



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

TUESDAY, MAY 19, 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**

| | | <u>PAGE</u> |
|-----------|--|---|
| 1. | <u>CALL TO ORDER</u> | <u>9:00 A.M.</u> |
| 2. | <u>INVOCATION</u> | Father Tri Tang Pham, St. Helen Catholic Church |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Wesley S. Davis, Chairman |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| A. | Presentation of Proclamation Designating May 25, 2009 as Memorial Day | 1 |
| B. | Public Announcement for 2009 Hurricane Season Preparedness (memorandum dated May 13, 2009) | 2-3 |

| 6. | <u>APPROVAL OF MINUTES</u> | <u>PAGE</u> |
|---|--|--------------------|
| A. | Regular Meeting of April 14, 2009 | |
| B. | Regular Meeting of April 21, 2009 | |
| | | |
| 7. | <u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u> | |
| A. | Recognition of Appointee to the Transportation Disadvantaged Local Coordinating Board (TDLCB) (memorandum dated May 7, 2009) | 4 |
| <hr style="border-top: 1px dashed black;"/> | | |
| 8. | <u>CONSENT AGENDA</u> | |
| A. | Approval of Warrants and Wires – May 2, 2009 thru May 7, 2009 (memorandum dated May 7, 2009) | 5-11 |
| <hr style="border-top: 1px dashed black;"/> | | |
| B. | Tax Equity Fiscal Responsibility Act (TEFRA) Authorization to Advertise Public Hearing (memorandum dated May 12, 2009) | 12-13 |
| <hr style="border-top: 1px dashed black;"/> | | |
| C. | Paving and Drainage Improvements to 17 th Lane S.W. (27 th Avenue to 20 th Avenue) and 20 th Avenue (21 st Street S.W. to 17 th Lane S.W.), Project #0803, 0837, & 0838, Bid Number 2008073, Change Order No. 1 (memorandum dated May 11, 2009) | 14-19 |
| <hr style="border-top: 1px dashed black;"/> | | |
| D. | Approval of Florida Power & Light (FPL) Easement Fire Station #9 Project (memorandum dated May 8, 2009) | 20-23 |
| <hr style="border-top: 1px dashed black;"/> | | |
| E. | Local Option Gas Tax Distribution Percentages (memorandum dated May 11, 2009) | 24-25 |
| <hr style="border-top: 1px dashed black;"/> | | |
| F. | Approval of Bid Award for IRC Bid No. 2009040 Roll Down Doors for Maintenance Building (memorandum dated May 11, 2009) | 26-32 |
| <hr style="border-top: 1px dashed black;"/> | | |

| 8. <u>CONSENT AGENDA</u> | <u>PAGE</u> |
|--|--------------------|
| G. Approval of a Work Order under an existing Professional Services Agreement with Kimley-Horn and Associates, Inc. for Environmental Remediation Services at the Jones’s Pier Conservation Area (memorandum dated May 12, 2009) | 33-50 |
| H. Staff Request for Authorization to Initiate an Amendment to the County Noise Ordinance to address Emergency Power Generators (memorandum dated May 11, 2009) | 51-59 |
| I. Miscellaneous Budget Amendment 013 (memorandum dated May 13, 2009) | 60-62 |
| J. Work Order No. 13 with Bridge Design Associates, Inc., IRC Project No. 0545 57 th Street Bridge over Lateral “A” Canal Release of Retainage (memorandum dated May 7, 2009) | 63-64 |
| K. Work Order No. 9, Amendment No. 3 with Bridge Design Associates, Inc., IRC Project No. 0206 Old Dixie Highway Bridge over south Relief Canal, Release of Retainage (memorandum dated May 7, 2009) | 65-66 |
| L. Providing Geotechnical Services for Schumann Drive Barber Street Roadway Improvements. Dunkelberger Engineering & Testing, Inc. Work Order No. 2 (memorandum dated May 4, 2009) | 67-75 |
| M. Work Order No. 2 with Bridge Design Associates, Inc., IRC Project No. 03107-B 8 th Street Bridge Design, Release of Retainage (memorandum dated May 6, 2009) | 76-77 |

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES
None

10. **PUBLIC ITEMS**

PAGE

A. PUBLIC HEARINGS

1. County Initiated Request to Redesignate ± 16.22 Acres. Located at 7770 Jungle Trail, 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, Located at 800 Gardenia Street, 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)
(memorandum dated April 15, 2009) 78-98

Legislative

2. Consideration of Proposed Amendments Providing for Temporary Suspension of Compliance with Regulations Not Directly Related to Public Safety: Land Development Regulations Chapter 902
(memorandum dated May 8, 2009) 99-119

Legislative

3. Consideration of Proposed Amendments to Regulations for Changeable Copy and Electronic Message Signs within Special Corridors: Land Development Regulations Chapter 911
(memorandum dated May 8, 2009) 120-165

Legislative

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 Charlie Wilson Regarding Local Contracts for Local Bidders 166

C. PUBLIC NOTICE ITEMS

1. **Notice of Rescheduling**
The following Public Hearing will be heard on June 9, 2009:
Ordinance Amendment to Provide Charging a Registration Fee for Sex Offenders and Predators, Career Felons and Convicted Felons
(memorandum dated May 13, 2009) 167

Legislative

| | | |
|---|--|--------------------|
| 11. | <u>COUNTY ADMINISTRATOR MATTERS</u> | <u>PAGE</u> |
| A. | Historic Dodgertown Facility Lease Agreement and Related Documents (memorandum dated May 13, 2009) | 168-265 |
| <hr style="border-top: 1px dashed black;"/> | | |
| 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> 1. Consideration to Implement an Employee Health Center (memorandum dated May 13, 2009) | 266-272 |
| 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. Change Order No. 1 to IRC Contract 2008027 with Interstate Engineering Corporation for Pump Upgrades and MCC Replacement at the South RO Plant (memorandum dated April 30, 2009) | 273-277 |
| <hr style="border-top: 1px dashed black;"/> | | |

| 12. | <u>DEPARTMENTAL MATTERS</u> | <u>PAGE</u> |
|------------|---|--------------------|
| | J. <u>Utilities Services</u> | |
| | 2. Release of Retainage for Work Order No. 2 (Utility) with Carter Associates, Inc. for Survey services for the Biosolids Dewatering Facility – UCP-2697 (memorandum dated April 29, 2009) | 278-281 |
| | 3. Award of RFQ 2008059 – Utility Billing Software System (memorandum dated April 24, 2009) | 282-296 |
| 13. | <u>COUNTY ATTORNEY MATTERS</u> | |
| | A. Request Board Direction of Local Option Gas Tax (memorandum dated May 6, 2009) | 297-299 |
| 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> | |
| | None | |
| 15. | <u>SPECIAL DISTRICTS AND BOARDS</u> | |
| | A. <u>Emergency Services District</u> | |
| | None | |
| | B. <u>Solid Waste Disposal District</u> | |
| | None | |
| | 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.***