

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

REGULAR MEETING

July 15, 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

July 15, 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:
June 4, 2008 (Special Joint Meeting/Safety Summit)
June 17, 2008 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

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

1. 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. Annual Financial Audit Report for the Fiscal Year Ended September 30, 2007, for Estates at Cherry Lake Community Development District.

Recommendation: Acknowledge Receipt
3. Arlington Ridge Community Development District Proposed Annual Budget – Fiscal Year 2009. The Public Hearing to adopt the proposed budget has been scheduled for August 5, 2008.

Recommendation: Acknowledge Receipt
4. City of Groveland Ordinance No. 2008-07-23 extending and increasing the corporate limits of the City of Groveland.

Recommendation: Acknowledge Receipt
5. Founders Ridge Community Development District proposed budget for Fiscal Year 2009, in accordance with Section 190.008 (2) (b), Florida Statutes.

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

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.

Recommendation: Acknowledge Receipt
7. Copy of letter from the Department of Community Affairs, dated June 17, 2008, acknowledging the registration of the Plaza Collina Community Development District and asking Mr. Michael Eckert, as registered agent, to verify and update the information on the Special District Fee Invoice and Update Form.

Recommendation: Acknowledge Receipt

8. Notice of the application in Docket No. 080098-WU, of Cedar Acres, also known as Cedar Acres, Inc. pursuant to Section 367.045, Florida Statutes, to operate an existing water system providing service to the following described territory in Sumter County, Florida:

All of the North half of Section 1, lying SW of U.S. Highway 27-441, LESS the SW ¼ of the NW ¼ of the NW ¼, LESS the SW ¼ of the NE ¼ lying SW of U.S. Highway 27-441, and LESS that part of the NE ¼ of the NE ¼ of the NW ¼ lying SW of said U.S. Highway 27-441, in Township 18 South, Range 23 East, Sumter County.

Together with the NE ¼ of Section 2, Township 18 South, Range 23 East, LESS the NW ¼ of the NE ¼, Sumter County.

Recommendation: Acknowledge Receipt

9. Notice before the Florida Public Service Commission – Re: Order Suspending Tariffs, Order No. PSC-08-0385-PCO-EQ, issued June 10, 2008, for the following:

Docket No. 080184-EQ - Petition for approval of standard offer contract for small qualifying facilities and producers of renewable energy, by Tampa Electric Company.

Docket No. 080187-EQ - Petition for approval of amended standard offer contract and COG-2 rate schedule, by Progress Energy, Florida.

Docket No. 080193-EQ - Petition for approval of renewal energy tariff and standard offer contract, by Florida Power & Light Company.

Docket No. 080194 – Petition for approval of new standard offer for purchase of firm capacity and energy from renewable energy, facilities or small qualifying facilities and approval of tariff schedule REF-1, by Gulf Power Company.

Recommendation: Acknowledge Receipt

10. Copies of the following Ordinances from the City of Mascotte:

Ordinance No. 2008-05-462 annexing property generally located off Honeycutt Road (from Highway 50 West, to North Tuscanooga Road to Honeycutt Road) 51.76 acres more or less, said property being contiguous to the City of Mascotte.

Ordinance No. 2008-05-463 annexing property generally located off Highway 50 and off Tuscanooga Road (from Highway 50 West, to North Tuscanooga Road) 2134.2 acres more or less, said property being contiguous to the City of Mascotte.

Recommendation: Acknowledge Receipt

11. Notices from the Town of Lady Lake for public hearings to be held on July 10, 2008 at 6:00 p.m.; August 4, 2008 at 5:30 p.m.; August 4, 2008 at 6:00 p.m.; and at the Town Commission Meeting pending DCA review process, in the Town Hall Commission Chambers, 409 Fennell Boulevard, Lady Lake, regarding Annexation Ordinances 2008-14 and 2008-17; Large Scale Comprehensive Plan Amendments 2008-15 and 2008-18; and Rezoning Ordinances 2008-16 and 2008- 19.

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 18)

Budget

[Tab 3](#) Approve Budget Change Requests.

1. Budget transfer - General Fund, Department of Public Works, Public Lands Section. Transfer \$2,500,000 from Land (Project 10001) to Aids to Government Agencies. County Finance requested that this transfer be processed. A purchase order was prepared and a check was issued to the City of Clermont for the Phase II payment for the Inland Grove Corporation property. This money has been budgeted in the Land (Project 10001) account and was issued from that account. The payment should have been from the Aids to Government Agencies account, as this is a grant to the city and not a payment for land that the County will own. This transfer, and a County Finance journal entry, will correctly document the transaction.
2. Budget transfer - Public Transportation Fund, Department of Community Services, Public Transportation Division. Transfer \$32,146 from Contractual Services to Machinery and Equipment. On February 26, 2008, Resolution 2008-26 was approved to purchase several items, including scheduling software and other costs. The RFP for the scheduling software is \$32,146 over the amount budgeted from the resolution. This transfer is needed to purchase the scheduling software. The funds are available from the resolution in the Contractual Services account line.

Community Services

[Tab 4](#) Approval of the CTD/ACHA Medicaid Non-Emergency Transportation Agreement Amendment No. 7 from July 1, 2008 through August 31, 2008.

Conservation And Compliance

[Tab 5](#) Approval of request by Lake Soil & Water Conservation District for Lake County to continue assisting with the administration of the grant they have received to operate a Mobile Irrigation Lab Program.

Economic Growth and Redevelopment

[Tab 6](#) Request approval to advertise the Ordinance amending Section 9.03.06, Lake County Code, Appendix E, Land Development Regulations, entitled Parking Requirements, changing the wholesale and warehousing requirements from lot area to gross leasable area.

Growth Management

[Tab 7](#) Approval to Advertise Ordinance creating article VIII, Chapter 6, Lake County Code, entitled Green Building Standards.

[Tab 8](#) Approval to Advertise Ordinance Section 6-7 of the Lake County Code, entitled Emergency Suspension.

Procurement

[Tab 9](#) Approve and execute the Settlement and Release Agreement with MV Contract Transportation, Inc.

Public Works

[Tab 10](#) Request authorization to release a maintenance bond in the amount of \$99,697.00 posted for Timberlane Phase I. Timberlane Phase I consists of 64 lots and is located in Section 6, Township 23 South, Range 26 East. Commission District 2.

- [Tab 11](#) Recommend approval and signature on Resolution authorizing the reduction of the speed limit on Pine Island Dr (6043A) from Harbor Shores Rd to Cypress Ct from 30 MPH to 25 MPH in the Eustis Area, Commission District 5.
- [Tab 12](#) Request authorization to award Lakeshore Drive Intersection with Oswalt Road Project No. 2008-06 Bid No. 08-0019, to State Asphalt Corporation, in the amount of \$539,760.75, and encumber and expend funds in the amount of \$539,760.75 from Road Impact Fees Benefit District 5 Fund. Commission District 2.
- [Tab 13](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1112-John W. Bustle & Nancy Bustle, to vacate a portion of a right of way know as Frances Street, in the Plat of Astor, located in Section 30, Township 15, Range 28, in the Astor area. Commission District 5.
- [Tab 14](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1136-Jim Stivender, Public Works - Stormwater Section, to vacate two (2) drainage easements, in the Plat of Cashwell Minnehaha Shores on Lake Minnehaha, located in Section 35, Township 22 S, Range 25 E, and Section 2, Township 23 S, Range 25 E, in conjunction with the Elbert Street Stormwater Project, in the Clermont area. Commission District 2.
- [Tab 15](#) Approval of LAP Agreement and supporting Resolution between Lake County and the Florida Department of Transportation (FDOT) for the South Lake Trail-Section 1 (Clermont to Groveland Park). FPN # 422570-1-38-01 Commissioner District #2.
- [Tab 16](#) Request authorization to accept the final plat for Langley Industrial Park, and all areas dedicated to the public as shown on the Langley Industrial Park plat, accept a maintenance bond in the amount of \$54,102.00, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Richard H. Langley, and execute a resolution accepting the following roads into the County Road Maintenance System: Republic Drive "Part" (Co. Road No. 2223), and Democracy Street (Co. Road No. 2223A). Langley Industrial Park consists of 5 lots and is located in Section 30, Township 21 South, Range 25 East. Commission District 3.
- [Tab 17](#) Request authorization to accept the final plat for Arbor Ridge, and all areas dedicated to the public as shown on the Arbor Ridge plat, accept a maintenance bond in the amount of \$25,324.00, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Kentucky Bluff, Inc., and execute a resolution accepting the following road into the County Road Maintenance System: Sonoma Ridge Lane (Co. Road No. 2339). Arbor Ridge consists of 11 lots and is located in Section 25, Township 21 South, Range 25 East. Commission District 3.
- [Tab 18](#) Request authorization to accept the final plat for Christopher C. Ford Central Park Phase III, and all areas dedicated to the public as shown on the Christopher C. Ford Central Park Phase III plat, accept a maintenance bond in the amount of \$87,200.79, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Lakeview Industrial Properties, Inc., and execute a resolution accepting the following road into the County Road Maintenance System: Republic Drive "Part" (Co. Road No. 2223). Christopher C. Ford Central Park Phase III consists of lots and is located in Section 29, Township 21 South, Range 25 East. Commission District 3.

V. COUNTY ATTORNEY'S CONSENT AGENDA

- [Tab 19](#) Approval of Settlements with Bret and Angela Smith and Dalton and Esther Long.
- [Tab 20](#) Authorization to pay Robert Q. Williams, Esq. of Williams, Smith & Summers, P.A. for legal services. Commission District 4.

VI. PRESENTATIONS

[Tab 21](#) Presentation of awards to the VolunteerLAKE participants, who have completed the President of the United States' certification process and achieved Individual Gold Award status in recognition of their outstanding volunteer service to Lake County. Lifetime achievement is recognized with a special President's Call to Service Award, which honors those who have provided more than 4,000 documented hours of volunteer service over the course of their lifetime, i.e., Donald Roy - 4000 hours and John Swaim - 8775.50 hours.

[Tab 22](#) **10:00 A.M.** - Receive presentation and provide direction to staff concerning amendments/rewrite of Lake County Noise Ordinance.

[Tab 23](#) Presentation by the Florida Black Bear Scenic Byway Committee.

[Tab 24](#) Presentation by Wayne Saunders, City Manager, City of Clermont, regarding fire services.

[Tab 25](#) Presentation and acceptance of the Lake County Trails Master Plan.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Budget

[Tab 26](#) Request to authorize and execute a Resolution which initiates the annual process for preparation of the Fire Rescue Assessment Roll, authorizes the publication of the advertisement for the public hearing, provides direction to notice all affected parties of the proposed rates, and directs the imposition of Fire Rescue Assessment fees for the Fiscal Year beginning October 1, 2008.

Community Services

[Tab 27](#) Request approval and signature of the: 1) Florida Medicaid Provider Enrollment Application, 2) Certified Medicaid Match Agreement between the Agency for Health Care Administration (ACHA) and the County for the reimbursement of specified substance abuse treatment services for Medicaid recipients and the 3) Florida Medicaid Provider Billing Agent Agreement with LifeStream Behavioral Center.

VIII. PUBLIC HEARINGS

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

[Tab 28](#) Hold public hearing, receive comments, approve public housing agency annual plan for fiscal year 2008 and reports covering fiscal year 2008 and authorize Chairperson to sign and certify for submission.

[Tab 29](#) Request to authorize special assessments for Special Assessment Project No. 101 for Lisa Drive and Diane Drive, award the construction of the project to Boykin Construction, Inc. in the amount of \$282,757.50, encumber and expend funds in the amount of \$282,757.50 from the Transportation Trust Fund, and execute the assessment roll for the SA-101 project. This project is located in the Venetian Village Subdivision, Section 15, Township 20, Range 26, Commission District 3.

IX. OTHER BUSINESS

[Tab 30](#) Appointment of individual to vacant at-large representative seat on the LPA to complete an unexpired term ending Jan 31, 2009.

[Tab 31](#) Approval and execution of Resolution appointing a member to the Affordable Housing Advisory Committee.

X. REPORTS

A. County Attorney

[Tab 32](#) Approval of interlocal agreement between Lake County and Lake County School Board regarding the joint use of East Lake Park and Elementary School 'J'.

B. County Manager

[Tab 33](#) Board approval of sites within the downtown campus for mobile food vending businesses.

C. Commissioner Hill - Vice Chairman and District #1

D. Commissioner Renick - District #2

[Tab 34](#) Approve a Resolution regarding homelessness in Lake County; and commending New Beginnings of Lake County, Inc. for its efforts in working with homeless men in order to reduce or eliminate homelessness in Lake County.

E. Commissioner Stivender - District #3

[Tab 35](#) Resolution designating Dr. Diane Kamp as Official Lake County Historian.

F. Commissioner Stewart - District #4

G. Commissioner Cadwell - Chairman and District #5

[Tab 36](#) Approval of proclamation commemorating Ms. Anita Doebler's 100th birthday on July 25, 2008.

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.