



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

TUESDAY, AUGUST 18, 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> | Kenneth Jones, Chaplain, VNA Hospice of Indian River County |
| 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 July 7, 2009 |
| | B. | Regular Meeting of July 14, 2009 |

7. INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION

- A. Resignation of Manufacturing Appointee to the Economic Development Council (EDC)
(memorandum dated July 29, 2009) 1
- B. Proof of Publication of Unclaimed Monies for Cash Bonds Deposited with the Clerk of the Circuit Court prior to January 1, 2008
(On file in the Office of the Clerk to the Board)
- C. Survey Project Purchase Orders processed June 9, 2009 through August 11, 2009
(memorandum dated August 11, 2009) 2
- D. Resignation of Electrical Contractor Appointee to the Construction Board of Adjustments & Appeals
(memorandum dated July 27, 2009) 3-4
- E. 2009 Election of School Planning Elected Officials Oversight Committee Chairman
(memorandum dated July 30, 2009) 5

8. CONSENT AGENDA

- A. Approval of Warrants and Wires, July 10, 2009 thru July 16, 2009
(memorandum dated July 16, 2009) 6-13
- B. Approval of Warrants and Wires, July 17, 2009 to July 23, 2009
(memorandum dated July 23, 2009) 14-21
- C. Approval of Warrants and Wires, July 24, 2009 thru July 30, 2009
(memorandum dated July 30, 2009) 22-30
- D. Approval of Warrants and Wires, July 31, 2009 thru August 6, 2009
(memorandum dated August 4, 2009) 31-39
- E. Harmony Oaks Mitigation Project: Approval of Contractor's Final Pay Request (Including Release of Retainage) for Part 2 of the Contract
(memorandum dated August 10, 2009) 40-44
- F. Approval of Work Order No. 5-RR for the Rockridge Subdivision Surge Protection Project
(memorandum dated August 4, 2009) 45-50

8. <u>CONSENT AGENDA</u>	<u>PAGE</u>
G. Wabasso Beach Park Restoration; Work Order CT-3; Professional Engineering Services for the Construction Phase Site Observation Relative to Permit and Contract Requirements; Coastal Technology Corporation; Final Payment Release of Retainages (memorandum dated August 3, 2009)	51-53
H. Resolution Requesting Assistance from State of Florida Beach Erosion Control Program (memorandum dated July 16, 2009)	54-55
I. Release of Retainage – Work Order #4, Coastal Technology Corporation Inc., Upland Sand Source Evaluation and Permitting (memorandum dated July 23, 2009)	56-59
J. Consideration of Resolution Supporting the Inclusion of the Intercity Rail Component of the Florida East Coast (FEC) Corridor Project as part of Florida’s Economic Stimulus Plan (memorandum dated August 10, 2009)	60-64
K. Approval of Bid Award for IRC Bid No. 2009046, 16” Reuse Water Main Ext Along Lat G Canal and 16” Reuse Water Main 57 th St to 53 rd St (memorandum dated July 29, 2009)	65-83
L. Ratification of Documents Executed by the County Administrator or designee on behalf of the Board of County Commissioners, under authority of Resolution No. 2009-115, from July 22, 2009 through August 17, 2009 (memorandum dated August 11, 2009)	84-87
M. Civil Engineering and Land Surveying Agreement for CR510 from CR512 to 75 th Court – Amendment No. 5 (memorandum dated July 27, 2009)	88-92
N. Wabasso Beach Park Restoration; Project No. 0822 Bid Number 2008070 change Order No. 4; Reconciliation Change Order, Additional Work, Time Extensions, and 7 th and final payment; Ocean Gate General Contractors Inc. (memorandum dated July 22, 2009)	93-101
O. Approval of Bid Award for IRC Bid No. 2009052 Core-Alignment Fusion Splicer (memorandum dated July 22, 2009)	102-107
P. Work Order DA-1 for Professional Architectural Services for Wabasso Beach Park Restoration Design; Donadio and Associates, Architects, PA, Final Payment/Release of Retainages (memorandum dated July 29, 2009)	108-109

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	Q. Consideration of Resolution Supporting Elimination of the Cap on the State and Local Housing Trust Funds (memorandum dated August 11, 2009)	110-113
	R. Work Order No. 22, (Engineering/Surveying), Carter Associates, Inc., Old Dixie Highway, 69 th Street to CR510, Right-of-Way Mapping (+/- 2 miles) (memorandum dated July 17, 2009)	114-125
	S. CRF Panther IX, L.L.C.'s Request for Final Plat Approval for a Commercial Subdivision to be known as Century Town Center (memorandum dated August 3, 2009)	126-132
	T. Request to Approve Neighborhood Stabilization Program (NSP) Community Development Block Grant (CDBG) Surveyor Selection Committee Ranking and Request for Authorization to Execute Contracts with the Top Three Ranked Surveyors (Request for Qualifications No. 2009048) (memorandum dated August 10, 2009)	133-146
	U. Federal Fiscal Year 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) (memorandum dated August 10, 2009)	147-149
	V. Miscellaneous Budget Amendment 019 (memorandum dated July 29, 2009)	150-152
	W. Miscellaneous Budget Amendment 020 (memorandum dated August 4, 2009)	153-163
	X. Miscellaneous Budget Amendment 021, Juvenile Civil Citation programs (memorandum dated August 7, 2009)	164-167
	Y. Final Payment and Retainage Release, Ecological Associates Inc., Contract Amendment No. 3 (memorandum dated August 5, 2009)	168-173
	Z. Right-of-Way Acquisition – 66 th Avenue #0370 6420 53 rd Street, Intersection Transition Thomas W. and Barbara J. Lewis, Owners (memorandum dated August 5, 2009)	174-185
	AA. Request for Authorization for the Board Chairman to Sign a Department of Community Affairs/Indian River County Neighborhood Stabilization Program (NSP) Community Development Block Grant (CDBG) Agreement (memorandum dated August 10, 2009)	186-192

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	BB. Request for Approval of Contract Awards for IRC Bid No. 2009047 Neighborhood Stabilization Program (NSP) Community Development Block Grant (CDBG) Housing Acquisition Services (memorandum dated August 10, 2009)	193-203
	CC. Consideration of Treasure Coast Homeless Services Council and Indian River County Housing Authority Agreements for Neighborhood Stabilization Program (NSP) Community Development Block Grant (CDBG) Programmatic Services (memorandum dated August 10, 2009)	204-210
9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
	A. <u>Deryl Loar, Indian River County Sheriff</u> Collective Bargaining Impasse (letter dated August 11, 2009)	211
10.	<u>PUBLIC ITEMS</u>	
	A. <u>PUBLIC HEARINGS</u>	
	1. Richard Bird’s Request to Rezone ± 1.70 Acres from IL to CG (memorandum dated July 23, 2009)	212-254
	Quasi-Judicial	
	2. Indian River County’s Request to Abandon a Segment of 86 th Street between CR510 and 47 th Avenue and a Segment of 46 th Avenue between 86 th Place and CR510 in Wabasso (memorandum dated August 3, 2009)	255-267
	Legislative	
	3. Indian River County’s Request for Abandonment of an “Excess Appendage” of Old Dixie Highway Right-of-Way Lying Just North of 8 th Street on the West Side of Old Dixie Highway (memorandum dated July 23, 2009)	268-276
	Legislative	
	4. Public Hearing to amend portions of Code Chapter 201 County Water and Sewer; and Public Hearing to amend portions of the Utilities Rate Resolution make conforming changes (memorandum dated August 11, 2009)	277-289
	Legislative	

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	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 Kenneth B. McKellar Regarding 31 st Ave at 49 th St. .61 Acre land. Gifford. Which ½ is improved.	290
	2. Request to Speak from Debbie Cross Regarding Flooding of my property due to no drainage easement	291
	C. <u>PUBLIC NOTICE ITEMS</u>	
	None	
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	None	
12.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	1. Consideration of Agriculture Advisory Committee's Recommendations (memorandum dated July 27, 2009)	292-312
	2. Consideration of Extension of Temporary Suspension of Impact Fees (memorandum dated July 31, 2009)	313-315
	3. Consideration of 2009 Impact Fee Update Report (memorandum dated August 11, 2009)	316-342
	4. Consideration of Proposed Changes to Sidewalk Requirements (memorandum dated August 11, 2009)	343-368
	B. <u>Emergency Services</u>	
	None	
	C. <u>General Services</u>	
	None	

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
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> None	
J.	<u>Utilities Services</u>	
	1. Camp Dresser & McKee Work Order No. 15 – Lift Station Precipitation Study (memorandum dated August 6, 2009)	369-375
	2. South County Reverse Osmosis Water Treatment Plant, Professional Services by Kimley-Horn & Associates, Inc. (KHA) for Renovation of Air Conditioner System at South County RO Facility – Work Order No. 14 Amendment No. 3 (memorandum dated July 21, 2009)	376-380
	3. Work Order No. 13 with CDM – Design, Permitting, Bidding and Construction Services for Construction of Well No. 7 at the South County R.O. Facility (memorandum dated July 31, 2009)	381-394
	4. Utility Construction Standards July 2009 – UCP 3110 (memorandum dated July 8, 2009)	395-397

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	J. <u>Utilities Services</u>	
	5. Consulting Services Amendment 3 to Work Order No. 5 with Post, Buckley, Schuh and Jernigan, Inc. (PBS&J) for Permitting, Design and Construction Services for the West Regional Wastewater Treatment Facility Expansion UCP-2621 (memorandum dated July 27, 2009)	398-403
13.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Updated Unconditional Offer for a Parcel of Land on the corner of 66 th Avenue and 57 th Street owned by Steven, William, and Evan Abazis, Parcels 102 and 401 (memorandum dated August 4, 2009)	404-411
	B. Necessity of Take Resolution for a parcel of property on 66 th Avenue owned by John and Debra Marotto, 5215 66 th Avenue, Vero Beach Parcel 106 (memorandum dated July 30, 2009)	412-419
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>	
	1. Request for Discussion – One-Cent Optional Sales Tax Purchases for the Emergency Services District (memorandum dated August 18, 2009)	420-423
	D. <u>Commissioner Peter D. O’Bryan</u>	
	1. The Fourth Annual Dollars for Scholars Kickoff Classic (memorandum dated August 12, 2009)	424
	E. <u>Commissioner Bob Solari</u>	
	1. Clarification of 2 issues involved with the Emergency Services District and Fire Hydrant Maintenance/Inspection (memorandum dated August 10, 2009)	425-429

14.	<u>COMMISSIONERS ITEMS</u>	<u>PAGE</u>
E.	<u>Commissioner Bob Solari</u>	
	2. Search Procedure for New County Attorney (memorandum dated August 10, 2009)	430

15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	
A.	<u>Emergency Services District</u>	
	None	
B.	<u>Solid Waste Disposal District</u>	
	1. Approval of Minutes Meeting of April 14, 2009	
	2. Approval of Minutes Meeting of April 21, 2009	
	3. Approval of Minutes Meeting of May 12, 2009	
	4. 2009 Petition Hearing Solid Waste Disposal District Assessment Fees (memorandum dated August 12, 2009)	431
C.	<u>Environmental Control Board</u>	
	1. Approval of Minutes Meeting of May 5, 2009	
	2. Quarterly Report for the 3 rd Quarter – Fiscal Year 2008-2009 for Submission to the Board of County Commissioners (memorandum dated July 30, 2009)	432-435

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.***