

BOARD ACTION
March 28, 2023

APPROVED	<p>Tab 1. Request for approval of the minutes of the BCC Meetings of February 7, 2023 (Regular Meeting) and February 14, 2023 (Regular Meeting).</p>	COONEY
	<p><u>CITIZEN QUESTION AND COMMENT PERIOD</u></p> <p>Mr. John Curry, a resident of Paisley, relayed that his tenant, Ms. Tina Lynn Johnson, had lost her job when the coronavirus disease 2019 (COVID-19) pandemic had occurred, and that there had been an application for COVID-19 assistance. He recalled that Ms. Johnson had an issue around Halloween 2022, and that he had helped her. He relayed that this \$5,000 claim was denied even though he was informed that everything was correct, and he commented that it was because he did not have a Sunbiz number; furthermore, he then had paid for a Sunbiz number and received the check. He said that he was told that his bank would not cash the check because they did not have a business account, and he asked if a check could be written that they could cash.</p> <p>Mr. Banks Helfrich, a candidate for the State of Florida House of Representatives for District 25, relayed that sustainability was to continue something in perpetuity, and he commented that he had a seven acre sustainable farm on Sams Lake Road in the City of Clermont, which was open to the public for free on the second Saturday of every month at 9:00 a.m. He commented that it included a tour, tasting the items that were in season, and teaching how to grow one’s own food and be sustainable, and that he would provide clippings of trees that one could take and grow themselves.</p> <p>Ms. Deirdre Griffin, a resident of the City of Leesburg, relayed her understanding that there were two interlocal service boundary agreements (ISBAs) between the County and the City of Leesburg, noting that one was from October 7, 2013, and that there was an amended version from October 22, 2014. She said that she was finding that her community had many questions about this, and she asked if there could be a possible third amended ISBA. She opined that it did not address any rural protection areas (RPAs) and that they were not delineated in the ISBA; furthermore, she opined that when it referenced enclaves, it did not address voluntary annexations. She indicated an understanding that Chapter 171.044, Florida Statutes, stated that land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves. She relayed that she and her community would like to see this addressed, and she asked how they could amend this ISBA or if there could be a growth management plan with the City of Leesburg.</p>	

	<p>Ms. Brittany Lerch, a resident of Yalaha, expressed concerns about the proposed annexation of 160 noncontiguous acres into the Town of Howey-in-the-Hills for the Cedar Creek development. She indicated concerns about a sewage treatment plan that the developer and the Town planned to build, and she recalled that the developer had previously presented a plan for 171 homes and had stated that the land was not connected to any public utilities; therefore, a sewage treatment plant would have to be built. She displayed an image of the proposed location of the plant, noting that it was on 40 acres in the RPA, and that half of the 40 acres was covered in wetlands, with more being in a flood zone. She added that the wetlands were across the property and also flowed into neighboring properties, and she opined that building a sewage treatment plant would be a hazard to the livestock, wildlife and families that lived on those properties. She also indicated an understanding that the plant would be located on the western portion of the property, which would make it impossible to reach without disturbing the wetlands and clearing the woods there. She questioned why they would build a sewage treatment plant for only 171 homes, especially when the Mission Inn wastewater treatment plant was nearby. She opined that over a month before the public was made aware of this development, the Town had already listed the sewage treatment plant in their five year estimated schedule of capital improvements; however, this information had not been mentioned in the public planning and zoning meeting, nor any of the documents attached to that meeting. She also opined that it was not publicly discussed at any other meeting, according to published meeting minutes and agendas. She opined that the full plan was not being presented, and that the Town was not being transparent about what they had in mind for this property and the RPA. She asked for the Board of County Commissioners (BCC) to protect the land in the RPA and to stop this sewage treatment from being placed in the middle of an established rural community that it would not service or benefit. She also invited the Board to tour the community.</p>	
<p>PROCLAMATION /APPROVED</p>	<p>Tab 2. Request approval and presentation of Proclamation 2023-21 designating April 9-15, 2023, as National Public Safety Telecommunicators Week. There is no fiscal impact.</p>	<p>CARPENTER</p>
<p>PROCLAMATION /APPROVED</p>	<p>Tab 3. Request approval and presentation of Proclamation 2023-25 recognizing East Ridge High School’s Boys Varsity Soccer Team for winning the Florida High School Athletic Association (FHSAA) Class 7A Boys Soccer State Championship, per Commissioner Parks.</p>	<p>PARKS</p>
<p>APPROVED</p>	<p>Tab 4. Approval of Clerk of the Circuit Court and Comptroller’s Consent Agenda (Item 1)</p> <p>1. Notice is hereby provided of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall</p>	<p>COONEY</p>

	be incorporated into the Minutes and filed in the Board Support Division of the Clerk's Office.	
APPROVED	Tab 5. Recommend approval of Proclamation 2023-11 designating April 23-29, 2023, as National Library Week in Lake County.	CHRISTIAN
APPROVED	Tab 6. Request from County Attorney to recommend approval to advertise an Ordinance amending Section 2-81, Lake County Code, entitled Criminal History Checks. There is no fiscal impact.	MARSH
APPROVED	Tab 7. Request from Procurement Services to recommend approval of revisions to County Policy LCC-39 Purchasing Policy and Contract Administration. The update adds definitions and clarifies custodial duties.	BARKER
APPROVED	Tab 9. Request from Housing and Community Services to recommend approval of the Agreement between the Office of Housing and Community Services and Mid Florida Homeless Coalition; and to authorize the Chairman to execute the supporting documents. There is no fiscal impact.	CHRISTIAN
APPROVED	Tab 10. Request from Housing and Community Services to recommend approval for the Office of Housing & Community Services to submit to the U.S. Department of Housing and Urban Development the Fiscal Year 2021-2022 HOME-ARP Allocation Plan; and approval for the Housing & Community Services Director to execute the documents required by HUD and corresponding authorization Resolution 2023-34 .	CHRISTIAN
APPROVED	Tab 11. Request from Library Services to recommend approval: 1. Of Contract 23-419 with Faronics Technologies (U.S.A.) Inc. for Deep Freeze Software; and 2. To authorize the Office of Procurement Services to execute all supporting documentation. The estimated annual fiscal impact is \$66,975 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Future years fiscal impact will be based on the number of units. Annual expenditures will not exceed available funding in the Fiscal Year budget.	CHRISTIAN
APPROVED	Tab 12. Request from Public Works to recommend approval: 1. Of First Amendment to Contract 22-736 for the lease and maintenance of two additional motor graders with Dobb's Equipment, LLC (Riverview, FL); and 2. To authorize the Office of Procurement Services to execute all supporting documentation.	SCHNEIDER

	The total estimated fiscal impact is \$471,936 (expenditure) for the length of the 48-month lease term, estimated at \$117,984 annually, which will be included in the Fiscal Year budget.	
APPROVED	<p>Tab 13. Request from Public Works to recommend approval of an amendment to the existing development agreement with The Villages for road improvements on CR 470 in the City of Leesburg. The amendment is to allow landscaping to be placed within the right-of-way.</p> <p>There is no fiscal impact. Commission District 2.</p>	SCHNEIDER
APPROVED	<p>Tab 14. Request from Public Works to recommend approval of Subordination of Easement Agreement between Lake County and Sumter Electric Cooperative, Inc.. Commission District 1.</p>	SCHNEIDER
APPROVED	<p>Tab 15. Request from Public Works to recommend approval to accept the final plat for Windsor Cay Resort Phase 1 and all areas dedicated to the public as shown on the Windsor Cay Resort Phase 1 final plat. The fiscal impact is \$1,551 (revenue - final plat application fee). Commission District 1.</p>	SCHNEIDER
APPROVED	<p>Tab 16. Request from Transit Services to recommend approval of the Florida Commission for the Transportation Disadvantaged Innovative Service Development Grant application and supporting Resolution 2023-35 for Fiscal Year 2023-2024. The estimated fiscal impact is \$202,245 with a local match of \$20,225. The grant matching requirement is expected to be funded from existing General Funds budgeted for the department. An agenda item will be presented to the Board with the fiscal impact and exact grant match requirements at a later date, should the grant be awarded.</p>	SCHNEIDER
APPROVED	<p>Tab 8. Request from Fleet Management to recommend approval for Fleet Management to partner with Lake Technical College to send county maintained vehicles from the Office of Fleet Management to Lake Technical College for automotive collision repairs, refinishing, and paint work to provide hands-on educational experience for students.</p> <p>The estimated fiscal impact is \$25,000 (expenditure) and is within, and will not exceed, the Fiscal Year 2023 Budget. Annual expenditures will not exceed available funding in the fiscal year budget.</p>	SCHNEIDER
PRESENTATION	<p>Tab 17. Presentation by Yasir Mercadowith on behalf of Florida's Turnpike Enterprise and recommendation for approval of the temporary closing of Scrub Jay Lane at the Turnpike Bridge. Commission District 2. There is no fiscal impact.</p> <p>The Board relayed consensus to temporarily close Scrub Jay Lane at the</p>	SCHNEIDER

	Turnpike Bridge.	
PRESENTATION/ APPROVED	<p>Tab 18. Affordable Housing Presentation.</p> <p>The Board approved the following items for American Rescue Plan Act (ARPA) funding: award \$1,200,000 to Find, Feed & Restore; award \$400,000 to Habitat for Humanity; award \$1,400,000 to New Beginnings of Central Florida; and authorize the Office of Procurement Services to execute all supporting documentation. The Board also authorized the approval and execution of the HOME-ARP Allocation Plan for submission by the March 31, 2023 deadline, to the United States (U.S.) Department of Housing and Urban Development.</p>	CHRISTIAN
APPROVED	<p>Tab 19. PUBLIC HEARING: Recommend approval and adoption of Ordinance 2023-18 amending Section 14.00.09, Lake County Code, Land Development Regulations, entitled Res Judicata. There is no fiscal impact.</p> <p>The Board approved this item with the modification that the County would notify anyone they had a record of from the first hearing that they were having a discussion on whether to bring the case back.</p>	MARSH
APPROVED	<p>Tab 20. PUBLIC HEARING: Recommend adoption of Resolution 2023-36 to vacate platted driveway, walkway and cul-de-sac easements lying north of Wolf Branch Road and west of Sunrise Boulevard in the Mount Dora area.</p> <p>The fiscal impact is \$2,295 (revenue-vacation application fee) and is within, and will not exceed, the Fiscal Year 2023 Budget. Commission District 4.</p>	SCHNEIDER
APPROVED	<p>Tab 21. Recommend approval to advertise Ordinances establishing new rates for the Library, Parks, Fire Rescue and Transportation Impact Fees, and an Ordinance creating a new Impact Fee District to be known as the West Transportation Benefit District. The fiscal impact is unable to be determined at this time.</p> <p>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.</p>	BARKER
APPROVED	<p>Tab 22. 1. Presentation, discussion and direction regarding the Local Road Paving Program; and 2. Recommend approval to advertise two ordinances related to the</p>	SCHNEIDER

	<p>Residential Subdivision Municipal Services Benefit Unit (MSBU) Subdivision program to amend the Code and the Land Development Regulations.</p> <p>There is no fiscal impact.</p> <p>The Board approved this item with an amendment for a 50 percent match.</p>	
APPROVED	<p>Tab 23. Discussion and Direction on approving to advertise either: 1. An Ordinance Establishing a Temporary Moratorium on New Residential Preliminary Plat Applications; or 2. An Ordinance Requiring Residential Subdivisions of 50 lots or more to rezone to a Planned Unit Development.</p> <p>If the Board of County Commissioners elects to advertise the Ordinance Establishing a Moratorium on New Residential Preliminary Plat Applications, additional approval is requested to conduct the second Public Hearing of this proposed Ordinance at 9:00 a.m., rather than at 5:05 p.m. as required by Section 125.66(4), Florida Statutes. A majority plus one vote is required to exercise this option pursuant to 125.66(4)(b)1., Florida Statutes.</p> <p>The fiscal impact is undeterminable at this time.</p> <p>The Board approved to move forward with a Land Development Regulations (LDR) change that would require 50 lots or more to be a planned unit development (PUD), excluding rural conservation subdivisions; additionally, the Board would not pursue a moratorium ordinance.</p>	CAMPIONE
APPOINTMENT/ APPROVED	<p>Tab 24. Request approval to appoint Alan Reisman to the Tourist Development Council as an Elected Municipal Officer to complete an unexpired term for Council Member Mike Pederson who resigned in January 2023, and to serve an additional four years for a term ending December 1, 2027; and approval of applicable waiver.</p> <p>Commissioner Shields is the liaison to the Tourist Development Council.</p>	SHIELDS
APPOINTMENTS/ APPROVED	<p>Tab 25. Request approval to appoint members to the Board of Adjustment:</p> <ul style="list-style-type: none"> • District 2: Antoinette El Baz (new application and resides in District 2) • District 4: David Williamson (new application and resides in District 4) <p>Other Applicants:</p>	SMITH

	<ul style="list-style-type: none"> • Rick Ault (originally served as the District 2 seat, but resides in District 1) • Juan Carlos Mahfouz (new application and resides in District 1) • Juan P. Camacho (new application and resides in District 1) <p>All applicants are qualified electors of Lake County. The Board may make appointments without regard to district residency if a qualified applicant is not available within the district.</p> <p>The Board approved to move Mr. Ray Powers from the District 5 seat to the District 4 seat, and to appoint Mr. David Williamson to the District 5 seat to complete the unexpired term of Mr. Powers; additionally, the Board also approved to give Commissioner Parks the authority to approve appointing the District 2 member when that person applied, assuming no waiver was needed.</p>	
<p>FOR YOUR INFORMATION</p>	<p>Ms. Marsh displayed the revised ordinance regarding Res Judicata which was approved earlier in the meeting.</p>	<p>MARSH</p>
<p>FOR YOUR INFORMATION</p>	<p>Ms. Barker provided an update on the proposed Lake County Supervisor of Elections facility in the Sears building at Lake Square Mall. She explained that the County had been working with the architect and the construction manager, noting that they had been working on the design of the project and that the County had received an estimated cost based on 75 percent design of the facility. She explained that the estimated cost for the renovations of the Sears building would be about \$8.3 million based on the current design, and that the BCC had previously provided approval to do the renovations at the facility in an amount not to exceed \$3.5 million; therefore, there was about a \$5 million gap in funding. She said that the Supervisor of Elections had requested that the County negotiate a termination of the lease agreement with the landlord at the mall, and that Board approval would be required. She added that if the Board wanted to move in a different direction and have the architect redesign the facility to meet the \$3.5 million budget, then staff could request this. She relayed that the Supervisor of Elections had indicated that he would like to see if the County could get out of the lease agreement and then look for temporary facilities for warehouse space in the amount of about 4,000 to 5,000 square feet, as well as leasing additional office space in the bank adjacent to his current facility. She requested Board direction.</p> <p>The Board relayed consensus to negotiate a termination of the lease agreement.</p>	<p>BARKER</p>
<p>FOR YOUR INFORMATION</p>	<p>Commr. Shields mentioned that he had a tour of the new real time crime center and that it looked like a great tool for law enforcement.</p>	<p>SHIELDS</p>

FOR YOUR INFORMATION	Commr. Shields relayed that he visited the City of Tallahassee on behalf of the Florida Association of Counties (FAC), noting that Representative Mike Giallombardo was putting forward a cybersecurity bill; furthermore, he wanted to ensure that there would not be any unfunded mandates for the County. He relayed that it looked like it was mostly for State organizations, and he did not think that there would be any impact to the County.	SHIELDS
FOR YOUR INFORMATION	Commr. Shields said that he had a Water Safety Advisory Committee meeting.	SHIELDS
FOR YOUR INFORMATION	Commr. Shields stated that they had a second Lake Economic Area Development (LEAD) kickoff event in the City of Leesburg, and that there was great attendance from the community.	SHIELDS
FOR YOUR INFORMATION	Commr. Shields commented that he was receiving many complaints about burning in Four Corners, relaying his understanding that land was being cleared. He said that it looked like it was mostly in Orange County, and that they had to go to the State for their permits; furthermore, he relayed that he was unsure of how to proceed on this issue.	SHIELDS
FOR YOUR INFORMATION	Commr. Parks remarked that there was an upcoming meeting on April 7, 2023 in the City of Groveland regarding joint planning, noting that Lake County wanted the Cities to enter into joint planning agreements (JPAs) with the County. He opined that it was better planning and a better process, and he clarified that no one from the County had asked for the Cities to have something exactly like another City. He also mentioned that there was room to have a JPA customized to the City.	PARKS
FOR YOUR INFORMATION	Commr. Campione stated that under the County's new provision for Res Judicata, she wanted to bring back the case near Harbor Shores Road and Goose Creek Road to reconsider it with regard to the road access that the developer had worked out with the Lake County Water Authority (LCWA), noting that it was an easement that would provide a second access to disperse the traffic. She clarified that the Board would have to vote on whether they would rehear it, and then if they reheard it, they would also have to make a decision on whether to approve the PUD.	CAMPIONE
DISCUSSION	Tab 26. Homebuilder's Work Group.	BLAKE
FOR YOUR INFORMATION	Commr. Blake remarked that with regard to the ongoing situation with the Sears building, he wanted to make sure the County learned something from it and possibly avoid repeating what happened. He mentioned that the County had not found out about the asbestos situation until after the contract had gone through, and he proposed possibly having a policy for the County	BLAKE

	where they would have an automatic required inspection before any leases are signed.	
FOR YOUR INFORMATION	Commr. Blake mentioned that on the previous day, Florida Governor Ron DeSantis signed a universal school choice bill for the State of Florida. He relayed that only six states had anything similar, and he opined that it would make a large difference for many families and students.	BLAKE
FOR YOUR INFORMATION	Commr. Blake stated that the City of Tavares flag was flying at half-staff, noting that there was a recent tragedy in Nashville, Tennessee. He opined that flying the flag at half-staff was indicative of a major national incident, and he expressed concerns for doing this. He asked if someone could reach out to the City of Tavares regarding this, and he indicated concerns for frequently seeing the flag at half-staff.	BLAKE
FOR YOUR INFORMATION	Commr. Smith thanked everyone who wished him Happy Birthday.	SMITH
FOR YOUR INFORMATION	Commr. Smith said that it was Something on a Stick Day.	SMITH