



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

**TUESDAY, MARCH 3, 2009 - 9:00 A.M.**

**County Commission Chamber  
Indian River County Administration Complex  
1801 27<sup>th</sup> 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**

- | <b>1.</b> | <b><u>CALL TO ORDER</u></b>   | <b><u>9:00 A.M.</u></b>                         | <b><u>PAGE</u></b> |
|-----------|---|---|--------------------|
| <b>2.</b> | <b><u>INVOCATION</u></b>  | Reverend Jack Diehl, Our Savior Lutheran Church |                    |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b>  | Commissioner Peter D. O’Bryan                   |                    |
| <b>4.</b> | <b><u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b>               |   |                    |
| <b>5.</b> | <b><u>PROCLAMATIONS and PRESENTATIONS</u></b>                                   |   |                    |
| <b>A.</b> | Presentation of Proclamation Designating March 2009 as American Red Cross Month |   | 1                  |
| <b>B.</b> | Presentation – Local Economic Development Incentives                            |   |                    |
| <b>C.</b> | Presentation – Sector 3 Beach Restoration Upland Sand Source Evaluation         |   |                    |

**6. APPROVAL OF MINUTES**

- A. Joint ISBA Workshop, December 15, 2008

**7. INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION**

None

**8. CONSENT AGENDA**

- A. Approval of Warrants and Wires, February 6, 2009 thru February 12, 2009  
(memorandum dated February 12, 2009) ..... 2-8
- B. Approval of Warrants and Wires, February 13, 2009 thru February 19, 2009  
(memorandum dated February 19, 2009) ..... 9-17
- C. Authorization for Out of County Travel  
(memorandum dated February 23, 2009) ..... 18-22
- D. Miscellaneous Budget Amendment 007  
(memorandum dated February 25, 2009) ..... 23-27
- E. Proclamation and Retirement Award to Robert “Bob” Baraglia for Seven  
Years of Service – Department of General Services ..... 28-29
- F. Proclamation and Retirement Award to James Rimes for Thirty-Two Years of  
Service – Department of Public Works ..... 30-31
- G. Termination of Option to Purchase Real Property for 61<sup>st</sup> Street and 65<sup>th</sup>  
Street Right-of-Way from Quail Valley Club, LLC  
(memorandum dated February 25, 2009) ..... 32-49
- H. Final Payment, Coastal Technology Corporation Inc., Beach Preservation  
Plan Update  
(memorandum dated February 17, 2009) ..... 50-52
- I. Work Order No. 1 (Sidewalk/Sod) Pine Grove Subdivision  
(memorandum dated February 17, 2009) ..... 53-58
- J. Michael and Kimberly Mezzina Request for Partial Release of Easements at  
141 South 19<sup>th</sup> Circle SW (Plantation Ridge Subdivision)  
(memorandum dated February 23, 2009) ..... 59-64
- K. Children’s Services Advisory Committee’s Annual Report, 2007-08  
(memorandum dated February 24, 2009) ..... 65-97

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
<b>L.</b>	Right-of-Way Acquisition, 43 <sup>rd</sup> Avenue/19 <sup>th</sup> Street to 26 <sup>th</sup> Street, Jansu Adams, Inc., 4425-4445 20 <sup>th</sup> Street, Vero Beach, Fl (memorandum dated February 18, 2009)	98-106
<b>M.</b>	43 <sup>rd</sup> Avenue Improvements, 12 <sup>th</sup> Street to Oslo Road, Right-of-Way Acquisition, Address – 1006 43 <sup>rd</sup> Avenue, Rocky L. and Marcia J. Renda (memorandum dated February 6, 2009)	107-116
<b>N.</b>	Amendment No. 2 to Professional Architectural and Engineering Services Agreement with Edlund, Dritenbas, Binkley Architects and Associates, P.A. – IRC Project No. 0701, IRC Parks Maintenance Complex (memorandum dated February 11, 2009)	117-120
<b>O.</b>	Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for: Traffic Signal System Enhancements (memorandum dated February 16, 2009)	121-141
<b>P.</b>	Consideration to Lease Property Adjacent to Supervisor of Elections (43 <sup>rd</sup> Ave.) to the Senior Resource Association for a Transit Facility (memorandum dated February 24, 2009)	142-143
<b>Q.</b>	Right-of-Way Acquisition – 66 <sup>th</sup> Avenue #0370, 6430 53 <sup>rd</sup> Street, Intersection Transition, Douglas J. and Janice Fleisher, Owners (memorandum dated February 25, 2009)	144-153
<b>R.</b>	Approval Work Order No. 1 (Engineering) with Dunkelberger Engineering & Testing, Inc., Providing Professional Geotechnical Services in Accordance with the Annual Geotechnical Services Contract RFQ No. 2008071, 5 <sup>th</sup> Street SW Bridge Replacement and 43 <sup>rd</sup> Avenue Roadway Improvements, IRC Project No. 0206 (memorandum dated February 18, 2009)	154-161
<b>S.</b>	Amendment No. 3 to the Civil Engineering and Land Surveying Agreement for Intersection Improvements at SR60 and 43 <sup>rd</sup> Avenue and Widening of 43 <sup>rd</sup> Avenue from 18 <sup>th</sup> Street to 26 <sup>th</sup> Street (memorandum dated February 16, 2009)	162-168
<b>T.</b>	Work Order No. 4 to the Professional Engineering Services Agreement with Arcadis U.S., Inc. for 4-Lane Widening of 43 <sup>rd</sup> Avenue from 25 <sup>th</sup> Street S.W. to Oslo Road (9 <sup>th</sup> Street S.W.) Indian River County Project No. 0702 (memorandum dated February 18, 2009)	169-172

<b>8.     <u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
U.     Work Order No. 4, Additional Services (Engineering/Surveying) Morgan Eklund, Inc., Old Dixie Highway (North), US1 to 69 <sup>th</sup> Street, Local Agency Program (LAP) Sidewalk Improvements Project, Right-of-Way Mapping (+/- 4 miles) (memorandum dated February 19, 2009)	173-179
V.     Right-of-Way Acquisition, Dogs For Life, Inc., 12 <sup>th</sup> Street Sidewalk Project (memorandum dated February 18, 2009)	180-187
W.     Right-of-Way Acquisition, 66 <sup>th</sup> Avenue Project #0370, 6770 and 6760 49 <sup>th</sup> Street, Vero Beach, Fl 32967, (Located on the north side of 49 <sup>th</sup> Street west of 66 <sup>th</sup> Avenue), Owner: Brian J. Murphy (memorandum dated February 23, 2009)	188-199

**9.     CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

**10.    PUBLIC ITEMS**

**A.     PUBLIC HEARINGS**

None

**B.     PUBLIC DISCUSSION ITEMS**

Please give your name and address, and then give your remarks. Please try to limit your remarks to three minutes.

1.     Request to Speak from Joe T. Wiggins Regarding Center in South County Park	200
2.     Request to Speak from Arthur Pruett Regarding Water Department Rules and Regulations	201
3.     Request to Speak from Keith Milligan Regarding Appellate Mandate and Keith Milligan Motion	202-218
4.     Request to Speak from Charles Wilson Regarding Economic Recovery Plan as Discussed 2/17/09	219
5.     Request to Speak from Steve Smith (Ranch Road) and Chuck Kramer (Fischer & Sons) Regarding Sector 3 Beach Renourishment Permit Process Excludes Locals	220

<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	<b><u>PAGE</u></b>
	<b>B. <u>PUBLIC DISCUSSION ITEMS</u></b>	
	6. Request to Speak from Joseph Martorana Regarding Proposal for Long-Term Economic Development of Indian River County .....	221
	7. Request to Speak from Frank Zorc Regarding Investigation of Contamination at Gifford Landfill .....	222
	<b>C. <u>PUBLIC NOTICE ITEMS</u></b>	
	1. <b><u>Notice of Scheduled Public Hearing March 17, 2009:</u></b> Consideration of Applying for a Neighborhood Stabilization Program (NSP) Community Development Block Grant (CDBG) (memorandum dated February 24, 2009) .....	223
	<b>Legislative</b>	
<b>11.</b>	<b><u>COUNTY ADMINISTRATOR MATTERS</u></b>	
	None	
<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	
	<b>A. <u>Community Development</u></b>	
	1. Consideration of Consultant Contract for Community Development Block Grant (CDBG) Neighborhood Stabilization Program (NSP) Administration Services and Request to Designate the County's Affordable Housing Advisory Committee (AHAC) as the CDBG Citizen Advisory Task Force (CATF) for NSP CDBG (memorandum dated February 23, 2009) .....	224-268
	2. Board Consideration to Rename the "Russell Grove River Buffer Conservation Area" to the "Cypress Bend Community Preserve" (memorandum dated February 23, 2009) .....	269-272
	<b>B. <u>Emergency Services</u></b>	
	None	
	<b>C. <u>General Services</u></b>	
	None	

12.	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b><u>D. Human Resources</u></b>	
	1. Employee Health Center Presentation (memorandum dated February 25, 2009)	273-276
	<b><u>E. Human Services</u></b>	
	None	
	<b><u>F. Leisure Services</u></b>	
	None	
	<b><u>G. Office of Management and Budget</u></b>	
	1. Authorization to Submit Application for Mental Health Court Planning Grant (memorandum dated February 25, 2009)	277-278
	<b><u>H. Recreation</u></b>	
	1. NCAC Scoreboard (memorandum dated February 20, 2009)	279-281
	<b><u>I. Public Works</u></b>	
	1. Part-Time Employment Agreement with Project Engineer Clifford J. Suthard, P.E. (memorandum dated February 18, 2009)	282-286
	<b><u>J. Utilities Services</u></b>	
	1. Work Order No. 1 (Utilities – 2009) Carter Associates, Inc., For: Survey Services, County Road 510 & US Highway 1, Continuing Professional Survey & Mapping/GIS Services Contract 0725 (memorandum dated February 4, 2009)	287-291
	2. Final Pay and Release of Retainage for IRC Contract 2007044 with Wells and Water Systems, Inc. for the Construction of Wells 4 through 9 at the North County RO Facility (memorandum dated February 23, 2009)	292-298
	3. Request for Sole Source for Electric Motor Repair (C&C Electric) (memorandum dated February 6, 2009)	299-300

<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	<b><u>PAGE</u></b>
A.	Hidden Lake Developer Agreement (memorandum dated February 25, 2009)	301-310
<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
A.	<b><u>Commissioner Wesley S. Davis, Chairman</u></b>  None	
B.	<b><u>Commissioner Joseph E. Flescher, Vice Chairman</u></b>  None	
C.	<b><u>Commissioner Gary C. Wheeler</u></b>  None	
D.	<b><u>Commissioner Peter D. O'Bryan</u></b>  None	
E.	<b><u>Commissioner Bob Solari</u></b>	
1.	Irrigation (memorandum dated February 24, 2009)	311-314
2.	Financial Impact Statement (memorandum dated February 24, 2009)	315
3.	Life Science Research Consortium Framework Presentation (memorandum dated February 17, 2009)	316
<b>15.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS</u></b>	
A.	<b><u>Emergency Services District</u></b>	
1.	Approval of Minutes Regular Meeting of December 16, 2008	
2.	Approval of Minutes Regular Meeting of December 23, 2008	
3.	City of Vero Beach Access Easement for Fire Rescue Station 2 (memorandum dated February 24, 2009)	317-321

15. **SPECIAL DISTRICTS AND BOARDS**

**PAGE**

**B. Solid Waste Disposal District**

1. Public Meeting to Approve or Disapprove Franchise Applications:  
RFA No. 2009025 Waste Hauling Franchise – Unincorporated  
Enterprise Zone  
(memorandum dated February 25, 2009)

322-526

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**C. Environmental Control Board**

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](http://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.***