



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

TUESDAY, DECEMBER 15, 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> | Chaplain Kenneth Jones,
VNA of Indian River County | |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Peter D. O’Bryan, Chairman | |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | | |
| A. | Presentation of Proclamation Designating December 19, 2009 as “Winterfest Day” | | 1 |
| B. | Presentation on Winterfest 2009 by Chuck Mechling, Pointe West | | |
| C. | 211 Annual Service Delivery Report: 2008-2009 Perspective, by Susan K. Buza, Executive Director, 211 Palm Beach/Treasure Coast | | |

6. APPROVAL OF MINUTES

- A. Regular Meeting of October 13, 2009
- B. Joint Meeting October 15, 2009 – Water and Sewer Consolidation
- C. Regular Meeting of October 20, 2009

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

- A. School Board Appointments to County Committees for 2009-2010
(memorandum dated December 7, 2009) 2-7

8. CONSENT AGENDA

- A. Approval of Warrants and Wires, December 1, 2009 to December 3, 2009
(memorandum dated December 3, 2009) 8-15
- B. FP&L Co Gifford Substation Easement and Right-of-way
(memorandum dated December 7, 2009) 16-31
- C. Consideration of a First Amendment to the Memorandum of Agreement with
the Indian River Land Trust and a Modified Version of the Lease Agreement
with the Florida Inland Navigation District
(memorandum dated December 8, 2009) 32-37
- D. Florida Department of Law Enforcement FY 2009/2010 Edward Byrne
Memorial Justice Assistance Grant (JAG) Program
(memorandum dated December 7, 2009) 38-46
- E. Approval of Application for Department of Energy Grant
(memorandum dated December 4, 2009) 47-65
- F. FY 2008-2009 Records Disposition Compliance Statement and Records
Management Liaison Officer Form – Board of County Commissioners
(memorandum dated December 9, 2009) 66-72
- G. Interest Rate Change on All County Financing (Petition Paving, Utility
Assessment Projects, Utility Impact Fees, etc.)
(memorandum dated December 7, 2009) 73
- H. Approval of Amendment No. 2 to DEP, Agreement No. G0182 for the Main
Relief Canal Pollution Control Structure
(memorandum dated November 30, 2009) 74-92

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
I.	Request to Enter into a Public Transportation Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) (memorandum dated December 2, 2009)	93-118
J.	Request for Project Administration Consultant Approval for the New Transit Administration/Bus Parking Facility (memorandum dated December 4, 2009)	119-145
K.	Request for Board Approval of a Work Plan Modification, a Budget Amendment and Closeout of the County's Neighborhood Revitalization Community Development Block Grant (CDBG) (memorandum dated December 7, 2009)	146-164
L.	Extension of Lease with the Economic Opportunities Council of Indian River County, Inc., for Use of a Portion of Douglass School to Operate Head Start of Indian River County (memorandum dated December 9, 2009)	165-167
M.	Declare Excess Equipment Surplus for Sale or Disposal (memorandum dated December 3, 2009)	168-170
N.	Change Order No. 1 – Additional Utilities, Roadway Improvements to 16 th Street From 74 th Avenue to 66 th Avenue and 66 th Avenue from 16 th Street to S.R. 60, Bid Number 2009037 – J.W. Cheatham, LLC, IRC Project No. 9920, 9810-A, 0545 (memorandum dated November 25, 2009)	171-176
O.	State Lobbyist Agreement (memorandum dated December 4, 2009)	177-179
9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
A.	<u>Kay Clem, Indian River County Supervisor of Elections</u> Memorandum of Agreement and Certificate regarding matching funds, Federal Election Activities Funds (letter dated November 19, 2009)	180-200
B.	<u>Deryl Loar, Indian River County Sheriff</u> Forfeiture Trust Fund (letter dated December 9, 2009)	201-202

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
A. <u>PUBLIC HEARINGS</u>		
1.	Consideration of Proposed Amendments to the RS-6, RT-6, RM-6, RM-8, and RM-10 Maximum Building Coverage Regulations Chapter 911 (memorandum dated November 13, 2009) Legislative	203-218
2.	Request from We Care of the Treasure Coast, Inc. for a Class B Certificate of Public Convenience and Necessity to provide BLS Interfacility transports originating from Indian River County (memorandum dated December 7, 2009) Quasi-Judicial	219-266
3.	Continuation of Public Hearing on the Ordinance to Create a New "Gifford Community Center M.S.T.U." (memorandum dated December 7, 2009) Legislative	267-282
 B. <u>PUBLIC DISCUSSION ITEMS</u>		
None		
 C. <u>PUBLIC NOTICE ITEMS</u>		
None		
 11.	 <u>COUNTY ADMINISTRATOR MATTERS</u>	
None		
 12.	 <u>DEPARTMENTAL MATTERS</u>	
A. <u>Community Development</u>		
None		
 B. <u>Emergency Services</u>		
None		

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	C. <u>General Services</u>	
	1. Change of Scheduled Days Opened and Closed at Shooting Range (memorandum dated December 9, 2009).....	283-286
	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>	
	1. Staff Update – Sector 3 Beach Renourishment Project (no back-up)	
	J. <u>Utilities Services</u>	
	1. South County Reverse Osmosis Water Treatment Plant Concentrate Disposal Options Camp Dresser & McKee, Inc. (CDM) – Work Order No. 17 (Memorandum dated October 29, 2009).....	287-294
	2. Indian River Farms Water Control District Five-Year Lease Agreements for Calendar Year 2009 (memorandum dated December 7, 2009).....	295-353
	3. West Regional Wastewater Treatment Plant Expansion from 2 mgd to 6 mgd – Change Order No. 4 for Additional Work – UCP-2621 (memorandum dated December 7, 2009).....	354-368

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	J. <u>Utilities Services</u>	
	4. San Sebastian Springs Subdivision Petition Water Service Indian River County Project No. UCP-3014, Resolution IV – Final Assessment (memorandum dated December 1, 2009)	399-397
	5. Advance Utility Systems Software License, Implementation and Support and Maintenance Agreement (memorandum dated December 4, 2009)	398
13.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Unconditional offer for two parcels of property owned by Vero Estates, LLC at the northeast corner of 66 th Avenue and County Road 510 (memorandum dated December 9, 2009)	399-405
	B. Intervener into Fellsmere Department of Community Affairs Department of Administrative Hearings Regarding Fellsmere’s Large Scale Comprehensive Land Use Changes (memorandum dated December 8, 2009)	406-407
	C. Stipulated Order of Take 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 December 8, 2009)	408-410
14.	<u>COMMISSIONERS ITEMS</u>	
	A. <u>Commissioner Peter D. O’Bryan, Chairman</u>	
	1. Policy on Prohibiting the Use of Electronic Communications during County Commission Meetings (memorandum dated December 8, 2009)	411
	B. <u>Commissioner Bob Solari, Vice Chairman</u>	
	None	
	C. <u>Commissioner Wesley S. Davis</u>	
	1. Request for Discussion (memorandum dated December 9, 2009)	412
	D. <u>Commissioner Joseph E. Flescher</u>	
	None	

14.	<u>COMMISSIONERS ITEMS</u>	<u>PAGE</u>
E.	<u>Commissioner Gary C. Wheeler</u>	
	None	

15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	
A.	<u>Emergency Services District</u>	
1.	Authorization for Final Payment and Release of Retainage to Barth Construction, Inc. for the Construction of Fire Rescue Station #12 (memorandum dated December 2, 2009)	413-428
2.	FY 2008-2009 Records Disposition Compliance Statement and Records Management Liaison Officer Form – Emergency Services District (memorandum dated December 9, 2009)	429-433
B.	<u>Solid Waste Disposal District</u>	
1.	Approval of Minutes – Regular Meeting of October 13, 2009	
2.	Approval of Minutes – Regular Meeting of October 20, 2009	
3.	Approval of Minutes – Regular Meeting of November 3, 2009	
4.	FY 2008-2009 Records Disposition Compliance Statement and Records Management Liaison Officer Form – Solid Waste Disposal District (memorandum dated December 9, 2009)	434-436
C.	<u>Environmental Control Board</u>	
	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.***