b/a Theriaque & Spain.

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, October 21, 2020 - 9:00 a.m. - The Value Adjustment Board will hold hearing virtually. For more details, contact Jennifer Leidinger at JenniferLeidinger@polk-county.net.
- Thursday, October 22, 2020 - 8:30 a.m. - Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.

- Thursday, October 22, 2020 - 9:00 a.m. - The Value Adjustment Board will hold hearing virtually. For more details, contact Jennifer Leiding at JenniferLeiding@polk-county.net.

- Thursday, October 22, 2020 - 9:00 a.m. - Tourist Development Council will meet at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale and via Zoom meeting.

- Thursday, October 22, 2020 - 10:30 p.m. - Leadership Polk Government Day Roundtable Discussion with County Commissioners will be held at the Polk County Sheriff's Office Procap Room, 1891 Jim Keene Blvd, Winter Haven.

- Thursday, October 22, 2020 - 1:30 p.m. - Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.

- Friday, October 23, 2020 - 9:00 a.m. - The Value Adjustment Board will hold hearing virtually. For more details, contact Jennifer Leiding at JenniferLeiding@polk-county.net.

- Monday, October 26, 2020 - 9:00 a.m. - The Value Adjustment Board will hold hearing virtually. For more details, contact Jennifer Leiding at JenniferLeiding@polk-county.net.

- Monday, October 26, 2020 - 5:30 p.m. - Community Relations Advisory Council (CRAC) will meet in Multi-Purpose Room, Room 413.

- Tuesday, October 27, 2020 - 9:00 a.m. - The Value Adjustment Board will hold hearing virtually. For more details, contact Jennifer Leiding at JenniferLeiding@polk-county.net.

- Wednesday, October 28, 2020 - 9:00 a.m. - The Value Adjustment Board will hold hearing virtually. For more details, contact Jennifer Leiding at JenniferLeiding@polk-county.net.

- Thursday, October 29, 2020 - 8:30 a.m. - Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.

- Friday, October 30, 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.