

**Summary of Ordinance**

The purpose of this Ordinance is to call for a bond referendum for the issuance of unlimited general obligation bonds for the acquisition and improvement of public lands. The Ordinance will also create Division 7, Chapter 2, Lake County Code, to be entitled *Public Lands and Trails Acquisition Advisory Committee*, with a purpose of preparing and recommending to the Board of County Commissioners policies to guide the acquisition and management of public lands.

Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code sections. The notation “\* \* \*” shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or relettering that might be needed).

**ORDINANCE NO. 2024-18**

**AN ORDINANCE OF LAKE COUNTY, FLORIDA; CALLING FOR A BOND REFERENDUM FOR THE ISSUANCE OF UNLIMITED GENERAL OBLIGATION BONDS FOR THE ACQUISITION AND IMPROVEMENT OF LAND FOR CLEAN WATER PROTECTION, OVERDEVELOPMENT PREVENTION, NATURAL AREA PRESERVATION, THE PROVISION OF PARKS AND TRAILS AND RELATED SUPPORT FACILITIES; PROVIDING FOR BALLOT LANGUAGE; PROVIDING FOR NOTICE OF THE ELECTION; PROVIDING FOR NOTIFICATION TO THE STATE OF FLORIDA, DEPARTMENT OF REVENUE; CREATING DIVISION 7, CHAPTER 2, LAKE COUNTY CODE, TO BE ENTITLED *PUBLIC LANDS AND TRAILS ACQUISITION ADVISORY COMMITTEE*; PROVIDING FOR SEVERABILITY; PROVIDING A CONFLICT CLAUSE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Lake County has many treasured natural resources such as the Wekiva River, Green Swamp, Sugarloaf Mountain, Wolf Branch Sink, and hundreds of lakes, hammocks, and streams, all of which are of significant environmental importance; and

**WHEREAS**, connectivity of habitat and green space corridors are important to the protection and proliferation of wildlife in general and threatened and endangered species in particular; and

**WHEREAS**, it is in the best interest of the residents of Lake County that all appropriate actions be taken to protect for future generations the natural resources of Lake County by acquiring, protecting, and improving important natural environmental lands located within Lake County, Florida; and

**WHEREAS**, the Lake County Board of County Commissioners (Board) adopted the recommendations of the Environmental Lands Management and Acquisition Study Committee on April 8, 2003; and

1           **WHEREAS**, the Board created a Public Lands Acquisition Advisory Committee on May  
2 20, 2003, for the purpose of determining the types of lands that should be purchased by Lake  
3 County and a methodology for implementing an acquisition program; and  
4

5           **WHEREAS**, the Board adopted Resolution 2004-29 on February 25, 2004, for the  
6 purpose of calling a bond referendum for the issuance of Limited General Obligation Bonds in  
7 an amount not to exceed \$36,000,000 to acquire and improve land to protect drinking water  
8 sources, preserve natural areas, protect open space from overdevelopment, provide parks and  
9 trails, improve water quality, and seek matching funds; and  
10

11           **WHEREAS**, seventy-one percent (71%) of the voters in Lake County approved a public  
12 lands bond referendum in November 2004 which resulted in the issuance of \$36,000,000 in bond  
13 funds to acquire approximately 2,260 acres of public lands. The bonds will be paid in full in  
14 April 2026; and  
15

16           **WHEREAS**, the Trust for Public Lands conducted a Public Finance Feasibility Study  
17 (Study) which was presented to the Board on April 23, 2024. The Study recommended that the  
18 Board place a ballot measure on the November 2024 General Election seeking voter approval to  
19 issue unlimited General Obligation Bonds in an amount not to exceed \$50,000,000 to be repaid  
20 over twenty (20) years, for the purposes identified herein; and  
21

22           **WHEREAS**, the Board has determined that it is in the best interests of the residents of  
23 Lake County, Florida, to renew the public land acquisition program and to move forward with a  
24 referendum seeking voter approval to issue unlimited General Obligation Bonds for these  
25 purposes.  
26

27           **NOW THEREFORE** be it ordained by the Board of County Commissioners of Lake  
28 County, Florida, as follows:  
29

30           **Section 1.     Authority.** The Board of County Commissioners has authority to issue  
31 general obligation bonds pursuant to Chapter 125, Florida Statutes, Section 100.201, Florida  
32 Statutes, Section 100.211, Florida Statutes, and Section 100.261, Florida Statutes.  
33

34           **Section 2.     Allowable Uses for Bond Proceeds.**  
35

36           a.     Bond Referendum Election. A Bond Referendum election of the qualified  
37 electors residing in Lake County is hereby called to be held during the General Election on  
38 November 5, 2024, to determine whether or not the issuance of unlimited General Obligation  
39 Bonds in an aggregate principal amount not exceeding \$50,000,000, payable from ad valorem  
40 taxes levied on all taxable property in Lake County, shall be approved by such qualified electors  
41 to finance the cost of the acquisition and improvement of land to protect drinking water sources,  
42 improve the water quality of rivers, lakes, and streams, protect open space from  
43 overdevelopment, provide for connectivity between habitat and corridors through which wildlife  
44 can travel and proliferate, provide parks and trails, and preserve natural areas.  
45

46           b.     Allowable Uses. Bond Referendum funds may be used for the acquisition and  
47 improvement of land for following purposes:  
48

- 1           •       To protect drinking water sources;
- 2           •       Improve the water quality of rivers, lakes and streams;
- 3           •       Protect open space from overdevelopment;
- 4           •       Provide for connectivity between habitat and corridors through which
- 5                 wildlife can travel and proliferate;
- 6           •       Provide for the Greenway System;
- 7           •       Provide for parks and trails;
- 8           •       Preserve natural areas;
- 9           •       Provide support facilities on properties acquired meeting the above listed
- 10                 uses to include construction of parking areas, boardwalks, paved and non-
- 11                 paved trails, informational kiosks, gazebos and picnic areas, wayfinding
- 12                 signage, restrooms and other similar improvements necessary for residents
- 13                 to enjoy the public lands with minimum disruption or alteration to the
- 14                 natural state.
- 15

16           c.       Greenway System Defined. Greenways are defined by the Florida Department of  
17 Environmental Protection (FDEP), Office of Greenways and Trails, as natural corridors of  
18 protected open space that are vital for functional and healthy native ecosystems. These ecological  
19 greenways support the environment and allow wildlife to thrive and migrate from place to place.  
20 Greenways and recreational trails, both paved and unpaved, join populated areas together by  
21 linking landscapes such as parks, water features, open space, cultural features, and historic sites.  
22 Nonmotorized trails and waterways provide places for paddlers, bicyclists, pedestrians, hikers,  
23 horseback riders, and others to recreate and experience the many natural and cultural attractions  
24 of our State. Establishing a connected system of greenways and trails for Florida is an important  
25 way to join many aspects of both the natural and human environments. Greenways may also  
26 include properties associated with the FDEP approved Florida Greenways and Trails System  
27 Plan.

28  
29           d.       Other Purposes. Such purposes described above shall also include other purposes  
30 appurtenant, necessary, or incidental thereto, including provision of annual verification of the  
31 appropriate use of said monies, to renew the public lands acquisition program.

32  
33           e.       Date of Issuance. If the Bond Referendum passes, the unlimited General  
34 Obligation Bonds will be issued no earlier than April 1, 2026.

35  
36           **Section 3.       Authorization of Bonds.** Subject to and pursuant to the provisions  
37 hereof, unlimited General Obligation Bonds of Lake County, Florida, are authorized to be issued  
38 in the aggregate principal amount of not exceeding \$50,000,000 to finance the cost of the  
39 purposes generally described in Section 2 above, including allocations for administrative costs,  
40 legal fees, fees of fiscal agents and all other costs associated with the issuance of the Bonds.  
41 Such unlimited General Obligation Bonds may be issued in one or more series and shall be  
42 payable from ad valorem taxes levied on all taxable property in the County, maturing not later  
43 than twenty (20) years from the date of their issuance. Such Bonds shall bear interest at such  
44 rate or rates not exceeding the maximum rate permitted by law at the time of the sale of the  
45 Bonds.

1           **Section 4.     Referendum.** The form of ballot for said General Election shall be as  
2 follows:

3  
4  
5                           **Clean Water Protection, Overdevelopment**  
6                           **Prevention, Natural Area Preservation, Parks And**  
7                           **Trails General Obligation Bond Referendum**  
8

9           To acquire and improve land to protect drinking water sources; preserve natural  
10 areas; protect open space from overdevelopment; provide parks and trails;  
11 improve the water quality of rivers and lakes; protect springs; and establish a  
12 citizen oversight committee with full public disclosure of spending, shall Lake  
13 County be authorized to issue unlimited general obligation bonds maturing within  
14 20 years, not exceeding the legal maximum interest rate, not exceeding  
15 \$50,000,000 payable from ad valorem taxes?

- 16  
17           ○ For Bonds  
18           ○ Against Bonds  
19  
20

21           **Section 5. Elections Procedures.**

22  
23           a.     Qualified Electors. All qualified electors residing in the County shall be entitled  
24 and permitted to vote in such Bond Referendum election.

25  
26           b.     Ballots and Voting. The Supervisor of Elections of Lake County is authorized  
27 and directed to have printed on paper prescribed by State law the proposed levy of the tax and  
28 issuance of the Bonds a sufficient number of ballots for use by those entitled to vote. Voting  
29 equipment shall be used at such election as deemed appropriate by the Supervisor of Elections.  
30 The places of voting as well as Early Voting and Vote By Mail shall be the same as prescribed  
31 by law for general elections in the County. The election shall be held and conducted in the  
32 manner prescribed by law for holding general elections and the Supervisor of Elections is  
33 directed to take all necessary measures to conduct the election in the manner required by law.  
34 The returns shall be properly canvassed by the county canvassing board in accordance with law  
35 and all procedures and requirements of State law shall be complied with for the purpose of  
36 conducting the computation of ballots and completion of elections procedures.

37  
38           c.     Returns. Returns of the votes cast at the election shall be made to and canvassed  
39 by the county canvassing board, which shall declare the results and certify the same to the  
40 County Manager to be recorded in the minutes of the County. If a majority of the votes cast at  
41 such election in respect to the levy of the tax and issuance of the Bonds shall be “FOR BONDS”  
42 such levy and issuance shall be approved and may be issued by the County in accordance with  
43 State law. If less than a majority of votes cast at such referendum shall be “FOR BONDS”, such  
44 proposition shall be defeated, and no Bonds may be issued, and no ad valorem tax shall be levied  
45 therefore.  
46

47           **Section 6.     Notice of Passage.** The Clerk of the Board of County Commissioners  
48 (“Clerk”) is directed to notify the Supervisor of Elections and the State of Florida, Department of

1 Revenue (“Department”) immediately upon the passage of this Ordinance. The Clerk is further  
2 directed to notify the Department of the outcome of the referendum election within ten (10) days  
3 of the date of said election, or as soon as possible after the election once election results have  
4 been certified by the county canvassing board. Said notice shall include the time during which  
5 the levy will be in effect, a copy of this Ordinance, and such other information as the Department  
6 shall require by rule. If the referendum passes, the Clerk shall additionally forward a copy of  
7 this Ordinance to Municode to codify the provisions of Section 8.  
8

9 **Section 7. Expenditures by Local Governments.** A local government may not  
10 expend or authorize expenditure of public funds for any communication sent to electors  
11 concerning an issue, referendum, or amendment that is subject to a vote of the electors as set  
12 forth in Section 106.113, Florida Statutes.  
13

14 **Section 8. Creation.** Division 7, Chapter 2, Lake County Code, to be entitled *Public*  
15 *Lands and Trails Acquisition Advisory Committee*, shall be created to read as follows:  
16

17 **DIVISION 7. – PUBLIC LANDS AND TRAILS ACQUISITION ADVISORY**  
18 **COMMITTEE**

19  
20 **Sec. 2-130. – Title.**  
21

22 The Public Lands and Trails Acquisition Advisory Committee is hereby established and is  
23 hereinafter referred to as “PLTAAC”.  
24

25 **Sec. 2-131. – Purpose.**  
26

27 PLTAAC is hereby created for the following purposes:

28 (a) To prepare and recommend to the Board of County Commissioners for approval,  
29 policies to guide the acquisition and management of public lands. Public lands  
30 purchased with 2024 referendum funds may be acquired and improved for the  
31 following purposes only:

32 (1) To protect drinking water sources;

33 (2) Improve the water quality of rivers, lakes, and streams;

34 (3) Protect open space from overdevelopment;

35 (4) Provide for connectivity between habitat and corridors through which  
36 wildlife can travel and proliferate;

37 (5) Provide for the Greenway System;

38 (6) Provide for parks and trails;

39 (7) Preserve natural areas; and

40 (8) Provide support facilities on properties acquired meeting the above listed  
41 uses to include construction of parking areas, boardwalks, paved and non-  
42 paved trails, informational kiosks, gazebos and picnic areas, wayfinding  
43 signage, restrooms and other similar improvements necessary for residents  
44 to enjoy the public lands with minimum disruption or alteration to the  
45 natural state.  
46

47 (b) To advise the Board of County Commissioners in the implementation of the land  
48 acquisition tasks prescribed by the Parks and Trails Master Plan.

1           (c) The PLTAAC will recommend spending policies from the 2024 referendum that  
2           generally achieve a project 50/50 funding balance between natural, passive use  
3           lands, and lands used for trail connectivity. Trail projects funded from this  
4           referendum shall be constructed as part of the Greenway System defined in  
5           Section 2-136.

6  
7 **Sec. 2-132. – Duties.**

8  
9 PLTAAC shall have the following duties:

- 10           (a) Conduct an initial goal setting session where members will outline a work plan to  
11           include method of ranking or rating properties proposed for acquisition or  
12           management. The work plan will be submitted to the Board of County  
13           Commissioners for review and approval.  
14           (b) Provide an annual report to the Board of County Commissioners regarding the  
15           status of the work plan. The requirement of an annual report notwithstanding,  
16           PLTAAC may advise the Board of County Commissioners at any time of any  
17           matter related to public land acquisition and management.  
18           (c) Review the individual proposed acquisitions and make recommendations to the  
19           Board of County Commissioners, in accordance with policies to guide the  
20           acquisition and management of public lands, both environmental and recreational.  
21           (d) Perform any other duties or assignments as appropriate and requested by the  
22           Board of County Commissioners.

23  
24 **Sec. 2-133. – Membership.**

25  
26 PLTAAC shall consist of nine (9) members appointed by the Board of County Commissioners as  
27 follows:

- 28           (a) One (1) member who shall have technical knowledge in geology, including soil  
29           and water.  
30           (b) One (1) member shall have technical knowledge in biology, including botany and  
31           zoology.  
32           (c) One (1) member who shall have technical knowledge in local history.  
33           (d) One (1) member who shall have technical knowledge in recreation.  
34           (e) One (1) member who shall have experience with the development of recreational  
35           trails and trail systems.  
36           (f) Four (4) members who are familiar with Lake County geography and natural  
37           assets.  
38           (g) A County Commissioner may be appointed as a non-voting liaison. The  
39           Commissioner will not be considered a member of the PLTAAC.  
40           (h) All members must be registered electors and residents of Lake County.  
41           (i) Each member shall serve a term of two (2) years; provided however, that the  
42           initial term for the members identified in subsection (a)-(e) above shall be for a  
43           period of one (1) year ending on December 31, 2025. The remaining members  
44           shall serve an initial term of two (2) years ending on December 31, 2026.  
45           Thereafter, all appointments shall be made for two (2) years.  
46           (j) Members may be removed from office as set forth in Section 2-65, Lake County  
47           Code.  
48

1 **Sec. 2-134. – Procedures.**

- 2
- 3 (a) PLTAAC shall annually elect one (1) of its members as its chairperson and one
- 4 (1) as vice-chairperson. Election shall be held at the first regularly scheduled
- 5 meeting after the appointment of the Board of County Commissioners, and
- 6 annually thereafter. The chairperson shall preside and conduct meetings. The
- 7 vice-chairperson shall act in the absence of the chairperson.
- 8 (b) PLTAAC shall meet at regular intervals as determined by the members but at
- 9 least quarterly.
- 10 (c) All meetings shall be held in a public place and shall be open to the public
- 11 pursuant to Section 286.011, Florida Statutes.
- 12 (d) All meetings shall be noticed and minutes recorded.
- 13 (f) A quorum for conducting business shall be a majority of the appointed members.
- 14 Recommendations and decisions will be made by a simple majority vote.
- 15 (g) Robert's Rules of Order, Newly Revised, shall be the final authority on all
- 16 questions of parliamentary procedure.
- 17 (h) The chairperson shall be responsible for the meeting agenda, which agenda shall
- 18 be provided to each member prior to the next meeting date. Any member may
- 19 place an item on the agenda by notifying the staff liaison prior to the preparation
- 20 of the agenda.
- 21 (i) All members shall be subject to the provisions of Section 2-61 (Criminal History
- 22 Checks) and Section 2-62 (Ethics Training) of this Code.

23 **Sec. 2-135. – Conflicts of Interest Prohibited.**

24 The provisions of Section 112.313, Florida Statutes, known as the Code of Ethics for Public

25 Officers and Employees, shall apply to members of PLTAAC. No member of PLTAAC, or a

26 member's spouse or child, shall be directly or indirectly related to the owner of a property

27 submitted for consideration for acquisition. Further, no member of PLTAAC, or a member's

28 spouse or child, shall have any business connection to any property submitted for consideration

29 for acquisition. A personal or business connection shall include any business entity of which the

30 member or the member's spouse or child, is an officer, partner, director or proprietor or in which

31 the member, spouse or child has a material interest.

32 **Sec. 2-136. – Greenway System.**

33 Greenways are defined by the Florida Department of Environmental Protection (FDEP), Office

34 of Greenways and Trails, as natural corridors of protected open space that are vital for functional

35 and healthy native ecosystems. These ecological greenways support the environment and allow

36 wildlife to thrive and migrate from place to place. Greenways and recreational trails, both paved

37 and unpaved, join populated areas together by linking landscapes such as parks, water features,

38 open space, cultural features, and historic sites. Nonmotorized trails and waterways provide

39 places for paddlers, bicyclists, pedestrians, hikers, horseback riders, and others to recreate and

40 experience the many natural and cultural attractions of our State. Establishing a connected

41 system of greenways and trails for Florida is an important way to join many aspects of both the

1 natural and human environments. Greenways may also include properties associated with the  
2 FDEP approved Florida Greenways and Trails System Plan.

3  
4 **Sec. ~~2.126-2-137~~ – 2.150. - Reserved**

5  
6  
7 **Section 9. Inclusion in Code.** If the Bond Referendum passes on November 5,  
8 2024, it is the intent of the Board of County Commissioners that the provisions of Section 8 of  
9 this Ordinance shall become and be made a part of the Lake County Code and that the sections of  
10 this Ordinance may be renumbered or relettered and the word “ordinance” may be changed to  
11 “section”, “article”, or such other appropriate word or phrase to accomplish such intentions.

12  
13 **Section 10. Severability.** If any section, sentence, clause, or phrase or word of this  
14 Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void  
15 by any court of competent jurisdiction, then said holding shall in no way affect the validity of the  
16 remaining portion of this Ordinance; and it shall be construed to have been the Commissioners’  
17 intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein;  
18 and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and  
19 held to be valid, as if such parts had not been included herein; or if this Ordinance or any  
20 provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of  
21 property, circumstances or set of circumstances, such holding shall not affect the applicability  
22 thereof to any other person, property or circumstances.

23  
24 **Section 11. Filing with the Department of State.** The Clerk shall be and is hereby  
25 directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the  
26 State of Florida in accordance with Section 125.66, Florida Statutes.  
27


1           **Section 12. Effective Date.** This ordinance shall take effect as provided for by law;  
2 provided, however, that Section 8 of this Ordinance shall not become effective unless the Bond  
3 Referendum passes on November 5, 2024.

4  
5           **ENACTED** this day of 11th day of June, 2024.

6  
7           **FILED** with the Secretary of State the 18 day of June, 2024.

8  
9           **EFFECTIVE** June 11, 2024.

10  
11  
12  
13 ATTEST:

14   
15  
16  
17 Gary J. Cooney, Clerk  
18 Board of County Commissioners  
19 of Lake County, Florida



BOARD OF COUNTY COMMISSIONERS  
OF LAKE COUNTY, FLORIDA

20  
21  
22  
23  
24  
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26  
27  
Kirby Smith, Chairman

This 14th day of June, 2024.

Approved as to form and legality:

Melanie Marsh 6/11/24  
Melanie Marsh, County Attorney