



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

**TUESDAY, FEBRUARY 2, 2010 - 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**

**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**

|    | <b><u>CALL TO ORDER</u></b>   | <b><u>9:00 A.M.</u></b>                     | <b><u>PAGE</u></b> |
|----|---|---|--------------------|
| 1. | <b><u>CALL TO ORDER</u></b>   | <b><u>9:00 A.M.</u></b>                     |                    |
| 2. | <b><u>INVOCATION</u></b>  | Reverend Steve Jones, Vero Christian Church |                    |
| 3. | <b><u>PLEDGE OF ALLEGIANCE</u></b>  | Commissioner Joseph E. Flescher             |                    |
| 4. | <b><u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b>   |   |                    |
| 5. | <b><u>PROCLAMATIONS and PRESENTATIONS</u></b>   |   |                    |
| A. | Presentation of Proclamation Honoring Donald Braughton on His Retirement from Indian River County Board of County Commissioners Department of Public Works Parks Division |   | 1-2                |
| B. | Presentation of Proclamation Honoring 211 Awareness Week February 7 <sup>th</sup> through February 13 <sup>th</sup> , 2010  |   | 3                  |

| <b>5.</b> | <b><u>PROCLAMATIONS and PRESENTATIONS</u></b>  | <b><u>PAGE</u></b> |
|-----------|--|--------------------|
|           | C. Presentation of Enterprise Zone activities by Rick Lane, Chairman, Enterprise Zone Development Agency and Helene Caseltine, Director of Economic Development, Indian River County Chamber of Commerce |                    |
| <b>6.</b> | <b><u>APPROVAL OF MINUTES</u></b>  |                    |
|           | A. Regular Meeting of December 1, 2009   |                    |
|           | B. Regular Meeting of December 8, 2009   |                    |
|           | C. Regular Meeting of December 15, 2009  |                    |
| <b>7.</b> | <b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>   |                    |
|           | A. Treasure Coast Regional Planning Council (TCRPC) Comprehensive Economic Development Strategy Committee (CEDSC) Appointments for 2010<br>(memorandum dated January 14, 2010)                           | 4                  |
|           | B. Resignation of District 5 Appointee to the Children’s Services Advisory Committee<br>(memorandum dated January 20, 2010)  | 5-6                |
|           | C. 2010 Election of Planning & Zoning Commission Chairman and Vice Chairman<br>(memorandum dated January 15, 2010)   | 7                  |
|           | D. 2010 Election of Historic Resources Advisory Committee (HRAC) Chairman and Vice Chairman<br>(memorandum dated January 21, 2010)   | 8                  |
|           | E. 2010 Election of Emergency Services District Advisory Committee Chairman and Vice Chairman<br>(memorandum dated January 21, 2010)   | 9                  |
|           | F. 2010 Election of Code Enforcement Board Chairman and Vice Chairman<br>(memorandum dated January 26, 2010)   | 10                 |
|           | G. 2010 Election of Conservation Lands Advisory Committee Chairman and Vice Chairman<br>(memorandum dated January 22, 2010)  | 11                 |

| <b>7. <u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>  | <b><u>PAGE</u></b> |
|--|--------------------|
| <b>H.</b> 2010 Election of Beach and Shore Preservation Committee Chairman and Vice Chairman<br>(memorandum dated January 19, 2010)                      | 12                 |
| <b>I.</b> 2010 Election of Economic Development Council Chairman and Vice Chairman<br>(memorandum dated January 20, 2010)                                | 13                 |
| <b>J.</b> 2010 Election of MPO Bicycle Advisory Committee (MPOBAC) Chairman and Vice Chairman<br>(memorandum dated January 27, 2010)                     | 14                 |
| <b>K.</b> 2010 Election of Enterprise Zone Development Agency (EZDA) Chairman and Vice Chairman and Vice Chairman<br>(memorandum dated January 15, 2010) | 15                 |
| <b>L.</b> 2010 Election of Utility Advisory Committee (UAC) Chairman and Vice Chairman<br>(memorandum dated January 15, 2010)                            | 16                 |
| <b>M.</b> Resignation of District 1 Appointee to the Utility Advisory Committee<br>(memorandum dated January 14, 2010)                                   | 17-18              |
| <b>N.</b> Resignation of the Architect Representative to the Code Enforcement Board<br>(memorandum dated January 27, 2010)                               | 19                 |
| <b>O.</b> Resignation of the Attorney Representative to the Environmental Control Hearing Board<br>(memorandum dated January 28, 2010)                   | 20                 |
| <br>   |                    |
| <b>8. <u>CONSENT AGENDA</u></b>  |                    |
| <b>A.</b> Approval of Warrants and Wires, January 8, 2010 to January 14, 2010<br>(memorandum dated January 14, 2010)                                     | 21-29              |
| <b>B.</b> Approval of Warrants and Wires, January 15, 2010 to January 21, 2010<br>(memorandum dated January 21, 2010)                                    | 30-37              |
| <b>C.</b> Dori Slosberg Driver Education Safety Act, Indian River County Traffic Education Program Trust Fund<br>(memorandum dated January 15, 2010)     | 38-39              |

| <b>8.</b> | <b><u>CONSENT AGENDA</u></b>   | <b><u>PAGE</u></b> |
|-----------|--|--------------------|
| <b>D.</b> | 318.18(13) Florida Statutes Assessment of Additional Court Costs Quarterly Summary<br>(memorandum dated January 15, 2010)  | 40-41              |
| <b>E.</b> | Request for Change in Meeting Frequency of the Emergency Services District Advisory Committee<br>(memorandum dated January 21, 2010)   | 42                 |
| <b>F.</b> | Proclamation Honoring John Ausbury on His retirement From Indian River County Board of County Commissioners Department of Sandridge Golf Club  | 43-44              |
| <b>G.</b> | Appointment of Gifford Community Representative to the Parks and Recreation Committee<br>(memorandum dated January 26, 2010)   | 45-50              |
| <b>H.</b> | Selection of Professional Engineering firms to provide Geotechnical Services on an Annual Services Contract<br>(memorandum dated January 19, 2010)   | 51-70              |
| <b>I.</b> | Amendment No. 1 to Work Order No. 11 to the Professional Bridge Design Services Agreement with Bridge Design Associates, Inc. for Pedestrian Bridge over 14 <sup>th</sup> Street Canal, IRC Project #0745<br>(memorandum dated January 6, 2010)  | 71-75              |
| <b>J.</b> | Paving and Drainage Improvements to 17 <sup>th</sup> Lane S.W. (27 <sup>th</sup> Avenue to 20 <sup>th</sup> Avenue) and 20 <sup>th</sup> Avenue (21 <sup>st</sup> Street S.W. to 17 <sup>th</sup> Lane S.W.) Project #0803, 0837, & 0838, Bid Number 2008073, Change Order No. 3 and Release of Retainage<br>(memorandum dated January 19, 2010) | 76-95              |
| <b>K.</b> | Amendment No. 2 to Work Order No. 1, Professional Civil Engineering Services Agreement with Arcadis G&M Inc. for Widening 43 <sup>rd</sup> Avenue from Oslo Road to 8 <sup>th</sup> Street<br>(memorandum dated January 11, 2010)  | 96-102             |
| <b>L.</b> | Amendment No. 11 to the Professional Services Agreement with Carter Associates, Inc., IRC Project No. 9810, 66 <sup>th</sup> Avenue Paving Improvements (4 <sup>th</sup> Street to SR 60)<br>(memorandum dated January 11, 2010)   | 103-108            |
| <b>M.</b> | Former Cattle Dip Site – Geosyntec Consultants, Inc., Work Order #24 – Site Assessment Addendum<br>(memorandum dated January 5, 2010)  | 109-163            |

| <b>8.</b>  | <b><u>CONSENT AGENDA</u></b>  | <b><u>PAGE</u></b> |
|------------|---|--------------------|
| N.         | Indian River Farms Permit<br>(memorandum dated January 27, 2010)  | 164-170            |
| O.         | Approval of a One Year Extension of the Contract with the Heveron Group, Inc., d/b/a/ Beachland Cleaning Services for Custodial Services<br>(memorandum dated January 27, 2010)   | 171-198            |
| P.         | Final Pay to Sheltra & Sons Construction Co., Inc. for Replacement of 16” Aerial Water Main Crossing of FDOT Ditch With Directional Drill Water Main on US1 at 73 <sup>rd</sup> Street, UCP No. 4032<br>(memorandum dated January 14, 2010) | 199-203            |
| Q.         | Final Pay to Sheltra & Sons Construction Co., Inc., for Wabasso Beach Park Lift Station Wet Well Drop Inlet, UCP 4006<br>(memorandum dated January 14, 2010)  | 204-208            |
| R.         | Work Order No. 14 with CDM – Final Pay and Release of Retainage to Engineering Consultant<br>(memorandum dated January 19, 2010)  | 209-213            |
| S.         | Final Pay to AMPS Inc. to refurbish Well No. 5 at South County RO Water Treatment Plant<br>(memorandum dated December 17, 2009)   | 214-217            |
| T.         | Approval of Change Order No. 1 to SJRWMD Contract No. 25245 for Egret Marsh Regional Stormwater Park<br>(memorandum dated January 25, 2010)   | 218-221            |
| U.         | Bureau of Justice Adult Drug Court Grant<br>(memorandum dated January 26, 2010)   | 222-235            |
| <b>9.</b>  | <b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>   |                    |
| A.         | <b><u>Deryl Loar, Indian River County Sheriff</u></b><br>Resolution in Support of Senate Bill 610 and House Bill 417<br>(memorandum dated January 12, 2010)   | 236-242            |
| <b>10.</b> | <b><u>PUBLIC ITEMS</u></b>  |                    |
| A.         | <b><u>PUBLIC HEARINGS</u></b><br>None   |                    |

|            |   |                    |
|------------|---|--------------------|
| <b>10.</b> | <b><u>PUBLIC ITEMS</u></b>  | <b><u>PAGE</u></b> |
|            | <b>B. <u>PUBLIC DISCUSSION ITEMS</u></b>  |                    |
|            | 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 Stephen H. Courtright Regarding Request to Sell Flowers on the Corner of 43 <sup>rd</sup> & SR60 on Various Holidays   | 243                |
|            | 2. Request to Speak from Joe T. Wiggins Regarding Sidewalk on 11 <sup>th</sup> Street S.W.  | 244                |
|            | 3. Request to Speak from Bruce Barkett, for City First Mortgage Corp., Regarding the Matter of Lewis Barton Code Enforcement Reduction of Lien  | 245-263            |
|            | <b>C. <u>PUBLIC NOTICE ITEMS</u></b>  |                    |
|            | None  |                    |
| <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>  |                    |
|            | 1. Consideration of Indian River County's Agency Report on the FPL Energy Secure Pipeline Siting Application No. NG09-02 (memorandum dated January 25, 2010)  | 264-286            |
|            | 2. Request for Authorization to Abate Recurrence of a Public Nuisance on an Unmaintained Golf Course within Vista Gardens Multifamily Development (Landowner: Vista Golf LLC, Code Enforcement Case No. 2009060086) (memorandum dated January 25, 2010) | 287-299            |
|            | <b>B. <u>Emergency Services</u></b>   |                    |
|            | None  |                    |
|            | <b>C. <u>General Services</u></b>   |                    |
|            | 1. Six Month Review, Indian River County Code, Section 105.041, Local Preference in Purchasing or Contracting (memorandum dated January 25, 2010)   | 300-301            |

| <b>12.</b> | <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>   |                    |
|            | None   |                    |
|            | <b>H.     <u>Recreation</u></b>  |                    |
|            | None   |                    |
|            | <b>I.     <u>Public Works</u></b>  |                    |
|            | 1.     Construction Contract – Ranger Construction Industries, Inc.<br>Sector 3 Beach Restoration Project<br>(memorandum dated January 26, 2010)   | 302-310            |
|            | 2.     Sector 3 Beach Restoration Project, Ranger Construction Industries,<br>Inc., Construction Contract Change Order No. 1<br>(memorandum dated January 27, 2010)  | 311-315            |
|            | 3.     Work Order No. 8 – Coastal Technology Corporation Inc., Sector 3<br>Beach Restoration Project – Phase I Construction, Phase Services<br>and Immediate Post-Phase I Construction Monitoring<br>(memorandum dated January 26, 2010) | 316-323            |
|            | <b>J.     <u>Utilities Services</u></b>  |                    |
|            | 1.     Recommendation of the Utility Advisory Committee for the Board<br>of County Commissioners to Send a Letter to Florida Power and<br>Light Regarding Additional County Electric Service<br>(memorandum dated January 21, 2010)      | 324-327            |
|            | 2.     Reuse Rate Study and Addendum<br>(memorandum dated January 27, 2010)  | 328-348            |

| <b>13.</b> | <b><u>COUNTY ATTORNEY MATTERS</u></b>   | <b><u>PAGE</u></b> |
|------------|---|--------------------|
| A.         | Resolution Re-Constituting the Marine Advisory Narrows Watershed Action Committee (MANWAC) as the Marine Advisory Committee (memorandum dated January 18, 2010) | 349-354            |
| <hr/>      |   |                    |
| <b>14.</b> | <b><u>COMMISSIONERS ITEMS</u></b>   |                    |
| A.         | <b><u>Commissioner Peter D. O'Bryan, Chairman</u></b><br>None   |                    |
| B.         | <b><u>Commissioner Bob Solari, Vice Chairman</u></b>  |                    |
| 1.         | Discussion Item<br>(memorandum dated January 25, 2010)  | 355                |
| <hr/>      |   |                    |
| C.         | <b><u>Commissioner Wesley S. Davis</u></b>  |                    |
| 1.         | Appointments to Marine Advisory Narrows Watershed Action Committee (MANWAC)<br>(memorandum dated January 27, 2010)  | 356                |
| <hr/>      |   |                    |
| 2.         | Request for Resolution re Chinese Drywall<br>(memorandum dated January 25, 2010)  | 357-360            |
| <hr/>      |   |                    |
| D.         | <b><u>Commissioner Joseph E. Flescher</u></b><br>None   |                    |
| E.         | <b><u>Commissioner Gary C. Wheeler</u></b><br>None  |                    |
| <hr/>      |   |                    |
| <b>15.</b> | <b><u>SPECIAL DISTRICTS AND BOARDS</u></b>  |                    |
| A.         | <b><u>Emergency Services District</u></b><br>None   |                    |
| B.         | <b><u>Solid Waste Disposal District</u></b>   |                    |
| 1.         | Approval of Minutes Regular Meeting of December 8, 2009   |                    |
| 2.         | Approval of Minutes Regular Meeting of December 15, 2009  |                    |
| 3.         | Approval of Minutes Regular Meeting of January 5, 2010  |                    |



|            |   |                    |
|------------|---|--------------------|
| <b>15.</b> | <b><u>SPECIAL DISTRICTS AND BOARDS</u></b>  | <b><u>PAGE</u></b> |
|            | <b><u>B. Solid Waste Disposal District</u></b>  |                    |
|            | 4. Amendment No. 1 to Work Order No. 9 to Camp Dresser and McKee for Engineering Services Related to the New Oslo Customer Convenience Center<br>(memorandum dated January 7, 2010) | 361-380            |
|            | 5. Waste Tire Pyrolysis Demonstration at Indian River County Landfill<br>(memorandum dated January 12, 2010)  | 381-395            |
|            | <b><u>C. Environmental Control Board</u></b>  |                    |
|            | 1. Approval of Minutes Regular Meeting of November 3, 2009  |                    |
|            | 2. Report of Activities for First Quarter FY 09/10 (October through December 2009)<br>(memorandum dated January 9, 2010)  | 396-398            |

**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.***