



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

**TUESDAY, OCTOBER 6, 2009 - 9:00 A.M.**

**County Commission Chamber  
Indian River County Administration Complex  
1801 27<sup>th</sup> Street, Building A  
Vero Beach, Florida, 32960-3388  
www.ircgov.com**

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**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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		<b><u>PAGE</u></b>
<b>1.</b>	<b><u>CALL TO ORDER</u></b>	<b><u>9:00 A.M.</u></b>
<b>2.</b>	<b><u>INVOCATION</u></b>	Maya Miller, Traffic Engineering/Public Works
<b>3.</b>	<b><u>PLEDGE OF ALLEGIANCE</u></b>	Commissioner Wesley S. Davis, Chairman
<b>4.</b>	<b><u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b>	
<b>5.</b>	<b><u>PROCLAMATIONS and PRESENTATIONS</u></b>	
<b>A.</b>	Presentation of Proclamation Designating October 4 – 10, 2009 as Indian River County Fire Prevention Week	1
<b>B.</b>	Presentation of Proclamation Designating October 4 – 10, 2009 as Mental Health Awareness Week	2
<b>C.</b>	Presentation of Proclamation Designating the Month of October as National Arts and Humanities Month	3

<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	<b><u>PAGE</u></b>
A.	Regular Meeting of August 18, 2009	
<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	
A.	Sebastian Inlet State Park – Biennial Report of Indian River County Entrance Fees and Expenses is on file in the Office of the Clerk to the Board	
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
A.	Approval of Warrants and Wires, September 11, 2009 thru September 17, 2009 (memorandum dated September 17, 2009)	4-11
B.	Approval of Warrants and Wires, September 18, 2009 thru September 24, 2009 (memorandum dated September 24, 2009)	12-21
C.	Appointment of local faith-based representative to the Census 2010 Complete Count Committee (memorandum dated September 30, 2009)	22-25
D.	Permission to Advertise for Public Hearing: An Ordinance Amending the County Code of Indian River County, Requiring Registered Sex Offenders to Notify to Operators of Temporary Emergency Shelters (memorandum dated September 22, 2009)	26-27
E.	Approval of Resolution of Support for the City of Sebastian Tax Abatement Initiative (memorandum dated September 28, 2009)	28-29
F.	Authorization to Attend FGFOA 2009 School of Governmental Finance (memorandum dated September 21, 2009)	30-33
G.	Work Order No. 2 (sidewalk/Sod) H & D Construction Co, Inc., Fountains at Amber Lakes Subdivision – Release of Retainage and Final Pay (memorandum dated September 1, 2009)	34-39
H.	Bridge Design Associates, Inc. Work Order No. 5 and Amendment No. 1 for Bridge Construction Phase Services for 53 <sup>rd</sup> Street Bridge over I.R.F.W.C.D. Lateral H. Canal (IRC Project No. 0107-B) Release of Retainage (memorandum dated September 25, 2009)	40-42

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
<b>I.</b>	Bridge Design Associates, Inc. Work Order No. 4 for Bridge Construction Phase 56 <sup>th</sup> Place Bridge over I.R.F.W.C.D. North Relief Canal (IRC Project No. 0611-B) Release of Retainage (memorandum dated September 25, 2009)	43-44
<b>J.</b>	Bridge Design Associates, Inc. Work Order No. 6 for Bridge Construction Phase Services for 16 <sup>th</sup> Street Bridge over I.R.F.W.C.D. Range Line Canal (at 74 <sup>th</sup> Avenue) (IRC Project No. 9920-B) Release of Retainage (memorandum dated September 25, 2009)	45-46
<b>K.</b>	Approval of Professional Surveying and Mapping/GIS Service Agreements for Annual Surveying and Mapping/GIS Contract, 2009-2010 (memorandum dated September 22, 2009)	47-79
<b>L.</b>	Supervisor of Elections 2008/2009 Budget Amendment (memorandum dated September 29, 2009)	80-83
<b>M.</b>	Oslo Road Between 27 <sup>th</sup> Avenue and Old Dixie Highway, FPL Agreement to Install Street Lights (memorandum dated September 28, 2009)	84-97
<b>N.</b>	Work Order No. 4 (Sidewalk/Sod) – H & D Construction Co, Inc. Ashley Lakes Subdivision (memorandum dated September 24, 2009)	98-107
<b>O.</b>	Work Order No. 3 (Sidewalk/Sod) – H & D Construction Co, Inc., Oaks of Vero Subdivision Phase 2 (memorandum dated September 14, 2009)	108-116
<b>P.</b>	Final Pay to Schulke, Bittle & Stoddard for Continuing Consulting Services for Work Order No. 8 for Engineering Design, Surveying and Construction Administration Services for SR 60 Phase 3 Improvements, Bid No. 2009027 – UCP #3098 (memorandum dated September 18, 2009)	117-119
<b>Q.</b>	Approval of Bid Award for IRC Bid No. 2010008 Mowing at Three (3) Water Treatment Plants Utilities Department / Water Treatment Division (memorandum dated September 29, 2009)	120-126
<b>R.</b>	Approval of Bid Award for IRC Bid No. 2010012 Annual Bid for Traffic Signal Hardware and Wire (memorandum dated September 29, 2009)	127-133
<b>S.</b>	Declare Excess Equipment Surplus for Sale or Disposal (memorandum dated September 29, 2009)	134-139

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
T.	Final Payment (Retainage) to Dunkelberger Engineering and Testing, Inc. (memorandum dated September 29, 2009)	140-143
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U.	H.U.D. Grant for Shelter Plus Care Grant, FL0113C4H090800 (memorandum dated September 30, 2009)	144-184
<hr style="border-top: 1px dashed black;"/>		
V.	Release of Retainage for Work Order No. M1 with Malcolm Pirnie, Inc. for the Main Relief Canal (memorandum dated September 21, 2009)	185-189
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**9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

**10. PUBLIC ITEMS**

**A. PUBLIC HEARINGS**

None

**B. PUBLIC DISCUSSION ITEMS**

None

**C. PUBLIC NOTICE ITEMS**

1.	<b><u>Notice of Scheduled Public Hearings October 13, 2009:</u></b> (memorandum dated September 28, 2009)	190
<hr style="border-top: 1px dashed black;"/>		
A.	Church of God by Faith's Request for Special Exception Use Approval for an Expansion to an Existing Place of worship Facility ( <b>Quasi-Judicial</b> )	
B.	Consideration of Proposed Amendments to Provide for Permanent Exceptions to Certain LDRs for Individual Development Projects: Land Development Regulations Chapter 902 ( <b>Legislative</b> )	
C.	Consideration of Proposed Amendment to the County Noise and Vibration Control Ordinance to Address Emergency Power Generators: Land Development Regulations Chapter 974 ( <b>Legislative</b> )	

<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	<b><u>PAGE</u></b>
	<b>C. <u>PUBLIC NOTICE ITEMS</u></b>	
	2. <b><u>Notice of Joint Meeting October 15, 2009:</u></b> Joint Meeting with City of Vero Beach City Council and Town of Indian River Shores Town Council (memorandum dated September 29, 2009)	191
<b>11.</b>	<b><u>COUNTY ADMINISTRATOR MATTERS</u></b>	
	None	
<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	
	<b>A. <u>Community Development</u></b>	
	None	
	<b>B. <u>Emergency Services</u></b>	
	None	
	<b>C. <u>General Services</u></b>	
	None	
	<b>D. <u>Human Resources</u></b>	
	1. Discussion – County Attorney Recruitment/Hiring Process (memorandum dated September 30, 2009)	192-196
	<b>E. <u>Human Services</u></b>	
	None	
	<b>F. <u>Leisure Services</u></b>	
	None	
	<b>G. <u>Office of Management and Budget</u></b>	
	None	
	<b>H. <u>Recreation</u></b>	
	None	

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
<b>I.</b>	<b><u>Public Works</u></b>	
	None	
<b>J.</b>	<b><u>Utilities Services</u></b>	
1.	Work Order No. 19 Final Pay to Geosyntec Consultants, Inc. for Ground Water Assessment and Monitoring Proposal North County Water Facility (memorandum dated September 18, 2009)	197-200
2.	Spoonbill Marsh – Additional Benthic Invertebrate Sampling (memorandum dated September 15, 2009)	201-206
3.	Spoonbill Marsh Wetland Facility – UCP 2785, Masteller & Moler, Inc. Engineering Services, Additional Engineering, Review and Evaluation of Substitute Materials Used in Construction (memorandum dated September 24, 2009)	207-213
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
<b>A.</b>	Ocean Concrete Lawsuit (memorandum dated September 30, 2009)	214-224
<b>B.</b>	Acquisition of Right-of-Way Along 66 <sup>th</sup> Ave., Janie, Ellis and Kathleen Greene, 66 <sup>th</sup> Avenue and 53 <sup>rd</sup> Street (memorandum dated September 25, 2009)	225-240
<b>C.</b>	Updated Unconditional Offer for Parcel 134 owned by Evangelos and Ann Abazis, 6800 57 <sup>th</sup> Street, Vero Beach (memorandum dated September 28, 2009)	241-244
<b>D.</b>	Stipulated Orders of Take for 66 <sup>th</sup> Avenue property owners Matthew and Hilda Harbourt, Parcel 122, Evangelos and Ann Abazis, Parcel 134 (memorandum dated September 30, 2009)	245-255
<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
<b>A.</b>	<b><u>Commissioner Wesley S. Davis, Chairman</u></b>	
	None	
<b>B.</b>	<b><u>Commissioner Joseph E. Flescher, Vice Chairman</u></b>	
1.	Reconsideration of the Tracking Station Beach Lifeguard Position (memorandum dated September 25, 2009)	256

**14. COMMISSIONERS ITEMS**

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**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**

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](http://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.***