



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

TUESDAY, APRIL 7, 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**

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|-----------|---|---|--------------------|
| 1. | <u>CALL TO ORDER</u> | <u>9:00 A.M.</u> | |
| 2. | <u>INVOCATION</u> | Jim Davis, Public Works Director | |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Gary C. Wheeler | |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | | |
| | None | | |
| 6. | <u>APPROVAL OF MINUTES</u> | | |
| | A. | Goals for 2009 Workshop of February 5, 2009 | |

7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	<u>PAGE</u>
A.	Resignation of Citizen-at-Large Appointee to the Historic Resources Advisory Committee (memorandum dated April 1, 2009)	1-2
B.	Resignation of Member-at-Large Appointee to the Environmental Control Hearing Board (memorandum dated April 1, 2009)	3-4
8.	<u>CONSENT AGENDA</u>	
A.	Approval of Warrants March 13, 2009 thru March 19, 2009 (memorandum dated March 19, 2009)	5-11
B.	Approval of Warrants and Wires March 20, 2009 thru March 26, 2009 (memorandum dated March 26, 2009)	12-20
C.	Resolution designating the County Administrator's Office as the County Economic Development Agency for all purposes (memorandum dated March 31, 2009)	21-24
D.	Maintenance Agreement with City of Sebastian over County Road 512 Right-of-Way (memorandum dated April 1, 2009)	25-36
E.	Approval of Amendment No. 1 to DEP Agreement No. G0143 for the Egret Marsh Regional Stormwater Park (memorandum dated March 20, 2009)	37-47
F.	RaceTrac Petroleum, Inc. Developer's Agreement for Developer Contributions to Intersection Improvements at CR512 and 108 th Avenue (memorandum dated March 23, 2009)	48-55
G.	Final Pay and Release of Retainage to Poole and Kent Company of Florida, Inc. for the Expansion of the North County RO Water Treatment Plant (memorandum dated March 20, 2009)	56-58
H.	Adoption of Indigent Cremation/Burial Policy and Resolution Designating the County Administrator or His Designee as the "Legally Authorized Person" as defined within Section 497.005(37) Florida Statutes (memorandum dated March 25, 2009)	59-70
I.	Fourth of July Fireworks Funding, Miscellaneous Budget Amendment 011 (memorandum dated March 31, 2009)	71-75

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
J.	Transfer of Jail Maintenance Expenses to Sheriff's Budget, Miscellaneous Budget Amendment 010 (memorandum dated March 31, 2009)	76-84
K.	FDOT Local Agency Agreement (LAP) A094 (FM Number 416084-1-58-01), Supplemental Agreement (FM Number 423188-1-58-01) and Resolution Authorizing the Chairman's Signature, 12 th Street for Sidewalk Construction from 27 th Avenue to 43 rd Avenue – IRC Project No. 0604 (memorandum dated March 30, 2009)	85-91
L.	FDOT Local Agency Agreement (LAP) AOU94 (FM Number 416083-1-58-01) Supplemental Agreement (FM Number 4231987-1-58-01) and Resolution Authorizing the Chairman's Signature, 12 th Street for Sidewalk Construction from Vero Beach Elementary School to 11 th Avenue – IRC Project No. 0216 (memorandum dated March 30, 2009)	92-98
M.	Amendment No. 1 to the Professional Service Agreements for Annual Land Surveying and Mapping/GIS Services Contract IRC Project No. 0725 (memorandum dated March 16, 2009)	99-106
N.	Change Order No. 1, Final Payment and Release of Retainage, 1 st Road (35 th Avenue to 32 nd Avenue), 10 th Court (Oslo Road to 7 th Street S.W.), Project # 0522 & 0436, Bid Number 2008062 (memorandum dated March 19, 2009)	107-121
O.	Change Order No. 1 and Retainage Release for Bid # 2008029 – Powerline Road – IRC Project No. 0217 (memorandum dated March 25, 2009)	122-130
P.	Professional Engineering Services Agreement, CR 512 Corridor Improvements – IRC Project No. 9611, Addendum No. 15 (Masteller & Moler, Inc.) (memorandum dated March 20, 2009)	131-133
Q.	Work Order No. 10 (Engineering/Surveying) Masteller, Moler, Reed and Taylor, Inc., 66 th Avenue Road-Way Improvements Project Right-of-Way Acquisition Boundary Surveys – Final Pay & Release of Retainage (memorandum dated March 25, 2009)	134-135
R.	Florida Department of Emergency Management (FDEM), Aerial Photographs and Lidar Mapping Project – Woolpert, Inc., Final Pay and Release of Retainage (memorandum dated March 23, 2009)	136-141

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
S.	The Enclave, Bid Number 2009019, Change Order No. 1 (memorandum dated March 24, 2009)	142-146
T.	Approval of Bid Award for IRC Bid No. 2009035, Demolition of Three (3) Structures (memorandum dated March 30, 2009)	147-153
U.	Proclamation & Retirement Award Honoring George Creaser on His Retirement from Indian River County Department of General Services with 21 years of Service	154-155
9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
A.	<u>Deryl Loar, Indian River County Sheriff</u> 2009 Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation (letter dated March 27, 2009)	156-158
10.	<u>PUBLIC ITEMS</u>	
A.	<u>PUBLIC HEARINGS</u>	
1.	County Initiated Request to Amend the Text of the Comprehensive Plan's Future Land Use Element and the Coastal Management Element to Change the Definition of the Coastal High Hazard Area; Amend the Coastal High Hazard Area Map, Figure 9.24 of the Coastal Management Element; Amend the Coastal High Hazard Map, Figure 2.29 of the Future Land Use Element; and Amend the Future Land Use Map by Depicting the Revised Coastal High Hazard Line (CPTA 2008070046-62333) (memorandum dated March 2, 2009)	159-180
	Legislative	
B.	<u>PUBLIC DISCUSSION ITEMS</u>	
	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 Hollis Hoier, Special Olympic Aquatics Coach & SRHS Teacher (Science & Autism classes) Regarding Proposal to Dedicate/Rename the North County Aquatics Center to "Fran Adams Aquatics complex" in honor of her efforts to making this beneficial resource available to so many of our IRC citizens and our visitors	181
2.	Request to Speak from Brian Heady Regarding Economic Recovery	182

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	C. <u>PUBLIC NOTICE ITEMS</u>	
	1. <u>Notice of Scheduled Public Hearing April 14, 2009:</u> Windsor Properties, Inc.'s Request to Modify the Windsor Conceptual PD Plan to Change the Project Boundary and to Obtain Concurrent Preliminary PD Plan Approval for the Ocean Bluff Phase of the Windsor Project (memorandum dated March 17, 2009)	183
	Legislative	

11. COUNTY ADMINISTRATOR MATTERS

None

12. DEPARTMENTAL MATTERS

A. Community Development

1.	Request for Authorization to Issue Request for Proposals (RFP) for Non-Profit Housing Organizations and/or Governmental Agencies to Provide Services Needed to Carry Out Community Development Block Grant (CDBG) Neighborhood Stabilization Program (NSP) Tasks (memorandum dated March 30, 2009)	184-208
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B. Emergency Services

None

C. General Services

None

D. Human Resources

None

E. Human Services

None

F. Leisure Services

None

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
G.	<u>Office of Management and Budget</u>	
	1. Budget Update – 2009/2010 Estimated Budget Cuts (memorandum dated March 30, 2009)	209
H.	<u>Recreation</u>	
	None	
I.	<u>Public Works</u>	
	None	
J.	<u>Utilities Services</u>	
	1. Consulting Services Work Order No. 2 (Utility) with Carter Associates, Inc. for Survey Services for the Biosolids Handling Facility – UCP 2697 (memorandum dated March 17, 2009)	210-213
	2. Approval for Additional Materials and Amendment No. 1 to Work Authorization Directive No. 2007-006 for Additional Labor and Approval of Final Pay to Derrico Construction Corporation for Utility Conflict Resolutions on US1 at Oslo Road (memorandum dated March 30, 2009)	214-221
13.	<u>COUNTY ATTORNEY MATTERS</u>	
	None	
14.	<u>COMMISSIONERS ITEMS</u>	
A.	<u>Commissioner Wesley S. Davis, Chairman</u>	
	None	
B.	<u>Commissioner Joseph E. Flescher, Vice Chairman</u>	
	None	
C.	<u>Commissioner Gary C. Wheeler</u>	
	None	

14. **COMMISSIONERS ITEMS** **PAGE**

D. **Commissioner Peter D. O'Bryan**

None

E. **Commissioner Bob Solari**

None

15. **SPECIAL DISTRICTS AND BOARDS**

A. **Emergency Services District**

None

B. **Solid Waste Disposal District**

1. Approval of Easement to the City of Fellsmere for the Fellsmere Customer Convenience Center
(memorandum dated March 31, 2009)

----- 222-227 -----

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 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.***