

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

REGULAR MEETING

May 15, 2007

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
James C. Watkins, 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

May 15, 2007

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:
April 3, 2007 (Regular Meeting)
April 17, 2007 (Special Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

- Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 9)

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 - Acknowledge receipt.
2. Unclaimed excess proceeds for tax deeds totaling \$158,532.98 - Acknowledge receipt.
3. Arlington Ridge Community Development District's Minutes of the November 14, 2006 meeting as approved at the January 16, 2007 meeting - Acknowledge receipt.
4. Annexation Notification for Ordinance from the City of Tavares, as follows:

Ordinance 2007-06, rezoning approximately 24 square feet located 100 feet northeasterly of the intersection of Wells Road on South Lake Avenue from City of Tavares RMH-P (Residential Mobile Home Park) to City of Tavares RMF-2 (Residential Multi-Family)

Recommendation: Acknowledge Receipt
5. City of Tavares' Comprehensive Annual Financial Report for the fiscal year ended September 30, 2006 - Acknowledge receipt.
6. Notice of Commission Hearing and Prehearing
Docket No. 060767-TP

Petition of MCImetro Access Transmission Services LLC D/B/A Verizon
Access Transmission Services for Arbitration of disputes arising from negotiation of Interconnection Agreement with Embarq Florida, Inc.

Issued April 23, 2007

The one day hearing will begin at the following time and place:

Thursday, May 3, 2007
9:30 a.m.
Room 148, Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

Recommendation: Acknowledge Receipt
7. Comprehensive Annual Financial Report from the City of Clermont, for the fiscal year ended September 30, 2006, in accordance with Section 163.387(8) of the Florida Statutes - Acknowledge receipt.
8. City of Mount Dora, Florida Comprehensive Annual Financial Report for Fiscal Year Ended September 30, 2006 - Acknowledge receipt.

9. Notice of Commission Service Hearings
Docket No. 060368-WS

Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 15)

Budget

Approve Budget Change Requests and Unanticipated Revenue Resolution.

Tab 3

1. Budget transfer – General Fund, Constitutional Offices/Supervisor of Elections. Transfer \$41,410 from Elections personal services to Elections Registration personal services. Employee changed from temporary to full-time position and should be paid out of elections registration account. Need to move funds budgeted in elections account to elections registration account. Benefits that go with the salary are also being moved. There will be a net zero effect on the general fund. Funds available in the Elections account.
2. Budget transfer – General Fund, Judicial Support. Transfer \$42,000 from Machinery and Equipment: Judges – Technology to Machinery and Equipment: Public Defender - Technology. The Public Defender needs additional technology funding for the purchase of several technology related needs for the remainder of Fiscal Year 2007. These include a switch for the new building, desktop PC's, and additional technology equipment. Funding is available from funds of \$818,404 carried over from Fiscal Year 2006, which were placed in the Judges – Technology section until needed by other Judicial functions.
3. Budget transfer – Greater Hills Fund, Department of Budget, Assessments Section. Transfer \$40,991 from Reserve for Operations to Contractual Services. The funds for this MSBU are collected from the non-ad valorem assessment on each subdivision parcel owner's tax bill. The funds are forwarded from the Tax Collector's Office annually, beginning in November. In order to forward the first quarterly payment to the Homeowners' Association (HOA) annually in October, the fund maintains a reserve balance equivalent to the first quarterly payment. Excess funds have accumulated in this MSBU from the non-ad valorem assessments of the subdivision parcel owners after the mid-year adjustments were approved for this fund. The funds are required to be distributed to the HOA for use in the common area maintenance of the subdivision. The funds are available in Reserve for Operations. After this transfer, the remaining balance in the reserves of this fund will have sufficient funds for the first quarterly payment for October 2007.
4. Budget transfer – Greater Groves Fund, Department of Budget, Assessments Section. Transfer \$17,862 from Reserve for Operations to Contractual Services. The funds for this MSBU are collected from the non-ad valorem assessment on each subdivision parcel owner's tax bill. The funds are forwarded from the Tax Collector's Office annually, beginning in November. In order to forward the first quarterly payment to the Homeowners' Association (HOA) annually in October, the fund maintains a reserve balance equivalent to the first quarterly payment. Excess funds have accumulated in this MSBU from the non-ad valorem assessments of the subdivision parcel owners after the mid-year adjustments were approved for this fund. The funds are required to be distributed to the HOA for use in the common area maintenance of the subdivision. The funds are available in Reserve for Operations. After this transfer, the remaining balance in the reserves of this fund will have sufficient funds for the first quarterly payment for October 2007.

5. Budget transfer – Greater Pines Fund, Department of Budget, Assessments Section. Transfer \$28,440 from Reserve for Operations to Contractual Services. The funds for this MSBU are collected from the non-ad valorem assessment on each subdivision parcel owner's tax bill. The funds are forwarded from the Tax Collector's Office annually, beginning in November. In order to forward the first quarterly payment to the Homeowners' Association (HOA) annually in October, the fund maintains a reserve balance equivalent to the first quarterly payment. Excess funds have accumulated in this MSBU from the non-ad valorem assessments of the subdivision parcel owners after the mid-year adjustments were approved for this fund. The funds are required to be distributed to the HOA for use in the common area maintenance of the subdivision. The funds are available in Reserve for Operations. After this transfer, the remaining balance in the reserves of this fund will have sufficient funds for the first quarterly payment for October 2007.
6. Resolution to amend the Employee Group Benefits Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$190,470 deposited into Reimbursements and provide appropriations for the disbursement for Administrative Fees. Lake County has received reimbursements from Trustmark Insurance and the Walgreens Health Initiative Rebate Program. The funds will be disbursed for Blue Cross and Blue Shield of Florida administration fees associated with Lake County's health coverage.
7. Resolution to amend the Public Lands Capital Program Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$34,720,000 deposited into Public Lands Bonds Proceeds and \$1,275,637 deposited into Public Lands Bonds Premium and provide appropriations for the disbursement for Lands (\$35,578,934) and Cost of Issuance (\$416,703). Unanticipated revenue will be received into the Lake County Public Lands Capital Program Fund from Limited General Obligation Bonds, Series 2007 for Fiscal Year 2007.
8. Resolution to amend the Facilities Expansion Capital Program Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$87,455,000 deposited into Capital Improvement Revenue Bond Proceeds and \$3,839,920 deposited into Capital Improvement Revenue Bond Premium and provide appropriations for the disbursement for Buildings (\$90,000,000) and Costs of Issuance (\$1,294,920). Unanticipated revenue will be received into the Lake County Facilities Expansion Capital Program Fund from Capital Improvement Revenue Bonds, Series 2007 for Fiscal Year 2007.

Growth Management

- [Tab 4](#) Approval and authorization to submit two (2) grant applications to Florida Communities Trust to aid in the potential acquisition of properties.

Procurement

- [Tab 5](#) It is recommended that the Board award the contract for RSQ#06-104 Consulting Firms to Conduct Building Commissioning Services for Lake County Judicial Center Expansion Facility to Hanson Professional Services, Inc. in the amount of not to exceed \$1,425,600.00.

- [Tab 6](#) It is recommended that the Board award the contract for Bid Number 07-0205 for the Construction of North Lake Community Park to Prince Contracting Company, Inc. in the amount of \$8,473,000. On March 13, 2007 the Board approved funds for this project. Approve the budget transfer attached in the amount of \$83,927.00.

Public Safety

- [Tab 7](#) Approval by the Lake County Board of County Commissioners of Agreement with the State of Florida, Division of Emergency Management, awarding funds for the construction or improvement of the Lake County Emergency Operations Center (EOC) under Chapter 2006-71, Laws of Florida (House Bill 7121).

Public Works

- [Tab 8](#) Approval and execution of Resolution to Advertise Public Hearing for Vacation Petition No. 1108, Donald and Earla Heinrich, to vacate right of way in the Groveland area - Commission District 2.
- [Tab 9](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1115, Steven D. Glidewell, to vacate unnamed right of way in the Plat of Groveland Farms in the South Clermont area - Commission District 2.
- [Tab 10](#) Request authorization to accept the final plat for Bentwood and all areas dedicated to the public as shown on the Bentwood final plat, accept a performance bond in the amount of \$1,992,716.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and M/I Homes of Lake County, LLC. Bentwood consists of 91 lots and is located in Section 2, Township 19 South, Range 25 East - Commission District 1.
- [Tab 11](#) Request authorization to accept the final plat for Grass Roots Estates and all areas dedicated to the public as shown on the Grass Roots Estates plat. Grass Roots Estates consists of 14 lots and is located in Section 22, Township 21 South, Range 24 East - Commission District 3.
- [Tab 12](#) Approval to provide funding assistance to the Lake County School Board Summer Enrichment Program for middle school children for up to \$100,000.
- [Tab 13](#) Request authorization to execute a resolution accepting Sunpark Circle into the Lake County Road Maintenance System. Park Hill consists of 120 lots and is located in Section 29, Township 19 South, Range 25 East - Commission District 1.
- [Tab 14](#) Request authorization to release a performance bond in the amount of \$2,836,715.65, release a letter of credit for maintenance in the amount of \$129,638.34 for Phase I, accept a maintenance bond in the amount of \$84,256.09, execute a Developer's Agreement for Maintenance of Improvements between Lake County and Lennar Homes, Inc., and execute a resolution accepting the following roads into the County Road Maintenance System: Spanish Needle Lane (County Road No. 0456A), Montauk Lane (County Road No. 0456B), Goose Point Lane (County Road No. 0456C), Grand Haven Drive (County Road No. 0457), Grays Harbor Way (County Road No. 0457A), and Marble Head Way (County Road No. 0457B). Tradd's Landing consists of 321 lots and is located in Section 10, Township 24 South, Range 26 East - Commission District 2.
- [Tab 15](#) Approval to execute change order #2 in the amount of \$129,687.75 relating to additional work on the Countywide Resurfacing Project No. 2006-08, Bid Number 06-135 - Commission District 2.

V. COUNTY ATTORNEY'S CONSENT AGENDA

- [Tab 16](#) Approval of Declaration of Restrictive Covenants, Woodlands v. Lake County, Prestige/AB Ready Mix, LLC - Commission District 5.
- [Tab 17](#) Approval of Lease Agreement Between Lake County and Louis and Betty Wolcott for Public Safety Department Space - Commission District 3.
- [Tab 18](#) Approval to Advertise ordinance to amend several sections of Lake County Code.

VI. PRESENTATIONS

- [Tab 19](#) Presentation by Larry Strickler, Senior Vice President, Public Affairs, Workforce Central Florida.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

[Tab 20](#) Approval of Agreement between Lake County and LASER. Approval of required budget transfer.

County Manager

[Tab 21](#) Discussion of the contract related to the Construction Manager for the downtown construction project.

VIII. PUBLIC HEARINGS

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

[Tab 22](#) Approval of Ordinance Dissolving Cultural Affairs Council and Creating new Lake County Arts & Cultural Alliance.

IX. OTHER BUSINESS

[Tab 23](#) Appointment affirmation of Ivy Parks to serve as Montverde Public Library member representative and Loula Parks to serve as alternate member representative on the Lake County Library Advisory Board for four-year terms expiring Feb 28, 2011.

X. REPORTS

- A. **County Attorney**
- B. **County Manager**
- C. **Commissioner Hill - Vice Chairman and District #1**
- D. **Commissioner Renick - District #2**
- E. **Commissioner Stivender - 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.