



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

TUESDAY, FEBRUARY 17, 2009 - 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
Joseph E. Flescher, Vice Chairman
Gary C. Wheeler
Peter D. O'Bryan
Bob Solari**

**District 1
District 2
District 3
District 4
District 5**

**Joseph A. Baird, County Administrator
William G. Collins II, County Attorney
Jeffrey K. Barton, Clerk to the Board**

1. <u>CALL TO ORDER</u>	<u>9:00 A.M.</u>	<u>PAGE</u>
2. <u>INVOCATION</u>	Jim Davis, Public Works Director	
3. <u>PLEDGE OF ALLEGIANCE</u>	Joseph A. Baird, County Administrator	
4. <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u>		
	<u>Agenda Modification Notification by Chairman Wesley S. Davis:</u> Public Hearing Item 10A1 will be heard prior to Proclamations and Presentations Item 5A	
10A1. <u>PUBLIC HEARING:</u> Emergency Ordinance (memorandum dated February 11, 2009) <u>Legislative</u>		1-17
5. <u>PROCLAMATIONS and PRESENTATIONS</u>		
A. Presentation of Proclamation Designating February 15 – 21, 2009, as the Healthy Floridians Initiative Week		18

5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	<u>PAGE</u>
	B. Presentation of Proclamation Honoring D. Allen Watters upon His Retirement Effective February 19, 2009	19
	C. Presentation of Proclamation Honoring Victor Hart, Sr.	20
	D. Presentation of Proclamation Honoring February as African American Pioneer Month	
	E. Presentation for Children’s Services Advisory Committee by Verna Wright, Dasie Bridgewater Hope Center	
6.	<u>APPROVAL OF MINUTES</u>	
	A. Regular Meeting of December 16, 2008	
	B. Regular Meeting of December 23, 2008	
	C. Regular Meeting of January 6, 2009	
7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
	A. 2009 Election of Environmental Control Hearing Board Chairman and Vice Chairman (memorandum dated February 5, 2009)	21
8.	<u>CONSENT AGENDA</u>	
	A. Approval of Warrants and Wires, January 30, 2009 thru February 5, 2009 (memorandum dated February 5, 2009)	22-30
	B. FPL Utility Easement for Hobart Tower Site (memorandum dated January 12, 2009)	31-33
	C. Authorization for Out of County Travel (memorandum dated February 9, 2009)	34-43
	D. Miscellaneous Budget Amendment 006 (memorandum dated February 11, 2009)	44-56

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	E. Work Order No. 1 ARCADIS U.S., Inc. Release of Retainage, 43 rd Avenue (Oslo Road to 8 th Street), Right-of-Way Mapping project (memorandum dated February 6, 2009)	57-58
	F. Wabasso Beach Park Restoration; Project No. 0822 Bid Number 2008070, Change Order No. 3; Repairs to Lifeguard Station; Ocean Gate General Contractors Inc. (memorandum dated February 9, 2009)	59-62
9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
	A. Indian River County Sheriff Deryl Loar Victims of Crime Act (VOCA) Grant (letter dated February 11, 2009)	63-87
10.	<u>PUBLIC ITEMS</u>	
	<u>A. PUBLIC HEARINGS</u>	
	2. Hattie Roberts' Request for Special Exception Use Approval for a Child Care Facility to be known as Roberts Family Day Care (memorandum dated January 27, 2009)	88-98
	Quasi-Judicial	
	3. Quail Ridge of Vero Beach, LLC's Request for PD Special Exception Use and Conceptual PD Plan Approval for an Agricultural PD to be Known as Quail Ridge (memorandum dated January 27, 2009)	99-115
	Legislative	
	4. Indian River Associates, II, LLLP's Request for Conceptual Planned Development (PD) Special Exception Use Approval for a Project to be known as Falcon Trace Phase III (memorandum dated January 27, 2009)	116-128
	Legislative	
	<u>B. PUBLIC DISCUSSION ITEMS</u>	
	Please give your name and address, and then give your remarks. Please try to limit your remarks to three minutes.	
	None	

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	C. <u>PUBLIC NOTICE ITEMS</u>	
	None	
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	A. North County Aquatic Center	
	(memorandum dated February 5, 2009)	129
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12.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	None	
	B. <u>Emergency Services</u>	
	None	
	C. <u>General Services</u>	
	None	
	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	

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	I. <u>Public Works</u>	
	1. Work Order #15, Applied Technology and Management Inc., Sector 7 Beach Restoration, Post-Construction Monitoring (Summer 2009) (memorandum dated February 9, 2009)	130-142
	J. <u>Utilities Services</u>	
	1. Replacement of 24” Force Main on 15 th Avenue From Oslo Road to Master In-Line Pump Station No. 89 – UCP No. 3096 – Approval for Additional Materials (memorandum dated February 11, 2009)	143
	2. South County Reverse Osmosis Plant – Final Pay to ARCADIS RMA, Inc. for Work Order No. 4 to Determine County’s Required Contribution to Participate in a Joint Project to Construct a Transmission Pipe and an Injection Well at the City of Vero Beach (COVB) Water Treatment Facility – UCP 3059 (memorandum dated February 6, 2009)	144-146
	3. Winter Grove Subdivision Petition Water Service 28 th & 29 th Courts & 70 th Place, North of North Winter Beach Road – 69 th Street, Indian River County Project No. UCP – 3013, Resolution IV – Final Assessment (memorandum dated February 6, 2009)	147-157
	4. Presentation to Commission Regarding Partnering with the City of Vero Beach on the Provision of Wastewater Treatment Services (memorandum dated February 11, 2009)	158
13.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Proposed Settlement Regarding Litigation Between Double R&D and Indian River County (memorandum dated February 9, 2009)	159-180
	B. Unconditional Offer for Parcel of Property owned by Evangelos and Ann Abazis, 6800 57 th Street, Vero Beach (memorandum dated February 4, 2009)	181-184
	C. Unconditional Offer for a Parcel of Land on the Corner of 66 th Avenue and 57 th Street owned by Steven, William, and Evan Abazis (memorandum dated February 11, 2009)	185-192

13.	<u>COUNTY ATTORNEY MATTERS</u>	<u>PAGE</u>
D.	Unconditional Offer for Parcel of property owned by Evangelos and Ann Abazis, 6880 57 th Street, Vero Beach (memorandum dated February 4, 2009)	193-196
E.	Mensing Options (memorandum dated February 12, 2009)	197-208
14.	<u>COMMISSIONERS ITEMS</u>	
A.	<u>Commissioner Wesley S. Davis, Chairman</u>	
1.	Two Year Moratorium for Non-Residential Impact Fees (memorandum dated February 11, 2009)	209
2.	Appointments to Committees without Commissioner Liaisons (memorandum dated February 11, 2009)	210
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> None	
E.	<u>Commissioner Bob Solari</u>	
1.	Life Science Research and Technology Advancement (memorandum dated February 10, 2009)	211-214
2.	Impact Fees (memorandum dated February 10, 2009)	215-218
15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	
A.	<u>Emergency Services District</u> None	
B.	<u>Solid Waste Disposal District</u>	
1.	Approval of Minutes Regular Meeting of December 16, 2008	

15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	<u>PAGE</u>
B.	<u>Solid Waste Disposal District</u>	
	2. RFA No. 2009025 Waste Hauling Franchise – Unincorporated Enterprise Zone – Application Process Update & Notice of Public Meeting on March 3, 2009 (memorandum dated February 10, 2009)	219-220
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.*