

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

REGULAR MEETING

July 06, 2010

COUNTY COMMISSIONERS

**Welton G. Cadwell, Chairman
Elaine Renick, Vice Chairman
Jennifer Hill, District #1
Jimmy Conner, District #3
Linda Stewart, District #4**

**Sanford A. Minkoff, Interim County Manager
Neil Kelly, Clerk to the Board
Melanie Marsh, Acting County Attorney**

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

July 06, 2010

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:
May 18, 2010 (Regular Meeting)
May 25, 2010 (Special Meeting)
June 1, 2010 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 11)

1. List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the 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. Lake County Tourist Development Resort Tax Chart and notification of meeting to be held Wednesday, June 16, 2010 at 4:00 p.m., in Board Chambers, Administrative Building, Tavares.

Recommendation: Acknowledge Receipt

3. Notice Before the Florida Public Service Commission – Regarding Order Suspending Tariffs of Gulf Power Company, Tampa Electric Company, Progress Energy Florida, Inc., and Florida Power and Light Company.

Recommendation: Acknowledge Receipt

4. Copy of proposed budget for Fiscal Year 2010-2011 for the Greater Lakes Sawgrass Bay Community Development District pursuant to Chapter 190 Florida Statutes, along with a cover letter stating that a public hearing to consider the adoption of this budget has been scheduled for Tuesday, August 24, 2010 at 11:30 a.m. at the Marion Baysinger Memorial Library, 756 West Broad Street, Groveland.

Recommendation: Acknowledge Receipt

5. Central Lake Community Development District's proposed budget for Fiscal Year 2011. The District will schedule a public hearing not less than 60 days from the date of this letter for adoption of the budget.

Recommendation: Acknowledge Receipt

6. Copy of proposed budgets for the Village Center Community Development District for the Fiscal Year 2010/2011 in accordance with Chapter 190.008(2)(b)(c), Florida Statutes.

Recommendation: Acknowledge Receipt

7. Covanta Lake's Solid Waste Operations Annual Report FY 2009 (October 1, 2008 – September 30, 2009).

Recommendation: Acknowledge Receipt

8. Covanta Lake's Solid Waste Operations Monitoring 1st Quarter Report FY 2010 (October 1, 2009 – December 31, 2009).

Recommendation: Acknowledge Receipt

9. Country Greens Community Development District's Proposed Operating Budget for FY 2011. The District's public hearing is scheduled for August 9, 2010 at 5 pm. At the Hampton Inn in Mount Dora, Florida.

Recommendation: Acknowledge Receipt

10. Before the Florida Public Service Commission

Publication/Legal Notice for Application for Original Certificate for an Existing System with rates and charges pursuant to Section 367.045, Florida Statutes of Black Bear Reserve Water Company Inc. to operate a water utility to provide service to the described territory in Lake County.

Recommendation: Acknowledge Receipt

11. Faxed Notice before the Florida Public Service Commission – Re: Order Approving Stipulation and Settlement, Order No. PSC-10-0398-S-EI, issued June 18, 2010, for the following:

Docket No. 090079-EI – Petition for increase in rates by Progress Energy Florida, Inc.

Docket No. 090144-EI – Petition for limited proceeding to include Bartow repowering project in base rates, by Progress Energy Florida, Inc.

Docket No. 090145-EI – Petition for expedited approval of the deferral of pension expenses, authorization to charge storm hardening expenses to the storm damage reserve, and variance from or waiver of Rule 25-6.0143 (1)(c), (d), and (f), F.A.C, by Progress Energy Florida, Inc.

Docket No. 100136-EI – Petition for approval of an accounting order to record a depreciation expense credit, by Progress Energy Florida, Inc.

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 36)

Conservation And Compliance

[Tab 3](#)

1) Retroactive approval of distribution of Byrne Grant funds among local jurisdictions applying for funding, and 2) Retroactive approval of Chairman signature on original letters of support, and 3) Retroactive approval for submission of application for the Sheriff for purchase of robot remote control radio system and remote firing system for bomb disposal team, and 4) Signature on grant documents including application, certificate of acceptance, EEO certifications, and subsequent grant documents. No Fiscal Impact; Grant funding will be appropriated as part of the FY 2010-11 Budget.

County Manager

[Tab 4](#)

Request approval to fill vacant Program Specialist and Senior Program Specialist positions in Economic Development & Community Services/Housing Services. The total fiscal impact of filling the positions is \$98,860.

[Tab 5](#)

Request approval to fill Employee Services Manager position in the Department of Employee Services. The fiscal impact of filling the position is \$69,918.

[Tab 6](#)

Approval of request to hire two part-time laborers for the Material Recycling Facility. Fiscal Impact is \$29,726.00

Economic Development And Community Svc

[Tab 7](#) Approval and signature on the Amendment to High Value Job Creation Program Agreement between Lake County, Florida and Petrotech Southeast, Inc. for a twelve month extension. There is no fiscal impact.

[Tab 8](#) Approval for the Lake County Community Health Worker Program to receive grants and/or incentives up to \$10,000.00 to support programming and to allow the County Manager to sign documents associated with those requirements.

[Tab 9](#) Approve and authorize the Chairman of the Board of County Commissioners to sign the agreement between Lake County and Mid-Florida Area Agency on Aging, Inc. d/b/a Elder Options.

Environmental Utilities

[Tab 10](#) Approve the FY10/11 Detailed Work Plan Budget – Arthropod Control Fiscal Impact is \$35,000.

Facilities Development And Management

[Tab 11](#) It is recommended that the Board approve an award in the amount of \$27,946.45 to Teracai for the purchase of Server Room Computer Equipment per Quote 40011909 Dated 5/21/10. Fiscal impact is a \$27,946.45.

Fiscal And Administrative Services

[Tab 12](#) It is recommended that the Board approve extensions of contracts 05-074 for Disaster Debris Removal Management and Monitoring and 05-007A & B for Debris Removal Services through the end of hurricane season, November 30, 2010. There is no Fiscal Impact.

[Tab 13](#) Approve the request to apply for the FY 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) through the Office of Justice Program's (OJP) Grants Management System (GMS). The FY 2010 allocation for Lake County is \$83,545.

[Tab 14](#) 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. No fiscal impact.

[Tab 15](#) Approve the unanticipated revenue resolution budgeting the Military and Overseas Empowerment (MOVE) Act grant in the amount of \$6,435. The grant will fund the MOVE Act information service license fee and the first 24 months of service. Fiscal Impact - \$6,435.

Growth Management

[Tab 16](#) Request BCC approval to accept sponsorships for the Green Team's 2nd Green Symposium to be held on July 29 & 30, 2010 at the Mission Inn, Howey-in-the-Hills, Florida.

[Tab 17](#) Request that the Board of County Commissioners recognize July 25-31, 2010 as Lake County's Green Business Week.

[Tab 18](#) Approval of Responding Resolution consenting to the City of Clermont's request to participate in the negotiations concerning an Interlocal Service Boundary Agreement (ISBA) proposed by the City of Groveland. There is no Fiscal Impact.

Public Resources

- [Tab 19](#) Authorization to purchase 80 replacement desktop computers and 3 new laptop computers from Purchasing Officials of Lake (POOL) contract awarded to United Data Technologies, Inc., through the Lake County School Board RFQ #3185BM. Fiscal impact of \$42,322, using budgeted State Aid to Libraries operating grant funds.
- [Tab 20](#) Approval by the Board of County Commissioners to authorize grant application for earnest money to contract for right of first refusal to purchase the property known as Bugg Springs. There is no fiscal impact.
- [Tab 21](#) Request approval for Chairman and Commissioners to declare and sign proclamation designating July as Parks and Recreation Month. There is no fiscal impact.
- [Tab 22](#) Approval to seek individual grants and monetary contributions up to and including \$10,000 to support Department of Public Resources divisions and programs and approval for the County Manager to sign associated documents. Fiscal impact dependent upon receipt of grants and donations.
- [Tab 23](#) That the Board approve and execute the attached contract with Shoemaker Construction for construction of an ADA Ramp at PEAR Park. The fiscal impact is \$53,175.82.
- [Tab 24](#) Approval and signature of "Agreement Between Lake County, Florida and Lake County Historical Society, Inc." No fiscal impact.
- [Tab 25](#) Approval of the Unanticipated Revenue Resolution to receive \$25,000 into the MSTU-Parks fund for the restoration of native habitat at Ferndale Preserve.

Public Safety

- [Tab 26](#) Approve budget change request transferring funds in the Lake County Fire Impact Fee Fund from Reserve for Operations to Land, to cover the cost of purchasing property located in front of the Ferndale Fire Station. Fiscal impact - \$81,768.
- [Tab 27](#) Approval and authorization for Chairman to execute Amendment to Frequency Reconfiguration Agreement and authorize the County Manager to sign future amendments that do not involve financial impact. No fiscal impact.
- [Tab 28](#) Requesting BCC approval to apply for a Defense Infrastructure Grant to construct a Communication Tower in Lake County assigning signature authority to Growth Management as the application. There is no fiscal impact.

Public Works

- [Tab 29](#) Request authorization to award CR-473 and #5335 Treadway School Road Intersection Improvements Project No. 2010-19, Bid No. 10-0042, to Ciraco Underground, Inc. in the amount of \$254,800.00, and encumber and expend funds in the amount of \$254,800.00 from the Road Impact Fees Benefit District 3 Fund. Commission District 1. Fiscal impact is \$254,800.00.
- [Tab 30](#) Request authorization to release a letter of credit for maintenance in the amount of \$25,324 posted for Arbor Ridge. Arbor Ridge consists of 11 lots and is located in Section 25, Township 21 South, Range 25 East. Commission District 3.
- [Tab 31](#) Request to advertise for bids for #5876 Estes Road Drainage Project No. 2010-21, Bid No. 10-0045 at an estimated cost of \$155,915.10. Commission District 4. Fiscal Impact \$155,915.10 (Estimated)
- [Tab 32](#) Recommend approval of a resolution authorizing the posting of 35 MPH speed limit signs on Steves Rd (1248) and Excalibur Rd (1248B) between Hooks St and Citrus Tower Bv. section 28, Township 22, Range 26. Commissioner District 2. There will be no fiscal impact.

[Tab 33](#) Request to advertise for bids for Old Highway 441 Intersection with CR-46 Project No. 2010-22, Bid No. 10-0046, at an estimated cost of \$450,000.00. Commission District 4. Fiscal Impact \$450,000.00 (Estimated).

[Tab 34](#) 1. Approval of Lap Agreement and Supporting Resolution between Lake County and the Florida Department of Transportation (FDOT) for the installation of a traffic signal at Citrus Tower Boulevard and Oakley Seaver Drive. 2. Approval of amending the Lake County Federal State Grants Fund in order to receive unanticipated revenue for Fiscal Year 2009-2010, in the amount of \$202,587.00. 3. Request to advertise for bids for the installation of a traffic signal at Citrus Tower Boulevard and Oakley Seaver Drive. Commission District 2. Fiscal Impact is \$202,587.00.

[Tab 35](#) Request authorization to execute change order #4 to CR-448 ARRA Project No. 2010-11, Bid No. 10-0015, FPN No. 426313-1-58-01, to D.A.B. Constructors, Inc., in the amount of \$33,071.34 to be expended from the Road Impact Fee Fund Benefit District 2. Fiscal impact is \$33,071.34.

[Tab 36](#) It is recommended that the Board approve award in the amount of \$62,900.74 annually, for Sidewalk and Lot/Retention Area Mowing to Helping Hand Lawn Care, Inc. (Fiscal impact: \$62,900.74 annually)

V. COUNTY ATTORNEY'S CONSENT AGENDA (Tab 37 through Tab 44)

[Tab 37](#) Request approval of the Resolution Amending the Lake County Solid Waste Alternatives Task Force duties. No Fiscal Impact.

[Tab 38](#) Approval to cancel the Mortgage and release the Note executed by Katie Muriel Delgado on November 30, 2006, and recorded at O.R. Book 3335, Pages 1741 through 1748, upon receipt of the \$3,000.00 payment. Fiscal impact at this time is \$3,000.00.

[Tab 39](#) Approval and signature of Amended Agreement between Lake County and Bricklemyer Smolker & Bolves, P.A. Relating to Eminent Domain Legal Services- Fiscal Impact is unable to be determined at this time.

[Tab 40](#) Approval of Mediated Settlement Agreement between Lake County and Cvigne Holdings, L.P. - Fiscal Impact is \$70,000.00.

[Tab 41](#) Approval of Revocable Non-Exclusive License Agreement between Lake County and the Cities of Eustis, Tavares and Mt. Dora regarding property located on Frankie's Road, near the County's Animal Control Facility (Alt Key 1095123); AND approval of the Budget Transfer to appropriate funds for fencing and materials. Fiscal Impact of \$5,000.

[Tab 42](#) Approval of Renewal of Lease Agreement Between Lake County and SDG Macerich Properties for Commercial Lease Space for the Sheriff's Substation at the Lake Square Mall. Fiscal Impact is \$0.00

[Tab 43](#) Approval of Settlement agreement between Lake County and Jeffrey C. Yeager. Fiscal Impact of \$342.50.

[Tab 44](#) Approval of resolution replacing Remarketing Agent and correcting Scrivener's Error.

VI. AWARDS

EMPLOYEE AWARDS

FIVE YEARS

James Bell, Equipment Operator II
Public Works/Road Operations/Maintenance Area III (Umatilla)

Joan Greaney, Office Associate IV
Growth Management/Planning & Community Design

Arnaz McVay, Equipment Operator I
Public Works/Road Operations/Maintenance Area I (Leesburg)

Pamela Netherton, HLC Gardens Manager
Public Resources/Agricultural Extension Services/Horticultural Learning Center

Kathy Wilson, Office Associate III
Public Works/Road Operations/Signs, Signals & Striping

TEN YEARS

Traci Bates, Permitting Specialist
Growth Management/Building Services

Yvonne Heitzner, Laboratory Analyst
Environmental Utilities/Water Quality Services

Susan Taylor, Senior Landfill Attendant
Environmental Utilities/Solid Waste Operations

FIFTEEN YEARS

Jane Reich, Office Associate V
Public Resources/Administration

THIRTY-FIVE YEARS/RETIREMENT

Clarence Morgan, Equipment Operator III
Public Works/Road Operations/Maintenance Area I (Leesburg)

RETIREMENT

Harry Romine, Equipment Operator III
Public Works/Road Operations/Maintenance Area III (Umatilla)

VII. PRESENTATIONS

[Tab 45](#) Presentation by Booth Ern Straughan Hiott (BESH) regarding alternative to improve the intersection of Griffin View Drive and Harbor Hills Blvd. Fiscal Impact yet to be determined.

VIII. PUBLIC HEARINGS

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

[Tab 46](#) For the Board to approve the proposed uses of FY 2010-11 Community Development Block Grant (CDBG) funds. Fiscal impact is \$1,117,763.00.

[Tab 47](#) Approval and Signature of One-Year Extension for Lake County Library System Long Range Plan of Service, 2005-2011. No fiscal impact.

PUBLIC HEARINGS: REZONINGS (SEE SEPARATE AGENDA)
http://www.lakegovernment.com/pdfs/P&Z_Agendas/070610.pdf

IX. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Economic Development And Community Svc

[Tab 48](#) Discussion and recommendation to allocate Community Development Block Grant (CDBG) funds to Community Programs. Fiscal impact is \$306,927.

Employee Services

[Tab 49](#) Recommend continuing employee medical and dental plans with no changes to plan provisions or employee contribution/deduction rates for FY 2010/2011. (There is no fiscal impact.)

Facilities Development And Management

[Tab 50](#) (1) Approval to demolish the LaRoe Pavilion at an estimated cost of \$16,500, and (2) Discussion as to the possible replacement of existing structure and slab at an estimated total cost of \$80,000 to \$100,000. Fiscal Impact is \$16,500.00.

Growth Management

[Tab 51](#) Approval of a Developer's Agreement for Mitigation of Development Impacts between Long and Scott Farms Family Limited Partnership, Orlando North Airpark, Inc. and Lake County. No Fiscal Impact.

Public Resources

[Tab 52](#) Staff requests approval of the Management Plan for the Neighborhood Lakes property acquired through the Public Lands Program. Estimated Fiscal Impact to implement Management Plan: \$281,292.00

Public Safety

[Tab 53](#) Request approval to provide a necessary extension to the existing Motorola Maintenance contract (attached) with approval of the strategy to incorporate this equipment into one all inclusive county-wide radio system contract to be brought back to the Board for final approval. Authorization is being sought for Chairman to execute Amendment to the Lake County Intergovernmental Radio Communications Program (IRCP) and approve the funding proposal for the 800 MHz radio system maintenance which will be incorporated in the FY 2010-11 recommended budget.

X. OTHER BUSINESS

[Tab 54](#) Appointment of an individual to the Solid Waste Alternatives Task Force.

[Tab 55](#) BCC approval of Howey-in-the Hills' appointment to the Library Advisory Board.

[Tab 56](#) Recommendation of individuals to the Central Florida Sports Commission for their election consideration to serve on the Sports Commission Board of Directors.

XI. REPORTS

A. County Attorney

B. County Manager

[Tab 57](#) Approve Organizational Changes to Public Safety, Conservation and Compliance, Environmental Utilities, Public Works, Growth Management, Employee Services, Public Resources and Information Technology Departments.

C. Commissioner Hill - District #1

[Tab 58](#) Approve Probation, Parole and Community Supervision Week Proclamation

D. Commissioner Renick - Vice Chairman and District #2

E. Commissioner Conner - 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.