

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

REGULAR MEETING

July 07, 2009

COUNTY COMMISSIONERS

Welton G. Cadwell, Chairman
Jennifer Hill, Vice Chairman
Elaine Renick, District #2
Jimmy Conner, 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 07, 2009

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 26, 2009 (Regular Meeting / Workshop)
June 9, 2009 (Special Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 8)

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. Copy of Country Greens Community Development District's proposed Operating and Debt Service Budget for Fiscal Year 2010, in accordance with Chapter 190.008(2) (b) of the Florida Statutes, with cover letter stating that the public hearing is scheduled for August 26, 2009 at 2:00 p.m. at Hampton Inn, 19700 US Highway 441, Mount Dora.
Recommendation: Acknowledge Receipt
3. Proposed budget for Village Center Community Development District for Fiscal Year 2009/2010.
Recommendation: Acknowledge Receipt
4. Annexation Ordinance No. 2009-06-21, from the City of Groveland, extending and increasing the corporate limits of the City, by annexing 173.72 +/- acres of unincorporated land owned by IMG Enterprises, Inc.
Recommendation: Acknowledge Receipt
5. Arlington Ridge Community Development District Proposed Annual Budget – Fiscal Year 2010.
Recommendation: Acknowledge Receipt
6. Notice from Accent Marketing Services, LLC regarding future reductions in workforce at its Lake County location on 308 West Ardice Avenue, Eustis, Florida.
Recommendation: Acknowledge Receipt
7. Resolution No. 2009-08 from the Minneola City Council opposing Lake County School District's proposal to curtail or eliminate courtesy busing of students who live within two miles of the school they attend.
Recommendation: Acknowledge Receipt
8. Ordinance 619-M from the City of Clermont which annexes a vacant parcel of land into the City limits of Clermont and was adopted by the Clermont City Council on May 26, 2009.
Recommendation: Acknowledge Receipt

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 28)

Budget

Tab 3

Approve Budget Change Requests.

1. Budget transfer – Greater Groves Fund, Office of Budget, Assessments Section. Transfer \$11,000 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 2009.
2. Budget transfer – Greater Hills Fund, Office of Budget, Assessments Section. Transfer \$15,000 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 2009.
3. Budget transfer – Greater Pines Fund, Office of Budget, Assessments Section. Transfer \$13,000 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 2009.

Community Services

Tab 4

Request approval and signature on the Direct Pay to LifeStream Behavioral Center for the final payment from the Criminal Justice, Mental Health & Substance Abuse Planning Grant for the reinvestment in Mental Health & Substance Abuse planning initiatives for treatment services.

Tab 5

Approval of transfer of SHIP Program and Administrative funds from Operations Budget to Personal Services to cover staffing cost for FY 2008/09.

Employee Services

Tab 6

Recommend approval of the updated Employee Status and Work Hours and Overtime Policy.

Procurement

[Tab 7](#) Award RFP 09-0010, Wireless Communication Consultant to RCC Consultants, Inc.

[Tab 8](#) It is recommended that the Board approve award of RFP 09-217 for vendor operation of food concessions at North Lake Community Park to Sunrise Snack Shack Commission District 5.

Public Safety

[Tab 9](#) Lake County Public Safety Fire Rescue Division requests approval for the update to the 2007 Interlocal Agreement for Fire Protection and Rescue Services between Lake County and the City of Umatilla. Commission District 5.

[Tab 10](#) Request approval of Interlocal Agreements that assigns items purchased by Lake County through the Emergency Medical Services Grant to the fire department of Mount Dora, Tavares, Eustis, Fruitland Park, Leesburg, and Umatilla.

Public Works

[Tab 11](#) Approval of the Resolution regarding delinquent Special Assessments authorizing the County Manager to enter into settlement agreements with property owners which may lower or eliminate accrued interest, and/or establish payment plans, authorizing the County Manager to approve writing off old debts which cannot be collected, and authorizing the County Attorney to file suit for foreclosure or injunction actions.

[Tab 12](#) Approve Amendment to the Interlocal Agreement between Lake County and the Town of Lady Lake, regarding the Development and Environmental Study (PD&E) for Rolling Acres Road (from CR 466 to US 441 - approx. 1.25 miles). Commission District 5 ; Benefit District 3

[Tab 13](#) Request authorization to release a maintenance bond in the amount of \$73,514.00 posted for the realignment of CR 565A at SR 50. Commission District 2.

[Tab 14](#) Request authorization to release a maintenance bond in the amount of \$84,256.09 posted for Tradd's Landing Phases 2 and 3. Tradd's Landing consists of 321 lots and is located in Section 10, Township 24 South, Range 26 East. Commission District 2.

[Tab 15](#) Request authorization to release a performance bond for construction of improvements in the total amount of \$1,252,735.00, accept a check in the amount of \$5,812.95 as surety for landscaping improvements, and execute a Developer's Agreement for Construction of Improvements between Lake County and Plymouth MB, LLC for Plymouth Creek Estates for Landscape Improvements. Plymouth Creek Estates consists of 72 lots and is located in Section 36, Township 19 South, Range 27 East, Commission District 4.

[Tab 16](#) Request approval for Chairman and Commissioners to declare and sign proclamation designating July as Parks and Recreation Month.

[Tab 17](#) Approve and execute an easement over a County owned railroad right of way to provide access from S.R. 19 to property owned by Larry Cook for his business. Authorize the County Attorney to take legal action for removal of the fence that has been constructed in the subject County owned railroad property. Commission District 5.

[Tab 18](#) Request approval to Execute the Local Agency Program Agreement between Lake County and Florida Department of Transportation (FPN # 426313-1-58-01) for CR-448 for the segment lying between Lake Industrial Blvd and Grand Oak Lane, execute supporting Resolution for the project, and approval to advertise for bids. Commission District #3.

[Tab 19](#) Request approval to Execute the Local Agency Program Agreement between Lake County and Florida Department of Transportation (FPN # 426261-1-58-01) for CR-455 for a segment lying between SR-19 and CR-561, execute supporting Resolution for the project, and approval to advertise for bids. Commission District #3.

- [Tab 20](#) Request approval to Execute the Local Agency Program Agreement between Lake County and Florida Department of Transportation (FPN # 426262-1-58-01) for CR-474 for a segment lying between SR-33 and US-27, execute supporting Resolution for the project, and approval to advertise for bids. Commission District #2.
- [Tab 21](#) Request approval to Execute the Local Agency Program Agreement between Lake County and Florida Department of Transportation (FPN # 426300-1-58-01) for Lakeshore Drive for a segment lying between Preston Cove and King Fisher Drive, execute supporting Resolution for the project, and approval to advertise for bids. Commission District #2.
- [Tab 22](#) Request approval to Execute the Local Agency Program Agreement between Lake County and Florida Department of Transportation (FPN # 426302-1-58-01) for CR-466A for a segment lying between Cutoff Road and SR-27/441, execute supporting Resolution for the project, and approval to advertise for bids. Commission District #1.
- [Tab 23](#) Request approval to Execute the Local Agency Program Agreement between Lake County and Florida Department of Transportation (FPN # 426312-1-58-01) for CR-19A for a segment lying between Dodson cutoff and Azalea Drive, execute supporting Resolution for the project, and approval to advertise for bids. Commission District #4.
- [Tab 24](#) Request approval to Execute the Local Agency Program Agreement between Lake County and Florida Department of Transportation (FPN # 426314-1-58-01) for CR-42 for a segment lying between Holmes View Drive and West 4th Street, execute supporting Resolution for the project, and approval to advertise for bids. Commission District #5.
- [Tab 25](#) Request approval to Execute the Local Agency Program Agreement between Lake County and Florida Department of Transportation (FPN # 426315-1-58-01) for Eagles Nest Road for a segment lying between US-27/441 and Ridge Road, execute supporting Resolution for the project, and approval to advertise for bids. Commission District #1 and 5.
- [Tab 26](#) Request approval to Execute the Local Agency Program Agreement between Lake County and Florida Department of Transportation (FPN # 426316-1-58-01) for Goose Prairie Road for a segment lying between Emerald Island Road and CR-452, execute supporting Resolution for the project, and approval to advertise for bids. Commission District #5.
- [Tab 27](#) Request approval to Execute the Local Agency Program Agreement between Lake County and Florida Department of Transportation (FPN # 426259-1-58-01) for Lake Griffin Road for a segment lying between Lemon Street and Grays Airport Road, execute supporting Resolution for the project, and approval to advertise for bids.
- [Tab 28](#) Approve attached Resolution which amends the Federal/State Grants Fund for American Recovery and Reinvestment Act (ARRA) of 2009 Stimulus Funds in the amount of \$5,257,845.

V. COUNTY ATTORNEY'S CONSENT AGENDA

- [Tab 29](#) Approval to Advertise Ordinance regarding reorganization of the Law Library within the Lake County Library System.
- [Tab 30](#) Approval of Partial Release for Caveat by Creditor.

VI. AWARDS

FIVE YEARS

Loren Blackwell, Firefighter/EMT
Public Safety/Fire Rescue

George Cochran, Fire Lieutenant/EMT
Public Safety/Fire Rescue

Shawn Flohre, Firefighter/Paramedic
Public Safety/Fire Rescue

Roger Minger, Fire Lieutenant/Paramedic
Public Safety/Fire Rescue

Rene Vasquez, Firefighter/EMT
Public Safety/Fire Rescue

Jeffrey Wisniewski, Equipment Operator IV
Environmental Utilities/Solid Waste Disposal Operations

TEN YEARS

Troy Braley, Fire Lieutenant/EMT
Public Safety/Fire Rescue

Richard Eddy, Park Specialist
Public Works/Parks & Trails

Geneva "Andrea" Kennard, Office Associate V
County Attorney's Office

Jeffrey Michels, Firefighter/EMT
Public Safety/Fire Rescue

Robert Staab, Firefighter/EMT
Public Safety/Fire Rescue

Patrick Werner, Lead Network Technician
Information Technology/Information Systems

David Ziegler, Fire Lieutenant/Paramedic
Public Safety/Fire Rescue

FIFTEEN YEARS

John Brautcheck, Entomologist
Environmental Utilities/Mosquito & Aquatic Plant Management

TWENTY YEARS

Edmund "Jay" Dagner, Chief Inspector
Growth Management/Building Services

THIRTY YEARS

Christine Stephens, Sign Fabricator
Public Works/Road Operations/Signs, Signals & Striping

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Environmental Utilities

- [Tab 31](#) Direct staff to proceed with the proposal to terminate the solid waste debt service reserve and to re-amortize the principal payments to achieve the cash flow savings; agree to discussions, in the last quarter of this year, with Covanta as to possible extension or renegotiation of the service agreement as well as any other alternatives that may be available beginning in 2014; and discussion of the solid waste assessment for the 2009/10 fiscal year.

Facilities Development And Management

- [Tab 32](#) **9:00 A.M.** - Presentation and discussion of GMP (Guaranteed Maximum Price) for Phase II of the Judicial Center Expansion.

Public Works

- [Tab 33](#) Approval of a budget transfer in the amount of \$100,000, from MSTU Parks Reserve which has a balance of \$337,112, for the design and construction of a playground/pavilion restroom for North Lake Community Park. Commission District 5.

VIII. PUBLIC HEARINGS

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

- [Tab 34](#) The Board of County Commissioners approves the amendment to the Neighborhood Stabilization Program and Chairman to sign the SF424 and the certifications.
- [Tab 35](#) That the Board approves and Chairman signs an application to the U.S. Department of Housing and Urban Development to receive funding under the Neighborhood Stabilization Program 2 under the American Recovery and Reinvestment Act of 2009.

IX. OTHER BUSINESS

- [Tab 36](#) Approval of appointment of Ms. Mary Kay McGuire to serve as City of Minneola's representative on the Arts and Cultural Alliance to complete an unexpired term ending July 31, 2010.
- [Tab 37](#) Appointment of an individual to represent the Lake County Conservation Council or another organized environmental group on the Lake County Impact Fee Committee to complete an unexpired term ending August 6, 2010.

X. REPORTS

A. County Attorney

- [Tab 38](#) Approval of Agreement Between Lake County and the City of Clermont Relating to the Clermont Sprayfield Property. Commission District 2.

B. County Manager

C. Commissioner Hill - Vice Chairman and District #1

D. Commissioner Renick - District #2

E. Commissioner Conner - District #3

F. Commissioner Stewart - District #4

G. Commissioner Cadwell - Chairman and District #5

[Tab 39](#) Approval and execution of First Amendment to Interlocal Agreement between Marion, Citrus, Hernando, Sumter and Lake Counties relating to the provision of operating costs, facility use fees, and capital expenditures for the Medical Examiner.

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.