



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

TUESDAY, JUNE 16, 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> | Reverend Dawn Reichard, Christ by the Sea
United Methodist Church | |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | William G. Collins II, County Attorney | |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | | |
| | A. | Presentation of the Lagoon Greenway Project, a Proposed Partnership between Indian River Land Trust and Indian River County, by Ken Grudens, Executive Director, Indian River Land Trust | |
| 6. | <u>APPROVAL OF MINUTES</u> | | |
| | A. | Regular Meeting of May 19, 2009 | |

7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	<u>PAGE</u>
	None	
8.	<u>CONSENT AGENDA</u>	
	A. Approval of Warrants and Wires, May 29, 2009 thru June 4, 2009 (memorandum dated June 4, 2009)	1-12
	B. Out of County Travel to Attend the St. John’s Water Management District’s (SJRWMD) Public Meeting: Water Conservation Subgroup (memorandum dated June 9, 2009)	13-14
	C. Final Pay/Release of Retainage – Detention Door Operator Upgrade RFP 208038 (memorandum dated June 9, 2009)	15-16
	D. Approval of Florida Power & Light (FPL) Easement, Fire Station #12 Project (memorandum dated June 5, 2009)	17-20
	E. Subordination of Utility Interests – Florida Power & Light Co. Cumberland Farms at Oslo Road (memorandum dated June 5, 2009)	21-27
	F. Professional Engineering Services MBV Engineering, Inc. for Completion of Quail Creek Subdivision (memorandum dated June 5, 2009)	28-40
	G. Approval of Selection Committee’s Ranking for Architectural Services at Sheriff’s Office (memorandum dated June 5, 2009)	41-58
	H. Codicil to Developer’s Agreement between the County and 510, LLC (memorandum dated June 3, 2009)	59-69
9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
	None	

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	A. <u>PUBLIC HEARINGS</u>	
	1. Tax Equity Fiscal Responsibility Act (TEFRA) Public Hearing, Escambia County Housing Finance Authority, Single Family Mortgage Revenue Bonds (memorandum dated May 12, 2009)	70-85
	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 Brian Heady regarding the Economy, and What We Can Do for Economic Recovery for Indian River County	86
	C. <u>PUBLIC NOTICE ITEMS</u>	
	1. <u>Notice of Scheduled Public Hearing June 23, 2009:</u> Consider an Amendment to Section 207.05 of the Indian River County Code to change the beginning sale date of business tax receipts from August 1 to July 1 of each year so as to be consistent with current Florida law (memorandum dated June 10, 2009)	87
	Legislative	
	2. <u>Notice of Scheduled Public Hearing June 23, 2009:</u> William Gregory Construction Inc's Request to Amend the Future Land Use Map to Redesignate ±.32 Acres, Located on the Northwest Corner of Indian River Boulevard and 37 th Street, From M-1, Medium-Density Residential-1 (up to 8 units/acre), to C/I, Commercial/Industrial District; and to Rezone that ±.32 Acres From RM-8, Multiple-Family Residential-1 District (up to 8 units/acre),to OCR, Office, Commercial, Residential District	88-89
	Legislative	
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	None	

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
A.	<u>Community Development</u>	
	1. Consideration of Code Change Recommendations from Development Review Committee (memorandum dated June 3, 2009)	90-97
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B.	<u>Emergency Services</u>	
	None	
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>	
	1. 2009/2010 Budget Workshop Change in Dates (memorandum dated June 10, 2009)	98-99
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H.	<u>Recreation</u>	
	None	
I.	<u>Public Works</u>	
	None	
J.	<u>Utilities Services</u>	
	None	

13.	<u>COUNTY ATTORNEY MATTERS</u>	<u>PAGE</u>
A.	Request for Release of Code Enforcement Liens Against Property Formerly Owned by Lewis Barton (memorandum dated June 9, 2009)	100-103
B.	Gifford Youth Activity Center/Gifford Community Center Lease Modifications (memorandum dated June 10, 2009)	104-110
C.	Unconditional Offer for parcel of property owned by Bank of America, 5780 20 th Street, Vero Beach (memorandum dated June 5, 2009)	111-114
D.	Necessity of Take Resolution for parcel of property located at 4785 66 th Avenue, Lawrence and Phyllis Brown, Parcel 112 (memorandum dated June 10, 2009)	115-122
E.	Necessity of Take Resolution for a parcel of property on 66 th Avenue owned by Steven and Shelly Ryan 6775 66 th Avenue, Vero Beach, Parcel 108 (memorandum dated June 10, 2009)	123-129
F.	Stipulated Order of Take and Extended Possession Agreement with Cumberland Farms – Oslo Road and 27 th Avenue (memorandum dated June 11, 2009)	130-155
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>	
	1. Fire Ops 101 Training (memorandum dated June 11, 2009)	156
E.	<u>Commissioner Bob Solari</u>	
	1. Fire Hydrant Maintenance Charges (memorandum dated June 10, 2009)	157

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.***