

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

REGULAR MEETING

August 19, 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

August 19, 2008

8:30 A.M. VALUE ADJUSTMENT BOARD

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:
July 15, 2008 (Regular Meeting)
July 15, 2008 (VAB Organizational Meeting)
July 22, 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. Monthly Distribution of Revenue Traffic/Criminal Cases, for the month ending July 31, 2008, in the amount of \$193,164.56. Same period last year: \$191,383.41.

Recommendation: Acknowledgement
3. Notice before the Florida Public Service Commission – In re: Application for staff assisted rate case in Lake County by Raintree Utilities, Inc., Docket No. 070627-WU.

Recommendation: Acknowledge Receipt
4. City of Minneola Annexation:

Russel Property / Founders Ridge, Inc. +/- 1.8 acres – located on the northeast corner at the intersection of US Highway 27 and Citrus Grove Road.

Recommendation: Acknowledge Receipt
5. Before the Florida Public Service Commission:

Order Suspending Net Metering Tariffs Filed Respectively by Tampa Electric Company, Progress Energy Florida, Inc., Gulf Power Company, Florida Power & Light Company, and Florida Public Utilities Company. Docket No.'s 080255-EI, 080257-EI, 080260-EI, 080265-EI, and 080294-EI
Order No. PSC-08-0468-PCO-EI
Issued July 21, 2008

Recommendation: Acknowledge Receipt

6. Before the Florida Public Service Commission: Notice of Commission Service Hearing to Aqua Utilities Florida, Inc., The Office of Public Counsel and all other interested persons, Docket No. 080121-WS.

Re: Application for Increase in Water and Wastewater Rates in Alachua, Brevard, Desoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

Notice of service hearing in the above docket on the rates and charges of Aqua Utilities, Inc. on Friday, August 22, 2008 at 4:00 p.m. at West Pasco County Government Center, County Commission Board Room, 7530 Little Road, New Port Richey, FL.

Recommendation: Acknowledge Receipt

7. Unclaimed excess proceeds for tax deeds totaling \$106,161.33.

Recommendation: Transfer funds from Clerk's account to BCC account.

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

Budget

Tab 3 Approve Budget Change Requests and Unanticipated Revenue Requests.

1. Capital Substitution – Landfill Enterprise Fund, Department of Environmental Utilities, Solid Waste Programs Division, Recycling Section. Funds needed to purchase an additional six recycling containers for this fiscal year. All commercial recycling containers in inventory have been distributed at this time. There is a waiting list of businesses wanting to recycle with Lake County. Funds are available from monies budgeted for the purchase of the Material Recycling Facility equipment for the Recycling Center (\$29,000) and the purchase of an office trailer for the Recycling Center (\$13,000). The Material Recycling Facility equipment, a special sorting “factory” where mixed recyclables are separated into individual materials prior to dispatch to reprocessors, is no longer necessary as this equipment will be leased. The office trailer for the Recycling Center is no longer required.
2. Budget Transfer – General Fund, Constitutional Offices/Supervisor of Elections. Transfer funds between line items to cover unexpected expenses due to the State of Florida changing voting systems. Funds available from budgeted maintenance and printing that is not needed since the State decertified the Ivotronic Voting System and certified the Optical Scan system using paper ballots.
3. Budget Transfer – General Fund, Department of Facilities Development and Management, Facilities Management Division, Facilities Maintenance Section. Transfer \$26,692 from Professional Services to In-House Support Law Enforcement (Project 80100 – Sheriff's South District Sub-Station). This transfer will move the expenditures and encumbered amounts for the Sheriff's South District Sub-Station to provide the necessary budget in the target account. Funds are currently budgeted in Professional Services in the Facilities Administration Division.
4. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2007-08 in the amount of \$1,500 deposited into the Community Health Worker Program and provide appropriations for the disbursement for Promotional Activities (\$480), Office Supplies (\$360), Books, Publications and Dues (\$500), and Other Current Charges and Obligations (\$160). Lake County has received notification of funding through the Suwannee River Area Health Education Center, Inc. for the purpose of implementing one cycle of Your Heart, Your Life/Su Corazon, Su Vida. The Lake County Community Health Worker Program and Suwannee River Area Health Education Center, Inc. have partnered together to bring a community education program to address cardiovascular disparities. This program will target adults and seniors who are socio-economically disadvantaged and at risk throughout the county.

5. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2007-08 in the amount of \$1,000 deposited into the Community Health Worker Program and provide appropriations for the disbursement for Promotional Activities (\$480), Books, Publications and Dues (\$500), and Other Current Charges and Obligations (\$20). Lake County has received notification of funding through Gateway Community Health Center, Inc. for the purpose of implementing one cycle of Your Heart, Your Life/Su Corazon, Su Vida. The Lake County Community Health Worker Program and Gateway Community Health Center, Inc. have partnered together to bring a community education program to address cardiovascular disparities. This program will target adults and seniors who are socio-economically disadvantaged and at risk throughout the county.

Community Services

- [Tab 4](#) Approval and signature of SirsiDynix Master Software License and Services Agreement.

Employee Services

- [Tab 5](#) Request approval of the period April 1, 2008-June 30, 2008 unemployment compensation invoice. This invoice exceeds the County Manager's \$25,000 approval threshold.

- [Tab 6](#) Approval of \$40,653.70 Property & Liability claim settlement for claimant Stanislaw Nowakowski.

Procurement

- [Tab 7](#) 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.

- [Tab 8](#) It is recommended that the Board approve "piggybacking" a State of Florida Contract #991-705-09-1 for the disposal of end of life electronics equipment to Creative Recycling Systems.

- [Tab 9](#) It is recommended that the Board retroactively approve payment to Embarq in the amount of \$34,151.91 for emergency service.

- [Tab 10](#) It is recommended that the Board approve and execute a term and supply contract with Play-It-Safe Enterprises, Inc. to furnish and install ADA mulch at various Lake County parks. The estimated annual cost of the contract is \$63,050.

- [Tab 11](#) Recommendation is made for Homes in Partnership, Inc., under RSQ#08-0250 Homebuyer Services on a Continuing Basis in the amount of \$200,000 to provide classes to educate applicants in the purchase of a home.

Public Safety

- [Tab 12](#) Department of Public Safety Fire Rescue Division is requesting approval to purchase an electronic identification system. The electronic system will be used to provide accountability and control of Fire Rescue assets along with controlling the Fire Rescue inventory. The electronic system is an automated identification method that relies on storing and remotely retrieving data using devices called tags and transponders. Included with the system is the hardware, software, identification tags, annual support and associated accessories. The program can be phased in over a five-year period with funding available this year for Phase 1 implementation.

Public Works

- [Tab 13](#) Approval of LAP Agreement and supporting Resolution between Lake County and the Florida Department of Transportation (FDOT) for the design of Mt. Homer Road and David Walker Drive Intersection Improvements. Commission District 3.

- [Tab 14](#) Request authorization to release a performance bond for construction of round-a-bout improvements in connection with the Sugarloaf Mountain subdivision in the total amount of \$358,616.29. Sugarloaf Mountain is located in Section 21, Township 21 South, Range 26 East, Commission District 3.
- [Tab 15](#) Approval of Lap Agreement and supporting Resolution between Lake County and the Florida Department of Transportation (FDOT) for the construction of turn lane improvements at the intersection of CR 44 and Shelley Drive. Commission District 5.
- [Tab 16](#) Approve and accept the list of public right of way deeds that have been secured in conjunction with roadway and / or stormwater projects. Commission Districts 2,3,4,5.
- [Tab 17](#) Request authorization to award CR-44A Intersection with # 5876 Estes Road Project No. 2008-08, to Boykin Construction Inc., in the amount of \$554,334.00, and encumber and expend funds in the amount of \$554,334.00 Road Impact Fees Benefit District 2 Fund. Commission District 4.
- [Tab 18](#) Approve and execute a Resolution which identifies county land as right of way and approve a budget transfer from Road Impact Fee District 2 to the Public Lands Program to reimburse them for right of way needed to construct the 44A/Estes Rd. Intersection Improvement Project. Located in Section 5, Township 19S, Range 26E in the Eustis area. Commission District 4.
- [Tab 19](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition # 1138 - Edward & Abbey Holmes and to vacate a right of way, in the Plat of Groveland Farms. Commission District 2.

V. COUNTY ATTORNEY'S CONSENT AGENDA

- [Tab 20](#) Approval of the First Amendment to Interlocal Agreement with the Town of Lady Lake.
- [Tab 21](#) Approval of Letter of Agreement between Clay Electric Cooperative, Inc. (CEC) and Lake County Regarding Placement of an Osprey Nest on County Property and Authorization for Chairman to Execute Letter of Agreement. Commission District 5.

VI. PRESENTATIONS

- [Tab 22](#) Presentation by Wayne Saunders, City Manager, City of Clermont, regarding fire services.
- [Tab 23](#) Approve the Acceptance of the Town of Montverde Resolution 2008-12 after a brief presentation from Glatting Jackson Kercher Anglin, Inc. on CR 455 PD&E Study. Commission District 3.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Economic Growth And Redevelopment

- [Tab 24](#) Approval and signature on the Resolution supporting the Structure and Process Outline for the Lake County Economic Development Advisory Council.

Environmental Utilities

- [Tab 25](#) Approve an agreement between Lake County and the Lake Aircraft Radio Kontrol Squadron (LARKS) that permits LARKS members to utilize a portion of the Closed Phase I Landfill at the County's Central Solid Waste Management Facility to fly radio controlled scale model aircraft.

Procurement

[Tab 26](#) It is recommended that the Board award the contract for a sixty (60) month full maintenance operating lease for one (1) Landfill Wheel Compactor to Al-jon Manufacturing LLC subject to County Attorney approval in accordance with RFP 08-0810.

[Tab 27](#) It is recommended that the Board approve and execute an agreement with Sign Crafters, LLC for Revenue Sharing transit advertising.

Public Works

[Tab 28](#) Approve Amendment #5 to the agreement between Lake County and Kimley-Horn and Associates for additional engineering design services for CR466A for revisions to pond locations and design. This includes: pond design, pond detail sheets, pond cross sections, storm sewer design, revision to plan/profiles sheets, and revision to drainage maps.

VIII. PUBLIC HEARINGS

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

[Tab 29](#) Approval of Ordinance creating Section 6-7, Lake County Code, entitled Emergency Suspensions.

[Tab 30](#) Approval of Ordinance amending Section 9.03.06 of the LDR's, entitled Parking Requirements.

[Tab 31](#) Approval of Ordinance creating Section 2-25 of the Lake County Code entitled Economic Impact Statement.

[Tab 32](#) Approve Final Study Recommendations from T.Y.Lin International for the Cherry Lake Road, Jalarmy Road and East Apshawa Road Preliminary Engineering Study. Impact Fee Dist: 6, Project Tracking #: W&R06021, Commissioner Dist: # 2.

[Tab 33](#) Public hearing for the approval of the 2009-2013 Road Impact Fee Transportation Construction Program, approval of the 2009-2013 General Fund - Transportation Construction Program, and approval of the 2009-2013 Renewal Sales Tax Capital Projects - Roads Transportation Construction Program.

IX. 10 A.M. - Closed Session to Discuss Pending Litigation

X. OTHER BUSINESS

[Tab 34](#) Approval of appointment of Jay Marshall, Director of Student Services, as the designee from Lake County Schools to serve on the Children's Services Advisory Council to complete a term ending May 14, 2010.

[Tab 35](#) Appointment of individual to the vacant Commission District 4 seat on the Zoning Board to complete an unexpired term ending January 31, 2011.

XI. REPORTS

A. County Attorney

B. County Manager

[Tab 36](#) Direction to establish a fund where citizens can contribute funds to defray the legal expenses associated with the administrative hearing against St. Johns River Water Management District.

C. Commissioner Hill - Vice Chairman and District #1

[Tab 37](#) Approval to proclaim Monday, September 22nd as Family Day - A Day to Eat Dinner With Your Family.

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.