



Polk County Board of County Commissioners

Meeting Agenda

September 7, 2021 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. (RICK WILSON, CHAIRMAN)

INVOCATION

1. Dr. Roger Estarellas, Edgewood Baptist Church, Lakeland

PLEDGE OF ALLEGIANCE (RICK WILSON, CHAIRMAN)

A. PRESENTATIONS and RECOGNITIONS

B. CEREMONIAL PROCLAMATIONS

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

2. Comments.

D. APPROVE CONSENT AGENDA

3. Approve Consent Agenda.

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

4. Disbursements.

5. Approve Minutes of Regular Board Meeting held on August 17, 2021.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

6. Approve the release of a warranty and surety in the amount of \$174,267.28 in the form of Maintenance Bond No. 70NGP184690 for Breakwater Cove. (No fiscal impact)

7. Accept Ernie Caldwell Boulevard Utility Improvements – Master Lift Station No. 2 (Polk County Utilities Lift Station No. 361). (No fiscal impact)

H. COUNTY MANAGER (BILL BEASLEY)

8. Accept and execute a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funding agreement with the Florida Division of Emergency Management for 31 FRS/EMS Stations Auxiliary Power Generators. (Federal Share: \$1,438,464.75, County Share: \$479,488.25; Total Project Cost: \$1,917,953)
9. Accept and execute a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funding agreement with the Florida Division of Emergency Management for FRS/EMS Protective Measures, Wind Retrofit for 35 FRS/EMS Stations. (Federal Share: \$1,249,682.25, County Share: \$416,560.75; Total Project Cost: \$1,666,243)
10. Accept and execute a Florida Department of Agriculture and Consumer Services (FDACS) Division of Marketing and Development Bureau of State Farmers Market – Agriculture Education and Promotion Facility Request for Funding grant Contract for miscellaneous improvements to the Bartow State Livestock and Crops Pavilion (Agricultural Center Campus). (\$495,241 total FDACS Grant Project Cost)

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

11. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

12. Appoint Angel Sims as an Alternate Member of the Planning Commission, for the three-year term, September 19, 2021 through September 18, 2024.
13. Commissioner Braswell Comments.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

14. Commissioner Santiago Comments.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

15. Letter to the Governor - "Right To Try"
16. Commissioner Combee Comments.

M. COMMISSIONER DISTRICT 2 (RICK WILSON, CHAIRMAN)

17. Reappoint Peter Verrill, MD as a member of the Citizens HealthCare Oversight Committee, representing Specialist Physicians, for the four year term, September 19, 2021 through September 18, 2025.
18. Appoint Commissioner Martha Santiago as County Champion for the Florida Association of Counties (FAC) Broadband Initiative
19. Chairman Wilson Comments.

N. LAY BOARD APPOINTMENTS

O. PUBLIC HEARINGS

* County Attorney opening comments

- 20. Public Hearing (LDCU-2021-16 Hookers Prairie and Noralyn Phosphoria Conceptual Mine Plan Amendment) to remove ±1,706 acres from the Noralyn Phosphoria Mine to combine it with the Hookers Prairie Mine Conceptual Mine Plan.
- 21. Public Hearing (LDAR 2021-39 Hookers Prairie Mine Operating Permit Renewal) to consider a request from Mosaic Fertilizer LLC, for a Two-Year Operating Permit Renewal from February 1, 2021 to January 31, 2023 for the Hookers Prairie Mine.
- 22. Public Hearing (LDCPAL-2020-21 Champions Station CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 14.26+/- acres from Town Center-X (TCX) to Neighborhood Activity Center-X (NACX) in the Transit Supportive Development Area (TSDA) in the Ridge Special Protection Area (SAP) of the Green Swamp Area of Critical State Concern (GSACSC).
- 23. Public Hearing (LDCD-2021-3 Bowling Green District Change) (Adoption hearing) to consider an applicant-initiated request to change the Land Use Sub-District designation on approximately 0.75 +/- acres from Rural Cluster Center - Residential (RCC-R) to Rural Cluster Center – Commercial (RCC).
- 24. Public Hearing (LDCD-2021-4 Waterfield Circle Sub-District Change) (Adoption Hearing) to consider a Sub-District Map change from Business Park Center-1X (BPC-1X) to Business Park Center-2X (BPC-2X) within the US 98 Selected Area Plan (SAP) on +/- 3.92 acres.

P. CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPROLLER

- 25. Removal of equipment from inventory as listed on Blanket Removal Form 2130.
- 26. Approve Addendum #4 to the Personal Service Agreement with CliftonLarsonAllen, LLP #16-60
- 27. Audit Report 2021-06 Follow-up of P Card Usage - Facilities Division.
- 28. Accept list of Lands Available from Tax Deed Sale on August 19, 2021.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

29. Approve Mirabella Phase 2 Plat for Conditional Approval. (No fiscal impact)
30. SET HEARING (LDCD-2021-10 Dranefield Sub-District Change) to consider a Sub-District Map change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) on +/- 9.51 acres. (Suggested hearing date is September 21, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
31. SET HEARING (LDCPAL-2021-6 Mims RV Park) to consider the adoption of an applicant initiated Large-Scale Comprehensive Plan Amendment to change the Future Land Use Designation on 979.65 +/- acres from Phosphate Mining (PM) and Agricultural/ Residential-Rural (A/RR) to Leisure Recreation (LR) in the Rural Development Area (RDA). (Suggested hearing dates are September 21, 2021 at 9:30 a.m. or immediately following the Regular Agenda and November 30, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
32. SET HEARING (LDCT-2021-10 LUHO Expansion) to consider the adoption of a County-initiated ordinance amending the Land Development Code. (Suggested hearing dates are September 21, 2021 at 9:30 a.m. or immediately following the Regular Agenda and October 5, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
33. SET HEARING (LDCU-2021-15 Sutton Mobile Home CU De Novo Hearing) to consider an appeal to the Planning Commission's decision to approve LDCU-2021-15. (Suggested hearing date is September 21, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
34. SET HEARING (LDPD-2021-17 Touchstone PD De Novo Hearing) to consider an appeal to the Planning Commission's decision to approve LDPD-2021-17. (Suggested hearing date is September 21, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
35. SET HEARING (LDPD-2021-23 Brooklyn Meadows MHP) to consider a Planned Development request for a 46-unit Mobile Home Park with amenities on approximately 9.2 acres in a Residential Low-2 (RL-2) district. (Suggested hearing date is September 21, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
36. Approve the release of a surety in the form of Performance Bond No. LICX1165862 in the amount of \$76,384.26 for Greenfield Village Phase 2. (No fiscal impact)
37. Accept Greenfield Village Phase 2 potable water, wastewater, and reclaimed water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
38. Accept a one-year warranty and surety in the amount of \$189,381.42 in the form of Maintenance Bond No. LICX1165866 for Greenfield Village Phase 2. (No fiscal impact)
39. Approve the release of a warranty and surety in the amount of \$81,707.96 for Tierra Del Sol.
40. Accept a cash Performance Surety for Camden Park at Providence Phase 4 in the amount of \$55,000. (No fiscal impact)
41. Approve Jackson Landing Plat for Conditional Approval. (No fiscal impact)

DEPUTY COUNTY MANAGER

PROCUREMENT

42. Approve Selection Committee's recommendation to authorize staff to enter into contract negotiations with Engineered Fluid, Inc. dba EFI-Solutions to construct the factory-fabricated pump station for 540A Booster Station (No fiscal impact)

COMMUNICATIONS

43. Proclaim November 17, 2021 as NRA Day in Polk County.
44. Proclaim September 15 through October 15, 2021 as Hispanic Heritage Month.

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

45. Approve Community Development Block Grant (CDBG) subrecipient agreement Amendment 1 between Polk County and the City of Bartow for the East Gay Street Sidewalks project. (Time extension only)
46. Approve Emergency Solution Grant Covid-19 (ESG CV -2) Subrecipient Agreement Amendment No. 1 between Polk County and Talbot House Ministries. (\$74,620 one-time expense)
47. Approve Emergency Solution Grant Covid-19 (ESG CV -2) Subrecipient Agreement Amendment No. 1 between Polk County and Peace River Center for Personal Development, Inc. (\$74,620 one-time expense)
48. Approve State Housing Initiatives Partnership (SHIP) Annual Report (AR) for FY 2018-2019 Closeout Year. (No fiscal impact)
49. Approve a contract with Tri-County Human Services, Inc. for Men's JASA "Jail Alternatives to Substance Abuse" Program. (total amount not to exceed \$174,100)

EQUITY & HUMAN RESOURCES

INFORMATION TECHNOLOGY

CODE ENFORCEMENT

COUNTY PROBATION

RISK MANAGEMENT

50. Consider approval of the proposed settlement in the matter of Flora Silvas v. Polk County Sheriff's Office. (\$27,500 one-time expense)

INDIGENT HEALTH CARE

DEPUTY COUNTY MANAGER

FACILITIES MANAGEMENT

FLEET MANAGEMENT

PARKS & NATURAL RESOURCES

FIRE RESCUE

EMERGENCY MANAGEMENT

ROADS & DRAINAGE

51. Adopt a Resolution setting parking restrictions on Alfani Street, Rosselli Boulevard, San Carlo Road and Verdi Street, within the Bella Toscana Subdivision, near Davenport. (\$2,602.11 one-time expense)
52. Adopt a Resolution setting speed limit on Trinity Ridge Circle within the Trinity Ridge Subdivision, near Davenport. (\$121.15 one-time expense)
53. Approve Interlocal Agreement with the City of Winter Haven for sidewalk construction on Avenue Y NE, Winter Haven. (\$26,953.70 estimated reimbursement)

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

54. Approve Agreement for Traffic Control on Private Roads for Indian Lakes Estates, Inc. (No fiscal impact)
55. Approve Release of Lien related to an Affordable Housing Impact Fee Waiver. (No fiscal impact)
56. Approve Release of Lien related to a Workforce Housing Impact Fee Mitigation upon payment of \$2,080. (\$2080 one-time revenue)
57. Accept a Utility Easement from Heritage Investments of Polk II, LLC and authorize a Partial Release of Easement in conjunction with proposed development. (No fiscal impact)
58. Accept Quit Claim Deed from Clayton Properties Group, Inc., for additional right-of-way along Pearce Road in conjunction with proposed development. (No fiscal impact)

59. Accept Quit Claim Deed for property being donated for conservation preservation, located in the Lake Wales Ridge Ecosystem - Crooked Lake West project area, Friedman Estate Parcel. (No fiscal impact)
60. Accept instruments for additional right-of-way along 4th Street and 5th Street (Wahneta), and along Waring Road as requested through the Development Review Process. (No fiscal impact)
61. 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, Jimenez and Weigold parcels. (\$3,000 one-time expense)
62. Declare surplus and authorize the public sale of County-owned properties, Crystal Lake Acres Drive, Reynolds Road and Fuller Street parcels. (Potential for \$121,000 or greater, one-time revenue)
63. Accept a Utility Easement from Clayton Properties Group, Inc. for utility facilities within the Hunter's Crossing development. (No fiscal impact)
64. Declare surplus and authorize the public sale of County-owned remnant right-of-way parcel from the Kathleen Road Phase II Project. (Potential for \$67,650 or greater, one-time revenue)
65. SET HEARING to consider requests to vacate a platted Drainage Canal/Drainage Easement as shown on the Plat of Conine Heights along with platted, unopened and unmaintained rights-of-way, or portions thereof, as shown on the Revised Plat of Crooked Lake Subdivision and on the plat of Poinsettia Park. (Suggested hearing date is September 21, 2021 at 9:30 a.m or immediately following the Regular Agenda)
66. Approve Agreement for Traffic Control on Private Roads for Campbell Crossing Homeowners Association, Inc. (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, September 6, 2021 – The offices of the Board of County Commissioners will be closed in observance of the Labor Day Holiday.
- Wednesday, September 8, 2021 - 8:15 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Wednesday, September 8, 2021 - 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, September 8, 2021 - 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.
- Thursday, September 9, 2021 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, September 9, 2021 - 9:00 a.m. – Polk Transportation Planning Organization will meet at the History Center, 100 E. Main Street, Bartow.
- Thursday, September 9, 2021 - 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Thursday, September 9, 2021 - 5:30 p.m. – Contractor Licensing Board will meet in the County Commission Boardroom.
- Monday, September 13, 2021 - 6:00 p.m. – Public Hearing to adopt 2021-22 Final Assessment Resolutions and Final Assessment Rolls for (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 Assessment (Angus Road, Asherwoods, Black, White, Huggins Roads, Estate Road, J.E.H. Road, Moore Road, Pete’s Lane, Pioneer Drive, Ridge Road, and Roy Burt Road), (6) Nuisance Abatement, (7) Excessive Bulk Waste, (8) East Bimini Bay Utility Municipal Services Benefit Unit, and (9) Island Club West Utility Municipal Services Benefit Unit non-ad valorem assessments for fiscal year 2021-22.

- Monday, September 13, 2021 - 6:00 p.m. – Public Hearing to adopt Tentative Millage Rates and Budget for fiscal year 2021-22 (includes millage rates and budget for the Parks, Library, Stormwater, and Rancho Bonito MSTUs) will be held in the County Commission Boardroom.

- Tuesday, September 14, 2021 - 3:00 p.m. – Lakes Access Advisory Committee meeting will be held at the Parks & Natural Resources office, 4177 Ben Durrance Road, Bartow.

- Tuesday, September 14, 2021 - 6:00 p.m. – Stormwater Technical Advisory Committee Virtual Meeting will be held via Zoom. Contact Tabitha Biehl at (863)534-7377 or email tabithabiehl@polk-county.net for the Zoom log-in information.

- Wednesday, September 15, 2021 - 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.

- Wednesday, September 15, 2021 - 2:00 p.m. – Polk Regional Water Cooperative Board of Directors Meeting will be held at Nora Mayo Hall, 500 3rd Street NW, Winter Haven.

- Thursday, September 16, 2021 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.

- Thursday, September 16, 2021 - 9:00 a.m. – Tourist Development Council’s Sports & Special Events Committee will meet at the Bartow Golf Course, 190 Idlewood Avenue S., Bartow.

- Thursday, September 16, 2021 – 1:00 p.m. – Land Use Hearing Officer Appeal

Hearing will be held in the Multi-Purpose Room, 413.

- Thursday, September 16, 2021 - 1:30 p.m. – Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.

- Friday, September 17, 2021 - 8:30 a.m. – Citizens Healthcare Oversight Committee will meet in the County Commission Boardroom.

- Friday, September 17, 2021 - 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, September 20, 2021 - 1:30 p.m. – Transportation Disadvantaged Local Coordinating Board will meet in the County Commission Boardroom.

- Monday, September 20, 2021 - 6:00 p.m. – Public Hearing to adopt Final Millage Rates and Budget for fiscal year 2021-2022 (includes millage rates and budget for the Parks, Library, Stormwater, and Rancho Bonito MSTUs) will be held in the County Commission Boardroom.