

BOARD ACTION

August 18, 2009

APPROVED	<p>Tab 1. Clerk of Court's Consent Agenda, as follows:</p> <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 proof of publication of unclaimed moneys and payment to the Board for those moneys advertised less claims and publication costs.3. Request to acknowledge receipt of Ordinances from the City of Groveland, as follows: Ordinance No. 2009-07-24, extending and increasing the corporate limits of the City of Groveland, annexing 0.24+/- acres of land contiguous to the City of Groveland. Ordinance No. 2009-07-28, extending and increasing the corporate limits of the City of Groveland, annexing 12.91 +/- acres of land contiguous to the City of Groveland.4. Request to acknowledge receipt of Florida Public Service Commission's Notice of Application for Transfer of the Assets of Colina Bay Water Company, LLC and Certificate No. 632-W to Colina Recovery, Inc., 104 S. Main Street, Greenville, SC 29601, providing water service to territory in Lake County, Florida.5. Request to acknowledge receipt of Southwest Florida Water Management District's Standard Format Tentative Budget for Fiscal Year 2009/2010, along with CD containing copy of same, which includes introductory letter to Governor Crist.6. Request to acknowledge receipt of 2008 Annual Report from East Central Florida Regional Planning Council.7. Request to acknowledge receipt of Comprehensive Annual Financial Report from the City of Fruitland Park, for the period ending September 30, 2008, in compliance with Section 12 of the Interlocal Agreement between Lake County and the City of Fruitland Park, relating to the provision of Library Services.	KELLY
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	<p>8. Request to acknowledge receipt of St. Johns River Water Management District's Tentative Budget Submission for Fiscal Year 2009/2010.</p> <p>9. Request to acknowledge receipt of Notice Before the Florida Public Service Commission, re: Docket No. 090346-WU – Application for Staff Assisted Rate Case, Brendenwood Water System, Inc.</p> <p>10. Request to acknowledge receipt of Notice of Mass Layoff – 30 Day Extension from Accent Marketing Services, LLC, regarding future reductions in workforce at its Lake County facility, located at 308 West Ardice Avenue, Eustis, Florida, pursuant to Worker Adjustment and Retraining Notification Act. Layoff date being extended to date to be determined between August 30 and September 13, 2009. Extension expected to impact approximately 50 employees.</p> <p>11. Request to acknowledge receipt of Letter from Kindred Rehab Services, Inc., d/b/a Peoplefirst Rehabilitation, regarding separation of various employees who currently render services under Therapy Services Agreements with facilities managed by Senior Health Management, LLC, in connection with Senior Health Management, LLC's termination of those Agreements, along with list containing addresses of facilities throughout Florida in which affected employees render services, as well as positions being affected and number of affected employees in each job classification.</p> <p>12. Request to acknowledge receipt of copy of Final Order from the State of Florida, Department of Community Affairs, approving a land development regulation adopted by a local government within the Green Swamp Area of Critical State Concern, stating that Lake County Ordinance No. 2009-25 is generally consistent with the Lake County Comprehensive Plan Goals and Policies and General Land Use Location Criteria.</p>	
APPROVED	Tab 2. Request from Community Services for approval of Transportation Standard Coordinator Contract with LifeStream Behavioral Center.	BREEDEN
APPROVED	Tab 3. Request from Community Services for approval to receive unanticipated revenue for Fiscal Year 2008/09, in the amount of \$12,000.00, from Florida Healthy Kids Corporation; execute Resolution No. 2009-108 , which initiates continuation of Florida Healthy Kids outreach activities; and approval for Chairman or designee to sign contract and any support documents.	BREEDEN

APPROVED	Tab 4. Request from Growth Management for approval of Impact Fee Deferral Agreement for Loch Leven Publix Center - Commission District 4.	KING
APPROVED	Tab 5. Request from Procurement Services for approval to use Florida State Contract No. 863-000-10-1 for purchase of tires for county fleet, approved in yearly budget processes.	SCHWARTZMAN
APPROVED	Tab 6. Request from Procurement Services that the Board (1) declare items on submitted list(s) surplus to county needs; (2) authorize the removal of all items on said lists from county's official fixed asset inventory system records; and (3) authorize Procurement Services Director or designee to sign vehicle titles.	SCHWARTZMAN
APPROVED	Tab 8. Request from Public Works for approval to execute Local Agency Certification Qualification Agreement between Lake County and Florida Department of Transportation (FDOT).	STIVENDER
APPROVED	Tab 9. Request from Public Works for approval and signature on Resolution No. 2009-109 , supporting the posting of speed limit signs on Tamarack Boulevard (1047E) and Aviva Way (1047F), in Section 5, Township 23, Range 26, in the Clermont area - Commission District 2.	STIVENDER
APPROVED	Tab 10. Request from Public Works for authorization to accept check for maintenance surety, in the amount of \$7,467.87, and execute Developer's Agreement for Maintenance of Improvements between Lake County and Founder's Ridge, LLC, for Citrus Grove Road - Commission District 2.	STIVENDER
APPROVED	Tab 11. Request from Public Works for approval and signature on Resolution No. 2009-110 , to advertise Public Hearing for Vacation Petition No. 1151, to vacate portion of right of way along Hammock Ridge Road, in the Clermont area - Commission District 2.	STIVENDER
APPROVED	Tab 12. Request from Public Works for approval and signature on Resolution No. 2009-111 , to advertise Public Hearing for Vacation Petition No. 1149, to vacate Lots 10 and 11 and associated side and rear drainage and utility easement in the Plat of Royal Trails, in the Deland area - Commission District 5.	STIVENDER
APPROVED	Tab 13. Request from Public Works for authorization to award Dead River Road (4140) Stormwater Project No. 2009-07, Bid No. 09-0823, to Blue Ox Land Services, Inc., in the amount of \$1,285,819.35, and encumber and expend funds, in the amount of \$1,285,819.35, from the Stormwater Management Fund - Commission District 3.	STIVENDER

APPROVED	Tab 15. Request from County Attorney for approval of Resolution No. 2009-112 , and authorization and execution of Fifth Supplemental Indenture of Trust, relating to county's outstanding Resource Recovery Industrial Development Refunding Revenue Bonds (Covanta Lake II, Inc. Project), Series 2004.	MINKOFF
APPROVED	Tab 16. Request from County Attorney for approval of Lease Agreement with Strong Brothers, LLC, for Tax Collector office space, located at 1340 Citizens Boulevard, Leesburg - Commission District 1.	MINKOFF
APPROVED	Tab 17. Request from County Attorney for approval of Amendment to Agreement with The Appraisal Group of Central Florida, for appraisal consultant services.	MINKOFF
APPROVED	Tab 18. Request from County Attorney for approval of assignment of attorney's agreement from Harry T. Hackney to Campione & Hackney, P.A.	MINKOFF
APPROVED	Tab 19. Request from County Attorney for approval of First Amendment to Lease between The Villages Operating Company and Lake County, for Tax Collector office space, located at 918 Avenida Central, The Villages - Commission District 5.	MINKOFF
APPROVED	Tab 20. Request from County Attorney for approval of Amendment to Lease Agreement with St. Clairsville Medical Group, for County Health Department space, located at 9836 US Highway 441, Leesburg - Commission District 1.	MINKOFF
APPROVED	Tab 21. Request from County Attorney for approval of Letter of Termination, to terminate lease agreement with C & P Partnership, for library space in downtown Clermont - Commission District 2.	MINKOFF
PRESENTATION	Ms. Sharon Tatum, Public Education Specialist, Environmental Utilities Department, introduced Ms. Amber Taylor, Ms. Brianna Taylor, and Ms. Rachel Clark, three of the County's summertime student volunteers, who have been working during the Summer to take the message of recycling and taking care of the environment to the general public. She stated that they wrote and produced a recycling puppet show, which they are presenting around the County, and will make a guest appearance on WLBE Radio 790 AM at 11:30 a.m. this date, to present snippets from that puppet show, at which time they gave the Board a brief presentation of same.	CADWELL

PRESENTATION	Tab 22. The Chairman presented employees from Growth Management with "Beyond Customer Service - Exceeding Expectations" and employees from Employee Services with "FOCUS: Fulfilling Our Customers through Unbeatable Service" awards from NACO.	CADWELL
PRESENTATION	Tab 23. The Chairman and the County Manager presented certificates to county employees who participated in the County's Process Improvement Program.	CADWELL/HALL
PULLED	Tab 7. Request from Procurement that the Board approve award of RSQ No. 09-0020, for the provision of architectural/engineering and sustainability design services, to CT HSU & Associates, P.A., in the amount of \$15,000.00, for schematic design, not to exceed \$1,400.00 for reimbursable expenses, and upon request of the County, to continue professional services, as described in the proposal, for lump sum fee of 8.5% of final construction cost, not to exceed \$100,000.00, until a later date.	SCHWARTZMAN
APPROVED	Tab 24. Request from Employee Services for approval of amendment incorporating various revisions to current contract with BlueCross BlueShield of Florida for third-party administrative services for county's medical plan.	WALL
APPROVED	Tab 25. Request from Employee Services for approval to award Contract No. 09-0032, for TPA Services for the County's Workers' Compensation and Employer's Liability Program, to Employers Mutual Inc. (EMI).	WALL
APPROVED	Tab 26. Request from Employee Services for approval to award Contract No. 09-0031, for Broker Risk Insurance Services, to Arthur J. Gallagher Risk Management Services, Inc.	WALL
APPROVED	Tab 27. Request from Procurement Services that the Board approve award of Contract No. 09-0614, for Micro-Surfacing-Crack Sealing and Related Services Projects Not Exceeding 450,000 Square Yards Per Year, to North Florida Emulsions, Inc.	SCHWARTZMAN
APPROVED	Tab 28. Request from Procurement Services that the Board approve submitted "business friendly" initiatives, to be formalized within County Manager procedures.	SCHWARTZMAN
APPROVED	Tab 29. Request from Public Works for approval of Interlocal Agreement between Lake County and City of Tavares for Agreement for Design, Construction and Maintenance of Segment of Alfred Street - Commission District 3.	STIVENDER

APPROVED	Tab 30. Request from Public Works for approval to execute Corrective Maintenance Map for portion of North Grassy Lake Road (1944) - Commission District 2.	STIVENDER
APPROVED	Tab 31. Request from Public Works for approval of Resolution No. 2009-113 , supporting Lake County Board of County Commissioners' Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant Application for C.R. 48 Improvements (from Royal Palm Drive to C.R. 33), for funding, in the amount of \$24.6 million. Application deadline is September 15, 2009 - Commission District 3/ Benefit District 4.	STIVENDER
APPROVED	Tab 32. Request from Public Works for approval of Amendment No.2 to Dead River Road Stormwater Pond Contract, in order for Professional Engineering Consultants (PEC), Inc. to do post design services for As-Built Certification, and to extend contract from September 30, 2009 to September 30, 2010 - Commission District 3.	STIVENDER
APPROVED	Tab 33. PUBLIC HEARING: Ordinance No. 2009-46 , Amending Section 9-12, Lake County Code, entitled Court Facilities Surcharge, as presented.	CADWELL
POSTPONED	Proposed Landscape Ordinance, until a later date.	CADWELL
APPROVED	Tab 35. PUBLIC HEARING: 2010-2014 Road Impact Fee Transportation Construction Program; 2010-2014 General Fund - Transportation Construction Program; and 2010-2014 Renewal Sales Tax Capital Projects - Road Transportation Construction Program, as amended.	STIVENDER

<p>FOR YOUR INFORMATION</p>	<p>Mr. Sandy Minkoff, County Attorney, informed the Board that he asked that this item, involving an impact fee issue, be added to the Agenda for discussion and approval, explaining that, when general commercial shopping centers are built, often times impact fees are assigned to them at general commercial rates and then, as tenants come into the shopping centers, if their impact fees are greater than that, they pay the additional impact fees. He stated that this request involves a small strip center off of SR 50, where the landlord would like to move one of his tenants to another building in the complex, so that he can rent a bigger space to another tenant, but, under the County's rules, the current tenant would have to pay impact fees again when he moved to the new space and the new tenant would be able to take advantage of the impact fees that had already been paid on the old space. He recommended that the Board allow the current tenant to move and have the impact fees that he has already paid move with him to his new space and then, when the new tenant comes into the complex, he will pay whatever impact fees there are over and above the general commercial rate, which will allow the current tenant to stay in business and allow the landlord to rent a larger space to a new tenant.</p> <p>The Board approved the County Attorney's recommendation.</p>	<p>MINKOFF</p>
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APPROVED	<p>Tab 14. Request from County Attorney for approval of Responding Resolution No. 2009-114, to Town of Montverde's Resolution 2009-30, Initiating the Process Specified in Section 171.203, Florida Statutes, to Negotiate an Interlocal Service Boundary Agreement - Commission District 3.</p> <p>It was the consensus of the Board that Commr. Renick represent them during the negotiation process of the Interlocal Service Boundary Agreement with the Town of Montverde and any other interested municipality or special district that wishes to participate.</p>	MINKOFF
FOR YOUR INFORMATION	<p>Ms. Cindy Hall, County Manager, distributed a handout containing follow-up information from the Budget Workshops that were held on August 11th and 12th, which she reviewed with the Board. The following decisions were made:</p> <p>The Board approved the Staffing for Adequate Fire and Emergency Response (SAFER) Grant, as presented.</p> <p>It was the consensus of the Board that Option 1 of the Furlough Plan for FY 2009/2010 be implemented, where county offices will be closed on December 24th and 31st, and those days will be unpaid for the employees. Employees must take an additional 10 furlough days during the year.</p> <p>It was the consensus of the Board that the figure to be given to the consultants for them to work towards, regarding the Judicial Center Expansion Project, is \$34-47 million.</p> <p>The Board authorized the County Manager to fill the following positions from internal candidates:</p> <ul style="list-style-type: none">a. Public Resources Department Directorb. Library Services Division Directorc. Community Services Department Directord. Programming and Application Support Division Director	HALL

<p>FOR YOUR INFORMATION</p>	<p>The County Manager informed the Board that the consultants that were hired for the Energy Efficiency and Conservation Strategy will be holding their first meeting with staff on August 24th and, since there is a tight timeframe involved with that project, the County needs to move forward with it as soon as possible. She noted that they have asked for Board representation.</p> <p>It was the consensus of the Board that the County Manager be the Board's representative at said meetings and that she report her findings back to the Board, at which time they will give her direction regarding same.</p>	<p>HALL</p>
<p>APPROVED</p>	<p><u>ADDENDUM NO. 1 – COUNTY MANAGER'S REPORT (CONT'D.)</u></p> <p>A. Request for approval of Interlocal Agreement between Sumter County, Lake County, and Lake-Sumter Metropolitan Planning Organization, forming a partnership to create an Energy Efficiency and Conservation Strategy (EECS) for each county.</p> <p>B. Request for approval of distribution of funds among local jurisdictions applying for funding and signature of Chairman on original letters of support.</p>	<p>HALL</p>
<p>APPROVED</p>	<p><u>Tab 36. Proclamation No. 2009-115</u>, declaring September 28, 2009 as "Family Day – A Day to Eat Dinner with your Children".</p>	<p>HILL</p>
<p>FOR YOUR INFORMATION</p>	<p>Commr. Hill thanked staff for putting together the information dealing with the Fifth Supplemental Indenture of Trust, relating to the County's outstanding Resource Recovery Industrial Development Refunding Revenue Bonds (Covanta Lake II, Inc. Project), under Tab 15, as well as the financial advisors, for doing an analysis, enabling it to be presented to the Board for approval before the next budget year; and the County Attorney's Office, for bringing back the Court Facilities Surcharge Ordinance, for approval, in a timely fashion, noting that she feels both of them will help the County in the coming years.</p>	<p>HILL</p>
<p>FOR YOUR INFORMATION</p>	<p>Commr. Renick referred to an article that was on the front page of a local newspaper about the Tax Collector's Office saving the County money, by moving furniture and office equipment from their old office to their new office, located across the street from the Administration Building, noting that she wanted to thank them for doing so.</p>	<p>RENICK</p>
<p>APPROVED</p>	<p><u>Tab 37. Proclamation No. 2009-116</u>, declaring September 17-23, 2009, as Constitution Week.</p>	<p>CONNER</p>

APPROVED	Tab 38. Contract between District 5 Medical Examiner’s Committee and Dr. Barbara Wolf, for Medical Examiner Services.	CADWELL
FOR YOUR INFORMATION	Commr. Cadwell noted that the evaluations for the County Manager and the County Attorney had been handed out to the Board and asked that they be completed and turned in to staff within a two week period, so that they can be put on an upcoming Agenda.	CADWELL
	<p style="text-align: center;"><u>CITIZEN QUESTION AND COMMENT PERIOD</u></p> <p>Mr. Ralph Smith, the owner of Lake Tire and Auto in Tavares, addressed the Board regarding the issue of tires that are purchased for county vehicles, noting that he sells tires to the County, as well as to various other entities in the County, at which time he distributed, for the Board’s perusal, a handout containing information and a website about tires, which he noted would help them make better decisions about which tires should be purchased for the County’s vehicles.</p> <p style="text-align: center;">-----</p> <p>Mr. John Pospisil, a local resident, addressed the Board about the issue of cell towers and how unsightly they are, displaying photographs of various buildings and structures that contain cell towers that are camouflaged, rather than being an eyesore, and urged the Board to get involved and do something about camouflaging the cell towers that are erected in the County, so that they are not an eyesore.</p> <p style="text-align: center;">-----</p> <p>Ms. Patricia Sullivan, a resident of Eustis and one of the organizers of the North Lake TEA Party, addressed the Board about Congressman Allan Grayson having an office in Lake County and asked that, during the congressional recess, he be invited by the Board to make himself available to the general public in a forum type setting.</p>	