

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

REGULAR MEETING

March 18, 2008

COUNTY COMMISSIONERS

Welton G. Cadwell, Chairman
Jennifer Hill, Vice Chairman
Elaine Renick, District #2
Debbie Stivender, District #3
Linda Stewart, District #4

Cindy Hall, County Manager
Sanford A. Minkoff, County Attorney
Neil Kelly, Clerk to the Board

DISCLAIMER

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

In addition to regular Board meetings, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which any member of the public may comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

ITEMIZED AGENDA

March 18, 2008

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. MINUTE APPROVAL

Tab 1 Approval of the following Minutes:
February 19, 2008 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 7)

1. List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office.

Recommendation: Acknowledge Receipt

2. Town of Astatula Ordinance No. 2008-B, annexing into and including with the corporate area and limits of the Town the portions and areas of land situate and being in Lake County, Florida, generally described as that property located south of County Road No. 48 and north of closed Kansas Avenue, and more particularly described herein; redefining the corporate limits of Astatula, Florida, to include said land in the Town; providing for amendment of the Town Map to include the land annexed hereby.

Recommendation: Acknowledge Receipt

3. St. Johns River Water Management District 2008 Consolidated Report, pursuant to Section 373.036, Florida Statutes.

Recommendation: Acknowledge Receipt

4. Annexation Ordinances from the City of Tavares, as follows:

Ordinance No. 2007-37, regarding vacant property – 2.5 acres located north of the Lane Park Subdivision, west of Range Line Avenue; and Ordinance No. 2007-40, regarding vacant property - .17 acres located east of SR 19, south of Lane Park Cutoff.

Passed and Ordained the 19th day of December, 2007, by the City Council of the City of Tavares.

Recommendation: Acknowledge Receipt

5. Ordinances from the Town of Lady Lake, as follows:

Ordinance No. 2008-02
Ordinance No. 2008-03
Ordinance No. 2008-04
Ordinance No. 2008-05
Ordinance No. 2008-06
Ordinance No. 2008-07
Ordinance No. 2008-08

Recommendation: Acknowledge Receipt

6. City of Tavares Annexation Ordinances as follows:

Ordinance No. 2007-37
Ordinance No. 2007-40

Recommendation: Acknowledge Receipt

7. Letter from the City of Clermont regarding road right-of-way closing for portions of Lake Minneola Drive and Second Street, together with Ordinance 586-M related thereto.

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 19)

Budget

[Tab 3](#) Approve Budget Change Request.

1. Budget transfer - County Transportation Trust Fund, Department of Public Works,, Funding and Production Division. Transfer \$55,628 from Reserve for Operations to Machinery and Equipment. A Fiscal Year 2007 purchase order for \$55,628 for two vehicles was not carried forward into Fiscal Year 2008 in error. The two vehicles ordered against this purchase order were not received until recently due to needed customizing of the vehicles prior to delivery. The vehicles and invoices have now been received and funding is needed to pen a new purchase order to pay for them. Funds are available in Reserve for Operations. After this transfer is posted, the balance in the Reserve for Operations account will be \$395,882.

Employee Services

[Tab 4](#) Approval of the proposed Vehicle and Equipment Policy to replace the Lake County Vehicle Policy, approved 6/19/07.

Growth Management

[Tab 5](#) Request for approval and execution of Release of Fine, Unlicensed Contractor Citation paid by Fredrick Fay.

Procurement

[Tab 6](#) It is recommended to award five contracts to Clayton Roper & Marshall, Inc., All Real Estate Appraisal Company, Stricklen Appraisal Services, Diversified Property Specialists, Inc. and Weigel-Veasey Appraisers, Inc. for our On-Call Appraisal Services.

[Tab 7](#) Recommendation is being made to award an Agreement to In Rem Solutions, Inc., for Grant Writing.

[Tab 8](#) FOR INFORMATION ONLY-NO ACTION REQUIRED. The Procurement Policy revisions enacted by the BCC on September 27, 2007 delegated authority to the County Manager to complete certain individual purchase and contract modification actions in excess of \$25,000 under "term and supply" contracts. At the BCC meeting on October 2007, there was discussion regarding a need to provide information to the BCC regarding such actions for a limited period of time. The "term and supply" contract actions discussed below fall within these informational parameters.

[Tab 9](#) The Board approved Capital Reference Code TDIS-0802 for a 26 foot Champion Cutaway Bus during budget process 07/08. Request approval of a purchase for a "piggyback" from the Florida Department of Transportation (FDOT) contract number FVPP-05-CA-1.

Public Safety

[Tab 10](#) Lake County Department of Public Safety Fire Rescue Division requests approval to accept the FY 2007 Assistance to Firefighters Grant in the amount of \$414,000.00 from the Department of Homeland Security to be used to upgrade Fire Rescue's breathing apparatus. Approval of the attached Budget Change Request form and the Resolution form is necessary in order to encumber the department's portion of the grant (\$82,000.00) and to receive the grant funds into the Fire Control Fund.

Public Works

[Tab 11](#) Approve Resolution with the State of Florida Department of Transportation (FDOT) to acquire certain lands now owned by the State for construction of turn lanes and a sidewalk on CR 19A in Tavares.

[Tab 12](#) Recommend approval and signature on Resolution authorizing the reduction of the speed limit Lake Louisa Rd (0847) from Hammock Ridge Rd to US 27 from 45 MPH to 40 MPH in the Clermont Area, Commission District 2.

[Tab 13](#) Request authorization to accept a performance bond in the amount of \$100,000.00 from Jr. Davis Construction Company associated with a right of way utilization permit for Hammock Ridge Road. Commission District 2.

[Tab 14](#) Request authorization to execute a resolution accepting Eagles Crossing (County Road No. 1426) from SR-50 to CR-565A into the County Road Maintenance System. Commission District 2.

[Tab 15](#) Request authorization to release a letter of credit for maintenance in the amount of \$369,444.29 posted for the Citrus Tower Boulevard Improvements. This project is located in Commission District 2.

[Tab 16](#) Request authorization to award Max Hooks Road Widening and Resurfacing Project No. 2008-02, Bid No. 08-0007, to Swell Construction Co., Inc., in the amount of \$289,756.50, and encumber and expend funds in the amount of \$289,756.50 from Road Impact Fee Fund Benefit District 6. Commission District 2.

[Tab 17](#) Request authorization to award CR-439/SR-44 Intersection, CR-44/Hicks Ditch Road Intersection and #5562 Orange Avenue/# 5876 Estes Road Intersection Project No. 2008-03, Bid No. 08-0008, to Professional Dirt Services, Inc., in the amount of \$573,483.18, and encumber and expend funds in the amount of \$573,483.18 from Road Impact Fee Fund Benefit District 2. Commission District 4 and 5.

[Tab 18](#) Accept a maintenance bond in the amount of \$139,457.60 as surety in accordance with a Developer's Agreement between Lake County and Dewitt Enterprises, Inc. for the construction of Hooks Street Phase III.

[Tab 19](#) Request authorization to release cash funds for performance in the amount of \$46,200.00, accept a letter of credit for maintenance in the amount of \$46,960.00, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Pillar Development, LLC and execute a resolution accepting the following roads into the County Road Maintenance System: Wyandotte Drive (County Road No. 0736D) and Peliseur Court (County Road No. 0736E). Pillars Ridge consists of 28 lots and is located in Section 11, Township 23 South, Range 25 East. Commission District 2.

V. COUNTY ATTORNEY'S CONSENT AGENDA (Tab 20 through Tab 22)

[Tab 20](#) Acceptance of Quit Claim Deed and Bill of Sale executed by Chloe Bonds-Wormack on behalf of South Umatilla Water, Inc. f/k/a South Umatilla Water Company, Inc.

[Tab 21](#) Approval of Resolution amending Resolution 2008-1, Comprehensive Health Care Committee, to correct a scrivener's error.

[Tab 22](#) Approval of settlement agreement in CRS Timber, LLC vs. Lake County special master case.

VI. PRESENTATIONS

- [Tab 23](#) Request for a member of the Comprehensive Health Care Committee Child Obesity Prevention sub committee to make a brief (15 minute) presentation to the Board of County Commissioners to seek support and endorsement for a county-wide Child Obesity Prevention initiative.
- [Tab 24](#) Informational presentation by the Lake County School Board on various topics such as Jr. Achievement, magnet schools and dual enrollment.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

- [Tab 25](#) Approval of the CTD/ACHA Medicaid Non-Emergency Transportation Agreement Amendment No. 6 from February 29, 2008 through June 30, 2008.
- [Tab 26](#) The Board approved Capital Reference Code TDIS-0801 for 5 23-foot Cutaways. Staff is seeking approval to reduce the Florida Department of Transportation Section 5310 Grant Award for FY 2007-2008 from five to four vehicles. Request approval to purchase for a "piggyback" from the Florida Department of Transportation (FDOT) contract number FVPP-05-CA-3LF and FVPP-08-SC-TP.
- [Tab 27](#) Approval of Memorandum of Understanding for Planning Grant - Criminal Justice, Mental Health & Substance Abuse Reinvestment Grant between Lake County and State of Florida, Department of Children and Families. Also recommend approval of Resolution of Unanticipated Revenue and Budget Transfer of \$60,000 from General Fund Reserve for Operations for the required local cash match.

VIII. PUBLIC HEARINGS

PUBLIC HEARING - 9:00 A.M. or As Soon Thereafter

- [Tab 28](#) For the Board to approve the proposed uses of FY 2008-09 Community Development Block Grant (CDBG) funds.
- [Tab 29](#) Approval of proposed ordinance changing Section 10.01.00 of the Land Development Regulations limiting the size of accessory structures in relation to the size of the principal structure.

IX. REPORTS

A. County Attorney

- [Tab 30](#) Approval of the First Amended Interlocal Agreement between Lake County and Lake County School Board and Municipalities for school facilities planning and siting.

B. County Manager

C. Commissioner Hill - Vice Chairman and District #1

D. Commissioner Renick - District #2

E. Commissioner Stivender - District #3

F. Commissioner Stewart - District #4

G. Commissioner Cadwell - Chairman and District #5

[Tab 31](#) Approval of resolution supporting efforts to name that portion of US Hwy 27 which passes through Lake County as "Purple Heart Highway".

CITIZEN QUESTION AND COMMENT PERIOD

At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.