

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

REGULAR MEETING

August 29, 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

August 29, 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

IV. ARPA UPDATE

V. MINUTES APPROVAL

Tab 1 Recommend approval of the following minutes:

- June 13, 2023
- June 27, 2023

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 Orlando Cat Cafe proclamation, per Commissioner Sean Parks.

Tab 3 Recommend approval and presentation of the Hunger Action Month Proclamation, per Commissioner Smith.

VII. CLERK OF COURT'S CONSENT AGENDA

Tab 4 Recommend approval of the Clerk of Court's Consent Agenda (Items 1-7):

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. Lake County's Semi-Annual Investment Report of June 30, 2023 is hereby provided.
3. Notice is hereby provided of having received Resolution 2023-01 from the Central Lake Community Development District.
4. Notice is hereby provided of having received Boundary Amendment Ordinance 2023-008 from the City of Fruitland Park.
5. Notice is hereby provided of having received Annexation Ordinance 23-12, corresponding Future Land Use Ordinance 23-13, and corresponding Design District Designation Ordinance 23-14 from the City of Eustis.
6. Notice is hereby provided of having received the following from the Town of Lady Lake: Ordinance 2023-03; Resolution 2023-102; Resolution 2023-103; Resolution 2023-104; Resolution 2023-105; and Resolution 2023-106.
7. Notice is hereby provided of having received Resolution 2023-06 from the Cascades at Groveland Community Development District relating to the annual appropriations and adopting the budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, along with the FY24 Meeting Schedule, Resolution 2023-10.

VIII. CONSENT AGENDA (Tabs 5-26):

A. COUNTY ATTORNEY

- Tab 5 Recommend approval to extend the 2023 tax roll until completion of the Value Adjustment Board hearings. There is no fiscal impact.
- Tab 6 Recommend approval for the County Attorney, or designee, to execute the Stipulated Final Judgment in Court Case No. 2022-CA-1182, Lake County v. Adam H. Gamble, et al. (Parcel No.: FP96) for the needed temporary construction, grading, drainage and utility easements for the County Road 466A Road Project. The fiscal impact is \$29,668.75 (expenditure). Commission District 5.
- Tab 7 Recommend authorization for the County Attorney to execute a Letter of Engagement with Thompson Hine LLP. The fiscal impact is undermined at this time.

B. COUNTY MANAGER

Tab 8 Recommend approval of a Sub-Lease Agreement with SouthState Bank, N.A., for commercial lease space for the Supervisor of Elections, located at 1892 East Burleigh Boulevard, in Tavares. The fiscal impact is \$1,433.67 per month and \$17,204.04 annually. The fiscal impact for Fiscal Year 2023 is \$1,433.67 and \$17,204.04 for Fiscal Year 2024. Commission District 3.

C. ADMINISTRATIVE SERVICES

Management and Budget

Tab 9 Recommend approval of a Sub-Recipient Agreement between Find, Feed & Restore, Inc. and Lake County for Disbursement of American Rescue Plan Act (ARPA) Funds.

The fiscal impact is \$1,200,000 (revenue/expense - 100 percent grant funded). Commission District 1.

D. HUMAN RESOURCES AND RISK MANAGEMENT

Tab 10 Recommend approval of update to Employment Policies Manual Section 4.6 to match updated Procedure ES – 4.06.01 Workplace Violence.

Tab 11 Recommend approval of a Liability Claim Settlement from a motor vehicle accident on May 26, 2020. The fiscal impact is \$237,500 (expenditure).

E. ECONOMIC GROWTH

Elevate Lake

Tab 12 Recommend approval:

1. To authorize the County Manager to execute payments to:
 - a) The Kroger Company for the Economic Development Grant Incentive Program in the amount of \$119,608.06;
 - b) The Kroger Company for the Agreement for Waiver of Impact Fees in the amount of \$49,105;
 - c) Ocado for the Economic Development Grant Incentive Program in the amount of \$425,482.68; and
2. Of a budget transfer in the amount of \$88,158 from Elevate Lake Personal Services to Economic Incentives Aids to Private Organizations.

The fiscal impact is \$594,195.74 (expenditure).

F. PUBLIC SAFETY AND DEVELOPMENT SERVICES

Fire Rescue

Tab 13

Recommend approval:

1. To use Contract 20-0918A with Halff Associates, Inc. (Tavares, FL) to provide civil engineering services at the construction site for new fire station 85 (Montverde); and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$94,690 plus reimbursables to be billed at cost (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Commission District 2.

Public Safety Support

Tab 14

Recommend approval and execution of the Interlocal Agreement between Lake County, Florida, and Central Florida Regional Hospital, Inc., for County-wide Public Safety Communications System use. The fiscal impact annually is \$144.00 (revenue) and is within the Fiscal Year 2024 Budget. Commission District 3.

G. PUBLIC SERVICES AND INFRASTRUCTURE

Facilities Management

Tab 15

Recommend approval:

1. To utilize Contract 23-417 with Randall Mechanical, Inc. (Apopka, FL) for ECOC Very Early Smoke Detection Apparatus (VESDA) System Repair and Updates at ECOC, 425 W. Alfred Street, Tavares, FL 32778; and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$79,988.25 (expenditure) and will be included in the Fiscal Year 2024 Budget. Commission District 3.

Tab 16

Recommend approval:

1. To add Lake County locations to the State of Florida Contract 83101601-19-1 with Gas South, LLC (Atlanta, GA) for natural gas utility supplies; and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated annual fiscal impact is \$125,000 (expenditure) and will not exceed available funding in future fiscal year budgets.

Office of Housing and Community Services

Tab 17 Recommend adoption of a Resolution that amends Resolution 2021-43 to delegate authority to the Office of Housing and Community Services Director to accept funding in the amount of \$653,511 and execute specified grant documents for the Community Development Grant - Coronavirus (CDBG-CV) Program for the administration of CDBG-CV2 program funding.

The fiscal impact is \$653,511 (revenue/expenditure - 100 percent grant funded) and will be included in the Fiscal Year 2024 Budget.

Parks and Trails

Tab 18 Recommend approval of Contract 23-743 for unpaved trails ground maintenance and related services to Habitat Restoration and Wildlife Protection, LLC (Eustis, FL), and authorization for the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$155,000 (expenditure) and will be included in the Fiscal Year 2024 Budget.

Public Works

Tab 19 Recommend approval to advertise an Ordinance establishing a Municipal Services Benefit Unit (MSBU) for Internal Subdivision Road Maintenance. The fiscal impact is undeterminable at this time.

Tab 20 Recommend adoption of a resolution to advertise a public hearing to vacate right of way, surplus specific County-owned right of way, and cease maintenance on a portion of Schofield Road. The closest municipality is Clermont. There is no fiscal impact (fees waived per Right of Way Dedication Agreement). Commission District 2.

Tab 21 Recommend adoption of a resolution providing for certification of the assessment roll for the Special Assessment for the paving, grading, curbing, and drainage of Firethorn Road in Lake County. There is no fiscal impact. Commission District 4

Tab 22 Recommend approval of a Developers Agreement with Mattamy Orlando, LLC, and Waterbrooke Homeowners Association, Inc., to allow the Developer to relocate a 1,600 linear foot section of Island Boulevard.

The estimated fiscal impact is \$11,200 (revenue). Commission District 2.

Tab 23 Recommend approval to execute a County Deed to David K. Martin to clear title on a portion of vacated right of way within the City of Groveland. There is no fiscal impact. Commission District 1.

Tab 24 Recommend approval of a resolution declaring specific County right of way as surplus and donating the property to the Town of Howey-in-the-Hills for municipal purposes; and authorization for the Chairman to execute the corresponding County Deed. There is no fiscal impact. Commissioner District 3.

Tab 25 Recommend approval:
1. To utilize Contract 21-0940B with Stanley Consultants, Inc, aka Traffic Engineering Data Solutions, Inc. (Debary, FL) to provide a traffic signal design at the US 27 and Wellness Way intersection; and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The fiscal impact is estimated at \$86,195.33 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Commission District 1.

Tab 26 Recommend approval:
1. Of a Roadway Improvement and Impact Fee Credit Agreement with Shoppes at Hammock Ridge Crossing, LLC (Developer) to fund the construction of a dual left turn lane on Hammock Ridge Road at US 27. This agreement will authorize the distribution of Transportation Impact Fee Credits from the South Benefit District Fund in the amount of \$233,500 (\$203,018.55 for the Developer's contribution to the County Transportation Fund for construction and \$30,481.45 in design fees paid by the Developer directly to the consultant); and
2. To adopt an Unanticipated Revenue Resolution in the amount of \$203,019 in the County Transportation Trust Fund to recognize and appropriate the Developer's contribution for construction; and
3. To authorize the issuance of a Purchase Order for the roadway work to Estep Construction, Inc. for \$198,056.25; and
4. To authorize the issuance of a Purchase Order for the traffic signal work to Traffic Control Devices, Inc. for \$4,962.30.

The fiscal impact is \$203,019 (revenue/expense) in the County Transportation Fund and \$233,500 (Transportation Impact Fee Credits) in the South Benefit District. Commission District 2.

IX. PRESENTATIONS

Tab 27 Presentation from Susan Lake with Lifestream regarding their Jail Diversion Program.

Tab 28 Presentation by Matt Spritz on behalf of SOLitude Lake Management regarding Lake Yale.

X. PUBLIC HEARINGS

Tab 29 Recommend approval of the Fiscal Year 2024 Infrastructure Sales Tax Project Plan.

Tab 30 Recommend approval:
1. To adopt and execute a Resolution expressing the Intent of Lake County to use the Uniform Method of Collection in Section 197.3632, Florida Statutes, for the levy, collection, and enforcement of non-advalorem assessments associated with the Distributed Wastewater Municipal Services Benefit Unit; and
2. Execution of Interlocal Agreements with the Tax Collector and Property Appraiser for the Distributed Wastewater Municipal Services Benefit Unit.

The fiscal impact is undeterminable at this time.

Tab 31 Recommend approval and adoption of an Ordinance establishing new rates for the Library Impact Fees and adopting the most recent impact fee study prepared by Tindale-Oliver & Associates (n/k/a Benesch). The fiscal impact is undeterminable 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.

Tab 32 Recommend approval and adoption of an Ordinance establishing new rates for the Park Impact Fee Districts and adopting the most recent impact fee study prepared by Tindale-Oliver & Associates (n/k/a as Benesch). The fiscal impact is undeterminable 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.

Tab 33 Recommend approval and adoption of an Ordinance establishing new rates for the Fire Impact Fees and adopting the most recent impact fee study prepared by Tindale-Oliver & Associates (n/k/a as Benesch). The fiscal impact is undeterminable 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.

Tab 34 Recommend approval and adoption of an Ordinance establishing new rates for the Transportation Impact Fees and adopting the most recent impact fee study prepared by Tindale-Oliver & Associates (n/k/a as Benesch). The fiscal impact is undeterminable 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.

Tab 35 Recommend approval and adoption of an Ordinance repealing and replacing Articles II through VII, Chapter 2, Lake County Code, to update and reorganize the Chapter and remove provisions no longer in effect or applicable to the operations of the County. Chapter 2, Section 2-23, entitled Investment Policy, is being amended to comply with Chapter 2023-28, Laws of Florida. There is no fiscal impact.

XI. REGULAR AGENDA

A. COMMISSIONERS

Commissioner Parks - District #2

Tab 36 Discussion and direction regarding the Ukraine Sister City Program.

Commissioner Blake - District #5

Tab 37 Discussion and direction regarding a policy or ordinance regarding Regulation Reduction. If an ordinance is selected, approval to advertise is requested. There is no fiscal impact.

B. PUBLIC SERVICES AND INFRASTRUCTURE

Office of Housing and Community Services

Tab 38 Recommend approval:

1. Of a local government contribution in the amount of \$460,000 to Provident Housing Solutions for the proposed development of 81 affordable housing units for seniors, located at 13550 Hunt Trace Boulevard, Clermont, contingent on the developer receiving funding through the Low-Income Housing Tax Credit (LIHTC) Program offered through the Florida Housing Finance Corporation; and
2. Of reserve funding through the HUD HOME Program, provided the project meets eligibility standards for this purpose; and
3. To authorize the Chairman to execute the Local Government Verification of Contribution Loan Form to be submitted with the LIHTC Program application.

The fiscal impact is \$460,000 (expenditure) and is included in the Fiscal Year 2024 Budget. Commission District 2.

XII. OTHER BUSINESS

Tab 39

1. Request to ratify and realign the current members of the Children's Services Council into the correct districts based on where they reside as follows:

- District 1: Evelisse Bookhout and Connor Hartman
- District 2: Diana "Gillian" Violette and Juana Delacruz
- District 3: Christie Mysinger and Chris Boogar
- District 4: Trella Mott and Byron E. Thompson
- District 5: Barbara Crewell
- Members At-Large: Morris Rushing, Tanya Moore
- School Board: Monica Hite, Administrative Coordinator

2. Request to adjust the terms of members as follows:

- Term ending May 14, 2024: Hartman, Delacruz, Boogar, Thompson, Crewell, Rushing, Hite, DCF Vacancy
- Term ending May 14, 2025: Bookhout, Violette, Mysinger, Mott, Moore, District 5 Vacancy, At-Large Vacancy

3. Request approval to re-appoint a member to serve a 2-year term ending May 14, 2025:

- Members-At-Large – CJ Blancett (resides in District 4)

There are currently two vacant positions. A District 5 representative and a Department of Children and Families (DCF) representative are needed.

Commissioner Smith is the liaison to the Children's Services Council.

Tab 40

Request appointment of a District 5 member to the Parks, Recreation and Trails Advisory Board to serve a term ending on May 20, 2025, and approval of applicable waiver: *(Only 1 vacancy)*

1. Roland Nunez; or
2. Randy Van Alstine with Conflict of Interest Waiver

Commissioner Smith is the liaison to the Parks, Recreation and Trails 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.