

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

REGULAR MEETING

June 17, 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

June 17, 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:
- August 21, 2007 (Regular Meeting)
 - May 9, 2008 (Special Meeting – Departments Workshop)
 - May 13, 2008 (Special Meeting – Budget Workshop)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 9)

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. Proposed Budget for Fiscal Year 2008/2009, for Cascades at Groveland Community Development District.

Recommendation: Acknowledge Receipt
3. Proposed Operating Budget for Fiscal Year 2009, for the Deer Island Community Development District, in accordance with Chapter 190.008(2)(b) of the Florida Statutes.

Recommendation: Acknowledge Receipt
4. Proposed Operating Budget for Fiscal Year 2009, from Country Greens Community Development District, in accordance with Chapter 190.008(2)(b) of the Florida Statutes; and notice of District's public hearing, scheduled to be held on July 23, 2008, at 2:00 p.m., at the Hampton Inn, 19700 US Highway 441, Mount Dora, Florida.

Recommendation: Acknowledge Receipt
5. Proposed Fiscal Year 2008/2009 Budget for Estates at Cherry Lake Community Development District.

Recommendation: Acknowledge Receipt
6. City of Mt. Dora Ordinance No. 2008-985, annexing and transferring jurisdiction of Niles Road, from Wolf Branch Road, south of Mt. Dora City limits (north of Hwy. 46).

Recommendation: Acknowledge Receipt
7. Annexation Ordinance No. 2008-04-461, from the City of Mascotte, annexing property generally located on CR 33 and Baptist Island Road, comprising 433 acres more or less. Said property being contiguous to the City of Mascotte and being annexed, in accordance with the voluntary annexation provisions of Section 171.044 of the Florida Statutes (2006).

Recommendation: Acknowledge Receipt

8. Before the Florida Public Service Commission, in 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. Docket No. 080121-WS; Filed: May 22, 2008.

APPLICATION OF AQUA UTILITIES FLORIDA, INC. FOR INCREASED WATER AND WASTEWATER RATES, INCREASED OR REVISED SERVICE AVAILABILITY CHARGES, AND FOR APPROVAL OF ALLOWANCE FOR FUNDS PRUDENTLY INVESTED CHARGES.

Recommendation: Acknowledge Receipt

9. Before the Florida Public Service Commission, in re: Petition for approval of revised underground residential distribution tariffs, by Progress Energy Florida, Inc. Docket No. 080186-EI; Order No. PSC-08-0333-PCO-EI; Issued: May 27, 2008.

ORDER SUSPENDING REVISED TARIFFS

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days, pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas, or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.060, Florida Administrative Code.

Recommendation: Acknowledge Receipt

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

Community Services

[Tab 3](#) For the Board of County Commissioners to approve and authorize the Chairman to sign the Second Amendment to the Community Enhancement Area Partnership Agreement between the County and the Friends of Ferndale allocating Community Development Block Grant funds to construct two ADA compliant restrooms at the Ferndale Community Center. Approval of related budget transfer in the amount of \$20,000. Commission District 3.

[Tab 4](#) For the Board to approve the attached Resolution and Cooperation Agreement with the City of Minneola, adding the City to the Urban County Partnership. Commission District 2.

Economic Growth And Redevelopment

[Tab 5](#) Approval of a Resolution which recommends that "Project Foam" be approved as a Qualified Target Industry (QTI), recommend the award of the QTI Tax Refund, and which commits to 20% matching funds of \$24,600.00 over a four year period. Commission District 2.

Growth Management

[Tab 6](#) Approval of item correcting scrivener's error in Ordinance 2008-19. Commission District 5.

[Tab 7](#) Approval to execute contract with E-Sciences, Inc. consistent with the attached Scope of Services to perform analysis of the request for Conditional Use approval for a Residuals Management Facility.

Procurement

[Tab 8](#) It is recommended that the Board approve "piggybacking" the Blue Water Area Transit, Port Huron, Michigan contract for three (3) El Dorado EZ Rider II Buses for the amount of \$798,558.00. The attached budget transfer in the amount of \$268,558 is also recommended for Board approval.

[Tab 9](#) It is recommended that the Board (1) declare the items on the attached list surplus to County needs, (2) authorize the removal of all of the items on the attached list from the County's official fixed asset inventory system records, and (3) authorize the Procurement Services Director or designee to sign vehicle titles.

[Tab 10](#) Recommendation is made to award three contracts for On Call Cost Estimating Services to PMA Consultants LLC, Cost Management Inc., and Construction Cost Systems, Inc. Commission District 3.

Public Safety

[Tab 11](#) Lake County Department of Public Safety Communications Systems Division requests approval of the attached Interlocal Agreement between Lake County and Department of Agriculture and Consumer Services, Division of Forestry. Request approval of the attached resolution for the unanticipated revenue and for staff to execute release of original lease and receive/adjust funds as necessary under the agreement. Commission District 3.

Public Works

[Tab 12](#) Requires approval and signature on Resolution authorizing the removal of the "STOP" sign with "All Way" plaque on Vista Del Lago Bv (0850) and "All Way" plaques on Lago Louisa Ct (0850A) and Castillo Ct (0850C) in Vista Del Lago Subdivision in the Clermont area, Commissioner District 2 to return intersection to a 2 way stop. Commission District 2.

[Tab 13](#) Request authorization to award Dewey Robbins Road Intersection with US-27 Project No. 2008-05, Bid No. 08-0018, to J. Malever Construction Co., Inc., in the amount of \$145,200.00, and encumber and expend funds in the amount of \$145,200.00 from Road Impact Fee Fund Benefit District 4. Commission District 3.

[Tab 14](#) Request authorization to accept a letter of credit for maintenance in the amount of \$16,761.32, and execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Jayhil Holdings, LLC. Commission District 2.

[Tab 15](#) Approve and 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, 3, 4, 5.

[Tab 16](#) Approve and execute a purchase agreement with Spring Arbor Village Property Owners Association, Inc. for right of way needed for the CR 466 Road Widening Project. Commission District 5

[Tab 17](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1126-John Simpson, to vacate a portion of right of way for Towerwood Drive, located in Section 26, Township 18 S, Range 27 E, in the Eustis area. Commission District 5.

V. COUNTY ATTORNEY'S CONSENT AGENDA

[Tab 18](#) Approval of Purchase Agreement with Ellen Meisse for right-of-way needed regarding three parcels for CR 466 Road Widening Project. Commission District 5.

[Tab 19](#) Approval of Interlocal agreement between The City of Mount Dora and Lake County for Shared Public Service Radio Communications Facilities for SR 46 Site

VI. PRESENTATIONS

[Tab 20](#) That the Board of County Commissioners approves the Community Enhancement Area Working Group recommendation for funding of Community Enhancement Area Partnership Program projects for 2008-09.

[Tab 21](#) Presentation of Lake County Jail & Justice System Assessment and Acknowledgment of Assessment.

[Tab 22](#) Approval is sought from the BCC on the project scope changes for the Phase II Project for the downtown Tavares project defined in the Potential Cost Savings list.

[Tab 23](#) Approve presentation and recommendation for the CR 19A PD&E study phase with round-about option at Eudora Road. This project is within Commission District 4.

Presentation by Wayne Saunders, City Manager, City of Clermont, related to fire services.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

[Tab 24](#) For the Board to approved the attached Resolution and Cooperation Agreement with the Town of Howey-in-the-Hills, adding the Town to the Urban County Partnership.

Conservation And Compliance

[Tab 25](#) Recommend approval of amendment to FY 2007-2008 Fees.

Growth Management

[Tab 26](#) Acceptance of Bureau of Economic and Business Research (BEBR) 2007 Population Projections.

Public Works

[Tab 27](#) Approval of Final Study Recommendations from HNTB Corp. for the Lakeshore Drive Bridge Improvements Preliminary Engineering Study. This project is the proposed replacement of the bridge spanning the Palatlahaha River along Lakeshore Drive south of Clermont. The proposed improvements include design of a new two-lane bridge with shoulders and a sidewalk. Commission District 2.

VIII. 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.