



Polk County Board of County Commissioners

Meeting Agenda

May 3, 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

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.

ELOISE COMMUNITY REDEVELOPMENT AGENCY

4. Approve Eloise CRA Consent Agenda.

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

5. Disbursements.

6. Approve Minutes of Regular Board Meeting held on April 19, 2022.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (RANDY MINK)

7. Accept Performance Surety Bond No. GM204411 for Astonia North in the amount of \$152,387. (No fiscal impact)
8. Approve the release of a surety in the form of Irrevocable Letter of Credit No. 900596 in the amount of \$5,450,687.45 for Astonia North. (No fiscal impact)

H. COUNTY MANAGER (BILL BEASLEY)

9. Confirm appointment of Benjamin J. Ziskal, AICP, to serve as the Land Development Director.
10. Approve an agreement with Hazen and Sawyer, P.C. to provide professional engineering services for septage receiving stations. (\$323,000 one-time expense)
11. Approve Lake Wilson Road Widening Project Amendment 5 with Jacobs Engineering Group, Inc. (\$411,412.08 one-time expense)

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

12. Reappoint Sean Malott as Member No. 1 of the Industrial Development Authority, for the three-year term, June 4, 2022 to June 3, 2025.
13. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

14. Commissioner Wilson Comments.

K. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

15. Commissioner Braswell Comments.

L. COMMISSIONER DISTRICT 5 (NEIL COMBEE)

16. Commissioner Combee Comments.

M. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO, CHAIR)

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

N. LAY BOARD APPOINTMENTS

O. PUBLIC HEARINGS

* County Attorney opening comments

19. Public Hearing to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption to an expanding business, The Coca-Cola Company, and approval of a Performance Agreement with the company.
20. Public Hearing to consider adoption of an ordinance establishing the Polk County Local Provider Participation Fund and authorizing a non-ad valorem special assessment to be collected from area hospitals.

21. Public Hearing (LDCDD-2021-8 Amendment North Power Line Road CDD Scrivener's Error) to consider the adoption of an applicant-initiated ordinance to amend an existing Community Development District (CDD) in the unincorporated area of the county and city of Davenport.
22. Public Hearing (LDCDD-2022-1 Yarborough Lane 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-2022-1 Enterprise Rental) (Adoption Hearing) to consider an applicant-initiated ordinance amending the Use Table for the North Ridge Selected Area Plan to add "Heavy Machinery Equipment Sales and Services" as a "C2" conditional use in Regional Activity Center-X (RACX) future land use districts.
24. Public Hearing (LDCPAS-2022-2 Reynolds Road CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 2.23 +/- acres from Convenience Center (CC) to Business Park Center (BPC) in the Transit Supportive Development Area (TSDA).
25. Public Hearing (LDCPAS-2022-3 3KS Family CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 12.85 +/- acres from Business Park Center-X (BPCX), Residential Low-X (RLX) and Lakes-X (LAKESX) to Industrial-X (INDX) in the Transit Supportive Development Area (TSDA).
26. Public Hearing (LDCPAL 2022-1 BPC in the RDA) (Transmittal Hearing) to consider adoption of a Large-Scale Comprehensive Plan Amendment to Policy 2.108-A3: Rural Development Area (RDA) Land Use Categories related to Business Park Center and to amend Section 2.113-B Business Park Center Development Criteria related to Floor Area Ratio (FAR).
27. Public Hearing (LDCPAS-2021-24 Murex RH CPA) (Adoption Hearing) to consider adoption of a Small-Scale Comprehensive Plan Amendment (CPA) to change the Future Land Use designation on 24.19 +/- acres from Business Park Center (BPC) to Residential High (RH) for 457 apartments in the Transit Supportive Development Area (TSDA) and to Appendix 2.135 to add a section to reference this case to have development conditions in Appendix E of the Land Development Code (LDCT-2021-22).
28. Public Hearing (LDCT-2021-22 Murex RH) (Adoption Hearing) to consider an applicant-initiated ordinance amending Appendix E of the Land Development Code to add development conditions for property related to LDCPAS-2021-24 which is a Future Land Use designation change from Business Park Center (BPC) to Residential High (RH) for 457 apartments in the Transit Supportive Development Area (TSDA) and to Appendix 2.135 to add a section to reference this case to have development conditions in the LDC.
29. Public Hearing (LDCPAL 2021-24 Canopy Oaks CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Amendment to amend Appendix 2.135 Parcel Specific Future Land Use Map Amendments with Conditions. This request is a companion to LDCT 2021-8.
30. Public Hearing (LDCT-2021-8 Canopy Oaks) (First Hearing - No Action) to consider an applicant-initiated ordinance amending the Land Development Code, Appendix E, Section E105 Parcel Specific Comprehensive Plan Amendments with Conditions. This request is a companion to LDCPAL 2021-24.
31. Public Hearing (LDPD-2021-41 Marcum Road De Novo) to consider an appeal to the Planning Commission's decision to approve LDPD-2021-41.

P. CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

32. Removal of equipment from inventory as listed on Blanket Removal Form 2146

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

33. SET HEARING (LDWA-2022-12 Chandler Access Waiver) to consider an applicant-initiated request seeking a waiver to Section 705 of the Land Development Code. (Suggested hearing date is May 17, 2022 at 9:30 a.m. or immediately following the Regular Agenda)

34. SET HEARING (LDCDD-2022-3 Schaller Preserve CDD) to consider the adoption of an applicant-initiated ordinance to establish the boundary of a Community Development District (CDD) in the unincorporated area of the county. (Suggested hearing date is May 17, 2022 at 9:30 a.m. or immediately following the Regular Agenda)

35. SET HEARING (LDCU-2021-68 Larsson Mobile Home De Novo Hearing) to consider an appeal to the Planning Commission's decision to approve LDCU-2021-68. (Suggested hearing date is May 17, 2022 at 9:30 a.m. or immediately following the Regular Agenda)

36. Accept Performance Surety Bond No. 59BSBIU1809 for Belle Haven Phase 1 in the amount of \$2,550,028.67. (No fiscal impact)

37. Approve the release of a surety in the form of Performance Bond No. 41K235465 in the amount of \$18,370 for Eagle Pointe of Lakeland. (No fiscal impact)

38. Accept Eagle Pointe of Lakeland potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)

39. Accept a one-year warranty and surety in the amount of \$21,226.18 in the form of Maintenance Bond No. 41K235469 Eagle Pointe of Lakeland. (No fiscal Impact)

40. Accept a three-year warranty and surety in the amount of \$14,304 in the form of Maintenance Bond No. 41K235479 for Hallam Preserve J Offsite paving. (No fiscal Impact)

41. Approve the release of a surety in the form of Performance Bond No. 41K235101 in the amount of \$735,967.89 for Hallam Preserve J. (No fiscal impact)
42. Accept Hallam Preserve J potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
43. Accept a one-year warranty and surety in the amount of \$62,966.23 in the form of Maintenance Bond No. 41K235474 Hallam Preserve J. (No fiscal Impact)
44. Approve the reduction of a cash surety from \$835,755.80 to \$ 341,325 for Fantasy Island Resort. (No fiscal impact)
45. Approve the release of a warranty and surety in the amount of \$208,560.73 in the form of Maintenance Bond No. 1085059 for Meadow Walk Phase 1. (No fiscal impact)
46. Approve the release of a warranty and surety in the amount of \$153,112.15 in the form of Maintenance Bond No. 30111215 for North Ridge Trail and Four Corners Blvd Phase 1. (No fiscal impact)
47. Approve the release of a warranty and surety in the amount of \$31,232.20 in the form of Maintenance Bond No. LICX1165848 for Williams Preserve Phase 3. (No fiscal impact)
48. Approve the release of a warranty and surety in the amount of \$22,961.85 in the form of Maintenance Bond No. 7901052411 for Tuscan Meadows (aka Tierra Del Sol West Ph 2B). (No fiscal impact)
49. Caloosa Ridge Plat for Conditional Approval. (No fiscal impact)
50. Tower Oaks South plat for Conditional Approval. (No fiscal impact)
51. Approve renewal agreement for Transportation Planning Organization (TPO) staff services. (No fiscal impact)

DEPUTY COUNTY MANAGER

PROCUREMENT

52. Approve selection committee's recommendation to authorize staff to enter contract negotiations with Ground Level, Inc. for RFP 22-151, Invasive Species Management Services for Environmental Lands. (No fiscal impact)
53. Approve selection committee's recommendation to authorize staff to enter into negotiations with The Lunz Group, for architectural & engineering services for the Fire Rescue Training Facility. (No Fiscal Impact)
54. Approve an agreement with Rummel, Klepper, & Kahl, LLP for professional engineering services for Lake Victoria Outfall drainage improvement project. (\$323,804.42 one-time expense)
55. Approve an agreement with Rummel, Klepper & Kahl, LLP for professional engineering services for Indian Woods Trail North Campbell Road drainage improvement project. (\$277,099.99 one-time expense)

56. Approve an agreement with Wood Environment & Infrastructure Solutions, Inc. for professional engineering services for Northwest Wahneta drainage project. (\$273,833 one-time expense)
57. Approve an agreement with WSP USA, Inc. for professional engineering services for South Lake Wales drainage project. (\$214,748 one-time expense)
58. Approve an agreement with Wood Environment & Infrastructure Solutions, Inc. for professional engineering services for Fairway Avenue drainage project. (\$212,389 one-time expense)
59. Request Board approve agreement with Rummel, Klepper & Kahl, LLP for professional engineering services for Creekwater Drive drainage improvement project. (\$179,134.99 one-time expense)
60. Request Board approve agreement with WSP USA, Inc. for professional engineering services for Benton Street drainage improvement project. (\$85,721.00 one-time expense)
61. Request Board approve agreement with Kisinger Campo & Associates, Corp. for professional engineering services for Urband Lane drainage project. (\$80,537.98 one-time expense)
62. Request Board approve agreement with Patel, Greene, and Associates, LLC for professional engineering services for Stonewood Subdivision drainage improvement project. (\$50,775.91 one-time expense)
63. Request Board approve agreement with Patel, Greene, and Associates, LLC for professional engineering services for Armstrong Road/S. Pipkin Road/Old Medulla Road drainage improvement project. (\$39,248.38 one-time expense)
64. Request Board approve agreement with Patel, Greene, and Associates, LLC for professional engineering services for Carefree Cove drainage improvement project. (\$28,392.29 one-time expense)

COMMUNICATIONS

65. Proclaim May 2022 as Lupus Awareness Month.
66. Proclaim May 2022 as National Water Safety Month.
67. Proclaim May 15-21, 2022, as Florida Water Reuse Week.

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

68. Approve an American Rescue Plan Local Fiscal Recovery Funding Agreement with The Salvation Army.(\$300,000 one-time expense)
69. Approve HOME INVESTMENT PARTNERSHIP(HOME) rehabilitation/replacement modification of mortgage, homeowner assistance agreement and grant agreement for Case RC21-HOME-004. (\$3,044.00 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

70. Approve an Interlocal Agreement between Polk County and the Eloise Community Redevelopment Agency (CRA) for the Snively-Brooks Park restoration and development project.

FIRE RESCUE

71. Approve a new Certificate of Public Convenience and Necessity (COPCN) for Myers Southern, LLC d/b/a STAT Ambulance. (No fiscal impact)

EMERGENCY MANAGEMENT

REAL ESTATE SERVICES

72. SET HEARING to consider requests to vacate portions of platted and unmaintained rights-of-way as shown on the Revised Plat of Crooked Lake, the plat of Bradley and on the plat of Poinciana. (Suggested hearing date is May 17, 2022 at 9:30 a.m or immediately following the regular agenda
73. Approve Right-of-Way agreements from multiple property owners for temporary construction easements associated with drainage improvements along Chestnut Road McTeer Trust and Japheth Sampson Family, LLC parcels. (\$7,500 one-time expense)
74. Approve Land Purchase Agreements in conjunction with the purchase of conservation preservation property located in the Lake Wales Ridge Ecosystem Project - Crooked Lake West Area, Maxted and Lindenman parcels. (\$3,000 one-time expense)
75. Accept Drainage Easement from Barbara Dutcher in conjunction with drainage improvements associated with Saint Anne Shrine Road. (No Fiscal Impact)
76. Ratify Quit Claim Deed for additional right-of-way along Buck Moore Road, as requested through the Development Review Process. (No fiscal impact)
77. Accept instrument for additional right-of-way along K-Ville Avenue (CR 542) as requested through the Development Review Process. (No fiscal impact)

ROADS & DRAINAGE

78. SET HEARING to consider adoption of a Resolution allowing for the installation of traffic calming devices (speed humps) on Pinewood Village Circle West, near Lakeland. (Suggested hearing date is June 21, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
79. SET HEARING to consider adoption of a Resolution allowing for the installation of traffic calming devices (speed humps) on Moss Road East, near Auburndale. (Suggested hearing date is June 21, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
80. Approve Modification No. 4 to Consultant Services Authorization No. 17-051-04 with Burgess & Niple, Inc. for the CR 547 (Davenport Boulevard) at Orchid Drive/Holly Hill Road Intersection Improvements Project. (\$24,603 one-time expense)
81. Adopt a Resolution Setting Parking Restrictions on Club Circle, near Lake Wales. (\$8,089.28 one-time expense)
82. Adopt Resolution Setting Truck Restrictions on Florida Drive, Knollwood Drive and Woodfern Drive (near Winter Haven). (\$250.66 one-time expense)
83. Approve Consultant Services Authorization No. 17-049-12 with AECOM Technical Services, Inc. to provide engineering services for the US 27 @ Tierra Del Sol Boulevard/Central Grove Road Intersection Improvements Project, CIP Amendment and budget transfer. (\$101,561 one-time expense and transfer)

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

84. Adopt Resolution approving Declarations Extending State of Local Emergency 22-01 (2022 Residential Waste Collection Emergency).
85. Consider adoption of a written order denying LDPD-2021-33 with prejudice. (No fiscal impact)
86. Approve a Release of Lien related to an Affordable Housing Impact Fee Waiver for Fatmeh R. Hafer and Christopher B. Hafer. (No fiscal impact)

87. Approve a Release of Lien related to a Workforce Housing Impact Fee Mitigation for Billy Windsor. (No fiscal impact)

ELOISE COMMUNITY REDEVELOPMENT AGENCY

88. Approve the Eloise CRA minutes from October 5, 2021.
89. Approve the Snively Brooks Community Park Restoration and Development Project within the Eloise CRA. (\$182,912 one-time expense)

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.

- Tuesday, May 3, 2022 - 6:00 p.m. – Sidewalk Advisory Committee will meet in the Multi-Purpose Room, Room 413.
- Wednesday, May 4, 2022 - 8:15 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Wednesday, May 4, 2022 - 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.
- Thursday, May 5, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.
- Thursday, May 5, 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.
- Tuesday, May 10, 2022 - 1:30 p.m. – Library Cooperative Librarians’ Advisory

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

- Tuesday, May 10, 2022 - 3:00 p.m. – Lakes Access Advisory Committee meeting will be held at Parks and Natural Resources, 4177 Ben Durrance Road, Bartow.

- Wednesday, May 11, 2022 - 8:30 a.m. – Lakeland Area Mass Transit District Board Meeting will be held at 1212 George Jenkins Boulevard, Hollingsworth Room, Lakeland.

- Wednesday, May 11, 2022 - 11:45 a.m. – Lake Wales Adult Leadership Lunch & Roundtable Discussion will be held in the Multi-Purpose Room, Room 413.

- Wednesday, May 11, 2022 - 1:30 p.m. – Library Cooperative Governing Board will meet at the Winter Haven Public Library, 325 Avenue A NW, Winter Haven.

- Wednesday, May 11, 2022 - 2:00 p.m. – Polk Regional Water Cooperative Board of Directors Meeting will be held at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.

- Wednesday, May 11, 2022 - 4:00 p.m. – Central Florida Development Council Board Meeting will be held at the Central Florida Development Council Office, 1725 Bartow Road, Lakeland.

- Thursday, May 12, 2022 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.

- Thursday, May 12, 2022 - 9:00 a.m. – Tourist Development Council's Marketing Committee will meet at the Courtyard by Marriott Winter Haven, 6225 Cypress Gardens Blvd., Winter Haven.

- Thursday, May 12, 2022 - 10:30 a.m. – Deferred Compensation Committee will meet in the Procurement Conference Room, Room 150.

- Thursday, May 12, 2022 - 2:30 p.m. – Historical Commission and Marker Committee will meet in the County Commission Boardroom.

- Thursday, May 12, 2022 - 5:30 p.m. – Contractor Licensing Board will meet in the County Commission Boardroom.

- Friday, May 13, 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.