



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

TUESDAY, JULY 7, 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> | Deputy Teddy Floyd, Indian River County Sheriff Office | |
| 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 Certificate of Recognition to Cory Richter as Recipient of the State EMS Injury Prevention Award for 2009 | | 1 |
| B. | Presentation of Certificate of Recognition to Paul Button as Recipient of the State EMS Dispatcher Award for 2009 | | 2 |

| 6. | <u>APPROVAL OF MINUTES</u> | <u>PAGE</u> |
|-----------|---|--------------------|
| A. | Regular Meeting of June 9, 2009 | |
| B. | Regular Meeting of June 16, 2009 | |
| 7. | <u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u> | |
| A. | Letter of Re-election of Emmett Evans to the Board of Supervisors of the St. Johns Improvement District to serve an additional three years is on file in the Office of the Clerk to the Board | |
| B. | City of Sebastian Ordinance 0-08-01 – Annexation of 17.14 acres of Shady Rest Mobile Home Park; Ordinance 0-08-02 – Land Use; and Ordinance 0-08-03 – Zoning, are on file in the Office of the Clerk to the Board | |
| 8. | <u>CONSENT AGENDA</u> | |
| A. | Approval of Warrants and Wires – June 12, 2009 thru June 18, 2009 (memorandum dated June 18, 2009) | 3-11 |
| B. | Approval of Warrants and Wires – June 19, 2009 thru June 25, 2009 (memorandum dated June 25, 2009) | 12-19 |
| C. | Temporary Rent Relief for Rosemary’s Café (memorandum dated June 29, 2009) | 20-46 |
| D. | Federal Fiscal Year 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Certificate of Participation (memorandum dated June 30, 2009) | 47-56 |
| E. | Amendment No. 1 to Work Order No. 6 (Engineering) with Ardaman & Associates, Inc. Providing Professional Geotechnical Services for 12 th Street Sidewalk Project, From 43 rd Avenue to 27 th Avenue, IRC Project #0604 (memorandum dated June 19, 2009) | 57-60 |
| F. | CR 512, Phase III, CR 510 – Project #9611 & 0001, Geotechnical Services Work Order #2, Dunkelberger Engineering & Testing, Inc. (memorandum dated June 25, 2009) | 61-62 |
| G. | Award of Bid # 2009037, Roadway Improvements to 16 th Street from 74 th Avenue to 66 th Avenue, and 66 th Avenue from 16 th Street to S.R. 60, IRC Project Nos. 9920, 9810-A and 0545 (memorandum dated June 18, 2009) | 63-93 |

| 8. | <u>CONSENT AGENDA</u> | <u>PAGE</u> |
|------------|--|--------------------|
| | H. Consideration of Newly Created Florida Housing Opportunity Program Strategy for Inclusion into the Indian River County Local Housing Assistance Plan (memorandum dated June 23, 2009) | 94-112 |
| | I. Traffic Control Device Ledger (memorandum dated June 22, 2009) | 113-132 |
| | J. Amended Resolutions of Necessity for 66 th Avenue Parcels (memorandum dated June 30, 2009) | 133-180 |
| | K. Storm Grove Middle School (formerly known as “Middle School BB”) 6400 57 th Street, Vero Beach, FL 32967 Roadway Improvements on 57 th Street between 66 th Avenue and 58 th Avenue Update to Interlocal Agreement between Indian River County and the School Board of Indian River County (memorandum dated June 30, 2009) | 181-183 |
| 9. | <u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u> | |
| | A. <u>Deryl Loar, Indian River County Sheriff</u> Fiscal Year (FY) 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation (letter dated June 18, 2009) | 184-201 |
| | B. <u>Deryl Loar, Indian River County Sheriff</u> Forfeiture Trust Fund (letter dated June 30, 2009) | 202 |
| 10. | <u>PUBLIC ITEMS</u> | |
| | A. <u>PUBLIC HEARINGS</u> | |
| | 1. Public Hearing to Amend Sections 305.13 and 305.14 of The Code (memorandum dated June 23, 2009) Legislative | 203-206 |
| | 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 Cyril Knowles Regarding Budget 2010 | 207 |
| | 2. Request to Speak from Joe Paladin, Atlantic Coast Construction, Regarding Return of Cash Bond for Sidewalk in area not being built | 208-255 |
| | 3. Request to Speak from Spencer Simmons Regarding Utility Usage Fee | 256 |

| | | |
|------------|---|--------------------|
| 10. | <u>PUBLIC ITEMS</u> | <u>PAGE</u> |
| | C. <u>PUBLIC NOTICE ITEMS</u> | |
| | 1. <u>Notice of Scheduled Public Hearing July 14, 2009:</u> To Amend the Purchasing Ordinance to Provide for Local Preference Policy for Local Businesses; Memorandum on Local Versus Non- Local Bid Award Comparison (memorandum dated June 29, 2009) | 257-258 |
| | Legislative | |
| 11. | <u>COUNTY ADMINISTRATOR MATTERS</u> | |
| | None | |
| 12. | <u>DEPARTMENTAL MATTERS</u> | |
| | A. <u>Community Development</u> | |
| | 1. Approval of Bid Award for Rehabilitation of Five Homes Approved Under the Hurricane Wilma Community Development Block Grant Disaster Recovery Initiative Group Two (memorandum dated June 12, 2009) | 259-262 |
| | 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> | |
| | None | |

| 12. | <u>DEPARTMENTAL MATTERS</u> | <u>PAGE</u> |
|------------|---|--------------------|
| | H. <u>Recreation</u> | |
| | None | |
| | I. <u>Public Works</u> | |
| | None | |
| | J. <u>Utilities Services</u> | |
| | 1. Amendment No. 5 to Work Order No. 2 to PBS&J – Re-bid Well Piping and Additional Modeling Tasks Associated with Consumptive Use Permit (memorandum dated June 22, 2009) | 263-270 |
| | 2. Request to use the General Fund to cover Landfill Disposal Fees for PACE Projects and Other Illegal Dumping Projects (memorandum dated June 23, 2009) | 271 |
| | 3. Repair to Bar Screen South County Wastewater Treatment Facility (memorandum dated June 16, 2009) | 272-276 |
| 13. | <u>COUNTY ATTORNEY MATTERS</u> | |
| | None | |
| 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. **SPECIAL DISTRICTS AND BOARDS**

PAGE

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.***