

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

REGULAR MEETING

August 07, 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

August 07, 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:
June 26, 2007 (Regular Meeting)
June 28, 2007 (Special Meeting)
July 10, 2007 (Regular Meeting)
July 17, 2007 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

- Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 18)

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. Monthly Distribution of Revenue Traffic/Criminal Cases, for the month ending June 30, 2007, in the amount of \$183,756.93. Same period last year: \$183,679.85 - Acknowledge receipt.
3. Ordinances from the Town of Lady Lake, as follows:

Ordinance No. 2006-38, redesignating zoning classification for certain property owned by Lugano Development, LLC; located within the Town of Lady Lake; rezoning subject property located on Rolling Acres Road to Lady Lake Planned Unit Development "PUD" – Residential.

Ordinance No. 2006-41, redesignating zoning classification for certain property owned by Rhys Allen Cobb & Crisbo Holdings, LLC; rezoning subject property located on County Road 466 to Lady Lake Planned Commercial "CP."

Ordinance No. 2007-16, redesignating zoning classification for certain property owned by R& S Professional Plaza, LLC; rezoning subject property located on Hwy 27/441 and Hartsock Sawmill Road from Lady Lake Light Commercial "LC" to Lady Lake Heavy Commercial "HC."

Recommendation: Acknowledge Receipt

4. Notice of Budget Workshop of the Board of Supervisors of the Arlington Ridge Community Development District, to be held on Tuesday, July 17, 2007, at 10:00 a.m. at the Arlington Ridge Administration Building, 4463 Arlington Ridge Blvd., Leesburg, Florida 34748. The meeting is open to the public and will be conducted in accordance with the provisions of Florida Law for Community Development Districts - Acknowledge receipt.
5. Annual Financial Audit Report from the Cascades at Groveland Community Development District, for the Fiscal Year Ended September 30, 2006, pursuant to Section 11.45, Florida Statutes and Section 189.418, Florida Statutes - Acknowledge receipt.
6. Proposed Budget for the Village Center Community Development District for the Fiscal Year 2007/2008, in accordance with Chapter 190.008(2)(b)(c), Florida Statutes; and Schedule of Meetings for the Fiscal Year 2007/2008, adopted at the regularly scheduled meeting on July 6, 2007 - Acknowledge receipt.

7. Notice of Public Hearings from the City of Tavares, regarding the following Ordinances:

Ordinance No. 2007-15 (Annexing and Rezoning Property from Residential Professional to City of Tavares Mixed Use)

Ordinance No. 2007-16 (Amending Tavares Comprehensive Plan Future Land Use Map 2010)

Ordinance No. 2007-17 (Amending Etowah Planned Development)

Ordinance No. 2007-18 (Amending PFD Zoning for Judicial Center Project, Adding Additional. Property and Accommodating Modified Site Plan)

Ordinance No. 2007-19 (Amending Tavares Comprehensive Plan Future Land Use Map 2010)

Ordinance No. 2007-21 (Rezoning Property from PFD Zoning to CD Zoning)

The proposed Ordinances will be considered at the following public meetings:

1. Tavares Planning and Zoning Meeting on July 19, 2007, at 3:00 p.m.
2. Tavares City Council Meeting on August 1, 2007, at 4:00 p.m.
3. Tavares City Council Meeting on August 15, 2007, at 4:00 p.m.

All meetings will be conducted in the Tavares City Council Chambers in City Hall, at 201 E. Main Street, Tavares, Florida - Acknowledge receipt.

8. Notice of Public Hearing from the City of Tavares, regarding the following Resolution:

Resolution No. 2007-22, approving a special use to the standard Land Development Regulations for an indoor child play space establishment located on the north side of Woodlea Road, approximately 184 feet east of Cedar Avenue.

The proposed Resolution will be considered at the following public meetings:

1. Tavares Planning and Zoning Meeting on July 19, 2007, at 3:00 p.m.
2. Tavares City Council Meeting on August 1, 2007, at 4:00 p.m.

All meetings will be conducted in the Tavares City Council Chambers in City Hall, at 201 E. Main Street, Tavares, Florida - Acknowledge receipt.

9. Letter of Resignation from Ms. Cheryl Coco, to be effective immediately, from the Board of Advisors of the Lake County Library Board - Acknowledge receipt.

10. Request for approval to open an additional account at the State Board of Administration (SBA) for the deposit of bond proceeds from the Capital Improvements Revenue Bonds issue.

Both the Capital Improvement Revenue Bonds and the Limited General Obligation Bonds proceeds were deposited into a single account at the SBA Local Government Investment Pool upon closing. While this is acceptable under the terms of the bond resolutions, for accounting purposes the funds will be easier to track if deposited into separate pool accounts - Acknowledge receipt.

11. Intergovernmental Cooperative Agreement for the City of Eustis, the Town of Lady Lake, and the City of Tavares - Acknowledge receipt.

12. Proposed Budget for the Sumter Landing Community Development District for Fiscal Year 2007/2008 in accordance with Chapter 190.008(2)(b)(c) and Resolution 07-09 approving same – Acknowledge receipt.
13. Proposed budget for the 2007/2008 Fiscal Year for Cascades at Groveland Community Development District, pursuant to Chapter 190, Florida Statutes. A public hearing to consider the adoption of this item has been scheduled for September 12, 2007, at the Marion Baysinger Memorial Library, Groveland – Acknowledge receipt.
14. Schedule of Meetings for the Sumter Landing Community Development District for the Fiscal Year 2007/2008, which was adopted at the regularly scheduled meeting on June 8, 2007 – Acknowledge receipt.
15. The County is required to have an annual audit of its financial statements. The CAFR includes the financial results of the Board of County Commissioners and Constitutional Officers for the year ended September 30, 2006. Recommendation: Acceptance of report.
16. Annual Financial Audit Report for the Fiscal Year Ended September 30, 2006, for the Greater Lakes/Sawgrass Bay Community Development District, pursuant to Section 11.45, Florida Statutes, and Section 189.418, Florida Statutes – Acknowledge receipt.
17. Meeting Notice – Southwest Florida Water Management District Governing Board Meeting Agenda for July 31, 2007, to be held at 9:00 a.m., at the Brooksville Headquarters, 2379 Broad Street, Brooksville, Florida; and Approved Minutes of the Meeting of the Governing Board, held on May 29, 2007 – Acknowledge receipt.
18. Request to close WEBTPA Employer Services Checking Account at Wachovia. Recommendation: Approval of the request.

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 22)

Budget

Tab 3

Approve Budget Change Requests and Unanticipated Revenue Resolutions.

1. Budget transfer – Solid Waste Long-Term Capital Projects Fund, Department of Environmental Services. Transfer \$49,211 from Reserve for Operations to Professional Services. Additional funds are needed to amend Lake County's agreement with Brown and Caldwell for the design, permitting, and construction of the Phase III Landfill. The primary objective of the third amendment agreement is to provide certain supplemental efforts within the original scope of the project specifically described in the First Amendment Agreement that were not foreseen at the commencement of the project. Funds are available in Reserve for Operations. After this transfer, the balance in the Reserve for Operations account will be \$678,902.
2. Budget transfer – General Fund, Sheriff's In House Support. Transfer \$45,215 from Reserve for Operations to Operating Expenses (\$35,368) and Machinery and Equipment (\$9,847). New lease space has been secured in Lady Lake for the Sheriff's Office. Funding is needed for additional costs associated with this new lease agreement and for installation of a phone system and a computer server for the Lady Lake Substation. The lease agreement was approved in June 2007. Funds are available in Reserve for Operations.
3. Budget transfer – General Fund, Constitutional Offices – Property Appraiser and Supervisor of Elections. Transfer \$7,170 from Reserve for Operations to Repair and Maintenance – Property Appraiser (\$3,585) and Repair and Maintenance - Supervisor of Elections (\$3,585). Funds are needed to reimburse the Property Appraiser and Supervisor of Elections for a sign for their office in Clermont. Funds are available in Reserve for Operations.

4. Resolution to amend the County Library System Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$698,000 deposited into Buildings and provide appropriations for the disbursement for construction of the Citrus Ridge Library facility located at the Cagan Crossings development. The Florida Department of State, Division of Library and Information Services, granted Lake County \$500,000 for the Cagan Crossings Library. The U.S. Department of Housing and Urban Development granted Lake County \$198,000 for the Cagan Crossings Library.
5. Resolution to amend the Section 8 Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$161,565 deposited into County Program and provide appropriations for the disbursement for housing assistance. Lake County received additional Section 8 funds for Fiscal Year 2007 from the Department of Housing and Urban Development.
6. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$1,906,878 deposited into Personal Services (\$103,250), Operating Expenses (\$1,769,124), Machinery and Equipment (\$4,504), and Aids to Government Agencies (\$30,000), and provide appropriations for disbursement of these funds. FEMA and State Assistance were received for Groundhog Day Tornado assistance. The County's obligation of 12.5% of the anticipated expenses will be funded using General Fund Reserves.
7. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$206,157 deposited into Police Services – Minneola and provide appropriations for law enforcement services. The Lake County Sheriff's Office has modified their agreement with the City of Minneola for law enforcement services. Lake County has received \$206,157 from the City of Minneola due to the modified agreement.

Employee Services

[Tab 4](#) Recommend approval of a new BCC policy titled "Classification and Pay Plan"

[Tab 5](#) Recommend approval of a new policy related to County Attorneys staff.

Growth Management

[Tab 6](#) Approve very low-income and low-income impact fee waivers as refunds to lenders on behalf of qualified individuals. Approve low-income waiver as a refund to Cynthia White.

[Tab 7](#) Request for approval and execution of Release of Fine. Unlicensed contractor citation paid.

Procurement

[Tab 8](#) Approve and execute the second amendment to The Appraisal Group of Central Florida, Inc. contract.

Public Safety

[Tab 9](#) Approval of the renaming of portions of Grassy Lake Road, North Grassy Lake Road, and Turkey Farm Road - Commission District 2.

[Tab 10](#) Approval and execution of the Emergency Management Preparedness and Assistance Competitive Grant Program Agreement between the State of Florida, Department of Community Affairs and Lake County, by the Lake County Board of County Commissioners, for Critical Supplies for Pet Friendly Shelters for the Department of Public Safety, Animal Services Division.

[Tab 11](#) Requesting that the Board approve for purchase the attached updated equipment list from funding by the Florida Department of Health EMS Grant.

Public Works

[Tab 12](#) Request authorization to release a letter of credit for maintenance in the amount of \$147,964.00 posted for Park Hill. Park Hill consists of 120 lots and is located in Section 29, Township 19 South, Range 25 East. Commission District 1.

[Tab 13](#) Request to advertise for bids for the Dewey Robbins Road (C-2824) clay-to-pave Project No. 2007-04. The estimated cost of construction is \$853,600.00 to be expended from the Road Impact Fee Fund - Benefit District 4, Commission District 3.

[Tab 14](#) Request authorization to execute a resolution accepting Stacey Drive "Part" (County Road No. 4580G) into the County Road Maintenance System. Stacey Drive is located in Dora Pines Subdivision within Section 20, Township 19 South, Range 27 East. Commission District 4.

[Tab 15](#) Request authorization to execute a resolution accepting Excalibur Road (County Road No. 1248B) into the County Road Maintenance System. Excalibur Road (County Road No. 1248B) is located within Section 28, Township 22 South, Range 26 East. Commission District 2.

[Tab 16](#) Request authorization to release a letter of credit for performance in the amount of \$49,707.90, return funds in the amount of \$4,620.00, accept a maintenance bond in the amount of \$22,843.30, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Montalcino Homes, Inc., and execute a resolution accepting the following roads into the County Road Maintenance System: Tamarack Boulevard (County Road No. 1047E), Aviva Way (County Road No. 1047F), and Roper Boulevard "Part" (County Road No. 1048A) Summit Ridge consists of 36 lots and is located in Section 32, Township 22 South, Range 26 East. Commission District 2.

[Tab 17](#) Request authorization to accept the final plat for Vista Grande Phase 3 and all areas dedicated to the public as shown on the Vista Grande Phase 3 final plat, accept a letter of credit for performance in the amount of \$42,035.03, and execute a Developer's Agreement for Construction of Improvements between Lake County and Ladd Development, Inc. Vista Grande Phase 3 consists of 42 lots and is located in Section 13, Township 23 South, Range 25 East. Commission District 2.

[Tab 18](#) Request authorization to accept the final plat for Highland Groves Phase II and all areas dedicated to the public as shown on the Highland Groves Phase II final plat, accept a letter of credit for performance in the amount of \$495,000.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Ladd Development, Inc. Highland Groves Phase II consists of 34 lots and is located in Section 13, Township 23 South, Range 25 East. Commission District 2.

[Tab 19](#) Request authorization to accept the final plat for Highland Groves Phase III and all areas dedicated to the public as shown on the Highland Groves Phase III final plat, accept a letter of credit for performance in the amount of \$385,000.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Ladd Development, Inc. Highland Groves Phase III consists of 22 lots and is located in Section 13, Township 23 South, Range 25 East. Commission District 2.

[Tab 20](#) Request authorization to accept the final plat for Plymouth Creek Estates and all areas dedicated to the public as shown on the Plymouth Creek Estates final plat, accept a letter of credit for performance in the amount of \$1,252,735.00, and execute a Developer's Agreement for Construction of Improvements between Lake County and Plymouth MB, LLC. Plymouth Creek consists of 72 lots and is located in Section 36, Township 19 South, Range 27 East. Commission District 4.

[Tab 21](#) Approval and authorization for Chairman to execute satisfaction of liens for the attached five (5) road assessments.

[Tab 22](#)

Recommend approval of a resolution authorizing the posting of "No Parking on Right of Way" signs on CR 25A/ South Dixie Av (5507) in the Fruitland Park area, Commission District 1.

V. AWARDS

EMPLOYEE AWARDS

Presentation of Award to Employees with Five Years of Service

Richard Leblanc, Architect IV
Facilities Development & Management

James Green, Mechanic
Public Safety/Fire Rescue

Charles Creel, Facilities Development Division Director
Facilities Development & Management/Facilities Development

Presentation of Award to Employees with Ten Years of Service

Jennifer Myers, Development Review Supervisor
Growth Management/Building Services

Jimmy Scott, Construction Inspector
Public Works/Funding & Production

Presentation of Award to Employees with Fifteen Years of Service

Deborah Tinis, Financial Coordinator
Public Works/Funding & Production

Presentation of Award to Employees with Twenty Years of Service

Thomas Elmore, Audio-Visual Specialist
Facilities Development & Management/Facilities Management

Christopher Goldsmith, Equipment Operator III
Public Works/Road Operations/Maintenance Area II

Presentation of Award to Employees with Twenty-Five Years of Service

Richard Roof, Senior Laboratory Analyst
Environmental Services/Water Resource Management/Laboratory

SUPERVISOR OF THE QUARTER

Pam Goodson, Librarian II, Branch Manager
Community Services
Library Services
Astor Library
8-23-99

GIS TEAM AWARD

Larry Duke, Paul Githuka, Vicki Runninger, Jim Dowling, Pratima Strong, Richard Helfst and Corey Mathis.

VI. PRESENTATIONS

[Tab 23](#) Presentation by the Lake County Department of Public Safety, Fire Rescue Division, honoring The Plantation at Leesburg community for its dedication to saving lives.

[Tab 24](#) Presentation of the 2007 NACo Achievement Award for the "Flood Determination and Mapping" program.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

[Tab 25](#) Approval to hold the Lake County Elder Affairs Coordinating Council's Annual Elder Symposium and to solicit donations to support the event throughout the fiscal year.

Growth Management

[Tab 26](#) Approval of the Purchase and Sales Agreement between Lake County and Dead River Estates, LLC. Authorize Chairman to execute necessary closing documents. Approval of Budget Change Request from Public Works - Commission District 3.

Procurement

[Tab 27](#) It is recommended that RQ 07-0208 for On Call Planners for Growth Management be awarded to HDR, Inc., and Land Design Innovations for Comp Planning and Small Areas Planning, GAI Consultants Inc., for Conservation-Open Space and Landscape/Site Planning, Real Estate Research Consultants, Inc., for Economics.

Public Works

[Tab 28](#) Approve Amendment #3 to the agreement between Lake County and Kimley-Horn & Associates, Inc. for additional services to be performed by Kimley-Horn & Associates, Inc. for landscape and irrigation plans for the segment of CR466 from US 441/27 to Clay Avenue - Commission District 5.

[Tab 29](#) Approve and execute a right of way agreement with Rex D. Merrill for right of way and authorization for the Chairman of the Board of County Commissioners to sign any and all documents necessary for closing, in conjunction with the Keen Road (#8165) Phase II Roadway Improvement Project. Commission District 5

[Tab 30](#) Approve agreement with Weingarten I-4 Clermont Landing TRS, LLC, KMH Limited Liability Company, Homer N. Allen, and Real Life Christian Church regarding improvements to Steves Road - Commission District 2.

VIII. PUBLIC HEARINGS

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

[Tab 31](#) Hold public Hearing, receive comments, approve public housing agency annual plan for fiscal year 2007 and reports covering fiscal year 2007 and authorize Chairman to sign and certify for submission.

[Tab 32](#) For the Board to approve the revised CDBG Consolidated Plan and FY 2007-08 One Year Action Plan.

[Tab 33](#) Approval of Ordinance Amending Sections 9-13 and 9-16 of the Lake County Code.

[Tab 34](#) Approval of Ordinance creating Section 2-1, Lake County Code to designate the Official County Logo and Seal.

[Tab 35](#) Approve the Ordinance to repeal and replace Chapter 6, Lake County Code, entitled Buildings and Construction.

[Tab 36](#) The Villages Public Safety Department has requested the Board issue a renewal of the existing Villages Public Safety Department's Certificate of Public Convenience and Necessity, through September 30, 2009.

[Tab 37](#) Approval and execution of an Ordinance amending Chapter 13, Lake County Code, Article III, Tourist Development Tax; providing for an amendment to Section 13-46 and 13-47 to increase the Tourist Development Tax from 4% to 5%.

IX. OTHER BUSINESS

[Tab 38](#) Appointment/Reappointment of Women's Hall of Fame selection committee.

X. REPORTS

A. County Attorney

B. County Manager

[Tab 39](#) Approve official name of East Lake Community Park

[Tab 40](#) BCC direction to send comments related to Orange County Comprehensive Plan Amendment #2007-2-A-2-1 to DCA.

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.