

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

REGULAR MEETING

May 20, 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

May 20, 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:

- April 15, 2008 (Regular Meeting)
- April 22, 2008 (Regular 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.

Recommendation: Acknowledge Receipt
2. Property placed on the Lands Available List. Lake County has until July 28, 2008 to purchase property from Lands Available List, before it is available to the public.

Recommendation: Acknowledge Receipt
3. Before the Florida Public Service Commission – In re: Application for certificate to operate water utility in Lake County by South Umatilla Water.

Recommendation: Acknowledge Receipt
4. Southwest Florida Water Management District Governing Board Meeting Agenda for April 29, 2008, to be held at 9:00 a.m., at 7601 US Highway 301 North, Tampa Service Office, Florida; and approved Minutes of the Meeting of the Governing Board held on February 26, 2008, in Thonotosassa, Florida.

Recommendation: Acknowledge Receipt
5. City of Minneola Ordinance No. 2008-11 for voluntary annexation.

Recommendation: Acknowledge Receipt
6. Comprehensive Annual Financial Report for the City of Leesburg for Fiscal Year ending September 30, 2007.

Recommendation: Acknowledge Receipt
7. Comprehensive Annual Financial Report for the City of Clermont for Fiscal Year ending September 30, 2007, in accordance with Section 163.387(8) of the Florida Statutes, along with a copy of a new CRA Annual Report.

Recommendation: Acknowledge Receipt
8. City of Mascotte – Notice of Public Hearing scheduled for June 2, 2008, for Ordinance Nos. 2008-05-462 and 2008-05-463.

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 17)

Budget

Tab 3 Approve Budget Change Requests, Unanticipated Revenue Resolutions and Check Request.

1. Budget transfer – County Transportation Trust Fund, Department of Public Works, Road Operations Division. Transfer \$500,000 from Reserve for Operations to Repair and Maintenance (\$230,000) and Operating Supplies (\$270,000). Fuel cost increases and Repair and Maintenance needs require a transfer from Reserve for Operations to meet the demand for the remainder of the fiscal year for Road Operations. Funds available in Reserve for Operations. After this transfer, the balance in the Reserve for Operations account will be \$1,150,587.
2. Budget transfer – County Fire Rescue Fund, Department of Public Safety, Fire Rescue Division. Transfer \$49,750 from Repair and Maintenance to Repair and Maintenance (Project 21006 – Assistance to Firefighters Grant). Fire Rescue was awarded \$414,000 from the Fiscal Year 2007 Assistance to Fire Fighters Grant to purchase Self-Contained Breathing Apparatus (SCBA). The department share (20%) is \$82,800. The grant is being utilized to upgrade 180 SCBA. Due to the increased cost of the SCBA, an additional \$49,750 is needed.
3. Budget transfer – General Fund, Department of Public Safety, Fire Rescue Division. Transfer \$44,464 from Aids to Governmental Agencies to Office Supplies (\$29,514) and Machinery and Equipment (\$14,950). This transfer is needed to distribute the EMS grant. The amount being transferred to the Office Supply account is for upgrades of five monitors and upgrade of an existing LifePak. The amount being transferred to the Machinery and Equipment account is for the LifePak for the Clermont Fire Department.
4. Resolution to amend the Public Transportation Fund in order to receive unanticipated revenue for Fiscal Year 2008 in the amount of \$6,947 deposited into Contributions from Other Agencies and provide appropriations for the disbursement for Promotional Activities for marketing efforts to promote LakeXpress (fixed route service).
5. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2008 in the amount of \$308,629 deposited into Police Services – Minneola and provide appropriations for the disbursement for Transfer – Minneola Contract. The Sheriff’s Office has modified their agreement with the City of Minneola for law enforcement services.
6. Approval of request from the Department of Facilities Development and Management for payment to Arthur J. Gallagher Risk Management Services, Inc. for Builders Risk for Judicial Center Phase I, and Boiler and Machinery for Judicial Center Expansion Phase I. The request exceeds the County Manager’s approval limit of \$25,000. Total payment is for \$76,866.40.

Community Services

Tab 4 Approval of the transportation Standard Coordinator Contract with Christian Home Companionship.

Tab 5 Authorize submission of Final Annual Performance Report for the Federal Fiscal Year 2006 Edward Byrne Justice Assistance Grant (01/01/07 through 12/31/07). Designate Allison Thall as Program Contact and Point of Contact person and Fletcher Smith as alternate program contact person for Federal Fiscal Year 2006 and all grant periods prior. Direct designated staff to submit the electronic report to the Bureau of Justice Assistance on behalf of Lake County.

Tab 6 Approval of the transportation Standard Coordinator Contract with Silver Pointe, Inc.

Tab 7 Approval of the transportation Standard Coordinator Contract with Second Chance Group Home, Inc.

[Tab 8](#) Approval of the transportation Standard Coordinator Contract with Touch of Love Support Services.

[Tab 9](#) Approval of the Resolution acknowledging the County as the designated recipient of the Federal Transit Administration funds under the Section 5307 Program.

[Tab 10](#) Approve reallocation of \$10,000 currently funded through Human Service Grants to Community Care Health Services to Lake County Health Department Prescription Program. This request is in response to Community Care Health Services going out of business.

[Tab 11](#) For the Board to approve the resolution appointing the current Affordable Housing Advisory Committee members.

Environmental Utilities

[Tab 12](#) Approve Resolution to amend the types of funding accepted in the Environmental Recovery Fund.

Procurement

[Tab 13](#) It is recommended that the board approve and execute a term and supply contract with A&E Land Clearing, Inc. to provide mulching services at the Lake County Environmental Services Facilities. The initial annual cost of the contract is \$83,125.00.

[Tab 14](#) It is recommended that the Board (1) declare the items on the attached lists surplus to County needs, (2) authorize the removal of all of the items on the attached lists from the County's official fixed asset inventory system records, and (3) authorize the Procurement Services Director or designee to sign vehicle titles.

Public Safety

[Tab 15](#) Request the Board to approve termination of the Comcast Tower Leasing Agreement due to a non-appropriation of funds for this Lease effective September 30, 2008. Commission District 1.

Public Works

[Tab 16](#) Request for authorization and signature to submit modification number one to the subgrant agreement between the Division of Emergency Management and Lake County Board of County Commissioners regarding the acquisition and demolition of the Stockdill property at 11706 Lake Clair Circle. Commission District 2.

[Tab 17](#) Request authorization to release a performance bond for construction of improvements in the total amount of \$1,164,647 that was posted for Clearwater Reserve Phase I. Clearwater Reserve Phase I consists of 55 lots and is located in Section 28, Township 20 South, Range 24 East, Commission District 3.

V. COUNTY ATTORNEY'S CONSENT AGENDA

[Tab 18](#) Approval of increase in rates for Outside Counsel Henry "Skip" Jewett.

[Tab 19](#) Approval of Termination of Lease Agreement and Amendment between the Village Center Community Development District and Lake County for office space for the Property Appraiser's Office. Commission District 5.

VI. PRESENTATIONS

[Tab 20](#) Presentation from Transportation Disadvantaged Chairman J.R. Harding regarding the Transportation Disadvantaged Program.

[Tab 21](#) Presentation of LakeXpress First Anniversary May 21, 2008.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

[Tab 22](#) Consider two possible names for the new joint use library; indicate a first choice; and indicate if the second choice is also acceptable. The two recommendations are Cooper Memorial Library at LSCC and Cooper Memorial Community and College Library. The BCC may make additional recommendations. Commission District 3.

[Tab 23](#) Approval of a Title VI Plan for the Public Transportation Division.

[Tab 24](#) Approval and signature of Interlocal Agreement Between Lake County, Florida and Polk County, Florida for Joint Use of the Cagan Crossings Community Library, approval of the requested position, approval to increase library book budget by \$10,000, and approval and signature of the budget resolution to receive unanticipated revenue. Commission District 2.

Procurement

[Tab 25](#) Recommendation to award a contract to Painter Masonry/Ambach Masonry for 08-0229 for the Historic Building Cornice Restoration in the amount of \$215,215.00 with a \$21,521.50 contingency to be used at the discretion of Jim Bannon, Director Facilities Development & Management.

Public Works

[Tab 26](#) Approve Presentation regarding Final Study Recommendations for the Kurt Street Preliminary Engineering Study, City of Eustis.

VIII. PUBLIC HEARINGS

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

[Tab 27](#) Approval of Ordinance amending Section 14-55 and 14-59 of the Lake County Code reference nuisance abatement.

[Tab 28](#) Approval of Ordinance regarding Sylvan Shores Park "Lake Gertrude" to allow launching and retrieval of non-motorized canoes and kayaks.

IX. OTHER BUSINESS

[Tab 29](#) Appointment of one (1) individual to a vacant position on the Mt. Plymouth-Sorrento Planning Advisory Committee to complete a term ending February 26, 2010.

[Tab 30](#) Appointment of one (1) member who is familiar with Lake County geography and culture to complete an unexpired term ending Oct 1, 2010 on the Public Land Acquisition Advisory Council.

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