

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

REGULAR MEETING

April 11, 2023

COUNTY COMMISSIONERS

**Kirby Smith, Chairman
Douglas B. Shields, District #1
Sean Parks, District #2
Leslie Campione, District #4
Josh Blake, District #5**

**Jennifer Barker, County Manager
Gary J. Cooney, Clerk to the Board
Melanie Marsh, County Attorney**

DISCLAIMER

***Meetings are held in person with limited occupancy for social distancing.
Members of the public are invited to attend in person or join the meeting
virtually via Zoom with a computer or smart device. Attendees may also call
into the meeting using the information provided on our website.***

***To view upcoming meeting dates and locations, or for more information
on upcoming meetings, visit <https://lakecountyfl.gov/boardmeeting>.***

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting; however, Commissioners may add items to the agenda up to 4 days prior to the meeting. They also may remove items from consideration at any time. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

In addition to regular Board meetings, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which any member of the public may comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

April 11, 2023

9:00 AM. Invocation

Pledge of Allegiance

I. VIRTUAL MEETING INSTRUCTIONS

II. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

III. EMPLOYEE SERVICE AWARDS & QUARTERLY AWARDS

IV. ANNUAL COMPREHENSIVE FINANCIAL REPORT

V. MINUTES APPROVAL

Tab 1 Request approval of the following minutes:

- February 16, 2023 (Special Meeting)
- February 28, 2023 (Regular Meeting)
- March 7, 2023 (Regular Meeting)

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting the Board of County Commissioners will hear questions, comments and concerns from the citizens. If the issue raised is not on today's agenda, action will not be taken by the Board. Questions may be answered by staff, or referred for appropriate staff action. If further action is necessary, the item may be placed on a future Board agenda.

Zoning and code enforcement matters cannot be discussed during the public comment period. Procurement matters not scheduled to be heard by the Board today also cannot be discussed during the public comment period.

Public comment shall be limited to 3 minutes per person.

VI. PRESENTATION OF PROCLAMATIONS

Tab 2 Recommend approval and presentation of the Water Conservation Month Proclamation, per Commissioner Parks.

VII. CLERK OF COURT'S CONSENT AGENDA

Tab 3 Request approval of the Clerk of Courts' Consent Agenda (Items 1-4):

1. Notice is hereby provided of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes and filed in the Board Support Division of the Clerk's Office.
2. Notice is hereby provided of having received Annexation Ordinance 2022-112 from the City of Umatilla.
3. Notice is hereby provided of having received Annexation Ordinance 2023-02-638 from the City of Mascotte.
4. Notice is hereby provided of having received Comprehensive Plan Amendment Ordinance 2023-09 and Rezoning Ordinance 2023-08 from the City of Minneola.

VIII. CONSENT AGENDA (Tabs 4-13):

A. PROCLAMATIONS

Tab 4 Recommend approval of the International Dark Sky Week proclamation, per Commissioner Parks.

Tab 5 Recommend approval of the Law Enforcement Proclamation, per Commissioner Smith.

B. COUNTY ATTORNEY

Tab 6 Recommend approval to conduct a Closed Session of the Board of County Commissioners to be held on April 25, 2023, to discuss *Lake County Voices of Reason, Inc. vs. Lake County, Florida*, Circuit Court of the Fifth Judicial Circuit in and for Lake County, Florida, Case No. 2020-CA-000799

C. COUNTY MANAGER

Tab 7 Recommend approval of an interlocal funding agreement with the City of Clermont for soil and groundwater testing.

The fiscal impact will not exceed \$31,050.50 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget.

Tab 8 Recommend approval for the Chairman to execute a letter of support and agreement to the Florida Attorney General regarding the Crime Stoppers Grant Program. There is no fiscal impact.

D. ADMINISTRATIVE SERVICES

Extension Services

Tab 9 Recommend approval and adoption of a Room Usage Policy to set guidelines, process, and terms of use of space at the Lake County Extension Services Office.

E. PUBLIC SERVICES AND INFRASTRUCTURE

Facilities Management

Tab 10 Recommend approval of the removal of one 1,000 gallon Underground Storage Tank (UST) and the installation of a new 1,000 gallon diesel Above Ground Storage Tank at Central Energy Plant 75, 315 W. Main Street, Tavares, Florida 32778.

The fiscal impact is \$100,800 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Commission District 3.

Tab 11 Recommend approval of the removal of one 1,000 gallon Underground Storage Tank and the installation of a new 1,000 gallon diesel Above Ground Storage Tank at Sheriff's Administration Building, 360 W. Ruby Street, Tavares, Florida 32778.

The fiscal impact is \$100,800 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Commission District 3.

Office of Housing and Community Services

Tab 12 Recommend approval:

1. Of a Substantial Amendment of the Community Development Block Grant (CDBG) Fiscal Year 2019-2020 Annual Action Plan and approval of a related resolution; and
2. To authorize the Office of Housing & Community Services Director to execute any documents required by the U.S. Department of Housing & Urban Development and approval of authorizing Resolution; and
3. Of a budget transfer in the amount of \$200,000 reallocating CDBG-CV3 Capital funds from Contractual Services to CV-Rent and Mortgage Assistance. The net fiscal impact is \$0 as the requested budget transfer reallocates funding from one expenditure account to another.

Public Works

Tab 13

Recommend approval of a Purchase Agreement with Elimwood Orlando Golf Resort, LLC for the right of way needed for Phase A of the Wekiva Trail, Segment 2 project in the Mount Plymouth area and authorize the Chairman to execute all necessary documentation.

The fiscal impact is \$481,550 plus closing costs (expenditure – FDOT funding) and is within, and will not exceed, the Fiscal Year 2023 Budget. Commission District 4.

IX. PRESENTATIONS

Tab 14

Discussion and direction regarding a proposed annexation of the Cedar Creek property by the Town of Howey-In-The-Hills and consideration of the Developer's request to allow a non-contiguous annexation under Section 3.c.iv of the Interlocal Service Boundary Agreement dated June 19, 2013.

Tab 15

Presentation on the Countywide Joint Planning Area (JPA) Initiative & Conservation Strategy by Josh Sheldon with the East Central Florida Regional Planning Council (ECFRPC) and Dr. Jason Evans with Stetson University.

X. REGULAR AGENDA

A. Economic Growth - Visit Lake

Tab 16

Presentation and recommend approval:

1. Of the Tourist Development Council (TDC) recommendation to provide \$996,000 in Tourist Development Tax (TDT) funding to the City of Leesburg for the Susan Street Sports Complex Project; and
2. To include a performance requirement provision in the Tourism Development Tax Capital Project Funding Agreement between the Lake County Board of County Commissioners and the City of Leesburg; and
3. To authorize the Chairman to execute the agreement with the City of Leesburg; and
4. Of a budget transfer in the amount of \$996,000, from Special Reserve - Capital Fund to Aids - Government Agencies.

The fiscal impact is not to exceed \$996,000 (expenditure – TDT funding). Commission District 5.

Tab 17

Presentation and recommendation to approve the 2023 1-Year Strategic Plan for the Office of Visit Lake.

B. COMMISSIONERS

Commissioner Campione - District #4

Tab 18 Discussion and direction regarding waiving the one-year *res judicata* requirement pursuant to Section 14.00.09, Land Development Regulations, for the Goose Creek PUD (RZ-22-08-3) and Harbor Shores Road PUD (RZ-22-07-3) rezoning applications.

Commissioner Smith - Chairman and District #3

Tab 19 Recommend approval:
1. To bring Lake County Water Authority employees into the Board of County Commissioners organizational structure; and
2. For the Board of County Commissioners staff to provide management services for all Lake County Water Authority functions.

The fiscal impact is undetermined at this time.

XI. PUBLIC HEARINGS

Tab 20 Recommend approval and adoption of an Ordinance amending Section 2-81, Lake County Code, entitled *Criminal History Checks*. There is no fiscal impact.

Tab 21 Recommend approval and adoption of Ordinances establishing new rates for the Library, Parks, Fire Rescue and Transportation Impact Fees, and an Ordinance creating a new Impact Fee District to be known as the West Transportation Benefit District. The fiscal impact is unable to be determined at this time.

Pursuant to Section 163.31801(4)(d), Florida Statutes, new or increased impact fees may not apply to current or pending permit applications submitted before the effective date of a new or increased impact fee.

XII. OTHER BUSINESS

Tab 22 Request approval to re-appoint Leslie Temmen as the primary and Jane Tomlinson as the alternate to the Library Advisory Board as members representing the Town of Montverde. There is no fiscal impact.

Commissioner Blake is the liaison to the Library Advisory Board.

XIII. REPORTS

A. **County Attorney**

B. **County Manager**

XIV. COMMISSIONER REPORTS

- A. Commissioner Shields - District #1**
- B. Commissioner Parks - District #2**
- C. Commissioner Campione - District #4**
- D. Commissioner Blake - District #5**
- E. Commissioner Smith - Chairman and District #3**

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, 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 may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceedings should contact (352) 343-9760 at least 48 hours before the scheduled meeting; if you are hearing or voice impaired, call 711 or (352) 253-1840.