

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

REGULAR MEETING

October 16, 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

October 16, 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:
July 27, 2007 (Special Meeting)
September 11, 2007 (Regular Meeting)
September 25, 2007 (Regular Meeting)

III. CLERK OF COURT'S CONSENT AGENDA

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 11)

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. Annexation Ordinance No. 2007-15 – Amending the boundaries of the City of Tavares by annexing approximately 1 Acre on the North Side of Woodlea Road, approximately 184 feet East of Cedar Avenue.

Approved by the Tavares City Council on the 15th day of August, 2007

Recommendation: Acknowledge Receipt

3. Meeting Notice – Southwest Florida Water Management District Governing Board Meeting Agenda for September 25, 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 July 31, 2007.

Recommendation: Acknowledge Receipt

4. Adopted budget for the Sumter Landing Community Development District for the Fiscal Year 2007/08, in accordance with Chapter 190.008(2)(b)(c), Florida Statutes.

Recommendation: Acknowledge Receipt

5. Notice Before the Florida Public Service Commission – In re: 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.; Docket No. 060368-WS; Order No. PSC-07-0773-FOF-WS; Issued: September 24, 2007.

Recommendation: Acknowledge Receipt

6. Notice Before the Florida Public Service Commission – In re: Notice of Commission Hearing and Rehearing to All Investor-Owned Electric and Gas Utilities and All Other Interested Persons; Docket Nos. 070001-EI; 070002-EG; 070003-GU; 070004-GU; and 070007-EI.

Recommendation: Acknowledge Receipt

7. Minutes of Meeting of Pine Island Community Development District dated August 9, 2007.

Recommendation: Acknowledge Receipt

8. Meeting Notice – Southwest Florida Water Management District Governing Board Public Input Meetings for Update to Schedule for Establishment of Minimum Flows and Levels to be held October 1, 2007, District Bartow Office at 170 Century Boulevard, Bartow; October 3, 2007, Brooksville Headquarters, 2379 Broad Street, Brooksville; October 8, 2007, District’s Tampa Office, 7601 Hwy. 301 N., Tampa; and October 10, 2007, District’s Sarasota Office, 6750 Fruitville Road, Sarasota.

Recommendation: Acknowledge Receipt

9. Notification, pursuant to Florida Statute, of publication of annexations for applicant, William Schmid, the properties being parcels #1 and #2 for Tax Parcel Identification Numbers 33-21-24-0003-000-00102 and 33-21-24-0003-000-00105, respectively, as described on the attached map (Exhibit “A”). Subject to all right of ways, easements and restrictions of record. The Ordinance relevant to the referenced annexations will be published in the Daily Commercial on October 14, 2007.

Recommendation: Acknowledge Receipt

10. Notice of Public Hearing from the City of Mt. Dora, regarding Resolution No. 2007-08, adopting an amendment to the Northeast Community Redevelopment Agency (NECRA) Master Plan to provide for the development and implementation of community policing, pursuant to Sec. 1563.346, Florida Statutes.

The proposed Resolution will be considered at the following public Hearing City of Mt. Dora, City Hall Board Room, 510 N. Baker Street, Mount Dora, Florida, on September 18, 2007, at 7:00 p.m.

Recommendation: Acknowledge Receipt

11. Request for approval of changes to the direct pay procedure.

The direct pay procedure is used for goods and services that do not require the issuance of a purchase order. This is a request to revise the direct pay procedure for the following items:

1. To give the County Manager approval for purchases up to \$25,000 instead of \$50,000 in order to reflect the procurement procedure recently adopted.

To allow the County Manager or her designee to authorized payments under the affordable housing assistance fund up to \$35,000.

To allow payments for Medicaid Nursing Home and Hospital bills and other payments under the Health Care Responsibility Act to be paid using a direct pay request authorized by the County Manager or her designee.

Recommendation: Approval

IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 16)

Budget

Tab 3

Approve Budget Change Request and Check Request.

1. Budget transfer - Law Enforcement Trust Fund, Constitutional Offices - Sheriff. Transfer \$400,000 from Other Current Charges and Obligations to Machinery and Equipment. A transfer is needed to cover equipment purchases from confiscated funds.
2. Approval of request from the Sheriff's Office for payment of expenditures from the Law Enforcement Trust Fund. The request exceeds the County Manager's approval limit of \$25,000. Total payment is for \$441,480.57.

Community Services

- [Tab 4](#) Approval to continue the direct pay procedure during FY 07/08 for the monthly Medicaid Nursing Home and Hospital bills as well as for direct pay for the monthly Health Care Responsibility Act (HCRA) bills received by the Department of Community Services, effective with the fiscal year beginning October 1, 2007.
- [Tab 5](#) Approval of amendments to the FY 2006-09 Local Housing Assistance Plan retroactive to July 1, 2007.

Procurement

- [Tab 6](#) It is recommended that the Board (1) declare the items on the attached lists 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 to sign vehicle titles.

Public Works

- [Tab 7](#) Request authorization to release a letter of credit for maintenance in the amount of \$23,451.70 posted for Grand Oak Estates. Grand Oak Estates consists of 40 lots and is located in Section 34, Township 19 South, Range 26 East. Commission District 3.
- [Tab 8](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1125, Lake County and A.E. Langley, to vacate and cease maintenance on portions of Lakeshore Drive (#1040) and Lake Louisa Road (#0847), in the Clermont area. Commission District 2.
- [Tab 9](#) Request authorization to release a performance bond in the amount of \$1,792,693.12, accept a maintenance bond in the amount of \$111,042.02, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and DeLuca Enterprises, Inc. and execute a resolution accepting the following roads into the County Road Maintenance System: Ryegrass Street (County Road No. 0360A), Yelloweyed Drive (County Road No. 0360D), Fetterbush Court (County Road No. 0360E), and Maiden Cain Street (County Road No. 0360F). Sawgrass Bay Phase 1B consists of 114 lots and is located in Section 14, Township 24 South, Range 26 East. Commission District 2.
- [Tab 10](#) Request authorization to release a performance bond in the amount of \$56,800.40, accept a maintenance bond in the amount of \$38,596.57, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and DeLuca Enterprises, Inc., accept a maintenance bond in the amount of \$229,617.35, execute a Developer's Agreement for Maintenance of Improvements Between Lake County and Rose Isle Development, LLC and Greater Lakes/Sawgrass Bay Community Development District, and execute a resolution accepting the following roads into the County Road Maintenance System: Superior Boulevard 'Part' (Co. Road No. 0357), Sawgrass Bay Boulevard (County Road No. 0360), Ryegrass Street "Part" (County Road No. 0360A), and St. Augustine Street (County Road No. 0360B). Sawgrass Bay Phase 1A consists of 49 lots and is located in Section 14, Township 24 South, Range 26 East. Commission District 2.
- [Tab 11](#) Request authorization to release a performance bond for construction of improvements in the total amount of \$14,775,163.13 that was posted for Sullivan Ranch. Sullivan Ranch consists of 693 lots and is located in Section 34, Township 19 South, Range 27 East. Commission District 4.
- [Tab 12](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1118, Albert VanZeyst & Rosalie VanZeyst, to vacate drainage and utility easement in the Plat of Heathrow Estates, in the Sorrento area. Commission District 4.
- [Tab 13](#) Approval and signature of Resolution to Advertise Public Hearing for Vacation Petition No. 1120, to vacate utilities and drainage easements, in the Plat of Blackwater Oaks Subdivision, in the Eustis area. Commission District 4.

[Tab 14](#) Approve and execute an Interlocal Agreement with the Town of Howey-in-the-Hills for the annexation for a portion of County Maintained roadways known as CR 48 (#3029), Number Two Road (#3024), and N. Buckhill Rd. (#2739). Commissioner District 3.

[Tab 15](#) Accept and execute a Sovereign Submerged Lands Easement from FDEP, and authorization to pay the associated processing fee in conjunction with the Picciola Bridge Project. Commissioner District 1.

Tourism

[Tab 16](#) Approval to accept Local Arts Agency Grant Number 08-8002 in the amount of \$4800 for the 2007 – 2008 program year awarded by the Florida Division of Cultural Affairs.

V. COUNTY ATTORNEY'S CONSENT AGENDA

[Tab 17](#) Approval of Lease Between Lake County and The Village Green Office Center for Clerk of Court office space. Commission District 5.

[Tab 18](#) Approval of Second Amendment to Lease Agreement Between Lake County and Ali Jawad for Tax Collector office space in Clermont. Commission District 2.

VI. PRESENTATIONS

[Tab 19](#) Presentation of the Lake County Community Health Worker Program by the Rural Women's Health Project, focusing on "Puentes par la Vida" (Bridges to Life) pilot project and findings of the 2007 Lake County Hispanic Health Survey Report.

[Tab 20](#) Lake County Board of County Commissioners' endorsement of the Peanut Butter P.O.P. "People Overcoming the Problem of Hunger" project for Make A Difference Day on Saturday, October 27. Permission for VolunteerLAKE to partner again this year with Peanut Butter P.O.P. to make October 27th, 2007 a countywide awareness event.

VII. COUNTY MANAGER'S DEPARTMENTAL BUSINESS

Community Services

[Tab 21](#) For the Board to approve and authorize the Chairman to sign the FY 2007-08 CDBG Partnership Agreement between the Yalaha Community Club, Inc. and the County in an amount not to exceed \$100,000 from 2007-08 funds and \$76,790 remaining of the 2005-06 funding, allocating CDBG funds to demolish the old community center and construct a new community center and to direct the Community Services Department to execute the agreement and oversee completion of the project as covered in the Scope of Services.

[Tab 22](#) For the Board to approve and authorize the Chairman to sign 3 originals of the FY 2007-08 CDBG Partnership Agreement between the City of Tavares and the County in an amount not to exceed \$220,886.74, granting the City CDBG funds to improve Summerall Park, and to direct the Community Services Department to execute the agreement and oversee completion of the project covered in the Scope of Services.

[Tab 23](#) For the Board of County Commissioners to approve and authorize the Chairman to sign the First Amendment to the Community Enhancement Area Partnership Agreement between the County and the Friends of Ferndale allocating Community Development Block Grant funds to construct two ADA compliant restrooms and replace the water well and septic system needed for these restrooms at the Ferndale Community Center. The Board is also requested to direct the Community Services Department execute the agreement and oversee completion of the project as covered in the Scope of Services.

Procurement

[Tab 24](#)

It is recommended that the Board award the Term & Supply contracts for Traffic Sign Materials to the ten (10) vendors listed in the "Background Summary" area. The total expended for the previous contract year was \$252,000.

VIII. 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

[Tab 25](#)

Approval and execution of Proclamation proclaiming October 2007 as Breast Cancer Awareness Month in Lake County.

[Tab 26](#)

Approval of proclamation proclaiming October as Domestic Violence Awareness Month.

[Tab 27](#)

Approval and execution of Proclamation proclaiming the week of October 16 - 20, 2007 as Business and Professional Women's Club Week in Lake County.

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.

