

**Official Minutes of
MARION COUNTY
BOARD OF COUNTY COMMISSIONERS**

March 5, 2024

CALL TO ORDER:

The Marion County Board of County Commissioners (BCC) met in regular session in Commission Chambers at 9:03 a.m. on Tuesday, March 5, 2024 at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:

The meeting opened with invocation by Commissioner Zalak and the Pledge of Allegiance to the Flag of our Country.

9:00 AM ROLL CALL:

Upon roll call the following members were present: Chairman Michelle Stone, District 5; Vice-Chairman Kathy Bryant, District 2; Commissioner Craig Curry, District 1; Commissioner Matthew McClain, District 3; and Commissioner Carl Zalak, III, District 4. Also present were Clerk Gregory C. Harrell, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, Assistant County Administrator (ACA) Angel Roussel, ACA Tracy Straub, ACA Amanda Tart, and Executive Director of Internal Services Mike McCain.

ANNOUNCEMENTS:

Chairman Stone addressed upcoming scheduled meetings as listed on the Commission Calendar (Item 13.2.1).

1. PROCLAMATIONS AND PRESENTATIONS:

Upon motion of Commissioner Bryant, seconded by Commissioner Zalak, the Board of County Commissioners (BCC) approved and/or ratified the following:

1.1. PROCLAMATION - National Red Cross Month - Skip Cramer, Regional Community Volunteer Leader, American Red Cross of North Florida (Approval and Presentation)

The Board presented the Proclamation recognizing the month of March 2024 as "National Red Cross Month" to Skip Cramer, Regional Community Volunteer Leader, American Red Cross of North Florida and several representatives.

Mr. Cramer stated it is an honor to be here and expressed congratulations to the Board on the upcoming 180th Birthday of the BCC. He introduced Disaster Program Manager Ricardo Rosario from the American Red Cross of North Florida, along with other members of his team. Mr. Cramer stated it is the volunteers that make this program work. He advised that in 2023, the Red Cross responded to almost 100 events, including single and multi-family fires and tornados. However, this can become burdensome if there are not enough volunteers. Currently, there are 30 to 31 volunteers in Marion County, and more are always needed. Mr. Cramer expressed gratitude to the volunteers for their service and thanked the Board for the opportunity to speak today. Individuals interested in becoming a volunteer can complete the application process online at www.redcross.org.

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1.2. PROCLAMATION – Gardening Month - Marion County Spring Festival Event (Approval and Presentation)

The Board presented the Proclamation recognizing the month of March 2024 as “Gardening Month” to John Holcombe, Chairperson, Marion County Spring Festival Event and representatives of the Master Gardeners.

Mr. Holcombe expressed appreciation to the Board for honoring the Master Gardener Volunteers. He commented on the importance of education and the 96 educational events held last year in Marion County, with over 9,000 people in attendance. Additionally, there were 127 volunteers last year, and this year, approximately 140 volunteers have contributed 20,016 hours of work. If these hours were paid, it would amount to over \$500,000.00 of volunteer service provided for Marion County. Mr. Holcombe presented the Board with the Spring Festival Event flyer.

(Ed. Note: The Deputy Clerk received a 1 page handout entitled “Master Gardner Volunteers” and a 2 page handout “Spring Festival” event flyer.)

Commissioner Bryant out at 9:24 a.m.

1.3. PRESENTATION - Marion County Board of County Commissioners Annual Investment Report for Fiscal Year Ended September 30, 2023 – Richard Pengelly, Managing Director, and Scott Sweeten, Senior Managing Consultant, PFM Asset Management, LLC (Presentation Only)

Clerk Harrell noted it is an honor to have Mr. Pengelly here today. He advised that PFM Asset Management, LLC, has long served Marion County in the field of handling the County’s monetary investments and portfolio. Clerk Harrell commented on Mr. Steven Alexander’s retirement in recent years from PFM, noting he was one of the authors of the Florida Statutes (FS) that speak to how governmental investment policies should be written. He advised that Mr. Pengelly has over 30 years of experience in this field and has worked at PFM for close to 10 years. This is the Annual Investment performance review, usually on the Agenda under “Notation for Action”, but it is important for PFM to speak to the Board every few years.

Commissioner Bryant returned at 9:26 a.m.

Managing Director Richard Pengelly, PFM Asset Management, LLC, E. Robinson Street, Orlando, presented a brief PowerPoint presentation included in the Agenda packet (shown on the overhead screens) and provided an overview of the Annual Investment Report for Fiscal Year (FY) ended September 30, 2023. He advised that after several years of painful markets, the County is benefiting from the short-term interest rates. The pulled Reserves had a return that exceeded the benchmark by 0.74 percent (%) in fixed-income markets and overall the earnings increased by \$29,700,000.00 for the previous FY. Mr. Pengelly presented a summary of the different factors that are driving the economy. The United States (US) economy is largely driven by the actions of consumers. Consumers are continuing to spend even in the face of higher prices. There is a trend of higher levels of revolving debt usage, some weakening in the balance sheets that might not have an immediate effect. But in the future the conditions might start to weaken. Wage growth on an annualized basis is up 4.5% and the more people are earning the more is spent. Despite the high inflation of the past, that level of wage growth actually exceeds where current levels of headline inflation are, this is positive for the consumer. The general employment picture shows 24 months where the unemployment rate has been below 4%, which is the lowest since the 1960’s. The labor market has been one of the drivers of inflation; however, the labor demand is coming down and is contributing to the

view there may be a soft landing as opposed to a recession. Inflation skyrocketed, it peaked at 9.1% in mid-2022 driven by a lot of factors, i.e., excess stimulus and supply chain issues all of which are post-pandemic effects. There has been a lot of progress with inflation coming down, unfortunately, it is still not back to where the United States (US) Federal Reserve (FED) wants it. Inflation at 3.1% is still not down to the 2% level and economists and the market think it will take more time for the FED to cover the last mile and push it down to that level. Currently, there is an inverted yield curve, this is where short-term interest rates (the rates you can get from lending out money overnight) are at a higher level than money that is locked up for 10, 20, or 30 years. This points to the Markets' view that interest rates and economic conditions are tight and will decline in the future and is a good predictor of recessions (this predicted the Pandemic Recession). Also, the current inverted yield curve is another indicator of a recession in the near future. Mr. Pengelly commented on the FED's updated Dot Plot (a chart updated quarterly that records each FED official's projection for the Central Bank's key short-term interest rate, the Federal funds rate), by pulling all of the factors together. The FED is concerned about how all of these things play together, driving its decisions on interest rates. The County's investments are short-term and are directly tied to the level the FED sets on interest rates. PFM spends a lot of time watching what the FED is doing with interest rates, paying close attention to their projections for where rates are going. Unlike where rates were a year or two ago, the projection is that interest rates are going to go down. The good news is rates are not going to go down at a high pace, even when projected out to 2025. The interest rate level the FED is projecting of 3% to 4% which is significantly higher than before the Pandemic. This means higher interest earnings for the County's portfolios.

Mr. Pengelly presented a brief overview of the County's portfolios. He advised that this focuses on the longer-term part of the portfolio which has an average life of 1.7 years. The annual return was 3.21% versus the benchmark return of 2.47%, which outperformed over the FY. Mr. Pengelly provided a summary of the overall program including the long-term portfolio allocated across the different funds, as well as the short-term portfolio (cash part of the portfolio managed in-house). In aggregate dollars, the investment return was \$29,700,000.00 over the course of the FY. He noted two years ago that number was around \$1,000,000.00. There has been a significant increase and benefit from the higher interest rates as a short-term investor.

Mr. Pengelly presented a brief overview of the County's asset allocation and how the County's portfolios and assets are lined up against the investment policy. He stated everything is well within limits in terms of the sector allocation (what the County is allowed to invest in), as well as the maturity lens for each of the different types of investments. Mr. Pengelly commented on the Issuer Diversification chart, which shows the breakdown on individual limits, such as Broad Sector limits and limitations on how much can be invested in any particular name. With Government Securities, there are high limits, with Treasuries' the limit is up to 100%. The issuer limits for most others is 5% in any one name, most are at sub 1%, for a high level of diversification.

Commissioner Zalak stated from the consumer perspective, it does not seem the economic situation is getting better, considering Florida's inflated grocery prices, project costs, and a tight labor market. He questioned PFM's perspective in regard to the National economic outlook and Florida's economic perspective. Mr. Pengelly advised that the economists are excited about disinflation going from 9.1% to 3.1% inflation. He stated the experience is recent enough that the consumer remembers things being 20% less than today. The data indicates that things with high levels of inflation associated with them are

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things people interact with the most. For instance, manufacturing is down as consumers shifted their spending from pandemic-related goods to spending on things that require people. Mr. Pengelly noted the wage growth and labor costs are continuing to keep inflation up on a national level. He advised that there are a lot of people coming into Florida where inflation is more enhanced. Florida's unemployment rate is lower than the national unemployment level by 0.5% to 1%. Additionally, wage pressure is even more pronounced and experienced more here than some of the national statistics indicate. Commissioner Zalak questioned if PFM sees deflation coming on any level, such as things getting cheaper, or wages staying consistent. Mr. Pengelly stated the trend is moving toward something that feels more normal. With the inflation rate at 3%, the consumer will still notice higher prices, but if it gets back down to 2% or below, it will be in line with annual wage increases. The FED thinks this will happen over the next 2 to 3 years.

In response to Commissioner Zalak, Mr. Pengelly advised that the FED rates are projected to step down to a level of 2.5%, which may take 3 to 4 years to get to this point. He noted the Market thought this would happen in 1 to 2 years and most of this year, the Market was saying the FEDS are going to cause a recession. However, the Market perception has now moved in line with the FED.

Commissioner Zalak commented on the jobs report and questioned whether the first-quarter layoffs were more significant than projected. Mr. Pengelly stated the layoffs were higher than projected; however, the jobs report was very strong for the first months. There were 330,000 net new jobs reported for January 2024.

Clerk Harrell expressed his appreciation to Mr. Pengelly and the PFM team for always being accessible and communicative with the Clerk's Office. He also expressed appreciation to the Clerk's Finance leadership staff, Jennifer Cole, Tina Novinger and Mike Adams for the good work they do with PFM.

1.4. PROCLAMATION - E-ONE Fire Truck Day (Approval Only)

The Board approved the Proclamation designating March 6, 2024 as "E-ONE Fire Truck Day".

1.5. PROCLAMATION - Irish American Heritage Month (Approval Only)

The Board approved the Proclamation designating March 2024 as "Irish American Heritage Month".

2. AGENDA ITEM PUBLIC COMMENTS: Reserved for comments related to items specifically listed on this agenda. Scheduled requests will be heard first and limited to five (5) minutes. Unscheduled requests will be limited to two (2) minutes. Citizens may contact Marion County Administration by 5:00 p.m. the Friday before the meeting at 352-438-2300 to request to speak or submit the request online at: www.marionfl.org.

Chairman Stone opened the floor for public comment.

Joseph Walker, SE 54th Place, Ocklawaha, commented on Agenda Items 9.1. and 9.2. He expressed concern with the Code Enforcement process and lien forgiveness.

Commissioner Bryant commented on the process the Board takes when forgiving a portion of the interest on a Code Enforcement lien, noting the Board makes sure to recover any funds that were spent by the County as part of the lien.

Chairman Stone advised that public comment is now closed.

3. ADOPT THE FOLLOWING MINUTES: (6 sets)

- 3.1.** September 19, 2023
- 3.2.** September 20, 2023 A
- 3.3.** September 20, 2023 B
- 3.4.** September 21, 2023 A
- 3.5.** September 21, 2023 B
- 3.6.** September 21, 2023 C

A motion was made by Commissioner Bryant, seconded by Commissioner Curry, to adopt the meeting minutes of September 19, 20 (2 sets), and 21 (3 sets), 2024. The motion was unanimously approved by the Board (5-0).

4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES: NONE.

5. CLERK OF THE CIRCUIT COURT:

5.1. Budget Amendment

Clerk Harrell advised that Consent Agenda Item 7.8.7. coincides with Budget Amendment Resolution 5.1.9, Consent Agenda Item 7.7.2. coincides with Budget Amendment Resolution 5.1.11. and Consent Agenda Item 7.8.6. coincides with Budget Amendment Resolution 5.1.12.

Commissioner Bryant stated she would like to move forward Consent Agenda Item(s) 7.8.7, 7.7.2. and 7.8.6. to be considered at the same time the Board adopts the Budget Amendment Resolutions. It was the general consensus of the Board to concur.

Upon motion of Commissioner Bryant, seconded by Commissioner Curry, the Board adopted the following Budget Amendment Resolutions transferring funds and approving Consent Agenda Item(s) 7.8.7, 7.7.2 and 7.8.6 as presented by Clerk Harrell:

5.1.1. 24-R-65 - 911 Management Fund - 911 Management - \$31,604

5.1.2.a 24-R-66 - Budget Transfer From Fire, Rescue Services to Insurance Fund - \$25,110

5.1.2.b 24-R-67 – Budget Transfer within Insurance Fund - \$25,110

5.1.3.a 24-R-68 - Budget Transfer From Rainbow Lakes Estates MSD Fund to Rainbow Lakes Estates Rec Serv Facilities Fund - \$138,604

5.1.3.b 24-R-69 Budget Transfer From Rainbow Lakes Estates Rec Serv Facilities MSTU Fund to Rainbow Lakes Estates Rec Operating Supplies Fund - \$138,604

5.1.4. 24-R-70 - County Transportation Maintenance Fund - Transportation - \$465,000

5.1.5. 24-R-71 - Parks and Recreation Fees Fund - Parks and Recreation Fees - \$1,000

5.1.6. 24-R-72 - General Fund - Emergency Medical Services - \$27,000

5.1.7. 24-R-73 - General Fund - Jail Capital - \$160,500

5.1.8. 24-R-74 - General Fund - Sheriff Jail Transfer - \$79,323

5.1.9. 24-R-75 - Insurance Fund - Insurance - \$1,000,000

5.1.10. 24-R-76 - Marion County Airport Fund - Marion County Airport - \$13,000

5.1.11. 24-R-77 - Marion County Airport Fund - Marion County Airport - \$30,000

5.1.12. 24-R-78 - Marion County Utility Fund - Utilities Wastewater System - \$1,030,000

5.1.13. 24-R-79 - Marion Oaks MSTU - Marion Oaks Recreation - \$60,000

5.1.14. 24-R-80 - Solid Waste Disposal Fund - Multiple Cost Centers - \$21,788,143

5.1.15. 24-R-81 - Stormwater Fund - Stormwater Program - \$963,252

(Ed. Note: MSTU is the acronym for Municipal Service Taxing Unit and MSD is the acronym for Municipal Service District.)

5.2. Project Adjustment

5.2.1. Transfer Project Funds and Amend the Capital Improvement Program - Infrastructure Surtax Capital Project Fund - \$435,000

Executive Director Internal Services Michael McCain, Administration presented the following recommendation:

Description/Background: In order to complete an upcoming purchase agreement for the SW 49th Ave - North Phase project (STC073814), additional funding is needed. \$435,000 will be needed to cover the purchase of the physical property, as well as any necessary appraisals, asbestos remediations and demolitions. The money will be transferred from STC073812, as this project is currently in design and ROW purchasing has not yet begun.

Budget/Impact: Neutral.

Recommended Action: Motion to approve the transfer of project funds and amend the CIP.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to approve the transfer of project funds and amend the CIP. The motion was unanimously approved by the Board (5-0).

5.3. Clerk of the Court Items

5.3.1. Present the Acquisition or Disposition of Property Forms Authorizing Changes in Status, as Follows: 044009, 044526, 045295, 048652, 050052, 050762, and PA List attached

A motion was made by Commissioner McClain, seconded by Commissioner Curry, to approve the Acquisition or Disposition of Property Forms for 044009, 044526, 045295, 048652, 050052, 050762, and PA List attached. The motion was unanimously approved (5-0)

7. CONSENT:

Mr. Bouyounes advised that Agenda Item(s) 7.3.1. and 7.6.1. will be pulled for individual presentation, and Agenda Item 7.10.8. is being pulled by staff to be brought back before the Board at a later date. Commissioner Bryant questioned whether Item 7.1.1. will be pulled to come back at a later date, noting it looks like it would go to the TDC. Mr. Bouyounes advised that it is not being pulled and he is requesting the Board to consider this item in the proposed budget for the Fort King festival and to raise the allocation to \$10,000.00. The \$20,000.00 for the 4th of July festivities will be brought back later for consideration. Chairman Stone advised that Agenda Item 7.8.1. is being pulled for further discussion.

A motion to approve the Consent Agenda is a motion to approve all recommended actions. All matters on the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion unless desired by a Commissioner. Upon motion of Commissioner McClain, seconded by Commissioner Zalak, the Board acted on the Consent Agenda as follows:

7.1. Administration:

7.1.1. Present Request from City of Ocala for Additional Funding for the 2024 Festival at Fort King (Budget Impact - \$7,500 FY 2024-25)

The Board accepted the following recommendation as presented by ACA Angel Roussel, Administration:

Description/Background: The County Administrator received a letter from the City of Ocala inviting the County to increase the funding participation for the Annual Fort King Festival and also inviting the County to participate in funding to enhance the 4th July festivities at Tuscawilla Park. The first Fort King event was held in December of 2016. Its purpose was to educate people on the rich history of Marion County, FL and Fort King National Historic Landmark. Once the fort was completed in 2017 we expanded the experience to include additional reenactors, time period demonstrators, vendors and performers. Participation in this event has grown annually within the reenactment and historic community. Festival at Fort King is now the kick-off event to all reenactments throughout Florida.

In the past, the County has provided \$2,500 to aid with the festival. This request is to increase the amount to \$10,000 in order to enhance the event. The current City budget for this event is \$16,000. The additional funding will be utilized to acquire demonstrators with skills relevant to our time period (1827 - 1847). The City shared they are looking to bring on more Seminole tribal members such as canoe carvers, Bobby Henry the tribal medicine man, ceremonial dancers, artist, key tribal speakers and other natural resource-based professionals. As partners in this project the City intends to continue to list Marion County as a sponsor of the event and look forward to growing Festival at Fort King, sharing the rich history of Marion County/Ocala and Fort King National Historic Landmark. Staff Recommends to increase the allocation as requested subject to the County's participating as the events are being planned and to the City providing a financial report after the festivities to understand how the funding from the County was utilized to enhance other expenditures and revenues related to the event.

The additional request associated with the 4th of July festivities will be recommended to The Tourist Development Council (TDC) in its entirety subject to the same participation and financial report requested for the Fort King Festival. Once the TDC considers the item it will be brought back for further consideration by the Board.

Budget/Impact: Additional Expenditure of \$7,500 (FY 2024-25)

Recommended Action: Motion to direct staff to increase budget appropriation in Fiscal Year 2024-25 to \$10,000 for the Fort King Festival through the Parks & Recreation Department and request financial report once festival is held.

7.2. Attorney:

7.2.1. Request Approval of Resolution for Settlement in the Civil Action, Estate of Robert Sturm, and Susan Menand, Mr. Sturm's Daughter v. Marion County, Case Number 2023-CA-0413 (Budget Impact - Neutral)

The Board accepted the following recommendation to adopt Resolution 24-R-82 as presented by County Attorney Minter:

Description/Background: On Tuesday, February 20th, the Board of County Commissioners authorized acceptance of Plaintiff's Offer of Settlement for \$125,000.00. This settlement must be authorized by execution of Resolution.

Budget/Impact: Neutral.

Recommended Action: Motion to approve Resolution and authorize Chair to execute attached Resolution.

Resolution 24-R-82 is entitled:

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A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING SETTLEMENT FOR ALL CLAIMS IN THE CIVIL ACTION, ESTATE OF ROBERT STURM, AND SUSAN MENAND, MR. STURM'S DAUGHTER V. MARION COUNTY, CASE NO. 2023-CA-0413

7.3. Community Services:

7.3.1. Request Approval of Florida Department of Children and Families Contract Number PPZ61 - Amendment Number 0008 Between Marion County and the Department of Children and Families (Budget Impact - Neutral; \$89,646 increase to grant funds)

The Board considered the following recommendation as presented by Community Services Director Cheryl Martin:

Description/Background: On May 19, 2020, the Marion County Board of County Commissioners executed the PPZ61 Unified Contract with the Department of Children and Families (DCF) to assist the local community through planning, coordinating, and monitoring the delivery of services to persons who are homeless or about to be homeless within the Continuum of Care- FL514(CoC) activities.

DCF is the State of Florida's funding agency for all of Florida's CoC's and has provided allocations to the County via various amendments to the original contract.

The Board has approved seven amendments to date. DCF has issued an Eighth Amendment to the Unified Contract PPZ61 increasing the Challenge Grant funding by \$89,646.00. The CoC has provided consensus to fund existing Challenge Grant recipients. New contracts for this funding will be forthcoming to the BCC.

Budget/Impact: Neutral; \$89,646.00 increase to Challenge Grant funding.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute all necessary documents associated with Amendment 0008 between Marion County and DCF; approve and authorize the Chairman and Clerk to execute future amendments to this Contract so long as such amendment does not reduce/increase the amounts or modify the terms of funding to the County.

Mr. Bouyounes advised that this is a revision to the dollar amount allocated to Marion County by DCF, noting the correct allocation is \$189,198.05 instead of \$89,646.00. The Agenda Item has been revised to reflect that change.

A motion was made by Commissioner Bryant, seconded by Commissioner Zalak, to approve and authorize the Chairman and Clerk to execute all necessary documents associated with Amendment Number 0008 between Marion County and DCF; approve and authorize the Chairman and Clerk to execute future amendments to this Contract so long as such amendment does not reduce/increase the amounts or modify the terms of the funding to the County and to approve the revision in the amount of \$189,198.05 as presented by the County Administrator Mounir Bouyounes. The motion was unanimously approved by the Board (5-0).

(Ed. Note: The Deputy Clerk received a 2 page handout entitled "Revision Community Services Item 7.3.1.).

7.3.2. Request Approval of Marion County Standard Professional Services Agreement New Construction Project Between Marion County and Habitat for Humanity of Marion County, Inc. (Budget Impact - Neutral; not to exceed \$1,080,000)

The Board accepted the following recommendation as presented by Community Services Director Martin:

Description/Background: On November 14, 2023, Habitat for Humanity of Marion County, Inc. (Habitat) submitted a proposal to Community Services for State Housing Initiative Partnership (SHIP) funding for the construction of six (6) single family homes on six surplus properties designated for affordable housing per Resolution No. 22-R-252. This will provide families and individuals in Marion County with affordable housing options.

The County will provide a SHIP loan to Habitat for each home constructed, not to exceed \$180,000 each. The sales price for each home will not exceed \$200,000 and must be sold to income eligible homebuyers who will receive \$30,000 for down payment and closing cost assistance out of the build price of \$180,000. Habitat will retain \$20,000 upon sale, repaying \$150,000 to Community Services to satisfy its loan. Each home will be built as concrete block homes with minimum standard of three (3) bedrooms, two (2) bathrooms. Each homebuyer must be approved by the County for income eligibility.

Also, under Consent is a secondary agenda item from the County Engineer transferring the following properties to Habitat: Parcel Numbers 9033-1076-04, 9034-1062-16, 9034-1071-07, 8005-0852-22, 8009-1265-06, and 8009-1171-28. Staff recommends providing SHIP funding to Habitat for six (6) single family homes with a focus to serve 80% area median income (AMI) households, not to exceed 120% AMI. This project aligns with the Empower Marion for Success II plan "Develop incentive options for development of housing in identified strategic areas".

Budget/Impact: Neutral; not to exceed \$1,080,000.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute all necessary documentation associated with Marion County Standard Professional Services Agreement between Marion County and Habitat for Humanity of Marion County, Inc.

7.3.3. Request Approval of Memorandum of Understanding Between Marion County Board of County Commissioners and Habitat for Humanity Marion County Community Land Trust, Inc. (Budget Impact - None)

The Board accepted the following recommendation as presented by Community Services Director Martin:

Description/Background: The Community Land Trust (CLT) model allows for the long-term preservation of affordable housing. During the December 7, 2022, Board workshop with Community Services, Board consensus was provided to partner with Habitat for Humanity Marion County (Habitat) to establish a CLT for the Community Services Homeowner Purchase Assistance Program. The Local Housing Assistance Plan (LHAP) was approved by the Florida Housing Finance Corporation on July 26, 2023, to allow the use of the CLT in the Purchase Assistance and New Construction strategies.

This Memorandum of Understanding (MOU) is between Marion County and Habitat outside of Habitat's regular programs which will assist the County's down payment and new construction program under SHIP and HOME. The Habitat CLT will retain ownership of the underlying land while retaining 75% of the homeowner's shared equity to ensure affordability for future homebuyers if the homeowner decides to sell the home. The sell of a home under a CLT regulates the resale value to allow for an income eligible family to purchase the home.

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It is recognized that a CLT is a valuable resource for maintaining long-term, permanent, affordable homeownership opportunities. This MOU is a non-exclusive partnership with Habitat. Staff and legal have reviewed the MOU and recommend approval.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute all necessary documents associated with the MOU between Marion County and Habitat for Humanity Marion County Community Land Trust, Inc.

7.4. Development Review Committee:

7.4.1. Request Approval of a Final Plat/Replat for On Top of the World Weybourne Landing Phase 3, Project Number 2023080004, Application Number 30492 (Budget Impact - None)

The Board accepted the following recommendation as presented by Building Safety Director Michael Savage, on behalf of the Development Review Committee (DRC):

Description/Background: This is a request to approve the Final Plat/Replat for On Top of the World Weybourne Landing Phase 3. This is a replat of a portion of Circle Square Woods as recorded in Plat Book P, Pages 30 through 103.

This subdivision is located in the southwest portion of the County containing 120 lots, 9 tracts and 1.17 miles of road on approximately 35.87 acres.

This Final Plat was approved by the Development Review Committee on February 26, 2024.

Budget/Impact: None.

Recommended Action: Motion to approve the Final Plat/Replat for On Top of the World Weybourne Landing Phase 3 and authorize the Chairman and Clerk to execute the same.

7.5. Fire Rescue:

7.5.1. Request Approval of the Ambulance Transportation Services Agreement Between HCA Florida Ocala Hospital and Marion County to Provide a Critical Care Transport Nurse (Budget Impact - None)

The Board accepted the following recommendation as presented by Fire Chief James Banta, Marion County Fire Rescue (MCFR):

Description/Background: In a significant development for Marion County, the Sixth Amendment to the Collaboration Agreement between HCA Florida Ocala Hospital and Marion County, providing a critical care transport unit, reached its expiration on December 21, 2023. Following diligent negotiations, a transformative Ambulance Transportation Services Agreement, designed to cater to the critical care transportation needs of Marion County's citizens and visitors, has been successfully forged. This pivotal agreement has garnered concurrence from both Ocala Regional Medical Center and the Marion County Attorney, signaling a new era in emergency medical services for the community.

The Ambulance Transportation Services Agreement, poised to replace the former Collaboration Agreement, is slated to come into effect on February 8, 2024. This agreement marks a crucial milestone in the collaboration between Ocala Regional Medical Center and Marion County, underscoring their commitment to ensuring top-notch critical care transportation services for the region.

Furthermore, recognizing the need for specialized care, the Agreement also encompasses provisions for a critical care Nurse for transports requiring specialty care. This strategic inclusion fortifies the partnership between HCA Florida Ocala Hospital and Marion County, ensuring comprehensive and expert medical assistance in critical situations. Acknowledging the significance of this milestone, the Ambulance Transportation Services Agreement has received the formal endorsement of Mr. Thomas Eisel, CFO of HCA Florida Ocala Hospital, solidifying the commitment of both parties to the wellbeing of the community.

Budget/Impact: None.

Recommended Action: Motion to approve the Ambulance Transportation Services Agreement between HCA Florida Ocala Hospital and Marion County to provide a critical care transport nurse.

7.5.2. Request Approval of the Certificate of Public Convenience and Necessity Modified Restrictions for AdventHealth Wesley Chapel EMS (Budget Impact - None)

The Board accepted the following recommendation as presented by Fire Chief Banta, MCFR:

Description/Background: During the workshop held on November 8, 2021, the consensus of the Marion County Board of County Commissioners was to move forward with the Certificate of Public Convenience and Necessity (COPCN) process for AdventHealth Wesley Chapel EMS to be authorized to provide interfacility transports between AdventHealth facilities. The past agreement required AdventHealth Wesley Chapel EMS to transport 90% of all Basic Life Support (BLS) and Advanced Life Support (ALS) patients originating within the AdventHealth network. The modified agreement adjusts the responsibility to 100% of all BLS and ALS patients originating within the AdventHealth network.

Budget/Impact: None.

Recommended Action: Motion to approve the Certificate of Public Convenience and Necessity Modified Restrictions for AdventHealth Wesley Chapel EMS.

7.5.3. Request Approval of the Certificate of Public Convenience and Necessity Modified Restrictions for Marion Community Hospital, Inc. d/b/a HCA Florida Ocala Hospital (Budget Impact - None)

The Board accepted the following recommendation as presented by Fire Chief Banta, MCFR:

Description/Background: During the workshop held on November 8, 2021, the consensus of the Marion County Board of County Commissioners was to move forward with the Certificate of Public Convenience and Necessity (COPCN) process for Marion Community Hospital, Inc. d/b/a HCA Florida Ocala Hospital (HCA) to be authorized to provide inter-facility transports between HCA facilities. The past agreement required Marion Community Hospital, Inc. d/b/a HCA to transport 90% of all Basic Life Support (BLS) and Advanced Life Support (ALS) patients originating within the HCA network. The modified agreement adjusts the responsibility to 100% of all BLS and ALS patients originating within the HCA network.

Budget/Impact: None.

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Recommended Action: Motion to approve the Certificate of Public Convenience and Necessity Modified Restrictions for Marion Community Hospital, Inc. d/b/a HCA Florida Ocala Hospital.

7.5.4. Request Approval of the Federally Funded Subaward and Grant Agreement Between the Division of Emergency Management and Marion County Fire Rescue for Contract Number R0893, 2023 State Homeland Security Grant Program (Budget Impact – Grant Revenue of up to \$116,466)

The Board accepted the following recommendation as presented by Fire Chief Banta, MCFR:

Description/Background: Marion County Fire Rescue (MCFR) has been participating in the State Homeland Security Grant Program (SHSGP) since 2008. This program provides funding to meet training and equipment needs for the Urban Search and Rescue Task Force (FL TF-8), without any matching funds required. Due to this grant, MCFR has been able to purchase specialized equipment and training for the Special Operations teams which otherwise may not have been possible. Once executed, the agreement provides reimbursable funds available for training, education, and equipment.

Budget/Impact: Grant revenue up to \$116,466.

Recommended Action: Motion to approve the federally funded subaward and grant agreement between the Division of Emergency Management and Marion County Fire Rescue for contract number R0893, 2023 State Homeland Security Grant Program.

7.5.5. Request Approval of Purchase Order Agreement Between Lutheran Services Florida, Inc., d/b/a LSF Health Systems and Marion County Board of County Commissioners d/b/a Marion County Fire Rescue for Coordinated Opioid Recovery Network of Addiction Care (Budget Impact - Grant Revenue of up to \$181,052)

The Board accepted the following recommendation as presented by Fire Chief Banta, MCFR:

Description/Background: In North Florida, LSF Health Systems (LSFHS), a not-for-profit Managing Entity, collaborates with the Florida Department of Children and Families to offer evidence-based behavioral health care services. Serving a 23-county region, including Marion County, LSFHS is dedicated to providing accessible mental health and substance use disorder services for those facing poverty and inadequate insurance.

Meanwhile, in Marion County, the Community Paramedicine initiative, led by Marion County Fire Rescue (MCFR), aims to improve health outcomes and reduce health spending. Partnering with LSF, MCFR focuses on promptly treating overdose patients using specialized Emergency Medical Services (EMS) protocols. This strategic approach, in collaboration with existing project allies, seeks to minimize symptoms and ensure smooth care coordination to local Emergency Departments and care facilities. Funding for this initiative will be allocated to cover salaries, equipment, medications, and operating expenses, further emphasizing the commitment to the well-being of the community.

Budget/Impact: Grant revenue of up to \$181,052.

Recommended Action: Motion to approve the Purchase Order Agreement between Lutheran Services Florida, Inc., d/b/a LSF Health Systems and Marion

County Board of County Commissioners d/b/a/ Marion County Fire Rescue for Coordinated Opioid Recovery (CORE) Network of addiction care.

7.5.6. Request Approval of the Interlocal Agreement between Marion County, Florida and the District Board of Trustees of the College of Central Florida (Budget Impact - Neutral) The Board accepted the following recommendation as presented by Fire Chief Banta, MCFR:

Description/Background: Historically, Marion County Fire Rescue (MCFR) had partnered with Marion Technical College (MTC) to accomplish the roles of instructors for continued education and training of MCFR personnel. The contract with MTC was not renewed after it expired in June 2023.

Since then, MCFR has been working on a partnership with the College of Central Florida (CF) to successfully achieve the needs of MCFR's Training division. This interlocal agreement between Marion County and CF will allow for a new working relationship between the two entities to provide fire, EMS, physical fitness, mentoring, and training to both incumbent and new employees. With a selection of instructors with specific subject matter expertise, MCFR will be able to provide the highest level of training to its personnel. This, in turn, will translate to providing the highest level of care to our citizens and visitors in Marion County.

The new contract will also benefit both entities by providing needed instructors for CF's reinstated AS in Fire Science degree program. This program will allow for our personnel to either attend classes at CF and/or attend classes with MCFR internally and then pay a fee to the college to count those internal classes towards their degree program.

This new contract will benefit MCFR and CF for years to come with a positive working relationship that helps both CF students and MCFR employees.

Budget/Impact: Neutral.

Recommended Action: Motion to approve the Interlocal Agreement between Marion County, Florida and the District Board of Trustees of the College of Central Florida.

7.6. Human Resources:

7.6.1. Request Approval of the Deletion of Two Paramedic Positions, Pay Grade 305 and the Creation of One Fire Rescue Advanced Practitioner Position, Pay Grade 120, to Serve in the Community Paramedic Services Program; within the Marion County Fire Rescue Budget of Emergency Medical Services AA305526 (Budget Impact - Savings of \$19,054) The Board considered the following recommendation as presented by Director Human Resources Sara Caron:

Description/Background: The Advanced Practitioner will work collaboratively with our Mobile Integrated Healthcare (MIH) team and under the guidance of the Physician Medical Director to address the diverse medical, social, and psychological needs of our patients. This role is instrumental in bridging the gap between field-based emergency medical services and traditional healthcare providers. This position provides timely evaluation and treatment of eligible individuals experiencing substance abuse through a comprehensive program that includes outreach, early intervention and treatment, education and alignment of appropriate long-term resources.

The Fire Rescue Advanced Practitioner (PA/NP) provides timely contact with individuals experiencing substance use disorder (SUD) or who have had a recent opioid-related overdose. The PA/NP coordinates and provides appropriate therapeutic services and community resources necessary to care for individuals seeking treatment for opiate use disorder. Provides advocacy and education to promote health enhancing behaviors and health improvement for the medically needy and indigent, collaborates with community leaders, individuals of need and their families/natural supports, healthcare providers, health care leadership to improve local healthcare cultural competencies, patient health planning and patient-level health outcomes.

In an effort to support the Community Paramedic Services Program within Marion County Fire Rescue, the Fire Chief is recommending the PA/NP position with an expected salary of \$130,000 annually.

Budget/Impact: Savings of \$19,054.

Recommended Action: Motion to approve the deletion of two (2) paramedic positions and the creation one (1) Fire Rescue Advanced Practitioner position to serve in our Community Paramedic Services within Marion County Fire Rescue.

Mr. Bouyounes advised that the revision to Item 7.6.1. is to change the job title from Fire-Rescue Advanced Practitioner to EMS Advanced Practitioner and to change the pay grade listed in Section 1. of the Resolution from 123 to 120. The Agenda Item has been revised to reflect these changes.

A motion was made by Commissioner Bryant, seconded by Commissioner Zalak, to approve the deletion of two (2) paramedic positions and the creation of one (1) Fire Rescue Advanced Practitioner position to serve in our Community Paramedic Services within Marion County Fire Rescue and to approve the revision to change the job title from Fire-Rescue Advanced Practitioner to EMS Advanced Practitioner and to change the pay grade listed in Section 1. of the Resolution from 123 to 120 as presented by the County Administrator Mounir Bouyounes. The motion was unanimously approved by the Board (5-0).

Resolution 24-R-85 is entitled:

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, PROVIDING FOR THE DELETION OF TWO (2) PARAMEDIC POSITIONS, PAY GRADE 305 AND THE CREATION OF ONE (1) FIRE RESCUE ADVANCED PRACTITIONER POSITION, PAY GRADE 120, WITHIN THE BUDGET OF EMERGENCY MEDICAL SERVICES AA305526, ALONG WITH THE CORRESPONDING JOB DESCRIPTION AND PAY GRADE AND INCORPORATING THE FOREGOING ACTIONS INTO THE MARION COUNTY CLASSIFICATION PLAN.

(Ed. Note: The Deputy Clerk received a 10 page handout entitled, "Revision Human Resources Item 7.6.1.").

7.7. Parks and Recreation:

7.7.1. Request Approval of Public Transportation Grant Agreement with the Florida Department of Transportation and Resolution Approving Grant Funds for the Rehabilitation of an Existing Metal Corporate Box Hangar at the Marion County Airport (Budget Impact - Grant Revenue of up to \$160,000)

The Board accepted the following recommendation to approve the Grant Agreement and adopt Resolution 24-R-83 as presented by Parks & Recreation Director Jim Couillard:

Description/Background: The Florida Department of Transportation (FDOT) has offered the Marion County Airport a Public Transportation Grant Agreement in the amount of \$160,000 to cover eighty percent (80%) of the rehabilitation costs for an existing metal corporate box hangar at the Airport.

This hangar is home to the Aergility Corporation, who have been excellent, long standing tenants that are responsible for employing several engineers and various research and development staff members. The roof and door of the hangar are well past their useful life and this rehabilitation project will ensure both the physical integrity of the building and that it continues to meet the needs of the tenants. FDOT has agreed to offer this out-of-cycle grant due to the impact this hangar has on the Airport and its tenants.

As with previous FDOT grant agreements, a Resolution authorizing the Chairman and Clerk to execute said agreement is required as part of the grant approval process. This Resolution is included in the grant agreement as Exhibit D.

Budget/Impact: Grant revenue up to \$160,000.

Recommended Action: Motion to approve the Public Transportation Grant Agreement with the Florida Department of Transportation and Resolution approving grant funds for the rehabilitation of an existing metal corporate box hangar at the Marion County Airport and authorize Chair and Clerk to execute the same.

7.7.2. Request Approval to Purchase Golf Cart Using CARES Act Grant Funds for Use at the Marion County Airport (Budget Impact - Neutral; expenditure of \$17,108)

The Board accepted the following recommendation as presented by Parks & Recreation Director Couillard:

Description/Background: The Federal Aviation Administration (FAA) established several out-of-cycle CARES Act grant programs to support the needs of small airports across the country. The Marion County Airport has received three of these grants with the specific purpose of improving airfield operations and to recover short-falls associated with the pandemic.

The Marion County Airport has identified the need for an on-site, multipurpose vehicle to meet both the operational needs and the customer service standards established at the Airport. The Airport encompasses an 800-acre campus which geographically separates many of the resources and facilities within the campus. After researching several options, Airport staff have determined that a well-equipped golf cart would be the most ideal solution. The purchase of a golf cart fulfills the intent of the FAA's funding and allows the Airport to purchase non-budgeted capital equipment that would significantly enhance airfield operations. The Parks & Recreation Department is requesting the Board's consideration to purchase the mentioned golf cart for a total of \$17,018.20. The Department has worked with the Fleet Management Department to obtain the attached quote and supporting documentation pertaining to this piece of equipment.

Budget/Impact: Neutral; expenditure of \$17,018.20.

Recommended Action: Approval by the Board of County Commissioners to purchase golf cart using CARES Act grant funds for use at the Marion County Airport.

(Ed. Note: This Item was approved with Item 5.1.11., Budget Amendment Resolution 24-R-77.)

7.8. Procurement Services:

7.8.1. Request Approval of Bid Award: 24B-059 Mowing and Grounds Maintenance for Fire Stations - Southern Lawn Care Mid Florida, Inc., Anthony, FL (Budget Impact - Neutral; estimated annual expenditure of \$95,000; and an estimated \$45,000 for the remainder of the current fiscal year, as approved in FY 2023-24 budget)

The Board considered the following recommendation as presented by Procurement Services Director Susan Olsen:

Description/Background: On behalf of Marion County Fire Rescue (MCFR), a Bid was advertised for a vendor to provide Mowing and Grounds Maintenance for Marion County Fire Stations. There were 12 respondents, see tabulation below:

VENDOR	City, State	BASE BID
Southern Lawn Care, Inc.	Anthony, FL	\$1,857.00
ABM Industry Groups, LLC	Tampa, FL	\$2, 052.61
Turfscape Enterprises	Apopka, FL	\$2,070.00
Pure Cuts Lawn & Maintenance, LLC	Ocala, FL	\$2, 130.00
Sulter Precision Cuts, LLC	Ocala, FL	\$2,139.00
Solo Cats Services	Ocala, FL	\$2,369.00
Southern Family Site Solutions, LLC	Citra, FL	\$3,233.00
Three Ponds Rental, LLC	Ocala, FL	\$3,261.60
Ewings & Sons Original Lawn Care	Ocala, FL	\$3,261.60
SilverStar Landscape, LLC	Ocala, FL	\$3,465.00
United Land Services	Jacksonville, FL	\$3,563.00
T&N and Lawn Masters, LLC	Crawfordville, FL	\$9,735.00

MCFR recommends the award goes to Southern Lawn Care Mid Florida, Inc. Attached for review is the contract draft. Pending approval at today's meeting, the contract will be sent to the vendor for signatures and upon return and approval by Legal, it will be forwarded for the County Attorney's, Clerk's, and Chairman's signatures.

Budget/Impact: Neutral; estimated annual expenditure of \$95,000. There is an estimated expenditure of \$45,000 for the remainder of FY 2023-24. The full annual expenditures shall not exceed approved fiscal year the remainder of FY 2023-24. The full annual expenditures shall not exceed approved fiscal year budgeted amounts without being brought back to the Board for approval. Funds are available in EF300522-534101 (\$45,000) (Fire, Rescue and EMS Fund).

Recommended Action: Motion to approve recommendation, allow Staff to issue contracts, and upon approval by Legal, authorize the Chairman to execute contracts to listed Suppliers under BID 24B-059.

Chief Banta, MCFR, presented a brief update relating to Item 7.8.1, noting historically, for more than 45 years MCFR has relied on the firefighters to maintain the lawns at the fire stations. Contracting these services will allow firefighters to move away from this. He stated some of the reasons for the request are the time restraints and a readiness to respond, as well as the professionalism of the service being done. Firefighters spend a lot of time on calls and when not on a call their time is spent training, preparing and checking off equipment, cleaning fire stations, cleaning fire trucks, preparing pre-plans,

hydrant checks and a host of other things, besides running calls. There is also the need for appropriate downtime, to ensure the firefighter gets to rest and recover. Regarding readiness to respond, when a firefighter is mowing a lawn and gets a call out, it can cause a slight delay in response time. Chief Banta commented on professionalism, noting the community invests a lot of money in the fire stations and has spent a lot of money in the past few years pressure washing, painting, etc., to bring them up to a good quality level of standard. This would be further enhanced by having the lawn and grounds maintained by people who do this for a living.

Commissioner Zalak commented on the cultural shift in firefighters and people in general. He opined that how the crews care for and maintain the equipment, firetrucks, fire stations, etc. is culturally important, noting taking away these types responsibilities will mean taking away the sense of ownership.

In response to Commissioner Zalak, Chief Banta advised that the fire service has evolved over time, MCFR hires professionals that are trained and educated to do specific jobs, and the job has changed significantly over time. Removing this one task from MCFR's staff responsibility provides them with opportunities for additional downtime for rest and relaxation. He stated historically the fire stations do not look well maintained, and noted the community and taxpayers expect them to look good. The cost to maintain the lawn equipment is about \$30,000.00 per year, which does not include the hours it takes the Logistics staff to maintain and purchase equipment.

Commissioner Bryant stated she is in support of this Agenda Item, noting MCFR is a very different department than it was 5 or 10 years ago and she thinks this is in the best interest of the County's facilities.

A motion was made by Commissioner Bryant, seconded by Commissioner Zalak, to approve staff to issue contracts, and upon approval by Legal, authorize the Chairman to execute contracts to listed Suppliers under BID 24B-059. The motion was unanimously approved by the Board (5-0).

7.8.2. Request Approval of Bid Award: 24B-074, Jail Kitchen Door Replacement - J.C. Stanford & Son, Inc., Palatka, FL (Budget Impact - Neutral; expenditure of \$198,325 as approved in FY 2023-24 Infrastructure Surtax Budget)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of Facilities Management, Procurement advertised a bid for the Marion County Jail Kitchen Door Replacement project. The contractor will deliver a complete replacement of the existing, deteriorated doors as the existing doors have become corroded due to the use of cleaning agents. They will be replaced with corrosion resistant stainless-steel doors and jambs. The contractor will also install temporary barriers outside of the exterior doorways to maintain the integrity of the security of the facility during construction. One contractor responded and Facilities Management Director, Jared Goodspeed, recommends awarding the contract to J.C. Stanford & Son, Inc.

Attached for review is a draft of the contract; pending approval at today's meeting, it will be sent to the contractor for execution as written and upon return, will be forwarded for the County Attorney's, Clerk's, and Chairman's signatures.

Budget/Impact: Neutral; project cost is \$198,325. Up to ten percent (10%) contingency may be added to the purchase order in accordance with the Procurement Manual. Funds are available in the following lines:

VJ735523-562102 - SOC000032 - \$198,325 (Project Cost / Infrastructure Surtax Budget)

VJ735523-562102 - SOC000032 - \$19,832 (Contingency / Infrastructure Surtax Budget)

Recommended Action: Motion to approve and allow staff to issue contract, and upon approval by Legal, authorize the Chairman to execute the contract with J.C. Stanford & Son, Inc. under bid 24B-074.

7.8.3. Request Approval of Bid Award: 24B-077 Equipment, Parts and Supplies for Marion County Fire Rescue - Ten-8 Fire and Safety, LLC, Bradenton, FL, Municipal Equipment Company, LLC, Orlando, FL (Budget Impact - Neutral; estimated annual expenditure of \$50,000 as approved in the FY 2023-24 budget)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of Marion County Fire Rescue (MCFR), a Bid was advertised for Suppliers to provide brand specific fire equipment and supplies that they use. The Suppliers shall be awarded line items based on their ability to provide the highest percentage (%) off the manufactures list price. There were two (2) respondents.

Supplier	City
Ten-8 Fire & Safety, LLC	Bradenton, FL
Municipal Equipment Company, LLC	Orlando, FL

MCFR recommends to award to the two (2) Suppliers. Attached for review are the two (2) contract drafts, which have the same terms, and includes the list of specific line items awarded to each Supplier. Pending approval at today's meeting, the contracts will be sent to Suppliers for signatures and upon return and approval by Legal, they will be forwarded for the Clerk's and Chairman's signatures.

Budget/Impact: Neutral; estimated annual expenditure of \$50,000 is based on the actual need for equipment and supplies. Annual expenditures shall not exceed approved fiscal year budgeted amounts without being brought back to the Board for approval. Funds are available in EF300522-552107 (\$15,000) EF300522-552108 (\$10,000), AA305526-552107 (\$15,000) and AA305526-552108 (\$10,000) (Fire, Rescue and EMS Fund).

Recommended Action: Motion to approve recommendation, allow Staff to issue contracts, and upon approval by Legal, authorize the Chairman to execute contracts to listed Suppliers under BID 24B-077.

7.8.4. Request Approval of Change Order 1 to Purchase Order 2400620: 23B-194 Signal Loop Detection Repairs - Taylormade Loops, LLC, Ocala, FL (Budget Impact - Neutral; expenditure of \$1,600 as approved in the FY 2023-24 budget)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On October 3, 2023, the Board approved a contract with Taylormade Loops LLC to provide miscellaneous signal loop detection repairs throughout the county. Additional loops were found to be damaged and in need of replacement after the awarding of the contract took place. Functioning loop detectors are needed to ensure that signals operate properly. The resulting

Change Order, being presented today, requests to add \$1,600 to the Purchase Order which will add two additional assemblies.

A copy of the Change Order is attached for review. Pending approval at today's meeting, the Change Order will be presented to the Chairman for signatures. Budget/Impact: Neutral; additional expenditure not to exceed \$1,600, bringing the Purchase Order total to \$61,800. Funding comes from BM761541-563221 - 80% Gas Tax Construction Fund.

Recommended Action: Motion to approve the change order, allow staff to process, and authorize the Chairman and Clerk to execute Change Order 1 to PO 2400620.

7.8.5. Request Approval of Third Contract Amendment: 20B-141-CA-03 Drainage Retention Area Mowing Area V - Five Zones - Richard C. Marcinkoski d/b/a Rick's Lawn Service, Ocala, FL (Budget Impact - Neutral; estimated expenditure of \$67,917 as approved in the FY 2023-24 budget)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On May 5, 2020, the Board approved a contract with Rick's Lawn Service for routine mowing of drainage retention area (DRAs), drainage rights-of-way, adjacent road right-of-way, and conveyance swales within drainage easements. This work includes trimming around structures such as pipe ends, discharge structures, signs, trees, and along fence lines, and may, from time to time, include the use of specialized equipment and hand work. The contractor has complied with the agreement's terms and conditions, which include renewal options; pending mutual agreement. Steven Cohoon, P.E., County Engineer recommends the third-year term renewal option.

Attached for review is a draft contract. Pending approval at today's meeting, it will be sent to Rick's Lawn Service for signatures and upon return, will be forwarded for the County Attorney, Clerk, and Chairman's signatures.

Budget/Impact: Neutral; estimated expenditure of \$67,917. Actual cost may vary and will not exceed the approved annual budgeted amount. Funding comes from EK430538-534101 - Stormwater Program.

Recommended Action: Motion to approve the contract renewal, allow staff to issue a contract and upon approval by Legal, authorize the Chairman and Clerk to execute the contract renewal under 20B-141-CA-03.

7.8.6. Request Ratification for the Lease of a Centrisys Centrifuge Mobile Unit - Centrisys Corporation, Kenosha, WI (Budget Impact - Neutral; Emergency Expenditure of \$178,000 as approved in FY 2023-24 budget)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: Marion County Utilities (MCU) is requesting ratification for leasing a Centrisys Centrifuge Mobile Unit while MCU's current unit is undergoing emergency repair. The lease includes the trailer, feed pump, conveyor, power cable, polymer system, set up assistance/process start up and tear down/return shipping prep. The Centrisys Centrifuge Mobile Unit is used for biosolid processing at all the Marion County regional wastewater treatment facilities. The leased unit is the same model/brand as the units currently used by

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MCU which eliminates the need for operational and maintenance training for the staff.

Budget/Impact: Neutral; emergency expenditure of \$178,000 as approved in FY 2023-24 budget.

Recommended Action: Motion to ratify the emergency lease expenditure as related to the repair of MCU's Centrisys Centrifuge Mobile Unit.

(Ed. Note: This Item was approved with Item 5.1.12., Budget Amendment Resolution 24-R-78.)

7.8.7. Request Approval of Purchases \$50,000 and Over

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: The item(s) below have been received by Procurement Services and are approved for conformance with the Procurement Code/Manual, pending approval at today's meeting.

Pending Requisition/Emergency Tactical Rescue (ETR), LLC - Marion County Fire Rescue requests approval to purchase one (1) new 2024 International CV515 SFA, 4x4, AEV Custom Type 1 Ambulance unit, to include all specifications detailed on the attached quote dated 9/16/23 (\$343,692.00/each). This unit is a replacement, per the attached Risk Claim # VA2023016974, for R621 which was totaled in a traffic collision. Total expenditure of \$343,692. Funds are available in line STC0733VE VJ733526-564101 (\$102,062.76) (Infrastructure Surtax Cap Project Fund), STC0732VE VJ732522-564101 (\$130,455.24) (Infrastructure Surtax Cap Project Fund) and ZK160519-545701 (\$111,174.00) (Insurance Fund). This purchase meets competitive bidding requirements under Florida Sheriff's Association Contract number FSA23-VEF17.0.

Recommended Action: Motion to approve requested purchases.

(Ed. Note: This Item was approved with Item 5.1.9., Budget Amendment Resolution 24-R-75.)

7.9. Tourist Development:

7.9.1. Request Approval of Tourist Development Council Funding Request for Grandview Invitational, Inc. (Budget Impact - Neutral; expenditure of up to \$16,800 approved in the FY 2023-24 budget)

The Board accepted the following recommendation as presented by Tourist Development Director Loretta Shaffer:

Description/Background: The Tourist Development Council (TDC) seeks funding approval for organizations that have festivals, events, or programs which support the TDC's mission of growing the economy and accelerating prosperity in Marion County through effective destination sales and marketing. This funding contract is for the Grandview Invitational hosted by Grandview Invitational, Inc. to be held February 1-3, 2024 at the Florida Horse Park. This event was recommended for funding by the TDC at their regularly scheduled meeting on January 25, 2024.

Grandview Invitational \$16,800

Budget/Impact: Neutral; expenditure of up to \$16,800 as approved in the FY 2023-24 budget. Funding from CP155552-548101.

Recommended Action: Motion to approve the Tourist Development Council funding request and authorize the Chairman and Clerk to execute the attached funding agreement.

7.10. Transportation - County Engineer:

7.10.1. Request Approval of the Release of a Subdivision Improvement Agreement with Surety Bond Associated with Ocala Preserve Phase 18 by Forestar (USA) Real Estate Group, Inc. (Budget Impact - None)

The Board accepted the following recommendation as presented by County Engineer Steven Cohoon, Office of the County Engineer, (OCE):

Description/Background: This is a request to approve the Release of a Subdivision Improvement Agreement with Surety Bond associated with Ocala Preserve Phase 18 by Forestar (USA) Real Estate Group, Inc. The improvements were inspected on January 9, 2024 and a Certification of Satisfactory Completion letter was sent to the Developer. The release will be recorded in the Public Record for proper satisfaction of the surety bond.

Budget/Impact: None.

Recommended Action: Motion to approve the attached Release and to authorize the Chair and Clerk to execute the same.

7.10.2. Request Approval of the Release of the First Amendment to Marion County Subdivision Improvement Agreement with Juliette Falls Subdivision by Vikings, LLC (Budget Impact - None)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve the Release of a Subdivision Improvement Agreement associated with Juliette Falls subdivision. The improvements were inspected on January 8, 2024 and a Certification of Satisfactory Completion letter was sent to the Developer. The release will be recorded in the Public Record for proper satisfaction of the Agreement.

Budget/Impact: None.

Recommended Action: Motion to approve the attached Release and to authorize the Chair and Clerk to execute the same.

7.10.3. Request Approval to Declare Parcel Number 32330-000-00 as Surplus and Approve Sale and Purchase Agreement and Statute 125 Deed Between Marion County and Bedford Greene (Budget Impact - Revenue of \$3,350)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to declare Parcel Number 32330-000-00 as surplus, authorize staff to proceed with the sale to Bedford Green in the amount of \$3,350 plus closing costs, and execute the Statute 125 Deed. This is a vacant parcel that is approximately 0.34 acres located in Section 14 Township 15 Range 24 that was acquired as a Tax Deed. Staff recommends approval of this bid.

Budget/Impact: Revenue; Sale of Surplus Land AA00364 - 364022 - \$3,350.

Recommended Action: Motion to approve the request to declare Parcel Number 32330-000-00 as Surplus, authorize staff to proceed with the sale, and authorize

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the Chair and Clerk to execute Sale and Purchase Agreement and Statute 125 Deed.

7.10.4. Request Approval to Declare Parcel Number 5115-031-012 as Surplus and Approve Sale and Purchase Agreement and Statute 125 Deed Between Marion County and Michael Moore and Jody Lester (Budget Impact - Revenue of \$5,100)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to declare Parcel Number 5115-031-012 as surplus, authorize staff to proceed with the sale to Michael Moore and Jody Lester in the amount of \$5,100 plus closing costs, and execute the Statute 125 Deed. This is a vacant parcel that is approximately 0.38 acres located in Sandy Acres, Plat Book UNR, Page 024 that was acquired as a Tax Deed. Staff recommends approval of this bid.

Budget/Impact: Sale of Surplus Land AA00364 - 364022 - revenue of \$5,100.

Recommended Action: Motion to approve the request to declare Parcel Number 5115-031-012 as Surplus, authorize staff to proceed with the sale, and authorize the Chair and Clerk to execute Sale and Purchase Agreement and Statute 125 Deed.

7.10.5. Request Approval for Water Conservation Rebate Cost-Share Agreement Number 39414, Fiscal Year 2023-24 - Marion County with St. Johns River Water Management District (Budget Impact - Neutral; grant revenue up to \$3,000)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: Request Approval for Resolution Supporting Rebate Funding Agreement with the St. Johns River Water Management District (SJRWMD). As a county within the SJRWMD area, the Board is eligible to apply for SJRWMD's Water Conservation Rebate Program. The agreement will reimburse up to \$3,000.00 of the County's dollars spent on rebates for installation of smart irrigation controllers as a match of 50% or up to \$100.00 per controller. County funding allocated for FY 2023-24 is \$21,000.00 county-wide for irrigation and landscape retrofit rebates. Funds are available immediately upon approval and signing of the agreement and are valid until September 30, 2024.

Budget/Impact: Neutral; grant revenue up to \$3,000.00. Total project budget is \$21,000.00 from fund AA433537 (Water Resources).

Recommended Action: Motion to approve the Rebate Funding Agreement and authorize Chair and Clerk to execute the same.

7.10.6. Request Approval to Declare Parcel Numbers 8005-0852-22, 8009-1171-28, 8009-1265-06, 9033-1076-04, 9034-1062-16 and 9034-1071-07 as Surplus and Authorize Staff to Proceed with Donation to Habitat for Humanity of Marion County, Inc. (Budget Impact - None)

The Board accepted the following recommendation to adopt Resolution 24-R-84 as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to declare Parcel Number 8005-0852-22, Parcel Number 8009-1171-28, Parcel Number 8009-1265-06, Parcel Number 9033-1076-04, Parcel Number 9034-1062-16 and Parcel Number 9034-1071-07

as surplus, approve a Resolution, and a Statute 125 Deed from Marion County to Habitat for Humanity of Marion County, Inc., a Florida Not for Profit Corporation. This request is associated with an Application for Conveyance or Lease of County Owned Property submitted by Habitat for Humanity of Marion County, Inc. The application is pursuant to provisions in Chapter 125.38 FS which provides that the Board may convey specific property to the United States, any department or agency thereof, or to a not for profit corporation organized for the purposes of promoting community interest and welfare.

Additionally, Parcel Number 8005-0852-22, Parcel Number 8009-1171-28, Parcel Number 8009-1265-06, Parcel Number 9033-1076-04, Parcel Number 9034-1062-16 and Parcel Number 9034-1071-07 have been identified as appropriate use for affordable housing and established on the inventory list adopted by the Board of County Commissioners on June 21, 2022. If approved, these parcels will be deeded from Marion County to Habitat for Humanity of Marion County, Inc. to construct affordable housing.

Budget/Impact: None.

Recommended Action: Motion to approve the request to declare Parcel Number 8005-0852-22, Parcel Number 8009-1171-28, Parcel Number 8009-1265-06, Parcel Number 9033-1076-04, Parcel Number 9034-1062-16 and Parcel Number 9034-1071-07 as surplus, authorize staff to proceed with the donation, Resolution, and authorize the Chair and Clerk to execute the Statute 125 Deed.

Resolution 24-R-84 is entitled:

A RESOLUTION AUTHORIZING THE CONVEYANCE OF
CERTAIN REAL PROPERTY TO
HABITAT FOR HUMANITY OF MARION COUNTY, INC.,
A FLORIDA NOT FOR PROFIT CORPORATION AND
SETTING THE PRICE THEREOF.

7.10.7. Request Approval of a Termination and Release of Temporary Construction Easements Associated with NW 44th Avenue Road Project (Budget Impact - None)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve a Termination and Release of Temporary Construction Easements previously recorded with a Corporate Warranty Deed that included Temporary Construction Easements, recorded in OR BK 04917 Page 1962-1966, and dated October 26, 2007. This phase of construction is completed and the new owner requested the Temporary Construction Easements be released.

Budget/Impact: None.

Recommended Action: Motion to approve the Termination and Release of Temporary Construction Easements and authorize the Clerk and Chair to execute the same.

7.10.8. Request Approval of a Purchase Agreement Associated with the SW 49th Avenue North Road Improvement Project for Parcel 3579-002-224 (Budget Impact - Neutral; expenditure of \$887,171 as approved in the in FY 2023-24 budget)

Description/Background: This is a request to approve a Purchase Agreement in the amount of \$887,171 plus closing cost for parcel 3579-002-224 associated with

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the SW 49th Avenue North (Marion Oaks Trail to SW 95th Street) Road Improvement Project. This is an improved lot of approximately .62 acres. The 3,911 square foot single family residence, constructed in 2006, consists of five (5) bedrooms, three (3) bathrooms, and a 616 square foot two (2) car garage.

The negotiated agreement is inclusive of any and all cost associated with this transaction. There are cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$887,171 plus closing cost (Fund 3031-Cost Center 738 - STC073814 - VJ738541 - 561301).

Recommended Action: Motion to approve the Purchase Agreement and authorize the Chair and Clerk to execute the same.

(Ed. Note: This Item was pulled by staff to be brought back for Board consideration at a later date.)

7.10.9. Request Approval of a Purchase Agreement Associated with the SW 49th Avenue North Road Improvement Project for Parcel 3578-001-002 (Budget Impact - Neutral; expenditure of \$445,300 as approved in the in FY 2023-24 budget)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve a Purchase Agreement in the amount of \$445,300 plus closing cost for parcel 3578-001-002 associated with the SW 49th Avenue North (Marion Oaks Trail to SW 95th Street) Road Improvement Project. This is an improved lot of approximately .51 acres. The 1,963 square foot single family residence, constructed in 2000, consists of four (4) bedrooms, two (2) bathrooms, and a 453 square foot two (2) car garage.

The negotiated agreement is inclusive of any and all cost associated with this transaction. There are cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$445,300 plus closing cost (Fund 3031-Cost Center 738 - STC073814 - VJ738541 - 561301)

Recommended Action: Motion to approve the Purchase Agreement and authorize the Chair and Clerk to execute the same.

7.10.10. Request Approval of a Purchase Agreement Associated with the SW 49th Avenue North Road Improvement Project for Parcel 3578-027-031 (Budget Impact - Neutral; expenditure of \$467,291 as approved in the in FY 2023-24 budget)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve a Purchase Agreement in the amount of \$467,290.40 plus closing cost for parcel 3578-027-031 associated with the SW 49th Avenue North (Marion Oaks Trail to SW 95th Street) Road Improvement Project. This is an improved lot of approximately .46 acres. The 2,060 square foot single family residence, constructed in 2010, consists of four (4) bedrooms, two (2) bathrooms, and a 440 square foot two (2) car garage.

The negotiated agreement is inclusive of any and all cost associated with this transaction. There are cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$467,290.40 plus closing cost (Fund 3031-Cost Center 738 - STC073814 - VJ738541 - 561301).

Recommended Action: Motion to approve the Purchase Agreement and authorize the Chair and Clerk to execute the same.

7.10.11. Request Approval of a Purchase Agreement Associated with the SW 49th Avenue North Road Improvement Project for Parcel 3578-014-064 (Budget Impact - Neutral; expenditure of \$553,263 as approved in the in FY 2023-24 budget)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve a Purchase Agreement in the amount of \$553,262.76 plus closing cost for parcel 3578-014-064 associated with the SW 49th Avenue North (Marion Oaks Trail to SW 95th Street) Road Improvement Project. This is an improved lot of approximately .64 acres. The 2,439 square foot single family residence, constructed in 2000, consists of three (3) bedrooms, two (2) bathrooms, and a 420 square foot two (2) car garage.

The negotiated agreement is inclusive of any and all cost associated with this transaction. There are cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$553,262.76 plus closing cost (Fund 3031-Cost Center 738 - STC073814 - VJ738541 - 561301).

Recommended Action: Motion to approve the Purchase Agreement and authorize the Chair and Clerk to execute the same.

7.10.12. Request Approval of a Purchase Agreement Associated with the SW 49th Avenue North Road Improvement Project for Parcel 3578-015-003 (Budget Impact - Neutral; expenditure of \$416,252 as approved in the in FY 2023-24 budget)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve a Purchase Agreement in the amount of \$416,251.40 plus closing cost for parcel 3578-015-003 associated with the SW 49th Avenue North (Marion Oaks Trail to SW 95th Street) Road Improvement Project. This is an improved lot of approximately .44 acres. The 1,835 square foot single family residence, constructed in 2001, consists of three (3) bedrooms, two (2) bathrooms, and a 440 square foot two (2) car garage.

The negotiated agreement is inclusive of any and all cost associated with this transaction. There are cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$416,251.40 plus closing cost (Fund 3031-Cost Center 738 - STC073814 - VJ738541 - 561301).

Recommended Action: Motion to approve the Purchase Agreement and authorize the Chair and Clerk to execute the same.

7.10.13. Request Approval of a Purchase Agreement Associated with the SW 49th Avenue Road Improvement Project Segment F for Parcel 8001-0122-14 (Budget Impact - Neutral; expenditure of \$317,000 as approved in the FY 2023-24 budget)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve a Purchase Agreement in the amount of \$317,000 plus closing costs for parcel 8001-0122-14 associated with the SW 49th Avenue Road Improvement Project Segment F (from Marion Oaks Manor north to SW 142nd Place Road). This is an improved lot of approximately 0.33 acres. The 1,564 square foot single family residence, constructed in 2023, consists of three (3) bedrooms, two (2) bathrooms, and a two (2) car garage.

The negotiated agreement is inclusive of any and all cost associated with this transaction. There are cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Click or tap here to enter text. Neutral; expenditure of \$317,000 plus closing cost (STC073813 - VJ738541 - 561301).

Recommended Action: Motion to approve the Purchase Agreement and authorize the Chair and Clerk to execute the same.

7.10.14. Request Approval of a Purchase Agreement Associated with the Silver Springs Community Redevelopment Area Project for Parcel 24006-000-00 (Budget Impact - Neutral; expenditure of \$379,550 as approved in the FY 2023-24 budget)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve a Purchase Agreement in the amount of \$379,550 plus closing cost for parcel 24006-000-00 associated with the Silver Springs CRA project. This is an improved lot of approximately 0.37 acres with a 2,040 square foot commercial building, constructed in 1964.

The negotiated agreement is inclusive of any and all cost associated with this transaction. There are cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings.

Budget/Impact: Neutral; expenditure of \$379,550 plus closing cost (355AFFHSG - OPR ARPA).

Recommended Action: Motion to approve purchase agreement and authorize Chair and Clerk to execute same.

7.10.15. Request Approval of a Purchase Agreement Associated with the NW/SW 80th Avenue & West Highway 40 Intersection Road Improvement Project for a Portion of Parcel 2107-008-000 (Budget Impact - Neutral; expenditure of \$157,428 as approved in the FY 2023-24 budget)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve a Purchase Agreement in the amount of \$157,427.83 plus closing cost for a portion of parcel 2107-008-000 associated with the NW/SW 80th Ave & Hwy 40 (1500' North of W HWY 40 to 1300' South of W HWY 40) Intersection Road Improvement Project. This is a partial take acquisition of a residential lot consisting of 0.30 acres. This agreement also includes a 15' wide Temporary Construction Easement consisting of 0.08 acres. The negotiated purchase price includes attorney fees. There is cost savings recognized in this negotiation by avoiding additional costs that occur during condemnation proceedings and staff recommends approval.

Budget/Impact: Neutral; expenditure of \$157,427.83 plus closing cost (STC073868-VJ738541-561301).

Recommended Action: Motion to approve the Purchase Agreement and authorize the Chair and Clerk to execute the same.

7.10.16. Request to Approve a Relocation Agreement Between Marion County and SECO Energy Associated With the State Road 40 & NW 80th Avenue Intersection Project (Budget Impact - Neutral; expenditure of \$805,050 as approved in the FY 2023-24 budget) The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve a relocation agreement between Marion County and SECO Energy, associated with the State Road 40 and NW 80th Avenue Intersection Project. Marion County previously purchased a portion of parcel number 21084-000-00 for this project. Utilities on this parcel must be relocated for the project and SECO has agreed to move them at the expense of the County.

Budget/Impact: Neutral; expenditure of \$805,050 (STC073868-VJ738541-561301).

Recommended Action: Motion to approve the agreement and authorize Chair and Clerk to execute same.

7.10.17. Request Approval of a Grant of Water and Sewer Easement Between Aurora Oaks, Inc. and Marion County Associated With Improvement Plan Aurora Oaks Phase 1 (Budget Impact - None)

The Board accepted the following recommendation as presented by County Engineer Cohoon, OCE:

Description/Background: This is a request to approve a Grant of Water and Sewer Easement between Aurora Oaks, Inc. and Marion County associated with Improvement Plan Aurora Oaks Phase 1 formerly known as Calibrex. This temporary construction easement on the "Calibrex Property" is being provided to allow Marion County the ability to construct the new water main, force main, gravity sewer, and lift station to serve The Centers and nearby developments. Upon platting of the Calibrex Property (Aurora Oaks Development), permanent utility easements for the improvements will be dedicated to the County via the project plat. The lift station site will be conveyed to the County by fee simple title. These utility improvements are being funded by the American Rescue Plan Act (ARPA) program.

Budget/Impact: None.

Recommended Action: Motion to approve the Grant of Water and Sewer Easement and authorize the Chair and Clerk to execute the same.

6. PUBLIC HEARINGS (Request Proof of Publication) at 10:00 am: Public participation is encouraged. When prompted, please step up to the podium and state your name and address for the record. Please limit your comments to the specific issue being addressed.

6.1. PUBLIC HEARING: Second of Two Public Hearings to Consider the Procurement Ordinance Amending the Marion County Procurement Code

Procurement Services Director Susan Olsen presented the following recommendation:

Description/Background: At its February 6, 2024 meeting, the Board considered and approved Procurement's request for the revisions to the Procurement

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Ordinance. Attached for review is a copy of the Ordinance, which was prepared and approved by legal, amending the Marion County Procurement Code.

Budget/Impact: None.

Recommended Action: Motion to adopt and authorize the Chairman and Clerk to execute the ordinance amending the Marion County Procurement Code.

Deputy Clerk Ketner presented Proof of Publication Legal ad No. 9872958 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on February 23, 2024. The Notice states the Board will consider the adoption of an Ordinance amending the Marion County Procurement Code.

Procurement Services Director Olsen presented a brief overview of the 2 major changes to the Procurement Ordinance regarding quoting, and the addition of food, beverage and appliances to the Ordinance. Currently, the Procurement Department is doing the smaller dollar quotes for the County departments. Moving this responsibility back to the departments will expedite small dollar purchases and allow the Procurement Department to focus on the larger, more complicated purchases. The other change will be for food, beverage, and appliance additions to the Ordinance, that will cover food and beverages for public areas and events of the County, which are not necessarily an employee function. In addition, there will be an area added for breakroom appliances.

Chairman Stone opened the floor to public comment.

There being none, Chairman Stone advised that public comment is now closed.

A motion was made by Commissioner Bryant, seconded by Commissioner Curry, to adopt Ordinance 24-05 amending the Marion County Procurement Code. The motion was unanimously approved by the Board (5-0).

Ordinance 24-05 is entitled:

AN ORDINANCE OF MARION COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VII OF THE MARION COUNTY CODE OF ORDINANCES RELATING TO PROCUREMENT; AMENDING CHAPTER 2, ARTICLE VII, SECTION 2-239 OF THE MARION COUNTY CODE TO MODIFY SMALL PROCUREMENT MONETARY GUIDELINES AND REVISE SUBSECTIONS; AMENDING CHAPTER 2, ARTICLE VII, SECTION 2-253 OF THE MARION COUNTY CODE TO AUTHORIZE DEPARTMENTAL EXPENDITURES ON FOOD, BEVERAGES AND SMALL BASIC APPLIANCES RELATING TO PUBLIC PURPOSES AND PURSUANT TO REIMBURSEMENT GUIDELINES; AMENDING CHAPTER 2, ARTICLE VII, SECTION 2-253 OF THE MARION COUNTY CODE TO RENUMBER IT TO SECTION 2-254; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR RESOLUTION OF CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR CUMULATIVE EFFECT; PROVIDING FOR FILING WITH THE SECRETARY OF STATE; AND PROVIDING AN EFFECTIVE DATE.

6.2. PUBLIC HEARING: to Consider the Amendment to the Marion County Public School Impact Fee Ordinance

County Attorney Matthew G. Minter presented the following recommendation:

Description/Background: Public hearing to consider amendment to Chapter 10, Article XV of the Marion County Code of Ordinances, Educational System Impact Fee. Attached is the related Ordinance; the Marion County Public Schools

Education Facilities Impact Fee Update Study, dated September 13, 2023 and republished with the apartment tiering scenarios by the School Board for their January 25, 2024 meeting; and the Marion County Public Schools Long Range School Planning Study - Final Report dated June 7, 2023.

Budget/Impact: None.

Recommended Action: Motion to approve the amendment to Chapter 10, Article XV of the Marion County Code of Ordinances, Educational System Impact Fee.

Deputy Clerk Ketner presented Proof of Publication Legal ad No. 9873941 entitled, "Notice of Public Hearing" published in the Star Banner newspaper on February 23, 2024. The Notice states the Board will consider adoption of an Ordinance amending Chapter 10, Article XV of the Marion County Code of Ordinances, Educational System Impact Fee. County Attorney Matthew Minter advised that there is a County Ordinance that would amend the County Code regarding Educational Facility Impact Fees. Under the Florida Statutes (FS) there is a two-step process for this type of activity. First, the School Board engages an expert, i.e., Benesch, to perform the Marion County Public Schools Educational Facilities Update Study. Benesch is the same expert used by the County for the Transportation Impact Fees study and are the same expert that other local governments and surrounding Counties used to perform financial analysis to support impact fees. He stated, for the benefit of the public, the general concept of impact fees is having new growth paying for itself or at least partially paying for the effects of new growth within a jurisdiction. Impact fees cover capital facilities, but not teachers or manpower. It covers new buildings and new equipment with a lifespan of over 5 years. The Marion County School Board (MCSB) found itself in a situation where the impact fees that were in effect had been suspended for many years. The Statutes that deal with impact fees require there to be a current study to support any changes in the impact fees. The School Board, in part based on an Interlocal Agreement (ILA) with the County, that provided for the School Board to obtain a new study from Benesch, had that work done. Benesch provided two reports detailing the deficiencies in the School Board's facilities, the need to have additional facilities to accommodate a new student population, and the demands imposed on the system. As a result of the study, the FS that deals with impact fees requires two public workshops. He noted, in an abundance of caution for this Ordinance, the MCSB itself held workshops. Then there was a joint workshop with both the MCSB and the BCC in August 2023. As a result of that workshop, which was very well attended by members of the community, input was received. Specifically, there were concerns regarding the types of facilities, particularly multi-family units. There were concerns if there were enough of those types of units broken out into specific categories to ensure the fees accurately reflected student generation rates (what the impact fees are based on). Particularly, due to the type of growth in the City of Ocala related to these multi-family units, the City of Ocala expressed concerns over the initial proposals. In response to those concerns, during several other meetings, the School Board instructed Benesch to further break out the multi-family units into more discrete units to determine accurate fees. In addition, the School Board recommended that the calculated impact fees from the Benesch report should not be imposed at the 100% level, but rather at the 40% level. As a hedge, according to the law governing impact fees in the State of Florida over the decades, local governments must ensure that the rate of impact fees does not exceed the actual costs or expenses being addressed. In this case, the MCSB is recommending these fees at only 40% of the calculated cost, which falls well within a safety margin. By way of comparison, Lake County recently adopted new school impact fees at 100% of

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their study. Mr. Minter noted the County has the proposed Ordinance, and on page 6, it specifies the fees that would take effect at the 40% rate. There is a provision (at the bottom of section 6) that states: "Notwithstanding the foregoing, if a building permit has been given a permit number prior to the effective date of the increased impact fees, the customer will only be obligated to pay the fee that was in effect on the date of the application for a building permit was submitted, as long as that permit remains valid through construction." He advised that staff is recommending a proposed revision to the effective date as shown on the handout entitled "County Attorney Proposed Revision of Section 11 of Ordinance." Based on a conversation with Coordinator Kim Hatcher, Growth Services, who manages and oversees the impact fees for Marion County, the effective date has been changed from 95 days after adoption to a definite date of July 1, 2024. This makes it easier for Ms. Hatcher and, presumably, other local governments to implement this new fee. The Benesch study certainly demonstrates the need for additional funding within the MCSB and has made the case not only for impact fees but also for the Half-Cent Sales Tax the School Board has discussed. He noted this Ordinance is limited solely to impact fees.

Chairman Stone questioned whether the Board requires clarification on this item due to the proposed revisions under Section 11 of the Ordinance. She expressed appreciation for the handout that displays the proposed impact fee rates, specifically the 40% proposal, and highlighted how it differs from the prior proposed rate and its impact on the individual layers.

Mr. Minter advised that according to the Statute, because at least 1 or more categories of this fee would exceed the figure in the Statute as far as a percentage of increase, it requires an extraordinary vote of the Board which requires a minimum of 4 votes out of 5 to approve the Ordinance today.

Chairman Stone opened the floor to public comment.

Chairwoman Nancy Thrower, MCSB, NW 18th Street, read the following letter into the Record:

Honorable Commissioners,

On behalf of the Marion County School Board, I am writing to thank you for your support of the need to resume collections of public-school educational facility impact fees, which were paused 13 years ago in response to the real estate meltdown which occurred across Marion County during the Great Recession.

Clearly, development in our community has bounced back and is now flourishing. Enrollment in Marion County Public Schools is at an all-time high, with new students enrolling daily, thus creating the urgent need to build more schools and expand capacity at existing schools.

The conditions driving the need for school capacity funding are well established and supported in the Marion County Public Schools Long Range Planning Study, (Dated June 7th, 2023). This document, in conjunction with the Marion County Public Schools Facilities Impact Fee Study, provides industry standard context and lays the groundwork for the school district's future infrastructure needs.

Both documents were generated by a long established, well-respected impact fee consulting firm, and have been provided with the same level of detail as is provided to all their clients, which include the Marion County Board of County Commissioners.

The Marion County School Board wishes to acknowledge the collaboration of stakeholders throughout the County. Numerous meetings have been held and actions taken over the last two years which are memorialized in the recitals of the proposed Impact Fee Amendment document we have transmitted to you.

We also acknowledge the many joint and individual meetings the Marion County School Board and the Marion County Board of County Commissioners have offered to receive public comment. These good faith meetings yielded frank and fruitful consideration, compromise and acceptance.

Therefore, the School Board of Marion County asks, in the interests of the students and citizens of Marion County, that the Marion County Board of County Commissioners vote to adopt the proposed Impact Fee Ordinance to resume collections from developers without further delay.

Sincerely,

Nancy Thrower, Chairwoman
The Marion County School Board
Ocala, FL

Mr. Bouyounes noted the Board and the Deputy Clerk have received the letter from Chairwoman Thrower and it has been read into the record.

Gary White, 96th Court Road, addressed the Board relating to the MCSB requesting new impact fees and Sales Tax, noting he recalls when the previous impact fees were suspended. He expressed opposition to approving the impact fee and has a concern with the amount of money spent by Marion County Public Schools (MCPS).

Carl Vollmer declined to speak when called upon.

Roger Knechtel, SE 97th Terrace Road, Summerfield, commented on the funds given to MCPS and the number of additional students in the schools.

Terry Treesh, SE 8th Avenue, expressed opposition to the MCSB Impact Fees and has concerns over the amount of money given to MCPS over the years.

Brigitte Smith, SW 85th Avenue, expressed support for the MCSB Impact Fees but expressed concern over House Bill (HB) 665 and the impact it may have relating to the BCC losing control over approving building permits.

Commissioner Zalak clarified that HB 665 is just an approval process, noting currently the County's LDC allows approximately 10% of a Planned Unit Development (PUD) to be approved prior to requiring it to be platted. He stated each unit is required to pull a building permit and pay impact fees. The proposed HB would allow 50% if the PUD to be constructed prior to platting.

Mr. Minter noted there is a Walk-On item later on the Agenda that is related to this Item. Chairman Stone advised that public comment is now closed.

Commissioner Curry stated the MCSB Impact Fee has been thoroughly vetted and is supported throughout the community. He advised that over 50% of the Marion County School buildings are at least 50 years old, while another 30% are 30 years old or older, and have accumulated a lot of maintenance needs. The BCC is conservative but also realistic about this problem, which must be addressed in a positive fashion. He opined that it may take all three options: the Half-Cent Sales Tax, bond issued funds, and the impact fee, to straighten out this problem. Commissioner Curry stated he serves as a Liaison Commissioner to the East Coast Florida Regional Planning Council (ECFRPC), which meets quarterly with all 8 Counties. These Counties are all struggling with the same

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growth issue. Additionally, an estimated 1,000 people are moving into Florida daily, with a good portion of them coming into Marion County. The Board has to address the financial needs of the community's infrastructure.

Commissioner McClain commented on the MCSB Impact Fee Ordinance and agrees that it needs to be approved today. However, he does not feel good about it because the impact fee is not actually paid by the developer; rather, it is a tax on the person who purchases the home (i.e., service workers, firefighters, teachers, deputies, nurses, etc.). He stated the MCSB has other problems to solve, such as the need for additional teachers, noting the sales tax and impact fees need to be enough to make this work.

Commissioner Bryant advised that impact fees are the way the County builds buildings. When someone purchases property with a 30-year mortgage, a \$4,300.00 impact fee added to the cost of the home is \$143.00 per year. This is how the County helps with the impact of those moving into the area, which necessitates new schools. The Benesch study showed most of the existing school buildings are very old. She noted educating our children is extremely important, our children are the society that will lead us into the future. Commissioner Bryant commented on the reason the impact fees were suspended, noting she and Commissioner Zalak were on the Board at that time. The impact fees were suspended as a way to help our community by encouraging economic development, building, construction, and the real estate industries. She opined the impact fees should have already been reinstated, noting there is a lot of revenue that could have been generated from the community growth.

A motion was made by Commissioner Bryant, seconded by Commissioner Curry, to adopt Ordinance 24-06 as presented with the revisions presented by County Attorney Minter to amend Chapter 10, Article XV of the Marion County Code of Ordinances, Educational System Impact Fee.

Chairman Stone stated it is not this Board's place to tell the MCSB when to turn on impact fees. This Board does not say when the impact fees should be turned on or turned off. In years past it was a partnership based on the condition of the economics, but again, someone at the School Board was not necessarily paying attention. Hopefully, on behalf of the community, there will be better plans in place for how the impact fees are monitored, such as, if they are paused again and when they should be restarted. She noted the community needs to understand, when information is shared with the MCSB as part of the ILA, it is not for the County to remind them about their impact fees. Chairman Stone reiterated she expects the MCSB to have better plans in place for future planning and monitoring impact fees, such as, if and when impact fees need to be increased or paused, noting the future of the community is counting on it. She stated as the School Board is planning for these future schools, she hopes those plans include how education will take place in the future, not just how business is done today. There is a need for teaching and instructional staff and hopefully, arrangements are being made as to how to address that shortfall in the future to educate our children.

Commissioner Zalak opined that the system is broken and expressed opposition to the BCC being the one to decide on the impact fee for the MCSB. He stated the BCC goes line by line through the County budget to understand how everything works for the greater good of Marion County, but they do not go through the MCSB budget; therefore, the BCC is relying on the information received from the MCSB. Commissioner Zalak advised that he does not like impact fees but does believe in the process of trying to determine the best way to fund growth. He opined that growth impacts should not be passed onto the people already here and who have been paying MCSB taxes for generations. The growth

impacts should be paid for by growth and the maintenance should be paid for by the people already here. Commissioner Zalak stated at the end of the day all taxes, regardless of the type, are paid by the citizen/taxpayer of Marion County. He expressed support in requiring the developer to assist in the cost of growth, noting a better overall tax structure is needed.

The motion was unanimously approved by the Board (5-0).

Ordinance 24-06 is entitled:

AN ORDINANCE RELATING TO IMPACT FEES; AMENDING THE CODE OF MARION COUNTY, FLORIDA; CHAPTER 10 - LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE XV - EDUCATIONAL SYSTEM IMPACT FEE; AMENDING SEC. 10-421. - DEFINITIONS; AMENDING SEC. 10-422. (7) - FINDINGS; AMENDING SEC. 10-424. - ADOPTION OF IMPACT FEE STUDY; AMENDING SEC. 10-431. (b) - IMPOSITION; CREATING SEC. 10-431. (d) EDUCATIONAL BENEFIT DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REMAINDER CLAUSE; PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE

(Ed. Note: The Deputy Clerk a 1 page Letter to Tracy Straub from MCPS Superintendent Diane Gullet, and a 1 page handout entitled "Marion County Public Schools Proposed Impact Fee Rates".

Commissioner Bryant out at 10:51 a.m.

8. COUNTY ATTORNEY:

8.1 WALK-ON: Request Approval to Execute the Defense and Refund Agreement Between Marion County and Marion County School Board Regarding the Proposed Marion County Educational System Impact Fee Ordinance

County Attorney Matthew G. Minter presented the following recommendation:

Description/Background: The School Board has forwarded to Marion County its school impact fee study for consideration in conjunction with a proposed Marion County Educational System Impact Fee Ordinance in Marion County. The School Board staff and consultant have prepared the study upon which the school impact fees set forth in the Ordinance are predicated. There is a possibility of litigation which may challenge the validity and/or constitutionality of the Ordinance or its application to certain property. This agreement provides for the School Board to defend any such legal challenges and to reimburse the County for any liabilities ordered by a Court, and other related provisions. A copy of the Agreement is attached.

Budget/Impact: None.

Recommended Action: Motion to approve and execute the Defense and Refund Agreement between Marion County and Marion County School Board regarding the Proposed Marion County Educational System Impact Fee Ordinance.

Chairman Stone opened the floor to public comment.

There being none, Chairman Stone advised that public comment is now closed.

A motion was made by Commissioner Zalak, seconded by Commissioner McClain, to consider the Walk-On Item. The motion was unanimously approved by the Board (4-0). County Attorney Minter advised that this Defense and Refund Agreement is very similar to an Indemnification or Hold Harmless Agreement. One thing included in a Defense Agreement, in addition to the Indemnification or Hold Harmless, in this case not only

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would the School Board indemnify the County if it was subjected to any liability by someone suing over the impact fees, but the School Board will also defend, on behalf of Marion County so that the County does not incur any legal expenses.

Commissioner Bryant returned at 10:53 a.m.

Mr. Minter advised that Section 1 of the Agreement states, “upon service of the summons the County Attorney will provide a copy to the School Board’s General Counsel.” The last line on page one states, “the County will incur no costs or expenses in defense of the litigation”, and in Section 2, it states “the School Board will agree to refund any amounts or liabilities ordered by a court of competent jurisdiction, etc.”. This is the Agreement that some of the Board members were looking for if the County were to move forward with the Ordinance that was just adopted. He noted the rationale some Commissioners spoke about during the Ordinance discussion was that the funds collected by or on behalf of the Impact Fee Ordinance would not go into the County General Fund. Those funds will go to the School Board; herefore, it makes sense that if any lawsuit is challenging the Ordinance, the School Board will handle the defense of such litigation.

Chairman Stone opened the floor to public comment.

Chairman Stone stated Mr. Minter has provided a synopsis of what this Agreement entails. She reiterated if anyone were to challenge the validity of the Impact Fee Ordinance, those funds would pause on that particular item and go into an escrow account until a decision was made. Any expenses incurred by the County would be passed on to the School Board for reimbursement and the School Board would defend their position on collecting the Impact Fees.

Commissioner Zalak expressed appreciation to County Attorney Minter and the MCSB for making this Agreement.

There being none, Chairman Stone advised that public comment is now closed.

A motion was made by Commissioner Zalak, seconded by Commissioner Bryant, to approve and execute the Defense and Refund Agreement between Marion County and Marion County School Board regarding the Proposed Marion County Educational System Impact Fee Ordinance. The motion was unanimously approved by the Board (5-0).

9. COUNTY ADMINISTRATOR:

9.1. Request for Release of Lien on Code Enforcement Case Number 891254; Parcel Number 51086-003-03

Growth Services Director Chuck Varadin, presented the following recommendation:

Description/Background: On July 12, 2023, the Code Enforcement Board imposed a fine against Geovani N. Escobar Gomez & Maria Luisa Gonzalez for a building permit violation existing on their 0.35-acre improved parcel located at 16540 SE 252nd Avenue, Umatilla. Eventually, the permit was issued to clear the violation but not before the fine accrued to \$3,000.00. Maria Gonzalez requested a rescission of the lien, and the Code Enforcement Board heard the request on December 13, 2023. The Code Enforcement Board recommended the Board of County Commissioners rescind the fine in its entirety.

Code Enforcement Board lien	\$3,000.00
Abatement lien	\$ 0
Abatement interest (12%)	\$ 0
Administrative/staff costs	\$ 119.73
Total	\$ 3,119.73

Marion County Property Appraiser shows the 2023 Market and Assessed Values as \$14,421.

Budget/Impact: None.

Recommended Action: Motion to deny the request and leave the lien in full force and effect against Parcel Number 51086-003-03.

Growth Services Director Chuck Varadin advised that the request is for a Release of Lien in the amount of \$3,119.73 (lien and administrative costs) and provided a brief history of the Code Enforcement lien. He noted the owners, Geovani N. Escobar Gomez and Maria Luisa Gonzalez, purchased the property in January of 2022, and in July 2023, the Code Enforcement Board (CEB) imposed a fine for installing a mobile home without a permit. The permit was issued, clearing the violation in October 2023. The owners requested relief of the lien, and it went to the CEB on December 13, 2023, who recommended rescinding the lien in its entirety. The recommendation by staff is to deny the request.

Chairman Stone questioned if the recommendation of the CEB is to rescind the lien in its entirety (\$3,000.00) and collect only the administrative costs (\$119.73), but staff recommends collecting the total owed of \$3,119.73. Mr. Varadin concurred with the CEB's recommendation.

Mr. Varadin noted the owners are not present.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to rescind the lien except for the administrative costs of \$119.73 to be paid within 60 days. Otherwise, the rescinding becomes null and void. The motion was unanimously approved by the Board (5-0).

9.2. Request for Release of Lien on Code Enforcement Case Number 859078; Parcel Number 2100-008-021

Growth Services Director Varadin, presented the following recommendation:

Description/Background: On April 5, 2022, a Code Enforcement Board lien, totaling \$6,000.00, was recorded against Ismael Olivas for a shed in the front setback and junk located on the property at 11245 NW 8th Street, Ocala.

On April 29, 2022, the property was quit claimed to Francisco Prieto Maldonado. In October 2023, Mr. Prieto submitted a request for the lien to be reduced or rescinded. The Code Enforcement Board heard the request in January 2024. Based on the testimony, the Board recommends the lien be released provided Mr. Prieto pays the administrative costs/fees totaling \$71.31.

Code Enforcement Board liens	\$ 6,000.00
Abatement liens	\$ 0
Payments received	\$ 0
Abatement interest	\$ 0
Administrative fees/cost-included in lien totals	\$ 71.31
CE Cost of Prosecution	\$ 122.50
Total	\$ 6,193.81

Marion County Property Appraiser shows the 2023 Market Value and the Assessed Value as \$36,750.

Budget/Impact: None.

Recommended Action: Motion to deny a rescission of the lien for Case Number 859078; Parcel Number 2100-008-021, leaving the lien in full force and effect.

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Growth Services Director Varadin advised that the request is for the Release of Lien in the amount of \$6,193.81 (for lien, administrative costs, and cost of prosecution) and provided a brief history of the Code Enforcement lien. He stated in April 2021, a case was opened against the sole owner, Ismael Olivas, by Code Enforcement for a shed in the front setback and junk located on the property. The property was quit claimed to her son Francisco Prieto Maldonado on April 29, 2022. Mr. Maldonado cleared the violation and made a request for the lien to be reduced or rescinded. The CEB heard the request in January 2024, and recommended that the lien be released, provided Mr. Prieto pays the administrative costs/fees and cost of prosecution, which totals \$193.81. Mr. Varadin noted staff's recommendation is to deny the request.

Mr. Prieto, NW 120th Avenue, advised that he took ownership by quit claim deed and was unaware there was a violation. He stated the violation was cleared as soon as he became aware of it and requested the lien to be rescinded.

A motion was made by Commissioner Bryant, seconded by Commissioner Curry, to rescind the lien except for the administrative costs and cost of prosecution totaling \$193.81, to be paid within 60 days, otherwise the rescinding becomes null and void. The motion was unanimously approved by the Board (5-0).

10. COMMITTEE ITEMS: NONE.

11. NOTATION FOR ACTION:

11.1. Request Approval to Schedule and Advertise Two Public Hearings to Consider an Ordinance to Amend the Marion County Land Development Code Division 4.2. - Zoning Classification, to Reformat the List of Permitted and Special Use Permit Uses, Development Standards, Setbacks for Uses and Structures for Principle, General Accessory, and Specialty Uses from a List Format to a Table Format, and Provide for Scrivener Corrections for Section 4.2.31. Planned Unit Development on Tuesday, April 2, 2024 at 10:00 a.m., and Tuesday, April 16, 2024 at 5:30 p.m., with Each Hearing to Begin at the Appointed Time or as Soon Thereafter as Possible, in the McPherson Governmental Campus Auditorium

Deputy Director Kenneth Weyrauch, Growth Services, presented the following recommendation:

Description/Background: Land Development Code (LDC) Division 4.2, Zoning Classification, currently presents permitted and special use permit uses as a separate series of lists for each respective zoning classification district. Some of the lists then include references to other zoning classifications for inclusion without fully listing those uses in that referencing section, such as Community Business (B-2) uses including Neighborhood Business (B-1) uses. Staff and the general public have noted the format creates difficulties when attempting to discern a site's eligible uses. Additionally, the format creates difficulties for users to search potential uses to identify a zoning classification where a particular use may be conducted. Along with the uses, the setbacks for uses and structures are also in a list form making identification of some of those setback standards difficult to identify. Staff proposes to amend LDC Division 4.2 to convert the List of Permitted and Special Use Permit Uses, Development Standards, Setbacks for Uses and Structures for Principle, General Accessory, and Specialty Uses into a complete table format that list uses related to groupings of the zoning classifications focused on agriculture, residential, commercial, and industrial groupings. Finally, staff

proposes a revision to address a scrivener error regarding the formatting of LDC Section 4.2.31.D wherein letters rather than parenthesized numbers were improperly used.

The proposed were considered by the Land Development Regulation Commission (LDRC) in a public hearing held on November 8, 2023 at 5:30 p.m. consistent with Section 2.4.3 of the LDC. At this public hearing, the LDRC considered the following items:

1. Item 1 of 4 - Proposed reformatted of Division 4.2, Zoning Classification for Sections 4.2.2 through 4.2.30, less the Commercial zoning classifications (provided in Item 2). [Ordinance attachment]
2. Item 2 of 4 - Proposed reformatted of Division 4.2, Zoning Classification for Sections 4.2.15 through 4.2.25. [Ordinance attachment]
3. Item 3 of 4 - Full cumulative table listing all uses and zoning classifications for Division 4.2. [Reference only]
4. Item 4 of 4 - Proposed Scrivener Corrections for Sections 4.2.31.C(5) and D Planned Unit Development [Ordinance attachment].

After considering these items, and consistent with LDC Section 1.4.3.A and B, the LDRC voted to recommend approval of the proposed LDC amendments subject to further revisions proposed to Item 4 of 4, above.

Staff's final proposed Ordinance materials now come before the Board for consideration. The dates and times proposed to conduct the two required hearings and accommodate the required advertising are:

- April 2, 2024, at 10:00 A.M., or as soon thereafter as possible; and
- April 16, 2024, at 5:30 P.M., or as soon thereafter as possible.

With each hearing to begin at the appointed time or as soon thereafter as possible, in the McPherson Governmental Campus Auditorium.

Budget/Impact: None.

Recommended Action: Motion to schedule and advertise two public hearings to consider an ordinance to amend the Marion County LDC Division 4.2. - Zoning Classification, to reformat the permitted and special use permit uses and development standards from a list format to a table format, and provide for scrivener corrections for section 4.2.31. Planned Unit Development (PUD) on Tuesday, April 2, 2024 at 10:00 a.m., and Tuesday, April 16, 2024 at 5:30 p.m., with each hearing to begin at the appointed time or as soon thereafter as possible, in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to schedule and advertise two public hearings to consider an Ordinance to amend the Marion County LDC Division 4.2. - Zoning Classification, to reformat the permitted and special use permit uses and development standards from a list format to a table format and provide for scrivener corrections for section 4.2.31. Planned Unit Development (PUD) on Tuesday, April 2, 2024 at 10:00 a.m., and Tuesday, April 16, 2024 at 5:30 p.m., with each hearing to begin at the appointed time or as soon thereafter as possible. The motion was unanimously approved by the Board (5-0).

11.2. Request Approval to Schedule a Community Services Public Needs Hearing for the County's Proposed Five Year 2024-2028 Consolidated Plan, and Proposed 2024-2025 Annual Action Plan on March 19, 2024 at 10:00 a.m., or as soon thereafter, in the McPherson Governmental Campus Auditorium

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Community Services Director Martin, presented the following recommendation:

Description/Background: Community Services administers Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and Emergency Solutions Grant (ESG) on behalf of the County. The Department of Housing and Urban Development (HUD) requires two public hearings during the development of the Five-Year Consolidated Plan and Annual Action plan process to receive public comment and community needs to serve the low to moderate income persons.

Community Services is requesting a Public Hearing to be scheduled March 19, 2024 at 10 a.m., or as soon thereafter, in the McPherson Governmental Campus Auditorium

Budget/Impact: None.

Recommended Action: Request approval to schedule a Public Needs Hearing on March 19, 2024 at 10 a.m., or as soon thereafter, in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to schedule a Public Needs Hearing on March 19, 2024 at 10:00 a.m., or as soon thereafter. The motion was unanimously approved by the Board (5-0).

11.3. Request Approval to Schedule a Workshop to Discuss Utilities' Capital Improvement Program on Tuesday, April 9, 2024 at 1:30 PM or April 30, 2024 at 10:00 a.m.

Utilities Director Jody Kirkman, presented the following recommendation:

Description/Background: Marion County Utilities maintains a running 5-year Capital Improvement Program (CIP). Staff has been reviewing and updating the CIP based on current project needs and construction costs. This annual update incorporates recent master planning for water and sewer systems, prioritizing projects based on available revenue funding and considering long term planning and maintenance needs for the Utility. Staff would like to present the updated CIP and progress to the Board and allow for questions and comments before finalizing.

Budget/Impact: None.

Recommended Action: Motion to approve a workshop to discuss the Utilities CIP on Tuesday, April 9, 2024 at 1:30 p.m. or April 30, 2024 at 10:00 a.m. in the McPherson Governmental Campus Auditorium.

Chairman Stone requested the Board to only consider the April 9, 2024 at 1:30 p.m. date for the workshop. It was the general consensus of the Board to concur.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to approve a workshop to discuss the Utilities CIP on Tuesday, April 9, 2024 at 1:30 p.m. in the McPherson Governmental Campus Auditorium. The motion was unanimously approved by the Board (5-0).

12. GENERAL PUBLIC COMMENTS: Scheduled requests will be heard first and limited to five (5) minutes. Unscheduled speakers will be limited to two (2) minutes. Citizens may contact Marion County Administration by 5:00 p.m. the Friday before the meeting at 352-438-2300 to request to speak or sign up online at: www.marionfl.org.

Chairman Stone opened the floor for public comment.

Valerie Boucher, SE Highway 42, Summerfield, addressed the Board regarding Representative Ryan Chamberlin's HB 1371, a study on how to eliminate property tax.

She commented on the retired population, the school budget, property tax, school choice and school vouchers.

Thomas Phillips, SW 108th Street, Dunnellon, addressed the Board regarding Builders taking advantage of the County and residents, zoning classifications, ruining the landscape, storm water runoff and causing property values to decline due to overbuilding. Chairman Stone advised that there are property rights in his neighborhood and property owners have the right to build on their property, but they must contain the water runoff from their property. She directed staff to contact Mr. Phillips to discuss this issue.

ACA Tracy Straub advised that staff has spoken with Mr. Phillips on these matters. This neighborhood is Rolling Ranch Estates. It is an older neighborhood, and the parcels he refers to are 4 individually platted lots. These lots were abrogated for tax purposes and were broken out to 4 individually platted lots where 4 homes could be built. The County will control the 35% impervious coverage that is allowed. She noted Mr. Phillips bought larger tracts of property, and there is a historical floodplain on the property that pre-dates the current modern floodplain. When the parcels exceed the 35% coverage, staff works with the property owners to provide additional controls onsite.

Commissioner Bryant reiterated that this community was platted many years ago, and when someone buys property in it, the County does not have the right to say it cannot be built on.

(Ed Note: The Deputy Clerk received a 9 page handout containing photographs.)

Commissioner Zalak advised that the LDC requires there are 2 portable toilets on a building site, noting he does not see the portable toilets in these pictures presented by Mr. Phillips. The LDC does not address this, but there should also be a dumpster and/or silk fencing around the site.

Commissioner Bryant reiterated that this community was platted many years ago, and the particular lot he is referring to was originally 4 platted lots; all 4 lots were purchased and combined, but the property owner still has the right to take them back to their original state as individual lots.

Roger Knechtel, SE 97th Terrace Road, Summerfield, stated he is a member of the pro-life (anti-abortion) movement, and commented on the "reverse pill".

Joseph Walker, SE 54th Place, Ocklawaha, presented a 4 page electronic mail (email) relating to junk cars being left on a lot and right-of-way (ROW) located at E Highway 40 and SE 180th Avenue. He advised that this has been going on since 2017 at this location. Mr. Walker stated after Code Enforcement goes out to the property, it takes months for the junk cars to be removed. He advised that he filed a complaint with Code Enforcement who went to this location, but nothing happened. Now he is questioning who follows up to make sure the property owner complies because the cars do not get moved.

Chairman Stone stated the County should be able to get this cleaned up and keep it cleaned up.

In response to Chairman Stone, ACA Straub advised that Code Enforcement has to violate the party several times, and once it becomes a repeat violation the CEB can be more aggressive.

General discussion ensued.

Code Enforcement Supervisor Robin Hough advised that the area in question is not a County maintained ROW. Additionally, there is no clear delineation of where the ROW is and where the private properties are located. She stated when the Code Enforcement Officer went to this location, there was a lot of limerock dust. Code Enforcement took this

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case to the CEB, but because Code Enforcement could not demonstrate a clear delineation of where the ROW is, the case was dismissed.

Commissioner Zalak questioned why the CEB dismissed the case, and stated the vehicles cannot be on the road or the property. Ms. Hough stated the CEB did not feel that Code Enforcement was able to provide a preponderance of evidence that the business all the vehicles are attached to was in violation.

In response to Chairman Stone, Ms. Hough stated she believes the property owner has been notified that these vehicles are possibly being stored on their property. The owner of the business across the street told the CEB he has an agreement with the property owner and they have been doing this for so long, the property owner is okay with it. Chairman Stone questioned if Code Enforcement has that in writing from the property owner. Ms. Hough stated they do not.

Commissioner Zalak questioned if the business is allowed to store this many non-functioning vehicles on the property. Ms. Hough stated the business would be required to store the vehicles that are there for service behind screening. She advised that when Code Enforcement talked to the business owner, he told the CEB that is where some of his employees' park and they cannot control where their customers park.

In response to Commissioner Zalak, Ms. Hough stated the vacant parcel is zoned B-5 and the property where the business is located is B-5.

Chairman Stone clarified that the business operation is zoned B-5, but the parcel next door is zoned B-2.

Commissioner Bryant stated the B-2 parcel cannot have outside storage and the business owner is saying his employees park there, noting the vehicle with no motor or tag, is not an employee parking there. She stated she does not understand why Code Enforcement cannot take action against the adjoining property owner. If Code Enforcement brings a case against the adjoining property owner, they are going to get a little concerned.

Ms. Hough stated Code Enforcement will get started..

In response to Ms. Straub, Ms. Hough advised that Code Enforcement would need to serve notice on the property owner as a violator, due to the violation taking place on their property.

Commissioner Zalak questioned if Code Enforcement can violate both the business owner and the adjoining property owner. Ms. Hough advised that they could violate both of them.

Commissioner Zalak directed Code Enforcement to violate both parties.

Commissioner Bryant questioned if Code Enforcement has researched who that property owner is and tried to contact them by telephone. Ms. Hough stated Code Enforcement will look into if the owner has been contacted.

Chairman Stone expressed appreciation to Code Enforcement and Mr. Walker for addressing this matter.

Chairman Stone advised that public comment is now closed.

13. COMMISSIONER ITEMS:

13.1. Commission Comments

Commissioner Zalak expressed appreciation to Fire Chief Banta, Chief Robert Graff and Chief Drew Rogers relating to joining them on a live burn, noting it was a great experience.

Commissioner Bryant advised that she had nothing further to add.

Commissioner McClain also expressed thanks to MCFR for taking them along on the live burn training, noting it was an eye opening experience in a lot of ways.

Commissioner Curry thanked Commissioner Bryant for her hard work on the Opioid Committee.

Commissioner Curry noted he had requested to be appointed as liaison to Veterans Services and veterans' issues. He advised that a meeting was held with several of the veteran organizations to discuss improving coordination and communication between the groups, noting it was very well received.

Chairman Stone thanked Commissioner Curry for seeing the need with the Veterans' organizations and stepping into that role.

Chairman Stone stated she wants to remind the citizens that Marion County Day will be March 23, 2024 from 10:00 a.m. to 2:00 p.m. at the McPherson Governmental Complex. She noted to bring the children, as there will be opportunities for them to get up close and personal with some big machinery, bucket trucks, etc., and for the citizens to be introduced to the County departments. Chairman Stone thanked the County Departments for the good work being done to make it a spectacular day.

Chairman Stone advised that the Run for the Springs is coming up on April 27, 2024, at Carney Island. She noted anyone that is interested can put together a walking team for the 5K event, and the funds raised will be used to protect our springs. Registration is online at www.marionfl.org; select "I want to Run for the Springs'."

13.2. Commission Calendar

13.2.1. Present Commission Calendar

The Chairman acknowledged receipt of the Commission calendar covering the period of March 5, 2024 through March 19, 2024.

14. NOTATION FOR RECORD:

14.1. County Administrator Informational Items:

14.1.1. Present Fully Executed Real Property Donation Agreement for Animal Services

14.1.2. Present Final Plat Clarification for Marion Ranch Phase 1, Project Number 2021110094, Application Number 29879

14.1.3. Present Marion County Department of Health DE580 Analysis of Fund Equities Report for FY 2023-24

14.1.4. Present Updated Ocala Metro Chamber and Economic Partnership Report for October through December 2023

14.1.5. Present Letters to Florida Legislative Leaders Supporting Continued Funding of the Florida Local Government Cybersecurity Grant Program

14.1.6. Present Letters to Florida's United States Senators Dated February 21, 2024 Supporting S. 1430 - Water Systems Per- and Polyfluorinated Substances Liability Protection Act

14.1.7. Present Letter to SMA Healthcare, Inc. Dated February 20, 2024 Regarding Authorization to Apply for the Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant on Behalf of Marion County

14.2. Present Walk-On Items From Previous BCC Meeting:

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14.2.1. Walk-On - PROCLAMATION - Auxiliary to the Veterans of Foreign Wars Weekend (Approval Only)

14.3. General Informational Items:

14.3.1. Marion County Health Department – For the Latest health news and information, Visit the Website at <http://marion.floridahealth.gov/>

14.4. Clerk of the Court:

14.4.1. Present Administrative Budget Transfer Report for FY 2023-24

14.4.2. Present Letter From The Southwest Florida Water Management District (SWFWMD), Dated February 12, 2024, Regarding January 2024 Draft SWIM Plan Quantifiable Objective Refinements.

14.4.3. Present Regular Report of Utilization for Reserve for Contingencies

14.5. Present for information and record, minutes and notices received from the following committees and agencies:

14.5.1. Code Enforcement Board - January 10, 2024

14.5.2. Development Review Committee - February 5 and 12, 2024

14.5.3. License Review Board - January 9, 2024

14.5.4. Marion Oaks MSTU Advisory Board for Recreation Services and Facilities - October 10, 2023

14.5.5. Rainbow Lakes Estates - July 20, September 28, November 16, 2023 and January 18, 2024

14.5.6. Marion Oaks MSTU General Services Advisory Board - October 10, 2023 and January 9, 2024

14.5.7. Southwest Florida Water Management District (SWFWMD) - For Minutes and Agendas, Visit the Website at <http://www.WaterMatters.org>

14.5.8. St. Johns River Water Management District (SJRWMD) - For Minutes and Agendas, Visit the Website at <https://www.sjrwmd.com>

14.5.9. Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at <https://ocalamariontpo.org>

14.5.10. Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at <http://www.wrwsa.org>

There being no further business to come before the Board, the meeting thereupon adjourned at 11:35 a.m.

Michelle Stone, Chairman

Attest:

Gregory C. Harrell, Clerk