



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

**TUESDAY, APRIL 20, 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  
Alan S. Polackwich, Sr., County Attorney  
Jeffrey K. Barton, Clerk to the Board**

		<b><u>PAGE</u></b>
<b>1.</b>	<b><u>CALL TO ORDER</u></b>	<b><u>9:00 A.M.</u></b>
<b>2.</b>	<b><u>INVOCATION</u></b>	Chaplain Kenneth Jones, VNA Hospice of Indian River County
<b>3.</b>	<b><u>PLEDGE OF ALLEGIANCE</u></b>	Commissioner Wesley S. Davis
<b>4.</b>	<b><u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b>	
<b>5.</b>	<b><u>PROCLAMATIONS and PRESENTATIONS</u></b>	
<b>A.</b>	Presentation of Proclamation Recognizing April 23 – 24, 2010 as Relay for Life Event in Indian River County	1
<b>B.</b>	Presentation of Proclamation Designating May 1, 2010 Through May 7, 2010 as Law Week in Indian River County	2
<b>C.</b>	A Presentation by the Environmental Learning Center Regarding their Dedication Ceremony on May 1, 2010	

<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	<b><u>PAGE</u></b>
A.	Regular Meeting of March 9, 2010	
B.	Regular Meeting of March 16, 2010	
<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	
A.	2010 Election of School Planning Citizens Oversight Committee Chairman and Vice Chairman (memorandum dated April 13, 2010)	3
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
A.	Approval of Warrants and Wires, April 5, 2010 to April 8, 2010 (memorandum dated April 8, 2010)	4-10
B.	Work Order No. 5 (Engineering/Surveying), Kimley-Horn and Associates, Inc., SR60 & 58 <sup>th</sup> Avenue Intersection Improvements and Right-of-Way Project (memorandum dated March 31, 2010)	11-12
C.	2010/2011 Budget Workshop Change of Dates (memorandum dated April 13, 2010)	13
D.	F.D.O.T. District Four (4) Maintenance Memorandum of Agreement and Resolution Authorizing the Chairman's Signature for Installation of Elliptical Reinforced Concrete Pipe (ERCP) on State Road 5/US-1 south of 53 <sup>rd</sup> Street, IRC Project No. 0107 (memorandum dated April 12, 2010)	14-25
E.	Declare additional excess equipment surplus for sale or proper disposal (memorandum dated April 14, 2010)	26-29
<b>9.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>	
	None	
<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	
A.	<b><u>PUBLIC HEARINGS</u></b>	
1.	Consideration of Establishing a Brownfield Area Near 74 <sup>th</sup> Avenue and 9 <sup>th</sup> Street SW (memorandum dated April 12, 2010)	30-41
	<b>Legislative</b>	

<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	<b><u>PAGE</u></b>
	<b><u>B. PUBLIC DISCUSSION ITEMS</u></b>	
	1. Request to Speak from Ken Felten, Brown & Brown Insurance, Vero Beach, Regarding Indian River County Board of County Commission Insurance Renewal	42
	2. Request to Speak from City of Vero Beach Councilmember Brian Heady Regarding Update on Latest Developments Regarding City of Vero Beach Electric Utility	
	<b><u>C. PUBLIC NOTICE ITEMS</u></b>	
	1. <b><u>Notice of Scheduled Public Hearing May 4, 2010:</u></b> Amendment to Section 100.03(4) of The Code of Indian River County, Codifying and Publishing the Ordinances to Readopt the Code up to and Including Supplement 78 (memorandum dated April 12, 2010)	43
	<b>Legislative</b>	
	2. <b><u>Notice of Scheduled Public Hearing May 4, 2010:</u></b> Application for a Certificate of Public Convenience and Necessity for a Class B Certificate from Coastal Health Systems of Brevard to Provide Non-Emergency ALS/BLS Ambulance Interfacility Transports (memorandum dated April 12, 2010)	44
	<b>Quasi-Judicial</b>	
	3. <b><u>Notice of Scheduled Public Hearing May 4, 2010:</u></b> Ordinance Amendment to Provide for Sunsetting Committees Created Pursuant to Ordinance (memorandum dated April 14, 2010)	45
	<b>Legislative</b>	
<b>11.</b>	<b><u>COUNTY ADMINISTRATOR MATTERS</u></b>	
	A. Utilization of County Fairgrounds, 7955 58 <sup>th</sup> Avenue, Vero Beach, FL 32967, Parcel I.D. #31-39-32-00000-7000-00002.0 (memorandum dated April 12, 2010)	46-58
<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	
	<b><u>A. Community Development</u></b>	
	1. Approval of Contract Award for the Rehabilitation of Seven Homes Approved Under the Hurricane Wilma Community Development Block Grant Disaster Recovery Initiative (memorandum dated April 12, 2010)	59-67

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
<b>A.</b>	<b><u>Community Development</u></b>	
	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 April 12, 2010)	68-82
	3. Re-consideration of Request for a One-Year Extension of the Ocean Concrete Site Plan Application to Construct a Concrete Batch Plant (memorandum dated April 12, 2010)	83-124
<b>B.</b>	<b><u>Emergency Services</u></b>	
	None	
<b>C.</b>	<b><u>General Services</u></b>	
	None	
<b>D.</b>	<b><u>Human Resources</u></b>	
	None	
<b>E.</b>	<b><u>Human Services</u></b>	
	None	
<b>F.</b>	<b><u>Leisure Services</u></b>	
	None	
<b>G.</b>	<b><u>Office of Management and Budget</u></b>	
	1. Property/Casualty Insurance – May 1, 2010 through April 30, 2011 (memorandum dated April 13, 2010)	125-130
<b>H.</b>	<b><u>Recreation</u></b>	
	None	
<b>I.</b>	<b><u>Public Works</u></b>	
	1. Staff Update – Sector 3 Beach Renourishment Project (no back-up)	---

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b>J.      <u>Utilities Services</u></b>	
	1.      Final Payment – Survey for Mitigation at Lost Tree Islands (memorandum dated April 6, 2010).....	131-137
	2.      Amendment No. 1 to Work Order No. 13 with CDM – Design, Permitting, Bidding and Construction Services for Construction of Well No. 7 and at the South County R.O. Facility (memorandum dated April 14, 2010).....	138-152
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
	A.      Agreement for Personal Property and Trade Fixtures at Cumberland Farms Site – Oslo Road Improvement Project (memorandum dated April 9, 2010).....	153-156
	B.      City of Fellsmere Courtesy Warning, dated April 9, 2010 (memorandum dated April 13, 2010).....	157-161
<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
	A. <u>Commissioner Peter D. O’Bryan, Chairman</u> None	
	B. <u>Commissioner Bob Solari, Vice Chairman</u> None	
	C. <u>Commissioner Wesley S. Davis</u> None	
	D. <u>Commissioner Joseph E. Flescher</u>	
	1.      Shark Fishing (memorandum dated April 13, 2010).....	162
	E. <u>Commissioner Gary C. Wheeler</u> None	
<b>15.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS</u></b>	
	A. <u>Emergency Services District</u> None	

15. **SPECIAL DISTRICTS AND BOARDS**

**PAGE**

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](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.***