

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

REGULAR MEETING

August 18, 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

August 18, 2009

9:00 A.M. Invocation

Pledge of Allegiance

I. AGENDA UPDATE

Discussion regarding proposed revisions to today's Agenda.

II. CLERK OF COURT'S CONSENT AGENDA

Tab 1

Approval of Clerk of Courts' Consent Agenda (Items 1 through 12)

1. 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. Proof of publication of unclaimed moneys and payment to the Board for those moneys advertised less claims and publication costs.

Recommendation: Acknowledge Receipt

3. 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.

Recommendation: Acknowledge Receipt

4. 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 the territory in Lake County, Florida.

Recommendation: Acknowledge Receipt

5. 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.

Recommendation: Acknowledge Receipt

6. 2008 Annual Report from East Central Florida Regional Planning Council.

Recommendation: Acknowledge Receipt

7. Comprehensive Annual Financial Report from 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.

Recommendation: Acknowledge Receipt

8. St. Johns River Water Management District's Tentative Budget Submission for Fiscal Year 2009/2010.

Recommendation: Acknowledge Receipt

9. Notice Before the Florida Public Service Commission – Docket No. 090346-WU – Application for Staff Assisted Rate Case, Brendenwood Water System, Inc.

Recommendation: Acknowledge Receipt

10. 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.

Recommendation: Acknowledge Receipt

11. 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.

Recommendation: Acknowledge Receipt

12. 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.

Recommendation: Acknowledge Receipt

III. COUNTY MANAGER'S CONSENT AGENDA (Tab 2 through Tab 13)

Community Services

[Tab 2](#) Approval of the transportation Standard Coordinator Contract with LifeStream Behavioral.

[Tab 3](#) Request from Community Services to receive unanticipated revenue for Fiscal Year 2008-09, in the amount of \$12,000.00, from Florida Healthy Kids Corporation; execute the Resolution which initiates continuation of Florida Healthy Kids outreach activities; and signature approval for chairman or designee to sign contract and any support documents.

Growth Management

[Tab 4](#) Approve impact fee deferral agreement for Loch Leven Publix Center. Commission District 4.

Procurement

[Tab 5](#) It is recommended that the Board approve the use of Florida State Contract, 863-000-10-1, for the purchase of tires for County Fleet approved in the yearly budget processes.

[Tab 6](#) It is recommended that the Board (1) declare the items on the attached list(s) surplus to County needs, (2) authorize the removal of all of the items on the attached lists from the County's official fixed asset inventory system records, and (3) authorize the Procurement Services Director or designee to sign vehicle titles.

[Tab 7](#) That the Board approve award of RSQ 09-0020 for the provision of architectural/engineering and sustainability design services to C.T. HSU & Associates, P.A. in the amount of \$15,000 for schematic design, not to exceed \$1,400 for reimbursable expenses and upon request of the County, continuing professional services as described in the proposal for a lump sum fee of 8.5% of the final construction cost, not to exceed \$100,000.

Public Works

- [Tab 8](#) Request approval to Execute the Local Agency Certification Qualification Agreement between Lake County and Florida Department of Transportation.
- [Tab 9](#) Recommend approval and signature on Resolution supporting the posting of speed limit signs on Tamarack Bv (1047E) and Aviva Wy (1047F) in the Clermont area, Commissioner District 2, Section 5 Township 23, Range 26. Commission District 2.
- [Tab 10](#) Request authorization to accept a check for maintenance surety in the amount of \$7,467.87, and execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Founder's Ridge, LLC. Citrus Grove Road is in Commission District 2.
- [Tab 11](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1151 to vacate a portion of right of way along Hammock Ridge Road, in the Clermont area. Commission District 2.
- [Tab 12](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1149 to vacate Lots 10 and 10 and associated side and rear drainage and utility easement in the Plat of Royal Trails, in the Deland area. Commission District 5.
- [Tab 13](#) Request authorization to award # 4140 Dead River Road 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.

IV. COUNTY ATTORNEY'S CONSENT AGENDA (Tab 14 through Tab 21)

- [Tab 14](#) Approval of Responding Resolution 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.
- [Tab 15](#) Approval of Resolution and authorization and execution of the Fifth Supplemental Indenture of Trust relating to the County's outstanding Resource Recovery Industrial Development Refunding Revenue Bonds (Covanta Lake II, Inc. Project), Series 2004.
- [Tab 16](#) Approval of Lease Agreement with Strong Brothers, LLC for Tax Collector office space located at 1340 Citizens Boulevard, Leesburg. Commission District 1.
- [Tab 17](#) Approval of Amendment to Agreement with The Appraisal Group of Central Florida for appraisal consultant services.
- [Tab 18](#) Approval of assignment of attorney's agreement from Harry T. Hackney to Campione & Hackney, P.A.
- [Tab 19](#) 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.
- [Tab 20](#) 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.
- [Tab 21](#) Approval of letter of termination to terminate the lease agreement with C & P Partnership for library space in downtown Clermont. Commission District 2.

V. PRESENTATIONS

- [Tab 22](#) Presentation to Growth Management for the "Beyond Customer Service - Exceeding Expectations" award from NACO and to Employee Services for the "FOCUS: Fulfilling Our Customers through Unbeatable Service" award from NACO.
- [Tab 23](#) Presentation on the Process Improvement Program.

VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Employee Services

- [Tab 24](#) Recommend approval of amendment incorporating various revisions to the current contract with BlueCross BlueShield of Florida for third-party administrative services for County's medical plan.
- [Tab 25](#) Recommend Board award contract 09-0032 for TPA Services for the County's Workers' Compensation and Employer's Liability Program to Employers Mutual Inc. (EMI).
- [Tab 26](#) Recommend Board award contract 09-0031 for Broker Risk Insurance Services to Arthur J. Gallagher Risk Management Services, Inc.

Procurement

- [Tab 27](#) It is recommended that the Board approve award of contract 09-0614, Micro-Surfacing-Crack Sealing and Related Services Projects Not Exceeding 450,000 Square Yards Per Year to North Florida Emulsions, Inc.
- [Tab 28](#) That the Board approve the "business friendly" initiatives listed below to be formalized within County Manager procedures.

Public Works

- [Tab 29](#) Approve Interlocal Agreement between Lake County and The City Tavares for Agreement for Design, Construction and Maintenance of a Segment of Alfred Street. Commission District 3.
- [Tab 30](#) Approve and execute a Corrective Maintenance Map for a portion of North Grassy Lake Rd. (#1944). Commission District 2.
- [Tab 31](#) Approve Resolution supporting Lake County Board of County Commissioners 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.
- [Tab 32](#) Approve Amendment #2 - Dead River Road Stormwater Pond Contract, in order for PEC to do post design services for As-Built Certification and extend contract from September 30, 2009 to September 30, 2010. Commission District 3.

VII. PUBLIC HEARINGS

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

- [Tab 33](#) Approval of the Ordinance Amending Section 9-12, Lake County Code, entitled Court Facilities Surcharge.
- [Tab 34](#) Approval of the proposed Landscape Ordinance.
- [Tab 35](#) Public hearing for the approval of the 2010-2014 Road Impact Fee Transportation Construction Program, approval of the 2010-2014 General Fund - Transportation Construction Program, and approval of the 2010-2014 Renewal Sales Tax Capital Projects - Road Transportation Construction Program.

VIII. REPORTS

- A. County Attorney
- B. County Manager
- C. Commissioner Hill - Vice Chairman and District #1

[Tab 36](#) Approve Family Day Proclamation.

- D. Commissioner Renick - District #2
- E. Commissioner Conner - District #3

[Tab 37](#) Request Board approval to recognize September 17th through September 23rd, 2009 as Constitution Week.

- F. Commissioner Stewart - District #4
- G. Commissioner Cadwell - Chairman and District #5

[Tab 38](#) Approval and execution of Contract between the District 5 Medical Examiners Committee and Dr. Barbara Wolf for Medical Examiner Services.

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.