

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

REGULAR MEETING

MAY 16, 2006

COUNTY COMMISSIONERS

**Catherine C. Hanson, Chairman
Welton G. Cadwell, Vice Chairman
Jennifer Hill, District #1
Robert A. Pool, District #2
Debbie Stivender, District #3**

**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.

As a part of any public and formal meeting, 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 all public 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 16, 2006

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 28, 2006	Regular Meeting
April 17, 2006	Special Joint Meeting – Minneola City Council
April 25, 2006	Special Joint Meeting - School Board Municipalities

III. CLERK OF COURT'S CONSENT AGENDA

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

1. Contractor Bonds – New, Rider and Cancellation – Approval.
2. Unclaimed excess proceeds for tax deeds totaling \$59,443.59 - Acknowledge receipt.
3. 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.
4. Meeting Notice – Southwest Florida Water Management District Governing Board Meeting Agenda for April 25-26, 2006 to be held at 9:00 a.m., at 2379 Broad Street, Brooksville, Florida 34604-6899; and Approved Minutes of the Meeting of the Governing Board held on February 21, 2006 – Acknowledge receipt.

5. Report Number 2006-170, a Financial Audit of Lake-Sumter Community College, for the fiscal year ended June 30, 2005, from the Auditor General, State of Florida – Acknowledge receipt.
6. Comprehensive Annual Financial Report from the City of Clermont, for the fiscal year ended September 30, 2005, in accordance with Section 163.387(8) of the Florida Statutes – Acknowledge receipt.
7. Acknowledge receipt of Ordinances received from the Town of Lady Lake, Florida as follows:

- Ordinance No. 2005-53 (Small Scale FLUM Amendment)
- Ordinance No. 2005-54 (Rezoning from RS-3 to RS-6)
- Ordinance No. 2006-01 (Annexing Property into Town of Lady Lake Limits)
- Ordinance No. 2006-02 (Small Scale FLUM Amendment)
- Ordinance No. 2006-03 (Rezoning from A to RS-6)
- Ordinance No. 2006-04 (Rezoning from PUD, as set forth in Ordinance No. 97-08, to PUD, as set forth herein)
- Ordinance No. 2006-05 (Small Scale FLUM Amendment)
- Ordinance No. 2006-06 (Rezoning from AG-1 to CP)
- Ordinance No. 2006-07 (Small Scale FLUM Amendment)
- Ordinance No. 2006-08 (Rezoning from MX-5 to LC)
- Ordinance No. 2006-09 (Small Scale FLUM Amendment)
- Ordinance No. 2006-10 (Rezoning from RP to LC)
- Ordinance No. 2006-20 (Establishing Public Service Natural Gas Tax Rate)

RECOMMENDATION: Approval

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through 20)

A. Budget

Tab 3

1. Budget transfer - General Fund, Department of Facilities Development and Management, Facilities Management Division, Facilities Services Section. Transfer \$31,000.00 from Facilities Repair and Maintenance to Repair and Maintenance. Funds are needed for start-up costs for a new lawn maintenance contract. At the beginning of a new lawn maintenance contract, the new vendor is allowed a one-time “clean-up” charge to bring the facilities up to an acceptable condition. They are also allowed a one-time charge for the mulch condition. After this one-time charge, the vendor is responsible. Funds are available in Facilities Repair and Maintenance.

RECOMMENDATION: Approval

2. Budget transfer – County Transportation Trust Fund, Department of Public Works, Road Operations Division. Transfer \$306,910.00 from Contractual Services (\$13,860.00) and Road Repair and Maintenance (\$293,050.00) to Repair and Maintenance. County Finance processed a change order moving expenditures of \$13,860.00 from Contractual Services to Repair and Maintenance. This transfer would move the funds. Funds available in Contractual Services. Additional funds of \$293,050.00 are needed to cover fleet maintenance costs and expenses for the balance of the fiscal year, due to unusually high costs for fleet maintenance of the program’s vehicles and equipment. Funds available in Road Repair and Maintenance.

RECOMMENDATION: Approval

3. Budget transfer – County Library System Fund, Department of Community Services, Library Services Division. Transfer \$35,786.00 from Rentals and Leases (Citrus Ridge, Marion Baysinger, East Lake, Paisley, Astor and Cooper libraries) to Books, Publications and Library Materials (Citrus Ridge, Marion Baysinger, East Lake, Paisley, Astor and Cooper libraries). The book lease plans for the Citrus Ridge, Marion Baysinger, East Lake, Paisley, Astor, and Cooper libraries were cancelled. Funds need to be moved to Books, Publications, and Library Materials to purchase books in lieu of leasing the books. Funds are available in Rentals and Leases.

RECOMMENDATION: Approval

4. Capital substitution – County Fire Control Fund, Department of Public Safety, Fire Rescue Division. Transfer \$63,510.00 from Machinery and Equipment (Homeland Security Grant - \$34,510.00, FEMA Grant - \$12,000.00, Firefighters Assistance Grant - \$17,000.00) to Machinery and Equipment (Breathing air compressors - \$46,710.00, SCBA fill stations - \$16,800.00). Three breathing air compressors and three SCBA fill stations must be purchased to bring the department into consistent statutory compliance with OSHA. Funds are available from monies from grants.

RECOMMENDATION: Approval

B. Community Services

Tab 4 Approval of the Fiscal Year 2006-06 Community Development Block Grant (CDBG) Partnership Agreement between the Yalaha Community Club, Inc. and the County in an amount not to exceed \$80,000.00, allocating CDBG funds to demolish the old community center and construct a new community center and to direct the Community Services Department to execute the agreement and oversee completion of the project as covered in the Scope of Services.

RECOMMENDATION: Approval

Tab 5 Approval of the Fiscal Year 2006-09 Local Housing Assistance Plan; to authorize the Chairman to sign the authorizations; and to direct the Housing & Community Development Division to transmit to plan to the Florida Housing Finance Corporation.

RECOMMENDATION: Approval

Tab 6 Approval of the Acceptance of the Florida Department of Transportation 5310 Grant Award for five buses.

RECOMMENDATION: Approval

Tab 7 Approval of request to submit Drug Free Communities grant application, made available through the Governor's Office of Drug Control, in the amount of \$55,000.00 to implement a Peers Making Peace Program.

RECOMMENDATION: Approval

C. Employee Services

Tab 8 Approval of an offer to settle Robin McGregor's claim for property damage, subject to the County Attorney's review and approval.

RECOMMENDATION: Approval

D. Procurement Services

Tab 9 Approval of the contracts with Professional Service Industries, Inc. and Dyer, Riddle, Mills & Precourt, Inc. to provide On Call Construction Inspection Services - RSQ 06-007.

RECOMMENDATION: Approval

Tab 10 Approval to declare the items on the attached lists surplus to County needs, authorize the removal of all the items on the attached lists from the County's official fixed asset inventory system records, and authorize the Procurement Services Director to sign the vehicle titles. The items on the attached lists have been declared surplus by their respective agencies due to age, wear, and obsolescence.

RECOMMENDATION: Approval

E. Public Works

Tab 11 Approval of resolution to advertise public hearing for Vacation Petition No. 1081, Milton S. Jennings, Rep. Don Griffey - Griffey Engineering, regarding the request to vacate right of way and cease maintenance on Republic Drive (Number 2223), and also vacate Lot Line drainage and utility easements in the Plat of Lake County Central Park-Phase 2 and in the Home Depot Plat, located in Section 29, Township 21 South, Range 25 East, in the Groveland area – Commission District 3.

RECOMMENDATION: Approval

Tab 12 Approval of resolution to advertise public hearing for Vacation Petition No. 1082, C. David Brown, regarding the request to vacate tracts, lots and rights of way, in the Plat of Bowman Realty Co., and cease maintenance on South Bradshaw Road (0553) located in Section 33, Township 23 South, Range 26 East, in the Clermont area – Commission District 2.

RECOMMENDATION: Approval

Tab 13 Approval of agreement between Lake County Board of County Commissioners and the Florida Department of Transportation for the replacement of the Lake Norris Bridge.

RECOMMENDATION: Approval

Tab 14 Approval of an extension until September 30, 2006 for the Capital Improvement Grant for the City of Clermont.

RECOMMENDATION: Approval

Tab 15 Approval for agreement between Lake County and the Florida Department of Transportation for State Highway lighting, maintenance and compensation between College Drive and Dead River Bridge (US 441) and approval on resolution giving Chairman approval to sign agreement.

RECOMMENDATION: Approval

Tab 16 Approval to accept the final plat for Peggy's Cove and all areas dedicated to the public. Peggy's Cove consists of six lots – Commission District 5.

RECOMMENDATION: Approval

Tab 17 Approval to accept the final plat for Blue Spring Reserve, Phase I and all areas dedicated to the public as shown on the Blue Spring Reserve, Phase I final plat; accept a letter of credit in the amount of \$1,682,289.95; and execute a Developer's Agreement for Construction of Improvements between Lake County and Landquest Group, LLC. Blue Spring Reserve, Phase I consists of 63 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 18 Approval to release a maintenance bond in the amount of \$32,188.00 posted for Grand Island Oaks Phase I, which consists of 54 lots – Commission District 5.

RECOMMENDATION: Approval

Tab 19 Approval to accept the final plat for Grand Island Oaks Phase II, and all areas dedicated to the public as shown on the Grant Island Oaks Phase II plat; accept a maintenance bond in the amount of \$38,976.25; execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Showcase Homes, Inc.; and execute a resolution accepting the following roads into the County Road Maintenance System: Grand Island Oaks Circle (County Road Number 6346A), Tall Oak Court (County Road Number 6346B), and Laurel Crest Court (County Road Number 6346C). Grand Island Oaks Phase II consists of 63 lots – Commission District 5.

RECOMMENDATION: Approval

F. Tourism and Business Relations

Tab 20 Approval to forego the bidding process and contract with Fidelity Press of Orlando for the production and printing of the July through September 2006 event guides at a cost not to exceed \$75,000 and approval of a transfer of funds from promotional items to printing and binding in the Tourism Budget in the amount of \$75,000.

RECOMMENDATION: Approval

V. COUNTY MANAGER'S DEPARTMENTAL BUSINESS (Tab 21 and 22)

A. Procurement

Tab 21 Approval of the contract for the Construction Manager for RSQ#05-094 to Centex Construction for the Renovation of the Judicial Center, Detention Center, Energy Plant, Multi-Level Parking Garage, Tax Collector and Property Appraiser Buildings.

RECOMMENDATION: Approval

B. Public Works

Tab 22 Approval for funding match of \$270,000.00 and the transfer of \$270,000.00 from the General Fund Special Reserve to match Land & Water Grant and the cash donations; also approval to acquire from Landscape Structure the specialized play equipment and the installation of said equipment.

RECOMMENDATION: Approval

VI. PUBLIC HEARINGS/CLOSED SESSION

A. PUBLIC HEARINGS – 9:00 A.M. or as Soon Thereafter

1. PUBLIC HEARINGS

Tab 23 **PUBLIC HEARING:** Ordinance Dissolving the Southlake Community Development District, repealing Ordinance 1992-5

Tab 24 **PUBLIC HEARING:** Ordinance Amending Section 17-3 Lake County Code and Section 13.04.02, Land Development Regulations to Add an Ex-Officio, Non-Voting Military Representative to the Local Planning Agency and Zoning Board

Tab 25 **PUBLIC HEARING:** Ordinance amending Land Development Regulation Section 15.02.01, Table 15.02.01A, Lot Size and Frontage Requirements to state 21,780 Square Feet as the Minimum Lot Size Requirement in District R-2

B. CLOSED SESSION – 10:30 A.M. or as Soon Thereafter

CLOSED SESSION: Ongoing and Pending Litigation

VII. OTHER BUSINESS (Tab 26 through 28)

Tab 26 Appointment of individuals to the Children’s Services Council.

Tab 27 Appointment of individuals to the Lake-Sumter Metropolitan Planning Organization (MPO) Bicycle & Pedestrian Advisory Committee (BPAC).

Tab 28 Approval of the removal of Sonya Montgomery from the Elder Affairs Coordinating Council due to non-attendance at meetings.

VIII. REPORTS

A. County Attorney (Tab 29 through 32)

Tab 29 Approval to encumber funds and execute three rental agreements to Best American Storage for rental of records storage space for the State Attorney’s Office.

Tab 30 Approval to encumber funds and execute rental agreement to Best American Storage for rental of records storage space for Records Management.

Tab 31 Approval of lease agreement with Bulldog Investments for office space located on Ardice Avenue in Eustis for office space for the Department of Public Works.

Tab 32 Approval of Settlement Agreement and Release of Lien for code enforcement fines against Karl Shirey.

- B. County Manager
- C. Commissioner Hill – District #1
- D. Commissioner Pool – District #2
- E. Commissioner Stivender – District #3
- F. Commissioner Hanson – Chairman and District #4
- G. Commissioner Cadwell – District #5

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 19, 2006

9:00 A.M. Budget Retreat at C-Now, Lake Jem, Florida

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TENTATIVE AGENDA

MAY 23, 2006

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

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TENTATIVE AGENDA

MAY 30, 2006

9:00 A.M. Special Zoning Meeting

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TENTATIVE AGENDA

JUNE 6, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

JUNE 13, 2006

9:00 A.M. Regular Meeting/Tentative

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TENTATIVE AGENDA

JUNE 20, 2006

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

5:05 P.M. PUBLIC HEARING: Ordinance Amending Section 17-3 Lake County Code and Section
or as Soon 13.04.02, Land Development Regulations to Add an Ex-Officio, Non-Voting Military
Thereafter Representative to the Local Planning Agency and Zoning Board

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TENTATIVE AGENDA

JULY 11, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

JULY 18, 2006

9:00 A.M. Regular Meeting

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TENTATIVE AGENDA

JULY 25, 2006

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