

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

REGULAR MEETING

October 24, 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

October 24, 2023

9:00 AM. Invocation

Pledge of Allegiance

I. VIRTUAL MEETING INSTRUCTIONS

II. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

III. SALES SURTAX OVERSIGHT COMMITTEE PRESENTATION

Tab 1 Presentation of the Sales Surtax Committee report from the April 2023 Advisory Committee meeting.

IV. MINUTES APPROVAL

Tab 2 Recommend approval of the following minutes:

- August 8, 2023 (Regular Meeting)
- August 29, 2023 (Regular Meeting)
- September 5, 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 3

Recommend approval of the Clerk's Agenda (Items 1-14):

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 2023-12, Small Scale Comprehensive Plan Amendment Ordinance 2023-13, and Rezoning Ordinance 2023-14 from the City of Umatilla.
3. Notice is hereby provided of having received the Fiscal Year 2023/2024 final adopted budget for the Arlington Ridge Community Development District for purposes of disclosure information pursuant to Section 189.016 (4), Florida Statutes.
4. Notice is hereby provided of having received the Fiscal Year 2024 budget Resolution 2023-14 for the Avalon Groves Community Development District.
5. Notice is hereby provided of having received Land Use Designation Amendment Ordinance 2023-16, and Zoning Reclassification Ordinance 2023-17 from the City of Umatilla.
6. Notice is hereby provided of having received the Greater Lakes/Sawgrass Bay Community Development District adopted budget for Fiscal Year 2023/2024 in accordance with Section 190.008(b), Florida Statutes, for purposes of disclosure and information.
7. Notice is hereby provided of having received the Lake Emma Community Development District annual meeting schedule for Fiscal Year 2024 in accordance with Chapter 189.015, Florida Statutes, for purposes of disclosure and information only.
8. Notice is hereby provided of having received the Lake Harris Community Development District annual meeting schedule for Fiscal Year 2024 in accordance with Chapter 189.015, Florida Statutes, for purposes of disclosure and information only.
9. Notice is hereby provided of having received the Hicks Ditch Community Development District annual meeting schedule for Fiscal Year 2024 in accordance with Chapter 189.015, Florida Statutes, for purposes of disclosure and information only.
10. Notice is hereby provided of having received the City of Eustis FY 2023-24 adopted budget.
11. Notice is hereby provided of having received the City of Groveland's Community Redevelopment Agency budget for Fiscal Year 2024, per Florida Statute 163.387(6), and Ordinance 2023-33 adopting the budget.
12. Notice is hereby provided of having received Annexation Ordinance 2023-13 from the City of Mount Dora as required by Chapter 171.044(3) Florida Statutes with the accompanying map.

13. Notice is hereby provided of having received the Windsor Cay Community Development District annual meeting schedule for the Fiscal Year 2024 in accordance with Section 189.015, Florida Statutes, for purposes of disclosure and information only.
14. Notice is hereby provided of having received the Southwest Florida Water Management District's Fiscal Year 2024 Schedule of Meetings and a map depicting the District's boundaries as required by Section 189.417, Florida Statutes.

VI. CONSENT AGENDA (Tabs 4-35):

A. PROCLAMATIONS

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| <u>Tab 4</u> | Recommend approval of Florida Native Plant Society Proclamation, per Commissioner Parks. |
| <u>Tab 5</u> | Recommend approval of the White Cane Safety Day Proclamation, per Commissioner Parks. |

B. COUNTY ATTORNEY

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| <u>Tab 6</u> | Recommend approval of Termination of Developer's Agreement between Lake County and McKinnon Groves, Grafton Groves, Inc., and Anna Akerman and for Chairman to execute the Termination and Release of Agreement. There is no fiscal impact. Commission District 2. |
| <u>Tab 7</u> | Recommend approval:
1. Of Purchase Agreement and Release of All Claims between Blackwater Creek Enterprise, LLC and Lake County; and
2. Of a budget transfer reallocating \$420,000 from General Fund reserves for the settlement payment. |

The fiscal impact is \$420,000 (expenditure).

C. COUNTY MANAGER

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| <u>Tab 8</u> | Recommend approval to provide a Technical Assistance Request Letter to the Trust for Public Land and The Nature Conservancy. |
| <u>Tab 9</u> | Recommend approval of Assignment and Assumption of Maintenance Obligations by The Villages Land Company, LLC, and The Villages Development Company, LLC, and Village Community Development District NO. 14 for roadway improvements related to stormwater retention improvements as set forth in Section 4.b, and landscaping as set forth in Section 9.a of the Agreement. |

The fiscal impact is \$5,000 (expenditure) and is within, and will not exceed, the Fiscal Year 2024 Budget. Commission District 5.

Tab 10 Recommend approval of a resolution instructing the Lake County Tax Collector to not mail tax notices to a taxpayer if the amount of taxes shown on the tax notice is Sixteen Dollars (\$16.00) or less, and instructing the Lake County Property Appraiser not to make an extension on the tax roll for any parcel for which the tax amount would be Sixteen Dollars (\$16.00) or less.

The fiscal impact cannot be determined at this time.

Tab 11 Recommend approval of additional proposed 2024 Legislative Priorities.

- Florida Department of Environmental Protection to expand the wildlife corridor based on our new maps.
- Legislative funding to assist Lake County in procuring environmentally sensitive lands.
- Legislative assistance in funding for alternative water supply.

D. ADMINISTRATIVE SERVICES

Management and Budget

Tab 12 Recommend approval for a distribution of \$197,286.95 from funds designated as Crime Prevention Funds for use in the Sheriff's crime prevention activities. The fiscal impact is \$197,286.95 (expenditure) and is within the Fiscal Year 2023 Budget.

Tab 13 Recommend approval of reimbursement for the Lake County Sheriff's Office \$2.50 Education Trust Fund for Fiscal Year 2023. The fiscal impact is \$85,490.67 (expenditure) and is within the Fiscal Year 2023 Budget.

E. PUBLIC SAFETY AND DEVELOPMENT SERVICES

Emergency Management

Tab 14 Recommend adoption of a resolution for the 2023 revision of the Lake County Comprehensive Emergency Management Plan. There is no fiscal impact.

Tab 15 Recommend approval:

1. To accept the Resilient Florida Grant from the State of Florida Department of Environmental Protection; and
2. To execute the Resilient Florida Grant from the State of Florida Department of Environmental Protection in the amount of \$502,198; and
3. To authorize the County Manager to execute future amendments/modifications that do not have a financial impact; and

4. To authorize the Director of the Office of Emergency Management to execute the contractual services certification (Exhibit H); and
5. To authorize the Director of the Office of Emergency Management to execute the vulnerability assessment compliance checklist certification (Exhibit I).
6. To adopt an Unanticipated Revenue Resolution (URR) in the amount of \$502,198 to recognize and appropriate the funds.

The fiscal impact is \$502,198 (revenue/expenditure - 100 percent grant funded).

Fire Rescue

Tab 16

Recommend approval:

1. Of Contract 24-403 for an online training management system to TargetSolutions Learning, LLC (Tampa, FL); and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The fiscal impact is \$64,899.16 (expenditure) and is within, and will not exceed, the Fiscal Year 2024 Budget.

Planning and Zoning

Tab 17

Recommend approval to advertise an Ordinance amending Section 3.06.00, Lake County Code, Land Development Regulations, regarding regulations for Parking, Storing, or Keeping Vehicles, Vessels, Buses, Trailers, Trucks, and Commercial Vehicles. There is no fiscal impact.

Tab 18

Recommend approval to advertise an Ordinance amending Article IV, Division 2, Chapter 2, Lake County Code, entitled *Mt. Plymouth-Sorrento Community Redevelopment Advisory Committee*. There is no fiscal impact.

Public Safety Support

Tab 19

Recommend approval:

1. To utilize Sourcewell (a cooperative purchasing public agency) Contract 081419-CDW Tech Catalog (081419#CDW) to purchase an audio visual system for the Emergency Communications Operations Center (ECOC); and
2. To authorize the Office of Procurement Services to execute all supporting documentation; and
3. Of a budget transfer in the amount of \$705,833 to reallocate funds to the Project account.

The fiscal impact is \$705,832.46 (expenditure).

Emergency Medical Services

Tab 20

Recommend approval:

1. To participate in Year 4 of the Intergovernmental Transfer Program with the State of Florida for Medicaid Managed Care Transports; and
2. To authorize continued participation in future program years unless the County Manager determines future participation is not in the best interests of the County; and
3. To authorize the County Manager to execute all required agreements or documents for each year of participation.

The fiscal impact for Year 4 of the Program is \$1,739,291.31 (\$2,849,907.88 (revenue) and \$1,110,616.57 (expenditure)). The anticipated fiscal impact for Year 5 of the Program is \$2,337,428.89 (\$4,032,831.07 (revenue) and \$1,695,402.18 (expenditure)).

F. PUBLIC SERVICES AND INFRASTRUCTURE

Facilities Management

Tab 21

Recommend approval:

1. To increase the expenditure limits of Contract 21-0449 for lawn maintenance and related services with Aero Groundtek, LLC (Ocoee, FL) from a not to exceed \$501,600 to an estimated \$600,000; and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$600,000 (expenditure) and is within, and will not exceed, the Fiscal Year 2024 Budget.

Tab 22

Recommend approval:

1. To increase the single project expenditure limits of Contract 20-0904 for On-Call Facility Construction Services with Advanced Commercial Contractors, Inc. (Eustis, FL), BG Southern Division, LLC (Orlando, FL), Boulevard Contractors Corp. (Winter Springs, FL), GSB Construction and Development, Inc. (Wildwood, FL), Ruby Builders, Inc. (Orlando, FL), Ryan Fitzgerald Construction, Inc. (Mount Dora, FL), Rybek Construction, Inc. (Tavares, FL), and Waterman Construction Corp. (Umatilla, FL) from a not to exceed \$5,000 to an estimated \$10,000; and
2. To increase the estimated annual fiscal impact from \$200,000 to an estimated \$300,000; and
3. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated annual fiscal impact is \$300,000 (expenditure) and will not exceed available funding in each Fiscal Year's Budget.

Office of Housing and Community Services

Tab 23 Recommend approval of an agreement with We Care of Lake County, Inc. (Mt. Dora, FL) for operation of the Lake County We Care Program effective October 1, 2023 through September 30, 2024.

The estimated fiscal impact is \$116,975 (expenditure) and is within, and will not exceed, the Fiscal Year 2024 Budget.

Tab 24 Recommend approval to authorize the use of \$1,950,000 in American Rescue Plan Act of 2021 (ARPA) funds to construct an affordable housing project dedicated to veterans and seniors at the property located at 28123 County Road 561, in Tavares (previous Animal Shelter).

Parks and Trails

Tab 25 Recommend approval:

1. Of Contract 23-725 to Tom's Playground of Central Florida, Inc. (Eustis, FL) to Deliver and Install Lime Rock, 57 Stone, and Coquina Shell Rock; and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$325,000 (expenditure) and is within, and will not exceed, the Fiscal Year 2024 Budget. Annual expenditures will not exceed available funding in each future Fiscal Year's Budget.

Public Works

Tab 26 Recommend approval:

1. To award the Citrus Grove Road Phase 5 construction project (Contract 23-562) to Southern Development & Construction Inc. (Oviedo, FL) for \$6,944,777; and
2. Of a Purchase Agreement with SP-V Green Properties, LLC, 160 East Olentangy Street, Powell, Ohio 43065 for right of way associated with the paving of Citrus Grove Road Phase 5 for \$100,000; and
3. To authorize Chairman to execute any necessary contracts and/or closing documents.

The estimated fiscal impact is \$7,044,777 (expenditure - South Transportation Road Impact Fees) and is within, and will not exceed, the Fiscal Year 2024 Budget. Commission District 2.

Tab 27 Recommend approval to accept the final plat for Bella Collina West Replat and all areas dedicated to the public as shown on the Bella Collina West Replat final plat.

The estimated fiscal impact is \$1,551 (revenue - final plat application fee) and there is no annual maintenance cost as the roads within the subdivision are private. Commission District 2.

Tab 28 Recommend adoption of a resolution to advertise a public hearing to vacate platted right of way and platted lots located North of Lakeshore Drive and West of Fairview Avenue. The closest municipality is the City of Tavares.

The fiscal impact is \$2,295 (revenue-vacation application fee) and is within the Fiscal Year 2024 Budget. Commission District 3.

Tab 29 Recommend approval of the Termination and Release of Agreement between Lake County and Central Florida Investments, Inc., for Future Access associated with property located in the City of Groveland. The recording fees of \$18.50 are to be paid by Central Florida Investments, Inc. (Developer). Commissioner District 1.

Tab 30 Recommend approval:
1. Of a Local Agency Program Supplemental agreement; and
2. To adopt a supporting resolution with the Florida Department of Transportation (FDOT) regarding funding the construction and inspection services for County Road 42 from the Marion County line to State Road 44 in the Altoona area.

The estimated fiscal impact is \$243,742 (revenue/expenditure – 100 percent grant funded) and is within, and will not exceed, the Fiscal year 2024 Budget. Commission District 4.

Tab 31 Recommend approval:
1. Of a Federally Funded agreement with the United States Department of Housing and Urban Development (HUD); and
2. To adopt a supporting resolution with HUD regarding funding final design and Construction Engineering Inspection (CEI) for Citrus Grove Road Phase II, in the Minneola area; and
3. To authorize the County Manager to sign future documents related to this grant.

The estimated fiscal impact is \$1,000,000 (revenue/expenditure – 100 percent grant funded) and is included in the Fiscal year 2024 Budget. Commission District 2.

Tab 32

Recommend approval:

1. To utilize Contract 22-931E with Tierra, Inc. (Winter Garden, FL) to provide Construction Engineering Inspection Services for the CR 441-19A Eudora Roundabout project; and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$386,100 (expenditure) and is within, and will not exceed, the Fiscal Year 2024 Budget. Commission District 3 and 4.

Tab 33

Recommend approval:

1. To delegate authority to the County Manager to execute a Task Order for Contract 21-0901B with Kleinfelder Southeast, Inc. (Mount Dora); and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The fiscal impact is \$89,479.27 and is within, and will not exceed, the Fiscal Year 2024 Budget. Commission District 2.

Transit Services

Tab 34

Recommend approval:

1. Of the agreement with the Central Florida Regional Transportation Authority (LYNX) to continue providing weekend and holiday Link 55 fixed route bus service in South Lake County; and
2. Of a budget transfer in the amount of \$160,588 to reallocate funds to the project for tracking purposes.

The fiscal impact is \$160,588 (revenue/expenditure – 100 percent grant funded). Commission District 1.

Tab 35

Recommend approval:

1. Of The Florida Commission for the Transportation Disadvantaged Innovative Service Development Grant Agreement for Fiscal Year 2024; and
2. To adopt an Unanticipated Revenue Resolution of \$163,819 to recognize appropriate additional grant funding for the Florida Commission for the Transportation Disadvantaged Innovative Service Development grant for Fiscal Year 2024; and
3. Of a budget transfer in the amount of \$18,202 to allocate funds from the Transit Fund reserves to contractual services.

The fiscal impact is \$182,021 - \$163,819 (revenue/expenditure-grant funded) and \$18,202 (expenditure-county match).

VII. PRESENTATIONS

Tab 36 Presentation by the Florida Department of Agriculture and Consumer Services on scams, fraud and consumer rights.

VIII. PUBLIC HEARINGS

Tab 37 Recommend adoption of a resolution to vacate a platted right of way lying East of CR 561 and West of the Florida Turnpike. The closest municipality is Minneola.

The fiscal impact is \$2,295 (revenue-vacation application fee) and was paid in Fiscal Year 2023. Commission District 2.

IX. REGULAR AGENDA

A. COUNTY MANAGER

Tab 38 Discussion and direction regarding the Supervisor of Elections Facility on the following items:

1. Approval to continue with the lease of the Sears Building;
2. Alternative Uses of the Sears Building currently leased by the County;
3. Approval to terminate the Construction Manager (Charles Perry Partners, Inc.) and Architect (Song & Associates, Inc.) agreements and authorize the County Manager to execute the required termination documents;
4. Construction of a new facility on the Lane Park property;
5. Approval to rebid the Construction Manager and Architect agreements;
6. Approval to terminate the Purchase Agreement with Zellwin Farms Company and authorization for the County Manager to provide the written termination notification; and
7. Approval of a Lease Agreement with Boukalis Development of St. Petersburg, L.L.C. (Eustis Shopping Plaza) for commercial lease located at 276A Ardice Avenue, Eustis.

X. OTHER BUSINESS

Tab 39 Recommendation for the appointment of Jennifer Hill as the Canvassing Board member and Timothy Sullivan as the alternate Canvassing Board member. There is no fiscal impact.

Tab 40 Recommend approval of appointing a new member with experience in assisting victims of domestic violence to the Homeless Mitigation Advisory Council with applicable waiver to serve a one-year term ending September 30, 2024. (Stephen Shylkofski)

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**

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.