



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

**TUESDAY, JUNE 22, 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**

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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  
Alan S. Polackwich, Sr., 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>9:00 A.M.</u></b>                 | <b><u>PAGE</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 Peter D. O’Bryan, Chairman |                    |
| <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 Designating June 25, 2010, as Korean War Veterans Day  |   | 1                  |
| <b>B.</b> | Presentation of a Check for \$4,184,070.12 to Indian River County Board of County Commissioners by Sebastian Inlet Tax District Commissioner Beth Mitchell for Sector 3 Beach Restoration Project Reimbursement |   |                    |

| <b>5.</b> | <b><u>PROCLAMATIONS and PRESENTATIONS</u></b>   | <b><u>PAGE</u></b> |
|-----------|---|--------------------|
|           | C. Presentation of the Florida Green Building Coalition’s Award for Indian River County as the 2009 Highest Scoring County for Local Government   |                    |
|           | D. Presentation by Edie Widder of Ocean Research & Conservation Association (ORCA) on Monitoring for Early Detection of Petroleum Impacts to the Indian River Lagoon  |                    |
|           | E. Update from Director of Emergency Services, John King, Regarding the Deepwater Horizon Oil Spill   |                    |
| <b>6.</b> | <b><u>APPROVAL OF MINUTES</u></b>   |                    |
|           | A. Regular Meeting of April 20, 2010  |                    |
| <b>7.</b> | <b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>  |                    |
|           | A. Geotechnical Services: Purchase Orders Processed March 3, 2010 Through June 1, 2010<br>(memorandum dated June 7, 2010)   | 2-4                |
| <b>8.</b> | <b><u>CONSENT AGENDA</u></b>  |                    |
|           | A. Approval of Warrants and Wires June 4, 2010 to June 10, 2010<br>(memorandum dated June 10, 2010)   | 5-11               |
|           | B. Resolution Cancelling Taxes on Property Dedicated for 9 <sup>th</sup> Court SW Right-of-Way from Robert D. Williams and Gladys J. Williams<br>(memorandum dated June 11, 2010)   | 12-17              |
|           | C. Resolutions to Call Letters of Credit and to Act on Behalf of Indian River County during the time frames of July 21, 2010, through and including August 16, 2010, and August 18, 2010, through and including September 6, 2010<br>(memorandum dated June 14, 2010) | 18-22              |
|           | D. Attorney for IRC Code Enforcement Board<br>(memorandum dated June 14, 2010)  | 23-26              |
|           | E. Library Closing for Fourth of July, 2010<br>(memorandum dated June 15, 2010)   | 27-28              |
|           | F. Proclamation and Retirement Award Honoring James “Buddy” Akins, Jr. on His Retirement from Indian River County Board of County Commissioners Community Development Department Building Division  | 29-30              |

| <b>8.</b> | <b><u>CONSENT AGENDA</u></b>  | <b><u>PAGE</u></b> |
|-----------|---|--------------------|
| <b>G.</b> | Consideration of Request by Pointe West of Vero Beach, Ltd. To Modify the Covenant to Defer Maintenance Security and the Covenant to Defer Sidewalk Development for Pointe West East Village Phase 1 PD<br>(memorandum dated June 14, 2010) | 31-47              |
| <b>H.</b> | Amendments to Indian River Soccer Association Lease and Sebastian Area Soccer Association License Agreements<br>(memorandum dated June 2, 2010)   | 48-54              |
| <b>I.</b> | Sector 3 Beach Renourishment Project, Partial Release of Retainage, Ranger Construction Industries, Inc.<br>(memorandum dated June 14, 2010)  | 55-61              |
| <b>J.</b> | Federal Fiscal Year 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Approval of Distribution of Grant Funds<br>(memorandum dated June 14, 2010)   | 62-64              |
| <b>K.</b> | Right-of-Way Acquisition, 66 <sup>th</sup> Avenue Project (4 <sup>th</sup> to 12 <sup>th</sup> Street) 4 <sup>th</sup> Street, Project Parcel #1 and Project Parcel #45, Owner: Schacht & Company, Inc.<br>(memorandum dated June 9, 2010)  | 65-74              |
| <b>L.</b> | Acceptance of Statutory Warranty Deed and Easement Relating to Storm Grove Middle School<br>(memorandum dated June 11, 2010)  | 75-85              |

**9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

None

**10. PUBLIC ITEMS**

**A. PUBLIC HEARINGS**

- |           |   |        |
|-----------|---|--------|
| <b>1.</b> | Wauregan Boat Club's Request for Abandonment of a Portion of 133 <sup>rd</sup> Place Between 83 <sup>rd</sup> Avenue and the St. Sebastian River<br>(memorandum dated June 1, 2010) | 86-97  |
|           | <b>Legislative</b>  |        |
| <b>2.</b> | Economic Development Ad Valorem Tax Exemption Ordinance<br>(memorandum dated June 16, 2010)   | 98-110 |
|           | <b>Legislative</b>  |        |

**B. PUBLIC DISCUSSION ITEMS**

None

**10. PUBLIC ITEMS**

**PAGE**

**C. PUBLIC NOTICE ITEMS**

None

**11. COUNTY ADMINISTRATOR MATTERS**

None

**12. DEPARTMENTAL MATTERS**

**A. Community Development**

None

**B. Emergency Services**

None

**C. General Services**

None

**D. Human Resources**

None

**E. Human Services**

None

**F. Leisure Services**

None

**G. Office of Management and Budget**

None

**H. Recreation**

None

**I. Public Works**

None

**J. Utilities Services**

None

| <b>13.</b>                                  | <b><u>COUNTY ATTORNEY MATTERS</u></b>   | <b><u>PAGE</u></b> |
|---|---|--------------------|
| A.  | Fellsmere 2009 Fire Protection Charge<br>(memorandum dated June 16, 2010)   | 111-115            |
| <hr style="border-top: 1px dashed black;"/> |   |                    |
| <b>14.</b>                                  | <b><u>COMMISSIONERS ITEMS</u></b>   |                    |
| A.  | <b><u>Commissioner Peter D. O'Bryan, Chairman</u></b>   |                    |
| 1.  | County Appointments to the City of Vero Beach on Electric and<br>Water/Wastewater Utilities<br>(memorandum dated June 16, 2010)                                     | 116                |
| <hr style="border-top: 1px dashed black;"/> |   |                    |
| B.  | <b><u>Commissioner Bob Solari, Vice Chairman</u></b>  |                    |
| 1.  | Once a Week Trash Pick-up<br>(memorandum dated June 14, 2010)   | 117-119            |
| <hr style="border-top: 1px dashed black;"/> |   |                    |
| C.  | <b><u>Commissioner Wesley S. Davis</u></b>  |                    |
|   | None  |                    |
| D.  | <b><u>Commissioner Joseph E. Flescher</u></b>   |                    |
|   | None  |                    |
| E.  | <b><u>Commissioner Gary C. Wheeler</u></b>  |                    |
|   | None  |                    |
| <b>15.</b>                                  | <b><u>SPECIAL DISTRICTS AND BOARDS</u></b>  |                    |
| A.  | <b><u>Emergency Services District</u></b>   |                    |
| 1.  | Boat Lift for the Indian River County Sheriff's Office<br>(memorandum dated June 15, 2010)  | 120-121            |
| <hr style="border-top: 1px dashed black;"/> |   |                    |
| B.  | <b><u>Solid Waste Disposal District</u></b>   |                    |
| 1.  | Approval of Minutes Meeting of May 4, 2010  |                    |
| 2.  | Approval of Minutes Meeting of May 18, 2010   |                    |
| 3.  | Final Pay for Work Order No. 15 to Geosyntec Consultants, Inc. for<br>Fuel Tank Relocation from Former DOT Facility to Landfill<br>(memorandum dated June 14, 2010) | 122-132            |
| <hr style="border-top: 1px dashed black;"/> |   |                    |

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|------------|---|--------------------|
| <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. Final Pay for Work Order No. 6 to Geosyntec Consultants, Inc. for Professional Services Related to the Design, Permitting and Construction for Segment 1 Closure and Gas Systems Design (memorandum dated June 14, 2010) | 133-143            |
|            | 5. Waste Management, Inc. of Florida Landfill Operations Contract (memorandum dated June 11, 2010)  | 144-147            |
|            | <b><u>C. Environmental Control Board</u></b>  |                    |
|            | 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.*