



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

TUESDAY, JUNE 9, 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> | Pastor Doug Vogt, First Church of God | |
| 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. | Regular Meeting of May 12, 2009 | |

7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	<u>PAGE</u>
A.	Appointment of Taxpayers' Association Appointee to the Land Acquisition Advisory Committee (memorandum dated June 2, 2009)	1-3
<hr style="border-top: 1px dashed black;"/>		
8.	<u>CONSENT AGENDA</u>	
A.	Approval of Warrants and Wires May 22, 2009 thru May 28, 2009 (memorandum dated May 28, 2009)	4-9
<hr style="border-top: 1px dashed black;"/>		
B.	Third Updated 2009 BCC Committee Assignments (memorandum dated June 2, 2009)	10-13
<hr style="border-top: 1px dashed black;"/>		
C.	Abandonment of Access Easement along C. R. 512 (memorandum dated May 29, 2009)	14-17
<hr style="border-top: 1px dashed black;"/>		
D.	Amendment to Tower and Ground Space Lease Verizon Wireless – Gifford Water Tower (memorandum dated May 29, 2009)	18-21
<hr style="border-top: 1px dashed black;"/>		
E.	Property Acquisition – Tax Roll Removal & Tax Cancellation, Properties Acquired by Indian River County between March 17, 2009 and May 27, 2009 (memorandum dated May 27, 2009)	22-74
<hr style="border-top: 1px dashed black;"/>		
F.	Mediated Settlement; Egan v. Indian River County (memorandum dated June 2, 2009)	75-84
<hr style="border-top: 1px dashed black;"/>		
G.	Work Order No. 4, Additional Services (Engineering/Surveying) Morgan & Eklund, Inc. – Final Pay, Release of Retainage Old Dixie Highway (North), US 1 TO 69 th Street, Local Agency program (LAP) Sidewalk Improvements Project Right-of-Way Mapping (+/- 4 miles) IRC Project No. 0845 (memorandum dated June 1, 2009)	85-86
<hr style="border-top: 1px dashed black;"/>		
H.	Dunkelberger Engineering & Testing, Inc. for 53 rd Street Roadway Improvements IRC Project #0107 Release of Retainage (memorandum dated May 29, 2009)	87-88
<hr style="border-top: 1px dashed black;"/>		
I.	Professional Services with G. K. Environmental, Inc. for 16 th Street (between 66 th Avenue and 74 th Avenue) Roadway Improvements IRC Project No. 9920 (memorandum dated May 29, 2009)	89-92
<hr style="border-top: 1px dashed black;"/>		

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
J.	Civil Engineering and Land Surveying Agreement for Bridge Replacements and Widening of 66 th Avenue from South of SR60 to 59 th Street, Amendment No. 7, IRC Project No. 0545 (memorandum dated May 29, 2009)	93-98
K.	Approval to Allow the Exhibition of a Photo Display on Behalf of the Children’s Home Society in the County Administration Building “B” (memorandum dated June 3, 2009)	99-103
L.	Consideration of Neighborhood Stabilization Program (NSP) Community Development Block Grant (CDBG) Service Providers Selection Committee Recommendation for Nonprofit Housing Organizations/Governmental Agencies (memorandum dated May 28, 2009)	104-106
M.	CNL Net Lease Funding 2001, LP, a Delaware Limited Partnership State Road 60/58 th Avenue Intersection Improvements Project #0632 (memorandum dated June 1, 2009)	107-114
N.	Edward Byrne Memorial Justice Assistance Grant (JAG) Program – American Recovery and Reinvestment Act of 2009 – Grant Distribution (memorandum dated June 3, 2009)	115-134
O.	Final Payment and Retainage Release Work Order #11, Applied Technology and Management Inc. (memorandum dated June 1, 2009)	135-139
P.	Tourist Development Council 2009/2010 Budget Recommendations (memorandum dated June 3, 2009)	140-144
Q.	Lease Extension, 7135 66 th Avenue – 66 th Avenue Widening and Improvements, County Project No. 0370, Justo Manuel and Blanca Lleo Hernandez, Tenant (memorandum dated May 27, 2009)	145-148
R.	Lease Extension, 8865 91 st Avenue, Vero Beach, Fl, CR510 Widening and Improvements, County Project No. 0610, Gina Hower, Tenant (memorandum dated June 1, 2009)	149-153
S.	Lease Extension, 5165 66 th Avenue – 66 th Avenue Widening and Improvements, County Project No. 0370, David Robert Geary, Tenant (memorandum dated June 1, 2009)	154-157

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES** **PAGE**
None

10. **PUBLIC ITEMS**

A. **PUBLIC HEARINGS**

1. Ordinance Amendment to Provide Charging a Registration Fee for Sex Offenders and Predators, Career Felons and Convicted Felons (memorandum dated May 28, 2009) 158-166
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.

None

C. **PUBLIC NOTICE ITEMS**

1. **Notice of Scheduled Public Hearing June 16, 2009**
Board consideration of the approval of a plan of finance to provide capital, including the issuance from time to time by the Escambia County Housing Finance Authority, on behalf of Indian River County and other participating counties, of not exceeding \$150,000,000 Single Family Mortgage Revenue Bonds (memorandum dated May 12, 2009) 167
Legislative

11. **COUNTY ADMINISTRATOR MATTERS**

None

12. **DEPARTMENTAL MATTERS**

A. **Community Development**

1. Consideration of Agreements for Donation of County Owned Surplus Properties to Non-Profit Housing Organizations for the Provision of Affordable Housing (memorandum dated May 28, 2009) 168-208

B. **Emergency Services**

None

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
C.	<u>General Services</u> None	
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. Work Order #5, Coastal Technology Corporation Inc., Sector 3 Beach Restoration Pre-construction services (memorandum dated June 1, 2009)	209-217
	2. Resolution Authorizing the Florida Department of Transportation (FDOT) to Fabricate and Install “Stan Mayfield Memorial Highway” Signs on SR-60 West of I-95 (memorandum dated June 1, 2009)	218-219
J.	<u>Utilities Services</u>	
	1. Vero Lake Estates Master Plan Water Phase II Project Timothy Rose Contracting, Change Order 1 & Final Payment – UCP 2958 (memorandum dated May 29, 2009)	220-226
13.	<u>COUNTY ATTORNEY MATTERS</u>	
A.	Acquisition of Right-of-Way Along 66 th Avenue, Gary D. Brown Revocable Trust (memorandum dated May 29, 2009)	227-243

14. **COMMISSIONERS ITEMS** **PAGE**
- A. **Commissioner Wesley S. Davis, Chairman**
None
 - B. **Commissioner Joseph E. Flescher, Vice Chairman**
None
 - C. **Commissioner Gary C. Wheeler**
None
 - D. **Commissioner Peter D. O'Bryan**
None
 - E. **Commissioner Bob Solari**
 - 1. County Administrator Joe Baird, the DUI and the process going forward
(memorandum dated June 1, 2009) 244
-

15. **SPECIAL DISTRICTS AND BOARDS**

- A. **Emergency Services District**
None
- B. **Solid Waste Disposal District**
None
- 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.***