



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

TUESDAY, MARCH 23, 2010 - 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
Alan S. Polackwich, Sr., County Attorney
Jeffrey K. Barton, Clerk to the Board**

		<u>PAGE</u>
1.	<u>CALL TO ORDER</u>	<u>9:00 A.M.</u>
2.	<u>INVOCATION</u>	Pastor Roger Ball, Immanuel Church
3.	<u>PLEDGE OF ALLEGIANCE</u>	Commissioner Wesley S. Davis
4.	<u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u>	
5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	
A.	Presentation of Proclamation Celebrating Sebastian Charter Junior High School’s Tenth Anniversary with the April 10, 2010 Latin Festival	1
B.	Presentation of Proclamation Guardian Ad Litem Month	2
C.	Presentation of Proclamation Indian River County Celebrating Parents and Children	3

5.	<u>PROCLAMATIONS and PRESENTATIONS</u>	<u>PAGE</u>
	D. Presentation of Proclamation Designating March 21 – 27, 2010 as Boys & Girls Clubs Week	4
	E. Presentation by Mark Middlebrook, Executive Director, St. Johns River Alliance	
6.	<u>APPROVAL OF MINUTES</u>	
	A. Regular Meeting of February 2, 2010	
	B. Regular Meeting of February 9, 2010	
7.	<u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u>	
	A. Public Library Advisory Board (memorandum dated March 12, 2010)	5
	B. Appointment of the Attorney Representative to the Environmental Control Hearing Board (memorandum dated March 15, 2010)	6-11
8.	<u>CONSENT AGENDA</u>	
	A. Approval of Warrants and Wires – March 5, 2010 to March 11, 2010 (memorandum dated March 11, 2010)	12-19
	B. Approval of H.U.D. Renewal Grants to Indian River County, Administered through Treasure Coast Homeless Services Council, Inc. (memorandum dated March 17, 2010)	20-28
	C. Gifford Community Center – Architectural Services Work Order #2GCC (memorandum dated March 17, 2010)	29-45
	D. Assignment of Agreement for Federal Grant Administration Services between Indian River County and Keith and Schnars, P.A. to CivilSurv Design Group, Inc. (memorandum dated March 15, 2010)	46-56
	E. Fourth of July Fireworks Funding Miscellaneous Budget Amendment 011 (memorandum dated March 17, 2010)	57-61
	F. Acceptance of Emergency Management Federally-Funded Subgrant Agreement 10-BG-25-10-40-01-068 (memorandum dated March 11, 2010)	62-65

8.	<u>CONSENT AGENDA</u>	<u>PAGE</u>
	G. F.D.O.T. Local Agency Program (LAP) Supplemental Agreement – FPN No. 426383-1-58-01 and Resolution Authorizing the Chairman’s Signature Landscaping on 58 th Avenue from Oslo Road (9 th Street S.W.) to 16 th Street IRC Project No. 0916 (memorandum dated March 17, 2010)	66-72
	H. Release of Retainage and Final Payment of Work Order No. MC1-Revised with Peninsula Hydrologic Data Specialists, Inc. for Water Quality Testing and Support Services for PC Main (Main Relief Canal Pollution Control System) (memorandum dated March 12, 2010)	73-77
	I. Change Order No. 1 – Michael Schlitt Construction Corporation Landscape Improvements to 58 th Avenue from Oslo Road to 16 th Street IRC Project #0916, Bid Number 2009053 FDOT Local Agency Program (LAP) Agreement – FPN No. 426383-1-58-01 (memorandum dated March 3, 2010)	78-81
	J. Approval of Request for Proposal (RFP) 2010040 (memorandum dated March 17, 2010)	82-135
	K. Miscellaneous Budget Amendment 010 (memorandum dated March 16, 2010)	136-138
	L. Approval of Bid Award for IRC Bid No. 2010027 Demolition of Two (2) Structures (memorandum dated March 16, 2010)	139-144
	M. Right-of-Way Acquisition, 66 th Avenue Project #0370 6480 41 st Street, Parcel I.D. #32-39-29-00001-0190-00002.0 Project Parcel #301 (Located east of 66 th Avenue on 41 st Street) Owner: Phillip M. and Joanne A. Semenuck (memorandum dated March 1, 2010)	145-153
	N. Consideration by the Board to Rescind Resolution 2003-049 Which Classified 77 th Way as a “Limited Use Right-of-Way” (memorandum dated March 15, 2010)	154-160
9.	<u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u>	
	A. <u>Deryl Loar, Indian River County Sheriff</u> Budget Amendment (letter dated March 16, 2010)	161

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
A. <u>PUBLIC HEARINGS</u>		
1.	Office Product's Request to Rezone ± 0.886 Acres from CH to CG (memorandum dated March 8, 2010)	162-184
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Quasi-Judicial		
2.	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); and 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 March 8, 2010)	185-227
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Legislative		
3.	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, Light Industrial, to RM-6, Multi Family Residential District (up to 6 units / 1 acre) (memorandum dated March 8, 2010)	228-283
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Legislative		
4.	Consideration of Proposed Amendments to LDR Chapters 911, 926, and 927 for Landscaping and Tree Mitigation Regulations (memorandum dated March 1, 2010)	284-341
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Legislative		

10.	<u>PUBLIC ITEMS</u>	<u>PAGE</u>
	<u>B. 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 Donald Perrin, Veteran, Regarding Ban on Air Blower Hand Drier, Require Health Cards for Food Handlers, Enforce English as Language of U.S. Citizens, and Enforce Immigration Laws	342-345
	2. Request to Speak from William M. Wells Regarding Code Enforcement	346
	<u>C. PUBLIC NOTICE ITEMS</u>	
	1. <u>Notice of Scheduled Public Hearings:</u> Please be advised that two public hearings have been scheduled to consider the designation of a Brownfield Area near 74 th Avenue and 9 th Street S.W. (memorandum dated March 15, 2010)	347-348
	A. <u>Notice of Scheduled Public Hearing April 5, 2010</u> The first public hearing will be conducted by County and State Department of Environmental Protection staff on Monday, April 5, 2010 at 6:00 p.m. in the Pamela and Russell Bjorkman room of the Brackett Library at the Indian River State College Mueller Campus, located at 6155 College Lane, Vero Beach, Florida	
	B. <u>Notice of Scheduled Public Hearing April 20, 2010</u> The second public hearing will be conducted as part of the Tuesday, April 20, 2010 regular meeting of the Board of County Commissioners	
11.	<u>COUNTY ADMINISTRATOR MATTERS</u>	
	None	
12.	<u>DEPARTMENTAL MATTERS</u>	
	A. <u>Community Development</u>	
	1. Consideration of INEOS New Plant BioEnergy LLC's Request For a Local Jobs Grant (memorandum dated March 16, 2010)	349-376

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
A.	<u>Community Development</u>	
	2. Consideration of Amending the Indian River County Code to Change the Collection of Impact Fees from Building Permit Issuance to Certificate of Occupancy (memorandum dated March 15, 2010)	377-379
B.	<u>Emergency Services</u>	
	None	
C.	<u>General Services</u>	
	None	
D.	<u>Human Resources</u>	
	1. Request for Qualifications for Health Insurance/Excess Loss Reinsurance Brokerage and Actuarial Services – Committee Recommendations (memorandum dated March 17, 2010)	380-398
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)	
	2. Sector 3 Beach Restoration Project, Change Order No. 1, Ranger Construction Industries, Inc. (memorandum dated March 18, 2010)	399-411

12.	<u>DEPARTMENTAL MATTERS</u>	<u>PAGE</u>
	I. <u>Public Works</u>	
	3. Sector 3 Beach Restoration Project, Change Order No. 2, Ranger Construction Industries, Inc. (memorandum dated March 18, 2010)	412-416
	J. <u>Utilities Services</u>	
	None	
13.	<u>COUNTY ATTORNEY MATTERS</u>	
	A. Consideration of the Proposed Settlement between Indian River County and Grove Land Utilities (memorandum dated March 15, 2010)	417-435
14.	<u>COMMISSIONERS ITEMS</u>	
	A. <u>Commissioner Peter D. O'Bryan, Chairman</u>	
	1. Space Program Resolution (memorandum dated March 17, 2010)	436-439
	B. <u>Commissioner Bob Solari, Vice Chairman</u>	
	None	
	C. <u>Commissioner Wesley S. Davis</u>	
	None	
	D. <u>Commissioner Joseph E. Flescher</u>	
	None	
	E. <u>Commissioner Gary C. Wheeler</u>	
	None	
15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	
	A. <u>Emergency Services District</u>	
	1. Approval of Minutes Regular Meeting of December 8, 2009	
	2. Approval of Minutes Regular Meeting of December 15, 2009	

15.	<u>SPECIAL DISTRICTS AND BOARDS</u>	<u>PAGE</u>
A.	<u>Emergency Services District</u>	
	3. Approval of Minutes Regular Meeting of January 19, 2010	
	4. Emergency Services Station 9, Change Order No. 3 – Direct Purchases (memorandum dated March 9, 2010)	440-443
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B.	<u>Solid Waste Disposal District</u>	
	1. Approval of Minutes Regular Meeting of February 2, 2010	
	2. Work Authorization No. 4 – Final Pay to Geosyntec Consultants, Inc. for Engineering Services with the Design and Permitting for Segment 3 Class I Landfill (memorandum dated March 15, 2010)	444-453
	3. Work Authorization No. 16 and Amendment No. 1 – Final Pay to Geosyntec Consultants, Inc. for Engineering Services with the Construction of Vertical Expansion and Partial Closure of the Class I Landfill (memorandum dated March 15, 2010)	454-462
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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.***