



Polk County Board of County Commissioners

Meeting Agenda

November 22, 2016 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 Neil Combee 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. (JOHN E. HALL, CHAIRMAN)

INVOCATION

1. Rev. David T. Averill, Pastor, St. John's United Methodist Church of Winter Haven

PLEDGE OF ALLEGIANCE (JOHN E. HALL, CHAIRMAN)

INVESTITURE CEREMONY

2. George Lindsey, County Commissioner, District 1. Michael Craig, County Attorney, to administer oath.
3. Bill Braswell, County Commissioner, District 3. Brian Haas, Chief Assistant State Attorney for the Tenth Judicial Circuit of Florida, to administer oath.
4. John E. Hall, County Commissioner, District 5. Michael Craig, County Attorney, 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 28, 2016.

A. PRESENTATIONS and RECOGNITIONS

B. CEREMONIAL PROCLAMATIONS

- C. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE AND OPPORTUNITY TO BE HEARD**
 - 9. Comments.
- D. APPROVE CONSENT AGENDA**
 - 10. Approve Consent Agenda
- E. COUNTY COMPTROLLER (STACY M. BUTTERFIELD, CPA)**
 - 11. Disbursements
 - 12. Minutes of Regular Board Meeting Held on November 1, 2016.
 - 13. Approve Addenda to Employment Agreements with the County Manager and the County Attorney.
- F. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY**
- G. PUBLIC HEARING TO CONSIDER SETTLEMENT**
- H. COUNTY ATTORNEY (MICHAEL CRAIG)**
 - 14. SET HEARING to Consider Adoption of an Ordinance Granting an Economic Development Ad Valorem Tax Exemption to Project Suede, a Qualifying Expansion of an Existing Business (Suggested Hearing Date is December 13, 2016 at 1:30 P.M.)
- I. COUNTY MANAGER (JIM FREEMAN)**
 - 15. Approve Certificate of Public Convenience and Necessity for Affordable Transport, Inc. to operate a Type G ALS Inter-Facility Transport Service within Polk County. (No fiscal impact)
 - 16. Approve budget transfer for the construction of bus shelters in Northeast Polk County. (\$107,000 one-time expense)
 - 17. Approve agreement with Wharton-Smith, Inc. to provide Construction Manager at Risk (CMAR) Services for the Central Regional Water Production Facility. (\$188,727 one-time expense)
 - 18. Approve construction contract with SEMCO Construction, Inc. for the construction of eight bus stops. (\$286,809 one-time expense)
 - 19. Amending 2016 Board Meeting schedule.
- J. COMMISSIONER DISTRICT 1 (GEORGE LINDSEY)**
 - 20. Commissioner Lindsey Comments.
- K. COMMISSIONER DISTRICT 2 (MELONY M. BELL)**
 - 21. Commissioner Bell Comments.
- L. COMMISSIONER DISTRICT 3 (BILL BRASWELL)**
 - 22. Commissioner Braswell Comments.

M. COMMISSIONER DISTRICT 4 (R. TODD DANTZLER)

23. Commissioner Dantzler Comments.

N. COMMISSIONER DISTRICT 5 (JOHN E. HALL, CHAIRMAN)

24. Appoint Larry Keith Johnson to Serve as a Member of the Polk County Lakes Access Advisory Committee for the Three-Year Term, November 17, 2016 to November 16, 2019.
25. Commissioner Hall Comments.

O. LAY BOARD APPOINTMENTS

26. Approve Reappointment of Ron Myers to the Tourist Development Council for the Four-Year Term, September 1, 2016 through August 31, 2020.

*****RECESS - The Board of County Commissioners will recess from 12:30 p.m. until 1:30 p.m. or soon thereafter.*****

P. PUBLIC HEARINGS

* County Attorney opening comments

27. Public Hearing (LDC 16T-09 – Saxon Text Amendment) (First Public Hearing – No Action) to Consider an Applicant-Initiated Amendment to the Land Development Code (No Fiscal Impact).
28. Public Hearing (CPA 16S-07/Havenhill Woods CPA) (Adoption Public Hearing) to Consider a Small Scale Comprehensive Plan Map Amendment to Change the Future Land Use Designation from Development of Regional Impact (DRI) to Residential Medium (RM) on 1.8 +/- Acres.
29. Public Hearing (CPA 16S-08/Gordonville Park CPA) (Adoption Public Hearing) to Consider a Small Scale Comprehensive Plan Map Amendment to Change the Future Land Use Designation from Residential Low (RL) to Recreation and Open Space (ROS) on 4.53 +/- Acres.
30. Public Hearing (CPA 16S-09/Knights Station Road CE CPA) (Adoption Public Hearing) to Consider a Small Scale Comprehensive Plan Map Amendment to Change the Future Land Use Designation from Agriculture/Residential Rural (A/RR) to Commercial Enclave (CE) on 4.53 +/- Acres.
31. Public Hearing (CPA 16S-10/Ritchie Bros CPA) (Adoption Public Hearing) to Consider a Small Scale Comprehensive Plan Map Amendment to Change the Future Land Use Designation from Recreation and Open Space “X” (ROSX) to Regional Activity Center “X” (RACX) on 9.6 +/- Acres in the North Ridge Selected Area Plan (SAP).
32. Public Hearing (CPA 16S-13/Michalec CPA) (Adoption Public Hearing) to Consider a Small Scale Comprehensive Plan Map Amendment to Change the Future Land Use Designation from Business Park Center (BPC) to Residential Low (RL) on 7.33 +/- Acres.

Q. CONSENT AGENDA ITEMS

COMMISSIONER DISTRICT 1

COMMISSIONER DISTRICT 2

COMMISSIONER DISTRICT 3

COMMISSIONER DISTRICT 4

COMMISSIONER DISTRICT 5

COUNTY COMPTROLLER

33. Blanket Removal 2015

34. Affidavit of Publication of Unclaimed Funds Received from the Tax Collector.

35. Affidavit of Publication of Unclaimed Funds Received from the Clerk of Circuit Court.

36. Accept List of Lands Available from Tax Deed Sale.

COUNTY MANAGER

ECONOMIC DEVELOPMENT

TOURISM/SPORTS MARKETING

OFFICE OF PLANNING & DEVELOPMENT

37. SET HEARING (Victor Posner City Center DRI Rescission Resolution) to Consider a Resolution to Rescind the Victor Posner City Center Development of Regional Impact, Nullifying the Development Order Obligations and Limitations. (Suggested Hearing Date is December 6, 2016 at 1:30 P.M.)

38. SET HEARING (DA 06-01M) to Consider Modifying an Existing Development Agreement with City Center Property Holdings LLC to Establish Rights and Obligations Regarding Certain Utility and Transportation Capacities and Public Improvements for Development on Property Described in the Development Agreement. (Suggested Hearing Date is December 6, 2016 at 1:30 P.M.)

39. SET HEARING (CU 16-23/B S Ranch Soil Manufacturing) to Consider Approval of a Level 4 Conditional Use. (Suggested Hearing Date is December 6, 2016 at 1:30 P.M.)

40. Accept Delphi Addition Plat for Conditional Approval. (No Fiscal Impact)

41. Accept Kamyla Plat for Conditional Approval. (No Fiscal Impact)

42. Approve Legacy Park Commercial Phase I Plat for Conditional Approval. (No Fiscal Impact)

43. Accept a Performance Surety in the Form of an Irrevocable Standby Letter of Credit (No. 04143752) for Del Webb Orlando Phase 6 in the Amount of \$476,616.25 with an Expiration Date of October 4, 2018. (No Fiscal Impact)

44. Approve the Release of Cash Surety in the Amount of \$3,245 for Magnolia Preserve Phase 3. (No Fiscal Impact)

45. Accept a One Year Warranty and Maintenance Bond No.481626S in the Amount of \$23,951.38 for Magnolia Preserve Phase 3. (No Fiscal Impact)

46. Accept Del Webb Orlando Phase 6 Plat for Conditional Approval.
47. Accept New Life Assembly of God Offsite Potable Water and Wastewater System Utility Improvements for Ownership, Operation and Maintenance by Polk County Utilities. (No Fiscal Impact)
48. Accept a One Year Warranty and Cash Surety in the Amount of \$38,161.69 for Cambria. (No Fiscal Impact)
49. Accept Cambria Subdivision Potable Water, Wastewater and Reclaimed Water System Utility Improvements for Ownership, Operation and Maintenance by Polk County Utilities. (No Fiscal Impact)
50. Accept Magnolia Preserve Phase 3 Subdivision Potable Water and Wastewater System Utility Improvements for Ownership, Operation and Maintenance by Polk County Utilities. (No Fiscal Impact)
51. Accept a One Year Warranty and Maintenance Bond (No.481372S) in the Amount of \$15,556 for New Life Assembly of God. (No Fiscal Impact)

DEPUTY COUNTY MANAGER

BUDGET & MANAGEMENT SERVICES

52. Accept a Matching Grant Award from the State of Florida, Department of State, Division of Elections and Approve a Budget Transfer from Special Revenue Grant Reserve for Contingencies and Reserve for Matching Funds. (\$80,978 One-Time Revenue and \$14,291 Cash Match Expense)

PROCUREMENT

53. Approve a Grazing Lease Agreement with Grape Hammock Fish Camp, Inc. (\$1,050 Annual Revenue)

COMMUNICATIONS

COOPERATIVE EXTENSION SERVICES

SOCIAL SERVICES

54. Approve State Housing Initiatives Partnership (SHIP) Program Rehabilitation/Replacement Agreements for Case RC16-S-003. (\$116,194 One-Time Expense)
55. Approve State Housing Initiatives Partnership (SHIP) Satisfaction of Mortgage for Case S07-DP-0109. (\$3,500 One-Time Revenue)
56. Approve Modification to the State Housing Initiatives Partnership (SHIP) Program Rehabilitation/Replacement Agreements for Case RC15-S-004. (\$3,282 One-Time Expense)
57. Approve transfer from General Fund Reserve for Budget Stabilization to cover expenditures incurred under the Interlocal Agreement with Lakeland Area Mass Transit District. (\$3,200,646 one-time transfer)

EQUITY & HUMAN RESOURCES

INFORMATION TECHNOLOGY

CODE ENFORCEMENT

COUNTY PROBATION

RISK MANAGEMENT

INDIGENT HEALTH CARE

58. Approve Polk HealthCare Plan Medical Services Agreements. (Transfer of Existing Appropriations to Medical Providers)

DEPUTY COUNTY MANAGER

FACILITIES MANAGEMENT

FLEET MANAGEMENT

PARKS & NATURAL RESOURCES

FIRE RESCUE

59. Approval of EMS Award Grant and Resolution. (\$79,100 One-Time Revenue)

EMERGENCY MANAGEMENT

ROADS & DRAINAGE

60. Adopt a Resolution for Golf Cart Designation of Mangham Road and Ward Loop Road (Near Babson Park). (\$349.41 One-Time Expense)
61. Adopt a Resolution Setting Parking Restrictions on County Road 542 (Main Street East), Near Lakeland. (\$516.44 One-Time Expense)
62. Approve Tolling Agreement with U.S. Army Corps of Engineers for the Ernie Caldwell Boulevard Project (No Fiscal Impact).
63. Approve Local Agency Program (LAP) agreement with the Florida Department of Transportation (FDOT) to fund the design, construction and CEI of the Ariana Street Sidewalk Project from South Wabash Avenue to Lotus Avenue, adopt the associated Resolution, and approve a CIP amendment to appropriate grant funding for the project. (\$200,000 one-time revenue FY 2016/17 & the remaining \$1,586,158 one-time revenues through June 30, 2020)

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

64. Approve Resolution Supporting State Funding for the Florida Alliance of Boys and Girls Clubs.
65. Accept Quit Claim Deed from Susan Janssen, Successor Trustee of the George J. Jorgenson Trust, Dated October 29, 1993, for Property Being Donated for Conservation. (\$29.20 One-Time Expense)
66. Accept Instruments for Additional Right-Of-Way as Requested through the Development Review Process. (\$72.40 One-Time Expense)
67. Approve License Agreement Between Polk County and the City of Lakeland in Conjunction with the Lake Hancock Boat Ramp and Panther Point Trail Projects. (No Fiscal Impact)
68. Approve Maintained Right-Of-Way Map for Shady Oaks Drive. (\$135.00 One-Time Expense)
69. Accept a Utilities Easement from Avatar Properties, Inc. in Conjunction with the Poinciana Fire Station Project. (\$27.70 One-Time Expense)
70. Accept Utility Easements from Majestic Orlando Partners I, LLC and Majestic Orlando Partners II, LLC in Conjunction with Adjacent Development. (\$97.90 One-Time Expense)
71. SET HEARING to Consider Adoption of an Ordinance Granting an Economic Development Ad Valorem Tax Exemption to Project Tech, a Qualifying Expansion of an Existing Business. (Suggested Hearing Date is December 13, 2016 at 1:30 P.M.)
72. SET HEARING to consider adoption of Ordinance for purpose of increasing the yearly salary of Polk County Commissioners as provided for by the Polk County Charter. (Suggested hearing date is December 13, 2016 at 1:30 p.m.)

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.

- Thursday, November 24, 2016 and Friday, November 25, 2016 – The offices of the Board of County Commissioners will be closed for the Thanksgiving Holiday.
- Tuesday, November 29, 2016 – 9:00 a.m. – Value Adjustment Board Hearings will be held in the Neil Combee Administration Building, 3rd Floor Conference Room 341, Bartow.
- Wednesday, November 30, 2016 – Friday, December 2, 2016 – Florida Association of Counties Legislative Conference will be held at the Buena Vista Palace, 1900 Buena Vista Drive, Orlando.

- Wednesday, November 30, 2016 – 9:00 a.m. – Value Adjustment Board Hearings will be held in the Neil Combee Administration Building, 3rd Floor Conference Room 341, Bartow.
- Thursday, December 1, 2016 – 9:00 a.m. – Value Adjustment Board Hearings will be held in the Neil Combee Administration Building, 3rd Floor Conference Room 341, Bartow.
- Monday, December 5, 2016 – 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, December 5, 2016 – 9:00 a.m. – Value Adjustment Board Hearings will be held in the Neil Combee Administration Building, 3rd Floor Conference Room 341, Bartow.
- Monday, December 5, 2016 – 4:00 p.m. – Central Florida Development Council Board of Directors meeting will be held at Citrus Connection, 1212 George Jenkins Boulevard, Lakeland.