



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

**TUESDAY, NOVEMBER 2, 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>1. <u>CALL TO ORDER</u></b>	<b><u>9:00 A.M.</u></b>	<b><u>PAGE</u></b>
<b>2. <u>INVOCATION</u></b>	Deputy Teddy Floyd, Indian River County Sheriff Office	
<b>3. <u>PLEDGE OF ALLEGIANCE</u></b>	Commissioner Joseph E. Flescher	
<b>4. <u>ADDITIONS/DELETIONS TO THE AGENDA / EMERGENCY ITEMS</u></b>		
<b>5. <u>PROCLAMATIONS and PRESENTATIONS</u></b>		
<b>A.</b>	Presentation of Proclamation Honoring Marie Combs on her Retirement after Twenty-Eight Years of Service to the Tax Collector’s Office and Citizens of Indian River County	1
<b>B.</b>	Presentation of Proclamation Commemorating the Donation of the Rustin Military Collection to the Genealogy Department of the Indian River County Main Library	2

<b>6.</b>	<b><u>APPROVAL OF MINUTES</u></b>	<b><u>PAGE</u></b>
A.	Regular Meeting of September 14, 2010	
<b>7.</b>	<b><u>INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION</u></b>	
A.	Rigby/Capital Sanitation Presentation to the Board of County Commissioners (memorandum dated October 26, 2010)	4-6
B.	Fair Housing Annual Report (memorandum dated October 25, 2010)	7-8
C.	Geotechnical Services: Purchase Orders processed June 2, 2010 through September 30, 2010 (memorandum dated October 15, 2010)	9
D.	Survey Services: Purchase Orders processed June 15, 2010 through September 30, 2010 (Memo No. 4) (memorandum dated October 15, 2010)	10-11
<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	
A.	Approval of Warrants and Wires October 8, 2010 to October 14, 2010 (memorandum dated October 14, 2010)	12-19
B.	Approval of Warrants and Wires October 15, 2010 to October 21, 2010 (memorandum dated October 21, 2010)	20-27
C.	Right-of-Way Dedication for College Lane Extension by the District Board of Trustees of Indian River State College (memorandum dated October 25, 2010)	28-35
D.	Request to Approve a Project Agreement with the Florida Inland Navigation District for Public Access Improvements on the Flinn Tract of the Lagoon Greenway (memorandum dated October 14, 2010)	36-75
E.	Letter of Support for Federal Grant for Biomass Research Using Algae From Egret Marsh Regional Stormwater Park (memorandum dated October 21, 2010)	76-78
F.	Final Payment to Ecotech Consultants, Inc. for Planting at Spoonbill Marsh Wetland Facility (memorandum dated October 12, 2010)	79-81

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
	<b>G.</b> Final Payment to Ecotech Consultants, Inc. for Lost Tree Islands (memorandum dated October 12, 2010)	82-84
	<b>H.</b> Approval Work Order No. 1 with A.M. Engineering and Testing, Inc. Providing Professional Geotechnical Services in Accordance with the Annual Geotechnical Services Contract RFQ No. 2010021 – 53 <sup>rd</sup> Street Roadway Improvements – IRC Project No. 0107 (memorandum dated October 14, 2010)	85-91
	<b>I.</b> Change Order No. 3 – Final Pay and Release of Retainage Sheltra & Son Construction Co., Inc., 12 <sup>th</sup> Street Sidewalk (43 <sup>rd</sup> Avenue to 27 <sup>th</sup> Avenue and Extension from 43 <sup>rd</sup> Avenue to 52 <sup>nd</sup> Avenue) (memorandum dated October 18, 2010)	92-99
	<b>J.</b> Work Order No. 11 to the Professional Bridge Design Services Agreement with Bridge Design Associates, Inc. for Pedestrian Bridge on Indian River Boulevard over 14 <sup>th</sup> Street Canal – Release of Retainage for Design – IRC Project No. 0745 (memorandum dated October 11, 2010)	100-101
	<b>K.</b> Indian River County Parks Maintenance Complex, Bid # 2009043 DeAngelis Diamond Construction, Inc., Change Order No. 1, Release of Retainage (memorandum dated October 14, 2010)	102-113
	<b>L.</b> Authorization for the Public Works Director or his Designee to Execute Hold Harmless Agreements on Behalf of the Board of County Commissioners; Approval of Authorizing Resolution (memorandum dated October 21, 2010)	114-117
	<b>M.</b> Florida Department of Law Enforcement FY 2010/2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program (memorandum dated October 26, 2010)	118-139
	<b>N.</b> Agreement for Traffic Signal Synchronization with Florida East Coast Railway, L.L.C. (FECRR) for 53 <sup>rd</sup> Street Railroad/Highway Grade Crossing (memorandum dated October 26, 2010)	140-147
	<b>O.</b> Holiday Schedule for Indian River County Library System and Indian River County Public Shooting Range (memorandum dated October 25, 2010)	148-150
	<b>P.</b> Insurance Marketing RFQ/RFP Process; Siver Insurance Consultants (memorandum dated October 26, 2010)	151-159

<b>8.</b>	<b><u>CONSENT AGENDA</u></b>	<b><u>PAGE</u></b>
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<b>Q.</b>	Amendment No. 1 to Work Order No. 11 to the Professional Bridge Design Services Agreement with Bridge Design Associates, Inc. for Pedestrian Bridge on Indian River Boulevard over 14 <sup>th</sup> Street Canal Final Pay and Release of Retainage IRC Project #0745 (memorandum dated October 12, 2010)	160-161
<hr style="border-top: 1px dashed black;"/>		
<b>R.</b>	53 <sup>rd</sup> Street Railroad Crossing Agreement, Amendment No. 1 (memorandum dated October 27, 2010)	162-165
<hr style="border-top: 1px dashed black;"/>		
<b>S.</b>	Civil Engineering and Land Surveying Agreement for CR 510 from CR 512 to 75 <sup>th</sup> Court – Amendment No. 6 and Developer’s Agreement Between Indian River County and Publix Super Markets, Inc. (memorandum dated October 15, 2010)	166-172
<hr style="border-top: 1px dashed black;"/>		
<b>T.</b>	Second Modification to Lease Agreement Between Indian River County and Mark Smith (memorandum dated October 25, 2010)	173-175
<hr style="border-top: 1px dashed black;"/>		
<b>U.</b>	North & South County Reverse Osmosis Water Treatment Plants Final Pay for Work Order No. 8 – Determination of Alternative Water Supply Source by Camp Dresser & McKee, Inc. (memorandum dated October 14, 2010)	176-180
<hr style="border-top: 1px dashed black;"/>		
<b>V.</b>	12” Water Main Relocation on US1 at South Relief Canal, UCP No. 4048, Final Payment to Sheltra and Son Construction Co., Inc. and Release of Retainage, W.I.P. No. 471-23536-044699-10508 (memorandum dated October 21, 2010)	181-184

**9. CONSTITUTIONAL OFFICERS and GOVERNMENTAL AGENCIES**

<b>A.</b>	<b><u>Deryl Loar, Indian River County Sheriff</u></b> Bureau of Justice Assistance State Criminal Alien Assistance Program (letter dated October 26, 2010)	185
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**10. PUBLIC ITEMS**

**A. PUBLIC HEARINGS**

<b>1.</b>	County Initiated Request to Amend the Capital Improvements Element of the Comprehensive Plan. (memorandum dated October 26, 2010)	186-300
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**Legislative**

<b>10.</b>	<b><u>PUBLIC ITEMS</u></b>	<b><u>PAGE</u></b>
	<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.	
	1. Request to Speak from Ardra Rigby and George Rigby Regarding Waste Management Contracts	301
	<b>C. <u>PUBLIC NOTICE ITEMS</u></b>	
	1. <b><u>Notice of Scheduled Public Hearing November 9, 2010:</u></b> Consideration of the Disposition of County Owned Surplus Properties for Affordable Housing (memorandum dated October 25, 2010) <b>Legislative</b>	302
<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. 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 October 15, 2010)	303-316
	<b>B. <u>Emergency Services</u></b>	
	None	
	<b>C. <u>General Services</u></b>	
	None	
	<b>D. <u>Human Resources</u></b>	
	None	
	<b>E. <u>Human Services</u></b>	
	None	

<b>12.</b>	<b><u>DEPARTMENTAL MATTERS</u></b>	<b><u>PAGE</u></b>
	<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>	
	None	
	<b>I. <u>Public Works</u></b>	
	None	
	<b>J. <u>Utilities Services</u></b>	
	1. Spoonbill Marsh Wetland Facility Change Order No. 6, Final Payment and Release of Retainage to Timothy Rose Contracting, Inc. (memorandum dated October 12, 2010)	317-325
	2. Change Order No. 2 to IRC Bid No. 2010024 to Tim Rose Contracting, Inc. for Miscellaneous Project Changes (memorandum dated October 13, 2010)	326-329
	3. Construction of Two 6” Force Main Bores Under 66 <sup>th</sup> Avenue and the Rangeline Canal in Conjunction with the 16 <sup>th</sup> Street Pavement Project No. 9920 from 66 <sup>th</sup> Avenue to 74 <sup>th</sup> Avenue – Rescind Approval of Work Authorization No. 2009-009 and Approve Work Authorization No. 2010-001 – UCP 4053 (memorandum dated October 18, 2010)	330-335
<b>13.</b>	<b><u>COUNTY ATTORNEY MATTERS</u></b>	
	None	
<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	
	<b>A. <u>Commissioner Peter D. O’Bryan, Chairman</u></b>	
	None	

<b>14.</b>	<b><u>COMMISSIONERS ITEMS</u></b>	<b><u>PAGE</u></b>
	<b><u>B. Commissioner Bob Solari, Vice Chairman</u></b>	
	1. Beach Renourishment (memorandum dated October 19, 2010) .....	336
	2. Sewer and Water Update (memorandum dated October 27, 2010) .....	337
	3. Smoot – Hawley (memorandum dated October 27, 2010) .....	338
	<b><u>C. Commissioner Wesley S. Davis</u></b>	
	None	
	<b><u>D. Commissioner Joseph E. Flescher</u></b>	
	None	
	<b><u>E. Commissioner Gary C. Wheeler</u></b>	
	None	
<b>15.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS</u></b>	
	<b><u>A. Emergency Services District</u></b>	
	None	
	<b><u>B. Solid Waste Disposal District</u></b>	
	1. Approval of Minutes – Budget Hearing of July 14, 2010	
	2. Approval of Minutes – Regular Meeting of August 17, 2010	
	3. Request for Sole Source to Mettler Toledo for Landfill Scale Repairs (memorandum dated October 25, 2010) .....	339-342
	<b><u>C. Environmental Control Board</u></b>	
	1. Approval of Minutes – Regular Meeting of August 17, 2010	

<b>15.</b>	<b><u>SPECIAL DISTRICTS AND BOARDS</u></b>	<b><u>PAGE</u></b>
C.	<b><u>Environmental Control Board</u></b>	
2.	Report of Activities for Fourth Quarter FY 09/10 (July through September 2010) (memorandum dated October 20, 2010)	343-345

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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.***