



# Polk County Board of County Commissioners

## Meeting Agenda

### November 16, 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.

#### INVOCATION

1. Shannon Benton, Fellowship of Christian Athletes, Lakeland

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

#### REORGANIZATION OF THE BOARD

2. Comments from the General Public regarding Reorganization of the Board.
3. Elect Chairperson.
4. Elect Vice Chairperson.
5. Adopt Resolution Authorizing Banks to Honor and Cash Warrants signed by new Chairperson and the Clerk effective November 16, 2021

#### A. PRESENTATIONS and RECOGNITIONS

#### B. CEREMONIAL PROCLAMATIONS

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

6. Kevin Kayden - "Can You Hear Me Now? (Part 2)"
7. Comments.

#### D. APPROVE CONSENT AGENDA

8. Approve Consent Agenda.

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

9. Disbursements.
10. Approve Minutes of Regular Board Meeting held on November 2, 2021.

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

**G. COUNTY ATTORNEY (RANDY MINK)**

11. Approve the release of a surety in the form of Performance Bond No. S-227248 in the amount of \$567,727.30 for Astonia Phase 1. (No fiscal impact)
12. Accept Astonia Phase 1 potable water, wastewater and reclaim water utility system improvements for ownership, operation, and maintenance by Polk County Utilities. (No fiscal impact)
13. Accept a one-year warranty and surety in the amount of \$127,027.83 in the form of Maintenance Bond No. S-332987 Astonia Phase 1. (No fiscal Impact)

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

14. Accept and execute a Florida Department of Economic Opportunity (DEO) Federally funded Community Development Block Grant Mitigation Program (CDBG-MIT) subrecipient agreement with the Florida Department of Economic Opportunity for the Polk County Specialty Care/Indigent Healthcare Roof Replacement project. (Federal Funding: \$1,060,000, County Funding: \$0 with a total project cost of \$1,060,000)
15. Approve CIP amendment and budget transfer for the Miscellaneous Developers Agreement Project. (\$1,198,616 one-time transfer)
16. Approve transfer from Employee Health Fund Reserve for FY20/21 medical and prescription claims. (\$5,700,000 one time transfer)

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

17. Commissioner Lindsey Comments.

**J. COMMISSIONER DISTRICT 2 (RICK WILSON)**

18. Commissioner Wilson Comments.

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

19. Commissioner Braswell Comments.

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

20. Commissioner Santiago Comments.

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

21. Commissioner Combee Comments.

**N. LAY BOARD APPOINTMENTS**

22. Appoint Randy Knapp as a member of the Tourist Development Council for the four-year term, December 1, 2021 through November 30, 2025.

23. Appoint Dan Talbot as a member of the Tourist Development Council for the four-year term, December 1, 2021 through November 30, 2025.

**O. PUBLIC HEARINGS**

\* County Attorney opening comments

24. Public Hearing to consider adoption of a resolution to vacate a portion of platted, unopened, and unmaintained right-of-way as shown on the Revised Plat of Crooked Lake Subdivision.
25. Public Hearing to consider adoption of a Resolution to vacate platted, unopened, and unmaintained right-of-way as shown on the Plat Map of Walesdale, Lake Wales.
26. Public Hearing (LDCT-2021-16 Solar in Agricultural Districts) (First Public Hearing - No Action) a County initiated ordinance amending the Land Development Code to allow Solar Power Generation Facilities in all Agricultural land use districts.
27. Public Hearing to consider adoption of an ordinance amending Polk County Ordinance No. 2021-016 (Trespass 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 2135.

COUNTY MANAGER

29. Approve letter of support for Brightline.

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

30. SET HEARING (LDCD 2021-1 Majestic Realty Sub-District Map Change) to consider the Sub-District Map change on 15.43 +/- acres Business Park Center-1X (BPC-1X) to Business Park Center -2X (BPC-2X) in the Transit Supportive Development Area (TSDA). (Suggested hearing date is November 30, 2021 at 9:30 a.m. or immediately following the Regular Agenda)

31. SET HEARING (LDCPAL 2021-7 Majestic Realty CPA) to consider the adoption of a Large Scale Comprehensive Plan Amendment to change the Future Land Use designation on 15.43 +/- acres from Regional Activity Center-X (RACX) to Business Park Center-X (BPC-X) in the Transit Supportive Development Area (TSDA). (Suggested hearing date is November 30, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
32. Approve Fantasy Island Resort Orlando plat for Conditional Approval. (No fiscal impact)
33. Approve Watersong Phase Two plat for Conditional Approval. (No fiscal impact)
34. SET HEARING (LDCT-2021-15 Home Occupations and Commercial Vehicles) to consider a County initiated ordinance amending the Land Development Code to meet recent statutory changes to regulating home-based businesses. (Suggested hearing dates are December 14, 2021 at 9:30 a.m. or immediately following the Regular Agenda and January 4, 2022 at 9:30 a.m. or immediately following the Regular Agenda)
35. SET HEARING (LDCPAS 2021-12 Anderson CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 11.41 +/- acres from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) in the Rural Development Area (RDA). (Suggested hearing date is November 30, 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. 41K000282 in the amount of \$69,460 for Atria at Ridgewood Lakes. (No fiscal impact)
37. Accept Atria at Ridgewood Lakes 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 \$102,847 in the form of Maintenance Bond No. 41K000281 Atria at Ridgewood Lakes. (No fiscal impact)
39. Approve the release of a warranty and cash surety in the amount of \$6,518.93 for Bella Citta West Phase 2 & 3. (No fiscal impact)
40. Approve the release of a warranty and surety in the amount of \$28,625.60 in the form of Maintenance Bond No. 41K00383 for Estates at English Creek. (No fiscal impact)
41. Accept Performance Surety Bond No. S-332971 for Estates of Lake Florence in the amount of \$109,902.54. (No fiscal impact)
42. Approve the release of a warranty and surety in the amount of \$62,226.89 in the form of Maintenance Bond No. SU1163779 for Festival Phase 3. (No fiscal impact)
43. Approve the release of a warranty and surety in the amount of \$19,460.66 in the form of Maintenance Bond No. SU1156228 for Hidden Lake Preserve (FKA Hidden Lakes Estates). (No fiscal impact)
44. Accept Performance Surety Bond No. CIC1919484 for Legacy Landings in the amount of \$431,970. (No fiscal impact)
45. Approve the release of a warranty and surety in the amount of \$34,012 in the form of Maintenance Bond No. 2288814 for Posner Village. (No fiscal impact)

46. SET HEARING (LDCPAS 2021-15 Masterpiece Fire Station CPA) to consider the adoption of a Small-Scale Comprehensive Plan Amendment to change the Future Land Use designation on 4.6 +/- acres from Agricultural Residential Rural (A/RR) to Institutional (INST) in the Rural Development Area (RDA). (Suggested hearing date is November 30, 2021 at 9:30 a.m. or immediately following the Regular Agenda)

DEPUTY COUNTY MANAGER

PROCUREMENT

47. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Kimley-Horn and Associates, Inc. for RFP 21-648, Professional Engineering Services for Thompson Nursery Road. (No fiscal impact)

COMMUNICATIONS

48. Proclaim November 2021 as Think Puerto Rican, Buy Puerto Rican Month.
49. Proclaim November 17-24, 2021 as Farm-City Week.

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

50. Approve State housing Initiatives Partnership (SHIP) rehabilitation/replacement program homeowner assistance agreements, for the property located in Bradley FL (\$147,051.20 one-time expense)
51. Approve Community Development Block Grant (CDBG) rehabilitation/replacement modification of mortgage, homeowner assistance agreement and grant agreement for Case RC21-CDBG-001. (\$5,174.10 one-time expense)
52. Approve Community Investment Program (CIP) amendment and budget transfer for the Bomber Road Sidewalk Project. (\$113,668 one-time transfer)

EQUITY & HUMAN RESOURCES

INFORMATION TECHNOLOGY

53. Approve revision of commissioner district legal descriptions adjusted based on the 2020 Census data. (\$72,000 estimated advertising costs)

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

54. Adopt Resolution setting truck restrictions on Lake Harris Drive (near Lakeland). (\$232.61 one-time expense)
55. Adopt a Resolution setting speed limits on Thomas Wood Lane and Thomas Wood Lane East, near Winter Haven. (\$237.64 one-time expense)
56. SET HEARING to consider adoption of a Resolution allowing for the installation of traffic calming devices (speed humps) on Vaughn Road, near Winter Haven. (Suggested hearing date is Tuesday, December 14, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
57. Approve a Consultant Services Authorization with Rummel, Klepper & Kahl, LLP to provide engineering services for design improvements to the East Main Street at Combee Road intersection. (\$99,977.10 one-time expense)
58. Approve a Consultant Services Authorization with MC Squared, Inc. to provide professional engineering services for the Geotechnical Pavement Evaluations Project. (\$99,908.20 one-time expense)
59. Approve budget amendment and transfer for the FY 20/21 and FY 21/22 Transportation Impact Fee Funds. (\$100,000 one-time transfer FY 20/21 and \$100,000 one-time transfer FY 21/22)

UTILITIES

WASTE & RECYCLING

ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY

COURT RELATED

POLK COUNTY PROPERTY APPRAISER

POLK COUNTY SHERIFF

60. Approve Amendment to the Polk County Sheriff's Office (PCSO) FY 20/21 Budget.

POLK COUNTY SUPERVISOR OF ELECTIONS

POLK COUNTY TAX COLLECTOR

SUPERINTENDENT OF POLK COUNTY SCHOOLS

WORKFORCE DEVELOPMENT BOARD

COUNTY ATTORNEY

61. Approve Right-of-Way Agreement between Mayflower Realty Investments, LLC / Bob Lee Davenport, LLC, and Polk County for Parcel 709 in conjunction with the Lake Wilson Road Improvement Project. (\$29,719 one-time expense)
62. Approve Fifth Amendment to Lease No. 345 and Fourth Amendment to Lease No. 346 between Polk County and Mid Florida Community Services, Inc. and adopt a resolution authorizing the continued lease of the associated properties. (No fiscal impact)
63. Approve a Termination and Release of Easement Agreements in conjunction with proposed development along, and near, Thompson Nursery Road. (No fiscal impact)
64. Accept a Drainage Easement from Cheryl Arcadipane Durovec, Trustee and authorize a Release of Easement all in conjunction with a drainage system near Elizabeth Street. (No fiscal impact)
65. Approve a Release of Lien related to an Affordable Housing Impact Fee Waiver for Francisco J. China. (No fiscal impact)
66. Approve the release of a warranty and surety in the amount of \$34,012 in the form of Maintenance Bond No. 2288814 for Posner Village. (No fiscal impact)
67. Accept Performance Surety Bond No. CIC1919484 for Legacy Landings in the amount of \$431,970. (No fiscal impact)
68. Approve the release of a warranty and surety in the amount of \$19,460.66 in the form of Maintenance Bond No. SU1156228 for Hidden Lake Preserve (FKA Hidden Lakes Estates). (No fiscal impact)
69. Approve the release of a warranty and surety in the amount of \$62,226.89 in the form of Maintenance Bond No. SU1163779 for Festival Phase 3. (No fiscal impact)
70. Accept Performance Surety Bond No. S-332971 for Estates of Lake Florence in the amount of \$109,902.54. (No fiscal impact)
71. Approve the release of a warranty and surety in the amount of \$28,625.60 in the form of Maintenance Bond No. 41K00383 for Estates at English Creek. (No fiscal impact)
72. Approve Land Purchase Agreement between Travis Max Strickland and Evalyn Kim Strickland, and Polk County in conjunction with the purchase of conservation preservation property located in the Lake Wales Ridge Ecosystem Project - Crooked Lake West Area. (\$51,500 one-time expense)
73. Authorize the conveyance of three County owned escheatment parcels to the City of Fort Meade. (No fiscal impact)
74. Authorize the conveyance of fourteen County owned escheatment parcels to the City of Lakeland. (No fiscal impact)
75. 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, Lutz Estate parcel. (\$1,500 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.

- Monday, November 15, 2021 - 2:30 p.m. – Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.
- Monday, November 15, 2021 - 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.
- Wednesday, November 17 – Friday, November 19 – Florida Association of Counties Legislative conference will be held at Hotel Effie Sandestin, 1 Grand Sandestin Boulevard, Miramar Beach.
- Wednesday, November 17, 2021 - 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.
- Wednesday, November 17, 2021 - 2:00 p.m. – Polk Regional Water Cooperative Board of Directors Meeting will be held at Nora Mayo Hall, 500 3<sup>rd</sup> Street NW, Winter Haven.
- Thursday, November 18, 2021 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, November 18, 2021 - 9:00 a.m. – Tourist Development Council's Sports & Special Events Committee will meet at the Lake Eva Center, 799 Johns Avenue, Haines City.
- Thursday, November 18, 2021 - 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.



- Friday, November 19, 2021 - 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.
  
- Thursday, November 25, 2021 and Friday, November 26, 2021 – The offices of the Board of County Commissioners will be closed for the Thanksgiving Holiday.
  
- Monday, November 29, 2021 - 9:00 a.m. – Board/Staff Agenda Review meeting to discuss the Agenda, TPO Board meeting and any other matters that may come before the Board will be held in the Commissioners’ Conference Room, Room 407.
  
- Monday, November 29, 2021 - 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.