

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



**TUESDAY, JULY 6, 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](http://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>   | Reverend Shelly Satran, Our Savior Lutheran Church |                    |
| <b>3.</b> | <b><u>PLEDGE OF ALLEGIANCE</u></b>   | Commissioner Bob Solari, Vice 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>  |  |                    |
| A.        | 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 May 18, 2010  |  |                    |

<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	<b><u>PAGE</u></b>
A.	Survey Services: Purchase Orders Processed November 3, 2009 through June 15, 2010 (Memo No. 4) (memorandum dated June 16, 2010)	1-3
B.	Lawsuit Related to Lewis Barton Code Enforcement Board Lien (memorandum dated June 28, 2010)	4
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
A.	Approval of Warrants and Wires June 11, 2010 to June 17, 2010 (memorandum dated June 17, 2010)	5-11
B.	Approval of Warrants and Wires June 18, 2010 to June 24, 2010 (memorandum dated June 24, 2010)	12-22
C.	Request to Convey Affordable Housing Property Back to Indian River County from Every Dream Has A Price, Inc. (memorandum dated June 23, 2010)	23-39
D.	Authorization to Attend (memorandum dated June 28, 2010)	40-47
E.	IRC Bid No. 2010027, Cancellation of Original Award and Re-award Demolition of Two (2) County Owned Structures (memorandum dated June 16, 2010)	48-54
F.	2011 Holiday Schedule (memorandum dated June 21, 2010)	55
G.	Resolution Canceling Taxes on Property Dedicated for Right of Way – 41 <sup>st</sup> Street East of 66 <sup>th</sup> from Philip M. Semenuck and Joanne A. Semenuck (memorandum dated June 28, 2010)	56-60
H.	Approval of Work Order No. 3 with Hydromentia, Inc. for Monitoring and Reporting Services for 319(h) Grant for Egret Marsh Stormwater Park (memorandum dated June 25, 2010)	61-70
I.	Developer’s Posting of Escrow as its Fair Share for Joint Paving Project for 47 <sup>th</sup> Street (memorandum dated June 18, 2010)	71-80
J.	Oslo Road Widening from 43 <sup>rd</sup> Avenue to east of 27 <sup>th</sup> Avenue, Phase 2, Engineering Services, Kimley-Horn and Associates, Inc. Amendment No. 4 (memorandum dated June 24, 2010)	81-86

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
	<b>K.</b> River Club at Grand Harbor Water Services Replacement Project, UCP No. 4037, Final Payment to Sheltra and Sons Construction Co., Inc. and Release of Retainage (memorandum dated June 22, 2010)	87-91
	<b>L.</b> Auditor Selection Committee Recommendation of Audit Firm (memorandum dated June 29, 2010)	92-93
	<b>M.</b> Miscellaneous Budget Amendment 014 (memorandum dated June 24, 2010)	94-97
	<b>N.</b> Release of SHIP Mortgage, PNC Bank, etc. v. Indian River County – Case #3120 10 CA01 0946 (memorandum dated June 11, 2010)	98-100
<b>9.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>	
	None	
<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	
	<b>A. <u>PUBLIC HEARINGS</u></b>	
	None	
	<b>B. <u>PUBLIC DISCUSSION ITEMS</u></b>	
	Please give your name and address, and then give your remarks. Please try to limit your remarks to three minutes.	
	<b>1.</b> Request to Speak from Caroline D. Ginn Regarding the Dissolving and Sunsetting of Committees and Boards	101
	<b>2.</b> Request to Speak from Ron O’Connor Regarding Inadequate Drainage System at 13895 122 <sup>nd</sup> Street	102
	<b>C. <u>PUBLIC NOTICE ITEMS</u></b>	
	<b>1. <u>Notice of Scheduled Public Hearing July 13, 2010</u></b> To Consider Adoption of an Ordinance Enacting a New Section 205.09 of the Code of Indian River County Entitled “Shark Fishing Activities in Close Proximity to Swimming Activities” (memorandum dated June 23, 2010)	103
	<b>Legislative</b>	

10. **PUBLIC ITEMS** **PAGE**

C. **PUBLIC NOTICE ITEMS**

2. **Notice of Scheduled Public Hearings July 20, 2010**  
(memorandum dated June 24, 2010) 104

A. Consideration of Amendment to County Requirements for Locations of Licensed Premises with Alcoholic Beverages to Match State Locational Requirements  
**Legislative**

B. Indian River County's Request for Special Exception Use Approval to Rebuild the Oslo Convenience Center/Transfer Station  
**Quasi-Judicial**

11. **COUNTY ADMINISTRATOR MATTERS**

None

12. **DEPARTMENTAL MATTERS**

A. **Community Development**

1. 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 June 23, 2010) 105-116

B. **Emergency Services**

None

C. **General Services**

None

D. **Human Resources**

None

E. **Human Services**

None

F. **Leisure Services**

None

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b>G. <u>Office of Management and Budget</u></b>	
	None	
	<b>H. <u>Recreation</u></b>	
	None	
	<b>I. <u>Public Works</u></b>	
	None	
	<b>J. <u>Utilities Services</u></b>	
	1. 43 <sup>rd</sup> Avenue & 44 <sup>th</sup> Avenue South of SR 60 and 16 <sup>th</sup> Street West to Old Savannah Subdivision Low Pressure Force Main System, Release Retainage Held by County to Carter Associates for Surveying, Design, Permitting and Construction Phase Services (memorandum dated June 24, 2010)	117-121
	2. Approval of FPL Contribution in Aid of Construction for Provision of Power to two (2) Well Sites located at the North County RO Plant (memorandum dated June 22, 2010)	122-125
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
	A. Pond Siting Report for a Parcel of Property located on 66 <sup>th</sup> Avenue south of 16 <sup>th</sup> Street (memorandum dated June 28, 2010)	126-158
<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
	<b>A. <u>Commissioner Peter D. O'Bryan, Chairman</u></b>	
	None	
	<b>B. <u>Commissioner Bob Solari, Vice Chairman</u></b>	
	None	
	<b>C. <u>Commissioner Wesley S. Davis</u></b>	
	None	
	<b>D. <u>Commissioner Joseph E. Flescher</u></b>	
	None	

<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	<b><u>PAGE</u></b>
<b>E.</b>	<b><u>Commissioner Gary C. Wheeler</u></b>	
	None	
<b>15.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS</u></b>	
<b>A.</b>	<b><u>Emergency Services District</u></b>	
	None	
<b>B.</b>	<b><u>Solid Waste Disposal District</u></b>	
1.	Final Pay to Geosyntec for Work Order No. 7 – Three years of Groundwater Monitoring and Reporting at the Former South Gifford Road Landfill (memorandum dated June 17, 2010)	159-168
2.	Work Order No. 29 to Geosyntec for One Year of Groundwater Monitoring and Reporting at the Former South Gifford Road Landfill (memorandum dated June 14, 2010)	169-183
3.	Work Order No. 28 to Geosyntec for Phase I - Site Preparation for Cell I of Segment 3 Lateral Landfill Expansion (memorandum dated June 14, 2010)	184-211
4.	Work Order No. 16 to Camp Dresser & McKee Inc. (CDM) for Class I Landfill Operations Contract Request for Proposal Assistance (memorandum dated June 25, 2010)	212-218
<b>C.</b>	<b><u>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.***