



# Polk County Board of County Commissioners

## Meeting Agenda

### June 15, 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. Rev. Obed Perez, Iglesia Vida Victoriosa, Lakeland

#### **PLEDGE OF ALLEGIANCE (RICK WILSON, CHAIRMAN)**

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

2. Video Recognition of employees with more than 20 years of service to 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 June 1, 2021.

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

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

7. Proposed Fiscal Year 2021-2022 budgets for the Astonia, Highland Meadows and Highland Meadows West Community Development Districts.

8. Approve Treymont Phase 2 Plat for Conditional Approval. (No fiscal impact)

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

9. Approve Change Order No. 01 with Rodda Construction, Inc., for the Northeast Regional Park (NERP) project. (\$1,866,052 one-time expense)
10. Approve Utility Relocation Agreement with Duke Energy Florida, LLC (Duke) for the Lake Wilson Road Widening Project. (\$6,192,350.97 one-time expense)
11. Approve a CIP Amendment and Budget Transfer for the Ronald Reagan Parkway (CR 54) @ CR 547 Intersection Improvement Project. (\$1,000,000 one-time expense)

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

12. Commissioner Lindsey Comments.

**J. COMMISSIONER DISTRICT 3 (BILL BRASWELL)**

13. Commissioner Braswell Comments.

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

14. Commissioner Santiago Comments.

**L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)**

15. Commissioner Combee Comments.

**M. COMMISSIONER DISTRICT 2 (RICK WILSON, CHAIRMAN)**

16. Chairman Wilson Comments.

**N. LAY BOARD APPOINTMENTS**

**O. PUBLIC HEARINGS**

\* County Attorney opening comments

17. Public Hearing seeking comment on the advisability of Polk County providing Commercial Waste collection service by franchise contract with one or more private companies. (No Fiscal Impact)
18. Public Hearing (LDAR 2021-40 Kingsford Mosaic Biennial Operating Permit Renewal) to consider a request for a Two-Year Operating Permit Renewal from July 1, 2021 to June 30, 2023.
19. Public Hearing (LDAR-2021-41 Fort Green Mine Biennial Operating Permit Renewal) to consider a request for a Two-Year Operating Permit Renewal from July 1, 2021 to June 30, 2023.
20. Public Hearing (LDAR-2021-42 Payne Creek Mine Biennial Operating Permit Renewal) to consider a request for a Two-Year Operating Permit Renewal from July 1, 2021 to June 30, 2023.

21. Public Hearing (LDAR-2021-43 Four Corners Mine Biennial Operating Permit Renewal) to consider a request for a Two-Year Operating Permit Renewal from July 1, 2021 to June 30, 2023.
22. Public Hearing (LDCDD-2021-6 Lake Deer CDD) to consider the adoption of an applicant-initiated ordinance to adopt a Community Development District (CDD) in the unincorporated area of the county.
23. Public Hearing (LDCT-2021-2 PIX Gas Station & Incidental Car Wash Text Amendment) (First Public Hearing - No Action) to consider an applicant-initiated ordinance amending the Land Development Code.
24. Public Hearing (LDCU-2021-2 All-Pro Expansion) to consider the expansion of a non-conforming salvage yard in a Residential Suburban land use district.
25. Public Hearing (LDCT-2021-4 Commercial BPC) (First Public Hearing - No Action) to consider an applicant-initiated ordinance amending the Land Development Code.
26. Public Hearing (LDCT 2021-1 PCU AMI) to consider the adoption of a County-initiated ordinance amending the Land Development Code. (To be continued to July 6, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
27. Public Hearing to consider adoption of an ordinance amending Polk County Ordinance 11-007 "Polk County Structural Maintenance Ordinance."

**P. CONSENT AGENDA ITEMS**

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

28. Removal of equipment from inventory as listed on Blanket Removal Form 2125.
29. Proposed Fiscal Year 2021-2022 budgets for the Cypress Park Estates, Holly Hill Road East, Lake Ashton, Poinciana, Poinciana West, Saddle Creek Preserve and Towne Park Community Development Districts.
30. Resolution providing for the division of proceeds of the six (6) cent Local Option Gas Tax beginning on September 1, 2021.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

31. Approve the release of a warranty and surety in the amount of \$48,395.45 in the form of Maintenance Bond No. 72BCSHT4680 for Cayden Reserve Phase 2. (No fiscal impact)
32. Approve the release of a warranty and cash surety in the amount of \$2,840 for County Line Commons Aldi. (No fiscal impact)
33. Approve the release of a warranty and surety in the amount of \$23,905 in the form of Maintenance Bond No. MI3010 for County Line Commons Infrastructure. (No fiscal impact)
34. Approve the release of a warranty and surety in the amount of \$320,748.68 in the form of Maintenance Bond No. 2286485 for Loughman Crossing (aka Water Line Installation Work – Publix Shopping Center). (No fiscal impact)
35. SET HEARING (LDCPAS 2020-12 Old Lake Wilson Road) (Adoption Hearing) to consider a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation on 0.34 +/- acres from Residential Medium-X (RMX) to Institutional-X (INSTX) in the Transit Supportive Development Area (TSDA) and the Ronald Reagan Selected Area Plan (SAP). (Suggested hearing date is July 6, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
36. SET HEARING (LDCPAS 2020-17 Pipkin Progress) to consider a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation on 2.48 +/- acres from Business Park Center (BPC) to Convenience Center (CC) in the Transit Supportive Development Area (TSDA). (Suggested hearing date is July 20, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
37. SET HEARING (LDCPAS 2021-1 Calvary) to consider a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation on 7.73 +/- acres from Residential Medium (RM) to Institutional (INST) in the Transit Supportive Development Area (TSDA). (Suggested hearing date is July 6, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
38. SET HEARING (LDWA-2021-9 Honey Farm Estates Waiver) to consider the adoption of an applicant-initiated request for a waiver for access through an easement serving more than four lots in a Residential Low-1 (RL-1) land use district on approximately 8.33 acres. (Suggested hearing date is July 6, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
39. Approve the release of a warranty and surety in the amount of \$171,532.70 in the form of Maintenance Bond No. 2542372 for Trinity Ridge (aka Student Drive). (No fiscal impact)
40. Approve the release of a warranty and surety in the amount of \$74,621.93 in the form of Maintenance Bond No. 1158183 for William's Preserve Phase 2A. (No fiscal impact)
41. Approve the release of a warranty and surety in the amount of \$67,272.87 in the form of Maintenance Bond No. 1158192 for Williams Preserve Phase 2B. (No fiscal impact)
42. Approve the release of a warranty and surety in the amount of \$15,619.92 in the form of Maintenance Bond No. 1158184 for William's Preserve Reclaim Water Main. (No fiscal impact)
43. Approve the release of a warranty and surety in the amount of \$34,941.87 in the form of Maintenance Bond No. 0225715 for Meadows at Scott Lake Creek. (No fiscal impact)

44. SET HEARING (LDCPAS 2021-4 Swindell) to consider a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 0.50 +/- acres from Residential Low (RL) to Linear Commercial Corridor (LCC) in the Transit Supportive Development Area (TSDA). (Suggested hearing date is July 6, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
45. Approve Orleans plat for Conditional Approval. (No fiscal impact)
46. Approve Solivita Phase 5C plat for Conditional Approval. (No fiscal impact)
47. SET HEARING (LDCPAS 2021-3 Pipkin-Harden) to consider a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 5.54 +/- acres from Residential Low (RL) to Institutional (INST) in the Transit Supportive Development Area (TSDA). (Suggested hearing date is July 6, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
48. Approve Polk County School Board's request for release of Educational System Impact Fees. (No fiscal impact)

#### DEPUTY COUNTY MANAGER

#### BUDGET & MANAGEMENT SERVICES

49. Adopt a Resolution to amend the FY20/21 Budget for the American Rescue Plan Act of 2021. (\$70,389,718 one time revenue)

#### PROCUREMENT

50. Approve the Construction Manager at Risk (CMAR) 2020-051-05, Guaranteed Maximum Price (GMP) Addendum with Henkelman Construction, Inc., for the Polk County Tax Collector Restrooms Renovations (\$105,332.40 one-time expense)
51. Approve the Construction Manager at Risk (CMAR) 2020-051-01, Guaranteed Maximum Price (GMP) Addendum with Henkelman Construction, Inc., for the Polk County Courthouse Restrooms Renovations (\$223,044.40 one-time expense)
52. Approve the Construction Manager at Risk (CMAR) 2020-051-04, Guaranteed Maximum Price (GMP) Addendum with Henkelman Construction, Inc., for the Polk County Administration Building Boardroom Modifications (\$117,270.40 one-time expense)

#### COMMUNICATIONS

53. Proclaim June 2021 as Vitiligo Awareness Month.

#### COOPERATIVE EXTENSION SERVICES

#### HEALTH & HUMAN SERVICES

54. Approve affordable housing agreement with Keystone Challenge Fund for three new construction single family homes. (\$513,000 one-time expense)
55. Approve HOME Investment Partnership rehabilitation/replacement program homeowner assistance agreement, for the property located in Lake Wales, FL (\$143,016.20 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

EMERGENCY MANAGEMENT

ROADS & DRAINAGE

- 56. Adopt a Resolution setting speed limit on Grady Mock Road, near Lakeland. (\$232.61 one-time expense)
- 57. Adopt a Resolution setting speed limit on Millstone Street, near Lake Wales. (\$121.15 one-time expense)
- 58. Adopt a Resolution setting speed limit on Pelican Court, near Lakeland. (\$121.15 one-time expense)
- 59. Adopt Resolution setting truck restrictions on Acuff Road, Airport Road, East Bay Boulevard North and West Bay Boulevard North (near Lake Wales). (\$455.54 one-time expense)

UTILITIES

- 60. Approve a CIP amendment for the Crooked Lake Park Receivership project. (\$2,750,000 one-time transfer)

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

61. Reappoint Special Magistrate Tiffany Stanton-Hawks, Esquire as Code Enforcement Special Magistrate, David Maldonado, Esquire as Appellate Code Enforcement Special Magistrate & Jillian Spangler as Alternate Code Enforcement Special Magistrate.
62. Consider adoption of a resolution setting policy guidelines for foreclosing demolition liens.
63. Adopt Resolution approving Extensions to Declaration of State of Local Emergency 20-01. (No fiscal impact).
64. Approve Resolution and Interlocal Agreement with Florida Development Finance Corporation.
65. Approve Subordination Agreement between Polk County and the City of Lakeland for parcel acquired for the Galloway at Sleepy Hill Intersection Improvement Project. (No fiscal impact)
66. SET HEARING to consider a request to vacate platted, unopened and unmaintained right-of-way as shown on the Revised Plat of Crooked Lake Subdivision. (Suggested hearing date is July 6, 2021 at 9:30 a.m or immediately following the regular agenda)
67. Approve Right-of-Way Agreement between The School Board of Polk County and Polk County in conjunction with FDC Grove Road. (\$51,520 one-time expense)
68. Authorize the conveyance of County's interest in Parcel ID Number 232726-010000-002801 to the City of Lakeland. (No fiscal impact)
69. Accept utility easement from Watermark at Davenport, as requested through the Development Review Process. (No fiscal impact)
70. 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; Carlson, Skelton, LaPlant, and Groth, parcels. (\$7,000 one-time expense)
71. Consider adoption of a written order denying LDCU 2020-45 with prejudice. (No fiscal impact)
72. Adopt a resolution expressing Polk County's consent for Florida Sheriff's Youth Ranches, Inc. to enter into a Sublease Agreement with Heartland for Children, Inc.. (No fiscal impact)
73. Acceptance of the Dedication to Polk County of additional rights-of-way as shown on the Eden Hills plat.
74. Approve Resolution forming Opioid Task Force.

**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, June 16, 2021 - 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Wednesday, June 16, 2021 - 5:30 p.m. – Housing & Neighborhood Development will hold a public hearing to receive comments for the FY 2021-2025 Five-Year Consolidated Plan and FY 2021-2022 Action Plan in the County Commission Boardroom.
- Thursday, June 17, 2021 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, June 17, 2021 - 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Friday, June 18, 2021 - 8:30 a.m. – Citizens Healthcare Oversight Committee will meet at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, June 24, 2021 - 8:00 a.m. – Tourist Development Council Board Retreat will be held at the AdventHealth Fieldhouse, 210 Cypress Gardens Blvd., Winter Haven.
- Monday, June 28, 2021 - 1:30 p.m. – Board/Staff Work Session to discuss the FY 2021-2022 Proposed Budget will be held in the Commissioners' Conference Room, Room 407.



- Monday, June 28, 2021 - 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.
  
- Tuesday, June 29, 2021 – Friday, July 2, 2021 – Florida Association of Counties Annual Conference will be held at the Hyatt Regency Orlando, 9801 International Drive, Orlando.
  
- Thursday, July 1, 2021 - 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.
  
- Friday, July 2, 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, July 5, 2021 – The offices of the Board of County Commissioners will be closed in observance of the Independence Day Holiday.