



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

**TUESDAY, SEPTEMBER 7, 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>	Jeffrey R. Smith, Chief Deputy Clerk of Circuit Court
<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 Designating the Month of October, 2010 as Breast Cancer Awareness Month	1
<b>B.</b>	Presentation of Proclamation Recognizing September, 2010 as the Workforce Development Month	2

<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	<b><u>PAGE</u></b>
A.	Regular Meeting of July 13, 2010	
<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	
A.	2010 Election of Affordable Housing Advisory Committee (AHAC) Chairman and Vice Chairman (memorandum dated August 20, 2010)	3
B.	Resignation of District 4 Appointee to the Planning & Zoning Commission (memorandum dated August 23, 2010)	4-5
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
A.	Approval of Warrants and Wires August 6, 2010 to August 12, 2010 (memorandum dated August 12, 2010)	6-13
B.	Approval of Warrants and Wires August 13, 2010 to August 19, 2010 (memorandum dated August 19, 2010)	14-21
C.	Approval of Warrants and Wires August 20, 2010 to August 26, 2010 (memorandum dated August 26, 2010)	22-29
D.	County Capital Asset Inventories (memorandum dated August 31, 2010)	30-42
E.	Certification of 2010 Tax Roll (memorandum dated August 30, 2010)	43-44
F.	Partial Release of Retainage for Coastal Tech Work Order #8, Sector 3 Beach Restoration – Phase I Construction Phase Services (memorandum dated August 26, 2010)	45-50
G.	Approval of Release of Retainage for Malcolm Pirnie, Inc. Work Order No. 3-EM and Amendment No. 1 to Work Order No. 3-EM for Egret Marsh Regional Stormwater Park (memorandum dated August 16, 2010)	51-53
H.	Release of Retainage for Work Order No. M2 and Amendment No. 1 to Work Order No. M2 with Malcolm Pirnie, Inc. for Laboratory Support Services and Reporting for PC Main (formerly known as the Main Relief Canal Pollution Control System) (memorandum dated August 23, 2010)	54-58

<b>8.     <u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
<b>I.</b> Agreement for Developer Contributions to Road Improvements / Asphalt Millings on 53 <sup>rd</sup> Street West of 66 <sup>th</sup> Avenue (memorandum dated August 23, 2010)	59-63
<b>J.</b> State Aid Application/Agreement (memorandum dated August 17, 2010)	64-74
<b>K.</b> Final Pay to Indian River State College (Formally Indian River Community College) for Construction Services for College Lane 16” Water Main – UCP #3085 (memorandum dated August 19, 2010)	75-77
<b>L.</b> Release of Retainage to Bridge Design Services for Design Services to Eliminate Conflicts Between Existing Water and Force Mains and a Proposed New Bridge on Old Dixie Highway at the South Relief Canal – UCP #3085 (memorandum dated August 26, 2010)	78-90
<b>M.</b> South WTP Air conditioner Upgrade – UCP-2859 Final Pay and Release of Retainage (memorandum dated August 23, 2010)	91-94
<b>N.</b> Lateral “G” FM Conversion to Reuse – UCP 2830 Final Pay and Release of Retainage (memorandum dated August 25, 2010)	95-98
<b>O.</b> Award of RFP No. 2010050 for Auction Services (memorandum dated August 30, 2010)	99-119
<b>P.</b> Consideration of Indian River County 2010 SHIP Program and HHR Program Annual Reports (memorandum dated August 23, 2010)	120-166
<b>Q.</b> Choose Life License Plate Funding Distribution of Funds to Care Net Pregnancy Center of Indian River Co. (memorandum dated August 30, 2010)	167-168
<b>R.</b> Miscellaneous Budget Amendment 019 (memorandum dated August 27, 2010)	169-173
<b>S.</b> Declare Playground Equipment Surplus and Authorize the Transfer to the Indian River County Housing Authority (memorandum dated August 30, 2010)	174-181

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
	T. H.U.D. Grant Agreement Shelter Plus Care Grant FL0338C4H090900 (memorandum dated August 31, 2010)	182-207
	U. Approval of Work Order No. PCS-1 with Hydromentia, Inc. for a Pilot Algal Turn Scrubber (ATS) System for Nitrogen and Phosphorus Removal from Stormwater and the Treatment and Reuse of Reverse Osmosis Reject Water (memorandum dated August 27, 2010)	208-246
	V. Consent to Assignment of Voting Equipment Contracts (memorandum dated August 27, 2010)	247-254
<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 August 30, 2010)	255
<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	
	A. <b><u>PUBLIC HEARINGS</u></b>	
	1. Consideration of Proposed Amendment to CN District (Neighborhood Commercial) Regulations Chapter 911 (memorandum dated August 18, 2010)	256-287
	<b>Legislative</b>	
	2. Buildex, Inc.'s Appeal of the Planning and Zoning Commission's Denial of Buildex Inc.'s Request to Rezone ±2.17 Acres from PRO to CN (memorandum dated August 30, 2010)	288-320
	<b>Quasi-Judicial</b>	
	B. <b><u>PUBLIC DISCUSSION ITEMS</u></b>	
	None	
	C. <b><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><u>PAGE</u></b>
<b>A.</b>	<b><u>Community Development</u></b>	
	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 August 19, 2010)	321-332
	2. Request for Board Authorization for Staff to Initiate a Comprehensive Plan Amendment to Allow Limited Recreational Vehicle Use in Mobile Home Rental Parks (memorandum dated August 19, 2010)	333-341
	3. Condemnation, Demolition, and Removal of Unsafe Structures (memorandum dated August 27, 2010)	342-352
<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. Twelve Month Review Indian River County Code, Section 105.041, Local Preference in Purchasing or Contracting (memorandum dated August 26, 2010)	353-356
<b>H.</b>	<b><u>Recreation</u></b>	
	None	

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<b>I. <u>Public Works</u></b>	
	1. Indian River Estates / ACTS, Inc. Developer Agreement for Paving of 26 <sup>th</sup> Street between 82 <sup>nd</sup> Avenue and 74 <sup>th</sup> Avenue (memorandum dated August 23, 2010)	357-375
	2. Work Order No. 10 Coastal Technology Corporation Inc. Sector 3 Beach Restoration Project – Phase 2 Pre-Construction Phase Services (memorandum dated August 24, 2010)	376-380
	<b>J. <u>Utilities Services</u></b>	
	1. Shell Lane East A Portion of Summerplace Petition Sewer Service Indian River County Project No. UCP 4039 Resolution IV – Final Assessment (memorandum dated August 24, 2010)	381-388
	2. Bid Award Recommendation, Construction of Water and Reclaimed Water Line Replacements/Extensions and Miscellaneous Annual Requirements Labor Contract Indian River County Bid No. 2010052, Utilities Project No. UCP 4054 (memorandum dated August 30, 2010)	389-397
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
	A. Engagement of Outside Law Firm to Consult with County Attorney’s Office on Electric, Water and Sewer Franchise Issues (memorandum dated August 27, 2010)	398-408
	B. Counter Offer Received – Purchase and Sale Agreement – Vero Estates, LLC – Northeast Corner of C.R. 510 and 66 <sup>th</sup> Avenue (memorandum dated August 30, 2010)	409-415
	C. Purchase and Sale Agreement – Roy and Cindy Bass 5210, 5220 85 <sup>th</sup> Street (C.R. 510) (memorandum dated August 31, 2010)	416-418
<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	

14. **COMMISSIONERS ITEMS**

**PAGE**

C. **Commissioner Wesley S. Davis**  
None

D. **Commissioner Joseph E. Flescher**  
None

E. **Commissioner Gary C. Wheeler**  
None

15. **SPECIAL DISTRICTS AND BOARDS**

A. **Emergency Services District**  
None

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.***