



Polk County Board of County Commissioners

Meeting Agenda

January 4, 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. Dr. Joy Jackson, Director, Florida Department of Health - COVID update for Polk County.

B. CEREMONIAL PROCLAMATIONS

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

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 December 14, 2021.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

7. Rescind October 19, 2021 approval of Chestnut Creek Plat for Conditional Approval and reapprove Chestnut Creek Plat for Conditional Approval. (No fiscal impact)

8. Rescind December 14, 2021 acceptance of Performance Surety Bond No. 70NGP185139 for Chestnut Creek in the amount of \$869,379.73 and reaccept Performance Surety Bond No. 70NGP185139 for Chestnut Creek in the amount of \$869,379.73. (No fiscal impact)
9. Approve the release of a surety in the form of Performance Bond No. 70NGP185019 in the amount of \$1,153,834.47 for Willow Ridge. (No fiscal impact)
10. Accept Willow Ridge potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
11. Accept a one-year warranty and surety in the amount of \$150,796.26 in the form of Maintenance Bond No. 70NGP185125 Willow Ridge. (No fiscal Impact)

H. COUNTY MANAGER (BILL BEASLEY)

12. Approve the First Amendment to an Emergency Rental Assistance Subaward Agreement with Heart for Winter Haven, Inc. (\$1,100,000 additional one-time expense)
13. Approve the contract with the Winter Haven Hospital Foundation, Inc. for the Mental Health Services Access Program. (Total amount not to exceed \$790,380 for the term of the contract or \$263,460 annually)
14. Approve agreement with Merlin Entertainments Group Florida, LLC (LEGOLAND). (\$375,000 annual expense for five years; \$99,500 one time expense)

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. Appoint Cauney B. Bamberg to serve as the Business Community member of the Citizens HealthCare Oversight Committee for the remainder of the four-year term ending March 1, 2025.
19. FCC Refuse Hauling Contract Discussion.

M. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO, CHAIR)

20. Chair Santiago Comments.

N. LAY BOARD APPOINTMENTS

21. Appoint JaQuis McCullough to Housing and Neighborhood Development's Citizens Advisory Committee (CAC) for the three-year term, January 1, 2022 to December 31, 2024.

O. PUBLIC HEARINGS

* County Attorney opening comments

- 22. 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 Florida Development Company Tract.
- 23. Public Hearing (LDCDD-2021-8 North Power Line Road CDD 3rd 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.
- 24. Public Hearing (LDCT-2021-14 Sign Code Revisions: On-Premises Signs) (First Public Hearing - No Action) a County initiated ordinance amending the Land Development Code to improve clarity in the on-premises sign regulations.
- 25. Public Hearing (LDCT-2021-15 Home Occupations and Commercial Vehicles) (Adoption Hearing) a County initiated ordinance amending the Land Development Code to meet recent statutory changes to regulating home-based businesses.

P. CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

- 26. Removal of equipment from inventory as listed on Blanket Removal form 2138.

- 27. The 2021-2022 Annual Meeting Schedule for the City Center and Leomas Landing Community Development Districts.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

- 28. SET HEARING (LDCD-2021-16 Hancock Crossing Sub-District Change) to consider a Sub-District Map change from Residential Low-1 (RL-1X) to Residential Low-3 (RL-3X) on +/- 38.48 acres in the US Highway 98 SAP. (Suggested hearing date is January 18, 2022 at 9:30 a.m. or immediately following the Regular Agenda)

29. SET HEARING (LDCD 2021-19 US 98 Self-Storage CPA) to consider the adoption of a Land Development District change 4.23 +/- acres from Business Park Center-1X (BPC 1X) to Business Park Center-2X (BPC-2X) in the Transit Supportive Development Area (TSDA) and in the US 98 Selected Area Plan (SAP). This case is related to LDCPAS-2021-13 and LDCT 2021-18 to limit the uses to self-storage. (Suggested hearing date is February 1, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
30. SET HEARING (LDCPAS 2021-13 US 98 Self-Storage CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 4.23 +/- acres from Town Center (TCX) to Business Park Center-X (BPCX) and a Parcel Specific Text Amendment to limit the use to only self-storage in Appendix 2.135. This case is related to LDCD-2021-19 and LDCT-2021-18 for a LDC district change to BPC-2X and to limit the uses to self-storage. (Suggested hearing date is February 1, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
31. SET HEARING (LDCT-2021-18 US 98 Self-Storage) for an applicant-initiated ordinance amending the Land Development Code to Appendix E Parcel Specific Future Land Use with Conditions to limit the uses for the parcel related to LDCPAS-2021-13 to change the Future Land Use designation from Town Center-X (TCX) to Business Park Center-X (BPCX). This case is also related to LDCD-2021-19 for a district change from Business Park Center-1X to Business Park Center-2X. (Suggested hearing dates are January 18, 2022 at 9:30 a.m. or immediately following the Regular Agenda and February 1, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
32. SET HEARING (LDCT-2021-17 US 27 PIX Self-Storage) an applicant-initiated ordinance amending the Land Development Code to add Self-Storage Facilities to the list of uses allowed in the Professional Institutional-X (PIX) land use district in the North US 27 Selected Area Plan (SAP) and amend conditional use standards for Self-Storage Facilities. (Suggested hearing dates are January 18, 2022 at 9:30 a.m. or immediately following the Regular Agenda and February 1, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
33. Approve Windsor Island Resort Phase 3 plat for Conditional Approval. (No fiscal impact)
34. Accept a one-year warranty and cash surety in the amount of \$500. for Catalyst Reunion Apartments. (No fiscal Impact)
35. Accept a performance surety in the form of an Irrevocable Letter of Credit (70005638) for Cypress Sand Mine in the amount of \$36,332.29 for the lifetime of the mine. (No fiscal Impact)
36. Approve the release of a surety in the form of Performance Bond No. EACX4019935 in the amount of \$134,993.25 for Madison Place Townhomes Phase 3. (No fiscal impact)
37. Accept Madison Place Townhomes Phase 3 potable water, wastewater and reclaim 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 \$28,512.41 in the form of Maintenance Bond No. LICX1210794 Madison Place Townhomes Phase 3. (No fiscal Impact)
39. Approve the release of a surety in the form of Performance Bond No. SU1169874 in the amount of \$1,331,339.22 for Tierra Del Sol East Phase 2. (No fiscal impact)

40. Accept Tierra Del Sol East Phase 2 water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
41. Accept a two-year warranty and surety in the amount of \$40,104.28 in the form of Maintenance Bond No. SU1169874-1 for Tierra Del Sol East Phase 2. (No fiscal Impact)
42. Recommendation to waive optional public hearing relating to Westview South CDD a Community Development District (CDD) proposed partially in both Osceola County and the unincorporated areas of Polk County.

DEPUTY COUNTY MANAGER

PROCUREMENT

43. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Hazen and Sawyer, P.C. to provide professional engineering services for septage receiving stations. (No fiscal impact)
44. Approve Agreement for active Global Positioning Satellite (GPS) electronic monitoring services with Attenti US, Inc. (\$715,500 estimated annual expense)
45. Approve a construction contract with DBE Management LLC dba DBE Utility Services for the Ernie Caldwell Reclaimed Water Main Improvements Phase 2 project. (\$3,121,280.67 one-time expense)
46. Approve a construction contract with A.C. Shultes of Florida, Inc. d/b/a/ Rowe Drilling. for the Holly Hill Water Production Facility Upper Floridan Production Well No. 2 project. (\$1,484,122.50 one-time expense)
47. Approve Amendment No 4 to assign the agreement for Utilities Software Gap Analysis from Westin Technology Solutions to Raftelis Financial Consultants, Inc. and add testing services and change management services. (\$511,750 not-to-exceed, one-time expense)

COMMUNICATIONS

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

EQUITY & HUMAN RESOURCES

48. Approve the Collective Bargaining Agreement between Polk County and the IAEP.
49. Approve revisions and updates to the Collective Bargaining Agreement between Polk County & the FOPE.

INFORMATION TECHNOLOGY

50. Approve replacement of IQM2 software with Legistar, to include cloud services via Granicus/Carahsoft (\$37,633 estimated first year expense)

CODE ENFORCEMENT

COUNTY PROBATION

RISK MANAGEMENT

- 51. Consider approval of the proposed settlement in the matter of Chelsea Carrero & Ailyn Santiago v. Polk County Sheriff's Office. (\$180,000 one-time expense)

INDIGENT HEALTH CARE

DEPUTY COUNTY MANAGER

FACILITIES MANAGEMENT

- 52. Approve a Consultant Services Authorization with The Curtis Mundy Hunnicutt Associates Architects (CMHM Architects) to provide consultant services associated with the Road and Drainage Division Roadway Maintenance Unit - Upgrade for Frostproof Location. (\$218,146 one-time expense)

FLEET MANAGEMENT

PARKS & NATURAL RESOURCES

FIRE RESCUE

EMERGENCY MANAGEMENT

- 53. Adopt a Resolution naming the previously unnamed private roadway located in Fort Meade, S-26, T-31, R-01, Front Street.

ROADS & DRAINAGE

- 54. Approve a Cooperative Funding Agreement with Southwest Florida Water Management District (SWFWMD) to fund the Lake Lowery Outfall Evaluation Project. (\$50,000 one-time revenue)
- 55. Approve Modification No. 1 to the Consultant Services Authorization with Patel, Greene & Associates, PLLC for additional engineering and construction services for the Wildwood Sub-Division Drainage Improvements Project. (\$9,636.54 one-time expense)
- 56. Adopt a Resolution setting parking restrictions on Boat Ramp Road, near Lake Wales. (\$455.54 one-time expense)
- 57. Adopt a Resolution setting parking restrictions on Oakpoint Circle within the Oakpoint Subdivision, near Davenport. (\$455.54 one-time expense)

UTILITIES

WASTE & RECYCLING

ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY

COURT RELATED

POLK COUNTY PROPERTY APPRAISER

POLK COUNTY SHERIFF

58. Approve a one-time allocation of \$800,000 to the Polk County Sheriff's Office due to unspent FY20/21 appropriations.
59. Approve and release an appropriation and expenditure from the Law Enforcement Trust Fund.

POLK COUNTY SUPERVISOR OF ELECTIONS

60. Approve Supervisor of Elections Budget Amendment for the 2022 Election Security Funds for Network Failure Grant.
61. Approve Supervisor of Elections Budget Amendment for the 2022 Network Security Enhancements Grant.

POLK COUNTY TAX COLLECTOR

SUPERINTENDENT OF POLK COUNTY SCHOOLS

WORKFORCE DEVELOPMENT BOARD

COUNTY ATTORNEY

62. Approve a Release of Lien (Chandra Austile) related Workforce Housing Impact Fee Mitigation. (No fiscal impact)
63. Accept Quit Claim Deed from James Emory for additional right-of-way for Hart Road. (No fiscal impact)
64. Accept utility easements from STOF Holdings, LLC, Shepherd SS Associates, LLC, and Sun State International Real Estate, LLC, as requested through the Development Review Process. (No fiscal impact)
65. Accept instruments for additional right-of-way along Finger Lane as requested through the Development Review Process. (No fiscal impact)
66. Accept Quit Claim Deed from James Winkelman for property being donated adjacent to the Poinciana Community Park. (No fiscal impact)
67. Accept Quit Claim Deed for additional right-of-way along Old Kissimmee Road along with a Polk County Utilities Easement as requested through the Development Review Process. (No fiscal impact)
68. Declare surplus and authorize the public sale of County-owned Parcel ID Number 262816-537500-000581. (Potential for \$3,522 or greater, one-time revenue)
69. Approve Land Purchase Agreement in conjunction with the purchase of a conservation preservation property located in the Lake Wales Ridge Ecosystem Project - Crooked Lake West Area, Heit, Parisi, and Patton parcels. (\$3,099 one-time expense)
70. Declare surplus and authorize the public sale of a portion of County-owned property identified as Parcel ID Number 232733-000000-021009. (Potential for \$110,000 or greater, 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.

- Monday, January 3, 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.
- Tuesday, January 4, 2022 - 6:00 p.m. – Sidewalk Advisory Committee will meet in the Multi-Purpose Room, Room 413.
- Wednesday, January 5, 2022 - 8:15 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Wednesday, January 5, 2022 - 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.
- Thursday, January 6, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Thursday, January 6, 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. **CANCELED**
- Tuesday, January 11, 2022 - 10:00 a.m. – Lakes Access Advisory Committee will meet at the Florida Fish and Wildlife Bass Conservation Center, 3583 County Road 788, Webster.
- Tuesday, January 11, 2022 - 1:30 p.m. – Library Cooperative Librarians’ Advisory

Council will meet at the Winter Haven Library, 325 Avenue A NW, Winter Haven.

- Wednesday, January 12, 2022 - 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, January 12, 2022 - 1:30 p.m. – Library Cooperative Governing Board will meet at the Winter Haven Public Library, 325 Avenue A NW, Winter Haven.
- Wednesday, January 12, 2022 - 4:00 p.m. – Central Florida Development Council Board Meeting will be held at 1725 Bartow Road, Lakeland and via Zoom. For more information, contact Lindsay Zimmerman at Lindsay@cfdc.org.
- Thursday, January 13, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Thursday, January 13, 2022 - 9:00 a.m. – Tourist Development Council's Marketing Committee will meet at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, January 13, 2022 - 2:30 p.m. – Historical Commission and Marker Committee will meet in the County Commission Boardroom.
- Thursday, January 13, 2022 - 5:30 p.m. – Contractor Licensing Board will meet in the County Commission Boardroom.
- Friday, January 14, 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.