



**BOARD OF COUNTY
COMMISSIONERS
INDIAN RIVER COUNTY, FLORIDA
COMMISSION AGENDA**

TUESDAY, DECEMBER 16, 2008 - 9:00 A.M.

**County Commission Chamber
Indian River County Administration Complex
1801 27th Street, Building A
Vero Beach, Florida, 32960-3388
www.ircgov.com**

COUNTY COMMISSIONERS

Wesley S. Davis, Chairman	District 1	Joseph A. Baird, County Administrator
Joseph E. Flescher, Vice Chairman	District 2	William G. Collins II, County Attorney
Gary C. Wheeler	District 3	Jeffrey K. Barton, Clerk to the Board
Peter D. O'Bryan	District 4	
Bob Solari	District 5	

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|-----------|---|--------------------|
| 1. | <u>CALL TO ORDER</u> <u>9:00 A.M.</u> | |
| 2. | <u>INVOCATION</u> Reverend Derrick West, First Baptist Church | |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> William G. Collins II, County Attorney | |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| | A. Presentation by The Taxpayer's Association of Indian River County - Miser of the Year Award to Joseph A. Baird, Indian River County Administrator | |
| | B. Presentation of Proclamation Designating December 7 – 13, 2008, as Dollars for Scholars Week | 1 |

6.	<u>APPROVAL OF MINUTES</u>	<u>PAGE</u>
A.	Regular Meeting of October 14, 2008	
B.	Regular Meeting of October 21, 2008	
C.	Regular Meeting of November 4, 2008	
7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
A.	Resignation of District 1 Appointee to Utility Advisory Committee (memorandum dated December 9, 2008)	2-3
B.	City of Vero Beach Appointments to County Committees and Regional Boards for 2008-2009 (memorandum dated December 3, 2008)	4-5
C.	City of Fellsmere Appointments to County Committees and Regional Boards for 2008-2009 (memorandum dated December 10, 2008)	6-7
D.	School Board Appointments to County Committees for 2008-2009 (memorandum dated December 10, 2008)	8-15
8.	<u>CONSENT AGENDA</u>	
A.	Approval of Warrants and Wires November 21, 2008 Thru December 4, 2008 (memorandum dated December 4, 2008)	16-27
B.	Interest Rate Change on All County Financing (Petition Paving, Utility Assessment Projects, Utility Impact Fees, etc.) (memorandum dated December 10, 2008)	28-29
C.	Miscellaneous Budget Amendment 003 (memorandum dated December 10, 2008)	30-35
D.	Stephen M. Bailey, 26 th Street (82 nd Avenue to 74 th Avenue) Paving Project (memorandum dated November 25, 2008)	36-47

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
E.	Final Payment and Release of Retainage, Applied Technology and Management, Inc., Work Order #8 (memorandum dated December 5, 2008)	48-52
F.	First Amendment to Agreement – Florida Institute of Technology, Grant Agreement FWC-06720 (memorandum dated December 5, 2008)	53-55
G.	Final Payment to Arcadis, US, Inc. For the Rockridge Sewer Replacement Project – UCP-2521 (memorandum dated December 8, 2008)	56-62
H.	Award of Bid # 2009019, The Enclave Subdivision, IRC Project No. 0816 (memorandum dated December 9, 2008)	63-88
I.	Denis and Sheryl Scarpinato Request for Partial Release of an Easement at 2205 7 th Avenue SE (Lot 20, Riverpoint Subdivision) (memorandum dated December 8, 2008)	89-97
J.	Consideration of Submittal of an Application for a State Sovereign Submerged Lands Lease for County Management of Boat Club Island (Spoil Island No. IR25) (memorandum dated December 9, 2008)	98-111
K.	Florida Power and Light (FPL) Agreement to Install Additional Street Light In The Gifford Street Lighting District (memorandum dated December 2, 2008)	112-115
L.	Right-of-Way Acquisition – 66 th Avenue #0370, 217 N. Park Blvd., Venice, Fl 34285, Beatrice B. Amendola Trust (memorandum dated December 8, 2008)	116-143
M.	Windsor Properties, Inc. Request for Final Plat Approval for a Subdivision to be Known as Windsor Plat 26 P.D. (memorandum dated December 9, 2008)	144-150
N.	Request for Board Approval of a Work Plan Modification, a Budget Amendment and Closeout of the County’s Disaster Recovery Initiative Community Development Block Grant (CDBG) (memorandum dated December 4, 2008)	151-179

9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	<u>PAGE</u>
	None	
10.	<u>PUBLIC ITEMS</u>	
	<u>A. PUBLIC HEARINGS</u>	
	1. Consideration of Amendments to Restrictions on Parking Commercial Vehicles in Residential Areas; LDR Chapters 901, 911, and 912 (memorandum dated December 8, 2008)	180-199
	Legislative	
	2. Public Hearing to Amend Certain Sections of the Animal Control Ordinance codified at Chapter 302 of the Indian River County Code (memorandum dated December 3, 2008)	200-207
	Legislative	
	3. Public Hearing for Approval of a Resolution Electing to Use the Uniform Method for the Levy, Collection and Enforcement of Non Ad Valorem Assessments for the Gifford Community Center Municipal Service Benefit Unit (memorandum dated December 8, 2008)	208-214
	Legislative	
	<u>B. PUBLIC DISCUSSION ITEMS</u>	
	None	
	<u>C. PUBLIC NOTICE ITEMS</u>	
	None	
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	None	

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
A.	<u>Community Development</u>	
	1. Request for Authorization for Staff to Issue a Request for Proposals to Hire a Consultant to Administer a Neighborhood Stabilization Program Community Development Block Grant (memorandum dated December 5, 2008)	215-259
B.	<u>Emergency Services</u>	
	None	
C.	<u>General Services</u>	
	1. Custodial Services (memorandum dated December 10, 2008)	260-281
D.	<u>Human Resources</u>	
	None	
E.	<u>Human Services</u>	
	None	
F.	<u>Leisure Services</u>	
	None	
G.	<u>Office of Management and Budget</u>	
	None	
H.	<u>Recreation</u>	
	None	
I.	<u>Public Works</u>	
	None	
J.	<u>Utilities Services</u>	
	1. Release of Retainage and Final Payment to Giannetti Contractors, Inc. for the Rockridge Sewer Replacement Project UCP-2521 (memorandum dated December 5, 2008)	282-315

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	J. <u>Utilities Services</u>	
	2. Amendment No. 1 to IRC Contract 2006012 with Poole and Kent Company of Florida, Inc. for the Expansion of the North RO Water Treatment Plant to allow Release of Retainage for Substantially Completed Items (memorandum dated December 5, 2008)	316-319
	3. Amendment No. 7 to Work Order No. 1 with Ecotech Consultants, Inc. (memorandum dated November 21, 2008)	320-325
13.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Attorney-Client Session Concerning Litigation with Ocean Concrete, Inc. and George Maib (memorandum dated December 9, 2008)	326
	B. Approval of Purchase of Property Located at 1935 43 rd Avenue, Mermaid Carwash (memorandum dated December 8, 2008)	327-342
	C. Approval of Purchase for Right-of-Way of Property Located at 3540 41 st Street, Vero Beach, Fl 32967 (memorandum dated December 9, 2008)	343-355
	D. Approval of Mediated Settlement Agreement for Purchase of Property Located at the Southwest Corner State Road 60 and 66 th Avenue (memorandum dated December 4, 2008)	356-362
	E. Unconditional Offer for Parcel of property owned by Mary Charlene Brown, 5145 and 5115 66 th Avenue, Vero Beach (memorandum dated December 10, 2008)	363-365
	F. Unconditional Offer for a Parcel of Land on the corner of 66 th Avenue and 49 th Street owned by Mary Charlene Brown (memorandum dated December 10, 2008)	366-368
	G. Unconditional Offer for Parcel 112 on 66 th Avenue owned by Phyllis and Lawrence Brown, 4785 66 th Avenue, Vero Beach (memorandum dated December 9, 2008)	369-372

13.	<u>COUNTY ATTORNEY MATTERS</u>	<u>PAGE</u>
H.	Unconditional Offer for Parcel 105 on 66 th Avenue owned by Erma Lee Lewis, 5265 66 th Avenue, Vero Beach (memorandum dated December 9, 2008)	373-376
I.	Unconditional Offer for Parcel 101 on the Southwest Corner of 66 th Avenue and 61 st Street owned by Harris Groves Vero Beach, Florida (memorandum dated December 9, 2008)	377-380
J.	Unconditional Offer for Parcel 106 on 66 th Avenue owned by John and Debra Marotto, 5215 66 th Avenue, Vero Beach (memorandum dated December 9, 2008)	381-384
14.	<u>COMMISSIONERS ITEMS</u>	
A.	<u>Commissioner Wesley S. Davis, Chairman</u>	
1.	Resolution to Reconnect the South Florida and St. Johns River Water Management Districts (memorandum dated December 8, 2008)	385-388
2.	Discussion regarding Ex Parte Communications and Quasi Judicial Matters (memorandum dated November 13, 2008)	389-392
B.	<u>Commissioner Joseph E. Flescher, Vice Chairman</u>	
	None	
C.	<u>Commissioner Gary C. Wheeler</u>	
	None	
D.	<u>Commissioner Peter D. O'Bryan</u>	
1.	Clarification on the Board's Policy to Re-Appoint At-Large Members to County Advisory Committees (memorandum dated December 10, 2008)	393-399
E.	<u>Commissioner Bob Solari</u>	
	None	

15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	<u>PAGE</u>
A.	<u>Emergency Services District</u>	
1.	Approval to Purchase One Fire Engine and Associated Equipment for Fire Rescue Station 12 (Gifford Community Station) from Ten-8 Fire Equipment, Inc. (memorandum dated December 16, 2008)	400-402
B.	<u>Solid Waste Disposal District</u>	
1.	Approval of Minutes Regular Meeting of October 21, 2008	
2.	Approval of Minutes Regular Meeting of November 4, 2008	
3.	Public Announcement for Recycling During the Holiday Season (memorandum dated December 9, 2008)	403-405
4.	Public Announcement for an Annual Electronics Recycling Event on January 24, 2009 (memorandum dated December 9, 2008)	406-416
C.	<u>Environmental Control Board</u>	
	None	

16. ADJOURNMENT

Anyone who may wish to appeal any decision which may be made at this meeting will need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal will be based.

Anyone who needs a special accommodation for this meeting may contact the County's Americans with Disabilities Act (ADA) Coordinator at (772) 226-1223 (TDD # 772-770-5215) at least 48 hours in advance of meeting.

The full agenda is available on line at the Indian River County Website at www.ircgov.com The full agenda is also available for review in the Board of County Commission Office, the Indian River County Main Library, the IRC Courthouse Law Library, and the North County Library.

Commission Meeting may be broadcast live by Comcast Cable Channel 27

Rebroadcasts continuously with the following proposed schedule:

Tuesday at 6:00 p.m. until Wednesday at 6:00 a.m.,

Wednesday at 9:00 a.m. until 5:00 p.m.,

Thursday at 1:00 p.m. through Friday Morning,

and Saturday at 12:00 Noon to 5:00 p.m.