

JEFFREY K. BARTON
Clerk to the Board



INDEX TO MINUTES OF REGULAR MEETING
OF BOARD OF COUNTY COMMISSIONERS
OF JUNE 7, 2011

1.	CALL TO ORDER.....	1
2.	INVOCATION.....	1
3.	PLEDGE OF ALLEGIANCE	1
4.	ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS	2
	Addition: Item 5.E. Request to Speak from City of Sebastian Council member Richard Gillmor	2
	Move: Items 8.A. – 8.O. Consent Agenda to be heard following Item 4	2
	Deletion: Item 8.D. Authorization to Attend Government Services Privatization Conference.....	2
5.	PROCLAMATIONS AND PRESENTATIONS	2
5.A.	OVERVIEW OF THE FLORIDA INLAND NAVIGATION DISTRICT’S DREDGED MATERIAL MANAGEMENT AREA IR-2 CONSTRUCTION PROJECT AT 9910 US HIGHWAY 1	3
5.B.	PRESENTATION BY DAVID ROACH, EXECUTIVE DIRECTOR, FLORIDA INLAND NAVIGATION DISTRICT: DREDGED MATERIAL MANAGEMENT AREA IR-2 CONSTRUCTION PROJECT AT 9910 US HIGHWAY 1	3

5.C.	PRESENTATIONS BY FRANK MARSHALL, GARY KACZENSKI AND DONALD MCARTHUR REGARDING IR-2 DREDGE WASTE MANAGEMENT SITE	4
5.D.	PRESENTATION BY HAL W. GOFORTH, PHD, REGARDING DREDGED MATERIAL MANAGEMENT SITE AREA IR-2	5
5.E.	REQUEST TO SPEAK FROM CITY OF SEBASTIAN MAYOR RICHARD GILLMORE - ADDITION	9
6.	APPROVAL OF MINUTES	10
6.A.	REGULAR MEETING OF MAY 3, 2011	10
6.B.	REGULAR MEETING OF MAY 10, 2011.....	10
7.	INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS NOT REQUIRING BOARD ACTION.....	10
7.A.	DISTINGUISHED BUDGET PRESENTATION AWARD FISCAL YEAR 2010/2011.....	10
8.	CONSENT AGENDA	11
8.A.	APPROVAL OF WARRANTS AND WIRES – MAY 13, 2011 TO MAY 19, 2011.....	11
8.B.	APPROVAL OF WARRANTS AND WIRES – MAY 20, 2011 TO MAY 26, 2011.....	11
8.C.	APPOINTMENT OF BUSINESS IN THE ENTERPRISE ZONE REPRESENTATIVE FOR THE ENTERPRISE ZONE DEVELOPMENT AGENCY	12
8.D.	AUTHORIZATION TO ATTEND GOVERNMENT SERVICES PRIVATIZATION CONFERENCE - DELETED	12
8.E.	WORK ORDER NO. 17 – BRIDGE DESIGN ASSOCIATES, INC. – PARTIAL RELEASE OF RETAINAGE PEDESTRIAN BRIDGE – OLD DIXIE HIGHWAY SIDEWALK FROM 38 TH LANE TO 65 TH STREET IRC PROJECT NO. 0845	12
8.F.	RIGHT-OF-WAY ACQUISITION, 12 TH STREET (WEST OF 58 TH AVENUE), PARCEL I.D. # 33-39-08-00001-0080-00001.0, OWNER: CORNERSTONE CHRISTIAN CHURCH OF VERO BEACH, INC.	13
8.G.	RELEASE OF RETAINAGE – ARCADIS U.S., INC. FOR CIVIL ENGINEERING AND LAND SURVEYING AGREEMENT FOR WIDENING OF 20 TH AVENUE FROM 25 TH STREET SW TO 21 ST STREET SW, IRC PROJECT NO. 0541	13
8.H.	RESOLUTION REQUESTING FUNDING ASSISTANCE FROM STATE OF FLORIDA BEACH EROSION CONTROL PROGRAM – FY 2012-13	14

8.I.	ACCEPTANCE OF OFFER FOR PURCHASE OF FORMER SUN SKY ROOFING PARCEL	14
8.J.	MISCELLANEOUS BUDGET AMENDMENT 017.....	14
8.K.	RELEASE OF RETAINAGE FOR COASTAL TECH WORK ORDER #8 (TASKS 3-8) SECTOR 3 BEACH RESTORATION – PHASE 1 IMMEDIATE POST CONSTRUCTION MONITORING SERVICES.....	15
8.L.	TOURIST DEVELOPMENT COUNCIL 2011-2012 BUDGET RECOMMENDATIONS	15
8.M.	THOMAS AND JENNIFER DINAPOLI’S REQUEST FOR A PARTIAL RELEASE OF EASEMENT AT 680 24 TH PLACE SW (VERO BEACH HIGHLANDS).....	15
8.N.	NEW TELEPHONE SYSTEM FOR THE SENIOR RESOURCE ASSOCIATION	16
8.O.	APPROVAL OF BID AWARD FOR IRC BID NO. 2011042 TRANSIT FACILITY (RE- BID).....	16
9.	CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES - NONE	16
10.	PUBLIC ITEMS.....	17
10.A.	PUBLIC HEARINGS - NONE.....	17
10.B.	PUBLIC DISCUSSION ITEMS - NONE.....	17
10.C.	PUBLIC NOTICE ITEMS - NONE	17
11.	COUNTY ADMINISTRATOR MATTERS - NONE.....	17
12.	DEPARTMENTAL MATTERS	17
12.A.	COMMUNITY DEVELOPMENT - NONE.....	17
12.B.	EMERGENCY SERVICES - NONE.....	17
12.C.	GENERAL SERVICES - NONE	17
12.D.	HUMAN RESOURCES - NONE.....	17
12.E.	HUMAN SERVICES - NONE	17
12.F.	LEISURE SERVICES - NONE.....	17
12.G.	OFFICE OF MANAGEMENT AND BUDGET - NONE.....	17
12.H.	RECREATION - NONE.....	17
12.I.	PUBLIC WORKS.....	18

12.I.1.	BID AWARD IRC BID NO. 2011040 – IRC DISASTER DEBRIS REMOVAL AND DISPOSAL CONTRACT.....	18
12.I.2.	SELECTION OF FIRM TO PROVIDE DESIGN AND CONSTRUCTION SERVICES FOR THE CONSTRUCTION OF VERO BEACH SPORTS VILLAGE QUADRANGLE SOFTBALL FIELDS	19
12.I.3.	FEASIBILITY/STATUS REPORT REGARDING BOARD OF COUNTY COMMISSION REQUEST FOR INFORMATION RELATED TO AVIATION BLVD.....	20
12.J.	UTILITIES SERVICES - NONE.....	20
13.	COUNTY ATTORNEY MATTERS.....	21
13.A.	PURCHASE OF RIGHT-OF-WAY AT 6530 33 RD STREET, 6550 33 RD STREET AND 6570 33 RD STREET	21
14.	COMMISSIONER ITEMS.....	22
14.A.	COMMISSIONER BOB SOLARI, CHAIRMAN - NONE.....	22
14.B.	COMMISSIONER GARY C. WHEELER, VICE CHAIRMAN - NONE	22
14.C.	COMMISSIONER WESLEY S. DAVIS - NONE.....	22
14.D.	COMMISSIONER JOSEPH E. FLESCHER - NONE	22
14.E.	COMMISSIONER PETER D. O’BRYAN - NONE	22
15.	SPECIAL DISTRICTS AND BOARDS	22
15.A.	EMERGENCY SERVICES DISTRICT - NONE.....	22
15.B.	SOLID WASTE DISPOSAL DISTRICT - NONE	22
15.C.	ENVIRONMENTAL CONTROL BOARD - NONE.....	22
16.	ADJOURNMENT.....	23

JEFFREY K. BARTON

Clerk to the Board



June 7, 2011

REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS

The Board of County Commissioners of Indian River County, Florida, met in Regular Session at the County Commission Chambers, 1801 27th Street, Vero Beach, Florida, on Tuesday, June 7, 2011. Present were Chairman Bob Solari, and Commissioners Wesley S. Davis, Joseph E. Flescher. Vice Chairman Gary C. Wheeler and Commissioner Peter D. O'Bryan were absent. Also present were County Administrator Joseph A. Baird, County Attorney Alan S. Polackwich, Sr., and Deputy Clerk Maureen Gelfo.

1. CALL TO ORDER

Chairman Solari called the meeting to order at 9:00 a.m.

2. INVOCATION

Deputy Teddy Floyd, Indian River County Sheriff's Office, delivered the Invocation.

3. PLEDGE OF ALLEGIANCE

Alan S. Polackwich, Sr., County Attorney, led the Pledge of Allegiance to the Flag.

4. ADDITIONS/DELETIONS TO THE AGENDA/EMERGENCY ITEMS

Chairman Solari requested the following changes to today's Agenda:

ADDITION: ITEM 5.E. REQUEST TO SPEAK FROM CITY OF SEBASTIAN COUNCIL MEMBER

RICHARD GILLMOR

MOVE: ITEMS 8.A. – 8.O. CONSENT AGENDA TO BE HEARD FOLLOWING ITEM 4

DELETION: ITEM 8.D. AUTHORIZATION TO ATTEND GOVERNMENT SERVICES

PRIVATIZATION CONFERENCE

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved the Agenda as amended.

Chairman Solari remarked that it was rare to have Commissioners absent from the Board meetings, and disclosed the reasons for the absences of Vice Chairman Wheeler (medical) and Commissioner O'Bryan (attendance at the National Association of Counties County Leadership Institute).

5. PROCLAMATIONS AND PRESENTATIONS

(Clerk's Note: This item was heard following Items 8.A. – 8.O. and is placed here for continuity).

The Chairman pointed out that all of the presentations pertained to the Florida Inland Navigation District's (FIND) Dredged Material Management Area (DMMA) IR-2 Project.

5.A. OVERVIEW OF THE FLORIDA INLAND NAVIGATION DISTRICT'S DREDGED MATERIAL MANAGEMENT AREA IR-2 CONSTRUCTION PROJECT AT 9910 US HIGHWAY 1

Chief of Environmental Planning Roland DeBlois, through a PowerPoint Presentation (copy on file) provided background history and an overview of a joint Federal project between the Florida Inland Navigation District (FIND) and the U.S. Army Corps of Engineers (USACOE), for construction of Dredged Material Management Area IR-2 (DMMA IR-2) at 9910 US Highway 1 (formerly Vickers Grove). He displayed the boundaries of the project, provided details on the site, and reported that it would service the materials management area known as Dredging Reach 1 of the Intercoastal Waterway (IWW). He noted that as a Federal initiative, the project is exempt from local permitting, and confirmed that the site is reflected in the County's updated Comprehensive Plan.

Discussion followed, with input from Attorney Polackwich, with regards to the County's lack of regulatory authority over this project. Board Members emphasized that it was important to have some means of fielding complaints and keeping lines of communication open with FIND and the USACOE.

Responding to Commissioner Flescher's query, Chief DeBlois clarified that the County has issued a temporary use permit for a construction trailer office at the site, but no permits would be issued as far as the dredging aspect of the project.

5.B. PRESENTATION BY DAVID ROACH, EXECUTIVE DIRECTOR, FLORIDA INLAND NAVIGATION DISTRICT: DREDGED MATERIAL MANAGEMENT AREA IR-2 CONSTRUCTION PROJECT AT 9910 US HIGHWAY 1

David Roach, Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, reported that the Dredged Material Management Area IR-2 was part of the

Atlantic Intercoastal Waterway Project, and that it has been initiated due to settlement in the channel. He provided an overview of the site selection process, improvements made by FIND to the site, and details on the final construction phase. Director Roach said that approximately 70 acres would be used for construction, with the rest providing a vegetative buffer, and the 3 acres known as Duck Point would be preserved. Concluding, he reviewed FIND's site management plan to alleviate concerns about odor, unsightliness, contaminants, and neighboring property value loss.

Discussion ensued as Board Members sought and received additional information from Director Roach regarding the locations of other dredged material management areas in this region; the availability of FIND's site management plan and research; prior dredging activity in the County; odor mitigation; the quality of the water flowing back into the waterway; whether the site would become a mining operation; and the transportation of the fill material.

5.C. PRESENTATIONS BY FRANK MARSHALL, GARY KACZENSKI AND DONALD MCARTHUR REGARDING IR-2 DREDGE WASTE MANAGEMENT SITE

Donald McArthur, Indian River County, Community Alliance, commenced a detailed PowerPoint presentation (copy on file) which was subsequently continued by **Gary Kaczinski**, **Frank Marshall**, and **Hal Goforth, PhD** respectively. Speaking on behalf of the Community Alliance, Mr. McArthur explained that the residents were not objecting to the dredging of the Intercoastal Waterway, but to the containment site, which does not fit within the community. He asserted that FIND has not taken into account the impact that the DMMA IR-2 site would have on the neighboring population or businesses.

Gary Kaczinski, 9735 N Marina Drive, Duck Point, accompanied by **Frank Marshall**, Pelican Pointe, declared that the DMMA IR-2 Project does not belong at the subject site because of the site's proximity to several large communities, the Environmental Learning Center, the Pelican Island National Wildlife Refuge, and many businesses. He urged the Board and FIND to seek another alternative for this project.

**5.D. PRESENTATION BY HAL W. GOFORTH, PHD, REGARDING DREDGED
MATERIAL MANAGEMENT SITE AREA IR-2**

Hal Goforth, PhD, continuing the PowerPoint presentation (see Item 5C), provided supporting data and analysis on why he and the Community Alliance felt that FIND's site selection for the DMMA IR-2 Project was based on outdated and hence, invalid, data. He felt that there would be an odor problem, and contended that the site does not meet the criteria for the location of the containment area. He asked the Board to support cessation of the project at the subject site, and requested that FIND stop construction, reevaluate alternate sites (such as the St. John's River Water Management District's containment area in Micco), and obtain an updated analysis of the dredge sediments.

The Chairman called a break at 10:45 a.m. and reconvened the meeting at 11:04 a.m. with all members present.

The Chairman invited public input.

The following residents addressed the Board in opposition to locating Dredged Material Management Area IR-2 (DMMA IR-2) at FIND's designated site at 9910 US Highway 1:

Pete Sharman, Indian River County, with suggestions on cleaning the dredged material through a microfiber filtration system on the river

Steven Lulich, P.A., Sebastian, suggested FIND discontinue the project until new data and an anthropological study are compiled

Hank (surname inaudible), Pelican Pointe, proposed that FIND take the dredged material back into Brevard County where the SJRWMD had done a dredging project

Barbara Barker, Whispering Palms

Ken Bradley, 5585 Corsica Place, Real Estate Broker

Mary Myldarz, President, Homeowners Association Whispering Palms

Michael Gallarano, 10480 US 1, Positive Change Health Center

Barbara Cournoyer, Sebastian, Manager Whispering Palms

Bonnie Kozmer, Rockledge, wondered whether FIND could use barges for the dredging project

Tom Frederickson, 442 34th Avenue, Fishing Guide

Clyde (surname inaudible)

Specific concerns about the dredged materials site expressed by the above speakers included, but were not limited to, the following:

- Odor
- Noise
- Dirt
- Destruction of environmentally sensitive land intended for preservation
- The extent of the site and possible storage of dredged materials from elsewhere
- The need for a new archeological study and someone to monitor for artifacts
- FIND's site selection needs to be based on current data
- Adverse impacts on wildlife and the environment
- Detrimental impacts on the quality of fishing
- Fear of contaminants in the dredged material flowing into the water table
- Quality of Life issues for the neighboring residents
- Unsightliness – visible sand piles above the tree line
- Declining property values
- Sandblasting during a storm
- Whether the dredged materials site on the waterfront property is the highest and best use for the land
- Adverse impacts to the Whispering Palms community, and the possibility that seasonal residents may choose to go elsewhere
- Insufficient information on what the dredged material will consist of
- Insufficient information regarding the hours of operation
- Possible cracking of residents' foundations and occurrences of sink holes

- Respiratory illnesses
- Road damage from the heavy equipment

Frank Marshall, Marine Engineer, US Merchant Marine, wanted FIND to have another archaeological study done.

The following speakers supported the project:

Steve Haigis, Harbormaster, Loggerhead Club & Marina, and past president Marine Industry Association

Katherine Wegel, 8060 142nd Street, with the caveat that FIND obtains more current data on possible contaminants

The following speakers suggested that the residents of Sebastian meet with FIND to see if a cooperative solution could be reached:

Richard Hutton, 1975 1st Place SW

Frank Marshall, Marine Engineer, US Merchant Marine

The Chairman called a break at 12:04 p.m. and reconvened the meeting at 12:10 p.m., with all members present.

Mr. Roach addressed many of the residents' concerns and assured everyone that FIND was committed to being a good neighbor.

Responding to questions from the Board, Mr. Roach affirmed that dredging has not yet begun, and that new tests would be run and submitted to the FDEP prior to the dredging, which is projected to begin in the last quarter of 2012.

Commissioner Davis understood the apprehension of the residents, but also saw the benefits of the project. He asked Mr. Roach to provide contact information for the contractors involved in the project, so the Commissioners can field complaints or concerns from the

residents, and invited residents to telephone him. He advocated having an open line of communication between FIND and the residents, and proposed that staff craft a Resolution outlining the concerns of the residents, which document could then be sent to FIND.

MOTION WAS MADE by Commissioner Davis, SECONDED by Commissioner Flescher, to direct staff to draft a Resolution outlining the concerns put forward by the public regarding the Florida Inland Navigation District's (FIND) Dredged Material Management Area IR-2 Construction Project at 9910 US Highway 1, to be provided to the Florida Inland Navigation District.

Chairman Solari requested that the Motion be amended to direct staff, prior to drafting the Resolution, to work with the residents to establish the list of their questions and concerns. He also suggested that FIND be given an opportunity to respond to the concerns.

MOTION WAS AMENDED by Commissioner Davis, SECONDED by Commissioner Flescher, to direct staff to obtain further input from the Public regarding their concerns about the Florida Inland Navigation District's (FIND) Dredged Material Management Area IR-2 Construction Project at 9910 US Highway; and to subsequently draft a Resolution outlining the concerns, to be provided to FIND.

Commissioner Flescher observed that in the past FIND has been a good environmental steward, and he acknowledged the value of today's forum in opening the lines of communication between the residents and FIND.

Chairman Solari agreed that FIND needed to gather additional data. In addition, he wanted more information about the actual capacity required for the dredged materials, what the impacts of a hurricane would be, and whether nearby wells would be impacted by the project.

Chairman Solari and Commissioner Flescher echoed Commissioner Davis's invitation for residents to contact them with their concerns about the project.

The Chairman CALLED THE QUESTION, and by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Motion carried. The Board: (1) directed staff to obtain further input from the Public regarding their concerns about the Florida Inland Navigation District's (FIND) Dredged Material Management Area IR-2 Construction Project at 9910 US Highway; and (2) directed staff to subsequently draft a Resolution outlining the concerns, to be provided to FIND.

The Chairman called a break at 12:37 p.m., and reconvened the meeting at 12:41 p.m., with all members present.

5.E. REQUEST TO SPEAK FROM CITY OF SEBASTIAN MAYOR RICHARD GILLMORE - ADDITION

Mayor Gillmore invited everyone to attend a concert at Riverview Park in Sebastian on June 10, 2011. He said that a local band would contribute the entertainment and the Red Cross would accept donations to help victims of the Joplin, Missouri tornado.

6. APPROVAL OF MINUTES

6.A. REGULAR MEETING OF MAY 3, 2011

6.B. REGULAR MEETING OF MAY 10, 2011

The Chairman asked if there were any corrections or additions to the Minutes of the Regular Meetings of May 3, 2011 or May 10, 2011. There were none.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved the Minutes of the Regular Meetings of May 3, 2011, and May 10, 2011, as written.

**7. INFORMATIONAL ITEMS FROM STAFF OR COMMISSIONERS
NOT REQUIRING BOARD ACTION**

**7.A. DISTINGUISHED BUDGET PRESENTATION AWARD FISCAL YEAR
2010/2011**

Noted for the record was the Government Finance Officers Association (GFOA) issuance to the County of the Distinguished Budget Presentation Award for Fiscal Year 2010-2011. A Certificate of Recognition has been presented to the County's Office of Management and Budget.

Chairman Solari and Commissioner Davis congratulated Office of Budget and Management Director Jason Brown, who extended kudos to his staff.

8. CONSENT AGENDA

(Clerk's Note: This item was heard following Item 4 and is placed here for continuity).

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved the Consent Agenda.

8.A. APPROVAL OF WARRANTS AND WIRES – MAY 13, 2011 TO MAY 19, 2011

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved the list of Warrants and Wires as issued by the Clerk to the Board for the time period of May 13, 2011 to May 19, 2011, as recommended in the memorandum of May 19, 2011.

8.B. APPROVAL OF WARRANTS AND WIRES – MAY 20, 2011 TO MAY 26, 2011

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved the list of Warrants and Wires as issued by the Clerk to the Board for the time period of May 20, 2011 to May 26, 2011, as requested in the memorandum of May 26, 2011.

**8.C. APPOINTMENT OF BUSINESS IN THE ENTERPRISE ZONE REPRESENTATIVE
FOR THE ENTERPRISE ZONE DEVELOPMENT AGENCY**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved the appointment of Mr. Eric Menger as the Business in the Enterprise Zone representative for the Enterprise Zone Development Agency, as requested in the memorandum of May 25, 2011.

**8.D. AUTHORIZATION TO ATTEND GOVERNMENT SERVICES PRIVATIZATION
CONFERENCE - DELETED**

**8.E. WORK ORDER NO. 17 – BRIDGE DESIGN ASSOCIATES, INC. – PARTIAL
RELEASE OF RETAINAGE PEDESTRIAN BRIDGE – OLD DIXIE HIGHWAY
SIDEWALK FROM 38TH LANE TO 65TH STREET IRC PROJECT NO. 0845**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved payment of Bridge Design Associates, Inc.'s Invoice No. 10-542/R1, dated May 2, 2011 in the amount of \$1,349.50 for release of retainage for design services, as recommended in the memorandum of May 16, 2011.

**8.F. RIGHT-OF-WAY ACQUISITION, 12TH STREET (WEST OF 58TH AVENUE),
PARCEL I.D. # 33-39-08-00001-0080-00001.0, OWNER: CORNERSTONE
CHRISTIAN CHURCH OF VERO BEACH, INC.**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved: (1) the purchase of the needed right-of-way from Cornerstone Christian Church of Vero Beach, Inc., at a price of \$14,062.20; and (2) authorized the Chairman to execute the Purchase and Sale Agreement, as recommended in the memorandum of May 12, 2011.

AGREEMENT ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

**8.G. RELEASE OF RETAINAGE – ARCADIS U.S., INC. FOR CIVIL ENGINEERING
AND LAND SURVEYING AGREEMENT FOR WIDENING OF 20TH AVENUE
FROM 25TH STREET SW TO 21ST STREET SW, IRC PROJECT No. 0541**

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved payment of Arcadis U.S., Inc.'s Invoice No. 9110064 dated May 25, 2011, in the amount of \$4,074.40 for release of retainage, as recommended in the memorandum of May 25, 2011.

8.H. RESOLUTION REQUESTING FUNDING ASSISTANCE FROM STATE OF FLORIDA BEACH EROSION CONTROL PROGRAM – FY 2012-13

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved **Resolution 2011-043**, requesting assistance from the State of Florida Beach Erosion Control Program – FY 2012-2013.

8.I. ACCEPTANCE OF OFFER FOR PURCHASE OF FORMER SUN SKY ROOFING PARCEL

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board: (1) directed staff to proceed with the due diligence portion of the purchase; and (2) directed the County Attorney's Office staff to execute any documents incidental to closing, as recommended in the memorandum of May 26, 2011.

8.J. MISCELLANEOUS BUDGET AMENDMENT 017

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved **Resolution 2011-044**, amending the Fiscal Year 2010-2011 Budget.

8.K. RELEASE OF RETAINAGE FOR COASTAL TECH WORK ORDER #8 (TASKS 3-8) SECTOR 3 BEACH RESTORATION – PHASE 1 IMMEDIATE POST CONSTRUCTION MONITORING SERVICES

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O’Bryan and Wheeler absent), the Board approved the release of retainage for Work Order No. 8 (Tasks 3 – 8) to Coastal Technology Corporation, Inc., in the amount of \$45,902.40, as recommended in the memorandum of May 27, 2011.

8.L. TOURIST DEVELOPMENT COUNCIL 2011-2012 BUDGET RECOMMENDATIONS

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, the Board by a 3-0 vote (Commissioners O’Bryan and Wheeler absent), the Board approved the funding amounts recommended by the Tourist Development Council (as listed on page 59 of the Agenda Packet), as recommended in the memorandum of May 31, 2011.

8.M. THOMAS AND JENNIFER DINAPOLI’S REQUEST FOR A PARTIAL RELEASE OF EASEMENT AT 680 24TH PLACE SW (VERO BEACH HIGHLANDS)

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O’Bryan and Wheeler absent), the Board approved

Resolution 2011-045, releasing a portion of an easement on Lot 10, Block 60, Vero Beach Highlands Subdivision Unit 5.

8.N. NEW TELEPHONE SYSTEM FOR THE SENIOR RESOURCE ASSOCIATION

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board authorized: (1) the use of the existing fiber optic cable network to connect the three Senior Resource Association (SRA) sites; and (2) staff to issue an Invitation to Bid for the proposed ultimate configuration for a new three location telephone system, as recommended in the memorandum of May 16, 2011.

8.O. APPROVAL OF BID AWARD FOR IRC BID NO. 2011042 TRANSIT FACILITY (RE-BID)

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved the Bid Award to Barth Construction, Inc., as the lowest and most responsive bidder meeting the specifications as set forth in the Invitation to Bid, as recommended in the memorandum of May 31, 2011.

9. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL AGENCIES - NONE

10. PUBLIC ITEMS

10.A. PUBLIC HEARINGS - NONE

10.B. PUBLIC DISCUSSION ITEMS - NONE

10.C. PUBLIC NOTICE ITEMS - NONE

11. COUNTY ADMINISTRATOR MATTERS - NONE

12. DEPARTMENTAL MATTERS

12.A. COMMUNITY DEVELOPMENT - NONE

12.B. EMERGENCY SERVICES - NONE

12.C. GENERAL SERVICES - NONE

12.D. HUMAN RESOURCES - NONE

12.E. HUMAN SERVICES - NONE

12.F. LEISURE SERVICES - NONE

12.G. OFFICE OF MANAGEMENT AND BUDGET - NONE

12.H. RECREATION - NONE

12.I. PUBLIC WORKS

**12.I.1. BID AWARD IRC BID No. 2011040 – IRC DISASTER DEBRIS REMOVAL
AND DISPOSAL CONTRACT**

Public Works Director Christopher Mora, through a PowerPoint presentation (copy on file), provided background description and conditions pertaining to the hiring of an outside firm to perform disaster debris removal and disposal. He explained that a contract would be awarded to a primary contractor and a secondary contractor, and presented staff's recommendation for the Board to approve for the primary contractor, TAG Grinding Services, Inc., and for the secondary contractor, Unified Recovery Group LLC.

Commissioner Davis confirmed with Director Mora that he would check with the contractors to make sure they did not have too many commitments elsewhere to take care of this County in a timely manner. Director Mora pointed out that the contractors often hire subcontractors to assist with the cleanup.

Referring to the 2004 hurricanes during which many subcontractors did not receive prompt payment, Commissioner Davis asked staff to look into implementing some type of turnaround time for payment of the subcontractors.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved: (1) the primary contract award to TAG Grinding Services, Inc. (lowest cost bidder), and (2) the secondary contract award in case the primary contractor fails to meet their contractual obligations, to Unified Recovery Group LLC (second lowest bidder). There is no retainer or carrying

costs for the Agreement, all as stated and recommended in the memorandum of May 25, 2011.

12.I.2. SELECTION OF FIRM TO PROVIDE DESIGN AND CONSTRUCTION SERVICES FOR THE CONSTRUCTION OF VERO BEACH SPORTS VILLAGE QUADRANGLE SOFTBALL FIELDS

Director Mora, through a PowerPoint presentation (copy on file), provided background on the County's Request for Proposal (RFP) for the design and construction contract for the quadrangle softball fields that will be built at the Vero Beach Sports Village (F/K/A Dodgertown). He provided an overview of the selection process, noting that a selection committee had evaluated the RFP submittal packages (as well as staff), and presented staff's recommendation for the bid award to go to Bill Bryant & Associates, Inc.

MOTION WAS MADE by Commissioner Davis, SECONDED by Commissioner Flescher, to approve staff's recommendation.

Attorney Polackwich, recalling the property exchange between the City of Vero Beach (the City) and the County that was approved on May 3, 2011, explained that an error was found in the deed of the property that the City was conveying to the County, and the City Council has not yet reviewed the matter. Since the ball fields would be constructed on that property, he advised the Board to approve the bid award contingent upon the conclusion of the land swap transaction.

MOTION WAS AMENDED by Commissioner Davis, SECONDED by Commissioner Flescher, to approve staff's recommendation, contingent upon the County's receipt from the City of Vero Beach of the proper deed to the subject property.

Director Mora, with input from County Engineer Chris Kafer, addressed Chairman Solari's questions and remarks about the cost of the project.

Chairman Solari commended Bill Bryant & Associates, Inc., for reducing their original bid amount to align with the County's budgeted amount.

The Chairman CALLED THE QUESTION, and by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Motion carried. The Board approved the contract award to Bill Bryant & Associates, Inc., in the amount of \$2,492,000.00, contingent upon the County's receipt from the City of Vero Beach, of the proper deed to the property.

12.I.3. FEASIBILITY/STATUS REPORT REGARDING BOARD OF COUNTY COMMISSION REQUEST FOR INFORMATION RELATED TO AVIATION BLVD.

Director Mora recalled that on May 17, 2011, the Board had requested staff to look into three issues pertaining to the intersection of Aviation Boulevard and 20th Avenue (near the entrance to the County Administration complex), as follows: (1) Construction of a left-hand turn lane for west-bound motorists traveling from Aviation Boulevard into the County Administration Complex; (2) Interconnection of 20th Avenue to extend all the way to Aviation Boulevard; and (3) Providing direct access to the Vero Beach Theater Guild parking lot from Aviation Boulevard, if 20th Avenue is not extended. He used a PowerPoint presentation (copy on file) to depict the subject area, and explained that since the improvements involve City right-of-way, staff has advised the City of its interest and is awaiting a response.

No Board Action Required or Taken

12.J. UTILITIES SERVICES - NONE

13. COUNTY ATTORNEY MATTERS

13.A. PURCHASE OF RIGHT-OF-WAY AT 6530 33RD STREET, 6550 33RD STREET AND 6570 33RD STREET

Deputy County Attorney Bill DeBaal, through review of his memorandum of May 31, 2011, provided background and conditions pertaining to three individual right-of-way purchases on adjacent properties on 33rd Street, owned by Stephen and Frances Sherwood; Helen Glenn; and George and Sharon Glenn, respectively. After showing slides and describing the three parcels, he proffered staff's recommendation for Board approval of the three separate right-of-way purchases, as follows: the Sherwood parcel for \$40,000; the Helen Glenn parcel for \$10,000; and the George and Sharon Glenn parcel for \$10,000. Attorney DeBaal conveyed that those figures were the all-inclusive prices and that the Board would need to approve all three purchases, as they are contingent upon each other.

ON MOTION by Commissioner Davis, SECONDED by Commissioner Flescher, by a 3-0 vote (Commissioners O'Bryan and Wheeler absent), the Board approved the following three (3) purchase and sale agreements with Mr. and Mrs. Stephen Sherwood (Parcel 158 – 6530 33rd Street); Mrs. Helen Glenn (Parcel 159 – 6550 33rd Street); and Mr. George and Mrs. Sharon Glenn (Parcel 157 – 6570 33rd Street); (2) authorized the Chairman to execute each contract; (3) directed the parties to proceed to closing on the parcels; and (4) authorized staff to execute any documents incidental to the closings, all as recommended in the memorandum of May 31, 2011.

THREE SEPARATE AGREEMENTS
ON FILE IN THE OFFICE OF THE CLERK TO THE BOARD

14. COMMISSIONER ITEMS

14.A. COMMISSIONER BOB SOLARI, CHAIRMAN - NONE

14.B. COMMISSIONER GARY C. WHEELER, VICE CHAIRMAN - NONE

14.C. COMMISSIONER WESLEY S. DAVIS - NONE

14.D. COMMISSIONER JOSEPH E. FLESCHER - NONE

14.E. COMMISSIONER PETER D. O'BRYAN - NONE

15. SPECIAL DISTRICTS AND BOARDS

15.A. EMERGENCY SERVICES DISTRICT - NONE

15.B. SOLID WASTE DISPOSAL DISTRICT - NONE

15.C. ENVIRONMENTAL CONTROL BOARD - NONE

ALL BACKUP DOCUMENTATION, RESOLUTIONS, AND ORDINANCES ARE ON FILE IN THE OFFICE
OF THE CLERK TO THE BOARD AND ARE HEREBY MADE A PART OF THESE MINUTES

16. ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 1:16 p.m.

ATTEST:

Jeffrey K. Barton, Clerk

Bob Solari, Chairman

Minutes Approved: _____

BCC/MG/2011Minutes