



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

**SPECIAL CALL MEETING**

**MONDAY, FEBRUARY 22, 2010 - 11:00 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**

**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**

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| <b>1.</b> | <b><u>CALL TO ORDER</u></b>  | <b><u>11:00 A.M.</u></b>               |
| <b>2.</b> | <b><u>INVOCATION</u></b>   | Commissioner Wesley S. Davis           |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b>   | Commissioner Bob Solari, Vice Chairman |
| <b>4.</b> | <b><u>COMMISSIONERS ITEMS</u></b>  |  |
|           | <b><u>A. Commissioner Peter D. O'Bryan, Chairman</u></b>   |  |
|           | 1. Modification of Resolution 2009-033, Section 3, to include County Commissioners as Officers of the County Economic Development Agency | 1-3                                    |
|           | 2. Request authorization for out of state travel for County Commissioners acting as Officers of the County Economic Development Agency   |  |
| <b>5.</b> | <b><u>ADJOURNMENT</u></b>  |  |

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.***

**AN AMENDED RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, DESIGNATING THE COUNTY ADMINISTRATOR'S OFFICE AS THE COUNTY ECONOMIC DEVELOPMENT AGENCY FOR ALL PURPOSES; DESIGNATING THE COUNTY ADMINISTRATOR'S OFFICE AS THE COUNTY ECONOMIC DEVELOPMENT AGENCY WITH RESPECT TO THE INDIAN RIVER COUNTY SOLID WASTE DISPOSAL DISTRICT, A DEPENDENT SPECIAL DISTRICT OF INDIAN RIVER COUNTY; DESIGNATING THAT THE COUNTY ADMINISTRATOR IS THE ECONOMIC DEVELOPMENT OFFICER OF THE COUNTY ECONOMIC DEVELOPMENT AGENCY FOR ALL PURPOSES INVOLVING NEW BUSINESS COMING INTO THE COUNTY OR EXPANDING BUSINESSES; DESIGNATING THAT THE COUNTY ADMINISTRATOR MAY DESIGNATE COUNTY COMMISSIONERS TO ACT AS OFFICERS OF THE AGENCY FOR ALL PURPOSES UNDER THIS RESOLUTION; PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Florida Statutes section 288.075(1)(a)4 defines "economic development agency" as the public economic development agency of a county or, if a county does not have a public economic development agency, the county officers or employees assigned the duty to promote the general business interests or industrial interests of that county or the responsibilities related thereto; and

WHEREAS, Florida Statutes section 288.075(2)(a) provides that, upon written request from a private corporation, partnership, or person, information held by an economic development agency concerning plans, intentions, or interests of such private corporation, partnership, or person to locate, relocate, or expand its business activities in this state is confidential and exempt from Florida Statutes section 119.07(1) and section 24(a), Art. I of the State Constitution for twelve (12) months after the date an economic development agency receives a request for confidentiality or until the information is otherwise disclosed, whichever occurs first ; and

WHEREAS, Florida Statutes section 288.075(2)(b) provides that, an economic development agency may extend the period of confidentiality specified in subsection (2)(a) for up to an additional twelve (12) months upon written request from the private corporation, partnership, or person who originally requested confidentiality under Florida Statutes section 288.075(2) and upon a finding by the economic development agency that such private corporation, partnership, or person is still actively considering locating, relocating, or expanding its business activities in this state; and

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WHEREAS, Florida Statutes section 288.075(3) allows "trade secrets" (as defined in Florida Statutes section 688.002) held by an economic development agency to be confidential and exempt from Florida Statutes section 119.07(1) and s. 24(a), Art. I of the State Constitution; and

WHEREAS, Florida Statutes section 288.075(4) allows "proprietary confidential business information" held by an economic development agency to be confidential and exempt from Florida Statutes section 119.07(1) and s. 24(a), Art. I of the State Constitution, until such information is otherwise publicly available or is no longer treated by the proprietor as proprietary confidential business information;

WHEREAS, pursuant to Resolution 2007-162, duly adopted by the Board of County Commissioners on December 4, 2007, the County Administrator was confirmed as the County Economic Development Officer and the County Administrator's Office was confirmed as the County Economic Development Agency with respect to major league baseball; and

WHEREAS, the Board of County Commissioners has determined that it is necessary and desirable to designate the County Administrator's Office as the County Economic Development Agency for all economic development purposes in the County, including, without limitation, the Indian River County Solid Waste Disposal District, a dependant special district of Indian River County.

**NOW, THEREFORE BE IT RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA,** as follows:

**SECTION 1.** The County Administrator's Office is hereby designated as the County Economic Development Agency (the "Agency") and the County Administrator and the County Commissioner designated as liaison to the County Economic Development Council are hereby designated as the County Economic Development Officers (the "Officers") for all of the purposes of Florida Statutes section 288.075, (the "Act"). For the purpose of this Resolution the Agency shall include the Indian River County Solid Waste Disposal District, a dependent special district of Indian River County.

**SECTION 2.** The Agency, by and through the Officers, are authorized and directed to honor, pursuant to and in all respects subject to the Act, any request for confidentiality received from a private corporation, partnership, or person with respect to its plans to locate, relocate, or expand any of its business activities in the County. Further, pursuant to and in all respects subject to the Act, "trade secrets" and "proprietary confidential business information" held by the Agency, by and through the Officer, is confidential and exempt from Florida Statutes section 119.07(1) and s. 24(a), Art. I of the State Constitution.

**SECTION 3.** The County Administrator in his capacity as Officer may designate, in writing, one or more County employees or County Commissioners to be assigned the

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duty to promote the general business interest or industrial interest of Indian River County or the responsibilities related thereto; in such event, the County employee(s) or Commissioners shall be deemed to be Officers of the Agency for all purposes under the Act and this Resolution.

**SECTION 4.** This Resolution is not intended, and shall not be construed, to delegate any function of the Board of County Commissioners. The policy of the County has been established by Resolution and it is the function of the County Administrator, or his designee in the exercise of his administrative function to carry out that policy.

**SECTION 5. SAVINGS PROVISION.** From and after the effective date of this Resolution, Resolution 2007-162 shall remain in full force and effect until otherwise modified, supplemented, or amended by the Board of County Commissioners.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**SECTION 7. REPLACEMENT OF RESOLUTION 2009-033.** This Resolution shall replace and supersede Resolution 2009-033 dated April 7, 2009.

This Resolution was moved for adoption by Commissioner \_\_\_\_\_, and the motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Chairman Peter D. O'Bryan	_____
Vice Chairman Bob Solari	_____
Commissioner Wesley S. Davis	_____
Commissioner Joseph E. Flescher	_____
Commissioner Gary C. Wheeler	_____

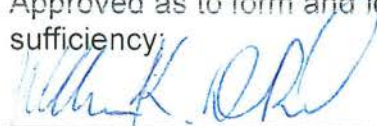
The Chairman thereupon declared the resolution duly passed and adopted this 22nd day of February, 2010.

Attest: J. K. Barton, Clerk

INDIAN RIVER COUNTY, FLORIDA  
by its Board of County Commissioners

By \_\_\_\_\_  
Deputy Clerk

By \_\_\_\_\_  
Peter D. O'Bryan, Chairman

Approved as to form and legal  
sufficiency:  
  
\_\_\_\_\_  
County Attorney

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