



Polk County Board of County Commissioners

Meeting Agenda

March 1, 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. Sherri Grimes, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (MARTHA SANTIAGO, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

B. CEREMONIAL PROCLAMATIONS

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

2. Suzanne Lindsey, representing Polk Forever, to request the addition on the 2022 ballot of an Environmental Lands referendum.
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 February 15, 2022.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

H. COUNTY MANAGER (BILL BEASLEY)

7. Approve Polk County School Board's request for release of Educational System Impact Fees. (No fiscal impact)
8. Approve an agreement with AECOM Technical Services, Inc. to provide professional engineering services for the North Ridge Trail Project, and approve a CIP Amendment and Budget Transfer. (\$353,006 one-time expense, \$167,382 one-time transfer)
9. Approve a Community Investment Program (CIP) amendment and transfer from reserves for the Saddle Creek Park Potable Water Line Extension Project. (\$322,311 one-time expense)
10. Approve the Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant contract with the Department of Children and Families for the Helping Achieve Targeted Comprehensive Healthcare (HATCH) Program and approve budget amendment and transfer from the Special Revenue Grant Fund Reserve for Contingency. (\$1,200,000 total three-year revenue)

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

11. Reappoint James J. DeGennaro as Member No. 2 of the Industrial Development Authority, for the three-year term, February 20, 2022 through February 19, 2025.
12. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

13. Reappoint Eric Hinshaw as a Member No. 4 of the Polk County Industrial Development Authority, for the three-year term, November 7, 2021 through November 6, 2024.
14. Commissioner Wilson Comments.

K. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

15. Reappoint William "Bill" Block as Member No. 5 of the Polk County Industrial Development Authority, for the three-year term, January 23, 2022 through January 22, 2025.
16. Commissioner Braswell Comments.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

17. Commissioner Combee Comments.

M. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO, CHAIR)

18. Waste Collection Update - Bill Beasley
19. Chair Santiago Comments.

N. LAY BOARD APPOINTMENTS

20. Approve recommended appointments for the Polk County School Board ex-officio non-voting member to the Planning Commission.

O. PUBLIC HEARINGS

* County Attorney opening comments

21. Public Hearing (LDCU-2021-60 Harry's Old Place Expansion) to consider the expansion of a non-conforming restaurant for employee and overflow parking in a Residential Low-4 land use district.
22. Public Hearing (LDCPAS 2021-20 Stephen Mills CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation from Leisure Recreation (L/R) to Agricultural Residential Rural (A/RR) on 0.17 +/- acres in the Rural Development Area (RDA).
23. Public Hearing (LDCT-2021-11 Setback Text Amendment) (Adoption Hearing) to consider a County-initiated ordinance amending the Land Development Code to consolidate setback regulations and clarify setbacks for specific accessory structures.

P. CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

24. Removal of equipment from inventory as listed on Blanket Removal Form 2142
25. Appoint property custodian for the office of Communications
26. Appoint property custodian for the office of Land Development
27. Appoint property custodian for the office of Polk County Property Appraiser.

COUNTY MANAGER

28. Approve an Amended and Restated Implementation Agreement for the Southeast Wellfield Lower Floridan Aquifer project, a Polk Regional Water Cooperative approved water project.
29. Approve an Amended and Restated Implementation Agreement for the West Polk Wellfield Lower Floridan Aquifer project, a Polk Regional Water Cooperative approved water project.

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

30. Accept a one-year warranty surety in the amount of \$133,734.16 in the form of Maintenance Bond No. SU1177149 Festival Phase 5. (No fiscal Impact)

31. Accept Festival Phase 5 potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
32. Approve the release of a surety in the form of Performance Bond No. SU1173214 in the amount of \$2,231,890.54 for Festival Phase 5. (No fiscal impact)
33. Accept Performance Surety Bond No. ES00002904 for Legacy Union Townhomes in the amount of \$1,132,747.97. (No fiscal impact)
34. Accept Performance Surety Bond No. 024256473 for Mirabella Phase 2 in the amount of \$90,200. (No fiscal impact)
35. Accept Performance Surety Bond No. US00115863SU22A for Solivita Phase 5D in the amount of \$756,368.20. (No fiscal impact)
36. Accept a cash Performance Surety for Waters Edge at Lake Gibson in the amount of \$170,500. (No fiscal impact)
37. Approve Thornhill Oaks plat for Conditional Approval. (No fiscal impact)
38. SET HEARING (LDCT-2021-21 Bartow Airport Authority Text Amendment) an applicant-initiated ordinance amending Chapter 2, Section 205, Table 2.1 Use Table of the Land Development Code to list "Retail, Home Sales Offsite" as a "P" Permitted Use within the Industrial (IND) land use districts (Suggested hearing dates are March 15, 2022 at 9:30 a.m. or immediately following the Regular Agenda and April 5, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
39. SET HEARING (LDCT-2022-3 TCX Drive-Thru) to consider an applicant-initiated ordinance amending the Land Development Code to amend the location criteria for uses with drive-thru facilities in Town Center-X (TCX) land use districts in the US Highway 98 Selected Area Plan (SAP). (Suggested hearing dates are March 15, 2022 at 9:30 a.m. or immediately following the Regular Agenda and April 5, 2022 at 9:30 a.m. or immediately following the Regular Agenda)

BUILDING

40. Approve an Interlocal Agreement between Polk County Building Division and the City of Eagle Lake.
41. Approve a Master Services and Hosting Agreement with Selectron Technologies, Inc. to provide the Atlas Inspections and Insight software. (\$145,271.27 one-time expense; \$70,613.36 annual expense)

DEPUTY COUNTY MANAGER

BUDGET & MANAGEMENT SERVICES

42. Approve an American Rescue Plan Fund Agreement with Concerned Citizens of Winter Haven. (\$10,000 one-time expense)
43. Approve an American Rescue Plan Fund Agreement with Fort Meade Chamber of Commerce. (\$25,000 one-time expense)
44. Approve an American Rescue Plan Fund Agreement with Main Street Fort Meade. (\$25,000 one-time expense)

45. Approve an American Rescue Plan Fund Agreement with Center for Independent Living in Central Florida, Inc. (\$30,000 one-time expense)
46. Approve an American Rescue Plan Fund Agreement- with Marine Toys for Tots Foundation of Polk County. (\$15,000 one-time expense)
47. Approve an American Rescue Plan Funding Agreement with HerBoss Media, Inc. (\$65,000 one-time expense)
48. Approve an American Rescue Plan Fund Agreement with Each 1 Reach 1 Foundation, Inc. (\$75,000 one-time expense)
49. Approve an American Rescue Plan Fund Agreement with Feltrim Resorts LLC. (\$105,000 one-time expense)
50. Approve an American Rescue Plan Fund Agreement with Bartow Kiwanis Foundation, Inc. (\$153,580 one-time expense)

PROCUREMENT

51. Approve selection committee's recommendation to authorize staff to negotiate an agreement with Parlier + Crew Architects and Design Studio, PA, for architectural & engineer services for the Burnham McCall Training Center K-9 Building. (No fiscal impact)
52. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Downs & St. Germain Research, Inc for Annual Ongoing Detailed Tourism-Based Research. (No fiscal impact)

COMMUNICATIONS

53. Proclaim March 7 through April 1, 2022 as Agri-Fest Weeks.
54. Proclaim March 2022 as Red Cross Month.
55. Proclaim March 2022 as Melanin Families Matter Month.

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

56. Approve State Housing Initiatives Partnership (SHIP) rehabilitation/replacement program homeowner assistance agreements, for the property located in Fort Meade, FL. (\$145,290.20 one-time expense)
57. Approve HOME Investment Partnership rehabilitation/replacement program homeowner assistance agreement, for the property located in Winter Haven, FL (\$139,141.20 one-time expense)
58. Approve HOME Investment Partnership (HOME) rehabilitation/replacement modification of mortgage, homeowner assistance agreement and grant agreement for Case RC21-HOME-005. (\$1,427.00 one-time expense)
59. Approve the first amendment to the contract with the Tenth Judicial Circuit Court of Florida for the Behavioral Health Court Program. (\$268,805 not to exceed annual 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

60. Approve Change Order No. 01 to Contract No. 2021-054 with Bul-Hed Corporation for the Bone Valley ATV Park Expansion Project. (\$32,410.63 one-time expense)

FIRE RESCUE

EMERGENCY MANAGEMENT

REAL ESTATE SERVICES

61. 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, Hosang parcel. (\$1,500 one-time expense)
62. Accept Instruments for additional right-of-way along Johnson Ave/30th Street/Pryor Rd as requested through the Development Review Process. (No fiscal impact)
63. Declare surplus and authorize the private sale through sealed bid offering to adjacent landowners of the County's interest in a platted Safety Playground/Playground. (Potential for \$8,700, or greater, one-time revenue)

ROADS & DRAINAGE

64. Approve a CIP Amendment and Budget Transfer to add the Marigold Avenue at Hemlock Avenue Intersection Improvements Project to the Roads & Drainage CIP FY 21/22; and approve Consultant Services Authorization (CSA) No. 17-056-05 with NV5, Inc. (\$93,429 one-time transfer and expense)
65. Approve a CIP Amendment and Budget Transfer to add the Marigold Avenue at Lake Marion Creek Drive Signalization Project to the Roads & Drainage Division CIP FY 21/22; and approve Consultant Services Authorization (CSA) No. 17-056-04 with NV5, Inc. (\$37,144 one-time transfer and expense)

UTILITIES

66. Approve Master Services Agreement with OnSyte Performance, LLC for operation and maintenance of distributed wastewater treatment units.

67. Approve Interlocal Agreement with the City of Lake Wales for Billing Services for the Crooked Lake Sewerage Company Receivership. (No fiscal impact)

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

68. Authorize the County Attorney's Office or outside counsel to stipulate to a final judgment for parcels 707 and 708 in the case of Polk County v. Davenport Energy Holdings, et al, an eminent domain lawsuit filed to acquire needed rights-of-way for the Lake Wilson Road project. (\$47,100.00 one time expense)
69. SET HEARING to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption for Project Horizon, an expanding business. (Suggested hearing date is March 15, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
70. Adopt Resolution approving Declaration of State of Local Emergency 22-01 and Declaration Extending State of Local Emergency 22-01 (2022 Residential Waste Collection Emergency). (No fiscal impact)
71. Adopt Resolution regarding disposition of surplus fire equipment.

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, February 28, 2022 - 5:30 p.m.~~ Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413. **CANCELLED**
- Tuesday, March 1, 2022 - 6:00 p.m. – Sidewalk Advisory Committee will meet in

the Multi-Purpose Room, Room 413.

- Wednesday, March 2, 2022 - 8:15 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Wednesday, March 2, 2022 - 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.
- Thursday, March 3, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Thursday, March 3, 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.
- Friday, March 4, 2022 - 10:30 a.m. – Dedication Ceremony for the Larry Libertore Sports Complex will be held at Loyce E. Harpe Park, 300 W. Carter Road, Mulberry.
- Wednesday, March 9, 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, March 9, 2022 - 3:00 p.m. – Central Florida Development Council Board Meeting will be held at Central Florida Development Council, 1725 Bartow Road, Lakeland.
- Thursday, March 10, 2022 - 8:30 a.m. – Development Review Committee will

meet in the Planning and Development Conference Room, Second Floor, County Administration Building.

- Thursday, March 10, 2022 - 9:00 a.m. – Tourist Development Council’s Marketing Committee will meet at the Camp Margaritaville RV Resort & Cabana Cabins, 361 Denton Road, Auburndale.

- Thursday, March 10, 2022 - 2:30 p.m. – Historical Commission and Marker Committee will meet in the County Commission Boardroom.

- Thursday, March 10, 2022 - 5:30 p.m. – Contractor Licensing Board will meet in the County Commission Boardroom.

- Friday, March 11, 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.

- Friday, March 11, 2022 - 2:00 p.m. – Final Value Adjustment Board meeting will be held in the County Commission Boardroom.