



AGENDA

Orange County Government • Board of County Commissioners • 201 South Rosalind Avenue
County Commission Chambers • 1st Floor • County Administration Center
- www.OrangeCountyFL.net

TUESDAY, JUNE 23, 2009

MEETING STARTS AT 9:00 a.m.

- Invocation – District 6
- Pledge of Allegiance
- Public Comment*

I. CONSENT AGENDA

A. COUNTY COMPTROLLER

1. Approval of the minutes of the April 28, 2009 meeting of the Board of County Commissioners. **(Clerk's Office) Page 14-44**
2. Approval for the Disposition of Tangible Personal Property as follows: **(Property Accounting) Page 14 and 45-49**
 - a. Transfer assets to Orange County Public Schools.
 - b. Trade assets for an allowance towards the purchase of new equipment.
 - c. Dispose of assets that were returned to the vendor for a full refund.

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* Pursuant to Section 209 of the Orange County Charter, as amended on Nov. 4, 2008, the Board of County Commissioners must set aside at least 15 minutes at the beginning of each regular meeting for citizens to speak to the Board on any matter of public interest under the Board's authority and jurisdiction, regardless of whether the public issue is on the Board's agenda, but excluding matters that are not appropriate for public discussion, such as pending procurement or land use issues.

TUESDAY, JUNE 23, 2009

I. CONSENT AGENDA (Continued)

B. COUNTY ADMINISTRATOR

1. Approval for the Orange County Sheriff's Office to spend \$32,303 from the Law Enforcement Trust Fund to provide eligible contributions to National Alliance on Mental Illness (\$1,000) and to purchase the Barcode Scanners/Software (\$31,303). **(Office of Management and Budget) Page 50-57**
2. Approval of budget amendment #09-58. **(Office of Management and Budget) Page 58-59**
3. Approval of budget transfers #09-1156 and #09C-0168. **(Office of Management and Budget) Page 60-62**
4. Approval of CIP amendments #09C-0162 and #09C-0168. **(Office of Management and Budget) Page 63-65**
5. Confirmation of the Mayor's staff reappointments for the 3rd Quarter (April - June) FY 2008-09: **(Human Resources Division) Page 66-70**
 - James W. Becker, Manager, Solid Waste, Utilities
 - Yolanda Suzette Brown, Manager, Fiscal Division, Health & Family Services
 - Deodat Budhu, Manager, Roads & Drainage, Public Works
 - Preston D. Cook, Manager, Civil Emergency Management, Fire Rescue
 - Grayling D. Forehand, Manager, Security & Transportation, Convention Center
 - Mitchell Glasser, Manager, Housing & Community Development, Growth Management
 - Mitchell Gordon, Manager, Zoning, Growth Management
 - Joseph C. Kunkel, Deputy Director, Public Works
 - Betty E. Meeks, Manager, Convention Center HR, Convention Center
 - Julie R. Naditz, Manager, Highway Construction, Public Works
 - Renzo A. Nastasi, Manager, Transportation Planning, Public Works
 - Ronald O. Nielsen, Manager, Fiscal and Administrative Support, Utilities
 - Robert C. Olin, Manager, Building Safety, Growth Management
 - Teresa Remudo-Fries, Deputy Director, Utilities
 - Michael Shannan Rossi, Manager, Operations, Convention Center
 - Jaime Andres Salcedo, Manager, Utilities Development Engineering, Utilities
 - Jacqueline W. Torbert, Manager, Water Operations, Utilities
 - Steven Triggs, Manager, Communications, County Administration
 - Tyra L. Witsell, Manager, Citizens Commission for Children, Health & Family Services
6. Approval of the Resolution of the Orange County Board of County Commissioners regarding Authorization for Tourist Development Tax Refunding Revenue Bonds, Series 2009. **(Fiscal and Business Services Division) Page 71-89**

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TUESDAY, JUNE 23, 2009

I. CONSENT AGENDA (Continued)

B. COUNTY ADMINISTRATOR (Continued)

7. Approval to award Invitation for Bids Y9-197-J2, Term Contract for Spot Repair and Restoration of Shoulders, Roadside Ditches, Canals and Driveway Culvert Replacement, to the low responsive and responsible bidder, American Persian Engineers and Constructors, Inc., for a 1-year term. The estimated contract award amount is \$1,901,200. ([Public Works Department Roads and Drainage Division] **Purchasing and Contracts Division**) **Page 90-98**
8. Approval to award Invitation for Bids Y9-1015-GH, Plumbing Services, to the low responsive and responsible bidder, Frank Gay Plumbing, Inc., for a 1-year term. The estimated contract award amount is \$901,825. ([Administrative Services Department Facilities Management Division] **Purchasing and Contracts Division**) **Page 99-104**
9. Approval to award Invitation for Bids Y9-1022-PH, Term Contract for Orange County Sanitary Sewer Cleaning and CCTV, to the low responsive and responsible bidder, Enviro Waste Services Group, Inc., for a 1-year term. The estimated contract award amount is \$840,841.14. ([Utilities Department Water Reclamation Division] **Purchasing and Contracts Division**) **Page 105-112**
10. Approval to award Invitation for Bids Y9-1028-LC, OEM Printer Cartridges, to the low responsive and responsible bidder, WPS Business Products, for a 1-year term. The estimated contract award amount is \$111,073.91. ([County Administration Purchasing and Contracts Division] **Purchasing and Contracts Division**) **Page 113-117**
11. Approval to award Invitation for Bids Y9-1031-GH, Septic System Inspection, Pumping and Repair, to the low responsive and responsible bidder, Cloud 9 Services, Inc., for a 1-year term. The estimated contract award amount is \$111,446. ([Administrative Services Department Facilities Management Division] **Purchasing and Contracts Division**) **Page 118-126**
12. Approval to award Invitation for Bids Y9-1033-J2, Term Contract – Asphalt Resurfacing and Superpave, to the low responsive and responsible bidder, Hubbard Construction Company, as Primary in the estimated contract award amount is \$3,397,116 and to the second lowest responsive and responsible bidder, The Middlesex Corporation as Secondary, in the estimated contract award amount of \$3,524,775, for 1-year terms. ([Public Works Department Roads and Drainage Division] **Purchasing and Contracts Division**) **Page 127-138**
13. Approval to award Invitation for Bids Y9-1034-GJ, Coarse Aggregate – Term Contract, to the low responsive and responsible bidder, Conrad Yelvington Dist., Inc., for a 1-year term. The estimated contract award amount is \$494,325. ([Public Works Department Roads and Drainage Division] **Purchasing and Contracts Division**) **Page 139-144**

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TUESDAY, JUNE 23, 2009

I. CONSENT AGENDA (Continued)

B. COUNTY ADMINISTRATOR (Continued)

14. Approval to award Invitation for Bids Y9-1046-LC, Internet Data Communications Services, to the low responsive and responsible bidder, Bright House Networks, for a 3-year term. The estimated contract award amount is \$171,000. ([County Administration Information Systems and Services Division] **Purchasing and Contracts Division**) **Page 145-149**
15. Approval to award Invitation for Bids Y9-725-CH, Clarcona-Ocoee Road East (from 320 feet east of Clarke Road to Hiawassee Road) Roadway and Utility Improvements, to the low responsive and responsible bidder, DeWitt Excavating, Inc. The estimated contract award amount is \$12,183,322.51. ([Public Works Department Public Works Engineering Division] **Purchasing and Contracts Division**) **Page 150-158**
16. Approval to award Invitation for Bids Y9-733-CH, Marks Street Senior Recreation Complex Hardscape, to the low responsive and responsible bidder, Johnson-Laux Construction, LLC. The total contract award amount is \$308,722.89. ([Administrative Services Department Capital Projects Division] **Purchasing and Contracts Division**) **Page 159-166**
17. Approval of Sole Source Contract Y9-625, Practice Management Software (Centricity Practice Solution), with maintenance for 1 year, from GE Healthcare, in the not-to-exceed amount of \$156,014. ([Health and Family Services Department Medical Clinic Division] **Purchasing and Contracts Division**) **Page 167-168**
18. Approval of Sole Source Contract Y9-626, ManageMed Eligibility Software with maintenance for a 1-year from Cysolutions, Inc., in the not-to-exceed amount of \$310,710. ([Health and Family Services Department Medical Clinic Division] **Purchasing and Contracts Division**) **Page 169-171**
19. Approval to award Single Source Contract Y9-768, Hazard Mitigation Wind Retrofit at Great Oaks Village, to Armor Screen. The total contract award amount is \$214,172.82. ([Administrative Services Department Capital Project Division] **Purchasing and Contracts**) **Page 172**
20. Approval of Amendment 1, Contract Y6-1093C, Heavy Equipment Parts and Labor – Supplemental with Nortrax Equipment Company, LP, to increase the estimated contract amount by \$100,000. The revised total estimated contract amount is \$600,000. ([Administrative Services Department Fleet Management Division] **Purchasing and Contracts Division**) **Page 173**
21. Approval of payment of Intergovernmental Claims of November 6, 2008, November 13, 2008, November 20, 2008, December 4, 2008, December 18, 2008, January 8, 2009, January 15, 2009, January 29, 2009, February 12, 2009, February 19, 2009, March 5, 2009, March 19, 2009, April 2, 2009, April 16, 2009, and April 23, 2009 totaling \$4,889,359.63. (**Risk Management Division**) **Page 174-177**

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TUESDAY, JUNE 23, 2009

I. CONSENT AGENDA (Continued)

C. ADMINISTRATIVE SERVICES DEPARTMENT

1. Approval and execution by the Mayor of Real Estate Sale and Purchase Agreement between Orlando-Orange County Expressway Authority and Orange County, approval of Special Warranty Deed from Orlando-Orange County Expressway Authority to Orange County and authorization to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing for OOCEA – Pine Plantation. District 2. **(Real Estate Management Division) Page 178-179**
2. Approval and execution by the Mayor of Termination of Easement from Orange County and authorization to record instrument for S. Orange Ave. Drainage. District 6. **(Real Estate Management Division) Page 180-181**
3. Approval and execution by the Mayor of Resolution, Interlocal Agreement, and County Deed between Orange County and the City of Winter Garden and approval of Recreational Trail Easement between the City of Winter Garden and Orange County and authorization to disburse funds to pay recording fees and perform all actions necessary and incidental to conduct exchange and closing for West Orange Trail/Downtown Winter Garden Redevelopment. District 1. **(Real Estate Management Division) Page 182-183**
4. Approval and execution by the Mayor of Utility Easement between Orange County and City of Winter Garden and authorization to record instrument for West Orange Trail Utility Easement with the City of Winter Garden. District 1. **(Real Estate Management Division) Page 184-185**
5. Approval of Utility Easement between Atonement Lutheran Church of Orlando, Florida, Inc. and Orange County and authorization to record instrument for Atonement Lutheran Church – Utility File #60286. District 4. **(Real Estate Management Division) Page 186-187**
6. Approval of Utility Easement between Carl Merenda and Katrin Merenda and Orange County and authorization to record instrument for Petition to Vacate #09-02. District 2. **(Real Estate Management Division) Page 188-189**
7. Approval of Utility Easements between V.L. Apartments Master, LLC and Orange County, Shoppes of West Oaks, LLC and Orange County, and First Baptist Church of Central Florida, Inc. and Orange County and authorization to record instruments for Petition to Vacate #08-25 (Woodlawn Cemetery Rd.). District 1. **(Real Estate Management Division) Page 190-191**

CONTINUED

TUESDAY, JUNE 23, 2009

I. CONSENT AGENDA (Continued)

D. COMMUNITY AND ENVIRONMENTAL SERVICES DEPARTMENT

1. Approval of Amendment No. 3 to Petroleum Cleanup Program Contract (GC628) between Orange County and the Florida Department of Environmental Protection and authorization for the Environmental Protection Division Manager to execute the annual task assignments, amendments, and change orders under this contract. All Districts. **(Environmental Protection Division) Page 192-201**

E. GROWTH MANAGEMENT DEPARTMENT

1. Approval of the Hold Harmless and Indemnification Agreement Parcel ID: 32-23-28-1874-00-220 between Matthew F. Muenzner and Daisy B. Muenzner and Orange County to construct an outdoor gazebo and summer kitchen addition 21 feet from normal high water elevation of Lake Sheen, for property located at 10018 Lone Tree Lane. District 1. **(Zoning Division) Page 202-208**

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TUESDAY, JUNE 23, 2009

II. INFORMATIONAL ITEMS*

A. COUNTY COMPTROLLER

1. Receipt of the following items to file for the record: **(Clerk's Office) Page 209-210**
 - a. City of Ocoee Ordinance No. 2009-006 for Case No. AX-11-08-13: Hopper Property Annexation, annexing ±1.24 acres located on the north side of Silver Star Road and south of Rewis Street, 1/4 east, northeast of the intersection of Bluford Road and Silver Star Road.
 - b. Minutes of the April 23, 2009, meeting in the Sunshine with Commissioners S. Scott Boyd and Fred Brummer attending to discuss the siting and development of a solid waste transfer station in northwest Orange County.
 - c. Florida Gas Transmission Company, LLC's Notice of Serving its Second Set of Interrogatories (Nos. 47-53) and Second Request for Production of Documents (Nos. 11-13) on Florida Power & Light Company regarding Docket No. 090172-EI.
 - d. Florida Gas Transmission Company, LLC's Notice of Serving its Corrected Second Request for Production of Documents (Nos. 11-13) on Florida Power & Light Company regarding Docket No. 090172-EI.
 - e. Mills Park Community Development District fiscal year 2009-2010 budget.
 - f. Bonnet Creek Community Development District fiscal year 2009-2010 budget.
 - g. Valencia Water Control District 2009-10 Tax Levy Resolution.
 - h. Greater Orlando Aviation Authority Financial Statements (Unaudited) Six Months Ended March 31, 2009 and 2008.
 - i. Florida Public Service Commission Notice of Customer Service Hearings regarding petition for increase in rates by Florida Power & Light Company; Docket No. 080677-EI.
 - j. Florida Public Service Commission Order suspending Florida Power & Light Company's request for permanent base rate increase and associated tariffs regarding petition for increase in rates by Florida Power & Light Company; Docket No. 080677-EI.
2. Board acknowledgement and filing of the Audit of the Driver Education Safety Act Interlocal Agreement with Orange County Public Schools. A copy of the report will be provided under separate cover. **(County Audit) Page 210**

***With respect to informational items, Board action is neither required nor necessary, and Board approval (or disapproval) is not to be implied.**

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TUESDAY, JUNE 23, 2009

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. Selection of one firm and two alternates to provide Engineering Services for International Drive Force Main Improvements (Little Lake Bryan Parkway South to Pump Station 3597 on World Drive), Request for Proposals Y9-813-PH, from the following seven firms, listed alphabetically:

- Barnes Ferland and Associates, Inc.
- Brindley Pieters & Associates, Inc.
- CPH Engineers, Inc.
- Neel-Schaffer, Inc.
- Post Buckley Schuh and Jernigan, Inc.
- Reiss Engineering, Inc.
- Woolpert, Inc.

**((Utilities Department Engineering Division] Purchasing and Contracts Division)
Page 211-230**

2. Selection of one firm and two alternates to provide Engineering Services for the South Service Area Transmission Line Improvements (Town Center Drive and Orange Avenue), Request for Proposals Y9-814-PH, from the following five firms, listed alphabetically:

- Jacobs Engineering Group, Inc.
- Reiss Engineering, Inc.
- Reynolds, Smith and Hills, Inc.
- Tetra Tech, Inc.
- Woolpert, Inc.

**((Utilities Department Engineering Division] Purchasing and Contracts Division)
Page 231-248**

3. Selection of one firm and two alternates to provide Engineering Services for John Young Parkway Phase II and International Drive Utility Improvements, Request for Proposals Y9-823-PH, from the following four firms, listed alphabetically:

- Inwood Consulting Engineers, Inc.
- Jacobs Engineering Group, Inc.
- MSCW, Inc.
- Woolpert, Inc.

**((Utilities Department Engineering Division] Purchasing and Contracts Division)
Page 249-267**

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TUESDAY, JUNE 23, 2009

III. DISCUSSION AGENDA (Continued)

A. COUNTY ADMINISTRATOR (Continued)

4. Update on the status of the American Recovery and Reinvestment Act of 2009 (ARRA) and Board direction regarding the Energy Efficiency Grant Modification. **Page 268**
5. Appointment of one alternate citizen member to the 2009 Value Adjustment Board. **Page 269-270**

B. COUNTY ATTORNEY

1. Board direction regarding options pertaining to the Orange County Citizen Review Board in response to the decision from the Fifth District Court of Appeal in the case styled, Jerry Demings, Sheriff of Orange County, and Steven Jenny, v. Orange County Citizen Review Board and Orange County, Florida, Case No. 5D08-1063. **Page 271-272**

C. HEALTH AND FAMILY SERVICES DEPARTMENT

1. Medical Examiner's Office Update. **Page 273**

D. GROWTH MANAGEMENT DEPARTMENT

1. Approval of a revision to the State Housing Initiative Partnership (SHIP) Program to decrease the level of assistance under the Down Payment Assistance Program (DPA). All Districts. (Housing and Community Development Division) **Page 274-275**

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TUESDAY, JUNE 23, 2009

MEETING STARTS AT 2:00 P.M.

III. DISCUSSION AGENDA (Continued)

Discussion Agenda Items Scheduled for 2:00 p.m.

D. GROWTH MANAGEMENT DEPARTMENT (Continued)

1. Landscape Water Reduction Ordinance. All Districts. (Planning Division) Page 276

E. UTILITIES DEPARTMENT

1. Approval to establish the haulers' compensation rates and set the Mandatory Refuse Collection MSBU at \$235 for Program Year 2010 and authorization to include the Tentative Mandatory Refuse Collection Rate of \$235 on the 2009 Notice of Proposed Taxes. All Districts. (Solid Waste Division) Page 277-281

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TUESDAY, JUNE 23, 2009

MEETING STARTS AT 2:00 P.M.

IV. RECOMMENDATIONS

June 4, 2009 Board of Zoning Adjustment Recommendations

TUESDAY, JUNE 23, 2009

V. PUBLIC HEARINGS

Public hearings scheduled for 2:00 p.m.

A. Special Assessment Resolution

1. Resolution for collection of special assessment lien for one-time only lot cleaning for Lien LC06-176, District 2; continued from May 12, 2009

B. Petition to Vacate

2. Applicant: Robert E. Carrigan, Jr.; Petition to Vacate 07-14, portion of rights of way; District 5

C. Ordinance

3. Amending Orange County Code, Chapter 35, pertaining to red light cameras

Public hearings scheduled for 2:30 p.m.

D. Planning and Zoning Commission Board-Called

4. Applicant: Thomas R. Sullivan, RaceTrac – Curry ford Planned Development; Case RZ-09-03-009, May 21, 2009; District 4

E. Substantial Change

5. Applicant: Jim Hall, Crossroads Property Planned Development (PD) Land Use Plan (LUP); amend plan; District 1

CONTINUED

TUESDAY, JUNE 23, 2009

V. PUBLIC HEARINGS (Continued)

Public hearing scheduled for 3:00 p.m.

F. Ordinance

6. Amending Orange County Code, Chapter 15, pertaining to Air Quality Control

G. Comprehensive Policy Plan Transmittal

7. Applicant: Suburban Land Reserve, Inc./Wayne Rich, Esq., Broad and Cassel, Transmittal of an Amendment to the Orange County Comprehensive Policy Plan for the International Corporate Park (ICP) Development of Regional Impact (DRI); District 4

Any person wishing to appeal any decision made by the Board of County Commissioners at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5631.

Para mayor información en español, por favor llame al (407) 836-3111.

NOTE: Reports from the County Mayor, the County Commissioners, the County Administrator, and the County Attorney may be presented at unscheduled times throughout the day, depending on the length of time required for advertised public hearings.

OFFICE OF THE COMPTROLLER

**ORANGE
COUNTY
FLORIDA**

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COUNTY COMMISSION AGENDA
Tuesday, June 23, 2009

COUNTY COMPTROLLER

Item Requiring Consent Approval

1. Approval of the minutes of the April 28, 2009, meeting of the Board of County Commissioners.
2. Disposition of Tangible Personal Property

Board approval is requested of the following:

- a. Transfer assets to Orange County Public Schools.
- b. Trade assets for an allowance towards the purchase of new equipment.
- c. Dispose of assets that were returned to the vendor for a full refund.