

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



TUESDAY, JUNE 2, 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> | <u>PAGE</u> |
| 2. | <u>INVOCATION</u> | Jim Davis, Public Works Director | |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Bob Solari | |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | | |
| | A. | Presentation by Florida Power and Light | |
| 6. | <u>APPROVAL OF MINUTES</u> | | |
| | A. | Regular Meeting of May 5, 2009 | |

7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	<u>PAGE</u>
	A. Recognition of Appointee to the Transportation Disadvantaged Local Coordinating Board (TDLCB) (memorandum dated May 19, 2009)	1-2
	B. Survey Purchase Orders processed through May 12, 2009 (memorandum dated May 13, 2009)	3
8.	<u>CONSENT AGENDA</u>	
	A. Approval of Warrants and Wires, May 8, 2009 thru May 14, 2009 (memorandum dated May 14, 2009)	4-9
	B. Approval of Warrants and Wires, May 15, 2009 thru May 21, 2009 (memorandum dated May 21, 2009)	10-20
	C. Florida Department of Revenue-Revenue Sharing Application for 2009-10 (memorandum dated May 18, 2009)	21-24
	D. Permission to Advertise for a Public Hearing to Amend Section 207.05 of the Indian River County Code (memorandum dated May 14, 2009)	25
	E. Proclamation and Retirement Award to Gary Winterfeld for Fifteen Years of Service	26-27
	F. Proclamation and Retirement Award to Gene Perry for Twenty Years of Service	28-29
	G. Proclamation and Retirement Award to Harry Lutz for Twenty-Four Years of Service	30-31
	H. Consideration of Request to Extend the Preliminary Plat Approval for the Lexington Place Subdivision (memorandum dated May 20, 2009)	32-39
	I. Powerline Road Improvements IRC Project #0217, Work Order No. 5 Dunkelberger Engineering & Testing, Inc., Release of Retainage (memorandum dated May 14, 2009)	40-41
	J. Professional Engineering Services Agreement, CR 512 Corridor Improvements – IRC Project No. 9611, Addendum No. 11 Additional Services (Masteller & Moler, Inc.) Release of Retainage – Sebastian River Middle School Turnout (memorandum dated May 19, 2009)	42-43

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CONSENT AGENDA**PAGE**

- K.** Professional Engineering Services Agreement, CR 512 Corridor Improvements – IRC Project No. 9611, Addendum No. 11 Additional Services (Masteller & Moler, Inc.) Release of Retainage – Fellsmere 392 driveways
(memorandum dated May 19, 2009) 44-45
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- L.** Professional Engineering Services Agreement, CR 512 Corridor Improvements – IRC Project No. 9611 Addendum No. 15 (Masteller & Moler, Inc.) – Release of Retainage
(memorandum dated May 15, 2009) 46-47
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- M.** Final Release of Retainage – Work Order #4, Coastal Technology Corporation Inc., Sector 3 Beach Restoration
(memorandum dated May 14, 2009) 48-51
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- N.** Work Order No. 7, (Engineering/Surveying), Kimley-Horn and Associates, Inc., Round Island Riverside Park – No-Name Island FDEP Survey, IRC Project No. 0860, Continuing Professional Surveying & Mapping/GIS Services, Contract 0725
(memorandum dated May 22, 2009) 52-60
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- O.** Holiday closing for County Libraries and County Shooting Range
(memorandum dated May 27, 2009) 61
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- P.** H.U.D. Grant Renewal Agreement for Supportive Housing and Shelter Plus Care Grants
(memorandum dated May 27, 2009) 62-63
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- Q.** Miscellaneous Budget Amendment 014
(memorandum dated May 27, 2009) 64-67
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- R.** Work Order No. 3 (Engineering) with A. M. Engineering and Testing, Inc., Full and Final Pay for Old Dixie Highway from 12th Street to SR 60, IRC Project 0914, American Recovery and Reinvestment Act (Stimulus Bill)
(memorandum dated May 14, 2009) 68-69
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9.

CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

- A.** **Indian River County Supervisor of Elections – Kay Clem**
Special Primary Election and Special General Election for SD 28
(memorandum dated May 27, 2009) 70-74
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- B.** **Indian River County Sheriff – Deryl Loar**
Budget Amendment
(letter dated May 27, 2009) 75
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9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	<u>PAGE</u>
	C. <u>Indian River County Sheriff – Deryl Loar</u> Insurance Reimbursements (letter dated May 27, 2009)	76
10.	<u>PUBLIC ITEMS</u>	
	A. <u>PUBLIC HEARINGS</u> None	
	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 Joe T. Wiggins Regarding Condemn Houses and Horses in Housing Areas	77
	C. <u>PUBLIC NOTICE ITEMS</u>	
	1. <u>Notice of Scheduled Public Hearing June 9, 2009</u> Ordinance Amendment to Provide Charging a Registration Fee for Sex Offenders and Predators, Career Felons and Convicted Felons (memorandum dated May 26, 2009) Legislative	78
11.	<u>COUNTY ADMINISTRATOR MATTERS</u> None	
12.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	1. Request for Authorization to Abate a Public Nuisance at 1234 13 th Avenue (Landowner: Susan Kay McGowan; Code Enforcement Case No, 2008100075) (memorandum dated May 26, 2009)	79-92
	B. <u>Emergency Services</u> None	
	C. <u>General Services</u> None	

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DEPARTMENTAL MATTERS

PAGE

D. **Human Resources**
None

E. **Human Services**
None

F. **Leisure Services**
None

G. **Office of Management and Budget**
None

H. **Recreation**
None

I. **Public Works**

1. Work Order No. 5, Continuing Professional Surveying & Mapping / GIS Services, Contract 0725 Morgan and Eklund, Inc., Sector 3 Beach Restoration – Erosion Control Line Survey (memorandum dated May 19, 2009) 93-99

2. As-Built Resolution & Assessment Roll for Paving and Drainage Improvements to 1st Road from 35th Avenue to 32nd Ave, in Vero Beach Homesites Subdivision, IRC Project #0522 (memorandum dated May 14, 2009) 100-108

J. **Utilities Services**

1. SR 60 Utility Conflict Resolutions with FDOT Drainage, Pavement and Traffic Signal Improvements from Indian Creek Blvd. to 66th Avenue, Final Pay to Expertech Network Installation (US), Inc. for Construction, Reimbursement to Masteller & Moler for Additional Construction Services and Reimbursement to Mr. G. M. Beuttel for a Construction Staging Area, UCP #3026 (memorandum dated May 25, 2009) 109-119

2. US 1 from the South Relief Canal to South of Oslo Road – Resolve Conflicts Between Drainage and Water and Sewer Force Main, Approval of Work Authorization Directive Nos. 2009-001 for Relocation of 16” Force Main at South Relief Canal by Sheltra & Sons Construction Co., Inc., UCP No. 2952 (memorandum dated May 22, 2009) 120-123

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	J. <u>Utilities Services</u>	
	3. Consulting Engineering Services Work Order 10 with Schulke, Bittle & Stoddard, L.L.C. for Master Plan Water Main Extension on 16 th St. and 66 th Ave. and Relocation of a Force Main on 16 th St. (memorandum dated May 19, 2009)	124-131
	4. Approval of Amendment No. 2 to Work Authorization Directive No. 2007-005 for Additional Labor and Approval of Final Payment to Underground Utilities, Inc. for Utility Conflict Resolutions on US 1 from South Relief Canal to Oslo Road (memorandum dated May 22, 2009)	132-139
13.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Acquisition of Right-of-Way Along 66 th Avenue and County Road 510 (85 th Street) (memorandum dated May 27, 2009)	140-162
	B. Acquisition of Right-of-Way Along Oslo Road, Beale Holdings, Inc., Oslo Road East of 43 rd Avenue (memorandum dated May 27, 2009)	163-174
14.	<u>COMMISSIONERS ITEMS</u>	
	A. <u>Commissioner Wesley S. Davis, Chairman</u> None	
	B. <u>Commissioner Joseph E. Flescher, Vice Chairman</u>	
	1. Resolution-Federal Economic Stimulus Funds (memorandum dated May 27, 2009)	175-177
	2. Local Bidding Preference (memorandum dated May 27, 2009)	178-188
	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 of Matters Relating to Budget (memorandum dated May 22, 2009)	189

15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	<u>PAGE</u>
A.	<u>Emergency Services District</u>	
	1. Emergency Services Station 9, Deductive Change Order No. 1 (memorandum dated May 15, 2009)	190-193
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.*