

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

REGULAR MEETING

May 01, 2007

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

James C. Watkins, 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

May 01, 2007

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:
March 27, 2007 (Regular Meeting)
March 30, 2007 (Special Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 8)

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 - Acknowledge receipt.
2. Monthly Distribution of Revenue Traffic/Criminal Cases, for the month ending March 31, 2007, in the amount of \$195,763.21. Same period last year: \$222,649.65 - Acknowledge receipt.
3. Hearing Notice – Notice of Commission Hearing and Pre-Hearing to Progress Energy Florida, Inc., and all other interested persons. Docket No. 060162-EI. Notice is hereby given, that a hearing will be held before the Florida Public Service Commission regarding the application of Progress Energy Florida, Inc., to recover the costs of its modular cooling tower project, at the following time and place:

Tuesday, May 1, 2007, at 9:30 a.m.
Betty Easley Conference Center, Room 148
4075 Esplanade Way
Tallahassee, Florida

Recommendation: Acknowledge Receipt

4. Annexation Ordinance 2007-05, amending the boundaries of the City of Tavares, by annexing approximately 11 acres of property located northerly of Lane Park Road lying approximately .7 miles west of the intersection of SR 19 and Lane Park Road, passed and ordained the 4th day of April, 2007, by the City Council of the City of Tavares - Acknowledge receipt.
5. City of Tavares' Comprehensive Annual Financial Report for the fiscal year ended September 30, 2006 - Acknowledge receipt.
6. Notice of Order Suspending Proposed Final Rates and Granting Interim Rate Increase. Docket No. 060368-WS, Order No. PSC-07-0325-FOF-WS, Issued April 16, 2007. Re: Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc - Acknowledge receipt.
7. Southwest Florida Water Management District's Annual Local Government Financial Report, and Comprehensive Annual Financial Report (CAFR), on CD, for the fiscal year ended September 30, 2006 - Acknowledge receipt.
8. Meeting Notice – Southwest Florida Water Management District Governing Board Meeting Agenda for April 24, 2007, to be held at 9:00 a.m., at the Brooksville Headquarters, 2379 Broad Street, Brooksville, Florida; and Approved Minutes of the Meeting of the Governing Board, held on February, 27, 2007 - Acknowledge receipt.

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

Community Services

- [Tab 3](#) For the Board to approve and authorize the Chairman to sign the Second Amendment to the FY 2005-06 Community Development Block Grant (CDBG) Partnership Agreement between the Forest Hills-Lake Mack Association and the County.

[Tab 4](#) Approval of Resolution recognizing the accomplishments of Lake County's volunteers and declaring the month of May 2007 as Volunteer Appreciation Month in Lake County. The Commissioners will read the approved resolution on Wednesday, May 2, 2007 at the Fourteen Annual Volunteer Recognition and Reception. This event will thank Groundhog Day tornadoes volunteers registered through VolunteerLAKE. The event will be from 5:45 pm – 7:30 p.m. at Lake Receptions in Mount Dora.

[Tab 5](#) Approval for the Department of Community Services staff to submit an application for the Florida Commission for the Transportation Disadvantaged Trip and Equipment Grant for FY-2007-2008 as well as the supporting Resolution.

[Tab 6](#) Approval for the Department of Community Services staff to submit an application to the Florida Commission for the Transportation Disadvantaged for the Rural Capital Assistance Support Grant Program and the supporting Resolution.

[Tab 7](#) The Department of Community Services/Community Health Worker Program is requesting retroactive approval of a Request for Application (RFA) to the Florida Department of Health, Hispanic Obesity Prevention & Education (HOPE) Grant in the amount of \$10,000.00. This retroactive approval is being requested due to the timing issue of when we were notified of the grant opportunity and the application due date of May 2, 2007. If the RFA is approved for funding, the contract/agreement for funding will be placed on the Board Agenda for approval following review by the County Attorney's Office.

Growth Management

[Tab 8](#) Request for approval and execution of a Release of Fine. Property Owner: William J. Vandertulip, Code Case# 2005070339 - Commission District 1.

[Tab 9](#) Request for approval and execution of a Release of Fine. Property owner: Angelina Messina & Grazia Messina, Code Case# 2001090097 - Commission District 3.

[Tab 10](#) Request for approval and execution of Release of Fine; unlicensed contractor citation paid - Commission District 2.

Procurement

- [Tab 11](#) It is recommended that the Board approve and execute a contract with Prime Electric, LLC. to provide construction of park entry sign walls throughout parks in Lake County. The cost for this project is \$112,422.60.
- [Tab 12](#) It is recommended that the Board award ITB# 07-0826 for a Heated Asphalt Storage Tanker to E.D.Etnyre & Company in Oregon, Illinois for the amount of \$52,083.00 and also to approve the budget transfer of \$3,583.00 to Capital Reference Code RD-0707.
- [Tab 13](#) It is recommended that (1) the board approve and execute a contract with Affordable Structures, Inc. to provide construction of precast restrooms for six (6) Lake County parks: Lake Idamere, Twin Lakes Park, Paisley Park, PEAR Park, Pine Forest Park and Ferndale Preserve (2) approve the transfer of \$76,000 from South District Impact Fees. The cost of the contract is not to exceed \$760,000 within a one year period. The estimated cost of the restrooms for the six parks is \$456,000 based on specific unit pricing for each park. The remaining \$304,000 on the contract will provide a means to add restrooms to Lake Jem Park, Marsh Park and Palatlahaha River Park and a second facility at PEAR Park upon availability of funds. Also approve the budget transfer in the amount of \$76,000.

Public Safety

- [Tab 14](#) Approval for Department of Public Safety Fire Rescue Division to submit grant to the United States Fire Administration to Firefighters Grant Program. Application period is March 29th through May 4th with awards given out prior to the end of the year. Matching funds will be submitted as an enhancement request in the FY 2008 budget.
- [Tab 15](#) Approval for Department of Public Safety Communications Division in concert with the Fire Rescue Division to submit grant application to the United States Fire Administration Assistance to Firefighters Grant Program Regional Project. The grant is administered by the Department of Homeland Security and is available to help fire service agencies improve the health and safety of the public and emergency response personnel. The grant program has an application period ending May 4, 2007 with awards given out prior to the end of the year. Applications submitted by mail must be postmarked by May 1, 2007. **No backup is included with this Tab as the backup for this item is identical to Tab 14.**

[Tab 16](#) Approval for Department of Public Safety Communications Division in concert with the Fire Rescue Division to submit grant application to the United States Fire Administration Assistance to Firefighters Grant Program Regional Project. The grant is administered by the Department of Homeland Security and is available to help fire service agencies improve the health and safety of the public and emergency response personnel. The grant program has an application period ending May 4, 2007 with awards given out prior to the end of the year. Matching funds will be provided by utilization of existing 860640 funding from Automation Funds Carryforward approved as part of BCC Resolution 2007-18 on 2/6/07. **No backup is included with this Tab as the backup for this item is identical to Tab 14.**

Public Works

[Tab 17](#) Approval to submit a Florida Department of Environmental Protection Recreational Trails Grant application for a grant of \$200,000 for the development of a multipurpose paved trail, boardwalk, signage, benches and bike racks in P.E.A.R. Park. Local match to be from Impact Fees - Commission District 3.

[Tab 18](#) Request authorization to accept the final plat for Sawgrass Bay Phase 1B and all areas dedicated to the public as shown on the Sawgrass Bay Phase 1B final plat, accept a performance bond in the amount of \$1,792,693.12, and execute a Developer's Agreement for Construction of Improvements between Lake County and DeLuca Enterprises, Inc. Sawgrass Bay Phase 1B consists of 114 lots and is located in Section 14, Township 24 South, Range 26 East - Commission District 2.

[Tab 19](#) Approval to accept the attached list of public right of way deeds that have been secured in conjunction with roadway and/or stormwater projects. (Commission Districts: 1,2,4,5)

V. COUNTY ATTORNEY'S CONSENT AGENDA

[Tab 20](#) Approval of Second Amendment to Sub-Lease Agreement between Armory Board and Lake County.

VI. AWARDS AND RECOGNITIONS

EMPLOYEE AWARDS

Presentation of Award to Employees with Five Years of Service

Donovan Miller, Fire Lieutenant/Paramedic
Public Safety/Fire Rescue

Jared Mielke, Firefighter/EMT
Public Safety/Fire Rescue

Stephen Cantley, Equipment Operator III
Public Works/Road Operations/Maintenance Area II

Corey Mathis, GIS Analyst
Growth Management/GIS

Paul Githuka, Senior GIS Analyst
Growth Management/GIS

Teresa Conant, Office Associate IV
Public Works/Engineering

Grace Watson, Commissioners Aide
BCC Administrative Support

Presentation of Award to Employees with Twenty Years of Service

Yancey Peterson, Fire Lieutenant/EMT
Public Safety/Fire Rescue

Presentation of Award to Employees with Twenty-Five Years of Service

Carmen Carroll, Building Services Manager
Growth Management/Building Services

VII. PRESENTATIONS

Tab 21 Presentation by Dr. Pierce Jones, Director, Program for Resource Efficient Communities, University of Florida.

Tab 22 Presentation by Lance Lumbard, Water Resources Project Manager, LCWA, regarding the Clermont Chain of Lakes.

Tab 23 Presentation by Early Learning Coalition of Lake County.

Tab 24 Presentation of President's Volunteer Service Award (PVSA) for VolunteerLAKE participants.

VIII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

Tab 25 Approval to contact and negotiate an agreement with the U.S. Department of Justice, National Institute of Corrections to obtain their assistance in completing a Jail and Justice System Assessment. Agreement will be returned for Board review/approval after negotiations.

IX. PUBLIC HEARINGS

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

Tab 26 Approval of Stipulated Settlement Agreement, Department of Community Affairs v. Lake County.

Tab 27 Approve a typical cross section and contract amendment for the completion of the design phase of the Britt Road Project. This presentation will summarize the design efforts and ask for approval to move forward with the completion of the design phase - Commission District 4.

X. OTHER BUSINESS

Tab 28 Appointment of individuals to upcoming vacant positions on the Children's Services Council.

Tab 29 Appointment of individuals to upcoming vacant positions on the Parks, Recreation and Trails Advisory Board to serve two-year terms beginning May 20, 2007.

Tab 30 Appointment of individual to a vacant Commission District 1 seat on the Elder Affairs Coordinating Council to complete an unexpired term ending Jan. 31, 2008.

XI. REPORTS

- A. County Attorney**
- B. County Manager**
- C. Commissioner Hill - Vice Chairman and District #1**
- D. Commissioner Renick - District #2**
- E. Commissioner Stivender - District #3**

[Tab 31](#) Approval and execution of a proclamation designating May 2007 as National Community Action Month.

- F. Commissioner Stewart - District #4**
- G. Commissioner Cadwell - Chairman and District #5**

[Tab 32](#) Approval and execution of Proclamation proclaiming May 2007 as Law Enforcement Month.

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.

TENTATIVE AGENDA

MAY 14, 2007

9:00 A.M. Workshop – Comp Plan and Budget Retreat to be held at the Agricultural Center

=====

TENTATIVE AGENDA

MAY 15, 2007

9:00 A.M. Regular Meeting

=====

TENTATIVE AGENDA

MAY 22, 2007

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

=====

TENTATIVE AGENDA

JUNE 5, 2007

9:00 A.M. Regular Meeting

1:00 P.M. Workshop – Comp Plan

=====

TENTATIVE AGENDA

JUNE 12, 2007

9:00 A.M. Regular Meeting/Tentative

=====

TENTATIVE AGENDA

JUNE 19, 2007

9:00 A.M. Regular Meeting

=====

TENTATIVE AGENDA

JUNE 26, 2007

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

=====

TENTATIVE AGENDA

JULY 3, 2007

9:00 A.M. Regular Meeting

=====

TENTATIVE AGENDA

JULY 10, 2007

9:00 A.M. Regular Meeting/Tentative

TENTATIVE AGENDA

JULY 17, 2007

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

JULY 24, 2007

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

TENTATIVE AGENDA

AUGUST 7, 2007

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

AUGUST 14, 2007

9:00 A.M. Regular Meeting/Tentative

TENTATIVE AGENDA

AUGUST 21, 2007

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

AUGUST 28, 2007

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

TENTATIVE AGENDA

SEPTEMBER 4, 2007

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

SEPTEMBER 11, 2007

9:00 A.M. Regular Meeting/Tentative

TENTATIVE AGENDA

SEPTEMBER 18, 2007

9:00 A.M. Regular Meeting

TENTATIVE AGENDA

SEPTEMBER 25, 2007

9:00 A.M. Regular Meeting (Zoning and Road Vacations)