

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

REGULAR MEETING

December 16, 2008

COUNTY COMMISSIONERS

Welton G. Cadwell, Chairman
Jennifer Hill, Vice Chairman
Elaine Renick, District #2
Jimmy Conner, District #3
Linda Stewart, District #4

Cindy Hall, County Manager
Sanford A. Minkoff, County Attorney
Neil Kelly, Clerk to the Board

Other than the zoning and road vacation public hearings, the Board will not receive comment from the public on matters not pertaining to the issues before them.

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

December 16, 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:
- November 18, 2008 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 5)

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. Notice of Proposed Redevelopment Revenue Bonds or Bond Anticipation Notes of the Community Redevelopment Agency for the Carver Heights/Montclair Area (Leesburg, Florida) and for the US Highway 441 and 27 Area (Leesburg, Florida), in accordance with the provisions of Section 163.346, Florida Statutes, as mentioned.

Recommendation: Acknowledge Receipt

3. Fiscal year 2007-08 Annual Report for the Division of Forestry's Cooperative Forestry Assistance Program and Fire Protection in the Lake Forest Area, Lake County, which identifies major forestry activities throughout Lake County from July 1, 2007 through June 30, 2008.

Recommendation: Acknowledge Receipt

4. Copy of Annexation Ordinance 2008-33 from the City of Tavares annexing approximately .15 acres of land generally located on the north side of U.S. 441, West of Tavares Recreational Park (Buzzard Beach), and east of Three Lakes Mobile Home Park.

Recommendation: Acknowledge Receipt

5. Before the Florida Public Service Commission

Docket No. 080186-EI
Order No. PSC-08-0786-TRF-EI
Issued: December 2, 2008

In re: Petition for approval of revised underground residential distribution tariffs, by Progress Energy, Florida, Inc.

Order Approving Revised Underground Distribution Tariffs

Recommendation: Acknowledge Receipt

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

Budget

Tab 3 Approve Budget Change Request.

1. Budget transfer – Solid Waste Closures and Long Term Care Fund, Department of Environmental Utilities, Solid Waste Operations Division. Transfer \$175,000 from Machinery and Equipment to Landfill Post Closure. A gas recovery system is part of the long-term care of the Lady Lake Landfill. This system is necessary to capture landfill gases which can be converted and used as an energy source. The system is Machinery and Equipment; however, there is some design, permitting and limited construction-phase engineering involved, which will make it a permanent fixture. Funds available in Machinery and Equipment.
2. Budget transfer – Library Impact Fee Trust Fund, Department of Community Services, Library Services Division. Transfer \$502,582 from Special Reserve to Aids to Governmental Agencies. Funds were budgeted in the Special Reserve account pending approval of the Library Impact Fee awards were approved at the July 15, 2008 Board of County Commissioners meeting. Funds were awarded for the Umatilla, Minneola, Lady Lake, and Mount Dora library projects, and to the Lake-Sumter Community College Foundation for the Joint Use library project. The Interlocal Agreements were not completed in time for the awards to be encumbered and carried forward to the current fiscal year. Funds budgeted in Reserves for Fiscal year 2008-09 awards will be used to fund Fiscal Year 2007-08 commitments, pending a mid-year adjustment to fund balance for Fiscal Year 2008-09.

Community Services

Tab 4 Approval to pay by Direct Pay Harvest Construction Co. for house rehabilitation cost incurred during 2007/08 from the Hurricane Housing Fund and the SHIP Home Repair Program Funds.

Tab 5 For the Board to approve and authorize the Chairman to sign the FY 2008-09 CDBG Partnership Agreement between the Yalaha Community Club, Inc. and the County in an amount not to exceed \$170,000 from the FY 2008-09 CDBG allocation and bringing forward \$166,940 from the funds remaining in the 2005-06 and 2007-08 CDBG allocations. The funds are allocated to construct a new community center. The Board further directs the Community Services Department to execute the agreement and oversee completion of the project as covered in the Scope of Services. Commission District 3.

Growth Management

Tab 6 Approval of the Interlocal Agreement between Lake County and the City of Clermont. This is the same agreement currently in place between the City of Groveland and the Town of Howey in the Hills.

Procurement

Tab 7 It is recommended that the Board (1) declare the items on the attached list(s) 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 Approve and execute the Second Amendment to the contract 07-0044 to Moore Stephens Lovelace, P.A. to provide auditing of the public transportation program.

Tab 9 Request authorization to award Countywide Temporary Employment Services to Able Body Labor, Spherion of Lake & Marion Counties and On Target Staffing, LLC.

Tab 10 Award RFP #08-0252 Archaeological Survey for Ferndale Preserve and P.E.A.R. Park to S&ME Inc. in the amount of \$57,530.00.

Public Safety

- [Tab 11](#) Request approval to execute the Florida Department of Health Emergency Medical Services Grant.
- [Tab 12](#) Approval and execution of the FY 2008-2009 State Homeland Security Grant (SHSG) Issue 20 Agreement between Lake County and the State of Florida, Division of Emergency Management, by the Lake County Board of County Commissioners; and approval of Resolution.
- [Tab 13](#) Lake County Department of Public Safety Communications Technologies Division requests the Board retroactively approve and executes the Grant and acceptance of the Grant funds into the Countywide 800MHz Radio Project to offset the County funds allocated and approve the attached fund resolution.

Public Works

- [Tab 14](#) Approve a Proportionate Fair Share Agreement with Clermont Motor Sales, LLC also known as Toyota of Clermont. Commission District 2.
- [Tab 15](#) Approve resolution designating Citrus Highlands Subdivision as a Golf Cart Community. Commission District 2.
- [Tab 16](#) Approval of resolution establishing certain roads in the Astor Forest Campsites for golf cart usage.
- [Tab 17](#) Request authorization to release a maintenance bond in the amount of \$55,050.00 posted for Meadow Ridge Phase 1. Meadow Ridge Phase 1 consists of 57 lots and is located in Section 1, Township 19 South, Range 25 East. Commission District 5.

V. COUNTY ATTORNEY'S CONSENT AGENDA (Tab 18 through Tab 21)

- [Tab 18](#) Approval of Settlement Agreement with Mr. Cornelius Finley regarding a code enforcement case. Commission District 4.
- [Tab 19](#) Approval of extension of the Parking Agreement with the First Baptist Church of Tavares for Employee Parking. Commission District 3.
- [Tab 20](#) Approval of interlocal agreement with Umatilla related to potable water for North Lake Community Park. Commission District 5.
- [Tab 21](#) Approval of Lease Agreement between Lake County and Farner Barley Partnership for Lease Space Located at 323 N. Sinclair Avenue, Tavares. Commission District 3.

VI. PRESENTATIONS

- [Tab 22](#) Presentation of certificates of appreciation to Sarah, Allison and Julie Hicks for donation of funds to Fire Rescue Division for purchase of pet oxygen masks.
- [Tab 23](#) Update on the robotics program by Dottie Keedy.
- [Tab 24](#) Presentation by Shelley Lauten and Jacob Stuart on Commuter Rail and approval of resolution supporting the Central Florida commuter rail project; requesting of the Florida Legislature certain insurance provisions; supporting study of the "northwest corridor," from downtown Orlando into Lake County, for commuter rail feasibility; and authorizing Chairman to join other communities in support of commuter rail.
- [Tab 25](#) Final report by the Transportation Alternative Funding Task Force.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

[Tab 26](#) Approval of the CTD/ACHA Medicaid Non-Emergency Transportation Agreement Amendment No. 9 from July 1, 2008 through December 31, 2008.

Information Technology

[Tab 27](#) Recommend approval and signature on Microsoft Enterprise Enrollment and the Microsoft Enterprise Enrollment Amendment for licensing and software assurance on Microsoft software products used by the employees of the Board of County Commissioners, Supervisor of Elections, and Property Appraiser.

Procurement

[Tab 28](#) Request authorization to award the Financial Advisory Services to First Southwest Company.

[Tab 29](#) Approve revised Agreement with MV Contract Transportation, Inc. (MV) and the associated Commercial Lease with Option to Purchase for property located at 2900 Kurt Street in Eustis, and authorize Chairman to execute all associated implementing documents.

Public Safety

[Tab 30](#) Authorize acceptance of bequest and approve budget resolution for funding of animal services.

Public Works

[Tab 31](#) Discussion item concerning The Villages agreement.

VIII. PUBLIC HEARINGS

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

[Tab 32](#) For the Board to hold a public hearing to provide citizens a final opportunity to comment on the FY 2007-08 Consolidated Annual Performance Report regarding the Community Development Block Grant.

[Tab 33](#) Approval of Ordinance Adopting a Public School Facilities Sub-Element Amendment to the Lake County Comprehensive Plan.

[Tab 34](#) Approval and Adoption of the proposed Wekiva Ordinance adopting amendments required to meet the Wekiva Parkway and Protection Act.

[Tab 35](#) Request approval of Resolution expressing the intent of Lake County to use the uniform method for the levy, collection, and enforcement of non-ad valorem assessments, approval of the Uniform Collection Agreement between Lake County and the Lake County Tax Collector, and approval of the Agreement between Lake County and the Lake County Property Appraiser for reimbursement of costs all associated with the Diane Drive and Lisa Drive Special Assessment Project No. 101. Commission District 3.

[Tab 36](#) Public Hearing on Vacation Petition No. 1135, Tony Lambert/Rep. Leslie Campione, to vacate rights of way, in the Plat of Lake King Gardens in the Altoona area, and approval and execution of resolution. Commission District 5.

[Tab 37](#) Public Hearing on Vacation Petition No. 1137, Lake County Department of Public Works, to cease maintenance and vacate right of way on a portion of Hartle Road, in the Clermont area, and approval and execution of resolution. Commission District 2.

[Tab 38](#) Public Hearing on Vacation Petition No. 1143, Clermont Motor Sales, to vacate rights of way, in the Plat of Lake Highlands co., in the Clermont area, and approval and execution of resolution. Commission District 2.

PUBLIC HEARING - 5:05 P.M. or As Soon Thereafter

[Tab 39](#) Approval of Ordinance relating to Chapter V-A, LDRs, entitled Necessary Public Services and Facilities regarding expiration date for the School Concurrency Ordinance.

PUBLIC HEARINGS: REZONINGS (SEE SEPARATE AGENDA)

http://www.lakecountyfl.gov/pdfs/P&Z_Agendas/121608.pdf

IX. OTHER BUSINESS

[Tab 40](#) Appointment of individuals to vacant positions on the Public Safety Coordinating Council.

X. REPORTS

A. County Attorney

[Tab 41](#) Approval of Resolutions instituting the eminent domain proceedings for acquisition of property located along the CR 466 - Segment B Road Widening Project, and approval to proceed with pre-suit negotiation offers

[Tab 42](#) Provide comments relating to a proposed interlocal agreement relating to the formation of a water alliance with the city of Clermont, city of Eustis, city of Fruitland Park, city of Groveland, town of Howey-in-the-Hills; town of Lady Lake, city of Leesburg, city of Mascotte, city of Minneola, town of Montverde, city of Mount Dora, city of Tavares, city of Umatilla, and Village Center Community Development District.

B. County Manager

C. Commissioner Hill - Vice Chairman and District #1

D. Commissioner Renick - District #2

E. Commissioner Conner - District #3

F. Commissioner Stewart - District #4

G. Commissioner Cadwell - Chairman and District #5

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.