



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

TUESDAY, JULY 21, 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 Emory Polley, Central Assembly Church of God
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 of Proclamation Designating August 9, 2009 as Smokey Bear Day	1
B.	Presentation of Proclamation Commending Teamsters Local 769 Members Support of the Current Economic Condition	2

5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	<u>PAGE</u>
	C. Public Announcement for Sebastian Electronics Recycling Event on August 1, 2009 by Himanshu Mehta, Managing Director, Solid Waste Disposal District	3-4
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6.	<u>APPROVAL OF MINUTES</u>	
	A. Regular Meeting of June 23, 2009	
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7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
	A. City of Sebastian Ordinance 0-09-09 – Annexation of 3 acres west of U.S.1 between Shady Rest Mobile Home Park and the St. Sebastian Catholic Church; Ordinance 0-09-10 – Land Use; and Ordinance 0-09-11 – Zoning; on file in the Office of the Clerk to the Board	
	B. Resignation of Business in Enterprise Zone Appointee to the Enterprise Zone Development Agency (memorandum dated July 14, 2009)	5-6
	C. Resignation of Member at Large Appointee to the Enterprise Zone Development Agency (memorandum dated July 14, 2009)	7-9
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8.	<u>CONSENT AGENDA</u>	
	A. Approval of Warrants and Wires, July 3, 2009 thru July 9, 2009 (memorandum dated July 9, 2009)	10-16
	B. Appointment of Member-at-Large Appointee to the Environmental Control Hearing Board (memorandum dated July 13, 2009)	17-23
	C. List of Errors, Insolvencies, Double Assessments and Discounts for the 2008 Tax Roll (memorandum dated July 14, 2009)	24-55
	D. Dori Slosberg Driver Education Safety Act, Indian River County Traffic Education Program Trust Fund (memorandum dated July 15, 2009)	56-57
	E. Property Acquisition – Tax Roll Removal & Tax Cancellation Properties, Acquired by Indian River County between May 22, 2009 and July 6, 2009 (memorandum dated July 8, 2009)	58-90

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
F.	Temporary Drainage Easement for 20 th Avenue Southwest, Falcon Trace, Phase III (memorandum dated July 14, 2009)	91-105
G.	Permission to proceed with legal action against Whispering Palms Mobile Home Park for unpaid utility charges (memorandum dated July 14, 2009)	106
H.	Rescission of offer on Parcel 135 on 66 th Avenue (memorandum dated July 14, 2009)	107
I.	Resolutions to Call Letters of Credit and to Act on Behalf of Indian River County during the time frames of July 22, 2009, through and including August 17, 2009, and August 19, 2009, through and including September 7, 2009 (memorandum dated July 10, 2009)	108-112
J.	Amendment No. 1 to Professional Civil Engineering Services Agreement with Schulke, Bittle & Stoddard, LLC – The Enclave (memorandum dated July 6, 2009)	113-117
K.	Final Pay Ardaman & Associates, Inc., Amendment No. 1 to Work Order No. 6 (Engineering), 12 th Street Sidewalk Project, From 43 rd Avenue to 27 th Avenue, IRC Project #0604 (memorandum dated July 9, 2009)	118-119
L.	Amendment No. 1 to Work Order No. 2 (Engineering) with Ardaman & Associates, Inc., 53 rd Street Bridge over Lateral H Canal – IRC Project No. 0107 (memorandum dated July 9, 2009)	120-123
M.	Request for Board Approval of a Two-year Extension to an Escrow Agreement with Shadowbrook Estates, Inc. for Remediation of Ground Contamination on the Shadowbrook Parcel of the South Prong Preserve LAAC Site (memorandum dated July 13, 2009)	124-141
N.	Amendment No. 10 to the Professional Services Agreement with Carter Associates, Inc. IRC Project No. 9810, 66 th Avenue Paving Improvements (4 th Street to SR 60) (memorandum dated July 8, 2009)	142-149
O.	Change Order No. 3, CR 512, Phase IV, IRC Project No. 9611B, H & J Contracting, Inc. (memorandum dated July 7, 2009)	150-175

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
P.	Approval of Renewal for a Class “B” Certificate of Public Convenience and Necessity for American Ambulance Services Inc. to Provide Inter-facility Ambulance Transportation Services (memorandum dated July 14, 2009)	176-185
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Q.	Miscellaneous Budget Amendment 018 (memorandum dated July 15, 2009)	186-188
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R.	Triple C & T Investments, Inc., Developer’s Agreement for Paving 47 th Street East of U.S. 1 (memorandum dated July 13, 2009)	189-193
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S.	Amendment and Extension of Hurricane Debris Removal Contracts for Omni Pinnacle, LLC and Ceres Environmental Services, Inc. (memorandum dated July 14, 2009)	194-203
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9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
A.	<u>Carole Jean Jordan, Indian River County Tax Collector</u> Tax Collector Status Report (no back-up)	
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 Philip Weiler Regarding Route 60 Expertech Liquidated Damages	204
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2.	Request to Speak from Fred Mensing Regarding Beach Sand Project Phase 3 and Rail Passenger Service	205-206
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3.	Request to Speak from Spencer Simmons, Meadows Country Square Home Owners Association President	207
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4.	Request to Speak from J. Wayne Schasane, President, IAFF Local 2001 Regarding IAFF Contract	208-209
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10. **PUBLIC ITEMS** **PAGE**
- C. **PUBLIC NOTICE ITEMS**
None
11. **COUNTY ADMINISTRATOR MATTERS**
None
12. **DEPARTMENTAL MATTERS**
- A. **Community Development**
None
- B. **Emergency Services**
None
- C. **General Services**
None
- D. **Human Resources**
None
- E. **Human Services**
None
- F. **Leisure Services**
None
- G. **Office of Management and Budget**
1. Resolution Authorizing \$30,000,000 Water and Sewer Revenue
Refunding Bonds Series 2009
(memorandum dated July 14, 2009) 210-229
- H. **Recreation**
None
- I. **Public Works**
None

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	J. <u>Utilities Services</u>	
	1. Consulting Engineering Services Work Order No. 11 with Schulke, Bittle & Stoddard, L.L.C. for a Master Plan 16” Water Main Loop Extension on 16 th Street From 58 th Avenue to 74 th Avenue and the Installation of a 16” Tee and Valve on 16 th Street (memorandum dated July 13, 2009)	230-239
	2. Request Permission to Advertise for Public Hearing on August 18, 2009, to Amend Permissions to Ordinance Code Chapter 201 Water and Sewer (memorandum dated July 13, 2009)	240
	3. US1 at 73 rd Street 16” Water Main Aerial Crossing of FDOT Ditch Replacement with Directional Drill Water Main, Approval of Work Authorization Directive No. 2009-002 by Sheltra & Sons Construction Co., Inc., UCP No. 4032 (memorandum dated July 8, 2009)	241-244
	4. Work Order No. 11 with CDM for a Reuse Rate Study (memorandum dated June 30, 2009)	245-254
	5. Work Order No. 14 with CDM – Engineering Construction Services during Reimbursement of Well No. 5 and Work Directive with AMPS to Refurbish Well No. 5 at the South County R.O. Facility (memorandum dated July 14, 2009)	255-264
	6. SR 60 Utility Conflict Resolutions with FDOT Drainage, Pavement and Traffic Signal Improvements From 8300 SR 60 to Indian Creek Blvd., Final Pay to SPS Contracting, Inc. and Reimbursement to Ranger Construction Industries, Inc. for Delay Charges, UCP #3026 (memorandum dated June 4, 2009)	265-271
13.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. DiVosta Homes L.P. and DiVosta Homes Holdings, L.L.C. vs. Indian river County, Case No. 20070109CA19 – Settlement Proposal (memorandum dated July 15, 2009)	272-277
14.	<u>COMMISSIONERS ITEMS</u>	
	A. <u>Commissioner Wesley S. Davis, Chairman</u>	
	1. Consideration of Submitted Applications for the Board of County Commissioner’s Appointee on the Tourist Development Council (TDC) (memorandum dated July 14, 2009)	278

14. **COMMISSIONERS ITEMS** **PAGE**

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**

None

15. **SPECIAL DISTRICTS AND BOARDS**

A. **Emergency Services District**

1. Approval of Minutes Meeting of May 12, 2009

2. Approval of Minutes Meeting of June 2, 2009

3. Approval to Purchase (1) International Type I Medium Duty
Ambulance from ETC
(memorandum dated July 13, 2009)

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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.***