



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

**TUESDAY, AUGUST 17, 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><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>	Stan Boling, Planning Director
<b>3.</b>	<b><u>PLEDGE OF ALLEGIANCE</u></b>	Joseph A. Baird, County Administrator
<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 in Recognition of Treasure Coast Community Health	1
<b>B.</b>	Presentation of Proclamation Designating August 16 – 20, 2010 as Florida Water Professionals Week	2

<b>5.</b>	<b><u>PROCLAMATIONS and PRESENTATIONS</u></b>	<b><u>PAGE</u></b>
C.	Presentation of Proclamation and Retirement Award Honoring Thomas W. Frame on His Retirement From Indian River County Board of County Commissioners Department of General Services	3-4
D.	Presentation of Florida Commission for the Transportation Disadvantaged 2010 Planning Agency of the Year Award to Indian River County Metropolitan Planning Organization and its Director, Phil Matson	5-6
E.	Presentation by David Dangerfield of the Indian River County Firefighters' Annual Chili Cook-Off Saturday, November 13 <sup>th</sup> at Pointe West, and Request for Board of County Commissioner participation from Commissioner Bob Solari	7-8
F.	Final Indian River County Situation Report by 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 June 8, 2010	
B.	Regular Meeting of June 15, 2010	
C.	Regular Meeting of June 22, 2010	
D.	Regular Meeting of July 6, 2010	
<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	
A.	2010 Election of School Planning Elected Officials Oversight Committee Chairman (memorandum dated August 3, 2010)	9
B.	Resignation of the Architect Representative to the Construction Board of Adjustment and Appeals (memorandum dated July 14, 2010)	10
C.	Recognition of Appointee to the Transportation Disadvantaged Local Coordinating Board (memorandum dated August 10, 2010)	11

<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	<b><u>PAGE</u></b>
<b>D.</b>	Appointment of Mr. Greg Smith to the Affordable Housing Advisory Committee (memorandum dated August 10, 2010)	12-14
<b>E.</b>	Recognition of Appointee to the Transportation Disadvantaged Local Coordinating Board (memorandum dated August 6, 2010)	15
<b>F.</b>	Proof of Publication of Unclaimed Monies for Cash Bonds Deposited with the Clerk of the Circuit Court prior to January 1, 2009 is on file in the Office of the Clerk to the Board	
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
<b>A.</b>	Approval of Warrants and Wires July 9, 2010 to July 15, 2010 (memorandum dated July 15, 2010)	16-23
<b>B.</b>	Approval of Warrants and Wires July 16, 2010 to July 22, 2010 (memorandum dated July 22, 2010)	24-31
<b>C.</b>	Approval of Warrants and Wires July 23, 2010 to July 29, 2010 (memorandum dated July 29, 2010)	32-38
<b>D.</b>	Approval of Warrants and Wires July 30, 2010 to August 5, 2010 (memorandum dated August 5, 2010)	39-46
<b>E.</b>	Indian River County Investment Advisory Committee Quarterly Investment Report for the Quarter Ending 06/30/2010 (memorandum dated August 3, 2010)	47-60
<b>F.</b>	Dori Slosberg Driver Education Safety Act Indian River County Traffic Education Program Trust Fund (memorandum dated July 12, 2010)	61-62
<b>G.</b>	OPEB Trust Report for the Period 10/2/09 through 06/30/10 (memorandum dated August 3, 2010)	63-65
<b>H.</b>	Proclamation and Retirement Award Honoring Gary G. Murdock on His Retirement from Indian River County Board of County Commissioners General Services Department Parks Division	66-67
<b>I.</b>	Authorization for Out of County Travel (memorandum dated August 5, 2010)	68-71

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
<b>J.</b>	Approval of Amendment No. 1 to Work Order Number M2 – Additional Assistance for the Final Report for the Main Relief Canal Pollution Control System 319 Grant Contract (memorandum dated July 26, 2010)	72-77
<b>K.</b>	M.A.C.E. (Multi-Agency Criminal Enforcement Unit) Grant Project Generated Income (PGI) Miscellaneous Budget Amendment 016 (memorandum dated August 9, 2010)	78-85
<b>L.</b>	Miscellaneous Budget Amendment 017 (memorandum dated August 9, 2010)	86-88
<b>M.</b>	Miscellaneous Budget Amendment 018 (memorandum dated August 11, 2010)	89-93
<b>N.</b>	DiVosta Homes L. P. Request for Approval of a Replat of a Portion of Waterway Village PD, Plat 1C to be known as Isles at Waterway Village, Plat 1C, Replat 1 (memorandum dated August 5, 2010)	94-99
<b>O.</b>	Grand Harbor Spoonbill Marsh Site Execution of Revised Submerged Land Lease Area Easement (memorandum dated August 13, 2010)	100-109
<b>P.</b>	Acceptance of Change Order #1 to Gifford Community Center Repair (memorandum dated August 10, 2010)	110-112
<b>Q.</b>	Approval of Payment for Work Order No. 2 for Sedimentation System Dredging at PC Main (Main Relief Canal Pollution Control Facility) (memorandum dated July 28, 2010)	113-115
<b>R.</b>	Approval of Bid Award for IRC Bid No. 2010046 Demolition of Two (2) Condemned Structures (memorandum dated July 30, 2010)	116-121
<b>S.</b>	Approval of Emergency Management State Funded Sub-Grant (#10-BG-25-10-40-01-068) Expenditures (memorandum dated August 4, 2010)	122-123
<b>T.</b>	Bid Award: IRC #2011002 Annual Bid for Harris FX Software Services, Emergency Services (memorandum dated August 2, 2010)	124-129
<b>U.</b>	RFP for Design Services for Replacement Fire Alarm System at County Jail (memorandum dated August 10, 2010)	130-140

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
V.	Senior Resource Associates (SRA) Transit Facility Proposed Amended Lease (memorandum dated August 3, 2010)	141-154
W.	Work Order No. 22 to the Professional Bridge Design Services Agreement with Bridge Design Associates, Inc. for CR512 Bridge over Fellsmere Water Control District (F.W.C.D.) Park Lateral Canal (memorandum dated August 2, 2010)	155-158
X.	Work Order No. 21 to the Professional Bridge Design Services Agreement with Bridge Design Associates, Inc. for CR512 Bridge over Fellsmere Water Control District (F.W.C.D.) Lateral "U" Canal (memorandum dated August 2, 2010)	159-162
Y.	Approval for Local Agency Program (LAP) Certification with the Florida Department of Transportation (memorandum dated August 9, 2010)	163-166
Z.	Recommended Settlement for IRC Parks Maintenance Complex, DeAngelis Diamond Construction, Inc., IRC Project No. 0701 (memorandum dated August 11, 2010)	167-169
AA.	Final Payment and Release of Retainage for Applied Technology & Management for WO# 14 – Sectors 1&2 Post Construction Monitoring (memorandum dated August 9, 2010)	170-174
BB.	Final Payment and Release of Retainage for Applied Technology & Management for WO# 15 – Sector 7 Post Construction Monitoring (memorandum dated August 9, 2010)	175-179
<b>9.</b>	<b><u>CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES</u></b>	
A.	<b><u>Deryl Loar, Indian River County Sheriff</u></b> Budget Amendment (letter dated July 23, 2010)	180
<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	
A.	<b><u>PUBLIC HEARINGS</u></b>	
1.	Macedonia Baptist Church's Request for Abandonment of a Portion of 44 <sup>th</sup> Street between 30 <sup>th</sup> Avenue and the Lateral H Canal (memorandum dated August 4, 2010) <b>Legislative</b>	181-189

<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	<b><u>PAGE</u></b>
	<b>B. <u>PUBLIC DISCUSSION ITEMS</u></b>	
	1. Requests to Speak from Ron OConnor Regarding County Commissioners enforce statutes, property owners made to correct violation and County Commissioners disciplinary action on county staff violators	190-191
	2. Request to Speak from Manfred G. Meidel Regarding Review approved use at LaPorte Farms	192
	3. Request to Speak from City of Vero Beach Councilmember Brian Heady Regarding Update on Latest Developments Regarding City of Vero Beach Electric Utility	
	<b>C. <u>PUBLIC NOTICE ITEMS</u></b>	
	None	
<b>11.</b>	<b><u>COUNTY ADMINISTRATOR MATTERS</u></b>	
	None	
<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	
	<b>A. <u>Community Development</u></b>	
	1. Consideration of AlgaGen LLC’s Request for a Local Jobs Grant (memorandum dated August 3, 2010)	193-216
	2. Consideration of Eureka Growth Capital’s Request for a Local Jobs Grant (memorandum dated August 4, 2010)	217-237
	3. Request to Approve the Hurricane Wilma Community Development Block Grant Disaster Recovery Initiative Group 6 Applicant List, to Authorize Staff to Solicit Bids for Group 6 Hurricane Wilma Hardening Work Activities, and to Approve the Contract Awards for Rehabilitation of Three Group 5 Hurricane Wilma CDBG Disaster Recovery Initiative Houses (memorandum dated July 20, 2010)	238-245

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b>B.     <u>Emergency Services</u></b>	
	None	
	<b>C.     <u>General Services</u></b>	
	1.     Independent Review of Accidental Shooting Incident at the Indian River County Shooting Range (memorandum dated August 10, 2010)	246-270
	<b>D.     <u>Human Resources</u></b>	
	1.     IAFF Local 2201 – Memorandum of Agreement – Extension of the Collective Bargaining Agreement between Indian River County and IAFF Local 2201 (memorandum dated August 9, 2010)	271-273
	<b>E.     <u>Human Services</u></b>	
	None	
	<b>F.     <u>Leisure Services</u></b>	
	None	
	<b>G.     <u>Office of Management and Budget</u></b>	
	None	
	<b>H.     <u>Recreation</u></b>	
	1.     Request for use of Holman Stadium (memorandum dated August 2, 2010)	274-292
	2.     Jake Owen Concert at the Vero Beach Sports Village (memorandum dated August 9, 2010)	293-294
	<b>I.     <u>Public Works</u></b>	
	None	

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b>J. <u>Utilities Services</u></b>	
	1. Approval of FPL Underground Distribution Facilities Installation Agreement and Revised Contribution in Aid of Construction for Provision of Power to two (2) Well Sites located at the North County RO Plant (memorandum dated August 6, 2010)	295-300
	2. Spoonbill Floating Vegetation Mats (memorandum dated August 9, 2010)	301-302
	3. Rescission of Agreement with Equity Lifestyles Properties, Inc. for MHC Countryside North, LLC and Approval of a New Memorandum of Understanding (memorandum dated July 27, 2010)	303-306
	4. Work Order No. 19 – Professional Services to Kimley-Horn & Associates, Inc. for Demonstration of 4-log Virus Treatment of Ground Water Rule at North and South RO Water Treatment Plant Amendment #1 (memorandum dated August 5, 2010)	307-310
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
	A. Approval of Mediated Settlement Agreement for Terry and Lyndell Fleming: 16 <sup>th</sup> Street between 66 <sup>th</sup> and 74 <sup>th</sup> Avenues (memorandum dated August 2, 2010)	311-318
	B. Economic Development Ad Valorem Tax Exemption Ordinance Proposed Documents: Exemption Agreement, Exemption Ordinance, Exemption Application and Exemption Score Sheet/Matrix (memorandum dated August 5, 2010)	319-342
	C. O’Connor Flooding (memorandum dated August 4, 2010)	343-355
<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
	A. <b><u>Commissioner Peter D. O’Bryan, Chairman</u></b> None	
	B. <b><u>Commissioner Bob Solari, Vice Chairman</u></b> None	



<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	<b><u>PAGE</u></b>
	<b>C. <u>Commissioner Wesley S. Davis</u></b>	
	None	
	<b>D. <u>Commissioner Joseph E. Flescher</u></b>	
	None	
	<b>E. <u>Commissioner Gary C. Wheeler</u></b>	
	None	
<b>15.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS</u></b>	
	<b>A. <u>Emergency Services District</u></b>	
	1. Approval of Minutes Regular Meeting of June 8, 2010	
	2. Approval of Minutes Regular Meeting of June 22, 2010	
	3. FEMA, Assistance to Firefighters Grant Program, Grant No. EMW-2009-FP-00738 (memorandum dated August 4, 2010)	356-360
	4. Approval of Homeland Security Training Grant #10-DS-39-13-00-16-414 (memorandum dated August 10, 2010)	361-392
	<b>B. <u>Solid Waste Disposal District</u></b>	
	1. Approval of Minutes Regular Meeting of June 22, 2010	
	2. Approval of Minutes Regular Meeting of July 6, 2010	
	3. 2010 Petition Hearing, Solid Waste Disposal District Assessment Fees (memorandum dated August 6, 2010)	393
	4. Second Memorandum of Understanding with Waste Management, Inc. of Florida and Request for Bids (memorandum dated August 6, 2010)	394-398

15. **SPECIAL DISTRICTS AND BOARDS**

**PAGE**

C. **Environmental Control Board**

1. Approval of Minutes Regular Meeting of May 4, 2010
  
2. Report of Activities for Third Quarter FY 09/10 (April through June 2010)  
(memorandum dated July 20, 2010)

399-401

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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.***