

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

REGULAR MEETING

November 28, 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

November 28, 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. SPECIAL RECOGNITION - KEEP LAKE BEAUTIFUL

V. ARPA UPDATE

VI. MINUTES APPROVAL

Tab 1 Recommend approval of the following minutes:

- October 10, 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.

VII. CLERK OF COURT'S CONSENT AGENDA

- Tab 2 Recommend approval of the Clerk of Court's Consent Agenda (Item 1):
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.

VIII. CONSENT AGENDA (Tabs 3-23):

A. COUNTY ATTORNEY

- Tab 3 Recommend approval to advertise:
1. An Ordinance creating Section 2-5, Lake County Code, entitled *Control of Access to County-owned, Controlled, and Leased Property*. There is no fiscal impact.
 2. An Ordinance repealing Section 14-4, Lake County Code, entitled *Laser Beam Devices*. There is no fiscal impact.
- Pursuant to Board Policy LCC-102, adopted on August 29, 2023, concurrent with the adoption of any new code requirement, the Board of County Commissioners may repeal an existing code requirement to further the Board's objective to ensure that newly adopted code provisions do not increase the overall regulatory impact on the residents and businesses within the unincorporated county.

B. ADMINISTRATIVE SERVICES

Information Technology

- Tab 3 Recommend approval:
1. To utilize State of Florida Contract 43230000-23-NASPO-ACS for Microsoft Enterprise Enrollment for the purchase of software licensing and associated assurance packages; and
 2. Of the continued use of State of Florida contracts for future Microsoft-related purchases; and
 3. For the Office of Procurement Services to execute all supporting documentation.

The estimated fiscal impact is \$658,007.94 (expenditure) and is within, and will not exceed, the Fiscal Year 2024 Budget. Annual expenditures will not exceed available funding in future fiscal year budgets.

C. HUMAN RESOURCES AND RISK MANAGEMENT

Tab 5 Recommend approval to advertise an Ordinance repealing and replacing Section 2-42, Lake County Code, entitled *Criminal History Checks*. These changes are required by Florida Department of Law Enforcement. There is no fiscal impact.

D. PUBLIC SAFETY AND DEVELOPMENT SERVICES

Fire Rescue

Tab 6 Recommend approval of the First Amendment to the Interlocal Agreement with the Town of Montverde for Fire Protection and Rescue Services to amend the construction timelines for new Fire Station 85. Commission District 2.

Planning & Zoning

Tab 7 Recommend approval:
1. To use Contract 22-546B with Kimley-Horn and Associates, Inc. for planning and zoning consultation services, to provide an Evaluation and Appraisal Report (EAR), which is required by the State every 7 years. A new EAR is due to the Department of Commerce on May 1, 2024; and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The fiscal impact is \$130,492 (expenditure) and is within, and will not exceed, the Fiscal Year 2024 Budget.

E. PUBLIC SERVICES AND INFRASTRUCTURE

Fleet Management

Tab 8 Recommend approval:
1. To increase the expenditure limits of Contract 21-0722 for Genuine Parts Company d/b/a/ NAPA Auto Parts (Norcross, GA) for Lake County Fleet Management from a not to exceed \$686,916 to \$925,000; and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated annual fiscal impact is \$925,000 (expenditure) and will not exceed available funding in each Fiscal Year's Budget.

Office of Housing and Community Services

- Tab 9 Recommend approval of a Sub-Recipient Agreement with LifeStream Behavioral Center for Community Development Block Grant Fiscal Year 2023-2024 to expand homeless services. The fiscal impact shall not exceed \$125,250 (expenditure - 100 percent CDBG funded) and is within, and will not exceed, the Fiscal Year 2024 Budget.
- Tab 10 Recommend approval of the annual Core Contract with the Lake County Department of Health. The Contract is effective from October 1, 2023, through September 30, 2024. The fiscal impact is \$452,637 (expenditure of \$321,312 in American Rescue Plan Act (ARPA) funding and \$131,325 for in-kind services) and is within, and will not exceed, the Fiscal Year 2024 Budget.
- Tab 11 Recommend approval of the Fifth Amendment to the Inmate Healthcare Services Agreement between Wellpath, LLC, the Lake County Sheriff's Office, and the Board of County Commissioners.
- The fiscal impact is \$619,868.73 (expenditure) and is within, and will not exceed, the Fiscal Year 2024 Budget.
- Tab 12 Recommend approval of First Amendments to the CDBG Fiscal Years 2021-2022 and 2022-2023 Sub-Recipient Contracts with LifeStream Behavioral Center for their Hope House Shelter. There is no fiscal impact.
- Tab 13 Recommend approval and adoption of a Resolution approving the Operation of the Housing Finance Authority of Volusia County in Lake County to issue its Multifamily Housing Revenue Bonds to finance a Multifamily Residential Rental Project to be known as Southwinds Reserve Senior Living. There is no fiscal impact. Commission District 5.

Library Services

- Tab 14 Recommend approval to adopt the Lake County Library System Combined Operating Budget and Annual Plan of Service for State Aid Funding for Fiscal Year 2024. The fiscal impact (revenue) cannot be determined at this time.

Parks and Water Resources

Tab 15

Recommend approval:

1. Of Contract 23-748 for Janitorial Services for Various Parks to American Janitorial, Inc (Umatilla, FL); and
2. To authorize the Office of Procurement Services to execute all supporting documentation.

The estimated annual fiscal impact is \$81,600 (expenditure) and is within, and will not exceed, the Fiscal Year 2024 Budget. Annual expenditures will not exceed available funding in future fiscal year budgets.

Public Works

Tab 16

Recommend approval:

1. Of a Roadway Improvement Agreement with Richland Developers – Florida, Inc., to design, permit and/or construct a portion of the roadway improvements associated with Max Hooks Road. The estimated fiscal impact is \$4,929,625.11 in impact fee credits in the South Transportation Benefit District; and
2. Of a Maintenance Map of Max Hooks Road, located between State Road 50 and Cathedral Lane in the Groveland area. The fiscal impact is \$102 (expenditure - recording fees).

Commission Districts 1 & 2.

Tab 17

Recommend approval to enter a Lighting Services Agreement with Duke Energy One, Inc. to install and maintain street lighting along Wellness Way from US 27 to Five Mile Road.

The capital fiscal impact is \$1,200,000 (expenditure - South District Road Impact Fee Fund) and is within, and will not exceed, the Fiscal Year 2024 Budget. The annual fiscal impact for maintenance is \$9,048 (expenditure - Wellness Way MSTU Fund) and will be included in the future Fiscal Year Budgets. Commission District 1.

Tab 18

Recommend approval:

1. To increase the expenditure limits of Contract 22-711 for Roadside Mowing and Litter Removal Services with Aero Groundtek, LLC (Ocoee, FL) from a not to exceed \$446,558.32 to an estimated annual fiscal impact of \$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 is within, and will not exceed, the Fiscal Year 2024 Budget. Annual expenditures will not exceed available funding in future fiscal years.

<u>Tab 19</u>	<p>Recommend adoption of a resolution designating the roads within the Mount Plymouth community as appropriate for the operation of golf carts and recommend repealing Resolution 2015-34.</p> <p>The estimated fiscal impact is \$500 (expenditure) and is within, and will not exceed, the Fiscal year 2024 Budget. Commission District 4.</p>
<u>Tab 20</u>	<p>Recommend adoption of a resolution to advertise a public hearing to vacate platted right of way located north of Old Highway 50 and south of the Florida Turnpike. The closest municipality is Clermont.</p> <p>The fiscal impact is \$2,295 (revenue-vacation application fee) and is within the Fiscal Year 2024 Budget. Commission District 2.</p>
<u>Tab 21</u>	<p>Recommend adoption of a resolution accepting Crestavista Avenue "Part" (County Road No. 0654), Syracuse Drive "Part" (County Road No. 0656), Erice Avenue "Part" (County Road No. 0655A), and Scicli Way (County Road No. 0658C), as contained in Ridgeview Phase 4, into the County's maintenance system.</p> <p>These roads, totaling 0.71 miles, have an Annualized Average Maintenance Cost Impact of \$16,747.36 per year or \$334,947.18 over a 20 year life cycle. This is based on current costs for road maintenance efforts including road surface, curb and gutter, drainage systems, sidewalks and roadway tree trimming.</p> <p>The estimated annual fiscal impact is \$16,747.36 (expenditure), which is within the Fiscal Year 2024 Budget and will be included in future year budget requests. Commission District 1.</p>
<u>Tab 22</u>	<p>Recommend approval:</p> <ol style="list-style-type: none"> 1. Of Change Order #1 for the County Road (CR) 48 Guardrail Replacement Project No. 2023-05; and 2. Of a budget transfer in the amount of \$168,174 in the Infrastructure Sales Tax Fund from Infrastructure to Resurfacing. <p>The fiscal impact is \$168,173.23 (expenditure). Commission District 3.</p>
<u>Tab 23</u>	<p>Recommend adoption of a resolution and the execution and recording of a County Deed for conveyance of public right of way to the Florida Department of Transportation (FDOT) for road improvements on a portion of State Road 50 in the Mascotte area.</p> <p>The fiscal impact is \$27 (expenditure - recording fees). Commissioner District 1.</p>

IX. PUBLIC HEARINGS: REZONINGS (SEE SEPARATE AGENDA)

<u>Tab 24</u>	Public Hearings on Rezonings, Conditional Use Permits and Comprehensive Plan Amendments.
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X. PRESENTATIONS

- Tab 25 Lifestream Annual Update from Rick Hankey, CEO, Lifestream.
- Tab 26 Presentation by the Florida Department of Agriculture and Consumer Services on scams, fraud and consumer rights.
- Tab 27 Update from the Florida Department of Health

XI. PUBLIC HEARINGS

- Tab 28 Recommend approval of budget adjustments for the year-end closeout of Fiscal Year 2023 in accordance with County Policy LCC-36, and Section 129.06 (2) (a), Florida Statutes
- Tab 29 Recommend approval and adoption of 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.
- Tab 30 Recommend approval and adoption of 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.

XII. REGULAR AGENDA

A. COMMISSIONERS

Commissioner Parks - District #2

- Tab 31 Presentation of Basin Management Action Plan (BMAP) information related to nutrient load allocation to septic systems and a status update on the County's Distributed Wastewater Treatment System (DWTS) system. There is no fiscal impact.
- Tab 32 Recommend approval of the Yellow Dot Program presented by Art Kiminski.

Commissioner Campione - District #4

- Tab 33 Discussion and direction on the Lake County Library System membership with the American Library Association (ALA).

B. PUBLIC SERVICES AND INFRASTRUCTURE

Transit Services

Tab 34 Final Presentation of the Office of Transit Services' Five-Year Major Update of the Transit Development Plan and recommendation of:

1. Approval of the 2024 Transit Development Plan Five-Year Major Update; and
2. Adoption of the Resolution supporting and approving:

- The 2024 Transit Development Plan; and
- The application for and, if awarded, administration of the 2024-2025 Florida Department of Transportation Public Transit Block Grant Agreement.

The fiscal impact of the Public Transit Block Grant is estimated at \$1,826,508 - \$913,254 (revenue/expenditure) in FDOT grant funding and \$913,254 (expenditure) in County local match, if awarded.

XIII. OTHER BUSINESS

Tab 35 Request approval to appoint Juana Delacruz to the Library Advisory Board, representing District 2, with a term expiring 2/28/2027. Commissioner Blake is the liaison to the Library Advisory Board.

XIV. REPORTS

A. County Attorney

B. County Manager

XV. 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

XVI. CLOSED SESSION - 1:00 PM OR AS SOON THERE AFTER

Tab 36

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.

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.