



Polk County Board of County Commissioners

Meeting Agenda

October 6, 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. (BILL BRASWELL, CHAIRMAN)

INVOCATION

1. Pastor Andrew Dixon, Be Renew Global Ministries, Auburndale

PLEDGE OF ALLEGIANCE (BILL BRASWELL, CHAIRMAN)

A. PRESENTATIONS and RECOGNITIONS

B. CEREMONIAL PROCLAMATIONS

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

2. Frank Orzechowski to discuss community concerns.
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 September 15, 2020, and Budget Public Hearings held on September 14, 2020, and September 21, 2020.

F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

G. COUNTY ATTORNEY (MICHAEL CRAIG)

7. Accept Performance Surety Bond No.70NGP184909 for Aniston in the amount of \$614,043.10. (No fiscal impact)

H. COUNTY MANAGER (BILL BEASLEY)

8. Approve agreement with Core Construction Services of Florida, LLC. to provide Pre-Construction Manager at Risk (CMAR) services for the Galloway Fire Rescue Station. (\$16,860.53 one-time expense)
9. Approve Work Authorization Nos. 43 and 44 to the agreement with Curry Controls Company to provide Supervisory Control and Data Acquisition (SCADA) services for Heritage Place and Waverly Wastewater Treatment Facilities. (\$588,053 lump sum expense)
10. Approve Consultant Services Authorization with Tetra Tech, Inc. to provide professional engineering services for the Jordan's Grove Ground Storage Reservoir and High Service Pump Station project. (\$437,578 not-to-exceed, one-time expense)
11. Approve CIP Amendment and transfer for the Community Development Block Grant (CDBG) Wahneta Road Rebuilding Project (\$1,010,000 one-time expense)
12. Approve a CIP Amendment and budget transfer from reserves to the CR 542 (K-Ville Avenue) at CR 655 (Recker Highway) Turn-lane Intersection Improvement Project. (\$561,534.57 one-time transfer)
13. Confirm the selection/appointment of Todd Bond, as the Deputy County Manager overseeing the Support Services Divisions.

I. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)

14. Commissioner Lindsey Comments.

J. COMMISSIONER DISTRICT 2 (RICK WILSON)

15. Commissioner Wilson Comments.

K. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

16. Commissioner Santiago Comments.

L. COMMISSIONER DISTRICT 5 (JOHN E. HALL)

17. Commissioner Hall Comments.

M. COMMISSIONER DISTRICT 3 (BILL BRASWELL, CHAIRMAN)

18. Chairman Braswell Comments.

N. LAY BOARD APPOINTMENTS

O. PUBLIC HEARINGS

* County Attorney opening comments

19. Public Hearing (LDCD-2020-5 Florida Utility Trailer Sub-District Change) to consider a Sub-District Map change from Business Park Center-1X (BPC-1X) to Business Park Center-2X (BPC-2X) on +/- 14.54 acres in the Green Swamp Area of Critical State Concern/Polk City Special Protection Area.
20. Public Hearing (LDCPAL-2020-15 Wetland Density Transfer CPA) (Transmittal Hearing) to consider a Large Scale Comprehensive Plan Text Amendment (CPA) to change the text of the Comprehensive Plan as part of the Biennial Amendments to clarify the wetland density transfer to uplands. This case is related to LDCT-2020-7.
21. Public Hearing (LDCT-2020-7 Wetland Density Transfer LDC Text Amendment) (First Public Hearing - No Action) to consider the adoption of a County-initiated ordinance amending the Land Development Code.

P. CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

22. Removal of equipment from inventory as listed on Blanket Removal Form 2108.
23. Affidavit of Publication of unclaimed funds received from the Clerk of the Circuit Court.
24. Accept list of Lands Available from Tax Deed Sale on August 20, 2020.

COUNTY MANAGER

25. Approve Interlocal Agreement for Countywide Transit System with the Lakeland Area Mass Transit District.
26. Approve renewal agreement for core public health services with the Florida Department of Health in Polk County. (\$380,000 not-to-exceed one-time expense)
27. Adopt Resolution approving Amendment No. 1 to the Coronavirus Relief Fund (CRF) Subrecipient Agreement adding additional funds. (\$1,301,799 one-time revenue)
28. Accept funds appropriated from the Provider Relief Fund established under the CARES Act and approve transfer from the Special Revenue Grant Fund Reserve for Contingency to establish budget for unanticipated revenue for the Rohr Home. (\$255,731 one-time revenue and expense)

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

29. Approve sponsorship agreement with Bok Tower Gardens, Inc. for four events occurring during FY 20-21. (\$100,450 one-time expense)

30. Approve sponsorship agreement with Theatre Winter Haven, Inc. for six events occurring during FY 20/21. (\$106,876 one-time expense)

OFFICE OF PLANNING & DEVELOPMENT

31. SET HEARING (LDCT-2020-9 Lakes Access Amendment) to consider the adoption of a County-initiated ordinance amending the Land Development Code. (Suggested hearing dates are October 20, 2020 at 9:30 a.m. or immediately following the Regular Agenda and November 3, 2020 at 9:30 a.m. or immediately following the Regular Agenda)
32. SET HEARING (LDWA-2020-28 Collins Waiver) to consider the adoption of an applicant-initiated request for a waiver for access through an easement serving more than four lots and exceeding 0.25 miles in the Agriculture/ Residential Rural (A/RR) land use district on approximately 10.07 acres. (Suggested hearing date is October 20, 2020 at 9:30 a.m. or immediately following the Regular Agenda)
33. Accept a warranty rider in the amount of \$1,832 in the form of a Maintenance Bond Rider No. 045625P for Champions Crossing. (No fiscal impact)
34. Approve CUPS COOP Phase III for Conditional Approval. (No fiscal impact)
35. Approve Domain Pointe Plat for Conditional Approval. (No fiscal impact)
36. Approve Jahna Hunting Estates for Conditional Approval. (No fiscal impact)
37. Approve Linden Trace plat for Conditional Approval. (No fiscal impact)
38. Approve Madison Place Phase 2 plat for Conditional Approval. (No fiscal impact)
39. Accept Performance Surety in the form of an Irrevocable Letter of Credit No. BOCFL047 for Sutton Ridge in the amount of \$48,250. (No fiscal impact)
40. Approve the release of a surety in the form of Performance Bond No. EACX209000008 in the amount of \$293,479.45 for Taylor Hills. (No fiscal impact)
41. Approve the reimbursement of funds from the Letter of Credit for costs incurred to Polk TDS, LLC and accept a one-year warranty retainer in accordance with the Second Infrastructure Agreement for Tierra Del Sol (OR Book 10935, Pages 1614-1633).
42. SET HEARING (LDCPAS 2020-4 4404 OC CPA) (Adoption Public Hearing) to consider the adoption of a Small Scale Comprehensive Plan Amendment and associated ordinance to change the Future Land Use designation from Residential Medium (RM) to Office Center (OC) in the Transit Supportive Development Area (TSDA). (Suggested hearing date is October 20, 2020 at 9:30 a.m. or immediately following the Regular Agenda)

DEPUTY COUNTY MANAGER

PROCUREMENT

43. Approve a piggyback agreement with MBGC, LLC dba Minerva Bunker Gear Cleaners for bunker gear cleaning, maintenance, and repair. (\$78,000 estimated annual expense)
44. Approve a piggyback agreement with G4S Secure Solutions (USA) Inc. for Security Guard Services. (\$65,000 estimated annual expense)

45. Approve selection committee's recommendation to authorize staff to enter into contract negotiations with Atlanta Magazine LLC, for RFP 20-902 Vacation Guides. (No fiscal impact)

COMMUNICATIONS

46. Proclaim October 2020 as Safe Sleep Awareness Month.
47. Proclaim October 2020 as Pink Out Month.
48. Proclaim October 2020 as National Red Ribbon Month.

COOPERATIVE EXTENSION SERVICES

HEALTH & HUMAN SERVICES

49. Approve State Housing Initiatives Partnership (SHIP) Annual Report (AR) extension for FY 2017/2018. (No fiscal impact)
50. Approve HOME Investment Partnership Program homeowner assistance agreements for property located in Davenport, FL for Case RC 20-H-003. (\$136,989.20 one-time expense)
51. Approve HOME Investment Partnership Program homeowner assistance agreements for property located in Lakeland, FL for Case RC 20-H-002. (\$130,626.20 one-time expense)
52. Approve HOME Investment Partnership Program homeowner assistance agreements for property located in Haines City, FL for Case RC 20-H-001. (\$128,159.20 one-time expense)

EQUITY & HUMAN RESOURCES

INFORMATION TECHNOLOGY

CODE ENFORCEMENT

COUNTY PROBATION

RISK MANAGEMENT

53. Approve the proposed settlement in the matter of Jorge Taulet-Heredia v. Polk County Sheriff's Office.(\$40,000 one-time expense)

INDIGENT HEALTH CARE

DEPUTY COUNTY MANAGER

FACILITIES MANAGEMENT

54. Approve and authorize staff to submit, and authorize Polk County BoCC Facilities Management Division Director, Keith R. Tate to sign, a Florida Department of Agriculture and Consumer Services Division of Marketing and Development Bureau of State Farmers Market – Agriculture Education and Promotion Facility Request for Funding grant application for the miscellaneous improvements to the Bartow State Livestock and Crops Pavilion (Agricultural Center Campus) located at 1702 and 1710 U.S. Highway 17 South, Bartow.

FLEET MANAGEMENT

55. Approve Memorandum of Understanding with the City of Auburndale for fleet maintenance services. (\$429,212.28 one-time revenue and expense)
56. Approve Memorandum of Understanding with the City of Lake Wales for fleet maintenance services. (\$218,519.64 one-time revenue and expense)
57. Approve Memorandum of Understanding with the City of Fort Meade for fleet maintenance services. (\$69,908.76 one-time revenue and expense)

PARKS & NATURAL RESOURCES

FIRE RESCUE

58. Approve name change on Letter of Agreement with Sunshine State Health Plan, Inc. (No fiscal impact)

EMERGENCY MANAGEMENT

ROADS & DRAINAGE

59. Adopt Resolution setting speed limit on Mosley Road, near Lake Alfred. (\$93.21 one-time expense)
60. Adopt Resolution setting truck restrictions on Mineola Drive (near Lakeland). (\$116.31 one-time expense)
61. Approve CIP Amendment and transfer from reserves to increase the cost for construction of the Wabash Avenue Project (\$73,647.00 one-time expense)
62. Approve Hazard Mitigation Grant Agreement with the Florida Department of Emergency Management (FDEM) for the design of the Eloise Loop Road Drainage Improvement Project. (\$79,344.75 one-time revenue)
63. Adopt a Resolution setting parking restrictions on Cornerstone Church Place, near Davenport. (\$678.47 one-time expense)
64. Adopt a Resolution setting speed limits on County Road 630 (Fort Meade Road & Indian Lake Cutoff), near Lake Wales. (\$81.90 one-time expense)
65. SET HEARING to consider adoption of a Resolution allowing for the installation of traffic calming devices (speed humps) on Magnolia Preserve Boulevard, near Winter Haven. (Suggested hearing date is Tuesday, November 3, 2020 at 9:30 a.m. or immediately following the Regular Agenda)

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

66. Approve Right-of-Way Agreement for Parcels 112AB and 712 in conjunction with the West Pipkin Road Improvement Project. (\$652,000 one-time expense)
67. Approve Right-of-Way Agreement for Parcels 128 / 728 in conjunction with the West Pipkin Road Improvement Project. (\$595,000 one-time expense)
68. Approve Right-of-Way Agreement for Parcel 109 in conjunction with the West Pipkin Road Improvement Project. (\$489,714 one-time expense)
69. Approve Right-of-Way Agreement for Parcel 151 and remainder in conjunction with the West Pipkin Road Improvement Project. (\$440,000 one-time expense)
70. Approve Right-of-Way Agreement for Parcels 102 and 103/708 in conjunction with the West Pipkin Road Improvement Project. (\$347,931 one-time expense)
71. Approve Right-of-Way Agreements for Parcels 143 and 144 in conjunction with the West Pipkin Road Improvement Project. (\$180,000 one-time expense)
72. Approve Right-of-Way Agreement between Amaury Rivera d/b/a Total Car Care for business damages associated with Parcels 112AB in conjunction with the West Pipkin Road Improvement Project. (\$75,000 one-time expense)
73. Approve Right-of-Way Agreement for Parcel 104 in conjunction with the West Pipkin Road Improvement Project. (\$54,392 one-time expense)
74. Approve Right-of-Way Agreement for Parcel 107 in conjunction with the West Pipkin Road Improvement Project. (\$40,000 one-time expense)
75. Approve mediated settlement with Hari Om Investments, Inc., a/k/a Pipkin Road Beverage Castle for business damages and property interest for parcels 146 and 746 in the case of Polk County v. Patel, et al, an eminent domain lawsuit filed to acquire needed rights-of-way for the West Pipkin Project. (\$53,000 one time expense).
76. Adopt Resolutions of Necessity for multiple parcels authorizing condemnation for transportation improvements to W. Pipkin Road, Project No. 5400128. (No fiscal impact)
77. Adopt resolution amending the Crews Lake Trails Street Lighting Assessment Area and Dissolving the Brookside Bluff Street Lighting Assessment Area.
78. Adopt resolution amending the Lakeside Heritage Street Lighting Assessment Area.
79. Adopt resolution creating the Lake Deer Street Lighting Assessment Area.
80. Adopt resolution creating the Estates at English Creek Street Lighting Assessment Area.

81. Adopt resolution creating the Creeks Crossing East Street Lighting Assessment Area.
82. Adopt resolution creating the Campbell Crossing Street Lighting Assessment Area.
83. Adopt resolution creating the Liberty Ridge Street Lighting Assessment Area.
84. Approve Release of Lien related to an Affordable Housing Impact Fee Waiver. (No fiscal impact)
85. Approve Release of Lien related to a Workforce Housing Impact Fee Mitigation. (No fiscal impact)
86. Approve Satisfaction and Release of First Down Mortgage Lien for Case FD-0083, Maria D. Caromna (Carmona), a married woman, joined by her husband, Norberto Fleitas.
87. Accept instrument for additional right-of-way for Jersey Road, as requested through the Development Review Process. (No fiscal impact)
88. Accept a utility easement from KB Home Orlando, LLC, as requested through the Development Review Process. (No fiscal impact)
89. Accept Sidewalk Easement from Carmen J. Stambone III and Victoria V. Stambone in conjunction with the W. Christina Boulevard Sidewalk improvements. (No fiscal impact)
90. Approve Agreement for Transfer of Public Road, between the City of Winter Haven and Polk County for "A" Street and authorize a County Deed for the right-of-way associated therewith. (No fiscal impact)
91. Adopt Resolution approving Extensions to Declaration of State of Local Emergency 20-01. (No fiscal impact).
92. SET HEARING to consider adoption of an ordinance amending and restating the Polk County Wastewater Residuals and Domestic Septage Management Ordinance (Ordinance 95-69). (Suggested hearing date is October 20, 2020 at 9:30 a.m. or immediately following the Regular Agenda)
93. Approve Agreement for Traffic Control on Private Roads for Solterra Resort Community Development District. (No fiscal impact.)
94. Approve Agreement between Otto Ullrich, IV, Trustee and Polk County in conjunction with a water main extension associated with the Frostproof Fire Station and improvements to the Utilities Southeast Regional Service Water Area. (\$51,000 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, October 6, 2020 - 6:00 p.m. – Sidewalk Advisory Committee will meet in the Multi-Purpose Room, Room 413.

- Wednesday, October 7, 2020 - 8:50 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commission Boardroom.
- Wednesday, October 7, 2020 - 9:00 a.m. – Planning Commission meeting will be held in the County Commission Boardroom.
- Thursday, October 8, 2020 - 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, Polk County Administration Building.
- Thursday, October 8, 2020 - 9:00 a.m. – Polk Transportation Planning Organization (TPO) Board Meeting will be held in the County Commission Boardroom.
- Thursday, October 8, 2020 - 5:30 p.m. – Contractor Licensing Board will meet in the County Commission Boardroom.
- Wednesday, October 14, 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, October 14, 2020 - 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.
- Wednesday, October 14, 2020 - 2:30 p.m. – Historical Commission and Marker Committee will meet in the County Commission Boardroom.
- Thursday, October 15, 2020 - 8:30 a.m. – Development Review Committee will

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

- Thursday, October 15, 2020 - 9:00 a.m. – Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.

- Thursday, October 15, 2020 - 4:00 p.m. – Central Florida Development Council 2020 Annual Meeting will be streamed virtually and held at Polk State College Center for Public Safety, 1251 Jim Keene Boulevard, Winter Haven. For more information, contact Lindsay Zimmerman at Lindsay@cfdc.org.

- Friday, October 16, 2020 - 8:30 a.m. – Citizens HealthCare Oversight Committee will meet in the Multi-Purpose Room, Room 413.

- Friday, October 16, 2020 - 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 County Commission Boardroom.