

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

REGULAR MEETING

September 26, 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

September 26, 2023

9:00 AM. Invocation

Pledge of Allegiance

I. VIRTUAL MEETING INSTRUCTIONS

II. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

III. MINUTES APPROVAL

Tab 1 Recommend approval of the following minutes:

- August 1, 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.

IV. PRESENTATION OF PROCLAMATIONS

Tab 2 Recommend approval of a proclamation declaring October 1-7, 2023, as National 4-H Week in Lake County, Florida.

Tab 3 Recommend approval and presentation of a proclamation to Lakeview Terrace Rehabilitation and Health Care Center honoring their receipt of the Governor's Gold Seal Award, per Commissioner Campione.

V. CLERK OF COURT'S CONSENT AGENDA

- Tab 4 Recommend approval of the Clerk's 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 Resolution 2023-12 identifying the FY 2023/2024 Annual Meeting Schedule for the Olympus Community Development District.
 3. Notice is hereby provided of having received Annexation Ordinance 2023-06-643 from the City of Mascotte.
 4. Proof of publication of unclaimed moneys and payment to the Board for those non-court related moneys advertised less claims and publication costs.

VI. CONSENT AGENDA (Tabs 5-26):

A. PROCLAMATIONS

- Tab 5 Recommend approval of a proclamation designating October 8 - 14, 2023, as Fire Prevention Week in Lake County.

B. COUNTY MANAGER

- Tab 6 Recommend approval to cancel the October 3, 2023 meeting. No public hearings were scheduled for that day. There is no fiscal impact.
- Tab 7 Recommend approval of the 2024 meeting dates for the Board of County Commissioners: January 9 and 23; February 6, 13 and 27; March 5, 12 and 26; April 2, 9 and 23; May 7 and 21; June 4, 11 and 25; July 2, 9 and 23; August 6, 13 and 27; September 10 and 24; October 1, 8 and 22; November 5 and 19; and December 3 and 17.
- Tab 8 Recommend approval of the Management Services Agreement between Lake County and the Lake County Water Authority. The fiscal impact is \$1,754,685 (revenue/expenditure) and is included in the Fiscal Year 2024 Budget.

C. ADMINISTRATIVE SERVICES

Management and Budget

Tab 9 Recommend approval of a Funding Agreement between Lake County and the Office of the State Attorney, Fifth Judicial Circuit, to fund certain specified positions permanently assigned to the Lake County branch.

The fiscal impact shall not exceed \$477,000 (expenditure) and is included in the Fiscal Year 2024 Budget.

Tab 10 Recommend approval of a resolution adopting the fee schedules for Fiscal Year 2024. The fiscal impact (revenue) cannot be determined at this time.

Procurement Services

Tab 11 Recommend approval to declare items as surplus and authorize removing them from the County's fixed asset inventory record. The fiscal impact (revenue) cannot be determined at this time.

D. ECONOMIC GROWTH

Elevate Lake

Tab 12 Recommend approval to authorize the Chairman to execute the Fourth Amendment to the Lake County Small Business Development Center (SBDC) Agreement between Lake County and the University of Central Florida (UCF) for the purpose of providing small business development services to current and potential business owners through group training and individual counseling in Lake County.

The fiscal impact is \$150,000 (expenditure) and is included in the Fiscal Year 2024 Budget.

Visit Lake

Tab 13 Recommend approval to terminate the Agreements for Construction, Maintenance and Promotion of Disc Golf Courses in Lake County between the Lake County Disc Golf Foundation, City of Clermont, City of Eustis, City of Leesburg, City of Mount Dora and Lake Sumter State College. The estimated annual maintenance cost savings to the County is \$6,000 per year.

E. PUBLIC SERVICES AND INFRASTRUCTURE

Facilities Management

Tab 14

Recommend approval:

1. Of Request for Quotation Q2023-00064 to Hydradry, Inc., (Apopka, Florida) for Umatilla Community Center Mold Remediation, 17107 Ball Park Road, Umatilla, Florida 32784; and
2. For Community Development Block Grant Fiscal Year 2023-24 funds to repair the existing Umatilla Community Center; and
3. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$274,275 (expenditure - \$175,000 CDBG funding and \$99,275 Infrastructure Sales Tax funding) and will be included in the Fiscal Year 2024 Budget. Commission District 4.

Fleet Management

Tab 15

Recommend approval:

1. To increase the expenditure limits of Contract 20-0701 for Gasoline, Diesel, Fuel, Kerosene, LP Gas, and Bio Diesel with Port Consolidated (Fort Lauderdale, FL) from a not to exceed \$428,731 to an estimated \$700,000; and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$700,000 (expenditure) and will not exceed available funding in each fiscal year's budget.

Office of Housing and Community Services

Tab 16

Recommend approval of First Amendment to CDBG Sub-Recipient Contract with the City of Tavares for the Wooten Wonderland Park Improvements. There is no fiscal impact. Commission District 3.

Library Services

Tab 17

Recommend adoption of the Long Range Plan and recommend approval to submit the Fiscal Year 2024 State Aid to Libraries Grant Application, Certification of Funds, Certification of Hours-Free Library Services-Access to Materials, Long Range Plan, and Grant Agreement, and authorize the Chairman to sign any necessary grant certifications or documents.

The estimated fiscal impact is \$145,746 (revenue).

Parks and Water Resources

- Tab 18 Recommend approval of the 2023-2033 Resource Management Plan for the Palatlahaha Environmental and Agricultural Reserve (P.E.A.R.) Park Wildlife Conservation Area, and for the Office of Parks and Trails to submit the 2023-2033 Resource Management Plan to the Division of State Lands - Office of Environmental Services for review by the Acquisition and Restoration Council (ARC). There is no fiscal impact. Commission District 3
- Tab 19 Recommend approval of the Fiscal Year 2024 Annual Certified Budget for Arthropod Control for the Lake County Mosquito Control Program, pursuant to Section 388.201, Florida Statutes, and Rule 5E-13.027, Florida Administrative Code. The fiscal impact is \$68,756.25 (revenue/expenditure - 100 percent grant funded).

Public Works

- Tab 20 Recommend adoption of a resolution to advertise a public hearing to vacate a portion of platted right of way. The closest municipality is Clermont. The fiscal impact is \$2,295 (revenue-vacation application fee) and is within the Fiscal Year 2023 Budget. Commission District 2.
- Tab 21 Recommend adoption of a resolution to advertise a public hearing to vacate deeded right of way. The closest municipality is Umatilla.
- The fiscal impact is \$2,295 (revenue-vacation application fee).
Commission District 4.
- Tab 22 Recommend approval:
1. Of a Federally Funded agreement for the Lake County, Florida Safe Streets and Roads for All Action Plan project; and
 2. To adopt a supporting resolution with the United States Department of Transportation (USDOT) regarding funding the Countywide safety action plan.
 3. Authorize the County Manager to sign future documents related to this grant.
- The estimated fiscal impact is \$1,000,000, consisting of \$800,000 (revenue/expenditure) in grant funding and \$200,000 (expenditure) in County Infrastructure Sales Tax funding, and is included in the Fiscal year 2024 Budget.

<u>Tab 23</u>	Recommend approval: 1. To utilize City of Tallahassee Contract 5179 with Alan Jay Fleet Sales (Sebring, FL) for the purchase of Flat Bed Dump Trucks for the Public Works Department, Road Operations Division; and 2. To authorize the Office of Procurement Services to execute all supporting documentation. The estimated fiscal impact is \$347,232 (expenditure) and is included in the Fiscal Year 2024 Budget.
<u>Tab 24</u>	Recommend approval: 1. To increase the expenditure limits of Contracts 20-0440 for Right of Way Tree Trimming and Related Services; and 2. To authorize the Office of Procurement Services to execute all supporting documentation. The estimated fiscal impact is \$700,000 (expenditure), and will not exceed available funding in each fiscal year's budget.
<u>Tab 25</u>	Recommend approval: 1. Of Contract 23-536 with Alfred Benesch and Company d/b/a Benesch (Tampa, FL) for MSTU Assessment Services for Wellness Way; and 2. To authorize the Office of Procurement Services to execute all supporting documentation. The estimated fiscal impact is \$95,525 (expenditure) and is included in the Fiscal Year 2024 Budget. Annual expenditures will not exceed available funding in the Fiscal Year budget.
<u>Tab 26</u>	Recommend approval to advertise an Ordinance amending Section 9.07.00, and Section 14.15.03, Lake County Code, Appendix E, Land Development Regulations, regarding Floodplain Management. This Ordinance is required in order to comply with federal requirements for floodplain regulation. There is no fiscal impact.

VII. PRESENTATIONS

<u>Tab 27</u>	Presentation of Economic Development Strategic Plan by Lake Economic Area Development (LEAD) - Annual Update by Ben Pauluhn, LEAD Board Chairman, and Kevin Sheilley, President and CEO of the Ocala Metro Chamber and Economic Partnership. Discussion and direction confirming the continuation of the Economic Development Partnership Agreement between Lake County and LEAD through September 30, 2024.
<u>Tab 28</u>	Kickoff Presentation of the Office of Transit Services' Five-Year Major Update of the "Transit Development Plan." There is no fiscal impact.
<u>Tab 29</u>	Presentation by Megan Brew, Director of UF/IFAS Extension in Lake County and Dr. Karla Shelnett Associate Dean for Extension Engagement on ways the University of Florida can assist local government with access to research-based resources.

VIII. PUBLIC HEARINGS

- Tab 30 Recommend approval and adoption of a Resolution regarding Disposition of Property for Affordable Housing and inventory of all Lake County and Lake County Water Authority (LCWA) owned real property. This public hearing is required pursuant to Section 125.379, Florida Statutes, as amended by Senate Bill 102 (2023-17 Laws of Florida), known as the Live Local Act, signed by Governor DeSantis on March 29, 2023. There is no fiscal impact.
- Tab 31 Recommend approval and adoption of an Ordinance amending Sections 3.01.02.A, and 9.10.02, Lake County Code, Appendix E, Land Development Regulations, to repeal the roof pitch requirements for both single family homes and commercial development. There is no fiscal impact.
- Tab 32 Recommend approval and adoption of an Ordinance amending Article II, Chapter 16, Lake County Code, entitled Parks, Recreation and Trails Advisory Board, regarding membership. There is no fiscal impact.

IX. REGULAR AGENDA

A. COUNTY MANAGER

- Tab 33 Recommend approval of the City of Eustis's request to install a speed detection system for Automatic Traffic Enforcement Safety Device (ATESD) cameras at a designated school zone on East Orange Ave in the City of Eustis. There is no fiscal impact. Commission District 3.

B. COMMISSIONERS

Commissioner Blake - District #5

- Tab 34
1. Recommend approval and execution of a Second Amendment to the Interlocal Agreement between Citrus County, Hernando County, Lake County, Marion County, Seminole County, and Sumter County for Cost Share of Medical Examiner Services and Related Matters, to extend the agreement for one year; and
 2. Discussion and Direction on the future of the Medical Examiner's Office

The fiscal impact is \$1,085,388 (expenditure) and is included in the Fiscal Year 2024 Budget.

X. OTHER BUSINESS

- Tab 35 Request approval to appoint the following members to the Library Advisory Board to fulfill an unexpired term ending February 28, 2025:
1. District 3: Jennifer Caldwell; and
 2. District 5: Dencov Bryant, with associated conflict waiver.

XI. REPORTS

A. County Attorney

B. County Manager

XII. 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

XIII. 5:05 P.M. OR AS SOON THEREAFTER – BUDGET PUBLIC HEARING

Tab 36

Recommend approval:

1. Of the final millage rates for the Lake County General Countywide Levy, the Lake County Voter Approved Debt Levy, the Lake County Municipal Services Taxing Unit (MSTU) for Ambulance and Emergency Services Levy, the Lake County MSTU for Stormwater, Parks and Roads Levy, the Lake County Fire Rescue MSTU Levy and the Lake County Wellness Way MSTU Levy; and
2. The Fiscal Year 2024 Final Budget; and
3. Final budget resolutions.

Tab 37

Recommend approval:

1. Of the final millage rate for the Lake County Water Authority and
2. The Fiscal Year 2024 Lake County Water Authority Final Budget; and
3. Final budget resolutions.

XIV. ADDENDUM

COUNTY ATTORNEY

Tab 38

Recommendation for:

1. Adoption of a Resolution declaring an immediate danger to public health, safety, or welfare to the residents of Lake County that requires immediate action and that the County's significant legal rights will be compromised if it is required to exhaust the intergovernmental conflict

resolution procedures established in Chapter 164, Florida Statutes, before initiating court proceedings.

2. Approval to join with Leon County in filing a Motion for Relief from Final Judgment to challenge the collateral findings in the Final Judgment in Leon County Circuit Court Case No. 2022-CA-1562 (*Florida Pace Funding Agency vs. State of Florida, et.al.*).

3. Authorize the County Attorney to join with the Lake County Tax Collector to file action against PACE Providers if the Lake County Tax Collector pursues litigation.

4. Authorize the Chairman to issue future directives to the County Manager and/or the County Attorney to take actions determined to be necessary to protect the health, safety and welfare of the residents of Lake County, Florida, related to the operation of PACE Providers within the geographic boundaries of Lake County, including, but not limited to, seeking legislative changes, policy changes, and pursuing other legal options, including litigation.

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.