

NOV 13 2012 NP/CAS

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, September 18, 2012  
Location: Commission Chambers, Orange County Administration Center,  
First Floor, 201 S. Rosalind Avenue, Orlando, Florida  
Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd, Fred  
Brummer, John Martinez, Jennifer Thompson, Ted Edwards,  
Tiffany Russell  
Others Present: County Comptroller Martha Haynie as Clerk, County Administrator  
Ajit Lalchandani, County Attorney Jeffrey J. Newton, Assistant  
County Attorney Vivien Monaco, Deputy Clerk Kathleen C. Johnson

- CALL TO ORDER, 9:09 a.m.
- INVOCATION - Pastor Abner Adorno, The Living Word Church
- PLEDGE OF ALLEGIANCE
- PRESENTATION  
Proclamation designating September 17 through September 23, 2012 as Pollution  
Prevention Week
- ANNOUNCEMENT  
Hispanic Chamber of Commerce of Metro Orlando for receiving the prestigious award  
as "Best Chamber of the Year 2012" from the United States Hispanic Chamber of  
Commerce
- PUBLIC COMMENT

The following persons addressed the Board for public comment:

- Fred Stone
- Tim McKinney
- Stephanie Porta
- James Inziello
- Billy Butterfield
- Paul Heroux
- Holly Fussell
- Rico Piccard
- Denia Torres
- Tim Osmar
- Frederick Barr
- Louis Smith
- Jim Howe
- Marlon Washington

- Alex Irizarry
- Bob Bomia
- Cathy Hettinger
- Amy Ritter
- Timothy Murray
- Gracie Fowler
- Brook Hines
- Rosario Martinez
- Bobby Beagles
- Sheena Rolle
- Ashley Wheeler
- Maria McCluskey
- Jonathon Nasta
- Thomas Hellinger
- Laura Johns
- Tom Wilkes
- Sue Casterline
- Roberto Morales
- Nancy Jacobson
- Cecile Dekle
- Jacob Stewart

• COUNTY CONSENT AGENDA

Motion/Second: Commissioners Thompson/Martinez

AYE (voice vote): All members

Action: The Board

- Deleted County Comptroller Item 2
- Corrected Addendum #1 County Administrator Item 4
- Deferred Community and Environmental Services Department Item 3

and further, approved the balance of the County Consent Agenda items as follows, including Addendum #1, County Administrator Item 4;

County Comptroller

1. Approval of the check register authorizing the most recently disbursed County funds, having been certified that same had not been drawn on overexpended accounts. Periods as follows: September 7, 2012, to September 13, 2012; total of \$17,519,594.65. (Finance/Accounting)
2. Authorization is requested to advance \$2,005,363 to the Tax Collector on October 1, 2012. This advance is necessary to maintain the financial operation of the office during the month of October 2012. (Finance/Accounting)

(This item was deleted.)

3. Authorization to make monthly draws to the Sheriff as follows: For October 2012, the amount of \$17,652,780, November and December 2012, equal amounts of \$15,017,563, for January 2013, the amount of \$30,035,127, February 2013 through July 2013, equal amounts of \$15,017,563, for August 2013, the amount of \$15,017,569. (Finance/Accounting)

#### County Administrator

1. Receipt and filing of the minutes received by the Agenda Development Office of various advisory board meetings for the official Board record. (Agenda Development Office)
2. Approval of Resolution 2012-M-33 of the Orange County Board of County Commissioners regarding Signature Systems Group Qualified Target Industry Tax Refund. (Office of Economic, Trade and Tourism)
3. Approval of budget amendment #12-77. (Office of Management and Budget)

#### Addendum #1

4. Approval of The Charles E. Brookfield Lodge #86 of the Fraternal Order of Police Collective Bargaining Agreement for Fiscal Year 2012/13.

Clerk's Note: Agreement between Orange County Board of County Commissioners, Orange County, Florida and The Charles E. Brookfield Lodge #86 of the Fraternal Order of Police, Fiscal Years 2012-2013

- Page 64, Appendix A, Correctional Sergeant, Annual Maximum; correct 68,009 to 68,099.
- Page 67, Appendix A, Classification Officer, Min/Annual; correct 37,532 to 37,523

#### Administrative Services Department

1. Approval to award Invitation for Bids Y12-1067-J2, Term Contract for Infrastructure Rehabilitation Services, to the low responsive and responsible bidder, Stage Door II, Inc., in the estimated contract award amount of \$1,069,575 for a one-year term contract. Further, authorized the Purchasing and Contracts Division to exercise contract option years one and two. ([Public Works Department Roads and Drainage Division] Purchasing and Contracts Division)
2. Approval to award Invitation for Bids Y12-1086-JS, Fire Rescue and Hazmat Supplies and Equipment, to the low responsive and responsible bidders, Ancloze Fire and Safety, Dana Safety Supply Products, Dawson Associates, Inc., Elite Fire and

Safety Equipment, Inc., Fisher Scientific Company, L.L.C., Hall-Mark Fire Apparatus, Inc., Municipal Emergency Services, Inc. and Municipal Equipment Company, LLC for 3-year contracts in the following amounts:

Anclote Fire & Safety Products, LLC	\$360,000
Dana Safety Supply, Inc.	\$130,000
Dawson Associates, Inc.	\$100,010
Elite Fire and Safety Equipment, Inc.	\$338,800
Fisher Scientific Company, LLC	\$3,650,000
Hall-Mark Fire Apparatus, Inc.	\$552,000
Municipal Emergency Services, Inc.	\$170,000
Municipal Equipment Company, LLC	\$238,000
Total	\$5,538,810

Further, authorized the Purchasing and Contracts Division to renew the contract for two additional 1-year terms.

([Fire Rescue Department] Purchasing and Contracts Division)

3. Approval to award Invitation for Bids Y12-1098-PD, Sewer Pipes and Fittings, to the low responsive and responsible bidder, Ferguson Waterworks, for a 1-year term contract in the estimated contract award amount of \$800,000. Further, authorized the Purchasing and Contracts Division to renew the contract for an additional two years. ([Utilities Department Fiscal and Administrative Support Division] Purchasing and Contracts Division)
4. Approval to award Invitation for Bids Y12-1112-GJ, Term Contract – Head Start Child Care Food Program, to the sole responsive and responsible bidder, G.A. Food Service of Pinellas County d/b/a G.A. Food Service, Inc., for a 1-year term contract, in the total estimated contract award amount of \$1,603,163.40. Further, authorized the Purchasing and Contracts Division to renew the contract for two additional one year periods. ([Family Services Department Head Start Division] Purchasing and Contracts Division)
5. Approval to award Invitation for Bids Y12-769-CH, Tucker Avenue Sidewalk Improvements, to the low responsive and responsible bidder, Stage Door II, Inc., in the estimated contract award amount of \$317,049. ([Public Works Department Engineering Division] Purchasing and Contracts Division)
6. Approval to award Invitation for Bids Y12-780-CH, Econlockhatchee Trail Widening Project (From North of (State Road) S.R. 408 to South of (State Road) S.R. 50), to the low responsive and responsible bidder, Hubbard Construction Company, in the total estimated contract award amount of \$12,987,132.33 (Alternate Bid). ([Public Works Department Engineering Division] Purchasing and Contracts Division)

7. Approval to award Invitation for Bids Y12-791-CH, State Road (S.R.) 50 Landscaping Improvements (From West of S.R. 436 to West of S.R. 417), to the low responsive and responsible bidder, Arazoza Brothers Corporation, in the estimated contract award amount of \$346,924.25. ([Public Works Department Engineering Division] Purchasing and Contracts Division)
8. Approval to award Invitation for Bids Y12-7014-J2, Bonnie Brook Pump Station Pond Improvements, to the low responsive and responsible bidder, Gibbs & Register, Inc. The total estimated contract award amount is \$644,025. ([Public Works Department Roads and Drainage Division] Purchasing and Contracts Division)
9. Approval to award Invitation for Bids Y12-7023-J2, Bank and Slope Repairs at E-40 Canal, to the low responsive and responsible bidder, Construct Co., Inc., in the total estimated contract award amount of \$339,000. ([Public Works Department Roads and Drainage Division] Purchasing and Contracts Division)
10. Approval to award Invitation for Bids Y12-7030-J2, McLeod Road Transfer Station Tipping Floor Slab Replacement, to the low responsive and responsible bidder, Cornerstone Construction Services, Inc., in the total contract award amount of \$103,998. ([Utilities Department Solid Waste Division] Purchasing and Contracts Division)
11. Approval to award Human Service Contracts, Fiscal Year 2012-2013 for various services with the providers listed below for the amount of \$3,033,057.71.
  - The Center for Drug Free Living, Inc.
  - Specialized Treatment and Education Prevention Services, Inc. (S.T.E.P.S.)
  - Victims Services Center of Orange County, Inc.
  - Harbor House, Inc.

([Family Services Department Citizens' Commission for Children Division] Purchasing and Contracts Division)
12. Approval of Contract Y13-600, Upgrade of the Inmate Management System with DSI-ITI, LLC, in the contract award amount of \$618,900. ([Office of Accountability Information Systems and Services Division] Purchasing and Contracts Division)
13. Approval to award contracts for Neighborhood Centers for Families (NCF) for \$4,564,949, Support Services Contracts for \$545,069, After School Zone Contracts (ASZ) for \$2,598,398 and General Agency Contracts for \$218,200, to the providers listed below for the total amount of \$7,926,616 in Fiscal Year 2012-2013:

Agency

Boys & Girls Clubs of Central Fl  
The Center for Drug Free Living  
Christian Svc Ctr for Central Fl

Program

Neighborhood Center for Families  
Neighborhood Center for Families  
Neighborhood Center for Families

Every Kid Outreach  
 Goodwill Industries of Central Fl  
 OC Health Department  
 OC Public schools  
 Assn to Preserve Eatonville Comm  
 Redeeming Light Comm. Svcs.  
 Boys & Girls Clubs of Central Fl  
 SENIORS First, Inc.  
 Boys & Girls Clubs of Central Fl  
 The Children's Home Society of Florida  
 Community Coordinated Care (4 C)  
 The Children's Home Society of Florida  
 Boys & Girls Clubs of Central Fl  
 Central FL Young Men's Christian Assoc  
 Compact Orlando/Orange  
 Teen Xpress at Orlando Healthcare  
 Healthy Start  
 Florida Senior Programs, Inc.  
 Orlando Health, Inc.  
 SENIORS First, Inc.

Neighborhood Center for Families  
 Neighborhood Center for Families  
 Neighborhood Center for Families  
 Neighborhood Center for Families  
 Neighborhood Center for Families  
 Neighborhood Center for Families  
 Management Agents  
 Senior Services At Taft  
 Sr. Coordinators  
 Counselors  
 Childcare  
 Temporary Childcare  
 After School Zone  
 After School Zone  
 Jones Mentor  
 Medical  
 Counselors and Nurses  
 Foster Grandparents  
 Howard Phillips Center-CAC Program  
 Congregate Meals

([Family Services Department Citizens' Commission for Children Division] Purchasing and Contracts Division)

14. Approval of Purchase Order M59694, for the integration of Existing Pitney Bowes Mailing Software with the upgraded Utilities Customer Care and Billing (CC&B) Oracle Application. Reconfiguration of CODE-1 Plus, VeriMove, Mailstream Plus, Mail360 Manager and DOC 1 software products, with Pitney Bowes in the amount of \$172,080.00. ([Utilities Department Customer Services] Purchasing and Contracts Division)
15. Approval of Amendment 7, Contract Y7-101-GJ, Food Service for Corrections Facilities, with Trinity Services Group, Inc. (Trinity) for a 90-day extension of the contract performance period, for an estimated amount of \$852,223.68 and a revised total estimated contract amount of \$19,640,690.28. ([Corrections Department] Purchasing and Contracts Division)
16. Selection of The Standard Insurance Company to provide Group Term Life, Long and Short Term Disability, and Accidental Death and Dismemberment (AD&D) for Orange County employees, under (Request for Proposal) RFP Y12-1048-LC. The estimated contract award amount is \$9,000,000 for a 3-year contract. Further, authorized the Purchasing and Contracts Division to renew the contract for two additional 1-year periods. ([Office of Accountability Human Resources Division] Purchasing and Contracts Division)

17. Approval of As Is Residential Contract for Sale and Purchase between Orange County and Ashley Ramnarine, approval and execution of County Deed from Orange County to Ashley Ramnarine and authorization to perform all actions necessary and incidental to closing for (Neighborhood Stabilization Program) NSP Resale – 6738 Lorain Street, Orlando, FL 32810. District 2. (Real Estate Management Division)

#### Community and Environmental Services Department

1. Approval of resolution regarding claim of special assessment lien and approval to file Claim of Special Assessment Lien by Resolution for unsafe structure demolished by Orange County, pursuant to Orange County Code, Chapter 9, Section 9-278, Residential Property Maintenance Code, Assessment and Lien. District 2. (Code Enforcement Division)

<u>Dist#</u>	<u>Property</u>	<u>Resolution #</u>	<u>Property Owner</u>	<u>Amt.</u>
2	3000 Clarcona Rd. # 647	A 11-105	Debra S. Etheridge	\$6,384.00

2. Approval of the Service Agreement Portable Fuel Container Distribution Program between the American Suzuki Motor Corporation and Orange County, Florida relating to the exchange of portable fuel containers manufactured before January 1, 2009, with federally compliant Portable Fuel Containers and authorization for the Environmental Protection Division Manager to make any non-substantial amendments to the agreement. All Districts. (Environmental Protection Division)
3. Approval of HOME Investment Partnership Program Agreement between Orange County, Florida, and Homes In Partnership, Inc., authorizing a commitment of \$620,000 for down payment and closing cost assistance for low- income families at the Holly Creek Phase II Subdivision. District 2. (Housing and Community Development Division)

(This item was deferred).

4. Approval of Amendment to the Supportive Housing Agreement between Orange County, Florida, and Homeless Services Network of Central Florida, Inc., regarding the Shelter Plus Care Program, allocating an additional \$38,000 in HOPE III program funds for rental subsidies for chronically homeless and disabled individuals. All Districts. (Housing and Community Development Division)
5. Approval of Project Administration Agreements between Orange County, Florida and Coalition for the Homeless of Central Florida, Inc., Covenant House Florida, Inc., Harbor House of Central Florida, Inc., Catholic Charities of Central Florida, Inc., Family Promise of Greater Orlando, Inc., Salvation Army, Heart of Florida United Way, Inc., and Homeless Services Network of Central Florida, Inc., regarding the Emergency Solutions Grant Program FY 2011-2012, in the total of amount of \$151,745, to provide services to homeless families and individuals. All Districts. (Housing and Community Development Division)

#### Fire Rescue Department

1. Approval of 2011 State Homeland and Security Grant Program, CFA 97.067, Subrecipient Agreement for Expenditure of Local Government Unit Funding for Florida, between Orange County and the State of Florida Department of Financial Services. (Fire Rescue Division)

#### Health Services Department

1. Approval of Letter of Agreement between Orange County and the Agency for Healthcare Administration in the amount of \$2,878,180; approval of Letter of Agreement between Orange County and the Agency for Healthcare Administration in the amount of \$11,059,028 to fund (Primary Care Access Network) PCAN; and approval of Amendment #2 to Term Contract Y11-2040, Comprehensive Medical Services Agreement between Orange County, Orlando Health and Florida Hospital in the amount of \$500,000 for a revised contract amount of \$13,937,208. (Medical Clinic)

#### Office of Public Engagement and Citizen Advocacy

1. Approval of Production Agreement with Orlando-Orange County Expressway Authority related to Orange TV's services and equipment (Communications Division)
2. Approval of the Grant-In-Aid Agreement for Adult Post-Adjudicatory Drug Court Expansion in Orange County, Florida between the Office of State Courts Administrator and Orange County Board of County Commissioners in the amount of \$558,583 for a total award of \$2,277,223. (Office for A Drug Free Community)

#### Public Works Department

1. Approval of Road Impact Fee Agreement regarding an Alternative Traffic Impact Fee Calculation for Dick's Sporting Goods at Shoppes at Alafaya between HM-UP Development Alafaya Trails, LLC and Orange County, Florida. District 3. (Traffic Engineering Division)

#### Utilities Department

1. Approval of Resolution 2012-M-34 Amending Resolution No. 2009-M-50 by Repealing the Automatic Three Percent Increase for Solid Waste System Charges for Fiscal Year 2013; Amending Resolution No. 2009-M-27 by Repealing the Automatic Three Percent Increase for Residential Customers' Volume Charge for Usage of 0 to 3,000 Gallons of Water Per Month for Fiscal Year 2013; Providing for an Effective Date. All Districts. (Fiscal & Administrative Support Division)



## COMMUNITY AND ENVIRONMENTAL SERVICES CONSENT AGENDA ITEM 3 DEFERRED

Approval of HOME Investment Partnership Program Agreement between Orange County, Florida, and Homes In Partnership, Inc., authorizing a commitment of \$620,000 for down payment and closing cost assistance for low- income families at the Holly Creek Phase II Subdivision. District 2. (Housing and Community Development Division)

Commissioner Brummer announced a conflict of interest for the following reason, as stated in a Memorandum of Voting Conflict filed in the Clerk's Office: I, Frederick C. Brummer, hereby disclose that on September 18, 2012; "A measure came or will come before my agency which inured to the special gain or loss of Homes In Partnership, Inc, by whom I am retained."

Motion/Second: Commissioners Boyd/Thompson

Abstain: Commissioner Brummer

AYE (voice vote): County Mayor Jacobs; Commissioners Boyd, Martinez, Thompson, Edwards, Russell

Action: The Board approved HOME Investment Partnership Program Agreement between Orange County, Florida, and Homes In Partnership, Inc., authorizing a commitment of \$620,000 for down payment and closing cost assistance for low- income families at the Holly Creek Phase II Subdivision.

### • ADMINISTRATIVE SERVICES DEPARTMENT DISCUSSION AGENDA ITEM 1

Selection of one firm and an alternate to provide Telecommunications Tower Site Analysis, Development, License Marketing and Property Management Services, under Request for Proposals Y12-160-ZM, from the following firms, listed alphabetically:

- Crown Castle USA, Inc.
- SBA Site Management, LLC

Further recommend the Board authorize negotiation and execution of the final contract by the Purchasing and Contracts Division for a contract term of five years with two 5-year renewals.

([Administrative Services Department Real Estate Division] Purchasing and Contracts Division)

Motion/Second: Commissioners Thompson/Boyd

AYE (voice vote): All members

Action: The Board selected one firm, Crown Castle USA, Inc., and an alternate; SBA Site Management, LLC, to provide Telecommunications Tower Site Analysis, Development, License Marketing and Property Management Services; and further, authorized negotiation and execution of the final contract by the Purchasing and

Contracts Division for a contract term of five years with two 5-year renewals, Request for Proposals Y12-160-ZM.

- ADMINISTRATIVE SERVICES DEPARTMENT DISCUSSION AGENDA ITEM 2

Selection of one contractor and an alternate to provide Inmate Food – Staff Dining Services and Culinary Arts, Re-Entry and Community Outreach Initiative, Request for Proposals Y12-182-GJ, from the following firms, listed alphabetically.

- ARAMARK Correctional Services, LLC
- Trinity Services Group, Inc.

Further request authorization for the Purchasing and Contracts Division to negotiate and award a five-year contract with one five-year renewal.

([Corrections Department] Purchasing and Contracts Division)

Motion/Second: Commissioners Russell/Thompson

AYE (voice vote): All members

Action: The Board selected one firm, ARAMARK Correctional Services, LLC, and an alternate; Trinity Services Group, Inc., to provide Inmate Food – Staff Dining Services and Culinary Arts, Re-Entry and Community Outreach Initiative; and further, authorized the Purchasing and Contracts Division to negotiate and award a five-year contract with one five-year renewal, Request for Proposals Y12-182-GJ.

- HEALTH SERVICES DEPARTMENT DISCUSSION AGENDA ITEM 1

Update on Mosquito-Borne Disease. (Mosquito Control Division)

Action: None

- FAMILY SERVICES DEPARTMENT DISCUSSION AGENDA ITEM 1

Approval to purchase seven modulars, via a Suwannee County School Board contract, for the East Orange Head Start site and approval of a sole source contract for their setup and installation for a total turnkey project amount of \$624,000 from the current Head Start budget. (Head Start Division)

Motion/Second: Commissioners Thompson/Russell

AYE (voice vote): All members

Action: The Board approved to purchase seven modular units, via a Suwannee County School Board contract, for the East Orange Head Start site; and further, approved a sole source contract for their setup and installation in the total turnkey project amount of \$624,000 from the current Head Start budget.

- GROWTH MANAGEMENT DEPARTMENT DISCUSSION AGENDA ITEM 1

Board direction regarding the update to the Transportation Impact Fee Ordinance and subsequent public hearing. All Districts. (Transportation Planning Division)

Motion/Second: Commissioners Edwards/Boyd

AYE (voice vote): Commissioners Boyd, Martinez, Thompson, Edwards, Russell

NO (voice vote): County Mayor Jacobs; Commissioner Brummer

Action: The Board directed staff to provide the Board, at a public hearing, what the impacts would be under the existing formula and what the impacts would be under the new formula; and further come back to the Board and show all three scenarios.

The following person addressed the Board: Robert Wallace.

Motion/Second: Commissioners Thompson/Martinez

AYE (voice vote): All members

Action The Board approved reconsideration of directing staff to provide the Board, at a public hearing, what the impacts would be under the existing formula and what the impacts would be under the new formula; and further come back to the Board and show all three scenarios.

Motion/Second: Commissioners Edwards/Boyd

AYE (voice vote): Commissioners Boyd, Edwards

NO (voice vote): County Mayor Jacobs; Commissioners Brummer, Martinez, Thompson, Russell

Action: The motion failed to direct staff to prepare a analysis using the existing formula versus the new formula being recommended by the Consultant.

- MEETING RECESSED, 12:55 p.m.

- MEETING RECONVENED, 2:10 p.m.

Members Present: County Mayor Teresa Jacobs; Commissioners Fred Brummer, John Martinez, Jennifer Thompson, Ted Edwards, Tiffany Russell; Commissioner S. Scott Boyd joined the meeting where indicated.

Others Present: County Comptroller Martha Haynie as Clerk, Assistant Comptroller Mark Fostier as Clerk, County Administrator Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy County Attorney Joel Prinsell, Deputy Clerk Kathleen C. Johnson

- BOARD OF ZONING ADJUSTMENT RECOMMENDATIONS, SEPTEMBER 6, 2012

Motion/Second: Commissioners Thompson/Martinez

Absent: Commissioner Boyd

AYE (voice vote): All present members

Action: The Board accepted the recommendations of the Orange County Board of Zoning Adjustment under the date of September 6, 2012; subject to the usual right of appeal by any aggrieved party.

• SHORELINE ALTERATION/DREDGE FILL PUBLIC HEARING

Applicant: Charles and Charlotte Hornsby  
Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit to reconstruct an existing seawall, pursuant to Orange County Code, Chapter 15, Article IX  
Location: District 4; on property located adjacent to Lake Holden, located at 3221 Alamo Drive; Parcel ID 02-23-29-3672-01-140; Section 02, Township 23 South, Range 29, East; Orange County, Florida (legal property description on file in Environmental Protection Division)

• MEMBER JOINED: Commissioner Boyd

The following person addressed the Board: Rick Fender.

Motion/Second: Commissioners Thompson/Martinez

AYE (voice vote): All members

Action: The Board approved the request by Charles and Charlotte Hornsby for a Shoreline Alteration/Dredge and Fill Permit to reconstruct an existing seawall, on the described property, subject to the following conditions:

Specific Conditions:

1. This permit shall become final and effective upon expiration of the thirty (30) calendar day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.
2. Construction activities shall be completed in accordance with the 'Site Plan and Details for a Seawall' submitted by Fender Marine Construction, dated as received on July 10, 2012, by the Environmental Protection Division (EPD). The permitted work must be commenced within six months and completed within one year from the date of issuance of the permit. In the event that project has not commenced within 6 months or completed within a year this permit is void.
3. Any permit extensions for the approved construction may be approved by way of Consent Agenda if there are no changes.
4. No filling can be performed except in the actual construction of the seawall. This permit does not authorize any dredging or filling which may be necessary to provide maintenance or creation of a navigable access from the boat ramp to the open water.

5. The permittee must install riprap at a 2 (Horizontal): 1 (Vertical) slope at both ends of the seawall.
6. The permittee may maintain a clear access corridor below the Normal High Water Elevation (NHWE), not to exceed 30 feet in width, of sufficient length waterward from the shoreline, to allow access to open water. Any future structures such as a boat dock must be located within this corridor.
7. Native vegetation, including but not limited to, maidencane (*Panicum hemitomon*) and duck potato (*Sagittaria lancifolia*), may not be removed from the shoreline outside of the specified access corridor, specific to project.
8. A copy of this permit, along with EPD stamped and approved drawings should be taken to the Orange County (OC) Zoning Division at 201 South Rosalind Avenue, Orlando, for approval in order to obtain a building permit. For further information, please contact the OC Zoning Division at (407) 836-5525.
9. After approved by OC Zoning Division, the certified site plans will need to be reviewed by the OC Division of Building Safety in order to obtain a building permit. For further information, please contact the OC Division of Building Safety at (407) 836-5550.

General Conditions:

10. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.
11. Prior to construction, the permittee shall clearly designate the limits of construction on-site. The permittee shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
12. Construction plans shall be submitted to EPD prior to initiating any construction activities for review and approval. The construction plans shall include, but are not limited to, a site plan clearly depicting the location and acreage of the impacts and preservation.
13. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and

modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.

14. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, permittee agrees to either obtain written consent or to remove the offending structure or encroachment within sixty days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
15. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article VI of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittee shall comply with the most stringent conditions. Permittee shall immediately notify EPD of any conflict between the conditions of this Permit and any other permit or approval.
16. The permittee is hereby advised that Section 253.77, Florida Statutes, states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
17. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
18. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.

19. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
20. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to either, at a minimum: inspect, sample, or test to ensure conformity with the plans and specifications approved by the permit.
21. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
22. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
23. Permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.
24. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code (FAC). Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. If site-specific conditions require additional measures, then the permittee shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.

• SHORELINE ALTERATION/DREDGE FILL PUBLIC HEARING

Applicant: Jorge and Susan Ballesteros  
Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit to reconstruct an existing seawall, pursuant to Orange County Code, Chapter 15, Article VI. Pumping and Dredging Control; Section 15-218(d)  
Location: District 4; on property located at 3714 South Summerlin Avenue; Parcel ID 12-23-29-7312-00-081; Section 12, Township 23 South, Range 29, East; Orange County, Florida (legal property description on file in Environmental Protection Division)

The County Mayor noted the applicant present and in concurrence with the recommendation.

Motion/Second: Commissioners Thompson/Edwards

AYE (voice vote): All members

Action: The Board approved the request by Jorge and Susan Ballesteros for a Shoreline Alteration/Dredge and Fill Permit to reconstruct an existing seawall, on the described property, subject to the following conditions:

### Specific Conditions:

1. This permit shall become final and effective upon expiration of the thirty (30) calendar day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.
2. Construction activities shall be completed in accordance with Exhibit 1 dated as received on August 21, 2012, by the Environmental Protection Division (EPD). The permitted work must be commenced within six months and completed within one year from the date of issuance of the permit. In the event that project has not commenced within six months or completed within a year this permit is void.
3. Any permit extensions for the approved construction may be approved by way of Consent Agenda if there are no changes.
4. No filling can be performed except in the actual construction of the seawall. This permit does not authorize any dredging or filling which may be necessary to provide maintenance or creation of a navigable access from the boat ramp to the open water.
5. The permittee shall install native wetland/aquatic plantings. The planting must be implemented in accordance with Exhibit 2. Re-vegetation shall be in accordance with EPD conditions.
6. New plantings must be initiated within thirty days of completion of the seawall. After one year, if 80% coverage of native species is not established, additional replanting will be required.
7. The permittee shall install riprap at a maximum of 2 (Horizontal): 1 (Vertical) slope along the seawall.
8. The permittee may maintain a clear access corridor below the Normal High Water Elevation (NHWE), not to exceed 30 feet in width, of sufficient length waterward from the shoreline, to allow access to open water. Any future structures such as a boat dock must be located within this corridor.
9. Native vegetation may not be removed from the shoreline outside of the specified access corridor, specific to project.
10. A copy of this permit, along with EPD stamped and approved drawings should be taken to the Orange County (OC) Zoning Division at 201 South Rosalind Avenue, Orlando, for approval in order to obtain a building permit. For further information, please contact the OC Zoning Division at (407) 836-5525.



11. After approved by OC Zoning, the certified site plans will need to be reviewed by the OC Division of Building Safety in order to obtain a building permit. For further information, please contact the OC Division of Building Safety at (407) 836-5550.
12. No filling is approved with this permit.

General Conditions:

13. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.
14. Prior to construction, the permittee shall clearly designate the limits of construction on-site. The permittee shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
15. Construction plans shall be submitted to EPD prior to initiating any construction activities for review and approval. The construction plans shall include, but are not limited to, a site plan clearly depicting the location and acreage of the impacts and preservation.
16. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
17. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, permittee agrees to either obtain written consent or to remove the offending structure or encroachment within sixty days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
18. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit

does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article VI of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittee shall comply with the most stringent conditions. Permittee shall immediately notify EPD of any conflict between the conditions of this Permit and any other permit or approval.

19. The permittee is hereby advised that Section 253.77, Florida Statutes, states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
20. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
21. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
22. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.
23. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to either, at a minimum: inspect, sample, or test to ensure conformity with the plans and specifications approved by the permit.
24. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
25. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
26. Permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.

27. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code (FAC). Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. If site-specific conditions require additional measures, then the permittee shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.

• ORDINANCE PUBLIC HEARING

Consideration: AN ORDINANCE OF ORANGE COUNTY, FLORIDA, PERTAINING TO FALSE SECURITY ALARMS; AMENDING CHAPTER 28, "NUISANCES", TO CREATE ARTICLE V, ENTITLED "FALSE SECURITY ALARMS" PROVIDING FOR A STATEMENT OF INTENT AND PURPOSE; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPROVED ALARM SYSTEMS AND BUSINESSES; PROVIDING FOR FALSE ALARM WARNING NOTICE; PROVIDING FOR SERVICE FEES, REGISTRATION AND REINSTATEMENT FEES BY RESOLUTION; PROVIDING FOR FIRE AND SHERIFF DUAL RESPONSE; PROVIDING FOR SUSPENSION OF LAW ENFORCEMENT RESPONSE; PROVIDING FOR ORDER OF DISCONTINUED SERVICE; PROVIDING FOR REGISTRATION OF ALARM SYSTEMS AND BUSINESSES; REQUIRING SHERIFF'S APPROVAL OF AUTOMATIC TELEPHONE DIGITAL ALARM COMMUNICATOR SYSTEM; PROVIDING FOR APPEALS AND REVIEWS; AND PROVIDING AN EFFECTIVE DATE.

and

Approval of Resolution of the Orange County Board of County Commissioners Regarding False Security Alarm Registration Fee, Reinstatement Fee and Service Fee

The following persons addressed the Board:

- Orange County Sheriff Jerry Demings
- Cherie Faircloth
- Ben Markeson

• RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice Mayor Thompson.

The following persons addressed the Board:

- Sabrina Thomas
- Susannah Randolph

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice Mayor Thompson.

The following persons addressed the Board:

- Laura Johns
- Maria McCluskey
- Sheena Rolle
- Brook Hines
- Gracie Fowler
- Timothy Murray
- Amy Ritter
- Jim Howe
- Paul Heroux

- RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice Mayor Thompson.

The following person addressed the Board: Stephanie Porta.

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice Mayor Thompson.

The following persons addressed the Board:

- Yulissa Arce
- Lisa Stance

Motion/Second: Commissioners Edwards/Brummer

AYE (voice vote): County Mayor Jacobs; Commissioners Brummer, Martinez, Thompson, Edwards, Russell

NO (voice vote): Commissioner Boyd

Action: The Board adopted Ordinance 2012-16, amending False Security Alarms; with the following change: Page 3, Section 7, Line 111, delete the words "be certified by"; and further, approved Resolution 2012-M-35 of the Orange County Board of County Commissioners Regarding False Security Alarm Registration Fee, Reinstatement Fee and Service Fee.

- COUNTY ADMINISTRATOR WORKSESSION AGENDA ITEM 1

Innovation Way Update.

- RELINQUISHED CHAIR

County Mayor Jacobs relinquished the Chair to Vice Mayor Thompson.

- REASSUMED CHAIR

County Mayor Jacobs reassumed the Chair from Vice Mayor Thompson.

Action: None

- UTILITIES DEPARTMENT WORKSESSION AGENDA ITEM 1

Solid Waste Study Update. All Districts. (Administration)

Action: None


- COUNTY MAYOR WORKSESSION AGENDA ITEM 1

Open Discussion on issues of interest to the board.

(This item was deleted.)

- ADJOURNMENT, 4:40 p.m.

ATTEST:

  
\_\_\_\_\_  
County Mayor Teresa Jacobs

Date: **NOV 13 2012**

ATTEST SIGNATURE:

Martha O. Haynie  
County Comptroller as Clerk

  
\_\_\_\_\_  
Assistant Deputy Clerk

