



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

TUESDAY, DECEMBER 1, 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

**Peter D. O’Bryan, Chairman
Bob Solari, Vice Chairman
Wesley S. Davis
Joseph E. Flescher
Gary C. Wheeler**

**District 4
District 5
District 1
District 2
District 3**

**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> | Father Tri Tang Pham, St. Helen Catholic Church | |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Joseph E. Flescher | |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | | |
| A. | Presentation of Proclamation Honoring Vernita Shephard on Her Retirement from Indian River County Board of County Commissioners Department of Human Services for Thirty-One Years of Service | | 1-2 |
| B. | Presentation by Indian River County Chamber of Commerce Regarding Resolution Affirming the Chamber’s Support of Beach Renourishment | | |

6.	<u>APPROVAL OF MINUTES</u>	<u>PAGE</u>
	None	
7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
	A. City of Sebastian Appointments to County Committees and Regional Boards for 2009-2010 (memorandum dated November 20, 2009)	3-5
	B. Services Agreement between the County and the School District regarding Background Checks and Fingerprinting of Volunteers (memorandum dated November 18, 2009)	6-10
8.	<u>CONSENT AGENDA</u>	
	A. Approval of Warrants and Wires – November 5, 2009 to November 12, 2009 (memorandum dated November 12, 2009)	11-18
	B. Approval of Warrants and Wires – November 13, 2009 to November 19, 2009 (memorandum dated November 19, 2009)	19-28
	C. Resolution Supporting Local Legislation to Allow the City of Vero Beach Electric Utility to be Placed under the Public Services Commission Controls (memorandum dated November 17, 2009)	29-33
	D. Resolution in Support of Naming a Portion of S.R. 60 as “the Richard Raczowski Memorial Highway” (memorandum dated November 18, 2009)	34-37
	E. Resolution Expanding the Powers and Duties of the Utility Advisory Committee (memorandum dated November 18, 2009)	38-41
	F. Woodside Trillium, LLC’s Request for a Final Plat Approval for a Replat of a Portion of Trillium West to be known as Drexel Park II Residential Subdivision (memorandum dated November 9, 2009)	42-50
	G. M.A.C.E. (Multi-Agency Criminal Enforcement Unit) Grant, Project Generated Income, Miscellaneous Budget Amendment 002 (memorandum dated November 17, 2009)	51-58

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	H. Miscellaneous Budget Amendment 001 (memorandum dated November 17, 2009)	59-61
	I. Approval of Bid Award for IRC Bid No. 2010015 Annual Bid for Aluminum Sulfate, Utilities Department/Utilities Operations Center (memorandum dated November 13, 2009)	62-66
	J. Vero Investments 53, LLC's Request for Final Plat Approval for a Commercial Subdivision to be known as 53 rd Street/US1 Commercial (memorandum dated November 3, 2009)	67-82
	K. FDOT Small County Outreach Program (SCOP) Agreement and Authorizing Resolution for Resurfacing of Old Dixie Highway from U.S. Hwy 1 to 53 rd Street (memorandum dated November 10, 2009)	83-98
	L. Change Order No. 1 and Release of Retainage, Misener Marine Construction, Inc. 53 rd Street Bridge over Lateral H Canal, IRC Project No. 0107B, 56 th Place Bridge over North Relief Canal, IRC Project No. 9920B, 16 th Street Bridge at 74 th Avenue over Rangeline Canal, IRC Project No. 0611B (memorandum dated November 10, 2009)	99-108
	M. Amendment No. 5 to the Civil Engineering and Land Surveying Agreement for Intersection Improvements at SR 60 and 43 rd Avenue and Widening of 43 rd Avenue from 18 th Street to 26 th Street (memorandum dated November 17, 2009)	109-115
	N. Work Order No. 14 with Bridge Design Associates, Inc., Right of Way Permit Application for Construction of Bridge on 89 th Street over SRWCD Lateral D Canal (CR510) (memorandum dated November 12, 2009)	116-120
	O. Award of Bid, Landscaping on 58 th Avenue from Oslo Road (9 th Street S.W.) to 16 th Street, Bid 2009053, IRC Project No. 0916, FDOT Local Agency Program (LAP) Agreement – FPN No. 426383-1-58-01 (memorandum dated November 19, 2009)	121-123
	P. Renewal of Professional Bridge Design Services Agreement for 2009-2010 (memorandum dated November 12, 2009)	124-126
	Q. Bid Award: IRC #1010016 Annual Bid for Harris FX Software Services Emergency Services (memorandum dated November 12, 2009)	127-131

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	R. Office of the Medical Examiner, Request to Increase Cremation Approval Fees (memorandum dated November 18, 2009)	132-133
	S. Blue Cypress Lake Park (memorandum dated November 20, 2009)	134-137
	T. Amendment No. 4 to the Civil Engineering and Land Surveying Agreement with Kimley-Horn and Associates, Inc. for Intersection Improvements at 58 th Avenue and SR 60 (memorandum dated November 19, 2009)	138-142
	U. Final Approval for Recording CR 512, Phase 3, from West of CR510 to Roseland Road Right-of-Way Map (memorandum dated November 17, 2009)	143-155
	V. Final Approval for Recording Old Dixie Highway (North) US1 to 69 th Street Right-of-Way Map (memorandum dated November 17, 2009)	156-170
	W. Request to set a Public Hearing date regarding an Application for a Certificate of Public Convenience and Necessity for a Class B Certificate from We Care of the Treasure Coast to Provide Non-Emergency BLS Ambulance Interfacility Transports (memorandum dated November 19, 2009)	171
	X. Approval of Professional Services Agreement between Indian River County and the Treasure Coast Regional Planning Council for Continuity of Operations Plan Comprehensive Update and Addition of Indian River County Administration Annex (memorandum dated November 20, 2009)	172-183
	Y. Approval of 2009/2010 Award Letter for State Homeland Security Grant Program (memorandum dated November 20, 2009)	184-188
9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
	A. <u>Deryl Loar, Indian River County Sheriff</u> Department of Justice, Bureau of Justice Assistance State Criminal Alien Assistance Program (letter dated November 16, 2009)	189-190

9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	<u>PAGE</u>
	B. <u>Kay Clem, Indian River County Supervisor of Elections</u> New Voting Equipment for Voters with Disabilities (memorandum dated November 23, 2009)	191-202
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10.	<u>PUBLIC ITEMS</u>	
	A. <u>PUBLIC HEARINGS</u>	
	1. Public Hearing on the Ordinance to Create a New “Gifford Community Center MSTU” (memorandum dated November 17, 2009)	203-211
	Legislative	
	2. Shell Lane East a Portion of Summerplace Petition Sewer Service, Indian River County Project No. UCP 4039, Preliminary Assessment – Resolution III (memorandum dated November 16, 2009)	212-233
	Administrative	
	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 Dethrice Kyles/Indian River Jaguars Regarding Refund, Civil Right to Public Property	234
	C. <u>PUBLIC NOTICE ITEMS</u>	
	None	
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	A. Meetings of the Board of County Commission. Proposed 2010 Meeting Dates (memorandum dated November 23, 2009)	235-236
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12.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	1. Consideration of eMindful Inc’s Request for a Local Jobs Grant (memorandum dated November 18, 2009)	237-260
	B. <u>Emergency Services</u>	
	None	

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	C. <u>General Services</u>	
	None	
	D. <u>Human Resources</u>	
	1. County Attorney Hiring Process – Narrowing the Field of Candidates (no back-up)	
	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>	
	1. Staff Update – Sector 3 Beach Renourishment Project (no back-up)	
	J. <u>Utilities Services</u>	
	None	
13.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Realignment of 101 st Avenue/102 nd Terrace (memorandum dated November 5, 2009)	261-268
	B. Reconsideration of Acquisition of Right-of-Way along 66 th Avenue Banack Family Limited Partnership 66 th Avenue and 41 st Street (memorandum dated November 23, 2009)	269-281

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

A. **Commissioner Peter D. O’Bryan, Chairman**
None

B. **Commissioner Bob Solari, Vice Chairman**
None

C. **Commissioner Wesley S. Davis**
None

D. **Commissioner Joseph E. Flescher**
None

E. **Commissioner Gary C. Wheeler**
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 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.***