



# Polk County Board of County Commissioners

## Meeting Agenda

### November 17, 2020 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. Pastor Patsy P. Pollice, Assembly of God, Lakeland

#### PLEDGE OF ALLEGIANCE (BILL BRASWELL, CHAIRMAN)

#### INVESTITURE CEREMONY

2. George Lindsey, County Commissioner, District 1. Michael Craig, County Attorney, to administer oath.
3. Bill Braswell, County Commissioner, District 3. Michael Craig, County Attorney, to administer oath.
4. Neil Combee, County Commissioner, District 5. The Honorable Judge Catherine L. Combee, 10th Judicial Circuit, to administer oath.

#### REORGANIZATION OF THE BOARD

5. Comments from the General Public regarding Reorganization of the Board.
6. Elect Chairperson.
7. Elect Vice Chairperson.
8. Adopt Resolution Authorizing Banks to Honor and Cash Warrants signed by new Chairperson and the Clerk, effective November 17, 2020.

#### A. PRESENTATIONS and RECOGNITIONS

#### B. CEREMONIAL PROCLAMATIONS

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

- 9. Kirk Sullivan to discuss BS Ranch & Farm.
- 10. Comments.

**D. APPROVE CONSENT AGENDA**

- 11. Approve Consent Agenda.

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

- 12. Disbursements.
- 13. Approve Minutes of Regular Board Meeting held on November 03, 2020.

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

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

- 14. Approve the release of a surety in the form of Performance Bond No. 70NGP184849 in the amount of \$245,946.45 for Cascara Phase 2. (No fiscal impact)
- 15. Approve the Polk County Florida Opioid Abatement Plan.

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

- 16. Approve Right-of-Way Agreement for Parcels 100 and 101 in conjunction with the Lake Wilson Road Reconstruction Project. (\$836,000 one-time expense)
- 17. Accept and execute a Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP) funding Agreement for Project #: 4337-0246-R, Polk County, Central County Jail Auxiliary Power Generator System, Contract #: H0349 between The Florida Division of Emergency Management FEMA HMGP and Polk County. (Federal Share: \$1,130,812.50, County Share: \$376,937.50; Total Project Cost: \$1,507,750)
- 18. Accept and execute a Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funding Agreement for Project #: 4337-0401-R, Polk County, Auxiliary Power for Six (6) County Fueling Sites, Contract #: H0488 between The Florida Division of Emergency Management FEMA HMGP and Polk County. (Federal Share: \$226,119, County Share: \$75,373; Total Project Cost: \$301,492)

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

- 19. Commissioner Lindsey Comments.

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

- 20. Commissioner Wilson Comments.

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

- 21. Commissioner Braswell Comments.

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

22. Commissioner Santiago Comments.

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

23. Commissioner Combee Comments.

**N. LAY BOARD APPOINTMENTS**

**O. PUBLIC HEARINGS**

\* County Attorney opening comments

24. Public Hearing (LDCD-2020-6 Country Club Rd Rankin Rd Sub-District Change) to consider a Sub-District Map change from Residential Low-1 (RL-1) to Residential Low-3 (RL-3) on +/- 27.5 acres.

25. Public Hearing to consider adoption of a resolution to vacate portions of platted, unmaintained rights-of-way and alleyways, as shown on the map of Townsite of West Frostproof.

26. Public Hearing to consider adoption of a resolution to vacate a portion of a platted drainage easement, as shown on the plat of Heatherwood Subdivision Unit 1.

27. Public Hearing to consider adoption of a resolution to vacate platted and maintained right-of-way for Pinecrest Drive.

**P. CONSENT AGENDA ITEMS**

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

28. Audit Report 2020-05 Ad Valorem Tax Exemption Monitoring.

29. Audit Report 2020-06 County Probation Financial Operations.

30. Removal of equipment from inventory as listed on Blanket Removal Form 2111.

31. Appoint property custodian for the office of Emergency Management: E-911 Administration.

32. Accept Affidavit of Publications of Unclaimed Funds from the Clerk of the Circuit Court and the Tax Collector.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

33. Approve recommended changes to the functional classification of select Polk County roads. (No fiscal impact)
34. SET HEARING (LDCPAL 2020-16 10th Street CPA) to consider the transmittal and adoption of a Large Scale Comprehensive Plan Amendment and associated ordinance to change the Future Land Use designation from Residential-Low 4 (RL-4) to Residential High (RH) in the Transit Supportive Development Area (TSDA). (Suggested hearing dates are December 1, 2020 at 9:30 a.m. or immediately following the Regular Agenda and February 2, 2021 at 9:30 a.m. or immediately following the Regular Agenda)
35. Approve Festival Phase 4 plat for Conditional Approval. (No fiscal impact)
36. Accept Performance Surety Bond No. LICX1196173 Madison Place Townhomes Phase 2 in the amount of \$257,838.59. (No fiscal impact)
37. Accept Performance Surety Bond No. 72BSBIC2960 for Preservation Pointe Phase 2 in the amount of \$137,501.25. (No fiscal impact)
38. Approve Sand Mine Plaza plat for Conditional Approval. (No fiscal impact)
39. Approve the release of a warranty and surety in the amount of \$55,004.50 in the form of Maintenance Bond No. 531459S for Sereno Phase 5. (No fiscal impact)
40. Approve the release of a surety in the form of Performance Bond No. SU1164227 in the amount of \$1,415,481.60 Tierra Del Sol East Phase 1. (No fiscal impact)
41. Accept Tierra Del Sol East Phase 1, potable water, wastewater and reclaimed water utility system improvements for ownership, operation and maintenance by Polk County Utilities. (No fiscal impact)
42. Accept a one year warranty and surety in the amount of \$78,834.03 in the form of Maintenance Bond No. SU1165968 for Tierra Del Sol East Phase 1. (No fiscal impact)
43. Approve Victor Posner City Center Phase 1H Plat for Conditional Approval. (No fiscal impact)
44. Approve the release of a warranty and surety in the amount of \$42,374.65 in the form of Maintenance Bond No. 1158195 for William's Preserve Phase 2C. (No fiscal impact)
45. Approve Yang Estates plat for Conditional Approval. (No fiscal impact)
46. Approve Reserve at Aviana plat for Conditional Approval. (No fiscal impact)
47. Approve Solivita-Phase 5H-Unit 2 plat for Conditional Approval. (No fiscal impact)
48. SET HEARING (LDSPD-2020-4 English Creek SPD De Novo Hearing) to consider an appeal to the Planning Commission's decision to approve LDSPD-2020-4. (Suggested hearing date is December 1, 2020 at 9:30 a.m. or immediately following the Regular Agenda)

DEPUTY COUNTY MANAGER

## BUDGET & MANAGEMENT SERVICES

49. Approve amendment to correct scrivener's error in the resolution approved by the Board on November 3, 2020 in regards to Debt Revenue Note 2020 B Amendment. (No fiscal impact)

## PROCUREMENT

50. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Vogel Bros. Building Co. to construct the Gibson Oaks Water Production Facility. (No fiscal impact)
51. Approve an agreement with Palm Beach Media, LLC for RFP 20-902, Vacation Guides. (\$98,800 estimated annual recurring expense)
52. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Cardno, Inc. for Utilities Computerized Maintenance and Management System (No fiscal impact)

## COMMUNICATIONS

53. Proclaim November 2020 as National Runaway Prevention Month.
54. Proclaim November 28, 2020 as Small Business Saturday.
55. Proclaim November 18 – 25, 2020 as Farm-City Week.

## COOPERATIVE EXTENSION SERVICES

## HEALTH & HUMAN SERVICES

## EQUITY & HUMAN RESOURCES

## INFORMATION TECHNOLOGY

56. Approve a transfer from Reserves to fund subscription costs related to upgrade the Oracle software. (\$105,096 one-time expense)

## CODE ENFORCEMENT

## COUNTY PROBATION

## RISK MANAGEMENT

## INDIGENT HEALTH CARE

## FACILITIES MANAGEMENT

## FLEET MANAGEMENT

## PARKS & NATURAL RESOURCES

## FIRE RESCUE

57. Approve transfer from the Special Revenue Grant Fund Reserve for Contingency to establish budget for unanticipated revenue for Emergency Medical Services under the CARES Act Provider Relief Fund. (\$490,893 one-time revenue and expense)

#### EMERGENCY MANAGEMENT

#### ROADS & DRAINAGE

58. Adopt Resolution setting speed limit on Lake McLeod Drive, near Eagle Lake. (\$93.21 one-time expense)
59. Adopt a Resolution setting parking restrictions in Platted Park in Lake Shipp Heights, Unit No. 5, near Winter Haven. (\$409.66 one-time expense)
60. Approve Modification No. 2 to the Consultant Services Authorization with HDR Engineering, Inc. for the Keith Lane Drainage Improvements Project. (\$11,692.31 one-time expense)

#### UTILITIES

61. Approve Work Authorization No. 45 to Agreement 16-049 with Curry Controls Company to provide Supervisory Control and Data Acquisition (SCADA) services for the Sun Ray Wastewater Treatment Facility Improvements project. (\$74,878 lump sum expense)

#### WASTE & RECYCLING

#### ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY

#### CLERK OF COURT

62. Approve request from the County Clerk of Court and Comptroller (Clerk) to allocate \$680,000 of unspent FY 19/20 appropriations back to them and approve a transfer from General Fund Reserves for Budget Stabilization. (\$680,000 one-time expense)

#### POLK COUNTY PROPERTY APPRAISER

#### POLK COUNTY SHERIFF

63. Approve amendment to the Polk County Sheriff's Office (PCSO) FY 19/20 budget. (No fiscal impact)

#### POLK COUNTY SUPERVISOR OF ELECTIONS

#### POLK COUNTY TAX COLLECTOR

#### SUPERINTENDENT OF POLK COUNTY SCHOOLS

#### WORKFORCE DEVELOPMENT BOARD

#### COUNTY ATTORNEY

64. Approve maintained right-of-way map for Central Avenue in the Alturas area. (No fiscal impact)

65. Authorize the County Attorney's Office and outside counsel to enter into a stipulated Order of Taking and Final Judgment for parcel 109 in the case of Polk County v. Rodriguez, et al (53-2020CA-003109-0109-00), an eminent domain lawsuit filed to acquire needed rights-of-way for the West Pipkin Project. (\$27,492 one time expense).
66. Accept Quit Claim Deed from Harvey Ray Baker, Jr., as heir of the Estate of Harvey Ray Baker Sr., for property being donated for conservation preservation. (No Fiscal impact)
67. Accept instruments for additional right-of-way for Duff Road and Green Road, and CR 640, as requested through the Development Review Process. (No fiscal impact)
68. Authorize the conveyance of the County's interest in an unassessed strip of land near Varnadoe Road to Hewitt and Yong Jackson, Trustees and Micaela D. Vera. Also accept Quit Claim Deed from Hewitt and Yong Jackson, Trustees for additional right-of-way for Varnadoe Road. (\$1,000 one-time revenue)
69. Adopt Resolution approving Extensions to Declaration of State of Local Emergency 20-01. (No fiscal impact).
70. Accept replacement Polk County Utilities Easements from Blackcave Reunion, LLC, and Reunion DHC, LLC. (No fiscal impact)
71. Approve Resolution rescinding Resolution No. 04-13 providing for compliance with Chapter 274, Florida Statutes and Florida Administrative Code Chapter 69I-73.

## 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, November 17, 2020 - 10:30 a.m. (or immediately following the morning session of the Polk County Board of County Commissioners' Meeting) – In accordance with Chapter 286.011 of the Florida statutes, the Board of County Commissioners will meet in the County Commissioners' Conference Room, Room 407, in private with its attorneys to seek advice concerning a business damage claim in the case of Polk County v. Khodabhai P. Patel, et al, Case No. 53-2020CA-002230-0150-00 (Parcel 150). The names of persons who may be in attendance are as follows: County Commissioners Bill Braswell, George Lindsey, Rick Wilson, Martha Santiago and Neil Combee; County Attorney Michael Craig, Deputy County Attorney Randy Mink, and County Manager Bill Beasley.
- Wednesday, November 18, 2020 - 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, November 18, 2020 - 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Wednesday, November 18, 2020 - 9:00 a.m. – Value Adjustment Board will hold hearing virtually. For more details, contact Jennifer Leiding at JenniferLeiding@polk-county.net.
- Wednesday, November 18, 2020 – 1:30 p.m. – Library Cooperative Governing Board will meet at the Winter Haven Public Library, 325 Avenue A NW, Winter Haven.
- Wednesday, November 18, 2020 - 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.
- Thursday, November 19, 2020 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, November 19, 2020 - 9:00 a.m. – Tourist Development Council’s Sports and Special Events Committee will meet at the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale.
- Thursday, November 19, 2020 - 9:00 a.m. – Value Adjustment Board will hold hearing virtually. For more details, contact Jennifer Leiding at JenniferLeiding@polk-county.net.



- Thursday, November 19, 2020 - 1:30 p.m. – Land Use Hearing Officer Hearings will be held in the County Commission Boardroom.
  
- Friday, November 20, 2020 - 8:30 a.m. – Citizens HealthCare Oversight Committee will meet in the County Commission Boardroom.
  
- Friday, November 20, 2020 - 9:00 a.m. – Value Adjustment Board will hold hearing virtually. For more details, contact Jennifer Leiding at JenniferLeiding@polk-county.net.
  
- Monday, November 23, 2020 - 5:30 p.m. – Community Relations Advisory Council (CRAC) will meet in the Multi-Purpose Room, Room 413.
  
- Thursday, November 26, 2020 and Friday, November 27, 2020 – The offices of the Board of County Commissioners will be closed for the Thanksgiving Holiday.
  
- Monday, November 30, 2020 - 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 County Commission Boardroom.