



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

TUESDAY, MAY 12, 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> | Stan Boling, Planning Director | |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Joseph E. Flescher, Vice Chairman | |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | | |
| | A. | Presentation of Proclamation Honoring the Vero Beach High School's Girls' Lacrosse Team | 1 |
| 6. | <u>APPROVAL OF MINUTES</u> | | |
| | A. | Regular Meeting of April 7, 2009 | |

7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	<u>PAGE</u>
A.	Resignation of BCC Appointee to the Metropolitan Planning Organization Citizens Advisory Committee (memorandum dated May 6, 2009)	2-3
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8.	<u>CONSENT AGENDA</u>	
A.	Approval of Warrants and Wires, April 24, 2009 thru May 1, 2009 (memorandum dated May 1, 2009)	4-15
B.	First Revision to OPEB Investment Policy (memorandum dated May 6, 2009)	16-25
C.	First OPEB Trust Report for the Period 10/1/08 through 3/31/09 (memorandum dated May 6, 2009)	26-29
D.	Retirement Award Honoring John Krupp for Nineteen Years of Service Indian River County Board of County Commissioners Department of General Services	30-31
E.	Retirement Award Honoring Sylvia Mezzina for Eleven Years of Service Indian River County Board of County Commissioners Department of General Services Main Library	32-33
F.	Delores McDonald Meyer Request for Partial Release of an Easement at 2135 5 th Street (Laurelwood Subdivision Unit 1) (memorandum dated May 4, 2009)	34-40
G.	Oslo Road Widening Phase I – Sheltra & Son Construction Co., Inc., Change Order No. 1, Final Payment and Retainage Release (memorandum dated April 13, 2009)	41-98
H.	Work Order No. 2 (Sidewalk/Sod) – H & D Construction Co, Inc., The Fountains at Amber Lakes Subdivision (memorandum dated April 27, 2009)	99-106
I.	Stephen M. Bailey, 26 th Street (82 nd Avenue to 74 th Avenue) Paving Project (memorandum dated May 1, 2009)	107-114
J.	Final Payment and Release of Retainage, Applied Technology and Management, Inc., Work Order #12 (memorandum dated April 28, 2009)	115-119

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	K. Final Payment and Retainage Release, Applied Technology and Management Inc., Work Order #13 (memorandum dated April 28, 2009)	120-124
	L. Final Payment and Release of Retainage, Applied Technology and Management, Inc., Work Order #6 (memorandum dated April 28, 2009)	125-129
	M. Work Order No. 18 (Engineering/Surveying) Carter Associates, Inc., 66 th Avenue Road-Way Improvements Project, Right-of-Way Acquisition, Boundary Surveys – Full and Final Pay (memorandum dated April 30, 2009)	130-131
	N. Geotechnical Services Work Order #6 – Release of Retainage, Dunkelberger Engineering & Testing, Inc., for The Enclave Subdivision – Project #0816 (memorandum dated May 4, 2009)	132-133
	O. Florida Department of Transportation (FDOT) Highway Maintenance Memorandum of Agreement (MOA) and Authorizing Resolution for Roadway Improvements to Old Dixie Highway (a County-Maintained roadway) from 12 th Street to 20 th Street (SR 60 West bound), FM # 426250-1-52-01 (memorandum dated May 4, 2009)	134-140
	P. Florida Department of Transportation (FDOT) Highway Maintenance Memorandum of Agreement (MOA) and Authorizing Resolution for Roadway Improvements to County Road 507 (CR-507) from North Fellsmere City Limit to Brevard County Line FM, # 426249-1-52-01 (memorandum dated May 4, 2009)	141-147
	Q. Florida Department of Transportation (FDOT) Highway Maintenance Memorandum of Agreement (MOA) and Authorizing Resolution for Roadway Improvements to 20 th Avenue (a County-maintained roadway) from Oslo Road (9 th Street Southwest / south terminus) to SR-60 (20 th Street / north terminus), FM # 426248-1-52-01 (memorandum dated May 4, 2009)	148-154

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

None

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	A. <u>PUBLIC HEARINGS</u>	
	1. Request for Authorization to Submit an FY 2008/09 Grant Application for 49 USC Ch. 53, Section 5307 Mass Transit Capital and Operating Assistance (memorandum dated May 4, 2009)	155-169
	Legislative	
	B. <u>PUBLIC DISCUSSION ITEMS</u>	
	None	
	C. <u>PUBLIC NOTICE ITEMS</u>	
	1. <u>Notice of Scheduled Public Hearing May 19, 2009:</u> County initiated request to Redesignate ± 16.22 Acres From L-1, Low-Density Residential-1 (up to 3 units/acre), to C-1, Conservation-1 District (zero density), and Rezone those ± 16.22 Acres from A-1, Agricultural-1 District (up to 1 unit /5 acres), to Con-1, Conservation-1 District (zero density); Redesignate ± 47.25 Acres From C-2/C-3, Conservation-2 and Conservation-3 Districts (1 unit/40acre and 1 unit/2.5 acres), to C-1, Conservation-1 District (zero density), and Rezone those ± 47.25 Acres From A-1, Agricultural-1 District (up to 1 unit / 5 acres), and Con-2, Conservation-2 District (up to 1 unit /40 acres), to Con-1, Conservation-1 District (zero density)	170-171
	Legislative	
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	None	
12.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	None	
	B. <u>Emergency Services</u>	
	None	
	C. <u>General Services</u>	
	None	

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
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>	
	1. Upland Sand Permitting and Bidding Options, Sector 3 Beach Restoration (memorandum dated May 6, 2009)	172-173
	2. Leasing of Residential Properties (memorandum dated May 6, 2009)	174-176
J.	<u>Utilities Services</u>	
	1. Biosolids Dewatering Facility – UCP-2697 – Deduction Change Order for Direct Purchase of Materials (memorandum dated March 27, 2009)	177-181
13.	<u>COUNTY ATTORNEY MATTERS</u>	
A.	Time Specified 11:30 A.M.: Attorney-Client Session: DiVosta Homes, L.P. and DiVosta Homes Holdings, L.L.C. vs. Indian River County, Case No. 20070109-CA-19 (memorandum dated May 6, 2009)	182
B.	Clarification on Bethel, Brown and Stanbridge – 66 th Avenue Right-of-Way (memorandum dated May 6, 2009)	183-198

13.	<u>COUNTY ATTORNEY MATTERS</u>	<u>PAGE</u>
C.	Necessity of Take Resolution for parcel of property located at the corner of 66 th Avenue and 57 th Street, Steven, William and Evan Abazis, owners. Parcels 102 and 401 (memorandum dated May 4, 2009)	199-213
D.	Necessity of Take Resolution for parcel of property located at 6800 57 th Street, Evangelos and Ann Abazis, Parcel 134 (non-homestead) (memorandum dated May 4, 2009)	214-221
E.	Necessity of Take Resolution for parcel of property located at 6880 57 th Street, Evangelos and Ann Abazis, Parcel 135 (homestead) (memorandum dated May 1, 2009)	222-229
F.	Necessity of Take Resolution for parcel of property located at 3675 66 th Avenue, Mathew and Hilda Harbourt, Parcel 122 (memorandum dated May 1, 2009)	230-239
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	
D.	<u>Commissioner Peter D. O'Bryan</u> None	
E.	<u>Commissioner Bob Solari</u> 1. Discussion Concerning Schedule for Budget Workshops (memorandum dated May 5, 2009)	240

15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	<u>PAGE</u>
A.	<u>Emergency Services District</u>	
	1. Approval of Minutes Meeting of March 3, 2009	
	2. Approval of Minutes Meeting of March 17, 2009	
	3. Approval to Purchase 2 Cardiac Monitors for Fire Rescue Division from Medtronic Emergency Response Systems (memorandum dated May 5, 2009)	241-247
B.	<u>Solid Waste Disposal District</u>	
	1. Approval of Minutes Meeting of March 24, 2009	
	2. Approval of Minutes Meeting of April 7, 2009	
	3. Work Authorization No. 14 – Final Pay to Geosyntec Consultants, Inc. for 2008 Compliance Monitoring & Technical Support (memorandum dated May 4, 2009)	248-253
	4. Utility Easement Dedication to Florida Power and Light at the Biosolids Dewatering Facility located at The County Land Fill – UCP # 2697 (memorandum dated April 30, 2009)	254-257
	5. Request for Acquisition of 80.94 acres West of I-95 (memorandum dated May 5, 2009)	258-262
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.***