

BOARD ACTION

June 17, 2008

APPROVED	Tab 1. Minutes of August 21, 2007 (Regular Meeting), as presented; May 9, 2008 (Special Meeting – Departments Workshop), as presented; and May 13, 2008 (Special Meeting – Budget Workshop), as presented.	CADWELL
APPROVED	Tab 2. Clerk of Court’s Consent Agenda, as follows: <ol style="list-style-type: none">1. Request to acknowledge receipt of 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.2. Request to acknowledge receipt of Proposed Budget for Fiscal Year 2008/2009, for Cascades at Groveland Community Development District.3. Request to acknowledge receipt of 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.4. Request to acknowledge receipt of 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.5. Request to acknowledge receipt of Proposed Fiscal Year 2008/2009 Budget for Estates at Cherry Lake Community Development District.6. Request to acknowledge receipt of 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).7. Request to acknowledge receipt of 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).	KELLY

	<p>8. Request to acknowledge receipt of Notice 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.</p> <p><u>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.</u></p> <p>9. Request to acknowledge receipt of Notice 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.</p> <p><u>ORDER SUSPENDING REVISED TARIFFS</u></p> <p>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.</p>	
APPROVED	<p>Tab 3. Request from Community Services for approval and authorization for 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; and approval of related budget transfer, in the amount of \$20,000 - Commission District 3.</p>	SMITH

APPROVED	Tab 4. Request from Community Services for approval of Resolution No. 2008-85 and Cooperation Agreement with the City of Minneola, adding the City to the Urban County Partnership - Commission District 2.	SMITH
APPROVED	Tab 24. Request from Community Services for approval of Resolution No. 2008-86 and Cooperation Agreement with the Town of Howey-in-the-Hills, adding the Town to the Urban County Partnership. (Moved from Departmental Business to Consent Agenda.)	SMITH
APPROVED	Tab 6. Request from Growth Management for approval of Corrected Ordinance No. 2008-19, correcting scrivener's errors - Commission District 5.	KING
APPROVED	Tab 7. Request from Growth Management for approval to execute contract with E-Sciences, Inc., consistent with submitted Scope of Services, to perform analysis of request for Conditional Use approval for Residuals Management Facility.	KING
APPROVED	Tab 8. Request from Procurement Services for approval to "piggyback" Blue Water Area Transit, Port Huron, Michigan contract for three (3) El Dorado EZ Rider II Buses, in the amount of \$798,558.00; and related Budget Transfer, in the amount of \$268,558.00.	SCHWARTZMAN
APPROVED	Tab 9. Request from Procurement Services for approval to (1) declare items on submitted list surplus to County needs; (2) authorize the removal of all items on said list from the County's official fixed asset inventory system records; and (3) authorize Procurement Services Director or designee to sign vehicle titles.	SCHWARTZMAN
APPROVED	Tab 10. Request from Procurement Services for approval 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.	SCHWARTZMAN
APPROVED	Tab 11. Request from Public Safety, Communications Systems Division, for approval of Interlocal Agreement between Lake County and Department of Agriculture and Consumer Services, Division of Forestry; approval of Resolution No. 2008-87 , for unanticipated revenue; and approval for staff to execute release of original lease and receive/adjust funds, as necessary, under the agreement - Commission District 3.	KAISER

APPROVED	Tab 12. Request from Public Works for approval and signature on Resolution No. 2008-88 , authorizing the removal of "STOP" sign with "All Way" plaque on Vista Del Lago Boulevard (0850) and "All Way" plaques on Lago Louisa Court (0850A) and Castillo Court (0850C) in the Vista Del Lago subdivision, in the Clermont area - Commission District 2 - to return intersection to a two-way stop - Commission District 2.	STIVENDER
APPROVED	Tab 13. Request from Public Works for 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 to encumber and expend funds, in the amount of \$145,200.00, from Road Impact Fee Fund Benefit District 4 - Commission District 3.	STIVENDER
APPROVED	Tab 14. Request from Public Works for authorization to accept letter of credit for maintenance, in the amount of \$16,761.32; and execute Developer's Agreement for Maintenance of Improvements Between Lake County and Jayhil Holdings, LLC - Commission District 2.	STIVENDER
APPROVED	Tab 15. Request from Public Works for approval to accept submitted 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, and 5.	STIVENDER
APPROVED	Tab 16. Request from Public Works for approval and execution of purchase agreement with Spring Arbor Village Property Owners Association, Inc. for right of way needed for CR 466 Road Widening Project - Commission District 5.	STIVENDER
APPROVED	Tab 17. Request from Public Works for approval of Resolution No. 2008-89 , to Advertise Public Hearing for Vacation Petition No. 1126, John Simpson, to vacate portion of right of way for Towerwood Drive, located in Section 26, Township 18S, Range 27E, in the Eustis area - Commission District 5.	STIVENDER
PULLED	Tab 18. Request from County Attorney for approval of Purchase Agreement with Ellen Meisse for right-of-way needed regarding three parcels for CR 466 Road Widening Project - Commission District 5, until a later date.	MINKOFF
APPROVED	Tab 19. Request from County Attorney for approval of Interlocal Agreement between City of Mount Dora and Lake County for Shared Public Service Radio Communications Facilities for SR 46 Site.	MINKOFF
APPROVED	Tab 20. Presentation - Community Enhancement Area Working Group recommendation for funding of Community Enhancement Area Partnership Program projects for 2008/09, as presented.	SMITH

PRESENTATION	Tab 21. Presentation of Lake County Jail and Justice System Assessment and Acknowledgment of Assessment.	CADWELL
APPROVED	Tab 22. Request from Facilities Development and Management for approval of project scope changes for the Phase II Project for the Downtown Tavares Project, as defined in the Potential Cost Savings list, with changes, as follows: (1) Full refurbishment of the existing Judicial Center; (2) Minimal refurbishment of the existing Judicial Center; (3) Move cash currently earmarked for a number of projects, totaling \$6.1 million, as cash supplemental for Courthouse Project; and (4) Retaining proposed square footage of the Judicial Center – not altering it at all, and moving the Public Defender’s Office back to the Judicial Center. It was further approved that \$3.5 million would be held back for negotiating purchase of Dodge dealership property, with other funding sources or payment options to be negotiated further.	BANNON
APPROVED	Request from County Attorney for approval to request 30 day continuance, beyond date of June 27, 2008, for current contract County has with seller of property that County is interested in purchasing in Clermont, alleviating risk of County losing \$100,000 deposit on said property. It was noted that, if seller does not agree to 30 day continuance, County Attorney will bring issue back to the Board at June 24 th Board Meeting for further action.	MINKOFF
APPROVED	Tab 23. Request from Public Works for approval of presentation and recommendation for CR 19A PD&E study phase, with round-about option at Eudora Road, with understanding that Johnson property not be considered for stormwater pond in future design and that no decision is to be made about round-about, until City of Mt. Dora receives additional information it needs regarding it - Commission District 4.	STIVENDER
POSTPONED	Presentation by Mr. Wayne Saunders, City Manager, City of Clermont, related to fire services, until July 1, 2008 Board Meeting.	CADWELL
APPROVED	Request from Sheriff for approval to apply for Cops Grant, through the Department of Justice, where they will pay up to 75% of approved entry salary and benefits for newly hired Deputy Sheriffs. It was noted that the Sheriff’s Department is eligible to apply for up to 10 new Deputy Sheriff positions, since it serves a population greater than 150,000, and that matter will be brought back before the Board at a later date, with regard to funding sources for said positions.	BORDERS

PULLED	Tab 25. Request from Conservation and Compliance for approval of amendment to FY 2007/2008 fees, until a later date.	WELSTEAD
APPROVED	Tab 26. Request for acceptance of Bureau of Economic and Business Research (BEBR) 2007 Population Projections, adopting lower projections.	KING
APPROVED	Tab 27. Request from Public Works for approval of Final Study Recommendations from HNTB Corp. for the Lakeshore Drive Bridge Improvements Preliminary Engineering Study, approving single span bridge. 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 sidewalk - Commission District 2.	STIVENDER
APPROVED	Tab 5. Request from Economic Growth and Redevelopment for approval of Resolution No. 2008-90 , which recommends that "Project Foam" be approved as a Qualified Target Industry (QTI), and that it be awarded a QTI Tax Refund, which commits to 20% in matching funds of \$32,800.00 over a four year period - Commission District 2.	KEEDY
APPROVED	ADDENDUM NO. 1 – I. – Request from County Attorney for approval of Seven Out Tank Site Trust Agreement, Potentially Responsible Parties (“PRP’s”) Group Agreement, Administrative Settlement Agreement, and Order on Consent for Removal Action and Allocation Schedule.	MINKOFF
APPROVED	Request from Judge Briggs, through County Attorney’s Office, that reserved parking spaces at Lake County Judicial Center be posted with “No Parking – Tow Away Zone” signs, to prevent people from parking in said spaces.	MINKOFF
APPROVED	Request from County Manager to schedule short workshop immediately after June 24 th Board Meeting, to allow staff to present to the Board the Landscape Ordinance and get final direction from the Board regarding it. Staff to provide Board with copy of draft Ordinance, for their perusal, prior to June 24 th Board Meeting, to allow them time to prepare any questions they may have regarding said Ordinance.	HALL

FOR YOUR INFORMATION	<p>Commr. Hill informed the Board that she had received a memorandum from Mr. T. J. Fish, Executive Director of the Lake-Sumter Metropolitan Planning Organization (LSMPO), by way of the Pinellas County Metropolitan Planning Organization, indicating that Pedestrian Safety Bill No. 154, which deals with pedestrian safety while using crosswalks, has been signed into law by the Governor, and they have asked the County to participate and educate the public regarding same.</p> <p>It was noted that said memorandum would be given to Mr. Jim Stivender, Jr., Public Works Director, for his perusal. He will then decide how to handle the matter.</p>	HILL
FOR YOUR INFORMATION	<p>Commr. Hill stated that she had received a letter from the Florida Department of Transportation (FDOT), regarding a traffic regulation change on Hwy. 441, in Leesburg, from SR 44 to College Drive, dropping the speed limit for that section of the highway from 55 mph to 45 mph and questioned the reason for said request.</p> <p>Mr. Jim Stivender, Jr., Public Works Director, stated that the County and the City of Leesburg each questioned said change and has submitted a request to FDOT regarding it. He stated that he will find out where the issue currently stands.</p>	HILL
FOR YOUR INFORMATION	<p>Commr. Hill discussed the fact that there is a deadline for making nominations to the 2008/2009 Economic Development Commissions' Board of Directors and questioned whether those recommendations had to come through the Board, or whether the names are just submitted. She was informed that the names are just submitted.</p>	HILL
FOR YOUR INFORMATION	<p>Commr. Hill questioned how the Safety Resource Deputy (SRD) negotiations are going with the Lake County School Board and was informed that no meetings have been held yet regarding the matter.</p>	HILL
FOR YOUR INFORMATION	<p>Commr. Hill informed the Board that she received her Certificate of Completion for completing the FOCUS (Fulfilling Our Customers through Unbeatable Service) program that was put on by Employee Services and encouraged the rest of the Board to attend the program, as well.</p>	HILL

FOR YOUR INFORMATION	<p>Commr. Renick brought up for discussion the fact that the Board had received a letter from Ms. Nadine Foley, Chairman of the Local Planning Agency (LPA), asking that an ordinance addressing mass grading be brought before the Board for consideration. She noted that she was in favor of it and wondered if the Board was going to take any action regarding it.</p> <p>Commr. Stivender stated that she would like to see what the LPA has come up with, before taking any action on the request.</p>	RENICK
FOR YOUR INFORMATION	<p>Commr. Renick stated that Mr. Ray San Fratello, former member of the Industrial Development Authority, recently informed her that Dr. Duane DeFreese, formerly with the Hubbs-Seaworld Research Institute and now in the Department of Biology and Life Sciences at the University of Central Florida (UCF), will be talking about Florida's ocean economy and felt that the Board might be interested in attending that forum.</p>	RENICK
FOR YOUR INFORMATION	<p>Commr. Stivender informed the Board that she wanted to make sure that they were kept up to date about the County's Arts and Cultural Alliance, noting that they are working with the United Arts and the municipalities and have come up with a new program for banners, which they will be starting soon. She stated that disbanding the old way of doing things and creating the new Alliance is working out well.</p>	STIVENDER

FOR YOUR INFORMATION	<p>Commr. Stewart stated that she attended the fourth session of “Our Community – Our Future” that was sponsored by the Lake-Sumter Metropolitan Planning Organization and its Executive Director, Mr. T. J. Fish, and that she commended them for putting together the sessions, noting that they had the foresight to realize that people need to start thinking about the County’s future 20, 30, 40, and 50 years from now and not just think about it, but to start putting a plan of action into place. She further elaborated on the sessions and the fact that the TIP Strategies that they learned from the consultants are helping the County formulate its plan for sound economic growth and fit right in to what myregion.org said, except that they used different terminology – they called it quality of place. She stated that, if the County does not grow right, it is not going to be able to attract the kinds of businesses that it needs to give the citizens of the County – decent high paying jobs, especially the over 30% that are having to work outside of the County. She stated that every entity in the County has been approached about it and have committed to it, however, noted that lately she feels that some of them may be wavering in their commitment, which scares her, because it just takes one or two of the entities to decide not to work with the rest of them on the big picture that they have committed to and ruin the plan for everyone. She stated that, unless they all buy into it, it is doomed to fail and things will end up being business as usual and the same things that have been a detriment to the County in the past will continue to happen – urban sprawl, the cost of services going up, and the quality of life and place going down.</p> <p>Commr. Stewart stated that Mr. Fish is going to be holding some meetings with the various Task Forces throughout the County to specifically discuss the detriment that sprawl has on the County and that she would like to invite the cities and their representatives to participate in said meetings, noting that she feels it is important for the future of the County.</p>	STEWART
APPROVED	<p>Request from Commr. Cadwell for approval to advertise an Ordinance creating Section 2-25, of the Lake County Code, entitled Economic Impact Statement, which will require that, when an ordinance is brought before the Board for approval, an Economic Impact Statement be prepared by the County Manager, or designee, and be provided to the Board, identifying the potential economic cost and benefits of the proposed amendment to the County internally, as well as to property and building owners, industry, and the labor market.</p>	CADWELL

CITIZEN QUESTION AND COMMENT PERIOD

Mr. Anthony Wiseman addressed the Board suggesting that they look at the rules and regulations that govern the County's Flea Market that is held at the Lake County Fairgrounds and possibly get some input from the vendors on same, noting that he has been a vendor at the Flea Market since 2006 and had an incident occur with another vendor over having a local newspaper delivered to his home. He stated that he complained to the Flea Market staff that the newspaper he paid for was not being delivered to his home, but that the vendor would not refund his money. He stated that staff would not do anything about it, so he started telling people about his experience and was told by staff that he could not do that, so he informed them that he did not want to be a vendor at the Flea Market any longer and would like a refund of the money that he had paid for his spot, but was informed that he was not eligible for a refund, because he had signed paperwork stating that no refund would be given. He informed the Board that he feels he was treated unfairly by staff and that his money should be refunded.

A brief discussion occurred regarding the matter, at which time the County Manager was directed to have staff refund the money (\$14.12) that Mr. Wiseman paid for his spot at the Flea Market and to look at the Flea Market's rules and regulations and determine if any changes need to be made.

Ms. Gwen Manning, the former Mayor of the City of Eustis, addressed the Board stating that she is volunteering service to America and has been working with Mr. Bill Gearing, Community Enhancement Coordinator, and the Community Enhancement Area Working Group, regarding a project in Yalaha and wanted to thank the Board for approving the recommendation of said group and to let them know that they are working hard in Yalaha. She stated that she has been deployed a year this July and hopes to be deployed for at least another year, so that she can see the project in existence before she leaves and would appreciate the Board's support.

The Chairman thanked Ms. Manning for everything she does for the County.