

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

REGULAR MEETING

July 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

July 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 & QUARTERLY AWARDS

IV. MINUTES APPROVAL

Tab 1 Request approval of the following minutes:

- May 8, 2023 (Special Meeting)
- May 9, 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. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Recommend approval of the Clerk of Court's Consent Agenda (Items 1-3):
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 Arlington Ridge Community Development District proposed budget for Fiscal Year 2024 in accordance with Section 190.008 (2)(b), Florida Statutes, for purposes of disclosure and information only.

3. Notice is hereby provided of having received the Country Greens Community Development District's proposed budget for fiscal year 2024 in accordance with Section 190.008 (2)(b), Florida Statutes, for purposes of disclosure and information only.

VI. CONSENT AGENDA (Tabs 3-23):

A. PROCLAMATIONS

Tab 3 Recommend approval of a proclamation dedicating a hallway in the Lake County Courthouse to Judge Richard Singeltary in honor of his retirement.

B. COUNTY ATTORNEY

Tab 4 Recommendation for approval to advertise an Ordinance establishing Term Limits and Ethics Training Requirements for Advisory Boards and Committee Members. There is no fiscal impact.

Tab 5 Recommend approval of Settlement Agreements resolving an inverse condemnation case, *Sherry D. Johnson, et al v. Lake County*, Circuit Court Case No. 2020-CA-696. Fiscal Impact \$288,110 (expenditure). Commission District 5.

C. COUNTY MANAGER

Tab 6 Recommend approval to change the August 22, 2023 Board of County Commissioners meeting to August 29, 2023 due to the Legislative Delegation meeting.

Tab 7 Recommend approval
1. Of an interlocal agreement with the City of Tavares for improvements to the Golden Triangle Young Men's Christian Association.
2. Of a budget transfer in the amount of \$300,000 to reallocate the funding from Improvements Other than Buildings to Aids to Government Agencies for the Golden Triangle Regional Park.

The fiscal impact is not to exceed \$300,000 (expenditure - infrastructure sales surtax funds).

D. ADMINISTRATIVE SERVICES

Management and Budget

- Tab 8 Recommend approval of Sub-Recipient Agreement between New Beginnings of Central Florida, Inc., and Lake County for Disbursement of American Rescue Plan Act (ARPA) Funds.
- The fiscal impact is \$1,400,000 (revenue/expense - 100 percent grant funded). Commission District 2.
- Tab 9 Recommend approval to authorize the Chairman to execute the Florida Division of Emergency Management (FDEM) Public Assistance (PA) Subgrant Agreement for Hurricane Nicole (DR4680) and any additional associated documentation or amendments to the agreement as required. The fiscal impact is unable to be determined at this time.

E. PUBLIC SAFETY AND DEVELOPMENT SERVICES

Emergency Management

- Tab 10 Recommend approval:
1. To accept the Emergency Management Preparedness and Assistance (EMPA) Trust Fund Base Grant; and
 2. To execute the EMPA Trust Fund Base Grant Agreement for Fiscal Year (FY) 2023-2024 in the amount of \$105,806; and
 3. To authorize the County Manager to execute future amendments/modifications that do not involve a financial impact; and
 4. To authorize the Director of the Office of Emergency Management to execute Exhibit 1 - Single Audits, Audit Compliance Certification (page 22); and
 5. To authorize the Director of the Office of Emergency Management to execute Exhibit 2 - 27-19 Florida Administrative Code, EM Director or Part-Time Coordinator Certification (page 23).
- The fiscal impact is \$105,806 (revenue/expenditure - 100 percent grant funded) and will be included in the Fiscal Year 2024 Budget Recommendation.

Fire Rescue

Tab 11

Recommend adoption of an Unanticipated Revenue Resolution (URR) in the amount of \$36,210 to recognize and appropriate Florida Department of Health, Emergency Medical Services Matching Grant funds for the improvement and expansion of pre-hospital emergency medical services.

The fiscal impact is \$48,280 - \$36,210 (revenue/expenditure - grant funded) and \$12,070 (expenditure) and is included in the Fiscal Year 2023 Budget.

Planning and Zoning

Tab 12

Recommend approval to advertise an Ordinance amending Fertilizer Use Exemptions. This is a Legislative change required per House Bill 967 signed June 30, 2022. There is no fiscal impact.

Tab 13

Recommend approval to advertise an Ordinance amending Lake County Code, Appendix E, Section 3.02.05, Land Development Regulations, entitled *Setbacks*. There is no fiscal impact.

Public Safety Support

Tab 14

Recommend approval:

1. To authorize the Chairman or County Manager to execute the Spring 2023 E9-1-1 State Grant Program awards for Next-Generation 9-1-1 Core Services - Years 2-5 and Region 5 GIS Repository; and
2. To authorize the Chairman or County Manager to execute the Florida 9-1-1 Region 5 Next Generation 9-1-1 Routing Project Memorandum of Understanding (MOU) as required by the State E9-1-1 Board to participate in the 5 year grant process; and
3. To authorize the Office of Procurement Services to execute all supporting documentation; and
4. To authorize the County Manager, or designee, to execute the selected vendor contract and all supporting documentation and related expenditures; and
5. To adopt an Unanticipated Revenue Resolutions for the revenues and expenditures.

The fiscal impact will not exceed \$1,648,013.34 (revenue/expense – 100 percent grant funded).

F. PUBLIC SERVICES AND INFRASTRUCTURE

Facilities Management

- Tab 15 Recommend approval:
1. Of a Change Order to Contract 22-941 with Qualis General Contractors, LLC, to replace the HVAC System as part of the asbestos abatement project at the Department of Health Administration Building in Eustis; and
 2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$359,955 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Commission District 3.

- Tab 16 Recommend approval:
1. To delegate authority to the County Manager to execute a Task Order for Contract 21-0933A (effective retroactively) with ForeFront Architecture & Engineering, LLC (Clermont, FL); and
 2. To authorize the Office of Procurement Services to execute all supporting documentation.

The fiscal impact is \$78,864 and is available within the Fiscal Year Budget. Commission District 3.

Office of Housing and Community Services

- Tab 17 Recommend approval of the Urban County Cooperation Agreements relating to the Community Development Block Grant (CDBG) program between Lake County and the Cities of Clermont, Eustis, Fruitland Park, Leesburg, Minneola, and Tavares and the Town of Montverde for fiscal years 2024, 2025 and 2026. There is no fiscal impact.

- Tab 18 Recommend approval of the Housing Choice Voucher Program update to the 5-Year Public Housing Agency Plan, authorization for the Director of Housing and Community Services to execute as Executive Director of the Program, and the Chairman to execute all related and additional documents required by the Department of Housing and Urban Development. There is no fiscal impact.

Public Works

- Tab 19 Recommend adoption of an Unanticipated Revenue Resolution (URR) adding \$3,500 in donations for the Keep Lake Beautiful Program to the Stormwater MSTU Fund.

The fiscal impact is \$3,500 (revenue/expenditure).

Transit Services

Tab 20 Recommend adoption of an Unanticipated Revenue Resolution (URR) in the amount of \$87,514 to recognize and appropriate additional grant funding for the Florida Department of Transportation's Public Transit Block Grant for Fiscal Year 2023.

The fiscal impact is \$175,028 - \$87,514 (revenue/expenditure-grant funded) and \$87,514 (expenditure) and is included in the Fiscal Year 2023 Budget.

Tab 21 Recommend adoption of the Unanticipated Revenue Resolution (URR) in the amount of \$143,868 to recognize and appropriate the Florida Department of Transportation Section 5310 Operating Grant for Fiscal Year 2023.

The fiscal impact is \$287,736 - \$143,868 (revenue/expenditure-grant funded) and \$143,868 (expenditure) and is included in the Fiscal Year 2023 Budget.

Tab 22 Recommend approval of the Coordination Agreements with eight transportation disadvantaged providers (Beacon College, Building Block Ministries, Central Florida Group Homes, Crystal Lake Supportive Environments d/b/a Attain, Cheryl L. Williams d/b/a Life Care Services, Love Thy Neighbor, Sunrise Arc, and United Way of Lake and Sumter Counties) for the provision of transportation services for the Agency for Persons with Disabilities clients and private-pay clients. There is no fiscal impact.

Tab 23 Recommend approval of the Agreement with Mid Florida Community Services, Inc., (Brooksville, FL) for the provision of transportation services for nutritional purposes.

The estimated fiscal impact is \$124,404 - \$83,284 (expenditure) and \$41,120 (revenue/expense) reimbursed by Mid Florida Community Services, Inc. The estimated fiscal impact is within, and will not exceed, the Fiscal Years 2023 and 2024 Budgets.

VII. PRESENTATIONS

Tab 24 Presentation and discussion on the 2024 legislative priorities.

Tab 25 Recommend adoption of a resolution, which initiates the annual process for the preparation of the Solid Waste Assessment Roll, authorizes the publication of the advertisement for September 12, 2023, public hearing, provides direction to notify all affected parties of the proposed rate, and directs the imposition of the Solid Waste Assessment fee for the fiscal year beginning October 1, 2023. The fiscal impact is \$27,100,935 (revenue).

Tab 26 Recommend approval of a resolution which initiates the annual process for preparation of the Fire Assessment Roll, authorizes the publication of the advertisement for a September 12, 2023, Public Hearing, provides direction to notice all affected parties of the proposed rates, and directs the imposition of the Fire Assessment fees for the fiscal year beginning October 1, 2023.

The estimated fiscal impact is \$28,200,342 (revenue).

Tab 27 Fiscal Year 2024 Lake County Water Authority Budget Presentation.

Tab 28 Recommend approval to establish maximum millage rates to be included in the Truth in Millage (TRIM) notifications, and approval to hold public hearings at 5:05 p.m. on September 12, 2023 and September 26, 2023, and to advertise these public hearings.

VIII. PUBLIC HEARINGS

Tab 29 Recommend approval and adoption of an Ordinance to amend Section 2-4, Lake County Code, entitled *Trespass Notices For Public Property*. There is no fiscal impact.

Tab 30 Recommendation for approval and adoption of an Ordinance creating Section 16.00.03, Chapter XVI, Lake County Code, Appendix E, Land Development Regulations, to be entitled *Regional Roadway Network Landscape Design Standards*, for portions of Wellness Way, Hancock Road, Schofield Road and County Road 455, within the Wellness Way Area Plan Boundaries.

There is no fiscal impact. Commission Districts 1 and 2.

Tab 31 Recommend approval and adoption of an Ordinance establishing the Distributed Wastewater Treatment System Municipal Services Benefit Unit. The fiscal impact is undeterminable.

Tab 32 Recommend approval and adoption of an Ordinance amending Chapter 6, Lake County Code, entitled *Buildings and Construction*. This change is required by House Bill 735 (2021). There is no fiscal impact.

IX. PUBLIC HEARINGS: REZONINGS (SEE SEPARATE AGENDA)

Tab 33 Public Hearings on Rezoning, Conditional Use Permits, and Comprehensive Plan Amendments.

X. REGULAR AGENDA

A. COMMISSIONERS

Commissioner Shields - District #1

Tab 34 Discussion and direction regarding Bunker Gun Range.

Commissioner Blake - District #5

Tab 35 Discussion and direction regarding approval to advertise an Ordinance creating Section 2-5, Lake County Code, entitled *Regulation Reduction Requirement*. There is no fiscal impact.

B. COUNTY ATTORNEY

Tab 36 Acceptance of the Recommendation of Special Master which is the subject of a Request for Relief pursuant to Section 70.51, Florida Statutes, concerning Bethany Reichwein and Timothy Ostermyer v. Lake County, File No. SM 2022-3. Commission District 4.

XI. OTHER BUSINESS

Tab 37 Request approval to appoint two County Commissioners and one citizen member to the Value Adjustment Board (VAB) with terms ending July 11, 2024. Commissioner Josh Blake and Commissioner Douglas Shields are current members of VAB.

The following have expressed interest in serving as a citizen member of the VAB:

- Bryan Rubio (Reappointment)
- Addie Owens

There is no fiscal impact.

Tab 38 Request approval to appoint members to fill two vacancies on the Mt. Plymouth Sorrento Community Redevelopment Advisory Committee with a term expiration date of January 31, 2026. Both vacancies must be filled by persons who own property within the planning area:

- Tim Kiley (New Application)
- Sandra Stura (New Application)

XII. REPORTS

A. **County Attorney**

B. **County Manager**

XIII. 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.