



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

TUESDAY, MAY 11, 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> | Father Tri Tang Pham, St. Helen Catholic Church |
| 3. | <u>PLEDGE OF ALLEGIANCE</u> | Commissioner Bob Solari, Vice Chairman |
| 4. | <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u> | |
| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | |
| A. | Presentation of Proclamation Designating the Week of May 18 – 22, 2010, as Emergency Medical Services Week | 1 |
| B. | Presentation of Proclamation Honoring the 30 th Year Anniversary of the General Federation of Women’s Clubs, Treasure Coast Women | 2 |

| | | |
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| 5. | <u>PROCLAMATIONS and PRESENTATIONS</u> | <u>PAGE</u> |
| | C. Presentation of Government Finance Officers Association Certificate of Recognition for Budget Preparation to Office of Management and Budget, Indian River County, Florida | 3-4 |
| | D. Update from Director of Emergency Services, John King, Regarding the Oil Spill in the Gulf of Mexico | --- |
| | F. Presentation by Richard Grant Gilmore, Jr., PhD, President, Senior Scientist, Estuarine, Coastal and Ocean Science, Inc., Regarding Shark Baiting and Chumming off County Beaches | --- |
| 6. | <u>APPROVAL OF MINUTES</u> | |
| | A. Public Hearing Workshop of April 5, 2010 | |
| | B. Special Call Meeting of April 9, 2010 | |
| | C. Regular Meeting of April 6, 2010 | |
| 7. | <u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u> | |
| | A. Resignation of District 5 Appointee to the Board of Zoning Adjustment (BZA) (memorandum dated May 3, 2010) | 5-6 |
| 8. | <u>CONSENT AGENDA</u> | |
| | A. Approval of Warrants and Wires, April 23, 2010 to April 29, 2010 (memorandum dated April 29, 2010) | 7-13 |
| | B. Out of County Travel to attend the Florida Association of Counties Annual Conference and Educational Exposition (memorandum dated May 4, 2010) | 14-16 |
| | C. Proclamation Honoring Linda Jones on Her Retirement from Indian River County Board of County Commissioners Department of Community Development Building Division | 17-18 |

| 8. | <u>CONSENT AGENDA</u> | <u>PAGE</u> |
|-----------|--|--------------------|
| | D. Consideration of a Resolution of Support and a Memorandum of Understanding for Participation in the Development of a Grant Application for Funding under the U.S. Department of Housing and Urban Development’s Sustainable Communities Initiative (memorandum dated May 7, 2010) | 19-30 |
| | E. Approval of Emergency Management State Funded Sub-Grant (#09-BG-20-10-40-01-098) Expenditures (memorandum dated May 4, 2010) | 31-32 |
| | F. Approval of Renewal for a Class “E1” Certificate of Public Convenience and Necessity for HealthSouth Treasure Coast Rehabilitation Hospital, to Provide Wheelchair and Comfort Stretcher Services (memorandum dated May 3, 2010) | 33-42 |
| | G. Award of Bid # 2010038, Old Dixie Highway Bridge Replacement over the South Relief Canal IRC Project No. 0205 (memorandum dated May 3, 2010) | 43-65 |
| | H. Change Order No. 2 and Release of Retainage – Michael Schlitt Construction Corp., 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 April 29, 2010) | 66-73 |
| | I. Work Order No. 3 (Sidewalk/Sod) H & D Construction Co. Inc., Oaks of Vero Subdivision Phase 2 – Sidewalk, Release of Retainage and Final Pay (memorandum dated April 26, 2010) | 74-80 |

9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES

None

10. PUBLIC ITEMS

A. PUBLIC HEARINGS

| | |
|---|--------|
| 1. Divosta Homes L.P.’s Request for a Change to the Waterway Village DRI Development Order and Developer’s Agreement and for Adoption of a Resolution Approving a Settlement Agreement (memorandum dated April 27, 2010) | 81-211 |
| Quasi-Judicial | |

| 10. | <u>PUBLIC ITEMS</u> | <u>PAGE</u> |
|------------|--|--------------------|
| | A. <u>PUBLIC HEARINGS</u> | |
| | 2. Consideration of EAR (Evaluation and Appraisal Report) based amendments to the County’s Comprehensive Plan (memorandum dated May 5, 2010) ----- Administrative | 212-259 |
| | B. <u>PUBLIC DISCUSSION ITEMS</u> | |
| | 1. Request to Speak from Fred Mensing Regarding Building Permits ----- | 260-261 |
| | 2. Request to Speak from Ron O’Connor Regarding Inadequate Drainage System at 13895 122 nd Street ----- | 262 |
| | 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 | |
| | C. <u>General Services</u> | |
| | None | |
| | D. <u>Human Resources</u> | |
| | 1. Health Insurance/Excess Loss Reinsurance Brokerage and Actuarial Services – Approval of Contract between Gehring Group and Indian River County (memorandum dated May 3, 2010) ----- | 263-272 |

| 12. | <u>DEPARTMENTAL MATTERS</u> | <u>PAGE</u> |
|------------|---|--------------------|
| 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. Work Order #17, Applied Technology and Management Inc., Sector 7 Beach Restoration Post-Construction Monitoring (Summer 2010) (memorandum dated April 27, 2010) | 273-284 |
| | 3. Work Order #16, Applied Technology and Management Inc., Sectors 1&2 Beach Restoration, Post-Construction Monitoring (Summer 2010) (memorandum dated April 27, 2010) | 285-296 |
| J. | <u>Utilities Services</u> | |
| | 1. Construction of Two 6” Force Main Bores Under 66 th Avenue and the Rangeline Canal in Conjunction with the 16 th Street Pavement Project No. 9920 from 66 th Avenue to 74 th Avenue – UCP 4053 (memorandum dated May 3, 2010) | 297-304 |
| | 2. Final Payment – Grand Harbor LLC Developer’s Agreement for Placement of Fill From the Spoonbill Marsh Wetland Facility (memorandum dated May 5, 2010) | 305-308 |
| | 3. Oyster Colonization Pilot Program at Spoonbill Marsh Wetland Facility (memorandum dated April 26, 2010) | 309-318 |

| 12. | <u>DEPARTMENTAL MATTERS</u> | <u>PAGE</u> |
|---|--|--------------------|
| | J. <u>Utilities Services</u> | |
| | 4. Spoonbill Marsh Wetland Facility – Change Order No. 5 to Timothy Rose Contracting, Inc. for Sedimentation Basin Debris Screen (memorandum dated May 5, 2010) | 319-323 |
| <hr style="border-top: 1px dashed black;"/> | | |
| 13. | <u>COUNTY ATTORNEY MATTERS</u> | |
| | A. Shark Baiting/Chumming Discussion (memorandum dated May 5, 2010) | 324-328 |
| <hr style="border-top: 1px dashed black;"/> | | |
| 14. | <u>COMMISSIONERS ITEMS</u> | |
| | 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> None | |
| | E. <u>Commissioner Gary C. Wheeler</u> None | |
| 15. | <u>SPECIAL DISTRICTS AND BOARDS</u> | |
| | A. <u>Emergency Services District</u> None | |
| | B. <u>Solid Waste Disposal District</u> None | |
| | 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.*