

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

REGULAR MEETING

April 25, 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 25, 2023

9:00 AM. Invocation

Pledge of Allegiance

I. VIRTUAL MEETING INSTRUCTIONS

II. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

III. ARPA UPDATE

IV. MINUTES APPROVAL

Tab 1 Request approval of the following minutes:

- March 14, 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.

V. PRESENTATION OF PROCLAMATIONS

Tab 2 Request approval of a proclamation designating May 4, 2023 as Firefighter Appreciation Day in Lake County to coincide with the worldwide International Firefighters' Day. There is no fiscal impact.

VI. 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 the Southwest Florida Water Management District's Annual Comprehensive Financial Report for the fiscal year ended September 30, 2022 and Annual Financial Report (AFR).
 3. Notice is hereby provided of having received the City of Groveland's Community Redevelopment Agency Annual Report for Fiscal Year 2021-2022.
 4. Notice is hereby provided of having received the City of Leesburg's FY 2022 Comprehensive Annual Financial Report.

VII. CONSENT AGENDA (Tabs 4-23):

A. PROCLAMATIONS

- Tab 4 Request approval of the Liberty Tree proclamation, per Commissioner Kirby Smith.

B. COUNTY ATTORNEY

- Tab 5 Recommend approval:
1. Of modification to the Settlement Agreement in Gulfstream Towers, LLC vs. Lake County, Florida; and
 2. To authorize the County Attorney to execute any necessary court documents; and
 3. To authorize the Chairman to execute any necessary amendments to the Settlement Agreement.

C. ECONOMIC GROWTH

Elevate Lake

- Tab 6 Recommend approval of the Interlocal Agreement with the City of Eustis regarding creation of a business incubator in the downtown area. The fiscal impact is not to exceed \$450,000 (expenditure) over four years with \$75,000 in Fiscal Year 2023, \$150,000 in Fiscal Year 2024, \$150,000 in Fiscal Year 2025, and \$75,000 in Fiscal Year 2026. Commission District 3.

D. PUBLIC SAFETY AND DEVELOPMENT SERVICES

Fire Rescue

Tab 7

Recommend approval:

1. Of Contract 23-910 to Boulevard Contractors Corp. (Owning Mills, MD) for the construction of Fire Station 71, located at 33661 CR 473 in Leesburg (Bassville Park); and
2. Of a related budget transfer in the amount of \$2,121,690 to reallocate funding for this project; and
3. To authorize the Office of Procurement Services to execute all supporting documentation.

The fiscal impact is \$4,321,690 (expenditure - \$3,925,900 plus \$395,790 contingency). Commission District 5.

Public Safety Support

Tab 8

Recommend approval:

1. To accept and process the Hazard Mitigation Grant Program (HMGP) Grant agreements for replacement of obsolete Public Safety tower generator systems; and
2. To adopt the related Unanticipated Revenue Resolution (URR); and
3. To authorize Procurement Services to process all associated purchases; and
4. To authorize the County Manager or designee to execute all future associated agreement/grant documents.

The fiscal impact of the budgeted project is \$315,000 (\$285,000 Grant Funded and \$30,000 Match). Matching funds are within, and will not exceed, the current Fiscal Year Budget.

E. PUBLIC SERVICES AND INFRASTRUCTURE

Facilities Management

Tab 9

Recommend approval:

1. Of Contract 23-914 for Plumbing Repairs, Installs, and Maintenance Services to DeSanto Plumbing, LLC (Astatula, FL), and TFR, Inc., d/b/a Ross Plumbing (Leesburg, FL); and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$126,772 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Annual expenditures will not exceed available funding in the fiscal year budget.

Office of Housing and Community Services

Tab 10

Recommend approval:

1. Of the Second Amendment to the 2021-2024 Local Housing Assistance Plan; and
2. To authorize the Office of Housing & Community Services Director to execute any documents required by the Florida Housing Finance Corporation and corresponding authorization Resolution.

There is no fiscal impact.

Tab 11

Recommend approval:

1. Of the Annual State Housing Initiatives Partnership Closeout Report for SHIP Fiscal Year 2018-2019; and
2. Of the Annual State Housing Initiatives Partnership Closeout Report for SHIP Fiscal Year 2019-2020; and
3. Adoption of a resolution delegating signature authority to Maria AbdoulKarim, Director of Housing and Community Services, for execution of the Local Housing Incentives Certifications.

There is no fiscal impact.

Tab 12

Recommend approval:

1. To terminate the Sub-Recipient Agreement between Lake County, the City of Leesburg, and the Community Redevelopment Agency for the Carver Heights/Montclair Area for the CDBG CV3 Fiscal Year 2019-2020 Feeding the Need food pantry project; and
2. Of a Substantial Amendment of the Community Development Block Grant (CDBG) Fiscal Year 2019-2020 Annual Action Plan; and
3. 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
4. Of a budget transfer in the amount of \$245,100 reallocating CDBG-CV3 grant funds to CV1-Rent/Utility/Mortgage Assistance.

After the budget transfer totaling \$245,100, the net fiscal impact is \$0.

Library Services

Tab 13

Recommend approval to terminate Contract Q2023-00012 with Harvest Construction, LLC (Clermont, FL) and cancel use of Contract 19-0906C with RMS Orlando, Inc. (Orlando, FL) for construction services for an Astor Library Temporary Facility.

The estimated fiscal impact is \$32,968 plus pending invoice (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Commission District 4.

Tab 14

Recommend approval:

1. Of a contract resulting from Invitation To Bid 23-918 for Construction Services for the Astor Library; and
2. To authorize the County Manager to execute a contract with the lowest priced, responsive, and responsible contractor within budget parameters after County Attorney review and acceptance; and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The fiscal impact will not exceed \$3,000,000 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Commission District 4.

Public Works

Tab 15

Recommend approval to accept public Right of Way and Easement Deeds that have been secured in conjunction with development, roadway, and stormwater projects.

The fiscal impact is \$525.20 (expenditure – recording fees) and is within, and will not exceed, the Fiscal Year 2023 Budget.

Tab 16

Recommend approval to purchase the Wellness Way corridor right of way from CONSERV II as allowed under the Option Agreement dated December 8, 2020 with Orange County and the City of Orlando.

The estimated fiscal impact is \$753,050 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Commission District 1.

Tab 17

Recommend approval:

1. Of Contract 23-917 for Fully Automated Bear-Resistant Trash Cans to Rehrig Pacific Company (Orlando, FL); and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

Approval and contract execution is contingent upon successful completion of bearproof certification.

The estimated fiscal impact is \$79,000 (expenditure). Annual expenditures will not exceed available funding in the fiscal year budget.

Tab 18

Recommend adoption of a resolution to advertise a public hearing to vacate unimproved platted rights of way. The closest municipality is Leesburg. The fiscal impact is \$2,295 (revenue-vacation application fee) and is within the Fiscal Year 2023 Budget. Commission District 4.

Tab 19 Recommend adoption of a resolution to advertise a public hearing to vacate platted right of way. The closest municipality is Mount Dora. The fiscal impact is \$2,295 (revenue-vacation application fee) and is within the Fiscal Year 2023 Budget. Commission District 4.

Tab 20 Recommend approval:
1. To terminate a surface water drainage agreement with property owned by Leesburg Regional Medical Center (LRMC), Inc.; and
2. Of a partial release of a surface water drainage easement from property owned by LRMC.

There is no fiscal impact. Commission District 1.

Tab 21 Recommend approval:
1. Of Contract 23-538 with Asphalt Paving Systems, Inc. (Zephyrhills, FL) for pavement preservation and recycling treatment services related to repaving County Road (CR) 437 from State Road (SR) 46 to SR 44; and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$2,035,100 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Annual expenditures will not exceed available funding in the fiscal year budget.

Tab 22 Recommend approval:
1. Of an adjustment to Contract 21-0515 for Phase Three of the road resurfacing and related services to C.W. Roberts Contracting, Inc. (Wildwood, FL); and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The fiscal impact is estimated at \$858,078.46 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget.

Transit Services

Tab 23 Recommend approval:
1. To apply for the Florida Department of Transportation Section 5311 Off Cycle Operating Grant; and
2. To adopt the Supporting Resolution authorizing Signing and Submission of Grant Application and Supporting Documents to the Florida Department of Transportation.

The fiscal impact is estimated at \$800,000 (revenue/expenditure - \$400,000 grant funded, and \$400,000 in County funding), and will be included in the Proposed Fiscal Year 2023-2024 Budget.

VIII. PRESENTATIONS

Tab 24 Lake County Historical Society, Inc.'s Annual Report. There is no fiscal impact.

IX. PUBLIC HEARINGS

Tab 25 Recommend adoption of a resolution to vacate platted side lot line drainage and utility easements in the plat of Windsor Green, Phase 1, located on Darlington Avenue in the Lady Lake area.

The fiscal impact is \$2,295 (revenue - vacation application fee) and is within, and will not exceed, the Fiscal Year 2023 Budget. Commission District 5.

Tab 26 Recommend approval:
1. Of an amended budget for Fiscal Year 2023 to include a reconciliation of beginning fund balance and other adjustments; and
2. To adopt a resolution for a supplemental budget for Fiscal Year 2023.

Tab 27 Recommend approval to issue Riteway BLS Services, Inc. a limited scope BLS transport Certificate of Public Convenience and Necessity. The fiscal impact is \$750 (revenue).

X. REGULAR AGENDA

A. Commissioners

Commissioner Parks - District #2

Tab 28 Recommend approval of a contract with Corcoran & Associates, Inc. d/b/a Corcoran Partners to provide lobbying services for the Wellness Way Reclaimed Water Initiative.

The fiscal impact is \$50,000 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget.

Commissioner Smith - District #3

Tab 29 Discussion and direction on allowing a residential subdivision sign in public right of way at the corner of Trimpi Road and County Road (CR) 48 in Yalaha.

XI. OTHER BUSINESS

Tab 30 Recommend approval of Diane Revels as the Member Representative for the City of Minneola and approval of Elisa (Lisa) Harris as the Alternate Member for the City of Minneola on the Arts and Cultural Alliance.

Commissioner Campione is the liaison to the Arts and Cultural Alliance.

Tab 31

Request approval to appoint new members to the Keep Lake Beautiful Committee to fill two unexpired terms of citizen representative members who recently resigned. One term will expire on March 23, 2025 and the other will expire on July 26, 2026.

- Banks Helfrich
- Kenneth Daniels
- Fernando Perez

Commissioner Sean Parks is liaison for the Keep Lake Beautiful Advisory Committee.

XII. CLOSED SESSION - 11:00 AM TIME CERTAIN

Tab 32

Closed Session of the Board of County Commissioners 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.

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.