



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

**TUESDAY, NOVEMBER 3, 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**

**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**

<b>1.</b>	<b><u>CALL TO ORDER</u></b>	<b><u>9:00 A.M.</u></b>	<b><u>PAGE</u></b>
<b>2.</b>	<b><u>INVOCATION</u></b>	Reverend Tom Harris, First Presbyterian Church	
<b>3.</b>	<b><u>PLEDGE OF ALLEGIANCE</u></b>	William G. Collins, II, County Attorney	
<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>	Recognition of Julianne R. Price as Recipient of Governor's Point of Light Award		1-2
<b>B.</b>	Presentation of Proclamation in Support of the Efforts of Indian River Impact 100		3
<b>C.</b>	Presentation by Kristy Sturdivant, Keep Indian River Beautiful, Regarding Donations of Campaign Signs to ReUse Exchange Center		

<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	<b><u>PAGE</u></b>
A.	Regular Meeting of September 15, 2009	
B.	Final Budget Hearing of September 16, 2009	
<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	
A.	City of Fellsmere – Notice of first reading on Ordinance 09-22, proposing to annex .58 acres, more or less into the City, November 5, 2009, and a Public Hearing to adopt Ordinance 09-22 will be held on November 19, 2009, 7:00 p.m. in the City Council Chambers, is on file in the office of the Clerk to the Board	
B.	Resignations of Irrigation and Vegetable Representatives to the Agriculture Advisory Committee (memorandum dated October 20, 2009)	4-6
C.	Appointment of District 4 Appointee to the Children’s Services Advisory Committee (memorandum dated October 26, 2009)	7-9
D.	Work Order #7, Coastal Technology Corporation, Inc., Revised Upland Sand Source Design Services (memorandum dated October 14, 2009)	10-14
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
A.	Approval of Warrants and Wires October 8, 2009 to October 15, 2009 (memorandum dated October 15, 2009)	15-23
B.	Approval of Warrants and Wires October 16, 2009 to October 22, 2009 (memorandum dated October 22, 2009)	24-31
C.	OPEB Trust Report for the Period 10/1/08 through 9/30/09 (memorandum dated October 28, 2009)	32-37
D.	Indian River County Investment Advisory Committee Quarterly Investment Report for the Quarter Ending 09/30/09 (memorandum dated October 28, 2009)	38-50
E.	Wachovia Banking Services Agreement (memorandum dated October 22, 2009)	51-132
F.	Out of County Travel to attend FAC Legislative Conference (memorandum dated October 27, 2009)	133-134

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
	<b>G.</b> Request to Advertise for Public Hearing on the Ordinance to Create a New “Gifford Community Center MSTU” (memorandum dated October 27, 2009)	135-137
	<b>H.</b> Proclamation Honoring Phillip Hartsfield on His Retirement from Indian River County Board of County Commissioners Department of Public Works	138
	<b>I.</b> Consideration of a Revised Management Plan for the Oslo Riverfront Conservation Area (ORCA), Amended to Include the Flinn Tract LAAC Site (memorandum dated October 23, 2009)	139-144
	<b>J.</b> Final Payment, Masteller & Moler, Inc. – Spoonbill Marsh Wetland R/O Concentrate/Reuse Main Pipeline Project (memorandum dated October 22, 2009)	145-147
	<b>K.</b> North County Reverse Osmosis Plant – Camp Dresser McKee (CDM) Final Payment for Professional Services in Design, Permitting & General Services During Construction (memorandum dated October 16, 2009)	148-154
	<b>L.</b> Approval of Bid Award for IRC Bid No. 2009064 Brine Line Conversion (memorandum dated October 27, 2009)	155-170
	<b>M.</b> Amendment No. 2 to the Continuing Contract Agreement for Professional Services with G. K. Environmental, Inc. (memorandum dated October 16, 2009)	171-172
	<b>N.</b> Final Payment and Release of Retainage Work Order #3, Coastal Technology Corporation Inc., Sector 3 Beach Restoration (memorandum dated October 16, 2009)	173-177
	<b>O.</b> Work Order No. 6, Continuing Professional Surveying & Mapping/GIS Services Contract 0725 Morgan and Eklund, Inc., Sector 3 Beach Restoration – Legal Descriptions and Sketches for Temporary Construction Easements (memorandum dated October 22, 2009)	178-182
	<b>P.</b> Outside Agency Funding Policy Revision (memorandum dated October 27, 2009)	183-194
	<b>Q.</b> Consideration of an MOA with Indian River County Land Trust and a Lease Agreement with the Florida Inland Navigation District (memorandum dated October 28, 2009)	195-225

9. **CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES** **PAGE**  
None

10. **PUBLIC ITEMS**

A. **PUBLIC HEARINGS**

1. 510 LLC's Request to Abandon a Segment of 86<sup>th</sup> Street between CR510 and 47<sup>th</sup> Avenue in Wabasso  
(memorandum dated October 21, 2009) ..... 226-261  
**Legislative**
  
2. 510, LLC's Request to Amend The Comprehensive Plan to Redesignate ± 6.4 Acres From L-2, Low-Density Residential-2 (up to 6 units/acre), to C/I, Commercial/ Industrial, and to Rezone Those ± 6.4 Acres From RM-6, Multi Family Residential District (up to 6 units / 1 acre), to CG, Commercial General; and United Indian River Packers, LLC's Request to Amend The Comprehensive Plan to Redesignate ± 6.4 Acres From C/I, Commercial/ Industrial, to L-2, Residential-2 District (up to 6 units / 1 acre), and to Rezone those ± 6.4 Acres From IL to RM-6, Multi Family Residential District (up to 6 units / 1 acre)  
(memorandum dated October 27, 2009) ..... 262-294  
**Legislative**

10. **PUBLIC ITEMS**

**PAGE**

**A. PUBLIC HEARINGS**

- 3. County Initiated Request to Redesignate ± 27.97 Acres from L-1, Low-Density Residential-1 (up to 3 units/acre), and C/I, Commercial / Industrial, to C-1, Conservation-1 District (zero density), and Rezone those ± 27.97 Acres from A-1, Agricultural-1 District (up to 1 unit /5 acres), and CL, Limited Commercial District, to Con-1, Conservation-1 District (zero density); Redesignate ± 37.48 Acres from AG-1, Agricultural-1 District (up to 1 unit/5 acres), and R, Rural Residential District (up to 1 unit / 1 acre), to C-1, Conservation-1 District (zero density), and Rezone those ± 37.48 Acres from A-1, Agricultural-1 District (up to 1 unit / 5 acres), to Con-1, Conservation-1 District (zero density); Redesignate ± 70 Acres from C-2, Conservation-2 District (up to 1unit/40 acres), and L-2, Low-Density Residential-2 (up to 6 units/acre), to C-1, Conservation-1 District (zero density), and Rezone those ± 70 Acres from RS-6 Single-Family Residential District (up to 6 unit / 1 acre), and RS-1, Single-Family Residential District (up to 1 unit/1 acre), to Con-1, Conservation-1 District (zero density); Redesignate ± 457.86 Acres from AG-2, Agricultural-2 District (up to 1 unit /10 acres), to Con-1, Conservation-1 District (zero density), and Rezone those ± 457.86 Acres from A-2, Agricultural-2 District (up to 1 unit /10 acres), to Con-1, Conservation-1 District (zero density)  
(memorandum dated October 19, 2009) ..... 295-321

**Legislative**

- 4. Property Exchange with the Estate of Elvester B. Mowatt for Right-of-way along CR 510  
(memorandum dated October 26, 2009) ..... 322-333

**Administrative**

**B. PUBLIC DISCUSSION ITEMS**

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 William M. Wells Regarding 8810 44<sup>th</sup> Avenue After the Fact Permits ..... 334
- 2. Request to Speak from Joe T. Wiggins Regarding Recreation ..... 335

<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	<b><u>PAGE</u></b>
	<b>C. <u>PUBLIC NOTICE ITEMS</u></b>	
	<b>1. <u>Notice of Scheduled Public Hearings November 10, 2009:</u></b> (memorandum dated October 23, 2009)	336
	a. An ordinance of the Board of County Commissioners of Indian River County, Florida extending the deadline by three years for the Liberty Park, Mandala Club, Turtle Creek Preserve, and Sunnyside Up planned developments to commence construction or have their zoning revert to the site's original (pre-planned development approval) zoning. <b>[Legislative]</b>	
	b. Victor Munoz Request for Abandonment of a Portion of 59 <sup>th</sup> Avenue Lying North of 24 <sup>th</sup> Street <b>[Legislative]</b>	
	<b>2. <u>Notice of Scheduled Public Hearings November 17, 2009:</u></b> SR 60 Vero, LLC: Request to rezone 19.98 acres located south of S.R. 60 and approximately 1,350 feet west of 58 <sup>th</sup> Avenue, from RM-6 to RM-8 <b>[Quasi-Judicial]</b> (memorandum dated October 28, 2009)	337-338
<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>	
	<b>1.</b> Request to Approve the Hurricane Wilma Community Development Block Grant Disaster Recovery Initiative Fourth Applicant List and to Authorize Staff to Solicit Bids for Hurricane Wilma Hardening Work Activities (memorandum dated October 21, 2009)	339-343
	<b>B. <u>Emergency Services</u></b>	
	None	
	<b>C. <u>General Services</u></b>	
	None	

12.	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b>D. <u>Human Resources</u></b>	
	None	
	<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>	
	1. Indian River County Census 2010 Miscellaneous Budget Amendment 001 (memorandum dated October 27, 2009)	344-348
	<b>H. <u>Recreation</u></b>	
	None	
	<b>I. <u>Public Works</u></b>	
	1. Approval of Bid Award for IRC Bid No. 2010005 Annual Bid for Main Relief Canal Pollution Control Facility Sedimentation System Dredging (memorandum dated October 26, 2009)	349-357
	2. Florida Department of Transportation (FDOT) Maintenance Memorandum of Agreement (MOA) and Authorizing Resolution for Landscape Maintenance along SR60 from just west of I-95 Interchange (M.P. 22.389) to just west of 82 <sup>nd</sup> Avenue (M.P.23.923) FM # 228628-1-52-01 (memorandum dated October 16, 2009)	358-417
	3. Staff Update – Sector 3 Beach Renourishment Project (no back-up)	
	<b>J. <u>Utilities Services</u></b>	
	1. Work Order No. 2, Eco Tech, Inc. – Spoonbill Marsh Site Monitoring (memorandum dated October 21, 2009)	418-426

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b>J. <u>Utilities Services</u></b>	
	2. Shell Lane East a Portion of Summerplace Petition Sewer Service, Indian River County Project No. UCP 4039, Preliminary Assessment Resolutions I and II (memorandum dated October 23, 2009)	427-452
	3. Approval of Bid Award for IRC Bid No. 2010011 Annual Bid for Utility Operations Warehouse Stock (memorandum dated October 16, 2009)	453-454
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
	A. Purchase of Cumberland Farms Site for the Oslo Road Improvement Project and the 27 <sup>th</sup> Avenue Improvement Project (memorandum dated October 28, 2009)	455-469
	B. Consideration of Mediated Settlement Agreement for Purchase of Property Located at the Northwest Corner of 66 <sup>th</sup> Avenue and 57 <sup>th</sup> Street (memorandum dated October 28, 2009)	470-476
<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
	<b>A. <u>Commissioner Wesley S. Davis, Chairman</u></b>	
	1. Annual Appointment of Council Members to Treasure Coast Regional Planning Council (TCRPC) (memorandum dated October 26, 2009)	477-479
	<b>B. <u>Commissioner Joseph E. Flescher, Vice Chairman</u></b>	
	None	
	<b>C. <u>Commissioner Gary C. Wheeler</u></b>	
	None	
	<b>D. <u>Commissioner Peter D. O'Bryan</u></b>	
	1. Florida Association of Counties (FAC) Legislative Conference (memorandum dated October 26, 2009)	480-483
	2. Letter of Intent (memorandum dated October 27, 2009)	484
	<b>E. <u>Commissioner Bob Solari</u></b>	
	None	



<b>15.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS</u></b>	<b><u>PAGE</u></b>
A.	<b><u>Emergency Services District</u></b> None	
B.	<b><u>Solid Waste Disposal District</u></b>	
	1. Approval of Minutes of Regular Meeting of September 15, 2009	
	2. Indian River Correctional Institution’s Request for Solid Waste Assessment Adjustment (memorandum dated October 23, 2009)	485
C.	<b><u>Environmental Control Board</u></b>	
	1. Approval of Minutes of Regular Meeting of August 18, 2009	
	2. Quarterly Report for the 4 <sup>th</sup> Quarter – Fiscal Year 2008-2009 for submission to the Board of County Commissioners (memorandum dated October 9 2009)	486-489
	3. Release of Lien – Shelby Homes at Oslo, Inc., Environmental Control Hearing Board Case 434-08 (memorandum dated October 26, 2009)	490-492

**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.*